



The Himachal Pradesh Contingency Fund Act, 1971

Act 9 of 1971

Keyword(s):

Unforeseen Expenditure, Governor

Amendment appended: 2 of 1999

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

THE HIMACHAL PRADESH CONTINGENCY FUND ACT, 1971

(ACT No. 9 OF 1971)¹

ARRANGEMENT OF SECTIONS

SECTIONS :

1. Short title and commencement.
2. Interpretation.
3. Establishment of Himachal Pradesh Contingency Fund.
4. Constitution of the Fund.
5. Purpose for which Fund may be utilized.
6. Power to make rules.
7. Repeal of the Punjab Contingency Fund Act, 1950 and the Himachal Pradesh Contingency Fund (Determination of Amount) Act, 1964.

(Received the assent of the Governor on the 3rd May, 1971, and was published in R.H.P. Extra., dated the 27th May, 1971, p. 421—424).

Amended, repealed or otherwise affected by,—

(1) H. P. Ord. No. 6 of 1987, replaced by Act No. 19 of 1987² assented to by the Governor on 16-9-1987, published in R. H. P. Extra dated 18-9-1987 p. 1781

An Act to provide for the establishment and maintenance of a contingency Fund in the State of Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-second Year of the Republic of India as follows :—

1. Short title and commencement.—(1) This Act may be called the Himachal Pradesh Contingency Fund Act, 1971.

(2) It extends to the whole of the State of Himachal Pradesh.

(3) It shall come into force at once.

2. Interpretation.—In this Act, “the Fund” means the Himachal Pradesh Contingency Fund established under section 3.

3. Establishment of Himachal Pradesh Contingency Fund.—On the commencement of this Act, the State Government shall establish in and for the State of Himachal Pradesh a Fund called the Himachal Pradesh Contingency Fund in the nature of an Imprest Account.

1. For Statement of Objects and Reasons, see R. H. P. Extra., dated the 19th April, 1971, P. 226 and for its Authoritative Hindi Text see R.H.P., Extra, dated 21-3-1974, p. 365—368.

2. For Statement of Objects and Reasons see R. H. P. Extra., dated 10-9-1987 p. 1658

4. Constitution of the Fund.—The State Government will, on the commencement of this Act, appropriate a sum of fifty lakhs of rupees out of the Consolidated Fund of the State and place it to the credit of the Fund¹ [:]

¹[Provided that on and with effect from 18th day of August, 1987 the aforesaid sum shall be to the tune of one crore rupees].

5. Purpose for which Fund may be utilized.—The Fund shall be placed at the disposal of the Governor of Himachal Pradesh, who shall not expend it except for the purposes of making advances from time to time for meeting unforeseen expenditure of the State pending authorisation of such expenditure by the Legislature of the State under appropriations made by law; and immediately after the coming into operation of such law, an amount equal to the amount or amounts advanced by the Governor for the purposes aforesaid shall be deemed to have been placed to the credit of the Fund and the amount so transferred or deemed to have been transferred shall for all purposes form part of the Fund.

6. Power to make rules.—The State Government may by notification make rules² to carry out all or any of the purposes of the Act.

7. Repeal of the Punjab Contingency Fund Act, 1950 and the Himachal Pradesh Contingency Fund (Determination of Amount) Act, 1964.—The Punjab Contingency Fund Act, 1950 (13 of 1950) as applicable to the territories added to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966) and the Himachal Pradesh Contingency Fund (Determination of Amount) Act, 1964 (1 of 1964) are hereby repealed.

1. subs. for “.” and proviso added vide H.P. Act No. 19 of 1987.

2. Rules framed vide Not. No. 13-3/71-Fin.-C, dated the 26th May, 1971 (Appended)

**THE HIMACHAL PRADESH CONTINGENCY FUND
(AMENDMENT) ACT, 1998**

ARRANGEMENT OF SECTIONS

Sections:

1. Short title.
2. Substitution of section 4.

**THE HIMACHAL PRADESH CONTINGENCY FUND
(AMENDMENT) ACT, 1998**

(Act No. 2 of 1999)¹

(Received the assent of the Governor on 16th January, 1999 and was published in Hindi and English in R.H.P. Extra., dated, 18.1.1999, p. 237-238).

An Act further to amend the Himachal Pradesh Contingency Fund Act, 1971 (Act No. 9 of 1971).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Forty-ninth Year of the Republic of India, as follows:-

1. Short title.- This Act may be called the Himachal Pradesh Contingency Fund (Amendment) Act, 1998.

2. Substitution of section 4.- For section 4 of the Himachal Pradesh Contingency Fund Act, 1971, (9 of 1971), the following shall be substituted, namely:-

"4. Constitution of the Fund.- The State Government shall appropriate sum of rupees five crores out of the Consolidated Fund of the State and place it to the credit of the Fund."

NOTIFICATIONS

Under

THE HIMACHAL PRADESH CO-OPERATIVE SOCIETIES ACT, 1968

APPOINTMENTS AND DELEGATIONS

CO-OPERATION DEPARTMENT

NOTIFICATION

Shimla -2, the 29th May, 1999.

No. Co-op. (2)-1/88-Sectt.-III.- In exercise of the powers conferred under section 3 (1) of the Himachal Pradesh Co-operative Societies Act, 1968

1. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see R.H.P.Extra., dated 9.12.1998, p. 4189 & 3194.

(Act No. 3 of 1969), the Governor, Himachal Pradesh is pleased to appoint Deputy Registrar (Bank), Himachal Pradesh at Shimla to assist Registrar, Cooperative Societies in implementation of the provisions of the said Act to be called as Assistant Registrar, Co-operative Societies, Himachal Pradesh and is further pleased to confer on the said officer under section 3(2) of this Act, all the powers of the Registrar, Co-operative Societies, exercised by him under sections 33, 61, 62, 64, 65, 67, 71, 72, 73, 74, 86, 87, 89 and 90- of the said Act, within his jurisdiction, with effect from 4.3.1999, the date on which he took over the charge of Deputy Registrar (Bank). The said officer shall exercise these powers subject to the general guidance, superintendence and control of the Registrar Cooperative Societies as provided under section 3(3) of the said Act.

(R.H.P. dated 26.6.99, p. 973).

EXEMPTION FROM THE PROVISIONS OF THE ACT

CO-OPERATION DEPARTMENT

NOTIFICATION

Shimla-2, the 2nd January, 1998

No. Co-op.E(II)-21/74.- In exercise of the power vested in him under section 100 of the Himachal Pradesh Co-operative Societies Act, 1968 (Act No. 3 of 1969), the Governor, Himachal Pradesh is pleased to grant exemption from the operation of the provisions of the third proviso below rule 132-A of the Himachal Pradesh Co-operative Societies Rules, 1971.

Now in supersession of this Department notification of even number, dated 24-5-1997, the Governor, Himachal Pradesh is further pleased to order that the appeals/review/revision petitions filed before the Government under sections 93 and 94 of the *ibid* Act, as the case may be, shall be heard and finally disposed of by the Under Secretary (Co-op.) to the Government of Himachal Pradesh in case the impugned order has been passed by an Authority subordinate or junior to the Registrar, Co-operative Societies, Himachal Pradesh and Additional Registrar, Co-operative Societies, Dharamshala, but exercises the powers of the Registrar, Co-operative Societies, Himachal Pradesh under the provisions of Himachal Pradesh Co-operative Societies Act.

(R.H.P. dated 20.3.1999, p. 359).
