



The Bombay State Scarcity Relief Fund Act, 1958

Act 83 of 1958

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THE BOMBAY STATE SCARCITY RELIEF FUND ACT, 1958.

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BOMBAY ACT No. LXXXIII OF 1958¹

[THE BOMBAY STATE SCARCITY RELIEF FUND ACT, 1958.]

[9th October 1958.]

Adapted and modified by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

Amended by Mah. 40 of 1963.

An Act to provide for the establishment and maintenance in the State of Bombay of a ²[Scarcity Relief Fund] for meeting expenditure on preventive and remedial measures connected with ³[scarcity] conditions or on relief of distress caused by serious drought, food or other natural calamities in the State.

WHEREAS in the pre-Reorganisation State of Bombay, excluding the transferred territories, and in the Vidarbha region and in the Saurashtra area of the State, the Bombay Famine Relief Fund Act, 1936, the Central Provinces and Berar Famine Relief Fund Act, 1937 and the Saurashtra Famine Relief Fund Act, 1951 are respectively, in force ;

AND WHEREAS there is no corresponding law in force in the Hyderabad and Kutch areas of the State ;

AND WHEREAS it is expedient to provide for the establishment and maintenance in the State of a common Fund called the [Maharashtra State Scarcity Relief Fund] for meeting expenditure on preventive and remedial measures connected with ³[scarcity] conditions or on relief of distress caused by serious drought, flood or other natural calamities in any part of the State ;

It is hereby enacted in the Ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Bombay State ⁵[Scarcity] Relief Fund Act, 1958. Short title and extent.

(2) It extends to the whole of the ⁶[State of Maharashtra].

2. In this Act " Fund " means the ⁷[Maharashtra] State ⁵[Scarcity] Relief Fund established and maintained under section 3. Definition.

3. The State Government shall establish and maintain in and for the State of ⁷[Maharashtra] a Fund called " the ⁷[Maharashtra] State ⁵[Scarcity] Relief Fund " Establishment and maintenance of the
The Fund shall consist of—

- (1) the securities (including cash balances if any) mentioned in ⁸[section 4A] ; ⁷[Maharashtra] State ⁵[Scarcity] Relief Fund.
- (2) the interest which may from time to time accrue on such securities ;
- (3) such other sums as the State Government may from time to time contribute to the Fund under sub-section (2) of section 7 or otherwise ; and
- (4) the interest which may from time to time accrue on the securities in which the sums to the credit of the Fund may be invested or reinvested under section 6.

¹ For Statement of Objects and Reasons see *Bombay Government Gazette*, 1958, Part V, pp. 414 and 415.

² These words were substituted for the words " Famine Relief Fund " by Mah. 40 of 1963, s. 3(1), Sch.

³ This word was substituted for the words " famine or acute scarcity ", *ibid.*

⁴ These words were substituted for the words " Bombay State Famine Relief Fund ", *ibid.*

⁵ This word was substituted for the word " famine ", *ibid.*

⁶ These words were substituted for the words " State of Bombay " by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

⁷ This word was substituted for the word " Bombay ", *ibid.*

⁸ This portion was substituted for the word and figure " section 4 ", *ibid.*

Transfer of securities held under Bom. XIX of 1936, C.P. & Berar III of 1937 and Sen. XIV of 1951.

4. With effect from the commencement of this Act, such of the securities (including cash balances, if any) in the Famine Relief Funds established under the Bombay Famine Relief Fund Act, 1936 and the Central Provinces and Berar Famine Relief Fund Act, 1937 as shall pass on to the State of Bombay under section 80 of the States Reorganisation Act, 1956 and all the securities (including cash balance, if any) in the Famine Relief Fund established under the Saurashtra Famine Relief Fund Act, 1951 shall be deemed to be transferred to, and to form part of, the ¹[Fund established under this Act] and shall be held in or transferred to the name of the Secretary to the Government of Bombay, Famine Department, or such other Officer as the State Government may specify.

Bom. XIX of 1936. C.P. & Berar III of 1937. XXX-VII of 1956. Sen. XIV of 1951.

Transfer of securities, etc., on or after 1st May 1960.

²[4A. Such of the securities (including cash balances, if any) mentioned section 4 as may be determined under sub-section (2) of section 51 of the Bombay Reorganisation Act, 1960, shall be held in, or transferred to, the name of the Secretary to the Government of Maharashtra, Famine Department, or such other officer as the State Government may specify.]

Purposes for which the Fund may be utilised.

5. The Fund shall not be expended except upon—

(1) the relief of ³[scarcity] ; or

(2) the relief of distress caused by serious drought, flood or other natural calamities, in the ⁴[State of Maharashtra] or any part thereof :

Provided that when the Fund exceeds such sum as the State Government may by order determine in this behalf, the State Government may utilise the excess to meet expenditure on any preventive or remedial measures in connection with ⁵[scarcity] conditions in the ⁴[State of Maharashtra] or any part thereof ; or for the grant of loans to cultivators, either under the Land Improvement Loans Act, 1883, or under the Agriculturists' Loans Act, 1884, or for relief purposes ; or to meet irrecoverable balances of such loans.

XIX of 1883. XII of 1884.

Investment and reinvestment of amounts not required for use immediately.

6. The State Government shall, from time to time, invest or reinvest all sums to the credit of the Fund, which may not be immediately required for any of the purposes mentioned in section 5, in Government securities as defined in clause (2) of section 2 of the Public Debt Act, 1944 or in securities specified in clause (c) or (d) of section 20 of the Indian Trusts Act, 1882, in the name of the Secretary to the ⁶[Government of Maharashtra], Finance Department, or such other officer as the State Government may specify :

XVIII of 1944. II of 1882.

Provided that the sums which stand invested in securities mentioned in section 4 at the commencement of this Act may continue to be so invested, notwithstanding that any such securities are not mentioned in this section, so long as the State Government does not think it fit to reinvest them under this section.

¹ These words were substituted for the words " Famine Relief Fund established under this Act " by Mah. 40 of 1963, s. 3(1), Sch.

² Section 4A was inserted by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

³ This word was substituted for the words " famine or acute scarcity " by Mah. 40 of 1963, s. 3(1), Sch.

⁴ These words were substituted for the words " State of Bombay " by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

⁵ These words were substituted for the words " Government of Bombay ", *ibid.*

7. (1) The accounts of the Fund shall be made up at the end of each financial year, the securities belonging to the Fund being valued at their market value on the last day of such year. Accounts and making up of the deficiency in the Fund.

(2) If the accounts so made up show that the balance in the Fund at the end of such year falls short of ¹[such sum as the State Government may by order determine in this behalf], the deficiency shall be made up from the Consolidated Fund of the State :

Provided that if the deficiency ²[exceeds such sum as the State Government may by order determine in this behalf], it may be made up in annual instalments the amount of each instalment except the last being not ³[less than such sum].

(3) Any expenditure incurred by the State Government under sub-section (2) shall be charged on the Consolidated Fund of the State.

8. The Bombay Famine Relief Fund Act, 1936 and the Central Provinces and Berar Famine Relief Fund Act, 1937, in their application to the *State of Bombay and the Saurashtra Famine Relief Fund Act, 1951 are hereby repealed : Repeal and saving.

Bom.
XIX
of
1936.
C. P.
&
Berar
III of
1937.
Sau.
XIV
of
1951.

Provided that such repeal shall not affect—

(a) the previous operation of any Act so repealed ; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under any of the Acts so repealed ; or

(c) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation or liability as aforesaid ;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced as if this Act had not been passed :

Provided further that anything done or any action taken under any of the Acts so repealed shall, so far as it is not inconsistent with this Act, be deemed to have been done or taken under the corresponding provision of this Act, as if the said provision was in force in the relevant part of the State when such thing was done or such action was taken, and shall continue in force accordingly, unless and until superseded by anything done or any action taken under this Act.

¹ These words were substituted for the words " four crores of rupees " by the M. h. arashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

² These words were substituted for the words " exceeds fifteen lakhs of rupees ", *ibid.*

³ These words were substituted for the words " Less than fifteen lakhs of rupees ", *ibid.*

* " State of Bombay " shall stand unmodified [u]nder the M. h. arashtra Adaptation of Laws (State and concurrent Subjects) Order, 1960].