

## **BENGAL FAMINE INSURANCE FUND ACT, 1938**

**3 of 1938**

**[5th May, 1938]**

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## **BENGAL FAMINE INSURANCE FUND ACT, 1938**

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An Act to provide for the establishment and maintenance in Bengal of a Fund called the Bengal Famine Insurance Fund for expenditure upon relief of, and insurance against famine and distress caused by serious drought, flood, earthquake or other natural calamities. WHEREAS it is expedient to provide for the establishment and maintenance in Bengal of a Fund for expenditure upon relief of, and insurance against, famine and distress caused by serious drought, flood, earthquake, or other natural calamities; It is hereby enacted as follows:

### **1. Short title :-**

This Act may be called the Bengal Famine Insurance Fund Act,<sup>1</sup> [1938].

1. Figures subs. by W.B. Act .7 of 1948.

### **2. Definition :-**

In this Act, unless there is anything repugnant in the subject or context, "Fund" means the <sup>1</sup> [West Bengal] Famine Insurance Fund established under section 3.

1. Words subs. by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

### **3. Establishment of the West Bengal Famine Insurance Fund :-**

On the commencement of this Act, the <sup>1</sup>[State] Government shall establish in and for <sup>2</sup>[West Bengal] a Fund, called the <sup>3a</sup>[West Bengal] Famine Insurance Fund. The Fund shall consist of

(i) the contribution by the <sup>3</sup>[State] Government under section 4;

(ii) such other sums as the <sup>3</sup> [State] Government may contribute to the Fund under section 7; and

(iii) 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 re-invested under section 6.

1. Word subs. by the Adaptation of Laws Order, 1950.

2. Words subs. by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

3. Word subs. by the Adaptation of Laws Order. 1950.

### **4. Initial contribution to the Famine Insurance Fund by State Government :-**

As soon as may be after the commencement of this Act, the <sup>1</sup> [State] Government shall, for the purpose of the establishment of the Fund, make an initial contribution to the Fund, of the sum of ten lakhs of rupees.

1. Word subs. by the Adaptation of Laws Order. 1950.

### **5. Purposes for which the Fund may be utilised :-**

Expenditure from the Fund shall not be incurred except upon the relief of famine and the relief of distress caused by serious drought, flood, earthquake or other natural calamities :

Provided that, if at any time, the total amount of the Fund exceeds twelve lakhs of rupees, the <sup>1</sup>[State] Government may utilise such excess to meet expenditure on protective irrigation works and other works for the prevention of famine or flood or to pay debt charges for which the <sup>1</sup> [State] Government may from time to time be liable, including interest, sinking fund charges and redemption

charges.

1. Word subs. by the Adaptation of Laws Order. 1950.

**6. Investment and re-investment of amount not required :-**

The <sup>1</sup> [State] Government shall from time to time invest or re-invest in its own securities or in the securities of the Central Government all sums to the credit of the Fund, which may not be immediately required for any of the purposes mentioned in section 5.

1. Word subs. by the Adaptation of Laws Order. 1950.

**7. Accounts of the Fund and making up of the deficiency in the Fund :-**

(1) The Accounts of the Fund shall be made up at the end of each financial year, the securities, if any, belonging to the Fund, being valued at their market value on the last day of such year and an abstract of such Accounts shall be placed before <sup>1</sup>[\* \* \* the <sup>2</sup>[West Bengal] Legislative Assembly <sup>3</sup>[and before the West Bengal Legislative Council when that Council is constituted] every year along with the annual financial statement of the <sup>4</sup>[State].

(2) If the accounts so made up in respect of any year show that the balance at the credit of the Fund falls short of twelve lakhs of rupees, <sup>5</sup> [State] :

Provided that if the deficiency exceeds two lakhs of rupees, it may be made up in annual instalments, the amount of each instalment except the last being not less than two lakhs of rupees.

1. Words om. by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

2. Words subs. by the Indian Independence (Adaptation of Bengal and Punjab Acts) Order, 1948.

3. Words ins. by the Adaptation of Laws Order, 1950.

4. Word subs. by the Adaptation of Laws Order. 1950.

5. Word subs. by the Adaptation of Laws Order, 1950

**8. Contributions under the Act to be charged upon the revenues of the State :-**

All contributions made under this Act to the Fund are hereby declared to be expenditure charged upon the revenues of the <sup>1</sup> [State].

1. Word subs. by the Adaptation of Laws Order, 1950

**9. Power of State Government to make rules :-**

The <sup>1</sup> [State] Government may make rules, consistent with this Act, for the purpose of giving effect to the provisions of this Act.

1. Word subs. by the Adaptation of Laws Order, 1950