

Abolition Of Cash Grants Act, 1967

15 of 1967

[11 December 1967]

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An act to discontinue certain classes of cash grants in the1[Gulburga Area] of the1[State of Karnataka]. WHEREAS it is expedient to discontinue certain classes of cash grants in the1[Gulburga Area] of the1[State of Karnataka]; BE it enacted by the1[Karnataka] State Legislature in the Eighteenth Year of the Republic of India as follows:- 1.Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 01.11.1973. 2.First Published in the Karnataka Gazette on the Twenty-first day of December, 1967.

1. Short Title, Extent And Commencement :-

- (1) This Act may be called the1[Karnataka] (Abolition of Cash Grants) Act, 1967.
- (2) It extends to the1[Gulburga Area] of the1[State of Karnataka].
- (3) It shall come into force at once.
1. Adapted by the Karnataka Adaptations of Laws Order, 1973 w.e.f. 01.11.1973.

2. Definitions :-

In this Act, unless the context otherwise requires,-

- (a) "Government" means the State Government;
- (b) "charitable institution" means any charitable establishment, with a specific location and known address which is dedicated to, or for the benefit of, or used as of right by, the public generally or any community or section thereof, for any pious, charitable or philanthropic purpose;
- (c) "prescribed" means prescribed by rules made under this Act;
- (d) "religious institution" means any religious establishment (such as temple, shrine, mosque or the like) with a specific location and known address which is dedicated to, or used as of right by, the public generally or any community or section thereof, as a place of public religious worship.

3. Application Of Act :-

(1) This Act shall apply to any cash grant specified in the Schedule other than those mentioned in sub-section (2).

(2) Nothing contained in this Act shall apply to any such cash grant given in the name, or for the support, of any religious or charitable institution or given to any person for the performance of any service or charity, such service or charity being of a public nature connected with any religious or charitable institution:

Provided that the payment of cash grant mentioned in this sub-section shall be made to the institution or to the person concerned only so long as the institution exists.

(3) For the removal of doubts, it is hereby declared that the provisions of section 5 of the Hyderabad Atiyat Enquiries Act, 1952 (Hyderabad Act X of 1952), as in force in the Hyderabad Area, shall apply to the cash grants continued by this Act as they apply to Atiyat grants under that Act.

(4) The Government may, by notification in the official Gazette, alter, add to or omit any of the entries in the Schedule.

4. Abolition Of Certain Grants And Payment Of Compensation Therefor :-

(1) Notwithstanding anything contained in any law, custom, usage, sanad or decree or order of a court or other authority and subject to the provisions of sub-section (2) all cash grants specified in Part A of the Schedule which were payable or enforceable during the year commencing on the 1st April, 1952 or any subsequent

financial year, and all cash grants specified in part B and Part C of the Schedule which were payable or enforceable during the year commencing on the 1st day of April, 1954 or any subsequent financial year, shall be discontinued and cease to have effect,-

(a) in the case of cash grants specified in Part A of the Schedule - with effect from the 30th day of July, 1952; and

(b) in the case of cash grants specified in Part B and Part C of the Schedule-with effect from the 1st day of July, 1954.

(2) The grantee whose cash grant is abolished under sub-section (1) shall be paid compensation as follows:-

(i) in the case of a cash grant specified in Part A of the Schedule, a sum equivalent to four times the annual amount payable to the grantee;

(ii) in the case of a cash grant specified in Part B of the Schedule, a sum equivalent to six times the annual amount payable to the grantee; and

(iii) in the case of a cash grant specified in Part C of the Schedule, a sum equivalent to four times the annual amount payable to the grantee:

Provided that in respect of each of the cases specified in column (1) of the Table below, the cash grant specified in Part C shall be continued subject to the conditions specified in each case during the period mentioned in column (2), namely:-

TABLE

	(1)	(2)
(1)	Where the age of the grantee, whether male or female, was not less than 60 years on the 1st day of April, 1954	Till the date of the death of the grantee
(2)	Where the age of the grantee was less than 60 years on the 1st day of April, 1954 ,-	
	(i) in the case of a male or an unmarried woman, if the grantee is incapable of earning a livelihood on account of being blind, deaf, dumb and mute, mentally deranged, crippled or paralytic;	From the date of abolition till the date of the death of the grantee.
	(ii) in the case of a widow.	So long as she remains a widow.
(3)	Where the grantee is a minor,-	
	(i) in the case of a male if such cash grant is his only source of income	From the date of abolition till the date of attainment of 18 years.
	(ii) in the case of a female.	From the date of abolition till the date of marriage or the date of

		attainment of 18 years whichever is earlier.
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(3) Where the amount of cash grant received by a male minor before attainment of 18 years of age, or by a female minor before such attainment or marriage, falls short of four times the annual amount of cash grant, the deficiency shall be made good to the male minor on his attaining 18 years of age, and to the female minor on her attaining 18 years of age or her marriage, whichever is earlier.

(4) Where a cash grant to which this Act applies is subject to the rendering of any service, the grantee shall, with effect from the date of discontinuation of the grant, stand relieved of the liability to render that service.

(5) The compensation payable under sub-section (2) for the cash grants specified in Part A and Part C of the Schedule shall be paid to the grantee in such manner and in such installments as may be prescribed; and the compensation payable for the cash grant specified in Part B of the Schedule shall be paid to him either in full or in annual installments not exceeding twelve.

5. Power To Make Rules :-

(1) The Government may, by notification in the official Gazette, make rules to carry out all or any of the purposes of this Act.

(2) Every rule made under this section shall be laid as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

6. Disposal Of Pending Matters :-

All claims and all proceedings relating to cash grants pending on the date of commencement of this Act, before any authority shall, notwithstanding anything in any law, contract, decision or order of a court, be dealt with and disposed of in accordance with the provisions of this Act.

7. Repeal :-

The Hyderabad (Abolition of Cash Grants) Act, 1952 (Hyderabad Act XXXIII of 1952), is hereby repealed.