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**Jaipur Sud Sadabarar Fund Administration Act, 1963**

**6 of 1964**

**[20 March 1964]**

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**Jaipur Sud Sadabarar Fund Administration Act, 1963**

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PREAMBLE

An Act to provide for the administration of the Jaipur Sud Sadabarar Fund and for matters connected therewith.

Be it enacted by the Raj. State Legislature in the Fourteenth Year of the Republic of India as follows: -

1. Published in Rajasthan Government Gazette, Ext. Ord., Part IV-A, Dated 3(1.3.1964 Page 904)

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

This Act may be called the Jaipur Sud Sadabarat Fund Administration Act, 1963.

## **2. Definitions :-**

In this Act, unless the subject or context otherwise requires, -

(i) Board means the Board of Management established and constituted under this Act;

(ii) Jaipur Sud Sadabarat Fund hereafter in this Act referred to, for the sake of brevity as the Fund, means the Jaipur Sud Sadabarat Fund-

(a) established with the capital amount of rupees two lakhs, forty six thousand, five hundred and odd endowed in September, 1880, as a death bed gift (Asta Mahadan Sankalpa) by His late Highness Maharaja Sawai Ram Singhji, the then Ruler of the former Jaipur State, alongwith a recurring annual grant of rupees five thousand in lieu the profits of a village, and with the further capital amount of rupees two lakhs, eighteen thousand, seven hundred and odd endowed in September, 1922, as a like gift, by His late Highness Maharaja Sawai Madho Singhji, the then Ruler of the former Jaipur State, along with a like annual grant of rupees five thousand, and

(b) consisting at present of Government securities of the face value of rupees five lakhs, eighty thousand and nine hundred set apart by the Government of the former Jaipur State, by its order No. 150/SC; dated the 31st October, 1942, as the capital amount of the Fund;

(iii) Prescribed means prescribed by rules or regulations;

(iv) Regulations means regulations made by the Board under this Act;

(v) Ruler means the Ruler of the Covenanting State of Jaipur for the time being recognised as such in accordance with the provisions of the Constitution; and

(vi) Rules means rules made by the State Government under this Act.

### **3. Accretions to the Fund :-**

Accretions to the Fund shall consist of such endowments as may be made in future by way of capital amounts of the Fund.

### **4. Income of the Fund :-**

(1) The income of the Fund shall consist of-

(a) interest accruing on the capital amount of the Fund;

(b) annual grant of rupees ten thousand which the State Government hereby undertakes to pay to the Fund every year, as hitherto, out of Consolidated Fund of the State;

(c) other recurring or non-recurring income received by the Board, and

(d) such other endowments to the Fund as may be made in further otherwise than way of or towards the capital amount thereof.

(2) Such income shall be kept in a Savings Bank account with a Scheduled Bank or in a Postal Saving Bank account as the Board may determine and such account shall be operated upon by the Secretary of the Board.

### **5. Vesting, investment and custody of its accretions and income :-**

(1) The Fund and its accretions and income shall vest in the Board of Management for the purpose specified in and subject to the provisions of this Act.

(2) The principal amount of the Fund and its accretions and the unutilised income thereof, if any, shall be invested in such Government securities as the Board may, from time to time, determine:

Provided that the unutilised income shall be so invested only if such income remains unutilised for two financial years.

(3) All such securities shall stand in the name of the President of the Board for and on behalf of the Board.

(4) The President shall cause such securities to be deposited with a Scheduled Bank at Jaipur for safe custody and collection of interest thereon.

## **6. Administration of the Fund :-**

The Administration of the Fund including its accretions and income shall, subject to the provisions of the Act and the rules and regulations made thereunder, vest in the Board.

## **7. Establishment and incorporation of the Board :-**

(1) There shall be established a Board of management for the Jaipur Sud Sadabarat Fund.

(2) The Board shall be a body corporate, having perpetual succession and a common seal with power to enter into contracts and to acquire, dispose of and hold properties, both movable and immovable, and may sue and be sued in its corporate name.

## **8. Contracts :-**

All agreements and assurances of property required to be made by the Board in the discharge of its duties under this Act shall in order to be binding on the Board, run in the name of, and be signed by, the President of the Board for and on behalf of the Board and shall, except in the cost of the Government securities for which provision has been made in Sec. 5, remain in the Secretary of the Board.

## **9. Composition of the Board :-**

(1) The Board shall consist of a hereditary President and for members.

(2) The Ruler shall be the hereditary President of the Board.

(3) The following shall be the members of the Board, namely: -

(i) one officer of the State Government to be nominated by it;

(ii) one officer of the Household of the Ruler to be nominated by him;

(iii) one non-official person residing within the territories comprised in the former Jaipur State, to be nominated by the Ruler; and

(iv) one official, whether retired or in the active service of Government, residing within the territories comprised in the former Jaipur State, to be nominated by the Ruler with the approval of the State Government.

(4) The names of the members nominated under Sub-sec. (3) shall be notified by the State Government in the Official Gazette.

## **10. Term of office of members :-**

(1) The members of the Board shall hold office for a period of five years from the date on which their nomination is notified in the Official Gazette:

Provided that upon the expire of the said period of five years they shall be eligible for re-nomination as members of the Board:

Provided further that ex-officio members of the Board shall cease to hold office as such members upon their ceasing to hold the offices by virtue of which they were nominated as members of the Board.

(2) Any casual vacancy among the members of the Board caused by death, resignation, physical or mental infirmity or otherwise, shall be filled by nomination in accordance with the provisions contained in Sub-sec. (3) of Sec. 9, and the person so nominated shall Act as a member of the Board for the residue of the term for which the member in whose place he is nominated would have held office as such member if the casual vacancy had not occurred.

#### **11. Secretary and staff of the Board :-**

(1) There shall be appointed by the President of the Board, on such condition of service as the Board may from time to time, determine, a Secretary of the Board.

(2) The Secretary may employ such other staff as the Board may, from time to time, determine.

#### **12. Office and meetings of the Board :-**

(1) The office of the Board shall be at Jaipur.

(2) For the transaction of its business the Board shall meet at Jaipur at such intervals as may be prescribed by regulations.

(3) The presence of any three members including the President of the Board shall constitute the quorum necessary for the transaction of the business of the Board at its meeting.

(4) Every meeting of the Board shall be presided over by the President and, in his absence, by a member chosen by the members present from among themselves to preside at that meeting.

(5) All questions coming before a meeting of the Board shall be decided by a majority of the votes of the members present thereat and voting and, in the case of equality of votes, the President or the person presiding shall have and exercise a casting vote.

**13. Acts and proceedings of Board not invalidated by reason of vacancy, defect or irregularity :-**

No act done or proceeding taken by the Board shall be invalidated merely by reason of the existence of a vacancy among its members, or by reason of a defect in its constitution or an irregularity in the procedure adopted by it.

**14. Duties of the Board :-**

Subject to the provisions of this Act and the rules and regulations made thereunder, the Board shall be responsible for the administration, regulation, management, operation and application of the Fund and its accretions and income.

**15. Duties of the Secretary :-**

(1) The Secretary shall be present at every meeting of the Board, shall have the right to speak but not to vote thereat, shall prepare the minutes thereof and shall take steps towards the implementation of its decisions.

(2) He shall be the chief executive officer of the Fund and shall as

such discharge the duties, perform the functions and exercise the powers that may be prescribed by regulations or that may be delegated to him by the Board or its President.

#### **16. Utilisation of the Fund, its accretions and income :-**

(1) Save with the written permission of the State Government, no part of the capital amount of the Fund shall be expended otherwise than by way of investment as provided in Sec. 5.

(2) The income of the Fund as described in Sec. 4 shall be spent in the manner prescribed by regulations for the following purposes, namely: -

(i) the payment of the salaries to the Secretary and staff of the Board.

(ii) the meeting of other recurring and non-recurring expenditure incurred by the Board in relation to the administration and management of the Fund.

(iii) the distribution of petias or daily doles in kind or in cash to not less than fifty blind, disabled or destitute persons, and

(iv) the grant of maintenance allowance to poor and helpless widow and children and to disabled and destitute persons.

#### **17. Budget of the Fund :-**

(1) The Board shall, within three months of its establishment and thereafter at least one month before the commencement of each financial year, prepare, or cause to be prepared, a budget for the succeeding financial year and shall consider and pass the same at a meeting before the commencement of that year.



(2) A copy of the budget so passed shall be sent to the State Government.

**18. Accounts and Audit :-**

(1) The accounts of the Fund shall be kept and maintained in such manner and such form as may be prescribed by regulations.

(2) Within six months of the close of each financial year, the Board shall cause to be prepared correct accounts of the receipts and expenditure on account of the Fund, its accretions and income for the immediately preceding year.

(3) Such accounts shall be audited by a chartered accountant.

(4) A copy of the report of the auditor, together with a copy of the accounts so prepared, shall be sent by the Board to the State Government, which shall lay the same on the table of the House of the State Legislature.

**19. Administration Report :-**

(1) The Board shall annually prepare and submit to the State Government a report on the administration of the Fund within six months of the close of each financial year.

(2) Such report shall be laid on the table of the House of the State Legislature.

**20. Power of make rules :-**

The State Government may make rules, consistent with the provisions of this Act, for carrying out all or any of the purposes thereof.

(2) All rules made under this Act shall be laid as soon as may be

after they are so made before the House of the State Legislature, while it is in session, for a period of not less than fourteen days, which may be comprised in one session or in two successive sessions and, if, before the expiry of the session in which they are so laid or of the session immediately following, the House of the State Legislature makes any modification in any of such rules or resolves that any such rule shall not be made, such 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 thereunder.

**21. Power to make regulations :-**

(1) The Board may make regulations, not inconsistent with the provisions of this Act and of the rules, if any made thereunder-

(a) regulating the transaction of business of the Board and the holding of its meetings.

(b) Providing for the proper administration, maintenance & management of the Fund,

(c) specifying in detail the duties of the Board and of its President and Secretary,

(d) providing for the grant of petias and maintenance allowance out of the income of the Fund.

(e) regulating the terms and conditions of service of the Secretary and other staff of the Board.

(f) prescribing the manner and form of keeping and maintaining accounts of the Fund, and

(g) providing for other matters which are not specifically required by this Act to be prescribed by rules and which may be in furtherance of the object and purposes of this Act.

(2) The regulations so made shall not come into operation unless they have been approved by the State Government and have been published in Office Gazette over the signature of the Secretary of the Board.