

Marwar Marriage Fund Administration Act, 1961

18 of 1961

[30 May 1961]

CONTENTS

1. Short title
2. Definitions
3. Vesting and administration of Marriage Fund
4. Moneys due to Marriage Fund to be deemed as moneys due to Government
5. Application for Marriage Fund
6. Power to make rules
7. Repeal

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An Act to provide for the administration, regulation, management, operation and application of the Marwar Marriage Fund.

Be it enacted by the Rajasthan State Legislature in the twelfth Year of the Republic of India as follows:-

1. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 5.6.1961.

1. Short title :-

This Act may be called the Marwar Marriage Fund Administration Act. 1961.

2. Definitions :-

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

(i) "Collector" means the Collector of Jodhpur District in the State of Rajasthan; and

(ii) "Marriage Fund" means the Court of Wards and Hasiyat

Marriage Fund, established by and in pursuance of Resolution No. 19 dated the 17th day of December, 1926, of the State Council of the former Jodhpur State, thereby repealing clause (d) of sub- sec. (1) of Section 19 of the Marwar Jagirdars Encumbered Estates Act. 1922 and enacting, the Court of Wards and Hasiyat Marriage Fund Rules, 1926.

3. Vesting and administration of Marriage Fund :-

(1) The Marriage Fund shall vest in the State Government for the purpose specified in, and subject to the provisions of this Act.

(2) The administration of the Marriage Fund shall subject to the direction and ultimate control of the State Government, vest in the Collector, who shall manage and operate the same in accordance with the provisions of this Act and the rules made there under.

(3) For the purpose of sub-section (2), the Collector shall, by the name of the Collector of Jodhpur District in the State of Rajasthan, be a corporation sole having perpetual succession. with power to enter into contracts, and shall as such be competent to sue and to be sued upon.

(4) The Collector shall cause to be kept and maintained the accounts of the Marriage Fund and in such form as may be prescribed and such accounts shall be audited annually in the prescribed manner.

(5) With the sanction of the State Government, the Collector may employ such staff as he deems necessary for the due administration and proper management of the Marriage Fund and the expenditure incurred on such administration and management as well as the payment of the emoluments of such staff shall be charged upon the moneys of the Marriage Fund in priority to all other claims thereon.

4. Moneys due to Marriage Fund to be deemed as moneys

due to Government :-

(1) All moneys due to the Marriage Fund on any account whatsoever shall, for all purposes, be deemed always to have been due to the State Government and shall be accounted for accordingly.

(2) The Collector shall take early steps to recover such moneys by suit or otherwise as if they were Government dues. and all amounts required for enforcing such recoveries shall be paid out of the Marriage Fund.

5. Application for Marriage Fund :-

(1) Except as otherwise provided in this Act, the moneys of the Marriage Fund shall not be expended or advanced by way of loan or otherwise.

(2) With the approval of the State Government, the Collector may spend moneys out of the Marriage Fund for sub-section (5) of Section 3 and sub-section (2) of Section 4.

(3) With the sanction of the State Government, the Collector may apply and appropriate the moneys of the Marriage Fund to such educational and other charitable purposes and in such amounts as may be prescribed or as may be specified in each case.

Explanation.- The expression "charitable purposes" shall have the same meaning as is assigned to it by the Charitable Endowments Act, 1890 (Central Act 6 of 1890).

(4) There shall be constituted an advisory committee consisting of a person nominated the State Government as Convenor and four persons as members to be appointed by the State Government from amongst former Jagirdars of the former Jodhpur State.

(5) The Advisory Committee shall meet at Jodhpur often as may be necessary, on its own motion or on the requisition of the Collector to advise the latter as to the application and appropriation of the moneys of the Marriage Fund and as to the recovery of such of its moneys as are invested at the commencement of this Act in private loans or otherwise;

Provided that the moneys of the Marriage Fund shall not be so applied or appropriated by the Collector otherwise than in accordance with the provisions contained in sub-section (3).

6. Power to make rules :-

(1) The State Government may make rules for carrying out the purposes and provisions of this Act.

(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 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 should 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 there under.

7. Repeal :-

The Court of Wards and Hasiyat Marriage Fund Rules, 1926, enacted by Resolution No. 19, dated the 17th day of December, 1926, of the State Council of the former Jodhpur State, are hereby repealed but, so far as may be, not so as to affect their previous operation.