

Madras Famine Relief Fund Act, 1936

16 of 1936

[08 October 1936]

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PREAMBLE

Act to provide for the establishment and maintenance in the ²[State] of Madras of a Fund, called the Madras Famine Relief Fund, for utilization on occasions of serious famine and of distress caused by serious drought, flood or other natural calamities in the said ²[State].

WHEREAS it is expedient to provide for the establishment and maintenance in the ²[State] of Madras of a fund for utilization on occasions of serious famine and of distress caused by serious drought, flood or other natural calamities in the said ²[State];
5 and 6, Geo. 5, Ch. 61.

AND WHEREAS the Governor-General in Council has, with the sanction of the Secretary of State for India in Council, amended Schedule IV to the Devolution Rules made under the Government of India Act, so as to permit of the withdrawal of the balance standing at the credit of the Local Government concerned in the Famine Relief Fund; It is hereby enacted as follows: --

1. For Statement of Objects and Reasons see Fort St. George Gazette, dated the 18th August 1936--Part IV, pages 301-302. This Act was extended to the merged State of Pudukkottai by section 3 of, and the First Schedule to, the Madras Merged States (Laws) Act, 1949 (Madras Act XXXV of 1949). This Act was extended to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by section 3 of, and the Schedule to, the Madras (Transferred Territory) Extension of Laws Act, 1957 (Madras Act XXII of 1957).

2. The word "Province" was substituted for the word "Presidency" by the Adaptation Order Of 1937 and the word "State" was substituted for the word "Province" by the Adaptation (Amendment) Order of 1950.

1. Short title, extent and commencement :-

(1) This Act may be called the Madras Famine Relief Fund Act, 1936.

(2) It extends to the whole of the ¹[State] of Madras.

(3) (a) This section shall come into force at once.

(b) The remaining provisions of this Act shall come into force on such *date as the ²[State Government] may, by notification in the ³[Official Gazette], appoint.

1. The word "Province" was substituted for the word "Presidency" by the Adaptation Order Of 1937 and the word "State" was substituted for the word "Province" by the Adaptation (Amendment) Order of 1950.

2. The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

3. These words were substituted for the words "Fort St. George Gazette" by the Adaptation Order of 1937.

* Came into force on the 8th October 1936.

2. Definition :-

In this Act, "Fund" means the Madras Famine Relief Fund established under section 3.

3. Establishment of the Madras Famine Relief Fund :-

On the commencement of this Act, the ¹[State Government] shall

establish in and for the ²[State] of Madras a fund called " The Madras Famine Relief Fund." The Fund shall consist of--

(i) the securities of the ³[Central Government] mentioned in section 4;

(ii) the interest which may from time to time accrue on such securities;

(iii) such other sums as the ¹[State Government] may from time to time contribute to the Fund under sub-section (2) of section 7 or otherwise; and

(iv) the interest which may from time to time accrue on ⁴[the securities of the Central or of the ⁵(State) Government] in which the sums to the credit of the Fund may be invested or re-invested under section 6.

5 and 6, Geo. 5, Gh. 61.

1. The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

2. The word "Province" was substituted for the word "Presidency" by the Adaptation Order of 1937 and the word "State" was substituted for the word "Province" by the Adaptation Order of 1950.

3. These words were substituted for the words "Government of India" by the Adaptation Order of 1937.

4. These words were substituted for the words "the securities of the Central Government" by section 2 of the Madras Famine Relief Fund (Amendment) Act, 1938 (Madras Act IX of 1938).

5. This word was substituted for the word "Provincial" by the Adaptation Order of 1950.

4. Withdrawal and investment of balance at credit of State Government in Famine Relief Fund maintained under Devolution Rules :-

The ¹[State Government] shall, on the commencement of this Act, apply to the ³[Central Government] for permission to withdraw the balance at their credit in the Famine Relief Fund maintained under Schedule IV to the Devolution Rules made under the Government of India Act and on such permission being accorded the ¹[State Government] shall, after setting apart from the balance so withdrawn, such sum as may be required during the remaining

portion of the financial year 1936-37 to meet the expenditure on the relief of famine and on the construction of works, for which provision has been made in the budget for such year as expenditure to be met out of the Fund aforesaid, invest the balance in the securities of the ²[Central Government] in the name of the Secretary to the Government of Madras, Finance Department.

1. The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for "Provincial" by the Adaptation Order of 1950.

2. These words were substituted for the words "Government of India" by the Adaptation Order of 1937.

3. These words were substituted for the words "Governor-General in Council" by the Adaptation Order of 1937.

5. Purposes for which the Fund may be utilized :-

The Fund shall not be expended except upon--

- (i) the relief of serious famine in the ¹[State] of Madras; and
- (ii) the relief of distress caused by serious drought, flood or other natural calamities in the said ¹[State]:

Provided that when the Fund exceeds forty lakhs of rupees, the ²[State Government] may utilize the excess to meet expenditure on protective irrigation works and other works for the prevention of famine in the said ¹[State].

1. The word " Province " was substituted for the word "Presidency" by the Adaptation Order of 1937 and the word "State" was substituted for the word "Province" by the Adaptation Order of 1950.

2. The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for the word "Provincial" by the Adaptation Order of 1950.

6. Investment and reinvestment of amount not required :-

The ¹[State Government] shall from time to time invest or re-invest in ²[the securities of the Central or of the ³(State) 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. The words "Provincial Government" were substituted for the words "Local Government" by the Adaptation Order of 1937 and the word "State" was substituted for the word "Provincial" by the Adaptation Order of 1950.

2. These words were substituted for the words "the securities of the Central Government" by section 2 of the Madras Famine Relief Fund (Amendment) Act, 1938 (Madras Act IX of 1938).

3. This word was substituted for the word "Provincial" by the Adaptation Order of 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 belonging to the Fund being valued at their market value on the last day of such year.

(2) If the accounts so made up show that the balance in the Fund at the end of such year falls short of sixty lakhs of rupees, the deficiency shall be made up from the revenues of the ¹(State):

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

²[(3) All sums payable to the Fund under sub-section (2) shall be expenditure ³(charged on the Consolidated Fund of the State.)]

1. The word " Province " was substituted for the word "Presidency" by the Adaptation Order of 1937 and the word "State" was substituted for the word "Province" by the Adaptation Order of 1950.

2. This sub-section was added by section 3 of the Madras Famine Relief Fund (Amendment) Act, 1938 (Madras Act IX of 1938).

3. These words were substituted for the words "charged on the revenues of the State" by section 2(b) of the Madras Consolidated Fund (Charged Expenditure) Act, 1950 (Madras Act XXVI of 1950).