

BOMBAY CHARGED EXPENDITURE ACT, 1957

[5 of 1957*]

[20th March, 1957]

An Act to provide that certain expenditure shall be charged on the Consolidated Fund of the State

Whereas it is expedient to declare certain expenditure to be charged on the Consolidated Fund of the State, and for that purpose repeal and enact afresh certain provisions relating thereto in certain enactments;

It is hereby enacted in the Eighth Year of the Republic of India as follows :-

1. Short title :- This Act may be called the Bombay Charged Expenditure Act, 1957.

2. Repeals and enactment providing for charging certain expenditure on the Consolidated Fund of the State :- (1) In the Schedule the provisions "mentioned in column 2 thereof the enactments set out in column 1, shall with effect from the 1st day of November, 1956 be deemed to have been repealed , and with effect from that date the provisions in column 3 of the Schedule shall be deemed to have been inserted in their place.

(2) The Bombay Charged Expenditure Act, 1950 and the Madhya Pradesh Consolidated Fund (Charged Expenditure) Act, 1950 are repealed.

* For Statement of Objects and Reasons, see Bombay Government Gazette, 1957, Part V, page 6.

SCHEDULE
(See Section 2)

Enactments	Provisions repealed	Provisions inserted
1	2	3
I The Bombay Motor Vehicles Tax Act, 1935 (Bom. XXXIV of 1935)	Section 9 (4)	<p>"(4) The contributions made under sub-section (2) and the excess amount transferred to a separate account under sub-section (3) shall be charged on the Consolidated Fund of the State.</p> <p>Explanation:- 'Road' includes the slopes, beams and side drains of a road, all bridges, culverts and cause-ways built on or across a road and foot-ways."</p>
II The Bombay Famine Relief Fund Act, 1936 (Bom. XIX of 1936.)	Section 7 (2)	<p>"(2) If the accounts so made up show that the balance in the Fund at the end of such year falls short of the sum determined by the State Government under the proviso to Section 5, the deficiency shall be made up from the Consolidated Fund of the State:</p> <p>Provided that if the deficiency exceeds such sum as may be determined by the State Government in this behalf it may be made up in annual instalments, the amount of each instalment except the last being not less than such sum."</p>
Do.	Section 7 (3)	<p>"(3) Any expenditure incurred by the State Government under sub-section (2) shall be charged on the Consolidated Fund of the State."</p>
III The Bombay Sales of Motor Spirit Taxation Act, 1946 (Bom. VI of 1946).	Section 5-A	<p>5-A. <i>Utilisation of Proceeds of tax :-</i></p> <p>(1) The proceeds of the tax and penalties other than the fines recovered under this Act shall first be credited to the Consolidated Fund of the State.</p> <p>(2) After deducting from the said proceeds such sums not exceeding 50 per cent of the said proceeds, as the State Government may determine in this behalf, the remaining amount shall be entered in and transferred to the State Road Fund referred to in sub-section (3) of Section 9 of the Bombay Motor Vehicles Tax Act, 1935, and shall, subject to the provisions of the said sub-section (3) be expended in the manner and for the purpose stated in the said sub-section (3).</p> <p>(3) The amount transferred to the State Road Fund under sub-section (2) shall be charged on the Consolidated Fund of the State."</p>

	Enactments	Provisions repealed	Provisions inserted
	1	2	3
IV.	The Bombay Sugarcane Cess Act, 1948 (Bom. LXXXII of 1948).	Section 11 (1)	"(1) The proceeds of the cess and fees recovered under this Act shall first be credited to the Consolidated Fund of the State and shall after deduction of the State and shall after deduction of the expenses of collection and recovery be shown into and transferred to a separate fund called the Bombay Sugarcane Cess Fund."
	Do.	Section 11 (3)	"(3) Any amount transferred to the Bombay Sugarcane Cess Fund in accordance with the provisions of sub-section (1) shall be charged on the Consolidated Fund of the State."
V.	The Central Provinces and Berar Grant-in-aid to Local Bodies Act, 1939 (C. P. and Berar XXXV of 1939).	Section 4	"4. <i>Expenditure to be charged:</i> - The sum of money required to meet the expenditure by the State Government under Section 3 shall be charged on the Consolidated Fund of the State."
VI.	The Central Provinces and Berar Motor Vehicles Taxation Act, 1947 (C. P. and Berar VI of 1947).	Section 7 (2)	(2) Any sum payable under sub-section (1) shall be charged on the Consolidated Fund of the State."
VII.	The Central Provinces and Berar Revocation of Land Revenue Exemptions Act, 1948 (C. P. and Berar XXXVII of 1948).	Section 5 (4)	"(4) Any amount sanctioned by way of grant of money or pension under this section shall be charged on the Consolidated Fund of the State."
VIII.	The Central Provinces and Berar Local Govt. Act, 1948 (C. P. and Berar XXXVII of 1948).	Section 97-A (3) [as inserted by Madhya Pradesh Local Government (Third Amendment) Act 1953].	"(3) The State Government shall, every year, pay to each Janapada from Consolidated Fund of the State a grant-in-aid approximately equal to the extra duty realized under sub-section (1) in respect of the property situate within the area of each such Janpada."
	Ditto.	Section 97-A (5) [as inserted by Madhya Pradesh Local Government (Third Amendment) Act, 1953]	"(5) The sum of money required to meet the expenditure by the State Government under sub-section (3) shall be charged on the Consolidated Fund of the State."

	Enactments	Provisions repealed	Provisions inserted
	1	2	3
IX.	The Saurashtra Famine Relief Fund Act, 1951 (Sau. XIV of 1951).	Section 7 (2)	"(2) If the accounts to made up show that the balance in the Fund at the end of each year falls short of one hundred lakhs of rupees, the deficiency shall be made up from the Consolidated Fund of the State: Provided that if the deficiency exceeds five lakhs of rupees, it may be made up in annual instalments, the amounts of each instalment except the last being not less than five lakhs of rupees."
	Do.	Section 7 (3)	"(3) The expenditure in current by the State Government under sub-section (2) shall be charged on the Consolidated Fund of the State."
X.	The Saurashtra Land Reforms Act, 1951 (Sau. XXV of 1951).	Section 51	"41. <i>Payments to be charged</i> : - The payments to be made by the Government to a Girasdar as compensation under this Act shall be expenditure charged on the Consolidated Fund of the State."

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