



The National Defence Fund (West Bengal Collection) Act, 1962

Act 12 of 1962

Keyword(s):
Collector, The Fund

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West Bengal Act XII of 1962¹

THE NATIONAL DEFENCE FUND (WEST BENGAL COLLECTION) ACT, 1962.

{14th December, 1962.}

An Act to prohibit unauthorised collection in West Bengal for the National Defence Fund.

WHEREAS it is necessary to prohibit unauthorised collection in West Bengal for the National Defence Fund;

It is hereby enacted in the Thirteenth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the National Defence Fund (West Bengal Collection) Act, 1962.

Short title and extent.

(2) It extends to the whole of West Bengal.

2. In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

(1) "collection" means collection in West Bengal of any money or valuable thing;

(2) "the Fund" means the National Defence Fund created by the Central Government for purposes relating to the defence of India.

3. No collection shall be made for the fund except by persons or institutions duly authorised by the State Government by order made in this behalf or by their authorised agents:

Prohibition of collection by unauthorised persons.

¹For the Statement of Objects and Reasons, see the *Calcutta Gazette, Extraordinary* of the 14th November, 1962, Part IV A, page 3447; for proceedings of the West Bengal Legislative Assembly, see the proceedings of the meeting of that Assembly held on the 21st November, 1962; and for proceedings of the West Bengal Legislative Council, see the proceedings of the meeting of that Council held on the 22nd November, 1962.

²(a) For Order rescinding Order No. 4549Pl., dated the 12th November, 1962, published in the *Calcutta Gazette, Extraordinary* of 12.11.62, authorising certain persons and institutions to make collections for the fund, see Order No. 498Pl./ND-131/63, dated the 7th February, 1963, published in the *Calcutta Gazette* of 1964, Part I, page 537.

(b) For Order authorising all District Magistrate, Secretaries of District Citizens' Committees and certain Banks, see Order No. 499Pl., dated 7th February, 1964, published in the *Calcutta Gazette* of 1964, Part I, page 537.

(c) For Order authorising persons and institutions to make collections, for the fund, see Order No. 1633Pl./ND-131/63, dated 17th April, 1964, Part I, pages 1025-1026.

(d) For Notification under section 3 of the National Defence Fund (West Bengal Collection) Ordinance, 1962 exempting from the provisions of section 3 and section 4 of the Ordinance clubs, associations, or institutions making collections for the National Defence Fund by means of dramatic, cinematograph, cultural or other performances of any kind and variety shows, see notification No. 4560 Pl., dated 13.11.62, published in the *Calcutta Gazette, Extraordinary* of 1962, Part I, page 3433, as amended by notification No. 5369 Pl., dated 22.12.62, issued under section 10, read with section 11(2) of this Act, and published under notification No. 5369 Pl., dt. 22.12.62, in the *Calcutta Gazette, Extraordinary* of 1962, Part I, pages 4057-4058.

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(Sections 4-11.)

Provided that the State Government may, by order, exempt any person or institution or class of persons or institutions from the provisions of this section.

Collection to be in accordance with rules.

4. No collection shall be made except in accordance with such procedure and subject to such conditions as may be prescribed by rules made in this behalf:

Provided that the State Government may, by order, grant exemption to any person or institution from the provisions of this section.

Prohibition of street collection.

5. No person or institution not specially authorised in this behalf by the State Government or by any officer empowered by the State Government, shall make any street collection for the fund.

Collections to be made over to specified officer, etc.

6. All collection for the fund made by persons or institutions authorised or exempted under section 3 or authorised under section 5 shall be made over by the persons or institutions making the collections to such officers, other persons or Banks as may be specified by the State Government by order made in this behalf.

Penalty.

7. Any person making or aiding in any collection for the fund except in accordance with the provisions of this Act shall be liable on conviction to imprisonment which may extend to three years or with fine or with both.

Offence to be cognizable.

8. An offence punishable under section 7 shall be cognizable.

Act not to affect certain voluntary contributions.

9. Nothing in this Act shall affect contributions voluntarily made over or remitted to any person in authority, or any Bank authorised by the Central Government or the State Government to receive such contributions.

Power to make rules.

10. The State Government may make rules to carry out purposes of this Act.

Repeal and savings.

11. (1) The National Defence Fund (West Bengal Collection) Ordinance, 1962, is hereby repealed.

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(2) Anything done or any action taken under the National Defence Fund (West Bengal Collection) Ordinance, 1962, shall be deemed to have been validly done or taken under this Act as if this Act had commenced on the 11th day of November, 1962.