

Registered No. HSE/49

[Price : ₹. 1-20 Paise.



తెలంగాణ రాజపత్రము
THE TELANGANA GAZETTE
PART IV-A EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1] HYDERABAD, WEDNESDAY, NOVEMBER 19, 2014

TELANGANA BILLS
TELANGANA LEGISLATIVE ASSEMBLY

The following Bill was introduced in the Telangana Legislative Assembly on 19th November, 2014.

L.A. BILL No. 1 OF 2014.

**A BILL TO PROVIDE FOR THE ESTABLISHMENT
OF A CONTINGENCY FUND FOR THE STATE
OF TELANGANA.**

Whereas the State of Telangana is formed with effect from the 2nd June, 2014, under the provisions of section 3 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) ;

And whereas clause (2) of Article 267 of the Constitution of India provides that the Legislature of a State

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may, by law, establish a Contingency Fund in the nature of an imprest to be entitled "the Contingency Fund of the State".

And whereas it is expedient to establish such a Contingency Fund for the newly formed State of Telangana;

Be it enacted by the Legislature of the State of Telangana in the Sixty Fifth Year of the Republic of India as follows:-

Short title and commencement.

1. (1) This Act may be called the Telangana Contingency Fund Act, 2014.

(2) It shall come into force at once.

Establishment of a Contingency Fund.

2. (1) There shall be established for the State of Telangana a Contingency Fund in the nature of an imprest entitled "the Contingency Fund of the State of Telangana", and consisting of a sum of fifty crores of rupees withdrawn from the consolidated Fund of the State.

(2) Such Contingency Fund shall be at the disposal of the Governor of State of Telangana and he shall have authority to make advances therefrom for the purpose of meeting any unforeseen expenditure, pending authorization of such expenditure by the State Legislature by law under Article 205 or Article 206 of the Constitution of India.

(3) As often as any such expenditure is authorized by law as aforesaid, the State Government shall recoup to the Contingency Fund an amount equal to the advance taken from such Fund to meet the expenditure.

3 (1) The State Government may, by notification, in the official Gazette, make rules to carry out all or any of the purposes of this Act. **Power to make Rules.**

(2) Every rule made under this Act shall, immediately after it is made, be laid before each House of the State Legislature, if it is in session and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions and if, before the expiration of the session in which it is so laid or the session immediately following, the Legislature of the State agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

4. The Andhra Pradesh Contingency Fund Act, 1957 is hereby repealed. **Repeal.**

STATEMENT OF OBJECTS AND REASONS

According to Article 267 (2), the Legislature of a State may by law establish a Contingency Fund in the nature of an imprest to be entitled "the Contingency Fund of the State "into which shall be paid from time to time such sums as may be determined by such law, and the said Fund shall be placed at the disposal of the Governor of the State to enable advances to be made by him out of such Fund for the purposes of meeting unforeseen expenditure pending authorization of such expenditure by the Legislature of the State by law under Article 205 or Article 206 of the Constitution of India.

In pursuance of the provisions of Section 3 of the Andhra Pradesh Re-organization Act, 2014 (Central Act 6 of 2014) a new State namely ; the State of Telangana has been formed on and from the appointed day i.e., 02-06-2014. After formation of the new State of Telangana, the Andhra Pradesh Contingency Fund established under the Andhra Pradesh Contingency Fund Act, 1957 (Act No. IX of 1957) has ceased to exist as such in so far as Telangana State is concerned.

Accordingly, it has become necessary to establish a Telangana Contingency Fund for the State of Telangana.

In view of Article 267 (2), Telangana Contingency Fund may be created with the following Aims and Objectives :

- * It is notional fund where money is not actually kept for expenditure.
- * It is an arrangement to meet emergent expenditure for which there is no approval of the Legislature.
- * The Contingency Fund is in the nature of an imprest for meeting unforeseen and emergent expenses.

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- * The advance made from the fund shall be recouped by necessary supplementary provision within the same Financial Year.
- * In exceptional cases where advance is given at the last part of the Financial Year when there is no scope/chance to recoup the same by necessary provision through supplementary, the same can be recouped in the next Financial Year.

Accordingly, it has been decided to enact a law for this purpose. Opportunity is also taken for repealing the Andhra Pradesh Contingency Fund Act, 1957 in so far it relates to State of Telangana.

The bill seeks to give effect to the above decision.

EATALA RAJENDER,
Minister for Finance and Planning

FINANCIAL MEMORANDUM

Due to introduction of the Telangana Contingency Fund Bill, 2014 there will be immediate effect of Rs. 50.00-crores on the Consolidated Fund of the State. It is one time deduction, there is no recurring expenditure from Consolidated Fund of the State.

EATALA RAJENDER,
Minister for Finance and Planning

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MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 (1) of the Bill authorized the Government to issue notification or make rules in respect of matters specified therein and generally to carry out the purposes of the Act and such rules so made or notifications issued which are intended to cover matters mostly of procedural in nature are to be laid on the Table of the Legislative Assembly of the State and will be subject to any modifications made by the Legislative Assembly.

The above provision of the Bill regarding delegated legislation is thus of normal type and mainly intended to cover matter of procedure.

EATALA RAJENDER,
Minister for Finance and Planning

**MEMORANDUM UNDER RULE 95 OF THE RULES OF
PROCEDURE AND CONDUCT OF BUSINESS IN THE
TELANGANA LEGISLATURE**

The Telangana Contingency Fund Bill, 2014 after it is passed by the Legislature of the State, may be submitted to the Governor for his assent under Article 200 of the Constitution of India.

EATALA RAJENDER,
Minister for Finance and Planning

S. RAJA SADARAM,
Secretary to State Legislature.