The Madhya Pradesh Rajkoshiya Uttardayitva Evam Budget Prabandhan Adhiniyam, 2005

Act 18 of 2005

Keyword(s):
Budget, Ensuing Year, Fiscal Deficit, Fiscal Targets, GSDP, Reserve Bank, Revenue Deficit, Total Liabilities

Clauses:

1. Short title, extent and commencement.
2. Definitions.
3. Fiscal Management Objectives.
4. Fiscal Management Principles
5. Fiscal Policy Statements to be laid before the Legislature.
11. Measures to Enforce Compliance.
13. Protection of Action taken in good faith.
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A Act to provide for the responsibility of the State Government to ensure prudence in fiscal management and fiscal stability by progressive elimination of revenue deficit, reduction in fiscal deficit, prudent debt management consistent with fiscal sustainability, greater transparency in fiscal operations of the Government and conduct of fiscal policy in a medium term framework and for matters connected therewith or incidental thereto.

Be it enacted by the Madhya Pradesh Legislature in the Fifty-sixth year of the Republic of India as follows: -

1. (1) This Act may be called the Madhya Pradesh Rajkoshiya Uttardayitva Evam Budget Prabandhan Adhiniyam, 2005

(2) It extends to the whole of the State of Madhya Pradesh.

(3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint in this behalf.

2. In this Act, unless the context otherwise requires: -

Definitions
a) "budget" means the annual financial statement laid before the State Legislature under Article 202 of the Constitution;
b) "current year" means the financial year preceding the ensuing year;
c) “ensuing year” means the financial year for which the budget is being presented;
d) “financial year” means the year commencing on the first day of April;
e) "fiscal deficit" means the excess of aggregate disbursements (net of debt repayments) over revenue receipts, recovery of loans and non debt capital receipts of the State Government;
f) "fiscal targets" means the measures such as numerical ceilings and proportions to GSDP, as may be prescribed for evaluation of the fiscal position of the State Government;
g) "GSDP" means Gross State Domestic Product at current market prices.
h) "Reserve Bank" means the Reserve Bank of India constituted under subsection (1) of section 3 of the Reserve Bank of India Act, 1934 (No.2 of 1934);
i) "revenue deficit" means the difference between revenue expenditure and revenue receipts of the State Government;
j) "total liabilities" means the liabilities under the Consolidated Fund of the State and the Public Account of the State and includes risk weighted guarantee obligations of the State Government where the principal and/or interest are to be serviced out of the State budget;

3. The State Government shall:

Fiscal Management

Objectives.

(a) take appropriate measures to eliminate the revenue deficit and thereafter build up adequate revenue surplus and contain the fiscal deficit at a sustainable level and utilize such surplus for funding capital expenditure;
(b) pursue policies to raise non-tax revenue with due regard to cost recovery and equity; and
(c) lay down norms for prioritization of capital expenditure, and pursue
expenditure policies that would provide impetus for economic
growth, poverty reduction and improvement in human welfare.

4. The State Government shall be guided by the following fiscal
Fiscal Management management principles, namely: - Principles

(a) transparency in setting the fiscal policy objectives, the
implementation of public policy and the publication of fiscal information
so as to enable the public to scrutinise the conduct of fiscal policy and
the state of public finances;
(b) stability and predictability in fiscal policy making process;
(c) responsibility in the management of public finances, including
integrity in budget formulation;
(d) fairness to ensure that policy decisions of the State Government have
due regard to their financial implications on future generations; and
(e) efficiency in the design and implementation of the fiscal policy.

5. The State Government shall in each financial year lay before
Fiscal Policy Statements the Legislature, the following
statements of fiscal policy along with
Fiscal Policy Statements the budget,

to be laid before the Legislature. namely:-

(a) the Macro-economic Framework Statement;
(b) the Medium Term Fiscal Policy Statement; and
(c) the Fiscal Policy Strategy Statement.

6. The Macro-economic Framework Statement, in such form as
Macro-economic Framework may be prescribed and
Statement it shall contain an overview of
the State economy, an analysis of growth and sectoral composition of GSDP, an
assessments related to State Government finances and future prospects.

7. (1) The Medium Term Fiscal Policy Statement shall be in such form as may be prescribed and it shall contain the fiscal objectives of the State Government and five year rolling targets with clear enunciation of underlying assumptions.

(2) In particular and without prejudice to the provisions contained in sub-section (1), the Medium Term Fiscal Policy Statement shall include the various assumptions behind the fiscal targets and an assessment of sustainability relating to:

(i) the balance between revenue receipts and revenue expenditures;
(ii) the use of capital receipts including borrowings for generating productive assets; and
(iii) the estimated yearly pension liabilities worked out on actuarial basis or using trend growth rate for the next ten years.

8. The Fiscal Policy Strategy Statement shall be in such form as may be prescribed and shall contain, *inter alia*:

(i) the fiscal policies of the State Government for the ensuing year relating to taxation, expenditure, borrowings and other liabilities including guarantees;
(ii) the strategic priorities of the State Government in the fiscal area for the ensuing year;
(iii) the key fiscal measures and the rationale for any major deviation in fiscal measures pertaining to taxation, subsidy, expenditure, administered pricing and borrowings; and
(iv) an evaluation of the current policies of the State Government in the light of the fiscal management principles set out in section 4, the fiscal objectives contained in the Medium-Term Fiscal Policy Statement set out in section 7 and fiscal targets set out in section 9.

9. (1) The State Government may prescribe such targets as may be deemed necessary for giving effect to the fiscal management objectives.

(2) In particular and without prejudice to the generality of the foregoing provisions, the State Government shall, -

(a) reduce revenue deficit in each financial year so as to eliminate it by 31st March 2009 and generate revenue surplus thereafter;
(b) reduce fiscal deficit in each financial year so as to bring it down to not more than 3.0 per cent of GSDP by 31st March 2009.
(c) ensure within a period of 10 years, that is as on the 31st day of March 2015, total liabilities do not exceed 40 per cent of the estimated GSDP for that year;
(d) limit the annual incremental guarantees so as to ensure that the total guarantees do not exceed 80 per cent of the total revenue receipt in the year preceding the current year:

Provided that revenue deficit and fiscal deficit may exceed the limits specified under this section due to ground or grounds of shortfall in the central tax devolutions in relation to the budgetary estimates of the Union of India and/or unforeseen demands on the finances of the State Government arising out of internal disturbance or natural calamity or such other exceptional grounds as the State Government may specify.
Provided further that a statement in respect of the ground or grounds specified in the first proviso shall be placed before the Legislature as contained in section 11.

10. (1) The State Government shall take suitable measures to ensure greater transparency in its fiscal operations in the public interest.

   (2) In particular and without prejudice to the generality of the foregoing provisions, the State Government shall, at the time of presentation of the budget, disclose the following statements along with detailed information in such forms as may be prescribed:-

   (a) the significant changes in the accounting standards, policies and practices affecting or likely to affect the computation of fiscal targets;

   (b) details of borrowings by way of Ways and Means Advances/Overdraft availed of from the Reserve Bank;

   (c) details of number of employees in the State Government, State Public Sector Undertakings and State aided Institutions and related salaries.

11. (1) The Minister-in-Charge of the Department of Finance (hereinafter referred to as Minister of Finance), shall review, every half yearly, the trends in receipts and expenditure in relation to the budget estimates and place before the State Legislature, the outcome of such reviews.

   (2) Whenever there is either shortfall in revenue or excess of expenditure over the half-year targets mentioned in the Fiscal Policy Strategy Statement or the rules made under this Act, the State Government shall take
appropriate measures for increasing revenue and/or for reducing the expenditure including curtailing of the sums authorised to be paid and applied from and out of the Consolidated Fund of the State:

Provided that nothing in this sub-section shall apply to the expenditure charged on the Consolidated Fund of the State under clause (3) of Article 202 of the Constitution or any other expenditure, which is required to be incurred under any agreement or contract or such other expenditure which cannot be postponed or curtailed.

(3) (a) Except as provided under this Act, no deviation in meeting the obligations cast on the State Government under this Act, shall be permissible without approval of the Legislature.

(b) Where owing to unforeseen circumstances, any deviation is made in meeting the obligations cast on the State Government under this Act, the Minister of Finance shall make a statement in the Legislature explaining: -
(i) any deviation in meeting the obligations cast on the State Government under this Act;
(ii) whether such deviation is substantial and relates to the actual or the potential budgetary outcomes; and
(iii) the remedial measures the State Government proposes to take.

(4) The State Government may entrust an agency independent of the State Government to review periodically as required, the compliance of the provisions of this Act and such reviews shall be laid on the table of the State Legislature.

12. (1) The State Government may, by notification in the Official Power to make Rules Gazette, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely
(a) the form of the Macro-economic Framework Statement under section 6;
(b) the form of the Medium-Term Fiscal Policy Statement, including the fiscal targets under section 7;
(c) the form of the Fiscal Policy Strategy Statement under section 8;
(d) the forms for disclosure under sub-section (2) of section 10;
(e) measures to enforce compliance under section 11;
(f) the manner of review of compliance of the provisions of this Act by the independent agency under section 11; and
(g) any other matter which is required to be or may be prescribed.

(3) All rules made under this Act shall be laid as soon as may be after they are made, on the table of the Legislative Assembly.

13. No suit, prosecution or other legal proceedings shall lie against the State Government or any officer of the State Government for anything which is done in good faith or intended to be done under this Act or the rules made there under.

14. The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.
15. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:
Provided that no order shall be made under this section after the expiry of two years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly.
THE MADHYA PRADESH RAJKOSHIYA UTTARDAYITVA AVAM BUDGET PRABANDHAN (DWITIYA SANSHODHAN) ADHINIYAM, 2009.

(Received the assent of the Governor on the 8th December, 2009; assent first published in the “Madhya Pradesh Gazette (Extra-ordinary)” dated the 10th December, 2009).

An Act further to amend the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan Adhiniyam, 2005.

Be it enacted by the Madhya Pradesh Legislature in the Sixtieth year of the Republic of India as follows:

1. (1) This Act may be called the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan (Dwitiya Sanshodhan) Adhiniyam, 2009.

(2) It shall be deemed to have come into force on 11th September, 2009.

2. In Section 9 of the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan Adhiniyam, 2005 (No. 18 of 2005), in sub-section (2) for clause (b), the following clause shall be substituted, namely:

"(b) reduce fiscal deficit in each financial year so as to bring it down to not more than 4 percent of GSDP by 31st March, 2010;".
मध्यप्रदेश राजपथ
(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 233]
भोपाल, शनिवार, दिनांक 30 अप्रैल 2011—वेशाख 10, राज 1933

विधि और विधायी कार्य विभाग
भोपाल, दिनांक 30 अप्रैल, 2011

क्र. 1800-168-इक्कीस-अ-(प्रा.).—मध्यप्रदेश विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 23 अप्रैल, 2011 को महाप्रभु राजपथ की अनुमति प्राप्त हो चुका है, एवं द्वाषालाप सर्वसाधारण को जानकारी के लिये प्रकाशित किया जाता है।

मध्यप्रदेश के राजपथ के नाम से सब का आदेशानुसार,
राजेश वादव, अपर सचिव.

मध्यप्रदेश अधिनियम
क्रमांक २६ सन् २०११

मध्यप्रदेश राजकौशल उद्योग एवं बजट प्रबंधन (संशोधन) अधिनियम, २००५

[ दिनांक २३ अप्रैल, २०११ को राजपथ की अनुमति प्राप्त हुई, अनुमति "मध्यप्रदेश राजपथ (असाधारण)" में दिनांक ३० अप्रैल, २०११ को प्रथम शाखा प्रकाशित की गई।]

मध्यप्रदेश राजकौशल उद्योग एवं बजट प्रबंधन अधिनियम, २००५ को और संशोधित करने हेतु अधिनियम.

भारत गणराज्य के बालतिव वर्ग में मध्यप्रदेश विधान-मंडल द्वारा निम्नलिखित रूप में यह अधिनियमित हो :—

१. इस अधिनियम का संशोधन नाम मध्यप्रदेश राजकौशल उद्योग एवं बजट प्रबंधन (संशोधन) अधिनियम, २०११ है।

२. मध्यप्रदेश राजकौशल उद्योग एवं बजट प्रबंधन अधिनियम, २००५ (क्रमांक १८ सन् २००५) की धारा ९ में, उपधारा (२) में खण्ड (ख) के यथा पर, निम्नलिखित खण्ड स्थापित किया जाए, अर्थात्:—

"(ख) राजकौशल पाठ को कम करेंगी, जिसमें ३१ मार्च, २०१२ तक वह जीहस्टोपी के ३ प्रदीप से अधिक न रहे और तपश्चात्स उसे बनाए रखेंगी।"

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MADHYA PRADESH ACT

No. 16 of 2011

THE MADHYA PRADESH RAJKOSHIYA UTTARDAYITVA AVAM BUDGET PRABANDHAN (SANSHODHAN) ADHINIYAM, 2011.

[Received the assent of the Governor on the 23rd April, 2011; assent first published in the "Madhya Pradesh Gazette (Extra-ordinary)", dated the 30th April, 2011.]

An Act further to amend the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan Adhiniyam, 2005.

Be it enacted by the Madhya Pradesh Legislature in the Sixty-second Year of the Republic of India as follows:—

1. This Act may be called the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan (Sanshodhan) Adhiniyam, 2011.

2. In Section 9 of the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan Adhiniyam, 2005 (No. 18 of 2005), in sub-section (2), for clause (b), the following clause shall be substituted, namely:—

“(b) reduce fiscal deficit so as to bring it down to not more than 3 percent of GSDP by 31st March, 2012 and maintain it thereafter.”.
मध्यप्रदेश राज्यपत्र
(असाधारण)
प्राधिकार से प्रकाशित

विधि और विधायी कार्य विभाग
भोपाल, दिनांक 31 मार्च 2012

क्र. 1917-132-अक्सीस-अ(प्र.).—मध्यप्रदेश विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 31 मार्च 2012 को महामहिम राज्यपाल को अनुमति प्राप्त हो चुकी है, एवंद्वार वर्तमान सर्वसाधारण को जानकारी के लिए प्रकाशित किया जाता है।

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अपर सचिव.
मध्यप्रदेश अधिनियम
क्रमांक ११ सन् २०१२
मध्यप्रदेश राजकोषीय उत्तरदायित्व एवं बजट प्रबंधन (संशोधन) अधिनियम, २००५ का अंश

1. इस अधिनियम का संक्षिप्त नाम मध्यप्रदेश राजकोषीय उत्तरदायित्व एवं बजट प्रबंधन (संशोधन) अधिनियम, 2012 है।

2. मध्यप्रदेश राजकोषीय उत्तरदायित्व एवं बजट प्रबंधन अधिनियम, 2005 (क्रमांक १८ सन् २००५) की धारा १ में "झंडा (ग)" के स्थान पर, निम्नलिखित झंडा स्थापित किया जाए, अर्थात्—

"(ग) यह दृष्टिकोण करता है कि विभागीय वर्ष 2011-12, 2012-13, 2013-14 तथा 2014-15 के लिये कुल परिवेश झंडा उक्त वर्ष के लिये प्रकाशित जीएसडीआर के क्रमांक: ३७.६ प्रविष्टित, ३५.८ प्रविष्टित, ३६.० प्रविष्टित तथा ३५.३ प्रविष्टित से अधिक नहीं हों।"

3. (२) मध्यप्रदेश राजकोषीय उत्तरदायित्व एवं बजट प्रबंधन संशोधन अधिनियम, 2012 (क्रमांक १ सन् २०१२) एलद्वारा निरस्त किया जाता है।

(२) उक्त अधिनियम के निरस्त के होने पर भी उक्त अधिनियम के अधीन की गई कोई बात या की गई कोई कार्रवाई इस अधिनियम के तत्समार्थी उपक्रमों के अधीन की गई बात या की गई कार्रवाई समझी जाएगी।

भोपाल, दिनांक 31 मार्च 2012

क्र. 1918-132-प्रकृति-अ(प्रा.).—भारत के संविधान के अनुसार 348 के झंडा (३) के अनुसार में, मध्यप्रदेश राजकोषीय उत्तरदायित्व एवं बजट प्रबंधन (संशोधन) अधिनियम, 2012 (क्रमांक 11 सन् 2012) का अंश जो अन्याय राजनीति के प्रधानकार से एलद्वारा प्रकाशित किया जाता है,

मध्यप्रदेश के राजनीति के नाम से तथा आदेशानुसार,
राजेश यादव, अधि. सचिव।

MADHYA PRADESH ACT
No. 11 of 2012

THE MADHYA PRADESH RAJKOSHIYA UTTARDAYITVA AVAM BUDGET PRABANDHAN (SANSHODHAN) ADHINIVAM, 2012

[Received the assent of the Governor on the 31st March, 2012; assent first published in the “Madhya Pradesh Gazette (Extra-ordinary)”, dated the 31st March, 2012].

An Act further to amend the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan Adhiniyam, 2005.

Be it enacted by the Madhya Pradesh Legislature in the Sixty Third Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan (Sanshodhan) Adhiniyam, 2012.
(2) In Section 9 of the Madhya Pradesh Rajkoshiya Uttardayitva AvamBudget Prabandhan Adhiniyam, 2005 (No. 18 of 2005), in sub-section (2), for clause (c), the following clause shall be substitute, namely:

“(c) ensure that total outstanding debt do not exceed 37.6 percent, 36.8 percent, 36.0 percent and 35.3 percent for the financial year, 2011-12, 2012-13, 2013-14 and 2014-15 of the estimated GSDP for that year respectively;”.

3. (1) The Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan (Sanshodhan) Adhiniyam, 2012 (No. 1 of 2012) is hereby repealed.

(2) Notwithstanding the repeal of the said Ordinance anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provision of this Act.
बिधि और विधायी कार्य विभाग
भोपाल, दिनांक 30 मार्च 2017

क्र. 5325–69-इक्कीस-अ-(प्रा.)-अधि.—मध्यप्रदेश विधान सभा का निम्नलिखित अधिनियम जिस पर दिनांक 29 मार्च, 2017 को राज्यपाल महोदय की अनुमति प्राप्त हो चुकी है, एवं इस निर्णया सरकारी जानकारी के लिये प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अतिरिक्त सचिव.

मध्यप्रदेश अधिनियम
c्रांक ११ सं० २०१७

मध्यप्रदेश राजकोषीय उन्नतदायित्व एवं बजट प्रबंधन (संशोधन) अधिनियम, २०१७

[ दिनांक २९ मार्च, २०१७ को राज्यपाल की अनुमति प्राप्त हुई; अनुमति "मध्यप्रदेश राज्य (असाधारण)" में दिनांक ३० मार्च, २०१७ को प्रवक्ता प्रकाशित की गई।]

मध्यप्रदेश राजकोषीय उन्नतदायित्व एवं बजट प्रबंधन अधिनियम, २००५ को और संशोधित करने हेतु अधिनियम,

भारत गणराज्य के अड़ियों में मध्यप्रदेश विधान-मंडल द्वारा निम्नलिखित रूप में यह अधिनियमित हो जाये—

१. इस अधिनियम का संशोधित नाम मध्यप्रदेश राजकोषीय उन्नतदायित्व एवं बजट प्रबंधन (संशोधन) संशोधित नाम, अधिनियम, २०१७ है।
MADHYA PRADESH ACT
No. 11 OF 2017

THE MADHYA PRADESH RAJKOSHIYA UTTARDAYITVA AVAM BUDGET PRABANDHAN (SANSHODHAN) ADHINIYAM, 2017

[Received the assent of the Governor on the 29th March, 2017; assent first published in the “Madhya Pradesh Gazette (Extra-ordinary)”, dated the 30th March, 2017].

An Act further to amend the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan Adhiniyam, 2005.

Be it enacted by the Madhya Pradesh Legislature in the Sixty-Eighth year of the Republic of India as follows:—

1. This Act may be called the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan (Sanshodhan) Adhiniyam, 2017.

Amendment of Section 9.

2. In Section 9 of the Madhya Pradesh Rajkoshiya Uttardayitva Avam Budget Prabandhan Adhiniyam, 2005 (No. 18 of 2005), after sub-section (2), the following new sub-section shall be added, namely:—

“(3) Notwithstanding any limit contained in clause (b) of sub-section (2), for the financial year ending 31st March, 2017, the borrowings under Ujwal Discom Assurance Yojana (UDAY), for financial reconstruction of the Companies of the Energy Department, shall not be reckoned against the normal permissible net borrowing ceiling of the State.”