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PART-V
GOVERNMENT OF MEGHALAYA
MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 23rd March, 2023.

No.LB.47/LA/2023/5. – The Contingency Fund of Meghalaya (Amendment) Bill, 2023 introduced in the Meghalaya Legislative Assembly on the 23rd March, 2023 together with the Statement of Objects and Reasons is published under Rule 71 of the Rules of Procedure and Conduct of Business in the Meghalaya Legislative Assembly for general information.

**THE CONTINGENCY FUND OF MEGHALAYA (AMENDMENT)
BILL, 2023**

A

BILL

further to amend temporarily the Contingency Fund of Meghalaya Act, 1972

**Be it enacted by the Legislature of the State of Meghalaya in the Seventy fourth Year of the
Republic of India as follows:-**

**Short title and
Commencement**

1. (1) This Act may be called the Contingency Fund of Meghalaya (Amendment) Act, 2023.
(2) It shall be deemed to have come into force on and from the 7th February, 2023.

**Amendment of
Proviso to Section 2
of Meghalaya Act 5
of 1972**

2. In section 2 of the Contingency Fund of Meghalaya Act, 1972 as amended, for the existing proviso, the following new proviso shall be substituted, namely,--
“Provided that during the period beginning on the date of commencement of the Contingency Fund of Meghalaya (Amendment) Act, 2023 and ending the 31st March, 2023, this section shall have effect subject to the modification that for the word “rupees five hundred and five crore” the words “one thousand three hundred and five crore” shall be substituted with effect from 18th December, 2022 and that for the word “one thousand three hundred and five crore” the word “one thousand eight hundred and five crore” shall be substituted with effect from 7th February, 2023.

**Repeal and saving of
Ordinance No. 10 of 2022
and Ordinance No. 2 of 2023**

3. (1) The Contingency Fund of Meghalaya (Amendment) Ordinance, 2022 (Ordinance No. 10 of 2022) and The Contingency Fund of Meghalaya (Amendment) Ordinance (I), 2023 (Ordinance No. 2 of 2023) shall be repealed.
(2) Notwithstanding such repeal, any action taken or anything done under the Ordinance so repealed, shall be deemed to have been taken or done under the provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

Advance from the Contingency Fund of the State are needed by various Department of the Government for various urgent and unforeseen expenditures. As the balance in the Fund is not enough, an Ordinance was promulgated by the Governor on the 18th December, 2022 and on 7th February, 2023 to raise its corpus temporarily from rupees five hundred and five crores to rupees one thousand eight hundred and five crore to cover the periods till the 31st March, 2023. The Ordinance has to be replaced by an enactment of the Assembly.

As the matter was urgent and the House was not in session, an immediate Legislative action was necessary to implement the aforesaid decision, the Contingency Fund of Meghalaya (Amendment) Ordinance, 2022 (Ordinance No. 10 of 2022) and The Contingency Fund of Meghalaya (Amendment) Ordinance (I), 2023 (Ordinance No. 2 of 2023) was promulgated by the Hon'ble Governor of Meghalaya.

This Bill seeks to replace the aforesaid Ordinances.

Hence, the Bill.

CONRAD SANGMA,
Chief Minister.

ANDREW SIMONS,
Commissioner & Secretary,
Meghalaya Legislative Assembly.

FINANCIAL MEMORANDUM

An amount of ₹ 1805 crores will be involved from the Consolidated Fund of the State for the purpose of the enactment.

**EXTRACT OF THE SECTION 2 OF THE CONTINGENCY FUND
OF MEGHALAYA ACT, 1972**

**Establishment of
the Contingency
Fund of Meghalaya**

2. There shall established a Contingency Fund in the nature of an imprest to be entitled to the "Contingency Fund of Meghalaya" into which shall be paid from and out of the Contingency Fund of Meghalaya a sum of rupees one hundred and five crores.

**STATEMENT AS REQUIRED UNDER RULE 69 (1) OF THE RULES OF PROCEDURE
AND CONDUCT OF BUSINESS IN THE MEGHALAYA LEGISLATIVE ASSEMBLY
EXPLAINING THE CIRCUMSTANCES WHICH HAS NECESSITATED IMMEDIATE
LEGISLATION BY ORDINANCE.**

Under the provision of Article 267 (2) of the Constitution of India, the Legislature of Meghalaya by enacting "The Contingency Fund of Meghalaya Act, 1972" 'established the contingency fund of Meghalaya' having a permanent corpus of ₹ 50,00,000. The Act of 1972 was amended from time to time and by the "Contingency Fund of Meghalaya (Amendment) Act, 2021 (Act No. 14 of 2021)" the corpus of 'the Contingency Fund of Meghalaya' thereby, was augmented by raising the corpus of the Fund to ₹ 505,00,00,000.

To meet the additional and unforeseen expenditure by different Departments for the remaining period of the current financial year, 2022-23, the Hon'ble Governor promulgated "The Contingency Fund of Meghalaya (Amendment) Ordinance, 2022 (Ordinance No. 10 of 2022) on 18th December, 2022 and published on 19th December, 2022 and The Contingency Fund of Meghalaya (Amendment) Ordinance (I), 2023 (Ordinance No. 2 of 2023) on 7th February, 2023 and published on 9th February, 2023 because the Legislative Assembly was not in Session at that time by temporarily raising the corpus to ₹ 1805 crores. The Ordinance has to be replaced by a Bill.

CONRAD SANGMA,
Chief Minister.