

THE CONTINGENCY FUND OF INDIA ACT, 1950

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title.
2. Establishment of the Contingency Fund of India.
3. Custody of the Contingency Fund and withdrawals therefrom.
4. Power to make rules.

THE CONTINGENCY FUND OF INDIA ACT, 1950

ACT NO. 49 OF 1950¹

[14th August, 1950.]

An Act to provide for the establishment and maintenance of Contingency Fund.

BE it enacted by Parliament as follows:—

1. Short title.—This Act may be called the Contingency Fund of India Act, 1950.

2. Establishment of the Contingency Fund of India.—²[(1)] There shall be established a Contingency Fund in the nature of an impress entitled the Contingency Fund of India, into which shall be paid from and out of the Consolidated Fund of India a sum of ³[fifty crores of rupees.]

⁴[(2) On and from the date on which the Finance Bill, 2005 receives the assent of the president, the sum which shall be paid from and out of the Consolidated Fund of India into the Contingency Fund of India under sub-section (1) shall stand enhanced to five hundred crores of rupees].

⁵[(3) On and from the date on which the Finance Bill, 2021 receives the assent of the President, the sum which shall be paid from and out of the Consolidated Fund of India into the Contingency Fund of India under sub-section (2) shall stand enhanced to thirty thousand crores of rupees.]

⁶[Provided that during the period beginning on the 28th day of July, 1999 and ending on the 31st day of March, 2000, this section shall have effect subject to the modification that for the words “fifty crores of rupees”, the words “five hundred and fifty crores of rupees” shall be substituted:

Provided further that during the period beginning on the 24th day of January, 1998 and ending on the 31st day of March, 1998, this section shall have effect subject to the modification that for the words “fifty crores of rupees”, the words “thirty-two thousand four hundred and ninety crores of rupees” shall be substituted.]

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3. Custody of the Contingency Fund and withdrawals therefrom.—The Contingency Fund of India shall be held on behalf of the President by a Secretary to the Government of India in the Ministry of Finance, and no advances shall be made out of such fund except for the purposes of meeting unforeseen expenditure pending authorisation of such expenditure by Parliament under appropriations made by law.

4. Power to make rules.—⁸[(1)] For the purpose of carrying out the objects of this Act, the Central Government may, ⁹[by notification in the Official Gazette,] make rules regulating all matters connected with or ancillary to the custody of, the payment of moneys into and the withdrawal of moneys from, the Contingency Fund of India.

⁹[(2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the

1. The Act has been extended to Goa, Daman and Diu by Reg. 12 of 1962, s. 3 and Schedule.; Dadra and Nagar Haveli by Reg. 6 of 1963, s. 2 and Schedule I; and Pondicherry by Reg. 7 of 1963, s. 3 and Schedule I.

2. Section 2 numbered as sub-section (1) by Act 18 of 2005, s. 115 (w.e.f. 13-5-2005).

3. Subs. by Act 81 of 1976 “thirty crores of rupees” (w.e.f. 26-8-1976.)

4. Ins. by Act 18 of 2005, s. 115 (w.e.f. 13-5-2005).

5. Ins. by Act 13 of 2021, s. 127 (w.e.f. 28-3-2021).

6. Subs. by Act 4 of 1998, s. 2 “for Proviso” (w.e.f. 26-12-1997).

7. Ins. by Act 10 of 1972, s. 2 (w.e.f. 9-2-1972).

8. Section 4 renumbered as sub-section (1) by Act 51 of 1982, s. 2 (w.e.f. 20-10-1982).

9. Ins. by s. 2, *ibid.* (w.e.f. 20-10-1982).

session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, 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.]



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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
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वित्त मंत्रालय
(आर्थिक कार्य विभाग)
अधिसूचना

नई दिल्ली, 4 अक्तूबर, 2021

सा.का.नि. 721(अ).—केंद्रीय सरकार, भारत की आकस्मिकता निधि अधिनियम, 1950 (1950 का 49) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत की आकस्मिकता निधि नियम, 1952 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :--

- (1) इन नियमों का संक्षिप्त नाम भारत की आकस्मिकता निधि (संशोधन) नियम, 2021 है।
(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।
- भारत की आकस्मिकता निधि नियम, 1952 में,—
(i) नियम 3 के स्थान पर, निम्नलिखित नियम रखा जाएगा, अर्थात् :--

“3. समग्र निधि के चालीस प्रतिशत समतुल्य रकम, अवेक्षित रकम की पूर्ति के प्रयोजन के लिए सचिव, वित्त मंत्रालय, व्यय विभाग के व्ययनाधीन रखी जाएगी और इस सीमा से परे, समस्त अतिरिक्त आकस्मिक निधि निर्गम, सचिव, वित्त मंत्रालय, व्यय विभाग के अनुमोदन के पश्चात्, सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग के अनुमोदन से किया जाएगा।”;

(ii) नियम 4 में, “आर्थिक कार्य विभाग” शब्दों के स्थान पर, “व्यय विभाग” शब्द रखे जाएंगे ;

(iii) नियम 5 के स्थान पर, निम्नलिखित नियम रखा जाएगा, अर्थात् :--

“5. अपेक्षित अग्रिमों के लिए आवेदन, सचिव, वित्त मंत्रालय, व्यय विभाग को किए जाएंगे और नई उधारों के अग्रिमों के लिए आवेदन, नियम 4 में उपबंधित रीति में, सचिव, वित्त मंत्रालय, आर्थिक कार्य विभाग को किए जाएंगे।”;

(iv) नियम 7 के स्थान पर, निम्नलिखित नियम रखा जाएगा, अर्थात् :--

“7. अग्रिम स्वीकृत करने वाले आदेश की एक प्रति, जिसमें ऐसी रकम, अनुदान या विनियोग विनिर्दिष्ट होगा, जिससे इसका संबंध है और व्यय के विनियोग, जिसकी पूर्ति करने के लिए इसे किया गया है, के उपशीर्षों तथा यूनितों द्वारा की गई संक्षिप्त विशिष्टियां वित्त मंत्रालय द्वारा संबंधित लेखा परीक्षा और लेखा अधिकारियों को अग्रेषित की जाएंगी।”;

(v) नियम 8 के उपनियम (1) के स्थान पर, निम्नलिखित नियम रखा जाएगा, अर्थात् :--

“(1) इस प्रकार वित्तपोषित सभी व्यय, संसद् को प्रस्तुत अनुपूरक प्राक्कलनों के माध्यम से तब तक विनियमित नहीं किया जाएगा, जब तक ऐसा अग्रिम उपनियम (2) के उपबंधों के अनुसार आकस्मिक निधि में पुनः वापस नहीं लौटा दिया गया हो।”।

[फा. सं. 4(13)-बी.(एसडी)/2021]

आशीष वच्छानी, संयुक्त सचिव

टिप्पण : मूल नियम भारत के राजपत्र, में संख्या का.नि.आ. 1358, तारीख 30 जुलाई, 1952 द्वारा प्रकाशित किए गए थे और तत्पश्चात् संख्यांक

(i) सा.का.नि. 1181, तारीख 03.10.1953

(ii) सा.का.नि. 901, तारीख 01.06.1963

(iii) सा.का.नि. 1778, तारीख 27.11.1971

(iv) सा.का.नि. 1, तारीख 07.01.1989

द्वारा उनका संशोधन किया गया था।

MINISTRY OF FINANCE
(Department of Economic Affairs)

NOTIFICATION

New Delhi, the 4th October, 2021

G.S.R. 721(E).— In exercise of the powers conferred by section 4 of the Contingency Fund of India Act 1950 (49 of 1950), the Central Government hereby makes the following rules further to amend the Contingency Fund of India Rules, 1952, namely:—

1. (1) These rules may be called the Contingency Fund of India (Amendment) Rules, 2021.

(2) They shall come into force on the date of their publication in Official Gazette.

2. In the Contingency Fund of India Rules, 1952, —

(i) for rule 3, the following rule shall be substituted, namely: —

“3. An amount equivalent to forty per cent of the Fund corpus shall be placed at the disposal of the Secretary, Ministry of Finance, Department of Expenditure for the purpose of meeting unforeseen expenditure, and beyond this limit, all further Contingency Fund releases shall be made with the approval of Secretary to the Government of India, Department of Economic Affairs, after the approval of Secretary to the Government of India, Department of Expenditure.”;

- (ii) in rule 4, for the words “Department of Economic Affairs”, the words “Department of Expenditure” shall be substituted;

- (iii) for rule 5, the following rule shall be substituted, namely: —

“5. Applications for advances required shall be made to the Secretary to the Government of India, Department of Expenditure and applications for advances of new loans shall be made to the Secretary to the Government of India, Department of Economic Affairs, in the manner provided for in rule 4.”;

- (iv) for rule 7, the following rule shall be substituted, namely: —

“7. A copy of the order sanctioning the advance, which shall specify the amount, the grant or appropriation to which it relates and given brief particulars by sub-heads and units of appropriation of the expenditure for meeting which it is made, shall be forwarded by the Ministry of Finance to the Audit and Accounts Officers concerned.”;

- (v) for sub-rule (1) of rule 8, the following sub-rule shall be substituted, namely: —

“(1) All expenditure so financed shall be regularised through the Supplementary Estimates presented to Parliament unless such advance has been resumed to the Contingency Fund in accordance with the provisions of sub-rule (2).”.

[F. No. 4(13)-B (SD)/2021]

ASHISH VACHHANI, Jt. Secy.

Note : The principal rules were published in the Gazette of India *vide* number S.R.O. 1358 dated 30th July, 1952 and subsequently amended *vide* numbers-

- (i) G.S.R. 1181 dated 03.10.1953
- (ii) G.S.R. 901 dated 01.06.1963
- (iii) G.S.R. 1778 dated 27.11.1971
- (iv) G.S.R. 1 dated 07.01.1989