

**LEGISLATIVE, FINANCIAL AND OTHER  
PROCEDURAL DEVICES**  
**ASSAM LEGISLATIVE ASSEMBLY**



**Shri Biswajit Daimary**  
Speaker  
Assam Legislative Assembly



## HOURS OF SITTING

- ◆ The sitting of the Assembly ordinarily commence at 9.30 A.M. and conclude at 2:00 P.M. In case of urgent Government business, the Assembly may sit beyond 2.00 P.M.
- ◆ The Rastriya Sangeet on the first day of each Session and the Jatiya Sangeet at the end of the last day of each Session is played in the Assembly.

## SESSION OF THE ASSAM ASSEMBLY

- ◆ Under **Article 174**<sup>\*1</sup> of the Constitution of India, the Governor has been empowered to summon the Assembly from time to time and there can not be a gap of six months between the last sitting in one session and the first sitting in next session.
- ◆ On issue of summon, the Principal Secretary issues the summon to all Members specifying the date and place for a Session.

## ADDRESS BY THE GOVERNOR

- ◆ Under **Article 176**<sup>\*2</sup> of the Constitution, the Governor is required to address the Assembly at the commencement of first Session after each General Election after oath/affirmation by newly elected members and election of the Speaker.
- ◆ Under the same Article, the Governor is also required to address the Assembly at the commencement of the first Session of each year.



## **DISCUSSION ON ADDRESS BY THE GOVERNOR**

- ◆ The Assam Legislative Assembly discuss the matters raised in the Governor's Address on a Motion of Thanks moved by a member and seconded by another member.
- ◆ The Chief Minister normally replies to the discussion explaining the position of the Government.
- ◆ Thereafter, the Motion of Thanks is submitted to the vote of the Assembly by the Speaker.

## **KEY FUNCTIONS OF THE ASSEMBLY**

- ◆ Making of Laws applicable to the State of Assam.
- ◆ Approving the Budget of the State of Assam.
- ◆ To oversee the executive accountability through various devices like Questions, Calling Attention, Short Duration Discussions, Motions, Resolutions, Zero Hour and through Assembly Committees.

## **LAW MAKING**

- ◆ Government Legislation, that is, the Bills brought before the Assembly by the Ministers.
- ◆ Private Members' Legislation, that is, the Bills brought before the Assembly by Members other than Ministers.

## **DESIRE FOR A LEGISLATION**

**May originate from a number of sources like**

- ◆ Promises made by a party on the basis of which it was returned to power
- ◆ Report of an Assembly Committee
- ◆ A judicial decision
- ◆ Law Commission



## **GOVERNMENT LEGISLATION ACCEPTANCE OF LEGISLATIVE PROPOSAL**

- ◆ Proposal has to be accepted by the Government
- ◆ Legal and constitutional aspects of the proposal are examined
- ◆ The proposal has to be given the shape of a draft law

## **PASSAGE OF LEGISLATIVE PROPOSAL**

- ◆ All legislative proposals are brought in the form of Bills before the Assembly.
- ◆ A Bill is a draft statute and cannot become law unless it is approved by the Assembly and assented to by the President/Governor.
- ◆ A Bill undergoes three readings in the Assembly.

### **FIRST READING**

- ◆ Introduction of Bill: Minister moves motion seeking permission of the Assembly to introduce the Bill. Speaker puts the motion to the vote of the Assembly. After motion is adopted, the Minister stands and says “I introduce the Bill”.
- ◆ Members may oppose introduction of Bill on general grounds like a provision in the Bill is not practicable, etc. or the Assembly does not have legislative competence to pass this Bill.

### **SECOND READING**

- ◆ Minister moves the motion “that the Bill be taken into consideration”.
- ◆ After motion is moved, Members participate in General discussion on the principles of the Bill and its provisions. At the end, the Minister replies to the discussion.
- ◆ After reply, the Speaker puts the motion for consideration to the vote of the Assembly.
- ◆ **Clause-by-clause consideration:** If motion is adopted, the Speaker puts the clauses and amendments to clauses, if any, to the vote of the House.



## **THIRD READING**

- ◆ After all the clauses have been adopted, Minister moves the motion “that the Bill or the Bill as amended be passed”.
- ◆ The motion is submitted to the vote of Assembly by the Speaker. If adopted, the Speaker declares that the Bill or the Bill as amended is passed.

## **ASSENT (ARTICLE 200) \*3**

- ◆ Submission of Bill passed by the Legislative Assembly to the Governor.
- ◆ Bill may be assented or assent may be withheld.
- ◆ Bill may be reserved by the Governor for consideration of the President.
- ◆ Money Bill cannot be returned to the Assembly.
- ◆ Other Bills may be returned for reconsideration.

## **RESTRICTION ON INTRODUCTION**

### **[ARTICLE 207 (1) \*4]**

- ◆ A money Bill or a Bill containing money matters and also matters other than money matters cannot be introduced in the Assembly without the recommendation of the Governor.

### **PRIOR RECOMMENDATION FOR CONSIDERATION {ARTICLE 207 (3) \*5}**

- ◆ Bill which on enactment would involve expenditure from the Consolidated Fund of State of Assam cannot be considered and passed by the Assembly without prior recommendation of the Governor.



## **ORDINANCES**

**(ARTICLE 213) \*6**

- ◆ May be issued by the Governor only when the Legislative Assembly is not in session.
- ◆ Circumstances exist to the satisfaction of the Governor that immediate action is required.
- ◆ Ordinance is to be laid before the Assembly.
- ◆ It ceases to operate at the expiration of six weeks from the reassembly of Legislative Assembly or if resolution disapproving it is passed by the Assembly.
- ◆ To give continued effect to the ordinance, a Bill replacing the Ordinance is required to be passed by Assembly and assented to by the Governor.

### **Legislation and Rules of Procedure**

- ◆ Circulation of Bill: 2 days prior to its introduction in Assembly unless the Speaker relaxes this condition.
- ◆ Important appendices to a Bill – (i) Statement of Objects and Reasons (ii) Memorandum regarding delegated legislation if Bill gives power to the State Government or some other authority to make Rules or issue notifications etc. (iii) Financial Memorandum if Bill on enactment would involve expenditure from the Consolidated Fund of Assam.

### **PRIVATE MEMBERS' BILLS**

- ◆ Drafting primarily the responsibility of the Member-in-charge.
- ◆ Private Members Business is taken on Fridays.
- ◆ Notice period to give Private Member Bill is one month.
- ◆ Bills are selected for discussion on the basis of ballot.



## **FINANCIAL BUSINESS**

### **Budget**

- ◆ The term “Budget” is nowhere mentioned in the Constitution.
- ◆ We use the term “Annual Financial Statement” under Article 202.
- ◆ It is a statement of estimated receipts and expenditure of the Government of Assam for a financial year.
- ◆ The term Budget is of British origin derived from old French word “Bougett”, which means the sack or pouch from which the British Chancellor of exchequer took out his papers for presenting the Government financial programme for the ensuing fiscal year to Parliament.
- ◆ The term Budget has been taken as a synonym for Annual Financial Statement.

### **Need for a Budget**

- ◆ A welfare State has to perform manifold functions concerning virtually every sphere of life.
- ◆ For performing these functions, the State requires adequate resources.
- ◆ There is a limit to resources.
- ◆ Therefore, there is a need for proper budgeting to allocate funds for various Government activities.

### **Restrictions**

- ◆ India has adopted a Parliamentary system of Government based on Westminster model and has accordingly vested the power over the purse in the hands of the chosen representatives.
- ◆ Article 265 <sup>\*7</sup> – No tax shall be levied or collected except by the authority of law.

Article 266 <sup>\*8</sup> – No moneys out of the Consolidated Fund of India or of a State shall be appropriated except in accordance with law and for the purposes and in the manner provided in the Constitution.



## **Constitutional Provisions**

### **Article 202 <sup>\*9</sup>**

- ◆ Presentation of Budget.
- ◆ Charged expenditure and the other expenditure to be shown separately.
- ◆ Expenditure on revenue account to be distinguished from expenditure on other account.
- ◆ Revenue Budget accordingly includes revenue receipts and revenue expenditure

## **Constitutional Provisions**

### **Article 203 <sup>\*10</sup>**

- ◆ Submission to the Vote of the House the expenditure other than the charged expenditure.
- ◆ Legislative Assembly can assent or refuse to assent or assent the demands subject to reduction of amount.

## **Constitutional Provisions**

### **Article 204 <sup>\*11</sup>**

- ◆ Appropriation Bill – introduction, consideration and passing.

## **Constitutional Provisions**

### **Article 205 <sup>\*12</sup>**

- ◆ Supplementary Demands: If money sanctioned for a particular service is insufficient or money is required for some new service not contemplated in the Budget, the Government may come with Supplementary Demands.
- ◆ Excess Demands: if money spent on any service is in excess of the amount sanctioned, Government has to come before the Assembly for approval of such excess.



## Budget and Assembly Rules

- ◆ **Rule 139** – Presentation of Budget on such day as the Governor may direct.
- ◆ **Rule 140** – No discussion on the day of presentation.
- ◆ **Rule 142** – Budget is dealt with by the Assam Assembly in two stages:-
  - (a) General Discussion on Budget; and
  - (b) Discussion and voting on Demands for Grants.

### General Discussion on Budget

- ◆ Scope of discussion – **Rule 143** – Assembly is at liberty to discuss Budget as a whole or any question of principle involved therein.
- ◆ The Finance Minister replies to the discussion.

### Examination of Demands by Standing Committees

- ◆ **Rule 260 L** – After general discussion is over, the Assembly is adjourned for a fixed period and the demands stand referred to the concerned Standing Committees for examination and report.

### Passing of Budget by Assembly

- ◆ When the Assembly meets again after recess, the Demands for Grants of 2-3 Departments, as selected by Business Advisory Committee, are discussed in the Assembly and passed.
- ◆ Members of Opposition Parties may move cut motions to the Grants to reduce the expenditure after the Minister concerned has moved the motion for approval of the Grant.

### Guillotine

- ◆ **Rule 144 (3)** – Guillotine – On the last day allotted for disposal of Financial Business, all the outstanding Demands are together put to the vote of the Assembly and passed.



## **Appropriation Bill**

### **Rule 154**

- ◆ After all the Grants have been passed, the Appropriation Bill is introduced, considered and passed by the Assembly.

## **Question Hour**

- ◆ The first hour of every sitting of the Assembly is available for asking and answering of questions.
- ◆ Starred Questions: A question to which a member wishes to have an oral answer on the floor of the House and which is distinguished by an asterisk.
- ◆ Unstarred Questions: A question which is not called for oral answer in the House and the written answer to such a question is deemed to have been laid on the Table.
- ◆ Short Notice Questions: A question relating to a matter of urgent public importance occurred after the expiry of notice period of both starred and unstarred questions. A member has to give advance notice with not less than 7 clear days giving the reasons for urgency and public importance.
- ◆ Supplementary Questions :A Question asked by any member when called by the Speaker for the purpose of further elucidating any matter of fact regarding which an answer has been given during the question hour.

## **Lists of Starred and Unstarred Questions**

**Starred and Unstarred Question Lists:-**Separate lists are prepared and printed for admitted Starred and Unstarred Questions.



### **Starred List**

- ◆ **Limit of Questions** :Not more than 20 questions are included in the List of Questions for oral answer on any one day.
- ◆ This limit may exceed when question is postponed or transferred from the list of questions for oral answer to another date.

### **Unstarred List**

- ◆ **Limit of Questions** :- Not more than 50 questions are included in the List of Questions for written answers on any one day.

### **Assembly Committees**

- ◆ The work done by any Legislature in modern times is not only varied and complex in nature, but also considerable in volume. As the time at its disposal is limited, the Legislature cannot, therefore, give close consideration to all the legislative and other matters that come up before it.
- ◆ A good deal of its business is, therefore, transacted in Committees of the Assembly, known as Assembly Committees.
- ◆ Assembly Committee means a committee which is appointed or elected by the House or nominated by the Speaker and which works under the direction of the Speaker and presents its report to the House or to the Speaker and the Secretariat for which is provided by the Assam Assembly Secretariat.

### **Some Important Assembly Committees**

#### **Departmentally Related Standing Committees (DRSCs)**

- ◆ There are 8 Departmentally Related Standing Committees covering under their jurisdiction all the Departments of the Government of Assam. These Committees examine the Demands for Grants of the Departments and present the Reports to the Assembly.



## **Estimates Committee**

- ◆ Estimates Committee: (a) Report what economies, improvements in organization, efficiency or administrative reform, consistent with the policy underlying the estimates may be affected; (b) suggest alternative policies in order to bring about efficiency and economy in administration; (c) examine whether the money is well laid out within the limits of the policy implied in the estimates; and (d) suggest the form in which the estimates shall be presented to Parliament.

## **Public Accounts Committee**

- ◆ The Committee on Public Accounts (PAC) examines accounts sanctioned by Assam Assembly for government expenditure, annual finance accounts of the Assam Government and such other accounts laid before the Assembly such as reports by the Comptroller and Auditor General (CAG) in relation to Government of Assam.
- ◆ The CAG audits government expenditure to ensure that public funds are being used efficiently and for their intended purposes.
- ◆ Since it is difficult and time consuming for Assam Assembly to discuss each of these reports, the PAC is entrusted with examining the findings of the CAG audit reports in respect of Assam Government expenditure.

## **Committee on Public Undertakings**

- ◆ The Committee (a) Examine the reports and accounts of Public Undertakings established by the Assam Assembly Acts or formed under the Companies Act for the State of Assam; (b) examine the reports, if any, of the Comptroller and Auditor General of India on the Public Undertakings; (c) examine, in the context of the autonomy and efficiency of the Public Undertakings whether the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practices.

## **Business Advisory Committee**

- ◆ The Committee recommend the time that should be allotted for the discussion of Government Legislative, Financial and other business.



### **Committee on Petitions**

- ◆ The Committee consider and report on complaints submitted by the Members in the form of petitions.
- ◆ The Committee also consider representations from various individuals, associations etc. not covered by the rules relating to petitions and give directions for their disposal.

### **Committee on Subordinate Legislation**

- ◆ The Committee scrutinize and report to the House whether the power to make regulations, rules, sub-rules, bye-laws etc. conferred by the Constitution or delegated by an Act of Assam Assembly are being properly exercised by the executive within the scope of such delegation.

### **Other Assembly Committees**

- ◆ Other Assembly Committees like Committee on Government Assurances, Committee on the Welfare of Scheduled Caste and Scheduled Tribes, Committee on Local Fund Accounts, etc. also perform important functions to keep a check on and monitor the functioning of different Departments of the Government of Assam and submit reports to the Assembly with recommendations.

### **Response of the Government to Recommendations by Committee**

- ◆ After an Assembly Committee has submitted its report with recommendations to the House, the concerned Department examines the recommendations and communicate to the concerned Committee as to what recommendations have been accepted and what recommendations have not been accepted with reasons.
- ◆ Recommendations not accepted may either be dropped or insisted upon by the concerned Assembly Committee.



## Other Important Procedural Devices to Oversee the Accountability of Political Executive (Council of Ministers)

### Zero Hour

- ◆ The time immediately following the Question Hour and laying of papers and before any listed business is taken up in the Legislatures has come to be popularly known as the 'Zero Hour'.
- ◆ As it starts around 12 noon, this period is euphemistically termed as 'Zero Hour'.
- ◆ For raising matters during the 'Zero Hour' in Assam Assembly, Members give notice everyday (**except Friday**) to the Speaker stating clearly the subject which they consider to be important and wish to raise in the House.
- ◆ The Speaker permits 3 members for raising such matters in the Assembly which he considers more important.
- ◆ After issue is raised, the Minister concerned replies.

### Calling Attention

- ◆ Under this procedural device, a Member may, with the prior permission of the Speaker, call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement thereon.
- ◆ There is no debate on such a statement at the time it is made. After the statement, brief clarifications can be sought from the Minister by the Member who has initiated the Calling Attention.
- ◆ The Calling Attention matter is not subject to the vote of the House.



### **Short Duration Discussion**

- ◆ Under this procedural device, the Speaker may, in consultation with the Leader of the House, allow a member who has given notice for raising discussion on matter of urgent public importance.
- ◆ Under this device, Members can raise discussion for short duration not exceeding two and a half hours without a formal motion or vote thereon.
- ◆ Any member desirous of taking part in the discussion may be permitted.
- ◆ The discussion concludes with the reply of the Minister concerned.

### **Adjournment Motion**

- ◆ Adjournment Motion is the procedure for adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance, which can be moved with the consent of the Speaker.
- ◆ The Adjournment Motion, if admitted, leads to setting aside of the normal business of the House for discussing the matter mentioned in the motion.
- ◆ To be in order, an adjournment motion must raise a matter of sufficient public importance to warrant interruption of normal business of the House and the question of public importance is decided on merit in each individual case.
- ◆ The purpose of an Adjournment Motion is to take the Government to task for a recent act of omission or commission having serious consequences.
- ◆ Its adoption is regarded as a sort of censure of the Government.

### **Special Mention**

- ◆ Matters, which are not points of order, can be raised by way of Special Mentions under Rule 301. This procedural device provides opportunity to the Members to raise matters of general public interest.
- ◆ At present, not more than 5 (five) such matters shall be allowed to be raised on any particular day, under Rule 301.



## **No-Confidence Motion**

- ◆ The Government must always enjoy majority support in the Assembly to remain in power. If need be, it has to demonstrate its strength on the floor of the House by moving a Motion of Confidence and winning the confidence of the House.
- ◆ In view of the express Constitutional provision regarding collective responsibility of the Council of Ministers to the Assembly, a motion expressing want of confidence in an individual Minister is out of order.
- ◆ Under Rule 133, only a motion expressing want of confidence in the Council of Ministers as a body is admissible.
- ◆ The usual format of such a motion is that “this House expresses its want of confidence in the Council of Ministers”.
- ◆ For moving this motion, permission of not less than one-tenth of the total number of members of the Assembly has to be given.

## **Motion (Rules 130 A and 131)**

- ◆ The term ‘motion’ in parliamentary parlance means any formal proposal made to the Assembly by a Member for the purpose of eliciting a decision of the House.
- ◆ It is phrased in such a way that, if adopted, it will purport to express the judgement or will of the House.
- ◆ Any matter of importance can be the subject matter of a motion. The mover of a motion frames it in a form in which he/she wishes it ultimately to be passed by the House and on which a vote of the House can conveniently be taken.



## **Constitutional Provisions**

### **Article 174 \*1**

- (1) The Governor shall from time to time summon the House or each House of the Legislature of the State to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session.
- (2) The Governor may from time to time-
  - (a) prorogue the House or either House;
  - (b) dissolve the Legislative Assembly.

### **Article 176 \*2**

#### **Special address by the Governor:**

i) At the commencement of the first session after each general election to the Legislative Assembly and at the commencement of the first session of each year], the Governor shall address the Legislative Assembly or, in the case of a State having a Legislative Council, both Houses assembled together and inform the Legislature of the causes of its summons.

ii) Provision shall be made by the rules regulating the procedure of the House or either House for the allotment of time for discussion of the matters referred to in such address.



### Article 200 <sup>\*3</sup>

#### **Governor's Assent to Bills:**

There are four courses open to a Governor to whom a Bill passed by the state legislature is presented for assent. The Governor may:

- (1) assent to the bill,
- (2) withhold assent, or
- (3) reserve the bill for the consideration of the President, or
- (4) return the bill (if not a money bill) for reconsideration.

### Article 207 (1) <sup>\*4</sup>

#### **Special provisions as to financial Bills:**

A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 199 shall not be introduced or moved except on the recommendation of the Governor, and a Bill making such provision shall not be introduced in a Legislative Council.

Provided that no recommendation shall be required under this clause for the moving of an amendment making provision for the reduction or abolition of any tax.

### Article 207 (3) <sup>\*5</sup>

#### **Special provisions as to financial Bills:**

A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of a State shall not be passed by a House of the Legislature of the State unless the Governor has recommended to that House the consideration of the Bill.



## Article 213 \*6

### Legislative Power of the Governor :

Power of Governor to promulgate Ordinances during recess of Legislature-

- (1) If at any time, except when the Legislative Assembly of a State is in session, or where there is a Legislative Council in a State, except when both Houses of the Legislature are in session, the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require: Provided that the Governor shall not, without instructions from the President, promulgate any such Ordinance if -
  - (a) a Bill containing the same provisions would under this Constitution have required the previous sanction of the President for the introduction thereof into the Legislature; or
  - (b) he would have deemed it necessary to reserve a Bill containing the same provisions for the consideration of the President; or
  - (c) an Act of the Legislature of the State containing the same provisions would under this Constitution have been invalid unless, having been reserved for the consideration of the President, it had received the assent of the President.
- (2) An Ordinance promulgated under this article shall have the same force and effect as an Act of Legislature of the State assented to by the Governor, but every such Ordinance-
  - (a) shall be laid before the Legislative Assembly of the State, or where there is a Legislative Council in the State, before both the Houses, and shall cease to operate at the expiration of six weeks from the reassembly of the Legislature, or if before the expiration of that period a resolution disapproving it is passed by the Legislative Assembly and agreed to by the Legislative Council, if any, upon the passing of the resolution or, as the case may be, on the resolution being agreed to by the Council; and



- (b) may be withdrawn at any time by the Governor.

Explanation.—Where the Houses of the Legislature of a State having a Legislative Council are summoned to reassemble on different dates, the period of six weeks shall be reckoned from the later of (those dates for the purposes of this clause.

- (3) If and so far as an Ordinance under this article makes any provision which would not be valid if enacted in an Act of the Legislature of the State assented to by the Governor, it shall be void:

Provided that, for the purposes of the provisions of this Constitution relating to the effect of an Act of the Legislature of a State which is repugnant to an Act of Parliament or an existing law with respect to a matter enumerated in the Concurrent List, an Ordinance promulgated under this article in the Concurrent List, an Ordinance promulgated under this article in pursuance of instructions from the President shall be deemed to be an Act of the Legislature of the State which has been reserved for the consideration of the President and assented to by him.

### Article 265 <sup>\*7</sup>

#### **Taxes not to be imposed save by authority of law:**

No tax shall be levied or collected except by authority of law.



## Article 266 \*8

### **Consolidated Funds and public accounts of India and of the States:**

- (1) Subject to the provisions of article 267 and to the provisions of this Chapter with respect to the assignment of the whole or part of the net proceeds of certain taxes and duties to States, all revenues received by the Government of India, all loans raised by that Government by the issue of treasury bills, loans or ways and money advances and all moneys received by that Government in repayment of loans shall form one consolidated fund to be entitled “the Consolidated Fund of India”, and all revenues received by the Government of a State, all loans raised by that Government by the issue of treasury bills, loans or ways and money advances and all moneys received by that Government in repayment of loans shall form one consolidated fund to be entitled “the Consolidated Fund of the State”.
- (2) All other public moneys received by or on behalf of the Government of India or the Government of a State shall be credited to the public account of India or the public account of the State, as the case may be.
- (3) No moneys out of the Consolidated Fund of India or the Consolidated Fund of a State shall be appropriated except in accordance with law and for the purposes and in the manner provided in this Constitution.

## Article 202 \*9

### **Procedure in Financial Matters**

#### **Annual financial statement:**

- (1) The Governor shall in respect of every financial year cause to be laid before the House or Houses of the Legislature of the State a statement of the estimated receipts and expenditure of the State for that year, in this Part referred as the “annual financial statement”.
- (2) The estimates of expenditure embodied in the annual financial statement shall show separately-



- (a) the sums required to meet expenditure described by this Constitution as expenditure charged upon the Consolidated Fund of the State; and
  - (b) the sums required to meet other expenditure proposed to be made from the Consolidated Fund of the State, and shall distinguish expenditure on revenue account from other expenditure.
- (3) The following expenditure shall be expenditure charged on the Consolidated Fund of each State -
- (a) the emoluments and allowances of the Governor and other expenditure relating to his office;
  - (b) the salaries and allowances of the Speaker and the Deputy Speaker of the Legislative Assembly and, in the case of State having a Legislative Council, also of the Chairman and the Deputy Chairman of the Legislative Council;
  - (c) debt charges for which the State is liable including interest, sinking fund charges and redemption charges, and other expenditure relating to the raising of loans and the service and redemption of debt;
  - (d) expenditure in respect of the salaries and allowances of Judges of any High Court;
  - (e) any sums required to satisfy any judgment, decree or award of any court or arbitral tribunal;
  - (f) any other expenditure declared by this Constitution, or by the Legislature of the State by law, to be so charged.



## Article 203 <sup>\*10</sup>

### Procedure in Legislature with respect to estimates:

- (1) So much of the estimates as relates to expenditure charged upon the Consolidated Fund of a State shall not be submitted to the vote of the Legislative Assembly, but nothing in this clause shall be construed as preventing the discussion in the Legislature of any of those estimates.
- (2) So much of the said estimates as relates to other expenditure shall be submitted in the form of demands for grants to the Legislative Assembly, and the Legislative Assembly shall have power to assent, or to refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein.
- (3) No demand for a grant shall be made except on the recommendation of the Governor.

## Article 204 <sup>\*11</sup>

### Appropriation Bills:

- (1) As soon as may be after the grants under article 203 have been made by the Assembly, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the State of all moneys required to meet-
  - (a) the grants so made by the Assembly; and
  - (b) the expenditure charged on the Consolidated Fund of the State but not exceeding in any case the amount shown in the statement previously laid before the House or Houses.
- (2) No amendment shall be proposed to any such Bill in the House or either House of the Legislature of the State which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the State, and the decision of the person presiding as to whether an amendment is inadmissible under this clause shall be final.



- (3) Subject to the provisions of articles 205 and 206, no money shall be withdrawn from the Consolidated Fund of the State except under appropriation made by law passed in accordance with the provisions of this article.

### Article 205 <sup>\*12</sup>

#### **Supplementary, additional or excess grants:**

- (1) The Governor shall-
- (a) if the amount authorised by any law made in accordance with the provisions of article 204 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year, or
  - (b) if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year,
- cause to be laid before the House or the Houses of the Legislature of the State another statement showing the estimated amount of that expenditure or cause to be presented to the Legislative Assembly of the State a demand for such excess, as the case may be.
- (2) The provisions of articles 202, 203 and 204 shall have effect in relation to any such statement and expenditure or demand and also to any law to be made authorising the appropriation of moneys out of the Consolidated Fund of the State to meet such expenditure or the grant in respect of such demand as they have effect in relation to the annual financial statement and the expenditure mentioned therein or to a demand for a grant and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of the State to meet such expenditure or grant. ■



**THANK YOU**