THE TAMIL NADU CONTINGENCY FUND RULES, 1963

In exercise of the powers conferred by section 3 of the Tamil Nadu Contingency Fund Act,1954 (Tamil Nadu Act II of 1954), the Governor of Tamil Nadu hereby makes the following Rules:-

RULES

Short title

1. These Rules may be called the *1*[Tamil Nadu] Contingency Fund Rules, 1963.

Administration the Contingency Fund

2. *2*[The Contingency Fund shall be held on behalf of the Governor by the Secretary to Government in the Finance Department and any advance from the *of* said Fund shall be sanctioned by

(a) the Deputy Secretary to Government in charge of Budget, Finance Department, if the amount of the advance does not exceed Rupees one crore; and

(b) the Secretary to Government, Finance Department, if amount of advance exceed Rupees one crore.]

Application to whom shall made

3. Applications for advances from the Contingency Fund shall be made in triplicate in Form 'A' appended to these rules to the *3*[Secretary to Government *be* of Tamil Nadu] in the Finance Department.

Sanction of Advance

4. (1) The order sanctioning the advance shall specify the amount, the grant or appropriation to which it relates and contain brief particulars by sub-heads and units of appropriation of the expenditure for meeting which it is made. A copy of such order shall also be forwarded to the *4*[Accountant General, Tamil Nadu.]

Explanation:- When an advance is sanctioned from the Contingency Fund notwithstanding such sanction, the amount shall continue to form part of that Fund till it is actually withdrawn and spent on the specific purpose for which the advance is sanctioned.

1. This expression was substituted for the expression "Madras" by G.O. (Ms) No. 90, Finance (B.G. I) Department, dated 21.01.1977.

2. This rule was substituted by the following Government Orders:-

(i) G.O.(Ms) No.968, Finance (BG-I) Department, dated 06.08.1973.

(ii) G.O.(Ms) No. 1284, Finance (BG-I) Department, dated 27.12.1976.

(iii) G.O. (Ms) No. 113, Finance (B.G.I) Department, dated 01.02.1994.

3. This expression was substituted for the expression "Secretary to Government of Madras" by G.O. (Ms) No. 90, Finance (B.G. I) Department, dated 21.01.1977.

4. This expression was substituted for the expression "Accountant General, Madras" by G.O. (Ms) No. 90, Finance (B.G. I) Department, dated 21.01.1977.

(2) The order authorizing an advance from the Contingency Fund shall not lapse with the close of the year but shall lapse only on the passing of the supplementary Appropriation Act referred to in rule 5.

(3) The expenditure shall be restricted to the advance sanctioned under sub-rule (1) and if the expenditure is anticipated to exceed the advance already advanced a further advance shall be obtained.

Authorisation of the Expenditure by the Legislature

5. The supplementary estimates for all expenditure so sanctioned and withdrawn under rule 4 shall be presented to the Legislature at *1*[the first or second *2*(session) of the Legislature, as may be practicable] immediately after the advance is sanctioned. As soon as the Legislature has authorised the additional expenditure by including it in any Supplementary Appropriation Act,

the advances made from the Contingency Fund shall be resumed to that Fund.

Explanation:- (i) While presenting the Supplementary Estimates for all expenditure financed from the Contingency Fund, a Note to the following effect shall be appended to such estimates.

The expenditure is on a 'New Service'. An advance of Rs. _____ was sanctioned from the Contingency Fund to meet the expenditure initially. The amount is included in the Supplementary Estimates.

(ii) In case where large savings within the grant are anticipated and the amount sanctioned from the Contingency Fund can be met therefrom the following Note shall be included in the explanatory note:-

"The expenditure is on a 'New Service'. An advance of Rs._____ was sanctioned from the Contingency Fund to meet the expenditure initially. An amount of Rs._____ (Rupees _____ only) will be met from the savings within the grant. The balance of Rs. _____ (Rupees _____ only) a token provision of *3*[Rs.1,000] is included in the Supplementary Estimates."

4[(iii) If during an Election year, two Budgets are presented to the Legislative Assembly, all advances sanctioned from the Contingency Fund of the State during the period between the presentation of the first Budget and

the Second Budget and the passing of the connected Appropriation Act to meet

1. This expression was substituted for the expression "the first meeting of the Legislature" by G.O. (Ms) No. 968, Finance (B.G.) Department, dated 06.08.1973.

2. This expression was substituted for the expression "meeting" by G.O.(Ms) No. 707, Finance (B.G. I) Department, dated 23.01.1977.

3. This expression was substituted for the expression "100" by G.O.(Ms) No. 90, Finance (B.G. I) Department, dated 21.01.1977.

4. This item was added by G.O.(Ms) No.469, Finance (B.G. I) Department, dated 12.07.2006.

expenditure on a service not included in an Appropriation (Vote on Account) Act and the advances outstanding at the end of the preceding financial year being advances the estimates for which are included in the second Budget shall be resumed to the Contingency Fund as soon as the Appropriation Act in respect of the expenditure on the service for the whole year has been passed.

Note:- A suitable explanation regarding the advance and the recoupment thereof shall be incorporated in the Budget Memorandum Part II wherever required, such a case will be included in the statement of "New Service / New Instrument of Service" appended at the end of the Budget Memorandum Part II."]

1[An advance obtained from the Contingency Fund for expenditure on a 'New Service' during the 'Vote on Account' period for which adequate provision exists in the Appropriation Bill for the year will stand resumed to the Fund as soon as the Appropriation Act for the whole year has been passed by the Legislature and assented to by the Governor.]

Cancellation of order sanctioning advance

6. If in any case after the order sanctioning an advance from the Contingency Fund has been issued under rule 4 and before action is taken in accordance under rule 5, it is found that the advance sanctioned may remain wholly or partly unutilized, an application shall be made to the sanctioning authority for canceling or modifying the sanction as the case may be.

A copy of the order canceling the advance, which shall give a reference to the number and date of the order under which the original advance is made shall be forwarded to the *2*[Accountant-General, Tamil Nadu.]

Procedure to be followed where supplementary demand or appropriation of the Legislature is not obtained

7. If any expenditure has been incurred during any year by withdrawing an advance from the Contingency Fund and a Supplementary demand or appropriation is not obtained during the same year for meeting such expenditure, then the funds for such expenditure shall be provided for in the next following year by means of a token Supplementary Demand if savings are available from the grants in the annual financial statement or by a supplementary demand or appropriation for the full amount under the major and minor head concerned under which the expenditure was incurred in the previous year from the Contingency Fund.

1. This paragraph was added by G.O.(Ms) No.832, Finance (Resources II) Department, dated 04.09.1967.

2. This expression was substituted for the expression "Accountant General, Madras" by G.O. (Ms) No. 90, Finance (B.G. I) Department, dated 21.01.1977.

Explanation:- The demand or appropriation under the major and minor head concerned shall be for a token amount or for that portion of the sum which

cannot be met from savings in the sanctioned grant, the amount which can be met from savings being clearly indicated in the Explanatory Memorandum. It may also be indicated that the provision includes a sum which was met out of the Contingency Fund in the previous year. In the case of expenditure on 'New Service' it shall also be specifically stated in the Explanatory Memorandum that the expenditure is on 'New Service'.

Maintenance of Accounts

8. An account of the transactions of the Fund shall be maintained in the Finance Department in Form 'B'. A record of the amounts of advances sanctioned from the Contingency Fund and of the balances available in the Fund from time to time shall be maintained in Form ''B' appended to these rules by the spending authority. The Chief Controlling Officers and their Departmental subordinates shall keep proper record of the actual expenditure incurred against the advances from the Contingency Fund in the same manner as for the expenditure out of the Consolidated Fund of the State. Proper reconciliation of the Departmental figures of expenditure out of the advances from the Contingency Fund with those booked by the Accountant-General shall also be effected.

FORM 'A'

(See Rule 3 of the 1[Tamil Nadu contingency Fund Rules], 1963)

Application for the advances from the Contingency Fund of the State for the year …… under the 2[Tamil Nadu] Contingency Fund Act, 1954 (2[Tamil Nadu] Act II of 1954)

1 Name of the Department

2 Number and date of the Government order in which sanction was accorded

3 Details for the expenditure for which advance from the Contingency Fund is necessary

4 Circumstances in which provision could not be made in the budget

5 Why it's postponement is not possible

6 The amount required to be advancedfrom the Contingency Fund with full cost of the proposal for the year or part of the year as the case may be

7 Major head, minor head, sub-head and detailed head of account under which the supplementary demand or appropriation will eventually have to be obtained

8 Name of the Controlling Officer at whose disposal the amount would be placed

3[9] Whether a copy of the Government Order sanctioning the expenditure is enclosed]

3[10] Whether the expenditure for which advance from Contingency Fund is required is a "Charged" one and if so whether it is due to court award]

3[11] Remarks

Note:-(1) In the 'Remarks' column, the fact whether the expenditure is in respect of an item included in the current five-year plan or not should also

be indicated.

(2) the amount of advance applied for should not be for token provision

1. This expression was substituted for the expression "Madras Contingency Fund Rules" by G.O. (Ms) No. 90, Finance (B.G. I) Department, dated 21.01.1977.

2. This expression was substituted for the expression "Madras" by the Tamil Nadu Adaptation of Law Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

3. The items 9 and 10 were added and the item 11 was re-numbered by G.O. (Ms) No. 90, Finance (B.G. I) Department, dated 21.01.1977.

FORM 'B'

(See rule 8 of the 1[Tamil Nadu Contingency Fund Rules], 1963)

2[Maintenance of Accounts of Contingency Fund of Tamil Nadu] under the 3[Tamil Nadu] Contingency Fund Act, 1954

(3[Tamil Nadu] Act II of 1954)

Amount of Rs.

Serial Number	Date of transaction	Number and name of advance	Amount of advance	Balance after each grant or incharge appropriation	Number and date of the application for making advance	Initials of the officer and date of the order	Number and Remarks Act providing additional the expenditure	Amount advanced	Supplementary Appropriation resumed transactions for the
(1)	(2)	(3)	(4)	(5)	(6)		(7)	(8)	(9)

Note:- (1) The balance should be struck after each transaction.

(2) The amount of the advances should be entered in black ink when made and in red ink when resumed.

1. This expression was substituted for the expression "Madras Contingency Fund Rules" by G.O. (Ms) No. 90, Finance (B.G. I)

Department, dated 21.01.1977.

2. *This expression was substituted for the expression "Maintenance of accounts of Contingency Fund of Madras" by G.O. (Ms)*

No. 90, Finance (B.G. I) Department, dated 21.01.1977.

3. This expression was substituted for the expression "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as

amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.