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मध्यप्रदेश राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 162]

भोपाल, सोमवार, दिनांक 4 अप्रैल 2016—चैत्र 15, शक 1938

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 4 अप्रैल 2016

क्र. 5440-108-इक्कीस-अ-(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश विनियोग अधिनियम (निरसन) विधेयक, 2016 (क्रमांक 11 सन् 2016) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

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

MADHYA PRADESH BILL

No. 11 OF 2016

THE MADHYA PRADESH APPROPRIATION ACTS (REPEAL) BILL, 2016.**A Bill to repeal Appropriation Acts.**

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

Short title.

1. This Act may be called the Madhya Pradesh Appropriation Acts (Repeal) Act, 2016.

Repeal of Appropriation Acts.

2. The enactments specified in the Schedule are hereby repealed to the extent mentioned in the Fourth column thereof.

Savings.

3. The repeal by this Act of any enactment shall not affect any other enactment in which the repealed enactment has been applied, incorporated or referred to;

and this Act shall not effect the validity, invalidity, effect or consequences of anything already done or suffered, or any right, title obligation or liability already acquired, accrued or incurred, or any remedy or proceeding in respect thereof, or any release or discharge of or from any debt, penalty, obligation, liability, claim or demand, or any indemnity already granted or the proof of any past act or thing;

nor shall this Act affect any principle or rule of law, or established jurisdiction, form or course of pleading, practice or procedure, or existing privilege, restriction, exemption, office or appointment, notwithstanding that the same respectively may have been in any manner affirmed or recognized or derived by, in or from any enactment hereby repealed.

nor shall the repeal by this Act of any enactment revive or restore any jurisdiction, office, liability, right, title, privilege, restriction, exemption, practice, procedure or other matter or thing not now existing or in force:

nor shall the repeal of the enactments by this Act affect the audit, examination, accounting, investigation, inquiry or any other action taken or to be taken in relation thereto by any authority and such audit, examination, accounting, investigation, inquiry or action could be taken and, or continued as if the said enactments are not repealed by this Act:—

THE SCHEDULE*(See section 2)***REPEALS**

Year (1)	No. (2)	Short title (3)	Extent of repeal (4)
1980	17	The Madhya Pradesh Appropriation (Vote on Account) Act, 1980.	The whole
1980	18	The Madhya Pradesh Appropriation Act, 1980	The whole
1993	15	The Madhya Pradesh Appropriation Act, 1993	The whole
1993	16	The Madhya Pradesh Appropriation Act, 1993	The whole
1993	58	The Madhya Pradesh Appropriation (No. 2) Act, 1993.	The whole

STATEMENT OF OBJECTS AND REASONS

The Central Government is committed to repeal the obsolete and redundant laws (Central Acts) lying on the Statute Book. Keeping in view the necessity of repeal of laws which are redundant or lost their significance, the Law Commission of India, in its 248th, 249th, 250th and 251st Reports on "Obsolete Laws; Warranting Immediate Repeal", *inter-alia*, recommended for repeal of 289 enactments.

2. The Ramanujam Committee constituted by the Prime Minister's Office has recommended for the repeal of 1741 enactments. In addition to this 144 State Appropriation Acts enacted by the Parliament during President's Rule since 1977 are to be repealed by the respective State Legislature under article 357(2) of the Constitution, Articles 357 (2) is as follows:—

"357 (2) Any law made in exercise of the power of the Legislature of the State by Parliament or the President or other authority referred to in sub-clause (a) of clause (1) which Parliament or the President or such other authority would not, but for the issue of a Proclamation under article 356, have been competent to make shall, after the Proclamation has ceased to operate, continue in force until altered or repealed or amended by a competent Legislature or other authority."

3. Under article 357(2) of the Constitution the following Appropriation Acts concerning to the Government of Madhya Pradesh are to be repealed:—

- (1) The Madhya Pradesh Appropriation (Vote on Account) Act, 1980 (No. 17 of 1980).
- (2) The Madhya Pradesh Appropriation Act, 1980 (No. 18 of 1980).
- (3) The Madhya Pradesh Appropriation Act, 1993 (No. 15 of 1993).
- (4) The Madhya Pradesh Appropriation Act, 1993 (No. 16 of 1993).
- (5) The Madhya Pradesh Appropriation (No. 2) Act, 1993 (No. 58 of 1993).

These Appropriation Acts have become either irrelevant or dysfunctional and importantly have served their purpose and outlived their utility. Therefore, no consent is required from the Finance Department of Government of Madhya Pradesh.

4. As part of the ongoing initiative of the Central Government, the present proposal of the State Government is to repeal 5 obsolete and redundant State Appropriation Acts by the State Legislative Assembly enacted by Parliament during President's Rule. Since the Appropriation Acts spend themselves after a particular financial year, an appropriate saving clause has been incorporated in the Bill to save the past transactions. On being enacted, it would reduce obsolete laws and bring in clarity to those for whose benefit the laws are enacted.

5. Hence this Bill.

BHOPAL :
Dated, the 30th March 2016

KUSUM SINGH MAHDELE
Member-in-charge.