

F.No. 08(18)/2021-E.IIA
Government of India
Ministry of Finance
Department of Expenditure

North Block, New Delhi.
Dated: 6th May, 2022

OFFICE MEMORANDUM

Subject: Amendment in GFR, 2017 (Rule 67(4) and Appendix 6) in respect of Contingency Fund of India Rules.

The undersigned is directed to state the following amendments to Contingency Fund of India Rules vide Contingency Fund of India (Amendment) Rules, 2021, the contents of Rule 67(4) and Appendix 6 to GFR, 2017 are amended as per Annexure.

2. This issues with the approval of Competent Authority.

Encl: A-A.


(Sunil Kumar)

Under Secretary to the Government of India

To

Secretaries / Financial Advisers of all Ministries / Departments of Government of India.

Copy to:

D/o Economic Affairs, Budget Division, (Sh. S.R. Raja, Under Secretary) with reference to their O.M. No. 4(13)-B(SD)/2021 dated 18.04.2022.

Rule 67(4) The procedure for obtaining an advance from the Contingency Fund and recoupment of the Fund shall be as laid down in the Contingency Fund of India (Amendment) Rules, 2021 as amended from time to time. For ready reference, rules have been placed at Appendix - 6 to this volume.

APPENDIX – 6

[Rule 67. (4)]

THE CONTINGENCY FUND OF INDIA RULES

SRO 1358. - In exercise of the powers conferred by Section 4 of the Contingency Fund of India Act, 1950 (XLIX of 1950), the Central Government hereby makes the following rules:-

CONTINGENCY FUND OF INDIA RULES

1. These rules may be called the Contingency Fund of India Rules.
2. The Contingency Fund of India shall be held on behalf of the President by the Secretary to the Government of India, Ministry of Finance, Department of Economic Affairs.
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.
4. Subject to the provisions of Rule 5 below, all applications for advances from the Fund shall be made to the Secretary to the Government of India, Ministry of Finance, Department of Expenditure. The applications shall give -
 - (i) brief particulars of the additional expenditure involved,
 - (ii) the circumstances in which provision could not be included in the budget,
 - (iii) why its postponement is not possible,
 - (iv) the amount required to be advanced from the Fund with full cost of the proposal for the year or part of the year, as the case may be, and
 - (v) the grant or appropriation under which supplementary provision will eventually have to be obtained.
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.
6. Advances from the Fund shall be made for the purpose of meeting unforeseen expenditure including expenditure on a new service not contemplated in the annual financial statement.
7. A copy of the order sanctioning the advance, which shall specify the amount, the grant or appropriation to which it relates and give 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.
8. (1) All expenditure so financed shall be regularized 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).

NOTE 1. -While presenting to Parliament Estimates for expenditure financed from the Contingency Fund, a note to the following effect shall be appended to such Estimates :-
'A sum of Rs..... has been advanced from the Contingency Fund inand an equivalent amount is required to enable repayment to be made to that Fund.'

NOTE 2. -If the expenditure on a new service not contemplated in the Annual Financial Statement can be met, 'wholly or partly' from savings available within the authorized appropriation, the note appended to the Estimates submitted shall be in the following form :-

'The expenditure is on a new service. A sum of Rs..... has been advanced from Contingency Fund in.....and an equivalent amount is required to enable repayment to be made to that Fund.' The amount, viz., Rs..... can be found by re-appropriation.

'A part of that amount, viz., Rs.....of savings within the grant and a token vote only is now

required, viz., Rs..... only.

a vote is required for the balance

- (2) As soon as Parliament has authorized additional expenditure by means of a Supplementary Appropriation Act, the advance or advances made from the Contingency Fund, whether for meeting the expenditure incurred before the Supplementary Estimates were presented to the Parliament or after they were so presented, shall be resumed to the Fund to the full extent of the appropriation made in Act.
8. A. If in any case, after the order sanctioning an advance from the Contingency Fund has been issued in accordance with Rule 7 and before action is taken in accordance with Rule 8, it is found that the advance sanctioned will remain wholly or partly unutilized, an application shall be made to the sanctioning authority for cancelling or modifying the sanction, as the case may be.
8. B. All advances sanctioned from the Contingency Fund to meet expenditure in excess of the provision for the service included in an Appropriation (Vote on Accounts) Act 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, including the excess met from the advances from the Contingency Fund has been passed.
8. C. If during an Election year, two Budgets are presented to the Parliament, all advances, sanctioned from the Contingency Fund of India during the period between the presentation of first and second Budgets or during the period between the presentation of the second Budget and the passing of the connected Appropriation Act to meet 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 "Notes on Demands for Grants". Wherever required, such a case will be included in the statement of 'New Service' / 'New Instrument of Service' appended at the end of the demands.

9. A copy of the order resuming the advance, which shall give a reference to the number and date of the order in which the original advance was made and to the Supplementary Appropriation Act referred to in Rule 8, shall be forwarded by the Ministry of Finance and the Financial Officers concerned, in addition, to the Audit and Accounts Officers concerned. In addition, the Ministry of Finance shall forward copies of such orders to the Accountant General, Central Revenues, and the Director of Railways Audit if pertaining to the Railways.
10. An account of the transactions of the Fund shall be maintained by the Ministry of Finance in Form 'A' annexed to these rules.
11. Actual expenditure incurred against advances from the Contingency Fund shall be recorded in the account relating to the Contingency Fund in the same details as it would have been shown if it had been paid out of the Consolidated Fund.