

**Bill No. 80 of 2025**

THE ASSAM REORGANISATION (KARBI  
DIMANCHAL) BILL, 2025

By

SHRI AMARSING TISSO, M.P.

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**Bill No. 80 of 2025**

THE ASSAM REORGANISATION (KARBI  
DIMANCHAL) BILL, 2025

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A

BILL

*to provide for the formation within the State of Assam of an  
autonomous State to be known as Karbi Dimanchal  
and for matters connected therewith  
or incidental thereto.*

BE it enacted by Parliament in the Seventy-sixth Year of the Republic of India  
as follows:—

PART I

PRELIMINARY

5      1.(1) This Act may be called the Assam Reorganisation (Karbi Dimanchal) Act,  
2025.

Short title and  
commencement.

(2) It shall come into force on such date as the Central Government may, by  
notification in the Official Gazette, appoint:

Provided that the different dates may be appointed for different provisions of this Act.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) “appointed day” means such date as the Central Government may, by notification in the Official Gazette, appoint for the formation of Autonomous State; 5

(b) “article” means an article of the Constitution;

(c) “autonomous State” means the Autonomous State of Karbi Dimanchal formed under section 3;

(d) “constituency” means a territorial constituency provided by order made under section 12 for the purpose of election to the Legislative Assembly; 10

(e) “Election Commission” means the Election Commission appointed by the President under Article 324;

(f) “Governor” means the Governor of Assam exercising his functions as Governor in relation to Karbi Dimanchal by virtue of this Act; 15

(g) “law” includes any enactment, Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument, having immediately before the appointed day, the force of law in the whole or in any part of the Autonomous State;

(h) “Legislative Assembly” means the Legislative Assembly of Karbi Dimanchal; 20

(i) “Karbi Dimanchal” means the autonomous State referred to in Section 3;

(j) “member” means a member of the Legislative Assembly;

(k) “Official Gazette” means the Official Gazette of Karbi Dimanchal or the Gazette of India; and 25

(l) “prescribed” means prescribed by rules made under this Act.

## PART II

### FORMATION OF THE AUTONOMOUS STATE OF KARBI DIMANCHAL

Formation  
of Karbi  
Dimanchal.

3. On and from the appointed day, there shall be formed within the State of Assam an Autonomous State to be known as Karbi Dimanchal which shall, subject to the provisions of Part I in the Table appended to Paragraph 20 of the Sixth Schedule, comprising the following Tribal areas namely:— 30

(i) the North Cachar Hills District (now Dima Hasao Autonomous District);  
and 35

(ii) the Karbi Anglong District.

Executive  
Power  
of Karbi  
Dimanchal.

4. (1) The Executive power of Karbi Dimanchal shall be vested in the Governor and shall be exercised by him either directly or through officers subordinate to him in accordance with this Act.

(2) Nothing this section shall,—

(a) be deemed to transfer to the Governor any functions conferred by any existing law on any other authority; or

5 (b) prevent Parliament or the Legislature of the State of Assam or Karbi Dimanchal from conferring by law functions on any authority subordinate to the Governor.

5.1) Subject to the provisions of this Act, the executive power of Karbi Dimanchal shall extend to the matters with respect to which the Legislature of Karbi Dimanchal has power to make laws:

Extent of  
Executive  
Power  
of Karbi  
Dimanchal.

10 Provided that in any matter with respect to which the Legislature of Karbi Dimanchal, the Legislature of the State of Assam and Parliament have power to make laws, the executive power of Karbi Dimanchal shall be subject to, and limited by, the executive power expressly conferred by this Act or by any law made by Parliament upon the Union or the State of Assam or the authorities thereof or, as the  
15 case may be, by the Legislature of the State of Assam upon the State of Assam or authorities thereof.

(2) On and from the appointed day, the executive of the State of Assam shall not extend, in relation to Karbi Dimanchal, to the matters with respect to which the Legislature of Karbi Dimanchal has executive power to make laws under this Act.

20 (3) For the removal of doubts, it is hereby declared that, save as otherwise provided in this Act, the executive power of the State of Assam shall, in relation to Karbi Dimanchal, continue to extend to the matters with respect to which the Legislature of Karbi Dimanchal has no power to make laws.

25 6.1) There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor in the exercise of his functions in relation to Karbi Dimanchal.

Council of  
Ministers.

(2) The question whether any, and if so, what, advice was tendered by Minister to the Governor shall not be inquired into in any court.

30 7.1) The Chief Minister shall be appointed by the Governor and other Ministers shall be appointed by the Governor on the advice of the Chief Minister, and the Ministers shall hold office during the pleasure of the Governor.

Other  
provisions as  
to Ministers.

(2) The Council of Ministers shall be collectively responsible to the Legislative Assembly.

35 (3) Before a Minister enters upon his office, the Governor shall administer to him the oaths of office and of secrecy according to the form set out for this purpose in the First Schedule.

(4) A Minister who for any period of six consecutive months is not a member of the Legislative Assembly shall at the expiration of that period cease to be a Minister.

40 (5) The salaries and allowances of the Ministers shall be such as the Legislature of Karbi Dimanchal may from time to time by law determine and, until the Legislature so determines, shall be determined by the Governor.

8.1) The Governor may, if he thinks fit to do so, appoint a person who is qualified to be appointed a Judge of a High Court to be Advocate-General for Karbi Dimanchal.

Advocate-  
General  
for Karbi  
Dimanchal.

(2) It shall be the duty of the Advocate-General to give advice to the Government of Karbi Dimanchal upon such legal matters, and to perform such other duties of a legal character as may, from time to time, be referred or assigned to him by the Governor, and to discharge the functions conferred on him by or under this Act or any other law for the time being in force.

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(3) The Advocate-General shall hold office during the pleasure of the Governor, and shall receive such remuneration as the Governor may determine.

Conduct of  
Business.

**9.(1)** All executive action of the Government of Karbi Dimanchal shall be expressed to be taken in the name of the Governor.

(2) Orders and other instruments made and executed in the name of the Governor shall be authenticated in such manner as may be specified in rules to be made by the Governor, and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Governor.

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(3) The Governor shall make rules for the more convenient transaction of the business of the Government of Karbi Dimanchal and for the allocation among Ministers of the said business.

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Duties of  
Chief Minister  
as respects the  
furnishing of  
information to  
Governor, etc.

**10.** It shall be the duty of the Chief Minister of Karbi Dimanchal—

(a) to communicate to the Governor all decisions of the Council of Ministers relating to the administration of the affairs of Karbi Dimanchal and proposals for legislation;

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(b) to furnish such information relating to the administration of the affairs of Karbi Dimanchal and proposals for legislation as the Governor may call for; and

(c) if the Governor so requires, to submit for the consideration of the Council of Ministers any matter on which a decision has been taken by a Minister but which has not been considered by the Council.

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### PART III

#### THE LEGISLATURE

##### GENERAL

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Constitution of  
the Legislature  
of Karbi  
Dimanchal.

**11. (1)** There shall be a Legislature for Karbi Dimanchal which shall consist of the Governor and the Legislative Assembly.

(2) The total number of seats in the Legislative Assembly to be filled by persons chosen by direct election from constituencies in Karbi Dimanchal shall be fixed by the Central Government by notification in the Official Gazette after consultation with the Election Commission, but shall not be less than fifty four:

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Provided that all the seats of Legislative Assembly shall be reserved for persons belonging to the Scheduled Tribes.

(3) The existing twenty six Missing Autonomous Council (MAC) Constituencies of Autonomous Hills District of Karbi Anglong and twenty eight MAC Constituencies of Autonomous Hills District of Dima Hasao shall be the Legislative Assembly Constituencies of the Karbi Dimanchal Autonomous State.

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(4) The Governor may, if he is of opinion that any unrepresented communities in Karbi Dimanchal need representation in the Legislative Assembly and are not adequately represented therein, nominate not more than three members of such communities, not being persons in the service of the Government, to the Legislative Assembly.

**12. (1) The Election Commission shall, in the manner herein provided, distribute the total number of seats in the Legislative Assembly as fixed under sub-section (2) of section 11 to single member constituencies and delimit them on the basis of the latest census figures having regard to the following provisions, namely:—**

Delimitation of  
Constituencies.

(a) all constituencies shall, as far as practicable, consist of geographically compact areas, and in delimiting them, regard shall be had to the physical features, existing boundaries of administrative units, facilities of communication and public convenience;

(b) every constituency shall be so delimited as to fall only within an Assembly constituency of the Legislative Assembly of the State of Assam; and

(c) the population of each constituency shall, as far as practicable, be the same throughout Karbi Dimanchal.

**(2) For the purpose of assisting the Election Commission in the performance of its functions under this section, the Commission shall associate with itself such number of associate members not exceeding five as the Governor may nominate to represent Karbi Dimanchal:**

Provided that none of the associate members shall have a right to vote or to sign any decision of the Election Commission.

(3) If owing to death or resignation, the office of an associate member falls vacant, it shall be filled as soon as may be practicable by the Governor in accordance with the provisions of sub-section (2).

(4) The Election Commission shall—

(a) publish its proposals for the delimitation of constituencies, together with the dissenting proposals, if any, of any associate member who desires publication thereof, in the Official Gazette and in such other manner as the Commission may consider fit, together with a notice inviting objections and suggestions in relation to the proposals and specifying a date on or after which the proposals will be further consider by it;

(b) consider all objections and suggestions which may have been received by it before the date so specified, and for the purpose of such consideration hold one or more public sittings at such place or places as it may think fit; and

(c) after considering all objections and suggestions which may have been received by it before the date so specified, determine by one or more orders the delimitation of the constituencies and cause such order or orders to be published in the Official Gazette; and upon such publication, the order or orders shall have the full force of law and shall not be called in question in any court.

(5) As soon as may be after such publication, every such order shall be laid before the Legislative Assembly.

(6) Upon the completion of each census, the total number of seats in the Legislative Assembly and the division of Karbi Dimanchal into territorial constituencies shall be readjusted by such authority and in such manner as parliament may by law determine:

Provided that such readjustment shall not affect representation in the Legislative Assembly until the dissolution of the then existing Assembly. 5

*Explanation.*— In this section “latest census figures” mean the census figures with respect to Karbi Dimanchal ascertainable from the latest census of which the finally published figures are available.

Power of Election Commission to maintain delimitation orders up-to-date. 13. (1) The Election Commission may, from time to time, by notification in the Official Gazette,— 10

(a) correct any printing mistake in any order made under section 12 or any error arising therein from inadvertent slip or omission; and

(b) where the boundaries or name of any territorial division mentioned in any such order are or is altered, make such amendments as appear to it to be necessary or expedient for bringing such order up-to-date. 15

(2) Every notification under this section shall be laid, as soon as may be after it is issued, before the Legislative Assembly.

Electors and electoral rolls. 14. (1) The persons entitled to vote at an election of members shall be the persons entitled by virtue of the provisions of the Constitution and the Representation of the People Act, 1950, to be registered as voters at elections to the House of people. 20

(2) The electoral roll for every constituency shall consist of so much of the electoral roll for an Assembly constituency of the Legislative Assembly of the State of Assam as relates to the areas comprised within each such Constituency and it shall not be necessary to prepare or revise separately the electoral roll for any such constituency. 25

Right to vote. 15. Every person, whose name is for the time being entered in the electoral roll for a constituency, shall be entitled to vote at the election of a member from that constituency.

Qualification for Membership. 16. A person shall not be qualified to be chosen to fill a seat in the Legislative Assembly unless he,— 30

(a) is a citizen of India and makes and subscribes before some person authorised in that behalf by the Election Commission an oath or affirmation according to the form set out for the purpose in the First Schedule;

(b) is not less than twenty-five years of age; and 35

(c) is an elector in any constituency in Karbi Dimanchal.

Election to the Legislative Assembly. 17. The provisions of Part I, Chapter III and IV of Part II and Part III to XI of the Representation of the People Act, 1951, and of any rules and orders made thereunder for the time being in force, shall apply to and in relation to the elections to the Legislative Assembly of Karbi Dimanchal as they apply to and in relation to an election to the legislative Assembly of a State, subject to such modifications as the President may, after consultation with the Election Commission, by order, direct. 40

**18.** The Legislative Assembly, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer, and the expiration of the said period of five years shall operate as a dissolution of the Legislative Assembly:

Duration of the Legislative Assembly.

5        Provided that the said period may, while a Proclamation of Emergency issued under clause (1) of article 352 is in operation, be extended by Parliament by law for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

10        **19.** (1) The Governor shall, from time to time, summon the Legislative Assembly 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.

Sessions of Legislative Assembly, prorogation and dissolution.

(2) The Governor may, from time to time,—

(a) prorogue the Legislative Assembly; and

15        (b) dissolve the Legislative Assembly.

**20.** (1) The Governor may address the Legislative Assembly and may for that purpose require the attendance of members.

Right of Governor to address and send messages to Legislative Assembly.

20        (2) The Governor may send messages to the Legislative Assembly, whether with respect to a Bill then pending in the Legislative Assembly or otherwise and when a message is so sent, the Legislative Assembly shall with all convenient dispatch consider any matter required by the message to be taken into consideration.

25        **21.** (1) 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 and inform the Assembly of the causes of its summons.

Special address by the Governor.

(2) Provision shall be made by the rules regulating the procedure of the Legislative Assembly for the allotment of time for discussion of the matters referred to in such address.

30        **22.** Every Minister and the Advocate-General for Karbi Dimanchal shall have the right to speak in, and otherwise to take part in the proceedings of, the Legislative Assembly, and to speak in, and otherwise to take part in the proceedings of, any committee of the Legislative Assembly of which he may be named a member, but shall not, by virtue of this section, be entitled to vote.

Rights of Ministers as respects Legislative Assembly.

#### OFFICERS OF THE LEGISLATIVE ASSEMBLY

35        **23.** (1) The Legislative Assembly shall, as soon as may be, choose two members of the Assembly to be respectively Speaker and Deputy Speaker thereof, and, so often as the office of Speaker or Deputy Speaker becomes vacant, the Assembly shall choose another member to be Speaker or Deputy Speaker, as the case may be.

Speaker and Deputy Speaker of Legislative Assembly.

40        (2) A member holding office as Speaker or Deputy Speaker of the Legislative Assembly,—

(a) shall vacate his office if he ceases to be a member of the Assembly;

(b) may at any time by writing under his hand addressed, if such member is the Speaker, to the Deputy Speaker, and if such member is the Deputy Speaker, to the Speaker, resign his office; and

(c) may be removed from his office by a resolution of the Legislative Assembly passed by a majority of all the then members of the Assembly:

Provided that no resolution for the purpose of clause (c) shall be moved unless at least fourteen days' notice has been given of the intention to move the resolution: 5

Provided further that whenever the Legislative Assembly is dissolved, the Speaker shall not vacate his office until immediately before the first meeting of the Assembly after the dissolution.

(3) While the office of Speaker is vacant, the duties of the office shall be performed by the Deputy Speaker or, if the office of the Deputy Speaker is also vacant, by such member of the Legislative Assembly as the Governor may appoint for the purpose. 10

(4) During the absence of the Speaker from any sitting of the Legislative Assembly, the Deputy Speaker or, if he is also absent, such person as may be determined by the rules of procedure of the Legislative Assembly, or, if no such person is present, such other person as may be determined by the Legislative Assembly, shall act as Speaker. 15

(5) There shall be paid to the Speaker and the Deputy Speaker of the Legislative Assembly such salaries and allowances as may be respectively fixed by the Legislature of Karbi Dimanchal by law and, until provision in that behalf is so made, such salaries and allowances as the Governor may, by order, determine. 20

Speaker and Deputy Speaker not to preside while a resolution for his removal from office is under consideration.

**24.** (1) At any sitting of the Legislative Assembly, while any resolution for the removal of the Speaker from his office is under consideration, the Speaker, or, while any resolution for the removal of the Deputy Speaker from his office is under consideration, the Deputy Speaker, shall not, though he is present, preside, and the provisions of sub-section (4) of section 23 shall apply in relation to every such sitting as they apply in relation to a sitting from which the Speaker or, as the case may be, the Deputy Speaker is absent. 25

(2) The Speaker shall have the right to speak in, and otherwise to take part in the proceedings of, the Legislative Assembly while any resolution for his removal from office is under consideration in the Legislative Assembly and shall, notwithstanding anything in section 27, be entitled to vote only in the first instance on such resolution or on any other matter during such proceedings but not in the case of an equality of votes. 30

Secretariat of Legislative Assembly.

**25.** (1) The Legislative Assembly shall have a separate secretarial staff. 35

(2) The Legislature of Karbi Dimanchal may by law regulate the recruitment, and the conditions of service of persons appointed, to the secretarial staff of the Legislative Assembly.

(3) Until provision is made by the Legislature of Karbi Dimanchal under sub-section (2), the Governor may, after consultation with the Speaker of the Legislative Assembly, make rules regulating the recruitment, and the conditions of service of persons appointed, to the secretarial staff of the Legislative Assembly, and any rules so made shall have effect subject to the provisions of any law made under and said sub-section. 40

Public Service Commission.

**26.** The Karbi Dimanchal Autonomous State shall have its own department of personnel administration and as such shall have own service cadre and shall be known as "Karbi Dimanchal Public Service Commission". 45

27. The Karbi Dimanchal Autonomous State shall have its own police cadre to be known as Karbi Dimanchal Police Cadre which shall be recruited by the Karbi Dimanchal Public Service Commission.

Police Cadre.

#### CONDUCT OF BUSINESS

5       **28.** Every member of the Legislative Assembly shall, before taking his seat, make and subscribe before the Governor, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the First Schedule.

Oath or Affirmation by Members.

10       **29.** (1) Save as otherwise provided in this Act, all questions at any sitting of the Legislative Assembly shall be determined by a majority of votes of the members present and voting other than the Speaker or person acting as such.

Voting in Assembly, power of Assembly to act notwithstanding vacancies and quorum.

(2) The Speaker or person acting as such shall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.

15       (3) The Legislative Assembly shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings in the Legislative Assembly shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to do sat or voted or otherwise took part in the proceedings.

(4) Until the Legislature of Karbi Dimanchal by law otherwise provides, the quorum to constitute a meeting of the Legislative Assembly shall be ten members.

20       (5) If at any time during a meeting of the Legislative Assembly there is no quorum, it shall be the duty of the Speaker or person acting as such either to adjourn the Assembly or suspend the meeting until there is a quorum.

#### DISQUALIFICATIONS OF MEMBERS

25       **30.** (1) No person shall be a member of Parliament or of the Legislative Assembly of the State of Assam and also of the Legislative Assembly of Karbi Dimanchal, and if a person is chosen a Member of Parliament or of the Legislative Assembly of Assam and also of the Legislative Assembly of Karbi Dimanchal, then, at the expiration of such period, as may be specified in rules made by the President, that person's seat in Parliament or, as the case may be, in the Legislative Assembly of Assam shall become vacant unless he has previously resigned his seat in the  
30       Legislative Assembly of Karbi Dimanchal.

Vacation of seats.

(2) If a member of the Legislative Assembly,—

(a) becomes subject to any of the disqualifications mentioned in section 31,  
or

35       (b) resigns his seat by writing under his hand addressed to the Speaker, his seat shall thereupon become vacant.

(3) If for a period of sixty days a member of the Legislative Assembly is, without permission of the Legislative Assembly, absent from all meetings thereof, the Assembly may declare his seat vacant:

40       Provided that in computing the said period of sixty days no account shall be taken of any period during which the Legislative Assembly is prorogued or is adjourned for more than four consecutive days.

Disqualifications  
for  
membership.

**31.** (1) A person shall be disqualified for being chosen as, and for being, a member of the Legislative Assembly—

(a) if he holds any office of profit under the Government of India or the Government of any State or the Government of Karbi Dimanchal other than an office declared by the Legislature of Karbi Dimanchal by law not to disqualify its holder; 5

(b) if he is of unsound mind and stands so declared by a competent court;

(c) if he is an undischarged insolvent;

(d) if he is not a citizen of India, or has voluntarily acquired the citizenship of a foreign State or is under any acknowledgement of allegiance or adherence to a foreign State; and 10

(e) if he is so disqualified by or under any of the provisions of Chapter III of Part II of the Representation of the People Act, 1951, as applied to and in relation to the Legislative Assembly by section 17.

(2) For the purposes of this section, a person shall not be deemed to hold an office of profit under the Government of India or the Government of any State or the Government of Karbi Dimanchal by reason only, that he is a Minister either for the Union or for such State or for Karbi Dimanchal. 15

(3) If any question arises as to whether a member has become disqualified for being such a member under the provisions of sub-section (1), the question shall be referred for the decision of the Governor and his decision shall be final. 20

(4) Before giving any decision on any such question, the Governor shall obtain the opinion of the Election Commission and shall act according to such opinion.

Penalty for  
sitting and  
voting before  
making an oath  
or affirmation  
or when not  
qualified or when  
disqualified.

**32.** If a person sits or votes as a member of the Legislative Assembly before he has complied with the requirements of section 28, or when he knows that he is not qualified or that he is disqualified for membership thereof, or that he is prohibited from so doing by the provisions of any law made by Parliament or the Legislature of Karbi Dimanchal, he shall be liable in respect of each day on which he so sits or votes, to a penalty of five hundred rupees to be recovered as a debt due to Karbi Dimanchal. 25  
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Powers,  
privileges, etc.  
of members.

**33.** (1) Subject to the provisions of this Act and to the rules and standing orders regulating the procedure of the Legislature of Karbi Dimanchal, there shall be freedom of speech in the Legislative Assembly of Karbi Dimanchal.

(2) No member of the Legislative Assembly of Karbi Dimanchal shall be liable to any proceedings in any court in respect of anything said or any vote given by him in the Assembly or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of the Assembly of any report, paper, votes or proceedings. 35

(3) In other respects, the powers, privileges and immunities of the Legislative Assembly and of the members and the committees thereof shall be such as may from time to time be defined by the Legislature of Karbi Dimanchal by law, and until so defined, shall be those for the time being enjoyed by the House of the People and its members and committees. 40

(4) The provisions of sub-section (1), (2) and (3) shall apply in relation to persons who by virtue of this Act have the right to speak in, or otherwise to take 45

part in the proceedings of, the Legislative Assembly or any committee thereof as they apply in relation to members of that Assembly.

5       **34.** Members of the Legislative Assembly shall be entitled to receive such salaries and allowances as may from time to time be determined by the Legislature of Karbi Dimanchal by law and, until provision in that respect is so made, such salaries and allowances as the Governor may, by order, determine. Salaries and allowances of members.

#### LEGISLATIVE POWERS AND PROCEDURE

10       **35. (1)** Subject to the provisions of this Act, the Legislature of Karbi Dimanchal has exclusive power to make laws for Karbi Dimanchal or any part thereof with respect to any of the matters enumerated in Part A or Part B of the Second Schedule. Extent of legislative power.

(2) Subject to the provisions of this Act, the Legislature of Karbi Dimanchal and the Legislature of State of Assam also shall have power to make laws for Karbi Dimanchal or any part thereof with respect to any of the matters enumerated in Part C of the Second Schedule.

15       **(3)** For the removal of doubts it is hereby declared that nothing in sub-section (1) or sub-section (2) shall derogate from the powers conferred by the Constitution—

(a) on Parliament to make laws for the whole or any part of the State of Assam, including Karbi Dimanchal, with respect to any of the matters enumerated in the Second Schedule; or

20       (b) on the Legislature of the State of Assam to make laws for the whole or any part of Assam, including Karbi Dimanchal, with respect to any of the matters enumerated in List II or List III in the Seventh Schedule to the Constitution, except in so far as any of the matters aforesaid falls within sub-section (1).

25       **36. (1)** The property of the Union shall, save in so far as Parliament may, by law, otherwise provide, be exempt from all taxes imposed by Karbi Dimanchal or by any authority within Karbi Dimanchal. Exemption from taxation of properties of the Union and the State of Assam and of certain vehicles registered in Assam or Karbi Dimanchal.

30       (2) Nothing in sub-section (1) shall, until Parliament by law otherwise provides, prevent any authority within Karbi Dimanchal from levying any tax on any property of the Union to which such property was immediately before the commencement of this Act liable or treated as liable so long as that tax continues to be levied in Karbi Dimanchal.

35       (3) The property of the State of Assam shall, so long as the property of Karbi Dimanchal in the rest of Assam is exempt from taxes imposed by the Government of Assam or by any authority within the State of Assam, be exempt from all taxes imposed by Karbi Dimanchal or by any authority within Karbi Dimanchal.

40       (4) No vehicle registered at any place in the State of Assam, not being a place in Karbi Dimanchal, and transiting through Karbi Dimanchal shall be liable to any tax under any law enacted by the Legislature of Karbi Dimanchal so long as any vehicle registered at any place in Karbi Dimanchal and transiting through the territory of Assam (not comprised in Karbi Dimanchal) is exempt from payment of any tax under any law enacted by the Legislature of the State of Assam.

45       **37. (1)** If any provision of a law made by the Legislature of Karbi Dimanchal is repugnant to any provision of a law made by Parliament which Parliament is competent to enact, or to any provision of any existing law with respect to one of the matters enumerated in the Concurrent List in the Seventh Schedule to the Inconsistency between laws made by Parliament and laws made by the legislature of Karbi Dimanchal.

Constitution, then, subject to the provisions of sub-section (2), the law made by Parliament, whether passed before or after the law made by the Legislature of Karbi Dimanchal, or, as the case may be, the existing law, shall prevail and the law made by the Legislature of Karbi Dimanchal shall, to the extent of the repugnancy, be void.

5

(2) Where a law made by the Legislature of Karbi Dimanchal with respect to one of the matters enumerated in the Concurrent List in the Seventh Schedule to the Constitution, which the Legislature of Karbi Dimanchal is competent to enact under this Act contains any provision repugnant to the provisions of an earlier law made by Parliament or an existing law with respect to that matter, then, the law so made by the Legislature of Karbi Dimanchal shall, if it has been reserved for the consideration of the President and has received his assent, prevail in Karbi Dimanchal:

10

Provided that nothing in this sub-section shall prevent Parliament from enacting at any time any law with respect to the same matter, including a law adding to, amending, varying or repealing the law so made by the Legislature of Karbi Dimanchal.

15

Inconsistency between laws made by the legislature of the State of Assam and laws made by the legislature of Karbi Dimanchal.

**38.** Where a law made by the Legislature of Karbi Dimanchal with respect to one of the matters enumerated in Part C of the Second Schedule contains any provision repugnant to the provision of an earlier law made by the Legislature of the State of Assam which that Legislature is competent to enact, or to any provision of any existing law with respect to that matter, then, the law so made by the Legislature of Karbi Dimanchal shall, to the extent of the repugnancy, be void unless the law has received assent under section 41 after the Governor has obtained the advice of the Chief Minister of Assam:

20

25

Provided that nothing contained in this section shall prevent the Legislature of the State of Assam from enacting at any time any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Legislature of Karbi Dimanchal.

*Explanation 1.*—In this section and in sections 37 and 61, “existing law” means any law, Ordinance, order, bye-law, rule or regulation passed or made before the appointed day by any Legislature, authority or person having power to make such a law, Ordinance, order, bye-law, rule or regulation.

30

*Explanation 2.*— In this section and in sections 41 and 52, the reference to the advice of the Chief Minister of Assam shall, while a Proclamation issued in relation to the State of Assam under clause (1) of article 356 of the Constitution is in operation, be construed as a reference to the instructions from the President.

35

Special provisions as to financial Bill.

**39.** (1) A Bill or amendment shall not be introduced into, or moved in, the Legislative Assembly except on the recommendation of the Governor if such Bill or amendment makes provisions dealing with any of the following matters, namely:—

40

(a) the imposition, abolition, remission, alteration or regulation of any tax;

(b) the regulation of the borrowing of money or the giving of any guarantee by Karbi Dimanchal, or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by Karbi Dimanchal;

45

(c) the custody of the Consolidated Fund or the Contingency Fund of Karbi Dimanchal, the payment of moneys into, or withdrawal of moneys from, any such Fund;

(d) the appropriation of moneys out of the Consolidated Fund of Karbi Dimanchal;

5 (e) the declaring of any expenditure to be expenditure charged on the Consolidated Fund of Karbi Dimanchal or the increasing of the amount of any such expenditure;

(f) the receipt of money on account of the Consolidated Fund of Karbi Dimanchal or the public account of Karbi Dimanchal or the custody or issue of such money:

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

15 (2) A Bill or amendment shall not be deemed to make provision for any of the matters specified in sub-section (1) by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees of licences or fees for services rendered, or by reason that it provides for the imposition, abolition, remission, alteration or regulation of any tax by any local authority or body for local purposes.

20 (3) A Bill, which if enacted and brought into operation, would involve expenditure from the Consolidated Fund of Karbi Dimanchal, shall not be passed by the Legislative Assembly unless the Governor has recommended to the Assembly for the consideration of the Bill.

**40.** A Bill pending in the Legislative Assembly shall not lapse by reason of the prorogation of the Assembly, but shall lapse on a dissolution thereof.

Procedure as to lapsing of Bills.

25 **41.** When a Bill has been passed by the Legislative Assembly, it shall be presented to the Governor and the Governor shall declare either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for the consideration of the President:

Assent to Bills.

30 Provided that the Governor may, as soon as possible after the presentation to him of the Bill for assent, return the Bill if it is not a Money Bill together with a message requesting that the Legislative Assembly will reconsider the Bill or any specified provisions thereof and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message and, when a Bill is so returned, the Legislative Assembly shall reconsider the Bill accordingly, and if the Bill is passed again by the Assembly with or without amendment and presented to  
35 the Governor for assent, the Governor shall not—

(a) give assent in the case of a Bill containing provisions of the nature referred to in section 38 except after obtaining the advice of the Chief Minister of Assam; and

(b) withhold assent in the case of any other Bill.

40 *Explanation.*—For the purposes of this section and section 42, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the matters specified in sub-section (1) of section 39 or any matter incidental to any of those matters and there is endorsed thereon the certificate of the Speaker of the Legislative Assembly signed by him that it is a Money Bill:

Provided that a Bill shall not be deemed to be a Money Bill by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licences or fees for services rendered or by reason that it provides for the imposition, abolition, remission, alteration, or regulation of any tax by any local authority or body for local purposes. 5

Bills reserved for consideration.

**42.** When a Bill is reserved by the Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom:

Provided that where the Bill is not a Money Bill, the President may direct the Governor to return the Bill to the Legislative Assembly together with such a message as is referred to in section 41, and when a Bill is so returned, the Legislative Assembly shall reconsider it accordingly within a period of six months from the date of receipt of such message, and if it is again passed by the Legislative Assembly with or without amendment, it shall be presented again to the President for his consideration. 10  
15

Requirements as to sanction and recommendation to be regarded as matters of procedure only.

**43.** No Act of the Legislature of Karbi Dimanchal and no provision in any such Act shall be invalid by reason only that some recommendation or previous sanction required by the Constitution or this Act was not given, if assent to that Act was given—

(a) where the recommendation required was that of the Governor, either by the Governor or by the President; and 20

(b) where the recommendation or previous sanction required was that of the President, by the President.

#### PROCEDURE IN FINANCIAL MATTERS

Annual financial statement.

**44.** (1) The Governor shall in respect of every financial year cause to be laid before the Legislative Assembly a statement of the estimated receipts and expenditure of Karbi Dimanchal for that year, hereinafter referred to as “the annual financial statement”. 25

(2) The estimates of expenditure embodied in the annual financial statement shall show separately— 30

(a) the sums required to meet expenditure described by this Act as expenditure charged upon the Consolidated Fund of Karbi Dimanchal; and

(b) the sums required to meet other expenditure proposed to be made from the Consolidated Fund of Karbi Dimanchal, and shall distinguish expenditure on revenue account from other expenditure. 35

(3) The following expenditure shall be expenditure charged upon the Consolidated Fund of Karbi Dimanchal—

(a) the salaries and allowances of the Speaker and Deputy Speaker of the Legislative Assembly;

(b) debt charges for which the Autonomous 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; 40

(c) any sums required to satisfy any judgement, decree or award of any Court or arbitral tribunal; and

(d) any other expenditure declared by the Constitution or by the Legislature of Karbi Dimanchal to be so charged.

5 **45.** (1) So much of the estimates as relates to expenditure charged upon the Consolidated Fund of Karbi Dimanchal shall not be submitted to the vote of the Legislative Assembly, but nothing in this sub-section shall be construed as preventing the discussion in the legislative Assembly of any of those estimates.

Procedure in Legislative Assembly with respect to estimates.

10 (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.

15 **46.** (1) As soon as may be after the grants under section 43 have been made by the Legislative Assembly, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of Karbi Dimanchal of all moneys required to meet—

Appropriation Bills.

(a) the grants so made by the legislative Assembly; and

20 (b) the expenditure charged on the Consolidated Fund of Karbi Dimanchal, but not exceeding in any case the amount shown in the statement previously laid before the Assembly.

25 (2) No amendment shall be proposed to any such Bill in the Legislative Assembly 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 Karbi Dimanchal, and the decision of the person presiding as to whether an amendment is inadmissible under this sub-section shall be final.

(3) Subject to the provisions of sections 47 and 48, no money shall be withdrawn from the Consolidated Fund of Karbi Dimanchal except under appropriation made by law passed in accordance with the provisions of this section.

30 **47.** (1) The Governor Shall,—

Supplementary, additional or excess grants.

35 (a) if the amount authorised by any law made in accordance with the provisions of section 46 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 the 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 the year,

40 cause to be laid before the Legislative Assembly another statement showing the estimated amount of that expenditure or cause to be presented to the Legislative Assembly a demand for such excess, as the case may be.

45 (2) The provisions of sections 44, 45 and 46 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 Karbi Dimanchal 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 Karbi Dimanchal to meet such expenditure or grant.

Votes on account and exceptional grant.

**48. (1)** Notwithstanding anything in the foregoing provisions of this Part, the Legislative Assembly shall have power— 5

(a) to make any grant in advance in respect of the estimated expenditure for a part of any financial year pending the completion of the procedure prescribed in section 45 for the voting of such grant and the passing of the law in accordance with the provisions of section 44 in relation to that expenditure; 10

(b) to make a grant for meeting an unexpected demand upon the resources of the autonomous State when on account of the magnitude or the indefinite character of the service the demand cannot be stated with the details ordinarily given in an annual financial statement; and 15

(c) to make an exceptional grant which forms no part of the current service of any financial year; and the Legislature of Karbi Dimanchal shall have power to authorise by law the withdrawal of moneys from the Consolidated Fund of Karbi Dimanchal for the purpose for which the said grants are made. 20

(2) The provisions of sections 45 and 46 shall have effect in relation to the making of any grant under sub-section (1) and to any law to be made under that sub-section, as they have effect in relation to the making of a grant with regard to any expenditure mentioned in the annual financial statement and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of Karbi Dimanchal to meet such expenditure. 25

#### PROCEDURE GENERALLY

Rules of procedure.

**49. (1)** The Legislative Assembly may make rules for regulating, subject to the provisions of this Act, its procedure and the conduct of its business including the language or languages to be used in the Legislative Assembly. 30

(2) Until rules are made under sub-section (1), the rules of procedure and standing orders with respect to the Legislative Assembly of the State of Assam in force immediately before the commencement of this Act shall have effect in relation to the Legislative Assembly subject to such modifications and adaptations as may be made therein by the Governor. 35

Restrictions on discussion in the Legislative Assembly.

**50.** No discussion shall take place in the Legislative Assembly with respect to the conduct of any Judge of the Supreme Court, or of a High Court, in the discharge of his duties.

Courts not to enquire into the proceedings of Legislative Assembly.

**51. (1)** The validity of any proceeding in the Legislative Assembly shall not to be called in question on the ground of any alleged irregularity of procedure. 40

(2) No officer or member of the Legislative Assembly in whom powers are vested by or under this Act for regulating procedure or the conduct of business or for maintaining order, in the Legislative Assembly shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers.

## LEGISLATIVE POWERS OF THE GOVERNOR

52. (1) If at any time, except when the Legislative Assembly is 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:

Power of Governor to promulgate ordinances during recess of Legislative Assembly.

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 the Constitution or this Act have required the previous sanction of the President for the introduction thereof into the Legislative Assembly of Karbi Dimanchal; 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 Karbi Dimanchal containing the same provisions would under this Act have been invalid unless, having been reserved for the consideration of the President, it had received the assent of the President:

Provided further that the Governor shall not, except on the advice of the Chief Minister of Assam, promulgate any such Ordinance if with respect to a Bill containing the same provisions he would have deemed it necessary under this Act to obtain the advice of the Chief Minister before assenting thereto.

(2) An Ordinance promulgated under this section shall have the same force and effect as an Act of the Legislative Assembly assented to by the Governor, but every such Ordinance—

(a) shall be laid before the Legislative Assembly and shall cease to operate at the expiration of six weeks from the reassembly of the Legislative Assembly or if before the expiration of that period a resolution disapproving it is passed by the Legislative Assembly, upon the passing of the resolution; and

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

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

Provided that—

(a) for the purposes of section 37 relating to the effect of an Act of the Legislature of Karbi Dimanchal which is repugnant to an Act of Parliament or an existing law with respect to a matter enumerated in the Concurrent List in the Seventh Schedule to the Constitution, an Ordinance promulgated under this section in pursuance of instructions from the President shall be deemed to be an Act of the Legislature which has been reserved for the consideration of the President and assented to by him;

(b) for the purposes of section 38 relating to the effect of an Act of the Legislature of Karbi Dimanchal which is repugnant to an Act of the Legislature of the State of Assam or an existing law with respect to a matter enumerated in Part C of the Second Schedule, an Ordinance promulgated under this section on the advice of the Chief Minister of Assam shall be deemed to be an Act of the Legislature which has been assented to on the advice of the Chief Minister.

## PART IV

## FINANCIAL PROVISIONS

Consolidated Fund.	<p><b>53.</b> (1) Subject to the provisions of section 54, all revenue received by the Government of Karbi Dimanchal, all loans raised by that Government by the issue of treasury bills, loans or ways and means advances and all moneys received by that Government in repayment of loans shall form one consolidated fund to be entitled “the Consolidated Fund of Karbi Dimanchal”.</p> <p>(2) All other public moneys received by or on behalf of the Government of Karbi Dimanchal shall be credited to the public account of Karbi Dimanchal.</p> <p>(3) No moneys out of the Consolidated Fund of Karbi Dimanchal shall be appropriated except in accordance with law and for the purposes and in the manner provided in this Act.</p>	5
Contingency Fund.	<p><b>54.</b> The Legislature of Karbi Dimanchal may, by law, establish a Contingency Fund in the nature of an imprest to be entitled “the Contingency Fund of Karbi Dimanchal” into which shall be paid from time to time such sums as may be determined by such law, and the said Fund shall be placed at the disposal of the Governor to enable advances to be made by him out of such Fund for the purposes of meeting unforeseen expenditure pending authorisation of such expenditure by the Legislature of Karbi Dimanchal by law under section 47 or section 48.</p>	15
Custody of suitors’ deposits and other moneys received by public servants and courts.	<p><b>55.</b> All moneys received by or deposited with—</p> <p>(a) any officer employed in connection with the affairs of Karbi Dimanchal in his capacity as such, other than revenues or public moneys raised or received by the Government of Karbi Dimanchal, or</p> <p>(b) any court within Karbi Dimanchal to the credit of any cause, matter, account or persons,</p> <p>shall be paid into the public account of Karbi Dimanchal.</p>	20 25
Custody, etc., of Consolidated Fund, Contingency Fund and moneys credited to the public accounts.	<p><b>56.</b> The custody of the Consolidated Fund and the Contingency Fund of Karbi Dimanchal, the payment of moneys into such Funds, the withdrawal of moneys therefrom, the custody of public moneys other than those credited to such Funds received by or on behalf of the Government of Karbi Dimanchal, their payment into the public account of Karbi Dimanchal and the withdrawal of moneys from such account and all other matters connected with or ancillary to matters aforesaid shall be regulated by law made by the Legislature of Karbi Dimanchal, and, until provision in that behalf is so made, shall be regulated by rules made by the Governor.</p>	30
Certain taxes levied by Assam to be appropriated by Karbi Dimanchal.	<p><b>57.</b> (1) Notwithstanding anything contained in this Act, any tax on the consumption or sale of electricity relatable to entry 53 in the State List in the Seventh Schedule to the Constitution, and any tax on the sale or purchase of goods relatable to entry 54 in the said List levied by the Government of Assam shall be collected within Karbi Dimanchal, and the proceeds in any financial year of any such tax leviable within Karbi Dimanchal shall not form part of the Consolidated Fund of Assam, but shall form part of the Consolidated Fund of Karbi Dimanchal.</p> <p>(2) Where a tax relatable to entry 54 in the State List aforesaid levied by the Government of Assam is collected by that Government at the first point of sale or purchase of goods, such portion of the tax so collected as may be agreed upon by the Governments of Assam and Karbi Dimanchal or in default of such agreement, as the Central Government may determine shall be payable to Karbi Dimanchal.</p>	35 40 45

(3) The laws with respect to the taxes referred to in sub-section (1) shall have effect subject to such exceptions and modifications as the Central Government, may, by order, specify for the purpose of giving effect to the provisions of that sub-section.

5           **58. (1) The grants-in-aid under clause (1) of article 275 and the share of**  
the taxes on income, the distributable Union duties of excise, the additional  
duties of excise on goods of special importance and estate duty payable to the  
State of Assam under the Constitution (Distribution of Revenues) Order, 1969,  
10           **the Union ‘Duties of Excise (Distribution) Act, 1962, the Additional Duties of**  
Excise (Goods of Special Importance) Act, 1957, the Estate Duty (Distribution)  
Act, 1962, shall be construed, as from the appointed day, as payable to the State  
of Assam and the Autonomous State of Karbi Dimanchal in such proportion as  
the President may, by order, determine.

Distribution of  
revenues.

15           **(2) Every order made by the President under sub-section (1) shall be laid**  
before Parliament as soon as may be after it is made.

**59.** The Governor may, at any time before the appointed day, authorise such  
expenditure from the Consolidated Fund of Karbi Dimanchal as he deems necessary  
for a period of not more than six months beginning with the appointed day pending  
the sanction of that expenditure by the Legislative Assembly:

Authorisation  
of expenditure  
pending its  
sanction by  
Legislative  
Assembly.

20           Provided that the Governor may, after the appointed day, authorise such further  
expenditure as he deems necessary from the Consolidated Fund of Karbi Dimanchal  
for any period not extending beyond the said period of six months.

## PART V

### ASSETS AND LIABILITIES

25           **60.** The assets and liabilities of the State of Assam immediately before the  
appointed day shall be apportioned between that State and Karbi Dimanchal in  
accordance with the provisions contained in the Third Schedule.

Apportionment  
of assets and  
liabilities.

## PART VI

### ADMINISTRATIVE RELATIONS

30           **61.** The executive power of Karbi Dimanchal shall be so exercised as to ensure  
compliance with the laws made by Parliament, the Legislature of the State of Assam  
and any existing laws which apply in Karbi Dimanchal, and the executive power of  
the Union and of the State of Assam shall extend to the giving of such directions to  
Karbi Dimanchal as may appear to the Government of India or the Government of  
35           Assam, as the case may be, to be necessary for that purpose.

Obligation  
of Karbi  
Dimanchal,  
the State of  
Assam and the  
Union.

**62.** The executive power of Karbi Dimanchal shall be so exercised as not  
to impede or prejudice the exercise of the executive power of the Union or the  
Government of Assam, as the case may be, and the executive power of the Union and  
the State of Assam shall extend to the giving of such directions to Karbi Dimanchal  
40           as may appear to the Government of India or the Government of Assam, as the case  
may be, to be necessary for that purpose.

Control  
over the  
autonomous  
State in certain  
cases.

**63.** Notwithstanding anything in this Act,—

Entrustment of  
functions.

          (a) The Government of Assam may, with the consent of the Government  
of Karbi Dimanchal, entrust either conditionally or unconditionally to that  
Government or to its officers functions in relation to any matter to which the  
45           executive power of the State of Assam extends;

(b) the Government of Karbi Dimanchal may, with the consent of the Government of Assam, entrust either conditionally or unconditionally to that Government or to its officers functions in relation to any matter to which the executive power of Karbi Dimanchal extends.

## PART VII

5

## TRANSITIONAL PROVISIONS

Provisions as  
to provisional  
Legislative  
Assembly.

**64. (1) Until the Legislative Assembly of Karbi Dimanchal has been duly constituted and summoned to meet for the first session under the provisions of Part III, there shall be a Provisional Legislative Assembly which shall consist of not less than thirty five and not more than fifty five persons as the Central Government may, after consultation with the Election Commission, by order, determine, and such persons shall be elected in the manner specified in sub-section (2).**

10

(2) Subject to the provisions of sub-section (1), the members of the Provisional Legislative Assembly shall be elected in the following manner, namely—

15

(a) there shall be an electoral college for each autonomous district within Karbi Dimanchal which shall consist of the elected members of the District Council thereof, and each electoral college shall elect such number of persons to the Provisional Legislative Assembly as the President may, after consultation with the Election Commission, by order, determine;

20

(b) the election of members of the Provisional Legislative Assembly shall be in accordance with the system of proportional representation by means of the single transferable vote and shall be subject to such rules as the Central Government may, after consultation with the Election Commission, make in this behalf.

25

**(3) The Central Government may nominate to the Provisional Legislative Assembly not more than three persons, not being persons in the service of the Government to represent any unrepresented communities in Karbi Dimanchal which, in its opinion, need representation in the Assembly.**

(4) No person shall be qualified to be chosen as a member of the Provisional Legislative Assembly unless he is a person whose name is for the time being entered in the electoral roll for so much of any constituency of the Legislative Assembly of Assam as is comprised within Karbi Dimanchal and is not less than twenty-five years of age.

30

(5) If owing to death, resignation or otherwise, the office of a member of the Provisional Legislative Assembly falls vacant, it may be filled up as soon as practicable under and in accordance with the foregoing provisions of this section.

35

(6) The term of office of the members of the Provisional Legislative Assembly shall expire immediately before the first meeting of the Legislative Assembly duly constituted under this Act.

40

(7) The election by the electoral college under this section shall not be called in question on the ground merely of the existence of a vacancy in the membership of any District Council forming part of the electoral college.

(8) The Provisional Legislative Assembly constituted under this section shall, for so long it is in existence, be deemed to be the Legislative Assembly duly constituted under this Act, and accordingly the provisions of Part-III shall, so far as may be, apply in relation to the Provisional Legislative Assembly as they apply in relation to the Legislative Assembly.

45

## PART VIII

## MISCELLANEOUS PROVISIONS

- 5       **65.** The Central Government may, in consultation with the Governments of Assam and Karbi Dimanchal, by order, constitute a committee consisting of such number of persons as it may think fit for advising the two Governments on matters of common interest with respect to Diphu and Haflong in the field of education and water supply in particular, and with respect to its development and administration in general. Special committee for development of Diphu and Haflong.
- 10       **66.** All courts and tribunals and all authorities discharging lawful functions throughout Karbi Dimanchal or any part thereof immediately before the appointed day shall, unless their continuance is inconsistent with the provisions of this Act or until other provision is made by a competent authority, continue to exercise their respective functions. Provisions as to continuance of courts.
- 15       **67. (1)** Every person who being a member of All India Service is for the time being borne on the Assam State Cadre of that service or is otherwise serving in connection with the affairs of the State of Assam as a member of Class I service of that State may be required by the Government of that State to serve in connection with the affairs of Karbi Dimanchal for such period or periods as the Government of Assam may, by order, direct: Provisions relating to services.
- 20       Provided that no such order shall be made—
- (a) before the appointed day, except with the approval of the Central Government; and
- (b) on or after the appointed day, except in accordance with such rules as may be made by the Central Government after consultation with the Governments of Assam and Karbi Dimanchal. 25
- (2) Subject to any general or special order which the Central Government may make in this behalf, the control over any such person as it referred to in sub-section (1) shall, for so long as he is required to serve in connection with the affairs of Karbi Dimanchal, be vested in the Government of Karbi Dimanchal.
- 30       (3) Such persons serving in connection with the affairs of the State of Assam immediately before the appointed day, not being a person referred to in sub-section (1), as may be determined by agreement between the Government of Assam and the Government of Karbi Dimanchal or in default of agreement, by the Central Government, may, notwithstanding anything in the terms of their appointments or their conditions of service, be required to serve in connection with the affairs of the Autonomous State. 35
- (4) All previous service rendered by a person referred to in sub-section (3) in connection with the affairs of the State of Assam shall be deemed to have been rendered in connection with the affairs of the Autonomous State for the purposes of the rules regulating his conditions of service. 40
- (5) Nothing in sub-sections (3) and (4) shall be deemed to affect the power of the Legislature of Karbi Dimanchal or the Governor to determine the conditions of service of persons serving in connection with the affairs of Karbi Dimanchal:
- 45       Provided that the conditions of service applicable immediately before the appointed day to any person referred to in sub-section (3) shall not be varied to his disadvantage except with the previous approval of the Government of Assam.

Continuance  
of existing  
laws and their  
adaptations.

**68.** (1) All laws in force immediately before the appointed day in the Autonomous State shall continue to be in force therein until altered, repealed or amended by a competent Legislature or other competent authority.

(2) For the purpose of facilitating the application in relation to the Autonomous State of any law made before the appointed day, the appropriate Government may, within two years from that day, by order, make such adaptations or modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

*Explanation.*— In this section, the expression “appropriate Government” means as respects any law relating to a matter enumerated in the Union List in the Seventh Schedule to the Constitution, the Central Government, as respects any law relating to a matter in the Second Schedule, the Government of Karbi Dimanchal, and, as respects any other law, the Government of Assam.

Autonomous  
State to be a  
State for certain  
purposes of the  
Constitution.

**69.** Subject to the other provisions contained in this Act, reference to a State (by whatever form of words) in any of the following articles of the Constitution shall be construed as including a reference to the Autonomous State, namely:

Articles 12 to 15 (inclusive), 16 (except clause (3) thereof), 18, 19, 23, 25, 28 to 31 (inclusive), 31A, 34 to 51 (inclusive), 58, 59, 66, 73, 102, 110 (1) (f), 131, 138, 149, 150, 151, 161, 209, 210, 233, 234, 235, 237, 251, 252, 256 to 258A (inclusive), 261, 262, 263, 268, 269, 270, 272, 274 to 280 (inclusive), 282, 288, 289, 293, 296, 298 to 305 (inclusive), 308 to 311 (inclusive), 320, 323 (2), 324 to 329 (inclusive), 339 to 342 (inclusive), 345 to 348 (inclusive), 350, 350A, 350B, 353, 355 to 358 (inclusive), 360, 361, 364 to 367 (inclusive).

*Explanation.*— Reference in any of the articles above specified to the High Court or to the State Public Service Commission shall be construed as reference to the High Court of Assam or the Public Service Commission of the State of Assam, as the case may be.

Power of  
Governments  
of Assam  
and Karbi  
Dimanchal to  
carry on trade,  
etc. in Karbi  
Dimanchal.

**70.** (1) The executive power which the Government of Assam may exercise under article 298 in Karbi Dimanchal for the carrying on of any trade or business and for the acquisition, holding and disposal of property and the making of contracts for any purpose shall, in so far as such trade or business or such purpose is not one with respect to which the Legislature of the State of Assam may make laws, be subject to legislation by the Legislature of Karbi Dimanchal.

(2) The executive power which the Government of Karbi Dimanchal may exercise under article 298 in Karbi Dimanchal for the carrying on of any trade or business and for the acquisition, holding and disposal of property and the making of contracts for any purpose shall, in so far as such trade or business or such purpose is not one with respect to which the Legislature of Karbi Dimanchal may make laws, be subject also to legislation by the Legislature of the State of Assam.

Power to suspend  
provisions of  
this act in case  
of failure of  
Constitutional  
machinery.

**71.** Where a Proclamation is issued under article 356 in respect of Karbi Dimanchal, the President may, by the same Proclamation or a subsequent Proclamation varying it, suspend also, in whole or in part, the operation of any of the provisions of this Act.

72. Without prejudice to the provisions of sections 68 and 73 the Central Government may, after consulting the Government of Assam by notification in the Official Gazette, declare that any reference to a “State” in a Central Act specified in the notification shall, in its application to Karbi Dimanchal, be construed as a reference to the whole or any part of Karbi Dimanchal and any reference to “State Government” in a Central Act specified in the notification shall in its application to Karbi Dimanchal be construed as a reference to the Central Government.
73. Notwithstanding that no provision or insufficient provision has been made under section 68 for the adaptation of a law made before the appointed day, any court, tribunal or authority required or empowered to enforce such law may, for the purpose of facilitating its application in relation to the Autonomous State, construe the law in such manner not affecting the substance as may be necessary or proper in regard to the matter before the court, tribunal or authority, as the case may be.
74. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.
75. (1) If any difficulty arises in giving effect to the provisions of this Act, the President, may, by order, do anything not inconsistent with such provisions which appears to him to be necessary or expedient for the purpose of removing the difficulty.
- (2) Every order made under this section shall be laid before both Houses of Parliament as soon as may be after it is made.
76. The Sixth Schedule in the Constitution shall stand amended as specified in the Fourth Schedule.
77. In section 21A of the Reserve Bank of India Act, 1934 in sub-section (1), after words “any State”, the brackets and words “(including the Autonomous State of Karbi Dimanchal)” shall be inserted.
78. In section 16 of the State Reorganisation Act, 1956 in sub-section (1), for clause (d), the following clause shall be substituted, namely:—
- “(d) in the case of the Eastern Zone,—
- (i) The Chief Minister and another Minister of the Autonomous State of Karbi Dimanchal to be nominated by the Governor of Assam and if there is no Council of Ministers therein, not more than two members from the Autonomous State of Karbi Dimanchal to be nominated by the President; and
- (ii) the person for the time being holding the office of the Adviser to the Governor of Assam for Tribal areas.”
79. (1) The Central Government may, by notification in the Official Gazette, make rules to give effect to the provisions of this Act.
- (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 successive sessions, and, if before the expiry of the session in which it is so laid or the session immediately following, 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.

Construction of reference to “State” and “State Government” in other laws in relation to Karbi Dimanchal.

Power to construe laws.

Effect of provisions of act inconsistent with other laws.

Power to remove difficulties.

Amendment of the Sixth Schedule. Amendment of Act 2 of 1934.

Amendment of Act 37 of 1956.

Power to make Rules.

## STATEMENT OF OBJECTS AND REASONS

Article 244A of the Constitution was inserted by the Constitution (Twenty-Second) Amendment Act, 1969 to enable Parliament to enact a law to give effect to the scheme for reorganisation of the State of Assam by forming within the State of Assam an autonomous State comprising (whether wholly or in part) all or any of the tribal areas, specified in Part-I of the table appended to Paragraph 20 of the Sixth Schedule. The present Bill has been brought forward in pursuance of this article and seeks to establish an autonomous State to be known as 'Karbi Dimanchal Autonomous State' within the State of Assam. As envisaged in the reorganisation scheme, 'Karbi Dimanchal Autonomous State' will comprise the areas now forming part of the Karbi Anglong and North Cachar Hills (now Dima Hasao) as defined in the substantive Part I of Paragraph 20 of the Sixth Schedule. The legislative powers of 'Karbi Dimanchal Autonomous State' have been set out in the Second Schedule to the Bill and subject to the provisions of the Bill, the executive powers of 'Karbi Dimanchal Autonomous State' will extend to matters with respect to which the legislature of 'Karbi Dimanchal Autonomous State', delimitation of constituencies, elections to the Assembly and its procedure, Council of Ministers for 'Karbi Dimanchal Autonomous State', administrative relations between the Government of Assam and 'Karbi Dimanchal Autonomous State' and between the Central Government and the Government of 'Karbi Dimanchal Autonomous State'. Provision has also been made for transferring to 'Karbi Dimanchal Autonomous State' such assets and liabilities of the Assam Government in the 'Karbi Dimanchal Autonomous State' area as are relatable to matters which fall within the purview of the Autonomous State.

Provision has also been made in the Bill for the constitution of a provisional legislative Assembly for 'Karbi Dimanchal Autonomous State' pending general elections to the Assembly. In order to dovetail the scheme of the Bill with the main provisions of the Constitution, the Autonomous State will be treated as a State for certain provisions of the Constitution specified in clause 69 of the Bill.

As indicated in the re-organisation scheme, the Fourth Schedule to the Bill contains provisions for the amendment of the Sixth Schedule to the Constitution in order to improve the procedures of the District Councils and make them function effectively.

Hence this Bill.

NEW DELHI;  
*November 22, 2024.*

AMARSING TISSO

### PRESIDENT'S RECOMMENDATION UNDER ARTICLES 117(1), 274(1) AND 117(3) OF THE CONSTITUTION.

[Copies of Letter No. 11012/62/2024/North East-IV dated 11 July, 2025 from Shri Nityanand Rai, Minister of State in the Ministry of Home Affairs to the Secretary General, Lok Sabha].

The President, having been informed of the subject matter of the Assam Reorganization (Karbi Dimanchal) Bill, 2024\* by Shri Amarsing Tisso, Member of Parliament, recommends the introduction of the Bill under articles 117(1) and 274(1) and the consideration of the Bill under article 117(3) of the Constitution in Lok Sabha.

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[\*Bill being printed in 2025, the year in the title of the Bill has been changed from 2024 to 2025].

## FINANCIAL MEMORANDUM

Clause 6 of the Bill provides for constitution of Council of Ministers for State of Karbi Dimanchal. Clause 11 provides for constitution of Legislature for State of Karbi Dimanchal. Clauses 7, 23 and 34 provides for payment of salaries and allowances to the Ministers, Speaker and Deputy Speaker and members of the Legislative Assembly. Clause 12 seeks to empower the Election Commission to delimit the territorial constituencies for elections to the Legislative Assembly of Karbi Dimanchal. It also provides for appointment of not more than five associate members to assist the Election Commission in delimiting the constituencies. Clause 17 provides for elections to the Legislative Assembly of Karbi Dimanchal being held in accordance with the provisions of the Representation of the People Act, 1951. Clause 25 provides for a separate secretarial staff for the Legislative Assembly. Clause 64 provides for setting up of a Provisional Legislative Assembly. Clause 60 provides for apportionment of assets and liabilities of the State of Assam insofar as Karbi Dimanchal is concerned. Clause 65 provides for a special Committee for Diphu and Haflong being constituted for advising the two Governments on matters of common interest with respect to Diphu and Haflong. Under clause 69 Karbi Dimanchal is proposed to be treated as State for the purposes of articles 272, 275 and 282. Clause 78 provides for representation of Karbi Dimanchal on the Eastern Zonal Council. The Bill, therefore, if enacted would involve expenditure from the Consolidated Fund of the State of Karbi Dimanchal and Consolidated Fund of India. At this stage, it is not possible to estimate the expenditure to be incurred from the Consolidated Fund of Karbi Dimanchal as the same may be estimated when the Karbi Dimanchal Government comes into existence. However, it is expected that a recurring expenditure of about rupees five thousand crore per annum would be involved from the Consolidated Fund of India.

A non-recurring expenditure of about rupees five hundred crore per annum is also likely to be involved.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 9 of the Bill empowers the Governor to make rules for the more convenient Transaction of Business of the Government of Karbi Dimanchal and for allocation among Ministers of the said business. Clause 25 empowers the Governor to make, after consultation with the Speaker of the Legislative Assembly, rules regulating the recruitment and conditions of service of persons appointed to the Secretarial staff of the Legislative Assembly, pending enactment of law on the subject. Clause 49 empowers the Legislative Assembly of Karbi Dimanchal to make rules for regulating its own procedure and conduct of business. Clause 56 provides for rules regarding the custody, etc., of Consolidated Fund and Contingency Fund of Karbi Dimanchal being made by the Governor pending the enactment of legislation in this behalf. Clause 79 empowers the Central Government to make rules for carrying out the purposes of this Act. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

ANNEXURE

[EXTRACT FROM THE CONSTITUTION OF INDIA]

\* \* \* \* \*

SIXTH SCHEDULE

[Articles 244 (2) and 275 (1)]

Provisions as to the Administration of Tribal Areas in the States of Assam, Meghalaya, Tripura and Mizoram

Autonomous districts and autonomous regions.

1. \* \* \* \* \*

(2) \* \* \* \* \*

(3) The Governor may, by public notification,—

(a) include any area in [any of the Parts] of the said table,

(b) exclude any area from [any of the Parts] of the said table,

(c) create a new autonomous district,

(d) increase the area of any autonomous district,

(e) diminish the area of any autonomous district,

(f) unite two or more autonomous districts or parts thereof so as to form one autonomous district,

[(ff) alter the name of any autonomous district,

(g) define the boundaries of any autonomous district:

Provided that no order shall be made by the Governor under clauses (c), (d), (e) and (f) of this sub-paragraph except after consideration of the report of a Commission appointed under sub-paragraph (1) of paragraph 14 of this Schedule:

Provided further that any order made by the Governor under this sub-paragraph may contain such incidental and consequential provisions (including any amendment of paragraph 20 and of any item in any of the Parts of the said Table) as appear to the Governor to be necessary for giving effect to the provisions of the order.

2. There shall be a District Council for each autonomous district consisting of not more than twenty-four members, of whom not less than three-fourth shall be elected on the basis of adult suffrage.

Constitution of District Councils and Regional Councils.

\* \* \* \* \*

\* \* \* \* \*

(6) The Governor shall make rules for the first constitution of District Councils and Regional Councils in consultation with the existing tribal Councils or other representative tribal organisations within the autonomous districts or regions concerned, and such rules shall provide for—

\* \* \* \* \*

(e) the term of office of members of Regional Councils;

\* \* \* \* \*

(g) the procedure and the conduct of business (including the power to act notwithstanding any vacancy) in the District and Regional Councils;

\* \* \* \* \*

(7) The District or the Regional Council may after its first constitution make rules [with the approval of the Governor] with regard to the matters specified in sub-paragraph (6) of this paragraph and may also make rules with like approval regulating—

(a) the formation of subordinate local Councils or Boards and their procedure and the conduct of their business; and

(b) generally all matters relating to the transaction of business pertaining to the administration of the district or region, as the case may be:

Provided that until rules are made by the District or the Regional Council under this sub-paragraph the rules made by the Governor under sub-paragraph (6) of this paragraph shall have effect in respect of elections to, the officers and staff of, and the procedure and the conduct of business in, each such Council:

Provided further that the Deputy Commissioner or the Sub-Divisional Officer, as the case may be, of the North Cachar and Mikir Hills shall be the Chairman *ex-officio* of the District Council in respect of the territories included in items 5 and 6 respectively of Part A of the table appended to paragraph 20 of this Schedule and shall have power for a period of six years after the first constitution of the District Council, subject to the control of the Governor, to annul or modify any resolution decision of the District Council or to issue such instructions to the District Council, as he may consider appropriate, and the District Council shall comply with every such instruction issued.

Powers of the District Councils and Regional Councils to make laws.

3. (1) The Regional Council for an autonomous region in respect of all areas with such region and the District Council for an autonomous district in respect of all areas within the district except those which are under the authority of Regional Councils, if any, within the district shall have power to make laws with respect to—

(a) the allotment, occupation or use, or the setting apart, of land, other than any land which is a reserved forest for the purposes of agriculture or grazing or for residential or other non-agricultural purposes or for any other purpose likely to promote the interests of the inhabitants of any village or town:

Provided that nothing in such laws shall prevent the compulsory acquisition of any land, whether occupied or unoccupied, for public purposes by the Government of the State concerned in accordance with the law for the time being in force authorising such acquisition;

(b) the management of any forest not being a reserved forest;

(c) the use of any canal or water-course for the purpose of agriculture;

(d) the regulation of the practice of *Jhum* or other forms of shifting cultivation;

(e) the establishment of village or town committees or councils and their powers;

(f) any other matter relating to village or town administration, including village or town police and public health and sanitation;

(g) the appointment or succession of Chiefs or Headmen;

(h) the inheritance of property;

(i) marriage and divorce;

(j) social customs.

\* \* \* \* \*

4. (1) The Regional Council for an autonomous region in respect of areas within such region and the District Council for an autonomous district in respect of areas within the district other than those which are under the authority of the Regional Councils, if any, within the district may constitute village councils or courts for the trial of suits and cases between the parties all of whom belong to Scheduled Tribes within such areas, other than suits and cases to which the provisions of sub-paragraph (1) of paragraph 5 of this Schedule apply, to the exclusion of any court in the State, and may appoint suitable persons to be members of such village councils or presiding officers of such courts, and may also appoint such officers as may be necessary for the administration of the laws made under paragraph 3 of this Schedule.

Administration of justice in autonomous districts and autonomous region.

(2) Notwithstanding anything in this Constitution, the Regional Council for an autonomous region or any court constituted in that behalf by the Regional Council or, if in respect of any area within an autonomous district there is no Regional Council, the District Council for such district, or any court constituted in that behalf by the District Council, shall exercise the powers of a court of appeal in respect of all suits and cases triable by a village council or court constituted under sub-paragraph (1) of this paragraph within such region or area, as the case may be, other than those to which the provisions of sub-paragraph (1) of paragraph 5 of this Schedule apply, and no other court except the High Court and the Supreme Court shall have jurisdiction over such suits or cases.

(3) The High Court shall have and exercise such jurisdiction over the suits and cases to which the provisions of sub-paragraph (2) of this paragraph apply as the Governor may from time to time by order specify.

(4) A Regional Council or District Council, as the case may be, may with the previous approval of the Governor make rules regulating—

(a) the constitution of village councils and courts and the powers to be exercised by them under this paragraph;

(b) the procedure to be followed by village councils or courts in the trial of suits and cases under sub-paragraph (1) of this paragraph;

(c) the procedure to be followed by the Regional or District Council or any court constituted by such Council in appeals and other proceedings under sub-paragraph (2) of this paragraph;

(d) the enforcement of decisions and orders of such councils and courts;

(e) all other ancillary matters for the carrying out of the provisions of sub-paragraphs (1) and (2) of this paragraph.

	*	*	*	*	*
Powers of the District Council to establish primary schools, etc.	<b>6. (1)</b>	The District Council for an autonomous district may establish, construct, or manage primary schools, dispensaries, markets cattle pounds, ferries, fisheries, roads, road transport and waterways in the district and may, with the previous approval of the Governor, make regulations for the regulation and control thereof and, in particular, may prescribe the language and the manner in which primary education shall be imparted in the primary schools in the district.			

District and Regional Funds.	<b>7. (1)</b>	*	*	*	*	*
	<b>(2)</b>	The Governor may make rules for the management of the District Fund, or, as the case may be, the Regional Fund and for the procedure to be followed in respect of payment of money into the said Fund, the withdrawal of moneys therefrom, the custody of moneys therein and any other matter connected with or ancillary to the matters aforesaid.				

	*	*	*	*	*
Power to assess and collect land revenue and to impose taxes.	<b>8.</b>	*	*	*	*
	<b>(4)</b>	A Regional Council or District Council, as the case may be, may make regulations to provide for the levy and collection of any of the taxes specified in sub-paragraphs (2) and (3) of this paragraph and every such regulation shall be submitted forthwith to the Governor and, until asserted to by him shall have no effect.			

Application of Acts of Parliament and of the Legislature of the State of Assam to the autonomous district and autonomous regions in the State of Assam.	<b>12. (a)</b>	*	*	*	*	*
	<b>(b)</b>	The Governor may, by public notification, direct that any Act of the Legislature of the State of Assam to which the provisions of clause (a) of this sub-paragraph do not apply, shall not apply to the autonomous district or an autonomous region in that State, or shall apply to that district or such region, or any part thereof, subject to such exceptions or modifications, as he may specify in the notification.				

Estimated receipts and expenditure pertaining to autonomous districts to be shown separately in the annual financial statement.	<b>13.</b>	The estimated receipts and expenditure pertaining to an autonomous district which are to be credited to, or is to be made from, the Consolidated Fund of the State shall be first placed before the District Council for discussion and then after such discussion be shown separately in the annual financial statement of the State to be laid before the Legislature of the State under article 202.				
		*	*	*	*	*

Annulment or suspension of acts and resolutions of District and Regional Councils.	<b>15. (1)</b>	If at any time the Governor is satisfied that an act or resolution of a District or a Regional Council is likely to endanger the safety of India or is likely to be prejudicial to public order, he may annul or suspend such act or resolution and take such steps as he may consider necessary (including the suspension of the Council and the assumption to himself of all or any of the powers vested in or exercisable by the Council) to prevent the commission or continuance of such act, or the giving of effect to such resolution.				
		*	*	*	*	*

[EXTRACT FROM THE RESERVE BANK OF INDIA ACT, 1934]

(2 OF 1934)

\* \* \* \* \*

21A. (1) The Bank may by agreement with the Government of any State undertake—

(a) all its money, remittance, exchange and banking transactions in India, including in particular, the deposit, free of interest, of all its cash balances with the Bank; and

(b) the management of the public debt of, and the issue of any loans by, that State.

\* \* \* \* \*

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[EXTRACT FROM THE STATES REORGANISATION ACT, 1956]

(37 OF 1956)

\* \* \* \* \*

16. (1) The Zonal Council for each zone shall consist of the following members, namely:—

\* \* \* \* \*

(d) in the case of the Eastern Zone, the person for the time being holding the office of the Adviser to the Governor of Assam for Tribal Areas.

\* \* \* \* \*

LOK SABHA

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A

BILL

to provide for the formation within the State of Assam of an autonomous  
State to be known as Karbi Dimanchal  
and for matters connected therewith  
or incidental thereto.

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*(Shri Amarsing Tisso, M.P.)*