

# Assam State Legislature (Delegation of Powers) Act, 1981

February 14, 2013

## 39 of 1981

An Act to confer on the President the power of the Legislature of the State of Assam to make laws Be it enacted by Parliament in the Thirty-second Year of the Republic of India, as follows  
Prefatory Note- Statement of Objects and Reasons.-Under the Proclamation issued by the President on the 30th June, 1981, the powers of the Legislature of the State of Assam are now exercisable by or under the authority of Parliament. Such legislative measures as may be necessary for that State can be taken up by Parliament only by postponing its business; and even then, it is likely that Parliament may not have time to deal with all the legislative measures for the State. It is, therefore, proposed that Parliament should, in accordance with the provisions of sub-clause (a) of clause (1) of Art.357 of the Constitution Of India, confer by law on the President the powers of the Legislature of the State of Assam to make laws for the State. The present Bill is intended to give effect to this proposal.

## SECTION 1: Short title

This Act maybe called the Assam State Legislature (Delegation of Powers) Act, 1981.

## SECTION 2: Definition

In this Act, "Proclamation" means the Proclamation issued on the 30th day of June, 1981 under (Art.356 of the Constitution of India), by the President, and published with the notification of the Government of India in the Ministry of Home Affairs, No. G. S. R. 419(E) of the said date.

## SECTION 3: Conferment on the President of the power of the State Legislature to make laws

(1) The power of the Legislature of the State of Assam to make laws, which has been declared by the Proclamation to be exercisable by or under the authority of Parliament, is hereby conferred on the President.

(2) In the exercise of the said power, the President may, from time to time, whether Parliament is or is not in session, enact, as a President's Act, a Bill containing such provisions as he considers necessary : Provided that before enacting any such Act, the President shall, whenever he considers it practicable to do so, consult a Committee constituted for the purpose, consisting of thirty members of the House of the People nominated by the Speaker and fifteen members of the Council of States nominated by the Chairman.

(3) Every Act enacted by the President under sub-section (2) shall, as soon as may be after enactment, be laid before each House of Parliament.

(4) Either House of Parliament may, by resolution passed within thirty days from the date on which the Act has been laid before it under sub-section (3), which period may be comprised in one session or in two successive sessions, direct any modifications to be made in the Act and if the modifications are agreed to by the other House of Parliament during the session in which the Act has been so laid before it or the session succeeding, such modifications shall be given effect



to by the President by enacting an amending Act under sub-section (2) : Provided that nothing in this sub-section shall affect the validity of the Act or of any action taken thereunder before it is so amended.

