

পঞ্জীভুক্ত নম্বৰ - ৭৬৮/৯৭

Registered No. 768/97



অসম

ৰাজপত্ৰ

THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 22nd April, 2008

No. LGL. 57/2003/35 - The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XIV OF 2008

(Received the assent of Governor on 13th April '08)

**THE ASSAM LEGISLATIVE ASSEMBLY MEMBERS' SALARIES
ALLOWANCES AND PENSIONS (AMENDMENT) ACT, 2008.**

AN

ACT

further to amend the Assam Legislative Assembly Members' salaries, Allowances and Pensions Act, 1958.

Preamble

Whereas it is expedient further to amend the Assam Legislative Assembly Members' Salaries, Allowances and Pensions Act, 1958, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Assam Act
No. XIV of
1958.

It is hereby enacted in the Fifty-ninth Year of the Republic of India, as follows: -

Short title and commencement

1.(1) This Act may be called the Assam Legislative Assembly Members' Salaries, Allowances and Pensions (Amendment) Act, 2008.

(2) It shall come into force at once.

Amendment of Section 3.

2. In the principal Act, for the existing section 3, the following shall be substituted, namely: -

"3. Salaries,- There shall be paid to each Member a Salary at the rate of rupees twelve thousand per mensem ;

Amendment of section 4.

3. In the principal Act, in section 4, for the existing sub-sections (1),(2),(3) and (4), the following shall be substituted, namely:-

"(1) Daily Allowance at the rate of rupees five hundred per day when his attendance is required during the Session of the Assembly or during the meetings of any Committee of the House of which he is a Member or for attending any meeting of a Government Committee of which he is a Member or for attending any meeting convened by the Government;

Provided that if the Members' attendance is required at any place outside the State, he shall be entitled to one thousand rupees;

(2) Travelling Allowance for the purpose of travelling on official duty by own car or by private vehicle shall be Rs. 8.00 per kilometre.

(3) a Constituency Allowance of three thousand five hundred rupees per mensem for the purpose of tours in the constituency of the Member to be drawn on the same manner as is prescribed for drawal of salaries in a separate form to be prescribed by rules made by the Secretary, Assam Legislative Assembly in this behalf.

(4) a fixed monthly Contingency Allowance of three thousand rupees for meeting expenses, postal services and subscription of news papers."

**Insertion of
new section 4-A
and 4-B.**

4. In the principal Act, after section 4, the following new sections 4A and 4B shall be inserted, namely:-

**"Secretarial
Assistance.**

4A. There shall be paid a consolidated amount of rupees three thousand per mensem to each Member for providing secretarial assistance during the tenure of their membership of Assam Legislative Assembly.

**Conveyance
Allowance**

4B. each member of the Assam Legislative Assembly shall draw an amount of rupees six thousand three hundred per mensem alongwith his/her salary as conveyance allowance (POL cost)."

**Amendment
of section 5**

5. In the principal Act, for the existing section 5, the following shall be substituted, namely -

**Sitting
Allowance**

5. A sitting allowances of rupees five hundred shall be paid to each member per day during the period of the Assembly Session and during the Committee meetings.

**Amendment
of section 6**

6. In the principal Act, for existing section 6, the following shall be substituted, namely:-

**"Medical
Facilities**

6. A member and the members of his/her family shall receive the same Medical Attendance and treatment as are laid down for Senior Government Servant in all Government Hospital, Dispensaries and other recognized Hospitals."

Amendment of section 6A

7. In the principal Act, in section 6A, the following shall be substituted, namely:-

“Telephone Charges.

6A. (1) There shall be paid rupees two thousand and five hundred per mensem to each Member as Telephone Charges during tenure of their membership of the Assam Legislative Assembly for the telephone installed in their Dispur Hostel Residence.

(2) The Member shall be entitled to draw a fixed amount of rupees two thousand per mensem as Telephone Charge during the tenure of their membership of the Assam Legislative Assembly for telephone installed at the Member's residence in his/her home constituency.”

Insertion of new sections 6C and 6D

8. In the principal Act, after section 6B, the following new section 6C and 6D shall be inserted, namely :-

“Loand and Advances

6C. A member may be advanced loan for the purchase of Land or Building, Motor Car up to rupees seven lakhs to be repaid from out of his Salary and Pension respectively, at a rate of interest of rupees six percent per annum:

Provided that a member is entitled to draw a fresh loan, if he or she has liquidated the earlier loan with interest.

Explanation :- For the purpose of applicability of this section, the members of the Council of Ministers including Chief Minister, Speaker, Deputy Speaker and Leader of the Opposition, Parliamentary Secretary in Assam Legislative Assembly shall be treated as Member.

**Travel
Facilities**

6D. (1) Every Member shall be provided with money value coupon books for two non-transferable A/C II Tier passes which is entitled to him/her and his/her spouse or other person accompanying him/her to look after and assist him/her to travel at any time by railway in India, a distance not exceeding twenty thousand kilometres either or both the passes, during the financial year :

Provided that if the Members performs the journey with his/her spouse or any other person accompanying him/her look after and to assist him/her by a class higher than his entitled class in Air Conditioned Coach or by Air, he shall no be entitled to receive more than his entitled amount of Rs. 29,742/-per annum payable to the Member:

(2) Every Member of the Assam Legislative Assembly shall be provided with two free non-transferable passes which shall entitle him/her and his/her spouse or any other person accompanying him/her to look after and assist him/her to travel at any time within the State of Assam by any public service (operated under A.S.T.C.) vehicle or by the Assam State Transport Corporation vehicle.

**Amendment of
section 6B**

9. In the principal Act, for the existing section 6B, the following shall be substituted, namely:-

**"Pension to
Ex-MLAs**

6B. There shall be paid a pension of Rupees six thousand per mensem to every Ex-Member who has served for a period of one term or shorter than five years as a Member of the Assam Legislative Assembly after the commencement of the Constitution of India:

Provided that where any Ex-member has served as aforesaid for a period exceeding five years, there shall be paid to him/her an enhanced pension of rupees two hundred per mensem for every completed year, in excess of five years or so, however that, in no case, the pension payable to such Ex-Member shall exceed subject to maximum of rupees eight thousand per month."

Insertion of new
Section 6E

10. In the principal Act, after section 6D, the following new section 6E shall be inserted, namely:-

“Medical
Allowance to
Ex-MLAs

6E. An Ex-MLA who is entitled to pension under provisions of this Act, shall be entitled to a Medical Allowance at the rate of rupees four thousand per month:

Provided that an Ex-MLA who is holding any of the offices under the Government or Board or Corporation or any other Bodies or Authorities in which there is provision for Medical Allowance to him, such an Ex-MLA shall not be entitled to the Medical Allowance under this Act during the period in which he continued to hold such an office. Such an Ex-MLA shall, however, be entitled to the Medical Allowance immediately after he relinquishes any such office, if he is not otherwise entitled to any such Medical Allowance by virtue of his holding such office after relinquishment of the said office:

Provided further that if the amount of Medical Allowance receivable by him by virtue of his holding any offices is less than rupees four thousand per month then he shall be entitled to the difference of the two amounts.”

Insertion of new
section 6F

11. In the principal Act, after section 6E, the following shall be inserted, namely:-

“Travel
Facilities to Ex-
Member

6F. Every Ex-Member of the Assam Legislative Assembly shall be provided with two free non-transferable passes which shall entitle him/her and his/her spouse or any other person accompanying him/her to look after and assist him/her to travel at any time within the State of Assam by any public service (operated under A.S.T.C.) vehicle or by the Assam State Transport Corporation vehicle.

Provided that if the Ex-Member performs the journey with his/her spouse or any other person accompanying him/her to look after and to assist him, by train or Air involving higher cost of fare, he shall not be entitled to receive more than his entitled amount Rs. 15,000/- per annum payable to the Ex-member.”

**Insertion of new
section 6G**

12. In the principal Act, after section 6F, the following new section 6G shall be inserted, namely:-

**"Family
Pension**

6G. Family pension to the widow/widower of the Member shall be fixed at 50% of the amount of pension that the Ex-Member is entitled to draw at the time of his/her death. Also the holder of family pension shall be entitled to draw Medical Allowance at the rate of rupees four thousand per month along with the family pension."

**Act to have
overriding
effect**

13. Notwithstanding anything contained in the Assam Legislative Assembly Members' salaries, Allowances and Pensions Rules, 1990 (as amended) or any other provisions of the principal Act, the Salaries, Allowances and Pensions of the Members shall be governed under the provisions of this act.

MOHD. A. HAQUE,
Secretary to the Government of Assam,
Legislative Department..