

**The Goa Salary, Allowances and Pension
of Members of the Legislative Assembly
(Amendment) Bill, 2023**

(Bill No. 43 of 2023)

A

BILL

5 *further to amend the Goa Salary, Allowances and
Pension of Members of the Legislative Assembly
Act, 2004 (Goa Act 20 of 2004).*

BE it enacted by the Legislative Assembly of
Goa in the Seventy-fourth Year of the Republic of
India as follows:-

10 **1. Short title and commencement.**— (1) This
Act may be called the Goa Salary, Allowances
and Pension of Members of the Legislative
Assembly (Amendment) Act, 2023.

(2) It shall come into force at once.

15 **2. Amendment of section 3.**— In section 3 of
the Goa Salary, Allowances and Pension of
Members of the Legislative Assembly Act, 2004
(Goa Act 20 of 2004) (hereinafter referred to as
the “principal Act”), in sub-section (2), for the
20 expression “Rs. 3,000/- (Rupees three thousand
only)”, the expression “Rs. 4,000/- (Rupees four
thousand only)” shall be substituted.

25 **3. Amendment of section 5.**— In section 5 of
the principal Act, in sub-section (1), for the words
“rupees fifteen lakhs”, wherever they occur, the
words “rupees forty lakhs” shall be substituted.

4. Amendment of section 6.— In section 6 of
the principal Act, in sub-section (1),-

(i) for the letters, figures and word “Rs. 30 lakhs”, the letters, figures and word “Rs. 50 lakhs” shall be substituted;

(ii) the words “and such housing advance can be availed of by a member only once during his life time” shall be omitted; 5

(iii) after the existing proviso, the following proviso shall be inserted, namely:-

“Provided further that a member who has fully repaid the housing advance availed under this sub-section may, during his term of office, be sanctioned another housing advance of upto a maximum of Rs. 50 lakhs.”. 10

5. Amendment of section 8.— In section 8 of the principal Act, for the letters and figures “Rs. 200/-”, the letters and figures “Rs. 500/-” shall be substituted. 15

6. Amendment of section 11.— In section 11 of the principal Act, in sub-section (1),—

(i) for the words “rupees fifteen thousand”, the words “rupees thirty thousand” shall be substituted; 20

(ii) for the words “two thousand rupees”, the words “four thousand rupees” shall be substituted; 25

(iii) for the words “rupees seventy thousand”, the words “rupees two lakhs” shall be substituted.

7. Amendment of section 14.— In section 14 of the principal Act, in sub-section (3), for the expression “Rs. 7,500/-”, the expression “Rs. 12,000/-” shall be substituted. 30

8. Amendment of section 15.— In section 15 of the principal Act, for the words “three hundred litres”, the words “five hundred litres” shall be substituted.

5 **9. Amendment of section 16.**— In section 16 of the principal Act, in sub-section (2), for the expression “Rs. 3,00,000/- (Rupees Three lakhs only)”, the expression “Rs. 5,00,000/- (Rupees Five lakhs only)” shall be substituted.

10 **10. Amendment of section 19.**— In section 19 of the principal Act, for the expression “not more than five persons, viz., one person as a Personal Secretary in the pay scale of Head Clerk and one Lower Division Clerk, one Peon and two Drivers”,
15 the expression “not more than seven persons, viz., one person as a Personal Secretary in the pay scale of Head Clerk, one person as a Personal Assistant in the pay scale of Upper Division Clerk and two Lower Division Clerks, one Peon and
20 two Drivers” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

In view of rising prices and considering present day cost, the Bill seeks to amend section 3 of the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 2004 (Goa Act 20 of 2004) (hereinafter referred to as the "said Act"), so as to enhance the amount from rupees three thousand to rupees four thousand entitled to a member of the Legislative Assembly for each day on duty in lieu of the accommodation to be provided to him during his period on duty.

The Bill also seeks to amend section 5 of the said Act so as to increase repayable motor car advance admissible to a member from rupees fifteen lakhs to rupees forty lakhs.

The Bill also seeks to amend section 6 of the said Act so as to enhance housing advance from rupees thirty lakhs to rupees fifty lakhs.

The Bill also seeks to amend section 8 of the said Act so as to enhance the contribution of a member, who have availed the motor car advance or housing advance, to the fund of unrecoverable advances from rupees two hundred to rupees five hundred per annum for every lakh of rupees of such advance granted.

The Bill also seeks to amend section 11 of the said Act so as to enhance pension admissible to a member from rupees fifteen thousand to rupees thirty thousand per month for the first year and enhance pension admissible for every successive year of his membership in the Assembly from rupees two thousand to rupees four thousand

per month and to enhance maximum ceiling from rupees seventy thousand to rupees two lakhs per month.

The Bill also seeks to amend section 14 of the said Act so as to enhance amount towards reimbursement to a member during his travel outside the State in lieu of accommodation from rupees seven thousand five hundred to rupees twelve thousand.

The Bill also seeks to amend section 15 of the said Act so as to increase the quota of petrol/diesel admissible to a member per month for the use of his personal vehicle from three hundred liters to five hundred liters.

The Bill also seeks to amend section 16 of the said Act so as to enhance the powers of the Speaker to sanction the medical bills of a member from rupees three lakhs to rupees five lakhs.

The Bill also seeks to amend section 19 of the said Act so as to enable a member to appoint a Personal Assistant and one more Lower Division Clerk.

This Bill seeks to achieve the above objects.

FINANCIAL MEMORANDUM

The total financial implications on account of the amendment to sections 3, 5, 6, 11, 14, 15, 16 and 19 proposed in the Bill, would be to the tune of Rs. 1946.00 lakhs (Rupees Nineteen Crore forty six lakhs only) per annum.

MEMORANDUM REGARDING DELEGATED LEGISLATION

No delegated legislation is involved in this Bill.

Porvorim–Goa
9th August, 2023

NILESH CABRAL
Minister for Law, Judiciary
and Legislative Affairs.

Assembly Hall,
Porvorim–Goa.
9th August, 2023.

NAMRATA ULMAN
Secretary to the Legislative
Assembly of Goa.

Governor's Recommendation under Article 207 of the Constitution of India.

In pursuance of Article 207 of the Constitution of India, I, Shreedharan Pillai, Governor of Goa, hereby recommend the introduction and consideration of the Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 2023, by the Legislative Assembly of Goa.

ANNEXURE

Extract of sections 3, 5, 6, 8, 11, 14,15, 16 and 19 of the Goa Salary, Allowances and Pension of the Members of the Legislative Assembly Act, 2004 (Goa Act No. 20 of 2004).

Section 3

3. Salaries and daily allowances.— (1) A member shall be entitled to receive salary at the rate of ten thousand rupees per month during his term of office and shall also be entitled to receive daily allowances at the rate of two thousand rupees for each day during any period on duty.

Explanation.— Daily allowance shall be admissible to a member for each day on duty irrespective of the time of his arrival or departure.

Provided that, the amount payable as salary and daily allowances shall be increased from time to time, at the rate arrived after deduction of the rate of dearness allowance as was applicable on the first day of April, 2012, from the rate of dearness allowance as notified from time to time, in terms of the Sixth Central Pay Commission's Recommendations.

(2) A member shall be entitled for an amount of Rs. 3,000/- (Rupees three thousand only), for each day on duty in lieu of the accommodation provided under section 13.

Section 5

5. Motor car advance.— (1) Subject to other provisions of this Act and to such conditions as may be prescribed, a Member may be sanctioned, by way of repayable advance, an amount of rupees fifteen lakhs for purchase of new motor car at such installments and interest fixed under the rules:

Provided that a member can avail of the maximum amount of advance of rupees fifteen lakhs and use the same, in part for the purpose of purchase of new motor car and in part for the repayment of outstanding amount of any advance or loan earlier availed of by a member for purchase of motor car either under this Act or any other law or rules made thereunder.

(2) The advance referred to in sub-section (1) may be availed of by a member once every three years provided the member has fully cleared any advance earlier availed under sub-section (1) and if such earlier advance has not been fully cleared, then, the member may be sanctioned a second advance only to the extent of the differential in the amount specified under sub-section (1).

(3) A motor car purchased under sub-section (1) shall be hypothecated to the Government and also insured, in the manner prescribed.

(4) A member may be allowed to sell the motor car purchased under sub-section (1) only for the purpose of repaying the entire amount of advance granted under sub-section (1), with the permission, of the sanctioning authority.

(5) Notwithstanding anything contained in sub-section (1), any advance or loan availed of by a member for purchase of motor car under the provision of any other law or rules made thereunder shall continue to be governed by the provision of such other law or rules.

Section 6

6. Housing advance.— (1) Subject to the provisions of this Act, a member may, during his term of office, be sanctioned a housing advance of upto a maximum of Rs. 30 lakhs, repayable within a maximum period of twenty years on such installments and interest as may be fixed by the Speaker, for construction of a house or a bungalow or for acquiring a flat, for residential purpose and such housing advance can be availed of by a member only once during his life time.

Provided that the balance of the increase in the loan amount can be availed of, by any member who has availed of the loan on an earlier occasion.

(2) The terms and conditions for the grant of housing advance under sub-section (1) shall be as prescribed and the recovery of the advance shall be made from the salary and pension of the member in the manner prescribed.

(3) Notwithstanding anything contained in sub-section (1), a member may be allowed to use out of the advance sanctioned to him under this section, for the purpose of repaying any existing loan availed of by a Member from any Bank or financial institution for the purpose of housing to full extent or for the purpose of carrying out repairs to his house to the extent of 50% of the limit.

(4) A house, bungalow, etc. constructed or a flat acquired with the advance granted under this section shall be mortgaged to the Government by means of a registered deed of mortgage in the manner prescribed and the member shall have no right to sell, mortgage, assign, transfer or alienate in any manner whatsoever such house bungalow, flat, etc, until the entire advance granted under this section is repaid by the member and such mortgage to the Government shall have priority over all other dues.

Section 8

8. Creation of fund for unrecoverable advances.— There shall be created a fund under the authority of the Speaker to which shall be credited by every member who has availed of an advance under section 5 or section 6 of this Act, an amount of Rs. 200/- per annum for every lakh of rupees of advance granted under the said sections, and the amount in such fund shall be used towards meeting the unrecoverable advances under any of the provisions of this Act as and when such situation arises, in the manner prescribed. However, the amount

credited to such fund shall not be considered as repayment towards the principal or interest of any advance or loan availed of by a member under this Act.

Section 11

11. Pension.— (1) Subject to the other provisions of this Act, with effect from the 1st day of July, 2004, there shall be paid to every person who has been a member, a pension of rupees fifteen thousand per mensem for the first year and two thousand rupees per month for every successive year of his membership in the Assembly subject to a maximum of rupees seventy thousand per month and while reckoning the period of one year, days exceeding 180 days in a calendar year shall be counted as one year:

Provided that, the amount payable as salary and daily allowances shall be increased from time to time, at the rate arrived after deduction of the rate of dearness allowance as was applicable on the first day of April, 2012, from the rate of dearness allowance as notified from time to time, in terms of the Sixth Central Pay Commission's Recommendations.

Provided that the members of the First Legislative Assembly, the members nominated to the Second Legislative Assembly and the members of the Sixth Legislative Assembly elected from the constituencies of Daman and Diu, of the then Union Territory of Goa, Daman and Diu, and who have served as such members for a period which falls short of five years, shall be deemed to have completed a term of five years and be paid pension accordingly:

Provided further that pension shall also be paid to the members nominated to the Sixth Legislative Assembly:

Provided also that the said members of the Sixth Legislative Assembly elected from the constituencies of Daman and Diu shall not draw the pension as long as they serve as Councillors of the Union Territory of Daman and Diu:

Provided also that after the death of the person as aforesaid, the pension shall be payable to his widow or her widower, as the case may be, as long as she or he does not remarry and after the death of the widow or widower, as the case may be, the pension shall be payable to the dependent family members of the person as aforesaid till they attain the age of 25 years and to unmarried dependent daughter till she gets married or till her death, whichever is earlier, and such pension shall be payable subject to the provisions in the succeeding sub-sections of this section and the other provisions of this Act.

(2) The pension payable to a person under sub-section (1), in case there be any outstanding amount or loan or any facilities availed under this Act, it shall be first adjusted towards repayment of such outstanding amount or loan or any facility availed of, including interest payable thereon, till such entire outstanding amount or loan or facility is cleared.

(3) Where any person entitled to pension under sub-section (1) –

(i) is elected to the office of the President or Vice-President or is appointed to the office of the Governor of any State or the Administrator of any Union Territory; or

(ii) becomes a member of the Council of States or the House of the People or any Legislative Assembly of a State or Union Territory or any Legislative Council of a State; or

(iii) is employed on a salary under Central Government, or any State Government or any Corporation owned or controlled by the Central Government or by any State Government or any local authority or becomes otherwise entitled to any

remuneration from such Government, Corporation or local authority, such person shall not be entitled to any pension under sub-section (1) for the period during which he continues to hold such office or as such member, or is so employed, or continues to be entitled to such remuneration:

Provided that where the salary payable to such person for holding such office or being such member or so employed or whom the remuneration referred to in clause (iii) payable to such person is, in either case, less than the pension payable to him under sub-section (1), such person shall be entitled only to receive the balance as pension under that sub-section.

(4) Where any person entitled to pension under sub-section (1) is also entitled to any pension from the Central Government or any State Government, or any Corporation owned or controlled by the Central Government or any State Government, or any local authority under any law or otherwise, then,

(a) where the amount of pension to which he is entitled under such law or otherwise, is equal to or in excess of that to which he is entitled under sub-section (1), such person shall not be entitled to any pension under that sub-section; and

(b) where the amount of pension to which he is entitled under such law or otherwise, is less than that to which he is entitled under sub-section (1), such person shall be entitled to pension under that sub-section only of an amount which falls short of the amount of pension to which he is otherwise entitled under that sub-section:

Provided that any pension (whether known as Swantantra Sainik Samman pension or by any other name) received by such pensioner as a freedom fighter

or any pension received by such pensioner as a teacher in an aided educational institution shall not be taken into account for the purpose of this sub-section and such person shall be entitled to receive such pension in addition to the pension to which he is entitled under sub-section (1).

(5) In computing the number of years for the purpose of sub-section (1) the period during which a person has served as a Minister as defined in the Goa Salaries and Allowances of Ministers Act, 1964 (Act 3 of 1965) or as a Speaker or Deputy Speaker as defined in the Goa Salaries and Allowances of the Speaker and Deputy Speaker Act, 1964 (Act 4 of 1965) shall also be taken into account.

Section 14

14. Travelling allowance.— (1) In respect of every journey performed by a member for attending to any official business connected with his duties as a member outside the State, he shall be entitled to travelling allowance from his usual place of residence to such place where the business is to be transacted and for the return journey from such place to his usual place of residence, the amount of such allowance shall be the maximum amount which would be admissible in respect of journeys on tour to a Group "A" Officer of the Central Government serving in connection with the administration of the State of Goa and shall also be entitled to an advance of travelling allowance when proceeding on tour outside the State of Goa in connection with his duties as a member on the same terms and conditions as are applicable to the grant of an advance to the Group "A" officer aforesaid in connection with a tour.

Provided that a member shall also be entitled to travelling allowance, at the rate aforesaid for journey made by him for the purpose other than aforesaid, from his usual place of residence to Delhi or any other place within India and for the return journey from such place to his usual place of residence, not more than twice a year.

(2) Notwithstanding anything contained in sub-section (1), a member who performs a journey by road or by air between places connected by rail, whether wholly or in part, may draw the road mileage in place of the travelling allowance which would have been admissible to him if he had travelled by rail or actual air fare for each journey undertaken, as the case may be:

Provided that the total amount of travelling allowance drawn by such member for the entire journey shall not exceed the amount which would have been admissible to him, had he performed the journey by rail or actual, air fare with respect to journey undertaken, as the case may be.

(3) A member travelling outside the State, either in the capacity of committee member or in any other official capacity, shall be entitled for reimbursement of an amount to the extent of Rs. 7,500/- per day in lieu of his/her accommodation/stay during his/her travel as aforesaid

Section 15

15. Petrol/diesel for personal vehicle.— A member shall be entitled for a maximum of three hundred litres of petrol/diesel per month, for the use of his personal vehicle, the cost of which shall be borne by the Legislature Secretariat, in the manner prescribed.

Section 16

16. Medical treatment, etc. to members.— (1) A Member and the members of his family shall be entitled, free of charge, to accommodation in hospitals maintained by the Government and also to medical treatment in the manner prescribed under this Act.

(2) The Speaker shall have power to sanction medical bills upto an amount of Rs. 3,00,000/- (Rupees Three lakhs only), and for amounts exceeding Rs. 3,00,000/- (Rupees Three lakhs only), the medical bills shall be referred to a panel consisting of the Chief Minister, the

Speaker and the Leader of Opposition, for sanction. The operation of this section shall be in the manner prescribed by rules.

Section 19

19. Staff to Member.— A member may appoint not more than five persons, viz., one person as a Personal Secretary in the pay scale of Head Clerk and one Lower Division Clerk, one Peon and two Drivers, all carrying the same pay scales as attached to the equivalent posts in the Government. The member may recruit the above staff from the employees who are in service of the Government or the Government Corporations, on deputation, or from outside, whose term shall be co-terminus with the term of a member.

Assembly Hall,
Porvorim – Goa.
9th August, 2023.

NAMRATA ULMAN
Secretary to the Legislative
Assembly of Goa.



LEGISLATIVE ASSEMBLY OF THE STATE OF GOA

**The Goa Salary, Allowances and Pension
of Members of the Legislative Assembly
(Amendment) Bill, 2023**

(Bill No. 43 of 2023)

(To be introduced in the Legislative Assembly of the State of Goa)

**GOA LEGISLATURE SECRETARIAT,
ASSEMBLY HALL, PORVORIM, GOA
AUGUST, 2023**

