

THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT
(AMENDMENT) ACT, 2006

NO. 40 OF 2006

\$
[12th September, 2006.]

+
An Act further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954.
BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:-

1.

Short title and commencement.

1. Short title and commencement. - (1) This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006.
(2) Save as otherwise provided, it shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act.

2.

Amendment of section 3.

2. Amendment of section 3. - In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act), -
(a) for the words "at the rate of four thousand rupees per mensem", the words "at the rate of sixteen thousand rupees per mensem" shall be substituted;
(b) for the words "at the rate of four hundred rupees for each day", the words "at the rate of one thousand rupees for each day" shall be substituted;
(c) for the second and third provisos, the following proviso shall be substituted, namely: -

"Provided further that the rates of salary and allowance specified in this section shall be applicable for a period of five years from the 14th day of September, 2006 or until it is refixed, whichever is later."

3.

Amendment of section 4.

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

(a) in clause (c), in sub-clause (ii), for the words "at the rate of eight rupees per kilometre", the words "at the rate of thirteen rupees per kilometre" shall be substituted;

(b) after the second proviso, and before the Explanation, the following proviso shall be inserted, namely: -

"Provided also that the rate specified in sub-clause (ii) of clause (c) of this sub-section shall be applicable for a period of five years from the date of commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006.";

(c) in sub-section (2), after the second proviso, the following proviso shall be inserted, namely:-

"Provided also that the first proviso shall not be applicable to a member who, in the opinion of the Chairman of the Council of States or, as the case may be, the Speaker of the House of the People, is so incapacitated physically and cannot travel by air or train."

4.

Amendment of section 5.

4. Amendment of section 5. - In section 5 of the principal Act,-

(a) in sub-section (1A), for the words "seven days", the words "five days" shall be substituted;

(b) in sub-section (2),-

(i) for the first proviso, the following proviso shall be substituted, namely:-

"Provided that the total number of such journeys under this sub-section shall be thirty-four journeys per year:";

(ii) in the second proviso, for the words "less than thirty-two", the words "less than thirty-four" shall be substituted;

(iii) in the third proviso, for the words "thirty-two journeys", the words "thirty-four journeys" shall be substituted;

(iv) after the third proviso, the following proviso shall be inserted, namely:-

"Provided also that in case any member avails a total number of journeys by air more than thirty-four, such journeys permissible to him, in the year, he may be allowed to adjust not exceeding eight such journeys from the entitled number of journeys which may accrue in his credit in the next following year.";

(c) after sub-section (2) and before Explanation I, the following sub-section shall be inserted, namely:-

"(3) Notwithstanding anything contained in sub-section (2), there shall be paid to a member who, in the opinion of the Chairman of the Council of States or, as the case may be, the Speaker of the House of the People, is so incapacitated physically and therefore cannot perform air or train journey, road mileage for the entire road journey.";

(d) in Explanation III, for the words "thirty-two journeys", the words "thirty-four journeys" shall be substituted.

5.

Amendment of section 6D.

5. Amendment of section 6D. - In section 6D of the principal Act, after clause (ii), the following clause shall be added and shall be deemed to have been added with effect from the 17th day of May, 2004, namely:-

"(iii) by road as is referred to in section 4 or section 5, be entitled to an amount equal to one road mileage.".

6.

Amendment of section 7.

6. Amendment of section 7. - In section 7 of the principal Act, for the words "seven days", the words "five days" shall be substituted.

7.

Amendment of section 8A.

7. Amendment of section 8A. - In section 8A of the principal Act,-

(a) for sub-section (1) and the proviso thereto, the following shall be substituted, namely:-

"(1) With effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006, there shall be paid a pension of eight thousand rupees per mensem to every person who has served for any period as a member of the Provisional Parliament or either House of Parliament:

Provided that where a person has served as a member of the Provisional Parliament or either House of Parliament for a period exceeding five years, there shall be paid to him an additional pension of eight hundred rupees per mensem for every year served in excess of five years.";

(b) sub-section (1A) and the Explanation thereunder shall be omitted.

8.

Amendment of section 8AA.

8. Amendment of section 8AA. - Section 8AA of the principal Act shall be numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely: -

"(2) Every person who is not a sitting member but has served for any period as a member from the Andaman and Nicobar Islands or the Lakshadweep, shall be entitled to travel by the highest class of accommodation in any steamer sailing between the Andaman and Nicobar Islands or, as the case may be, the Lakshadweep and the main land territory of India in addition to the facilities available to such member under sub-section (1), without payment of any charges on the basis of an authorisation issued for this purpose by the Secretariat of either House of Parliament.".

9.

Insertion of new section 8AC.

9. Insertion of new section 8AC. - After section 8AB of the principal Act, the following section shall be inserted, namely:-

#8AC. Family pension. - (1) On the death of a member of either House of Parliament during his term of office, his spouse, if any, or dependent of such member shall be paid during the remaining period of life of such spouse or, as the case may be, such dependent so long as such dependent continues to be a dependent within the meaning of clause (aa) of section 2, family pension equivalent to one-half of the pension which such member of Parliament would have received had he retired:

Provided that no such family pension shall be payable to a dependent if such dependent is a sitting member of Parliament or is drawing pension under

section 8A.

(2) The family pension payable under sub-section (1) shall also be payable to the spouse or dependent of a person who was a member of either House of Parliament or the Provisional Parliament at any time before the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006 and died after serving as such member: Provided that such spouse or dependent is not drawing any pension under this Act or is not entitled to draw family pension under the proviso to sub-section (1):

Provided further that no person shall be entitled to claim arrears of any family pension under this sub-section in respect of a period before the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006.

Explanation.- For the purposes of this section, "Provisional Parliament" shall include the body which functioned as the Constituent Assembly of the Dominion of India immediately before the commencement of the Constitution.#.

K.N. CHATURVEDI,
Secy. to the Govt. of India.

{ }