The Assam Legislative Assembly Members’ Salaries, Allowances, Amenities and Pensions Act, 2018

Act 10 of 2018

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Members, Ministers

Amendment appended: 2 of 2019
GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH :: DISPUR

NOTIFICATION
The 26th April, 2018

No. LGL. 72/2018/5.— The following Act of the Assam Legislative Assembly which received the assent of the Governor on 18th April, 2018 is hereby published for general information.

ASSAM ACT NO. X OF 2018
(Received the assent of the Governor on 18th April, 2018)

THE ASSAM LEGISLATIVE ASSEMBLY MEMBERS’ SALARIES, ALLOWANCES, AMENITIES AND PENSIONS ACT, 2018.
AN ACT
to fix the salary, allowances, and amenities and pensions of Members of the Assam Legislative Assembly.

WHEREAS it is expedient to fix afresh the salary, allowances, amenities and pensions of the Members of the Assam Legislative Assembly in the manner hereinafter appearing;

It is hereby enacted in the Sixty-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, Amenities and Pensions Act, 2018.

(2) It shall be deemed to have come into force on and with effect from the 1st day of April, 2018.

Definitions
2. In this Act, unless there is anything repugnant in the subject or context,-

(a) "Member" or "Members" means Member of the Assam Legislative Assembly, other than the Speaker, Deputy Speaker of the Assam Legislative Assembly, a Minister of the State of Assam and the Leader of the Opposition in the Assam Legislative Assembly;

(b) "Minister" or "Ministers" includes the Chief Minister, Cabinet Ministers, Ministers of State and Deputy Ministers of the State of Assam;

(c) "prescribed" means prescribed by rules made under this Act.

Salary
3. There shall be paid to each Member a salary of Rupees Eighty Thousand per mensem.

Allowances
4. There shall be paid to each Member, the following allowances in connection with his duties as a Member :-

(i) Constituency Allowance : Rs.20,000 per month

(ii) *Camp Office Allowance : Rs. 10,000 per month

(iii) Parliamentary Assistance Allowance : Rs.10,000 per month

(iv) Sitting Allowance (During the Session of the Assam Legislative Assembly and Committee Meetings) : Rs. 1850 per day

(v) Daily Allowance While on tour within the State of Assam and
halt in connection with
official duties : Rs.1850 per day
While on tour outside
the state of Assam and
halt in connection with
official duties : Rs. 2500 per day:

Provided that the Sitting Allowance shall not be
admissible if any Member of Assam Legislative
Assembly performs any official tour within the State of
Assam or outside the State of Assam and halts during the
period of the Session of the Assam Legislative
Assembly.

* Explanation:- Camp Office Allowance is
provided to the Members for maintaining a separate
office within the respective Constituency for better
services to the people of the Constituency till the
Government provides any such accommodation.

Travel facilities  5. (1) Each Member shall be entitled to,-

(a) while on tour for official purpose within the
State of Assam as well as outside the State, to
such travelling allowance as may be
prescribed;
(b) for journeys performed in connection with
medical treatment, to such travelling
allowance as may be prescribed;

(2) Each Member and ex-Member of the Assam
Legislative Assembly shall be entitled to
reimbursement of cost for the journeys performed
anywhere in India for the purposes other than as
mentioned in sub-section (1) of this section, subject
to such ceiling as may be prescribed.

Amenities  6. Members shall be entitled to,-

(a) free furnished residence at Guwahati throughout
the year which shall be maintained at public
expenses;
(b) newspapers and magazines as may be prescribed;
(c) medical facilities and reimbursement of medical
expenses as may be prescribed;
(d) financial advance for purchase of land, residential
house, car as may be prescribed;
(e) telephone facilities as may be prescribed;
(f) Conveyance allowance as may prescribed;
(g) contingency allowance including expenses for
engaging a computer trained person for the camp
office, as may be prescribed;
(h) Any other allowance or facilities or amenities as
may be prescribed.

Pension and
family pension  7. (1) Every ex-Member of the Assam Legislative
Assembly, who has served for a full term or less
than a full term, or more than one term, shall be
paid a pension equivalent to the fifty percent of last salary drawn by him from the date succeeding the date on which he ceased to be a Member.

(2) Every ex-Member who has served for more than five years, shall be paid an additional pension amounting to rupees one thousand for every one year exceeding the first five years as a Member.

(3) Every ex-MLA shall be paid a medical allowance at the rate of rupees twenty thousand per month provided that no such medical allowance shall be paid to him for the period during which he holds any office and draws medical allowance as part of his remuneration in that office.

(4) Widow/Widower of any ex-Member shall be paid family pension at the rate of fifty percent of the pension amount drawn by the ex-Member and shall also be paid medical allowance at the rate of rupees twenty thousand per mensum.

**Power to make rules**

(1) The Speaker may, by notification in the Official Gazette, constitute a Committee consisting of maximum ten Members nominated by the Speaker which may make rules in consultation with the State Government, for carrying out the provisions of this Act.

(2) The Committee constituted under sub-section (1), shall elect its Chairman and shall have power to regulate its own procedure:

Provided that till the rules are made under this section and come into force, the procedure as they existed prior to commencement of this Act, shall be followed for the purpose of determining the other allowances, amenities and facilities which were admissible to a Member prior to commencement of this Act for which rules are required to be prescribed under this Act.

(3) All rules made under this Act shall be laid before the Assam Legislative Assembly, as soon as may be, after they are made.

**Repeal of Assam Act No.XIV of 1958**

Assam Legislative Assembly Members Salaries and Allowances Act, 1958 is hereby repealed.

**Savings**

The repeal by this Act of the enactment mentioned in section 9 shall not affect the validity, invalidity, effect or consequences of anything already done or suffered under the enactments so repealed.

S. M. BUZAR BARUAH, Commissioner & Secretary to the Government of Assam, Legislative Department, Dispur, Guwahati-6.
NOTIFICATION

The 13th February, 2019

No. LGL.72/2018/19.– The following Act of the Assam Legislative Assembly which received the assent of the Governor on 11th February, 2019 is hereby published for general information.

ASSAM ACT NO. II OF 2019
(Received the assent of the Governor on 11th February, 2019)
THE ASSAM LEGISLATIVE ASSEMBLY MEMBERS' SALARIES, ALLOWANCES, AMENITIES AND PENSIONS (AMENDMENT) ACT, 2019
AN ACT

further to amend the Assam Legislative Assembly Members’ Salaries, Allowances, Amenities and Pensions Act, 2018.

Whereas it is expedient further to amend the Assam Legislative Assembly Members’ Salaries, Allowances, Amenities and Pensions Act, 2018, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Seventieth Year of the Republic of India as follows:

1. (1) This Act may be called the Assam Legislative Assembly Members’ Salaries, Allowances, Amenities and Pensions (Amendment) Act, 2019.

(2) It shall be deemed to have come into force on and with effect from the 1st day of April, 2018.

2. In the principal Act, in section 7, for the existing sub-section (1), the following shall be substituted, namely:

“(1) Every ex-Member of the Assam Legislative Assembly, who has served for a full term or less than a full term, or more than one term, shall be paid a pension of rupees forty thousand per mensem with effect from the date of commencement of this Act.”

S. M. BUZAR BARUAH,
Commissioner & Secretary to the Government of Assam,
Legislative Department, Dispur, Guwahati-6.