

**THE ASSAM EMPLOYEES' PARENT RESPONSIBILITY AND
NORMS FOR ACCOUNTABILITY AND MONITORING (AMENDMENT) BILL, 2021**

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BILL

further to amend the Assam Employees' Parent Responsibility and Norms for Accountability and Monitoring Act, 2017.

Preamble

Whereas it is expedient further to amend the Assam Employees' Parent Responsibility and Norms for Accountability and Monitoring Act, 2017, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Assam
Act No.
XLIII of
2017

It is hereby enacted in the Seventy-second Year of the Republic of India as follows :-

Short title,
extent and
commencement

1. (1) This Act may be called the Assam Employees' Parent Responsibility and Norms for Accountability and Monitoring (Amendment) Act, 2021.
- (2) It shall have the like extent as the principal Act.
- (3) It shall be deemed to have come into force on the 25th day of 2017, the day on which the principal Act came into force.

Amendment of
section 2

2. In the principal Act, in section 2,-
 - (i) in clause (b), in first line, after the word "employee" the words "and the amount of the compassionate family pension received by the spouse/legal heir of the employee under the relevant pension scheme of the State Government" shall be inserted;
 - (ii) in clause (d), in fourth line, within the bracket after the word "sister" the punctuation mark and the words "/brother-in-law/ sister-in-law" shall be inserted;
 - (iii) in clause (e), in first line, after the words "or both", the words "father-in-law/ mother-in-law or both" and in second line, after the word "daughter", the words "son-in-law/ daughter-in-law" shall be inserted;
 - (iv) in clause (g), in fourth line, at the end, after the word, sign and figures "section 3(2)", for the punctuation mark ";" shall be substituted by punctuation mark "," and thereafter, the following shall be inserted, namely :-
"which expression shall include the spouse/legal heir of an employee in receipt of the Compassionate Family Pension in respect of the deceased Government employee who dies-in-harness;"

Chas
VETTED BY THE
LEGISLATIVE DEPARTMENT
ON... 12.7.2024. ...

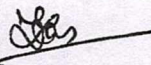
Insertion of new section 22A

3. In the principal Act, after section 22, the following new section 22A, shall be inserted, namely:-

“Quorum
for hearing
complain or
appeal

22A. (1) Subject to the provisions of this Act and the rules framed thereunder, the Commission may hear any complain or appeal, received or preferred under section 21 or section 22, as the case may be, in presence of atleast one of the two Commissioners and the Chief Commissioner and pass order thereon, if the matter is unanimously decided in such hearing.

(ii) In the case of difference of opinion of the Commissioner and the Chief Commissioner in such hearing, the complain or the appeal shall be heard and disposed off by the Commission in presence of all the Commissioners and the Chief Commissioner, wherein majority decision shall be the decision of the Commission and the Commission shall pass necessary order accordingly.”



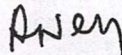
VETTED BY THE
LEGISLATIVE DEPARTMENT
ON... 12.7.2014 ...”

Statement of objects and reasons

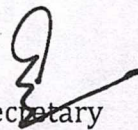
At present a) there is no provision of claim of compassionate family pension Scheme by the aggrieved parents/divyang siblings in case the employee dies in harness and b) the quorum of hearing the complaints by the PRANAM Commission is not specified in the PRANAM Act,2017. Considering the above facts, the **Assam Employees Parent Responsibility and Norms, for Accountability and Monitoring (Amendment) Bill, 2021** is prepared.

The amendment of the PRANAM Act, 2017 is to provide for accountability of employees of the State Government in taking care of their parents and divyang siblings and in relation to the matter connected therewith or incidental thereto.

The Bill seeks to achieve the above object.



Smti Ajanta Neog
Finance Minister
Assam



Secretary
Assam Legislative Assembly

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Financial Memorandum

The proposed **Assam Employees Parent Responsibility and Norms for Accountability and Monitoring (Amendment) Bill, 2021** would not involve any additional expenditure as the same will be administered by the existing staff.

MEMORANDUM OF DELEGATED LEGISLATION

The Government does not propose to delegate any legislative power to any agency subordinate to it in the bill.

**'Extract' of relevant section(s) of the Principal Act which
saught to be ammended by the bill**

1. **Section 2.** In this Act, unless the context otherwise requires,-
- (a) **"Appellate Authority"** means an officer or functionary of the State Government or Organisation, as the case may be, or such officer or functionary, superior to the Designated Authority in rank and post, as may from time to time be notified under section 13, as such by an order by the State Government or by the Organisation for the purposes of the Act, in order to admit appeals against the orders of the Designated Authority as provided in the Act;
 - (b) **"Apportioned Salary"** means the amount of the salary of the employee, granted by designated authority or appellate authority, that he/she should part with the dependent parents/ divyang siblings;
 - (c) **"Commission"** means Assam Employees PRANAM Commission constituted and notified under section 18 of the Act or the Assam Administrative Tribunal till the Commission is notified;
 - (d) **"Dependent Divyang Sibling"** means a "person with disability" or and "person with disability having high support needs" as defined under the section 2(s) and 2(1) of The Rights of Persons with Disability Act, 2016 (No.49 of 2016) notified by the Central Government and who is an unmarried sibling (brother/ sister) of an employee and do not have adequate income of their own to support their livelihood;
 - (e) **"Dependent Parents"** means the mother/ father or both, and dependent on his/her/ their son/daughter because such parents do not have adequate source of income of their own;
 - (f) **"Designated Authority"** means an officer or functionary of the State Government or the Organization, as the case may be, or such officer or functionary, not below the level of Drawing and Disbursing Authority, as may from time to time be notified under section 6 as such by an order by the State Government or by an Organisation for the purposes;
 - (g) **"Employee"** means any personnel appointed by and under the control of the State Government and draw his/her salary from consolidated fund of the State though Government's Treasury or appointed by any organization functioning in the State of Assam as may be notified under section 3(2);
 - (h) **"Organisation"** means an Organisation functioning in the State of Assam and notified by the State Government under section 3(2), to be covered under the Act;
 - (i) **"Prescribed"** means prescribed by rules made under this Act;
 - (j) **"State Level Monitoring Body"** means the Body to be constituted under section 25(1) to review and monitor the implementation of various provisions of the Act;
 - (k) **"State Government"** means the Government of Assam.

2. **Section 22.** (1) The parents/divyang sibling who, does⁴ not receive a decision from Appellate Authority within the time specified in the section 15, or any employee or the parents/ divyang sibling aggrieved by a decision of the Appellate authority, as the case may be, may within sixty days from the expiry of such period or from the receipt of such a decision from the Appellate Authority prefer an appeal before the Commission:

Provided that the Commissioner may admit the appeal after the expiry of the period of sixty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) An appeal under this section shall be disposed of by the Commission within ninety days of the receipt of the appeal or within such extended period not exceeding a total of one hundred twenty days from the date of filing thereof, as the case may be, for reasons to be recorded in writing.

(3) The decision of the Commission, as the case may be, shall be final and binding on all concerned.

(4) In its decision, the Commission has the power to,-

(a) require the designated authority or appellate authority to take any such steps as may be necessary to secure compliance with the provisions of this Act and impose any of the penalties provided under this Act;

(b) grant the amount of apportioned salary of an employee to the dependent parents/divyang sibling not exceeding 10% of the gross salary being paid to the employee except in exceptional cases only where it may go upto 15% of the monthly gross salary, with a direction to the Designated Authority to sanction the amount and cause payment of the apportioned salary through the Drawing and Disbursing Officer directly to the grantee with effect from the succeeding month;

(c) reject the appeal, with cogent reasons to be recorded in writing and inform all concerned;

(d) any other orders as deem fit and proper, but not inconsistent with the provisions of the Act.

(5) The Commission shall give notice of its decision, including any right of appeal, to the complainant and the designated or appellate authority.

(6) The Commission shall decide the appeal in accordance with such procedure as may be prescribed by rules made under this Act.