

AUTHORITATIVE ENGLISH TEXT

BILL NO. 16 OF 2019

**THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY
SPEAKER'S AND DEPUTY SPEAKER'S SALARIES
(AMENDMENT) BILL, 2019**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

**THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY
SPEAKER'S AND DEPUTY SPEAKER'S SALARIES
(AMENDMENT) BILL, 2019**

ARRANGEMENT OF CLAUSES

Clauses :

1. Short title.
2. Substitution of section 10-A.

**THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY
SPEAKER'S AND DEPUTY SPEAKER'S SALARIES
(AMENDMENT) BILL, 2019**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

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BILL

*further to amend the Himachal Pradesh Legislative Assembly
Speaker's and Deputy Speaker's Salaries Act, 1971 (Act No. 4 of 1971).*

BE it enacted by the Legislative Assembly of Himachal Pradesh in
the Seventieth Year of the Republic of India as follows:—

1. This Act may be called the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Act, 2019. Short title.

5 2. For section 10-A of the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1971, the following shall be substituted, namely:— Substitution section 10-A.

10 **"10-A. Free transit by railway or by air or by taxi.**-(1) The Speaker and the Deputy Speaker during the term of their office shall be entitled to travel at any time by railway or by air by any class within or outside the Country or by taxi outside the State and within the Country along with his family or any person accompanying him to look after and assist him during travel and shall be entitled for the reimbursement of actual expenses so incurred on production of tickets or bills of such journey performed, subject to a maximum amount of 15 four lac rupees in each financial year :

Provided that the expenses on journey by taxi shall not be more than ten percent of the maximum amount of four lac rupees :

Provided further that the aggregate amount payable for the journey performed by railway or by air or by taxi in a financial year shall not exceed four lac rupees.

Explanation.—For the purpose of this sub-section, the expression “family” shall mean the spouse, their unmarried son(s) and daughter(s) including unmarried adopted son and daughter.

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(2) The Speaker and Deputy Speaker, as the case may be, shall be entitled for an advance not exceeding rupees twenty five thousand on his request to undertake such journey and the advance so paid shall be adjusted before the closing of financial year, failing which the entire advance shall be recovered from his salary and allowances in lump-sum.

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Explanation.—For determining the aggregate amount under this section, the amount so incurred in the same financial year on journey by railway or by air or by taxi under section 7 of the Salaries and Allowance of Ministers (Himachal Pradesh) Act, 2000, or under section 6 of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971 shall be taken into account.”.

11 of 2000

8 of 1971

Authenticated

**Chief Minister
Himachal Pradesh**

STATEMENT OF OBJECTS AND REASONS

The Members Amenities Committee of Himachal Pradesh Vidhan Sabha has recommended to enhance the existing limit for reimbursement of expenses incurred on account of free transit facility to Member (s) of Legislative Assembly alongwith making provision of taxi outside the State and within the Country. The recommendations made by the said Committee have duly been accepted. Thus, in order to maintain parity amongst the Members, Speaker and Deputy Speaker and also to bring the provisions of the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries, Act, 1971 in conformity with the provisions of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971, it has been decided to enhance the existing limit of reimbursement of expenses incurred on account of free transit facility from rupees two lac fifty thousand to rupees four lac to the Speaker and Deputy Speaker. This has necessitated amendments in the Act *ibid*.

This Bill seeks to achieve the aforesaid objectives.

(JAI RAM THAKUR)

Chief Minister.

SHIMLA :

THE, 2019.

Authenticated



Chief Minister
Himachal Pradesh

FINANCIAL MEMORANDUM

Clause 2 of the Bill, when enacted, will entail additional recurring expenditure out of the State Exchequer to the tune of Rs. 3.00 lac per annum approximately.

MEMORANDUM REGARDING DELEGATED LEGISLATION

—Nil—

RECOMMENDATIONS OF THE GOVERNOR UNDER ARTICLE 207 OF THE CONSTITUTION OF INDIA

(File No. GAD-C-D (6)-1/2019)

The Governor of Himachal Pradesh, having been informed of the subject matter of the Himachal Pradesh Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Bill, 2019, recommends, under article 207 of the Constitution of India, the introduction and consideration of the Bill in the State Legislative Assembly.

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DEPUTY SPEAKER'S SALARIES (AMENDMENT) BILL, 2019**

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*further to amend the Himachal Pradesh Legislative Assembly Speaker's and Deputy
Speaker's Salaries Act, 1971 (Act No. 4 of 1971).*

(JAI RAM THAKUR)

Chief Minister.

(YASHWANT SINGH CHOGAL)

Principal Secretary (Law).

Authenticated



**Chief Minister
Himachal Pradesh**

SHIMLA:

THE, 2019.

EXTRACT OF THE PROVISIONS OF THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY SPEAKER'S AND DEPUTY SPEAKER'S SALARIES ACT, 1971 (ACT NO. 4 OF 1971) LIKELY TO BE AFFECTED BY THIS AMENDMENT BILL

Section:

10-A. Free transit by railway or by air.-(1) Speaker and Deputy Speaker during the term of their office shall be entitled to travel at any time by railway or by air by any class within or outside the country along with his family or any person accompanying him to look after and assist him during travel and shall be entitled for the reimbursement of actual expenses so incurred on production of tickets of such journey performed, subject to maximum of two lac fifty thousand rupees in each financial year.

Provided that the aggregate amount payable for the journey performed by railway or by air in a financial year shall not exceed two lac fifty thousand rupees.

Explanation.—For the purpose of this sub section, the expression “family” shall mean the spouse their unmarried son(s) and daughter(s) including unmarried adopted son and daughter.

(2) The Speaker and Deputy Speaker, as the case may be, shall be entitled for an advance not exceeding rupees twenty five thousand on his request to undertake such journey and the advance so paid shall be adjusted before the closing of financial year, failing which the entire advance shall be recovered from his salary and allowances in lump-sum.

Explanation.—For determining the aggregate amount under this section, the amount so incurred in the same financial year on journey by railway or air under section 7 of the Salaries and Allowance of Ministers (Himachal Pradesh) Act, 2000, or under section 6 of the Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Act, 1971 shall be taken into account.