

**Assam Legislative Assembly Members Salaries, Allowances  
And Pensions (Amendment) Act, 2010**

**22 of 2010**

**[31 August 2010]**

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PREAMBLE

AN ACT further to amend the Assam Legislative Assembly Members' Salaries, Allowances and Pensions Act, 1958.

Whereas it is expedient further to amend the Assam Legislative Assembly Members' Salaries, Allowances and Pensions, Act, 1958 (Assam Act No. XIV of 1958), hereinafter referred to as the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Sixty-first Year of the Republic of India, as follows:-

**1. Short title and commencement :-**

(1) This Act may be called the Assam Legislative Assembly Members Salaries, Allowances and Pensions (Amendment) Act, 2010.

(2) It shall come into force at once.

## **2. Amendment of section 3 :-**

In the principal Act, for the existing section 3, the following shall be substituted, namely:-

"3. Salaries:-There shall be paid to each Member a Salary at the rate of rupees forty thousand per mensem: "

## **3. Amendment of section 4 :-**

In the principal Act, in section 4, for the existing sub-section (1), (2),(3) and (4), the following shall be substituted, namely:-

"(1) Daily Allowance at the rate of rupees one thousand per day when his attendance is required during the Session of the Assembly or during the meetings of any Committee of the House of which he is a Member or for attending any meeting of a Government Committee of which he is a Member or for attending any meeting convened by the Government:

Provided that if the Members attendance is required at any place outside the State, he shall be entitled to one thousand five hundred rupees per day.

(2) Travelling Allowance for the purpose of travelling on official duty by own car or by private vehicle shall be Rs. 8.00 per kilometre.

(3) a Constituency Allowance of five thousand rupees per mensem for the purpose of tours in the Constituency of the Member to be drawn on the same manner as is prescribed for drawal of salaries in a separate form to be prescribed by rules made by the Secretary, Assam Legislative Assembly in this behalf.

(4) a fixed monthly Contingency Allowance of five thousand rupees for meeting expenses, postal services and subscription of news papers."

## **4. Substitution of sections 4A and 4B :-**

In the principal Act, for sections 4A and 4B, the following shall be substituted namely:-

4A. "Secretarial Assistance.

There shall be paid a consolidated amount of rupees five thousand per mensem to each Member for providing secretarial assistance during the tenure of their membership of Assam Legislative Assembly.

#### **4B. Conveyance Allowance**

Each Member of the Assam Legislative Assembly shall draw an amount of rupees eight thousand eighty four per mensem alongwith his/her salary as Conveyance Allowance (POL cost)."

#### **5. Substitution of section 5 :-**

In the principal Act, for the existing section 5, the following shall be substituted, namely:-

##### **5. "Sitting Allowance**

A sitting allowance of rupees one thousand shall be paid to each member per day during the period of the Assembly Session and during the Committee meetings."

#### **6. Substitution of section 6 :-**

In the principal Act, for existing section 6, the following shall be substituted, namely:-

##### **6. "Medical Facilities**

A member and the members of his/her family shall receive the same Medical Attendance and treatment as are laid down for Senior Government Servant in all Government Hospital, Dispensaries and other recognized Hospitals."

#### **7. Substitution of section 6A :-**

In the principal Act, for the existing section 6A, the following shall be substituted, namely:-

##### **6A. "Telephone Charges.**

(1) There shall be paid rupees three thousand per mensem to each Member as Telephone Charges during tenure of their membership of the Assam Legislative Assembly for the telephone installed in their Dispur Hostel Residence.

(2) The Member shall be entitled to draw a fixed amount of rupees two thousand five hundred per mensem as Telephone Charges during the tenure of their membership of the Assam Legislative Assembly for telephone installed at the Members residence in his/her home constituency."

#### **8. Substitution of sections 6C and 6D :-**

In the principal Act, for section 6C and 6D, the following shall be substituted, namely:-

##### **6C. "Loan and Advances**

A Member may be advanced loan for the purchase of Land or Building, Motor Car up to rupees fifteen lakhs to be repaid from out of his Salary and Pension respectively, at a rate of interest of rupees six percent per annum:

Provided that a Member is entitled to draw a fresh loan, if he or she has liquidated the earlier loan with interest.

Explanation:-For the purpose of applicability of this section, the members of the Council of Ministers including Chief Minister, Speaker, Deputy Speaker and Leader of the Opposition, Parliamentary Secretary in Assam Legislative Assembly shall be treated as Member.

#### **6D. Travel Facilities**

(1) Every Member shall be provided with money value coupon books for two non-transferable A/C II Tier passes which is entitled to him/her and his/her spouse or other person accompanying him/her to look after and assist him/her to travel at any time by railway in India, a distance not exceeding twenty thousand kilometres either or both the passes, during the financial year:

Provided that if the Members performs the journey with his/her spouse or any other person accompanying him/her look after and to assist him/her by a class higher than his entitled class in Air Conditioned Coach or by Air, he shall not be entitled to receive more than his entitled amount of Rs. 40,000/- per annum payable to the Member:

(2) Every Member of the Assam Legislative Assembly shall be provided with two free nontransferable passes which shall entitle him/her and his/her spouse or any other person accompanying him/her to look after and assist him/her to travel at any time within the State of Assam by any public service (operated under A.S.T.C.) vehicle or by the Assam State Transport Corporation vehicle."

#### **9. Substitution of section 6B :-**

In the principal Act, for the existing section 6B, the following shall be substituted, namely:-

##### **6B. "Pension to Ex-MLAs**

There shall be paid a pension of Rupees twenty thousand per mensem to every Ex-Member who has served for a period of one term or shorter than five years as a Member of the Assam Legislative Assembly after the commencement of the Constitution of India:

Provided that where any Ex-member has served as aforesaid for a

period exceeding five years, there shall be paid to him/her an enhanced pension of rupees five hundred per mensem for every completed year, in excess of five years or so, however the enhancement is limited to a maximum of 3 terms."

**10. Substitution of Sections 6E, 6F and 6G :-**

In the principal Act, for section 6E, 6F and 6G, the following shall be substituted, namely:-

**6E. "Medical Allowance to Ex-MLAs**

An Ex-MLA who is entitled to pension under provisions of this Act, shall be entitled to a Medical Allowance at the rate of rupees eight thousand per month:

Provided that an Ex-MLA who is holding any of the offices under the Government or Board or Corporation or any other Bodies or Authorities in which there is provision for Medical Allowance to him, such an Ex-MLA shall not be entitled to the Medical Allowance under this Act during the period in which he continued to hold such an office. Such an Ex-MLA shall, however, be entitled to the Medical Allowance immediately after he relinquishes any such office, if he is not otherwise entitled to any such Medical Allowance by virtue of his holding such office after relinquishment of the said office:

Provided further that if the amount of Medical Allowance receivable by him by virtue of his holding any office is less than rupees eight thousand per month then he shall be entitled to the difference of the two amounts.

**6F. Travel Facilities to Ex-Member**

Every Ex-Member of the Assam Legislative Assembly shall be provided with two free nontransferable passes which shall entitle him/her and his/her spouse or any other person accompanying him/her to look after and assist him/her to travel at any time within the State of Assam by any public service (operated under A.S.T.C.) vehicle or by the Assam State Transport Corporation vehicle:

Provided that if the Ex-Member performs the journey with his/her spouse or any other person accompanying him/her to look after and to assist him, by train or Air involving higher cost of fare, he shall not be entitled to receive more than his entitled amount Rs. 20,000/- per annum payable to the Ex-member.

**6G. Family Pension**

Family pension to the widow/widower of the Member shall be fixed at 50% of the amount of pension that the Ex-Member is entitled to

draw at the time of his/her death. Also the holder of family pension shall be entitled to draw Medical Allowance at the rate of rupees eight thousand per month along with the family pension."

**11. Act to have overriding effect :-**

Notwithstanding anything contained in the Assam Legislative Assembly Members Salaries, Allowances and Pensions Rules, 1990 (as amended) or any other provisions of the principal Act and section 13 of the Assam Legislative Assembly Members Salaries, Allowances and Pensions (Amendment) Act, 2008 (Assam Act No. XIV of 2008), the Salaries, Allowances and Pensions of the Members shall be governed under the provisions of this Act.