

**Chhattisgarh Vidhan Sabha Sadasya Vetan, Bhatta Tatha  
Pension Adhiniyam, 1972**

**7 of 1973**

**[29 January 1973]**

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**Chhattisgarh Vidhan Sabha Sadasya Vetan, Bhatta Tatha  
Pension Adhiniyam, 1972**

**7 of 1973**

**[29 January 1973]**

An Act to provide for the 1[salaries, allowances and pension] of members of the State Legislative Assembly. Be it enacted by the Chhattisgarh Legislature in the twenty-third Year of the Republic of India as follows :- 1. Substituted by M.P. Act No. 63 of 1976. 2. Received the assent of the Governor on the 29th January, 1973; Assent first published in M.P. Rajpatra (Asadharan), dated the 1st February, 1973.

## **1. Short Title :-**

This Act may be called the Chhattisgarh Vidhan Sabha Sadasya 1[Vetan, Bhatta Tatha Pension] Adhiniyam, 1972.

1. Substituted by M.P. Act No. 63 of 1976.

## **2. Definitions :-**

In this Act, unless the context otherwise requires,-

(a) "Committee" means a select committee of the Legislative Assembly or a committee constituted under the rules of procedure of the Legislative Assembly or a committee appointed by the Speaker or the State Government and includes the statutory Boards and the Board appointed by the State Government;

(b) "Member" means a member of the Chhattisgarh Legislative Assembly, but does not include-

(i) a Minister;

(ii) a Minister of State;

(iii) a Deputy Minister;

(iv) a Parliamentary Secretary;

1[(iv-a) the Neta Pratipaksh as defined in the Chhattisgarh Vidhan Mandal Neta Pratipaksh (Vetan Tatha Bhatta) Adhiniyam, 1980;]

(v) the Speaker and the Deputy Speaker of the Chhattisgarh Legislative Assembly;

2[(b-1) "meeting" means meeting of the Assembly or a meeting of a Committee;

(b-2) "place of meeting" means Raipur or such other place as may be fixed for a meeting;]

(c) "Session" means the whole period beginning with three days preceding the day of commencement of the sittings of the Legislative Assembly and ending with three days immediately following the day of termination of the sittings of the Legislative Assembly, by adjournment sine die or prorogation, as the case may be.

1. Inserted by M.P. Act No. 8 of 1980.

2. Inserted by Act No. 19 of 1978.

## **3. Salaries Of Members :-**

There shall be paid to every member a salary of 1[seven thousand] rupees per mensem.

1. Substituted by C.G. Act No. 4 of 2010.

#### **4. Constituency Allowance For Members :-**

There shall be paid to every member a constituency allowance of 1[eight thousand] rupees per mensem.

1. Substituted by C.G. Act No. 4 of 2010.

#### **4A. Telephone Allowance :-**

1[There shall be paid to every member by way of telephone allowance 3[one thousand] rupees per mensem, irrespective of the fact whether he has or he has not a telephone at the place of his residence.]

1. Inserted by Act No. 19 of 1978.

2. Substituted by C.G. Act No. 5 of 2005.

#### **4B. Orderly Allowance :-**

1[There shall be paid to every member by way of Orderly allowance 1[five thousand] rupees per mensum.]

1. Inserted by C.G. Act No. 14 of 2001.

#### **4C. Daily Allowance :-**

1[There shall be paid to every member at the rate of rupees 2[seven thousand fifty] rupees per day a daily allowance. 3[xxx]]

4[(ii) For those days in which a member attended the meeting of Vidhan Sabha/Committees. In Capital or out of State for such meetings member entitled to additional daily allowance at the rate of 2[Rs. 750/-] per day before a day and after a day of the date of such meeting.]

1. Inserted by C.G. Act No. 14 of 2001.

2. Substituted by C.G. Act No. 5 of 2005.

3 Omitted by C.G. Act No. 5 of 2005.

4. Substituted by C.G. Act No. 27 of 2004.

#### **5. Free Transit By State Transport :-**

1[(1)] Every member 2[and every person entitled to pension under Section 6-A] shall be provided with one free non-transferable 3[bus pass] of the Highest class which shall entitle him to travel by any motor bus run by State Transport Undertaking on any route within the State on which such transport undertaking operates 4[x x x].

5[(2) Every member shall be provided with one additional free non-transferable bus pass which shall be entitled the other spouse or the attendant accompanying him to travel with the member as provided in sub-section (1).]

Explanation.-For the purpose of this section, "State Transport Undertaking" means and includes the Chhattisgarh State Road Transport Corporation and any other transport undertaking owned by the State Government.

1. Renumbered by Act No. 19 of 1981.
2. Inserted by Act No. 18 of 1988.
3. Substituted by Act No. 19 of 1978.
4. Omitted by Act No. 19 of 1978.
5. Substituted by Act No. 4 of 1997.

#### **5A. Free Transit By Air And Rail :-**

1[2[3[(1) Every member shall be entitled to tour within India by rail and air, free of cost, within the fare limits of 4[Rupees two lacs] in a financial year. Such member shall also be provided with railway coupons for railway journey which shall subject to such rules as may be made by the State Government in this behalf :]

3[4[Provided that every member travel alone or with one more person subject to the condition that expenditure on the journeys performed by rail and air shall not exceed Rs. two lac in a financial year :]

Provided further that such members shall be entitled for such facility from 15-2-2005 :]

Provided also that for the purpose of attending the meetings of the committees, travels made by the members shall be outside the financial limits mentioned in this sub-section.

5[(2) Every person entitled for pension under Section 4[6-A] subject to such rules which may be made by State Government shall be entitled to coupons of Rs. Sixty thousand value during one financial year for journey alone or with one person and that such persons shall also be entitled to journey by air within the limit of such coupons of 4[Rs. one lac].

1 Inserted by Act No. 19 of 1978.

2. Inserted by C.G. Act No. 14 of 2001.

3. Substituted by C.G. Act No. 4 of 2006.

4. Substituted by C.G. Act No. 10 of 2008.

5. Substituted by C.G. Act No. 8 of 2007.

#### **5B. Section 5B :-**

1[Deleted].

1. Omitted by C.G. Act No. 14 of 2001.

#### **5C. Steamer Travel Facility :-**

Without prejudice to the provisions of this Act every member, who when necessary for the purpose of attending a session or meeting of a committee or for the purpose of attending to any other business connected with his duties as a member, travels by steamer then he and, one person accompanying him, shall be entitled to reimbursement of the steamer fare of such journey both ways to the extent of an amount equal to two times of the first class rail fare.

#### **6. Travelling Allowance :-**

1[To every member for every such journey which he has undertaken either within the State or outside the State during any session or any meeting of any committee, for attending the same, from his primary residence to that place, where that session or

meeting is to take place, and from such place to his primary residence back shall be given travelling allowance at the prescribed rates.

1. Substituted by C.G. Act No. 14 of 2001.

## **6A. Pension :-**

1[2[(1) There shall be paid a pension of 3[ten thousand] rupees per mensem to every person who has served for a period of five years whether continuous or not as a member of the Chhattisgarh Legislative Assembly :

Provided that where any person has served as aforesaid for a period exceeding five years there shall be paid to him an additional pension of 4[two hundred rupees] per mensem for every year in excess of five years :

Provided further that where a member has been prevented from serving as such for five years due to dissolution of Legislative Assembly or where a member having been elected in a bye election 5[or as a member of Lok Sabha/Rajya Sabha] has not been able to serve for five years, he shall be deemed to have served as a member for a period of five years but this deeming provision shall not apply for the purpose of earning additional pension.

Explanation.-For the purpose of this sub-section, "a member of the Chhattisgarh Legislative Assembly" shall include a person who became member of the Legislative Assembly of the new State of Chhattisgarh by virtue of the provisions contained in Section 28 of the States Reorganisation Act, 1956 (No. 37 of 1956)].

6[(1-A) xxx]

(2) Where any person entitled to pension under sub-section (1)-

(i) is elected to the office of the President or Vice-President of India or is appointed to the office of the Governor of any State or the Administrator of any Union territory; or

(ii) becomes a member of the Council of States or the House of the People or any Legislative Assembly of a State or Union territories or any Legislative Council of a State or the Metropolitan Council of Delhi constituted under Section 3 of the Delhi Administration Act, 1966 (No. 19 of 1966); or

(iii) is employed on a salary under the Central Government or the State Government or any other State Government, or any Corporation owned or controlled by the Central Government or such State Government, or any local authority or becomes otherwise entitled to any 7[remuneration, honorarium or compensation] from such Government, Corporation or local authority;

such person shall not be entitled to any pension under sub-section (1) for the period during which he continues to hold such office or as such member or is so employed or continues to be entitled to such 7[remuneration, honorarium or compensation] :

Provided that where the salary payable to such person for holding such office or being such member or so employed, or where the 7[remuneration, honorarium or compensation] referred to in clause (iii) payable to such person, is, in either case, less than the pension payable to him under sub-section (1), such person shall be entitled only to receive the balance as pension under that sub-section.

8[(3) Where any person entitled to pension under sub-section (1) is also entitled to any other pension, such person shall be entitled to receive the pension under sub-section (1) in addition to such other pension.]

9[(3-A) x x x]

(4) In computing the number of years, for the purpose of sub-section (1) :-

(i) the period shall be reckoned as from the first April, 1952;

(ii) any period prior to the first April, 1952 shall be ignored;

6[(ii-a) x x x]

(iii) the period during which a person has served as a Chief Minister, a Minister, a Minister of States, a Deputy Minister or a Parliamentary Secretary of the

Government of Chhattisgarh or of the Government of the existing State of Chhattisgarh, Madhya Bharat, Rajasthan, Bhopal or Vindhya Pradesh as referred to in Section 9 of the States Reorganisation Act, 1956 (No. 37 of 1956), or as a Speaker or a Deputy Speaker of the Chhattisgarh Legislative Assembly or of the Legislative Assembly of any of the said existing States or as both<sup>10</sup>[or as Neta Pratipaksh as defined in the Chhattisgarh Vidhan Mandal Neta Pratipaksh (Vetan, Bhatta Tatha Pension) Adhiniyam, 1980] by virtue of his membership in the Chhattisgarh Legislative Assembly or the Legislative Assemblies of the said existing States shall also be taken into account.]

1. Inserted by Act No. 63 of 1976.
2. Substituted by Act No. 13 of 1997.
3. Substituted by C.G. Act No. 27 of 2004.
4. Substituted by C.G. Act No. 24 of 2001.
5. Inserted by C.G. Act No. 10 of 2008.
6. Omitted by Act No. 13 of 1997.
7. Substituted by Act No. 19 of 1991.
8. Substituted by Act No. 34 of 1995.
9. Omitted by Act No. 34 of 1995.
10. Inserted by Act No. 8 of 1980.

## **6B. Section 6B :-**

There shall be paid a pension of Rupees five thousand per mensem, to the spouse, if any, or dependent of a member/ex-member for a period of ten years from the date of his death.]

1. Substituted by C.G. Act No. 27 of 2004.

## **7. Medical Allowance, Medical Attendance And Treatment To Members :-**

1[2[(1) There shall be paid to every member a medical allowance of 3[two thousand five hundred] Rupees per mensem.

4(1-A)] 1[In addition to the medical allowance payable under subsection (1) but subject to any rules made in this behalf by the State Government], every member shall himself be entitled,-

(i) free of charge, to accommodation in hospitals maintained by the State Government and also to medical treatment available in such hospitals as admissible to a Government servant under the rule making control of the State Government drawing a pay of Rupees 225/- per month or above personally for himself;

(ii) while travelling on public business outside the State, to medical treatment at a Government Hospital situate at the place of his visit on such public business, or at any place falling in the course of his journey to such place of visit;

(iii) to any specialized medical treatment outside the State, if in the opinion of the medical attendant such specialized medical treatment is necessary and the member obtains approval of the Director of Health Services, Chhattisgarh, for such treatment outside the State :

Provided that the member shall be entitled to the reimbursement of charges incurred by him on medical treatment outside the State under clauses (ii) and (iii) to the extent to which he would have been entitled to had he received such medical treatment in a Government hospital in the State.]

2[Explanation I.-In this sub-section, "medical treatment" means medical attendance and treatment on admission as an indoor patient.]

7[Explanation II.-Omitted].

8[Explanation III.-For the purpose of this sub-section, the member shall include the dependent namely the spouse, mother, father, son, daughter (not married) of the member.]

(2) 1[Until rules are made under sub-section (1-A), but subject to provisions of sub-section (1) and sub-section (2)], rules relating to medical attendance and treatment made by the Government under the proviso to Article 309 of the Constitution of India shall apply to a member as they apply to aforesaid Government servant personally 10[x x x] subject to modification that controlling authority for the purpose of any claim of reimbursement shall be Secretary, Chhattisgarh Vidhan Sabha.

1. Substituted by Act No. 24 of 1983.

2. Inserted by Act No. 24 of 1983.

3. Substituted by C.G. Act No. 4 of 2010.

4. Renumbered by Act No. 24 of 1983.

7. Omitted by Act No. 18 of 2000.

8. Added by C.G. Act No. 24 of 2001.

10. Omitted by C.G. Act No. 10 of 2008.

## **8. Section 8 :-**

1[x x x]

1 Omitted by Act No. 8 of 1980.

## **8A. Recovery Of Sums Due And Payable By Member :-**

1[Any sum due and payable by a member or by a person who is entitled to receive the pension under Section 6-A to the State Government towards rent of accommodation provided to him or charges for any service rendered or any facility extended to him as a member or for anything provided to him otherwise as a member shall be recoverable in such manner as may be prescribed-

(i) from the salary and allowances payable to such member; or

(ii) from the pension payable to such person,

as the case may be, under this Act or the rules made there under.

1. Substituted by Act No. 18 of 1986.

## **9. Power To Make Rules :-**

(1) The State Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for-

1[(a) the terms and conditions subject to which free bus pass shall be provided to a member under Section 5;

(aa) regulation of railway coupons to be provided to a member under Section 5-A;]

2[(a-1)] rates of travelling and daily allowance payable to a member under Section 6;

3[(aaa)] the form in which certificate, if any, shall be furnished by any person for the purpose of claiming any pension under this Act;

(b) regulation of medical attendance and treatment to members under Section 7;

4[(c) the manner of recovery of sums due and payable by a member under Section 8-A.]

(3) All rules made under this section shall be laid on the Table of the Chhattisgarh Legislative Assembly and the Legislative Assembly may, by resolution, approve the rules with or without modification.

5[(4) x x x]

1. Substituted by Act No. 30 of 1978.

2. Renumbered by Act No. 19 of 1978.

3. Renumbered by Act No. 30 of 1978.

4. Inserted by Act No. 30 of 1976.

5. Omitted by Act No. 30 of 1978.

## **10. Repeal :-**

The Chhattisgarh Legislative Assembly Members(Salary and Allowances) Act, 1956 (IV of 1957) is hereby repealed.