

Gujarat Panchayats (Travelling Allowance to Officials and Members) Rules, 1997

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Gujarat Panchayats (Travelling Allowance to Officials and Members) Rules, 1997

Whereas certain draft rules framing the Gujarat Panchayats (Travelling Allownace to Officials and Members) Rules, 1996 were published as required by sub-section (5) of Sec. 274 of the Gujarat Panchayats Act, 1993 (Guj. 18 of 1993), at pages 47-1 to 47-9 of

Gujarat Government Gazette, Part I-A, Extra No. 47, dated the 22nd May, 1996, under the Government Notification, Panchayats and Rural Housing Department No. KP/30 of 1996/PRN-1094/1345-K, dated the 22nd May, 1996, inviting objections and suggestions from all persons likely to be affected thereby till the 20th June, 1996; And, whereas, suggestions received with respect to the said draft rules were considered by the Government; Now, therefore, in exercise of the powers conferred by sub-section (1) of Sec. 274 of the Gujarat Panchayats Act, 1993 (Guj. 18 of 1993), the Government of Gujarat hereby makes the following rules, namely :

1. Short title :-

These rules may be called the Gujarat Panchayats (Travelling Allowance to Officials and Members) Rules, 1997.

2. Definitions :-

In these rules unless, the context otherwise requires.

- (a) "Act" means the Gujarat Panchayats Act, 1993;
- (b) "daily allowance" means a uniform allowance for each day of absence from head quarters which is intended to cover the ordinary daily charges incurred by an official or member.
- (c) "day" means a calendar day beginning and ending at midnight but an absence from head quarters which does not exceed twenty four hours shall be reckoned for all purposes as one day at whatever hours the absence begins or ends;
- (d) "member" means a member of a Panchayat and includes a member appointed on any committee of a Panchayat;
- (e) "mileage allowance" means an allowance calculated on the distance travelled and given to meet the cost of particular journey;
- (f) "Official" means a President or a Vice-President or Sarpanch or Up-Sarpanch of a Panchayat or a Chairman of a Committee of a Panchayat but does not include any Government or Panchayat Officer or Servant;
- (g) "Panchayat" means a District Panchayat or a Taluka Panchayat or a Village Panchayat as the case may be;
- (h) "State" means the State of Gujarat;
- (i) "travelling allowance" includes mileage allowance and daily allowance.

3. Right to travelling allowance :-

An official or a member shall, subject to the provisions hereinafter following be entitled to travelling allowances for a journey performed by him to attend a meeting of a Panchayat or a meeting of a Committee or Sub-Committee constituted under the Act or in connection with any other public business relating to the Panchayat.

4. Distribution into grades :-

For the purpose of calculating travelling allowance, an official and a member shall be divided into two grades as follows, namely:

(a) the first grade includes

(i) a President, a Vice-President and the Chairman of any Committee of a District Panchayat.

(ii) a permanent invitee member in his capacity as a member of the Legislative Assembly or a member of the House of the People.

(iii) a President of a Taluka Panchayat.

(b) the second grade includes officials and members not included in the first grade.

5. Other journey for which travelling allowance is admissible :-

Travelling allowance shall be allowed to an official or a member for a journey undertaken by him for attending :

(a) as a delegate of the panchayat any conference of a district or division or any conference held under the auspices of a Local Self Government Institutions approved by the Government or Gujarat Pradesh Panchayat Parishad, Gandhinagar.

(b) a meeting or conference held by the State or upper tier Panchayat.

(c) a meeting of a committee which is appointed by the State or Central Government and which is represented by him on behalf of the Panchayat.

6. Calculation of mileage allowance :-

(1) For the purposes of calculating mileage allowance, a journey between two places shall be deemed to have been performed by the shortest of two or more -practicable routes or by the cheapest

of such routes as may be equally short :

Provided that when there are alternative railway routes and the difference between them in point of time and cost is not than one hour and two rupees respectively, mileage allowance shall be calculated on the route actually used : Provided further that if an official or a member travels by a route which is not the shortest but is cheaper than the shortest, his mileage allowance shall be calculated on the route by which he actually travelled.

(2) For reasons which shall be recorded in writing and with the sanction of the District Panchayat in a case where journey is performed on a route other than the shortest or the cheapest one, the mileage allowance may be calculated on the route actually travelled :

Provided that the travelling allowance calculated on such route shall not exceed that calculated on the shortest route by more than fifty percent:

Provided further that officials and members who travel in their own motor cars or other conveyances between place connected by rail may draw two thirds of the road mileage admissible under sub-rule (1) of rule 9.

7. Class of accommodation entitle to for the purpose of journey by rail :-

For the purpose of journey by rail, the officials and membes shall be entitled to the class of accommodation as follows :

(i) Grade I-As admissible to the Deputy Secretary to Government at the minimum of his pay scale as per Government orders.

(ii) Grade II-As admissible to the Taluka Development Officer at the minimum of his pay scales as per Government orders.

8. Admissibility of travelling allowance for a journey by rail :-

The travelling allowances admissible to an official or a member of first grade or second grade for a journey by rail shall be single fare of the class accommodation to which he is entitled place daily allowance at the rate specifed in rule 14.

9. Mileage allownace for journey by Road :-

(1) An official or a member of Grade-I and II shall be entitled to

draw mileage allowance for journey by road as per rules, rates and mode of conveyance prescribed for State Government Officers mentioned in Rule 7 as amended from time to time.

(2) Claims once already settled shall not be re-opened except under specific orders of Government.

10. Air journey :-

If it is necessary and essential, travel by air would be permissible to Grade-I Officials and members for attending a conference or meeting organised by the Central Government or other States or for attending training in other States and also for other purposes, prior permission of the State Government shall be obtained.

11. Mileage for journeys in the same conveyance by two or more official, or members :-

Where two or more members or officials, counted, collectively, travel in the same conveyance, all of them shall not draw mileage for the journey but, only that member or official who either owns the conveyance or hires it may draw the mileage allowance.

12. Vouchers and certificates :-

Every travelling allowance bill when presented for payment shall be accompanied by voucher and shall bear certificate to the effect that the amounts claimed therein were actually paid by the claimant:

Provided that if, in any case, the vouchers cannot be available the controlling officer shall certify that to the best of his knowledge the claim is correct. But when a whole conveyance is hired a voucher shall ordinarily be required.

13. Ordinary rate of daily allowance on tour :-

An official or member shall, unless in any case it be otherwise expressly provided in these rules, be entitled to a daily allowance while on tour.

14. Rate of daily allowance :-

(1) An official or member of Grade-I and II shall be entitled to draw daily allowance at the initial rate of daily allowance as may be determined from time to time as may be applicable respectively to the Deputy Secretary to Government and the Taluka Development Officer at the minimum of their pay scales.

(2) Claims once already settled shall not be re-opened.

15. Vehicles allotted on rental baste from Government or Panchayats taking outside the jurisdiction of the Panchayat

:-

(1) No Vehicles allotted on rental basis from Government or Panchayat shall be taken for Panchayat work or for private work outside the jurisdiction of the panchayat concerned in the State without prior permission of the panchayat concerned, and outside t h e State without prior permission of the Development Commissioner.

(2) Subject to the provision of rule 18, Vehicle on rental basis taken outside the jurisdiction of the panchayat concerned for private work, the entire responsibility for accident and expenditure towards repairing shall be of an official or member concerned and no cost shall be borned by the panchayats.

16. Special rate of daily allowance in certain places :-

An official or member of any grade travelling on duty , when the place of duty halt is in a city shall be entitled to the daily Allowance at the rate specified in G.R.F.D. No. MSB-1092-61504-J, dated the 20th April, 1992 as may be amended from time to time.

17. Travelling allowance for journey undertaken outside the jurisdiction of the Panchayat :-

No travelling allowance shall be admissible to an official or member of the panchayat for a journey undertaken by him outside the jurisdiction of the panchayat except, with the previous sanction of the panchayat : Provided that the previous sanction of the panchayat shall not be required when such journey is undertaken at the instance of the State Government or for the purpose of attending as a delegate of the panchayat at any conference of a district or division of any conference held under the auspicious of a Gujarat Pradesh Panchayat Parishad, Gandhinagar or a meeting of committee appointed by the State Government or by the Government of India or any of the Departments or authorities under their control :

Provided further that in the case of journey undertaken by the President of the District Panchayat, Chairman of the Social Justice Committee and the Chairman of the Education Committee of the District Panchayat, previous sanction of the District Panchayat shall not be required if such journey is undertaken within the maximum number of journeys in a year fixed by the District Panchayat in this

behalf: Provided also that in the case of journeys undertaken by the Sarpanch or the President of the Taluka Panchayats, previous sanction of the Village/Taluka panchayat shall not be required if such journey undertaken within the maximum number of journeys in a year fixed by the Village/Taluka Panchayat in the behalf.

18. Headquarter station :-

(1) For the purpose of these rules, the headquarter station

(i) in the case of a President of a taluka or district panchayat, shall be the headquarters of the panchayat, or with the previous sanction of the State Government, any other place in the taluka or district as the case may be;

(ii) in the case of the Chairman of Education Committee and the Chairman of the Social Justice Committee of a district panchayat, shall be the headquarters of the district panchayat or with the previous sanction of the State Government any other place in the district.

(iii) in the case of a Vice-President or a member or a member of a committee, shall be his usual place of residence;

(iv) in the case of a Sarpanch and Up-Sarpanch, shall be his usual place of residence within area of village panchayat : Provided that when such place or residence is outside the area under the jurisdiction of the panchayat of which he is a Vice-President or a member or a member of the committee, a place within the electoral division which he represents shall be fixed by the panchayat as his head .quarters, station.

(2) On election or nomination, as the case may be, every official or member shall notify his usual place of residence to the panchayat and any subsequent change therein shall like wise be intimated within one week of such change.

(3) An official or a member may claim travelling allowance from his headquarters station recognised by the panchayat or from the place where he happens to be prior to undertaking the journey whichever is less.

19. Daily allowance during halt on Sundays and holidays :-

An official or a member shall be entitled to a daily allowance during a halt on a sunday or a public holiday. If, during the course of his tour he returns temporarily to headquarters on a Sunday or a

public holiday to attend his private work, he shall not be entitled to draw daily allowance for the day or days spent at the headquarters.

20. Travelling allowance when journey made by a motor vehicle provided and maintained by the panchayat :-

When an official or a member travels by a motor vehicle provided and maintained by the panchayat at its cost, he shall be entitled to travelling allowance as per the rates prevailing in the Government for journey by Government owned and maintained car.

21. Drawal of advance of travelling allowance on tour :-

An official or a member may draw an advance of travelling allowance on tour to the extent of 80% of daily allowance clearly admissible to him for a journey to attend any meeting or conference referred to in Rule 3 or 5 or in connection with any other public business relating to the panchayat. The advance so received shall be adjusted by the official or member as soon as may be on return from his tour while preferring his travelling allowance claim for the journey. The adjustment of the advance so drawn shall be watched by the Controlling Officer in the detailed bill and no second advance shall be made unless adjustment of the advance already drawn has been carried out.

22. Travelling allowance to which year debitable :-

(1) A claim for travelling allowance shall be admitted for payment in the financial year during which the journey in respect of which the travelling allowance is claimed was made. Such claim shall be preferred within three months of its becoming due :

Provided that a claim for travelling allowance for a journey performed in the month of February or March in any year may, if preferred before the end of the following April be admitted for payment in the following financial year : Provided further that the President of a Panchayat may consider a claim not preferred within three months of its becoming due and if he considers it reasonable, he may admit it for payment.

Explanation. (1) The period of three months prescribed for preferring claims for travelling allowance shall be computed from the date of return of the member to his headquarters on completion of the journey. (2) A claim preferred within three months of its becoming due but not paid during the same financial year owing to protected correspondence or any other reason may be paid during the next financial year.

23. President/Sarpanch to be the Controlling Officer :-

(1) The President or the Sarpanch of a Panchayat shall be the Controlling Officer and he shall, before countersigning a travelling allowance bill

(a) scrutinise the necessity, frequency, and duration of journeys and halts for which travelling allowance is claimed, and may disallow the whole or, any part of the travelling allowance claimed for any journeys or halt, if he considers that the journey was unnecessary or unduly protected or that a halt was of excessive duration;

(b) scrutinise carefully the distances entered in the travelling allowance bill;

(2) a President or a Sarpanch shall be his own Controlling Officer for the purposes of the travelling allowance bill.

24. Form of travelling allowance bill :-

An official or a member shall claim travelling allowance in the form appended to these rules.

25. Hours how to be described in travelling allowance bill :-

An official or a member shall describe the time of the journey in a travelling allowance bill with reference to the hours of the day counted continuously from 0 to 24 and not with reference to the meridian.

26. Repeal :-

The Gujarat Panchayat (Travelling Allowance to Officials and Members) Rules, 1964 are hereby repealed.