

Orissa Legislative Assembly Speakers Salary And Allowances Act, 1960

CONTENTS

1. Short Title And Commencement
2. Definitions
3. Salary
- 3A. Sitting Allowance
4. Car Allowance
- 4A. Sumptuary Allowance
5. Residence
6. Medical Treatment
7. Advances For Purchase Of Motor Car
8. Travelling And Daily Allowances
- 8A. Free Travelling Facilities
9. Drawing Of Salary And Travelling Allowance Bills
10. Notification As Evidence Of Holding The Office
11. Power To Make Rules
12. Regularisation Of Payments
13. Repeal

Orissa Legislative Assembly Speakers Salary And Allowances Act, 1960

An Act to provide for the salary and allowances of the Speaker of the Orissa Legislative Assembly and of certain other matters relating to him Be it enacted by the Legislature of the State of Orissa in the Eleventh year of the Republic of India as follows :
Published vide Orissa Gazette Ext./4.1.1961-O.A. No. 24 of 1960.
For Statement of Objects and Reasons, see Orissa Gazette Ext. No. 381 18.4.1960.

1. Short Title And Commencement :-

- (1) This Act may be called the Orissa Legislative Assembly Speakers Salary and Allowances Act, 1960.
- (2) It shall be deemed to have come into force with effect from the 30th December, 1959.

2. Definitions :-

In this Act unless there is anything repugnant in the subject or

context-

- (a) "Assembly" means the Orissa Legislative Assembly;
- (b) "Speaker" shall mean the Speaker of the Assembly.

3. Salary :-

There shall be paid to the Speaker a salary of 1 [Six thousand and five hundred rupees] per mensem.

1. Substituted vide O.A.6 of 2003, Notification No. 1948-Legis.- Orissa Gazette Ext. No.162 Dated 1.2.2003.

3A. Sitting Allowance :-

1[There shall be paid to the Speaker a daily sitting allowance for attending Assembly Session or Committee thereof, of one hundred and fifty rupees.]

1. Inserted vide O.A.13 of 1995, Notification No.12033-Legis.- Orissa Gazette Ext. No. 992 Dated 28.8.1995.

4. Car Allowance :-

There shall be paid to the Speaker an allowance of 1[three thousand rupees] per mensem for the upkeep of a car.

1. Substituted vide O.A.6 of 2003, Notification No.1948-Legis.- Orissa Gazette Ext. No.162 Dated 1.2.2003.

4A. Sumptuary Allowance :-

1[There shall be paid to the Speaker, a sumptuary allowance of 2[nine thousand and five hundred rupees] per mensem.]

1. Inserted vide Orissa Act 10 of 1987.

2. Substituted vide O.A.6 of 2003, Notification No. 1948-Legis.- Orissa Gazette Ext. No. 162 Dated 1.2.2003.

5. Residence :-

The Speaker shall, throughout his term of office and for a period of fifteen days immediately thereafter be entitled without payment of rent, to the use of a furnished residence or in lieu thereof a house-rent allowance of one hundred rupees per mensem. No charge shall fall on him personally in respect of the maintenance of a furnished residence provided to him.

Explanation I-For the purpose of this section residence includes the staff quarters and other buildings appurtenant thereto and maintenance in relation to a residence shall mean only the payment of municipal tax and the installation of electricity and water taps.

Explanation II-For the purpose of this section the expression "term

of office" includes the period beginning with the date of assumption of office till the date of coming into force of this Act.

6. Medical Treatment :-

The Speaker shall be entitled to the same medical facilities as are permissible to a Class-I Government servant.

7. Advances For Purchase Of Motor Car :-

There may be paid to the Speaker by way of a repayable advance such sum of money as may be determined by rules made in this behalf for the purchase of a motor car in order that he may be able to discharge conveniently and efficiently the duties of his office.

8. Travelling And Daily Allowances :-

(1) Subject to any rules made in this behalf by the State Government/the Speaker shall be entitled to-

(a) travelling allowances for himself and members of his family and for the transport of his and his family's effects-

(i) in respect of the journey to the State headquarters from his usual place of residence for assuming office; and

(ii) in respect of the journey from the State headquarters to his usual place of residence on relinquishing office;

(b) travelling and daily allowances in respect of tours undertaken by him in the discharge of his official duties, or in course of any official business whether by water, land or air; and

(c) travelling allowances on transfer of headquarters for himself and members of his family.

(2) Any travelling allowances under this section may be paid in cash or free official transport provided in lieu thereof.

8A. Free Travelling Facilities :-

(1) The Speaker shall be provided with-

(a) railway coupons which shall entitle him to travel without payment of any fare by first class by any railway in India for a distance of six thousand kilometres in the aggregate in a year; and

(b) road transport coupons which shall entitle him to travel without payment of any fare by any stage carriage within the State for a distance of ten thousand kilometres in the aggregate in a year:

Provided that where the journey is performed by a stage carriage not being a transport undertaking vehicle, the operator of such stage carriage shall be entitled to be reimbursed by the State Government in such manner and subject to such conditions as may be prescribed by rules made under this Act.

Explanation I-In computing the distance referred to in Clauses (a) and (b), any

journey for which the Speaker is otherwise entitled to any travelling allowance shall not be taken into account.

Explanation II-The expression "transport undertaking vehicle" shall have the same meaning as assigned to it under the Orissa Transport Undertakings (Prevention of Ticketless Travel) Act, 1975 (Orissa Act 41 of 1975) and the expression "stage carriage" shall have the same meaning as assigned to it under the Motor Vehicles Act, 1939 (4 of 1939).

(2) The coupons shall be issued by such authority and shall be subject to such conditions as may be prescribed by rules made under this Act.

9. Drawing Of Salary And Travelling Allowance Bills :-

(1) In respect of his salary and travelling allowances the Speaker shall be his own controlling officer and the signature of the Speaker on the salary and travelling allowance bills shall be accepted in audit as sufficient authority for the drawing of the salary or for the journey, as the case mssshich the bill relates shall be presumed to have been so undertaken in the discharge of his official duties or in the course of official business, as the case may be.

10. Notification As Evidence Of Holding The Office :-

The date on which a person became or ceased to be the Speaker shall be notified in the Gazette and any such notification shall be conclusive evidence of the fact that he became or ceased to be such on that date for the purposes of this Act.

11. Power To Make Rules :-

(1) The State Government may in consultation with the Speaker, by nomination, make rules for carrying out the purposes of this Act.

(2) All rules made under this Act shall be laid as soon as possible after they are made, before the Assembly for a total period of fourteen days which may be comprised in one or more sessions and shall be subject to such modifications as the Assembly may make during the said period.

(3) Until rules are made under this Act the Speaker shall, for the purpose of Sections 7 and 8, be entitled to the payment of an advance for purchase of motor car and travelling and daily allowances at such rates and under such circumstances as are or shall be admissible from time to time a member of the Council of Ministers.

12. Regularisation Of Payments :-

Any allowances paid or payable to the Speaker for the upkeep of a

car, all charges incurred for his medical treatment and for providing him with furnished residence and all payments made to him by way of travelling or daily allowances before the commencement of this Act shall be deemed to have been properly paid, payable, incurred or made.

13. Repeal :-

The Orissa Legislative Assembly Speakers and Deputy Speakers Salaries Act, 1937 (Orissa Act 4 of 1937) is hereby repealed.