

**Salaries, Allowances, Pensions And Other Benefits Of The
(Ministers, Speaker, Deputy Speaker, Leader Of Opposition,
Government Chief Whip And The Members Of The
Legislative Assembly) Tripura, Act, 2008**

4 of 2008

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Salaries, Allowances, Pensions And Other Benefits Of The (Ministers, Speaker, Deputy Speaker, Leader Of Opposition, Government Chief Whip And The Members Of The Legislative Assembly) Tripura, Act, 2008

4 of 2008

AN ACT to consolidate the laws relating to the salaries, allowances, pension and other benefits of the Ministers, the Speaker, Deputy Speaker, Leader of opposition, Govt. Chief Whip and the Members of the Legislative Assembly of Tripura. Be it enacted by the Legislative Assembly of Tripura in the Fifty -Ninth year of the Republic of India as follows:-

1. Short Title And Commencement :-

(1) This Act may be called The salaries, allowances, pension and other Benefits of the (Ministers, Speaker, Deputy Speaker, Leader of Opposition, Government Chief Whip and the Members of The Legislative Assembly) Tripura, Act, 2008.

(2) it shall come into force at once.

2. Definitions :-

In this Act, unless the context otherwise requires -

- (a) "Assembly" means the Legislative Assembly of Tripura;
- (b) Committee" means a committee of the Assembly;
- (c) "Controlling Officer" means the Secretary to the Assembly or any other officer as may be appointed by the State Government to exercise the powers and functions of the Controlling Officer;
- (d) "the Council of Ministers" means the Council of Ministers of the Government of Tripura ;
- (e) "Day" means a period of twenty four hours beginning at midnight;
- (f) "Deputy Speaker" means Deputy Speaker of the Assembly.
- (g) "Family" in relation to a Minister, Speaker, Deputy Speaker, Leader of the Opposition, Government Chief Whip and Member of the Legislative Assembly means his or her spouse residing with him / her and legitimate children and step children residing [with and wholly] dependent on him / her. If the person of a married woman, "family" will include her husband residing with her.
- (h) "Form" means a form appended to the Third Schedule;

(i) "Leader of the Opposition" means that member of the Tripura Legislative Assembly who is for the time being the Leader in the State Assembly of the Party in opposition to the State Government having the greatest numerical strength in the said Assembly.

Explanation- If any doubt arises as to which is or was at the material time the party in opposition to the State Government having the greatest numerical strength in the Tripura Legislative Assembly, or as to who is or was at any material time the Leader in the Assembly of such a party, the question shall be decided, for the purposes of this act, by the Speaker of the said Assembly and his decision, certified in writing under his hand, shall be final and conclusive.

(j) "Member" means a member of the Tripura Legislative Assembly irrespective of whether or not for the time being he is a Minister, Speaker, Deputy Speaker, Leader of Opposition or Government Chief Whip.

(k) "Minister" means a member of the Council of Ministers, by whatever name called, and includes a Minister of State.

(l) "Period of Residence on Duty" means the period during which a member resides at a place where a session of the Assembly or a sitting of a committee is held or where any other business connected with his duties as such member is transacted, for the purpose of attending such session or sitting or for the purpose of attending such other business and includes, except in the case of a member who ordinarily resides at the place where a session of the Assembly or a sitting of the committee is held or where any other business connected with his duties as such member is transacted -

(i) in the case of a session of the Assembly, a period of such residence, not exceeding three days, immediately preceding the commencement of the session and a period of such residence not exceeding three days immediately succeeding the date on which the session of the Assembly is adjourned sine die or for a period exceeding seven days :and

(ii) in the case of a sitting of a committee or any other business a period of such residence not exceeding two days, immediately preceding the commencement of the business of the committee or other business and a period of such residence, not exceeding two-days, immediately succeeding the conclusion of the business of the committee or other business;

(m) "Schedule" means a Schedule appended to this Act:

(n) "Speaker" means Speaker of the Assembly

(o) "Term of Office" in relation to a member means -

(a) where such member is a member of the Assembly elected in a general election held for the purpose of constituting a new Assembly, the period beginning with the date of publication of the notification of the Election Commission under section 73 of the Representation of the People Act, 1951; or

(b) where such member is a member of the Assembly elected in a bye-election to that Assembly or a member nominated to the Assembly, the period beginning with the date of his election referred to in section 67 A of the said Act or, as the case may be, the date of nomination; and ending with, in each such case, the date on which his seat becomes vacant.

(p) "Travelling Allowances" means allowance granted to a Minister to cover the expenses which he incurs in travelling in the interest of public service as against travelling in personal interest or for private purpose, such as journeys for rest or recoupment of health or for attending party meetings or for election campaign

(q) "Usual place of Residence" in relation to a member means the place where the member personally resides or works for gain within the State of Tripura.

(r) "Year" means financial years commencing on and from 1st April of the year.

3. Salaries :-

There shall be paid salaries per month to -

(i) Chief Minister -- Rs.9,200/-

(ii) Minister - Rs.9,000/-

(iii) Minister of State - Rs.8,700/-

(iv) Speaker - Rs.9,000/-

(V) Deputy Speaker - Rs.8,700/-

(vi) Leader of Opposition - Rs.9,000/-

(vii) Government Chief Whip -- Rs.9,000/-

(viii) A Member of Tripura Legislative Assembly -- Rs.8,500/-

4. Sumptuary Allowances Of Minister Etc. :-

There shall be paid sumptuary allowances per month to -

(i) Chief Minister - Rs.1,200/-

(ii) Minister - Rs.1,000/-

(iii) Minister of State - Rs. 1,000/-

(iv) Speaker - Rs. 11,000/-

(v) Deputy Speaker - Rs. 1,000/-

(vi) Leader of Opposition - Rs. 1,000/-

(viii) Government Chief Whip 4 - Rs.1,000/-

5. Conveyance Allowances :-

(1) Each Minister, Speaker, Deputy Speaker, Leader of Opposition and Government Chief Whip shall be entitled to -

(a) (i) a conveyance allowance of Rupees Eight Hundred per month;

(ii) the free use of a motor car, the cost of maintenance of which shall be borne by the Minister; and

(iii) the services of a chauffeur; or

(b) a conveyance allowance of Rupees Six Hundred per month if he uses his own vehicle; or

(c) the free use of a motor-car the entire cost of maintenance and propulsion of which shall be borne by Government subject to the following conditions, namely;--

(i) no conveyance allowance shall be admissible in such a case;

(ii) in respect of journeys which do not qualify for traveling allowance within 8 kilometers from the head-quarters, no charges shall be payable upto a limit of 1800 kilometers per quarter and beyond this limit, charges at the rates prescribed under the Staff Car Rules as applicable to the Government servants of the State of Tripura shall be payable to Government;

(iii) charges at the rates mentioned above will also be payable in respect of private journeys performed by the motor car beyond 8 kilometers from the head-quarters; and

(iv) a log book shall be maintained for journeys referred to in sub-clause (ii) and (iii) to facilitate payments to Government. The option to one of the aforesaid alternative benefits, once exercised by a Minister, shall not be varied for one year

Explanation-For the purpose of sub-clause (ii) of clause (a), "maintenance" shall include the cost of petrol and oil, servicing, repairs (the cost of other repairs being less than twenty-five rupees) and other incidental charges but shall not include expenditure or insurance and fees for registration and municipal taxes.

(2) A Member other than a Minister, Leader of the Opposition, Speaker, Deputy Speaker and Government Chief Whip shall be entitled to a conveyance allowance of Rs.1,500/- per month.

6. Travelling And Daily Allowances Of Minister Etc. :-

(1) Subject to the provisions contained in the FIRST SCHEDULE, a

Minister, Speaker, Deputy Speaker, Leader of Opposition and Government Chief Whip shall be entitled to -

(a) traveling allowance for himself and members of his family and for the transport of personal effects of himself and his family -

(i) in respect of journeys to Agartala from his usual place of residence outside Agartala for the purpose of assuming office; and

(ii) in respect of journey from Agartala to his usual place of residence outside Agartala on relinquishing office; and

(2) Notwithstanding anything contained in this Act, when traveling on duty, a Minister, Speaker, Deputy Speaker, Leader of Opposition and Government Chief Whip may, if he considers it so necessary due to his illness or otherwise take with him one person for his assistance during such journey and such person if not a Government official shall be entitled to travelling allowance and daily allowance at the same rates at which the Traveling Allowance are payable to the Minister.

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

7. Travelling And Daily Allowances Of Members :-

(1) There shall be paid as travelling allowance to each member other than a Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip in respect of every journey performed by him for the purpose of attending a session of the Assembly or a sitting of a committee on for the purpose of attending to any other business connected with his duties as a member, from his usual place of residence to the place where the session or the sitting is to be held or the other business is to be transacted and for the return journey from such place to his usual place of residence such amount as would be admissible in respect of journey on tour to a first grade officer serving in connection with the State of Tripura.

Provided that a member shall be entitled to road mileage at the rate of Rs.6/- per kilometer as admissible to first grade officer serving in connection with the State of Tripura.

(2) Notwithstanding anything contained in sub-section (i), a member other than a Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip who performs a journey by road between places connected by rail or steamer, either wholly or in part, may draw the road mileage at the rates referred to in sub-section (I) in place of the travelling allowance which would

have been admissible to him, if he had traveled by rail or steamer, as the case may be:

Provided that the total amount of travelling allowance drawn by such member for the entire journey shall not exceed the amount which would have been admissible to him had he performed the journey by rail or steamer, as the case may be;

(3) There shall be paid a daily allowance at the rates specified below for each day during any period of residence on duty to each Member other than a Minister, Speaker, Deputy Speaker, Leader of opposition and Govt. Chief Whip--

(i) Rs.2507- inside the State of Tripura.

(ii) Rs.3000- out side the State of Tripura.

Explanation -- Daily allowance shall be admissible to a Member for each day during any period of residence on duty irrespective of the time of arrival or departure.

(4) Where a member other than a Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip absents himself for less than seven days during a session of the Assembly or a sitting of a committee for visiting any place in the State of Tripura, he shall be entitled to receive travelling allowance in respect of such journey to such place and for the return journey under Sub section (1).

Provided that such travelling allowance shall not exceed the total amount of daily allowance which would have been admissible to such member under Sub section (3) for the days of absence if he had not remained so absent.

(5) Where the interval between the adjournment of the Assembly or, as the case may be, one sitting of a committee and the re-assembly of that Assembly or the next sitting of the committee at the same place does not exceed three days and the member concerned elects to remain at such place during the interval he shall be entitled to draw for each day of residence at such place a daily allowance at the rate specified in Sub section (3).

8. Annual Travel Facility :-

A member shall be entitled to reimbursement of travelling expenses incurred for -

- (a) air journey from Agartala to Kolkata / Guwahati and back; and
- (b) first class or AC two tier train fare for 7,500 kilometers for self, two dependents and spouse / companion once in a year.

Provided that if the Member is the Chief Minister, Minister,

Speaker, Deputy Speaker or Leader of the Opposition he shall be entitled to air fare for the entire journey.

9. Special Provision :-

In the special circumstances specified in the SECOND SCHEDULE, this act shall apply subject to provisions of that schedule

10. Constituency Allowances :-

A member other than a Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip shall be entitled to Rs.3,000/- (Rupees Three Thousand) per month as Constituency Allowances.

11. Postal Allowances :-

(1) A member other than a Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip shall be entitled to Rs.1,000/- (Rupees One Thousand) per month as Postal Allowances.

(2) A member other than a Minister, Speaker and Deputy Speaker shall be entitled to 2000 letter heads and 1000 envelopes free of cost in every year from the Assembly Secretariat.

12. Telephone Facilities And Allowances :-

(1) A Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip shall be entitled to such telephone facilities installed in such places within the territory of Tripura as may be prescribed by rules made under this Act.

(2) A member other than a Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip shall be entitled to Rs. 1,000/- (Rupees One Thousand) per month as Telephone Allowances.

13. Amenities To Leader Of The Opposition And Government Chief Whip :-

A Leader of the Opposition and the Government Chief Whip shall be entitled to Secretarial and other facilities as provided to a Minister.

14. Medical Facilities :-

(1) A Minister, Speaker, Deputy Speaker, Leader of the Opposition,

Government Chief Whip, Member of the TLA and the members of their families shall be entitled free of charge to accommodation in hospital maintained by the Government and also to medical treatment in accordance with the medical attendance rules as amended time to time applicable to Class - 1 officer serving in connection with the State of Tripura.

Explanation - For the purpose of this section, the expression "member of their families" shall mean the dependent husband, wife, son, daughter, father, mother, brother or sister.

15. Residence Of Ministers Etc. :-

(1) Each Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip shall be entitled without any payment of rent to the use and maintenance of a furnished residence throughout the term of his office and for a period of one month immediately thereafter.

(2) So long as such residence under sub-section (1) is not provided, there shall be paid a House Rent Allowance of Rupees Eight Hundred per month to a Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip.

(3) In the event of the death of the Minister, Speaker, Deputy Speaker, Leader of the Opposition and Government Chief Whip his / their family shall be entitled without any payment of rent to the use and maintenance of the furnished residence occupied by him / them (or a period of three months immediately after death).

(4) (a) The person who had held the office of the Chief Minister for a period of four years or more shall be entitled without any payment of rent to the use and maintenance of an unfurnished residence throughout his life time.

(b) In the event of the death of such person referred to in clause (a) his family shall be entitled without any payment of rent to use and maintenance of the residence occupied by him for a period of three months immediately after his death.

Explanation -- - For the purpose of this section, "residence" includes the staff quarters and other buildings appurtenant thereto and the garden thereof and "maintenance" in relation to a residence includes provision of electricity and water and also payment of local rates and taxes.

16. Housing Facilities :-

A member other than a Minister, Speaker, Deputy Speaker, Leader

of the Opposition and Government Chief Whip shall be entitled to such housing facilities as may be prescribed by rules made under this Act.

17. Pension :-

(1) There shall be paid a pension of Rupees Six Thousand per mensem to every person who has served for a period of not less than [four years] whether Continuous or not -

(a) as a member of the Assembly; or

(b) as a member of the territorial council; or

(c) partly as a member of the Assembly and partly as a member of the territorial council;

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 [Rupees One Hundred per mensem for every year in excess of five years, so however, that in no case the pension payable to such person shall exceed Rupees Seven Thousand Five Hundred per mensem.

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

(i) is elected to the office of the President or Vice- President or is appointed to the office of the Governor of any State or the Administration 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 Territory or any Legislative Council of a State or the Metropolitan Council of Delhi constituted under section 3 of the Delhi Administration Act, 1966, or

(iii) is employed on a salary under the Central Government or any State Government, or any Corporation owned or controlled by the Central Government or any State Government, or any local authority or becomes other wise entitled to any remuneration from such Government, Corporation or local authority, such person shall not be entitled to any pension under sub-section (I) 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 remuneration:

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

as pension under that sub-section.

(3) Where any person entitled to pension under sub-section (I) is also entitled to any pension from the Central Government or any State Government, or any Corporation owned or controlled by the Central Government or any State Government, or any local authority, under any law or otherwise, then-

(a) Where the amount of pension to which he is entitled under such law or otherwise, is equal to or in excess of that to which he is entitled under sub-section (I), such person shall not be entitled to any pension under that sub-section; and

(b) Where the amount of pension to which he is entitled under such law or otherwise, is less than that to which he is entitled under sub-section (I), such person shall be entitled to pension under that sub-section only of an amount which falls short of the amount of pension to which he is otherwise entitled under that sub-section.

(4) In computing the number of years, for the purpose of sub-section (I), the period during which a person has served as a Minister as defined in the Salaries and Allowances of Ministers (Tripura) Act, 1972 or the Speaker or the Deputy Speaker of the Assembly or the Chairman of the territorial council, by virtue of this membership in the Assembly or in the territorial Council, by virtue of his membership in the Assembly or in the territorial council shall not be taken into account.

(5) For the purpose of claiming any pension under this section a person shall furnish certificates in such form as may be prescribed. Provided that any pension (whether known as Swatantrata Sainik Samman Pension or by any other name) received by such person as a freedom fighter shall not be taken into account for the purposes of the sub-section and such person shall be entitled to receive such pension in addition to the pension to which he is entitled under sub-section (I).]

18. Family Pension :-

(1) Where any person entitled to pension under sub-section (I) of section 16 dies, there shall be paid a Family Pension at the rate of Rupees Three Thousand per month to his or her legal heirs subject to such conditions as may be prescribed by rules made under this Act.

Explanation - For the purposes of this section "family" means the following relatives of the deceased member, namely :--

(a) wife or husband;

(b) minor son; and

(c) unmarried minor daughter.

(2) The family pension admissible under sub-section (1) shall be paid in the following order, -

(a) wife or husband; and

(b) the eldest amongst the minor sons or the unmarried minor daughters, where the deceased member has no surviving spouse.

Provided that where the recipient of the Family Pension dies or marries or ceases to be a minor, the pension payable shall thereafter be paid to the person next lower in the order of preference.

(3) Not more than one spouse is included in the family for the purposes of this section.

(4) The provisions of sub-sections (2), (3) and (5) of section 17 shall mutatis mutandis be applicable in respect of Family Pension.

19. Special Allowance Of Ex- Chief Minister :-

(1) There shall be paid a Special Allowance of Rupees Five Hundred per month to the person who had held the office of the Chief Minister for a period of four years or more either during the period of Union Territory or the Statehood.

(2) Where any person entitled to Special Allowance under sub-section (1) is also entitled to salary and or allowances under other sections of the Act or under the provisions of the Salary, Allowances and Pension of Members of the Legislative Assembly (Tripura) Act, 1972 or from the Central Government or any State Government, or any corporation owned or controlled by the Central Government or any State Government, or any local authority, or from any other source of Government, under any law or otherwise then -

(a) Where the amount of salary and or allowances to which he is entitled under such law or otherwise, is equal to or in excess of the Special Allowance to which he is entitled under sub-section (1), such person shall not be

(b) entitled to Special Allowance under that sub-section; and

(c) where the amount of salary and or allowances to which he is entitled under such law or otherwise, is less than the Special Allowance to which he is entitled under sub-section (1), such person shall be entitled to special Allowance under sub-section (1) only of an amount which falls short of the amount of special Allowance to which he is otherwise entitled under that sub-section.

20. Medical Treatment Of Ex-Member And Spouse :-

An ex-member and his / her spouse shall be entitled to medical treatment in accordance with medical Attendance Rules as amended from time to time, applicable to Group A officers serving in connections with the State of Tripura.

21. Advance To Members For Construction Of Residential Building Or Purchasing A Ready Built House :-

(1) There shall be paid to a Member (which expression shall include the Chief Minister, other Ministers, the Speaker, the Deputy Speaker, Leader of the Opposition and Government Chief Whip) by way of a repayable advance such sum of money not exceeding Rs. 10.00 lakhs (Rupees ten lakhs) for construction of residential building including purchase of land or purchasing ready-built house.

(2) The amount of advance shall carry simple interest at the rate of five percent per annum.

(3) Other terms and conditions of advance shall be such as may be prescribed.

22. Car And Computer Loan :-

(1) There may be paid to a Member (which expression shall include the Chief Minister, other Ministers, the Speaker, the Deputy Speaker, Leader of the Opposition and Government Chief Whip) by way of repayable loan with Bank link such sum of money not exceeding Rupees Three Lakhs for purchasing Car and also there may be paid to a Member repayable loans from the Assembly Secretariat such sum of money not exceeding Rupees Fifty Thousand for purchasing Computer at 5% simple interest.

(2) Other Terms & conditions of the loan shall be such as may be prescribed by Rules.

23. Advances To Ministers Etc For Purchase Of Car :-

There may be paid to each Minister, Speaker, Deputy Speaker, Leader of Opposition 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.

24. Speaker & Deputy Speaker Not To Practice Any Profession :-

The Speaker and the Deputy Speaker shall not practice any

profession or engage in any trade or receive any money for employment other than their duties as the Speaker or Deputy Speaker, as the case may be.

25. Special Procedure :-

The provision of the THIRD SCHEDULE shall apply in respect of claims for salary and allowances.

26. Notification Respecting Appointment Of Minister Etc. To At Conclusive Evidence Thereof :-

The date on which any person became, or ceased to be, a Minister, Speaker, Deputy Speaker or Member shall be published in the Official Gazette and any such notification shall be conclusive evidence of the fact that he became, or ceased to be, a Minister on that date for all the purpose of this Act.

27. Power To Make Rules :-

(1) The State Government may, by notification in the Official Gazette, 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 -

(a) the allotment of furniture to the residence of a Minister for furnishing it; and

(b) the grant of repayable advance to a Minister for the purchase of a motor car.

(3) Every rule made under this Act, shall be laid as soon as may be after it is made, before the Assembly while it is in session for a total period of not less than fourteen days which may be comprised in one session or two or more successive sessions and if before the expiry of the session in which it is so laid or the sessions aforesaid, the Assembly makes any modification in the rule or decides that the rule shall not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be ; so, however, that any such modification or emolument shall be without prejudice to the validity of anything previously done under the rule

(4) Nothing in this section shall debar the State Government from making any rule with retrospective effect.

28. Repeal And Savings :-

(1) The Salaries and Allowances of Ministers (Tripura) Act, 1972,

The Salaries, Allowances of the Speaker and Deputy Speaker of the Assembly (Tripura), Act, 1972, The Salaries, Allowances and Pension of Members of Legislative Assembly (Tripura), Act, 1972 and The Salary, Allowances and other Amenities of the Leader of the Opposition in the Tripura Legislative Assembly Act, 2001 are hereby repealed.

(2) Notwithstanding such repeal anything done, order issued, rules made and action whatsoever taken under the Acts mentioned in the preceding sub-section shall be deemed to have been done, issued, made and taken under the corresponding provisions of this Act and rules made thereunder.

SCHEDULE 1

FIRST SCHEDULE

(See section 6)

1. Travelling on duty:-

(1) When travelling on duty by railway or by road or by steamer or by air a Minister shall be entitled to draw travelling allowance at the maximum rates applicable to a first grade officer serving in connection with the State of Tripura and daily allowance at the rate as applicable to a Member of the Tripura Legislative Assembly

Provided that a Minister who exercises option under clause (a) of section 5 and travels by a motor-car provided to him under the said clause, shall be entitled to travelling allowance at the following rates, namely: -

(i) If he travels by the motorcar more than 32 Kilometers in one day, he may draw for the first 32 kilometers the mileage allowance and for the remainder of the journey three-fourths of such mileage allowance;

(ii) if he combines with a journey by the motor-car a road journey by other conveyance , he may draw the mileage allowance admissible for the first 32 kilometers or for the journey by other conveyance, which ever is greater and for the remainder of the journey three-fourths of such mileage allowance;

(iii) if he combines with a journey by road, whether made wholly or partly in the motor-car, a journey by railway or steamer, he may draw mileage allowance for the journey by railway or steamer in addition to the allowance admissible under sub-clauses (i) and (ii) above for the journey by road:

Provided further that a Minister who exercises option under clause (b) of section 5, shall be entitled to no travelling allowance for journey up to 16 kilometers and for journey beyond 16 kilometers, he will be entitled to travelling allowance at the following rates, namely: -

(i) if the journey is performed otherwise than in his own conveyance, the travelling allowance, i.e. daily allowance, and / or mileage allowance, as admissible under the rules applicable to a first grade officer serving in connection with the State if Tripura may be drawn in full;

(ii) if he travels by road in his conveyance, either in combination with the rail/streamer/air journey or otherwise, he may, at his option, exchange his conveyance allowance at the rate of 1/30th for each day for any travelling allowance i.e. daily and/or mileage allowance admissible to him under the rules applicable to a first grade of ficer serving in connection with the State of Tripura.

Provided also that a Minister who exercises option under clause (c) of section 5, shall be entitled to only daily allowance according to the rules applicable to a first

grade officer serving in connection with the State of Tripura and he will not be entitled to any mileage allowance.

2. Travelling allowance on journeys for assuming and demitting of office -

In respect of the journey to head-quarters from his usual place of residence for assuming office, or between head-quarters and his usual place of residence on demitting office, a Minister shall be entitled to travelling allowance on the scale for the time being admissible to a first grade officer serving in connection with the State of Tripura on transfer, subject to the modification that for journeys by rail, a Minister and the members of his family may travel by air-conditioned class of accommodation :

Provided that a Minister may on such a journey carry personal effect, upto a maximum of 2400 kilogram for himself and his family.

3. Travel by air -

(1) A Minister may, in the public interest, perform journeys on tour by air i.e. in an aircraft of Public Transport Undertaking plying for hire.

(2) On the cancellation of a journey due to official reason, a Minister shall be entitled to be reimbursed by Government any deduction made by the Air-transport Undertaking when refunding the fare on account of cancellation of the air passage.

(3) A Minister who does not utilize the free transport provided by the Air Transport Undertaking between the air-booking center and the air-port may also recover in respect of journey to and from the airport actual travelling expenses or road mileage as for journey on duty by road, whichever is less.

4. Travel by rail -

A Minister shall -

(a) have the right to travel by a first class compartment or an A.C. Coupe, and

(b) have the right to reserve by requisition an ordinary first class compartment when travelling by railway on duty.

5. Advance-

A Minister shall be entitled to--

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his familys effects -

(i) in respect of the journey to head-quarters from his usual place of residence outside head-quarters for assuming office:

(ii) in respect of the journey from head-quarters to his usual place of residence outside the head-quarters on relinquishing office ; and

(b) an advance of travelling and daily allowance in respect of the tours undertaking by him in the discharge of his official duties whether by sea, land or air:

Provided that the provisions of rules 233 and 234 of the General Financial Rules, 1963, shall apply to the advance made under this paragraph.

SCHEDULE 2

SECOND SCHEDULE

(See section 9)

1. Admissibility of traveling allowance where a member is provided with free transport for the whole or any part of the journey -

No traveling allowance under section 7 of this Act shall be admissible to a member in respect of any journey or part thereof performed by him in a conveyance provided at the expenses of Government or a local fund, but he shall be entitled to draw allowance at the rate of rupees ten only per diem where the duration of such journey lasts for not less than six hours on any day:

Provided that the provisions of this paragraph shall not apply to the journey

performed on any railway.

Note - The amount of Rupees Three is granted to the member to cover his incidental expenses during such journey or part thereof and is in lieu of the extra road mileage when he performs the journey by a conveyance supplied without charge. This allowance is not alternative to the daily allowance as admissible under section 7 of this Act, which is allowed to him where admissible for each day during any period of residence on duty.

2. Admissibility of traveling allowance where the place, from which a member performs his journey or to which he returns, is not his usual place of residence: -

(1) Where a member performs a journey for the purpose of attending a session of the Assembly or a sitting of a committee or for the purpose of attending to any other business connected with his duties as a member from a place other than his usual place of residence or returns such a place he may draw traveling allowance for the actual journey performed or the journey from or to his usual place of residence whatever is less.

(2) Where during a session of the Assembly or a sitting of a committee, a member performs a journey from the place where such session or sitting is held to any other place for the purpose of attending to any business connected with his duties as a member, he shall be entitled to receive.

(a) traveling allowance in respect of such journey to such other place and return journey at the rate specified in section 7 of this Act, and

(b) daily allowance for each day during any period of a residence on duty at the other place at the rates specified in section 7 of the Act.

3. Regulation of the payment of daily and travelling allowances under this Act ---

(1) Notwithstanding that a member has not taken his seat in the Assembly to which he is elected or nominated, he shall be entitled to receive traveling allowances for the journey performed by him for the purpose of taking his seat in the Assembly.

(2) For absence for a period of seven days or more during a session of the Assembly or a sitting of committee for visiting any place in the State of Tripura, no traveling or daily allowance shall be admissible. The period of absence of a member shall be reckoned in terms of days beginning and ending at midnight.

Explanation - If a member comes back on the seventh day whether in the forenoon or in the afternoon his absence shall be treated as being less than seven days.

(3) The terms "during a session" or a "sitting of a committee" occurring in section 7 of this Act and in sub-paragraph (2) of this paragraph does not include the period of three days immediately preceding the commencement of and three days immediately succeeding the end of the session or two days immediately preceding the commencement of the business, and two days immediately succeeding the conclusion of the business of the committee.

(4) If a member leaves the place where the session of the Assembly or a sitting or a committee is held before the commencement of the interval between the adjournment of the session or the sitting of the committee sine die and the commencement of another session or sitting, such interval not exceeding a period of three days, his absence from that place shall be treated as intermediate absence during a session of the Assembly or a sitting of a committee, as the case may be, and the provisions of section 7 of this Act shall apply accordingly.

(5) Traveling allowance for a return journey to usual place of residence shall be admissible to a member who leaves the place of session of the Assembly or a sitting of a committee during the continuance of such session or sitting and return to the place of session or sitting within three days after the conclusion of the business of the session or the sitting, as the case may be, before finally returning to his usual place of residence.

(6) All cases regarding the admissibility of traveling allowances to a member who arrives at the place where a session of the Assembly or a sitting of a committee is held without, knowledge of the postponement of the session or the sitting including cases of such members who arrive after the session or a sitting is adjourned suddenly shall be determined by the Speaker of Assembly having regard to the circumstances of such case.

(7) Where a member is provided with free board and lodging at the expense of the Government or a Local Fund, he shall be entitled to receive only one-half of the daily allowance admissible to him under section 7 of this Act. If only boarding or lodging is allowed free to the member, he shall be entitled to receive three-fourths of the daily allowance admissible to him under that section.

SCHEDULE 3

THIRD SCHEDULE

(See section 25)

Procedural provision -

(1) Every member shall, as soon as possible after he is elected or nominated, declare his usual place of residence to the Controlling Officer and any subsequent change in the usual place of residence so declared shall be notified to the Controlling Officer in Form A.

(2) A member who claims any traveling or other allowances under this Act shall support his claim by a certificate in the following form, namely: -

"Certified that no traveling allowance in respect of the journey or daily allowance for the period mentioned in this bill has been or will be claimed from any other official source".

(3) Where no part of the journey is performed by a conveyance provided at the expense of the Government or a Local Fund, the following certificate shall be furnished, namely: -

"Certified that I have not performed any part of the journey by a conveyance provided at the expense of the Government or a Local Fund."

(4) After completing each final return-journey on termination of a session of the Assembly or a sitting of a committee or any other business connected with his duties as a member, a member shall furnish a certificate in Form B

(5) Ordinarily, any non-Government dues outstanding against a member shall not be recovered from his salaries and allowances but where such dues are on account of certain services rendered to him in the course of his duty as a member, such as when he is on tour with a committee, and the arrangement for such services have been made by or at the instance of semi-Government Institutions or private parties at the request of officers of the Assembly, and where such member, in spite of repeated requests, has failed to make payment of such dues, recovery thereof may be effected from the traveling or daily allowance bills of such member.

1. My usual place of residence is.....

OR

I have changed my usual place of residence.....

From..... to.....with effect from.....due to.....

(here state the reason)

I may henceforward be allowed traveling allowances from.....

Signature.....

Constituency No.....

Date.....--.....-