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NOTIFICATION

THE CHAKMA AUTONOMOUS DISTRICT COUNCIL (SALARIES AND ALLOWANCES OF CHIEF EXECUTIVE MEMBER, EXECUTIVE MEMBER, CHAIRMAN AND DEPUTY CHAIRMAN) RULES, 1983.

In exercise of the powers conferred by clause (b) of sub-paragraph (7) of paragraph 2 of the Sixth Schedule to the constitution of India, the District Council of the Chakma Autonomous District, with the approval of the Lt. Governor (Administrator) of the Union Territory of Mizoram, is pleased to make the following rules, namely :—

1. SHORT TITLE AND COMMENCEMENT :—

- (1) These rules may be called the Chakma Autonomous District Council (Salaries and Allowances of Chief Executive Member, Executive Member, Chairman and Deputy Chairman) Rules, 1983.
- (2) They shall come into force at once.

2. DEFINITIONS :— In these rules, unless the context otherwise requires :—

- (a) “Administrator” means the Administrator of the Union Territory of Mizoram appointed by the President under article 239 of the Constitution of India;
- (b) “Chairman” means the Chairman of the Chakma District Council;
- (c) “Chief Executive Member” means the Chief Executive Member of the Chakma District Council;

- (d) "Deputy Chairman" means the Deputy Chairman of the Chakma District Council;
- (e) "District" means the Chakma Autonomous District;
- (f) "District Council" means the District Council of the Chakma Autonomous District;
- (g) "Executive Member" means the Executive Member of the Chakma District Council;
- (h) "Family" in relation to the Chief Executive Member, Executive Member, Chairman or Deputy Chairman means his wife residing with him and legitimate children and step children residing with or wholly dependent on him and where the husband has more than one wife, only one wife shall be included in his family for the purposes of these rules;
- (i) "Government" means the Government of the Union Territory of Mizoram;
- (j) "Schedule" means the Schedule appended to these rules;
- (k) "Travelling allowance" means the allowance granted to a Chief Executive Member, Executive Member, Chairman or Deputy Chairman under these rules to cover the expenses which he incurs in travelling in the interest of the public service as against travelling in personal interest or for private purpose, such as journeys for rest, recouplement of health, attending party meetings or election campaign.

3. SALARIES OF CHIEF EXECUTIVE MEMBER, EXECUTIVE MEMBER, CHAIRMAN AND DEPUTY CHAIRMAN: There shall be paid to the Chief Executive Member a Salary of one thousand and one hundred rupees per mensem and to the Executive Member, and to the Chairman a salary of one thousand rupees per mensem and to the Deputy Chairman a salary of eight hundred rupees per mensem.

4. SUMPTUARY ALLOWANCE OF CHIEF EXECUTIVE MEMBER, EXECUTIVE MEMBER AND CHAIRMAN: There shall be paid to the Chief Executive Member a sumptuary allowance of one hundred and fifty rupees per mensem and to the Executive Member and to the Chairman a sumptuary allowance of one hundred rupees per mensem.

5. RESIDENCE : The Chief Executive Member, Executive Member, Chairman and Deputy Chairman shall be entitled, without any payment to the use and maintenance of a furnished residence throughout their terms of office and for a period of fifteen days immediately thereafter; and so long as such residence is not provided there shall be paid to each of them other than the Deputy Chairman a Compensatory allowance of one hundred and fifty rupees per mensem and to the Deputy Chairman a compensatory allowance of one hundred rupees per mensem.

EXPLANATION : For the purpose of this rule -

- (a) "residence" includes the staff quarters and other buildings appurtenant thereto and the garden thereof;

7. **TRAVELLING AND DAILY ALLOWANCE** :— Subject to the provision of condition (ii) in clause (c) of rule 6 and the Schedule, the Chief Executive Member, Executive Member, Chairman or Deputy Chairman shall be entitled to :—

- (a) travelling allowance for himself and members of his family and for the transport of personal effects of himself and his family—
 - (i) in respect of journey to Kamalanagar from his usual place of residence outside Kamalanagar for the purpose of assuming office; and
 - (ii) in respect of journey from Kamalanagar to his usual place of residence outside Kamalanagar on relinquishing office ; and
- (b) travelling and daily allowance in respect of tours undertaken by him in the discharge of his official duties whether by land, sea or air.

8. **MEDICAL FACILITIES** :— The Chief Executive Member, Executive Member, Chairman and Deputy Chairman and the Members of their families shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to medical treatment in accordance with the Medical Attendance Rules, as amended from time to time, applicable to group (A) Officers of the Central Government serving in connection with the administration of the Union Territory of Mizoram.

9. **CHIEF EXECUTIVE MEMBER, ETC. NOT TO DRAW SALARIES OR ALLOWANCES AS MEMBERS OF THE DISTRICT COUNCIL** :— No person in receipt of a salary or allowance under these rules shall be entitled to receive any sum out of the funds provided by the District Council by way of salary of allowance in respect of his membership of the District Council.

10. **NOTIFICATION RESPECTING APPOINTMENT OF CHIEF EXECUTIVE MEMBER, EXECUTIVE MEMBER, CHAIRMAN OR DEPUTY CHAIRMAN TO BE CONCLUSIVE EVIDENCE THEREOF** :— The date on which any person became; or ceased to be a Chief Executive Member, Executive Member, Chairman or Deputy Chairman shall be published in the Mizoram Gazette and any such notification shall be conclusive evidence of the fact that he became, or ceased to be, a Chief Executive Member, Executive Member, Chairman or Deputy Chairman on that date for all the purposes of these rules.

11. **REPEAL AND SAVING** : (1) Any Order or Notification which has been passed or issued by the District Council previously for the purposes of the payment of salaries and allowances to the Chief Executive Member, Executive Member, Chairman or Deputy Chairman is hereby repealed.

(2) Notwithstanding such repeal anything done or action taken under the Order or Notification so repealed shall, in so far as it is not inconsistent with the provisions of these rules be deemed to have been done or taken under these rules.

(b) "maintenance" in relation to residence, includes-

- (i) provision of electricity and water to the extent of fifty rupees per mensem in the case of a Chief Executive Member, Executive Member and Chairman and forty rupees per mensem in the case of Deputy Chairman; and
- (ii) payment of local rates and taxes.

6. CONVEYANCE ALLOWANCE AND USE OF MOTOR VEHICLE :

The Chief Executive Member, Executive Member, Chairman or Deputy Chairman shall, at his option in writing, be entitled to :-

- (a) (i) the free use of a motor vehicle, the cost of maintenance of which shall be borne by him.
- (ii) the services of a chauffeur, and
- (iii) a conveyance allowance of two hundred rupees per mensem : or
- (b) a conveyance allowance of three hundred rupees per mensem if he uses his own vehicle, or
- (c) the free use of a motor vehicle, the entire cost of maintenance and propulsion of which shall be borne by the District Council subject to the following conditions, namely :—
 - (i) no conveyance allowance shall be admissible ;
 - (ii) for journeys on tour, only daily allowance shall be admissible according to normal rules and no mileage allowance shall be admissible :
 - (iii) in respect of journeys which do not qualify for travelling allowance within 8 kilometres from the headquarters, a limit of 500 kilometres per quarter will apply and beyond this limit charges at the rate prescribed under the Staff Car Rules of the Government shall be payable to the District Council ;
 - (iv) charges at the rates mentioned above shall also be payable in respect of private journeys performed by the vehicle beyond 8 kilometres from headquarters ; and
 - (v) log book shall be maintained for journeys referred to in condition (iii) or condition (iv) to facilitate payments to the District Council.

EXPLANATION :- (1) For the purpose of clause (a) "maintenance" shall include the cost of petrol and oil, servicing repair below twenty five rupees and other incidental charges, but shall not include expenditure on insurance and fees for registration and taxes.

- (ii) The option to any one of the benefits mentioned in clause (a), (b) and (c) once exercised shall not be varied at least for one year.

THE SCHEDULE

(See Rule 7)

1. **TRAVELLING ON DUTY** :— When travelling on duty by railway or by road or by streamer or by air a Chief Executive member, Executive Member, Chairman or Deputy Chairman shall be entitled to draw travelling allowances and daily allowances at the maximum rates applicable to Group 'A' Officers of the Central Government serving in connection with the administration of the Union Territory of Mizoram.

Provided that the Chief Executive Member, Executive Member, Chairman and Deputy Chairman shall be entitled to draw only half of such travelling allowance if he travels on duty by road in a motor vehicle provided to him under clause (a) (i) of rule 6.

2. **TRAVELLING ALLOWANCE ON JOURNEY FOR ASSUMING AND DEMITTING OF OFFICE** :— In respect of the journey to headquarters from his usual place of residence for assuming office or between head quarters and his usual place of residence on demitting office, a Chief Executive Member, Executive Member, Chairman or Deputy Chairman is entitled to draw travelling allowances and daily allowances at the maximum rates applicable to Group 'A' Officers of the Central Government serving in connection with the administration of the Union Territory of Mizoram on transfer.

3. **TRAVEL BY AIR** :— (1) The Chief Executive Member, Executive Member, Chairman or Deputy Chairman may, in the public interest, perform journey on tour by air in public air-transport services.

(2) On the cancellation of a journey due to official reason, a Chief Executive Member, Executive Member, Chairman or Deputy Chairman shall be entitled to be reimbursed by the District Council any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage.

(3) The Chief Executive Member, Executive Member, Chairman or Deputy Chairman who does not utilise the free transport service between the air-booking centre and the air-port may also recover in respect of journey to and from the air-port actual travelling expenses or road mileage as for journey on duty by road, whichever is less.

4. **ADVANCES** :—(1) The Chief Executive Member, Executive Member, Chairman and Deputy Chairman shall be entitled to:—

(a) an advance of travelling allowance towards the cost of transporting themselves and the members of their families and their family's effects:—

- (i) in respect of the journey to headquarters from their usual place of their residence outside headquarters for assuming office;
- (ii) in respect of the journey from headquarters to their usual place of residence outside the headquarters on relinquishing office; and

- (b) an advance travelling and daily allowance in respect of the tours undertaken by them in discharge of their official duties whether by land, sea, or air.
- (2) These advances will be adjusted in the first T.A. Bill submitted thereafter.

Certified that this Bill was passed in the 1st sitting on 16/2/84 of the 4th Session in the house by the 3rd Chakma District Council.

Dated K/nagar
the 29th Feb'84

N.K. Chakma,
Chairman,
Chakma District Council, K/nagar.