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NOTIFICATION

No. D. 29018/3/87-LJL/10, dated 13.7.1987. The following Ordinance is hereby publish for General information.

K.N. Srivastava,
Secretary and Legal Remembrancer,
Law, Judicial and Parliamentary Affairs Deptt.

THE MIZORAM SALARIES AND ALLOWANCES OF MINISTERS ORDINANCE, 1987. (No I of 1987)

An ordinance to provide for the salaries and allowances of the Chief Minister and other Ministers of Mizoram.

(Promulgated in the Thirty Eight Year of the Republic of India.)

Whereas Assembly is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now therefore, in exercise of the powers conferred by sub-clause (1) of Article 213 of the Constitution of India, the Governor of Mizoram is pleased to promulgate the following ordinance :—

- Short title and commencement:
1. (i) This Ordinance may be called the Mizoram Salaries and Allowances of Ministers Ordinance, 1987,
 - (ii) It shall be deemed to have come into force on the 20th day of February, 1987.

Definition. 2. In this Ordinance, unless the context otherwise requires—

- (a) "Assembly" means the Legislative Assembly of Mizoram ;
- (b) "Government" means the Government of Mizoram ;
- (c) "Governor" means the Governor of Mizoram ;
- (d) "Minister" means a Minister appointed under sub-clause (1) of Article 164 of the Constitution of India and includes the Chief Minister, and Minister of State ;
- (e) "Family" in relation to a Minister means his wife residing with him and legitimate 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 this ordinance. If the Minister is a married woman, 'family' shall include her husband residing with her;
- (f) "Schedule" means the Schedule appended to this Ordinance;
- (g) "Travelling allowance" means the allowance granted to a Minister under this Ordinance to cover the expenses which he incurs in travelling in the interest of the public service.

Salaries or the Chief Minister, and other Ministers.

3. There shall be paid to the Chief Minister a salary of Three thousand two hundred fifty rupees per mensem and to each Minister a salary of two thousand five hundred fifty rupees per mensem and to each Minister of State a salary of two thousand two hundred fifty rupees per mensem.

Sumptuary and other allowances of the Chief Minister and other Ministers.

4. There shall be paid to the Chief Minister/Ministers and Ministers of State a sumptuary allowance of one thousand five hundred rupees/ per each mensem Family allowance of three hundred rupees per mensem and Entertainment allowance of seven hundred rupees per mensem.

Residence of Ministers.

5. Each Minister shall be entitled, without any payment to the use and maintenance of a furnished residence throughout his term 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 Minister and Minister of State, a compensatory allowance of not more than six thousand rupees per mensem.

Explanation — for the purposes of this clause, —

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

- (b) "maintenance" in relation to a residence includes, —
- (i) Provision of electricity and water to the extent of one thousand rupees per mensem.
 - (ii) Payment of local rates & taxes.

Conveyance allowance and use of motor cars. 6. Each Minister shall be entitled to the free use of motor Vehicles, the entire cost of maintenance and propulsion alongwith the services of chauffeur of which shall be borne by the Government;

Travelling Allowances. 7. A Minister 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 in respect of journey to Aizawl from his usual place of residence outside Aizawl for the purpose of assuming Office and demitting Office; and
- (b) travelling and daily allowance in respect of tour undertaken by him in the discharge of his official duties whether by land, sea or air.

Medical facilities. 8. A Minister and the members of his family shall be entitled free of charge to accomodation in hospitals maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules, as amended from time to time, applicable to First Grade Officers of the Government of Mizoram.

Ministers not to draw salaries or allowances as members of the Assembly. 9. No person in receipt of a salary or allowance under this Ordinance shall be entitled to receive any sum out of the funds provided by the Assembly by way of salary or allowances in respect of his membership of the Assembly.

Notification respecting appointment of Minister to be conclusive evidence thereof. 10. The date on which any person became, or ceased to be a Minister shall be published in the Official Gazette of Mizoram 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 purposes of this Ordinance.

Repeal and saving. 11. (i) The Mizoram Salaries and Allowances of Ministers Act, 1973 and all subsequent amendments thereof are hereby repealed.

(ii) Notwithstanding such repeal anything done or any action taken under the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Ordinance be deemed to have been done or taken under this Ordinance.

THE SCHEDULE

(See Section (7))

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 and daily allowance at the maximum rates applicable to First Grade Officer of the Government of Mizoram.

Travelling allowance on journeys for assuming and demitting of office. 2. In respect of the journey to headquarters from his usual place of residence for assuming office or between headquarters and his usual place of residence on demitting office, a Minister is entitled to travelling allowance on the maximum rate for the time being admissible to First Grade Officers of the Government of Mizoram, 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.

Travel by air. 3. (i) A Minister may, in the public interest, perform journeys on tour by air in public air transport services.

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

(iii) A Minister who does not utilise the free transport provided by 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 journey on duty by road, whichever is less.

Travel by railway. 4. A minister shall have the right to reserve by requisition an ordinary firstclass compartment when travelling by railway on duty.

Explanation : For the purposes of this paragraph, a first class compartment means a two-berthed compartment or an air-conditioned coupe, where it is available, or a four berthed compartment if a two-berthed compartment or an air-conditioned coupe is not available in the train by which the Minister travels.

Advances. 5. 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 family's effect.

(i) In respect of the journey to headquarters from his usual place of residence outside headquarters for assuming office;

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

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

No. D. 29018/3/87-LJL/11, the 13th July 1987. The following ordinance is hereby publish for General information.

K.N. Srivastava,

Secretary and Legal Remembrancer,
Law, Judicial and Parliamentary Affairs Deptt.

**THE MIZORAM SALARIES AND ALLOWANCES OF THE
SPEAKER AND THE DEPUTY SPEAKER
ORDINANCE, 1987.**

(NO. 2 OF 1987)

An ordinance to provide for the salaries and allowances of the Speaker and the Deputy Speaker of the Legislative Assembly of Mizoram

(Promulgated in the Thirty Eight Year of the Republic of India ;)

Whereas Assembly is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of powers conferred by sub-clause (1) of Article 213 of the Constitution of India, the Governor of Mizoram is pleased to promulgate the following ordinance :-

Short title and commencement. 1. (1) This ordinance may be called the Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker ordinance, 1987.

(2) It shall be deemed to have come into force on the 20th day of February, 1987.

Definitions. 2. In this ordinance, unless the context otherwise requires -

(a) "Assembly" means the Legislative Assembly of Mizoram ;

(b) "Deputy Speaker" means the Deputy Speaker of the Assembly ;

(c) "Government" means the Government of Mizoram ;

(d) "Speaker" means the Speaker of the Assembly ;

(e) Words and expressions used herein and not defined but defined in the Mizoram Salaries and Allowances of Ministers Ordinance, 1987 shall have the meaning respectively assigned to them in that Ordinance.

3. The Speaker shall be paid a salary of Rupees two thousand seven hundred fifty per mensem, travelling and daily allowances at the rate as admissible to the 1st Gr de Officer of the Government of Mizoram and shall also be entitled free furnished residence and Motor-vehicles as are provided for a Minister other than the Chief Minister under the Mizoram Salaries and Allowances of Ministers Ordinance, 1987 and so long as such residence is not provided, there shall be paid to the Speaker a compensatory allowance of not more than six thousand rupees per mensem
4. There shall be paid to the Speaker a sumtuary allowances of one thousand five hundred rupees per mensem, Family allowances of three hundred rupees per mensem and Entertainment allowances of seven hundred rupees per mensem.
5. 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 Speaker or Deputy Speaker, as the case may be.
6. The Deputy Speaker shall be paid a salary of two thousand rupees and sumptuary allowance of one thousand one hundred fifty rupees per mensem.
7. There shall be paid to the Deputy Speaker Family allowance of three hundred rupees and Entertainment allowance of five hundred fifty rupees per mensem. He shall be provided free furnished residence and Motor-Vehicles as are provided to Minister of State under the Mizoram Salaries and Allowances of Ministers Ordinance, 1987, and so long as such residence is not provided, there shall be paid to the Deputy Speaker a compensatory allowance of not more than six thousand rupees per mensem. He shall also be entitled travelling and daily allowances as admissible to First Grade Officer of Government of Mizoram.
8. The Speaker and the Deputy Speaker and the members of their families shall be entitled free of charge to accommodation in hospitals maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules as amended from time to time, applicable to First Grade Officers of the Government of Mizoram.
9. The Speaker and the Deputy Speaker shall not be entitled to receive any sum out of the funds provided by the Assembly by way of salary or allowances in respect of their membership of the Assembly.

members of
the Assembly.

Notification respecting appointment of Speaker etc. conclusive evidence thereof.

10. The date on which any person became, or ceased to be a Speaker or a Deputy Speaker shall be published in the Official Gazette of the Government of Mizoram and any such notification shall be conclusive evidence of the fact that he became, or ceased to be, the Speaker or Deputy Speaker, as the case may be, on that date for the purpose of this ordinance.

Repeal and Saving

11. (1) The Salaries and Allowances of the Speaker and Deputy Speaker Act, 1973 and all subsequent amendments thereof are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Ordinance, be deemed to have done or taken under this Ordinance.

No. D. 29018/3/87-LJL/12, the 13th July, 1987. The following Ordinance is hereby published for general information.

K.N. Srivastava,
Secretary and Legal Remembrancer,
Law, Judicial and Parliamentary Affairs Deptt.

THE MIZORAM SALARIES, ALLOWANCES AND PENSION OF MEMBER OF THE LEGISLATIVE ASSEMBLY, ORDINANCE 1987.

(No. 3 of 1987)

An ordinance to provide for the salaries, allowances and Pension of members of the Legislative Assembly of Mizoram.

(Promulgated in the Thirty Eight Year of the Republic of India).

Whereas the Assembly is not in session and the Governor is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, therefore, in exercise of powers conferred by sub-clause (i) of Article 213 of the Constitution of India, the Governor of Mizoram is pleased to promulgate the following ordinance :-

Short title and commencement.

1. (1) This Ordinance may be called the Mizoram Salaries, Allowances and Pension of Members of the Legislative Assembly Ordinance, 1987;

(2) It shall be deemed to have come into force on the 20th day of February, 1987.

Definitions. 2. In this Ordinance, unless the context otherwise requires :-

(a) "Assembly" means the Legislative Assembly of Mizoram;

(b) "Committee" means a committee of the Assembly;

(c) "Prescribed authority" means the authority as prescribed by the Govt. from time to time,

(d) "Day" means a period of 24 hours beginning at midnight;

(e) "family" in relation to a member means-

(i) the wife or husband residing with him or her, as the case may be; and

(ii) the children (including the legally adopted children and step-children), residing with and wholly dependent on such member;

(f) "Form" means a form appended to the Second Schedule;

(g) "Government" means the Government of Mizoram;

(h) "Members" means a member of the Assembly, but have as otherwise expressly provided in this ordinance, does not include-

(i) a Minister as defined in the Mizoram Salaries and Allowances of Ministers Ordinance, 1987, and

(ii) the Speaker and the Deputy Speaker as defined in Mizoram Salaries and Allowances of the Speaker and Deputy Speaker Ordinance, 1987.

(i) "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, or 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 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 a 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 Assembly is adjourned sine die or for a period exceeding seven days; and

(ii) in the case of sitting of a committee any other business a period or 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:

(j) "Schedule" means a Schedule appended to this Ordinance.

(k) "term of office" in relation to a member means-

(i) Where such member is a member 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

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

(l) "State" means the State of Mizoram.

(m) "Usual place of residence" in relation to a member means where a member personally resides or works for gain within the State of Mizoram.

Salary
&
Daily
allowances

3. A member shall be paid Salary of one thousand rupees per mensem during the whole of his term of Office and shall also be entitled to receive daily allowances of 100/- for each day of the period of residence for the meeting of attending a session of the Assembly or the meeting of a Committee and for each day of period of residence at any place where any other business connected with his duties as member is transacted, such as attending a refresher course or a seminar, conference or meeting of any Parliamentary Association, University or other recognised body on matters connected with Parliamentary Affairs,

Constituency
allowance
and Other
allownces.

4. A member shall be paid constituency allowance of Rs 1,300/- per mensem and he shall also be entitled contingency allowance of Rs 1,000/- per mensem for meeting expenses on Telephone, Postal, Water and Electricity charges.

Travelling
allowance.

5. There shall be paid travelling allowance to each member in respect of every journey performed by him for the purpose of attending a session of the Assembly or sitting of a committee or for the purpose of attending to any other business connected with

his duty as 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 his usual place of residence such amount as would be admissible in respect of journeys on tour to a First Grade Officer of the Government of Mizoram.

(1) Where no Government accommodation is available outside the State a member on official duty shall be entitled re-imbusement of accommodation charge of a single room in a Three Star Hotel in addition to the Daily Allowance subject to production of actual payment receipt.

(2) Notwithstanding anything contained in sub-clause 1, a member who performs a journey by road between places connected by rail, either wholly or in part, may draw the road mileage on the scale mentioned in sub-clause 1, instead of the travelling allowance which would have been admissible to him if he had travelled by rail;

Provided that the total allowance 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.

Travelling allowance for intermediate journey.

6. When a member 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 he shall be entitled to receive travelling allowance in respect of such journey to such place and for the return journey under clause 5.

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

Allowances during short intervals between termination of one session and commencement of another session.

7. Where the interval between the adjournment of the Assembly or, as the case may be, one sitting of a committee and 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 rate specified in clause 3.

Provided that if the member leaves such place during the interval, his absence from the place shall be treated as absence during a session of the Assembly or a sitting of the committee, as the case may be, and the provisions of clause 6 shall apply accordingly.

Special Provisions.

8. In the special circumstances specified in the First Schedule, the provisions of this Ordinance shall apply subject to the provisions of that Schedule.

Procedure

9. The provisions of the Second Schedule shall apply in respects of all claims for Salaries and allowances.

Telephone facilities.

10. (1) Local calls are allowed free of charge on telephones installed in the Member's Hostel.
- (2) Every member is entitled to have a telephone installed at Government expense at the place where he ordinarily resides or at any of the place in the State which is also used by him for residence. The amount of initial deposit, installation and rental charges will be borne by Government.
- (3) In the case of a member already having a telephone, the rental charges will be borne by the Government.

Grant of Loan.

11. 1. Subject to such conditions and limitations as may be prescribed by rules, there may be paid to a member by way of a repayable advance :-
- (i) a sum of money not exceeding one lakh rupees for a building or purchasing a house ; and
- (ii) a sum of money not exceeding one lakh rupees for the anticipated proce, whichever be less, for purchase of a Motor Vehicle.

2. On the application for a building advance a member shall execute a deed in the form prescribed by rules, undertaking to use the advance for the purpose for which is sanctioned, rendering himself and such property as may be specified in the deed as security including the house purchased or built with the aid of the advance liable for the repayment of the loan with interest due thereon.

Provided that no advance for building the house shall be sanctioned unless the plot of land on which the house is to be build is exclusively owned and possessed by the member applying therefor, and is free from all encumbrances

3. On the application for advance for the purchase of a Motor Vehicle, a member shall execute a deed in a prescribed form undertaking to use the advance for the purpose for which it is sanctioned, rendering himself and the Motor-Vehicle to be purchased liable for the repayment of the loan with interest due thereon.

4. (i) No transfer, assignment or charge made or created after the execution of the deed under sub-clause 2 or 3 under this clause in relation to the property specified therein or the house purchased or built with the aid of the advance, shall be valid against the Government, unless it has been made or created with the previous consent of Government in writing.
- (ii) Where a member having obtained an advance under sub-clauses (i) and (ii) of clause 11 dies while holding office as such, the amount of the advance or any part thereof which would have accrued on the date of his death in accordance with the terms and conditions of the grant of the advance along with interest thereon shall be written off which the sanction of the authority as may be prescribed by the Government from time to time.

Power to make rules for the purpose under clause 11. 12. The State Government may by notification make rules for carrying out the purposes of this clause.

Personal Attendent. 13. Every member shall be entitled to the services of a personal Attendent of his/her choice, throughout his term of office. The personal Attendent, is entitled to receive a fixed salary of Rupees eight hundred per mensem from the Government.

Pension. 14. (1) There shall be paid a pension of rupees eight hundred per mensem to any person who had served for a period of five years or for any period shorter than five years.

- (a) as a member of the erstwhile Assam Legislative Assembly ; or
- (b) as a member of the Legislative Assembly of Union territory of Mizoram ; or
- (c) as a member of the Legislative Assembly of the state of Mizoram.

EXPLANATION :—

This provision does not apply to a person who was elected as a member of Assam Legislative Assembly from any constituency which does not form part of the present State of Mizoram.

- (2) Where any person has served as aforesaid for a period exceeding five years an additional pension of fifty rupees per mensem is paid to him for every year but in no case the pension payable to such person shall exceed one thousand rupees per mensem.

- (3) Where any person entitled to pension 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 Administrator of any Union Territory; or becomes a member of the Council of States or the House of the People or any Legislative Assembly of State or Union Territory or any Legislative Council of a State; or is employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the State Government or any local authority or becomes otherwise entitled to any remuneration from such Government, Corporation or local authority, such person is not entitled to any pension 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 :

Where the salary payable to such person for holding such office or being such member or so employed or where the remuneration payable to such person is in either case less than the pension payable to him, such person shall be entitled only to receive the balance as pension.

- (4) Where any person entitled to pension 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 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 as a Member, such person shall not be entitled to any pension, 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 as a Member, such person shall be entitled to pension only of an amount which falls short of the amount or pension to which he is otherwise entitled as a Member.

- (5) In computing the number of years, for those purposes the period during which a person has served as a Minister or Minister of State or Deputy Minister or as Speaker or as Deputy Speaker or as Parliamentary Secretary or more than any one of the aforesaid by virtue of his membership in the Assam Legislative Assembly, shall also be taken into account.

Medical
treatment, etc.
to members.

15. A member and the members of his family shall be entitled free of charge to accommodation in Hospital maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules, as ammended from time to time, as applicable to First Grade Officer of the Government of Mizoram.

EXPLANATION :— If a member has more than one wife residing with him the benefit conferred by this clause shall be available only to such wife as may be nominated in this behalf by the member.

Power to make rules.

16. (1) The Government may, by notification in the Mizoram Gazette, make rules for carrying out the purposes of this Ordinance.

(2) Every rule made under this Ordinance shall be laid, as soon as may be after it is made, before the Legislative Assembly of Mizoram, while it is in session, for a total period of seven days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following session or the successive sessions aforesaid, the Legislative Assembly of Mizoram agrees that the rule, be made or should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be. However, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule”.

Repeal and Saving.

17. (1) The Mizoram Salaries, Allowances and Pensions of Members of Legislative Assembly Act, 1973 and all subsequent amendment thereof are hereby repealed.

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

FIRST SCHEDULE

(See clause 8)

Admissibility of travelling allowance where a member is provided with free transit for the whole or any part of the journey.

1. No travelling allowance under clause 5 shall be claimed by the member in respect of any journey or part thereof performed by him in a conveyance provided at the expense of any Government or a local fund, but he shall be entitled to draw an allowance at the rate of five rupees 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 five rupees 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 an alternative to the daily allowance admissible under clause 3 which is allowed to him where admissible for each day during any period of residence on duty.

Admissibility of travelling allowances where the place from which a member performs his journey or to which he returns is not his usual place of residence.

2. (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 any other business connected with his duties as a member from a place other than his usual place of residence or returns to such a place, he may draw travelling allowance for the actual journey from or to his usual place of residence, whichever 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) travelling allowance, in respect of such journey to such other place and return journey, at the rate specified in clause 5; and

(b) daily allowance for each day during any period of residence on duty at the other place at the rate specified in clause 3.

Regulation of payment of daily and travelling allowances.

3. (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 travelling allowances for the journey performed by him or 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 Mizoram no travelling or daily allowance will be admissible.

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 term "during a session" or "a sitting of a committee" occurring in clause 6 and in sub-paragraph (2) of clause 5 does not include the period of three days immediately proceeding the commencement of the session and three days immediately succeeding the end of the session or two days immediately proceeding 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 sitting of a committee is held before the commencement of the interval between the adjournment of the session or the sitting of a 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 clause 6 shall apply accordingly.

(5) Travelling allowance for a return journey to the usual place of residence shall be admissible to a member who leaves the place of the session of the Assembly or a sitting of a committee during the continuance of such session or sitting and returns to the place of session or sitting within three days after the conclusion of the business to 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 travelling 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 the Assembly having regard to the circumstances of each case.

In case the member has performed such journey at his own expenses, he shall have to certify for the same as follows;

“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”.

(7) 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’ appended to this Schedule.

(8) Ordinarily any non-governmental 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 duties as a member, such as when he is on tour with a committee, and the arrangements 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, had failed to make payment of such dues, recovery thereof may be effected from the salaries or travelling or daily allowance bills of such member.

- (9) Where a member is provided with free board and lodging at the expense of any Government or a local fund, he shall be entitled to receive only onehalf of the daily allowance admissible to him under this clause.

FORM 'A'

My usual place of residence is _____

or

I have changed my usual place of residence from _____

to _____

with effect from _____ due to

_____ 9 (here state the reason)

Signature _____

Constituency _____

Date _____

SECOND SCHEDULE

(See Clause 9)

PROCEDURAL PROVISION :—

- (1) Every member shall, as soon as possible after he is elected or nominated, declare in Form 'A' appended to this Schedule his usual place of residence to the prescribed authority and any subsequent change in the usual place of residence so declared shall be notified in the said Form to the prescribed authority.
- (2) A member who claims any travelling or other allowance under this Ordinance shall support his claim by a certificate in the following form, namely :—

"Certified that no travelling 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 of a local fund, the following certificate shall be furnished, namely :-

I may henceforward be allowed travelling allowances
from _____

Signature _____

Constituency _____

Date _____

FORM 'B'

DEPARTURE AND RETURN JOURNEY CERTIFICATE

The Certificates may kindly be filled, signed and returned to the Secretary, Legislative Assembly, as soon as possible, after the completion of the return journey.

- (1) Certified that I performed the return journey under clause 5 of the Mizoram Salaries, Allowances and Pension of Members of Legislative Assembly Ordinance, 1987, leaving-

..... (Place) on the
 (Date), I arrive at
 (Place) on the
 (Date)

- (2) Certified that I have not performed any part of journey (other than the railway journey) by a conveyance provided at the expense of the Government or a local fund.

(3) Certified that I actually travelled by air from
 (Place) to (Place) by day/
 night service.

Payment of the Supplementary bill is required at
 (Station)

Member of Legislative Assembly;
 Constituency

Station

Dated the

Strike out if not applicable.

(HITESWAR SAIKIA)
 GOVERNOR OF MIZORAM

(K.N. SRIVASTAVA)
 Secretary to the Govt. of Mizoram.