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NOTIFICATION

THE CHAKMA AUTONOMOUS DISTRICT COUNCIL (SALARIES AND ALLOWANCES OF MEMBERS) RULES, 1982

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 approval of the Lt. Governor (Administrator) of the Union Territory of Mizoram, is pleased to make the following rules, namely :-

Short title and commencement. 1. (1) These rules may be called the Chakma Autonomous District Council (Salaries and Allowances of Members) Rules, 1982.

(2) They shall come into force at once.

Definitions 2. In these rules, unless the context otherwise requires:-

(a) "Committee" means a Committee of the District Council;

(b) "day" means a period of twenty four hours beginning at midnight;

(c) "District Council" means the District Council of the Chakma Autonomous District established under the Sixth Schedule to the Constitution of India;

(d) "Drawing and Disbursing Officer" means the Executive Committee of the District Council;

(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 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) "Member" means a Member of the Chakma District Council, but does not include the Chairman, the Deputy Chairman, the Chief Executive Member and other members of the Executive Committee of the District Council;
- (h) "period of residence on duty" means the period during which a member resides at a place where a Session of the District Council 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 a Session or a 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 District Council 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 District Council, a period of such residence, not exceeding two days immediately preceding the commencement of the session and a period of such residence, not exceeding two days immediately succeeding the date on which the District Council 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 one day, immediately preceding the commencement of the business of the Committee or other business and a period of such residence not exceeding one day immediately succeeding the conclusion of the business of the Committee or other business;
- (i) "Schedule" means a Schedule appended to these rules;
- (j) "term of Office" in relation to a member means the period beginning with the date when such member takes his seat in the District Council and ending with the date on which his seat becomes vacant;
- (k) "usual place of residence" in relation to a member means the place where the member personally resides or works for gain within the Chakma Autonomous District.

Salaries and
daily allowan-
ces

- 3. A member shall be entitled to receive a salary at the rate of four hundred and fifty rupees per mensem and a conveyance allowance of one hundred and fifty rupees per mensem during the whole of his term of Office and shall also be entitled to receive daily allowance at the rate of twenty-five rupees for each day during any period of residence on duty

EXPLANATION : Daily allowance shall be admissible to a member for each day during any period of residence on duty irrespective of the time of his arrival or departure.

Travelling
allowances.

4. (1) There shall be paid as travelling allowance to each member in respect of every journey performed by him for the purpose of attending a session of the District Council or a sitting of a Committee or 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 journeys on tour to a group A Officer of the Mizoram Administration drawing pay of Rs. 1000 and above but less than Rs. 1,100.

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

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.

Special
provisions.

5. In the special circumstances specified in the First Schedule, the provisions of these rules shall apply subject to the provisions of that Schedule.

Procedure,

6. The provisions of the Second Schedule shall apply in respect of all claims for salary and allowances

FIRST SCHEDULE (See Rule-5)

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 rule 4 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 the District Council Fund 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 rule 3 which is allowed to him where admissible for each day during any period of residence on duty.

Admissibility of travelling allowance 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 District Council 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 to such a place he may draw travelling allowance for the actual journey performed, or the journey from or to his usual place of residence, whichever is less.

(2) Where during a session of the District Council 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 rule 4 ; and
- (b) daily allowance for each day during any period of residence on duty at the other place at the rate specified in rule 3.

Regulation of payment of daily and travelling allowances.

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

(2) All cases regarding the admissibility of travelling allowances to a member who arrives at the place where a session of the District Council or a sitting of a Committee is held, without knowledge of the post-ponement of the session or sitting including cases of such members who arrive after the session or a sitting is adjourned suddenly shall be determined by the Chairman of the District Council having regard to the circumstances of each case.

(3) Where a member is provided with free board and lodging at the expense of any Government or the District Council Fund or a Local Fund he shall be entitled to receive only one half of the daily allowance admissible to him under rule 3. If only boarding or lodging is allowed free to the member, he shall be entitled to receive three fourth of the daily allowance admissible to him under that rule.

SECOND SCHEDULE

(see rule 6)

PROCEDURAL PROVISIONS : (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 Drawing and Disbursing Officer and any subsequent change in the usual place of residence so declared shall be notified in the said Form to the Drawing and Disbursing Officer.

(2) A member who claims any travelling or other allowance under these rules shall support his claims 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 or the District Council Fund 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 the District Council Fund or a Local Fund."

(4) After completing each final return journey on termination of a session of the District Council or 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.

FORM "A"

My usual place of residence is I have changed my
usual place of residence from to
with effect from due to
here state the reasons)

I may henceforward be allowed travelling allowances from

Signature
Name
Constituency
Date

F O R M "B"

Departure and Return Journey Certificate

(The Certificate may kindly be filled in, signed and returned to the Secretary to the Executive Committee of the District Council, as soon as possible after the completion of the return (journey).

(1) Certified that I performed the return journey under rule 4 of the Chakma Autonomous District Council (Salaries and Allowances of Members) Rules, 1982.

Leaving(Place) on the
 (Date), I arrived 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 the District Council Fund or a Local Fund.

(3) Certified that I actually travelled by air from

 (Place) by day/night service

Payment of the Supplementary bill is required at
 (Station).

Member of District Council
 Constituency

Station

Date the

Strike out if not applicable.

Certified that the above Rules have been passed by the Chakma District Council in the 12th General (5th Budget) Session on 27th April, 1982.

B.N. Dewan,
 Chairman,
 Chakma District Council
 Borapansury.