

**COMPILATION OF
SALARIES ACTS
AND RULES FOR
LEGISLATORS
OF MIZORAM**



**MIZORAM LEGISLATIVE ASSEMBLY SECRETARIAT
AIZAWL**

***COMPILATION OF SALARIES ACTS
AND RULES FOR LEGISLATORS OF
MIZORAM***

*Third Edition
(updated upto November, 2020)*



सत्यमेव जयते

**Mizoram Legislative Assembly
Secretariat**

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P R E F A C E

The Salaries and Allowances of Members, Speaker, Deputy Speaker, Ministers, Leader of Opposition, Govt. Chief Whip and Deputy Govt. Chief Whip of Mizoram Legislative Assembly had seen some amendments since the Second Edition of the ‘Compilation of Salaries Acts and Rules for Legislators of Mizoram’ was published in February, 2012. Compilation of these Acts and Rules in a consolidated form has received wide appreciations and encouragements as it provides quick and easy reference to legislators, ex-legislators and officials of various Government offices.

It gives me immense pleasure to bring out this Third Edition of the ‘Compilation of Salaries Acts and Rules for Legislators of Mizoram’ with the latest updates on Amendments incorporated.

Aizawl,
7th December, 2020

(H. LALRINAWMA)
Commissioner & Secretary,
Mizoram Legislative Assembly

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CHAPTER - 1

**1. THE MIZORAM SALARIES, ALLOWANCES
AND PENSION OF MEMBER
OF THE LEGISLATIVE ASSEMBLY ACT, 1999
(As amended upto date)**

**AN
ACT**

to provide for the Salaries, Allowances and Pension of Member of the Legislative Assembly of Mizoram.

Be it enacted by the Mizoram Legislative Assembly in the Fiftieth Year of the Republic of India as follows :-

**Short title and
c o m m e n c e -
m e n t**

1. (1) This Act may be called the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999.

(2) It shall be deemed to have come into force on the 1st day of August, 1999.

Definitions

2. In this Act, unless the context otherwise requires :

(a) “Assembly” means the Legislative Assembly of Mizoram;

(b) “Committee” means a Committee of the Assembly;

(c) “Day” means a period of 24 hours beginning at midnight;

(d) “Family” in relation to a Member means -

(i) his wife or her husband, as the case may be;

(ii) the children, step - children, widowed daughters, wholly dependent on such member; and

(iii) the parents, minor brothers, handicapped adult brothers, sisters and widowed sisters, wholly dependent on such member;

(e) “Form” means a form appended to the Second Schedule;

(f) “Government” means the Government of Mizoram;

(g) “Member” means a member of the Assembly, save as otherwise expressly provided in this Act, does not include -

(i) A Minister as defined in the Mizoram Salaries and Allowances of Minister Act, 1999;

(ii) the Speaker and the Deputy Speaker as defined in the Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker Act, 1999;

(iii) the Leader of the Opposition as defined in the Mizoram Salaries and Allowances of Leader of the Opposition Act, 1999; and

(iv) Government Chief Whip and Deputy Government Chief Whip as defined in the Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999

but includes -

the Chief Minister, the Speaker, the Ministers, the Ministers of State, the Deputy Speaker, the Leader of the

Opposition and the Government Chief Whip and the Deputy Government Chief Whip for the purposes of grant of loans and advances under Section 14 and of pension under Section 15 and of death gratuity under Section 16;

(h) “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 is transacted and includes -

(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 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 one day immediately succeeding the conclusion of the business of the Committee or other business;
- (i) “Prescribed authority” means the authority as prescribed by the Government from time to time;
- (j) “Schedule” means a Schedule appended to this Act;
- (k) “State” means the State of Mizoram;
- (l) “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;

Notwithstanding anything contained in sub-clause (i) & (ii) of clause (l) of Section 2 for the purpose of salaries, allowances and other amenities, the term of office of a member means a period beginning with the date a member takes oath or affirmation to be such a member and ending with the date on which his seat becomes vacant or dissolution of the Assembly, whichever is earlier;

(m) "Headquarters" in relation to a member means Constituency Headquarters to be declared by the Speaker.

Salary and Daily Allowances

3. A member shall be paid a salary of [eighty thousand rupees per mensem]¹ during the whole of his term of office and shall also be entitled to receive [daily allowances of Rs. 1000/- (within the State) and Rs. 2,000/- (outside the State) per day]² for each day during the sitting of 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 of seminar, conference or meeting of any Parliamentary Association, University or other recognised body on matters connected with Parliamentary Affairs including the days spent on journeys for the purpose.

Residence, etc.

4. A member shall be entitled without any payment to the use and maintenance of a furnished residence throughout his term of office as a member and for a period of fifteen days immediately thereafter, and so long as such residence

1. Substituted by Act No. 18 of 2019.
2. Substituted by Act No. 18 of 2019.

is not provided, he shall be entitled to a residence for which rental charges of not more than [eight thousand rupees per mensem]¹.

EXPLANATION : For the purpose of this Section -
“maintenance” in relation to a residence includes -

[Provision of electricity, supply of water and telephone shall be fixed by the Speaker in the form of Office Memorandum or Office Order from time to time]²

Furnishing of Residence

5. A member who occupies own house shall be entitled to receive [a sum of Rs. 2,00,000/- in the first year]³ for furnishing and Rs. 50,000/- annually for the subsequent years of the term.

Constituency, Contingency and Family Allowances

6. A member shall be paid per mensem [Constituency Allowance of ` 40,000/-, Contingency Allowance of ` 14,000/- and Family Allowance of ` 8,000/-].⁴

1. Substituted by Act No. 18 of 2019.
2. Substituted by Act No. 19 of 2011.
3. Substituted by Act No. 18 of 2019.
4. Substituted by Act No. 18 of 2019.

**Entitlement to
Personal
Assistant**

6A. [A member shall be entitled to the service of one Personal Assistant on co-terminous basis at the rate of ` 20,000/- per month.]¹

**Travelling
facilities**

7. A member and his family/relative shall be entitled to travel in any mode of transport whether separately or together, subject to the reimbursement of not exceeding [Rs. 2,00,000/- (rupees two lakh)]² only in a financial year. Final payment for the cost of such travel shall be made on production of relevant ticket(s) or any other documentary proof.

**Travelling
or Cash
Allowance**

8. (1) Members shall not be paid separate travelling allowances in respect of every journey performed by him for the purpose of attending a session of the Assembly or sitting of Committee or for the purpose of attending to any other business connected with his duty as member from his/her Constituency Headquarters to the place where the

1. Substituted by Act No. 5 of 2018
2. Substituted by Act No. 19 of 2011.

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 Constituency Headquarters.

(2) There shall be paid travelling allowance to each member in respect of the journey performed by air or train or by road on tour for performing official duties outside the State.

(3) Where no government accommodation is available outside the State, member on official duty shall be entitled to reimbursement of accommodation charge of a room in a Three Star Hotel in addition to the Daily Allowance subject to production of actual payment receipt.

(4) Notwithstanding anything contained in sub-section (2), 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-section (1);

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/her, had he/she performed the journey by rail;

Provided further that a member shall be entitled to an advance of travelling, cash and daily allowances in respect of the tours undertaken by him/her.

Daily Allowances for intermediate journey

9. 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 daily allowance in respect of such journey to such place and for the return journey under Section 3.

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

10. Where the interval between the adjournment of the Assembly and re-assembly of that Assembly does not exceed seven days and the member concerned elects to remain at such place during the interval, he/she shall be entitled to draw for each day of residence at such rate specified in Section 3;

Provided that if the member leaves such place during the interval, his/her

absence during a session of the Assembly and the provisions of Section 9 shall apply accordingly.

**Travel by air,
train or by
road**

11. A member shall be entitled to travel by air or train or by road on tour for performing official duties within India.

Vehicle

12. (1) A member may be provided a vehicle, the cost of which shall be determined by the General Purposes Committee of the Mizoram Legislative Assembly and communicated to the Government from time to time. A member shall purchase the vehicle within three months from the date of drawal of money and the registration document shall be produced to the Secretary, Legislative Assembly.

Provided that a member shall not be provided a vehicle more than once in the same Assembly term.

(2) A co-terminous Driver shall be provided on production of the vehicle so purchased alongwith the registration document.

EXPLANATION : Member includes Ministers, Speakers, Whips and Leader of the Opposition Party recognised as such.

**Personal
Attendants**

13. A member shall be entitled to the service of two Grade IV staff of his/her choice in the residence throughout his/her term of office. The appointment of which shall be co-terminous without any increment.

**Grants of
loans for
construction
or purchase
of building
and an
advance for
purchase of
Motor
Vehicle**

14. (1) Subject to such conditions and limitations as may be prescribed by rules there may be paid to a member -

(a) a repayable loan for a sum of money not exceeding [twenty lakh]¹ rupees for building or purchasing a house;

(b) a repayable advance for a sum of money not exceeding four lakh rupees or the actual cost of vehicle, whichever is less, for purchase of motor vehicle;

Provided that a member who has taken a loan or an advance under Section

1. Substituted by Act No. 18 of 2019.

14 (1) (a) and Section 14 (1) (b) respectively is not allowed to take a fresh loan or advance, as the case may be, unless and until he/she has repaid the loan or the advance taken during the previous term with interest thereon.

(2) *Omitted*¹

(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 advance with interest due thereon.

1. Omitted by Act No. 14 of 2020

(4) (i) *Omitted*¹

(ii) Where a member having obtained a loan or an advance under clauses (a) or (b) of sub-section (1) of this Section, dies while holding office as such, the amount of the loan or the advance as the case may be, 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 loan or the advance along with interest thereon shall be written off with the sanction of the authority as may be prescribed by the Government from time to time.

[(iii) Where a pensioner having obtained a loan or advance under clause (a) or (b) of sub-section (1) of Section 14 dies, the amount of the loan or the advance, as the case may be, or any part thereof which would have accrued on the date of death of the pensioner in accordance with the terms and conditions of the loan or the advance along with interest thereon shall be written off, with the sanction of the authority as may be prescribed by the Government from time to time.]²

1. Omitted by Act No. 14 of 2020
2. Substituted by Act No. 19 of 2011.

(5) No member shall be allowed to avail both the opportunity of vehicle being provided to him/her by Government under Section 12(1) and the Car Advance under this Section.

Pension

15.(1) There shall be paid a pension of [forty thousand]¹ rupees per mensem to every member who has served for any period as a member:

(a) of the erstwhile Assam Legislative Assembly from any constituency forming part of the present State of Mizoram, or

(b) of the Legislative Assembly of the Union Territory of Mizoram, or

(c) of the Legislative Assembly of the State of Mizoram.

(2) Notwithstanding anything contained in sub-section (1), [if a member had been elected two terms or more, a sum of ` 5000 per term shall be added to the initial pension of ` 40,000 irrespective of the number of terms a member is elected]²

1. Substituted by Act No. 18 of 2019.
2. Substituted by Act No. 18 of 2019.

(3) [The maximum amount of pension shall not exceed ` 70,000/-]¹

(4) (a) The pension shall be increased [at the rate of 5 (five) percent simple interest annually;]²

(b) In no case, [increment previously earned under the existing Act should be taken into account for calculation of pension.]³

(5) Where any person entitled to pension under sub-section (1):
(a) is elected to the office of the President or Vice President of India or is appointed to the office of the Governor of any State or the Administrator of any Union Territory, or

(b) 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

(c) is employed on a salary un-

-
1. Substituted by Act No. 18 of 2019.
 2. Substituted by Act No. 19 of 2011
 3. Substituted by Act No. 19 of 2011

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 otherwise entitled to any remuneration from such Government, Corporation or local authority;

Such person shall not be entitled to any pension under sub-section (1) 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 (c) payable to such person is, in either case, less than the pension payable to him under sub-section (1), such person shall be entitled only to receive the balance as pension under that sub-section.

(6) Where any person entitled to pension under sub-section (1) is also entitled to any other pension, such person shall be entitled to receive the pension under sub-section (1) in addition to such pension.

(7) In computing the number of years for the purposes of sub-section (1), the period during which a person has served as a Minister as defined in the Mizoram Salaries and Allowances of Minister Act, 1999 or as a Speaker as defined in the Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker Act, 1999 or as a Leader of the Opposition as defined in the Mizoram Salaries and Allowances of the Leader of the Opposition Act, 1999 or as the Government Chief Whip as defined in the Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999 or has served in all or any two of such capacities by virtue of his membership in the Mizoram Legislative Assembly or in the Assam Legislative Assembly shall also be taken into account.

(8) Pension and Family Pension shall be drawn and disbursed by the Assembly Secretariat. The Assembly Secretariat shall recover the loan or advance from the pension or family pension in case the pensioner defaults in timely repayment of the loan or advance;

Provided that Pension or Family Pension shall not be admissible to any person who defaults to repay the loan or advance as per term and condition stipulated in the Mizoram Legislative Assembly (Grant of Loans and Advances to Members) Rules, 2000 and in the sanctioning order by which the loan or advance has been drawn.

**Death
Gratuity**

16. If a member dies during his term of office his spouse shall be paid a death gratuity of [fifteen lakh]¹ rupees. If he has no surviving spouse at the time of his death, his other family member of the first preference, if any, shall be paid the said death gratuity.

**Family
Pension**

17. (1) When a sitting or former Member dies his spouse or if he has no surviving spouse at the time of his death, his other family member of the first

1. Substituted by Act No. 18 of 2019.

preference, if any, shall be paid a [Family pension of 50% of the last pension received by the Ex-MLA or if a sitting MLAS dies, 50% of the pension what would have been received by him]¹ subject to the limitation in sub-section (2).

[The family pension shall be increased at the rate of 5 (five) percent simple interest annually.]²

(2) the period for which such family pension shall be payable to the widow or widower, son or daughter of a member shall be as follows:-

- (a) in the case of a widow or widower upto date of death or remarriage, whichever is earlier;
- (b) in the case of a son, until he attains the age of twenty five years;
- (c) in the case of an unmarried daughter, until she attains the age of twenty five years or until she get married, whichever is earlier.

1. Substituted by Act No. 18 of 2019.
2. Substituted by Act No. 19 of 2011.

**Medical
treatment**

18. 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 amended from time to time, as 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 Section shall be available only to such wife as may be nominated in this behalf by the Member;

Provided that a member and the members of his family, if referred to by the Medical Board for examination, investigation and treatment outside the State, shall be entitled to travel by air.

**Medical
Treatment of
Pensioner and
Spouse**

18. (A)[A pensioner and his spouse shall be entitled to re-imburement of medical expenses if hospitalised in Government recognised hospital in and outside the State. However, travelling expenses will not be provided in connection with such medical treatment.]¹

1. Inserted by Act No. 19 of 2011.

**Power to
make
Rules**

19. (1) The Government may, by Notification in the Mizoram Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act 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 agree 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.

**Special
Provisions**

20. In the special circumstances specified in the First Schedule, the provisions of this Act shall apply subject to the provisions of the Schedule.

- Procedure** 21. The provisions of the Second Schedule shall apply in respect of all claims for salaries and allowances.
- Interpretation** 22. If any doubt arises as to the interpretation of any of the provisions of this Act, the decision of the Speaker shall be final.
- Repeal and Saving** 23. (1) The Mizoram Salaries, Allowances and Pension of Member of Legislative Assembly Act, 1987 is 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 Act be deemed to have been done or taken under this Act.

* * * * *

FIRST SCHEDULE

(See Section 20)

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

1. No separate travelling allowance shall be claimed by the members in respect of any journey or part thereof performed by him but he shall be entitled to draw daily allowance at the rate of [one thousand rupees (within the State) and two thousand rupees (outside Mizoram)]¹ only per day where the duration of such journey lasts for not less than six hours on any day.

Admissibility of daily allowances where the place from which a member performs his journey or to which he returns is not his constituency headquarters

2. Where during session of the Assembly or a sitting of a Committee, a member performs a journey not exceeding seven days from the place where such sitting is held to any other place for the purpose of attending to any business connected with his duties as a member, he/she shall be entitled to receive daily allowance for each day during any period of residence on duty at the other place at the rate of [Rs. 1000/- (within the State) and Rs. 2000/- (outside the State)]¹ per day.

1. Substituted by Act No. 18 of 2019.

**Regulation
of payment
of daily
travelling
allowances**

3. (1) Notwithstanding that a member has not taken his/her seat in the Assembly to which he/she is elected, he/she shall be entitled to receive travelling allowances at the rate of Rs. 5/- per kilometre for the journey performed by him/her for the purpose of taking his/her 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/her absence shall be treated as being less than seven days.

(3) The term “during a session” or “a sitting of a Committee” occurring in Section 9 and in sub-section (1) of Section 8 does not include the period of three days immediately preceding the commencement of the session three days immediately succeeding the end of the

days immediately preceding the commencement of the business and one day immediately succeeding the conclusions 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/her absence from the 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 9 shall apply accordingly.

(5) Daily allowance for a return journey to the Constituency headquarters shall be admissible to a member who leaves the place of the session of the Assembly or a sitting of 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 of the session of the

sitting as the case may be before finally returning to his Constituency headquarters.

(6) All cases regarding the admissibility of daily 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/her own expenses, he/she 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) 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 daily allowance as admissible to him under Section 3.

SECOND SCHEDULE
(See Section 21)

PROCEDURAL PROVISION :-

(1) Every member shall, as soon as possible after he/she is elected, declare in Form 'A' appended to Second Schedule, his/her Constituency Headquarters to the prescribed authority and any subsequent change in the Constituency headquarters so declared shall be notified in the said Form to the prescribed authority.

(2) A member who claims any daily or other allowance under this Act shall support his/her 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) 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/her duties as a member, a member shall furnish a certificate in Form 'B' appended to Second Schedule.

(4) 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, inspite of repeated requests, had failed to make payment of such dues, recovery thereof may be effected from the salaries or daily allowance bills of such member.

FORM 'A'

My Constituency Headquarters is _____
or I have changed my Constituency Headquarters from _____
_____ to _____
with effect from _____ due to _____
(here state the reason).

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 Section 9 of the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999 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 the Legislative Assembly
Constituency _____

Station _____
Dated the _____
Strike out if not applicable.

**2. THE MIZORAM SALARIES AND ALLOWANCES
OF THE SPEAKER AND THE DEPUTY SPEAKER
ACT, 1999**

(As amended upto date)

**AN
ACT**

to provide for the Salaries and Allowances of the Speaker and the Deputy Speaker of the Legislative Assembly of Mizoram.

Be it enacted by the Mizoram Legislative Assembly in the Fiftieth Year of the Republic of India as follows :-

**Short title
and
commencement**

1. (1) This Act may be called the Mizoram Salaries and Allowances of the Speaker and the Deputy Speaker Act, 1999.

(2) It shall be deemed to have come into force on the 1st day of August, 1999.

Definitions

2. In this Act, unless the context otherwise requires :

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

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

(c) “Family” in relation to a Speaker and a Deputy Speaker means -

- (i) his wife or her husband, as the case may be;
- (ii) the children, step-children and widowed daughters wholly dependent on such Speaker or Deputy Speaker; and
- (iii) the parents, minor brothers, handicapped adult brother, sister and widowed sister wholly dependent on such Speaker or Deputy Speaker;

(d) “Government” means the Government of Mizoram;

(e) “Schedule” means the Schedule appended to this Act;

(f) “Speaker” means the Speaker of the Assembly;

(g) “Travelling allowance” means the allowance granted to the Speaker or the Deputy Speaker under this Act to cover the expenses which he incurs in travelling in the interest of the public service.

**Salaries of
the Speaker
and the Deputy
Speaker.**

3. There shall be paid to the Speaker and the Deputy Speaker a salary of [eighty thousand]¹ rupees each per mensem.

**Sumptuary
and other al-
lowances
of the
Speaker and
the Deputy
Speaker.**

4. (i) There shall be paid to the Speaker and the Deputy Speaker a [Sumptuary allowance of forty thousand rupees each per mensem.]²

(ii) There shall be paid to the Speaker and the Deputy Speaker [a Family allowance of twenty one thousand rupees and sixteen thousand rupees respectively per mensem and an Entertainment allowance of twenty thousand rupees and thirteen thousand rupees to the Speaker and the Deputy Speaker respectively per mensem.]³

1. Substituted by Act No. 20 of 2019.
2. Substituted by Act No. 20 of 2019.
3. Substituted by Act No. 20 of 2019.

**Residence of
the Speaker
and the
Deputy
Speaker**

5. The Speaker and the Deputy Speaker 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, he shall be entitled to a residence for which rental charge shall not be more than [twelve thousand]¹ rupees per mensem.

EXPLANATION : For the purposes of this Section -

“Maintenance” in relation to a residence includes -

- (i) free supply of electricity and water;
- (ii) free telephone calls;
- (iii) a Speaker and a Deputy Speaker, if occupy own house, shall be entitled to maintenance as if he occupies Government quarters;
- (iv) payment of local rates and taxes;

1. Substituted by Act No. 20 of 2019.

Provided that the Speaker and the Deputy Speaker who are not provided with Government Quarters/ Bungalow shall be entitled to receive a sum of rupees as may be fixed by the Budget Committee of the Mizoram Legislative Assembly from time to time for furnishing their residences.

**Conveyance
allowance
and use of
Motor
vehicle**

6. The Speaker and the Deputy Speaker shall be entitled to the free use of Motor vehicle, the entire cost of maintenance and chauffeur of which shall be borne by the Government.

**Travelling
facilities**

7. The Speaker and the Deputy Speaker and their family/relative shall be entitled to travel in any mode of transport whether separately or together, subject to the reimbursement of not exceeding [Rs. 2,00,000/- (rupees two lakh)]¹ only in a financial year. Final payment for the cost of such travel shall be made on production of relevant ticket(s) or any other documentary proof.

1. Substituted by Act No. 21 of 2011.

**Travelling
and Daily
allowances**

8. Subject to the provisions of the Schedule, the Speaker and the Deputy Speaker shall be entitled to -

(a) travelling allowance for himself and members of his family and for the transport of personal effects of himself and family in respect of journey to Aizawl from his Constituency headquarters outside Aizawl for the purpose of assuming office and demitting office, and

(b) daily allowance in respect of tour undertaken by him in the discharge of his official duties whether by land, sea or air.

**Medical
treatment
etc. of the
Speaker and
the Deputy
Speaker**

9. The Speaker and the Deputy Speaker and members of their family 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.

Speaker and Deputy Speaker not to draw any salary as members of the Assembly.

10. 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.

Notification respecting appointment of Speaker etc. conclusive evidence thereof.

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

Discretionary Fund

12. The Speaker and the Deputy Speaker shall be provided with separate Discretionary Fund in each annual Budget, the amount of which shall be fixed by the Budget Committee of Mizoram Legislative Assembly from time to time.

**Household
Staff.**

13. The Speaker and the Deputy Speaker shall be entitled to Grade IV Staff of six and four number respectively of his choice as Household staff, the appointment of them shall be co-terminous without yearly increment.

**Repeal and
Savings**

14. (1) The Salaries and Allowances of the Speaker and the Deputy Speaker Act, 1987 is 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 provision of this Act, be deemed to have been done or taken under this Act.

THE SCHEDULE

(See Section 8)

**Travelling
on duty**

1. When travelling on duty by railway or by road or by steamer or by air, a Speaker or a Deputy Speaker shall be entitled to reimburse the actual fare of the journey and Daily allowance at the rate of [two thousand rupees outside Mizoram and one thousand rupees within Mizoram.]¹

**Travelling
allowance on
journeys for
assuming
and
demitting of
office**

2. In respect of the journey to headquarters from his Constituency headquarters for assuming office or from headquarters to his Constituency headquarters on demitting office, a Speaker or a Deputy Speaker shall be entitled to a re-imbusement of the actual fare in any bus of the journey, and if he uses own car he shall be entitled to a re-imbusement at the rate of Rs. 5/- per kilometer for the journey, subject to the modification that the journeys by rail, a Speaker or a Deputy Speaker and the members of his family may travel by air-conditioned class of accommodation.

1. Substituted by Act No. 20 of 2019.

**Travel
by Air**

3. (i) The Speaker and the Deputy Speaker may, in the public interest, perform journey on tour by air in public air transport services;

(ii) On the cancellation of a journey due to official reason, the Speaker or the Deputy Speaker 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.

**Travel by
Railway**

4. The Speaker and the Deputy Speaker shall have the right to reserve by requisition an ordinary first class 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 Speaker or the Deputy Speaker travels.

Advances

5. The Speaker or the Deputy Speaker 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 Constituency headquarters 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.

**3. THE MIZORAM SALARIES AND ALLOWANCES
OF THE LEADER OF THE OPPOSITION
ACT, 1999
(As amended upto date)**

**AN
ACT**

to provide for the Salaries and Allowances of the Leader of the Opposition in the Mizoram Legislative Assembly and for matters connected therewith.

Be it enacted by the Legislative Assembly of Mizoram in the Fiftieth Year of the Republic of India as follows :-

Short title and commencement

1. (1) This Act may be called the Mizoram Salaries and Allowances of the Leader of the Opposition Act, 1999.
- (2) It shall be deemed to have come into force on the 1st day of August, 1999.

Definitions

2. In this Act, unless the context otherwise requires :
 - (a) "Leader of the Opposition" means a member of the Assembly who

is for the time being the Leader in the Assembly of the party in Opposition to the State Government having the greatest numerical strength in the Assembly and recognised by the Speaker as Leader of the Opposition Party;

(b) Words and expressions not defined herein and defined in the Salaries and Allowances of Minister Act, 1999 meaning respective as are assigned to therein in that Act.

Salary and Allowances of the Leader of the Opposition

3. There shall be paid to the Leader of the Opposition such salary, Sumptuary allowances, Family allowances, Entertainment allowances, Conveyance allowances, Travelling and Daily allowances and shall also be entitled to such other amenities as are provided for a Minister under the Salaries and Allowances of Minister Act, 1999 and the rules made thereunder;

Provided that the Leader of the Opposition shall be entitled to Travelling allowance and Daily allowance for attending conference or seminar or on official duty sponsored by the State or Central Government or Parliament or State/

Union Territory Legislatures or Mizoram Legislative Assembly;

Provided further that while in station the Leader of the Opposition shall be entitled to POL as are admissible to a Minister, and while he is out-station on official duties stated above, he will be entitled to POL besides Travelling allowance and Daily allowance.

EXPLANATION : For the purpose of this Section, a "Minister" means a member of the Cabinet in the Council of Ministers.

Furnishing of residence of the Leader of the Opposition.

3A. A Leader of the Opposition who is not provided with Government Quarters/Bungalow shall be entitled to receive a sum of rupees as may be fixed by the Government from time to time for furnishing the residence.

Leader of the Opposition not to draw salary or allowances as member of the Assembly.

4. No person in receipt of a salary or allowances under this Act 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 Leader of
the Opposi-
tion to be
conclusive
evidence
thereof**

5. The date on which any person became or ceased to be a Leader of the Opposition 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 Leader of the Opposition on that date for all the purposes of this Act.

**Leader of the
Opposition
not
disqualified**

6. For the avoidance of doubt it is hereby declared that a person shall not be disqualified for being chosen as, or for being a member of the Assembly merely by reason of the fact that he holds the office of the Leader of the Opposition.

**Repeal and
Savings**

7. (1) The Mizoram Salaries and Allowances of the Leader of the Opposition Act, 1991 (Act No. 16 of 1991) is hereby repealed.

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

4. **THE MIZORAM SALARIES AND
ALLOWANCES OF MINISTER ACT, 1999
(As amended upto date)**

**AN
ACT**

to provide for the Salaries and Allowances of the Chief Minister and other Ministers of Mizoram.

Be it enacted by the Legislative Assembly of Mizoram in the Fiftieth Year of the Republic of India as follows :-

**Short title and
commencement**

1. (1) This Act may be called the Mizoram Salaries and Allowances of Minister Act, 1999.

(2) It shall be deemed to have come into force on the 1st day of August, 1999.

Definitions

2. In this Act, 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 clause (1) of Article 164 of the Constitution of India and includes the Chief Minister and a Minister of State;

(e) "Family" in relation to a Minister means -

(i) his wife or her husband, as the case may be;

(ii) the children, step-children and widowed daughters, wholly dependent on such minister; and

(iii) the parents, minor brothers, handicapped adult brothers, sisters and widowed sisters wholly dependent on such Minister;

(f) "Schedule" means the Schedule appended to this Act;

(g) “Travelling allowances” means the allowances granted to a Minister under this Act to cover the expenses which he incurs in travelling in the interest of the public service.

Salaries of Chief Minister and other Ministers

3. There shall be paid to the Chief Minister, Ministers and Ministers of State a salary of [eighty thousand]¹ rupees each per mensem.

Sumptuary allowances of Chief Minister and other Ministers

4. There shall be paid to the Chief Minister, Minister, Minister of State a Sumptuary allowance of [forty thousand rupees]² each per mensem.

Family and Entertainment allowances

5. There shall be paid [to the Chief Minister Family allowances of twenty seven thousand rupees, to the Minister eighteen thousand rupees and to the Minister of State fifteen thousand rupees per mensem. An Entertainment allowance of rupees twenty five thousand to the Chief Minister, rupees eighteen thousand to the Minister and rupees ten thousand to the Minister of State per mensem.]³

1. Substituted by Act No. 19 of 2019.
2. Substituted by Act No. 19 of 2019.
3. Substituted by Act No. 19 of 2019.

**Residence
of
Ministers**

6. Each Minister shall be entitled, without any payment, to the use and maintenance of 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 he shall be entitled to a residence for which rental charges shall not be more than [twelve thousand]¹ rupees per mensem.

EXPLANATION : For the purpose of this Section -

“Maintenance” in relation to a residence includes -

- (i) free supply of electricity and water;
- (ii) free telephone calls;
- (iii) A Minister who occupies his own house shall be entitled to maintenance as if he occupies Government quarters;
- (iv) payment of local rates and taxes.

1. Substituted by Act No. 19 of 2019.

Provided that a Minister who is not provided with any Government Quarters/Bungalow shall be entitled to receive such sum of rupees as may be fixed by the Government from time to time for furnishing his residence.

Conveyance allowance and use of Motor Car

7. Each Minister shall be entitled to the free use of Motor Vehicle, the entire cost of maintenance and propulsion along with the services of chauffeur of which shall be borne by the Government.

Travelling facilities

8. A Minister and his family/relative shall be entitled to travel in any mode of transport whether separately or together, subject to the reimbursement of not exceeding [Rs. 2,00,000/- (Rupees two lakh)]¹ only in a financial year. Final payment for the cost of such travel shall be made on production of relevant ticket(s) or any other documentary proof.

Travelling and Daily allowance

9. Subject to the provisions of the Schedule, a Minister shall be entitled to-

1. Substituted by Act No. 20 of 2011.

(a) travelling allowance for himself and members of his family and for the transport of personal effect of himself and his family in respect of journeys to Aizawl from his Constituency headquarters and from Aizawl to his Constituency headquarters for the purpose of assuming office and demitting office; and

(b) actual fare 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

10. A Minister 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 amended from time to time, applicable to First Grade Officers of the Government of Mizoram.

Minister not to draw salaries or allowances as member of the Assembly

11. No person in receipt of a salary or allowance under this Act 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 conclu-
sive evidence
thereof**

12. The date on which any person became or ceased to be a Minister shall be published in the Official Gazette of Mizoram and may 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 Act.

**Household
Staff**

13. The Chief Minister shall be entitled to six number of Grade IV staff of his choice as Household staff throughout his term of office and four number of Grade IV staff of his choice to Minister and Minister of State respectively throughout his term of office, the appointment of which shall be co-terminous without annual increment.

**Repeal
and
Savings**

14. (a) The Mizoram Salaries and Allowances of Minister Act, 1987 is hereby repealed.

(b) 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 Act be deemed to have been done or taken under this Act.

THE SCHEDULE

(See Section 9)

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 reimburse the actual fare of the journey and Daily allowance at the rate of [two thousand rupees outside Mizoram, and one thousand rupees within Mizoram.]¹

Travelling allowance on journeys for assuming and demitting of office

2. In respect of the journey to headquarters from his Constituency headquarters for assuming office or between headquarters and his Constituency headquarters on demitting office, a Minister shall be entitled to a re-imbusement of the actual fare in any bus of the journey and if he uses own car he shall be entitled to a re-imbusement at the rate of Rs. 5/- per kilometre for the journey, subject to the modification that for the journeys by rail, a Minister and the members of his family may travel by air - conditioned class of accommodation.

1. Substituted by Act No. 19 of 2019.

**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 airport may also recover in respect of journey to and from the airport actual travelling expenses or 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 first class compartment when travelling by railway on duty.

EXPLANATION : For the purpose 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.

Advance

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 Constituency headquarters to Aizawl for assuming office,

(ii) in respect of the journey from headquarters to his Constituency headquarters outside Aizawl 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.

**5. THE MIZORAM SALARIES AND
ALLOWANCES OF THE GOVERNMENT CHIEF
WHIP AND THE DEPUTY GOVERNMENT CHIEF
WHIP ACT, 1999
(As amended upto date)**

**AN
ACT**

to provide for the Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip in the Legislative Assembly of the State of Mizoram.

Be it enacted by the Legislative Assembly of the State of Mizoram in the Fiftieth Year of the Republic of India as follows :-

**Short title
and
commencement**

1. (1) This Act may be called the Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1999.

(2) It shall be deemed to have come into force on the 1st day of August, 1999.

Definitions

2. In this Act, unless the context otherwise requires :

(a) “Deputy Government Chief Whip” means a Member of Legislative Assembly so designated by the Chief Minister of Mizoram on the recommendation of the Government Chief Whip to perform the duties of the Deputy Government Chief Whip in the Legislative Assembly;

(b) “Family” in relation to the Deputy Government Chief Whip means-

- (i) his wife or her husband, as the case may be;
- (ii) the children, step children and widowed daughters wholly dependent upon such Deputy Government Chief Whip; and
- (iii) the parents, minor brothers, handicapped adult brother, unmarried sister and widowed sister wholly dependent upon such Deputy Government Chief Whip;

(c) “Government” means the State Government of Mizoram;

(d) "Government Chief Whip" means the Minister of Parliamentary Affairs ex-officio;

(e) "Governor" means the Governor of Mizoram;

(f) "Legislative Assembly" means the Legislative Assembly of the State of Mizoram;

(g) "Schedule" means the Schedule to this Act;

(h) "Travelling Allowance" means the allowances payable to the Deputy Government Chief Whip under this Act to cover the expenses which he incurs in travelling in the interest of public service.

**Office of the
Deputy
Government
Chief Whip**

3. There shall be a Deputy Government Chief Whip as defined in clause (a) of Section 2, who shall have the rank and status of a Minister of State under the Minister Act, 1999.

**Salaries of the
Government**

4. (1) The Government Chief Whip shall not be entitled to any other salaries and allowances other than that he/she is entitled to as a Minister under the Mizoram Salaries and Allowances of Minister Act, 1999;

(2) The Deputy Government Chief Whip shall be paid a salary of [eighty thousand]¹ rupees per mensem.

**Sumptuary,
Family and
Entertainment
Allowances**

5. There shall be paid to the Deputy Government Chief Whip, [a Sumptuary allowance of forty thousand rupees, a Family allowance of fifteen thousand rupees and an Entertainment allowance of ten thousand rupees per mensem.]²

**Residence
for the
Deputy
Government
Chief
Whip**

6. The Deputy Government Chief Whip shall be entitled to a duly maintained, free and furnished residence throughout his term of office and for a period of fifteen days following the expiry of his/her tenure as the Deputy Government Chief Whip; and so long as such residence is not provided for his occupation, he shall be entitled to a hired residence for which rental charges shall not be more than [twelve thousand]³ rupees per mensem.

EXPLANATION :For the purpose of this Section -

“maintenance” in relation to a residence includes -

- (i) free supply of electricity and water;

-
1. Substituted by Act No. 21 of 2019.
 2. Substituted by Act No. 21 of 2019.
 3. Substituted by Act No. 21 of 2019.

- (ii) free telephone calls;
- (iii) a Deputy Government Chief Whip who occupies his own house shall be entitled to maintenance as if he occupies Government quarters;
- (iv) payment of local rates and taxes.

Provided that the Government Chief Whip and the Deputy Government Chief Whip who are not provided with Government Quarters/Bungalow shall be entitled to receive such sum of rupees as may be fixed by the Government from time to time for furnishing their residences.

**Conveyance
allowance and
use of Motor
Car**

7. The Deputy Government Chief Whip shall be entitled to free use of a motor vehicle, entire cost of maintenance along with the services of a chauffeur, which shall be borne by the Government.

**Travelling
allowance and
Daily allowance**

8. Subject to the provisions of the Schedule to this Act, the Deputy Government Chief Whip shall be entitled to all such Travelling facilities and allowances including Daily allowances as a Minister of State of Mizoram is entitled.

Medical facilities

9. The Deputy Government Chief Whip and the members of his/her family shall be entitled to free of charge accommodation in any hospital either maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules for the time being in force in the State and applicable to the highest ranking Officer of the Government.

Deputy Government Chief Whip not to draw salary or allowance as a member of the Legislative Assembly

10. No person in receipt of a salary or allowances under this Act shall be entitled to receive any sum out of the funds provided by the Legislative Assembly by way of salary or allowances in respect of his/her membership in the Legislative Assembly.

Notification in respect of appointment of Government Chief Whip and Deputy Government Chief Whip to be conclusive evidence thereof

11. The date on which any member of the Legislative Assembly becomes or ceases to be the Government Chief Whip or the Deputy Government Chief Whip shall be notified in the Mizoram Gazette and any such Notification shall be the conclusive evidence of the fact that he/she has become or ceased to become the Government Chief Whip or the Deputy Government Chief Whip, as the case may be, on and from the date for all purposes of this Act.

**Government
Chief Whip
and Deputy
Government
Chief Whip
not to be
disqualified**

12. No member of the Legislative Assembly shall be disqualified for being chosen as or for being a member of the Legislative Assembly merely by reason of the fact that he/she holds the office of the Government Chief Whip or the Deputy Government Chief Whip.

**Household
Staff**

13. The Deputy Government Chief Whip shall be entitled to Grade IV staff of his choice as Household staff as are entitled to Minister of State of Mizoram throughout his/her term of office.

**Repeal
and
Savings**

14. (1) The Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1995, shall stand repealed with effect from the date of commencement of this Act.

(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 provision of this Act, be deemed to have been done or taken under this Act.

SCHEDULE
(See Section 8)

**Travelling on
duty and
Daily
allowance**

1. When travelling on duty by railway or by road or by steamer or by air, the Deputy Government Chief Whip shall be entitled to reimburse the actual expenditure in railway, road, steamer, air, accommodation charge and Daily allowance at the rate of [one thousand rupees within Mizoram and two thousand rupees outside Mizoram.]¹

Travelling
allowance on
journey for
assuming and
demitting
office

2. In respect of the journey to headquarters from his/her Constituency headquarters for assuming office or between headquarters and his/her Constituency headquarters on demitting office, a Deputy Government Chief Whip is entitled to reimbursement of the actual fare in any bus of the journey, and if he/she uses own car he/she shall be entitled to a reimbursement at the rate of Rs. 5/- per kilometre for the journey subject to the modification that the journeys by rail a Deputy Government Chief Whip and the members of his/her family may travel by air-conditioned first class accommodation.

1. Substituted by Act No. 21 of 2019.

**Travel by
Air**

3. (a) A Deputy Government Chief Whip may, in the public interest, perform journeys on tour by air in public air transport service.

(b) On the cancellation of a journey due to official reason, a Deputy Government Chief Whip shall be entitled to re-imburse any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage.

(c) A Deputy Government Chief Whip who does not utilise the free transport provided by the air booking centre and the airport may also recover in respect of journey to and from the airport actual travelling expenses or road mileage as journey on duty by road, whichever is less.

**Travel by
Railway**

4. A Deputy Government Chief Whip shall have the right to reserve by requisition an ordinary first class air-conditioned 2-tier compartment when travelling by railway on duty.

EXPLANATION : For the purpose 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 Deputy Government Chief Whip travels.

Advances

5. A Deputy Government Chief Whip 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 effects -

(i) in respect of the journey to headquarters from his Constituency headquarters outside headquarters for assuming office;

- (ii) in respect of the journey from headquarters to his Constituency headquarters 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.

CHAPTER - 2

**1. THE MIZORAM PENSION OF MEMBERS OF
THE LEGISLATIVE ASSEMBLY RULES, 1999**

**Short title and
commencement**

1. (1) These Rules may be called the Mizoram Pension of Members of the Legislative Assembly Rules, 1999.

(2) They shall be deemed to have come into force on the 1st day of August, 1999.

Definition

2. In these rules unless the context otherwise requires -

(a) "Act" means the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999.

(b) "Director" means the Director of Accounts and Treasuries, Mizoram, Aizawl.

(c) "Form" means the form appended to these rules.

(d) "Secretary" means the Secretary to the Mizoram Legislative Assembly.

(e) "Section" means a Section of the Act.

**Application
for Pension**

3. A person entitled to pension under Section 15 shall make an application to the Secretary in Form 1 in duplicate.

**Order
determining
Pension**

4. (1) Every application received under rule 3 shall be scrutinised by the Secretary with a view to determining as to whether the applicant is entitled to any pension under the provision of Section 15 and for such determination, the Secretary may hold such enquiry and may call for necessary information from the Director, as he may think fit in a particular case.

(2) After the application has been scrutinised, the Secretary shall, by order, determine the amount of pension, if any, payable to the applicant under Section 15.

(3) After the determination of the amount of pension under sub-rule (2) and on being satisfied that the applicant is entitled to such pension, the Secretary shall issue an order sanctioning the pension in Form 2 and communicate the same to the person concerned and to the Director.

Provided that where the Secretary is of the opinion that the applicant is not entitled to any pension, the applicant shall be given an opportunity of being heard before passing any order.

(4) The Secretary shall also determine the amount of dues, if any, recoverable from the member under rule 11 and shall furnish in the order sanctioning the pension in Form - 2 the details of such dues for effecting recovery from the amount of pension.

**Authorisation
for payment
of pension**

5. (1) On receipt of the order sanctioning pension under rule 4, the Director shall prepare a Pension Payment Order and forward the same to the Treasury Officer mentioned in the application under rule 3.

(2) Each Pension Payment Order shall be in two halves of which one shall be known as the Disburser's half and it shall be kept in the Treasury at which the payment is to be made in such manner that the pensioner shall not have access thereto and the other to be delivered to the Secretary, Legislative Assembly who shall arrange personal appearance of the pensioner for receipt of the first payment of pension.

(3) In issuing a Pension Payment Order, the Director shall attach to each half of the order a specimen signature of the pensioner if he can sign his name, or the thumb and finger impressions of the left hand of the pensioner, if he cannot sign his name.

(4) The Secretary, Legislative Assembly shall produce Pensioner's portion of the Pension Payment Order before the Treasury Officer whenever he claims payment of the pension, and no payment shall be made if he fails to produce it.

(5) Each payment of pension shall be entered on the reverse of both the halves of the Pension Payment Order, both entries being attested at the time of payment under the signature of the Treasury Officer.

(6) The Treasury Officer shall ensure that all necessary deductions as may be indicated by the Director are made while making payment of pension.

Certificate

6. A pensioner is required to append the Certificate to his bills or Declaration as in Form - 3.

Date of payment of pension

7. The pension sanctioned under these rules shall be payable from the date specified in the order and it shall not be commuted for a lump sum. The pension shall become due for payment only on the expiry of the month to which it relates.

Cessation of pension on death

8. On the death of the pensioner entitled to pension under the Act, the payment of pension shall cease forthwith and the Pension Payment Order in

force for the time being, shall be returned by the person in possession thereof to the Secretary, with a declaration of death of the pensioner.

Provided that the amount of pension due till the date of death of such pensioner, including unpaid arrears shall be paid to the legal heir of the deceased pensioner, on the production of a legal heirship certificate issued by the competent court of law.

**Mistake in
the
calculation of
pension and
tenure of
membership**

9. A pension sanctioned to any person under these rules is liable to be cancelled or modified if it is found that there has been any error in the calculation of the period of his eligibility for the grant of pension under the Act.

Over payment

10. If any over-payment is made, the amount so over-paid shall be adjusted in the subsequent payment as provided in rule 5 and rule 9 hereinbefore.

Recovery of dues

11. Dues, if any towards Housing loan, Motor vehicle advance and arrears of the Member's Hostel Rent, Guest charges, Trunk Call and Phonogram charges, loss of Library Books or any other dues to the Legislative Assembly Secretariat from the pensioner when he was a member shall also be recovered from the pension payable to him.

Final Decision

12. If any controversy arises as to the entitlement of pension or interpretation of these rules, the matter shall be referred to Government for decision in the Parliamentary Affairs Department and in consultation with Finance Department, and such decision in the matter shall be final.

Miscellaneous

13. Regarding other procedural matters, the Rules governing sanction of pension and payment to Government employees under the Central Civil Services (Pension) Rules, 1972 and the Central Treasury Rules as in force in respect of State Government employees of Mizoram shall apply wherever necessary.

Repeal and savings

14. (1) On the commencement of these rules, every Rule, Regulation or Order including Office Memorandum (hereinafter referred to as the old rule) in force immediately before such commencement, shall, in so far as it provides for any of the matters contained in these rules, cease to operate.

(2) Notwithstanding such cessation of operation, anything done or any action taken under the old rule shall be deemed to have been done or taken under the corresponding provisions of these rules.

FORM - 1
(See rule 3)

THE MIZORAM M.L.A'S PENSION APPLICATION

1. Name of the Applicant (In block letters)
2. Father's/Husband's name.
3. Permanent residential address showing Village or Town and District.
4. Details of period as Member of Mizoram Legislative Assembly -
 - (1) Elected Member
 - (a) Name of Constituency _____
from _____ to _____
 - (b) Name of Constituency _____
from _____ to _____
 - (c) Name of Constituency _____
from _____ to _____
 - (d) Name of Constituency _____
from _____ to _____
 - (2) Nominated Member
from _____ to _____
5. Amount of pension claimed _____
6. Identification marks of the applicant _____
7. Three copies of latest photograph (in passport size) duly attested by the Secretary, Mizoram Legislative Assembly.
8. Three specimen signatures duly attested by the Secretary, Mizoram Legislative Assembly.

9. Whether the applicant 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 is entitled to any remuneration from such Government, corporation or local authority and, if so, the amount of such salary or remuneration.
10. Whether the applicant is 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 and, if so, the amount of such pension.
11. Name of the Treasury from which payment of pension is desired to be drawn _____

I certified that all the particulars furnished above are true and correct to the best of my knowledge and belief.

Place _____

Date _____

Signature of the applicant

To,

The Secretary,
Mizoram Legislative Assembly,
Aizawl.

FORM - 2
(See rule 4(3) and (4))

ORDER

The undersigned after having satisfied that Shri/
Smt. _____ has served as a Member
of the Mizoram Legislative Assembly during the following
periods :-

From _____ to _____
from _____ to _____

hereby orders the grant of pension of Rs. _____ per
mensem to Shri/Smt. _____ which may
be accepted by the Director of Accounts and Treasuries as
admissible under the rules.

The grant of this pension shall take effect from ____

There are no dues recoverable from the pensioner/
There are dues amounting to Rs. _____ on account
of _____ recoverable from the pensioner.

The pension herein sanctioned is payable at _____
Treasury and is chargeable to _____

Dated Aizawl,
the _____

Secretary,
Mizoram Legislative Assembly
Aizawl.

Memo No. _____

Copy to :-

1. The Director of Accounts and Treasuries, Mizoram Aizawl.
2. Person concerned.
3. The Treasury Officer _____

by order, etc.

Secretary,
Mizoram Legislative Assembly
Aizawl.

FORM - 3

(See rule 6)

DECLARATION

(To be furnished with the pension bills every month)

I declare that -

(i) I am not holding the elected office of the President/ Vice President of India or is appointed to the office of the Governor of any State or the Administrator of any Union Territory.

(ii) I am not a member of the Council of States or the House of the People or any Legislative Assembly of State or

Union Territory or Legislative Council of a State or the Metropolitan Council of Delhi.

Nor am I 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 become otherwise entitled to any remuneration from such Government, Corporation, or local authority.

OR

(iii) (a) I am a member of _____ or I am employed as _____ in _____ and the total remuneration received by me as being such member of being in such employment is Rs. _____

(b) I am in receipt of pension of Rs. _____ from _____

(iv) I am not in receipt of any pension from the Central Government or State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority.

(v) In case of any over-payment resulting from clerical errors or due to lack of information regarding recovery of Government dues, such over-payment may be recovered from the amount of pension due to me in such manner as the Government may deem fit and proper.

(vi) In case of any outstanding loan or dues recoverable from me, I do hereby give my consent to the recovery of the same from my pension amount, as may be decided by the Secretary.

Dated _____ Pensioner's Signature _____

The _____ Pensioner's Name _____

Address _____

* Here mention the name of the Office of the Central Government/State Government/Corporation/Local Authority.

* * * * *

**2. THE MIZORAM LEGISLATIVE ASSEMBLY
(MEMBER'S DEATH GRATUITY AND FAMILY
PENSION) RULES, 2000.**

**Short title and
commencement**

1. (1) These Rules may be called the Mizoram Legislative Assembly (Member's Death Gratuity and Family Pension) Rules, 2000.

(2) They shall be deemed to have come into force on the 1st day of August, 1999.

Definitions

2. In these rules unless the context otherwise requires -

(a) "Act" means the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999 (Act No. 5 of 1999).

(b) "Death Gratuity" means the Death Gratuity as defined and quantified in Section 16 of the Act.

(c) "Director" means the Director of Accounts and Treasuries, Mizoram.

(d) "Family" means the family of a member, as defined in Section 2(d) of the Act.

(e) "Family Pension" means the Family Pension as defined and quantified in Section 17 of the Act.

(f) "Form" means a form appended to these Rules.

(g) "Member" means a Member of the Mizoram Legislative Assembly as defined in Section 2(g) of the Act and includes a former member for the purpose of family pension under Section 17 of the Act.

(h) "Secretary" means the Secretary to the Mizoram Legislative Assembly.

**Obtaining of
claims for
death
gratuity and
family
pension**

3. (1) Where the Secretary has received an intimation about the death of a sitting or former member of the Mizoram Legislative Assembly during his term of Office, he shall ascertain whether Death Gratuity or Family Pension or both, as the case may be, is/or are payable in respect of the deceased member.

(2) (a) Where the family of the deceased member is eligible for the Death Gratuity under Section 16 of the Act, the Secretary shall ascertain -

(i) If the deceased member had nominated any person or persons to receive the gratuity in Form 1.

(ii) If the deceased member had not made any nomination, or the nomination made does not subsist, the person or persons to whom the gratuity is payable in terms of Section 16 of the Act.

Provided that the preference amongst other members of the deceased member's family, than the surviving spouse for the purposes of payment of death-gratuity under Section 16 of the Act shall be determined from the arrangement of such members in the definition of family provided in Section 2(d) of the Act.

Provided further that in case any one of such other members of the deceased member's family than the spouse, is granted a legal heirship certificate by a competent court of law, he or she shall be treated as the First - Preference members of the family for the purpose of payment of death gratuity under these Rules.

(b) The Secretary shall, then, intimate the person concerned in Form II or Form III, as may be appropriate, for making a claim in Form IV.

(c) On receipt of the claim or claims in Form IV, the Secretary shall determine after such verification as he deems necessary, the eligibility or otherwise for the grant of death gratuity to the person or persons claiming for the same and, by order, shall sanction the amount of Death Gratuity payable to the claimant in Form VII.

(3) Where the family of a deceased member is eligible under Section 17 of the Act for the family pension -

(a) The Secretary shall ascertain if the deceased member had nominated any person or persons to receive family pension in Form No. 1(A).

(b) If the deceased member had not made any such nomination, or the nomination made does not subsist, the person or persons to whom the family pension is payable in terms of Section 17 of the Act.

Provided that the preference amongst other members of the deceased member's family, than the surviving spouse for the purposes of payment of family pension under Section 17 of the Act shall be determined from the arrangement of such members in the definition of family provided in Section 2(d) of the Act.

Provided further that in case anyone of such other members of the deceased member's family than the spouse is granted a legal heirship certificate by a competent Court of law, he or she shall be treated as the first preference member of the family for the purpose of payment of Death Gratuity under these Rules.

(c) The Secretary shall intimate the widow or widower in Form V for making a claim in Form VI; and

(d) Where the deceased member is survived only by a child or children, the legal guardian so declared by a competent Court of law, in case of minor child or children, or such child or children may submit a claim in Form VI to the Secretary;

(e) On receipt of the claim or claims in Form VI, the Secretary shall determine after such verification as he deems necessary, the eligibility or otherwise for the sanction of family pension to the person or persons claiming for the same and, by order, shall sanction the amount of Family Pension to the claimant in Form VIII.

**Sanction,
drawal and
disbursement
of provisional
family pension
and gratuity**

4. (1) After the documents referred to in Rule 3 have been sent to the Director, the Secretary shall draw provisional family pension not exceeding the maximum amount specified in Section 17 of the Act and hundred percent of the death gratuity as specified in Section 16 of the Act.

(2) For the purpose of this Rule, the Secretary shall adopt the following procedure, namely -

(a) he shall issue a sanction letter in favour of the claimants endorsing a copy thereof to the Director and indicating therein the amount of provisional family pension and hundred per cent of the death gratuity as determined.

(b) he shall indicate in the sanction letter the amount recoverable out of the gratuity under Rule 3(2)(c).

(c) after issue of the sanction letter, he shall draw -

- (i) the amount of the provisional family pension;
and
- (ii) the amount of hundred percent of the death gratuity after deducting therefrom the dues mentioned in clause (b) above, in the same manner as pay and allowances of Secretariat are drawn by him.

(3) The Secretary shall disburse the provisional family pension including arrears, if any, and the death gratuity immediately after the same have been drawn under sub-rule (1).

(4) The payment of provisional family pension may continue for a period of six months from the date following the date of death of the member unless the period is extended under this rule.

(5) The Secretary shall inform the Director -

(a) as soon as the death gratuity has been paid to the claimant or claimants; and

(b) as soon as the provisional family pension has been paid.

(6) The mode of payment of provisional family pension or of gratuity or of both shall be such as may be decided by the Secretary.

**Authorisation
for payment
of Final
Family
Pension**

5. (1) On receipt of the order sanctioning final Family Pension under Rule 3, the Director, Accounts & Treasuries shall prepare Family Pension Payment Order and forward the same to the Treasury Officer mentioned in the application under Rule 3.

(2) Each Pension Payment Order shall be in two halves, of which one shall be known as the Disburser's half and it shall be kept in the Treasury at which the payment is to be made, in such manner that the pensioner shall not have access thereto and the other to be delivered to the Secretary, Legislative Assembly who shall arrange personal appearance of the Family Pensioner for receipt of the first payment of Family Pension.

(3) In issuing the Pension Payment Order, Director, Accounts & Treasuries shall attach to each half of the order a specimen signature of the Pensioner if he can sign his name or the thumb and finger impressions of the left hand of the Family Pensioner, if he cannot sign his name.

(4) The Secretary, Legislative Assembly shall produce the Family Pensioner's portion before the Treasury Officer whenever he claims payment of Family Pension and no payment shall be made if he fails to produce it.

(5) Each payment of Family Pension shall be entered on the reverse of both the halves of the Pension Payment Order, both entries being attested at the time of payment under the signature of the Treasury Officer.

(6) The Treasury Officer shall ensure that all necessary deduction and adjustments as may be indicated by the Director, Accounts & Treasuries are made while making payment of Family Pension.

(7) The payment of Family Pension shall be effective from the date specified in the order. The Family Pension shall become due for payment only on the expiry of the month to which it relates.

(8) In the event of the death of the Family Pensioner, the amount of the Family pension due till the date of his death including unpaid arrears shall be paid to the eligible claimants.

(9) Family Pension or Death Gratuity sanctioned to any person under these Rules, is liable to be cancelled or modified if it is found that there has been any error in the calculation of the period of his eligibility for the grant of Family Pension and Death Gratuity under the Act.

(10) Except as otherwise provided in these Rules, a Death Gratuity shall be paid in lumpsum and a Family Pension shall be paid monthly.

**Recovery
of Dues**

5A. Dues, if any, towards housing loan, motor vehicle advance and arrears of the Member's hostel rent, guest charges, trunk call and phonogram charges, lose of library books or any other dues to the Legislative Assembly Secretariat from the pensioner when he was a Member shall also be recovered from the Pension payable to him or from the Family Pension payable to his family, as the case may be.

**Repeal and
Savings**

6. (1) On the commencement of these Rules, every Rules, regulation or order including office memorandum (hereinafter referred to as the old rule) in force before such commencement, shall, in so far as it provides for any of the matters contained in these Rules, ceased to operate.

(2) Notwithstanding such cessation of operation, anything done or any action taken under the old rule shall be deemed to have been done or taken under the corresponding provisions of these Rules.

FORM - 1

NOMINATION FOR DEATH GRATUITY

When the MLA has a family and wishes to nominate one member thereof.

I _____ hereby nominate the person mentioned below who is a member of my family and confer on him/her the right to receive death gratuity which may be authorised by the Government of Mizoram in the event of my death during my term of office.

Name and Address of spouse	Date of birth	Name and Address of first preference	Relationship with member
1	2	3	4

This nomination supersedes the nominations made by me earlier on _____ which stands cancelled.

NOTE : The MLA shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Dated this _____ day of 20_____ at

Witnesses to signature

1. _____
2. _____

Signature of MLA

FORM - 1(A)

NOMINATION FOR FAMILY PENSION

When the MLA has a family and wishes to nominate one member thereof.

I _____ hereby nominate the person mentioned below who is a member of my family and confer on him/her the right to receive my family pension which may be authorised by the Government of Mizoram in the event of my death.

Name and Address of spouse	Date of birth	Name and Address of first preference	Relationship with member
1	2	3	4

This nomination supersedes the nominations made by me earlier on _____ which stands cancelled.

NOTE : The MLA shall draw lines across the blank space below the last entry to prevent the insertion of any name after he has signed.

Dated this _____ day of 20_____ at

Witnesses to signature

1. _____
2. _____

Signature of MLA

FORM - II

Form of letter to the member or members of the family of a deceased Member of Legislative Assembly where valid nomination for the grant of the death gratuity exists.

To,

Subj: Payment of death gratuity in respect of the late Pi/Pu

Sir/Madam,

I am directed to state that in terms of the nomination made by the late Pi/Pu _____ (Designation) Member of Legislative Assembly a death gratuity is payable to his/her nominee(s). A copy of the said nomination is enclosed herewith.

2. I am to request that a claim for the grant of the gratuity may be submitted by you in the enclosed Form IV.

3. Should any contingency have happened since the date of making the nomination, so as to render the nomination invalid, whole or in part, precise details of the contingency may kindly be stated.

Yours faithfully,

Secretary to the
Mizoram Legislative Assembly.

FORM - III

Form of letter to the members of the family of a deceased Member of Legislative Assembly where valid nomination for the grant of the death gratuity does not exist.

To,

Subj: Payment of death gratuity in respect of the late Pi/Pu

Sir/Madam,

I am directed to say that in terms of Rule 3 of the Mizoram Legislative Assembly (Member's Death Gratuity and Family Pension) Rules, 2000, a death gratuity is payable to the following members of the family of late Pi/Pu _____ (Designation) Member of Legislative Assembly in equal share:-

- (i) Wife/husband including judicially separated wife/husband
- (ii) Sons including step-children
- (iii) Unmarried daughters and adopted children

2. In the event of there being no surviving member of the family as indicated above, the gratuity will be payable to the following members of the family in equal shares :-

- (i) Widowed daughters including step-daughters and adopted daughters;

- (ii) Father
 - (iii) Mother
 - (iv) brother below the age of eighteen years and unmarried and widowed sisters including step-brothers and step-sisters;
 - (v) married daughters; and
 - (vi) children of a pre-deceased son.
- | including adoptive parents in
| case of individuals whose per-
| sonal law permits adoption

3. It is requested that a claim for the payment of gratuity may be submitted in the enclosed Form IV as soon as possible.

Yours faithfully,

Secretary to the
Mizoram Legislative Assembly.

FORM - IV

Form of application for the grant of death gratuity on the death of Member of Legislative Assembly.

(To be filled in separately by each claimant and in case the claimant is minor, the Form should be filled in by the guardian on his/her behalf. Where there are more than one minor, the guardian should claim gratuity in one Form on their behalf)

1. (i) Name of the claimant in case he is not minor _____
(ii) Date of birth of the claimant _____
2. (i) Name of the guardian in case the claimants are minors _____
(ii) Date of birth of the guardian _____
3. (i) Name of the deceased Member of Legislative Assembly in respect of whom gratuity is being claimed _____
(ii) Date of death of Member of Legislative Assembly _____
(iii) Constituency from where the Member of Legislative Assembly was elected _____
4. Relationship of the claimant/guardian with the deceased Member of Legislative Assembly _____
5. Full postal Address of the claimant/guardian _____
6. (i) Where gratuity is claimed by the guardian on behalf of minors, the names of the minors, their ages, relationship with the deceased Member of Legislative Assembly.

Serial No.	Name	Age Relationship with the deceased Member of Legislative Assembly	Postal Address
------------	------	---	----------------

- 1.
- 2.
- 3.
- 4.
- 5.

(ii) Relationship of the guardian with minor

7. Place of payment of Pension and Gratuity (Treasury, Sub-Treasury, Public Sector Bank Branch or the Pay and Account's Office) _____

Signature/Thumb impression
of the claimant/guardian

8. Two specimen signatures or left hand thumb and finger impressions of the claimant/guardian duly attested.

(To be furnished in a separate sheet)

9. Attested by -

	Name	Full Address	Signature
(i)	_____	_____	_____
(ii)	_____	_____	_____

10. Witnesses :

	Name	Full Address	Signature
(i)	_____	_____	_____
(ii)	_____	_____	_____

FORM - V

Form of letter to the widow/widower/family of a deceased Member of Legislative Assembly/an Ex-Member of Legislative Assembly for grant of Family Pension

No. _____
Government of Mizoram

To

Subj : Payment of Family Pension in respect of late Pi/Pu ____

Sir/Madam,

I am directed to state that in terms of Rule 3 of the Mizoram Legislative Assembly (Member's Death Gratuity and Family Pension) Rules, 2000, a family pension is payable to you as widow/widower/family of the late Pi/Pu _____ Member of Legislative Assembly/Ex-Member of Legislative Assembly.

2. You are advised that a claim for the grant of Family Pension may be submitted in the enclosed Form VI.

3. The Family Pension will be payable till your death or re-marriage, whichever event occurs earlier. In the event of your death or marriage, the Family Pension shall be granted to the child or children, if any, through the guardian.

Yours faithfully,

Secretary,
Mizoram Legislative Assembly.

FORM - VI

Form of application for the grant of Family Pension on the death of a Member of Legislative Assembly/an Ex-Member of Legislative Assembly.

1. Name of the applicant _____
 - (i) Widow/widower _____
 - (ii) Guardian if the deceased person is survived by child or children _____

2. Name and age of surviving widow/widower and children of the Member of Legislative Assembly / Ex-Member of Legislative Assembly.

Serial No.	Name	Relationship with the deceased person	Date of birth by Christian era
------------	------	---------------------------------------	--------------------------------

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

3. Name and No. of the PPO of the deceased pensioner.

4. Date of death of the Member of Legislative Assembly/
Ex-Member of the Legislative Assembly _____

5. Constituency from where the Member of Legislative
Assembly was elected _____

6. If the applicant is guardian, his date of birth and
relationship with deceased Member of Legislative
Assembly/Ex-Member of Legislative Assembly.

6A. If the applicant is a widow/widower the amount of
service pension which she/he may be in receipt on the
date of death of the husband/wife _____

7. Full address of the applicant _____

8. Place of payment of Pension and Gratuity (Treasury,
Sub-Treasury or Public Sector Bank Branch and Pay
and Accounts (Office) _____

9. Enclosures :
- (i) Two specimen signatures of the applicant, duly attested (To be furnished in two separated sheets).
 - (ii) Two copies of passport size photographs of the applicant, duly attested.
 - (iii) Two slips each bearing left hand thumb and finger impression of the applicant, duly attested.
 - (iv) Descriptive Roll of the applicant, duly attested, indicating
 - (a) height and (b) personal marks, if any, on the hand, face, etc. (Specify a few conspicuous marks, not less than two, if possible) (To be furnished in duplicate).
 - (v) Certificate(s) of age (in original with two attested copies) showing the dates of birth of the children. The Certificate should be from the Registrar of death and birth. (This information should be furnished in respect of such child or children, the particulars of whose date of birth are not available with the Head of Office).
10. Indicate whether family pension is admissible from any other source - Military or State Government and/ or Central Government and/or Autonomous District Councils of Mizoram.
11. Signature or left Hand Thumb Impression of the applicant.

12. Attested by :

	Name	Full Address	Signature
(i)	_____	_____	_____
(ii)	_____	_____	_____

13. Witnesses :

	Name	Full Address	Signature
(i)	_____	_____	_____
(ii)	_____	_____	_____

NOTE : Attestation should be done by two Members of Legislative Assembly or Gazetted Government Servants or two or more persons of respectability in the town, Village or Pargana in which the applicant resides.

FORM - VII
SANCTION ORDER
See Rulee 3(2)(c)

Under the provision of Section 16 of the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly Act, 1999 read with sub-rule (2)(c) of Rule 3 of the Mizoram Legislative Assembly (Member's Death Gratuity and Family Pension) Rules, 2000 sanction is hereby accorded for lumpsum payment at Rs. 10,00,000/- (Rupees ten lakhs) only to Pi/Pu _____ Member, Mizoram Legislative Assembly, as Death Gratuity to his/her

The expenditure is debitable to the head
2071 - Pension and Other Retirement Benefit
01 - Civil
111(1) - Pension to Legislators

Secretary,
Mizoram Legislative Assembly.

Memo No.LA/ESTT _____ Dated Aizawl, the _____
Copy to :-

1. The Treasury Officer, Aizawl South/Aizawl North/
Lunglei/Kolasib/Champhai/Lawngtlai/Serchhip/Mamit/
Saiha.
2. Persons concerned.
3. The Accountant General, Mizoram etc. Shillong.
4. Sanction Guard File.

FORM - VIII

SANCTION ORDER

See Rule 3(3)(c)

The undersigned having satisfied that Pi/Pu _____
Ex-MLA has served as Member of Assam/Mizoram Legisla-
tive Assembly during the following periods :-

From _____	To _____

hereby ordered the grant of Family Pension of Rs. _____/- (Rupees _____) only per mensem which shall be increased by five percent annually at compound rate to a maximum of seven thousand rupees to Pi/Pu _____, Ex-MLA which may be accepted by the Director, Accounts & Treasuries, Aizawl as per amendment made in the Mizoram Salaries, Allowances and Pension of Member of the Legislative Assembly (First Amendment) Act, 2002.

The grant of this Family Pension shall take effect from

_____ There are no dues/dues recoverable from 12,the pensioner on account of -

- | | |
|-----------------------------|-----------|
| (a) Housing loan sanctioned | Rs. _____ |
| (Sanctioned Vide No. _____) | |
| (1) Principal balance | Rs. _____ |
| (2) Interest balance | Rs. _____ |

(3) Penal interest	Rs. _____
Total	Rs. _____
(b) Car advance sanctioned	Rs. _____
(Sanction Vide No. _____)	
(1) Principal balance	Rs. _____
(2) Interest balance	Rs. _____
(3) Penal interest	Rs. _____
Total	Rs. _____

The Family Pension herein sanctioned is payable at
_____ Treasury and chargeable to :

- 2071 - Pension and Other Retirement Benefits
- 01 - Civil
- 111(1) - Pension to Legislators

Secretary,
Mizoram Legislative Assembly.

Memo No.LA/ESTT _____ Dated Aizawl, the _____
Copy to :-

1. The Director, Accounts & Treasuries, Aizawl.
2. The Treasury Officer, Aizawl 'S'.
3. Person concerned.
4. Guard File.

Secretary,
Mizoram Legislative Assembly.

* * * * *