

ORISSA ACT XIX OF 1954

**THE ORISSA LEGISLATIVE ASSEMBLY MEMBERS'
SALARIES AND ALLOWANCES ACT, 1954**

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AN ACT TO PROVIDE FOR THE SALARIES AND ALLOWANCES
OF THE MEMBERS OF THE ORISSA LEGISLATIVE ASSEMBLY

WHEREAS it is expedient to provide for the salaries and allowances of the members of the Orissa Legislative Assembly;

It is hereby enacted by the Legislature of the State of Orissa in the Fifth Year of the Republic of India as follows: -

Short title
and com-
mencement.

*1. (1) This Act may be called the Orissa Legislative Assembly Members' Salaries and Allowances Act, 1954.

(2) It shall come into force at once.

Definition

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

(a) "Assembly" means the Orissa Legislative Assembly;

(b) "Committee" means a Select Committee or other Committee of the Assembly and includes any Committee appointed by Government for a purpose connected with the business of the Assembly and declared by Government to be a Committee of the Assembly;

(c) "Member" means a member of the Assembly, who has taken his seat therein, other than the Speaker or Deputy Speaker of the Assembly or a Minister or a Parliamentary Secretary of the Government of Orissa; and

(d) "Place of residence" means the place where a member ordinarily resides within the State.

Salary

3. There shall be paid and delivered to every member a salary at the rate of two hundred rupees net a month:

Provided that a member may, if he so desires, forego either in full or in part, his salary for any period not less than three consecutive months at a time during the tenure of his office, communicating the intention forthwith so to do to the Secretary of the Assembly.

*For Statement of objects and reasons, see Orissa Gazette Extraordinary, dated the 3rd September, 1954

Allowance

4. There shall be paid to every member the following allowances at rates specified against each :—

(a) Daily allowance—Twelve rupees and eight annas a day for each day of actual residence at the place where the Assembly or a Committee meets.

(b) Travelling allowance for the journey each way between the member's place of residence and the place of meeting of the Assembly or a Committee—

(i) in case of a journey by railway double the fare of the highest class available immediately below the Air Conditioned class and in case of journey by steamer double the second class fare; and

(ii) in case of journey by road, eight annas for each mile travelled :

Provided that in the case of journey between places connected by regular public motor service, half the rate admissible for a journey by road :

Provided further that if a member performs the journey in his own motor car he shall draw road mileage at the rate of eight annas per mile

Medical treatment.

5. Subject to such conditions as may be determined by rules made by the State Government a member shall be entitled, free of charge, to medical attendance and treatment in a hospital or dispensary maintained by the State Government or a Local authority.

Accommodation in Inspection Bungalows, etc.

6. Notwithstanding anything contained in any other law, rules or orders for the time being in force and subject to rules to be made by the State Government, a member shall be entitled to free accommodation in Inspection Bungalows, Dak Bungalows, Circuit Houses or Rest Houses maintained by the State Government or a Local authority within the State.

Power to make rules.

7. (1) The State Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such rules may provide—

(a) for determining the period during which daily allowances and travelling allowances are to be drawn ; and

(b) for deductions from such allowances and the salary fixed under section 3 under such circumstances as they consider fit ;

(3) All rules made under this Act shall be laid, as soon as possible after they are made, before the Orissa Legislative Assembly for a total period of fourteen days which may be comprised in one Session or in two or more Sessions and shall be subject to such modifications as the Assembly may make during the said period.

Continuance
of the exist-
ing rules.

8. Notwithstanding anything contained in this Act but subject to the provisions of section 4 thereof the rules made under the provisions of section 5 of the Orissa Legislative Assembly Members' Salaries and Allowances Act, 1938, shall continue in force until such rules are made in this behalf under this Act. Orissa Act II of 1938.

Interpreta-
tion.

9. If any question arises as to the interpretation of this Act or of the rules made thereunder or the rules referred to in section 8 the matter shall be referred to the State Government and their decision shall be final.

Repeal

10. The Orissa Legislative Assembly Members' Salaries and Allowances Act, 1938, is hereby repealed. Orissa Act II of 1938.

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