

The Orissa Legislative Assembly Members Drawal of Travelling Allowances and Daily Allowances Rules, 1957

ODISHA

India

The Orissa Legislative Assembly Members Drawal of Travelling Allowances and Daily Allowances Rules, 1957

Rule

THE-ORISSA-LEGISLATIVE-ASSEMBLY-MEMBERS-DRAWAL-OF-TRA of 1957

- Published on 21 September 1957
- Commenced on 21 September 1957
- [This is the version of this document from 21 September 1957.]
- [Note: The original publication document is not available and this content could not be verified.]

The Orissa Legislative Assembly Members Drawal of Travelling Allowances and Daily Allowances Rules, 1957Published vide Notification No. 14534-A dated 21st September, 1957Home DepartmentNo. 14534-A dated 21st September, 1957. - In exercise of the powers conferred by clause (a) of Subsection (2) of Section 7 of the Orissa Legislative Assembly Members Salaries and Allowances Act, 1954 (Orissa Act XIX of 1954), the State Government do hereby make the following rules, namely

Part I – Preliminary

1. Short title and commencement.

(a)These Rules may be called the Orissa Legislative Assembly Members Drawal of Travelling Allowance and Daily Allowance, Rules, 1957.(b)They shall come into force at once.

2. Definitions.

- In these Rules unless there is anything repugnant in the subject or context -(a)'The Act' means the Orissa Legislative Assembly Members' Salary Allowances and Pension Act, 1954;(b)'Meeting' means a single day's meeting of Orissa Legislative Assembly or of a Committee as defined in clause (b) of Section 2 of the Act.

Part II – Periods For Which Travelling Allowance And Daily Allowance Can Be Drawn

3.

No Member [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] both daily allowance under clause (b) and travelling allowance under clause (c) of Section 4 of the Act for the same day; Provided that a Member [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] daily allowance for the day of arrival or of departure in addition to any travelling allowance admissible under these Rules, if he attends a meeting of the Assembly or of a Committee on that day.

4.

A Member of the Orissa Legislative Assembly [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] daily allowance at the rate provided under clause (b) of Section 4 of the Act for each day of actual residence at the place where the Assembly or a Committee meets and actually holds its sitting until the close of the Session or the completion of the business of the said Committee including such continuous residence not exceeding two days before the commencement of the meeting and two days after the close of the meeting by prorogation or adjournment sine die : Provided that a member whose usual place of residence is within a radius of 5 miles from the place of meeting of the Assembly or Committee [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] daily allowance at the rate provided under the said clause of the said Section of the Act for the days on which he actually attends such meeting of the Assembly or the Committee and no travelling allowance shall be admissible to him.

5.

A member who attends more than one meeting in a continuous series of meetings and returns daily to his place of residence [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] for such day the daily allowance admissible under clause (b) of Section 4 of the Act, but not any travelling allowance.

6.

Subject to the provision of Rules 7 and 8 of these Rules no member even through he is in actual residence at the place of the meeting shall be entitled to [receive] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] daily allowance for the day on which he does not actually attend the meeting unless he is in the opinion of the Speaker unavoidably prevented from such attendance.

7.

When three or more days intervene between two meetings of the Assembly or of a Committee, a member who attends the last meeting immediately preceding the interval and the first meeting immediately following it, shall, if he so chooses, [be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] allowance as follows-(a)If he returns to his place of residence during (he interval he [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] travelling allowance at the rates specified in clause (c) of Section 4 of the Act read with rule 9 of these Rules but not any daily allowance for any day during interval.(b)If he stays at the place of meeting he [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] daily allowance during the interval for a period not exceeding 7 days.

8.

A member returning to his place of residence during any series of meetings for a period which includes any day or days of meeting, [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] travelling allowance under clause (c) of Section 4 of the Act read with rule 9 of these Rules :Provided that -(1)he shall only be entitled to [receive] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] travelling allowance for such journeys once in three weeks,(2)he shall not be entitled to any travelling allowance if, the return to his place of residence necessitates his being absent for more than 6 consecutive days of the meeting.

Part III – Rates and Form

9.

(a)A member [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] travelling allowance under sub-clauses (i) and (ii) of clause (c) of Section 4 of the Act for each way journey by railway, steamer, or public motor bus service between the place of residence and the place of meeting, whichever is available nearer to such place and in case of journey by a member by his own motor car, the road mileage admissible will be at the rate specified in the proviso to clause (c) of the said section.Provided that the member who is appointed by Government as a member of Committee other than those defined in clause (b) of Section 2 of the Act [shall be paid] [Substituted vide O.G.E. No. 261 dated 6.3.2006.] travelling allowance and daily allowance in the manner as shall be prescribed by Government from time to time in that behalf.(b)A member shall declare the place of his residence once for all and shall not change except in unavoidable circumstances.

10.

(a)Every bill for daily allowance and travelling allowance shall be presented in duplicate and shall contain a certificate signed by the member in the following form -was in actual residence at the place of meeting "Certified that.....performed journey by rail/steamer/public motor bus/car owned by me/ other means on the date/dates, namely....."(b)No. bail for daily allowance and

travelling allowance that has been allowed to remain in abeyance for more than a year shall be investigated by the Accountant-General, Orissa except under the special order of the State Government.

11.

All claims of travelling allowance by members for journey from their place of residence to the place of meeting and back in their own motor cars shall be regulated in accordance with the rate provided in the provision to sub-clause (ii) of clause (c) of Section 4 of the Act from the date the said Act came in to force. Travelling Allowances, Daily allowances of members of Orissa Legislative Assembly Going Outside the state to attend conferences and meetings and on study tours No.

4014-OLA-2-22/91 -P.A.D. Government of Orissa Parliamentary Affairs

Department Resolution Bhubaneswar, the 21 September, 1991 Subject - Travelling allowances, Daily allowance of Members of the Orissa Legislative Assembly going outside the State to attend Conferences and meetings and on study tours. In partial modification of erstwhile Political and Services Department Resolution No. 7214-Con., dated the 11th April 1977, Government after careful consideration have decided that the Travelling Allowances and Daily Allowance will be admissible to the members going outside the State to attend Conferences and Meetings and on Study Tours at the following rates, namely :-(1) For journey by Rail, AIR, and Road at the rate admissible to first grade Government Officers. (2) Daily Allowance at the rate of Rs. 200 per day. (3) Where no Government accommodation is available outside the State the members will be entitled to reimbursement of accommodation charge of a single room accommodation in a Three Star Hotel, besides the Daily Allowance of Rs. 80 per day. This Resolution will take effect from the date of publication of the same in the Official Gazette. Order - Ordered that the resolution be published in an extraordinary issue of Orissa Gazette for the general information. By order of the Governor T.K. Mishra Special Secretary to Government Rate of T.A. to the M.L.As. Attending committees and conferences appointed by Government for State, District and Sub-divisional purposes Finance Department Resolution The 4th March 1972 Subject - Rate of T.A. to the M.L.As. attending Committees and Conferences appointed by Government for State, District and Sub-divisional purposes. At present M.L.As. attending Committees and Conferences appointed by Government of State, District and Sub-divisional purposes are being allowed first grade Travelling Allowance according to the provisions of Finance Department Resolution No. 18937-F, dated the 6th August, 1955. Since Travelling Allowance admissible under the aforesaid Finance Department Resolution is at variance with that admissible to an M.L.A. as a Member of a Committee under the Orissa Legislative Assembly, the question of prescribing uniform rates of travelling allowance and Dearness Allowance, for M.L.As. nominated as Members of Committees, etc. under Government Departments was engaging the attention of Government for sometime past. After careful consideration and in pursuance of the provision to rule (3) of the Orissa Legislative Assembly Members' Drawal of Travelling Allowance and Daily Allowance Rules, 1957 Government have been pleased to decide that the M.L.As. who are nominated as non-official Members of Committees, Conferences, Boards, etc., constituted by Government for State, District or Sub-divisional purposes will be entitled to Travelling Allowance and Daily Allowance as admissible to them as M.L.As. under the Orissa Legislative Assembly Members salaries and Allowances Act and Rules issued hereunder. These orders will come into force from the date of issue of this Resolution. Order - Ordered that the resolution be published in the Orissa Gazette and

that copies be forwarded to the Accountant-General, Orissa, Departments of Government, Heads of Department, District Officer, District Judges, Secretary to Governor, Secretary, Orissa Legislative Assembly for information. By order of the Governor J.S. Baijal Secretary to Government [No. 7723-OLA-2-12/98-PAD] Government of Orissa Parliamentary Affairs Department Resolution The 9th November, 1998 Subject - Travelling Allowances, Daily Allowances of Members of Orissa, Legislative Assembly going outside the State to attend Conference and Meetings and on Study Tours. In partial modification of erstwhile Political & Services Department Resolution No. 7214-Con., dated the 11th April 1977 and Parliamentary Affairs Department Resolution No. 4014-OLA-2/22/91 PAD., dated the 21st September 1991 and No. 5575-OLA/2-19/95, PAD, dated the 13th October 1995, Government after careful consideration have decided that the Travelling Allowance and Daily Allowance will be admissible to the Members going outside the State to attend Conferences and Meetings and on Study Tours at the following rate, namely :-

1. For journey by Rail, Air and Road at the rate admissible to 1st Grade Government Officers.

2. Daily Allowance at the rate of Rs.400 per day

3. Where no Government accommodation is available outside the State, the Members will be entitled to reimbursement of accommodation charge of a single room accommodation in a three star Hotel, besides the Daily Allowance of Rs.400 per day.

This Resolution will take effect from the date of publication of the same in Orissa Gazette. Order-Ordered that the Resolution be published in an extraordinary issue of the Orissa Gazette for general information. By order of the Governor P.K. Misra Principal Secretary to Government. No. 5575-OL A./2-19/95-PAD. Government of Orissa Parliamentary Affairs Department Resolution The 13th October 1995 Subject - Travelling Allowances, Daily Allowances of Members of Orissa Legislative Assembly going outside the State to attend Conference and Meetings and on Study Tours. In partial modification of erstwhile Political & Services Department Resolution No. 7214-Con. dated the 11th April 1977 Parliamentary Affairs Department Resolution No. 4014-O.L.A./2/22/91 P.A.D., dated the 21st September 1991, Government after careful consideration have decided that the Travelling Allowance and Daily Allowance will be admissible to the Members going outside the State to attend Conferences and Meetings and on Study Tours at the following rates, namely :-

1. For journey by Rail, Air and Road at the rate admissible to 1st Grade Government Officers.

2. Daily Allowance at the rate of Rs.200 per day.

3. Where no Government accommodation is available outside the State, the Members will be entitled to reimbursement of accommodation charge of a single room accommodation in a Three Star Hotel besides the Daily Allowance of Rs.200 per day.

This Resolution will take effect from the 1st day of August 1995 Order-Ordered that the Resolution be published in an extraordinary issue of the Orissa Gazette for general information. By order of the Governor P.K. Mohapatra Deputy Secretary to Government