

The Orissa Legislative Assembly Deputy Speaker's Salary and Allowances Act, 1959

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Act 25 of 1959

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The Orissa Legislative Assembly Deputy Speaker's Salary and Allowances Act, 1959 Orissa Act No. 25 of 1959 Published vide Orissa Gazette Extraordinary/30-12-1959. For Statement of Objects and Reasons see Orissa Gazette Extraordinary No. 188/23-4-1958. An Act to provide for the salary and allowances of the Deputy Speaker of the Orissa Legislative Assembly and of certain other matters relating to him. Whereas it is expedient to provide for the determination of the salary and allowances and certain other matters relating to the Deputy Speaker of the Orissa Legislative Assembly; It is hereby enacted by the Legislature of the State of Orissa in the Tenth Year of the Republic of India as follows :

1. Short title and commencement.

(1) This Act may be called the Orissa Legislative Assembly Deputy Speaker's Salary and Allowances Act, 1959. (2) It shall come into force at once.

2. Definitions.

- In this Act unless there is anything repugnant in the subject or context-(a) "Assembly" means the Orissa Legislative Assembly; (b) "Deputy Speaker" shall mean the Deputy Speaker of the Assembly.

3. Salary.

- There shall be paid to the Deputy Speaker salary of [Five thousand and five hundred rupees] [Substituted vide O.A. 7 of 2003- Notification No. 1956-Legislative, Orissa Gazette Extraordinary No. 164 dated 1.2.003.] per mensem.

3A. [Sitting Allowance. [Inserted vide O.A. 14 of 1995 - Notification No. 12036-Legislative,-Orissa Gazette Extraordinary No. 993- dated 1.2.2003.]

- There shall be paid to the Deputy Speaker a daily sitting allowance for attending Assembly Session or Committee thereof, of one hundred and fifty rupees.]

4. Car allowance.

- There shall be paid to the Deputy Speaker an allowance of [rupees three thousand] [Substituted vide O.A. 7 of 2003- Notification No. 1956-Legislative, Orissa Gazette Extraordinary No. 164 dated 1.2.003.] per mensem for the upkeep of a car.

4A. [[Inserted vide Orissa Act 11 of 1987.]

Sumptuary allowance-There shall be paid to the Deputy Speaker, a sumptuary allowance of rupees [Seven thousand and five hundred] per mensem.]

5. Residence.

- The Deputy Speaker shall be entitled without payment of rent to the use of a furnished residence throughout his term of office and for a period of fifteen days immediately thereafter, and no charge shall fall on him personally in respect of the maintenance of such residence.Explanation I. - For the purpose of this section 'residence' includes the staff quarters and other buildings appurtenant thereto and 'maintenance' in relation to a residence shall mean the payment of rates and taxes due to the State Government or any local authority and the installation of electricity and water taps.Explanation II. - For the purpose of this section the expression 'term of office' includes the period beginning with the date of assumption of office till the date of coming into force of this Act.

6. Medical treatment.

- The Deputy Speaker shall be entitled to the same medical facilities as are permissible to a Class-I Government servant.

7. Advances for purchase of motor car.

- There may be paid to the Deputy Speaker by way of a repayable advance such sum of money as may be determined by rules made in this behalf for the purchase of a motor car in order that he may be able to discharge conveniently the duties of his office.

8. Travelling and daily allowance.

(1)Subject to any rules made in this behalf by the State Government, the Deputy Speaker shall be entitled to-(a)travelling allowances for himself and members of his family and for the transport of

his family's effects-(i)in respect of the journey to the State headquarters from his usual place of residence for assuming office; and(ii)in respect of the journey from the State headquarters to his usual place of residence on relinquishing office; and(b)travelling and daily allowances in respect of tours undertaken by him in the discharge of his official duties or in the course of any official business, whether by water, land or air; and(c)travelling allowances on transfer of headquarters for himself and members of his family.(2)Any travelling allowances under this section may be paid in cash or free official transport provided in lieu thereof.

8A. Free travelling facilities.

(1)The Deputy Speaker shall be provided with-(a)railway coupons which shall entitle him to travel without payment of any fare by first class by any railway in India for a distance of six thousand kilometres in the aggregate in a year ; and(b)road transport coupons which shall entitle him to travel without payment of any fare by any stage carriage within the State for a distance of ten thousand kilometres in the aggregate in a year :Provided that where the journey is performed by a stage carriage not being a transport undertaking vehicle, the operator of such stage carriage shall be entitled to be reimbursed by the State Government in such manner and subject to such conditions as may be prescribed by rules made under this Act.Explanation I. - In computing the distance referred to in Clauses (a) and (b), any journey for which the Deputy Speaker is otherwise entitled to any travelling allowance shall not be taken into account.Explanation II. - The expression "transport undertaking vehicle" shall have the same meaning as assigned to it under the Orissa Transport Undertakings (Prevention of Ticketless Travel) Act, 1975 (Orissa Act 41 of 1975) and the expression "stage carriage" shall have same meaning as assigned to it in the Motor Vehicles Act, 1939 (4 of 1939).(2)The coupons shall be issued by such authority and shall be subject to such conditions as may be prescribed by rules made under this Act.

9. Notification as evidence of holding the office.

- The date on which any person became or ceased to be the Deputy Speaker shall be notified in the Gazette and any such notification shall be conclusive evidence of the fact that he became, or ceased to be such on that date for all the purposes of this Act.

10. Power to make rules.

(1)The State Government may make rules for carrying out the purposes of this Act.(2)All rules made under this Act shall be laid as soon as possible after they are made, before the 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.(3)Until rules are made under this Act the Deputy Speaker shall for the purpose of Sections 7 and 8 be entitled to the payment of an advance for purchase of motor car and for travelling and daily allowances at such rates and under such circumstances as are or shall be admissible from time to time to a member of the Council of Ministers.

11. Repeal.

(1)The Orissa Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1937 (Orissa Act IV of 1937) in so far as it relates to the Deputy Speaker is hereby repealed.(2)Notwithstanding such repeal any allowance paid or payable for the upkeep of a car, any charges incurred for medical treatment, any payment made by way of travelling allowance or daily allowance or for purchase of a motor car under any law or rule for the time being in force before the date of commencement of this Act shall be deemed to have been validly paid, payable or incurred or made.