

TO BE INTRODUCED IN LOK SABHA

Bill No. 107 of 2010

THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF
PARLIAMENT (AMENDMENT) BILL, 2010

A

BILL

*further to amend the Salary, Allowances and Pension of Members of Parliament
Act, 1954.*

BE it enacted by Parliament in the Sixty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2010. Short title and commencement.

(2) Save as otherwise provided, it shall come into force on such date as the Central Government may, by notification, in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

Amendment
of section 3.

2. In the Salary, Allowances and Pension of Members of Parliament Act, 1954 30 of 1954.
(hereinafter referred to as the principal Act), in section 3,—

(i) for the words, "a salary at the rate of sixteen thousand rupees per mensem", the words "a salary at the rate of fifty thousand rupees per mensem" shall be substituted;

(ii) for the words "an allowance at the rate of one thousand rupees for each day", the words "an allowance at the rate of two thousand rupees for each day" shall be substituted;

(iii) for the second proviso, the following proviso shall be substituted, namely:—

"Provided further that the rates of salary specified in this section shall be applicable from the 18th day of May, 2009."

Amendment of
section 4.

3. In the principal Act, in section 4, in sub-section (1),—

(i) in sub-clause (ii) of clause (c), for the words "a road mileage at the rate of thirteen rupees per kilometre", the words "a road mileage at the rate of sixteen rupees per kilometre" shall be substituted;

(ii) for the first proviso, the following proviso shall be substituted, namely:—

"Provided that when Parliament is in session and the spouse of a Member, if any, performs such journey or part thereof by road, unaccompanied by such Member, in respect of which such spouse has been allowed to travel by air or partly by air and partly by rail from the usual place of residence of the Member to Delhi or back under sub-section (2) of section 6B, the road mileage prescribed under this sub-clause shall be allowed to such Member for such journey or part thereof, subject to the condition that the total number of such journeys shall not exceed eight in a year;"

(iii) the third proviso shall be omitted.

Amendment of
section 6B.

4. In the principal Act, in section 6B, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) Notwithstanding anything contained in clause (ii) of sub-section (1), the spouse of a Member shall be entitled to travel,—

(a) any number of times, by railway in first class air-conditioned or executive class in any train from the usual place of residence of the Member to Delhi and back; and

(b) when Parliament is in session, by air or partly by air and partly by rail, from the usual place of residence of the Member to Delhi or back, subject to the condition that the total number of such air journeys shall not exceed eight in a year:

Provided that where any such journey or part thereof is performed by air from any place other than the usual place of residence of the Member to Delhi and back, then, such spouse shall be entitled to an amount equal to the fare by air for such journey or part thereof, as the case may be, or to the amount equal to the journey performed by air from the usual place of residence of the Member to Delhi and back, whichever is less."

Amendment of
section 8A.

5. In the principal Act, in section 8A, for sub-section (1), the following sub-section shall be substituted, namely:—

(1) With effect from the 18th day of May, 2009, there shall be paid a pension of twenty thousand rupees per mensem to every person who has served for any period as a Member of the Provisional Parliament or either House of Parliament:

Provided that where a person has served as a Member of the Provisional Parliament or either House of Parliament for a period exceeding five years, there shall be paid to him an additional pension of fifteen hundred rupees per mensem for every year served in excess of five years.

Explanation.— For the purpose of this sub-section, "Provisional Parliament" shall include the body which functioned as the Constituent Assembly of the Dominion of India immediately before the commencement of the Constitution.'

6. In the principal Act, in section 8B, for the words "one lakh rupees", the words "four lakh rupees" shall be substituted.

Amendment of
section 8B.

STATEMENT OF OBJECTS AND REASONS

The Joint Committee on Salaries and Allowances of Members of Parliament in its Report dated the 5th May, 2010 has made certain recommendations regarding increase in the salary, daily allowances and the other facilities to which the Members of Parliament are entitled to, pension payable to former Members of Parliament. After considering the said report, it has been decided to accept certain recommendations relating to salary, daily allowance, rate of road mileage and other facilities to which the Members of Parliament are entitled to and pension to former members of Parliament. It is, therefore, proposed to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954 for giving effect to the aforesaid proposals.

2. The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 2010, *inter alia*, seeks to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954 to provide for the following, namely:—

(a) to enhance the salary of Members of Parliament from sixteen thousand rupees per mensem to fifty thousand rupees per mensem, from the date of constitution of the 15th Lok Sabha, *i.e.*, 18th May, 2009;

(b) to enhance the daily allowance payable to the Members of Parliament during any period of residence on duty from one thousand rupees to two thousand rupees for each day of duty;

(c) to enhance the rate of road mileage from thirteen rupees per kilometer to sixteen rupees per kilometer;

(d) to provide for the rail travel facility of the spouse of a Member so that the spouse can travel any number of times by railway in first class air-conditioned or executive class in any train from the usual place of residence of the Member to Delhi and back; and when Parliament is in session, by air or partly by air and partly by rail, from the usual place of residence of the Member to Delhi and back, subject to the condition that the total number of such air journeys shall not exceed eight in a year;

(e) to enhance the pension of eight thousand rupees per mensem available to a former Member of Parliament to twenty thousand rupees per mensem and the additional pension of eight hundred rupees per mensem payable to them for every year in excess of five years membership to fifteen hundred rupees per mensem, from the date of constitution of the 15th Lok Sabha, *i.e.*, 18th May, 2009;

(f) to enhance the amount of repayable advance for purchase of conveyance, from one lakh rupees to four lakh rupees.

3. The proposed provisions for daily allowance, road mileage allowance and rail travel facility referred to in sub-paragraphs (b) to (d) and repayable advance for purchase of conveyance referred to in sub-paragraph (f) shall be applicable from such date as the Central Government may notify.

4. The Bill seeks to achieve the above objects.

NEW DELHI;
The 20th August, 2010.

PAWAN KUMAR BANSAL.

FINANCIAL MEMORANDUM

Clauses 2 to 5 of the Bill seek to amend sections 3, 4, 6B and 8A respectively in the Salary, Allowances and Pension of Members of Parliament Act, 1954 and these have financial implications. In addition to above, clause 6 of the Bill seeks to amend Section 8B of the above Act and this also has financial implication, but observing the nature of the proposal, the financial implication thereon, cannot be quantified.

2. The proposed provisions for increasing the salary, daily allowance, rate of road mileage, increasing the minimum and additional pension would involve a recurring annual expenditure of Rupees 103.76 crores. One time expenditure of Rupees 118 crores would be incurred on account of arrears of salary and pensions from 18th May, 2009 to July, 2010.

3. In addition to above, the facilities of enhancing the constituency allowance from Rupees 20,000 p.m. to Rupees 40,000 p.m. and office expense allowance from Rupees 20,000 p.m. to Rupees 40,000 p.m. would involve annual recurring expenditure of Rupees 38.50 crores and are being extended to MPs by way of amendment of the relevant rules made under the Salary, Allowances and Pension of Members of Parliament Act, 1954.

4. Increase in salary and pension will take effect from the date of constitution of the 15th Lok Sabha *i.e.*, 18th May, 2009 and increase in other allowances will take effect from the date of notification.

5. The provisions of the bill do not involve any other recurring or non-recurring expenditure.

ANNEXURE

EXTRACTS FROM THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT ACT, 1954

(30 OF 1954)

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Salaries and daily allowances.

3. A member shall be entitled to receive a salary at the rate of sixteen thousand rupees per mensem during the whole of his term of office and subject to any rules made under this Act an allowance at the rate of one thousand rupees for each day during any period of residence on duty:

Provided that no member shall be entitled to the aforesaid allowance unless he signs the register, maintained for this purpose by the Secretariat of the House of the People or, as the case may be, Council of States, on all the days (except intervening holidays for which no such signing is required) of the session of the House for which the allowance is claimed:

Provided further that the rates of salary and allowance specified in this section shall be applicable for a period of five years from the 14th day of September, 2006 or until it is refixed, whichever is later.

Travelling allowances.

4. (1) There shall be paid to each member in respect of every journey performed by him in India for the purpose of attending a session of a House of Parliament or a meeting of a committee or for the purpose of attending to any other business connected with his duties as a member, from his usual place of residence to the place where the session or the meeting is to be held or the other business is to be transacted and for the return journey from such place to his usual place of residence—

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(c) if the journey or any part thereof cannot be performed by rail or air—

* * * * *

(ii) where the journey or any part thereof is performed by road, a road mileage at the rate of rupees thirteen per kilometer for each such journey or part thereof:

Provided that where the spouse of a member, if any, performs such journey or part thereof by road twice in a budget session of Parliament and once during every other session of Parliament unaccompanied by such member in respect of which such spouse has been allowed to travel by rail or air or partly by air and partly by rail from the usual place of residence of the member to Delhi and back under sub-section (2) of section 6B, the road mileage prescribed under this sub-clause shall be allowed to such member for such journey or part thereof:

Provided further that where a member performs journey by road in Delhi from and to an aerodrome, he shall be paid a minimum amount of one hundred and twenty rupees for each such journey:

Provided also that the rate specified in sub-clause (ii) of clause (c) of this sub-section shall be applicable for a period of five years from the date of commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006.

40 of 2006.

Explanation.—For the purpose of sub-clause (ii) of clause (c) of this sub-section, the expression "journey" shall include the journey from and to the railway station, port or aerodrome to and from the usual place of residence of the member of as the case may be, the residence of the member at the place where the session of the House of Parliament or a meeting of the committee is to be held or where any other business is to be transacted.

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6B.(1) * * * * * Travel facilities to members.

(2) Notwithstanding anything contained in clause (ii) of sub-section (1), the spouse of a member shall be entitled to travel by railway in first class air-conditioned or executive class in any train or by air or partly by rail and partly by air from the usual place of the residence of the member to Delhi and back once during every session and twice in budget session of Parliament subject to the condition that total number of each such journey either to Delhi or back shall not exceed eight in a year:

Provided that where any such journey or part thereof is performed by air from any place other than usual place of residence of the member to Delhi and back, then, such spouse shall be entitled to an amount equal to the fare by air for such journey or part thereof, as the case may be, or to the amount equal to the journey performed by air from the usual place of residence of the member to Delhi and back, whichever is less.

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8A. (1) With effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006, there shall be paid a pension of eight thousand rupees per mensem to every person who has served for any period as a member of the Provisional Parliament or either House of Parliament: Pension.

Provided that where a person has served as a member of the Provisional Parliament or either House of Parliament for a period exceeding five years, there shall be paid to him an additional pension of eight hundred rupees per mensem for every year served in excess of five years.

Explanation.— For the purpose of this sub-section, "Provisional Parliament" shall include the body which functioned as the constituent Assembly of the Dominion of India immediately before the commencement of the constitution.

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8B. There may be paid to a member by way of a repayable advance such sum of money not exceeding one lakh rupees as may be determined by rules made in this behalf under section 9 for the purchase of a conveyance. Advances for purchase of conveyance.

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LOK SABHA

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BILL

*further to amend the Salary, Allowances and Pension of Members of Parliament
Act, 1954.*

(Shri Pawan Kumar Bansal, Minister of Parliamentary Affairs)