

CONTENTS

	PAGES
1. The Odisha Legislative Assembly Speaker's Salary and Allowances Act, 1960.	1
2. The Odisha Legislative Assembly Deputy Speaker's Salary and Allowances Act, 1959.	7
3. The Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954.	13
4. The Odisha Legislative Assembly Members' Drawal of Travelling Allowances and Daily Allowances Rules, 1957.	25
5. Government Resolution on Travelling Allowances, Daily Allowance of Members of the Odisha Legislative Assembly going outside the State to attend conferences and meetings and on study tours.	29
6. Rate of T. A. to M. L. As. attending committees and conferences appointed by Government for State, District and Subdivisional purposes.	31
7. The Odisha Legislative Assembly Members' Telephone facilities Rules, 1964.	33
8. The Odisha Legislative Assembly Members' Salary and Allowances (Deduction of House Rent and other charges) Rules, 1957.	35
9. Deduction of arrear electric charges from the Salary of the M. L.As. under the Odisha Legislative Assembly Members' Salary and Allowances (Deduction of House Rent and other charges) Rules, 1957.	37
10. The Odisha Legislative Assembly Members' (Medical Attendance) Rules, 1965.	39

(ii)

11. The Odisha Legislative Assembly Ex-Members'51 Pension Rules, 1979.
12. The Odisha Legislative Assembly Members' Family Pension Rules, 1988. 63
13. The Odisha Legislative Assembly Members' Jeep, Motor Cycle, Scooter or alike Vehicle Advance Rules, 1986. 79
14. The Member of Odisha Legislative Assembly97 (Disqualification on ground of Defection) Rules, 1987.
15. The Leader of the Opposition of the Odisha Legislative111 Assembly's Staff and Privileges Rules, 1968.
16. The Government Chief Whip and Government Deputy113 Chief Whip of the Odisha Legislative Assembly's Staff and Privileges Rules. 1969.
17. Instructions for the Management of the Odisha Legislative Assembly Guest House. 115
18. Instruction for the control and management of the Odisha Legislative Assembly New Guest House. 118
19. The Odisha Legislative Assembly Library Rules, 1991 125
20. Functions of Notice Office-*cum*-Members' Assistance Cell. 135

PREFACE

This booklet is a compilation of the Acts/Rules pertaining to the salary and other allowances of the Speaker/Deputy Speaker/Leader of Opposition, Government Chief Whip, Government Deputy Chief Whip and Members of the Odisha Legislative Assembly and Pension and Allowance of Ex-Members.

Suggestions regarding improvement of this publication, if any, would be very much appreciated.

A. K. SARANGI

Bhubaneswar

Secretary

Odisha Legislative Assembly



सत्यमेव जयते

COMPILATION
OF THE
ACTS/RULES PERTAINING TO THE
SALARY AND OTHER ALLOWANCES OF
THE SPEAKER/DEPUTY SPEAKER/
LEADER OF OPPOSITION,
GOVERNMENT CHIEF WHIP,
GOVERNMENT DEPUTY CHIEF WHIP
AND
MEMBERS OF THE ODISHA
LEGISLATIVE ASSEMBLY AND
PENSION AND ALLOWANCE OF
EX-MEMBERS

(Corrected up to February, 2019)

SECRETARIAT OF THE
ODISHA LEGISLATIVE ASSEMBLY
BHUBANESWAR
2019



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**Functions of “Notice Office-*cum*-Members'
Assistance Cell”**

124 (A)

**The Odisha Legislative Assembly Library
Rules, 1991**

117 A)

18

**Instructions for the Control and
Management of the Odisha Legislative
Assembly New Guest House**

116 (A)

17

**Instructions for the Management of the
Odisha Legislative Assembly Guest House**

114 (A)

**The Government Chief Whip and Government
Deputy Chief Whip of the Odisha Legislative
Assembly's Staff and Privileges Rules, 1969**

15

**The Leader of the Opposition of the Odisha
Legislative Assembly's Staff and Privileges
Rules, 1968**

110 (A)

14

**The Members of Odisha Legislative
Assembly (Disqualification on ground of
defection) Rules, 1987**

95 (A)

13

**The Odisha Legislative Assembly Members'
Jeep, Motor-Cycle, Scooter or Alike Vehicle
Advance Rules, 1986**

78 (A)

12

**The Odisha Legislative Assembly Members'
Family Pension Rules,1988**

62 (A)

11

**The Odisha Legislative Assembly Ex-Members'
Pension Rules, 1979**

50 (A)

10

**The Odisha Legislative Assembly Members'
(Medical Attendance) Rules, 1965**

37 (A)

**Deduction of Arrear Electric Charges from
the Salary of the M.L.As. under the Odisha
M.L.As. Salary & Allowances (Deduction of
House Rent, etc.) Rules, 1957**

35 (A)

**The Odisha Legislative Assembly Members'
Salary and Allowances (Deduction of House
Rent & other charges) Rules, 1957**

34 (A)

7

**The Odisha Legislative Assembly Members'
Telephone Facilities Rules, 1964**

32 (A)

**Rate of T.A. to M.L.As. attending Committees
and Conferences appointed Government
for State, Districts & Subdivisional purposes**

**Government resolution on Travelling Allowances, Daily Allowance of Members of the Odisha Legislative Assembly
(Going outside the State to attend conferences and meetings and on study tours)**

**The Odisha Legislative Assembly Members'
Drawal of Travelling Allowances & Daily
Allowances Rules, 1957**

3

**The Odisha Legislative Assembly Members'
Salary, Allowances and Pension Act, 1954**

11 (A)

2

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

5 (A)

**The Odisha Legislative Assembly Speaker's
Salary and Allowances Act, 1960**

ii (A)

***THE ODISHA LEGISLATIVE ASSEMBLY
SPEAKER'S SALARY AND ALLOWANCES
ACT, 1960**

An Act to provide for the salary and allowances of the Speaker of the Odisha Legislative Assembly and of certain other matters relating to him.

Be it enacted by the Legislature of the State of Odisha in the Eleventh year of the Republic of India as follows :

Short title and commencement. 1. (1) This Act may be called the Odisha Legislative Assembly Speaker's Salary and Allowances Act, 1960.

(2) It shall be deemed to have come into force with effect from the 30th December, 1959.

Definitions. 2. In this Act unless there is anything repugnant in the subject or context –

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

(b) "Speaker" shall mean the Speaker of the Assembly.

Salary 3. There shall be paid to the Speaker a salary of ¹[Forty thousand and five hundred rupees per mensem]

Sitting allowance. ²[3-A.—There shall be paid to the Speaker a daily sitting allowance for attending Assembly Session or Committee thereof, of eight hundred rupees]

Car allowance 4. There shall be paid to the Speaker an allowance of ¹[Seventeen thousand rupees] per mensem for the upkeep of a Car.

Sumptuary allowance. 4-A.—There shall be paid to the Speaker a sumptuary allowance of ¹[Forty thousand rupees per mensem.]

*Published vide Odisha Gazette Ext. /4-1-1961—O.A. No. 24 of 1960. For Statement of Objects and Reasons, see Odisha Gazette Ext. No. 381/18-4-1960.

1. Substituted vide Odisha Act No. 15 of 2017
2. Substituted vide Odisha Act No. 9 of 2018

Residence

5. The Speaker shall, through; out his term of office and for a period of fifteen days immediately thereafter be entitled without payment of rent, to the use of a furnished residence or in lieu thereof a house rent allowance of one hundred rupees per mensem. No charge shall fall on him personally in respect of the maintenance of a furnished residence provided to him.

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 only the payment of municipal tax 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.

Medical treatment.

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

Advances for purchase of motor car.

7. There may be paid to the 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 and efficiently the duties of his office.

Travelling and daily allowances.

8. (1) Subject to any rules made in this behalf by the State Government, the Speaker shall be entitled to—

(a) travelling allowances for himself and members of his family and for the transport of his and his family 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 ;

- (b) travelling and daily allowances in respect of tours undertaken by him in the discharge of his official duties, or in 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.

8-A. (1) The Speaker shall be provided with—

Free travelling facilities.

- (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 kilometers 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 kilometers 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 1—In computing the distance referred to in Clauses (a) and (b), any journey for which the 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 Odisha Transport Undertakings (Prevention of Ticketless Travel) Act, 1975 and the expression stage carriage shall have the same meaning as assigned to it under the Motor Vehicles Act, 1939.

Odisha Act
41 of 1975.
Act No. 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.

Drawing of
Salary and
travelling
allowance
bills .

9. (1) In respect of his salary and travelling allowances, the Speaker shall be his own controlling officer and the signature of the Speaker on the salary and travelling allowance bills shall be accepted in audit as sufficient authority for the drawing of the salary or for the journey, as the case may be.

(2) Subject to a certificate being appended by the Speaker in that behalf to his travelling allowance bill any journey undertaken by him and to which the bill relates shall be presumed to have been so undertaken in the discharge of the official duties or in the course of official business, as the case may be.

Notification
as evidents
of holding
the office.

10. The date on which a person became or ceased to be the 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 the purposes of this Act.

Power to
make rules.

11. (1) The State Government may, in consultation with the Speaker, by nomination, 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 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 Speaker shall, for the purpose of Sections 7 and 8, be entitled to the payment of an advance for purchase of motor car and travelling and daily allowances at such rates and under such circumstances as are or shall be admissible from time to time a member of the Council of Ministers.

Regularisation of payments .

12. Any allowances paid or payable to the Speaker for the upkeep of a car, all charges incurred for his medical treatment and for providing him with furnished residence and all payments made to him by way of travelling or daily allowances before the commencement of this Act shall be deemed to have been properly paid, payable, incurred or made.

Repeal.

13. The Odisha Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1937 is hereby repealed.

Odisha
Act 4 of
1937.

***THE ODISHA LEGISLATIVE ASSEMBLY DEPUTY
SPEAKER'S SALARY AND ALLOWANCES
ACT, 1959**

An Act to provide for the salary and allowances of the Deputy Speaker of the Odisha 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 Odisha Legislative Assembly.

It is hereby enacted by the Legislature of the State of Odisha in the Tenth year of the Republic of India as follows :

Short title
and com-
mencement

1. (1) This Act may be called the Odisha Legislative Assembly Deputy Speaker's Salary and Allowances Act, 1959

Definitions

(2) It shall come into force at once

2. In this Act unless there is anything repugnant in the subject or context—

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

(b) "Deputy Speaker" shall mean the Deputy Speaker of the Assembly.

Salary

3. There shall be paid to the Deputy Speaker salary of ¹[Thirty-eight thousand rupees] per mensem.

Sitting
allowance.

²[3-A. There shall be paid to the Deputy Speaker a daily sitting allowance for attending Assembly Session or Committee thereof, of ²[eight hundred rupees].

*Published vide *Odisha Gazette* Ext. (30-12-1954-0.A. No. 25 of 1959.

For statement of Objects and Reasons see *Odisha Gazette* Ext. No. 188/23-4-1958.

1. Substituted vide Odisha Act No. 16 of 2017

2. Substituted vide Odisha Act No. 10 of 2018

Car allowance.

4. There shall be paid to the Deputy Speaker an allowance of ¹[Seventeen thousand rupees] per mensem for upkeep of a car.

Sumptuary allowance.

4-A. There shall be paid to the Deputy Speaker, a sumptuary allowance of ¹[Forty thousand rupees] per mensem.

Residence

5. 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.

Medical treatment.

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

Advances for purchase of moter car.

7. 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.

Travelling and daily allowance.

8. (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 ;
 - (ii) in respect of the journey from the State headquarters to his usual place of residence on relinquishing office ;
- (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.

Free
travelling
facilities.

8-A. (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 Odisha Transport Undertakings (Prevention of Ticketless Travel) Act, 1975 and the expression “stage carriage” shall have same meaning as assigned to it in the Motor Vehicles Act, 1939.

Odisha Act
41 of 1975.
Act No. 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.

Notification as evidence of holding the office.

9. 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.

Power to make rules.

10. (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.

Repeal.

Odisha Act
4 of 1937.

11. (1) The Odisha Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 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.

**THE ODISHA LEGISLATIVE ASSEMBLY MEMBERS'
SALARY, ALLOWANCES & PENSION ACT, 1954**

(Odisha Act XIX of 1954)

***AN ACT TO PROVIDE FOR THE SALARY, ALLOWANCES
& PENSION OF THE MEMBERS OF THE
ODISHA LEGISLATIVE ASSEMBLY***

Whereas it is expedient to provide for the Salary, Allowances & Pension of the Members' of the Odisha Legislative Assembly;

It is hereby enacted by the Legislature of the State of Odisha in the Fifth Year of the Republic of India, as follows :—

Short title & commencement.

1. (1) This Act may be called the Odisha Legislative Assembly Members' Salary, Allowances & Pension Act, 1954.

(2) it shall come into force at once

Definitions.

2. In this Act unless the context otherwise requires—

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

(a-1) "Chief Whip" and "Deputy Chief Whip" shall respectively mean those Members of the Assembly who are for the time being the Government Chief Whip and the Government Deputy Chief Whip ;

(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;

- (b-1) “Leader of the Opposition” means that Member of the Assembly who is for the time being, the Leader in the Assembly of the party in Opposition to the Government having the greatest numerical strength not being less than one-tenth of the total membership of the Assembly and recognised as such by the Speaker.

Explanation—When there are two or more parties in Opposition to the Government in the Assembly having the same numerical strength, the Speaker shall, having regard to the status of the parties, recognise any one of the Leaders of such parties as the Leader of the Opposition for the purpose of this Act and such recognition shall be final and conclusive.

- (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 Odisha; and
- (d) “Place of residence” means the place where a Member ordinarily resides within the State.

3. There shall be paid and delivered a salary—

Salary.

- (a) at the rate of ¹[Thirty-five thousand rupees] to every Member, other than the Leader of the Opposition, the Chief Whip and the Deputy Chief Whip;
- (b) at the rate of ¹[Forty thousand rupees] to the Leader of the Opposition and the Chief Whip; and
- (c) at the rate of ¹[Thirty-six thousand rupees] to the Deputy Chief Whip :

Provided that a Member may, if he so desires, forgo 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.

Allowances.

4. There shall be paid to every member the following allowances, except the allowances mentioned in clauses (a), (d), (e), (f) and (g) in case of the Leader of the Opposition, the Chief Whip and the Deputy Chief Whip, at the rates specified against each :—

¹[(a) Constituency Allowance and secretarial Allowance, at the rate of twenty thousand rupees per mensem of all members not otherwise provided for by or under the provisions of this Act.]

(b) Daily allowance of—

(i) ¹[One thousand and Five hundred rupees] a day for each day of actual residence at the place where the Assembly or a Committee meets or at a place to make an oath or affirmation as required by Article 188 of the Constitution of India; and

(ii) ¹[two thousand rupees] a day for going outside the State to attend Conferences and Meetings and on Study Tours.

(c) 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, or between such place of residence and the place where the Member makes an oath or affirmation as aforesaid;

(i) in case of a journey by railway double the fare of the Air-conditioned, two tier and in case of journey by steamer double the second class fare; and

(ii) in case of journey by road one rupee and fifty paise per each kilometre travelled :

¹[Provided that if a Member performs the journey in his own car or hired car he shall draw road mileage at the rate of fifteen rupees per kilometre, if the journey is made inside the State and twenty rupees per kilometer, if the journey is made outside the State].

(d) Conveyance Allowance at the rate of ¹[Fifteen thousand rupees] a month.

(e) Books, journals and periodicals allowance at the rate of ¹[Two thousand] rupees per month.

(f) Electricity consumption allowance at the rate of ¹[Five thousand] rupees per month.

²[(g) Medical allowance at the rate of five thousand rupees per month.]

¹[(h) Accommodation allowance at the rate of one thousand rupees per day till quarters is allotted"]

Fixed allowance for travel not connected with duty.

4.-A. There shall be paid to each Member, other than the Leader of the Opposition, the Chief Whip and the Deputy Chief Whip, a sum of rupees ¹[ten thousand rupees] per mensem to defray the cost of travelling which is not connected with the business of the Assembly or a Committee thereof or a Committee or Body constituted by the State or Central Government by a Resolution or an order.

Advance for purchase of a Jeep, Motor Cycle, Scooter or alike vehicle.

4-AA. (1) A Member shall be entitled to an advance not exceeding ²[Five lakh rupees] for purchase of a jeep, motor cycle, scooter or alike vehicle to be recovered with interest within a period not exceeding five years from the date of its sanction or before the expiry of his office as a Member of the Assembly during the term of which the advance is sanctioned, whichever is shorter.

(2) The terms and conditions governing the sanction of the advance under sub-section (1) including the rate of interest to be charged and the manner of sanction and recovery thereof shall be such as may be prescribed by rules made by the State Government in that behalf .

1. Substituted vide Odisha Act No. 14 of 2017
2. Substituted vide Odisha Act No. 4 of 2011

Pension
and
allowance.

4-B(1) With effect from the commencement of the Odisha Legislative Assembly Members' Salary, Allowances and Pension (Amendment) Act, ¹[2017], there shall be paid a pension of ¹[Thirty thousand rupees] per mensem to every person who has held office for a period of one year, whether continuous or not, as a Member of the Assembly :

Provided that where any person has held office for a period exceeding five years, there shall be paid to him an additional pension of ¹[Two thousand rupees] per mensem for every year in excess of five years so, however, that, in no case, the total amount of additional pension together with the pension, to be so paid, shall exceed ¹[Seventy thousand rupees] per mensem :

Provided further that where any person has held office as a Member of Assembly twice for its duration as provided in clause (1) of Article 172 of the Constitution, whether consecutively or not, and who is not entitled to any pension under the foregoing provisions of this sub-section, he shall, with effect from the commencement of the Odisha Legislative Assembly Members' Salary, Allowances and Pension (Amendment) Act, ¹[2017] be entitled to a pension of ¹[Thirty thousand rupees] per mensem;

Explanation—(i) The period for which a person has held office as a Member of the Assembly shall mean—

- (a) where such person is elected in 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
- (b) where such person is elected in a bye-election to the Assembly, the period beginning with the date of his election referred to in Section 67-A of the said Act;

43 of 1951.

1. Substituted vide O. A. No. 14 of 2017

2. Substituted vide Odisha Act No. 19 of 2018

and ending with, in each case, the date on which his seat becomes vacant.

(ii) in computing the aforesaid period the period preceding the 26th day of January, 1950 for which a person has held such office, shall not be taken into account.

¹[(iii) where such person has held office for a part of the year exceeding six months, it shall be treated as one year for the purpose of calculation of pension]¹.

(2) Where any person entitled to pension under sub-section (1)—

- (i) is appointed to the office of the Governor of any State or the Administrator of any Union Territory; or
- (ii) becomes a Member of the Council of State or the House of the People or of any Legislative Assembly; or
- (iii) 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 under any local authority or becomes otherwise entitled to any remuneration from such Government, Corporation or local authority;

such persons 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 :

1. Inserted vide O. A. No. 7/2007

Provided that where the salary payable to such person for holding such office or being such member or so employed, or where that remuneration referred to in clause (iii) 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.

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

(4) In computing the number of years for the purpose of sub-section (1), the period during which a person has served as Minister or Speaker or Deputy Speaker as defined in the Odisha Ministers' Salaries and Allowances Act, 1952 or the Odisha Legislative Assembly Speaker's Salary and Allowances Act, 1960 or the Odisha Deputy Speaker's Salary and Allowances Act, 1959 respectively by virtue of his membership in the Assembly shall also be taken into account.

Odisha Act
20 of 1952.
Odisha Act
24 of 1960.
Odisha Act
25 of 1959.

(5)(a) In the event of the death of member who was eligible for pension or already in receipt of pension under sub-section (1), his/her spouse shall be entitled to receive as family pension a sum equivalent to such pension till his/her death or remarriage whichever is earlier.

(b) In the event of the death of member while continuing in office as such, whose spouse is not entitled to receive family pension under clause (a) his/her spouse shall be entitled to receive as family pension till his/her death or remarriage, whichever is earlier, a sum equivalent to an amount which the member would have received had he held office for a period of one year as member :

Provided that the conditions laid down in sub-sections (2) and (3) shall *mutatis mutandis* apply to holders of family pension.

1[“(6) There shall be paid Medical allowance at the rate of two thousand rupees per month to every Ex-member of the Assembly.”]

Amenities.

5. (1) A member shall be entitled to such medical facilities for himself and for members of his family and to such housing, telephone and postal facilities as may be prescribed by rules under Section 7 :

Provided that a member who is Leader of the Opposition shall, so long he continues to be such leader and for a period of fifteen days immediately thereafter, be entitled without payment of rent to the use of a residence,

Explanation—For the purpose of this provision ‘residence’ includes the staff quarters and other buildings appurtenant thereto.

(2) The Chief Whip and the Deputy Chief Whip shall, throughout the period they continue

in office as such and for a period of fifteen days thereafter, each be entitled without payment of rent, to the use of a furnished residence or in lieu thereof to a house rent allowance of one hundred rupees per mensem and no charge shall fall on them personally in respect of the maintenance of such furnished residence provided to them.

Explanation—For the purpose of this subsection ‘residence’ includes the staff quarters and other buildings appurtenant thereto and ‘maintenance’ in relation to a residence shall mean only the payment of Municipal tax and the installation of electricity and water taps.

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, member shall be entitled to free accommodation in Inspection Bungalows, Dak Bungalows, Circuit Houses or Rest Houses maintained by the State Government or Local Authority within the State.

Power to make rules.

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

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

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

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

(c) for medical, housing, telephone and postal facilities;

(d) for determining the staff and the privileges of the Leader of the Opposition, the Chief Whip and the Deputy Chief Whip; and

(e) for regulating the payment of pension.

(3) All rules made under this Act shall be laid as soon as possible after they are made before the Odisha 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
existing
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 Odisha Legislative Assembly Members' Salary and Allowances Act, 1938, shall continue in force until such rules are made in this behalf under this Act.

Odisha Act
II of 1938.

Interpretation

9. Except as otherwise provided, if any question arises as to the interpretation of this Act or of the rules made thereunder or rules referred to in Section 8, the matter shall be referred to the State Government and their decision shall be final.

Repeal.

10. The Odisha Legislative Assembly Members, Salary and Allowances Act, 1938 is hereby repealed.

Odisha Act
II of 1938.

**THE ODISHA LEGISLATIVE ASSEMBLY MEMBERS'
DRAWAL OF TRAVELLING ALLOWANCES AND DAILY
ALLOWANCES RULES, 1957**

HOME DEPARTMENT

NOTIFICATION

The 21st September 1957

No. 14534-A—In exercise of the powers conferred by clause (a) of sub-section (2) of section 7 of the Odisha Legislative Assembly Members' Salaries and Allowances Act, 1954 (Odisha 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 Odisha Legislative Assembly Members' Drawal of Travelling Allowances and Daily Allowances, 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 Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954;

(b) 'Meeting' means a single day's meeting of Odisha 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 draw 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 may draw 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 Odisha Legislative Assembly shall draw 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 in 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 draw 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 draw 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 draw 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, draw allowance as follows :—

- (a) If he returns to his place of residence during the interval he may draw travelling allowance at the rate 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 may draw 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 draw 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 draw 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 draw 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 draw 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 bill 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, Odisha 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 into force.

By order of the Governor
P. N. MOHANTI
Secretary to Government

**TRAVELLING ALLOWANCES, DAILY ALLOWANCE OF
MEMBERS OF ODISHA LEGISLATIVE ASSEMBLY GOING
OUTSIDE THE STATE TO ATTEND CONFERENCES AND
MEETINGS AND ON STUDY TOURS**

No. 4014-OLA-2-22/91-PAD.

GOVERNMENT OF ODISHA

PARLIAMENTARY AFFAIRS DEPARTMENT

RESOLUTION

Bhubaneswar, the 21st September 1991

Subject—Travelling allowances, Daily allowance of Members of the Odisha 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 ₹[2,000 rupees] 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 ₹[2,000 rupees] 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 *Odisha 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
SUBDIVISIONAL 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
Subdivisional purposes.

At present M. L. As. attending Committees and Conferences appointed by Government of State, District and Subdivisional 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 Odisha 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 Odisha 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 Subdivisional purposes will be entitled to Travelling Allowance and Daily Allowance as admissible to them as M. L. As. under the Odisha Legislative Assembly Members' Salary and Allowances Act and Rules issued hereunder .

These orders will come from the date of issue of this Resolution.

ORDER—Ordered that the resolution be published in the *Odisha Gazette* and that copies be forwarded to the Accountant-General, Odisha, Departments of Government, Heads of Department, District Officer, District Judges, Secretary to Governor, Secretary, Odisha Legislative Assembly for information.

By order of the Governor

J. S. BAIJAL

Secretary to Government

**THE ODISHA LEGISLATIVE ASSEMBLY MEMBERS'
TELEPHONE FACILITIES RULES, 1964**

1. Short title and commencement

(a) These rules may be called the Odisha Legislative Assembly Members' Telephone Facilities Rules, 1964 ;

(b) These rules shall come into force at once.

2. Application

These rules shall apply to all the members of the Odisha Legislative Assembly except :—

- (a) Chief Minister, Ministers or Deputy Ministers of the State
- (b) Speaker and Deputy Speaker
- (c) Leader of the Opposition
- (d) Whip and Chief Whip to Government

3. Definitions

Unless the context otherwise requires, the words and phrases used in this rule but not defined, shall have the same meaning as have been respectively assigned to them under the Odisha Legislative Members' Salary, Allowances and Pension Act, 1954.

4. Telephone facilities

Subject to the provisions contained in Rule 2, a member may apply to the Director of Post and Telegraphs, Odisha to instal a telephone either at his residence at Bhubaneswar or at his Constituency and the installation of the telephone may be made on the responsibility of the member.

5. (a) The installation charge or the annual rental charge of the telephone installation either in the residence at Bhubaneswar or, at Constituency of a member shall be reimbursed by the Odisha Legislative Assembly Secretariat on production of the demand note from the postal authorities by such member.

(b) If a member to whom reimbursement is sanctioned on production of the demand note from the Posts and Telegraph Department does not deposit the amount with the Posts and Telegraph Department and does not give a certificate within thirty days from the date the payment is made to him to the effect that the amount has been paid to the Postal Authorities, the amount shall be recovered from the member by way of deduction from his dues from the Assembly Secretariat.

(c) The number of the telephone, the date of instalation and disconnection thereof, shall be intimated to the Assembly Secretariat by the member concerned.

(d) In case disconnection of a telephone before the period for which the telephone rent has been paid in advance is over, the member will be liable to refund the amount that he will get back from the Posts and Telegraph Department.

(e) Members who have got telephone connection at their residences will be entitled to the reimbursement of rent from the date these rules come into force on production of the receipt from Posts and Telegraph Department and reimbursement will be made to them for the unexpired period for which rent has been paid in advance.

¹[(f) The security deposit for instalation of a telephone for a member made after the 29th June 1977, shall be borne by the State Government.]

²[6. (1) A member shall be entitled to receive Telephone Allowance of ²[eight thousand rupees] per month for local calls and trunk calls.

(2) If a member has a telephone either at the residence at Bhubaneswar or at his Constituency installed at his own cost in addition to a telephone installed in accordance with Rules 4 and 5, he shall be entitled to receive Telephone Allowance within the limit prescribed under sub-rule (1) in respect of both the telephones.]

By order of the Governor

S. SIVARAMAN

Chief Secretary to Government

1. Inserted by the P. & S. Department Notification No. 12968-O. L. A., dated the 11th August 1972.

Clause (f) has been successively substituted by the P. & S. Department Notification No. 21437-O. L. A., dated the 30th September 1972 and No. 8526-Gen., dated the 13th April 1978 to read as above.

2. Substituted by the Parliamentary Affairs Department Notification No. 2918-P. A. D., dated the 30th May, 2011.

**THE ODISHA LEGISLATIVE ASSEMBLY MEMBERS' SALARY
AND ALLOWANCES (DEDUCTION OF HOUSE RENT AND
OTHER CHARGES) RULES, 1957**

HOME DEPARTMENT

NOTIFICATION

The 30th January 1957

No. 1127-A—In exercise of the powers conferred by clause (b) of sub-section (2) of Section 7 of the Odisha Legislative Assembly Members' Salary and Allowances Act, 1954 (Odisha Act XIX of 1954), the State Government do hereby, make the following rules, namely :—

1. (1) These rules may be called the Odisha Legislative Assembly Members, Salary and Allowances (Deduction of House Rent and other charges) Rules, 1957.

(2) They shall come into force at once.

2. Deductions on account of house rent and other charges (such as electric charges, water rent, furniture rent, damage or loss of Government property), if any, outstanding against any Member of the Assembly in respect of Government quarters occupied by him in the New Capital shall be made by the Assembly Secretariat from the Salary payable to such a member on such demand being made by the Executive Engineer having jurisdiction. The amount so deducted from the salary shall be credited to the appropriate head, in the Treasury at the time of encashment of salary bill.

3. In case of excess recovery, the Member concerned may take up the matter with the said Executive Engineer for refund of such excess.

4. The balance of house rent and other charges, if any, specified in Rule 2 outstanding against a member, which, however is not possible to recover in full in the manner provided in Rule 2, shall be recovered from the Travelling Allowance Bills of the Member concerned and credited to the appropriate head by the Accountant-General to whom the said bill shall be sent for pre-audit.

By order of the Governor

P. N. MOHANTI

Secretary to Government

**DEDUCTION OF ARREAR ELECTRIC CHARGES FROM THE SALARY
OF THE M. L. As. UNDER THE ODISHA M. L. As. SALARY AND
ALLOWANCES (DEDUCTION OF HOUSE RENT, ETC.)
RULES, 1957**

*Copy of letter No. 13102-A., dated Bhubaneswar, the 9th August 1957
from Shri D. L. Purkayastha, I. A. S. Joint secretary to Government to
the Secretary, Odisha Legislative Assembly*

SUBJECT—Deduction of arrear electric charges from the salary of the M. L. As. under the Odisha M. L. As. Salary and Allowances (Deduction of House rent, etc), Rules, 1957.

“I am directed to refer to Rule 2 of the Odisha Legislative Assembly Members’ Salary and Allowances (Deduction of House Rent etc.) Rules, 1957 which provides for the deduction of entire arrear house rent, electric charges, etc. from the salary and T. A. Bills of the M. L. As. at a time. As deduction of entire arrear electric charges at a time shall cause hardship to the M. L. As. Government have been pleased to allow, in relaxation of Rule 2 of the said Rules the M. L. As., who are continuing as members of the Odisha Legislative Assembly constituted after the General Elections to pay up such arrears in instalments not exceeding ₹ 50, and not less than ₹ 25, a month. I am to request you, therefore, to make deduction from the salary bills of such M. L. As., who are in arrears in respect of payment of electric charges for occupying quarters at New Capital accordingly.

2. The Accountant-General, Odisha and the Work Department are being informed of the order.”

**ODISHA LEGISLATIVE ASSEMBLY MEMBERS'
(MEDICAL ATTENDANCE) RULES, 1965**

GOVERNMENT OF ODISHA

POLITICAL & SERVICES DEPARTMENT

NOTIFICATION

The 31st December 1965

No. 25590-Gen.—In exercise of the powers conferred by Section 7 of the Odisha Legislative Assembly Members' Salary Allowances and Pension Act, 1954 (Odisha Act XIX of 1954), the State Government do hereby make the following rules, namely :—

**THE ODISHA LEGISLATIVE ASSEMBLY MEMBERS' (MEDICAL
ATTENDANCE) RULES, 1965**

1. Short title and commencement

(a) These rules may be called the Odisha Legislative Assembly Members' (Medical Attendance) Rules, 1965.

(b) These rules shall come into force at once.

2. Application

(a) These rules shall apply to all the Members of the Odisha Legislative Assembly and the members of their family.

(b) Free medical attendance shall be made available only to a member and his families at his residence.

3. Definitions

In these rules unless the context otherwise requires—

(a) "Act" means the Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954;

(b) "Member" means a Member of the Odisha Legislative Assembly;

(c) "Authorised Medical Attendant" means an Assistant Surgeon or Junior Assistant Surgeon or a Medical Officer of equivalent rank employed in recognised Institution within the State of Odisha located at or near the place where the member or a member of his family who has fallen ill, resides :

Or a practitioner in Homoeopathic or Ayurvedic system of medicine who has been registered or listed under the Odisha Homoeopathic Act, 1956, and the Odisha Ayurvedic Medicine Act, 1960, respectively :

Provided that the Civil Surgeon or a Medical Officer of equivalent rank if available at the place where a member or his family has fallen ill shall in addition be the medical attendant also.

(d) "Hospital" means a hospital or a dispensary maintained by the State Government or a Local Authority and any other hospital or dispensary or a Primary Health Centre with which arrangements have been made by the State Government for the treatment of the member and the members of their family;

(e) "Medical Attendance" means the professional advice and care during sickness convalescence or injury afforded by the authorised medical attendant at the member's residence or in the hospital including such pathological, bacteriological, radiological or other or other methods of examination for the purpose or diagnosis as are available in any Government Hospital or Dispensary and are considered necessary by the authorised medical attendant and such surgical treatment as can be suitably given at the residence of the member and such consultation with a Specialist of other Medical Officer serving under the State Government as the authorised medical attendant certifies to be necessary to such extent and in such manner as the Specialist or Medical Officer may in consultation with the authorised medical attendant, determine;

(f) "Patient" means a Member of the Odisha Legislative Assembly or a member of his family to whom those rules apply and who has fallen ill;

(g) "Family" means a member's wife or husband, as the case may be, parents, children and step children wholly dependent upon the member;

(h) "Treatment" means the use of all Medical and Surgical facilities available at the Hospital, and includes—

- (i) the employment of such pathological, bacteriological, radiological or other methods as are considered necessary by the authorised Medical attendant;
- (ii) the supply of such medicines, vaccines, sera or other therapeutic substance as are ordinarily available in the hospital; *and*

- (iii) such nursing as is ordinarily provided to inpatients by the hospital;
- (iv) such Specialist consultation as may be considered necessary by the medical attendant.

(i) The words and expressions used in these rules but not defined shall have the same meaning as has been respectively assigned to them under the Act.

4. Medical attendance and treatment

A patient shall be entitled free of charge to medical attendance and treatment in a hospital or in his residence by the authorised medical attendant :

Provided that in case of emergency or great danger or difficulty, the attendance of the Civil Surgeon or Medical Officer of equivalent rank or of the rank of a Professor of any teaching institute of any modern medical science in the State.

5. Accommodation in Hospital

A patient shall be entitled free of charge to such accommodation in a hospital as is ordinarily provided thereat :

Provided that a patient occupying special accommodation such as Cottage, Special Ward or Nursing Home attached to the Hospital shall be liable to pay charges at the concessional rate as applicable to Class I Government servants.

6. Journey for Medical purposes

(a) When the place at which the patient falls ill is not the headquarters of the authorised medical attendant—

- (i) the patient shall be entitled to travelling allowance for the journey to and from such headquarters; or
- (ii) if the patient is too ill to travel the authorised medical attendant shall be entitled to travelling allowance for the journey to and from the place where the patient is.

(b) Application for travelling allowance under Clause (i) of sub-rule (a) shall be accompanied by a certificate in writing by the authorised medical attendant stating the medical attendance was necessary and if the application is under clause (ii) of that sub-rule that the patient was too ill to travel.

(c) If the authorised medical attendant is of opinion at the case of a patient is of such a serious or special nature as to require medical attendance by some person other than himself, he may with the approval of the Director of Health Services (Which shall be obtained beforehand unless the delay involved entails danger to the health of the patient)—

- (i) send the patient to the nearest Specialist or other Medical Officer, as provided in sub-rule (d) of Rule 3 by whom in his opinion medical attendance is required for the patient; or
- (ii) if the patient is ill to travel, summon such Specialist or other Medical Officer to attend upon the patient;
- (iii) if the authorised medical attendant is of the opinion that it would be unsafe for the patient to make the journey to the Specialist unattended, the authorised medical attendant may either himself accompany the patient to the destination or arrange that some other person should do this, in that case the attendant, if a member, he shall draw travelling allowance for the outward and return journey, if not a member, he shall be entitled to actual travelling expenses.

(d) A patient sent under Clauses (i) and (iii) of sub-rule (c) shall on production of a certificate in writing by the authorised medical attendant, in this behalf, be entitled to travelling allowance for the journey to the headquarters of the Specialist or other Medical Officer.

(e) A Specialist or other Medical Officer summoned under Clause (ii) of sub-rule (c) shall on production of a certificate in writing by the authorised medical attendant in this behalf be entitled to travelling allowance for the journey to and from the place where the patient is.

(f) When a patient is carried in an Ambulance from his or her residence to the hospital or from one hospital to another hospital the Ambulance charges paid at the prescribed rate shall be reimbursed to the concerned member on production of certificate from the Civil Surgeon of the hospital to which the Ambulance is attached, that journey in Ambulance Car was essential :

Provided that the Ambulance charges shall not be reimbursed, if the Ambulance does not belong to Government or local fund or any recognised hospital.

¹[7]

8. Reimbursement of the cost of treatment at the residence

(a) The patient shall receive treatment at his residence under Rule 4, if in the opinion of the authorised medical attendant the same is necessary due to remoteness of suitable hospital or the severity of the illness.

²[(b)]

9. Treatment for Tuberculosis

A patient when treated for Tuberculosis in a recognised Sanatorium indicated in Annexure I as per advice of authorised medical attendant shall get the following financial assistance from the State Government subject to the production of a certificate from the authorised medical attendant to the effect that it was necessary for the patient to proceed to a Tuberculosis Sanatorium for the treatment—

- (a) Sanatorium charges (Which include charges for ordinary accommodation and medicine) at the rate actually paid by the patient, subject to a maximum of ₹ 25 a month.
- (b) Travelling allowance as on tour, for both the journeys to and from the Sanatorium.
- (c) An allowance of ₹ 30 a month during the period of high prices towards the cost of the special diet, if any, prescribed by the Medical Superintendent of the Sanatorium.
- (d) The cost of special medicine up to ₹ 25 a month on production of a certificate from the Medical Superintendent of the Sanatorium that these have been prescribed for purchase by the patient.
- (e) The actual expenses incurred for taking an attendant for the journey to the Sanatorium and back when an attendant accompanies him/her.

1. Deleted in G. A. Department Notification No. 88009-Gen., dated 24-4-1987 (w.e.f. 1-1-1987).

2. Deleted in G. A. Department Notification No. 88009-Gen., dated 24-4-1987 (w.e.f. 1-1-1987).

10. Treatment outside the State

(a) A patient suffering from Poliomyelitis, Cerebral palsy and such other diseases for which there is no facility for treatment within the State shall receive such treatment at a hospital or institution situated in any other State of the Indian Union where such treatment is available with financial assistance from State Government as specified in Rule 11 as per the advice of authorised medical attendant. Before advising the patient, the authorised medical attendant should have taken the opinion of the Specialist under Government employment of the State that the patient require treatment outside the State for recovery :

Provided that such advice shall be given by the authorised medical attendant with the approval of Director of Health Services, Odisha (Which shall be obtained beforehand unless the delay involved entails danger on the health of the patient).

(b) Patients suffering from Poliomyelitis should only be referred to one of the institutions outside the State as indicated in Annexure II when considered necessary by the authorised medical attendant.

(c) The authorised medical attendant while authorising a patient for treatment outside the State as provided in sub-rule (a) shall give a certificate in the following manner :-

“Certified that Shri/Shrimati.....
..... of
..... year
..... suffering from
is advised to go to
.....hospital/institution in
..... State for further
investigation and treatment as proper facilities for his/her treatment are
not available within the State.”

(d) If the authorised medical attendant is of the opinion that it is unsafe for the patient to travel unattended to, he shall certify in writing that the patient should travel in the place of treatment being accompanied by an attendant.

(e) In the case of patient who is a child below the age of 10 years an attendant shall accompany her/him to the place of her/his treatment without requiring any certificate from the authorised medical attendant as in sub-rule (c).

(f) The concessions referred to above shall also be available to those patients who are to undergo post-treatment check up at the institution outside the State.

11. A patient shall be entitled to the financial assistance from Government for treatment as provided in Rule 10 in the following manner :-

(a) Travelling allowance for the outward and return journey as indicated below-

- (i) Actual bus fare of charges on account of other means of communication from the place for which the patient actually travels to the hospital for treatment and back.
 - (ii) Actual railway fare of the class of accommodation to which he/she is entitled to, or of any lower class by which he/she may travel, but no halting allowance shall be paid.
 - (iii) The attendant who is authorised to accompany the patient shall be entitled to claim actual bus fare and single railway fare in the manner indicated at clauses (i) and (ii) above both ways of the appropriate class by which he actually travels.
- (b) (i) Reimbursement charges paid at the institution excluding dietary charges on production of receipt in support of payment of amount in the institution.
- (ii) Cost of medicines purchased from outside excluding the cost of inadmissible medicines prescribed by the State Government on production of a certificate from the Superintendent or Medical Officer in charge of the Unit or Department of that institution in which the patient is treated to the effect that the medicines were prescribed for and purchased from outside by the patient and those medicines were essential for the treatment of the patient.

12. Treatment in Pasteur Centre

A patient when bitten by a rabbit animal shall be entitled for treatment in the nearest pasteur centre and shall be entitled to travelling allowance for the journey to and from the place from which he actually starts.

13. Drawal of reimbursement amount

(a) The amount to be reimbursed under these rules shall be drawn from treasury on a salary bill by the member.

(b) The Secretary, Odisha Legislative Assembly shall be the Controlling Officer in respect of the medical reimbursement claim of the members :

Provided that the duties of the Secretary, Odisha Legislative Assembly may be performed by the Assistant Secretary, Odisha Legislative Assembly.

14. Supersession of existing rules

These rules supersede all other rules or instructions issued previously so far as they relate to medical facilities admissible to the members.

By order of the Governor

A. K. BARREN

Chief Secretary to Government

LIST OF RECOGNISED SANATORIES

1. Madar Union Sanatorium, Madar, Ajmer-Merwar
2. Raid Provincial Sanatorium, Shillong
3. Municipal Tuberculosis Hospital, Civil and Military Station, Bangalore.
4. Government Tuberculosis Sanatorium, Bangalore Cantonment
5. S. B. Dey Sanatorium, Kurseong
6. Jadabpur Tuberculosis Hospital, Jadabpur
7. Itki Sanatorium, Itki
8. Turner Sanatorium, Bhoiwada Hill Parel, Bombay
9. The Bal-Air Sanatorium, Dalkeith, Panchgani
10. Hill Site Sanatorium, Gengurla
11. The Slavation Army Tuberculosis Hospital, Ananda District, Kaira
12. Wanless Tuberculosis Sanatorium, Wanleswadi, district Satara
13. Pendra Road Sanatorium, Pendra Road (C.P.)
14. The Nagpur Tuberculosis Clinic, Nagpur
15. Silver Jubilee Tuberculosis Hospital, Kingsway, Delhi
16. The New Delhi Tuberculosis Clinic, New Delhi
17. Union Mission Tuberculosis Sanatorium, Arogyevaram
18. Vrsrantipuram Sanatorium, Rajmundry
19. Government Tuberculosis Sanatorium, Tembaram, Madras
20. Coimbatore District Jubele Tuberculosis Sanatorium, Perundurai
21. Government Tuberculosis Hospital, Roypettahi, Madras City
22. The King Edward Sanatorium, Dharampore, Simla Hills
23. Lady Irwin Tuberculosis Sanatorium, Jubar
24. Lady Linlithgow Sanatorium, Kasauli

25. Rai Bahadur Sir Gunjarmal Kesredevi Tuberculosis Sanatorium, Amritsar.
26. King Edward VII Sanatorium, Bhowali
27. Red Cross Sanatorium, Samli, Muree Hills
28. The Tuberculosis Clinic attached to the Calcutta Medical College
29. Shree Padmabai Devi Sanatorium, Baroda City
30. Ganga Golden Jubilee Tuberculosis Dispensary and Hospital, Bikaner.
31. Tuberculosis Hospital, Lingampalli, Hyderabad (Decan)
32. Princess Krishna Jammani Sanatorium, Mysore City
33. Tuberculosis Hospital, Nagercoil (Travancore State)
34. The Tuberculosis Government Hospital, Kaucharapara (*Vide* Office Memorandum No. D-481-F-IV/48, dated the 30th June 1948).
35. Tuberculosis Departments of the Government Headquarters Hospital, Trichinapoly [*Vide* Office Memorandum No. F. (777) E-IV, dated the 2nd December 1948].
36. Rajaji Tuberculosis Sanatorium, Trichinapoly [*Vide* Office Memorandum No. (108)-Estt.-IV/48, dated the 20th January 1948].
37. Santosham Memorial Tuberculosis Sanatorium, Tanvaram, Madras
38. The Tuberculosis Dispensary, Srinagar
39. The Tuberculosis Clinic attached to the Civil Hospital, Jammu Tawi
40. The Municipal Tuberculosis Dispensary, Civil and Military Station, Bangalore.
41. The Kasturba Tuberculosis Clinic and Hospital, Lucknow
42. Government Tuberculosis Institute, Madras
43. Government Headquarters Hospital, Coimbatore
44. Government Headquarters Hospital, Calicut
45. Government Headquarters Hospital, Tanjore
46. Government Erskire Hospital, Mathuria

47. Government King George Hospital, Visakhapatnam
48. Government General Hospital, Madras
49. Government Wellesly Tuberculosis Sanatorium, Bellary
50. Telegaon General Hospital and Convalescent Home, Telegaon (Debhade, district Poona).
51. Vicigria Jubilee Hospital, Amritsar
52. King George Medical College Hospital, Lucknow
53. Patna Medical College Hospital
54. Tuberculosis Clinic, Jabalpur
55. Tuberculosis Clinic, Queens Road, Delhi
56. Ramakrishna Mission Free Tuberculosis Clinic, Karol Bagh, Delhi
57. Basanta Manjari Swasthyanivas, Chandpur
58. T. B. Hospital, Uditnarayanpur
59. T. B. Ward of the S.C.B. Medical College Hospital, Cuttack

**GOVERNMENT RECOGNISED INSTITUTIONS FOR THE TREATMENT
OF POLIOMYELITIS**

1. Government General Hospital, Madras
2. Government Stanlex Hospital, Madras
3. Chittaranjan Seva Sadan, Calcutta
4. Presidency General Hospital, Calcutta
5. N.R. Sarkar Medical College Hospital, Calcutta
6. R. G. Kar Medical College Hospital, Calcutta
7. Medical College Hospital, Calcutta
8. Medical College Hospital, Nagpur
9. Medical College Hospital, Patna
10. Medical College Hospital, Darbhanga

**ODISHA LEGISLATIVE ASSEMBLY EX-MEMBERS' PENSION
RULES, 1979**

POLITICAL & SERVICES DEPARTMENT

NOTIFICATION

The 21st March 1979

No. 9528—In exercise of the powers conferred by Section 7 of the Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954, the State Government do hereby make the following rules for the payment of pension to the ex-Members of the Odisha Legislative Assembly, namely :—

Short title and
Commencement.

1. (a) These rules may be called the Odisha Legislative Assembly ex-Members' Pension Rules, 1979.
- (b) These rules shall come into force on the date of their publication in the official Gazette.

Definitions.

2. In these rules unless the context otherwise requires :—
 - (a) 'Act' means the Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954;
 - (b) 'Assembly' means the Odisha Legislative Assembly;
 - (c) 'Ex-Member' means the person referred to in Section 4-B of the Act.
 - (d) 'Forms' means a form appended to these rules;
 - (e) 'Sanctioning Authority' means the Secretary of the Odisha Legislative Assembly Secretariat;
 - (f) 'Secretariat' means the Secretariat of the Odisha Legislative Assembly;
 - (g) 'Treasury' includes Sub-Treasury and Special Treasury.

Application for pension.

3. Every person, who is entitled to pension under Section 4-B of the Act, shall make an application to the Secretary, in Form 'A'. The application shall be accompanied by three copies of the latest Photograph and three specimen signature duly attested by a Gazetted Officer.

Scrutiny of application.

4. On receipt of application for pension from ex-Members the sanctioning authority, after verification from the record of his office regarding the period of membership as mentioned in the application, shall decide the amount of pension the ex-Member is entitled to under the Act, and thereafter issue a sanction order in Form 'B' specifying the monthly pension.

Pension Payment Order.

5. The Accountant-General, Odisha shall on receipt of the sanction order, issue the Pension Payment Order in Form 'C' to the Treasury Officer where payment is desired by the ex-Member in his application, under intimation to the ex-Member concerned (Hereinafter called the pensioner). The Pension Payment Order should be in two separate books one meant for the pensioner and the other for the disburser upon which the words "Pensioner's Portion" and the "Disburser's Portion" respectively should be clearly mentioned. Entries regarding every payment shall be made in both the books at appropriate places.

On receipt of the intimation from the Accountant-General, the pensioner may obtain his portion, i.e., the PENSIONER'S PORTION of the Pension Payment Order from the Treasury Officer concerned.

Manner of payment of pension.

6. (1) Payment of pension under the Pension Payment Order at the treasury shall be made upon presentation of a bill in Form 'D'.

(2) The procedure for payment of pension at the Treasury in other respects shall be the same as in the case of civil pensioners.

(3) Such pensions are also payable through authorised public sector Banks as per Finance Department Office Memorandum No. 45539, dated the 2nd September 1977.

7. (1) Where a pensioner becomes ineligible to receive pension under sub-section (2) of Section 4-B of the Act, he shall intimate the fact to the sanctioning authority, the Accountant-General and the concerned Treasury Officer and surrender the "Pensioner's Portion" of the Pension order in Form 'C' issued to him to the concerned Treasury Officer.

(2) The sanctioning authority shall intimate the concerned Treasury Officer in the event of a re-election of a pensioner as a Member of the Assembly.

FORM 'A'

(See Rule 3)

APPLICATION FOR PENSION

(See Section 4-B of the Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954)

(To be submitted in duplicate by ex-Member of the Odisha Legislative Assembly)

From

Shri/Shrimati/Kumari
(Ex-Member of the Odisha Legislative Assembly)

To

The Secretary
Odisha Legislative Assembly, Bhubaneswar.

Subject–Sanction of Pension under the Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954.

Sir,

In terms of Section 4-B of the above mentioned Act, I am entitled to pension in respect of the following period served by me as a Member of the Odisha Legislative Assembly–

Name of Constituency

From to

From to

From to

From to

From to

2. It is requested that steps may kindly be taken to sanction pension to me. I desire to draw my pension from Government treasury at or public sector Bank Branch at

3. I enclose herewith the following documents duly attested by a 1st Class Magistrate/Class I Officer belonging to the Central Government or a State Government/ a sitting Member of the Odisha Legislative Assembly–

- (i) Three specimen signatures
- (ii) Three copies of latest photograph in passport size

4. My present address is

My permanent address is

.....

5. I hereby declare that–

- (i) I am not holding 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 State (Rajya Sabha) or the House of the People (Lok Sabha) or any Legislative Assembly of any State or Union Territory;
- (iii) I am not employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by Local Authority or I am not otherwise entitled to any remuneration from such Government or Corporation or Local Authority;
- (iv) I am not in receipt of any Old Age/Political/Military/Civil Pension from Central Government/ State Government any Local Authority/Corporation owned or controlled by the Central or any State Government;
- (v) I am holding the office of
or Member of
or employed as in and the
total remuneration received by me is ₹
P.M.

(A certificate from the competent authority to be attached).

(vi) I am in receipt of Rs..... as Old Age/Political/
Military/Civil Pension from Central Government/State
Government/a Local Authority/Corporation owned or
controlled by the Central Government or any State
Government being drawn from
(Here mention the source).

(A certificate from the Disbursing Officer may be attached)

Yours faithfully

Name in block letters

Signature

.....

Station.....

Date.....

SPECIMEN SIGNATURE

Signature

Attested

Name and Seal of Attesting Authority

Signature

Attested

Name and Seal of Attesting Authority

Signature

Attested

Name and Seal of Attesting Authority

FORM 'B'

(See Rule 4)

THE SECRETARIAT OF THE ODISHA LEGISLATIVE ASSEMBLY

Certified that after verification of the relevant records that Shri/
Shrimati/Kumari

(In block letters) served as a Member of the Odisha Legislative Assembly
during the following period :-

From to

From to

From to

From to

From to

A pension of Rs. (Rupees
.....) only *per mensem* is sanctioned
to Shri/Shrimati/Kumari
..... with effect from
.....

Forwarded to Accountant-General for further action

Signature of the Sanctioning Authority.....

Designation

(Official Seal)

FORM 'C'

(See Rule 5)

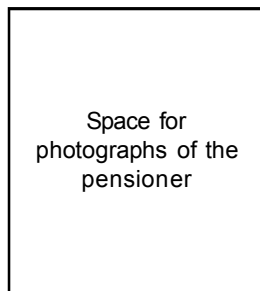
PENSION PAYMENT ORDER

(Debitable to State Government)

Head of Account—(266—Pensions and other Retirement Benefits—Other Pensions—Pensions to Legislators).

VOTED

- 1. Name of pensioner.....
- 2. Residence showing village, P.O., P.S. and district



- 3. Class of pension :
Pension under the Odisha
Legislative Assembly Members'
Salary, Allowances and Pension
Act, 1954 (Odisha Act 19 of 1954).
- 4. Amount of monthly pension Rs.....

Rupees.....

(SPACE FOR SIGNATURE OF THE

..... PENSIONER)

- 5. Date of commencement :

5. Office and place of payment :

OFFICE

Bhubaneswar, the 2000

No.

UNTIL FURTHER NOTICE and on the expiry of every month

be pleased to pay to
the sum of Rupees being the amount
of pension under the Odisha Legislative Assembly Members' Salary,
Allowances and Pension Act, 1954 as per details given below :-

Pension due under section 4-B (1)
of the Act. .. ₹

Less remuneration/pension being
received under section 4-B (2) of
the Act. .. ₹

Net pension payable .. ₹

Payment should commence from

Signature of Authorised Officer
of the Accountant-General

1. Substituted by P. & S. Department Notification No. 2261-Gen., dated 6-2-1980.
(w.e.f. 6-2-1980).

Amount of pension ₹ (In words)
 every separate payment is to be
 recorded below by the Disbursing Officer :

Month for which pension is due	Date of payment	Disbursing Officer's initial	Date of payment	Disbursing Officer's initial	REMARKS
1	2	3	4	5	6
March	..				
April	..				
May	..				
June	..				
July	..				
August	..				
September	..				
October..					
November	..				
December	..				
January..					
February	..				

FORM 'D'

[See Rule 6 (1)]

**PENSION BILL OF EX-MEMBER OF
THE ODISHA LEGISLATIVE ASSEMBLY**

Pension Payment Order No.

Shri/Shrimati/Kumari Ex-M.L.A.

District	Head of Account	Voucher No.
		Date

Amount of pension due to me as ₹

Ex-Member of Odisha Legislative

Assembly for the month of 20

Rupees

Total .. ₹

Received payment
(Revenue stamp, if amount exceeds
₹ 500.00)

Pay ₹ (Rupees

Treasury Officer

.....

Signature

Pensioner's residence.....

.....Signature of Pensioner

Station Date

**THE ODISHA LEGISLATIVE ASSEMBLY MEMBERS'
FAMILY PENSION RULES, 1988**

GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

The 23rd February 1988

No. 6512-Gen.—In exercise of the powers conferred by Section 7 of the Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954 (Odisha Act 19 of 1954), the State Government do hereby make the following rules to regulate payment of family pension to the spouses of the deceased member, namely :—

Short title and commencement. **1.** (1) These rules may be called the Odisha Legislative Assembly Members' Family Pension Rules, 1988.

(2) They shall be deemed to have come into force with effect from the 1st day of April, 1979.

Definitions. **2.** In these rules, unless the context otherwise requires—

(a) "Act" means the Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954;

(b) "Assembly" means the Odisha Legislative Assembly;

(c) "Form" means form appended to these rules;

(d) "Member" means a member of the Odisha Legislative Assembly;

(e) "Sanctioning Authority" means the Secretary of the Odisha Legislative Assembly;

(f) "Section" means a section of the Act;

(g) "Treasury" includes Sub-Treasury and Special Treasury.

Application for family pension.

3. (a) In the event of the death of a member who was eligible for pension or already in receipt of pension under sub-section (1) of Section 4-B of the Act, his/her spouse shall be entitled to receive family pension as provided under sub-section (5) of Section 4-B of the Act, a sum equivalent to such pension till his/her death or remarriage whichever is earlier/subject to the conditions laid down hereinafter.

(b) The spouse of a deceased member who is entitled to family pension shall make an application to the Sanctioning Authority in Form 'A'. The application shall be accompanied by the following documents :-

(i) Three copies of the latest Photograph of the applicant in passport size duly attested by a Gazetted Officer.

(ii) Three specimen signatures of the applicant duly attested by a Gazetted Officer.

(iii) A Certificate showing the relationship of the applicant with the deceased member obtained from the Tahasildar having jurisdiction over the area where the deceased member was residing permanently.

(iv) A Certificate of death of the deceased member.

Scrutiny of application.

4. On receipt of the application for family pension from the spouse of the deceased member, the Sanctioning Authority, after verification from the records about the authenticity the conditions specified in Rule 5, shall sanction the family pension and thereafter issue

the sanction order in Form 'B' specifying the amount of monthly family pension copy of which shall be forwarded to the Accountant-General (Accounts and Entitlement), Odisha in duplicate.

Condition for sanction of family pension.

5. Sanction of family pension shall be subject to the following conditions, namely :—

(1) Where any spouse entitled to family pension under clause (a) of Rule 3—

(i) is appointed to the office of the Governor of any State or the Administrator of any Union Territory;

or

(ii) because a Member of the Council of States or the House of the People or of any Legislative Assembly;

or

(iii) 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 under any local authority or becomes otherwise entitled to any remuneration from such Government, Corporation or Local Authority;

such spouse shall not be entitled to any family pension for the period during which he/she 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 spouse or holding such office or being such member or so employed, of where the remuneration referred to in clause (iii) payable to such spouse. In either case, less

than the family pension payable to him under sub-section (5) of Section 4-B, such spouse shall be entitled only to receive the balance as family pension under sub-section (5) of Section 4-B.

(2) Where any spouse entitled to family pension under sub-section (5) of Section 4-B is also entitled to any other pension from the Central Government or any State Government, or any Corporation owned or controlled by the Central Government or any State Government or from any Local Authority, under any law or otherwise, then—

- (a) Where the amount of pension to which he/ she is entitled under such law or otherwise, is equal to or in excess of the family pension to which he/she is entitled under sub-section (5) of Section 4-B, such person shall not be entitled to any family pension under the said sub-section; and
- (b) Where the amount of pension to which he/ she is entitled under such law or otherwise, is less than the family pension to which he/she is entitled under sub-section (5) of Section 4-B such person shall be entitled to pension only of an amount which falls short of the amount of family pension to which he/she is entitled under sub-section (5) of Section 4-B :

Provided that any person (Whether known as Swatantra Sainik Samman Person or by any other name) received by such person as a freedom fighter shall not taken into account for the purpose of sanction of family pension under sub-section (5) of Section 4-B and such person shall be entitled to receive such pension in addition to the family pension to which he is entitled under sub-section (5) of Section 4-B.

Family Pension payment order.

6. The Accountant-General (Accounts and Entitlement), Odisha shall on receipt of the sanction order, issue the Family Pension Payment Order in Form 'C' to the Treasury/Bank, as the case may be, where payment is desired by the applicant under intimation to the applicant hereinafter called the family pension holder. The Family Pension Payment Order should be issued in duplicate one meant for the family pension holder and the other for the disbursing authority upon which the word "Family Pension Holder's Portion" and the "Disburser's Portion" respectively be mentioned clearly. Entries regarding every payment shall be made in both the books in appropriate places.

Manner of obtaining family pensioner order.

7. On receipt of the Family Pension Payment Order from the Accountant-General (Accounts and Entitlements), Odisha, the family pension holder may obtain his/her portion, i.e. the FAMILY PENSION HOLDER'S PORTION of the Family Pension Payment Order from the Treasury/Bank concerned.

Payment of family pension.

8. (1) Payment of family pension under the Family Pension Payment Order at the treasury/Bank shall be made upon presentation of a bill by the family pension holder in Form 'D'.

(2) The procedure for payment of family pension at the Treasury/Bank in other respects shall be the same as in case of civil pensioners.

By order of the Governor

R. K. NAYAK

Special Secretary to Government

FORM 'A'

APPLICATION FOR FAMILY PENSION

[See clause (a) of Rule 3]

(To be submitted in duplicate by the spouse of the deceased
Member of the Odisha Legislative Assembly)

From

Shri/Shrimati
husband/wife of late
..... ex-Member of the
Odisha Legislative Assembly.

To

The Secretary
Odisha Legislative Assembly, Bhubaneswar.

Subject–Sanction of Family Pension

Sir,

In terms of Rule 3 of the Odisha Legislative Assembly Members' Family Pension Rules, 1988, I being the spouse of late Member of the Odisha Legislative Assembly during the period fromto of the Constituency am entitled to family pension.

2. It is requested that steps may kindly be taken to sanction family pension in my favour. I desire to draw my family pension from Government Treasury/Sub-Treasury/Special Treasury at or Public Sector Bank Branch of

3. The following documents duly attested by a Gazetted Officer are enclosed :—

- (i) Three specimen signatures of the applicant.
- (ii) Three copies of latest photograph of the applicant in passport size.
- (iii) A Certificate showing the relationship of the applicant with the deceased member obtained from the Tahasildar having jurisdiction over the area where the deceased member was residing permanently.
- (iv) A Certificate of death of the deceased member.

4. My present address is

.....

My permanent address is

.....

5. "I hereby declare* that—

- (i) I am not holding 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 State (Rajya Sabha) or the House of the People (Lok Sabha) or of any Legislative Assembly of any State;
- (iii) I am not employed on salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or under any local Authority or has become otherwise entitled to any remuneration from such Government or Corporation or Local Authority;

* The declaration which is not applicable may be scored out in ink.

- (iv) I am not in receipt of any Old Age/Political/Military/Civil Pension from Central Government/State Government/any Local Authority/Corporation owned or controlled by the Central or any State Government * except the pension as a freedom fighter;
- (v) I am holding the office of or member of of employed as in and the total remuneration received by me is Rs. (P.M.)

(A Certificate from the competent authority to be attached)

- (vi) I am in receipt of Rs. as Old Age/ Political/Military/Civil Pension from Central Government/ State Government/a Local Authority/Corporations owned or controlled by the Central Government or any State Government being drawn from

(Here mention the source)

¹(A Certificate from the Disbursing Officer to be attached)

Yours faithfully,

Station.....

(Signature of the applicant)

Date.....

* May be scored out if not applicable.

1. Inserted by the G.A. Department Notification No. 21308-O.L.A., dated 23-7-1988 (w.e.f. 1-4-1977).

SPECIMEN SIGNATURES OF THE PENSIONER

Signatures

(1)

(2)

(3)

FORM 'B'

(See Rule 4)

THE SECRETARIAT OF THE ODISHA LEGISLATIVE ASSEMBLY

Certified that Shri/Shrimati
(in block letters) is the spouse of late
Member of the Odisha Legislative Assembly during the period
from to

A family pension of Rs. (Rupees
.....) only per mensem is
sanctioned in favour of Shri/Shrimati
..... with effect from
..... till his/her life time.

*Signature of the Sanctioning
Authority*

Designation
(Official Seal)

Memo. No. /L.A., dated

Forwarded to the Accountant-General (Accounts and Entitlements),
Odisha/Treasury Officer/Sub-Treasury Officer/Special Treasury Officer/
Public Sector Bank for information and necessary action.

(IN BLOCK LETTER FORM)

FORM 'C'

(See Rule 6)

FAMILY PENSION PAYMENT ORDER

Debitable to State Government

Head of Account–Major Head (To be filled up)

Voted

1. Name of the Family Pension Holder
 2. Residence showing Village/P.O./P.-S. and district
-

**Space for
Photograph of the
Family Pension
Holder**

3. Class of Pension

Family Pension under the Odisha
Legislative Assembly Members'
Salary, Allowances and Pension
Act, 1954 (Odisha Act 19 of 1954).

4. Amount of monthly Family Pension Rs.
(Rupees)

(Space for signature of the Family Pension Holder)

5. Date of commencement
6. Office and place of payment

Office of the
Bhubaneswar, the 20

UNTIL FURTHER NOTICE and on the expiry of every month, please
pay to the sum
of Rupees being the amount
of family pension under the Odisha Legislative Assembly Members' Salary,
Allowances and Pension Act, 1954 as per details given below :-

Pension due under sub-section (5) of .. Rs.
Section 4-B of the Act.

Payment should commence from .. Rs.

*Signature of Authorised Officer of the
Accountant-General (Accounts and
Entitlements), Odisha*

Amount of Family Pension Rs.
 (Rupees) Every
 separate payment is to be recorded below by the Disbursing
 Officer :-

Month for which family pension is due	Date of payment	Disbursing Officer's initial	REMARKS
(1)	(2)	(3)	(4)
March	..		
April	..		
May	..		
June	..		
July	..		
August	..		
September	..		
October	..		
November	..		
December	..		
January	..		
February	..		

FORM 'D'

(See Rule 8)

FAMILY PENSION BILL OF DECEASED MEMBER OF
THE ODISHA LEGISLATIVE ASSEMBLY

Family Pension Payment Order No.

Shri/Shrimati/..... spouse of late
..... Member of Odisha Legislative Assembly

District	Head of Account	Voucher No.
----------	-----------------	-------------

Date

Amount of Family pension due to me as husband/wife of Member of Odisha Legislative Assembly for the month of 20	Rs.
--	----------

Total ..

In words (Rupees)

Received payment (Revenue stamp, if amount exceeds Rs. 500.00)
.....

Pay Rs. (Rupees)

Disbursing Officer Signature
.....

Family Pension Holder's residence
.....

Signature of Family Pension Holder

Station Date

**CERTIFICATE TO BE GIVEN IN CASE OF NON-ATTENDANCE OF
PENSIONER IN PERSON**

(To be signed by a First Class Magistrate/Class I Officer of the Central or a State Government/a sitting Member of Odisha Legislative Assembly or any other Officer referred to in Rule 311 of the Odisha Treasury Code)

Certified that I have seen Pensioner Shri/Shrimati/Kumari and that he/she is alive on this date and the bill has been signed by him/her in my presence.

Signature.....

Designation

Stamp

FOR USE IN TREASURY

Noted on page Admitted for Rs.
on the Expenditure Control Register.

Auditor Objected to Rs.

Auditor

Executive Officer

Treasury Officer

By order of the Governor

A. N. TIWARI

Special Secretary to Government

**CERTIFICATE TO BE GIVEN IN CASE OF NON-ATTENDANCE OF
PENSIONER IN PERSON**

(To be signed by a Gazetted Officer or any other Officer referred to in Rule 311 of the Odisha Treasury Code)

Certified that I have seen the Family Pension holder Shri/Shrimati and that he/she is alive on this date and the bill has been signed by him/her in my presence.

Signature.....

Designation

Stamp

**FOR USE IN SUB-TREASURY/TREASURY/SPECIAL TREASURY/
PUBLIC SECTOR BANK**

Noted on page Admitted for Rs.

on the Expenditure Control Register

Auditor Objected to Rs.

Auditor

Executive Officer

Treasury Officer

**THE ODISHA LEGISLATIVE ASSEMBLY MEMBERS' JEEP,
MOTOR-CYCLE, SCOOTER OR ALIKE VEHICLE
ADVANCE RULES, 1986**

GENERAL ADMINISTRATION DEPARTMENT

NOTIFICATION

The 9th May 1986

No. 7877-Gen.—In exercise of the powers conferred by sub-section (2) of Section 4-AA, read with sub-section (1) of Section 7 of the Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954 (Odisha Act 19 of 1954), the State Government hereby make the following rules, namely :—

1. Short title

(1) These rules may be called the Odisha Legislative Assembly Members' Jeep, Motor-Cycle, Scooter or Alike Vehicle Advance Rules, 1986.

(2) *Commencement*—They shall come into force on the date of their publication in the official gazette.

2. Definition

In these rules, unless the context otherwise requires—

- (a) "Act" means the Odisha Legislative Assembly Members' Salary, Allowances and Pension Act, 1954.
- (b) "Advance" means an advance sanctioned to a Member for the purpose under section 4-AA of the Act.
- (c) "Assembly" means the Odisha Legislative Assembly
- (d) "Forms" means a form appended to these rules
- (e) "Sanctioning Authority" means the Secretary of the Odisha Legislative Assembly Secretariat.
- (f) "Secretariat" means the Secretariat of the Odisha Legislative Assembly.
- (g) "Treasury" includes Sub-Treasury and Special treasury
- (h) Words and expression used but not defined herein shall have the same meaning respectively assigned to them in the Act.

3. Advance when admissible

A Member may, subject to the terms and conditions hereinafter specified be sanctioned with an advance for purchase of a jeep, motor-cycle, scooter or alike vehicle so as to enable him to discharge his duties conveniently and efficiently.

4. Maximum amount of advance

The advance which may be sanctioned to a Member for purchase of a jeep, motor-cycle, scooter or alike vehicle shall not exceed rupees '[Five lakhs rupees] only of the actual price of the vehicle to be purchased whichever is less.

5. Repayment of advance

(1) Recovery of the advance sanctioned under these rules together with the interest thereon shall be made from the salary of the Member concerned. The principal amount of the advance together with interest accrued thereon shall be recovered in not more than sixty consecutive monthly instalment and within the tenure of office of the Member, the first of which shall be deducted from the salary of the month in which the advance is drawn. The State Government may, however, permit recovery to be made in a lesser number of instalment if the member receiving the advance so desires. The advance shall bear interest at the same rate as in the case of advance for the purchase of conveyances made to Government servant. The amount of interest calculated shall be recovered in one or more instalments, each such instalment being not more in number than the instalment by which the principal was recovered. The recovery of interest shall commence from the month following that in which the whole of the principal has been recovered.

Explanation— (1) The amount to be recovered monthly shall be fixed in whole rupees, except in the case of the last instalment.

(2) In case of a Member to whom advance has been paid, cases to hold the office before the advance is fully recovered, the entire balance than outstanding together with the interest thereon shall become forthwith be payable to the State Government in lump.

1. Substituted vide O. A. No. 14 of 2017

6. Sale of Jeep, Motor-Cycle, Scooter or alike vehicle

(1) No Jeep, Motor-cycle, Scooter or alike vehicle for the purchase of which an advance has been sanctioned under these rules shall, at any time before the recovery of the advance together with the interest due thereon be sold by the Member without the previous sanction of the Governor.

(2) If the Jeep, Motor-cycle, Scooter or alike vehicle is so sold before the advance together with the interest thereon has been fully recovered, the sale proceeds shall be applied, so far as may be necessary towards the repayment of the outstanding balance :

Provided that when the Jeep, Motor-cycle, Scooter or alike vehicle is sold only for the purpose of purchasing another such vehicle, the Governor may permit the Member to apply the sale proceeds towards such purchases, subject to the following conditions, namely—

- (a) The amount outstanding shall not exceed the cost of the vehicle to be purchased ;
- (b) the amount outstanding shall continue to be recovered at the rate previously fixed; and
- (c) the vehicle so purchased shall be insured and mortgaged in favour of the Government.

(3) In case if the Member who has received the advance desire to sell the Jeep, Motor-cycle, Scooter or alike vehicle to another Member he may be permitted to do so by the Governor provided the purchasing, Member gives a declaration in writing to the effect that he shall be bound by the terms and conditions of the mortgage bond executed in favour of the Government in respect of the Jeep, Motor-cycle, Scooter or alike vehicle and agrees to execute a fresh agreement and mortgage bond prescribed under Rule 8.

7. Period within which negotiation for purchase of Jeep, Motor-cycle, Scooter or alike vehicle may be completed.

A Member who draws an advance shall complete negotiation for the purchase of a Jeep, Motor-cycle, Scooter or alike vehicle and make final payment for such purchase within one month from the date of which he draws the advance, failing which the full amount of the advance drawn, with interest thereon for one month, shall be refunded to the Government.

8. Execution of agreement

(1) At the time of drawing the advance the Member shall execute an agreement in Form I and on completing the purchase he shall further execute a mortgage bond in Form II hypothecating the Jeep, Motor-cycle, Scooter or alike vehicle to the Governor of Odisha as security for the advance.

(2) The agreement executed by the Member shall be presented at the Treasury along with the bill for drawing the advance. The Treasury Officer shall scrutinise the agreement before payment is made and after the payment is made shall transmit the same to the Secretary, Odisha Legislative Assembly. The Treasury Officer shall also record on the bill a certificate to the following effect :

“Certified that the requisite agreement has been executed in the proper form and presented before me with the bill and I have transmitted the same to the Secretary, Odisha Legislative Assembly.”

(3) The Treasury Officer shall intimate the date on which the advance was drawn, to the Secretary, Odisha Legislative Assembly. The sanctioning authority shall then furnish to the Accountant-General, Odisha, a certificate that the agreement in Form I has been signed by the Member drawing the advance and that it has been examined and found to be in order.

(4) The mortgage bond in Form II shall be executed within one month from the date of drawal of the advance and submitted to the Secretary, Odisha Legislative Assembly for transmission to the Accountant-General, Odisha, who after necessary check shall send it to the Inspector-General

of Registration, Odisha for safe custody, when the advance has been fully repaid, the mortgage bond shall be duly cancelled and returned to the Member concerned, after obtaining a certificate from the Accountant-General, Odisha, as to the complete repayment of the advance and the interest accrued thereon.

(5) The order sanctioning an advance shall remain valid for only six months from the date of issue.

9. Insurance of Jeep, Motor-cycle, Scooter or alike vehicle

(1) The Jeep, Motor-cycle, Scooter or alike vehicle purchased with the advance shall be fully insured against loss by fire, theft or accident. Insurance policies at reduced rate of premium shall however, be accepted as adequate in cases where—

- (a) the owner of the Jeep, Motor-cycle, Scooter or alike vehicle undertakes to meet the first Rs. 100 or so of a claim preferred against an Insurance Company in the event of an accident;

OR

- (b) the Jeep, Motor-cycle, Scooter or alike vehicle is not insured against accident for any season of the year during which it is not in use but is stored in a garage.

(2) Such insurance shall be effected within one month from the date of purchase of the Jeep, Motor-cycle, Scooter or alike vehicle.

(3) A clause as in Form III shall be inserted in all policies of insurance in respect of the Jeep, Motor-cycle, Scooter or alike vehicle purchased by the Member with the help of advance taken from Government under these rules. The Member taking advance for purchase of Jeep, Motor-cycle, Scooter or alike vehicle shall disclose to the insurer the fact of the vehicle having been purchased with the help of such advance and also have the aforesaid clause inserted in the policy of insurance of the said vehicle. The Jeep, Motor-cycle, Scooter or alike vehicle shall in no case be insured within Insurance Company if it does not agree to include the clause in the policy.

(4) On receipt of the certificate prescribed in rule 8 the Accountant-General, Odisha, shall obtain from the Member drawing the advance a letter in Form IV to the Motor Insurance Company with whom the Jeep,

Motor-cycle, Scooter or alike vehicle is insured to notify to them the fact that the Government are interested in the insurance policy secured. He shall himself forward this letter to the company and obtain their acknowledgement, in the case of insurances effected on annual basis, the process prescribed above shall be repeated every year until the advance has been fully repaid.

(5) If the Jeep, Motor-cycle, Scooter or alike vehicle purchased has not been insured within the prescribed period or has not been reinsured before the expiry of the period of policy, the Accountant-General, Odisha, shall call upon the Member either to refund the outstanding balance, at once or to produce evidence of insurance or reinsurance, the case may be, within 10 days of receipt of the notice served in that behalf by the Accountant-General, Odisha. The amount for which the Jeep, Motor-cycle, Scooter or alike vehicle is insured during any period shall not be less than balance of the advance together with the interest outstanding at the beginning of that period and the insurance shall be renewed from time to time until the amount due is completely repaid. If at any time and for any reason, the amount insured under a current policy is less than the outstanding balance of the advance together with the interest the Member shall refund the difference to Government. The amount to be refunded shall be recovered in not more than 3 monthly instalments.

10. Repeal and Saving

(1) All rules and orders in force immediately before the commencement of these rules in so far as they relate to matters provided for in these rules are hereby repealed.

(2) Notwithstanding such repeal claims in respect of advance granted prior to the commencement of these rules shall be disposed of under these rules.

By order of the Governor
L. I. PARIJA
Chief Secretary to Government

FORM I

(See Rule 8)

**FORM OF AGREEMENT TO BE EXECUTED BEFORE DRAWING AND
ADVANCE FOR THE PURCHASE OF JEEP, MOTOR CYCLE,
SCOOTER OR ALIKE VEHICLE**

An agreement made on day of
Two thousand and Between
Shri (Hereinafter called
the Borrower, which expression shall include his heirs, administrators,
executors and legal representative) of the one part and the GOVERNOR
OF ODISHA hereinafter called the Governor which expression shall include
his successors and assignees of the other part;

WHEREAS, the Borrower has under the provisions of the Odisha
Legislative Assembly Members' Jeep, Motorcycle, Scooter or alike vehicle
Advance Rules, 1986 (Hereinafter referred to as the said rules being in
force) applied to the Governor for a loan of Rs.
or the purchase of Jeep, Motorcycle, Scooter or alike vehicle;

AND WHEREAS, the Governor has agreed to lend the said amount
to the Borrower on the terms and conditions hereinafter contained.

NOW IT IS HEREBY AGREED between the parties hereto that in
consideration of the sum of Rupees
to be paid by the Governor to the Borrower, the Borrower thereby agrees
with the Governor--(1) to pay to the Governor the said amount with interest
calculated according to the said rules by monthly deductions from his
salary as provided for in the said rules and hereby authorise the Governor
to make such deductions and (2) within one month from the date of
payment of the said sum to expend the full amount or the said loan in the
purchase of a Jeep, Motor cycle, Scooter or alike vehicle or if the actual
price paid is less than the loan to repay the difference to the Governor
forthwith and (3) to execute a document hypothecating the said Jeep,
Motor cycle, Scooter or alike vehicle to the Governor as security for the
amount to be lent to the Borrower as aforesaid and interest in the form
provided by the said rules.

AND IT IS HEREBY LASTLY AGREED AND DECLARED that if the Jeep, Motor cycle, Scooter or alike vehicle has not been purchased and hypotheticated as aforesaid within one month from the date of the payment of the said sum or if the Borrower within that period becomes insolvent or ceases to hold the office or dies the whole amount of the loan and interest accrued thereon shall immediately become due and payable and that in any case the advance including the interest due thereon under these presents shall be recoverable as a public demand.

IN WITNESS WHEREOF the Mortgager/Borrower has hereunto set his hand and Shri
Treasury Officer/Sub-Treasury Officer, Government of Odisha, for and on behalf of the Governor of Odisha has hereunto set his hand on the dates specified under their respective signature.

*Signature and designation of
the Borrower*

In the presence of—

- Witnesses and address— 1.
2.

In the presence of—

- Witnesses and address— 1.
2.

*Signature and designation of the Officer
acting in the premises for and on behalf
of the Governor*

FORM II

(See Rule 8)

FORM OF MORTGAGE BOND FOR JEEP, MOTOR CYCLE,
SCOOTER OR ALIKE VEHICLE ADVANCE

This indenture made this day of
two thousand Between
Shri
(Hereinafter called “the borrower”) of the one part and the Governor of
Odisha of the other part.

Whereas, the Borrower has applied/applied for and has been granted
an advance of Rupees to purchase
a Jeep, Motor cycle, Scooter or alike vehicle on the terms of the Odisha
Legislative Assembly Members’ Jeep, Motor cycle, Scooter or alike Vehicles
Advance Rules, 1986 (Hereinafter referred to as “the said Rules” which
expression shall include any amendment thereof or addition thereto for
the time being in force);

And whereas, one of the condition upon which the said advance has
been/was granted to the Borrower is/was that the Borrower will/would
hypothecate the said Jeep, Motor cycle, Scooter or alike vehicle to the
Governor of Odisha as security for the amount lent the Borrower;

And whereas, the Borrower has purchased with or partly with the
amount so advanced as aforesaid the Jeep, Motor cycle, Scooter or alike
vehicle particulars where of are set out in the scheduled hereinunder written.

Now this indenture witnesseth that in pursuance of the said agreement and for the consideration aforesaid the Borrower doth hereby covenant to pay to the Governor of Odisha the sum of Rs. aforesaid or the balance thereof remaining on paid at the date of these presents by equal instalments of Rs. each on the first day of every month and will pay interest on the sum for the time being remaining due to and owing calculated according to the said rules and the Borrower both agree that such payment may be recovered by monthly deductions from his salary in the manner provided by the said rules and in further pursuance of the said agreement the Borrower doth hereby assign and transfer on to the Governor of Odisha the Jeep, Motor-cycle, Scooter or alike vehicle the particulars whereof are set out in the schedule here into written by way of security for the said advance and the interest thereon as required by the said rules.

And the Borrower doth hereby agree and declare that he has paid in full the purchase price of the said Jeep, Motor cycle, Scooter or alike vehicle and that the same is his absolute property and that he has not pledged and so long as any money remain payable to the Governor of Odisha in respect of the said advance will not sell, pledge or part with the property in or possession of the said Jeep, Motor cycle, Scooter or alike vehicle :

Provided always and it is hereby agreed and declared that if any of the said instalments of principal or interest shall not be paid or recovered in manner aforesaid within ten days after the same are due or if the Borrower shall die or at any time ceases to be in office of Member of Odisha Legislative Assembly or if the Borrower shall sell or pledge or part with the property in or possession of the said Jeep, Motor cycle, Scooter or alike vehicle or become insolvent or make any composition or arrangement with his creditors or if any person shall take proceedings in execution of any decree or judgement against the Borrower the whole of the said principal sum which shall then be remaining due and unpaid

together with interest thereon calculated as aforesaid shall forthwith become payable and it is hereby agreed and declared that the Governor of Odisha may on the happening of any of the events hereinbefore mentioned seize and take possession of the said Jeep, Motor cycle, Scooter or alike vehicle and either remain in possession thereof without removing the same or else may remove and sell the said Jeep, Motor cycle, Scooter or alike vehicle either by public auction or private contract and may out of the sale proceeds retain the balance of the said advance then remaining unpaid and any interest due thereon calculated aforesaid and all costs, charges, expenses and payment properly incurred or made in maintaining, defending or realising his rights hereunder and shall pay over the surplus, if any, to the borrower, his executors, administrators or personal representatives :

Provided further that the aforesaid power of taking possession or selling of the said Jeep, Motorcycle, Scooter or alike vehicle shall not prejudice the right of the Governor of Odisha to sue Borrower or his personal representatives for the said balance remaining due and interest or in the case of the Jeep, Motor cycle, Scooter or alike vehicle being sold the amount by which the net sale proceeds fall short of the amount owing and the Borrower hereby further agrees that so long as any money are remaining due and owing to the Governor of Odisha he the Borrower, will insure and keep insured the said Jeep, Motor cycle, Scooter or alike vehicle against loss or damage by fire, theft or accident with an Insurance Company to be approved by the Accountant-General concerned and will produce evidence to the satisfaction of the Accountant-General that the Motor Insurance Company with whom the said Jeep, Motorcycle, Scooter or alike vehicle is insured have received notice that the Governor of Odisha is interested in the policy.

And the Borrower hereby further agrees that he will not permit or suffer the said Jeep, Motor cycle, Scooter or alike vehicle to be destroyed or injured or to deteriorate in a greater degree than it would deteriorate by reasonable wear and tear thereof.

And further that in the event of any damage or accident happening to the said Jeep, Motor cycle, Scooter or alike vehicle the Borrower will forthwith have the same repair and made good.

In witness whereof the said (Borrower) both hereunto set his hand the day and the year first above written.

THE SCHEDULE

Description of Jeep, Motor cycle, ..
Scooter or alike vehicle.

Maker's name ..

Description ..

No. of cylinders ..

Engine number ..

Chassis number ..

Cost price ..

Registration No. ..

Name of the Insurance Company and ..
Policy No.

In the presence of witness—

1.

2.

Signature of the Borrower

**APPLICATION FORM FOR ADVANCE FOR THE PURCHASE OF
JEEP, MOTOR CYCLE, SCOOTER OR ALIKE VEHICLES**

1. Name, designation and present ..
official address of the applicant.
2. Present monthly basic pay drawn ..
by the applicant.
3. Amount of net monthly pay after ..
all deductions are effected.
4. Date of birth ..
5. Date of expiry of the office ..
6. Anticipated price of the Jeep, ..
Motorcycle, Scooter or alike
vehicles.
7. Whether the intention is to ..
purchase a new Jeep, Motorcycle,
Scooter or alike vehicle (If so, the
allotment order or negotiation
document from a regular/reputed
dealer or agent of the vehicle, as
the case may be, to be furnished.
8. If the intention is to purchase a ..
second hand Jeep, Motorcycle,
Scooter or alike vehicle from
private individual (The negotiation
letter regarding the deal should be
furnished).
9. Amount of advance required ..
10. The number of monthly ..
consecutive instalments in which
the advance is desired to be
repaid.

11. Whether advance for similar purpose ..
was availed previously and if so :
- (a) Whether for Jeep, Motor-cycle, ..
Scooter or alike vehicle.
- (b) Amount and date of drawal of the ..
advance.
- (c) Whether the principal along with ..
the interest has already been paid
in full (If so, no claim certificate
from A.-G., Odisha) should be
furnished.
- (d) If not, amount of principal/ ..
interest outstanding.
- (e) Sale-proceed/anticipated sale ..
proceed or the previous Jeep,
Motor cycle, Scooter or alike
vehicle which is intended to be
replaced.
12. The Treasury/Sub-Treasury from ..
which the advance is to be drawn
in case the applicant is not
Drawing Officer, the designation
of the concerned Drawing Officer
should be given.
13. Certified that I have not taken ..
delivery of the Jeep, Motor cycle,
Scooter or alike vehicle on
account of which I apply for
the advance that I shall complete
negotiations for the purchase, pay
finally and take delivery of Jeep,
Motor cycle, Scooter or alike
vehicle before expiry of one month
from the date of drawal of the
advance and that I shall insure in
from the date of taking delivery
of it.

Certified that I have not defaulted either in repayment of principal or payment of interest in respect of any loan availed by me from any source of State Government.

I undertake to intimate any change of designation/Station/Treasury/Sub-Treasury, Drawing Officer, etc. during the pendency of the application for disposal.

I undertake to intimate the amount drawn and the date of drawal within three days thereof.

Signature of the applicant

Date.....

FORM III

[See Rule 9 (3)]

FORM OF THE CLAUSE TO BE INSERTED IN JEEP, MOTORCYCLE,
SCOOTER OR ALIKE VEHICLE INSURANCE POLICIES

1. It is hereby declared and agreed that

Shri

(The owner of the Jeep, Motor cycle, Scooter or alike vehicle hereinafter referred to as the insured in the scheduled this policy) has hypothecated the car to the Government of Odisha as security for advances for the purchase of the Jeep, Motor-cycle, Scooter or alike vehicle and it is further declared and agreed that the said Governor is interested in any moneys which but for this endorsement be payable to the said Shri (The insured under this policy) in respect of the loss or damage to said Jeep, Motor cycle, Scooter or alike vehicle (Which Loss or damage is not made good by repairs, reinstatement or replacement) and such moneys shall be paid to the Secretary, O.L.A. as long as they are mortgagee of the Jeep, Motor cycle, Scooter or alike vehicle and a receipt passed by a duly authorised officer of the Government of Odisha shall be a valid discharge to the company in respect of such moneys.

2. Save as by this endorsement expressly agreed nothing herein shall modify or affect the rights or liabilities of the insured or the company respectively under in connection with this policy or any term, provision or condition thereof.

FORM IV

[See Rule 9 (4)]

LETTER INTIMATING TO THE INSURANCE COMPANY
GOVERNMENT'S INTEREST IN INSURANCE POLICIES OF JEEP,
MOTOR CYCLE, SCOOTER OR ALIKE VEHICLE, ETC.

From

To

(Through the Accountant-General, Odisha)

Dear Sir,

I beg to inform you that the Governor of Odisha is interested in the Jeep, Motor cycle, Scooter or alike vehicle Insurance Policy No./secured in your Company and to request that you will kindly make a note of the fact in the records of the Company.

Place

Yours faithfully

Date

Forwarded the receipt of the letter may kindly be acknowledged. It is also requested that the undersigned may kindly be informed whenever any claim is paid under the policy and also if the premium is not paid, periodically for renewal.

Place

Signature.....

Date

Designation.....