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NOTIFICATION

No. H.12018/56/95-LJD the 25th October 1995. The following Act of the Mizoram Legislative Assembly which received the assent of the Governor of Mizoram is hereby published for general information.

The Mizoram Act No. 6 of 1995

The Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1995

Received the assent of the Governor of Mizoram on the 12th October, 1995.

AN
ACT

to provide for the Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip in the Legislative Assembly of the State of Mizoram.

Be it enacted by the Legislative Assembly of the State of Mizoram in the Forty-sixth Year of the Republic of India as follows:-

Short title and
commence-
ment

1. (1) This Act may be called the State of Mizoram Salaries and Allowances of the Government Chief Whip and the Deputy Government Chief Whip Act, 1995.

(2) It shall come into force on and from the date of publication in the Mizoram Gazette.

Definitions

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

(a) "Deputy Government Chief Whip" means a Member of Legislative Assembly so designated by the Chief Minister of Mizoram on the recommendation of the Government Chief Whip, to perform the duties of the Deputy Government Chief Whip in the Legislative Assembly:

(b) “Family” in relation to the Deputy Government Chief Whip means, --

(i) his wife or her husband, as the case may be ;

(ii) the children, step children and widowed daughters wholly dependent upon such Deputy Government Chief Whip;

(iii) the parents, minor brother handicapped adult brother, uamarried sister and widowed sister wholly dependent upon such Deputy Government Chief Whip;

(c) “Government” means the State Government of Mizoram;

(d) “Government Chief Whip” means the Minister incharge of Parliamentary Affairs ex-officio;

(e) “Governor” means the Governor of Mizoram;

(f) “Legislative Assembly” means the Legislative Assembly of the State of Mizoram;

(g) “Schedule” means the Schedule to this Act;

(h) “Travelling Allowances” means the allowances payable to the Deputy Government Chief Whip under this Act to cover the expenses which he incurs in travelling in the interest of public service. Office of the Deputy Government Chief Whip

Office of the Deputy Government Chief Whip

Salaries of the Government Chief Whip and the Deputy Government Chief Whip.

Sumptuary Family and Entertainment Allowances

3. There shall be a Deputy Government Chief Whip Act No. 5 as defined in clause (a) of section 2, who shall have the rank and status of a Minister of State under the Mizoram Salaries and Allowances of the Ministers Act, 1987.

Act No.
5 of
1987

4. (1) The Government Chief Whip shall not be entitled to any other salaries and allowances than that he is entitled to as a Minister under the Mizoram Salaries and Allowances of the Ministers Act, 1987.

(2) The Deputy Government Chief Whip shall be paid a salary of two thousand two hundred fifty Rupees per mensem and other allowances, or such as a Minister of State is entitled under the Mizoram Salaries and Allowances of the Ministers Act, 1987.

5. There shall be paid to the Deputy Government Chief Whip, in particular, a sumptuary allowance of two thousand seven hundred fifty rupees per mensem, a family allowance of two thousand rupees per mensem and an entertainment allowance of one thousand rupees per mensem.

Residence for the Deputy Government Chief Whip

6. The Deputy Government Chief Whip shall be entitled to a duly maintained, free and furnished residence throughout his term of office and for a period of fifteen days following the expiry of his tenure as the Deputy Government Chief Whip: and so long as such residence is not provided for his occupation, he shall be entitled to a hired residence for which rental charges shall not be more than six thousand rupees per mensem.

EXPLANATION:- For the purposes of this section,

(a) "residence" shall include the staff quarters and other premises including garden and garage appurtenant thereto.

(b) "maintenance" in relation to a residence includes,

(i) provisions of electricity and water;

(ii) provisions of telephone with local charges free up to the extent of three thousand rupees per mensem.

(iii) payment of local rates and taxes.

Conveyance allowance and use of motor car

7. The Deputy Government Chief Whip shall be entitled to free use of a motor vehicle, entire cost of maintenance along with the services of a chauffeur, which shall be borne by the Government.

Travelling allowance and daily allowance

8. Subject to the provisions of the Schedule to this Act, the Government Deputy Chief Whip shall be entitled to such travelling allowance and daily allowances as a Minister of State of Mizoram is entitled.

Medical facilities

9. The Deputy Government Chief Whip and the members of his family shall be entitled to free of charge accommodation in any hospital either maintained or recognised by the Government and also to medical treatment in accordance with the Medical Attendance Rules for the time being in force in the State and applicable to the highest ranking Officer of the Government.

Dy. Government Chief Whip not to draw salary or allowance as a member of the Legislative Assembly

10. No person in receipt of a salary or allowances under this Act shall be entitled to receive any sum out of the funds provided by the Legislative Assembly by way of salary or allowances in respect of his membership in the Legislative Assembly.

Notification in respect of appointment Govt. Chief Whip and Dy. Govt. Chief Whip to be conclusive evidence thereof

11. The date on which any member of the Legislative Assembly becomes or ceases to be the Government Chief Whip or Deputy Government Chief Whip Government shall be notified in the Mizoram Gazette and any Chief Whip such notification shall be the conclusive evidence of the fact that he has become or ceased to become Government Chief Whip or the Deputy Government Chief Whip, as the case may be, on and from that date for all purposes of this Act.

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| Government Chief Whip and Deputy Government Chief Whip not to be disqualified | 12. No Member of the Legislative Assembly shall be disqualified for being chosen as or for being a member of the Legislative Assembly merely by reason of the Government fact that he holds the office of the Government Chief Whip or the Deputy Government Chief Whip. |
| Repeal & Savings | 13. The Mizoram Salaries and Allowances of Government Chief Whip Act, 1991, shall stand repealed of 1991 with effect from the date of commencement of this Act. |

SCHEDULE
(See section 8)

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| Travelling on duty | 1. When travelling on duty by railway or by road or by steamer or by air, the Deputy Government Chief Whip shall be entitled to draw travelling allowance and daily allowance at the maximum rate applicable to the highest ranking Officer of the Government. |
| Travelling allowance on journey for assuming and demitting office | 2. In respect of the journey to headquarters from his usual place of residence for assuming office or between headquarters and his usual place or between residences on demitting office, a Deputy Government Chief Whip is entitled to travelling allowance at the maximum rate for the time being admissible to the highest ranking Officer of the Government of Mizoram, subject to the modification for journey by train, a Deputy Government Chief Whip and the members of his family may travel by airconditioned First class accommodation. |
| Travel by Air | <p>3. (a) A Deputy Government Chief Whip may, in the public interest, perform journeys on tour by air in public air transport services.</p> <p style="padding-left: 40px;">(b) On the cancellation of a journey due to official reason, a Deputy Government Chief Whip shall be entitled to reimburse any deduction made by the air transport services when refunding the fare on account of cancellation of the air passage.</p> <p style="padding-left: 40px;">(c) A Deputy Government Chief Whip who does not utilise the free transport provided by the air booking centre and the airport may also recover in respect of journey to and from the airport actual travelling expenses or road mileage as journey on duty by road whichever is less.</p> |
| Travel by railway | <p>4. A Deputy Government Chief Whip shall have the right to reserve by requisition an ordinary first class compartment when travelling by railway on duty.</p> <p>EXPLANATION : For the purpose of this paragraph, a first class compartment means a two berthed compartment or an air-conditioned coupe is not available in the train by which the Deputy Government Chief Whip travels.</p> |
| Advances | 5. A Deputy Government Chief Whip shall be entitled to - |

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his family's effects-

(i) in respect of the journey to headquarters from his usual place of residence outside headquarters for assuming office:

(ii) in respect of the journey from headquarters to his usual place of residence outside the head quarters on relinquishing office, and

(b) an advance of travelling and daily allowance in respect of the tours undertaken by him in the discharge of his official duties whether by land, sea or air.

P. Chakraborty,
Secretary to the Govt. of Mizoram,
Law, Judicial & Parliamentary Affairs Department.

CERTIFICATE

This Bill was passed by the Mizoram Legislative Assembly on the 28th September, 1995. I certify the Bill as a Money Bill.

VAIVENGA
Speaker
Mizoram Legislative Assembly.