

The 7th September, 1972

No.FEM.17/72/19 - In exercise of the powers conferred by Sections 6 and 7 of the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972 (Act No.8 of 1972), the Governor of Meghalaya is pleased to make the following rules -

CHAPTER I

1. Preliminary.- (1) These rules may be called the Meghalaya Legislative Assembly Members' Salaries and Allowances Rules, 1972.

(ii) They shall be deemed to have come into force with effect from the 21st January, 1972.

(iii) In these rules,-

"Act" means the Legislative Assembly of Meghalaya (Members' Salaries and Allowances) Act, 1972.

2. A member of the Assembly shall draw his salaries from the date of taking oath.

CHAPTER II

A - General

3. The "headquarters" of a member shall be his usual place of residence if however the usual place of residence of a member is changed to any place outside the State, his headquarters shall be the place chosen by him within his constituency.

4. Travelling allowance and daily allowance may be claimed by a member of the Assembly for performance of his duties as a member in attending sessions of the Assembly or meetings of the Legislature, Committee or conference or delegation convened by or under the direction of the State Legislature.

5. A member shall further be entitled to a fixed travelling allowance of Rs.150 per mensem for journey on public purpose under clause (a) of Section 4 of the Act. For this purpose journeys shall exclude journeys as mentioned in clauses (b) and (c) of Section 4 of the Act.

B.- Travelling and daily allowance of the members.

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6. (a) A "mileage allowance" is an allowance calculated on the distance travelled which is given to meet the cost of a particular journey.

(b) For the purpose of calculating mileage allowance, a journey between two places shall be held to have been performed by the shortest of two or more practicable routes, or by the cheapest of such routes as may be equally short; provided that when there are alternative road routes and the difference between them in point of time and cost is not great, mileage allowance shall be calculated on the route actually used.

(c) The shortest route is that by which the traveller can more speedily reach his destination by the ordinary mode of travelling. In case of doubt, the State Government shall decide which is to be regarded as the shortest of two or more routes.

(d) If a member travels by a route which is not the shortest but is cheaper than the shortest, his mileage allowance shall be calculated on the route actually used.

(e) A member shall not be entitled to daily allowance for halts within 8 k.ms. of headquarters, but may draw admissible mileage allowance or the actual amount spent towards payment of boat hire, ferry and other tolls and fares for journeys by a public conveyance within 8 k.ms. of the headquarters.

Explanation.- Public conveyance for the purpose of this rule, means a train, steamer or other conveyance which plies regularly for the conveyance of passengers. It shall not include a cab.

(f) When two or more members using the same privately owned car travel together and perform a journey for which mileage is admissible the member/members other than the owner of the said car shall be entitled to claim daily allowance only and not mileage.

7. For journeys by air, a member shall be entitled to the rate of travelling allowance as admissible to a Government servant of the senior grade.

8. (a) Except as otherwise expressly provided in these rules, the travelling allowance of a member shall be regulated by the corresponding rules for the time being in force for Officers of the senior grade appointed by the State Government in connection with the affairs of the State as provided in the Fundamental Rules and Assam Subsidiary Rules and as is sanctioned by the State Government from time to time to senior Grade Government servant.

(b) A member may be granted advance travelling allowance under Rule 396 of Assam Financial Rules to cover his tour expenses subject to its adjustment on completion of the tour.

9. Daily allowance.- (i) For the purpose of calculating daily allowance a day shall mean a calendar day beginning and ending at midnight, but absence from headquarters which does not exceed 24 hours shall be reckoned for the purpose of daily allowance as one day at whatever hours the absence begin and ends.

(ii) A member shall draw daily allowance at the rate of Rs.20 per day for two days before the commencement and one day after the termination of each session of Legislature.

10. Daily allowance shall not be drawn for any day on which a member does not reach a point outside a radius of 8 kms. from his headquarters on duty as a member or returns to his headquarter from a similar point.

11. (i) Daily allowance shall not be drawn by a member except during absence from his headquarters on duty as a member. A period of absence from headquarters begins when a member actually leaves his headquarters and ends when he actually returns to the headquarters whether he halts there or not.

(ii) A member of the Assembly who has his place of residence or ordinarily carries on his professional business within a radius of 8 kms. from the place where a meeting of the Assembly or a committee thereof is held, is only entitled to draw daily allowance for the day on which he actually attends a meeting of the Assembly or a committee thereof but not any travelling allowance.

12. Daily allowance at the prescribed rate may be drawn by a member for halts during the sessions of the Legislature including holidays occurring during such sessions:

Provided that if during a session of the Legislature a member performs an intermediate journey to his normal place of residence and returns within 7 days of the commencement of the journey for attendance in the same session of the Legislature, he shall be entitled either to travelling allowance, as admissible or to daily allowance, excluding conveyance allowance for the days covered by the journey, whichever is less:

Provided further, when a session is resumed after an adjournment for ten days or more, a member shall be paid travelling allowance to and from his place of residence notwithstanding the fact that he has made one intermediate journey as stated above or daily allowance if he stays at Shillong during such recess which shall not exceed the travelling allowance admissible to him had he undertaken the journey during the period of such recess.

13. Exchange of daily allowance for mileage allowance and combination of road journey with journey by rail or steamer:-

- (a) A member may exchange his daily allowance for mileage allowance on any day on which he travels by railway or steamer or both and on any day on which he travels more than 32 kms. by road provided that if a continuous journey extends more than one day the exchange must be made for all such days and not for a part of them.
- (b) When a journey by road is combined with a journey by railway or steamer:-
 - (i) mileage allowance may be drawn on account of such journeys by road, but such mileage shall be limited to the amount of daily allowance, unless the journey by road exceeds 32 kms;
 - (ii) unless such journey by road be a journey to or from a member's headquarters, mileage allowance shall be calculated on the distance actually travelled.

NOTE - The road journey must be in continuation of the rail or steamer journey.

14. As a partial exception to rule 13(c), in the case of halts on tour, half the daily allowance ordinarily admissible under the rules, may be drawn in addition to mileage allowance on the day of arrival of the member at the place of halt provided it involves staying the night at that place.

C - Fixed travelling allowance of the members.

15. A member shall draw his monthly fixed travelling allowance in the form as per Schedule A from the date of his taking oath or from 21st January, 1972 whichever is later.

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CHAPTER III

Medical attendance and treatment

16. (a) A member and the members of his/her family consisting of the wife/husband, the parents, children and step-children who are wholly dependent on a member, may receive medical attendance and treatment as admissible to the senior grade Government servants in any Government hospital/dispensary or on the recommendation of the Civil Surgeon of the District concerned or the S.D.M. and H.O. of the Sub-division in any recognised hospital/dispensary in the State.

(b) For the journey undertaken to receive medical attendance and treatment, as in rule 16(a) a member may draw travelling allowance at the rate admissible to the senior grade Government servants on tour, but he may draw no allowance for halts on journey. If the travelling allowance is claimed in respect of members of his or her family suffering from any one of the diseases requiring special treatment, actual single first class fare which the family members actually travel in shall be admissible to and from the place of treatment.

17. In exceptional cases, when the medical attendant of the member or any member of his or her family considers that the patient needs to be referred to a hospital outside the State, but within India, the member or any member of his or her family may do so with the prior approval of the Director of Health Services, Meghalaya.

18. For the journey undertaken to receive medical treatment as in rule 17, a member or any member of his or her family may, on production of a certificate from the Director of Health Services, Meghalaya or from the Civil Surgeon or from the S.D.M. & H.O. concerned certifying that the journey was absolutely necessary, draw travelling allowance as in rule 16 (b).

19. If a member or any member of his or her family is advised to seek medical treatment outside the State as in rule 17 or is required to travel to another station within the State, in order to obtain further medical advice, and if the medical attendant considers that it would be unsafe for a member or any member of his or her family to undertake the journey unattended, the medical Officer may either himself accompany the patient or recommend an attendant to escort the patient upto the destination, In the case the attendant, if he is a Government servant, shall be deemed to have

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undertaken the journey on duty and may draw travelling allowance both ways as admissible to him under the rules. But no allowance may be drawn by him for halts. If the attendant is not a Government servant, he shall be entitled to actual travelling expenses for his onward and returned journeys.

20. Notwithstanding any thing contained in these rules, the patient who is entitled to free medical attendance and treatment under these rules may obtain medical attendance and treatment from any registered physician of their choice-allopathic, ayurvedic, unani or homeopathic and medical bills on prescription of such registered physician are reimbursable to the patient by the Government.

CHAPTER IV

21. Other journeys - No other travelling or daily allowance is admissible to a member except in cases covered by Subsidiary Rule 309(a) as amended of the Assam Fundamental Rules and Subsidiary Rules.

22. Controlling authority - Except in the case of monthly fixed travelling allowance, the Secretary, Legislative Assembly shall exercise the powers of the controlling officer in respect of the travelling allowance of the members of the Legislative Assembly.

23. The interpretation of these rules shall vest with Government in the Finance Department

RAMESH CHANDRA,
Financial Commissioner and Special Secretary,
to the Government of Meghalaya,
Finance Department.

SCHEDULE A
MODEL FORM

Note- Government accept no responsibility for any fraud misappropriation in respect of money or cheques or bills made over to a messenger.

Name of the Member, Meghalaya Legislative Assembly:

DISTRICT-18.-Parliament, State and Union Territory Legislatures B.-State Legislature. B.-1.Legislative Assembly 1.Pay of Members (Voted)		Voucher No. of list of payments for 19	
Audit No.			
Received for the month of..... 197		Monthly rate	
My pay as a Member, Meghalaya Legislative assembly.		Rs.	P.
My fixed T.A., as a Member, Meghalaya Legislative Assembly.			
Rs. P.			
Deductions-		Amount	
Rents on buildings	...	Rs.	P.
Advances and other recoveries (detailed overleaf).			
Total claim payable	...		
Net claim payable	...		
For used in the Treasury Office.		For use in Accountant General's Office.	
Pay in cash Rs.....()		Admitted	
and by transfer Rs.....()		Objected	
Total Rs.			
Accountant. Treasury Officer.		Assistant Accounts Officer Deputy Accountants. General	
		Auditor/Superintendent.	
		Accountant General.	