

**THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF
THE LEGISLATIVE ASSEMBLY
(PUDUCHERRY) ACT, 1964
(No. 16 of 1964)**

ARRANGEMENT OF SECTIONS

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**THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF
THE LEGISLATIVE ASSEMBLY (PUDUCHERRY)
ACT, 1964**

(Act No. 16 of 1964)

[6-2-1965]

AN ACT

to provide for the salary, allowances and pension of Members of the Legislative Assembly of Puducherry.

BE it enacted by the Legislative Assembly of Puducherry in the Fifteenth year of the Republic of India as follows: -

1. Short title. – This Act may be called the Salary, Allowances and Pension of Members of the Legislative Assembly (Puducherry) Act, 1964.

2. Definitions. – In this Act, unless the context otherwise requires: -

- (a) “Act” means the Government of Union Territories Act, 1963 (20 of 1963);
- (b) “Assembly” means the Legislative Assembly of Puducherry;
- (c) “Committee” means a Committee of the Assembly;
- (d) “Controlling Officer” means the Secretary to the Assembly;
- (e) “Day” means a period of 24 hours beginning at mid-night;
- (ee) “family” in relation to a Member, means the wife or husband, as the case may be of such Member, if such wife or husband is residing with such Member, and includes the

legitimate children or step-children residing with, and wholly dependent on, such Member but does not include, in the case of a male Member, more than one wife;

(f) “Form” means a form appended to the Second Schedule;

This Act came into force w.e.f 22.03.1965

(g) “Member” means a Member of the Assembly but save as otherwise expressly provided in this Act does not include:—

(i) A Minister as defined in the Salaries and Allowances of Ministers (Puducherry) Act, 1964 and

(ii) The Speaker and Deputy Speaker as defined in the Salaries and Allowances of Speaker and Deputy Speaker (Puducherry) Act, 1964;

(h) “New Member” means a Member who takes his seat in the Assembly after the commencement of this Act and includes a Member who is re-elected or renominated;

(i) “Period of residence on duty” means the period during which a Member resides at a place where a session of the Assembly or a sitting of a Committee is held or where any other business connected with his duties as such Member is transacted, for the purpose of attending to such other business, and includes, except in the case of a Member who ordinarily resides at the place where a session of the Assembly or a sitting of the Committee is held or where any other business connected with his duties as such Member is transacted: -

(i) in the case of a session of the Assembly, a period of such residence not exceeding three days immediately preceding the commencement of the session and a period of such residence not exceeding three days immediately succeeding the date on which the Assembly is adjourned sine die or for a period exceeding seven days; and

(ii) in the case of a sitting of a committee or any other business, a period of such residence not exceeding two days immediately preceding the commencement of the business of the Committee or other business and a period of such residence not exceeding two days immediately succeeding the conclusion of the business of the Committee or other business.

Explanation: In this clause, the term ‘place’ mean the Assembly Constituency;

(j) “Schedule” means a Schedule appended to the Act; and

(k) “Term of office” means –

(i) Where such a Member is a member elected in a 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 (Central Act 43 of 1951); or

(ii) Where such a Member is a Member elected in a bye-election to the Assembly or a Member nominated to the said Assembly, the period beginning with the date of this election referred to in Section 67-A of the Representation of the People Act, 1951 (Central Act 43 of 1951), or as the case may be the date of his nomination, and ending with, in each case may be the date of his nomination, and ending with, in each case may be

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

* [3. **Salary and other allowances of members.** – (1) A Member shall be entitled to receive a salary of rupees eight thousand per mensem.

(2) A member shall be paid, –

(a) a compensatory allowance of rupees seven thousand per mensem;

(b) a constituency allowance of rupees five thousand per mensem;

(c) a consolidated allowance of rupees two thousand and five hundred per mensem;

(d) a postal allowance of rupees two thousand and five hundred per mensem;

(e) a vehicle allowance of rupees twenty thousand per mensem; and

(f) a daily allowance of rupees five hundred for each day, during any period of residence on duty.]

4. **Travelling allowances.** – (1) There shall be paid travelling allowance to each member in respect of every journey performed by him for the purpose of attending a session of the Assembly or a meeting of a committee or for the purpose of attending to any other business connected with his duties as a Member, from his usual place of residence to the place where the session or the meeting is to be held or the other business is to be transacted and for the return journey from such place to his usual place of residence such amount as would be admissible in respect of journeys on tour to a *[Group 'A' Officer of the highest grade] serving in connection with administration of the Union Territory of Puducherry.

* Amended vide Act No.6 of 2010. This Act has come into force w.e.f 09.02.2010

(2) Notwithstanding anything contained in sub-section (1), a Member who performs journey by road between places connected by rail or steamer either wholly or in part, may draw the road mileage at the rates referred to in sub-section (1) in place of the travelling allowance which would have been admissible to him if he had travelled by rail or steamer as the case may be:

Provided that the total amount of travelling allowance drawn by such member of the entire journey shall not exceed the amount which would have been admissible to him, had he performed such journey by rail or steamer, as the case may be.

(3) A Member shall be entitled to an advance of travelling allowance in respect of any journey to be performed by him, in connection with his duties as a Member, to a place outside the Puducherry region of the Union Territory of Puducherry and the return journey therefrom, on the same terms and conditions as are applicable to the grant of an advance to a *[Group 'A' Officer of the highest grade], referred to in sub-section (1), in respect of journeys on tour:

Provided that where, during the journey aforesaid, such Member performs a journey to a place within the Puducherry region of the Union Territory of Puducherry for attending to any other business connected with his duties as a Member, no advance of travelling allowance shall be admissible to such Member in respect of the journey to a place within the Puducherry regions and the return journey therefrom.

5. **Travelling allowance for intermediate journeys.** – Where a Member absents himself for less than seven days during a session of the Assembly or a sitting of a Committee

for visiting any place in the Union Territory of Puducherry he shall be entitled to receive travelling allowance in respect of such journey to such place and for the return journey under Section 4:

Provided that such travelling allowance shall not exceed the total amount of daily allowance which would have been admissible to such Member under section 3 for the days of absence if he had not remained so absent.

5A. Travelling facilities. – A member shall be entitled to rail travel coupon books, in the form as may be prescribed, for self or with a person accompanying the member, to travel any number of times to any place in India, during a financial year:

Provided that the money value of the coupon books used shall not exceed four times the fare of single air-conditioned two-tier journey between Delhi and Kanyakumari in a financial year.

* Amended vide Act No.6 of 2010. This Act has come into force w.e.f 09.02.2010

6.Allowances during short intervals between the termination of one session and the commencement of another session. etc., – Where the interval between the adjournment of the Assembly or, as the case may be, one sitting of a Committee and the re-assembly of the Assembly or the next sitting of the Committee at the same place does not exceed three days and the Member concerned elects to remain at such place during the interval, he shall be entitled to draw for each day of residence at such place a daily allowance at the rate specified in section 3:

Provided that if the Member leaves such place during the interval, his absence from the place shall be treated as absence during a session of the Assembly or a sitting of the Committee, as the case may be, and the provisions of section 5 shall apply accordingly.

***[6A. Telephone allowance.-** A member shall be paid telephone allowance at the rate of rupees five thousand per mensem.]

7. Special provisions. – In the special circumstances specified in the First Schedule, this Act shall apply subject to the provisions of that Schedule.

8. Procedures. – The provisions of the Second Schedule shall apply in respect of claims for salary and allowances.

9. Medical treatment etc., to members. – A Member 1 [and every member of his family] shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to medical treatment in accordance with the Medical Attendance Rules, as amended from time to time, applicable to Class I Officers serving in connection with the administration of the Union Territory of Pondicherry.

***[10. Pension.-** (1) There shall be paid a pension of **{rupees twenty five thousand per mensem} for a person who had been a Member of the Legislative Assembly.

Explanation.- For the purpose of this sub-section “Member of the Legislative Assembly” shall include a member of the “Representative Assembly” and “Representative Assembly” shall include the body which functioned as the Representative Assembly of the State of Puducherry in pursuance of the State of Puducherry (Representation of the People) Order, 1955 immediately before the commencement of the Government of Union Territories Act, 1963.

+[(1A) Where any person entitled to pension under sub-section (1),--

- (i) is elected to the Office of the President or Vice-President or 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 States or the House of the People or any Legislative Assembly of a State or Union Territory or any Legislative Council of a State; 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 any local authority or becomes otherwise entitled to any remuneration from such Government, Corporation or local authority,

such person 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:

Provided that where the salary payable to such person for holding such office or being such Member or so employed, or where the 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].

(1) Where any Member of the Legislative Assembly dies before the expiry of his term of office, his family shall be paid,-

(a) an allowance of rupees one thousand per mensem for the unexpired term of office for the said deceased member; and

(b) a lump sum amount of rupees one lakh.

*Amended vide Act No.6 of 2010. This Act has come into force w.e.f 09.02.2010.

+Amended vide Act No.4 of 2013 and this amendment shall be deemed to have come into force w.e.f 09.02.2007.

** Amended vide Act No.6 of 2018 w.e.f. 27.10.2018.

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(3) Where any person entitled to pension under this section dies, the family of such person shall be entitled to receive 50 per cent. of such pension subject to such conditions as may be prescribed. If there is any increase in pension by virtue of this section, the family shall be entitled to receive 50 per cent. of such increase in pension with effect from the date on which such increase in pension under this section is given effect to.

Explanation.- For the purposes of this sub-section, family means,-

(i) wife in the case of a male person or husband in the case of a female person;

(ii) son who has not attained the age of 21 years and unmarried daughter who has not attained the age of 24 years; and

(iii) father and mother in the case of an unmarried person.”]

++[(4) The family pension payable under sub-section (3) shall also be payable to the family of a person who was a Member and died at any time before the 9th day of February, 2007:

Provided that no such family pension shall be payable if the person entitled is a sitting Member of the Parliament or Legislative Assembly of a State or Union Territory or is drawing pension as ex-MP or MLA or as retired official from Central/State/Union Territory Government:

Provided further that no person shall be entitled to claim arrears of any family pension under this sub-section in respect of a period before the 9th of February, 2007].

10A. Advance for purchase of conveyance.- There may be paid to a member by way of repayable advance such sum of money not exceeding fifty thousand rupees for motor-car and ten thousand rupees for motor-cycle, as may be determined by rules made in this behalf under section 11 for the purchase of a conveyance.

11. Power to make rules.- (1) The Government may, by notification in the official gazette, make rules for carrying out the purposes of this Act.

(2) All rules made under this Act, shall, as soon as possible after they are made, be placed on the table of the Assembly and shall be subject to such modification by way of amendments of repeal, as the Assembly may make within fourteen days on which the House actually sits either in the same session or in more than one session

++Amended vide Act No.4 of 2013 and this amendment shall be deemed to have come into force w.e.f 09.02.2007.



FIRST SCHEDULE

(See section 7)

1. Admissibility of travelling allowance where a Member is provided with free transit for the whole or any part of the journey. – No travelling allowance under section 4 shall be claimed by a Member in respect of any journey or part thereof performed by him in a conveyance provided at the expense of the Government, or a Local Fund, but he shall be entitled to draw an allowance at the rate of Rs. 3 only per diem where the duration of such journey lasts for not less than six hours on any day:

Provided that the provisions of this paragraph shall not apply to a journey performed on any railway.

Note: The amount of Rs. 3 is granted to the Members to cover his incidental expenses during such journey or part thereof and is in lieu of the extra road mileage when he performs the journey by a conveyance supplied without charge. This allowance is not an alternative to the daily allowance admissible under section 3 per diem which is allowed to him where admissible for each day of residence on duty.

2. Admissibility of travelling allowances where the place from which a Member performs his journey or to which he returns is not his usual place of residence. – (1) Where a member performs a journey for the purposes of attending a session of the Assembly or a meeting of a Committee or for the purpose of attending to any other business connected with his duties as a member from a place other than his usual place of residence or returns to such a place, he may draw travelling allowance for the actual journey performed or the journey from or to his usual place of residence, whichever is less.

(2) Where during a session of the Assembly or a sitting of a Committee, a Member performs a journey from the place where such session or sitting is held to any other place for the purpose of attending to any business connected with his duties as a Member he shall be entitled to receive --

- (a) travelling allowance, in respect of such journey to such other place and return journey, at the rate specified in section 4 and
- (b) daily allowance for each day during any period of residence on duty at the other place at the rate specified in section 3.

3. Regulation of the payment of daily and travelling allowance under the Act. – (1) Notwithstanding that a Member has not taken his seat in the Assembly to which he is elected or nominated, he shall be entitled to receive travelling allowance for the journey performed by him for the purpose of taking his seat in the Assembly.

(2) For absence for a period of seven days or more during a session of the Assembly or a meeting of a Committee for visiting any place in the Union Territory of Puducherry, no travelling or daily allowance will be admissible. The period of absence of a Member shall be reckoned in terms of days beginning and ending at midnight.

Explanation: If a Member comes back on the seventh day whether in the forenoon or in the afternoon, his absence shall be treated as being less than 7 days.

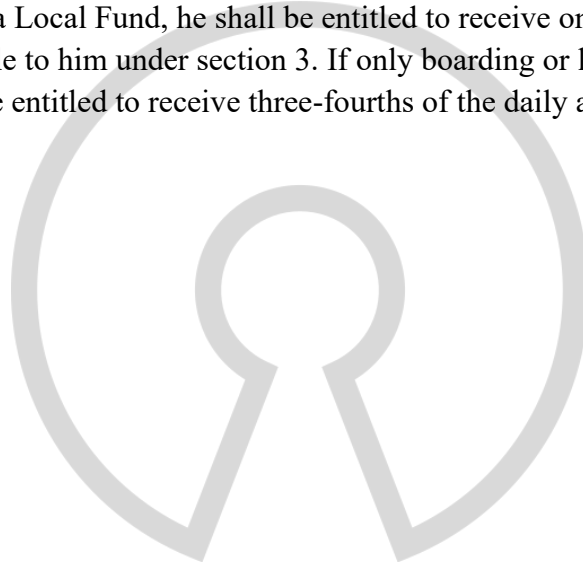
(3) The term “during a session” or “a sitting of a Committee” occurring in section 5 and in sub-paragraph (2) of this paragraph does not include the period of three days immediately preceding the commencement of and three days immediately succeeding the end of the session or two days immediately preceding the commencement of the business, and two days immediately succeeding the conclusion of the business of the committee.

(4) If a Member leaves the place where the session of the Assembly or a sitting of a Committee is held before the commencement of the interval between the adjournment the session or the sitting of the Committee **sine die** and the commencement of another session or sitting, such interval not exceeding a period of three days, his absence from that place shall be treated as intermediate absence during a session of the Assembly or a sitting of a Committee as the case may be, and the provisions of section 5 shall apply accordingly.

(5) Travelling allowance for a return journey to the usual place of residence shall be admissible to a Member who leaves the place of a session of the Assembly or a sitting of a Committee during the continuance of such session or sitting and returns to the place of the session or sitting after the conclusion of the business of the session or the sitting, as the case may be, before finally returning to his usual place of residence.

(6) All cases regarding the admissibility of travelling allowance to a Member who arrives at the place where a session of the Assembly or a sitting of a Committee is held, without knowledge of the postponement of the session or the sitting including cases of such Members who arrive after the session or a sitting is adjourned suddenly shall be determined by the Speaker of the Assembly having regard to the circumstances of each case.

(7) Where a Member is provided with free board and lodging at the expenses of the Government or a Local Fund, he shall be entitled to receive only one-half of the daily allowance admissible to him under section 3. If only boarding or lodging is allowed free to the Member, he shall be entitled to receive three-fourths of the daily allowance admissible to him under that section.



SECOND SCHEDULE

(See section 8)

Procedural provisions: -- (1) Every Member shall, as soon as possible after he is elected or nominated, declare his usual place of residence to the Controlling Officer, and any subsequent change in the usual place of residence so declared shall be notified to the Controlling Officer in Form A as early as possible.

(2) A Member who claims any travelling or other allowances under this Act, shall support his claim by a Certificate in the following form:

“Certified that no travelling allowance in respect of the journey or daily allowance for the period mentioned in this bill has been or will be claimed from any other official source.”

(3) Where no part of the journey is performed by a conveyance provided at the expense of the Government or a Local Fund, the following certificate shall be furnished, namely: -

“Certified that I have not performed any part of the journey by a conveyance provided at the expense of the Government or a Local Fund.”.

(4) After completing each final return journey on the termination of a session of the Assembly or a sitting of a committee or any other business connected with his duties as a Member shall furnish a Certificate in Form B.

(5) Ordinarily, any non-governmental dues outstanding against a member shall not be recovered from his salaries and allowances but where such dues are on account of certain services rendered to him in the course of his duties as a Member such as when he is on tour with a committee, and the arrangements for such services have been made by or at the instance of semi-Government institutions or private parties at the request of officers of the Assembly, and where such Member in spite of repeated requests had failed to make payment of such dues, recovery thereof may be effected from the salary or travelling or daily allowance bills of such Member.

FORM A

I have changed my usual place of residence from
.....to.....
with effect from due to
.....(here state the reasons).....

I may henceforward be allowed travelling allowance from.....

Signature:
Constituency No:
Date:



FORM B**Departure and return journey certificate**

(The Certificate may kindly be filled in, signed and returned to the Secretary, Legislative Assembly, as soon as possible, after completion of the return journey.)

1. Certified that I performed the return journey under section 4 of the Salaries and Allowances of Members of the Legislative Assembly (Puducherry) Act, 1964 leaving
 (place).....on the.....(date).....I
 arrived at..... (place).....on the
(date).

2. Certified that I have not performed any part of journey (other than the railway journey) by a conveyance provided at the expense of the Government or a Local Fund.

*3. Certified that I actually travelled by air from.....
 (place)..... to (place)
by day/night service.

Payment of the supplementary bill is required at
 (station)

Station:

Date: **Member of the Legislative Assembly**

* Strike out if not applicable.