

SIKKIM MINISTER, SPEAKER, DEPUTY SPEAKER AND MEMBER OF LEGISLATIVE ASSEMBLY (SALARIES AND ALLOWANCES) ACT, 1977

SIKKIM MINISTERS, SPEAKER, DEPUTY SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY (SALARIES AND ALLOWANCES) ACT, 1977] ACT NO. 4 of 1977 ACT to provide for the salaries and allowances of the Ministers, the Speaker, the Deputy Speaker and Members of the Legislative Assembly of the State of Sikkim. [28th March, 1977] Be it enacted by the Legislature of Sikkim in the Twenty-eighth Year of the Republic of India as follows:— 1. (1) (2) (a) (b) (c) This Act may be called the 'Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977. The provisions of this Act shall come into force at once except the provisions of section 3 which shall come and shall always be deemed to have come into force with effect from the 1st day of April, 1976. In this Act, unless there is anything repugnant in the subject or context,— "Assembly" means the Legislative Assembly of the State of Sikkim. 'Chief Minister', 'Minister', 'Minister of State' and 'Deputy Minister' shall mean respectively the Chief Minister, Minister, a Minister of State or a Deputy Minister of the State of Sikkim. 'Committee' means a Committee of the Assembly and includes a Committee appointed by the State Government. Short title and Commencement. Definitions. (d) 'Deputy Speaker' means Deputy Speaker of the Assembly. (e) 'family' in relation to person means the wife or the husband, as the case may be, and minor children of such person and also the parents and adult children of such person and adult children who are wholly dependent on such person. 'furnished' means provided with furniture and fittings on such scale and within such limits as may be prescribed, Subs. by sec 2 (a) of the S. S. & A. (Amd.) Act, No. 6 of 1980 (w. e. f. 2b, 10.1979). (g) 'maintenance' in relation to a residence shall include repairs, structural addition and alterations and provision of connections for water and electricity and payment of municipal rates and taxes and other charges in respect of the residence. (h) 'member' means a member of the Assembly other than the Chief Minister, a Minister of State, a Deputy Minister, the Speaker and the Deputy Speaker and shall include a member acting as Speaker in the absence of the Speaker and the Deputy Speaker. (i) 'month' shall mean a month reckoned according to the English Calendar. (j) 'prescribed' means prescribed by rules made under this Act. (k) 'rent' includes charges for electricity and water. 'residence' includes the garage, garden, lawn, quarters for the staff, servants, security personnel or guards and guest house within the compound of the residence. (m) 'session' means the Whole period from the time when Salaries and allowances. 3. (n) (2) (3) the Assembly meets to the time when it is prorogued. 'Speaker' means the Speaker of the Assembly and shall include a member of the Assembly appointed by the Governor to perform the duties of the Speaker when the posts of the Speaker and the Deputy Speaker are vacant. There shall be paid to the Chief Minister, the Minister the Minister of State, the Deputy Minister, the Speaker and the Deputy Speaker such monthly salaries as specified in the Schedule. There shall be paid to the Chief Minister, the Minister the Speaker and the Deputy Speaker] such monthly sumptuary allowances as specified in the Schedule. There shall be paid to every member of the Assembly a salary at the rate of eight hundred rupees per month and also a consolidated allowance at the rate of three hundred rupees per month for his travelling and other expenses including the expenses necessary for attending the meetings of Assembly 41 * 2

4. Sub8• by sec.2 (b) Of the S.S. & A. (Amd.) Act, No. 6 of 1980 (w. e. f

25. Stbs. by 2 (a) of the S. M. S. D. S. & M of L. A. (S. & A.) (Amd.) Act, 1980 (w. e. f. 1. 8. 1980), Deleted by sec. 2 (I) of the Sikkim Salaries and Allowances (Amd.) Act, No. (w. c. f. 1. 4. 1976). 10.1979). No. IO of 10 of 1978 (4) (2) (3) The Chief Minister, the Minister, the Minister of State, the Deputy Minister, the Speaker and the Deputy Speaker shall be entitled without payment of rent to use of a furnished residence in Gangtok throughout the term of his office and for a month after he ceases to hold such office. Where, any of the persons mentioned in sub-section (1), is not provided with any residence under sub-section (1), he shall be paid an allowance at the rate of four hundred rupees per month so long as he is not provided with such residence. All expenditure for maintenance and furnishing any residence provided under sub-section (1) shall be borne by the Government. Every member shall be entitled to such residential accommodation as may be prescribed at the place of the sitting of the Assembly during the session or a meeting of a Committee. The Chief Minister, the Minister, the Minister of State, the Deputy Speaker shall be provided with free Vehicle and driver and all expenses for the salaries and allowances

of the driver, of fuel, upto such limit as may be prescribed, expenditure of maintenance and repairs of the vehicles shall be borne by the Government. Where any of the persons mentioned in sub-section (1) is not provided with the facilities of conveyance as specified therein, he shall be paid a conveyance allowance at the rate of four hundred rupees per month and, shall in addition be provided with a driver under the employment of the Government. Every member shall be provided with a free non-transferable first class pass for travelling by railway from and to any place in India for a distance of not exceeding 5[eight] thousand kilometers in the aggregate in any financial year and also free non-transferable pass for travelling within the State Sikkim by any transport service vehicle owned, controlled or managed by the Government. The Chief Minister, the Minister, the Minister Of State, the Deputy Minister, the Speaker, the Deputy Speaker Residence Conveyance. Medical facilities.;, 6

5. Subs. by sec. 2 (a) of the S. M. S. D. S. & M. of L. A. (S. & A.) (Amend.) Act, No. 10 Of 1980 (w. e. f. 1, 8, 19-30). Travelling Allowance. 7. 8

9. Power rules. Repeal savings. 6, to and make (1) (1) (2) (3) and the members along with their family shall be entitled to free medical attendance and treatment in any of the Government hospitals of the State and facilities as may be also such other medical prescribed. The Chief Minister, the Minister, the Minister of State, the Deputy Minister, the Speaker, the Deputy Speaker and the members shall be entitled to travelling allowance while on tour on public business at such rates and subject to such conditions as may be prescribed. The members shall be entitled to such travelling allowances and facilities at such rates and subject to such conditions as may be prescribed, for attending the meeting of a Committee.] The State Government may make rules for carrying out the purposes of this Act and, in particular for any of the matters required to be prescribed under any of the foregoing provisions of this Act. All laws including rules, regulations, orders, notifications, circulars or other provisions. . respect of any matter governed by this Act, made or issued prior to the commencement of this Act, shall cease and shall always be deemed to: have ceased to have any force or effect on and from such commencement. Notwithstanding anything contained in sub-section (1), all claims under any of the provisions mentioned in sub-section (1) relating to the period prior to the commencement of this Act, and remaining unpaid or unadjusted on the date of the commencement of this Act shall be paid or adjusted, as the case may be under the said provisions as if this Act had not come into force. Any order issued, claims paid, payments made or any other action taken before the commencement of this Act in respect of salaries and allowances including advance payment thereof and all other matters governed Ins. by sec. 2 (2) of the 1978 (w. e. f. 28.3.1977). by this Act shall issued, paid, made under proper legal S. M. S, D. S. & M. of L. be deemed to have been validly or taken duly and properly and authority. A. (S. & A. (Amend.) Act, No. 10 of SCHEDULE (section 3 (1) and section 3 (21) 1. 2. 3. 4. 5. 6

7. Designation Chief Minister Speaker Minister Deputy Speaker Minister of State Deputy Minister Subs, by sec. 2 (c) of the Salary 2,250/- Rs. Rs. 2 000/ 1,750/- Rs. 7[Rs. 1,750/- 1,600/- Rs. 1 ,200/- Rs. S. S. & A. (Amend.) Act, Sumptuary Allowance Rs. 450/- Rs. 300/- Rs. 225/- Rs. 225/-) Nil Nil No. 6 of 1980 (w. e. f. 25.10.1979). GOVERNMENT SIKKIM .43 EXTRAORDINARY GAZETTE T T F No. 77 PUBLISHED BY AUTHORITY Gangtok, Friday, September 19, 1980 LAW AND LEGISLATIVE DEPARTMENT NOTIFICATION No. 9/LL/80, Dated Gangtok, the 18th September, 1980. The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 16th day of September, 1980, is hereby published for general information. SIKKIM ACT NO. 10 OF 1980. THE SIKKIM MINISTERS, SPEAKER, DEPUTY SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY (SALARIES AND ALLOWANCES) AMENDMENT ACT, 1980. AN ACT further to amend the Sikkim Ministers, Speaker, Deputy-Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977 (4 of 1977). Be enacted by the Legislature of Sikkim in the Thirty-first year of the Republic of India as follows (1) This Act may be called the Sikkim Ministers, Speaker, Deputy- Short title and 1. Speaker and Members of the Legislative Assembly (Salaries and commencement. Allowances) Amendment Act, 1980. (2) It shall be deemed to have come into force on the 1st day of August, 1980. In the Sikkim Ministers, Speaker, Deputy-Speaker and Members of Amendment of 2. the Legislative Assembly (Salaries and Allowances) Act, 1977— section 3 and S. (a) in sub-section (3) of section 3 for the words "two hundred rupees" the words "three hundred rupees" shall be substituted. (b) in sub-section (3) of section 5 for the words "five thousand kilometres" the words "eight thousand kilometres" shall be substituted. By Order of the Governor, B. R. PRADHAN, Secretary

to the Government of Sikkim, Law and Legislative Department, F. No. 16 (11)LL/77. AT THE SIKKIM GOVERNMENT PRESS GOVERNMENT SIKKIM EXTRAORDINARY GAZETTE No. 106 No. IO/LD/86 PUBLISHED BY AUTHORITY Gangtok Monday, September 15, 1986. GOVERNMENT OF SIKKIM LAW DEPARTMENT GANGTOK NOTIFICATION Dated the 8th September, 1986. The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 6th day of September, 1986 is hereby published for general information THE SIKKIM MINISTERS, SPEAKER, DEPUTY SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY (SALARIES AND ALLOWANCES) AMENDMENT ACT, 1986. (ACT NO. 10 OF 1986) AN ACT further to amend the Sikkim Ministers, Speakers Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977. Be it enacted by the Legislative Assembly of Sikkim in the Thirty- seventh Year of the Republic of India as follows 1. 2. (1) This Act may be called the Sikkim Ministers, Speaker, Deputy Short title and Speaker and Members of the Legislative Assembly (Salaries and Allow. ances) Amendment Act, 1986. (2) It shall come into force on the 1st day of September, 1986. In the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Amendment of Legislative Assembly (Salaries and Allowances) Act, 1977 (hereinafter section 3 referred to as the 'said Act'), in section 3, in sub-section (3),— (a) For the words "eight hundred rupees per month" the words "one thousand rupees per month", and (b) For the words "three hundred rupees per month" the words "five hundred rupees per month", shall be substituted. 3. 2 In the said} Act'; for the existing Schedule, the following Schedule shall be substituted, namely "SCHEDULE and (2) of section 3 Sl. No. 1. 2. 3. 4. 5

6. Designation Chief Minister Speaker Minister Deputy Speaker Minister of State Deputy Minister
Sumptuary Allowance Salary Rs.3,800/- Rs. 3,500/- Rs. 3,000/- Rs. 3,000/- Rs. 2,500/- Rs. 2,200/- Rs. 700/- Rs. 500/- Rs. 500/- Rs. 500/- Rs. 300/- Rs. 250/-" B. R. PRADHAN, Secretary to the Govt. of Sikkim, Law Department. (F. No. 16 (11)/LD/1977/86.) PRINTED A-Tr THE. SIKKIM GOVERNMENT PRESS, GANGTOK. SIKKIM 2 GOVERNMENT EXTRAORDINARY PUBLISHED BY AUTHORITY Gangtok Thursday, March 15, 1990 GAZETTE No: 33 SIKKIM No. SLAS/89-90/204/6023 LEGISLATIVE, ASSEMBLY GANGTOK NCYIJFIC'A'TION SECRETARIAT Dated Gangtok, the 15th March, 1990. In pursuance of Rule 7 S of the Rules 01' Procedure and Concluct of Business in the Sikkim Legisla- •ive Assembly, the Speaker has been pleased to order the Ineptlblication of the following Bill • THE SIKKIM MINISTERS, SPEAKER, DEPUTY SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY (SALARIES AND ALLOWANCES) AMENDMENT BILL, 1990 (BILL NO. I OF 1990) further to atne.nd the Sikkirn Ministers, Speaker, Deputy Speaker and Members of the Legislative Asscnnbly (Salaries and Allowances) Act, 1977. Be it enacted by the of Sikkim in the Forty-first Year of the Republic or India as Ibllows Short title and commencement Amendment of section 4. 2. of the section ' 'three (J) This Act Inay bc called the Sikkiln Ministers, Speaker, Deputy SpeakCl' and Mcnlbers of the Legis lative Assenbly (Salaries and Allowances) Bill, 1990. It shall bc (lecjue.(I have coine into force with effect from (2) the Ist (lay of Deccunber, 1989. In the Sikkil)l Miniscclß, Spcakel , Deputy Speaker and Members Legislative Asscnlbly (Salaries ancl Allowances) Act, 1977, in sub- (2) of section 4, for the words "four hundred rupees" the words thousand rupccs' shall bc substituted. 1977 2 STATEMENT OF OBJECTS AND REASONS The existing salarie} and allowances of the Council of Minis ters, Speaker and Deputy Speaker were fixed as far back as in 1977. The Ministers who were not provided with official residences were provided with an allowance of Rs.400/- per 111011th only under the Act. This alnount was meagre even by the then standards and especially so since it also included charges for electricity and water. Furthermore, over the last thirteen years no initiative has been taken to consider refixation of the said allowance. The rise in infla- tion, unprecedented upsurge in prices all around noakes it absolutely ncccssary for the allowance, to I--e refixed at a fair and reasonable alnount. In the past, due to the •a-nall size of the Ministry official residences have been provided to all Minis- ters. Now, however, the increased size of the Ministry coupled with the already existing acute shortage in accommodation in the Capital, Gangtok, a situation has arisen where nnany of the Ministers have not been provided with residential accommodation by the Governl)lent and are staying in privately owned quarters. Under these circumstances, it has now been found necessary to give a fair and just cmnpensation to those Ministers not provided with Gfficial residence by refixing the allowance at Rs. 3,000/- per month. With t:his object in view, the Bill has been franclcl. N.B. BHANDARI CHIEF MINISTER RECOMMENDATION OF THE GOVERNOR UNDER ARTICLE 207 (1) OF THE CONSTITUTION

OF INDIA. The Governor having been informed of the subject matter of the Bill has been pleased to recommend the introduction and consideration of the said Bill by the Sikkim Legislative Assembly.

FINANCIAL MEMORANDUM The proposal will involve additional expenditure to the extent of Rs. 62,400/- for the period from December 1989 to March 1990 and from the financial year 1990-91 onwards the anticipated recurring expenditure will be to the tune of Rs. 1 per month from the Consolidated Fund of Sikkim.

MEMORANDUM REGARDING DELEGATED LEGISLATION NIL PRINTED AT THE SIKKIM GOVERNMENT PRESS, GANGTOK. SIKKIM GOVERNMENT EXTRAORDINARY PUBLISHED BY AUTHORITY No. 81LD/1991 1. GAZETTE Gangtok, Tuesday, September 17, 1991

GOVERNMENT OF SIKKIM LAW DEPARTMENT GANGTOK No. 144 Dated Gangtok, the 17th September, 1991.

NOTIFICATION The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on 17th day of September, 1991, is hereby published for general information

THE SIKKIM MINISTERS, SPEAKER, DEPUTY SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY (SALARIES AND ALLOWANCES) AMENDMENT, ACT, 1991. (ACT NO. 5 OF 1991) AN ACT further to amend the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act, 1977. Be it enacted by the Legislative Assembly of Sikkim in the Forty-second Year of the Republic of India as follows:-

Short title and convenience-ment. Of section 3. Insertion of new section "Telephone facilities. 2. 3. (1) This Act may be called the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Amendment Act, 1991. (2) It shall be deemed to have come into force with effect from the 1st day of July, 1991. In the Sikkim Ministers, Speaker, Deputy Speaker and Members of the Legislative Assembly (Salaries and Allowances) Act 1977 (hereinafter referred to as the principal Act), in section the following sub-section shall be substituted, namely:- (3) There shall be paid to every member of the Assembly— (a) a salary at the rate of one thousand rupees per month; (b) a consolidated allowance at the rate of five hundred rupees per month for his travelling and other expenses necessary for attending the meetings of the Assembly; and (c) a constituency allowance of one thousand rupees per month." In the principal Act, after section 7, the following new section shall be inserted, namely:- (1) Every Member shall be provided with a telephone at his residence if located within and around Gangtok for the term of his office and all expenses for initial deposit, installation, rental and official trunk call charges and local charges upto such limit as may be specified from time to time by the Government shall be borne by the Government. 2 (2) In the case of a Member already having a telephone at his residence, if located within and around Gangtok the rental and official trunk call charges and local charges upto such limit as may be specified from time to time by the Government shall be borne by the Government for the term of his office". By Order of the Governor, B.R. Pradhan, Secretary to the Government of Sikkim, Law Department. (F.NO. PRINTED AT THE SIKKIM GOVT. PRESS, GANGTOK