

THE SALARIES AND ALLOWANCES OF MEMBERS OF THE
LEGISLATIVE ASSEMBLY (MANIPUR) ACT, 1972
(Manipur Act No. 5 of 1972)
(As incorporated upto Twentieth Amendment)

An
Act

to provide for the salaries and allowances of Members of the Legislative Assembly of Manipur.

Be it enacted by the Legislative Assembly of Manipur in the Twenty-third Year of the Republic of India as follows:

1. (1) This Act may be called the Salaries and Allowances of Members of the Legislative Assembly (Manipur) Act, 1972.

**Short title
and
commence-
ment.**

(2) It shall be deemed to have come into force on the twentieth day of March, 1972.

2. In this Act unless the context otherwise requires -

Definitions.

(a) "Assembly" means the Legislative Assembly of Manipur;

(b) "Committee" means a Committee of the Assembly;

(c) "Controlling Officer" means the Secretary to the Assembly or any

other officer as may be appointed by the State Government to exercise the powers and functions of the Controlling Officer;

- (d) “day” means a period of 24 hours beginning at midnight;
- ¹[(dd) “family” in relation to a member of the Assembly means his wife residing with him and legitimate children and step children residing with and wholly dependent on him. Not more than one wife is included in a family for the purposes of this Act. If the Member is a married woman ‘family will include her husband residing with her;]
- (e) “form” means a form appended to the Second Schedule;
- (f) “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 (Manipur) Act, 1972; and
 - (ii) The Speaker and Deputy Speaker as defined in the Salaries and Allowances of the Speaker and Deputy Speaker of Legislative Assembly (Manipur) Act, 1972;
- (g) “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 such session or sitting or for the purpose of attending such other business and includes, except in the case 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 business of the Committee or other business and a period of such residence not exceeding two days immediately succeeding the conclusion of the Committee or other business;

¹ Inserted by the House at the time of passing the Bill on 26.04.1972.

- (h) “Schedule” means a Schedule appended to this Act;
- (i) ¹[“term of office” in relation to a member means where such member is a member elected in a general election held for the purpose of constituting a new Assembly or in a bye-election to the Assembly, the period beginning with the date of publication of the notification setting out the results of such general election or bye-election;]
- (j) “usual place of residence” in relation to a member means the place where the member personally resides or works for gain within the State of Manipur;
- (k) ²[“Territorial Council” means the Council constituted under the Territorial Council Act, 1956 in Manipur.]

3. A member shall be entitled to receive a salary at the rate of ³[Rs. 19,500/- (Rupees nineteen thousand five hundred) only per month] during the whole of his term of office and an allowance at the rate of ³[Rs. 1,000/- (Rupees one thousand)] only within the State and ³[Rs. 2,000/- (Rupees two thousand) only outside the State for each day during any period of residence on duty;

Salaries and Allowances.

Provided that the Leader of Opposition shall be paid such salary, conveyance allowance, entertainment allowances and travelling and daily allowance shall be entitled to such amenities regarding residence and motor car as are provided for a Minister under the Salaries and Allowances of Minister (Manipur) Act, 1972.

Explanation: For the purpose of this proviso ‘a Minister’ means a Cabinet member of the council of Ministers:

Provided further that the Leader of the Opposition in receipt of a salary or allowances under this section shall not be entitled to receive any sum out of the funds provided by the Assembly by way of Salaries and Allowances to members thereof.

Explanation I. Daily allowance shall be admissible to a member for each day during any period of residence on duty irrespective of the time of the arrival or departure.

Explanation II. “Leader of the Opposition” means that a member of the Manipur Legislative Assembly who is for the time being the Leader in the State Assembly or the party in opposition to the State Government

¹ Substituted by Manipur Act No. 7 of 1990 (Thirteenth Amendment).

² Inserted by Manipur Act No. 8 of 1977 (Second Amendment).

³ Substituted by Manipur Act No. 8 of 2014 (Twentieth Amendment).

having the greatest numerical strength in the said Assembly.

Explanation III. If any doubt arises as to which is or was at the material time the party in opposition to the State Government having the greatest numerical strength in the Manipur Legislative Assembly or as to who is or was at any material time the Leader in the said Assembly of such a party, the question shall be decided for the purpose of this Act by the Speaker of the said Assembly, and his decision, certified in writing under his hand, shall be final and conclusive.

¹Constituency, Contingency and entertainment allowance. **4.** A member shall be entitled to a Constituency allowance of Rs. 20,000/- (Rupees twenty thousand), a contingency allowance of Rs. 10,000/- (Rupees ten thousand), a secretarial allowance of Rs. 19,500/- (Rupees nineteen thousand five hundred) and entertainment allowance of Rs. 12,000/- (Rupees twelve thousand) per month in addition to the salaries and allowances specified in section 3.

Travelling Allowance. **5.** (1) There shall be paid a 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 the Committee or for the purpose of attending 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 other business is to be transacted and for the return journey from such place to his usual place of residence ²[at the rate of Rs. 250/-].

(2) Notwithstanding anything contained in sub-section (1), a member who performs a journey by road between places connected by rail, either wholly or in part may draw the road mileage at the rates admissible to Class-I Officer ³[of the highest grade] serving in connection with the State Government of Manipur in respect of journey on tour;

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

⁴[(3) A member on official tour outside the State inside India or aboard shall be given daily allowance at the rates prescribed under sub-section 3.

¹ Substituted by Manipur Act No. 8 of 2014 (Twentieth Amendment).

² Inserted by Manipur Act 8 of 1998 (Sixteenth Amendment).

³ Substituted – (4) *ibid*.

⁴ Inserted by Manipur Act 9 of 1979 (Fourth Amendment).

¹[Provided that a member shall be entitled to travel anywhere in India once in a financial year for such works so as to enable him to discharge his duties and functions as approved by the Speaker upto a maximum ceiling of ²[Rs. 2,00,000/- (Rupees two lakh)] only to be provided by the Assembly Secretariat.]]

- (4) ²[A Member shall be entitled to appoint one Computer Assistant and one Personal Assistant, each on a par with the monthly pay and allowances admissible at the minimum of the pay scale of a Lower Division Clerk, and two Drivers and one Peon on a par with the monthly pay and allowances admissible at the minimum of the pay of a Driver and a Peon respectively, at the pleasure of the Member, for the period during his term of office.]

- 6.** 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 State of Manipur, he shall be entitled to receive travelling allowance in respect of such journey such place and for the return journey under Section 5.

Travelling Allowance for intermediate journey.

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.

- 7.** 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 that 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;

Allowances during short intervals between termination of session and commencement of another session etc.

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 provision of section 6 shall apply accordingly.

- 8.** In the special circumstances specified in the First Schedule, this Act shall apply subject to the provisions of that Schedule.

Special Provisions.

- 9.** The provisions of the Second Schedule shall apply in respect of claims for salary and allowances.

Procedure.

- 10.** A member and members of his family shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to

Medical treatment etc. to members.

¹ Substituted by Manipur Act No. 12 of 2005 (Seventeenth Amendment).

² Substituted by Manipur Act No. 8 of 2014 (Twentieth Amendment).

medical treatment in accordance with the Medical Attendance Rules, as amended from time to time, applicable to a Class-I Officer serving in connection with the State of Manipur.

¹[Provided that a member and his family shall be entitled to air travel for medical treatment outside the State:

Provided further that ex-Members and his family shall be entitled to medical treatment in accordance with the Medical Attendance Rules as amended from time to time, applicable to a Class-I officer of the State Government.]

Housing facility. **11.** A member shall be entitled, without payment of rent to the use of such furnished residential accommodation as may be prescribed during the term of his office and for a period of fifteen days immediately thereafter, and no such charge shall fall on the member personally in respect of the maintenance of such accommodation:

²[Provided that a member shall be entitled to receive a sum of Rs. 1,00,000/- (Rupees one lakh) ³[per year] for the term for furnishing of free residential accommodation when such free furnishing is not provided:

Provided further that there shall be paid a compensatory allowance of Rs. 10,000/- (Rupees ten thousand) per month to a member so long as such accommodation is not allotted or available.]

Pension. **11-A.** (1) There shall be paid a pension of ²[Rs. 40,000/- (Rupee forty thousand)] per mensem to every person who have served for a period of not less than five years whether continuous or not as a member of the Assembly:

Provided that where a member has been prevented from serving as such for five years on account of dissolution of Legislative Assembly or where a member having been elected in a bye-election has not served for five years or having been prevented from serving full term of office on account of resignation of his seat, he shall be deemed to have served as a member for five years and this deeming provision shall not apply for the purpose of earning additional pension under this section;

Provided further that where any person has served as aforesaid for a period exceeding five years, there shall be paid to him an additional pension of ²[Rs. 2,000/- (Rupees two thousand)] per mensem for every year in excess of five;

¹ Inserted by Manipur Act No. 12 of 2005 (Seventeenth Amendment).

² Substituted by Manipur Act No. 8 of 2014 (Twentieth Amendment).

³ Inserted by Manipur Act No. 8 of 2014 (Twentieth Amendment).

Provided also that any period exceeding six months but less than one year shall be deemed to be a year for the purpose of the payment of additional pension.

Explanation:

- (i) the first Manipur State Assembly or Constituent Assembly before the fifteenth October nineteen forty nine anodomini;
 - (ii) the erstwhile Legislative Assembly of Manipur before the Constitution of the Territorial Council under the Territorial Councils Act, 1956;
 - (iii) the erstwhile Legislative Assembly of Manipur constituted under the Government of Union Territories Act, 1963 (20 of 1963); and
 - (iv) the Territorial Council constituted under the Territorial Council Act, 1956.
- (2) 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 Administrator of any Union Territory; or
 - (ii) become a Member of the Council of States or the House of the People or any Legislative Assembly of a State or a Union Territory or Legislative Council of a State; or
 - (iii) is employed on a salary under Central Government or any State Government in a Corporation owned or controlled by the Central Government or any State Government or local authority or becomes otherwise entitled to any remuneration or from Central or State Government, Corporations or local authority;

Such person shall not be entitled to any person under sub-section (1) for the period during which he continues to hold such office or as such office or as such member or so is 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 persons 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 also entitled to any other pension, such pension 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 purposes of sub-section (1) the period during which a person has served as a Minister, as defined in the Salaries and Allowances of Ministers (Manipur) Act, 1972 or the Speaker or the Deputy Speaker or the Vice-Chairman of the State Planning Advisory Board or the Parliamentary Secretary and the Chairman of Hill Areas Committee of the Assembly shall also be taken into account.

(5) In computing the number of years for the purpose of sub-section (1), the period shall be taken into account from the date of declaration of the election of the member.

11.AA. (1) Subject to such rules as may be prescribed, where a person eligible to pension under sub-section (1) of section 11-A dies, there shall be paid to his / her family, a family pension of ¹[sixty percent] of the pension of the ex-Member per mensem.

Explanation: For the purpose of this sub-section 'Family' means the following relatives of the deceased member, namely, -

- (a) Wife / husband till her / his re-marriage; and
Minor son / daughter.

(2) The family pension admissible under sub-section (1) shall be payable in the following order,-

- (a) Wife or the husband; and / or
- (b) the eldest among the minor sons or unmarried minor daughters, where the deceased member has nor serving spouse;

Provided that where the recipient of the family pension dies or marries or ceases to be a minor, the pension payable shall thereafter be paid to the person next lower in the order of hierarchy;

Provided further that not more than one spouse is eligible in a family for the purposes of this section.

(3) Notwithstanding anything contained in the Act, the family of a member who dies on or before 22-5-1977 shall be entitled to receive the family pension under the Act with effect from 1-10-1992 and at the revised rate from the commencement of the salaries and allowances of Members of the Legislative Assembly (Manipur) fifteenth Amendment Act, 1995 (i.e., 21-12-1995).

Telephone facility and allowances.

11-B. (1) A member of the Assembly shall be given telephone facility by installing telephone in his residence at the cost of the State Government

¹ Substituted by Manipur Act No. 5 of 2010 (Eighteenth Amendment).

provided the member resides wherever telephone facility is available within the State, subject to such condition as may be prescribed by rules or orders made under this Act.

(2) A member of the Legislative Assembly shall be entitled to a telephone allowance of ¹[Rs. 12,000/- (rupees twelve thousand)] per mensem for use in making payment towards the additional telephone charges which he has to bear being beyond the fixed free calls so allowed to subscribers.

11-C. Every member of the Assembly shall be provided with one free non-transferable pass entitling him to travel at any time in any part of the State of Manipur by such transport service, in such class of accommodation, subject to such conditions as may be prescribed by rules or order made under this Act.

Transport facility.

11-D. ²[A Member shall be entitled to a vehicle / housing loan upto a maximum of Rupees ¹fifteen lakhs which shall be recoverable from his salary with interest as prescribed by the Government, during the term of his membership and the remaining balance, if any, from his pension.]

Motor Car and House building advance.

³[Provided that if a Member or an Ex-Member died before the loan amount with interest is fully recovered, the state Government may write off the outstanding loan amount with interest if considers it necessary in the public interest.]

11-E. All Government Dues recoverable from a member may be adjusted against the pensionary benefits, which may be entitled to such a member.

Power to recover Government dues.

11-F. The water and electricity charges of a Member upto a maximum ceiling of ¹[Rs. 10,000/- (Rupees ten thousand)] per mensem shall be borne by the Assembly Secretariat and excess of which will be paid by the Member concerned.

Water and Electricity facilities.

¹ Substituted by Manipur Act No. 8 of 2014 (Twentieth Amendment).

² Substituted by Manipur Act No. 12 of 2005 (Seventeenth Amendment).

³ Inserted by Manipur Act No. 4 of 2011 (Nineteenth Amendment).