

# Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2010

February 15, 2013

## **SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) ACT, 2010<sup>1</sup>**

[NO. 37 OF 2010]

[21st September, 2010]

An Act further to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954

Be it enacted by Parliament in the Sixty-first Year of the Republic of India as follows—

-----

**1. Received the assent of the President on September 21, 2010 and published in the Gazette of India, Extra., Part II, Section I, dated 22nd September, 2010, pp. 1-3, No. 46**

### **Prefatory Note—Statement of Objects and Reasons.**

The Joint Committee on Salaries and Allowances of Members of Parliament in its Report dated the 5th May, 2010 has made certain recommendations regarding increase in the salary, daily allowances and the other facilities to which the Members of Parliament are entitled to, pension payable to former Members of Parliament. After considering the said report, it has been decided to accept certain recommendations relating to salary, daily allowance, rate of road mileage and other facilities to which the Members of Parliament are entitled to and pension to former Members of Parliament. It is, therefore, proposed to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954 for giving effect to the aforesaid proposals.

2. The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 2010, inter alia, seeks to amend the Salary, Allowances and Pension of Members of Parliament Act, 1954 to provide for the following, namely—

(a) to enhance the salary of Members of Parliament from sixteen thousand rupees per mensem to fifty thousand rupees per mensem, from the date of constitution of the 15th Lok Sabha, i.e., 18th May, 2009;

(b) to enhance the daily allowance payable to the Members of Parliament during any period of residence on duty from one thousand rupees to two thousand rupees for each day of duty;

(c) to enhance the rate of road mileage from thirteen rupees per kilometer to sixteen rupees per kilometer;

(d) to provide for the rail travel facility of the spouse of a Member so that the spouse can travel any number of times by railway in first class air-conditioned or executive class in any train from the usual place of residence of the Member to Delhi and back; and when Parliament is in session, by air or partly by air and partly by rail, from the usual place of residence of the Member to Delhi and back, subject to the condition that the total number of such air journeys shall not exceed eight in a year;

(e) to enhance the pension of eight thousand rupees per mensem available to a former Member of Parliament to twenty thousand rupees per mensem and the additional pension of eight hundred rupees per mensem payable to them for every year in excess of five years membership to fifteen hundred rupees per mensem, from the date of constitution of the 15th Lok Sabha, i.e., 18th May, 2009;

(f) to enhance the amount of repayable advance for purchase of conveyance, from one lakh rupees to four lakh rupees.

3. The proposed provisions for daily allowance, road mileage allowance and rail travel facility referred to in sub-paragraphs (b) to (d) and repayable advance for purchase of conveyance referred to in sub-paragraph (f) shall be applicable from such date as the Central Government may notify.

4. The Bill seeks to achieve the above objects.

## 1. Short title and commencement.

(1) This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2010.

(2) Save as otherwise provided, it shall come into force on such date as the Central Government may, by notification, in the Official Gazette, appoint and different dates may be appointed for different provisions of this Act.

## 2. Amendment of Section 3.

In the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954), (hereinafter referred to as the principal Act), in Section 3,—

(i) for the words “a salary at the rate of sixteen thousand rupees per mensem”, the words “a salary at the rate of fifty thousand rupees per mensem” shall be substituted;

(ii) for the words “an allowance at the rate of one thousand rupees for each day”, the words “an allowance at the rate of two thousand rupees for each day” shall be substituted;

(iii) for the second proviso, the following proviso shall be substituted, namely—

“Provided further that the rates of salary specified in this section shall be application from the 18th day of May, 2009.”

## 3. Amendment of Section 4.

In the principal Act, in Section 4, in sub-section (1),—

(i) in sub-clause (ii) of clause (c), for the words “a road mileage at the rate of thirteen rupees per kilometre”, the words “a road mileage at the rate of sixteen rupees per kilometre” shall be substituted;

(ii) for the first proviso, the following proviso shall be substituted, namely—

“Provided that when Parliament is in session and the spouse of a Member, if any, performs such journey or part thereof by road, unaccompanied by such Member, in respect of which such

spouse has been allowed to travel by air or partly by air and partly by rail from the usual place of residence of the Member to Delhi or back under sub-section (2) of Section 6-B, the road mileage prescribed under this sub-clause shall be allowed to such Member for such journey or part thereof, subject to the condition that the total number of such journeys shall not exceed eight in a year;

(iii) the third proviso shall be omitted.

## 4. Amendment Section 6-B.

In the principal Act, in Section 6-B, for sub-section (2), the following sub-section shall be substituted, namely—

“(2) Notwithstanding anything contained in clause (ii) of sub-section (1), the spouse of a Member shall be entitled to travel,—

(a) any number of times, by railway in first class air-conditioned or executive class in any train from the usual place of residence of the Member to Delhi and back; and

(b) when Parliament is in session, by air or partly by air and partly by rail, from the usual place of residence of the Member to Delhi or back, subject to the condition that the total number of such air journeys shall not exceed eight in a year:

Provided that where any such journey or part thereof is performed by air from any place other than the usual place of residence of the Member to Delhi and back, then, such spouse shall be entitled to an amount equal to the fare by air for such journey or part thereof, as the case may be, or to the amount equal to the journey performed by air from the usual place of residence of the Member to Delhi and back, whichever is less.”

## 5. Amendment of Section 8-A.

In the principal Act, in Section 8-A, for sub-section (1), the following sub-section shall be substituted, namely—

(1) With effect from the 18th day of May, 2009, there shall be paid a pension of twenty thousand rupees per mensem to every person who has served for any period as a Member of the Provisional Parliament or either House of Parliament:

Provided that where a person has served as a Member of the Provisional Parliament or either House of Parliament for a period exceeding five years, there shall be paid to him an additional pension of fifteen hundred rupees per mensem for every year served in excess of five years.

Explanation.—For the purpose of this sub-section, “Provisional Parliament” shall include the body which functioned as the Constituent Assembly of the Dominion of India immediately before the commencement of the Constitution.’

## 6. Amendment of Section 8-B.

In the principal Act, in Section 8-B, for the words “one lakh rupees”, the words “four lakh rupees” shall be substituted.

CORRIGENDUM

In the Legal Metrology Act, 2009 (1 of 2010), (2010-CCL-II-24) as published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 14th January, 2010 (Issue No.I),—

At Page 36, Section 48(3), for "52", read "53".