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EXTRAORDINARY

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HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 27th December, 2018

No.45-HLA of 2018/77/27127.— The Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Second Amendment Bill, 2018, is hereby published for general information under proviso to Rule 128 of the Rules of Procedure and Conduct of Business in the Haryana Legislative Assembly :-

Bill No. 45- HLA of 2018.

**THE HARYANA LEGISLATIVE ASSEMBLY (SALARY, ALLOWANCES
AND PENSION OF MEMBERS) SECOND AMENDMENT
BILL, 2018**

A

BILL

Further to amend the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Act, 1975.

Be it enacted by the Legislature of the State of Haryana in the Sixty-ninth Year of the Republic of India as follows:-

1. This Act may be called the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Second Amendment Act, 2018. Short title.
2. After clause (c) of section 2 of Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Act, 1975 (hereinafter called the principal Act), the following clause shall be inserted and shall be deemed to have been inserted with effect from the 14th June, 2016 namely:-
'(cc) "Government Chief Whip" means that member who is Chief Whip for the time being in the Assembly of the party in Government having the greatest numerical strength in the Assembly;'
Amendment of section 2 of Haryana Act 2 of 1975.
3. After section 4 of the principal Act, the following section shall be inserted and shall be deemed to have been inserted with effect from the 14th June, 2016, namely:-
"4A. Special provisions regarding Government Chief Whip.- (1) The Government Chief Whip shall be entitled without payment of rent to the use of a furnished residence at the headquarter of the State Government throughout his term of
Insertion of section 4A in Haryana Act 2 of 1975.

office and no charge shall fall on him personally in respect of the maintenance of such residence or in lieu of such residence shall be entitled to be paid such allowance not exceeding five thousand rupees per mensem as the State Government may determine.

(2) He shall also be entitled to a conveyance allowance at the rate of ten thousand rupees per mensem per car or in lieu thereof, two State Cars, the expenses on the maintenance and propulsion of which shall be borne by the State Government subject to such restrictions, as may be imposed by the State Government, from time to time, for the use of State cars by the Ministers:

Provided that the maintenance and propulsion expenses of the State cars in use by him shall not be subject to the limit of ten thousand rupees per mensem.

(3) He shall further be provided with the following staff, namely:-

- (i) One Private Secretary;
- (ii) One Assistant;
- (iii) Two Drivers;
- (iv) Four Personal Security Officers; and
- (v) Two Peons.

Explanation .- If any doubt arises as to which is or was at any material time the party in the Government having the greatest numerical strength in the Assembly or as to who is or was at any material time the Government Chief Whip in that Assembly of such a party, the question shall be decided by the Speaker and his decision in writing shall be final and conclusive”.

STATEMENT OF OBJECTS AND REASONS

At present Section 2 and Section 4 of Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Amendment Act, 1975 provide the definition, Salary and facilities provides to the Speaker, Deputy Speaker, LOP and Members of the State Legislative Assembly. The Office of Government Chief Whip has not been included in the aforesaid Act and has been provides other facilities which are not applicable to the Members of Legislative Assembly. There is a CWP No. 1620 of 2017 is under consideration of Hon'ble High Court where in the Petitioner has challenged that the Government Chief Whip should be calculated in the prescribed 15% strength of Ministers where as the Government Chief Whip is not a Minister. Therefore now it is required to mention the definition of the Government Chief Whip by inserting Section 2CC after Section 2 of the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Amendment Act, 1975. It is also further required that the facilities being provided to Government Chief Whip may also be inserting Section 4A after Section 4 of the said Act.

In order to include the office of Government Chief Whip in Section 2CC and 4A are proposed to be inserted Section 2 and Section 4 in the above said Act by introducing a Bill.

Parliamentary Affairs Minister,
Haryana.

Chandigarh:
The 27th December, 2018.

R. K. NANDAL,
Secretary.

FINANCIAL MEMORANDUM

The proposed the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Second Amendment in respect of Government Chief Whip of State will have an extra expenditure of Rs. 54,000/- per annum in lieu of increase in allowance for maintenance of residence from Rs. 500/- to 5,000/- per month with effect from 14.06.2016 on the State Exchequer as he is already being provided facilities equivalent to Minister of State w.e.f. 14.6.2016 the date from which he has been provided such facilities.
