

**THE RAJASTHAN LEGISLATIVE ASSEMBLY (OFFICERS AND
MEMBERS EMOLUMENTS AND PENSION) (AMENDMENT) BILL,
2014**

*A
Bill*

*further to amend the Rajasthan Legislative Assembly (Officers and
Members Emoluments and Pension) Act, 1956.*

Be it enacted by the Rajasthan State Legislature in the Sixty-fifth
Year of the Republic of India, as follows:-

1. Short title and commencement.- (1) This Act may be called the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) (Amendment) Act, 2014.

(2) It shall come into force at once.

2. Amendment of section 4-C, Rajasthan Act No. 6 of 1957.- In sub-section (1) of section 4-C of the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) Act, 1956 (Act No. 6 of 1957),-

- (i) for the existing expression “1st August, 2009”, the expression “1st August, 2014” shall be substituted; and
- (ii) for the existing expression “rupees two thousand five hundred”, the expression “rupees three thousand five hundred” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

For implementing the declaration made by the Hon'ble Chief Minister in the House of the Rajasthan Legislative Assembly an amendment regarding increase in minimum family pension for spouse of deceased Ex-MLAs from rupees 2,500 to rupees 3,500 is proposed.

The Bill seeks to carry out in effect the aforesaid declaration.

Hence the Bill.

राजेन्द्र राठौड़,

Minister Incharge.

FINANCIAL MEMORANDUM

The Bill seeks to amend section 4-C of the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) Act, 1956. The amendment in this section will involve a recurring expenditure of about Rs. 19,56,000 /- per annum.

राजेन्द्र राठौड़,

Minister Incharge.

**EXTRACTS TAKEN FROM THE RAJASTHAN LEGISLATIVE ASSEMBLY
(OFFICERS AND MEMBERS EMOLUMENTS AND PENSION) ACT, 1956**

(Act No. 6 of 1957)

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4-C. Family pension to the spouse of the Ex-member.- (1) The spouse of a deceased Ex-member shall be entitled with effect from 1st August, 2009 or with effect from the date of death of such member, whichever is later, to receive per mensem a family pension equal to rupees two thousand five hundred or equal to fifty percent of the last drawn pension by such member, whichever is higher :

Provided that-

- (i) If the person entitled to a family pension under this section is in receipt of any salary or pension from any other source, then,
 - (a) where the amount of salary or pension being received from other source is equal to or more than the family pension receivable under this section, such person shall not be entitled to any pension under this section; and
 - (b) where the amount of salary or pension being received from other source is less than the amount of family pension receivable under this section, such person shall be entitled to receive family pension under this section in addition to such salary or pension from other source subject, however, that the aggregate of both the family pension under this section and the salary or pension from other source shall not exceed the maximum amount payable under this section as family pension;
- (ii) If the spouse of such member remarries, he or she shall not be paid any pension under this section; and
- (iii) Where more than one wife has survived such member, the amount of family pension payable under this section shall be paid to such wives in equal shares.

Explanation I.- For the purpose of this section 'last drawn pension' in respect of a member of the Legislative Assembly who had died or resigned before the expiry of his term of his office shall be the amount to which such member would have been entitled under section 4-A on the day immediately following the day of his death or, as the case may be, resignation, and in respect of an Ex-member who did not draw pension before his death, shall be the amount to which such member would have been entitled under section 4-A on the day immediately following the day of expiry of his last term of office.

Explanation II.- In computing the amount of pension payable to any person under this section, the amount of pension received by him under the Rajasthan Freedom Fighters Aid Rules, 1959 or under any other rules made on the same subject shall not be taken into account.

(2) With effect from 1st April, 2012 every person entitled to family pension under this section, subject to rules, if any, made in this behalf by the State Government, shall be entitled to reimbursement of any expenditure on account of medical treatment equivalent to that permissible to the retired officers of class I services of the State Government.

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