

Law (A) Department

NOTIFICATION

Jaipur, October 1, 1964

No. F. 3(3)-L/64 :—In exercise of the powers conferred by sub-section (1) of section 11 of the Rajasthan Legislative Assembly (Officers and Members Emoluments) Act, 1956 (Rajasthan Act 6 of 1957), read with clauses (a), (b), (f) and (g) of sub-section (2) thereof, and in supersession of the Rajasthan Legislative Assembly Members Travelling and Daily Allowances Rules, 1958, the State Government hereby makes the following rules, namely :—

**The Rajasthan Legislative Assembly Members Travelling
and Daily Allowances Rules, 1964**

***1. Short title and commencement.**—(1) These rules may be called the Rajasthan Legislative Assembly Members Travelling and Daily Allowances Rules, 1964.

(2) They shall come into force with immediate effect.

2 Definitions.—In these rules, unless the context otherwise requires :—

- (a) “Act” means the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) Act, 1956 (Rajasthan Act 6 of 1957);
- (b) “Assembly” means the Rajasthan Legislative Assembly;
- (c) “Chief Public Office” means,—
 - (1) at the headquarters of a District, the Office of the Collector.
 - (2) at the headquarters of a Tehsil, the Office of the Tehsildar, and

- (3) at other places, the Police Station or if there be no Police Station, the Post Office or if there be no Post Office, the point so declared for the purpose of these rules by the Speaker.
- (d) “Committee” means a Select Committee appointed by the House of the Assembly or a Committee nominated by the Speaker of the Assembly or elected by the House of the Assembly in accordance with the Rules of Procedure and Conduct of Business in Rajasthan Legislative Assembly made by the House of the Assembly in pursuance of the provision contained in clause (1) of Article 208 of the Constitution of India and includes a sub-committee thereof;
- (e) “Day” means a calendar day beginning and ending at midnight;
- (f) “Speaker” means the Speaker of the Assembly;
- (g) “Meeting” means the sitting of the House of the Assembly in its session or the meeting of the committee thereof;
- (h) “Schedule” means the Schedule appended to these rules; and
- (i) “Session” means the whole period of a session of the Assembly summoned by the Governor to meet in pursuance of clause (1) of Article 174 of the Constitution of India commencing on the date of its first sitting and expiring on the date of its prorogation by the Governor under clause (2) of the said Article or its adjournment sine die by the Speaker, whichever is earlier.

3 Travelling allowance and daily allowance for attending meetings or other business.—A member, who attends a meeting or who under the orders of the Speaker attends to any other business connected with his duties as such member, may draw daily allowance at the rates specified in the Act and travelling allowance at the rates specified in the Schedule subject to the conditions and restrictions prescribed in these rules and the Schedule.

3A. Travelling Allowance Advance on Government Tour.—

- (1) A member proceeding on tour outside the State on official duty may be sanctioned in advance, on presentation of a T.A. bill, an amount sufficient to cover for contingent expenses including bus/rail fare.
- (2) Second advance cannot be made to a member under this rule unless an account had been given of the first advance.
- (3) The recovery of advance remaining unadjusted for over one year may be made, after giving an opportunity to the Member to explain the reasons of such unadjustment, from his next salary bill or by any other way as deemed fit by the Secretary, Rajasthan Legislative Assembly.

4. Travelling Allowance for attending meetings, etc.—(1) A member who proceeds to attend a session or a meeting of Committee or to visit a place where any other business connected with his duties as such member is to be transacted for the purpose of attending to such other business under the orders of Speaker, from a place other than his usual place of residence or returns there to on or before termination thereof, may draw travelling allowance admissible to him either from or to the place from which he proceeded or his usual place of residence, whichever is less.

Explanation.— (1) When the usual place of residence of the member lies outside the State of Rajasthan, any other place within the State nearest to the usual place of residence that may be named by the member shall, for the purpose of these rules, be deemed to be his usual place of residence.

(2) Except as otherwise provided in rules 6 and 7, a member may draw travelling allowance only for the journey undertaken by him when first proceeding from his usual place of residence to attend a session or a meeting of a Committee or to visit a place under the orders of the Speaker for the purpose of attending to any other business connected with his duties as a member and for his return journey thereto before or after the close of such session or meeting of the Committee or such business.

(3) Notwithstanding that a member has not taken his seat in the House of the Assembly to which he is elected, he shall, subject to the provisions contained in the first proviso to sub-section (1) of Section 8 of the Act, be entitled to receive travelling allowance for the journey performed by him for the purpose of taking his seat in the House.

(4) Notwithstanding anything contained in this rule, if a meeting of a Committee is called when the Assembly is in session, a member shall not be entitled to draw travelling allowance for a journey undertaken by him for the purpose of attending such meeting if he has already drawn travelling allowance for the journey performed by him for attending the session of a Assembly.

(5) Notwithstanding anything contained in the foregoing sub-rules, a member shall not be entitled to travelling allowance for a journey undertaken to attend the meeting—

- (a) if his usual place of residence is within a radius of five miles of Jaipur or other place fixed by Government for such meeting, or
- (b) unless, in the case of meeting of the Committee, he attends such meeting for at least half the period of its duration on one day.

- (6) Notwithstanding anything contained in the foregoing sub-rules, a member shall not be entitled to any travelling allowance for a journey undertaken to visit a place for the purpose of attending under the orders of the Speaker to any other business connected with his duties as a member, if his usual place of residence is within a radius of five miles of such place.

5 Daily allowance for attending session of Assembly.—(1) A member attending a session of the Assembly may draw daily allowance at the rate specified in the Act for each day of the duration of that session and a period not exceeding two days immediately preceding the commencement of the session and not exceeding one day immediately succeeding the end of the session :

Provided that no claim for daily allowance shall be made for any such day unless the member has resided in that place where the session is held for at least eight hours on that day :

Provided further that a member, excepting when he is unable to attend the session of the Assembly owing to his illness, shall not be entitled to draw daily allowance for such day on which the meeting of the Assembly was held but which he did not attend :

Provided also that where a member claims daily allowance for any day on which he did not attend the meeting of the Assembly on the ground that he was unable to attend the same owing to his illness, he shall be entitled to draw such allowance only if he makes an application to that effect addressed to the Secretary of the Assembly certifying under his signatures that he could not attend the meeting of the Assembly on that day owing to his illness and where he did not attend the meeting of the Assembly on the said ground for more than three days and claims daily allowance for these days, he shall be entitled to draw such allowance only if he has produced a medical certificate about his illness issued by an Authorised Medical Attendant.

Explanation.—For the purpose of third proviso to this sub-rule and sub-rule (4) of rule 13, the expression “Authorised Medical Attendant” shall have the same meaning as assigned to this expression in Sub-rule (1) of rule 3 of the Rajasthan Civil Services (Medical Attendance) Rules, ##2013 as amended from time to time; and

(2) A member attending a meeting of a Committee shall be entitled to daily allowance for the day or days of such meeting and intervening holidays and Saturdays, if any, as well as for one day immediately preceding the commencement of the meeting and one day immediately succeeding the end of the meeting and the provision to sub-rule (1) shall apply.

(3) A member visiting a place for the purpose of attending under the orders of the Speaker to any other business connected with his duties as a member shall be entitled to daily allowance for the day or days for his stay at that place for the said purposes :

Provided that no claim for daily allowance shall be made for any such day unless the member has resided in the place of his visit for atleast eight hours for that day.

(4) Notwithstanding anything contained in this rule, in the event of an adjournment during a session lasting for seven days or more, if a member leaves the place of meeting, he shall be entitled to travelling allowance in accordance with rule 3 and if he resides at the place of meeting, he shall be entitled to daily allowance for all the days of his residence at the place of meeting, not exceeding six days.

6 Daily allowance during intervals.—(1) Where the interval between the termination of meeting of a Committee and commencement of a session or between the termination of a session and the commencement of a meeting of a committee at the same place does not exceed five days and the member concerned elects to remain at such place during such interval, he shall be entitled to draw for each day of his residence at such place, daily allowance at the rate specified in the Act :

Sub-notification No. F7(18)Sansad/98 dated Feb 18, 2010 w.e.f. 23 September, 2008

Sub notification No. F-7(2) sansad/2014 dated feb 22, 2016 w.e.f. innedite effect.

(41)

Provided that if the member leaves such place during or before the interval, he shall be entitled to travelling allowance, the amount of which will not exceed the total amount of daily allowance which would have been admissible to such member under rule 5 for the days of absence if he had not so remained absent.

(2) When the interval between the termination of a meeting of a Committee and commencement of another meeting of the same Committee or of another Committee at the same place, both of which such member is required to attend, does not exceed three days and member concerned elected to remain at such place during such interval, he shall be entitled to draw for each day of his residence at such place daily allowance at the rates specified in the Act :

Provided that if the member leaves such place during or before such interval, he shall be entitled to draw the travelling allowance, the amount of which will not exceed total amount of daily allowances, which would have been admissible to such member under rule 5 for the days of absence if he had not remained absent.

(3) When there is an interval of—

- (i) more than five days between a meeting of the Assembly and a meeting of the Committee under sub-rule (1), or
- (ii) more than three days between a meeting of a Committee or another meeting of the same Committee or a meeting of another Committee under sub-rule (2), and if the member leaves his place of meeting, he shall be entitled to claim travelling allowance in accordance with rule 3 and if he resides at the place of meeting, he shall be entitled to daily allowance not exceeding the travelling allowance to which he would have been entitled if he had returned during the interval to his usual place of residence and performed other journey to the place where the next meeting is held.

(42)

(4) Where within a period of five days the session is held at one place and the meeting of a Committee is held at some other place, the travelling allowance admissible to a member attending the session and a meeting of the Committee shall be restricted to the travelling and daily allowance admissible for a direct journey from the place of meeting of a Committee or session to the second place of meeting of a Committee or session or *vice versa*.

(5) When within a period of five days, the meeting of a Committee held at one place and another meeting of the same Committee or a meeting of another Committee is held at another place, both of which such member is required to attend, the travelling allowance admissible to a member attending the first meeting at one place and the meeting at other place shall be restricted to the travelling and daily allowance admissible for a direct journey from the place of first meeting of the Committee to the second place of meeting and *vice versa*.

7. Admissibility of travelling allowance during a session or meetings.—(1) Where a member absents himself for less than seven days during a session or a meeting of the Committee for visiting any place within the State of Rajasthan, he shall, in cases where the duration of the meeting of the Committee is more than ten days, be entitled to receive travelling allowance in respect of such journey to such place and for the return journey at the rates specified in the Schedule :

Provided that the facility as aforesaid shall be allowed only once in a month :

Provided further that such travelling allowance shall not exceed the total amount of daily allowance which would have been admissible to such member under rule 5 for the days of absence if he had not remained so absent.

(2) Subject to the provisions contained in rule 5, where a member absents himself for a period of seven days or more during the meeting of the Assembly or the meeting of a Committee thereof for visiting any place in Rajasthan, no travelling and daily allowance shall be admissible to him.

8 Journey to be performed by the shortest route.—(1) For the purpose of calculating travelling allowance, a journey between two stations is held to be performed by the shortest of two or more practicable routes or by the cheapest of such routes as may be equally short.

*(2) The shortest route is that by which the travelling member can most speedily reach his destination by rail or motorcar, whichever mode he adopts.

*(3) Travelling allowance shall be calculated on the basis of rates specified in the schedule for travel by rail or by motorcar, as the case may be.

(4) A member who is allowed free transit by rail shall be entitled to draw only one half of the first class fare for the journey.

(5) A member who avails the facility of free transit by road provided under section 8A of the Act shall not be entitled to draw the fare for such journey but shall be entitled to claim incidental charges.

(6) A member who performs a journey by air may draw only the travelling allowance admissible to him if the journey were performed by rail or by road.

(7) The points in any station from which a journey is held to commence and at which it is held to end, are the chief public offices in such station and the place where the business of the meeting may be transacted, respectively.

(8) Where a member is provided with free board and lodging at the expense of the Government of India or Government of Rajasthan or any other State Government or a Local Fund or authority, he shall be entitled to receive only one-fourth of the daily allowance admissible to him under these rules. If only board or lodging is allowed free to a member, he shall be entitled to receive three-fourth of the daily allowance admissible to him under these rules.

9 Admissibility of travelling allowance and daily allowance on postponement or adjournment of the session or meeting.—All cases regarding admissibility of a travelling allowance to a member, who arrives at the place where a session or a meeting of a Committee is held, without knowledge of the postponement of session or the meeting of the Committee, including cases of such members as arrive after the session or meeting of a Committee is adjourned suddenly shall be determined by the Speaker having regard to the circumstances of each case.

10 Deduction of outstanding dues from salary or travelling allowance and daily allowance Bill.—(1) (a) Whenever any Government or semi-Government dues such as house rent, water charges, electric charges, furniture rent, telephone charges etc., are reported by the authority concerned to be outstanding against a member, the amount equivalent to such dues shall be deducted from the next salary or travelling and daily allowances bills of such member.

(b) When a deduction of any outstanding dues mentioned in clause (a) is required to be made from the salary bill of a member, the authority concerned shall intimate the amount of such dues to the Treasury Officer from whose treasury the member draws his salary, and on receipt of such intimation, the Treasury Officer concerned shall deduct the amount of the dues from the salary bill or bills of the member concerned.

(c) When a deduction of any outstanding dues mentioned in clause (a) is required to be made from the travelling and daily allowances bills of a member, the authority concerned shall intimate the amount of such dues to the Secretary, Rajasthan Legislative Assembly, who shall on receipt of such intimation, deduct the amount of the dues from the travelling and daily allowance bills of the member concerned.

(2) Ordinarily, any non-governmental dues outstanding against a member shall not be recovered from his salaries or allowances, but where such dues are on account of certain services rendered to him in the course of his duties as a member, such as, when he is on tour with a Committee of the Assembly, and the arrangements for such services have been made by or at the instance of private parties at the request of the officer of the Assembly Secretariat and where such member in spite of repeated requests had failed to make payment of such dues, recovery thereof may be effected by the Assembly Secretariat from the salary or travelling or daily allowance bills of such member.

11. Non-admissibility of travelling allowance and daily allowance.—Notwithstanding anything contained in these rules a member shall not draw travelling allowance or daily allowance under these rules if, for the same journey or the same halt or attendance, he has drawn any such allowance from the Government in another capacity.

12 Preparation of Bills.—(1) (a) Bill shall be prepared in duplicate on printed forms to be obtained from the Secretary to the Assembly and shall be sent to him.

(b) The members who desire to draw payment through bank shall open bank account with bank transaction cash business of the Government of Rajasthan and intimate the Secretary, Rajasthan Legislative Assembly his account number in the bank. The Secretary, Rajasthan Legislative Assembly, while drawing the bill, shall prepare a covering list indicating net amount payable along with the name of the member and their saving bank account number. The bill so prepared shall be endorsed in favour of bank after getting passed from the treasury and bank shall on the basis of covering list credit in the respective accounts with the net amount payable. No legal acquittance of member for the amount so credited in the bank shall be necessary on the office copy of the bill. But in case of cash payment, one copy of bill shall be stamped and receipted by the member.

(46)

(2) The hours of departure and arrival shall be noted in the columns for the purpose. Fractions of a mile in the total of the claims for the particular journey shall not be charged for.

(3) The usual place of residence of the member and the name of the treasury shall be entered in manuscript in the space at the end of the form.

13 Endorsement of certificates on bill.—(1) (a) Before a bill is submitted, the member concerned shall endorse thereon certificates in the following forms :—

- (i) “Certified that I resided at.....for the day for which daily allowance has been claimed, for the purpose of attending the session of the Assembly/meeting of the.....Committee appointed by the Assembly/under the orders of the Speaker, to.....business connected with my duties as member.”
- (ii) “Certified that I have not already drawn travelling allowance for the same journey or daily allowance for the same halt or for the same attendance made by me in any other capacity.”
- (iii) “I certify that I have actually travelled in the same class of accommodation by rail for which mileage allowance has been claimed.”

(b) Where no part of journey is performed by a conveyance provided at the expense of the Government of India or the Government of Rajasthan or any other State Government or a Local Fund, the following certificate shall be furnished namely :—

“Certified that I have not performed any part of the journey by a conveyance provided at the expense of the Government of India or the Government of Rajasthan or any other State Government or a Local Fund.”

(47)

(c) Where a member is not provided with free board and lodging at the expense of the Government of India or Government of Rajasthan or a Local Fund, the following certificate shall be furnished namely :—

“Certified that I have not availed any facility of free board and lodging at the expense of the Government of India or Government of Rajasthan or a Local Fund for the days for which I have claimed daily allowance in the bills.”

(2) A member claiming travelling allowance for a journey performed by him for attending the meeting of a Committee shall certify that he attended such meeting for at least one sitting.

(3) A member claiming daily allowance for any day for attending the meeting of a Committee shall also certify that he attended such meeting for at least half the period of its duration on that day.

(4) A member claiming daily allowance for more than three days on which meeting of the Assembly or meeting of a Committee thereof, as the case may be, was held but was not attended by him on account of illness, shall submit a medical certificate about his illness issued by an authorised Medical Attendent.

14 Controlling Officer.—(1) The Secretary of the Assembly shall be the Controlling Officer in respect of travelling allowance and daily allowance claims of members.

(2) In the absence of the Secretary or when he is occupied otherwise, the Deputy Secretary or the Assistant Secretary of the Assembly shall perform this duty.

15 Interpretation.—If any doubt or dispute arises with regard to the interpretation of any of the provisions of these rules, it shall be decided by the Speaker in consultation with the State Government.

By Order of the Governor,

Lehar Singh Mehta

Secretary to the Government.

SCHEDULE

A-Rate of Admissibility of Mileage Allowance for Travel by Rail

Acutal Rail fare of class of Accommodation	Incidental Charges	Remarks
1	2	3

*Any train any class including reservation charges paid to Railway, if any.

#6 paisa per K.M. limited to one halting allowance for every period of 24 hours or a fraction of 24 hours spent on actual travel by Rail* but in Rajdhani Express or such similar train, 6 paisa per K.M. limited to half halting allowance for every period of 24 hours or fraction of 24 hours spent on actual travel by Rail.

(48)

Note :— 1. incidental charges shall be the rate of halting allowance as admissible under the Rajasthan Legislative Assembly (Officers & Members Emoluments & Pension) Act, 1956.

*F7(17)Sansad/98/Dt. June 18, 2008 w.e.f. April 01, 2008

#F7(1)Sansad/2012 dated 14 June, 2012 w.e.f. 1st day of April, 2012

1	2	3
2.	When a journey on tour is performed by bus etc. in continuation (or <i>vice versa</i>) the rail, air or bus journey will be treated as one journey for the purpose of calculation of incidental charges limited to one halting allowance for every period of 24 hours or fraction thereof.	(49)
3.	If a member undertakes journey by rail or bus, and returns back to the place from where the journey had started on the same day, the incidental charges for forward and return journey shall be limited to one halting allowance as admissible under the Rajasthan Legislative Assembly (Officers & Members Emoluments & Pension) Act, 1956.	

B. Mileage Allowance for Travel by Road

Special Rates	Ordinary Rates
1	2
(i) Journey in a motor car owned by the member	**** Rs. 10.00 per k.m.
(ii) Journey by a Scooter/Motor Cycle/Moped, etc. owned by the member	Rs. 1.00 per k.m.
(iii) Journey by any other means of conveyance like Rickshaw, Tonga, Motor-Rickshaw, etc.	Rs. 1.80 per k.m.
(iv) Journey on Cycle or on foot.	Rs. 0.25 per k.m.

**F7(18) Sansad/1998/dated April, 2010 w.e.f. of April 1, 2010

***F7(1) Sansad/2012 dated 14 June, 2012 w.e.f. April, 2012

**** No. F7(1) Sansad/2016 dated October 13, 2017 w.e.f. April, 2017

(a) Actual Air-Conditioned/Deluxe including semi-Deluxe/Upper Class Bus fare plus passenger tax plus local charge, if any, plus incidental charges at the rates of ***6 paisa per k.m. as admissible for rail journey.

Note—1. When a journey on tour is performed by rail and then by bus, etc. in continuation (or *vice versa*), the rail, air or bus journey will be treated as one journey for the purpose of calculation of incidental charges limited to one halting allowance as admissible under the Act for every period of 24 hours or fraction thereof.

2. If the Member undertakes journey by rail or bus and return to the place from where the journey had started on the same day, the incidental charges for forward and return journey shall be limited to one Halting Allowance as admissible under the Act.

Note-(1) A Member shall not undertake journey by a (b)
 Scooter/Motor Cycle, Moped, etc. owned
 by him for a distance exceeding 15 k.ms.
 from his headquarters to places connected
 by rail or regular bus service. Road journey
 by a Scooter/Motor Cycle/Moped, etc.
 owned by a Member may however be made
 for a distance not exceeding 100 kms. from
 his headquarters between places neither
 connected by rail nor by regular bus ser-
 vice.

Mileage allowance for journey to reach Railway
 Station/Bus Stand from duty point and *vice versa*.

Place	Rate
Jaipur/Jodhpur/Kota/ Bikaner/Udaipur/Ajmer	Rs. 25.00 Fixed charges
All State capitals in India (except Jaipur) including Delhi	Actual charges paid in payment of far for taxi/rail/tram/bus, etc.
At other places	Rs. 1.80 per k.m.

(51)

(2) In a case where husband and wife both are Members and the Motor car is owned by either of them, the journey undertaken by either in the said Motor car owned by his/her spouse would be treated to have been performed in his/her own car for the purpose of these rules.

Note : A Member who uses departmental vehicles (including Staff Car) for road journey from residence to Railway Station or Bus Stand and *vice versa* in connection with undertaking of a journey by rail or road shall not be entitled to road mileage allowance from duty point to Railway Station or Bus Stand and *vice versa*.

- (c) Where a Member alights from a train/bus in order to catch a connecting train/bus from another Railway Station/Bus stand, as the case may be, at a particular place en-route his destination, he shall be entitled to road mileage allowance at the rates indicated in Para (b) above.
- (52)

[No. F 3(3) L/64]

By Order of the Governor,
LEHAR SINGH MEHTA,
Secretary to the Government