

From

Director General,
Treasuries & Accounts Department,
Haryana, Panchkula

To

The Secretary,
Haryana Vidhan Sabha,
Sector-1, Chandigarh.

Memo No: TA-HR(PDC)/2018/ 1257

Date: 26-12-2018

*recd
26/12/2018*
Subject: Clarification regarding the recovery of the excess Dearness Relief (DR) payment made to the Political Pensioners (Ex. MLAs').

Kindly refer to enclosed letters from the Treasury office, Sirsa and Rohtak addressed to your office. Vide which, the clarification regarding recovery of excess DR payment to the Ex. M.L.As has been sought.

For implementing the revision of pension vide notification dated 13-03-2018 of political pensioners, the National Informatics Centre, Haryana, Chandigarh has developed a module in e-pension software after consultation with Haryana Vidhan Sabha. The pension revision vide Gazette notification dated 13.03.2018 is based on DR @245% as on 01.01.2016 but in actual, as per Government letter 4/1/2009-5FR/13123 dated 29.04.2017 (copy enclosed), the Ex. M.L.A pensioners are drawing DR @256% w.e.f. 01.07.2016 and DR @264% w.e.f. 01.01.2017. Now, while preparing the arrear of these Ex. M.L.A.s, negative amount is being shown by the e-pension system because of the higher DR rate paid to the pensioners than 245% on which above revision is based.

It is, therefore, requested that kindly issue clarification at the earliest regarding recovery of excess DR relief paid to the pensioners so that it may be conveyed to the concerned pension disbursing authorities (Treasuries and Banks) for taking necessary action accordingly.

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Joint Director (PDC),
for Director General,
Treasuries & Accounts deptt.,
Haryana, Chandigarh. *dat*
26-12-18



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HARYANA VIDHAN SABHA SECRETARIAT

Notification

The 13th March, 2018

No. 22-HLA of 2018/11/4303.— The Haryana Legislative Assembly (Salary, Allowances and Pension of Members) 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. 22 — HLA of 2018

**THE HARYANA LEGISLATIVE ASSEMBLY
(SALARY, ALLOWANCES AND PENSION OF MEMBERS)
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) Amendment Act, 2018. Short title.
2. In section 2 of the Haryana Legislative Assembly (Salary, Allowances and Pension of Members) Act, 1975 (hereinafter called the principal Act),— Amendment of section 2 of Haryana Act 2 of 1975.
 - (i) in clause (g), the word “and” existing at the end, shall be omitted; and
 - (ii) after clause (g), the following clause shall be inserted, namely:—
‘(gg) “Schedule” means a Schedule appended to this Act;’.

Amendment of section 7A of Haryana Act 2 of 1975.

3. In section 7A of the principal Act,-

- (i) for sub-section (1), the following sub-section shall be substituted, namely:-

“(1) (a) Pension of every person, who on the date of the commencement of this amending Act, is a pensioner under the parent Act or would have been a pensioner but for the application of sub-section (2) of this section, shall be, consolidated by merging pension, additional pension, dearness pension and dearness relief @ 245% as on 1st January, 2016, and rounded off to the nearest multiple of 100. Out of this consolidated amount-

- (i) the first fifty thousand rupees shall be treated as revised pension for the first term;
 - (ii) for the period exceeding 1st term, two thousand rupees for each year or part thereof shall be added in the pension of first term, the resultant figure shall be treated as revised pension from the 1st January, 2016;
 - (iii) the remaining amount shall be treated as dearness relief (fixed), as per the Table in the Schedule A;
- (b) such person shall be entitled to draw either-
- (i) dearness relief (fixed); or
 - (ii) dearness relief at prevailing rate prescribed for post 2016 pensioners of State Government,

whichever is more;

- (c) a person who completes his first term after the 1st January, 2016 and becomes eligible to draw pension, shall be entitled to a pension of fifty thousand rupees per month even if the period of the first membership falls less than the term of five years. The dearness relief on pension to such person shall be admissible equal to the rate admissible to post 2016 pensioners of State Government.

Note.- For any additional period exceeding the first term, pension @ two thousand rupees per month for each year or part thereof shall be added in the pension of first term, as per the Table in the Schedule B:

Provided that the family pension shall be admissible, as may be prescribed, to the surviving spouse and after his or her death to the eligible children (upto the age of eighteen years) of deceased member, who had been drawing pension under this Act.

Explanation.- “Post 2016 pensioners” means a person who retired from Government service on or after the 1st January, 2016 and is drawing monthly pension from the State Government.”; Amendment of section 7C of Haryana Act 2 of 1975.

(ii) sub-section (1AA) shall be omitted.

4. In section 7 C of the principal Act,-

(i) in Explanation to clause (b), for the sign “.” existing at the end, the sign”,” shall be substituted; and

(ii) after Explanation, the following clause shall be added, namely:-

“(c) railway coupons of such an amount not exceeding ten thousand rupees per month that would make the sum of monthly pension, dearness relief and the said amount equal to one lakh rupees for journey by himself or his family members anywhere in India.”.

Schedule 'A'*[see section 7-A(1) (a) (iii)]*

For Pensioners who have already completed one term before 1st January, 2016

Sr. No.	Length of membership	Revised pension of first term w.e.f. 01.01.2016 for the period subsequent to first term	Pension to be added @2000/- for each year or part thereof w.e.f. 01.01.2016 subsequent to first term	Total of revised Pension w.e.f. 01.01.2016	Dearness Relief (Fixed) (i.e. Existing emoluments of pension minus revised pension)	Existing/Pre-revised emoluments rounded to nearest 100 (Pension + Additional Pension + Dearness Relief as on 01-01-2016)
1	1st term	50000	0	50000	1800	51800
2	1st + 1 Year	50000	2000	52000	7500	59500
3	1st + 2 Year	50000	4000	54000	13300	67300
4	1st + 3 Year	50000	6000	56000	19000	75000
5	1st + 4 Year	50000	8000	58000	24800	82800
6	1st + 5 Year	50000	10000	60000	30600	90600
7	1st + 6 Year	50000	12000	62000	36300	98300
8	1st + 7 Year	50000	14000	64000	42100	106100
9	1st + 8 Year	50000	16000	66000	47900	113900
10	1st + 9 Year	50000	18000	68000	53600	121600
11	1st + 10 Year	50000	20000	70000	59400	129400
12	1st + 11 Year	50000	22000	72000	65100	137100
13	1st + 12 Year	50000	24000	74000	70900	144900
14	1st + 13 Year	50000	26000	76000	76700	152700
15	1st + 14 Year	50000	28000	78000	82400	160400
16	1st + 15 Year	50000	30000	80000	88200	168200
17	1st + 16 Year	50000	32000	82000	94000	176000
18	1st + 17 Year	50000	34000	84000	99700	183700
19	1st + 18 Year	50000	36000	86000	105500	191500
20	1st + 19 Year	50000	38000	88000	111200	199200
21	1st + 20 Year	50000	40000	90000	117000	207000
22	1st + 21 Year	50000	42000	92000	122800	214800
23	1st + 22 Year	50000	44000	94000	128500	222500
24	1st + 23 Year	50000	46000	96000	134300	230300
25	1st + 24 Year	50000	48000	98000	140100	238100
26	1st + 25 Year	50000	50000	100000	145800	245800

Schedule 'B'

[see section 7-A (1) (c)]

For Pensioners who completes first term after 1st January, 2016

Sr. No.	Length of membership in terms	Revised Pension	Pension to be added @ 2000/-for each year or part thereof for the period subsequent to first term	Total Pension	Dearness Relief at the rate prescribed from time to time for State Govt. post-2016 Pensioners
1	1st term	50000	0	50000	01.01.2016= @ 0%
2	1st + 1 Year	50000	2000	52000	01.07.2016 = @ 2%
3	1st + 2 Year	50000	4000	54000	01.01.2017 = @ 3%
4	1st + 3 Year	50000	6000	56000	01.07.2017 = @ 5%
5	1st + 4 Year	50000	8000	58000	
6	1st + 5 Year	50000	10000	60000	
7	1st + 6 Year	50000	12000	62000	
8	1st + 7 Year	50000	14000	64000	
9	1st + 8 Year	50000	16000	66000	
10	1st + 9 Year	50000	18000	68000	
11	1st + 10 Year	50000	20000	70000	
12	1st + 11 Year	50000	22000	72000	
13	1st + 12 Year	50000	24000	74000	
14	1st + 13 Year	50000	26000	76000	
15	1st + 14 Year	50000	28000	78000	
16	1st + 15 Year	50000	30000	80000	
17	1st + 16 Year	50000	32000	82000	
18	1st + 17 Year	50000	34000	84000	
19	1st + 18 Year	50000	36000	86000	
20	1st + 19 Year	50000	38000	88000	
21	1st + 20 Year	50000	40000	90000	
22	1st + 21 Year	50000	42000	92000	
23	1st + 22 Year	50000	44000	94000	
24	1st + 23 Year	50000	46000	96000	
25	1st + 24 Year	50000	48000	98000	
26	1st + 25 Year	50000	50000	100000	

STATEMENT OF OBJECTS AND REASONS

At present ex-members of Legislative Assembly of the State are being paid a pension @ Rs. 10,000/- per month w.e.f. 01.10.2013 plus Rs. 1500/- for each additional year subsequent to first terms and fifty percent as Dearness Pension. In spite of revision of pension four times after 01.01.1996, they are drawing Dearness Relief @ 245% on the above emoluments, i.e. equal to the rate of dearness relief which would have been admissible to State Government pensioners had their pension not been revised after 01.01.1996.

2. Now it has been proposed that pension of all the persons who have completed first term before 01.01.2016, will be consolidated by merging pension, additional pension, dearness pension and dearness relief as on 01.01.2016. Out of this consolidated amount (i) the first Rs. 50,000/- shall be treated as revised Pension for the first term; (ii) for the period exceeding 1st term, Rs. 2,000/- for each year or part thereof shall be added in the pension of first term, the resultant figure shall be treated as revised pension from 01.01.2016; and (iii) the remaining amount shall be treated as '**Dearness Relief (Fixed)**'. They will be entitled to draw either Dearness Relief (Fixed) or Dearness Relief at the rate(s) prescribed by Government from time to time for their post-2016 pensioners, whichever is more.

3. For the pension of a person who completes first term after 01.01.2016 and becomes pensioner in future shall be entitled to draw Rs. 50,000/- p.m. as a pension of his first term and Rs. 2,000/- for each year or part thereof subsequent to first term. He shall be entitled to dearness relief at the rate(s) prescribed by Government from time to time for State Government post-2016 pensioners.

4. Ex-MLAs have made a demand to allow them the facility of railway coupons for journey by himself and their family members. In this regard it has been proposed that they may be allowed the facility of railway coupons upto Rs. 10,000/- per month provided that their monthly pension plus dearness relief plus amount of coupons should not exceed Rs. 1.00 lakh.

RAM BILAS SHARMA,
Parliamentary Affairs Minister, Haryana.

The Governor has, in pursuance of Clauses (1) and (3) of Article 207 of the Constitution of India, recommended to the Haryana Legislative Assembly the Introduction and consideration of the Bill.

Chandigarh :
The 13th March, 2018

R. K. NANDAL,
Secretary.

FINANCIAL MEMORANDUM

The proposed revision/consolidation of pension of ex-Members of State Legislative Assembly will not entail any additional expenditure on the State Exchequer. However, the facility of providing of railway coupons of upto Rs. 10,000/- to those Ex-Members whose monthly pension plus dearness relief is less than 1,00,000/- involves financial liability of Rs. 270 lakh per annum.