



LEGISLATIVE ASSEMBLY OF GOA

**The Goa Salaries and Allowances of
Ministers (Amendment)
Bill, 2000**

(Bill No. 16 of 2000)

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(To be introduced in the Legislative Assembly of Goa)

GOA LEGISLATURE SECRETARIAT
ASSEMBLY HALL, PORVORIM,
JULY, 2000

**The Goa Salaries and Allowances of Ministers
(Amendment) Bill, 2000.**

(Bill No. 16 of 2000)

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***further to amend the Goa Salaries and
Allowances of Ministers Act, 1964.***

Be it enacted by the Legislative Assembly of
Goa in the Fifty-first Year of the Republic of India
as follows :-

1. *Short title and commencement* .— (1) This
Act may be called the Goa Salaries and
Allowances of Ministers (Amendment) Act, 2000.

(2) It shall be deemed to have come into force
on the 1st day of July, 2000.

2. *Amendment of section 2*.— In section 2 of
the Goa Salaries and Allowances of Ministers Act,
1964 (Act 3 of 1965) (hereinafter called the
"principal Act"), for clause (d), the following shall
be substituted, namely:—

"(d) "Minister" means a Minister appointed
under article 164 of the Constitution of India
and includes the Chief Minister, Deputy Chief
Minister, Minister, Minister of State and Deputy
Minister;".

3. *Amendment of section 3*.— For section 3 of
the principal Act, the following shall be
substituted, namely:—

"3. Salary and Sumptuary Allowances.- (1)

There shall be paid to each Minister a monthly salary as laid down below, namely:—

1. Chief Minister — Rs. 8000/-
2. Deputy Chief Minister — Rs. 7000/-
3. Minister — Rs. 6000/-
4. Minister of State/
Deputy Minister — Rs. 5000/-

(2) Every Minister shall also be entitled to a monthly sumptuary allowance as laid down below, namely:—

1. Chief Minister — Rs. 7000/-
2. Deputy Chief Minister — Rs. 6500/-
3. Minister — Rs. 6000/-
4. Minister of State/
Deputy Minister — Rs. 5000/-."

4. *Amendment of section 4.*— In section 4 of the principal Act, for the expression "two thousand and five hundred rupees per month", the expression "seven thousand rupees per month, and in addition, a sum equal to the electricity and water charges, if any, paid by him in respect of his place of residence" shall be substituted.

5. *Amendment of section 5.*— In section 5 of the principal Act,—

(i) in sub-section (1), —

(a) after the words "motor car" and before the words "and the services of chauffeur", the

expression "which shall be provided and maintained by the Government" shall be inserted;

(b) for the existing explanation, the following explanation shall be substituted, namely:—

"Explanation:— The words "by the Government" shall be deemed to have been substituted by the words "the Legislative Assembly Secretariat" in case of application of this provision to the Speaker and the Deputy Speaker."

(ii) in sub-section (2), for the words "four hundred litres", the words "one hundred litres" shall be substituted;

(iii) sub-section (3) shall be omitted.

6. *Amendment of section 9.*— For section 9 of the principal Act, the following shall be substituted, namely:—

"9. Minister not to draw salary or allowances as Member of the Legislative Assembly:— Except Constituency Allowance as specified in section 3 AAA of the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964, a Minister shall not be entitled to receive any salary or allowances under the said Act."

Statement of Objects and Reasons

The existing definition of "Minister" in the Goa Salaries and Allowances of Ministers Act, 1964 (Act 3 of 1965) is proposed to be amended so as to include Minister and Deputy Minister.

The salary and sumptuary allowance was revised under section 3 of the said Act, in the month of July, 1997. As such, the Government is of the considered view that the existing salary and sumptuary allowance of the Minister should be enhanced taking into consideration the price index and living standard, which have been considerably increased. It is also proposed to increase the compensatory allowance under section 4 of the said Act from Rs. 2,500/- to Rs. 7,000/- per month. In addition to this, a sum equal to the electricity and water charges, if any, paid by the Minister for his place of residence has been proposed since Government accommodation provided to Minister includes the payment of electricity and water charges by the Government.

Section 5 of the said Act is proposed to be amended so as to make the said section more clear in term. Further, in view of the Judgement dated 30-3-2000 of the Hon'ble High Court of Bombay at Goa, in Writ Petition No. 440/96, wherein it has been *inter-alia* observed that besides the quota of 60 litres of petrol which is sanctioned to the Minister under section 5 of the said Act for his personal use, the Minister can also utilise the petrol at the expense of the Government for tours on official duty. Hence, it is proposed to reduce the petrol quota for private use from 400 litres to 100 litres per month, in view of the financial liabilities involved.

Also, section 9 of the said Act is proposed to be amended so as to restrict the Minister from receiving the salary and allowances under the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964, except Constituency Allowance as specified in section 3AAA of the said Act.

This Bill seek to achieve the above objects.

Financial Memorandum

The additional financial liability on account of the proposed increase in salary and sumptuary allowance of the Ministers would be to the extent of Rs. 11.34 lakh approximately per annum. In respect of expenditure on proposed payment of electricity and water charges, the same cannot be quantified. However, on the basis of electricity and water charges of the official residence provided to the Ministers, the same is calculated to Rs. 1,500/- per month and Rs. 2.00 lakh per annum approximately. Further, the expenditure on maintenance of Government vehicle also cannot be quantified. The savings on account of the proposed decrease in the petrol quota would be to the tune of Rs. 1.43 lakh per month approximately.

Memorandum on Delegated Legislation

No Delegated Legislation is involved in this Bill.

Porvorim,
24th July, 2000

FRANCISCO SARDINHA
Chief Minister

Assembly Hall,
Porvorim,
24th July, 2000.

R. KOTHANDARAMAN
Secretary to the
Legislative Assembly of Goa.

**Governor's Recommendation under Article 207
of the Constitution.**

In pursuance of Article 207 of the Constitution of India, I, Mohd. Fazal, Governor of Goa, hereby recommend the introduction and the consideration of the Goa Salaries and Allowances of Ministers (Amendment) Bill, 2000 by the Legislative Assembly of Goa.

ANNEXURE

**Extract of the Goa Salaries and Allowances of
Ministers Act, 1964**

(Act 3 of 1965)

Section 2

2. Definitions.— In this Act unless the context otherwise requires.—

(b) "family" means a wife residing with the husband and legitimate children and step-children residing with and wholly dependent on him; and where the husband has more than one wife, only one wife shall be included in his family for the purposes of this Act. If the Minister is a married woman, "family" shall include her husband residing with her;

(c) "Government" means the Government of Goa;

(d) "Minister" means a Minister appointed under article 164 of the Constitution and includes the Chief Minister, Deputy Minister and Minister of State;

(dd) "Prescribed" means prescribed by rules under this Act;

(e) "travelling allowance" means the allowance granted to a Minister to cover the expenses which he incurs in travelling in the interest of public service as against travelling in personal interest or for private purpose, such as journeys for rest or recuperation of health or for attending party meeting or for election campaign.

Section 3

3. *Salary and Sumptuary Allowance.*— (1) There shall be paid to each Minister a monthly salary as laid down below, namely:—

1. Chief Minister	Rs. 4,000/-
2. Dy. Chief Minister	Rs. 3,500/-
3. Minister	Rs. 2,000/-
4. Minister of State	Rs. 2,000/-

(2) Every Minister shall also be entitled to a monthly sumptuary allowance as laid down below, namely:—

1. Chief Minister	Rs. 5,000/-
2. Dy. Chief Minister	Rs. 4,500/-
3. Minister	Rs. 4,200/-
4. Minister of State	Rs. 4,000/-

Section 4

4. *Residence of Minister.*— Each Minister shall be entitled, without any payment, to the use and maintenance of a furnished residence throughout his term of office and for a period of fifteen days immediately thereafter, and so long as such residence is not provided, to a compensatory allowance of two thousand and five hundred rupees per month:

Explanation.— For the purpose of this Section,—

(i) 'residence' includes the staff quarters and other buildings appurtenant thereto and the garden thereof but does not include such portion of the residence or buildings appurtenant thereto as is exclusively set apart for use as office at the residence and is used as such;

(ii) "maintenance" in relation to a residence includes payment of local rates and taxes and provision of electricity and water, which shall be paid by the Government."

Section 5

5. *Motor Car Amenities:*— (1) Each Minister shall be entitled to the free use of motor car and the services of chauffeur.

(2) A Minister availing of the motor car amenities provided under sub-section (1) shall be entitled to petrol for the car upto a minimum of four hundred litres per month the cost of which shall be borne by the Government.

(3) A Minister may use the motor car for private use upto a limit of 500 Kms. per month subject to the payment of Rs. 100/- per month.

Explanation: "Maintenance" shall include the cost of petrol and oil, and servicing and repairs below twenty-five rupees but shall not include expenditure on insurance, fees for registration, taxes or repairs of twenty-five rupees or above.

Section 9

9. *Minister not to draw salary or allowances as Member of the Legislative Assembly.*— A Minister shall not be entitled to receive any salary or allowances under the Goa Salary, Allowances and Pension of Members of the Legislative Assembly Act, 1964.

Assembly Hall,
Porvorim,
24th July, 2000

R. KOTHANDARAMAN
Secretary to the
Legislative Assembly of Goa