

**PART-V****NOTIFICATION**Dated Kohima, the 10<sup>th</sup> June, 2024.

**NO.LAW/BILL/23-28/2024 : :** Nagaland Salaries, Allowances & Other Facilities of the Chief Minister, Speaker, Deputy Chief Minister/Ministers, Leader of Opposition, Deputy Speaker and Other Members of the Nagaland Legislative Assembly and Pension for Ex-Members Act, 2024, Act No. 4 of 2024 duly assented by the Hon'ble Governor on 15<sup>th</sup> April 2024 is hereby published for general information.

Sd/-

**THEJANGU-U KIRE**

Secretary to the Govt. of Nagaland.

**NAGALAND LEGISLATIVE ASSEMBLY  
SECRETARIAT: KOHIMA**

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**THE****NAGALAND SALARIES, ALLOWANCES AND OTHER FACILITIES OF THE  
CHIEF MINISTER, SPEAKER, DEPUTY CHIEF MINISTER/ MINISTERS,  
LEADER OF OPPOSITION, DEPUTY SPEAKER AND OTHER MEMBERS  
OF THE NAGALAND LEGISLATIVE ASSEMBLY AND PENSION FOR  
EX-MEMBERS ACT, 2024**

The Nagaland Salaries, Allowances and other facilities of the Chief Minister, Speaker, Deputy Chief Minister/Ministers, Leader of Opposition, Deputy Speaker and other Members of the Nagaland Legislative Assembly and pension for Ex-Members Act, 2024.

Enacted by the Nagaland Legislative Assembly in the Seventy Fifth years of the Republic of India as follows:

**1. Short title and commencement:**

1. This Act may be called the Nagaland Salaries, Allowances and other Facilities of the Chief Minister, Speaker, Deputy Chief Minister/Ministers, Leader of Opposition, Deputy Speaker and other Members of the Nagaland Legislative Assembly and pension for Ex-Members Act, 2024
2. The Amendment shall have effect from the date, the Governor gives His assent.
3. As a one time measure all Ex-Members who have been affected by the pre-amended provision will be deemed to have resigned within the prescribed period and shall be entitled to pension hereafter without arrears.

**2. In this Act, the following words shall have the meanings assigned to them as under:**

1. "Assembly Secretariat" means the Nagaland Legislative Assembly Secretariat.
2. "Constitution" means the Constitution of India.
3. "Legislative Assembly" means the Nagaland Legislative Assembly.
4. "Chief Minister" means Chief Minister of Nagaland so appointed by the Governor under Article 164 of the Constitution of India.
5. "Speaker" means and includes:
  - a. A member of the Nagaland Legislative Assembly so chosen under Article 178 of the Constitution of India;
  - b. Deputy Speaker of the Nagaland Legislative Assembly performing the duties of the office of the Speaker under Article 180 (1) of the Constitution of India; and
  - c. A member of Nagaland Legislative Assembly appointed by the Governor to perform the duties of the office of the Speaker.



6. "Deputy Chief Minister/ Ministers" means a Deputy Chief Minister/ Ministers in the Government of Nagaland so appointed by the Governor on the advice of the Chief Minister, under Article 164 of the Constitution of India.
7. "Leader of Opposition" means a member of Nagaland Legislative Assembly so appointed by the Speaker of Nagaland Legislative Assembly, by notification, on request being made on that behalf to him by a Leader of a Legislature Party in opposition to the Government in the Nagaland Legislative Assembly which has not less than 10 members in the House; (on the Legislature Party losing the said strength in the House, the Speaker shall forth with relieve him, by notification, from the office of the Leader of Opposition).
8. "Deputy Speaker" is the member of the Nagaland Legislative Assembly so chosen under Article 178 of the Constitution of India.
9. "Other Members" or "Members" are those members of the Nagaland Legislative Assembly who do not hold the office of the Chief Minister, Speaker, Deputy Chief Minister/ Ministers, Leader of Opposition or Deputy Speaker but include the Chairman of the Committees of Nagaland Legislative Assembly.
10. "Life of a Legislative Assembly" for the purpose of this Act and in respect of the member, regardless of the office he holds, means the duration from the date of making oath or subscribing to affirmation under Article 188 of the Constitution of India till date of (i) dissolution of the Legislative Assembly or (ii) the death of the Member or (iii) voluntary resignation covered by the exceptions mentioned in the definition to the word "Ex-Member" below.
11. "Ex-Member" for the purpose of pension, if alive, and family pension, if not alive, means and include a person, regardless of the office he held during the life of the Legislative Assembly:
  - a. Who has made oath or subscribed to affirmation as a member of the Nagaland Legislative Assembly as required under Article 188 of the Constitution of India;
  - b. Who has been a member of Interim Body constituted under the Nagaland (Transitional Provisions) Regulations, 1961.

But does not include a member of the Nagaland Legislative Assembly;

  - c. Whose election has finally been set aside by a competent Court;
  - d. Who has been disqualified by the Governor or the Speaker under any provision of the Constitution of India or a law in force, for being a member of the House;
  - e. Whose seat has being declared vacant under article 190(4) of the Constitution of India; and
  - f. Who has being voluntarily resigned from his membership of the House excepting
    - i. member who has resigned his membership of the House to assume the office of (i) Member of Lok Sabha, or (ii) Member of Rajya Sabha, or (iii) Member of any State Legislature or (iv) Minister in the Union or any State Government, or (v)



Governor, or (vi) Vice- President of India, or (vii) President of India or any other analogous constitutional or statutory office or post.

ii. Member who has voluntarily resigned before announcement of Election Commission of India ; and

iii. Member of the Tenth Nagaland Legislative Assembly who had voluntarily resigned and has not been entitled to pension shall be entitled to pension and family pension henceforth.

12. "Facilities" includes all provisions made by the State Government or the Assembly Secretariat under this Act that are not provided in cash, like bungalow, telephone, vehicle etc.

13. "State Government" means unless specified in the Act, a Department of the Government of Nagaland authorized by the Government of Nagaland to carry out the purpose of this Act.

14. "Term" for the purpose of pension and family pension under this Act, has the same meaning assigned to the words "Life of a Legislative Assembly".

### 3. Salary, allowances and other facilities:

1. The Nagaland Salaries, Allowances and other facilities of the Chief Minister, Speaker, Deputy Chief Minister/Ministers, Leader of Opposition, Deputy Speaker and other Members of the Nagaland Legislative Assembly is shown in Schedule-I, II, III & IV

2. The State Government shall be responsible for making payment and providing facilities to the Chief Minister, Deputy Chief Minister and Ministers in accordance with Schedule-I, II, III & IV and

3. The Assembly Secretariat shall be responsible for making payment and providing facilities to the Speaker, the Leader of Opposition, the Deputy Speaker and other Members of the Nagaland Legislative Assembly in accordance with Schedule-I, II, III & IV.

### 4. Pension and family pension of Ex-Members:

1. The Pension and Family Pension of Ex-Members is shown in Schedule-V

2. Pension to Ex- Member, regardless of the offices he held when he was a member of the Legislative Assembly, shall be paid from the date he becomes an ex-Member.

3. In case of the Speaker, who, under the second proviso to article 179 of the Constitution of India, continues in the office despite dissolution of the Legislative Assembly until the first meeting of the newly elected Legislative Assembly, on becoming an ex-Member, pension shall be paid to him from the date of demission of office of the Speaker.

4. On the death of the Member, at any time during the time of the Legislative Assembly to which he was elected or on the death of the Ex-Member at any time, family pension shall be paid, from the date of the death, to the surviving spouse of the deceased failing which,



it shall be paid to the dependent (Son or unmarried Daughter) until he/she attains the age of 25 years and in case of a minor, to the guardian until the minor attains the age of 18 years.

2. The State Government, from time to time, may issue necessary instructions in regard to forms to be filled, declarations to be made etc, by the claimants and recipients of pension and family pension.

### 5. Ineligibility of Pension

1. Where any person entitles to pension under this Act:

- a. is elected to the office of President or Vice President or is appointed to the office of the Governor of any State or the Administrator of any Union territory; or
- b. becomes a member of the Council of the States or the House of the People or any Legislative Assembly of a State or Union territory or any Legislative Council of a State or the Metropolitan Council of Delhi constituted under the Delhi Administration Act, 1966; or
- c. becoming a Minister in the Union or any State Government; or
- d. is employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority or becomes otherwise entitled to any remuneration from such Government Corporation or local authority.

Such a person shall not be entitled to any pension under this Act for the period during which he continues to hold such office or be such a member or is so employed or continues to be entitled to such remuneration:

Provided that, where the salary payable to such a person for holding such office or being such member or so employed or where the remuneration referred in sub clause (3) payable to such person is, in either case, less than the pension payable to him under this Act, such person shall be entitled to receive only the difference between such salary or remuneration and the pension as Ex-Member under this Act.

2. Where any persons entitled to pension under this Act, is also entitled to any other pension from the Central Government or State Government or any Corporation owned by such Government or local authority or under any law or otherwise, then;

- a. if any other pension is equal or excess of the pension to which the Ex-Member is entitled to under this Act, the Ex-Member shall not be paid any pension under this Act; and

- b. if any other pension is less than the pension to which the Ex-Member is entitled to under this Act; the Ex-Member shall be paid only the amount constituting the difference between any other pension and the pension to which the Ex-Member is entitled under this Act.

3. The provisions in sub-sections (1) and (2) shall mutatis mutandis apply to the claimants of family pension under this Act.



**6. Ex-gratia payment**

When a sitting Member is killed in a terrorist act, the spouse or the dependent of the deceased Member or the next of his kin may be granted an ex- gratia payment of ₹5 lakhs by the State Government.

When a sitting Member dies, the spouse or the dependent of the deceased member or the next of his kin may be granted an ex-gratia payment of ₹2 lakhs by the State Government.

**7. Ex-Members' Welfare Fund**

There shall be constituted a Fund called the Ex-Members' Welfare Fund to provide assistance to Ex-Members in extreme contingencies.

a. An amount of not exceeding a maximum of ₹1,00,000/- (Rupees One Lakh) will be granted to the Ex-Members subject to the seriousness of the case of the patient.

b. An amount not exceeding ₹25,000/- (Rupees Twenty Five Thousand will be granted to the deceased family member of an Ex-Member.

c. An amount of ₹15,000/- (Rupees Fifteen Thousand) will be granted in case of any unfortunate natural calamities.

**8. Periodic review of salaries, allowances, other facilities and pension**

1. The House Committee shall initiate the periodical review for studying the structure of pay and facilities provided to the Members in this Act to make suitable recommendations.

2. All the recommendations and the reports of the House Committee of the Nagaland Legislative Assembly shall be submitted to the Government through Parliamentary Affairs Department for consideration.

3. The Recommendations of the House Committee shall be laid before the Legislative Assembly and its applicability shall be effective only after being passed by the Nagaland Legislative Assembly.

4. The report of the Committee shall be laid before the Legislative Assembly as soon as it has been received by the Government along with the Action Taken Report on the recommendation.

Provided nothing herein shall be construed as restricting the powers and functions of the House Committee constituted by the Speaker under the Rules of Procedure and Conduct of Business in the Nagaland Legislative Assembly.

**9. Claim and surrender of facilities.**

1. A Member, on assumption of Office of the Chief Minister, Speaker, Deputy Chief Minister/ Ministers, Leader of Opposition or Deputy Speaker shall be entitled to the salaries and allowances attached to the newly assumed office from the date of appointment to the office.



2. It shall be the responsibility of the State Government or the Assembly Secretariat, as the case may be, to provide the Members as referred in sub-section (1) above, with all other facilities to which he is entitled to, within 15 days of the date of appointment to the office.
3. The Chief Minister, Speaker, Deputy Chief Minister/Ministers, Leader of Opposition or Deputy Speaker, on demission of their office and becoming ordinary Members of the Legislative Assembly, shall not be entitled to the salaries and allowances attached to the office of any ordinary Member from the date of demission of the office.
4. It shall be the responsibility of the State Government or the Assembly Secretariat, as the case may be, to take back all the facilities from the then office holder as referred in sub section (3) above, to which he is not entitled to, within 15 days from the date of demission of the office.

#### **10. Application of Rules relating to Government Servants**

1. In cases of insufficient provision in this Act in regard to any entitlement under this Act, the Rules that are applicable to the Senior Class-I Government servants of the State Government shall be applied mutatis mutandis for dealing with such insufficiencies.
2. Without prejudice to the generality of the above provision and in particular, the rules relating to eligibility of family pension in respect of Government servants, shall be followed for determining the eligibility of family pension under this Act, in the absence of specific provisions in the Act.

#### **11. Removal of doubts**

1. The State Government shall issue necessary orders for removing doubts in regard to implementation of the Act in respect of the Chief Minister, Deputy Chief Ministers and other Ministers.
2. The Assembly Secretariat shall issue necessary orders for removing doubts in regard to implementation of the Act in respect of Speaker, Leader of Opposition, Deputy Speaker and Other Members of the Nagaland Legislative Assembly.
3. Neither the State Government nor the Assembly Secretariat shall issue any order for removing doubts in regard to implementation of the Act without consulting each other.
4. No such order issued either by the State Government or the Assembly Secretariat shall have the effect of amending any of the provision in this Act but only in the nature of clarification and guidance for the smooth implementation of the Acts and the decision of the State Government, whether an order issued under this section, is an order having the effect of amending this Act or not, shall be final.
5. It shall be the responsibility of the Department of Parliamentary Affairs to publish annually all such orders issued both by the State Government or the Assembly Secretariat for reference and use.



**12. Repeal and savings****1. The following Acts and Rules made there under are hereby repealed:**

- a. The Nagaland Ministers' Salaries and Allowances Act, 1964;
- b. The Nagaland Speaker's Salaries and Allowances Act, 1964;
- c. The Salary and Allowances of the Leader of Opposition in the Nagaland Legislative Assembly Act, 1992;
- d. The Nagaland Deputy Speaker's Salary and Allowance Act, 1964; and
- e. The Nagaland Legislative Assembly Members' Salaries and Allowances and Pension Act, 1964.

**2. Notwithstanding such repeal:**

- a. All pending Act to be done or omitted to be done under the said Acts and Rules, in so far as these are not inconsistent with this Act, shall continue to be done or omitted to be done, as though the said Act and Rules have not been repealed; and
- b. Nothing shall be done, while carrying out the purpose of this Act, which have the effect of depriving the rights of any one particularly the recipients of the pension and family pension under the Act repealed herein, except for proceeding against acts of commission and omission under the Act and Rules so repealed which would be construed as illegalities if the Act and Rules so repealed would have to continue in force.



**THE NAGALAND SALARIES, ALLOWANCES AND OTHER FACILITIES OF THE CHIEF MINISTER, SPEAKER, DEPUTY CHIEF MINISTER/MINISTERS, LEADER OF OPPOSITION, DEPUTY SPEAKER AND OTHER MEMBERS OF THE NAGALAND LEGISLATIVE ASSEMBLY AND PENSION FOR EX-MEMBERS ACT, 2024**

**SCHEDULE-I**  
(See Section 3)

Sl no	Title of facility (Salary, Allowances, etc.)	Chief Minister	Speaker	Deputy Chief Minister/ Ministers	Leader of Opposition	Deputy Speaker	MLA
1	Salary p.m	₹ 85,000/-	₹ 85,000/-	₹ 80,000/-	₹ 80,000/-	₹ 80,000/-	₹ 75,000/-
2	Hospitality allowance	₹ 15,000/-	₹ 15,000/-	₹ 10,000/-	₹ 10,000/-	₹ 10,000/-	₹ 10,000/-
3	Newspaper/Magazine allowance p.m	₹ 2,000/-	₹ 2,000/-	₹ 2,000/-	₹ 2,000/-	₹ 2,000/-	₹ 2,000/-
4	Fixed telephone	2 telephones in office and 2 telephones in residence with STD facility	1 telephone in office and 1 telephone in residence with STD facility	1 telephone in office and 1 telephone in residence with STD facility	1 telephone in office and 1 telephone in residence with STD facility	1 telephone in office and 1 telephone in residence with STD facility	Telephone Allowance Rs.5,000/- p.m
5	Government personal Staff/Assembly Secretariat Staff (Regular/Adhoc/Casual)	As per orders issued by the state Government from time to time	As per orders issued by the state Government from time to time	As per orders issued by the state Government from time to time	As per orders issued by the state Government from time to time	As per orders issued by the state Government from time to time	Nil
6	Government/ Assembly Secretariat Staff (Regular/Adhoc/ Casual)	3 (three) Government drivers	3 (three) Government drivers from Assembly Secretariat	2 (two) Government drivers	2 (two) Government drivers from Assembly Secretariat	2 (two) Government drivers from Assembly Secretariat	Nil
7	Private Staff Allowance p.m for engaging driver and staff	Nil	Nil	Nil	Nil	Nil	1 (one) Personal Staff: ₹ 15,000/- 2 (two) Personal Aides: (₹ 8,000 each) = ₹ 16,000/-



**SCHEDULE-II**  
(See Section 3)

Sl no	Title of facility (Salary, Allowances, etc.)	Chief Minister	Speaker	Deputy Chief Minister/ Ministers	Leader of Opposition	Deputy Speaker	MLA
1	DA for attending House	₹ 800/-	₹ 800/-	₹ 800/-	₹ 800/-	₹ 800/-	₹ 800/-
2	DA for attending Committee Meetings	₹ 800/-	₹ 800/-	₹ 800/-	₹ 800/-	₹ 800/-	₹ 800/-
3	DA for Official tours outside Nagaland but within India	If State Guest House facility is available: Metropolis cities/others: ₹ 2,000/- If the State Guest House facility is not available: Metropolis cities/others: ₹ 3,000/-	If State Guest House facility is available: Metropolis cities/others: ₹ 2,000/- If the State Guest House facility is not available: Metropolis cities/others: ₹ 3,000/-	If State Guest House facility is available: Metropolis cities/others: ₹ 2,000/- If the State Guest House facility is not available: Metropolis cities/others: ₹ 3,000/-	If State Guest House facility is available: Metropolis cities/others: ₹ 2,000/- If the State Guest House facility is not available: Metropolis cities/others: ₹ 3,000/-	If State Guest House facility is available: Metropolis cities/others: ₹ 2,000/- If the State Guest House facility is not available: Metropolis cities/others: ₹ 3,000/-	If State Guest House facility is available: Metropolis cities/others: ₹ 2,000/- If the State Guest House facility is not available: Metropolis cities/others: ₹ 3,000/-
4	DA for Official tour outside India	As per entitlement of senior Class I Officer of the Government of Nagaland	As per entitlement of senior Class I Officer of the Government of Nagaland	As per entitlement of senior Class I Officer of the Government of Nagaland	As per entitlement of senior Class I Officer of the Government of Nagaland	As per entitlement of senior Class I Officer of the Government of Nagaland	As per entitlement of senior Class I Officer of the Government of Nagaland
5	TA for Official tour within and outside India	As per entitlement of senior Class-I Officer of the Government of Nagaland	As per entitlement of senior Class-I Officer of the Government of Nagaland	As per entitlement of senior Class-I Officer of the Government of Nagaland	As per entitlement of senior Class-I Officer of the Government of Nagaland	As per entitlement of senior Class-I Officer of the Government of Nagaland	As per entitlement of senior Class-I Officer of the Government of Nagaland
6	Accommodation	A rent free bungalow with free electricity, water and maintenance subject to availability	A rent free bungalow with free electricity, water and maintenance subject to availability	A rent free bungalow with free electricity, water and maintenance subject to availability	A rent free bungalow with free electricity, water and maintenance subject to availability	A rent free bungalow with free electricity, water and maintenance subject to availability	A rent free room at MLA Hostel with free electricity, water and maintenance subject to availability



7	Medical Facilities	Chief Minister Health Insurance Scheme (CMHIS)	Chief Minister Health Insurance Scheme (CMHIS)	Chief Minister Health Insurance Scheme (CMHIS)	Chief Minister Health Insurance Scheme (CMHIS)	Chief Minister Health Insurance Scheme (CMHIS)
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**SCHEDULE-III**  
(See Section 3)

Sl no	Title of facility (Salary, Allowances, etc.)	Chief Minister	Speaker	Deputy Chief Minister/ Ministers	Leader of Opposition	Deputy Speaker	MLA
1	No. of vehicles	3 (three)	3 (three)	2 (two)	2 (two)	2 (two)	1 (one)
2	Vehicle maintenance allowance p.m per vehicle (for minor repairs)	₹ 15,000/-	₹ 15,000/-	₹ 15,000/-	₹ 15,000/-	₹ 15,000/-	₹ 13,000/-
3	POL p.a per vehicle	₹ 30,000/-	₹ 30,000/-	₹ 25,000/-	₹ 25,000/-	₹ 25,000/-	₹ 20,000/-
4	Major repairs for vehicles/ Tyres & tubes per vehicle (4nos)	To be undertaken through Government workshop	To be undertaken through Assembly Secretariat	To be undertaken through Government workshop	To be undertaken by Assembly Secretariat	To be undertaken by Assembly Secretariat	₹ 3,00,000/- annually for each Members subject to production of bills etc. (inclusive of 28% GST)
5	Additional 10% difficult area allowance	Members representing from far flung District/ Assembly Constituency of :- 1. Mon District 2. Tuensang District 3. Longleng District 4. Kiphire District 5. Noklak District 6. Shamator District 7. Peren & Tening in Peren District 8. Bhandari in Wokha District 9. Meluri in Phek District 10. Aghunato & Satoi in Zunheboto District 11. Alonglaki & Janpetkong in Mokokchung District					



**SCHEDULE-IV**  
(See Section 3)

Sl. No	Financial Advancement to Members	Amount	Eligible Criteria
1	Financial Advancement to the Hon'ble Members (without interest) to be repayable within a period of 3 years 4 months of his/her present term.	₹ 20,00,000/-	<p>1. Financial Advancement can be claimed for the following purposes, namely:-</p> <ol style="list-style-type: none"> <li>Children's Education</li> <li>Construction of building</li> <li>Medical treatment</li> <li>Vehicle purchase</li> <li>Further inclusion of additional purpose on the recommendation of the Committee.</li> </ol> <p>2. It shall be recovered from the Member in 40 equal monthly instalments to a maximum period of 3 years 4 months @ ₹ 50,000/- p.m or whichever is earlier.</p> <p>3. Deduction of financial advancement will be effective after a moratorium period of 3 (three) months.</p> <p>4. If he/she ceases to be a Member, the financial advancement will be recovered from the Members pension by deducting 50% of the pension per month.</p> <p>Ex-Member- ₹30,000/- p.m Ex-Member Family- ₹18,000/- p.m</p> <p>5. Form for claim for Financial Advancement to be issued by the Member's Amenities Branch, Assembly Secretariat.</p>



**SCHEDULE - V**  
(See Section 4)

Sl. no	Title of Facility	Amount of Pension/Family Pension
1	<u>Pension</u>	
a	Pension p.m for the Ex-Member for the first term serve in Nagaland Legislative Assembly.	₹ 60,000/-
b	Additional pension p.m regardless of the number of terms served in the Nagaland Legislative Assembly.	₹ 3,000/-
2	<u>Family Pension</u> For the spouse or dependent of the ex-Member	₹ 36,000/-

Sd/-  
**LA GANESAN**  
Governor

Sd/-  
**SHARINGAIN LONGKUMER**  
Speaker  
Nagaland Legislative Assembly



**THE  
NAGALAND SALARIES, ALLOWANCES & OTHER FACILITIES OF THE  
CHIEF MINISTER, SPEAKER, DEPUTY CHIEF MINISTER/ MINISTERS,  
LEADER OF OPPOSITION, DEPUTY SPEAKER AND OTHER MEMBERS  
OF THE NAGALAND LEGISLATIVE ASSEMBLY AND PENSION FOR  
EX-MEMBERS BILL, 2024.**

(As passed by the Nagaland Legislative Assembly on the 29<sup>th</sup> February, 2024)

This Bill was passed by the Nagaland Legislative Assembly on 29.02.2024.

Kohima,  
The \_\_\_\_\_, 2024

Sd/-  
**SHARINGAIN LONGKUMER**  
SPEAKER  
Nagaland Legislative Assembly

I assent to this Bill

Kohima,  
The 15<sup>th</sup> April, 2024

Sd/-  
**LA. GANESAN**  
GOVERNOR