

PUNJAB VIDHAN SABHA

Bill No. 50-PLA-2016

THE PUNJAB STATE LEGISLATURE MEMBERS (PENSION  
AND MEDICAL FACILITIES REGULATION) SECOND  
AMENDMENT BILL, 2016

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BILL

*further to amend the Punjab State Legislature Members (Pension  
and Medical Facilities Regulation) Act, 1977.*

BE it enacted by the Legislature of the State of Punjab in the Sixty-  
seventh Year of the Republic of India as follows :—

1. (1) This Act may be called the Punjab State Legislature Members (Pension and Medical Facilities Regulation) Second Amendment Act, 2016. Short title  
and  
commencement.

(2) It shall be deemed to have come into force on and with effect  
from the 30th day of October, 2006.

2. In the Punjab State Legislature Members (Pension and Medical  
Facilities Regulation) Act, 1977, in section 3,— Amendment in  
section 3 of  
Punjab Act 5  
of 1977.

(i) sub-section (1-A) shall be omitted; and

(ii) for sub-section (5), the following sub-section shall be  
substituted, namely :—

“(5) No person shall be entitled to pension under this  
Act for or in respect of the term and during the period for  
which he is disqualified by the Court of competent jurisdiction  
under the provisions of the Representation of the People  
Act, 1951.”.

## STATEMENT OF OBJECTS AND REASONS

As per Section 3 (1-A) of The Punjab State Legislature Members (Pension and Medical Facilities Regulation) Act, 1977, there is a provision, regarding admissibility of pension to the Ex-MLAs of Punjab Vidhan Sabha, that in case a member resigns or is disqualified, he shall not be entitled to get any pension or an additional pension of the term, during which he has resigned or is disqualified, as the case may be, provided that where a member has resigned during the last period of six months of the tenure of the legislative Assembly, such member shall be entitled for pension or an additional pension of the term, during which he has resigned.

However the above said section-3(1-A) of the Act 1977 *ibid* has been omitted in the meeting of the council of Minister held on 10th September, 2016.

As regards section 3(5) of the Act 1977 *ibid*, the same has been amended that No person shall be entitled to pension under this Act for or in respect of the term and during the period for which he shall be disqualified by the court of competent jurisdiction under the provisions of Representation of People Act, 1951 and the same has been approved in the meeting of the council of Minister held on 10th September, 2016.

2. Hence, this bill.

MADAN MOHAN MITTAL,  
Minister for Parliamentary Affairs,  
Punjab.

## FINANCIAL MEMORANDUM

The Punjab State Legislature Members (Pension and Medical Facilities Regulation) Second Amendment Bill, 2016 aims at admissibility of pension or an additional pension to the Members of Punjab Legislative Assembly. However no person shall be entitled to pension under this Act for or in respect of the term and during the period for which he shall be disqualified by the court of competent jurisdiction under the provisions of Representation of People Act 1951.

This Bill involves financial implications and it is estimated that with this amendment, an additional expenditure of about Rs. 60,47,754 (approximately) will be incurred on account of providing pension or an additional pension to the Members of Punjab Legislative Assembly.

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

CHANDIGARH :  
The 14th September, 2016.

SHASHI LAKHANPAL MISHRA,  
Secretary.

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*N.B.—* The above Bill was published in the *Punjab Government Gazette (Extraordinary)*, dated the 14th September, 2016 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).