

Andhra Pradesh Payment Of Salaries And Pension And Removal Of Disqualifications Act, 1953

2 of 1954

[23 December 1954]

CONTENTS

1. Short title and commencement
2. Definitions
3. Salaries and allowances of and residences to Ministers
- 3A. Salaries and allowances of Chief Whip in the Assembly and the Whip in the Assembly and the Deputy Minister
4. Salaries and Allowances of the Speaker and Deputy Speaker and residences to them
- 4A. [Omitted]
5. Salaries and allowances of Parliamentary Secretaries
- 5A. [Omitted]
- 5B. Supply of furnishings and electrical appliances to certain office holders
6. Conveyances to be provided for Ministers, etc.
7. Travelling Allowance of Ministers, etc. on assuming and relinquishing office
8. Travelling and daily allowance of Ministers, etc.
9. Ministers etc., and their families to be entitled to free accommodation in State hospitals and to free medical treatment in State hospitals and medical treatment elsewhere at Government cost
- 9A. Free accommodation and medical treatment in State hospitals and medical treatment elsewhere at Government cost to holders of other offices and their families
- 9B. Advances to Ministers, Deputy Ministers, Chief whip in the Assembly, whips in the Assembly, speaker and Deputy Speaker for purchase of motor cars
10. Removal of certain disqualifications
11. Salaries and allowances of members of the Legislative Assembly
- 11A. Medical facilities to the Members of the Legislative Assembly, the former Members of the Legislative Assembly and the Legislative Council and their families
- 11B. Section 11B
- 11C. Section 11C
- 11D. Pensions
- 11E. Advance to Members of the Legislative Assembly for purchase of motor car

12. Relinquishment of salaries and allowances and cancellation thereof

12A. Application of provisions to Minister, to Chairmen of Planning and Development Committees

12B. Application of provisions relating to Minister to Leaders of Opposition

13. Power of State Government to make rules

14. Saving

15. Repeal of Andhra Ordinance I of 1953

SCHEDULE 1 :- THE SCHEDULE

Andhra Pradesh Payment Of Salaries And Pension And Removal Of Disqualifications Act, 1953

2 of 1954

[23 December 1954]

PREAMBLE

An Act to provide for the salaries and allowances of Ministers, Deputy Ministers, the Chief whip in the Assembly; the Speaker, the Deputy Speaker, Parliamentary Secretaries and Members of the Andhra Pradesh Legislative Assembly and the Chairmen of the Planning and Development Committees and the Leader of the Opposition in the Andhra Pradesh Legislative Assembly and the whips in the Legislative Assembly ¹[and for the pension of persons served as Members of the Legislative Assembly and Legislative Council].

Whereas it is expedient to provide by an Act of the Legislature for the salaries and allowances of Ministers, Deputy Ministers, the Chief Whip in the Assembly, the Speaker, Deputy Speaker, Parliamentary Secretaries and Members of the Andhra Pradesh Legislative Assembly and the Chairmen of the Planning and Development Committees, and the Leader of the Opposition in Andhra Pradesh Legislative Assembly and also the whips in the Legislative Assembly and for the pension of person served as Members of the Legislative Assembly and Legislative Council.

And whereas it is necessary to remove the disqualifications imposed on holders of certain offices for being chosen as, and for being, members of the said Legislative Assembly: it is hereby enacted as follows:--

1. Inserted by Act No. 28 of 1985.

1. Short title and commencement :-

(1) This Act may be called the Andhra Pradesh Payment of Salaries and Pension and Removal of Disqualifications Act, 1953.

(2) It shall be deemed to have come into force on 4th January, 1954.

2. Definitions :-

In this Act "Chief Whip in the Assembly" means the Government Chief Whip in the Andhra Pradesh Legislative Assembly and Whip in the Assembly means the Government whip in Andhra Pradesh Legislative Assembly. "Speaker" and "Deputy Speaker" means the Speaker and Deputy Speaker respectively of the Andhra Pradesh Legislative Assembly.

3. Salaries and allowances of and residences to Ministers :-

¹[(1) (i) There shall be paid to the Chief Minister, every month, a salary of rupees five thousand two hundred and fifty, a special allowance of rupees three thousand two hundred and fifty, a sumptuary allowance of rupees three thousand and a conveyance allowance of rupees ten thousand in case a bullet proof motor car is used or rupees seven thousand in case any other motor car is used:

Provided that if the Chief Minister desires that the propulsion charges incurred in respect of the motor car used by him be borne by the State Government in lieu of the conveyance allowance payable to him, such propulsion charges shall be borne by the State Government.

(ii) There shall be paid to the Deputy Chief Minister, if any, and each member of the Council of Ministers whether a Cabinet Minister or a State Minister or a Deputy Minister, every month, a salary of rupees five thousand, a special allowance of rupees three thousand two hundred and fifty, a sumptuary allowance of rupees three thousand and a conveyance allowance of rupees ten thousand in case a Bullet proof motor car is used or rupees seven thousand in

case any other motor car is used.]

(2) The Chief Minister, the Deputy Chief Minister, if any, and other Ministers and Deputy Ministers shall each be entitled without payment of rent to the use of a furnished residence provided by the State Government throughout his term of office and for a period of fifteen days immediately thereafter.

²[Provided that the rent payable on the hired accommodation provided by the State Government shall not exceed ³[rupees fifteen thousand] per mensem.]

⁴[Provided further that] where any such Minister does not use the residence provided by the State Government under this sub-section but desires to reside in any ⁵[building of his choice other than his own building] he shall be paid a house-rent allowance of an amount equal to one and a half times the reasonable rent, or the fair rent, calculated in respect of such building in the manner provided under the Andhra Pradesh Buildings (Lease, Rent and Eviction) Control Act, 1960 subject to a maximum of ³[rupees fifteen thousand] per mensem.]

⁶[Provided also that where any such Minister or Deputy Minister desires to reside in his own building he shall be paid a house rent allowance which shall not be less than rupees five thousand but which shall not exceed ³[rupees fifteen thousand] per mensem subject to evaluation by the Roads and Buildings Department.]

⁶[Provided also that where such Minister or Deputy Minister resides in any hired accommodation provided by the State Government or in any building of his choice not provided by the State Government or in his own building, he shall be paid a camp office allowance of rupees five thousand per mensum.]"

(3) All expenditure for furnishing the residence of the Chief Minister, the Deputy Chief Minister, if any, or any other Minister or

the Deputy Ministers and for the maintenance thereof, whether or not such residence is provided by the State Government under this section, shall be borne by the State Government, subject to such rules as may be made by the State Government in this behalf and no charge shall fall on the Chief Minister, Deputy Chief Minister if any, or any other Minister or the Deputy Ministers personally in respect of the furnishing and maintenance of such residence.

(4) The income-tax payable by the Chief Minister, the Deputy Chief Minister, if any, or any other Minister, in so far as it relates to the salary, allowances and perquisites mentioned in this section shall be borne by the State Government.

Explanation.--

For the purpose of this section and Sections 3-A and 4,

(a) Residence includes the staff quarters and buildings appurtenant thereto, and the garden thereof; and

(b) Maintenance in relation to a residence includes the payment of such local rates and taxes as are normally to be borne by the tenant and the provisions of electricity and water.

1. Substituted by Act 34 of 2000.

2. Inserted by Act 21 of 1990.

3. Substituted by A.P. Act 10 of 1997.

4. Substituted by Act 21 of 1990.

5. Inserted by Act 11 of 1993, (w.e.f. 1-7-1992).

6. Proviso Inserted by A.P. Act 34 of 2000.

3A. Salaries and allowances of Chief Whip in the Assembly and the Whip in the Assembly and the Deputy Minister :-

(1) ¹[(a) There shall be paid to the Chief Whip and the Whip in the Assembly, every month, a salary of rupees five thousand, a special allowance of rupees three thousand two hundred and fifty, a sumptuary allowance of rupees three thousand and a conveyance allowance of rupees ten thousand in case a bullet proof motor car is used or rupees seven thousand in case any other motor car is used.]

(b) The Chief Whip in the Assembly and the Whip in the Assembly shall each be entitled without payment of rent, to the use of furnished residence provided by the State Government, throughout the term of their respective offices and for a period of fifteen days immediately thereafter:

²[Provided that the rent payable on the hired accommodation provided by the State Government shall not exceed ³[rupees ten thousand per mensem].

³[Provided further that] where the Chief whip in the Assembly or Whip in the Assembly does not use the residence provided by the State Government under this clause, but desires to reside in any ³[building of his choice other than his own building] he shall be paid a house rent allowance of an amount equal to one and a half times the reasonable rent or the fair rent, calculated in respect of such building in the manner provided under the Andhra Pradesh Buildings (Lease, Rent and Eviction) Control Act, 1960, subject to a maximum of ³[rupees three thousand per mensem].

⁴[Provided also that where the Chief Whip or any Whip in the Assembly desires to reside in his own building he shall be paid a house rent allowance which shall not be less than rupees five thousand but which shall not exceed rupees ten thousand per mensem subject to evaluation by the Roads and Buildings Department.)

⁵[Provided also that where such Chief Whip or any Whip in the Assembly, resides in any hired accommodation provided by the

State Government or in any building of his choice not provided by the State Government or in his own building, choice not provided by the state Government or in his own building, he shall be paid a camp office allowance of rupees five thousand per mensem."].

(c) All expenditure for furnishing the residence of the Chief Whip in the Assembly or the Whip in the Assembly for maintenance thereof, whether or not such residence is provided by the State Government under clause (b), shall be borne by the State Government subject to such rules as may be made by the State Government in this behalf and no charge shall fall on the Chief Whip in the Assembly or the Whip in the Assembly personally in respect of the furnishing and the maintenance of such residence.

(2) ⁶[x x x x]

(3) (a) The income-tax payable by the Chief Whip in the Assembly or the whip in the Assembly, in so far as it relates to the salary, allowances and perquisites mentioned in this section shall be borne by the State Government.

(b) The income-tax payable by the Deputy Ministers, if any, in so far as it relates to the salary and allowances mentioned in this section shall be borne by the State Government.

1. Substituted by Act No. 34 of 2000.
2. Inserted by Act 21 of 1990.
3. Substituted by Act 11 of 1993.
4. Inserted by Act 11 of 1993.
5. Proviso Inserted by A.P. Act No. 34 of 2000.
6. Sub-sec. (2) omitted by Act 21 of 1990.

4. Salaries and Allowances of the Speaker and Deputy Speaker and residences to them :-

¹[²((1) There shall be paid to the Speaker and the Deputy Speaker, every month, a salary of rupees five thousand, a special allowance of rupees three thousand two hundred and fifty, a sumptuary allowance of rupees three thousand and a conveyance allowance of rupees ten thousand in case a bullet proof motor car is used or rupees seven thousand in case any other motor car is used.)]

(2) The Speaker and the Deputy Speaker shall be entitled without payment of rent to the use of furnished residence provided by the State Government, throughout the term of their office and for a period of fifteen days immediately thereafter.

Provided that the rent payable on the hired accommodation provided by the State Government shall not exceed ³[rupees ten thousand per mensem.]

Provided further that where the Speaker or the Deputy Speaker does not use the residence provided by the State Government under this sub-section, but desires to reside in any ³[building of his choice other than his own building] he shall be paid a house rent allowance of an amount equal to one and a half times the reasonable rent or the fair rent, calculated in respect of such building in the manner provided under the Andhra Pradesh Buildings, (Lease, Rent and Eviction) Control Act, 1960 subject to a maximum of rupees three thousand per mensem;

⁴[Provided also that where the Speaker or the Deputy Speaker desires to reside in his own building he shall be paid a house rent allowance which shall not be less than rupees five thousand but which shall not exceed rupees ten thousand per mensem subject to evaluation by the roads and Buildings Department,]

⁵[Provided also that where such Speaker or Deputy Speaker resides in any hired accommodation provided by the State Government or in any building of his choice not provided by the State Government or in his own building, he shall be paid a camp office allowance of

rupees five thousand per mensem."].

(3) All expenditure for furnishing the residence of the Speaker and the Deputy Speaker and for the maintenance thereof, whether or not such residence is provided by State Government under this Section, shall be borne by the State Government subject to such rules as may be made by the State Government in this behalf and no charge shall fall on the Speaker and the Deputy Speaker personally in respect of the furnishing and maintenance of such residence.

(4) The income tax payable by the Speaker or the Deputy Speaker in so far as it relates to the salary, allowances and perquisites mentioned in this section shall be borne by the State Government.]

1. Substituted by Act 21 of 1990.
2. Substituted by A.P. Act No. 34 of 2000.
3. Substituted by Act 11 of 1993.
4. Inserted by Act 11 of 1993.
5. Proviso Inserted by A.P. Act No. 34 of 2000.

4A. [Omitted] :-

¹[x x x x]

1. Omitted by Act 21 of 1990.

5. Salaries and allowances of Parliamentary Secretaries :-

There shall be paid to each of the Parliamentary Secretaries, if any, a salary of one thousand rupees per mensem and a consolidated house rent and conveyance allowance of one thousand rupees per mensem.

The income-tax payable by the Parliamentary Secretaries, if any, in so far as it relates to the salary and allowances mentioned in this section shall be borne by the State Government.

5A. [Omitted] :-

¹[x x x x]

1. Omitted by Act 21 of 1990.

5B. Supply of furnishings and electrical appliances to certain office holders :-

The State Government may, subject to such rules as may be made by them in this behalf, provide for furnishings and electrical appliances for the use at the residences of each of the holders of the offices referred to in Section 3-A, sub-section 4, and Section 5.

6. Conveyances to be provided for Ministers, etc. :-

The State Government may, from time to time, provide suitable conveyances for the use of the Ministers, the Deputy Ministers, the Speaker, the Chief Whip in the Assembly, the Whip in the Assembly, the Deputy Speaker and the Parliamentary Secretaries subject to such rules regarding their maintenance and repair as may be made by the State Government:

Provided that where any Minister, the Deputy Minister, the Speaker or the Deputy Speaker does not use the conveyance provided by the State Government under this section, but desires to make use of his own motor car, he shall be paid a motor car allowance of ¹[six thousand rupees] per mensem;

Provided further that where the Chief Whip in the Assembly or the Whip in the Assembly does not use the conveyance provided by the State Government under this section, but desires to make use of his own motor car, he shall be paid a motor car allowance of ²[six thousand rupees) per mensem;

Provided further that where the Chief Whip in the Assembly or the Whip in the Assembly does not use the conveyance provided by the State Government under this section, but desires to make use of his own motor car, he shall be paid a motor car allowance of 1[six thousand rupees] per mensem.

²[Provided also that whether any Minister, Deputy Minister, the

Speaker or the Deputy Speaker, the Chief Whip or the Whip in the Assembly desires to make use of his own motor car as aforesaid, he shall be provided with a driver by the Government.]

1. Substituted by Act 11 of 1993.

2. Inserted by Act 21 of 1990.

7. Travelling Allowance of Ministers, etc. on assuming and relinquishing office :-

(1) A Minister or Deputy Minister or the Chief Whip in the Assembly or Whip in the Assembly or the Speaker or the Deputy Speaker or a Parliamentary Secretary, shall--

(a) in respect of the journey for assuming office, to the (City of Hyderabad) from his usual place of residence in the State, if it is outside (the area comprised in that city and the city of Secunderabad); and

(b) in respect of the Journey or relinquishing office, from the city of Hyderabad to his usual place of residence in the State before he assumed office, if such place is outside (the area comprised in that city and in the city of Secunderabad) be entitled to travelling allowances for himself and the members of his family and for the transport of his personal effects, at such rates and upon such conditions as may be determined by rules made by the State Government.

(1-A) Where the Speaker at any time after assuming office in the city of Hyderabad shifts his residence from the City of Hyderabad to his usual place of residence in the State before he assumed office, he shall, in respect of the journey made by him in that behalf, be entitled to travelling allowance for himself and the members of his family and for the transport of his personal effects, as such rates and upon such conditions as may be determined by rules made by the State Government.

Explanation:-- For the purpose of this section the expression "the State" shall include the territories specified in sub-section (1) of Section 3 of the States Re-organisation Act, 1956 (Central Act XXXVII of 1956).

8. Travelling and daily allowance of Ministers, etc. :-

The holders of the offices referred to in Sections 3 to 5 shall, in respect of their tours, be entitled to travelling and daily allowance at such rates and upon such conditions as may be determined by rules made by that State Government.

9. Ministers etc., and their families to be entitled to free accommodation in State hospitals and to free medical treatment in State hospitals and medical treatment elsewhere at Government cost :-

Subject to such conditions as may be determined by rules made by the State Government, a Minister, the Speaker, the Deputy Speaker and the members of his family shall be entitled, free of charge, to accommodation in hospitals maintained by the State Government and to medical treatment therein, and also, at the cost of the State Government, to medical treatment in any hospital elsewhere either within or outside India, and to the provisions of artificial limbs, hearing aids, and like.

Provided that the cost to be borne by the State Government in respect of medical treatment,--

(a) in any hospital within or outside India, shall not exceed such sum as may be specified in the rules made by the State Government in this behalf, inclusive of the fare for air passage and expenditure incurred towards personal attendant in case where facility for such treatment is available in any hospital within India; or

(b) in any hospital outside India shall not exceed the actual expenditure incurred for such treatment and the fare for air passage of both the person treated and the personal attendant, in case where facility for such treatment is not available in any

hospital within India.

9A. Free accommodation and medical treatment in State hospitals and medical treatment elsewhere at Government cost to holders of other offices and their families :-

Subject to such conditions as may be determined by rules made by the State Government, the holders of the offices referred to in Sections 3-A to 5 other than those specified in Sec. 9, and the members of their families shall be entitled, free of charge, to accommodation in hospitals maintained by the State Government and to medical treatment therein, and also at the cost of the State Government to medical treatment in any hospital elsewhere, either within or outside India, and to the provision of artificial limbs, hearing aids and the like.

Provided that cost to be borne by the State Government in respect of medical treatment,--

(a) in any hospital within or outside India, shall not exceed such sum as may be specified in the rules made by the State Government in this behalf, inclusive of the fare for air passage and expenditure towards personal attendant, in case where facility for such treatment is available in any hospital within India; or

(b) in any hospital outside India, shall not exceed the actual expenditure incurred for such treatment and the fare for air passage of both the person treated and the personal attendant in case where facility for such treatment is not available in any hospital within India.

9B. Advances to Ministers, Deputy Ministers, Chief whip in the Assembly, whips in the Assembly, speaker and Deputy Speaker for purchase of motor cars :-

¹[Any Minister, deputy Minister, Chief Whip or Whip in the Assembly, the Speaker or the deputy Speaker may be paid by way of a repayable advance a sum of money as may be prescribed for the purchase of motor car in order that he may be able to discharge conveniently and efficiently the duties of his office."]

1. Substituted by A.P. Act 22 of 1998.

10. Removal of certain disqualifications :-

No person shall be disqualified for being chosen as or for being a member of the Andhra Pradesh Legislative Assembly on the ground only that he holds any of the offices specified in the Schedule to this Act.

11. Salaries and allowances of members of the Legislative Assembly :-

(1) Every member of the Andhra Pradesh Legislative Assembly who does not hold any of the offices referred to in Sections 3 to 5 and Sections 12-A and 12-B shall be entitled to receive,--

(a) a salary of ¹[Two thousand five hundred] per mensem;

(b) travelling, daily and other allowances at such rates and upon such conditions as may be determined by rules made by the State Government;

²[(c) a constituency allowance of rupees five thousand and a conveyance allowance of rupees five thousand per mensem].

(d) a contingency allowance towards ³[x x x] postal charges of ²[One thousand and five hundred rupees] per mensem.

⁴[(e) in respect of telephone facility,--

(i) an allowance of ²[rupees Eight thousand] per mensem inclusive of rentals;

(ii) installation charges;

¹["(IA) Every member referred to in sub-section (1) shall be entitled to travel in first class up to a maximum distance of 30,000 Kms. (Thirty thousand Kilometers) in a year for which he shall be provided with railway coupons of the value determined on the prevailing rates up to 30,000 Kms. (thirty thousand Kilometers) or with cash of the same value at his choice per annum, in two equal installments, one in the first half of the year and the other in the second half of the year.)"]

(1-B) Every member referred to in sub-section (1) and his her spouse shall subject to such rules as may be made by the State Government in this behalf, be entitled to travel ⁶["either singly or together with the spouse or with any other person"] in any stage carriage vehicle operated by the Andhra Pradesh State Road Transport Corporation on any route.

(2) The salary referred to in Clause (a) of sub-section (1) shall accrue to a member from the date on which he is declared duly elected or if such declaration is made before the vacancy occurs from the date of occurrence of the vacancy:

Provided that the salary shall not be paid until the member has made and subscribed the oath or affirmation referred to in Article 188 of the Constitution.

1. Substituted by A.P. Act 23 of 1998.

2. Substituted by A.P. Act 34 of 2000.

3. Omitted by Act 21 of 1990.

4. Inserted by Act 29 of 1991.

5. Omitted by Act No. 23 of 2002 (w.e.f. 23-12-2002).

6. Substituted by A.P. Act No. 22 of 1998 (w.e.f. 25-7-1995).

11A. Medical facilities to the Members of the Legislative Assembly, the former Members of the Legislative Assembly and the Legislative Council and their families :-

¹["the Members of the Legislative Assembly, the former Members of the Legislative Assembly and the Legislative Council"]

²[(1)] Subject to such conditions as may be determined by rules made by the Government, every Member of the Legislative Assembly who does not hold any of the offices referred to in Sections 3 to 5 and Sections 12-A and 12-B, and the members of his family shall be entitled to,--

(a) a medical allowance of ³["rupees Three thousand per mensem"] in lieu of supply of medicines free of charge from State Government hospital or dispensary;

(b) free accommodation and medical treatment in any hospital maintained by the State Government;

(c) reimbursement of the charges incurred towards hospitalisation in any Government hospital or in the Nizams Institute medical Sciences, Hyderabad, where such hospitalisation is advised;

(d) medical treatment in any hospital outside India; and

(e) the provision of artificial limbs, hearing aids and the like at the cost of the State Government;

Provided that the cost to be borne or the amount to be reimbursed by the State Government in respect of medical treatment,--

(i) in any hospital within or outside India, shall not exceed such sum as may be specified in the rules made by the State Government in this behalf, inclusive of the fare for air passage and expenditure incurred towards personal attendant, in case where

facility for such treatment is available in any hospital in India; or

(ii) in any hospital outside India, shall not exceed the actual expenditure incurred for such treatment and the fare for air passage of the person treated and his personal attendant in case where facility for such treatment is not available in any hospital in India;

(iii) in respect of hospitalisation in any Government hospital or in the Nizams Institute of Medical Sciences, Hyderabad, the amount to be reimbursed shall not exceed rupees ⁴(Seventy] thousand on each occasion.

⁵["(2) Subject to such conditions as may be determined by rules made by the Government every former member of the Legislative Assembly and Legislative Council and the members of their families shall be entitled to the medical facilities specified in Clauses (b), (c) and (e) of sub-section (1)"].

1. Substituted by A.P. Act 12 of 1999.

2. The original sec. 11-A, relettered as sub-sec. 1 of that Section by A.P. Act 12 of 1999.

3. Substituted by Act No. 23 of 2002 (w.e.f. 23-12-2002).

4. Substituted by Act 34 of 2002, for the words "Forty thousand"

5. Inserted by A.P. Act 12 of 1999.

11B. Section 11B :-

(1) Every member of the Legislative Assembly who does not hold any of the offices referred to in Sections 3 to 5 and 12-A and 12-B shall be entitled, without payment of rent, electricity and water charges, to the use of a furnished accommodation at Hyderabad, provided by the State Government:

¹["Provided that where any such member does not use the

accommodation provided by the State Government under this subsection, such member shall be paid an accommodation allowance at the rate of ²["rupees three thousand] per mensem."]

(2) The State Government may make rules regarding--

(a) the nature of accommodation and the scale of furniture and other facilities to be provided under this section for members.

1. Substituted by A.P. Act 22 of 1993.

2. Substituted by A.P. Act No. 23 of 1998.

11C. Section 11C :-

¹[x x x x]

1. Omitted by Act 29 of 1991.

11D. Pensions :-

(1) There shall be paid to every person ¹[x x x x] who has served for a period of not less than one year as:--

(i) a member of the Andhra Pradesh Legislative Assembly, or

(ii) a member of the Andhra Pradesh Legislative Council, or

(iii) partly as a member of the said Legislative Assembly and partly as a member of the said Legislative Council, pension of ²[two hundred rupees] per mensem for each year of his service as such member, so however that in no case the pension payable to such person shall exceed 2[two thousand rupees] per mensem.

Explanation :-- For the purposes of this sub-section,--

(a) the period during which a person served as a member of the Legislative Assembly or Legislative Council or partly as a member of the Legislative Assembly and partly as a member of the Legislative Council, as it existed during the period commencing from the 15th August, 1947 and ending with the 1st November, 1956 of the former Province or State of Madras or State of Hyderabad or State of Andhra shall be taken into account in computing the number of years;

(b) the period of one year shall be counted from the date of declaration of results of the election or, as the case may be, from the date of the nomination;

(c) the fractions of a year not less than six months, except in the case of the first year of service as such member shall be counted as one year and other fractions shall be disregarded.

(2) Where any person entitled to pension under sub-section (1) is also entitled to any salary from the Central Government or the State Government or any Corporation, owned or controlled by the Central Government or the State Government or any local authority under any law or otherwise or has become otherwise entitled to any remuneration from such Government, Corporation or Local authority, such person shall not be entitled to any pension under sub-section (1) for the period during which he continues to be entitled to such salary or remuneration:

Provided that where the salary or remuneration referred to in this sub-section is less than the pension to which he is entitled under subsection (1), such person shall be entitled only to receive the difference as pension under this sub-section.

Explanation I:-- For the purposes of this sub-section the expression "salary" shall in relation to a member of the Legislative Assembly or the Legislative Council, include the constituency allowance to which he is entitled under Clause (c) of sub-section (1) of Section 11.

Explanation II:-- For the purposes of this sub-section, the expression remuneration shall not include pension to which a person is entitled from the Central Government or the State Government or the Corporation or the Local Authority referred to therein.

(3) In computing the number of years, for the purpose of subsection (1) the period during which a person has served as a Chief Minister, Deputy Chief Minister and Minister and Deputy Minister, the Speaker and Deputy Speaker, the Chairman, and the Deputy Chairman, the Chief Whip in the Assembly, Whip in the Assembly and the Chief Whip in the Council or held any of the offices specified in Sections 12-A and 12-B or both by virtue of his membership of the Legislative Assembly or the Legislative Council, shall also be taken into account.

3[(4) The widow of a deceased Member, who is not re-married, shall be entitled to receive half the pension, which the deceased Member would have been entitled to receive under this section, had he been alive.]

1. Omitted by Act 21 of 1990.
2. Substituted by Act 11 of 1993.
3. Inserted by Act No. 21 of 1990.

11E. Advance to Members of the Legislative Assembly for purchase of motor car :-

¹[A Member of the Legislative Assembly may be paid by way of repayable advance a sum of money as may be prescribed for the purchase of a motor car."].

1. Substituted by A.P. Act 22 of 1998.

12. Relinquishment of salaries and allowances and cancellation thereof :-

(1) Any person entitled to any salary or allowance under this Act may relinquish the whole or any portion thereof--

(a) in the case of a Minister or a Deputy Minister or the Chief Whip in the Assembly or the whip in the Assembly or a parliamentary Secretary within two months from the date on which he enters upon office as such;

(b) in the case of the Speaker or Deputy Speaker within one month from the date on which he is chosen for the office;

(c) in the case of a member of the Andhra Pradesh Legislative Assembly within one month from the date on which he makes and subscribes the oath or affirmation referred to in Article 188 of the Constitution.

(2) Any relinquishment made by any of the persons referred to in sub-section (1) in respect of any allowance may be cancelled by him if and only if the rules relating to that allowance are so revised as to alter the amount of the allowance to which he would have been entitled but for the relinquishment.

(3) Every relinquishment or cancellation made in pursuance of sub-section (1) or (2) shall be made in writing and shall take effect at such time and subject to such conditions as may be determined by rules made by the State Government.

12A. Application of provisions to Minister, to Chairmen of Planning and Development Committees :-

The provisions of this Act shall apply in relation to the holder of the following offices as they apply in relation to a Minister namely--

(1) Chairman of the Telangana Planning and Development Committee;

(2) Chairman of the Rayalaseema Planning and Development

Committee; and

(3) Chairman of the Coastal Andhra Planning and Development Committee.

12B. Application of provisions relating to Minister to Leaders of Opposition :-

The provisions of this Act shall apply in relation to the holder of office of the Leader of the Opposition in the Andhra Pradesh Legislative Assembly, as they apply in relating to a Minister.

Explanation :-In this Act, the term "Leader of the Opposition in the Andhra Pradesh Legislative Assembly" means that member of the Andhra Pradesh Legislative Assembly, who is, for the time being, the Leader in that House of the party in Opposition to the Government having the greatest numerical strength and recognised as such by the Speaker of the Andhra Pradesh Legislative Assembly:

Provided that where there are two or more parties in opposition to the Government, in the Andhra Pradesh Legislative Assembly having the same numerical strength, the Speaker of the Andhra Pradesh Legislative Assembly shall having regard to the status of the parties, recognise any one of the Leader of such parties as Leader of the opposition for the purposes of the Andhra Pradesh Legislative Assembly:

Provided that where there are two or more parties in opposition to the Government led to, anyhra Pradesh Legislative Assembly having the same numerical strength, the Speaker of the Andhra Pradesh Legislative Assembly shall having regard the status of the parties, recognise any one of the Leaders of such parties as Leader of the opposition for the purposes of this section and such recognition shall be final and conclusive.

13. Power of State Government to make rules :-

(1) The State Government may make rules for carrying out the purposes of this Act and any rule made under this sub-section may be made so as to have retrospective effect.

(2) All rules made under this Act shall have effect as if enacted in this Act.

(3) Every rule made under this Act, shall immediately after it is made, be laid before each house of the State Legislature if it is in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified in the Andhra Pradesh Gazette have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

14. Saving :-

Nothing in this Act shall prevent a retired Government servant from drawing his pension in addition to any salary or allowance to which he may be entitled under this Act.

15. Repeal of Andhra Ordinance I of 1953 :-

The Andhra Pradesh Payment of Salaries and Removal of Disqualifications Ordinance, 1953 (Andhra Ordinance-I of 1953) is hereby repealed.

Special provision in respect of conveyance, house of conveyance, house rent allowance, etc., in respect of Deputy Speaker and Deputy Chairman during certain period:-- Notwithstanding anything contained in the Principal Act--

(a) during the period between the 26th March, 1974 and up to the commencement of the Andhra Pradesh payment of Salaries and Pension and Removal of Disqualifications (Amendment) Act, 1979 (hereinafter referred to as the said Act), the Deputy Speaker and during the period between the 4th July, 1974 and up to the commencement of the said Act, the Deputy Chairman, shall each be paid a conveyance allowance of six hundred rupees per mensem;

(b) during the period between the 26th March, 1974 and up to the Commencement of the said Act, the Deputy Speaker and during the period between the 4th July, 1974 and up to the commencement of the said Act, the Deputy Chairman shall each be entitled without payment of rent to the use of furnished residence provided by the State Government.

Provided that where the Deputy Speaker or the Deputy Chairman does not use the residence provided by the State Government, he shall be paid a house rent allowance of three hundred rupees per mensem.

(c) all expenditure for furnishing the residence of the Deputy Speaker during the period between the 26th March, 1974 and up to the commencement of the said Act, or the Deputy Chairman during the period between the 4th July, 1974, and up to the commencement of the said Act, and for the maintenance thereof whether or not such residence is provided by the State Government under Clause (b) shall be borne by the State Government, subject to such rules as may be made by the State Government in this behalf and no charge shall fall on the Deputy Speaker or the Deputy Chairman personally in respect of the furnishing and maintenance of such residence;

(d) during the period between the 1st September, 1977 and up to the commencement of the said Act, when the Deputy Speaker or the Deputy Chairman performs the functions of the office of the Speaker or the Chairman, as the case may be, when the office of the Speaker or the Chairman during any period is vacant, the Deputy Speaker or the Deputy Chairman shall be paid a conveyance allowance of one thousand rupees per mensem in lieu

of conveyance allowance payable to him under Clause (a).

SCHEDULE 1

THE SCHEDULE

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THE SCHEDULE (See Section 10)

1. The Office of the chief Parliamentary Secretary, Parliamentary Secretary, Parliamentary Under-secretary, chief Whip in the Assembly, Deputy Chief Whip or whip.
(1-A) Omitted.
(1-B) the office of the Chairman of the Telangana Planning and Development Committee or the Chairman of the Rayalaseema Planning and Development Committee or the Chairman of the Coastal Andhra Planning and Development Committee.
(1-C) Office of the Chairman, Urban Development Authority for the Hyderabad Development Area.
(1-D) The Office of the Leader of the Opposition in the Andhra Pradesh Legislative Assembly.
2. Any office in the National Cadet Corps constituted under the National Cadet Corps Act, 1948 (Central Act XXXI of 1948), or the Territorial Army constituted under the Territorial Army Act, 1948 (Central Act LVI of 1948).
3. the holder of any such office is not in receipt of, or entitled to, any remuneration other than compensatory allowance.
(3-A) The office of member of the Andhra Pradesh State Law Commission.
4. Any office of profit under an insurer, the management of whose controlled business is vested in the Central Government under the Life Insurance (Emergency Provisions) Act, 1956 (Central Act IX of 1956).
5. Any office in the auxiliary Air Force or the Air Defense Reserve raised under the Reserve and Auxiliary Air Force Act, 1952 (Central Act LXII of 1952).
6. The office of the Vice-Chancellor of any University.
7. Subject to the provisions of Section 10 of the Representation of the People act, 1951 the office of the Chairman, Director, Member or any other officer of a statutory body, where the power to make any appointment to any such office or the power to remove any such person there from is vested in the Central Government or any State Government, as the case may be, provided the holder of any such office is not in receipt of, or entitled to, any remuneration other than compensatory allowance.
(7-A) (Subject to the provisions of Section 10 of the Representation of the People Act, 1951) the office of member of the Andhra Pradesh State Road Transport Corporation constituted under the Road Transport Corporation Act, 1950 (Central Act LXIV of 1950).
8. The Office of member of any local authority, provided the holder thereof is not in receipt of, or entitled to, any remuneration other than compensatory allowance.
9. The Office of any part time professor or lecturer, in a Government College.
10. The Office of any Honorary Medical Officer or Honorary Assistant Medical Officer in a Hospital under Government management
(10-A) The office of

- (i) a Government Pleader or a Public Prosecutor;
 - (ii) a standing counsel appointed by the Government for being engaged by a charitable or religious institution or endowment for conducting legal proceedings in its behalf.
11. The office of a village official or Watandar, namely Patel, Patwari, Deshmukh, Deshpanya or Hissedar in such Watan who is not himself performing any service connected with the office or Watan or who is not customarily entrusted with any such service and who is in receipt of any share of the Rusum or other emoluments to which he may be entitled as a hereditary Watandar or Hissedar in the form of Haq-i-Malikana or otherwise.
 12. A person drawing his service pension, political pension or grant, munsab, charitable grant or commutation sum or compensation in respect of a jagir, inam or both or grant.
 - ¹[13. The Office of the Chairman, Andhra Pradesh Scheduled Castes Co-operative Finance Corporation Limited, Hyderabad.
 14. The Office of the Chairman, Andhra Pradesh Backward Classes Co-operative Finance Corporation Limited, Hyderabad.
 15. The Office of the Chairman, - Andhra Pradesh Scheduled Tribes Co-operative Finance Corporation Limited, Hyderabad.
 16. The Office of the Chairman, State Level Committee for Protection of Civil Rights, Hyderabad.
 17. The Office of the Chairman Command Area Development Authority Board of Tungabhadra Project Command Area, Ananthapur.
 18. The Office of the Chairman, Command Area Development Authority Nagarjunasagar Left Canal Command Area, Khammam.
 19. The Office of the Chairman, Command Area Development Authority Nagarjunasagar Right Canal Command Area, Guntur.
 20. The Office of the Chairman, Command Area Development Authority, Sreeramasagar Command Area, Jagtial, Karimnagar District.
 21. The Office of the Chairman, Andhra Pradesh State Agro Industries Corporation Limited, Hyderabad.
 22. The Office of the Chairman of Market Committee constituted under the Andhra Pradesh (Agricultural Produce and Livestock) Markets Act, 1966.
 23. The Office of the Chairman, Krishna and Godavari Delta Drainage Board. Hyderabad.
 24. The Office of the Chairman, Andhra Pradesh State Electricity Board, Hyderabad.
 25. The Office of the Chairman, Andhra Pradesh State Film Development Corporation Limited, Hyderabad.
 26. The Office of the Chairman, Andhra Pradesh Travel and Tourism Corporation Limited, Hyderabad.
 27. The Office of the Chairman, Urban Development Authority Visakhapatnam, Visakhapatnam.
 28. The Office of the Chairman, Urban Development Authority, Vijayawada-Tenali-Mangalagiri, Vijayawada.
 29. The Office of the Chairman, Andhra Pradesh Housing Board, Hyderabad.
 30. The Office of the Chairman, Andhra Pradesh Womens Co-operative Finance Corporation Limited, Hyderabad.
 31. The Office of the Chairman, Andhra Pradesh Industrial Infrastructure Corporation Limited, Hyderabad.
 32. The Office of the Chairman, Andhra Pradesh State Textile Development Corporation Limited, Hyderabad.
 33. The Office of the Chairman, Leather Industries Development Corporation of Andhra Pradesh Limited, Hyderabad.
 34. The Office of the Chairman, Andhra Pradesh State Financial Corporation, Hyderabad.
 35. The Office of the Chairman, State Level Committee on District Centers. Hyderabad.
 36. The Office of the Chairman, Andhra Pradesh Industrial Development

Corporation Limited, Hyderabad.

37. The Office of the Chairman, Andhra Pradesh Small Scale Industrial Development Corporation Limited, Hyderabad.

38. The Office of the Chairman, Andhra Pradesh State Trading Corporation Limited Hyderabad.

39. The Office of the Chairman, Andhra Pradesh Mining Corporation Limited, Hyderabad.

40. The Office of the Chairman, Andhra Pradesh State Road Transport Corporation Limited, Hyderabad.

41. The Office of the Chairman, State Council for Women Education, Hyderabad.

42. The Office of the Chairman, Board of Intermediate Education, Hyderabad.

43. The Office of the Chairman, Sales Tax Advisory Committee, Hyderabad.

44. The Office of the Chairman, Advisory Committee for Mecca Masjid, Hyderabad.

45. The Office of the Chairman, Andhra Pradesh Meat and Poultry Development Corporation Limited, Hyderabad.

46. The Office of the Chairman, Andhra Pradesh Dairy Development Corporation Limited, Hyderabad.

47. The Office of the Chairman, Andhra Pradesh Fisheries Corporation Limited, Kakinada.

48. The Office of the Chairman, Andhra Pradesh Forest Development Corporation Limited, Hyderabad.

49. The Office of the President, Parakala Shesharataram, Andhra Pradesh State Chamber of Panchayati Raj, Hyderabad.

2[50. The Office of the Chairman, Andhra Pradesh State Civil Supplies Corporation Limited].

51. The Office of the Chairman, Andhra Pradesh State Seeds Development Corporation Limited.

52. The Office of the Chairman, Andhra Pradesh State Warehousing Corporation.

53. The Office of the Chairman, Andhra Pradesh Khadi and Village Industries Board.

54. The Office of the Chairman, Andhra Pradesh Irrigation Development Corporation Limited.

55. The Office of the Chairman. Tobacco Board, Guntur.

56. The Office of the Chairman. Andhra Pradesh Co-operative Housing Societies Federation Limited, Hyderabad.

57. The Office of the Chairman, Andhra Pradesh State Scheduled Castes and Tribes Co-operative Housing Societies Federation Limited, Hyderabad.

58. The Office of the Chairman, Girijan Co-operative Corporation Limited, Visakhapatnam.

59. The Office of the Chairman, Andhra Pradesh State Co-operative Bank Limited, Hyderabad.

60. The Office of the Chairman, Andhra Pradesh Co-operative Bank Limited, Hyderabad.

61. The Office of the Chairman, Andhra Pradesh Co-operative Central Agricultural Development Bank Limited, Hyderabad.

62. The Office of the President, Federation of Sericulturists and Silk Weavers Co-operative Societies Limited, Hyderabad.

63. The Office of the President, Urdu Academy, Hyderabad.

64. The Office of the Chairman, Andhra Pradesh Childrens Board. Hyderabad.

65. The Office of the President, Andhra Pradesh State Wool Industrial Cooperative Society Limited, Hyderabad.

66. The Office of the President, Hindi Academy, Hyderabad.

67. The Office of the President, Federation of Garment Manufacturers Cooperative Society, Hyderabad.

68. The Office of the Chairman, Krishi Engines Limited, Hyderabad,

69. The Office of the Chairman, Andhra Pradesh State Board of Prevention and Control of Water Pollution. Hyderabad.

70. The Office of the Chairman, Andhra Pradesh State Federation of Cooperative Spinning Mills, Hyderabad.

71. The Office of the Chairman, Andhra Pradesh Heavy Machinery Engineering

Limited, Vijayawada.

72. The Office of the Chairman, Nizam Sugar Factory Limited, Hyderabad.

73. The Office of the Chairman of a ³[Zilla Praja Parishad.]

74. The Office of the President, of a Mandal Praja Parishad.

75. The Office of the Mayor of a Corporation.

76. The Office of the Chairman of a Municipality.

⁴[77. The Office of the Chairman, Kakatiya Urban Development Authority, Warangal.

78. The Office of the Chairman. Tirupathi Urban Development Authority, Tirupathi.

79. The Office of the Deputy Chairman, State Development Board.

⁵[80. The Office of the Chairman, Andhra Pradesh Medical and Health Housing and Infrastructure Development Corporation Limited.

81. The Office of the Chairman, Andhra Pradesh State Handloom Weavers Co-operative Society Limited.

82. The Office of the Chairman, Andhra Pradesh State Essential Commodities Corporation limited.

83. The Office of the Chairman, Andhra Pradesh Girijan Co-operative Federation.

84. The Office of the Chairman, Andhra Pradesh Nayee Brahmins Cooperative Federation.

85. The Office of the Chairman, Andhra Pradesh State Housing Corporation limited.

86. The Office of the Chairman, Andhra Pradesh State Co-operative Rural Irrigation Corporation limited.

87. The Office of the Chairman, Andhra Pradesh State Seeds Certifications Agency.

88. The Office of the Chairman, Andhra Pradesh State Co-operative Marketing Federation.

89. The Office of the Chairman, Andhra Pradesh Co-operative Union.

90. The Office of the Chairman, Andhra Pradesh Co-operative Oil Seeds Growers Federation.

91. The Office of the Chairman, Andhra Pradesh Co-operative Rice Mills Federation.

92. The Office of the Chairman, Andhra Pradesh Sahakara Vignana Samithi.

93. The Office of the Chairman, Andhra Pradesh Vikalangula Co-operative Finance Corporation.

94. The Office of the Chairman, Andhra Pradesh Minorities Commission.

95. The Office of the Chairman, Andhra Pradesh Beverages Corporation Limited, Hyderabad.

96. The Office of the Chairman, Andhra Pradesh Urban Development and Housing Corporation Limited, Hyderabad.

97. The Office of the Chairman, Andhra Pradesh Grandhalaya Parishad.

98. The Office of the Chairman, Andhra Pradesh State Police Housing Corporation Limited.

99. The Office of the Chairman, Andhra Pradesh Technology Services Limited.

100. The Office of the Chairman, Hyderabad metropolitan Water Supply and Sewerage Board.

101. The Office of the Chairman, Hyderabad Allwyns Limited.

102. The Office of the Chairman, Andhra Pradesh Electronics Development Corporation Limited.

103. The Office of the Chairman, Andhra Pradesh State Minorities Finance Corporation Limited.

104. The Office of the Chairman, Andhra Pradesh Scooters Limited.

105. The Office of the Chairman, Andhra Pradesh Handicraft Development Corporation Limited.

106. The Office of the Chairman, Andhra Pradesh Mineral Development Corporation.

107. The Office of the Chairman, Andhra Pradesh Foods.

108. The Office of the Chairman, Republic Forge Company Limited.

109. The Office of the Chairman of any Co-operative Sugar Mill.

110. The Office of the Chairman of any Co-operative Spinning Mill.

111. The Office of the Chairman, of any Cotton Growers Co-operative Spinning Mill.

112. The Office of the Chairman, Andhra Pradesh Non-resident Indian Investment Corporation Limited, (ANRICH):

113. The Office of Chairman/president of any Co-operative Society at the Primary, Central and Apex level.]

Explanation :-- In this Schedule--

(i) committee means any committee, commission, Council, board or any other body of one or more persons, whether statutory or not, set up by the Central Government or any State Government.

(ii) compensatory allowance means such sum of money as the Central Government or the State Government concerned, as the case may be, may determine as being payable to the chairman or any other member of a committee by way of travelling allowance, daily allowance, conveyance allowance or house rent allowance for the purpose of enabling the chairman or other member to recoup any expenditure incurred by him in attending any meeting of a committee or performing any other function as a member of that committee;

(iii) controlled business shall have the meaning as in Clause (2) of Section 2 of the Life Insurance (Emergency Provisions) Act, 1956 (Central Act DC of 1956);

(iv) statutory body means any corporation, board, company, society or any other body of one or more persons, whether incorporated or not, established, registered or formed by or under any Central Act or the law of any State for the time being in force or exercising powers and functions under any such Act or law.

1. Entries 13 to 49, inserted by Act 7 of 1980.

2. Entries 50 to 55 inserted by Act No. 11 of 1981.

3. Substituted by Act 12 of 1991.

4. Entries 77 to 79 Inserted by Act 9 of 1986.

5. Inserted by Act 12 of 1991.