

## **Payment Of Salaries And Allowances (Amendment) Act, 1968**

### **2 of 1968**

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An Act further to amend the Payment of Salaries and Allowances Act, 1951 WHEREAS, it is expedient further to amend the Payment of Salaries and Allowances Act, 1951, for the purposes hereinafter appearing; BE it enacted in the Nineteenth Year of the Republic of India as follows:-

#### **1. Short Title And Commencement :-**

- (1) This Act may be called the Payment of Salaries and allowances (Amendment) Act, 1968.
- (2). Sections 2, 3, 4 and 6, clause (1) and sub clause (i) of clause (2) of section 8 and section 11 shall be deemed to have come into force on the 1 st day of January 1968.

#### **2. Amendment Of Section 4 :-**

In section 4 of the Payment of Salaries and Allowances Act, 1951 (XIV of 1951) (hereinafter referred to as the principal Act), for sub

section (2), the following sub section shall be substituted, namely:-  
" (2) There shall be paid to the Deputy Speaker of the Legislative Assembly-

(a). a salary of five hundred rupees per mensem and dearness allowances at such rates as officers of Government drawing a salary of five hundred rupees per mensem shall be entitled to from time to time; and

(b). a consolidated sum of one hundred and fifty rupees per mensem towards expenditure on his residence while in the City of Trivandrum and for journeys within the City of Trivandrum and a radius of eight kilometers thereof."

### **3. Insertion Of New Sections 5A And 5B :-**

After section 5 of the principal Act, the following sections shall be inserted, namely:-

"5A. Medical facilities for Ministers and Speaker.-A Minister and the members of his family and the Speaker and the members of his family shall be entitled free of charge to medical treatment and medical attendance and to all other benefits in connection therewith, to the same extent as an officer of Government drawing a salary of eight hundred rupees per mensem and the members of his family are respectively entitled to from time to time.

Explanation.-For the purposes of this section, "members of family" means the wife or husband, children including adopted children, step children, and parents wholly dependent upon the Minister or the Speaker, as the case may be.

5B. Accident insurance to Ministers and Speaker.-Subject to any rules made in this behalf under section 10, the Ministers and the Speaker shall be entitled to be insured at the expense of the Government against accidents during journey by air performed on public business."

### **4. Amendment Of Section 6 :-**

In section 6 of the principal Act, for the words "one hundred rupees" and "five miles" , the words "one hundred and fifty rupees" and "eight kilometers" shall respectively be substituted.

### **5. Insertion Of New Section 6A :-**

After section 6 of the principal Act, the following section shall be, and shall be deemed to have been, inserted with effect from the 16

th day of June, 1967, namely:--

"6A. Advance to Deputy Speaker for purchase of motor car.-There may be paid to the Deputy Speaker, by way of repayable advance, such sum of money, on such terms and conditions, as may be determined by rules made in this behalf under section 10, for the purchase of a motor car in order that he may be able to discharge conveniently and efficiently the duties of his office."

#### **6. Amendment Of Section 7 :-**

In section 7 of the principal Act, in sub-section (1),--

- (a). for the words "while touring on public business", the words "in respect of his journey to Trivandrum from his usual place of residence for assuming office as Minister and in respect of his journey from Trivandrum to his usual place of residence outside Trivandrum on relinquishing office, and in respect of tours undertaken by him on public business" shall be substituted;
- (b). in the second proviso, for the words "five miles", the words "eight kilometers" shall be substituted.

#### **7. Insertion Of New Section 7B :-**

After section 7A of the principal Act, the following section shall be and shall be deemed to have been inserted with effect from the 3<sup>rd</sup> day of January, 1963, namely:-

"7B. Medical facilities to members of the Legislative Assembly.-(1) Subject to any rules made in this behalf, the Deputy Speaker and the other members of the Legislative Assembly except the Speaker and the Ministers shall be entitled free of charge-

- (a). to medical treatment; and
  - (b). to medical attendance while they are at Trivandrum for attending meetings of the Legislative Assembly or any Committee thereof or any Committee or Board constituted by the Government.
- (2). For the purposes of clause (b) of sub-section (1), the Government may, subject to the rules made in this behalf, appoint a medical officer and pay him such honorarium as may be fixed by them.

#### **8. Amendment Of Section 8 :-**

In section 8 of the principal Act, in sub-section (1),--

- (1). in clause (a), for the words "two hundred", the words "three hundred" shall be substituted;

(2). m in clause (b),--

(i). after the words "constituted by the Government", the words "and traveling allowances for his return journey to his usual place of residence on ceasing to be a member" shall be inserted;

(ii). the following proviso and Explanation shall be, and shall be deemed to have been, inserted at the end with effect from the 3<sup>rd</sup> day of March, 1967, namely:-

"Provided that he shall be entitled when traveling in hilly tracts to an additional traveling allowance and daily allowance at the rate of--

(a). 25 per cent in the case of Class I hilly tracts; an

(b). 12 1/2 per cent in the case of Class II hilly tracts.

Explanation.-The expressions Class I hilly tracts and Class II hilly tracts shall have the meaning respectively assigned to them in Appendix IX of the Kerala Service Rules, 1959, as amended from time to time."

## **9. Insertion Of New Section 9 :-**

After section 8 of the principal Act, the following section shall be, and shall be deemed to have been, inserted with effect from the 15<sup>th</sup> day of March, 1967, namely:-

"Free transit by public conveyances of State Road Transport Corporation.-(1) Every member of the Legislative Assembly other than the Speaker and the Ministers shall be provided with one free non-transferable pass which shall entitle him to travel at any time by road in any public conveyance belonging to the Kerala State Road Transport Corporation, but nothing contained in this section shall affect the payment of any traveling allowance or daily allowance payable to a member of the Legislative Assembly under any other provision of this Act.

Subject to any rules made under section 10, the Government shall pay hire charges to the Kerala State Road Transport Corporation for the public conveyances engaged by the corporation for carrying members of the Legislative Assembly from their residences in Trivandrum to the Legislative Assembly Chamber for attending the meetings of the Legislative Assembly and back."

## **10. Substitution Of New Section For Section 10 :-**

For section 10 of the principal Act, the following section shall be substituted, namely:-

"10. Power of Government to make rules.-(1) The Government

may, by notification in the Gazette, make rules for carrying out the purposes of this Act.

(2). Every rule made under this Act shall be laid as soon as may be after it is made before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly agrees that the rule should be either modified or annulled, the rule shall thereafter have effect only in such modified form or be of no effect, 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.

### **11. Amendment Of Schedule :-**

In the Schedule to the principal Act,--

(1). in paragraph I,--

(a). in clause (1),

(i). in sub-clause (a),--

(a). for the words "twenty-five naye paise per mile", the words "thirty-two paise per kilometer" shall be substituted

(b). in the proviso, for the words "fifty naye paise per mile", the words "sixty-four paise per kilometer" shall be substituted

(ii). in sub-clause (c), for the words "twelve naye paise per mile", the words "twelve paise per kilometer" shall be substituted;

(b). in clause (2), in sub-clause (a),-

(i). for the words "twenty-five naye paise per mile", the words "thirty-two paise per kilometer" shall be substituted

(ii). in the proviso, for the words "fifty naye paise per mile", the words "sixty-four paise per kilometer" shall be substituted;

(2) in paragraph II for the words "The Deputy Speaker shall, for journeys performed by him, be paid traveling allowance at the same rate as in the case of first class officers of Government, the rate of daily allowance being however fifteen rupees", the following shall be substituted, namely:-

"The Deputy Speaker shall, for journeys performed by him, including journeys from his usual place of residence for attending meetings of the Legislative Assembly or of any Committee thereof, be paid traveling and daily allowance at the same rate as in the case of Members of the Legislative Assembly;"

(3). for paragraph III, the following paragraph shall be substituted,

namely:--

"III. Members of the Legislative Assembly.-The Members of the Legislative Assembly shall be given traveling and daily allowances at the following rates:-

(1). inside the State of Kerala-

traveling allowance-thirty-two paise per kilometer irrespective of the mode of conveyance used;

daily allowance-fifteen rupees;

(2). outside the State of Kerala-

for journeys by rail-cost of one first class railway fare plus twelve paise per kilometer;

for journeys by road-sixty-four paise per kilometer ;

daily allowance-twenty-five rupees."

## **12. Validation :-**

Any free non-transferable pass provided to a member of the Kerala Legislative Assembly for travel in any public conveyance belonging to the Kerala State Transport Department on or after the 3<sup>rd</sup> day of December, 1958, or for travel in any public conveyance belonging to the Kerala State Road Transport Corporation on or after the 15<sup>th</sup> day of March, 1965 and before the commencement of this section, shall be deemed to have been provided in accordance with law:

Provided that the Government shall pay to the Kerala State Road Transport Corporation the expenditure incurred by it on account of the free travel facilities availed of by the members of the Legislative Assembly during the period commencing on the 15<sup>th</sup> day of March, 1967 and ending with the 27<sup>th</sup> day of July, 1967.