

Payment Of Salaries And Allowances (Amendment) Act, 1972

27 of 1972

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Payment Of Salaries And Allowances (Amendment) Act, 1972

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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 Twenty-third 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, 1972.

(2) It shall come into force on such date as the Government may, by notification in the Gazette, appoint.

2. Amendment Of Section 4 :-

In the Payment of Salaries and allowances Act, 1951 (XIV of 1951) (hereinafter referred to as the principal Act), in section 4, in clause (b) of sub-section (2), for the words "one hundred and fifty rupees", the words "two hundred rupees" shall be substituted.

3. Amendment Of Section 6 :-

In section 6 of the principal Act, for the words "one hundred and fifty rupees", the words "two hundred rupees" shall be substituted.

4. Substitution Of New Section For Section 6A :-

For section 6A of the principal Act, the following section shall be substituted, namely:-

"6A. Conveyance for the Deputy Speaker.-The Government shall, from time to time, provide suitable conveyance for the use of the Deputy Speaker throughout his term of office and for a period of fifteen days immediately thereafter subject to such rules as regards its maintenance and repair as may be made by the Government."

5. Amendment Of Section 8 :-

In section 8 of the principal Act,-

(a) in sub-section (1),-

(i) in the opening paragraph, for the words "shall be entitled", the words "shall, subject to the other provisions of this Act, be entitled" shall be substituted;

(ii) the word "and" at the end of clause (a) shall be omitted;

(iii) after clause (a), the following clause shall be inserted, namely:-

"(aa) a consolidated sum of one hundred and fifty rupees per mensem for meeting his expenditure for the performance of his duties as such member in his Assembly constituency; and";

(iv) in clause (b), the words "or of any Committee or Board constituted by the Government" shall be omitted;

(b) after sub-section (2), the following sub-sections shall be inserted, namely:-

"(3) The consolidated sum of one hundred and fifty rupees referred to in clause (aa) of sub-section (1) shall accrue to a member from the date on which he makes and subscribes the oath or affirmation prescribed by Article 188 of the Constitution of India:

Provided that in the case of a person who is a member of the Legislative Assembly at the commencement of the Payment of Salaries and Allowances (Amendment) Act, 1972, such sum shall accrue from the date of such commencement.

(4) Every member of the Legislative Assembly other than the Speaker, the Deputy Speaker and the Ministers shall be entitled to receive traveling and daily allowances for attending meetings of any Committee or Board constituted by the Government at the rates applicable to the members of that Committee or Board, as the

case may be."

6. Insertion Of New Section 8A :-

After section 8 of the principal Act, the following section shall be inserted, namely:-

"8A. Amenities.-(1) Every member of the Legislative Assembly (other than the Speaker and the Ministers) shall be entitled to such concessions in the matter of occupation of rest houses and tourist bungalows belonging to the Government as may be allowed by rules made under section 10.

(2) All concessions in the matter of occupation of rest houses and tourist bungalows belonging to the Government, allowed to members of the Legislative Assembly, other than the Speaker and the Ministers, and enjoyed by them at the commencement of the Payment of Salaries and Allowances (Amendment) Act, 1972, shall, until rules in this behalf are made, be deemed to have been allowed in accordance with the provisions of sub-section (1).

(3) A member of the Legislative Assembly other than the Speaker and the Ministers shall be entitled to such telephone facilities as may be prescribed by rules under section 10."

7. Amendment Of Section 9 :-

In section 9 of the principal Act,-

(a) in sub-section (1), for the words "other than the Speaker and the Ministers", the words "other than the Speaker, the Deputy Speaker and the Ministers" shall be substituted;

(b) for sub-section (2), the following sub-section shall be substituted, namely:-

"(2) A free pass issued to a member under sub-section (1) shall be valid for the term of his office, and on the expiration of such term, the pass shall be surrendered to the Secretary to the Legislative Assembly."

8. Insertion Of New Section 9A :-

After section 9 of the principal Act, the following section shall be inserted, namely:-

"9A. Free transit by railway.-- (1) Every member of the Legislative Assembly other than the Speaker, the Deputy Speaker and the Ministers shall be provided with one free non-transferable first class pass which shall entitle him to travel by any railway in India for a

distance of six thousand kilometers in the aggregate during a period of twelve calendar months.

(2) Subject to the provisions of sub-section (1), a free railway pass issued to a member under that sub-section shall be valid for the term of his office, and on the expiration of such term, the pass shall be surrendered to the Secretary to the Legislative Assembly.

(3) A member who performs any journey by using the pass shall not be entitled to any traveling or daily allowance for such journey."

9. Amendment Of Schedule :-

In the schedule to the principal Act,-

(1) in paragraph I,-

(a) in clause (I),-

(i) in sub-clause (a) for the words " twenty-seven paise", the words "thirty-two paise" and for the words "fifteen rupees", the words "twenty-five rupees" shall be substituted;

(ii) in sub-clause (b) for the words "fifteen rupees", the words "twenty-five rupees" shall be substituted;

(b) in clause (2),-

(i) in sub-clause (a) for the words "twenty-seven paise", the words "thirty-two paise" shall be substituted;

(ii) in sub-clause (b), for the words "twenty-five rupees", the words "thirty-five rupees" shall be substituted;

(2) in paragraph II, for the words "Members of the Legislative Assembly", the words "the Ministers and the Speaker" shall be substituted;

(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-twenty paise per kilometer, subject to a minimum of twenty-five rupees per day:

Provided that for journeys between places not connected with any public conveyance belonging to the Kerala State Road Transport Corporation or for journeys to their usual place of residence after surrendering the pass referred to in section 9, traveling allowance shall be paid at the rate of thirty-two paise per kilometer; daily allowance-twenty-five 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-

(i) when traveling in a public conveyance belonging to the Kerala State Road Transport Corporation availing the pass provided under section 9- twenty paise per kilometer;

(ii) in other cases- sixty-four paise per kilometer; daily allowance- thirty-five rupees.".