

THE KERALA PAYMENT OF PENSION TO MEMBERS OF LEGISLATURE
(AMENDMENT) BILL, 2008
(As passed by the Assembly)

A

BILL

Further to amend the Kerala Payment of Pension to Members of Legislature Act, 1976.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Payment of Pension to Members of Legislature Act, 1976 for the purposes hereinafter appearing;

BE it enacted in the Fifty-ninth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Payment of Pension to Members of Legislature (Amendment) Act, 2008.

(2) Save as otherwise provided in this Act, it shall come into force at once.

2. *Amendment of section 2.*—In section 2 of the Kerala Payment of Pension to Members of Legislature Act, 1976 (46 of 1976) (hereinafter referred to as the principal Act),—

(1) in sub-section (1 E),—

(a) in the opening paragraph, for the words “the minor son or the unmarried daughter or both”, the words “the minor son or the unmarried daughter or the mentally retarded son or daughter or all of them together” shall be substituted;

(b) in clause (i), after the words “twenty five years”, the words “or he starts earning his livelihood, whichever is earlier” shall be inserted;

(c) in clause (ii), after the words “she gets married”, the words “or she starts earning her livelihood” shall be inserted;

(d) after clause (ii), the following clause shall be inserted, namely:—

“(jia) in the case of mentally retarded son or daughter, without considering age.”.

(2) after sub-section (3), the following Note shall be inserted, namely:—

“*Note.*—This sub-section shall be deemed to have come into force on the 14th day of May, 1996.”.

3. *Insertion of new section 2B.*—In the principal Act, after section 2A, the following section shall be inserted, namely:—

“2B. *Free Transit Coupons for ex-Members of the Legislative Assembly.*—(1) Subject to such rules as may be made in this behalf, any person, who has served as a member referred to in clause (i) or clause (ii) or clause (iii) of sub-section (1) of section 2 shall, at the option of such ex-member, be provided with all or any of the following free transit coupons of an aggregate value of twelve thousand rupees for a period of twelve calendar months, namely:—

(i) rail travel coupons for travel by such ex-member by rail; and

(ii) fuel coupons for the purchase of fuel for the travel of such ex-member in a private vehicle :

Provided that it shall be lawful for the Government to enhance, by order, from time to time, the aforesaid amount of free transit coupons proportionate to the periodical increase in rail charges made by the Central Government.

(2) Subject to such rules as may be made in this behalf every ex-member shall be entitled to utilise such rail travel coupons for the travel by such ex-member and his or her spouse and one companion in any class by any railway in India.”

4. *Amendment of the Schedule.*—In the principal Act, for the Schedule, the following Schedule shall be substituted, namely:—

“SCHEDULE
[See section 2 (1)]
Rate of Pension

<i>Period</i>	<i>Rate of pension per mensem</i>
For any period below two years	Rs. 4,000
For two years in the aggregate	Rs. 4,500
For three years in the aggregate	Rs. 5,000
For four years in the aggregate	Rs. 5,500
For five years in the aggregate	Rs. 6,000

Provided that where any person has served as a member as stated in sub-section (1) of section 2 for a period exceeding five years, there shall be paid to him an additional pension of five hundred rupees per mensem for every year in excess of five years :

Provided further that in calculating the net qualifying period for pension fraction of half year and above shall be rounded to the next completed year :

Provided also that the maximum pension to which a member is eligible under this Act shall not, in the aggregate, exceed rupees twenty thousand per mensem.”.

. This Bill was passed by the Legislative Assembly of the State of Kerala on the 23rd day of July, 2008.
