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Fourteenth Kerala Legislative Assembly

Bill No. 174

**THE PAYMENT OF SALARIES AND ALLOWANCES
(SECOND AMENDMENT) BILL, 2018**

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BILL

further to amend the Payment of Salaries and Allowances Act, 1951.

Preamble.—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 Sixty-ninth 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 (Second Amendment) Act, 2018.

(2) It shall come into force at once.

2. *Amendment of section 8A.*—In Section 8A of the Payment of Salaries and Allowances Act, 1951 (XIV of 1951), after the proviso to sub-section (6) the following sub-section shall be inserted, namely:—

“(7) The Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Whip shall be provided with one official land line telephone connection in their Constituency for the term of his office and the said connection shall be under plans which provide unlimited call/data scheme and the charges shall be reimbursed without ceiling by the Government. The charges in respect of the installation and rental of the telephone shall be paid by the Government.”

STATEMENT OF OBJECTS AND REASONS

As per sub-section (3) of Section 8A of the Payment of Salaries and Allowances Act, 1951, every Member of the Legislative Assembly other than the Speaker, the Deputy Speaker, the Leader of the Opposition, the Chief Whip and the Ministers shall be provided with one telephone at their usual place of residence, which may be specified by the member, for the term of his office and for a period of fifteen days thereafter and as per sub-section (4) of Section 8A, the installation and rental of the telephone shall be paid by the Government.

Also they shall be entitled to a telephone allowance of Eleven thousand rupees for meeting the other telephone charges. But this telephone facility is not provided to the Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Whip in their respective constituencies as per the said Act. The Ministers including the Chief Minister are now provided with an official telephone in their official residence by the Government. The Government have received several requests from the office of the Ministers to provide them one official telephone in their constituencies also and to reimburse the call charges without ceiling. Therefore, the Government issued executive order vide G. O.(Ms.) No. 132/2017/GAD dated 3-4-2017 to provide official telephone in the residence of their respective constituencies of Ministers and the Leader of the Opposition. Hon'ble Speaker has recommended to extend this benefit to the Speaker, the Deputy Speaker and the Chief Whip also by making suitable amendment in the Act. Hence the Government have decided to include a new provision in the Payment of Salaries and Allowances Act, 1951 to provide the Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Whip with one official telephone with land line connection in their constituency for the term of their office and to reimburse the call charges without ceiling.

The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill if enacted and brought into operation would involve a considerable amount of expenditure of a recurring nature. The actual expenditure to be incurred cannot be estimated now.

A. K. BALAN.

EXTRACT FROM THE RELEVANT PORTIONS OF THE SALARIES AND
ALLOWANCES ACT, 1951

(XIV OF 1951)

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8A. *Amenities*.—(1) Every member of the Legislative Assembly (other than the Speaker, the Deputy Speaker, the Leader of the Opposition, the Chief Whip and the Ministers) shall be entitled to such concessions in the matter of occupation of rest houses and tourist bangalows belonging to the Government as may be allowed by rules made under Section 10.

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(6) Subject to such rules as may be made in this behalf every member referred to in sub-section (1) shall be entitled to the services of an officer of his choice below the rank equivalent to an Under Secretary to the Government and who is in the service of the Government or a local authority or any Corporation owned or controlled by the Government or any other authority specified by the Government in this behalf to assist him in the performance of his duties as such member.

Provided that such an officer may be allowed to continue in the service of the member even after his promotion to the rank equivalent to an Under Secretary to Government and above.

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