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Government of Kerala
കേരള സർക്കാർ
2012



Reg. No. രജി. നമ്പർ
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KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

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GOVERNMENT OF KERALA

Parliamentary Affairs (A) Department

NOTIFICATION

G. O. (Ms.) No. 18/12/PAD. Dated, Thiruvananthapuram, 5th September, 2012.

S. R. O. No. 626/2012.—In exercise of the powers conferred by section 10 of the Payment of Salaries and Allowances Act, 1951 (Act XIV of 1951), read with section 8B thereof the Government of Kerala hereby make the following amendment to the rules issued under G. O. (Ms.) No. 9/12/PAD dated 18th June, 2012 and published as S.R.O. No. 456/2012 in the Kerala Gazette Extraordinary No. 1307 dated 19th June, 2012, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Members of the Kerala Legislative Assembly (Advance for the purchase of Vehicle) Amendment Rules, 2012.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Members of the Kerala Legislative Assembly (Advance for the purchase of vehicle) Rules, 2012,—

(i) in rule 3:—

(a) for sub-rule (2), the following sub-rule shall be substituted, namely:—

“(2) The advance may also be sanctioned for the final settlement of a loan or advance already availed for the purchase of a vehicle by the member from any source other than admissible under these rules and the vehicle has since been purchased”

(b) for the proviso to sub-rule (2), the following proviso shall be substituted namely:—

“Provided that such advance shall be sanctioned to a member only once in one Assembly tenure”

(ii) for rule 5, the following rule shall be substituted, namely:—

“5. *Application form, sanction and drawal of advance.*—(1) A member who desires to avail the advance shall submit an application in Form I to the Secretary. The Secretary on proper verification of the application and after obtaining approval from the Speaker shall sanction the amount of advance to the member concerned subject to the availability of fund in the Head of Account being operated for the purpose.

(2) The amount of advance may be drawn by the member concerned through a bill signed by him and duly countersigned by the sanctioning authority with a copy of the order sanctioning the advance”;

(iii) sub-rule (4) of rule 8 shall be omitted;

(iv) After rule 12, the following rule shall be inserted, namely:—

“13. *Decision of the Speaker is final.*—The decision of the Speaker on all matters covered by these rules shall be final.”

(v) In Form II, the words “hereby authorise the Secretary to make such deductions and” shall be omitted.

By order of the Governor,

K. R. JYOTHIAL,
Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

As per the Payment of Salaries and Allowances (Second Amendment) Act, 2012, (4 of 2012), a new section 8B has been inserted after section 8A of the Payment of Salaries and Allowances Act, 1951 (XIV of 1951), by which 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 avail interest free vehicle advance up to Rupees five lakhs. Since section 8B empowers the State Government to make rules for carrying out the provisions of the said section, Government framed the Members of the Kerala Legislative Assembly (Advance for the Purchase of Vehicle) Rules, 2012, vide G. O. (Ms.) No. 9/12/PAD dated 18th June, 2012 and published as S.R.O. No. 456/2012 in the Kerala Gazette Extraordinary No. 1307 dated 19th June, 2012.

In view of urgency, the above notification published as S.R.O No. 456/2012 was issued without getting concurrence from the Subject Committee. The Subject Committee on scrutiny of the notification, recommended certain amendments to the rules. Hence the Government have decided to amend the Rules accordingly.

The notification is intended to achieve the above object.