

Thirteenth Kerala Legislative Assembly

Bill No. 39

**THE PAYMENT OF SALARIES AND ALLOWANCES
(AMENDMENT) BILL, 2011**

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Kerala Legislature Secretariat
2011

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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 purpose hereinafter appearing ;

BE it enacted in the Sixty-second 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, 2011.

(2) It shall come into force at once.

2. *Amendment of section 8A.*—In sub-section (6) of section 8A of the Payment of Salaries and Allowances Act, 1951 (XIV of 1951), for the words “not above the rank of a Selection Grade Assistant in the Government Secretariat and”, the words, “other than a member of an All India Service,” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

As per the provisions in sub-section (6) of section 8A of the Payment of Salaries and Allowances Act, 1951, every Member of the Legislative Assembly shall be entitled to the services of an officer of his choice not above the rank of a Selection Grade Assistant in the Government Secretariat 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.

2. Requests have been received from the Hon'ble Members of the Legislative Assembly to amend the relevant provisions of the Payment of Salaries and Allowances Act, 1951 with a view to enabling the Members of the Legislative Assembly to have the services of an officer of their choice. The Government have considered the requests and have decided to amend

sub-section (6) of section 8A of the Payment of Salaries and Allowances Act, 1951, so as to enable a Member of the Legislative Assembly to have the services of any officer other than a member of an All India Service.

3. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation would involve a fairly substantial amount of expenditure of a recurrent nature for its implementation. This amendment enables a Member of the Kerala Legislative Assembly to have the services of any officer of the Subordinate Service or the State Service except All India Service as Personal Assistant to the M.L.A. Since a M.L.A can appoint his Personal Assistant from any category of Employees of State Service, the actual expenditure that may have to be incurred on this account cannot be estimated with any reasonable degree of accuracy at this stage. Maximum annual additional financial commitment may be to the tune of nearly Rupees Five Crores, considering all the M.L.A.s to have the service of P.A.s at the rank of Additional Secretary or so.

OOMMEN CHANDY

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

(ACT 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 bungalows belonging to the Government as may be allowed by rules made under Section 10.

.00]’p;lknb (2) ** ** *

(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 not above the rank of a Selection Grade in the Government Secretariat 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.

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