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**THE PAYMENT OF SALARIES AND  
ALLOWANCES ACT, 1951  
(ACT XIV OF 1951)**

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THE PAYMENT OF SALARIES AND ALLOWANCES ACT, 1951  
(ACT XIV OF 1951)

(Amended by Act XIV of 1952, Kerala Adaptation of Laws Order, 1956, Act V of 1956, Act 4 of 1957, Act 25 of 1958, Act 2 of 1960, Act 18 of 1961, Act 2 of 1968, Act 27 of 1968, Act 27 of 1972, Act 20 of 1973, Act 13 of 1974, Act 22 of 1977, Act 17 of 1979, Act 22 of 1979, Act 5 of 1980, Act 16 of 1981, Act 2 of 1982, Act 24 of 1985, Act 16 of 1986, Act 33 of 1987, Act 33 of 1989, Act 2 of 1991, Act 26 of 1991, Act 9 of 1992, Act 11 of 1994, Act 4 of 1997, Act 25 of 1999, Act 13 of 2003, Act 25 of 2008, Act 3 of 2012, Act 4 of 2012, Act 12 of 2013, Act 10 of 2014, Act 4 of 2017 and Act 8 of 2018.)

*An Act to provide for the salaries and allowances of Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition, the Chief Whip and Members of the Legislative Assembly.*

*Preamble.*—WHEREAS, pursuant to the provisions of Article 164, clause (5), Article 186 and Article 195 of the Constitution of India read with Article 238 thereof, it is necessary to provide by an Act of the Legislature for the salaries and allowances of Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Whip and of the Members of the Legislative Assembly.

It is hereby enacted as follows:

1. *Short title and commencement.*—(1) This Act may be called the Payment of Salaries and Allowances Act, 1951.

(2) Sections 2, 3, 4, 5 and 6 of this Act shall be deemed to have come into force on the 26<sup>th</sup> day of January, 1950 and the rest of this Act shall come into force at once.

2. *Definitions.*—In this Act,—

(a) “residence” includes the staff quarters and other buildings appurtenant thereto, and the gardens thereof ; and

(b) “maintenance” in relation to a residence includes the payment of local rates and taxes and the provisions of electricity and water ;

(c) “first grade officer” means an officer classified as a first grade officer under Rule 1, Part II of the Kerala Service Rules, 1959 ;

(d) “Deputy Speaker” means the member of the Legislative Assembly chosen to be Deputy Speaker thereof under Article 178 of the Constitution ;

the Opposition or the Chief Whip and the members of his family shall, after the commencement of the Payment of Salaries and Allowances (Amendment) Act, 1977 be entitled at the expense of the Government.—

(a) to medical treatment in any institution other than a Government institution.

(b) to medical attendance by any medical practitioner other than a medical practitioner in the service of the Government or by any other person not in the service of the Government

and accordingly, every Minister, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Whip, shall be entitled to all charges incurred by them in connection with such medical treatment and medical attendance.

*Explanation:* For the purposes of this section, members of family means the wife or husband, children including adopted children and step children and parents wholly dependent upon the Minister or the Speaker or the Deputy Speaker or the Leader of the Opposition or the Chief Whip as the case may be.

5B. *Accident Insurance of Ministers, Speaker, Deputy Speaker, Leader of the Opposition and Chief Whip.*—Subject to any rules made in this behalf under section 10, the Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Whip shall be entitled to be insured at the expense of the Government against accidents during journey by air performed on public business.

5C. *Accident Insurance to Members of Legislative Assembly.*—(1) Subject to such rules as may be made by the Government in this behalf, every member of the Legislative Assembly including the Ministers, the Speaker, the Deputy Speaker, Leader of the Opposition and the Chief Whip shall be entitled to be insured for an amount not exceeding twenty lakh rupees at the expense of the Government against accidents or other infirmities as may be specified in this behalf caused to him during his tenure as member of the Legislative Assembly, the Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Whip, as the case may be.

(2) In the case of Ministers, the Speaker, the Deputy Speaker, Leader of the Opposition and the Chief Whip, the insurance provided in sub-section (1) shall be in addition to the accident insurance provided in section 5B.

5D. *Air Journey for Members of Legislative Assembly.*—Every member of the Legislative Assembly shall be entitled to be reimbursed with the charges incurred towards air journey inside and outside the State, for attending the meetings of the Legislative Assembly or of any Committee thereof subject to a maximum of rupees fifty thousand per annum.

Provided that where a Minister, while on tour, is allowed free board and lodging at the expenses of the Government of India or the Government of any State, he shall be entitled, for the days on which he is allowed such free board and lodging, to draw only one half of the daily allowance admissible to him at the station concerned:

Provided further that a Minister shall not be entitled to any travelling allowance for journeys performed in any Government conveyance other than that provided under sub-section (1) of section 6.

(2) *Travelling allowances of the Speaker and the Deputy Speaker.*—The Speaker and the Deputy Speaker shall be entitled to travelling allowances, incidental expenses and daily allowances at the rates specified in the Schedule and upon such conditions as may be specified by rules made by the Government:

Provided that where the Speaker or the Deputy Speaker while on tour is allowed free board and lodging at the expense of the Government of India or the Government of any State, he shall be entitled, for the days on which he is allowed such free board and lodging to draw only one-half of the daily allowance admissible to him at the station concerned:

Provided further that the Speaker or the Deputy Speaker shall not be entitled to any travelling allowance for journeys performed in any Government conveyance other than that provided under sub-section (1) of section 6.

(3) *Travelling allowance of the Leader of the Opposition and the Chief Whip.*—The Leader of the Opposition and the Chief Whip shall be entitled in respect of tours undertaken by them on public business, to travelling allowances, incidental expenses and daily allowances at the rates specified in the Schedule upon such conditions as may be specified by rules made by the Government :

Provided that the Leader of the Opposition or the Chief Whip shall not be entitled to any travelling allowance for journeys performed in any Government conveyance other than that provided under sub-section (1) of section 6.

(4) The Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Whip shall not be entitled to any travelling allowances, incidental expenses and daily allowances for journeys performed

(3) The consolidated sum 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, the Leader of the Opposition, the Chief Whip and the Ministers shall be entitled to receive travelling 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.

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.

(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 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) 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 his usual place of residence (which may be specified by the member) for the term of his office and for a period of fifteen days immediately thereafter :

Provided that the place specified by the member shall be within the area of operation of an existing telephone exchange.

(4) Subject to such rules as may be made in this behalf charges in respect of the installation and rental of the telephone provided in pursuance of sub-section (3) shall be paid by the Government.

(5) Every member referred to in sub-section (3) shall be entitled to a telephone allowance of eleven thousand rupees per mensem for meeting the charges in respect of such telephone other than the charges referred to in sub-section (4) :

9. *Free transit by public conveyances of State Road Transport Corporation.*—(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 provided with one free non-transferable pass which shall entitle him to travel at any time by road in any public conveyance belonging to the Kerala State Road Transport Corporation, but nothing contained in this section shall affect the payment of any Travelling Allowance or daily allowance payable to a member of the Legislative Assembly under any other provisions of this Act.

(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.

9A. *Free Transit Coupons for Members of the Legislative Assembly.*—(1) Subject to such rules as may be made in this behalf, every member of the Legislative Assembly, other than the Speaker, the Deputy Speaker, the Leader of Opposition, the Chief Whip and the Ministers shall, at the option of such member, be provided with all or any of the following free transit coupons of aggregate value of two lakhs rupees\* for a period of twelve calendar months, namely:—

- (i) rail travel coupons for travel by such member by rail ; and
- (ii) fuel coupons for the purchase of fuel for the travel of such 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 considering the periodical increase in rail charges or hike in the price of petrol/diesel.

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

9B. *Deduction of Government dues, from allowances payable to members of Legislative Assembly.*—Any amount payable to the Government by any member of the Legislative Assembly who does not hold any of the offices referred to in section 3 and 4, in his capacity as such member may, if such amount is not paid within the time or on or before the date fixed for its payment, be deducted from the fixed allowance or the travelling and daily allowances which he is entitled to receive under section 8, in accordance with such rules as may be made by the Government in this behalf.

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\* Enhanced to ₹ 3,00,000 (Rupees Three Lakh only) as per S.R.O. No. 60/2017 dated 4<sup>th</sup> February, 2017.  
790/2018.

## SCHEDULE

I. *Ministers, the Speaker, the Deputy Speaker, the Leader of Opposition and the Chief Whip.*—The Ministers, the Speaker, the Deputy Speaker, the Leader of Opposition and the Chief Whip shall be given travelling allowances, incidental expenses and daily allowances at the following rates for journeys performed by them:

- (1) Inside the State of Kerala,—
  - (a) for journeys by road irrespective of the distance travelled at the rate of rupees fifteen per kilometre for journeys undertaken in Government vehicles, hired vehicles or own vehicle;
  - (b) for journeys by road, irrespective of the distance travelled, at the rate of rupees two per kilometre, towards incidental expenses if undertaken, in Guest House vehicle/Department vehicle;
  - (c) a daily allowance of rupees one thousand for halts ;
  - (d) for journeys by train-actual fare (first class or air-conditioned) plus one rupee per kilometre towards incidental expenses;
  - (e) for journeys by air-actual fare plus one fifth the fare for incidental expenses; subject to a maximum of rupees five hundred for each journey.
- (2) Outside the State of Kerala,—
  - (a) for journeys by road irrespective of the distance travelled at the rate of rupees fifteen per kilometre for journeys undertaken in Government vehicles, hired vehicles or own vehicle;
  - (b) for journeys by road, irrespective of the distance travelled, at the rate of rupees two per kilometre, towards incidental expenses if undertaken, in Guest House vehicle/Department vehicle;
  - (c) a daily allowance of one thousand and five hundred rupees;
  - (d) for journeys by train or by air-the rates will be the same as those admissible for journeys performed by train or by air, as the case may be, inside the State of Kerala.

