

Thirteenth Kerala Legislative Assembly

Bill No. 58

**THE KERALA PAYMENT OF PENSION TO MEMBERS OF
LEGISLATURE (AMENDMENT) BILL, 2011**

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2011

KERALA NIYAMASABHA PRINTING PRESS.

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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 Sixty-second 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, 2011.

(2) It shall come into force at once.

2. *Amendment of section 2B.*—In section 2B of the Kerala Payment of Pension to Members of Legislature Act, 1976 (46 of 1976) (hereinafter referred to as the Principal Act), in sub-section (1), for the words “Twelve thousand rupees” the words “Twenty four thousand rupees” shall be substituted.

3. *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 (Rs.)</i>
For any period below two years	6,000
For two years in the aggregate	7,000
For three years in the aggregate	8,000
For four years in the aggregate	9,000
For five years in the aggregate	10,000

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 seven hundred and fifty 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.”

STATEMENT OF OBJECTS AND REASONS

The last revision of pension and other allowances to the Ex-Members of the Legislative Assembly was made in the year 2008 by Act 26 of 2008. For the last three years, the price of all the commodities including petrol, diesel, electricity, telephone charges etc. has increased manifold. Considering the above, the Hon'ble Speaker in consultation with the Hon'ble Chief Minister, appointed Mr. Justice R. Rajendra Babu, Retired Judge, High Court of Kerala to study and make recommendations to enhance the pension and other allowances payable to the Ex-Members of the Kerala Legislative Assembly and also to examine and suggest necessary amendments to the Payment of Pension to Members of Legislature Act, 1976 and matters connected therewith. Justice R. Rajendra Babu Commission submitted its report on 14th October, 2011 containing various recommendations. On the basis of the recommendations of the Commission, the Government have decided to enhance the pension and other allowances payable to Ex-Members of the Kerala Legislative Assembly and to make necessary amendments in the Payment of Pension to Members of Legislature Act, 1976.

2. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend sub-section (1) of section 2B of the Principal Act to enhance the cost of fuel/rail coupon payable to Ex-Members of the Legislative Assembly from rupees twelve thousand to rupees twenty-four thousand per year.

2. Clause 3 of the Bill seeks to amend the Schedule of the Principal Act to enhance the rate of pension payable to the Ex-Members of the Legislative Assembly and also to omit the maximum ceiling limit of pension.

3. The Bill if enacted and brought into operation would involve a considerable amount of expenditure of a recurring nature for its implementation. The actual expenditure that may have to be incurred on this account from the Consolidated Fund of the State cannot be estimated now with any reasonable degree of accuracy at this stage.

OOMMEN CHANDY

EXTRACT FROM THE RELEVANT PORTIONS OF THE PAYMENT OF
PENSION TO MEMBERS OF LEGISLATURE ACT, 1976

(ACT 46 OF 1976)

** ** * * * *

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 utilize 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.

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SCHEDULE

[See section 2(1)]

Rate of Pension

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

Provided that where any person has served as a member as stated in subsection (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.
