

# Tamil Nadu Payment of Salaries Act, 1951

TAMILNADU

India

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### Act 20 of 1951

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Tamil Nadu Payment of Salaries Act, 1951(Tamil Nadu Act 20 of 1951)Statement of Objects and Reasons - Madras Payment of Salaries and Removal of Disqualifications (Amendment) Act, 1962 (Tamil Nadu Act 13 of 1962). - Sections 3, 4(1) and 5(1) of the Madras Payment of Salaries and Removal of Disqualifications Act, 1951 (Madras Act XX of 1951) provides for the payment to the Ministers, the Speaker of the Legislative Assembly and the Chairman of the Legislative Council, of a house rent allowance of two hundred and fifty rupees per mensem; but the house rent allowance is not payable to any Minister, the Speaker or the Chairman if he occupies a house provided by the State Government free of rent. Furniture and other amenities are also provided in the residences of Ministers, the Speaker and the Chairman with reference to executive orders issued by the State Government. It is proposed to amend the Act so as to give statutory effect to the supply of such furniture and providing of amenities.2. Sub-section (1) of section 5 of the Act provides for the payment to the Chairman of the Legislative Council of a salary of one thousand rupees per mensem, a house rent allowance of two hundred and fifty rupees per mensem and a conveyance allowance of two hundred and fifty rupees per mensem. But, the house rent allowance is not payable, if the Chairman occupies a house provided by the State Government free of rent. Under section 7 of the Act, suitable conveyance is provided for the use of the Chairman subject to such rules regarding its maintenance and repair as may be made by the State Government. The Chairman is also entitled to travelling and daily allowances under section 8 and with reference to the rules made under section 9 of the Act. According to section 9-A of the Act, while the office of Speaker is vacant and the duties of the office are performed by the Deputy Speaker or a Member of the Legislative Assembly, the Deputy Speaker or the Member shall, during the period he so performs such duties, be paid salary and allowances of the Speaker and be entitled to avail himself of the other privileges attached to the office of the Speaker. It is proposed to make similar provision in the Act in regard to the Deputy Chairman or a Member of the Legislative Council appointed to perform the duties of the office of the Chairman as provided in clause (1) of article 184 of the Constitution.3. Under section 10 of the Act, a Minister and the members of his family are entitled free of charge, to accommodation in hospitals maintained by the State Government and also to medical treatment, subject to such conditions as may be determined, by the rules made by the State Government. It is proposed to extend to the Speaker and the Chairman the facilities that are admissible to the Ministers under section 10 of the

Act.4. The salary drawn by the Members of the State Legislature is not treated as income for the grant of the following educational concessions to their children: -(a) Educational concession under rule 92 of the Madras Educational Rules;(b) Harijan Welfare Scholarships; and(c) Educational concessions under the scheme of financial assistance to the children of political sufferers.The concession mentioned above is already availed of by the Members of the State Legislature with reference to the executive orders of Government. It has been proposed that the salary drawn by the Members of the Legislature need not be treated as income for the purpose of affording the Members and their families medical attendance and treatment in the medical institutions maintained by the State Government. As the Government are advised that executive instructions regarding educational and medical concessions will not be in order, it is proposed to make specific provision in the Act for the purpose.5. Section 14 of the Act empowers the State Government to make rules for carrying out the purposes of the Act. The section does not provide, for the laying of the rules before the State Legislature. The Committee on Subordinate Legislation has recommended that provision should be made in all Acts for the placing of rules on the table of both Houses of the Legislature. It is proposed to suitably amend section 14 of the Act to give effect to the above recommendation.6. The Bill seeks to achieve the above objects.Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 28th July 1962.Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 1973 (Tamil Nadu Act 28 of 1973). - It has been decided that the Members of the Legislature of this State should be allowed to travel free of cost in the buses of the State Transport Department and of the Transport Corporations owned by the Government till such time as they hold office as Members of the Legislature,2. As the grant of passes for free travel in the buses of the State Transport Department and of the Transport Corporations is of a permanent nature and the concession granted to the Members of the Legislature is of considerable financial importance, the Accountant-General, Tamil Nadu, has suggested that it would be more appropriate if suitable provision regarding this concession is incorporated in the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951). The Government have accepted the Accountant-Generals suggestion and decided to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951) by undertaking legislation.3. This Bill seeks to give effect to the above decision.Published in Part IV - Section 3 of the Tamil Nadu Government Gazette Extraordinary, dated the 3rd August 1973.Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Second Amendment) Act, 1973 (Tamil Nadu Act 40 of 1973). - Under section 7 of the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), the maintenance and repair of conveyances for the use of the Ministers, the Speaker, the Deputy Speaker, the Chairman, the Deputy Chairman, the Leader of the Opposition in the Legislative Assembly, the Leader of the Opposition in the Legislative Council, the Chief Government Whip in the Legislative Assembly and the Government Whip in the Legislative Council are governed by the rules made by the State Government. It has been decided that the supply of petrol for such conveyances may also be governed by the rules made by the State Government. No conveyance allowance will be admissible to the Ministers, Speaker, etc., and accordingly, it is proposed to omit references to conveyance allowance admissible under the Act to the Ministers, Speaker, etc.2. The Bill seeks to achieve the above object.Published in Part IV - Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 30th November 1973.Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 1989 (Tamil Nadu Act 11 of 1989). - The Government have decided to equate the salary of the post of Parliamentary Secretary to that of the post of Deputy Speaker, Tamil Nadu

Legislative Assembly and also provide a car to the Parliamentary Secretary instead of the conveyance allowance. The Government have also decided to omit the reference to Chief Parliamentary Secretary in the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951). The Government have further decided to stop payment of pension with retrospective effect to an ex-legislator who ceases to be a citizen of India or who has voluntarily acquired the citizenship of a foreign State, or is under any acknowledgment of allegiance or adherence to a foreign State.<sup>2</sup> To give effect to the above decisions, it has been proposed to amend sections 6, 6-B, 7, 10 and 12-B of the said Act, suitably.<sup>3</sup> The Bill seeks to achieve the above objects. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 27th April 1989. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Second Amendment) Act, 1989 (Tamil Nadu Act 33 of 1989). - The Government have decided to increase the salary of the Deputy Speaker, Parliamentary Secretary and the Leader of the Opposition from Rs. 1,700 to Rs. 1,900 per mensem and also to increase the compensatory allowance payable to the Members of the Legislative Assembly from Rs. 500 to Rs. 700 per mensem. The Government have also decided that the above increased pay and allowances shall be given with effect from the 1st June 1989.<sup>2</sup> The Bill seeks to give effect to the above decisions. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 31st October 1989. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 1990 (Tamil Nadu Act 4 of 1990). - The Government have decided to pay a lump sum allowance of Rs. 50,000 (Rupees fifty thousand only) to the family of any member of the Legislative Assembly, who dies before the expiry of the term of his office. The Government have also decided that the payment of the said allowance shall be given with effect on and from the 27th January 1989.<sup>2</sup> The Bill seeks to give effect to the above decision. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 19th January 1990. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Second Amendment) Act, 1990 (Tamil Nadu Act 37 of 1990). - The Government have decided to increase the pay and allowances of Ministers including the Chief Minister, the Speaker, the Deputy Speaker, the Parliamentary Secretary, the Leader of the Opposition and members of the Legislative Assembly as given below with effect from the 1st May 1990: -(a) The salary given to Ministers including Chief Minister and the Speaker will be enhanced from Rs. 2,100 to Rs. 3,000 per month; (b) The salary of the Deputy Speaker, Parliamentary Secretary and the Leader of the Opposition will be enhanced from Rs. 1,900 per month to Rs. 2,700 per month; (c) The salary of the Members will be enhanced from Rs. 600 to 1,000 per month; (d) The compensatory allowance given to the Members will be enhanced from Rs. 700 to Rs. 800 per month; (e) The telephone allowance given to the members will be enhanced from Rs. 450 to Rs. 700 per month; (f) Transit allowance given to the members will be enhanced from Rs. 5,650 to Rs. 7,000 per annum; (g) Pension to former Members of Legislature is increased from Rs. 300 to Rs. 500 at the maximum subject to maximum pension of Rs. 1,000 instead of Rs. 600 per month; (h) The Government have also decided to give financial assistance to every member of the Legislative Assembly, including any such member who holds any of the offices referred to in sections 3, 4, 6 and 6A, who on prior intimation to the State Government, undergoes surgery relating to heart, kidney or any other part of the body, which the State Government may consider to be a major surgery, in any hospital maintained by the Central Government, any State Government or any Union Territory Administration or in any private hospitals situated in the territory of India. To give effect to the above decisions it has become necessary to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably.<sup>2</sup> The Bill seeks to give

effect to the above decisions. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 21st August 1990. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 1992 (Tamil Nadu Act 33 of 1992). - The Government have decided to grant "Constituency Allowance" of rupees 250 per month for every member of the Legislative Assembly, including nominated members, but excluding any such member who holds the office of Minister, Speaker, Deputy Speaker, Parliamentary Secretary, Chief Government Whip or Leader of the Opposition, with effect from the 1st September 1991. 2. It has also been decided to avail this opportunity to delete or modify certain words which were not covered in the Tamil Nadu Adaptation of Laws Order, 1987. 3. To give effect to the above decisions, it has become necessary to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951) suitably. 4. The Bill seeks to give effect to the above decisions. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 21st April 1992. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 1994 (Tamil Nadu Act 31 of 1994). - In pursuance of an assurance given by the then hon'ble Minister for Education that a scheme for the benefit of the family members of a Member of the Legislative Assembly who expired during the period as such Member will be taken up in consultation with the Life Insurance Corporation of India. The Government, in consultation with the Life Insurance Corporation, have decided to introduce Group Insurance Scheme to the Members of the Legislative Assembly including Ministers, Speaker, Deputy Speaker, Parliamentary Secretary, Leader of the Opposition and the Chief Government Whip by paying annual premium amount fixed by the Life Insurance Corporation for such Group Insurance Scheme. The Government have also decided to recover a token sum of Rs. 300 per year from the salary of each member towards contribution to such Group Insurance Scheme and if any Member relinquishes the whole of the salary or allowance, then, the above token amount will not be recovered from such Member. 2. The Bill seeks to give effect to the above decision. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 2nd May 1994. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Second Amendment) Act, 1994 (Tamil Nadu Act 35 of 1994). - The Government have decided to increase the salary of Ministers including the Chief Minister, the Speaker, the Deputy Speaker, the Leader of Opposition, the Chief Government Whip and Members of the Legislative Assembly as given below, with effect from the 1st April 1993. (a) The salary of Ministers, including Chief Minister and the Speaker will be enhanced from Rs. 3,000 to Rs. 3,500 per month. (b) The salary of the Deputy Speaker, the Leader of Opposition and the Chief Government Whip will be enhanced from Rs. 2,700 to Rs. 3,200 per month. (c) The salary of the Members of Legislative Assembly will be enhanced from Rs. 1,000 to Rs. 1,250 per month. 2. The Government have also decided to grant "postal allowance" of Rs. 250 per mensem for every member of the Legislative Assembly excluding any such member who holds the office of Ministers, Speaker, Deputy Speaker, Parliamentary Secretary, Chief Government Whip or Leader of the Opposition with effect from the 1st April 1993. 3. To give effect to the above decisions, it has become necessary to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951) suitably. 4. The Bill seeks to give effect to the above decisions. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 2nd May 1994. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Third Amendment) Act, 1994 (Tamil Nadu Act 57 of 1994). - The Government have decided to increase the salary of Ministers including the Chief Minister, the Speaker, the Deputy Speaker, the Leader of Opposition, the Chief Government Whip and Members of the Legislative Assembly as given below with effect from 1st

April 1994: -(a) The salary of Ministers including Chief Minister and the Speaker will be enhanced from Rs. 3,500 to Rs. 4,500 per month.(b) The salary of the Deputy Speaker, the Leader of Opposition and the Chief Government Whip will be enhanced from Rs. 3,200 to Rs. 4,000 per month.(c) The salary of the Members of Legislative Assembly will be enhanced from Rs. 1,250 to Rs. 1,500 per month.2. The Government have also decided to increase the compensatory allowance from Rs. 800 per month to Rs. 1,000 per month, the constituency allowance from Rs. 250 per month to Rs. 300 per month, and the postal allowance from Rs. 250 per month to Rs. 350 per month for every member of the Legislative Assembly excluding any such member who holds the office of Ministers, Speaker, Deputy Speaker, Parliamentary Secretary, Chief Government Whip or Leader of the Opposition with effect from the 1st April 1994.3. The Government have also decided to increase the pension to the former members of the Legislature from Rs. 500 per month to Rs. 700 per month subject to the maximum Pension of Rs. 1,400 per month instead of Rs. 1,000 per month.4. The Government have also decided to provide one free non-transferable bus pass to the former members of the Legislature which shall entitle them to travel at any time within any part of the State of Tamil Nadu by any bus run or operated by any Transport Corporation owned by the State Government.5. To give effect to the above decisions, it has become necessary to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951) suitably.6. The Bill seeks to give effect to the above decisions.Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 4th November 1994.Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 1995 (Tamil Nadu Act 11 of 1995). - The Government have decided to restrict a Member of the Legislative Assembly who possesses a free railway pass issued by the Central Government or by any authority for having been a Member of Parliament, from claiming transit by railway allowance under section 12-A of the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951).2. The Bill seeks to give effect to the above decision.Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 17th April 1995.Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Second Amendment) Act, 1995 (Tamil Nadu Act 22 of 1995). - According to section 8-A(3) of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (Central Act 30 of 1954), Ex-Members of Parliament are eligible to receive pension as Ex-Members of Parliament in addition to any other pension.2. The Government have decided to make the persons who have served as M. L. A.s or as M. L. C.s or as both, who are in receipt of pension as Ex-Members of Parliament, also entitled to receive the State Legislator's pension, in addition to the pension for having been a Member of Parliament and to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably for the purpose.3. The Bill seeks to give effect to the above decision.Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 24th April 1995.Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Third Amendment) Act, 1995 (Tamil Nadu Act 40 of 1995). - The Government have decided to increase the salary of Ministers including the Chief Minister, the Speaker, the Deputy Speaker, the Leader of Opposition, the Chief Government Whip and Members of the Legislative Assembly as given below with effect from the 1st April 1995: -(a) The salary of Ministers including Chief Minister and the Speaker will be enhanced from Rs. 4,500 to Rs. 5,000 per mensem.(b) The salary of the Deputy Speaker, the Leader of Opposition and the Chief Government Whip will be enhanced from Rs. 4,000 to Rs. 4,500 per mensem.(c) The salary of the Members of Legislative Assembly will be enhanced from Rs. 1,500 to Rs. 1,700 per mensem.2. The Government have also decided to increase the Telephone allowance

from Rs. 800 per mensem to Rs. 900 per mensem, the constituency allowance from Rs. 300 per mensem to Rs. 400 per mensem, and the postal allowance from Rs. 350 per mensem to Rs. 450 per mensem for every member of the Legislative Assembly excluding any such member who holds the office of Ministers, Speaker, Deputy Speaker, Parliamentary Secretary, Chief Government Whip or Leader of the Opposition with effect from the 1st April 1995.<sup>3</sup> The Government have also decided to increase the minimum pension to the former members of the Legislature from Rs. 700 per mensem to Rs. 800 per mensem subject to the maximum pension of Rs. 1,500 per mensem instead of Rs. 1,400 per mensem, and the additional pension from Rs. 50 to Rs. 100 per mensem for every further period of one year exceeding five years.<sup>4</sup> To give effect to the above decisions, it has become necessary to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951) suitably.<sup>5</sup> The Bill seeks to give effect to the above decisions. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 3rd November 1995. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 1998 (Tamil Nadu Act 40 of 1998). - The Government have decided to increase the compensatory allowance of the Ministers including Chief Minister, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Government Whip and to increase the telephone allowances, postal allowance and the constituency allowance to members of the Legislative Assembly as given below with effect from the 1st June 1998: -(a) The compensatory allowance of the Ministers including Chief Minister, the Speaker, the Deputy Speaker, the Leader of the Opposition and the Chief Government Whip will be enhanced from Rs. 2,000 to Rs. 3,000 per mensem. (b) The telephone allowance of the Members of the Legislative Assembly will be enhanced from Rs. 1,250 to Rs. 1,750 per mensem. (c) Both the postal allowance and the constituency allowance of the Members of the Legislative Assembly will be enhanced from Rs. 625 to Rs. 875 per mensem.<sup>2</sup> The Government have also decided to. -(a) enhance the lump sum allowance to the family of deceased member from Rs. 50,000 to Rs. 1,00,000; (b) enhance the family allowance paid to the family of a member, who dies before the expiry of his term of office from Rs. 250 to Rs. 500 per mensem for the unexpired portion of his term of office; (c) pay a sum of Rs. 2,000 as monthly pension to former members who had served as members for a period less than one year; (d) enhance the monthly pension to former members who had served as members for a period of more than one year but below five years from Rs. 1,250 to Rs. 3,000 per mensem; (e) enhance the maximum amount of pension payable to the members who have served for a period exceeding five years from Rs. 2,500 to Rs. 5,000 per mensem.<sup>3</sup> To give effect to the above decisions, the Government have decided to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably.<sup>4</sup> The Bill seeks to give effect to the above decisions. Published in Part IV - Section of the Tamil Nadu Government Gazette, Extraordinary, dated the 23rd November 1998. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 2000 (Tamil Nadu Act 36 of 2000). - The Government have decided -(a) to sanction a consolidated allowance of Rs. 2,000 per mensem to every Member of the Legislative Assembly, who does not hold any of the offices referred to in sections 3, 4, 6 and 6-A of the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951) towards the payment by such Member, to an attendant who renders assistance to him; (b) to allot apartments to Members of the Legislative Assembly by Government on collection of a rent of rupees two hundred and fifty per mensem; and (c) to sanction a sum of Rs. 2,500 per mensem as family pension to the family of a Member of the Legislative Assembly in the event of the demise of the Member before the expiry of the term of his office.<sup>2</sup> The Government have decided to give effect to the above decisions and to

amend the said Tamil Nadu Act XX of 1951, suitably.<sup>3</sup> The Bill seeks to give effect to the above decisions. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 11th November 2000. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 2005 (Tamil Nadu Act 5 of 2005). - 1. The Government have decided to, -(a) enhance the compensatory allowance payable to -(i) the Chief Minister, each of the other Ministers, Speaker/Deputy Speaker, Leader of the Opposition and Chief Government Whip from Rs. 3,000 to Rs. 6,000 per mensem; (ii) each of the Members of the Legislative Assembly from Rs. 3,500 to Rs. 4,000 per mensem; (b) enhance the salary of the Deputy Speaker, Leader of the Opposition and Chief Government Whip from Rs. 6,500 to Rs. 7,000 per mensem; (c) enhance the following allowances payable to each of the Members of the Legislative Assembly per mensem; -(i) constituency allowance from Rs. 875 to Rs. 2,000; (ii) postal allowance from Rs. 875 to Rs. 1,500; (iii) allowances to the family of the deceased Member who expired before the expiry of his term, from Rs. 500 to Rs. 1,000; (iv) telephone allowance from Rs. 2,750 to Rs. 4,000; (v) consolidated allowance from Rs. 2,000 to Rs. 2,500. 2. Government have also decided to sanction, -(a) a contingency allowance to the Chief Minister, each of the other Ministers and Speaker of Rs. 3,000 per mensem and also Rs. 2,000 per mensem as constituency allowance; (b) a contingency allowance to the Deputy Speaker, Leader of the Opposition and Chief Government Whip of Rs. 2,500 per mensem and also Rs. 2,000 per mensem as constituency allowance. 3. The Government have decided to enhance and sanction, as the case may be, the aforesaid allowances and salary with effect from the 15th September 2001. 4. The Government have also decided to enhance the pension to the former members of the Legislative Assembly or of the Legislative Council from Rs. 5,000 per mensem to Rs. 6,000 per mensem with effect from the 1st April 2005. 5. To give effect to the above decisions, the Government have decided to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably. 6. The Bill seeks to give effect to the above decisions. Published in Part IV - Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 23rd September 2005. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 2006 (Tamil Nadu Act 24 of 2006). - The Government have decided to enhance the family pension to the family of the Members of the Legislative Assembly, who die before the expiry of the term of their office, from Rs. 2,500 to Rs. 3,000 per mensem with effect from the 1st April 2005. 2. To give effect to the above decision, it has become necessary to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably. 3. The Bill seeks to give effect to the above decision. Published in Part IV - Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 17th August 2006. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Second Amendment) Act, 2006 (Tamil Nadu Act 31 of 2006). - The Government have decided to enhance the Compensatory Allowance from Rs. 6,000 to Rs. 8,000 per mensem and Constituency Allowance from Rs. 2,000 to Rs. 4,000 per mensem to Hon'ble Speaker, Hon'ble Ministers, Deputy Speaker, Leader of Opposition and Chief Government Whip with effect from 1-9-2006. Similarly, it has been decided to enhance the Compensatory Allowance from Rs. 4,000 to Rs. 6,000 per mensem and Constituency Allowance from Rs. 2,000 to Rs. 4,000 per mensem to Members of Legislative Assembly with effect from 1-9-2006. 2. To give effect to the above decisions, it has become necessary to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably. 3. The Bill seeks to give effect to the above decision. Published in Part IV - Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 5th December 2006. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 2007

(Tamil Nadu Act 31 of 2007). - The Government have decided to enhance, - (a) the pension from Rs. 6,000 to Rs. 7,000 per mensem to the Ex-Members of the Legislative Assembly or of the Legislative Council; (b) the Transit by Railway Allowance from Rs. 15,000 to Rs. 20,000; (c) to enhance the pension from Rs. 3,000 to Rs. 4,000 per mensem to the Members of the Legislative Assembly or of the Council who served less than one year; and (d) to enhance the family pension of Rs. 3,000 to Rs. 3,500 per mensem to the family of any Member of the Legislative Assembly, who died on or after the 15th day of November 1996 and before the expiry of the term of his office.

2. The Government have also decided to sanction, - (a) family pension of Rs. 3,000 per mensem to the families of Ex-Members of Legislative Assembly or of the Legislative Council, who died before 1st April 1999; and (b) a vehicle allowance of Rs. 5,000 per mensem to the members of the Legislative Assembly.

3. It has also been decided to provide that whenever there is an increase in pension to the members of Legislative Assembly, the family entitled to family pension under sub-section (2-B) of section 12-B shall also be entitled to receive fifty per cent of such increase in pension in addition to the existing family pension received by him.

4. The Government have also decided to give effect to the above decisions with effect from 1st April 2007.

5. To give effect to the above decisions, it has become necessary to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably.

6. The Bill seeks to give effect to the above decisions. Published in Part IV - Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 19th October 2007.

Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 2008 (Tamil Nadu Act 6 of 2008). - The Government have decided to sanction family pension to the family of the Member of the Legislative Assembly, who died before the 15th November 1996 and before the expiry of the term of his office and to the family of the Member of the Legislative Council, who died on or before the 31st October 1986 and before the expiry of the term of his office, at the rate of Rs. 3,500 per mensem with effect from the 1st October 2007.

2. To give effect to the above decision, it has become necessary to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably.

3. The Bill seeks to give effect to the above decision. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 1st February 2008.

Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008). - The Government have decided to, - (a) enhance the salary of, - (i) the Chief Minister, each of the other Ministers, Speaker, Deputy Speaker, Leader of the Opposition and Chief Government Whip from Rs. 7,000 to Rs. 8,000 per mensem; (ii) each of the Members of the Legislative Assembly from Rs. 2,000 to Rs. 3,000 per mensem; (b) enhance the compensatory allowance payable to - (i) the Chief Minister, each of the other Ministers, Speaker, Deputy Speaker, Leader of the Opposition and Chief Government Whip from Rs. 8,000 to Rs. 10,000 per mensem; (ii) each of the Members of the Legislative Assembly from Rs. 6,000 to Rs. 7,000 per mensem; (c) enhance the contingency allowance payable to - (i) the Chief Minister, each of the other Ministers and Speaker from Rs. 3,000 to Rs. 4,000 per mensem; (ii) the Deputy Speaker, Leader of the Opposition and Chief Government Whip from Rs. 2,500 to Rs. 3,500 per mensem; (d) enhance the constituency allowance payable to - (i) the Chief Minister, each of the other Ministers, Speaker, Deputy Speaker, Leader of the Opposition, Chief Government Whip and each of the Members of the Legislative Assembly from Rs. 4,000 to Rs. 5,000 per mensem; (e) enhance the following allowances payable to each of the Members of the Legislative Assembly per mensem: - (i) telephone allowance from Rs. 4,000 to Rs. 5,000; (ii) postal allowance from Rs. 1,500 to Rs. 2,500; (f) enhance the pension to the former Members of the Legislative Assembly or of the Legislative Council or both who was holding office for



one term from Rs. 7,000 to Rs. 8,000 per mensem;(g) enhance the family pension of Rs. 3,500 to Rs. 4,000 per mensem to the family of the deceased Member of Legislative Assembly and Member of Legislative Council who died before the expiry of the term of office.<sup>2</sup> The Government have also decided to enhance the aforesaid allowances and salary with effect from 1st April 2008.<sup>3</sup> To give effect to the above decisions, the Government have decided to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably.<sup>4</sup> The Bill seeks to give effect to the above decisions. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 2nd December 2008. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 2009 (Tamil Nadu Act 13 of 2009). - In G. O. Ms. No. 467, Publish (Special.B) Department, dated 29-05-2009, His Excellency the Governor has appointed Thiru M. K. Stalin, Minister of Rural Development and Local Administration as Deputy Chief Minister with immediate effect. Consequent on the appointment of Deputy Chief Minister in the said Government Order, it is proposed to amend section 3 of the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), so as to include the term "Deputy Chief Minister" therein.<sup>2</sup> The Bill seeks to give effect to the above proposal. Published in Part IV - Section 1 of the Tamil Nadu Government Gazette Extraordinary, dated the 20th July 2009. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 2010 (Tamil Nadu Act 1 of 2010). - The Government have decided to, - (a) enhance the salary of each of the Members of the Legislative Assembly from Rs. 3,000 to Rs. 8,000 per mensem; (b) enhance the vehicle allowance of each of the Members of the Legislative Assembly from Rs. 5,000 to Rs. 20,000 per mensem; (c) enhance the pension to the former Members of the Legislative Assembly or of the Legislative Council from Rs. 8,000 to Rs. 10,000 per mensem; (d) remove the existing classification in the matter of family pension paid in accordance with the period of services rendered by the former members of the Legislature and to enhance the family pension to the legal heirs of those former Members at a uniform rate of Rs. 5,000 per mensem; (e) to make eligible for accommodation free of charge and also to provide medical treatment to the legal heirs of the deceased Members of the Legislative Assembly or of the Legislative Council in the hospitals maintained by the State Government.<sup>2</sup> The Government have also decided to enhance the aforesaid allowances and salary with effect from 1st April 2009.<sup>3</sup> To give effect to the above decisions, the Government have decided to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably.<sup>4</sup> The Bill seeks to give effect to the above decisions. Published in Part IV - Section 1 page 3 of the Tamil Nadu Government Gazette Extraordinary, dated the 8th January 2010. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 2011. - The Government have decided to provide for sanction of pension to the family of any person who had been or is a Member of Legislative Assembly or of the Legislative Council or of both whose whereabouts are not known.<sup>2</sup> To give effect to the above decision, the Government have decided to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951) suitably.<sup>3</sup> The Bill seeks to give effect to the above decision. Statement of Objects and Reasons - Tamil Nadu Payment of Salaries (Amendment) Act, 2012. - The Government have decided to enhance, on and from the 1st day of September, 2011, - (a) the Constituency Allowance payable to the Chief Minister, each of the other Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition, the Chief Government Whip and each of the members of the Legislative Assembly, from Rs. 5,000/- to Rs. 10,000/- per mensem; (b) the pension payable to each of the former Members of the Legislative Assembly or of the Legislative Council, from Rs. 10,000/- to Rs. 12,000/- per mensem; (c) the family pension payable to the family

of a deceased Member of the Legislative Assembly or Member of the Legislative Council, from Rs.5,000/- to Rs.6,000/- per mensem.<sup>2</sup> To give effect to the above decisions, the Government have decided to amend the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), suitably.<sup>3</sup> The Bill seeks to give effect to the above decision. Received the assent of the Governor on the 10th September 1951 and first published in the Fort St. George Gazette Extraordinary dated the 11th September 1951. An Act to provide for the salaries and allowances of Ministers, the Speaker and the Deputy Speaker, Parliamentary Secretaries, Leader of the Opposition, Chief Government Whip and Members of the Legislative Assembly. Whereas it is expedient to provide by an Act of the Legislature for the salaries and allowances of Ministers, the Speaker and the Deputy Speaker, Parliamentary Secretaries, Leader of the Opposition, Chief Government Whip and Members of the Legislative Assembly. It is hereby enacted as follows: -

## **1. Short title.**

- This Act may be called the Tamil Nadu Payment of Salaries Act, 1951.

## **2. Definitions.**

- In this Act -(1)[Omitted] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November 1986).]. (2) "Speaker" and "Deputy Speaker" means the Speaker and Deputy Speaker respectively of the Legislative Assembly.

## **3. Salaries and Allowances of Ministers.**

- [(1) There shall be paid to [the Chief Minister, Deputy Chief Minister] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1997 (Tamil Nadu Act 52 of 1997) (with effect from 1st April 1997).] and to each of the other Ministers who are members of the Governor's Council of Ministers, a salary of [eight thousand rupees per [mensem] [Substituted for 'seven thousand rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008).]] and, subject to such maximum limit, as may be prescribed, a house rent of such sum per mensem as the Public Works Department of the State Government may, from time to time, fix with reference to the prevailing rate of rent for the house the Minister occupies in the City of [Chennai] [Substituted for the word 'Madras' by City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).]; but the house rent shall not be paid to any Minister if he occupies a house provided by the State Government free of rent.](2) There shall be paid to [the Chief Minister, Deputy Chief Minister] [Substituted for the expression 'the Chief Minister' by Tamil Nadu Payment of Salaries (Amendment) Act, 2009 (Tamil Nadu Act 13 of 2009).] and to each of the other ministers who are members of the Governor's Council of Ministers, a compensatory allowance of [ten thousand rupees per mensem] [Substituted for 'eight thousand rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008).]. (3) There shall be paid to [the Chief Minister, Deputy Chief Minister] [Substituted for the expression 'the Chief Minister' by Tamil Nadu Payment of Salaries (Amendment) Act, 2009 (Tamil Nadu Act 13 of 2009).] and to each of the other Ministers who are Members of the Governor's Council of Ministers. -(a) a contingency allowance of [four thousand rupees per mensem] [Substituted for 'three thousand

rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008).]; and(b)a constituency allowance of [ten thousand rupees per mensem] [Substituted for 'five thousand rupees per mensem' by Act No. 2 of 2012, dated. 9.2.2012, w.r.e.f. 1.9.2011.].

#### **4. Salaries and Allowances of Speaker and Deputy Speaker.**

(1)There shall be paid to the Speaker a salary of [eight thousand rupees per mensem] [Substituted for 'seven thousand rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008).] and, subject to such maximum limit, as may be prescribed, a house rent of such sum per mensum as the Public Works Department of the State Government may, from time to time, fix with reference to the prevailing rate of rent for the house the Speaker occupies in the City of Chennai; but the house rent shall not be paid to the Speaker if he occupies a house provided by the State Government free of rent.(2)[ There shall be paid to the Deputy Speaker a salary of [eight thousand rupees [per mensem] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1979 (Tamil Nadu Act 24 of 1979) (with effect from 1st April 1978).]] and, subject to such maximum limit as may be prescribed, a house rent of such sum per mensem as the Public Works Department of the State Government may, from time to time, fix with reference to the prevailing rate of rent for the house the Deputy Speaker occupies in the City of Chennai; but the house rent shall not be paid to the Deputy Speaker if he occupies a house provided by the State Government free of rent.](3)[ There shall be paid to the Speaker and Deputy Speaker, a compensatory allowance of [ten thousand rupees per mensem.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1997 (Tamil Nadu Act 52 of 1997) (with effect from 1st April 1997)]](4)(a)There shall be paid to the Speaker, -(i)a contingency allowance of [four thousand rupees per mensem] [Substituted for 'three thousand rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008).]; and(ii)a constituency allowance of [ten thousand rupees per mensem] [Substituted for 'five thousand rupees per mensem' by Act No. 2 of 2012, dated 9.2.2012, w.r.e.f. 1.9.2011.].(b)There shall be paid to the Deputy Speaker, -(i)a contingency allowance of [three thousand and five hundred rupees per mensem] [Substituted for 'two thousand and five hundred rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008).]; and(ii)a constituency allowance of [ten thousand rupees per mensem] [Substituted for 'five thousand rupees per mensem' by Act No. 2 of 2012, dated 9.2.2012, w.r.e.f. 1.9.2011.].

#### **5. [ [Omitted Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November 1986).]**

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#### **6. [ Salaries, allowances of Parliamentary Secretary. [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1989 (Tamil Nadu Act 11 of 1989) (with effect from 1st April 1986).]**

- (i) There shall be paid to each of the Parliamentary Secretaries a salary of [two thousand and seven hundred rupees] per mensem'. [(1-A) There shall be paid to each of the Parliamentary Secretaries [Subject to such maximum limit] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1981 (Tamil Nadu Act 38 of 1981) (with effect from 9th June 1980).], as may be prescribed, a house rent of such sum per mensem as the Public Works Department of the State Government may, from time to time, fix with reference to the prevailing rate of rent for the house the Parliamentary Secretary occupies in the City of Chennai; but the house rent shall not be paid [if he occupies a house provided by the State Government] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1989 (Tamil Nadu Act 11 of 1989) (with effect from 1st April 1986).] free of rent.]] (2) [\*\*\*] [Omitted vide Tamil Nadu Payment of Salaries (Amendment) Act, 1989 (Tamil Nadu Act 11 of 1989) (with effect from 1st April 1986)]

## **6A. [ [Vide Tamil Nadu Tamil Nadu Act 24 of 1979, w.e.f 1.4.1978.]**

(1) There shall be paid to the Leader of the Opposition in the Legislative Assembly a salary of [eight thousand rupees per mensem] and subject to such maximum limit, as may be prescribed, a house rent of such sum per mensem as the Public Works Department of the State Government may, from time to time, fix with reference to the prevailing rate of rent for the house, the Leader of Opposition in the Legislative Assembly occupies in the City of Chennai; but the house rent shall not be paid to the Leader of the Opposition in the Legislative Assembly if he occupies a house provided by the State Government free of rent; Provided that clause (a) of sub-section (1) of section 12 shall not apply to the holder of the office mentioned in this sub-section. (2) There shall be paid to the Chief Government Whip in the Legislative Assembly a salary of [eight thousand rupees [per mensem] [Substituted for 'seven thousand rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008).]] and, subject to such maximum limit, as may be prescribed, a house rent of such sum per mensem as the Public Works Department of the State Government may, from time to time, fix with reference to the prevailing rate of rent for the house the Chief Government Whip in the Legislative Assembly occupies in the city of Chennai; but the House rent shall not be paid to the Chief Government Whip in the Legislative Assembly [if he occupies a house provided by the State Government] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November 1986).] free of rent. [Provided that clause (a) of sub-section (1) of section 12 shall not apply to the holder of the office mentioned in this sub-section.] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1995 (Tamil Nadu Act 40 of 1995) (with effect from 1st April 1995)] (3) [ There shall be paid to the Leader of the Opposition and Chief Government Whip in the Legislative Assembly, a compensatory allowance of [ten thousand rupees per mensem] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1997 (Tamil Nadu Act 52 of 1997) (with effect from 1st April 1997)]] (4) There shall be paid to the Leader of the Opposition and Chief Government Whip in the Legislative Assembly, - (i) a contingency allowance of [three thousand and five hundred rupees per mensem] [Substituted for 'two thousand and five hundred rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008).]; and (ii) a constituency allowance of [ten thousand rupees per mensem] [Substituted for 'five thousand rupees per mensem' by Act No. 2 of 2012, dated 9.2.2012, w.r.e.f. 1.9.2011.].]

## **6B. Houses to be furnished and maintained at the cost of Government in certain cases.**

(1)Where a Minister, the Speaker, [the Deputy Speaker, a Parliamentary Secretary] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1979 (Tamil Nadu Act 24 of 1979) (with effect from 1st April 1978).], the Leader of the Opposition in [the Legislative Assembly] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November 1986).] or the Chief Government Whip in [the Legislative Assembly] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November 1986).] occupies any house provided by the State Government free of rent, such house shall, at the cost of the State Government, be furnished and maintained and be provided with such amenities as may be prescribed.Explanation. - For the purpose of this sub-section "maintained" in relation to a house includes paying local rates and taxes and providing electricity and water.(2)Where a Minister, the Speaker, the Deputy Speaker, a Parliamentary Secretary, the Leader of Opposition in [the Legislative Assembly] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November 1986).] or the Chief Government Whip in [the Legislative Assembly] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November 1986).] is paid a house rent under sections 23,4,6 or 6-A, as the case may be, the house which he occupies in the City of Chennai shall, at the cost of State Government be [furnished and maintained and be provided with such "amenities" as may be prescribed.] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1981 (Tamil Nadu Act 38 of 1981) (with effect from 9th June 1980).]Explanation. - For the purpose of this sub-section "maintained" in relation to a house does not include paying local rates and taxes but includes providing electricity and water:Provided that such cost shall not exceed such limits as may be prescribed.

## **7. Conveyance to be provided for Ministers the Speaker, the Deputy Speaker, etc.**

(1)The State Government may from time to time, provide suitable conveyances for the use of the Ministers, the Speaker, the Deputy Speaker, [the Parliamentary Secretary] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1989 (Tamil Nadu Act 11 of 1989) (with effect from 11th February 1989).], the Leader of Opposition in the Legislative Assembly [and the Chief Government Whip] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November 1986).] in the Legislative Assembly subject to the provisions of sub-section (2) and to such rules regarding their maintenance and repairs as may be made by the State Government regarding the maintenance and repair of and the supply of petrol, for such conveyances.(2)[ The State Government shall meet - (i) any liability arising with effect on and from the 3rd December 1953 out of the use of any conveyance provided under sub-section (1) incurred to third parties by [a Minister or the Speaker] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1970 (Tamil 2 Nadu Act 23 of 1970) (with effect from 1st June 1970).] as the case may be or any person in his employment;(ii)any liability arising with effect on and from the 1st June 1970 out of the use of any conveyance provided under sub-section (1) incurred to third parties by the Deputy Speaker, or Leader of the Opposition in the Legislative Assembly or the Chief Government Whip in the Legislative Assembly as the case may be or any person in his employment; and(iii)[ any liability arising with effect on and from the 11th day

of February 1989 out of the use of any conveyance provided under sub-section (1) incurred to third parties by the Parliamentary Secretary or any person in his employment.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1990 (Tamil Nadu Act 4 of 1990) (with effect from 27th January, 1989).]]

## **8. Travelling Allowance of Ministers etc., for assuming and relinquishing office.**

- A Minister, the Speaker or a Parliamentary Secretary shall -(a)in respect of the journey for assuming office to the City of Chennai from his usual place of residence in the State, if it is outside the City; and(b)in respect of the journey on relinquishing office from the City of Chennai to his usual place of residence in the State before he assumed office, if such place is outside the City, be entitled to travelling allowances for himself and the members of his family and for the transport of his personal effects, at such rates and upon such conditions as may be determined by rules made by the State Government; and until such rules are made at such rates, and upon such conditions as were applicable to them immediately before the commencement of this Act.

## **9. Travelling and Daily Allowance of Ministers, etc.**

(1)The holders of the offices referred to in section [3, 4 and 6 shall, in respect of their tours, be entitled to travelling and daily allowances] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November, 1986).] at such rates and upon such conditions as may be determined by rules made by the State Government; and until such rules are made at such rates and upon such conditions as were applicable to them ? immediately before the commencement of this Act.(2)[ The holders of the office referred to in Section 6-A shall be entitled to travelling and daily allowances for attending the functions organised by the State Government or by any officer of any department of that Government in the performance of his functions as an, officer of such department, at such rates and upon such conditions as may be determined by rules made by the State Government.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1984 (Tamil Nadu Act 11 of 1984) (with effect from 19th January 1984).](3)Without prejudice to the provisions contained in section 14, the State Government may make rules under sub-section (2) so as to have retrospective effect on and from a date not earlier than the 19th January 1984.

## **9A. Salaries and Allowances of Deputy Speaker or Member of Legislative Assembly while performing duties of Speaker.**

- Notwithstanding anything contained in this Act, while the office of the Speaker is vacant and the duties of the office are preformed by the Deputy Speaker or a Member of the Legislative Assembly as provided in clause (1) of Article 180 of the Constitution, the Deputy Speaker or the Member shall, during the period he so performs such duties, be paid salary and allowances and be entitled to the use of a house free of rent and a suitable conveyance and to free accommodation in hospitals and free medical treatment in the same manner, to the same extent and subject to the conditions as the Speaker is paid or entitled to under sections [4,6-B, 7,8,9 and 10 and the rules made under section

9:] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1970 (Tamil Nadu Act 23 of 1970) (with effect from 3rd October, 1970).] Provided that, during the period aforesaid, the Deputy Speaker or the Member shall not be entitled to the salary and allowances including free accommodation in hospitals and medical treatment attached to the Office of Deputy Speaker or Member of the Legislative Assembly, as the case may be.

**9B. [ Omitted] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (with effect from 1st November 1986).]**

**10. Ministers, Speaker or Deputy Speaker and his family be entitled to free accommodation in State hospitals and to free medical treatment.**

- Subject to such conditions as may be determined by rules made by the State Government, a Minister, the Speaker, the Deputy Speaker or the Parliamentary Secretary shall for himself and the members of his family be entitled free of charge to accommodation in hospitals maintained by the State Government and also to medical treatment.

**11. [ Omitted] [Vide Tamil Nadu Legislature (Prevention and Disqualification) Act, 1967.]**

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**12. Salaries and allowances of members of Legislative Assembly.**

(1) Every Member of the Legislative Assembly who does not hold any of the offices referred to in sections 3, 4, 6 and 6-A shall be entitled to receive -(a) a salary of [eight thousand rupees per mensem] [Substituted for 'three thousand rupees per mensem' by Tamil Nadu Payment of Salaries (Amendment) Act, 2010.]. (b) travelling and daily allowances at such rates and upon such conditions as may be determined by rules made by the State Government, and until such rules are made at such rates and upon such conditions as were applicable to the Members of the Legislative Assembly immediately before the commencement of this Act. [(1-A) Every Member of the Legislative Assembly who does not hold any of the offices referred to in sections 3, 4, 6 and 6-A shall be entitled to receive Compensatory allowance of [seven thousand rupees per mensem] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1971 (Tamil Nadu Act 45 of 1971) (With effect from 1st October, 1971).]]. [(1-AA) Every Member of the Legislative Assembly who does not hold any of the offices referred to in sections 3, 4, 6 and 6-A shall be entitled to receive [a constituency allowance of [ten thousand rupees per mensem] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1992 (Tamil Nadu Act 33 of 1992).]] and a postal allowance of two thousand and five hundred rupees per mensem]. (2) The salary referred to in clause (a) of sub-section (1) and the [compensatory allowance] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1975 (Tamil Nadu Act 35 of 1975) (with effect from 1st April, 1975).] referred to in sub-section (1-A), [the constituency allowance] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1992 (Tamil Nadu Act 33 of 1992).] [and the postal allowance] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1994 (Tamil

Nadu Act 35 of 1994) (with effect from 1st April, 1993).] referred to in sub-section (1-AA) and the telephone allowance referred to in sub-section (4-B) shall accrue to a Member from the date on which he is declared duly elected, or in the case of a Member nominated by the Governor to fill a seat in the Legislative Assembly from the date on which he is so nominated or if such declaration or nomination is made before the vacancy occurs, from the date of occurrence of the vacancy: Provided that the salary, the [compensatory allowance] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1975 (Tamil Nadu Act 35 of 1975) (with effect from 1st April, 1975).], the constituency allowance, [the postal allowance] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1975 (Tamil Nadu Act 35 of 1975) (with effect from 1st April, 1975).] and the telephone allowance shall not be paid until the Member has made and subscribed the oath or affirmation referred to in Article 188 of the Constitution. [(2-A) Where on or after the 1st January 1967 any Member of the Legislative Assembly dies before the expiry of the term of his office, his family shall be paid an allowance of [one thousand rupees per mensem] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1970 (Tamil Nadu Act 23 of 1970) (with effect from 3rd October, 1970).] for the unexpired portion of the term of office of the said deceased Member.][(2-AA) Where any Member of the Legislative Assembly dies before the expiry of the term of his office, his family shall be paid a lump-sum allowance of [Two lakh rupees] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1990 (Tamil Nadu Act 4 of 1990) (with effect from 27th January, 1989).].(2-B) The allowance payable under sub-section [(2-A)] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1970 (Tamil Nadu Act 23 of 1970) (with effect from 3rd October, 1970).] and the lump-sum allowance payable under sub-section [(2-AA)] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1990 (Tamil Nadu Act 4 of 1990) (with effect from 27th January, 1989).] shall be paid to the members of the family in equal shares. Explanation. - The expression, "family" means the wife or husband of the deceased Member and his or her minor sons, unmarried daughters and parents. (3) Every Member referred to in sub-section (1), shall subject to such conditions as may be determined by rules made by the State Government be entitled to hostel accommodation: Provided that the charge for such accommodation shall in no case exceed three rupees per day. [(3-A) Every member referred to in sub-section (1) shall, subject to such conditions as may be determined by rules made by the State Government, be entitled to allotment of an Apartment on payment of rent of Rupees two hundred and fifty per mensem:] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 2000 (Tamil Nadu Act 36 of 2000).] Provided that when such member avails the Apartment accommodation, he shall not be entitled for hostel accommodation; [(3-A) Every Member of the Legislative Assembly including any such Member who holds any of the offices referred to in sections 3, 4, 6 and 6-A, who on prior intimation to the State Government, undergoes surgery relating to - ] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1990 (Tamil Nadu Act 37 of 1990) (With effect from 1st May 1990).] (a) heart; (b) kidney; or (c) any other part of the body which the State Government may consider to be a major surgery; in any hospital maintained by the Central Government any State Government or any Union Territory Administration, or in any private hospital situated in the territory of India, shall be entitled to financial assistance subject to such conditions as may be prescribed. (4) [ Subject to such conditions and during such period as may be determined by rules made by the State Government, - (a) every Member referred to in sub-section (1), and members of his family; (b) every person who had been a Member of the Legislative Assembly or of the Legislative Council or of both, but ceased to be such Member at any time and members of his family; and (c) the members of the family of the deceased Member of the Legislative Assembly or



of the Legislative Council or of both; shall be entitled free of charge to accommodation in the hospitals maintained by the State Government and also to medical treatment.] [Substituted by Tamil Nadu Payment of Salaries (Amendment) Act, 2010 (Tamil Nadu Act 1 of 2010).] (4) Every Member referred to in sub-section (1) shall for himself and the members of his family subject to such conditions and during such period as may be determined by rules made by the State Government be entitled free of charge to accommodation in hospitals maintained by the State Government and also to medical treatment: [Provided that every person who had been a Member of the Legislative Assembly or of the Legislative Council or of both, but had ceased to be such Member at any time, shall subject to such conditions and during such period as may be determined by rules made by the State Government, be entitled free of charge to accommodation in the hospitals maintained by the State Government and also to medical treatment and the benefits, conferred by this proviso shall not be available to the members of the family of the person referred to in this proviso.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1980 (Tamil Nadu Act 10 of 1980) (with effect from 5th March, 1980).] [(4-A) (a) Every Member referred to in sub-section (1) shall be provided with one free non-transferable pass which shall entitle him to travel [either singly or with his or her spouse] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1979 (Tamil Nadu Act 28 of 1979) (with effect from 1st June 1978).] or with any other companion at any time in any part of the State of Tamil Nadu [by any bus run and operated] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1979 (Tamil Nadu Act 24 of 1979) (with effect from 1st October, 1978).] [by any Transport Corporation] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1979 (Tamil Nadu Act 24 of 1979) (with effect from 1st October, 1978).] owned by the State Government. (b) The pass referred to in clause (a) shall be issued by such authority and in such manner as may be prescribed and shall be valid for the term of his office and on the expiration of such term, the pass shall be surrendered to the Secretary, Legislative Assembly Secretariat: Provided that, where any such pass is issued to a new Member before he takes his seat in the Legislative Assembly, he shall be entitled to use the pass for attending a session of that House for taking his seat therein. (c) Nothing in this sub-section shall be construed as disentitling a Member of the Legislative Assembly to any travelling allowance to which he is otherwise entitled under the provisions of this Act.] [(4-B) Every Member of the Legislative Assembly who does not hold any of the offices referred to in [sections 3, 4, 6 and 6A] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1982 (Tamil Nadu Act 24 of 1982) (with effect from 1st April, 1982).] shall be entitled to receive telephone allowance of [five thousand rupees per mensem] [Substituted for 'four thousand rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008).] irrespective of the fact whether he has any telephone or not.] [(4-C) Every Member of the Legislative Assembly who does not hold any of the offices referred to in [sections 3, 4, 6 and 6A] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1980 (Tamil Nadu Act 10 of 1980) (With effect from 29th April 1979).] shall be entitled to have a telephone at his residence, the installation expenses of which shall be met with by the State Government.] [(4-D) Every member of the Legislative Assembly who does not hold any of the offices referred to in sections 3, 4, 6 and 6-A shall be entitled to receive a consolidated allowance of rupees [(two thousand and five hundred per mensem)] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 2000 (Tamil Nadu Act 36 of 2000) (With effect from 1st June, 2000).] towards the payment by such member to an attendant who renders assistance to him.] [(4-E) Every member of the Legislative Assembly who does not hold any of the offices referred to in section 3, 4, 6 and 6-A shall be entitled to receive a vehicle allowance

of [rupees twenty thousand per mensem] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 2007 (Tamil Nadu Act 31 of 2007) (With effect from 1st April, 2007).].(5)The salary referred to in clause (a) of sub-section (1) [the compensatory allowance] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1975 (Tamil Nadu Act 35 of 1975) (With effect from 1st April 1975).] referred to in sub-section (1-A) [the constituency allowance] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1992 (Tamil Nadu Act 33 of 1992).] [and [the postal allowance referred to in sub-section (1-AA) and telephone allowance] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1994 (Tamil Nadu Act 35 of 1994) (With effect from 1st April, 1993).]] referred to in sub-section (4-B) and the consolidated allowance referred to in sub-section (4-D) [and the vehicle allowance] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 2007 (Tamil Nadu Act 31 of 2007) (With effect from 1st April, 2007).] referred to in sub-section (4-E), shall not be taken into account for the purpose of calculating the total income of a member under any rule or order relating to medical treatment in hospitals maintained by the State Government or to the grant of educational concession of scholarship or to such other matters as may be prescribed.(6)Removal of doubts. - For the removal of doubts it is hereby declared that no Member of the Legislative Assembly or of the Legislative Council referred to in section 12 of the principal Act, shall be entitled to claim a salary of two hundred and fifty rupees per mensem under the principal Act as amended by this Act for any period prior to the 1st day of April 1964.

## **12A. [ Transit by Railway Allowance. [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1986 (Tamil Nadu Act 69 of 1986) (with effect from 1st April 1987).]**

(1)Every Member of the Legislative Assembly including any such Member who holds any of the offices referred to in sections 3, 4, and 6 shall, for every financial year, be entitled to receive in such manner and subject to such conditions, as may be prescribed a sum of [Twenty thousand rupees] in two equal instalments payable in the month of April and October for the purpose of travelling either singly or with his or her spouse or any other relative in one or more journeys by any class by any railway in India.[Provided that transit by railway allowance under this sub-section shall not be paid to any member who is in receipt of free railway pass issued by the Central Government or by any other authority for having been a Member of Parliament.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1995 (Tamil Nadu Act 11 of 1995).](2)Nothing in this section shall be construed as disentitling a Member of the Legislative Assembly to any travelling allowance to which he is otherwise entitled under the provisions of this Act.]

## **12B. Pension.**

(1)There shall be paid a pension of [twelve thousand rupees per mensem] [Substituted for 'ten thousand rupees per mensem' by Act No. 2 of 2012, dated 9.2.2012, w.r.e.f. 1.9.2011.] to every person who after the 15th day of August 1947, had been or is a Member of the Legislative Assembly or of the Legislative Council or of both[\*\*\*] [Omitted by Tamil Nadu Payment of Salaries (Amendment) Act, 2010 (Tamil Nadu Act 1 of 2010).][Explanation. - For the purpose of this sub-section.(a)a Member of the Legislative Assembly shall include a Member of the Legislative

Assembly of the former State of Travancore - Cochin, representing any territory which after the 1st day of November 1956 forms part of the State of Tamil Nadu:(b)a Member of the Legislative Assembly or of the Legislative Council shall include a Member of the Legislative Assembly or of the Legislative Council of the State of Andhra Pradesh, representing any territory which after the 1st day of April 1960 forms part of the State of Tamil Nadu;][Proviso - [Omitted] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1980 (Tamil Nadu Act 10 of 1980) (with effect from 13th March 1980).]] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1982 (Tamil Nadu Act 10 of 1982 (Tamil Nadu Act 1 of 2010) (with effect from 9th March 1982).].[\*\*\*] [Proviso was omitted by Tamil Nadu Payment of Salaries (Amendment) Act, 2010.].Provided also that [no pension under this sub-section] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1982 (Tamil Nadu Act 10 of 1982) (with effect from 13th March 1980).] shall be paid to any person, -(a)who is in receipt of pension from any other State for having been a Member of the Legislative Assembly or of the Legislative Council of such State;(b)who was a Member of the Legislative Assembly or of the Legislative Council of the former State of Madras representing any territory which ceased to form part of the State of Tamil Nadu.(c)[ who ceases to be a citizen of India or who has voluntarily acquired the citizenship of a foreign State, or is under any acknowledgement of allegiance or adherence to a foreign State.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1989 (Tamil Nadu Act 11 of 1989) (with effect from 11th February 1989).][[(1-A) Where any person entitled to pension under sub-section (1) is also entitled to pension for having been a Member of Parliament, such person shall be entitled to receive the pension under sub-section (1) in addition to such pension to which he is entitled for having been a Member of Parliament.] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1995 (Tamil Nadu Act 22 of 1995) (With effect from 7th July, 1995) Vide G.O. Ms. No. 1031, Public (Estate and Legislature), dated the 3rd November 1995.](2)[ (i) If any person who has been paid any pension under this Act as in force before the date of publication of the Tamil Nadu Payment of Salaries (Amendment) Act, 1980 in the Tamil Nadu Government Gazette, becomes entitled to increase in the amount of pension so paid by virtue of the said Amendment Act, the increase shall be given effect only on and from the date of such publication and he shall not be entitled to any arrears of such increase.(ii)If any person becomes entitled to pension for the first term by virtue of this section, he shall be paid such pension only with effect on and from the date of publication of the Tamil Nadu Payment of Salaries (Amendment) Act, 1980 in the Tamil Nadu Government Gazette and he shall not be entitled to any arrears of such pension.][(2-A) If any person becomes entitled to pension for the first time or to any increase in pension by virtue of this section, as amended by the Tamil Nadu Payment of Salaries (Amendment) Act, 1982 he shall be paid such pension or such increase in pension, as the case may be, only with effect on and from the date of publication of the said Act in the Tamil Nadu Government Gazette and he shall not be entitled to any arrears of such pension.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1980 (Tamil Nadu Act 10 of 1982) (With effect from 9th March, 1982).](2-B) (i) Where any person entitled to pension under this section [dies or disappears leaving his family] [Substituted for 'dies' by Act No. 21 of 2011, dated 24.9.2011, Published dated 26.9.2011.], the family of such person shall be entitled to receive fifty percent of such pension subject to such conditions as may be prescribed.(ii)[ [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 2007 (Tamil Nadu Act 31 of 2007) (With effect from 1st April, 2007).] If there is any increase in pension by virtue of this section, the family referred to in clause (i) shall also be entitled to receive fifty percent of such increase in pension with effect from the date from which such increase in pension under this section

is given effect to. Explanation. - For the purposes of this sub-section, in the case of person who is entitled to pension under this sub-section 'family' means -(i) wife in the case of a male person or husband in the case of a female person; (ii) son who has not attained the age of twenty one years and unmarried daughter who has not attained the age of twenty four years including such son and daughter adopted legally; (iii) father and mother in the case of unmarried person; Sub-section (2-BB) including explanation thereunder, sub-section (2-C) and sub-section (2-CC) including the Explanation thereunder shall be omitted by Tamil Nadu Payment of Salaries (Amendment) Act, 2010. (2-BB) Where any person entitled to pension under sub-section (1) died before the 1st day of April 1999, the family of such member shall be entitled to receive a family pension of rupees three thousand per mensem. Explanation. - [For the purposes of this sub-section, the word "family" shall have the same meaning assigned to it in sub-section (2-B).] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 2007 (Tamil Nadu Act 31 of 2007) (With effect from 1st April, 2007).] [(2-C) Where, on or after the 15th day of November 1996, any Member of the Legislative Assembly dies before the expiry of the term of his office, the family of such member shall be entitled to receive a family pension of rupees [four thousand per mensem] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 2007 (Tamil Nadu Act 31 of 2007) (With effect from 1st April, 2007).] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1980 (Tamil Nadu Act 10 of 1980) (with effect from 13th March 1980).] [(2-CC)] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 2008 (Tamil Nadu Act 6 of 2008) (With effect from 1st October, 2007).] (i) Where, before the 15th day of November 1996, any member of the Legislative Assembly died before the expiry of term of his office. (ii) Where, on or before the 31st day of October 1986, any member of the Legislative Council died before the expiry of the term of his office; the family of such member shall be entitled to receive a family pension of rupees [four thousand per mensem] [Substituted for the words 'three thousand and five hundred rupees per mensem' by Tamil Nadu Payment of Salaries (Second Amendment) Act, 2008 (Tamil Nadu Act 47 of 2008) (with effect from 1st April, 2008).] Explanation. - For the purposes of this sub-section, the word "family" shall have the same meaning assigned to it in sub-section (2-B). (3) [The State Government may make rules providing for the conditions and restrictions subject to which such pension may be granted:] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1980 (Tamil Nadu Act 10 of 1980) (With effect from 13th March, 1980).] Provided that no such pension shall be paid to any person for the period during which such person was or is in receipt of any salary or any emoluments other than Travelling allowance either from any State or the Central Government or from any Company or statutory body owned or controlled by any State or the Central Government and if any such income was or is received the payment of pension shall be suspended for that period: [Provided further that - (a) no such pension shall be paid to any person for the period during which such person was or is in receipt of pension for having been a Member of [any other State Legislature, or honorarium either from any State or the Central Government] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1982 (Tamil Nadu Act 24 of 1982) (With effect from 9th March, 1982).] or from any company or statutory body owned or controlled by any State or the Central Government and if the amount of such pension, or honorarium is equal to, or in excess of, the pension to which he is entitled under sub-section (1); (b) where the amount of such pension or honorarium is less than the pension to which he is entitled under sub-section (1), such person shall be entitled to receive only the difference as pension under that sub-section.] [Explanation I. - [Omitted by Tamil Nadu Payment of Salaries (Amendment) Act, 2010.]] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1980

(Tamil Nadu Act 10 of 1980) (With effect from 13th March, 1980).]Explanation II. - [Omitted by Tamil Nadu Payment of Salaries (Amendment) Act, 1999 (Tamil Nadu Act 41 of 1999) (With effect from 1st April, 1999)].Explanation III. - For purpose of this section, salary includes salary received under this Act and salary received as -(i)a Member of the Parliament or any other State Legislature.(ii)a Minister or Deputy Minister of the Government of India or any other State.(iii)The Chairman or Deputy Chairman of the Council of State of the Legislative Council of any other State.(iv)The Speaker or Deputy Speaker of the House of the People or of the Legislative Assembly of any other State.

### **12C. [ Free bus pass to former Members. [Vide Tamil Nadu Payment of Salaries (Third Amendment) Act, 1994 (Tamil Nadu Act 57 of 1994) (with effect from 1st April, 1994).]**

(1)Every person, who had been a Member of the Legislative Assembly or the Legislative Council or both, but had ceased to be such Member shall be provided with one free non-transferable bus pass [which shall entitle him to travel either singly ]or with his or her spouse or with any other companion at any time within any part of the State of Tamil Nadu by any bus run and operated by any Transport Corporation owned by the State Government.(2)The bus pass referred to in sub-section (1) shall be issued by such authority and in such manner as may be prescribed vide Act 57 of 1994.]

### **13. [ Relinquishment of Salaries and Allowances and cancellation thereof. [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1979 (Tamil Nadu Act 24 of 1979) (with effect from 5th May, 1979).]**

(1)Any person entitled to any salary or allowance under this Act, may at any time during the term of his respective office, relinquish the whole or any portion of such salary or allowance payable to him.(2)Any relinquishment made by any person under sub-section (1) may be cancelled by him.(3)Every relinquishment or cancellation made under sub-section (1) or subsection (2) shall be made in writing and shall take effect on the date specified therein.]

### **13A. [ [Repealed.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1994 (Tamil Nadu Act 31 of 1994)]]**

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### **14. Power of state Government to make rules.**

(1)The State Government may make rules for carrying out the purposes of the Act.(2)All rules made under this Act shall be published, in the Tamil Nadu Government Gazette and unless they are expressed to come into force on a particular date shall come into force on the day on which they are so published.(3)Every rule made under this Act shall, as soon as possible after it is made, be placed

on the Table of the [legislative Assembly] [Vide Tamil Nadu Adaptation of Laws Order, 1987 (With effect from 1st November 1986).] and if, before the expiry of the session in which it is so placed on the next session of the Legislative Assembly agrees in making any modification in any such rule or the Legislative Assembly agrees that the rule should not be made, the rule shall thereafter have effect only in such, modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.(4)[ A rule may be made under sub-section (1) so as to have retrospective effect on and from a date not earlier than 1st November 1967.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1970 (Tamil Nadu Act 23 of 1970) (With effect from 3rd October, 1970).](5)[ Notwithstanding anything contained in sub-section (4) the State Government may make rules in respect of payment of house rent under Sections 3, 4, 6 and 6-A, so as to have retrospective effect on and from the date not earlier than the 4th July 1986.] [Vide Tamil Nadu Payment of Salaries (Second Amendment) Act, 1986 (Tamil Nadu Act 69 of 1986).]

## **15. Saving.**

- Nothing in this Act shall prevent a retired Government servant from drawing his pension in addition to any salary or allowance to which he may be entitled under this Act.

## **16. Regularisation of certain charges and payments.**

(1)All charges incurred up to the commencement of this Act (whether before or after the commencement of the Constitution) in respect of the accommodation provided in any hospital maintained by the State Government for, or on the medical treatment of, any Minister or any member of his family shall be deemed to have been properly incurred.(2)All payments made on or after the 26th day of January 1950 and up to the commencement of this Act by way of Travelling or daily allowance to the Speaker and the Chairman shall be deemed to have been properly made.

## **17. Repeal of Tamil Nadu Act IX of 1937. Special Provisions.**

- The Tamil Nadu Payment of Salaries and Removal of Disqualifications Act, 1937 is hereby repealed.(1)[ Notwithstanding anything contained in the principal Act amended by the Tamil Nadu Payment of Salaries (Amendment) Act, 1971, the compensatory allowance to a Member of Legislative Assembly or of the Legislative Council, who does not hold any of the offices referred to in sections 3 to 6 and in sub-section (1) of Section 6-A of the principal Act on the date of the commencement of the Tamil Nadu Payment of Salaries (Amendment) Act, 1971 shall be paid on and from 1st October 1971.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1971 (Tamil Nadu Act 45 of 1971) (With effect from 1st October, 1971).](2)[ Notwithstanding anything contained in the principal Act as amended by the Tamil Nadu Payment of Salaries (Amendment) Act, 1975, the telephone allowance shall be paid on and from the 1st April 1975 to a Member of the Legislative Assembly or of the Legislative Council, who does not hold any of the offices referred to in sections 3 to 6-A on the date of the commencement of the Tamil Nadu Payment of Salaries (Amendment) Act, 1975.] [Vide Tamil Nadu Payment of Salaries (Amendment) Act, 1975 (Tamil Nadu Act 35 of 1975) (With effect from 1st April 1975).]