

Tamil Nadu Legislative Assembly (Salaries and Reimbursement of Medical Expenses to Members) Rules, 1979

TAMILNADU

India

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Rule

TAMIL-NADU-LEGISLATIVE-ASSEMBLY-SALARIES-AND-REIMBURSEMENT of 1979

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Tamil Nadu Legislative Assembly (Salaries and Reimbursement of Medical Expenses to Members) Rules, 1979Published vide Notification No. G.O. MS.No. 906, Public (Establishment-1), Dated 15th May 1979In exercise of the powers conferred by section 12, read with section 14 of the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951), the Governor of Tamil Nadu hereby makes the following rules: -

1. Short title and commencement.

(1)These rules may be called the Tamil Nadu [Legislative Assembly] [Vide G.O. Ms.No. 485, Public (Establishment-I and Legislature), dated the 22nd April 1992] (Salaries and Reimbursement of Medical expenses to Members) Rules, 1979.(2)These rules shall come into force on the 1st June 1979.

2. Definition.

- In these rules, unless the context otherwise requires, -(a)"Act" means the Tamil Nadu Payment of Salaries Act, 1951 (Tamil Nadu Act XX of 1951);(b)"Assembly" means the Tamil Nadu Legislative Assembly;(bb)["Authorised Officer" means an Officer authorised by the Secretary to claim salary and to countersign medical reimbursement bills of Members;] [Vide G.O. Ms.No. 504, Public (Establishment-I), dated 16th March 1983 (with effect from 16th March 1983).](c)[***] [Omitted by

vide G.O. Ms.No. 485, Public (Establishment-I and Legislature), dated the 22nd April, 1992.](d)"Form" means a form appended to these rules;(e)"Government" means the State Government;(f)"Medical expenses" means the expenses incurred towards the cost of drugs purchased in the open market;(g)"Member" means a member of the Assembly but does not include a Minister, the Speaker and the Deputy Speaker of the Assembly, a Parliamentary Secretary, the Leader of the Opposition in the Assembly, the Chief Government Whip in the Assembly;(h)"Salary" means the Salary and allowance payable to a Member under section 12 of the Act;(i)["Secretary" means the Secretary to the Assembly; and (j) "State" means the State of Tamil Nadu.] [Vide G.O. Ms.No. 485, Public (Establishment-I and Legislature), dated 22nd April, 1992.]

3. Authority for payment of salary.

- The Secretary shall be the authority competent for the payment of Salary to the Members entitled under the Act. No authorisation from the Accountant-General, Tamil Nadu, shall be required for this purpose.

4. Date of payment of salary.

- The salary shall become payable only on the last working day of each month and if the last working day of a month is a Saturday, it shall become payable on the previous working day. The salary for the month of March shall become payable only on the first working day of April.

5. Claim of Salary.

- A consolidated salary bill shall be prepared in advance in Form A without any claim being preferred by the Member, scrutinized and passed for payment by the Secretary [or by any officer not below the rank of an Under Secretary authorised by him in this behalf.] [Vide G.O. Ms.No. 1307, Public (Establishment-I), dated the 8th August 1984.]

6. Mode of payment of salary.

(a)The salary shall be paid by the Secretary or any other officer not below the rank of an Under Secretary authorised by him, in this behalf by cheque, or credited to the account of the Member concerned in a Nationalised Bank or in a Scheduled Bank or in a Co-operative Bank, if he so desires.Explanation. - For the purpose of this rule, -(i)"Nationalised Bank" means any corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (Central Act 5 of 1970);(ii)"Scheduled Bank" means a Bank included in the Second Schedule to the Reserve Bank of India Act, 1934 (Central Act II of 1934); and(iii)"Co-operative Bank" means any Bank to which the Banking Regulation Act, 1949 (Central Act X of 1949), applies.(b)If any Member desires for payment of his salary through Bank draft, the Secretary or any other officer not below the rank of an under Secretary authorised by him, in this behalf, shall first draw a cheque in favour of the Manager, Reserve Bank of India, Chennai and the latter shall issue a Bank draft thereon in favour of the Member.(c)The salary cheque or Bank draft

shall be superscribed "not payable before the last working day of the month or before a fixed date" which shall not be a day earlier than the day previous to the last working day if the last working day is a Saturday or "not payable before the first proximo", as the case may be, and it shall be despatched to the Member or the Bank as the case may be about 25th of every month to which the salary relates.

7. Receipt of payment.

- The member or the Bank shall furnish stamped receipt for the receipt of salary in Form B either before or soon after receipt of cheque by the members, or the Bank authorised by the member in this behalf, as the case maybe, or after the receipt of the bank draft, by the Member. The salary for the subsequent month shall be drawn only on receipt of the stamped receipt for the previous month. The member shall arrange with the Bank concerned to furnish the stamped receipt referred to for the amount received from the Secretary [or from any other officer not below the rank of an Under Secretary authorised by him, in this behalf.] [Vide.G.O. Ms.No. 1307, Public (Establishment-I), dated the 8th August 1984.]

8. Change of address.

- It shall be the duty of a Member to intimate the change, if any, of his residence, lasting for more than a month, to the Secretary to facilitate easy despatch of the cheque or Bank draft.

9. Medical expenses reimbursement.

- The medical expenses reimbursement bill in "Form C" shall be prepared on receipt of an application in Form D from the Member and after scrutiny, the bill shall be passed for payment by the Secretary or any other officer not below the rank of an Under Secretary authorized by him in this behalf and the cheque shall be issued.

10.

- [***] [Omitted by vide G.O. Ms.No. 1171, Public (Legislature Wing),dated 3rd August 1983.]

11. Over payments or wrong payments.

- If any over payments or wrong payments are made, the amount so paid shall be adjusted in the subsequent payment payable under these rules or recovered from the pension payable to the Member under section 12-B of the Act, or recovered from the Member under the Tamil Nadu Revenue Recovery Act, 1864 (Tamil Nadu Act II of 1864) as if were arrears of revenue under the said Act.

12. [Recovery of dues, if any. [Vide G.O. Ms.No. 904, Public (Establishment-I), dated the 14th March 1989.]

- Dues, if any, towards arrears of legislator's hostel rent, guest charges/Trunk call and Phonogram charges, loss of library books of any other dues to the Legislative Assembly Secretariat or to former Legislative Council Secretariat or the house rent due to the Government or the advance sanctioned to the Member for the purchase of handloom cloth or any other dues to Government from the member shall be recovered from the salary payable to him.]

13. [Death of Member. [Vide G.O. Ms.No. 485, Public (Establishment-I and Legislature), dated the 22nd April 1992.]

- In the event of the death of the Member, the salary due till the date of his death, and the medical expenses reimbursement, if any, shall be paid to his legal heir, after recovering the dues, if any, to the Legislative Assembly Secretariat or to the Government.]

13A. [Residual claims of former Member of the Tamil Nadu Legislative Council. [Vide G.O. Ms.No. 92, Public (Establishment-I and Legislature), dated the 20th January 1994 (With effect from 1st June 1991).]

- These rules shall apply mutatis mutandis to claims arising up to the 31st October 1986 in respect of the former Member of the Council.]

14. Decision of the Secretary is final.

- The decision of the Secretary shall be final on all matters relating to the payment of salary and medical expenses reimbursement, not covered by these rules. Form A(See rule 5)Salary Bill of Members of The Tamil Nadu Legislative AssemblyName of Member Month of.....Year,Voucher No.....

Details of
the salary
and
allowances
due

	O.A.	Gross Amount	H.R.	*Deductions							
Serial Number	Name of the Member	Salary	CA	Telephone Allowance	Hostel Rent	Telephone Charges	Other Deduction	Total Deduction			
(1)	(2)	(3)	(4)	(5)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. Rs. P. P.	Rs.P	Rs. P.	Rs. P.	Rs. P.	Rs.P.	Rs

Total

*1. Details**2. Should be expressed both in figures and words.Certified that the amount has not been drawn previously:Passed for payment of,

Rs.....(Rupees.....)Secretary,[Authorised Officer,] [Vide G.O. Ms.No. 504, Public (Establishment-I), dated the 16th March 1989.][Legislative Assembly Secretariat.] [Vide G.O. Ms.No. 485, Public (Establishment-I and Legislature), dated the 22nd April 1992.]Form B(See rule 7)(Stamped Receipt for the Salary Cheque)Receipt No.....Dated:.....Received a cheque/demand draft bearing No.....dated the.....for Rs.....(Rupees.....) from the Authorised Officer, Legislative Assembly Secretariat, Chennai - 600 009, being the salary for the month of..... to be credited in the account of Thiru M.L.A. Member, [Legislative Assembly] [Vide G.O. Ms.No. 485, Public (Establishment-I and Legislature), dated the 22nd April 1992.],orBank nominated by the Member of the Legislative Assembly.Form C(See rule 9)Medical Expenses Reimbursement Bill of Member is of The Tamil Nadu [Legislative Assembly] [Vide G.O. Ms.No. 804, Public (Establishment-I), Department, dated the 16th March 1985.]

Name.....

Month:

Head of service chargeable:.....Voucher No.

Received the sum of [Rs] [Should be expressed both in words and figures.]..... (Rupees.....) being the amount payable on account of my reimbursement of cost of drugs as Member of the Tamil Nadu Legislative Assembly.

Stamp

when claim exceeds[Rs. 5000] [Vide Tamil Nadu Government Gazette No. 280, dated the 3rd November 2004.]

Date:

Claimant's Signature:

(stamp, if required)

Counter-signed for Rs..... (in figures)
(in words)Rupees.....

[Authorised Officer,] [Vide G.O.Ms.No. 804, Public (Establishment-I), Department, dated the 16th March 1985.]

[Legislative Assembly] [Vide G.O.Ms.No. 485, Public (Establishment-I and Legislature), dated the 22nd April 1992.]Secretariat.

For use in the Treasury

Cheque No..... drawn on.....

Pay Rs.....

[Authorised Officer,] [Vide G.O.Ms.No. 804, Public (Establishment-I), Department, dated the 16th March 1985.]

[Legislative Assembly] [Vide G.O.Ms.No. 485, Public (Establishment-I and Legislature), dated the 22nd April 1992.]Secretariat

[Form D] [Vide G.O. Ms.No.197, Public (Establishment-I), dated the 4th March 1981.](See rule 9)Form of Application For Claiming Refund of Medical Expenses in Connection With Medical Attendance and/or Treatment of Members of The Legislative Assembly and Their Families(N. B.

Separate form should be used for each patient)

1. Name and the Constituency of the Member (in Block Letters).

2. Address of the Member.

3. Name of the patient and his/her relationship to the Member. N.B. In case of children, state the age also.

4. (i) Place at which the patient fell ill.

(ii) Period of treatment and nature of illness.

5. Details of amount claimed Cost of Medicines purchased from the market (list of medicines, cash memos should be attached). Total.

6. List of enclosures.

Declaration to be Signed by the Member of the [Legislative Assembly.] [Vide G.O.Ms.No. 485, Public (Establishment-I and Legislature), dated the 22nd April 1992.] I hereby declare that the statements in this application are true to the best of my knowledge and belief. *The person for whom medical expenses were incurred is wholly dependent on me. Station: Dated: Signature of the Member.* Strike out if the Member himself is a patient.