

**THE MEMBERS OF THE KERALA LEGISLATIVE
ASSEMBLY (PROVIDING THE ASSISTANCE OF OFFICERS)
RULES, 1992**

{ Issued in G.O (Ms.) No. 27/92/GAD} dated 15th January, 1992- S.R.O.No.35/92}
{As amended by GO.(Ms.) No. 262/93/GAD dated 7th August, 1993
GO.(Ms) No. 480/97/GAD dated 2nd December, 1997 & GO.(P) No.3/2002/PAD
dated 22nd November, 2002}

RULES

1. *Short title and commencement.*—(1) These rules may be called the Members of the Kerala Legislative Assembly (Providing the Assistance of Officers) Rules, 1992.
2. *Definitions.*—In these rules unless the context otherwise requires, —
 - (a) 'Member' means a Member of the Legislative Assembly other than the Ministers, the Speaker, the Deputy Speaker, the Leader of the Opposition and the chief Whip.
 - (b) 'Secretary' means the Secretary to Legislative Assembly.
3. *The Secretary to be the appointing authority.*— The Secretary shall be the appointing authority of the officers to be appointed under these rules.



4. *Member to intimate choice of officer to the Secretary.*—A member desirous of having the services of an officer to assist him in the performance of his duties as such member shall intimate the Secretary in



Form I the name and address of the officer of his choice * below the rank of an Under Secretary to the Government and who is in the service of the Government or a local authority or any corporation owned or controlled by the Government or any other authority specified by the Government in this behalf from time to time.

5. *Appointment of Officers.*- (1) On receipt of the intimation under rule 4 the Secretary shall after proper verification by order in writing appoint the officer and a copy of the order shall be forwarded to the Head of the department, the Head of Office or the Head of the institution in which he is working.

(2) On receipt of the order under sub-rule (1) the Head of the Department, the Head of the Office or the institution shall relieve the officer mentioned in the order from his duties in that department, office or institution as the case may be.

6. *Term of Officers appointed under these rule.*—(1) An officer appointed under these rules shall hold office, during the pleasure of the member for whose assistance he was appointed or till he ceases to be a member, or till the dissolution of the assembly, or till the officer attains the age of superannuation whichever is earlier.

(2) any officer appointed under these rules may at any time request in writing to the Secretary to relieve him of his duties of assisting the member and thereupon the Secretary shall relieve him of his duties:

Provided that before an officer is relieved of his duties under this sub rule the Secretary shall consult the member for whose assistance he has been appointed.

7. *Headquarters of an Officer appointed under the rules.*-(1) The headquarters of an officer appointed under these rules shall be Thiruvananthapuram or such other place as may be decided by the member for whose assistance that officer has been appointed.

(2) The member desirous of having the services of the officer shall intimate the Secretary
in



Form I the place where the headquarters of such officer shall be situated.

(3) A member may change the headquarters of the officer appointed to assist him under intimation to the Secretary.

8. *Pay and allowances and other monetary benefits due to the Officers, appointed under these rules.*—(1) The pay to which an officer appointed under rule 5 is entitled to be the same to which he was eligible for, in his parent department if he had not been so appointed and the Secretary shall draw and disburse, the pay and allowances due to him.

(2) An Officer appointed under these rules shall be entitled to such special allowance, as may be sanctioned by the Government from time to time, but he shall not be eligible for any special pay or travelling allowance or daily allowance during their term of office under these rules: Provided that the travelling allowance for joining duty to assist the member from the place at which, the officer was working at the time of his appointment under these rules to the place where his headquarters is situated and the travelling allowance as per the relevant rules governing his service shall be borne by the office or institution in which he had been working prior to his appointment under these rules.

(3) An Officer appointed under these rules, shall also be eligible for overtime allowance for the duty in connection with the sessions of the Kerala Legislative Assembly at such rates, as are applicable to the Officers of the Legislature Secretariat.

(4) The Secretary shall make pension and leave salary contribution in respect of an officer appointed under rule 5 if such contribution is required under the provisions of the Kerala Service Rules.

9. *Right of Officer to rejoin duty in the Department or institution on being relieved under Rule 6.*—Subject to the rules regarding superannuation an officer relieved from his duties of assisting a member under rule 6 shall have the right to rejoin duty in the Department or Institution in which he was working.

10. *Disciplinary authority.*—(1) The Secretary shall be the disciplinary authority in respect of the officers appointed under these rules.

(2) The provisions of the Kerala Civil services (Classification, Control and Appeal) Rules, 1960, shall apply *mutatis mutandis* as respects the disciplinary proceedings initiated or taken under these rules.

11. *Appeal.*—(1) an appeal shall lie to the Speaker on any decision of the Secretary under rule 10.

(2) The Speaker may after making such enquiry on the appeal as he deems fit and after providing the persons likely to be affected thereby a reasonable opportunity for being heard confirm, amend, or vary the decision of the Secretary under rule 10.

12. *Review.*—The Speaker may either *suo moto* or on application review any order passed by him under rule 11.

Provided that before passing an order under this rule the person or persons likely to be affected thereby shall be provided a reasonable opportunity for being heard:

Provided further that no order shall be passed under this rule after the expiry of two years from the date of the original order under rule 11.

13. *Rules regarding deputation applicable to Officers appointed under these rules.*— Subject to the provisions of rules 6 and 8 the provisions regarding the deputation of officers from one Government Department to another or as the case may be, from a foreign service to a Government Department contained in the Kerala Service Rules shall apply *mutatis mutandis* to the appointments made under these rules in the matter of declaration of probation, counting of seniority or ordering promotions in the parent department or institution of the officers concerned.

FORM 1
(See Rule 4 & 7)

Place :

Date :

From

Member,
Legislative
Assembly.

To

The Secretary,
Kerala Legislative
Assembly.

Sir,

I desire to have the services of Shri/Smt*

..... as the officer

to

assist me in the performance of my duties as such member. He is at present working as

** His rank in
service

is below the rank of Under Secretary in the Government Secretariat.

His headquarters will be situated at
Thiruvananthapuram/+.....

.....

+

.....

Please issue formal order in the matter.

Yours faithfully,

+

.....

+

.....

*Here enter name and permanent address.

** Here enter the designation and the Department or Institution in which the officer is working

+ Here enter the name of place if the headquarters is not Thiruvananthapuram. +
Here enter signature and name of Member.

+