

THE PAYMENT OF TRAVELLING ALLOWANCE AND DAILY ALLOWANCE TO MEMBERS OF THE LEGISLATIVE ASSEMBLY RULES, 1968

[As amended by GO.(Ms) No. 467/92/GAD dated 13-11-1992 and GO.
(Ms.) No. 41/94/GAD dated 18-2-1994)

(Rules framed by Government under Section 8 of the Act)

In exercise of the powers conferred by Section 8 of the Payment of Salaries and Allowances Act, 1951 (XIV of 1951) Government hereby make the following rules.-

1. In the Rules, unless there is anything repugnant in the subject or context.-
 - (a) "Act" means the Payment of Salaries and Allowances Act, 1951 (Act XIV of 1951) as subsequently amended;
 - (b) "Assembly" means the Kerala Legislative Assembly
 - (c) "Committee" means a committee of the Assembly constituted under the Kerala Legislative Assembly Rules or in pursuance of a resolution of the Assembly
 - (d) "Day" means a calendar day beginning and ending at midnight;
 - (e) "Meeting" means a meeting of the Assembly or a meeting of a Committee;
 - (f) "Member" means a member of the Kerala Legislative Assembly but does not include a Minister of the Kerala Government or the Speaker or the Deputy Speaker or the Leader of the Opposition or the Chief Whip.
 - (g) "Usual place of residence" means the place where a member ordinarily resides or carries on his profession or business and certified to by him as usual place of residence.

2. (a) Subject to the provisions hereinafter contained a member who performs a journey for the purpose of attending a meeting of the Assembly or of a Committee, shall be entitled to draw travelling allowance for the journey from his usual place of residence within the State. The usual place of residence as well as changes in the place of residence shall be intimated to the Comptroller:

Provided that a member who performs a journey for the purpose of attending the meeting of the Assembly or a Committee shall be entitled to draw travelling allowance, from his usual place of residence within the State, even if, for reasons beyond his control, he is unable to be present for the meeting or if he undertakes the journey without being aware of the adjournment or cancellation of the meeting, subject to the condition that the Secretary, Legislative Assembly. shall certify the claim and issue sanction for the payment of travelling allowance.

(b) No Member whose usual place of residence is within a radius of five miles from the Assembly Chamber or from any other place of meeting shall draw travelling allowance for attending that meeting.

Note.—The term "travelling allowance" used in this rule shall not include daily allowance. A member will be allowed daily allowance for the days on which he attends the meeting held at the place of residence.

(c) Same as provided in this Rules, a member shall draw travelling allowance only for the journey performed by him when first proceeding to attend a meeting of the Assembly or of a Committee and for his return journey which may be either before or after the close of such meeting of the Assembly or Committee.

(d) Notwithstanding anything contained in sub-rules (a), (b) or (c) every member shall be entitled to draw a minimum travelling allowance of Rupees *Fifteen thousand per month.

3. Travelling allowance for a journey between two stations shall be calculated with reference to the shortest ordinary route. When two or more routes are equally short, the allowance shall be calculated by the cheapest. If a member travels by a route which is not the shortest but which is cheaper than the shortest, his allowance shall be calculated by the route actually used.

Note.—(i) The shortest route is that by which the traveller can most speedily reach his destination by the ordinary modes of travelling.

(ii) In calculating travelling allowance at mileage rates fractions of a mile shall be omitted from the total of a bill for any one journey but not from the various items which make up the bill.

(iii) For journeys performed by road between places connected by Railway, the Railway fare plus the incidental expenses thereof will be admissible:

Provided however, that when Committee constituted by the Legislature undertakes at a stretch a study tour to conduct an on-the-spot study of several commercial institutions, factories, agricultural farms etc., situated in different places the members of the Committee may draw full road mileage for journeys performed by road in public interest eventhough some of the places visited may be connected by railway.

(iv) The point in any station from which a journey is held to commence or at which it is held to end, is the chief public office or any other point fixed for the purpose by the Government.

4. Subject to the provisions contained in rule 16 if a meeting of a Committee is called when the Assembly is in session a member shall not be entitled to draw travelling allowance for the journey performed by him for the purpose of attending such meeting if he has already drawn travelling allowance for the journey performed by him for attending the meeting of the Assembly.

5. During an adjournment of a continuous sitting of the Assembly, or Committee for a period not exceeding four days, if a member returns to his usual place of residence and attends the meeting of the Assembly, or Committee on date

on which it reassembles or any subsequent date, he may draw either Daily Allowance for the period of adjournment or a single First Class Railway fare for the portion of the Journey performed by railway and mileage for the rest, to and from his usual place of residence whichever is less.

6. During an adjournment of a continuous sitting of the Assembly or a Committee, if a member does not return to his usual place of residence, and also attends the adjourned meeting, he shall be allowed D.A. for the said period of adjournment provided that total D.A. for the said period of adjournment will be limited to the amount of T. A. to which he would have eligible, had he returned to his usual place of residence and travelled back to attend the adjourned meeting.

7. If any meeting of the Assembly or of a Committee is adjourned for a period of more than four days and if a member leaves the place where the meeting is held during such period he shall notwithstanding anything contained in Rule (2) (c) be entitled to draw travelling allowance for the journey performed by him to this usual place of residence after the adjournment of the meeting and also for the journey performed by him to attend the adjourned meeting.

8 Where a meeting of the Assembly consists of sittings for more than ten days, if a member returns to his usual place of residence after attending the sittings for a period of not less than ten days, he shall, notwithstanding anything contained in Rule 2 (c), be entitled to draw travelling allowance for the journey performed by him to his usual place of residence and also for the journey performed by him to attend any further sittings of the Assembly during that meeting, the maximum number of such journeys for which he is eligible for T.A. being one during the meeting of the Assembly of not less than 20 days' duration and two during a meeting, the duration of which exceeds 30 days.

9. If a meeting of a Committee is called within four days before the commencement of a meeting of the Assembly, a member who has drawn travelling allowance for the journey performed by him for the purpose of attending such meeting, shall be entitled to draw either daily allowance till the commencement of the meeting of the Assembly or travelling allowance to and from his usual place of residence whichever is less. He shall be eligible for daily allowance for the day of such meeting even if the meeting could not be held for want of quorum

10. If a meeting of a Committee is called within four days after the meeting of the Assembly is adjourned or prorogued, a member who has drawn travelling allowance for the return journey after such meeting of the Assembly, shall be entitled to draw either daily allowance till the commencement of the meeting of the Committee or travelling allowance from and to his usual place of residence whichever is less. He shall be eligible for daily allowance for the day of such meeting even if the meeting could not be held for want of quorum.

11. The principles mentioned in Rule 9 or 10 as the case may be, shall apply in cases where the interval between two meetings of a Committee or of two different Committees is within four days.

12. Notwithstanding anything contained in these rules, a member shall not be entitled to draw travelling allowance or daily allowance, if for the same journey or halt he has drawn travelling or daily allowance, as the case may be from Government in any other capacity.

13. Notwithstanding anything contained in these rule, if any member temporarily absents himself for any day or days of the meeting, he shall not be entitled to any daily allowance for the period of such absence, and for the holiday or holidays immediately succeeding or preceding the day or days of absence.

14. Subject to the provisions in the foregoing rules every member shall be entitled to claim daily allowance of the holidays that intervene during a session of the Assembly or of a Committee.

15. Any member is entitled to draw daily allowance in addition to other travelling allowances when his arrival at or departure from the place of the meeting falls on any day on which the Assembly or the Committee may be holding its sittings, or falls on any day immediately preceding the date on which the meeting of the Assembly commences, or on any day immediately succeeding the date on which the meeting of the Assembly is concluded.

16. Notwithstanding anything contained in these rules a member shall be entitled to claim travelling and daily allowance for journeys and halts performed in connection with a meeting of the Committee summoned to meet at a place other than that where the Assembly is holding its meetings, to transact any other business connected with his duties as a member of the Legislative Assembly, provided that such other place is beyond 5 miles from Legislative Assembly Chamber.

Note.-"any other business" will comprises Committee meetings as well as inspection tours.

16A. In special cases or long and expensive tours necessitating journeys Outside the State, Government may sanction advances of Travelling Allowance to members of the Legislative Assembly who are Chairmen or members of the Committee Constituted by the Legislature like the Estimates Committee and Public Accounts Committee, subject to the conditions that such advances are adjusted in full by them after the completion of the tours. Such advances shall not exceed seventy-five per cent of the travelling allowance admissible for the tours.

16B. If a meeting of a Committee or Committees is held on consecutive days at different places, a member attending the meeting will be allowed T. A. from his usual place of residence to the places of meeting and back or from his place of residence to the place where the first meeting was held and from thereto

the place of the second meeting and from thereto the place of the third meeting. and so on and back to his usual place of residence whichever is less.

17. The members may draw T.A. and D.A. at the close of each month of or after the end of each journey i.e., after they have returned to the usual place of residence, as the case may be.

18. The member concerned shall give a certificate in the following form on the Bill:-

"Certified that I have not drawn any travelling allowance or daily allowance from Government in respect of the days of journeys or halts for which allowance has been claimed in this bill".

19. The travelling and daily allowance bills of members shall be paid from the Treasury chosen by the members concerned after the bills are countersigned by the Secretary, Legislative Assembly or any other officer not below the rank of Deputy Secretary authorised in writing by him in this behalf without pre-audit by the Comptroller:

Provided that the Secretary or such officer may, if he considers that pre audit by the Comptroller is necessary in respect of claim made in any bill, forward that bill to the Comptroller for pre-audit before countersignature.

20 The T. A. and D. A. in respect of meetings of the Legislative Assembly and of the Committees shall be claimed in separate bills. No claim for T. A. Shall be admitted unless it is preferred within six months of its becoming due. All claims not preferred within six months shall ordinarily be rejected, but may be paid for valid reasons after pre-audit by the Comptroller.

21. Every claim for travelling and daily allowance shall be prepared in the form annexed to these rules and shall contain the required certificates.

22. In matters not covered by these rules, the payment of T.A. and DA shall be regulated by the relevant provisions in the K.S.R. in so far as such regulations are not inconsistent with or repugnant to these rules.
