
Uttar Pradesh Ministers And State Legislature Officers And Members Amenities Laws (Amendment) Act, 1997

8 of 1997

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An Act further to amend the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981, the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980 and the U.P. State Legislature (Officers' Salaries and Allowances) Act, 1952 Whereas the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981 inter alia provides that each Minister including Chief Minister and Deputy Minister shall be entitled without payment of any rent to the use throughout the term of his office and for a period of fifteen days thereafter of a residence at Lucknow which shall be furnished and maintained at public expense at the prescribed scale; And, whereas, the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980 inter alia provides that every member including Parliamentary Secretary shall be entitled without payment of rent to the use of such accommodation at Lucknow as may be provided to him for the duration of his membership and such further period as may be prescribed; And, whereas, the Uttar Pradesh State Legislature (Officers' Salaries and Allowances) Act, 1952 inter alia provides that the Speaker, the Chairman, the Deputy Speaker and the Deputy Chairman shall each be entitled to, throughout the term of his office a free furnished residence at Lucknow; And, whereas, it is the duty of the State Government to provide residences to Ministers, Legislators, Speaker and Deputy Speaker of the Legislative Assembly and Chairman and Deputy

Chairman of the Uttar Pradesh Legislative Council; And, whereas, to ensure timely availability of residence to Minister, Speaker, Deputy Speaker, Chairman, Deputy Chairman and Legislators it has been considered expedient to specify certain accommodations as Minister's residence, Speaker's residence, Chairman's residence, a Deputy Speaker's residence, Deputy Chairman's residence and Legislator's residence; It is hereby enacted in the Forty-eighth Year of the Republic of India as follows :--

1. Short Title :-

This Act may be called the Uttar Pradesh Ministers and State Legislature Officers and Members Amenities Laws (Amendment) Act, 1997.

2. Insertion Of New Section 4-A In Act No. 14 Of 1981 :-

After Section 4 of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981, the following section shall be inserted, namely :--

"4-A. Special provisions regarding certain accommodations.--

(1) On and from the commencement of the Uttar Pradesh Ministers and State Legislature Officers and Members Amenities Laws (Amendment) Act, 1997, the State Government may, with a view to ensuring timely availability of residence to a Minister under Sub-section (1) of Section 4, by a notified order, specify any Type-VI accommodation or an accommodation in which a Minister was in occupation at any time, under the Control and Management of the Estate Department of the State Government, as Ministers residence and an accommodation so specified shall be allotted to a Minister only and not to any other person.

(2) The State Government, or an officer authorised by it in this behalf may, if a person other than a Minister referred to in Sub-section (1-A) of Section 4 is in occupation of an accommodation specified as Ministers residence under Sub-section (1) on the basis of any allotment order or otherwise, cancel the allotment order of such person, if any, and by notice in writing require such person to vacate the said accommodation within fifteen days from the date of service upon him of such notice, and if such person fails to vacate the said accommodation within the said period, an officer authorised by the State Government in this behalf may take possession of the accommodation and may for the purpose use such force as may be necessary in the circumstances."

3. Insertion Of New Section 16-A In U.P. Act No. 23 Of 1980 :-

After Section 16 of the Uttar Pradesh State Legislature (Members Emoluments and Pension) Act, 1980, the following section shall be inserted, namely :--

"16-A. Special provisions regarding certain accommodations.--

(1) On and from the commencement of the Uttar Pradesh Ministers, and State Legislatures, Officers, and Members Amenities Laws (Amendment) Act, 1997, the State Government may, with a view to ensuring timely availability of accommodation to a member under Sub-section (1) of Section 16 by a notified order, specify any accommodation in the colony or building named as Vidhayak Niwas No. 1, A-Block Darulshafa, Vidhayak Niwas No. 2, B-Block Darulshafa, Vidhayak Niwas No. 3, O.C.R., Vidhayak Niwas No. 4, Royal Hotel, Vidhayak Niwas, No. 5, Mirabai Marg, Vidhayak Niwas No. 6, Park Road under the Control and Management of the Estate Department of the State Government, as Legislatures residence and an accommodation so specified shall be allotted to a member only and not to any other person;

(2) The State Government, or an officer authorised by it in this behalf may, if a person other than a member referred to in Sub-section (1-A) of Section 16 is in occupation of an accommodation specified as Members residence under Sub-section (1) on the basis of any allotment order or otherwise, cancel the allotment order of such person if any, and by notice in writing require such person to vacate the said accommodation within fifteen days from the date of service upon him of such notice, and if such person fails to vacate the said accommodation within the said period, an officer authorised by the State Government in this behalf may take possession of the said accommodation and may for the purpose use such force as may be necessary in the circumstances".

4. Insertion Of New Section 4-A, In U.P. Act No. 11 Of 1952 :-

After Section 4 of the U.P. State Legislature (Officers Salaries and Allowances) Act, 1952, the following section shall be inserted, namely :-

"4-A. Special provisions regarding certain accommodations.--

(1) On and from the commencement of the Uttar Pradesh Ministers and State Legislature Officers, and Members Amenities Laws

(Amendment) Act, 1997, the State Government may, with a view to ensuring timely availability of residence to a person referred to in Sub-section (1) of Section 4, by a notified order specify any Type-VI accommodation or an accommodation in which a Speaker or a Chairman or a Deputy Speaker or a Deputy Chairman was in occupation at any time under the Control and Management of the Estate Department of the State Government as Speakers residence, Chairmans residence, Deputy Speakers residence or Deputy Chairmans residence and an accommodation so specified shall be allotted to a person as the case may be, referred to in Sub-section (1) of Section 4 only, and not to any other person.

(2) The State Government, or an officer authorised by it in this behalf, may, if a person other than a person referred to in Sub-section (2) of Section 4 is in occupation of an accommodation specified as Speakers residence, Chairmans residence, Deputy Speakers residence or Deputy Chairmans residence under Sub-section (1) on the basis of any allotment order or otherwise, cancel the allotment order of such person, if any, and by notice in writing require such person to vacate the said accommodation within fifteen days from the date of service upon him of such notice, and if such person fails to vacate the said accommodation within the said period, an officer authorised by the State Government in this behalf may take possession of the said accommodation and may for the purpose use such force as may be necessary in the circumstances."