

Salaries And Allowances Of Ministers (Himachal Pradesh) Act, 1971

[Act No. 03 Of 1971]

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Amended, repealed or otherwise affected by, -

An Act to provide for the salaries and allowances of Ministers in the State of Himachal Pradesh.

Salaries And Allowances Of Ministers (Himachal Pradesh) Act, 1971

[Act No. 03 Of 1971]

[22nd April, 1971]

Be it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-second Year of the Republic of India as follows:-

**1 - Short title and commencement.**

(1) This Act may be called the Salaries and Allowances of Ministers (Himachal Pradesh) Act, 1971.

(2) It shall be deemed to have come into force with effect from the 25th January, 1971, except section 6, which shall be deemed to have come into force on the 20th December, 1963.

## **2 – Definitions.**

In this Act, unless there is anything repugnant in the subject or context,-

(a) "House" includes the staff quarters and other buildings appurtenant thereto and the gardens thereof.

(b) "Maintenance" in relation to a house shall include the payment of local rates and taxes, and charges for electricity and water.

(c) "Minister" means a Member of the Council of Ministers, by whatever name called.

## **3 - Salaries of Ministers.**

There shall be paid to each Minister a salary at the rate of fifteen hundred rupees per mensem, and to the Chief Minister, in addition, a sumptuary allowance at the rate of five hundred rupees per mensem.

## **4 - Residence of Ministers.**

Each Minister shall be provided with a free furnished house, the maintenance charges of which shall be borne by the State Government; or in lieu of such house, shall be paid an allowance not exceeding three hundred rupees per mensem, as the Government may in each case fix. The State Government may also allow him to continue in free occupation of the house provided to him for a period not exceeding fifteen days from the date of his ceasing to be a Minister.

Explanation.-The Minister shall not become liable personally for any payment in case the standard rent of the house allotted to him for residence exceeds three hundred rupees per mensem.

## **5 - Conveyance Allowance.**

(1) Each Minister shall be entitled to the use of a car, the expenses on the maintenance and propulsion of which shall be borne by the State Government or in lieu thereof to a conveyance allowance of three hundred rupees per month:

Provided that the maintenance and propulsion expenses of the State car in use by the Minister shall not be subject to the limit of three hundred rupees per mensem.

(2) A Minister may opt for the services of a chauffeur on Government expense in lieu of conveyance allowance provided in sub-section (1) if he uses his own motor-car.

## **6 - Validation of the use of Government motor-car by Minister.**

A Minister who has not drawn conveyance allowance admissible to him under the Salaries and Allowances of Ministers (Himachal Pradesh) Act, 1963, after the 20th December, 1963 and has used the Government motor-car, shall be deemed to have used such motor-car as if the costs of maintenance and propulsion of which have been met by the Government.

## **7 - Advance of loan to Ministers for purchase of motor-car.**

There may be paid to each Minister by way of repayable advance such sum of money, and subject to such conditions, as may be determined by rules made in this behalf, for the purchase of a motor-car, in order that he may be able to discharge conveniently, and efficiently the duties of his office.

## **8 - Free installation of telephone.**

(1) Each Minister shall be entitled to have a telephone installed at any place within his constituency or at his permanent place of residence, if such facility is available at such place at normal rates and without incurring any additional cost, as may be specified by him, and after the place of installation is so specified, the charges for first installation of, security deposit and annual rent for, such telephone shall be borne by the State Government and all other expenses such as those relating to local and outside calls shall be paid by the Minister:

Provided that the expenditure on local and outside calls incurred by a Minister in any month shall be re-imbrued by the Government subject to a maximum of fifty rupees.

(2) All expenses which are payable by a Minister in relation to the telephone installed under sub-section (1) shall be paid by him directly in cash and if it is not so done, the same may be adjusted by the State Government against any amount due to him from the State Government.

## **9 - Ministers not to draw salary or allowances as Members of the Legislative Assembly.**

No person in receipt of a salary or allowance under this Act shall be entitled to receive any sum out of funds provided by the Legislative Assembly of Himachal Pradesh by way of salary or allowance in respect of his membership of such Assembly.

## **9A - Salary, allowances and perquisites to be exclusive of income-tax.**

The salary and allowances payable to a Minister, and free furnished house and other perquisites admissible to him, under this Act, shall be exclusive of income-tax which shall be payable by the State Government.

Explanation.-The amount of income-tax payable by the State, would be the first slab of the income assessed for income-tax, i.e. in assessing this amount, the other sources of income of the Minister concerned shall not be taken into consideration.

## **10 - Notification respecting appointment etc., of Ministers to be conclusive evidence thereof.**

The date on which any person became or ceased to be a Minister shall be published in the Official Gazette of the Himachal Pradesh Government and any such notification shall be conclusive evidence of the fact that he became, or ceased to be a Minister on that date for all the purposes of this Act.

## **11 - Power to make or adopt rules.**

The travelling and daily allowances of the Ministers, shall be regulated in

accordance with such rules as may be framed or adopted by the State Government from time to time:

Provided that no mileage or travelling allowance shall be chargeable in respect of journeys performed in a State car:

Provided further that such rules may be framed by the State Government with retrospective effect as well.

## **12 - Repeal and savings.**

(1) The Salaries and Allowances of Ministers (Himachal Pradesh) Act, 1963 (2 of 1963) and the Salaries and Allowances of Ministers (Himachal Pradesh) Ordinance, 1971 (1 of 1971) are hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken or purporting to have been done or taken (including any rules, notifications or orders made or issued) in exercise of any power conferred by or under the said Act and Ordinance shall be deemed to have been done or taken under this Act.