

Rajasthan Ministers Salaries Act, 1956

43 of 1956

[28 December 1956]

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PREAMBLE

An Act to provide for the salaries of the Ministers of the State of Rajasthan.

WHEREAS it is expedient to provide for the salaries of the Ministers of the State of Rajasthan and for other matters connected therewith:

Be it enacted by the Rajasthan State Legislature in the Seventh Year of the Republic of India as follows:-

1. Published in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 31.12.1956.

1. Short title :-

This Act may be called the Rajasthan Ministers Salaries Act, 1956.

2. Interpretation :-

(1) In this Act, unless the subject or context otherwise requires.-

(a) "appointed day" means the first day of November, 1956:

(b) "Minister" means a minister of the State of Rajasthan, and, save as otherwise expressly provided, includes the Chief Minister¹[a Minister of State and) a Deputy Minister of that State:

(c) "State" means the new State of Rajasthan as formed by section 10 of the States Reorganisation Act, 1956 (Central Act 37 of 1956).

(2) The provisions of the Rajasthan General Clauses Act, 1955 (Rajasthan Act 8 of 1955), in force in the pre-reorganisation State of Rajasthan shall as far as may be, apply mutatis mutandis to this Act.

1. Substituted by Raj. Act No. 3 of 1968, Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 28.02.1968.

3. Salaries of Ministers :-

¹[There shall be paid with effect from the ²[the date of commencement of the Rajasthan Ministers salaries (Second Amendment) Act, 2005 (Act No. 12 of 2005) or with effect from the date on which he may thereafter enter upon his office whichever may be later-

(A) a salary of ³[twenty thousand rupees] per mensem to the Chief Minister.

⁴[(bb) a salary of ten thousand five hundred rupees per mensem to a Deputy Chief Minister:]

(b) a salary of ²[seventeen thousand rupees] per mensem to a Minister other than a Minister of State and a Deputy Minister:

(c) a salary of ²[fifteen thousand rupees] per mensem to Minister of State, and

(d) a salary of ⁵[eight thousand two hundred fifty rupees] per mensem to a Deputy Minister.)

1. Substituted by Raj. Act No. 5 of 1981, Pub. in Raj. Govt. Gaz. Exty. Pt. 4 (A) dated 02.04.1981.

2. Substituted by Raj. Act No. 12 of 2005. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 11.05.2005.

3. Substituted by Raj. Act No. 9 of 1999.

4. Inserted by Raj. Act No. 4 of 1998. Pub. in Raj. Govt. Gaz. Ext.

Pt. 4(A) dated 30.03.1998.

5. Substituted by Raj. Act No. 4 of 1998. Pub, in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 30.03.1998.

4. Sumptuary allowance :-

¹[(1) In addition to the salary payable under section 3, there shall be paid to the Chief Minister with effect from the ²[the date of commencement of the Rajasthan Ministers Salaries (Amendment) Act, 2006 (Act No. 9 of 2006] or with effect from the date on which he may thereafter enter upon his office, a sumptuary allowance of ²[twenty thousand rupees] per mensem.

³[(1-A) In addition to the salary payable under section 3, there shall be paid to a Deputy Chief. Minister with effect from the date o f commencement of the Rajasthan Ministers Salaries (Amendment) Act, 1998 (Act No.4 of 1998) or with effect from the date on which he may thereafter enter upon his office, a sumptuary allowance of six thousand rupees per mensem.

¹[(2) In addition to the salary payable under section 3, there shall be paid with effect from the ²[the date of commencement of the Rajasthan Ministers Salaries (Amendment) Act, 2006 (Act No. 9 of 2006] or with effect from the date on which he may thereafter enter upon his office. to every Minister, other than the Chief Minister. a Minister of State, and a Deputy Minister, a sumptuary allowance of ⁴[fourteen thousand rupees) per mensem.

⁵[(3) In addition to the salary payable under section 3, there shall be paid, with effect from ²[the date of commencement of the Rajasthan Ministers Salaries (Amendment) Act, 2006 (Act No. 9 of 2006] or with effect from the date on which. he mai, thereafter enter upon his office, to every Minister of State, a sumptuary allowance of ⁶(fourteen thousand rupees) per mensem].

³[(4) In addition to the salary payable under section 3, there shall be paid, with effect from the date of commencement of the Rajasthan Ministers. Salaries (Amendment) Act, 1998 (Act No.4 of 1998) or with effect from the date on which he may thereafter enter upon his office to every Deputy Minister a sumptuary allowance of two thousand five hundred rupees per mensem.]

1 Substituted by Raj. Act No. 4 of 1998. Ibid.

2 Substituted by Raj. Act No. 9 of 2006. Pub, in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 24.04.2006.

3 Inserted by Raj. Act No. 4 of 1998. Pub.in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 30.03.1998.

4 Substituted by Raj. Act No. 12 of 2005. Ibid.

5. Substituted by Raj. Act No. 4 of 1998. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 30.03.1998.

6. Substituted by Raj. Act No. 9 of 2006. Ibid

5. Residence and conveyance :-

(1) With effect from the date referred to in section 3, each Minister shall also be entitled ¹[from the State Government] without payment of rent or other charge, to the use, throughout his term of office, of-

(a) ²[an official residence and furniture in Jaipur, and]

(b) a State car.

and no charge shall fall on the Minister personally in respect of the maintenance of ²[such residence, furniture or car:]

³[[Provided that each Minister shall be entitled to ¹[an official residence and furniture without payment of rent or other charge in Jaipur upto a period of two months from the date he ceases to be a Minister].

²[Explanation.-For the purpose of this section and section 5-A, the expression "official residence" means a residential building the staff quarters, out house and other building, ground and garden appurtenant thereto set apart by the State Government for residence of a Minister and the members of his family and his servants including all fixtures and fittings for electric and water supply and for sanitary purposes.]

⁴[X X X]

⁵[Provided further that each Minister shall immediately after the expiration of the period referred to in the foregoing proviso vacate such official residence, failing which, notwithstanding anything contained in the Rajasthan Public Premises (Eviction of Unauthorised Occupants) Act, 1964 (Rajasthan Act 2 of 1965) or any other law for the time being in force, all officer authorised by the State Government in this behalf may take possession of the official residence together with the furniture and may for the purpose use such force as may be necessary in the circumstances ⁶[and in case any delay in so taking possession is caused due to

any resistance offered by the-Minister or anybody on his behalf, whether on the strength of any stay order or otherwise, for so long as the residence continues, the Minister shall be liable to pay as damages for the use and occupation of the official residence, such amount not exceeding five thousand per month as may be notified by the Government from time to time.]

5 Explanation.-For the purpose of this sub-section "Minister" includes a person who has ceased to be a Minister, and also includes a person who was given the status of a minister.]

1[(2) The use and maintenance of the official residence, furniture and State car referred to in sub-section (1) shall be regulated by rules made in this behalf by the Governor.]

2[(3) A Minister shall be paid a monthly allowance or-

7[(a) two hundred rupees, if he avails himself of the use of official residence provided to him in Jaipur or lives in his, own house or in the house owned by his spouse in Jaipur or lives in a rented house in Jaipur, but does not avail himself of the use of furniture to which he is entitled under sub-section (1):

(b) three thousand rupees, if he does not avail himself of the use of an official residence provided to him in Jaipur but lives in his own house or in the house owned by his spouse in Jaipur or lives in a rented house in Jaipur and avail himself of the use of furniture to which he is entitled under sub-section (1), at such house:

(c) ten thousand rupees, if the State Government fails to provide Government accommodation to him in Jaipur and he lives in his own house or in the house owned by his spouse in Jaipur or in a rented house in Jaipur and avails himself of the use of furniture to which he is entitled under sub-section (1), at such house: and]

8[(d)[five thousand rupees], if he does not avail himself of the use of a State car.

1. Substituted by Raj. Act No. 9 of 1986. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 13.02.1986.

2 Substituted by Raj. Act No. 9 of 1986. Ibid.

3 Ins. by Raj. Act No. 3 of 1968. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 28.02.1968.

4 Proviso omitted by Raj. Act No. 26 of 1957. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 12.02.1957.

5 Inserted by Raj. Act No. 10 of 1990. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 03.07.1990.

6 Inserted. by Raj. Act No. 9 of 1991. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 01.04.1991.

7 Substituted by Raj. Act No. 17 of 1999. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 30.09.1999.

8 Substituted by Raj. Act No. 30 of 1995. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 22.11.1995.

5A. Concessions on accounts of electricity and water :-

¹[Every Minister shall, irrespective of whether or not he avails himself of the use of ²[an official residence] in Jaipur to which he is entitled under section 5, be further entitled to the concessions of payment by Government for him and on his behalf throughout his term of office ³[and upto a period of two months from the date, he ceases to be a minister] ⁴[of all charges, due from him on account of consumption of electricity and water at his residence: provided that such payment shall not exceed such limits as may be specified in the rules made in that behalf by the Governor.]

1 Inserted by Raj. Act No. 26 of 1957. Pub. in Raj. Govt. Gaz. Ext. Pt 4(A) dated 12.07.1957.

2 Substituted by Raj. Act No. 9 of 1986. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 13.02.1986.

3 Inserted by Raj. Act No. 3 of 1968. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 28.02.1968.

4 Substituted by Raj. Act No: 10 of 1965. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 30.04.1965.

6. Travelling and daily allowances :-

(1) Every Minister shall further be entitled to receive, in accordance with rules made by the Governor in that behalf.-

(a) travelling allowances for himself and the members of his family for the transport of his and his familys effects-

(i) in respect of the journey to Jaipur from his usual place of residence outside Jaipur for assuming office: and

(ii) in respect of the journey from Jaipur to his usual place of residence outside Jaipur on relinquishing office: and

(b) travelling and daily allowances in respect of journey ¹[including journeys outside India] undertaken by him in the discharge of his

official duties or in the public interest.

(2) Any travelling allowance paid to a Minister under this section may consist either of a payment in cash or of free official transport.

1. Inserted by Raj. Act No. 3 of 1968. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 28.02.1968.

7. Medical treatment, etc. to Ministers :-

¹[(1) Subject to any rules, made in this behalf by the Governor, a Minister and the members of his family shall be entitled free of charge to accommodation in hospitals maintained by Government and also to medical treatment.

²[(2) Subject to any rules, if any, made in this behalf, the Minister may be granted by the Governor in appropriate cases any concession or a special facility including the reimbursement thereof, outside the State for the following items-

(i) medical treatment;

(ii) medical attendance or travelling allowances for such journey performed by him: and

(iii) accommodation including diet for the purposes of such treatment.]

1. Renumbered by Raj. Act No. 3 of 1968. Ibid.

2. Inserted by Raj. Act No. 3 of 1968. Ibid.

7A. Advances to Ministers for purchase of motor cars :-

¹[There shall be paid to a Minister, by way of a repayable advance, such sum of money for the purchase of a motor car and on such terms as the Governor may, by rules, determine in order that he may be able to discharge conveniently and efficiently the duties of his office.]

1 Inserted by Raj. Act No. 10 of 1965. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 30.04.1965.

7B. Salaries, allowances and amenities to Parliamentary Secretaries :-

¹[²(1) With effect from the date of commencement Of the Rajasthan Ministers Salaries (Second Amendment) Act, 2005(Act

No 12 of 2005) or the Date on which he may thereafter enter upon his office, there shall be paid to a Parliamentary Secretary, a salary of fifteen thousand rupees per mensem and such travelling and other allowances as may be prescribed].

(2) A parliamentary Secretary shall be entitled to such medical facilities for himself and for members of his family and to such housing, conveyance, telephone, postal and other facilities as may be prescribed.

²[(3) In addition to the salary and allowances payable under subsection (1), there shall be paid to every Parliamentary Secretary, with effect from the date of commencement of the Rajasthan Ministers Salaries (Second Amendment) Act, 2005 (Act No.12 of 2005) or with effect from the date he may thereafter enter upon his office, a sumptuary allowance of ten thousand rupees per mensem].

1. Inserted by Raj. Act No. 3 of 1968. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 28.02.1968.

2. Substituted by Raj. Act No. 12 of 2005. Pub: in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 11.05.2005.

7C. Power to make rules with retrospective effect :-

¹[The rules under this Act may be made so as to have retrospective effect from such date, not earlier than the date of the commencement of this Act, as the Governor may, by notification in the Official Gazette appoint.]

1 Inserted by Raj. Act No. 22 of 1975. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 05.06.1975.

8. Repeal and savings :-

(1) The Rajasthan Ministers Salaries Ordinance 1956 (Rajasthan Ordinance 11 of 1956), is hereby repealed.

(2) Such repeal shall not effect the rules and orders made or deemed to be made under the Rajasthan Ministers Salaries Act, 1951 (Rajasthan Act XIX of 1951) in force in the pre-organisation State of Rajasthan and the said rules and orders as in force immediately before the appointed day shall, until varied or superseded by competent authority, be deemed to have been made under this Act and shall as such continue to be in force as from the

appointed day throughout the State..

9. Regulation of certain payments on account of concessions :-

¹[Notwithstanding anything contained in the Rajasthan Ministers Salaries Act, 1951 (Rajasthan Act XIX of 1951) of the pre-reorganisation State of Rajasthan all sums of money paid or payable for and on behalf of a Minister whose salary and allowances were governed by the said Act on account of the consumption of electricity and water at his residence shall, subject to the, limits specified in section 5-A, be deemed to have been properly and lawfully paid or payable no demand shall be made on the Minister for the refund of the whole or any portion of such payments.]

1 Inserted by Raj. Act No. 26 of 1957. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 12.07.1957.

10. Regulation of certain payments on account of concessions :-

¹[Notwithstanding anything contained in this Act, all sums of money paid or payable for and on behalf of a Minister, who ceased to be a Minister for a period of two months and whose salary and allowances were governed by the provisions of this Act on account of the consumption of electricity and water at his residence, shall, subject to the limits specified in section 5-A, be deemed to have been properly and lawfully paid or payable and no demand shall be made on the Minister for the refund of the whole or any portion of such amount.]

1 Inserted by Raj. Act No. 3 of 1968. Pub. in Raj. Govt. Gaz. Ext. Pt. 4(A) dated 28.02.1968.