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Orissa Act No. 20 of 1952

THE ORISSA MINISTERS' SALARIES AND ALLOWANCES ACT, 1952

An Act to provide for the salaries and allowances of the Ministers of the State of Orissa.

Whereas it is expedient to provide for salaries and allowances of the Ministers of the State of Orissa.

It is hereby enacted as follows :

Short title,
extent and
commencement

(1) This Act may be called the Orissa Ministers' Salaries and Allowances Act, 1952.

Definitions

(2) It shall come into force at once.

2. In this Act [unless the context otherwise requires] "Minister" means a member of the Council of Ministers, by whatever name called, and includes a Deputy Minister.

[3. There shall be paid to the Chief Minister, Deputy Chief Minister, Minister, Minister of State and Deputy Minister, a salary at the rate of [rupees seven thousand", "rupees six thousand and five hundred", "rupees six thousand", "rupees five thousand and five hundred", and "rupees five thousand"] respectively per month.]

Car allowance

4. There shall be paid to each Minister an allowance of [rupees Three thousand] per mensem for the upkeep of a car.

Sumptuary allowance

[4A. There shall be paid to the Chief Minister, Deputy Chief Minister, Minister, Minister of State and Deputy Minister a sumptuary allowance at the rate of rupees ["rupees ten thousand", "rupees nine thousand and - five hundred", "rupees nine thousand", "rupees seven thousand and five hundred", and "rupees seven thousand"] respectively per month.]

Sitting allowance

[4B. - There shall be paid to each Minister a sitting allowance for attending the Assembly of rupees one hundred and fifty per day of sitting of the Orissa Legislative Assembly :

Provided that where a Minister remains absent for a consecutive period not

exceeding three days, he shall be entitled to half-day sitting allowance for each day of absence and shall not be entitled to any sitting allowance, if he remains absent for more than three days consecutively for those days of absence.]

Residence 5. Each Minister shall, throughout his term of office and for a period of fifteen days immediately thereafter, be entitled without payment of rent, to the use of a furnished residence or in lieu thereof a house-rent allowance of the one hundred rupees per mensem. No charge shall fall on the Minister personally in respect of the maintenance of a furnished residence provided to him.

Explanation. - For the purposes of this section, "residence" includes the staff quarters and other buildings appurtenant thereto; and "maintenance" in relation to a residence shall mean only the payment of Municipal tax and the installation of electricity and water taps.

Medical treatment 6. A Minister shall be entitled to the same medical facilities as are permissible to a Class I Government servant.

Advances for purchase of motor car 7. There may be paid to any Minister by way of a repayable advance such sum of money 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.

Travelling and daily allowances 8. (1) Subject to any rules made in this behalf by the State Government, a Minister shall be entitled to-

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

(i) in respect of the journey to the State headquarters from his usual place of residence for assuming office; and

(ii) in respect of the journey from the State headquarters to his usual place of residence on relinquishing office;

(b) travelling and daily allowances in respect of tours undertaken by him in the discharge of his office duties, whether by water, land or air; and

(c) travelling allowances on transfer of headquarters for himself and members of his family.

(2) Any travelling allowances under this section may be paid in cash or official transport provided in lieu thereof.

[8A. (1) Every Minister shall be provided with -

Free travelling facilities (a) railway coupons which shall entitle him to travel without payment of any fare by first class by any railway in India for a distance of six thousand kilometres in the aggregate in a year; and

(b) road transport coupons which shall entitle him to travel without payment of any fare by any stage carriage within the State for a distance of ten thousand kilometres in the aggregate in a year :

Provided that where the journey is performed by a stage carriage not being a

transport undertaking vehicle the operator of such stage carriage shall be entitled to be reimbursed by the State Government in such manner and subject to such conditions as may be prescribed by rules made under this Act.

Explanation I. - In computing the distance referred to in Clauses (a) and (b), any journey for which the Minister is otherwise entitled to any travelling allowance shall not be taken into account.

Explanation II. - The expression "transport undertaking vehicle" shall have the same meaning as assigned to it under the Orissa Transport Undertakings (Prevention of Ticketless Travel) Act, 1975 (Orissa Act 41 of 1975), and the expression "state carriage" shall have the same meaning as assigned to it under the Motor Vehicles Act, 1939 (4 of 1939).

(2) The coupons shall be issued by such authority and shall be subject to such conditions as may be prescribed by rules made under this Act.]

Notification as evidence of appointment, etc.

9. The date on which any person became or ceased to be a Minister, shall be published in the Gazette 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.

Power to make rules

10. (1) The State Government may, by notification make rules for carrying out the purposes of this Act.

(2) All rules made under this Act shall be laid as soon as possible after they are made before the Orissa Legislative Assembly for a total period of fourteen days which may be comprised in one session or in two successive sessions and shall be subject to such modifications as the Assembly may make during the said period.

Continuance of rules and orders obtaining at the commencement of this Act

11. Notwithstanding anything contained in Sections 6, 7 and 8, all rules or orders obtaining at the commencement of this Act and relating to medical treatment, advance for the purchase of motor cars and travelling and daily allowances shall continue in force until such rules are made in this behalf under this Act.

Regularisation of payments

12. Any allowances paid or payable to the Minister for the upkeep of a car, all charges incurred for their medical treatment and for providing them with furnished residences and all payments made to them by way of travelling or daily allowances or for the purchase of a motor car before the commencement of this Act shall be deemed to have been properly paid, payable or incurred or made.

Repeals

13. The Orissa Ministers' Salaries Act, 1937 (Orissa Act III of 1937) and the Orissa Deputy Ministers Salaries Act, 1952 (Orissa Act VII of 1952) are hereby repealed.