

CHAPTER III

5.¹THE EAST PUNJAB MINISTERS' SALARIES ACT, 1947

East Punjab Act, No. VI of 1947

[Received the assent of His Excellency the Governor of East Punjab on the 23rd November, 1947, and was first published in the East Punjab Government Gazette (Extraordinary) of 1st December, 1947].

An Act to provide for the Salaries of Ministers of the East Punjab Government

It is hereby enacted as follows :-

1. (1) This Act may be called the East Punjab Ministers' Salaries Act, 1947.

Short title and commencement.

(2) It shall come into force at once.

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

Definition.

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

2.³ [(1) There shall be paid to each Minister a salary at the rate of fifteen thousand rupees per mensem and a sumptuary allowance and compensatory allowance each at the rate of five thousand rupees per mensem.]

⁴(2) In the East Punjab Ministers' Salaries Act, 1947 (hereinafter referred to as the principal Act), in section 2, for sub-sections (2) and (3), the following sub-sections shall be substituted, namely :

"(2) Each Minister shall be provided with free furnished house, the maintenance charges of which shall be borne by the State Government, or in lieu of such house, he shall be paid such monthly allowance, as may be specified in the rules framed by the State Government under this

¹For Statement of Objects and Reasons, see *Punjab Government Gazette (Extraordinary)*, 1947, page 43. For proceedings in the Assembly, see *East Punjab Legislative Assembly Debates*, Volume I, 1947, pages 20-43.

²Added vide Punjab Act III of 1952, section 2. It was deemed to be so added with effect from the 17th April, 1952.

³Section 2 as amended by Punjab Acts, IX of 1951, III of 1952 and amended by 8 of 2003 was substituted by Act, XV of 1953, Act, XV of 1986 and further substituted by Act, V of 1992.

⁴Substitution vide Notification No. 12PLA-2000/30, dated 28th March, 2000.

Act from time to time. 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.

(3) Each Minister shall be provided with the State Car, the expenses on the maintenance and propulsion of which shall be borne by the State Government.

(3-A) If a Minister does not avail of or surrenders his State Car and wishes to use his private vehicle for official purpose, he will be paid such allowance, as may be specified in the rules made in this behalf by the State Government under this Act from time to time”.

¹[Provided that the maintenance and propulsion expenses of the State Car in use by Minister shall not be subject to the limit of three hundred rupees.]

²(4). (a) Each Minister shall be entitled to have a telephone installed at any place within his constituency or at Chandigarh and all charges in respect of installation and security deposit shall be paid by the Minister himself and the amount so paid shall be reimbursed to the Minister, by the Government on production of receipts obtained from the Posts and Telegraph Department.

(b) The charges in respect of rental, local and outside calls made by a Minister from one or more telephones installed in his name within the State of Punjab and the Union Territory of Chandigarh, shall be paid initially by the Minister himself and the amount so paid shall also be reimbursed to the Minister by the Government on production of receipt from the Posts and Telegraph Department:

³["Provided that reimbursement of charges referred to in clauses (a) and (b), shall not exceed one lac twenty thousand rupees per annum".]

¹Proviso added at the end of sub-section (3) of section (2) of Punjab Act No. 33 of 1957.

²New Sub-section 4 and 5 added at the end of sub-section (3) of Section 2 vide Punjab Act No. 4 of 1970. Sub-section 4 was modified,— vide Act No. 25 of 1978 and substituted,— Punjab Act No. 20 of 1995 and further substituted,— vide Punjab Act No. 21 of 1998.

³Amended vide Punjab Act No, 18 of 2004 w.e.f. 14-7- 2004.

¹2-A. (1) The travelling allowance of the Ministers, including the Chief Minister, shall be regulated in accordance with such ²[rules as may be framed or adopted by the State Government from time to time:]

Power to make or adopt rules.

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

(2) Any expenditure incurred in relation to the traveling allowance of Minister before the Commencement of this Act shall be deemed to have been incurred in accordance with such rules as if the said rules were framed and adopted under this Act.

³2-B. No person in receipt of salary or allowance under this Act shall be entitled to receive any sum out of the funds provided by the State Legislature by way of salary or allowance in respect of his membership of either House of the State Legislature.]

Ministers not to draw salary or allowances as members of the State Legislature.

⁴2BB. Every Minister alongwith his spouse and his dependent children accompanying either of them and an attendant accompanying him to look after and assist him shall, during the course of a financial year, be entitled to travel by any railway in India or within or outside India by an Air-conditioned coach or by air and an amount equivalent to the expenses incurred on such journey shall be reimbursed to him:

Travelling concession.

Provided that where a Minister travels by his own motor car and furnishes a cash receipt from a licensed dealer indicating the name of the Minister, quantity of petrol or diesel purchased by him for propulsion of his motor car, the date on which it was purchased, the cost thereof and the registration number of his motor car, the expenses so incurred shall be reimbursed to him:

¹New section 2-A added, — vide Punjab Act III of 1952.

²For rules framed under this Act, see Punjab Government Notification No. 4436-P-53/32824, dated 1st June, 1953 published in Punjab Government Gazette 1953, Part-I, page 531-32.

³New Section inserted, — vide Punjab Act 33 of 1957.

⁴New section 2BB added by Punjab Act of 1978 and substituted,—vide Punjab Act 5 of 1992 and further amended by Punjab Act 20 of 1995.

Provided further that the total expenses incurred for the facilities specified in this section shall not exceed the amount of ¹[one lac twenty five thousand rupees] in a financial year”)].

Constituency,
Secretarial
and Postal
Facilities
Allowance.

“2-BBB. There shall be paid to the Minister Constituency, Secretarial, postal facilities allowance at the rate of eight thousand rupees per mensem and office allowance in constituency at the rate of five thousand rupees per mensem.”

Salary,
Allowance
and requisites
to be
exclusive of
Income Tax.

2-C. 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.

Grant of
Loan.

2-D. Subject to such conditions and limitations as may be prescribed by rules, there may be paid to each Minister by way of repayable advance:—

- ⁵ [(a) a sum of money not exceeding ten lac rupees for building or purchasing of house or for making major repairs, additions or alteration in the house; “; and
(b) a sum of money not exceeding ⁶[six lac rupees] or the anticipated price, which ever be less, for purchase of a “ Motor car or a Jeep or for conversion of a petrol driven Motor car or a Jeep to diesel driven vehicle, or a sum of money not exceeding twenty five thousand rupees or the anticipated price, whichever be less, for purchase of motor Cycle or a Scooter.”]

2-DD. (1) A Minister may be paid second repayable advance for purchase of a Motor car if he has repaid the entire previous advance subject to the conditions specified in Section 2-D.

⁸[3. In the principal Act, in section 2-D, after sub-section (1), the following sub-sections shall be inserted , namely :—

¹Amended by Punjab Act No. 8 of 2003 w.e.f 29-4-2003.

²New section 2BBB added, — vide Act 5 of 1992 and substituted, —vide Act No. 20 of 1995 and 8 of 2003 and further amended by Punjab Act No. 21 of 1998.

³New section 2C added by Punjab Act 14 of 1976.

⁴Section 2D amended by Punjab Act 5 of 1992, Punjab Act 20 of 1995 and further amended by Punjab Act 21 of 1998.

⁵Amended by Punjab Act No. 8 of 2003 w.e.f. 29-4-2003.

⁶Amended by Punjab Act No. 8 of 2003 w.e.f. 29-4-2003.

⁷New section 2DD inserted by Punjab Act 21 of 1998.

⁸Inserted,— vide Notification No. 12-PLA/30. dated 28th March 2000

“(1-A) If a Minister does not avail of or surrenders his State Car, he may avail of a repayable advance of a sum of money not exceeding rupees six lac or the anticipated price, whichever be less, for the purchase of a motor car or a jeep or for conversion of a petrol-driven motor car or a jeep to a diesel driven vehicle.

(1-B) If a Minister avails of the advance referred to in sub-section (1-A), he will not be entitled to a State Car till the full amount of advance is recovered from him alongwith interest.”]

(2) On the acceptance of an application for an advance, the Minister shall execute a deed in the form prescribed by rules, undertaking to use the advance for the purpose for which, and to fulfill the conditions on which, the advance is sanctioned, rendering himself and such property as may have been specified in the deed as security, including the house purchased or built with the aid of the advance liable for the repayment of the loan and interest due thereon:

Provided that no advance for building the house shall be sanctioned unless the plot or land on which the house is to be built, is exclusively owned and possessed by the Minister applying therefor, and is free from all encumbrances.

(3) No transfer, assignment or change made or created after the execution of the deed under sub-section (2) in relation to the property specified therein or the house purchased or built with the aid of the advance, shall be valid against the State Government, unless it has been made or created with its previous consent in writing.

*(3-A) Where a Minister having obtained an advance under sub-section (1) dies while holding office as such, the amount of the advance or any part thereof which would have accrued after the date of his death in accordance with the terms and conditions of the grant of advance alongwith interest thereon shall be written off with the sanction of the prescribed authority”.

(4) The State Government may make rules for carrying out the purposes of this section.

3. The Punjab Ministers' Salaries Act, 1937, and the East Punjab Ministers' Salaries Ordinance, 1947, are hereby repealed.