

Jammu and Kashmir Ministers' and Ministers of State Salaries Act, 1956

JAMMU & KASHMIR

India

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Act 6 of 1956

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Jammu and Kashmir Ministers' and Ministers of State Salaries Act, 1956(Act No. 6 of 1956)[Received the assent of the Sadar-i-Riyasat on 17th May, 1956 and published in the Government Gazette dated 30th May, 1956.]An Act to provide for the salaries and allowances of [Ministers and Ministers of State of the Government of Jammu and Kashmir] [Substituted 'Ministers of Jammu and Kashmir State' by Act XXIII of 1957, w.e.f. 27.7.1957.].Be it enacted by the Jammu and Kashmir State Legislature in the Seventh Year of the Republic of India as follows:-

1. Short title and commencement.

(1)This Act may be called the Jammu and Kashmir Ministers' [and Ministers of State] [Inserted by Act XXIII of 1957, w.e.f. 27.7.1957.] Salaries Act, 1956.(2)[It shall come into force on such date as the Government may, by notification in the Government Gazette, appoint in this behalf.] [This Act came into force on 1st October, 1956 under C.O. No. 1971-C of 1956, (Government Gazette dated 8th November, 1956).]

2. Definitions.

- In this Act -(a)"house" includes the staff quarters and other buildings appurtenant thereto ;(b)"maintenance" in relation to a house shall include the payment of local rates and taxes and charges for electricity and water.

3. Salaries and allowances of Ministers and Ministers of State.

- [(1) There shall be paid to the Chief Minister, each Minister and each Minister of State -(a)a salary of [seventy thousand rupees], [sixty-five thousand rupees] [Substituted 'forty thousand rupees' by

Act V of 2016, dated 8.7.2016.] and [sixty thousand rupees] [Substituted 'thirty-five thousand rupees' by Act V of 2016, dated 8.7.2016.] per mensem respectively, exclusively, exclusive of tax on income leviable under the Income Tax Act, 1961. The tax, if any, assessed and levied on the said income under the said Act shall be reimbursed and paid by the Government in the manner provided for in sub-section (1-a) ; and (b) an allowance of [one thousand rupees] [Substituted by Act XV of 1985.] per mensem to cover the cost of petrol or diesel oil for journey within a radius of sixteen kilometres from the headquarters. (1-a) Where a Minister including the Chief Minister, or a Minister of State - (a) is not an income tax payer but by adding the salary to his income, has become liable to pay the tax, the whole amount of tax shall be reimbursed and paid by the Government ; or (b) is an income tax payer and by adding the salary to his income has become liable to pay a higher rate of tax, the Government shall reimburse and pay the additional tax of a sum equal to the difference between the amount of tax payable at higher rate and the amount of tax payable by him before the addition of salary to his total income]. (2) Each Minister [and each Minister of State] [Inserted by Act XXIII of 1957 w.e.f. 27th July, 1957.] shall be provided with free furnished house, the maintenance charges of which shall be borne by the State Government. 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 [or Minister of State, as the case may be] [Added by Act XXIII of 1957 w.e.f. 27th July, 1957.]. (3) Each Minister [and each Minister of State] [Inserted by Act XXIII of 1957 w.e.f. 27th July, 1957.] shall be entitled to the use of a State car, the expenses on the maintenance and propulsion of which shall be borne by the State Government : [Provided that if a Minister or a Minister of State uses own car, he shall in that case be entitled to such additional allowances as may be prescribed under the rules made by the [Governor] [Added by Act XXX of 1962.]] [Substituted by Act XVI of 1981.].

3A. [Advance for motor cars. [Inserted by Act XXX of 1962.]

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

3B. [Sumptuary and constituency allowances] [Sustituted by Act XI of 1987.] to Ministers and Ministers of State.

- The [Governor] [Substituted 'Sadar-i-Riyasat' by the Constitution of Jammu and Kashmir (Sixth Amendment) Act, 1965.] may, by rules made in this behalf, provide for the grant of such [sumptuary and constituency allowance] [Sustituted by Act XI of 1987.] per mensem as he may deem fit to any Minister or a Minister of State.]

4. Power to make rules.

(1) The Travelling Allowances including daily allowance of the Ministers [and Minister of State] [Inserted by Act XXIII of 1957 w.e.f. 27th July, 1957.] as well as their rights in respect of leave and

leave allowance shall be regulated in accordance with such rules as may be framed by the [Governor] [Substituted 'Sadar-i-Riyasat' by the Constitution of Jammu and Kashmir (Sixth Amendment) Act, 1965.] from time to time.(2)The [Governor] [Substituted 'Sadar-i-Riyasat' by the Constitution of Jammu and Kashmir (Sixth Amendment) Act, 1965.] may pass such orders as he may deem necessary both in connection with the interpretation of the provisions of this Act and any Travelling Allowance claims of the Ministers prior to the commencement of this Act.