

# Uttarakhand Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 2009

UTTARAKHAND

India

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### Act 12 of 2010

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Uttarakhand Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 2009(Uttarakhand Act No. 12 of 2010)Last Updated 4th March, 2020An Act to consolidate the law relating to the salaries, allowances and other facilities to Ministers of the State of UttarakhandBe it enacted by the Legislative Assembly of the State of Uttarakhand in the Sixtieth Year of the Republic of India as follows: -

### 1. Short Title and Commencement.

(1)This Act may be called the Uttarakhand Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 2009.(2)It shall come into force at once.

### 2. Definitions.

- In this Act -(a)'Maintenance' in relation to a residence includes the payment of local rates and taxes and the provision for water and electricity including electricity duty; and(b)'Family' in relation to a Minister means his or her spouse, son, daughter, father, mother, brother or sister residing with and wholly dependent on such Minister;(c)'Minister' means a member of the Council of Ministers of the Government of Uttarakhand and includes the Chief Minister, a Minister of State and a Deputy Minister of the State;(d)'Assembly' means the Uttarakhand Legislative Assembly.

### 3. Salary.

(1)The Chief Minister and Minister shall be entitled, throughout the term of his office, to a salary of [Ninety thousand] [Substituted by section 13(a) of Uttarakhand Act no. 15 of 2018.] rupees per month.(2)Every Minister of State shall be entitled, throughout the term of his office, to a salary of

[Eighty four thousand] [Substituted by section 13(b) of Uttarakhand Act no. 15 of 2018.] rupees per month.(3)Every Deputy Minister shall be entitled, throughout the term of his office, to a salary of [Seventy two thousand] [Substituted by section 13(c) of Uttarakhand Act no. 15 of 2018.] rupees per month.(4)The salary referred to in sub-section (1) and (2) shall be exclusive of the tax payable in respect of such salary (including perquisites) under any law relating to income tax for the time being in force, and such tax shall be borne by the State Government.

#### **4. Residence.**

(1)Each Minister shall be entitled without payment of any rent to the use throughout the term of his office and for a period of Fifteen days thereafter, of a residence at Dehradun or Capital of State which shall be furnished and maintained at public expense at the prescribed scale.(2)Each Minister for whose use a residence at Dehradun of Capital of State has been provided under sub-section (1) shall immediately after the expiration of the period referred to in that sub-section, vacate such accommodation and an officer authorized by the State Government in this behalf may take possession of the accommodation and may, for the purpose, use such force as may be necessary in the circumstances.(3)Where a Minister has not been provided with a residence in accordance with sub-section (1), or does not avail of the benefit of the said sub-section, he shall be entitled to compensatory allowance at the rate of Rupees [Forty thousand] [Substituted by section 13(a) of Uttarakhand Act no. 15 of 2018.] per month.(4)The motor vehicle provided to a Deputy Minister at any time before the commencement of this Act shall be deemed to have been validly provided.

#### **5. Conveyance.**

(1)Each Minister shall, throughout the term of his office, be provided with a motor vehicle with chauffeur (driver) which shall be purchased and maintained at public expense in accordance-with the rules made in that behalf.(2)The terms and conditions for the use of the motor vehicle referred to in sub- section (1) shall be such as may be prescribed.

#### **6. Travelling allowance etc.**

(1)Each Minister other than a Deputy Minister shall be entitled for journeys (whether by road, sea or air) performed in connection with the discharge of his official duties to travelling allowance and out of pocket expenses for himself and the members of his family at such rates and upon such conditions as may be prescribed.(2)Each Deputy Minister shall be entitled for journeys (whether by road, sea or air) performed in connection with the discharge of his official duties to travelling and daily allowance at such rates and upon such conditions as may be prescribed.(3)Each Minister shall be entitled to travelling allowance for himself and the members of his family and for the transport of his and his family's effects -(a)in respect of the journey to Dehradun or Capital of the State from his usual place of residence outside Dehradun for the purposes of assuming office; and(b)in respect of the journey to Dehradun or Capital of the State to his usual place of residence outside Dehradun on relinquishing office.(4)Notwithstanding anything contained in sub-sections (1) to (3), no travelling allowance shall be payable to a Minister in respect of journeys performed by the motor vehicle referred to in section 5 or any other vehicle belonging to the State Government.

## **7. Use of circuit houses etc.**

- Every Minister shall be entitled and be deemed always to be entitled to the use of the circuit house, inspection house or other rest houses maintained by the State Government without payment of any rent or electricity charges during the course of journeys performed in connection with the discharge of his official duties.

## **8. Medical facilities.**

- Every Minister and the members of his family shall be entitled, free of charge, to accommodation in hospitals during the period of treatment maintained by the State Government and to medical attendance and treatment in accordance with such principles as may be prescribed for the highest class officers of the State Government.

## **9. Notification of appointment and vacancy in the office of a Minister.**

- The date on which any person became or ceased to be a Minister shall be notified in the official Gazette and any such notification shall be conclusive evidence of the fact that he became, or ceased to be a Minister, on that date.

## **10. Prohibition against practicing any profession etc.**

- No Minister shall during the tenure of his office for which he draws his salary and allowance, practice any profession or engage in any trade or undertake for remuneration any employment other than his duties as Minister.

## **11. Facilities under Uttarakhand Act 06 of 2008.**

- Every Minister who is a member of the Assembly shall continue to enjoy the benefits available to him under section 4, 7, 11, 16, 17 and Chapter XI of the Uttarakhand State Legislature (Members' Emoluments and Pension) Act, 2008 (as amended from time to time).

## **12. Relinquishment of salary etc.**

- A Minister may, at any time, relinquish the whole or any part of the salary, allowances or other facilities to which he is entitled by making a written declaration to that effect.

## **13. Rules making power.**

(1)The State Government may, by notification, make rules to carry out the purposes of this Act.(2)All rules made under the enactment repealed by section 14 and in force on the date immediately preceding the date of commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act, be deemed to have been made under this Act and they

shall continue to be valid and effective until they are repealed by new rules made under subsection (1).

#### **14. Repeal and saving.**

(1)The Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981, (As applicable to the State of the Uttarakhand) is hereby repealed in its application to the State of Uttarakhand.(2)Notwithstanding such repeal of the Act as amended Act specified in subsection (1) anything done or any action taken under the provisions shall be deemed to have been done or taken under the corresponding provisions of this Act, as if this Act were in force at all material times.