

The M.P. Mantri (Vetan Tatha Bhatta) Adhiniyam, 1972

MADHYA PRADESH

India

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Act 25 of 1972

- Published on 14 August 1972
- Commenced on 14 August 1972
- [This is the version of this document from 14 August 1972.]
- [Note: The original publication document is not available and this content could not be verified.]

The M.P. Mantri (Vetan Tatha Bhatta) Adhiniyam, 1972 M.P. Act No. 25 of 1972 [Dated 14th August, 1972] An Act to provide for the Salaries and Allowances of the Ministers. Be it enacted by the Madhya Pradesh Legislature in the Twenty-third Year of the Republic of India as follows :-

1. Short title.

- This Act may be called the Madhya Pradesh Mantri (Vetan Tatha Bhatta) Adhiniyam, 1972.

2. Definition.

- In this Act unless the context otherwise requires, "Ministers" includes "Chief Minister".

3. [Salaries of Ministers, Ministers of State, Deputy Ministers and Parliamentary Secretaries. [Substituted by M.P. Act No. 27 of 2001 (w.e.f. 1-10-2001).]

- There shall be paid to each Minister, Minister of State, Deputy Minister and Parliamentary Secretary, a Salary of Four thousand rupees per mensem.

4. Sumptuary Allowance, Constituency Allowance and Daily Allowance.

(1) There shall be paid to the Chief Minister a sumptuary allowance of Fifteen thousand rupees per mensem, to each Minister, a sumptuary allowance of Eight thousand rupees per mensem, to each Minister of State, a sumptuary allowance of Five thousand rupees per mensem and to each Deputy Minister and Parliamentary Secretary a sumptuary allowance of One thousand five hundred rupees per mensem. (2) There shall be paid to each Minister, Minister of State, Deputy Minister and Parliamentary Secretary a Constituency allowance of Eight thousand rupees per mensem. (3) There

shall be paid to each Minister, Minister of State, Deputy Minister and Parliamentary Secretary a Daily allowance of Five hundred rupees per day during the term of office.]

5. Residence of Ministers, etc.

(1) Each Minister, Minister of State, Deputy Minister and Parliamentary Secretary shall be entitled, without payment of rent, to the use of a furnished residence throughout his term of office at Bhopal and for the period of one month immediately thereafter, and no charge shall fall on the Minister or Minister of State or Deputy Minister or Parliamentary Secretary personally in respect of the maintenance of such residence. Explanation. - For the purposes of this section, "residence" includes the staff quarters and other buildings appurtenant thereto and the garden thereof, and "maintenance" in relation to a residence includes the payment of local rates and taxes and the provision of electricity and water. (2) If a Minister or a Minister of State, or a Deputy Minister or a Parliamentary Secretary does not avail of the benefit of sub-section (1), he shall, in lieu thereof, be entitled to a house-rent allowance equal to twenty per centum of the salary payable to him under Section 3. (3) In addition to a free furnished residence at Bhopal under sub-section (1), each Minister, Minister of State, Deputy Minister and Parliamentary Secretary shall also be entitled to the use of a furnished residence without payment of rent at any other place which the State Government may, from time to time for the purpose of this Act, declare to be the place of official residence of the Minister, Minister of State, Deputy Minister and Parliamentary Secretary, as the case may be, so long as such declaration remains in force. (4) The expenditure to be incurred in respect of furnishing of the residence provided to a Minister, Minister of State, Deputy Minister and Parliamentary Secretary, as the case may be, under sub-section (1) shall be subject to the following monetary limits :-

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| Minister | Thirty-five thousand rupees. |
| Minister of State | Twenty-five thousand rupees. |
| Deputy Ministers | Twenty thousand rupees. |
| Parliamentary Secretary | Fifteen thousand rupees. |

(5) The annual expenditure to be incurred in respect of upkeep, annual repairs and maintenance of the residence and garden provided under sub-section (1) shall be subject to such monetary limits as may be laid down by rule made in this behalf by the State Government.

6. Conveyance for Ministers, etc.

(1) There shall be provided to each Minister, to each Minister of State, to each Deputy Minister and to each Parliamentary Secretary for his use a suitable motor vehicle purchased and maintained at public expense in accordance with the rules to be made by the State Government in that behalf. (2) The State Government shall also provide at public expense [two chauffeurs] [Substituted by M.P. Act No. 17 of 1981.] for each such motor vehicle, and also supply for each motor vehicle, motor fuel consumed for journeys (other than journeys for which travelling allowance is admissible) performed by each such motor vehicle subject to a maximum of three hundred and fifty litres per month in the case of a motor vehicle provided to a Minister, three hundred litres per month in the

case of a motor vehicle provided to a Minister of State, two hundred and seventy-five litres per month in the case of a motor vehicle provided to a Deputy Minister, and two hundred and fifty litres per month in the case of a motor vehicle provided to a Parliamentary Secretary.

7. [Medical attendance and treatment etc. to Ministers, Ministers of State, Deputy Ministers and Parliamentary Secretaries. [Substituted by M.P Act No. 11 of 1989 (w.e.f. 1-4-1989).]

(1)A Minister, a Minister of State, a Deputy Minister and a Parliamentary Secretary and the members of the family of the Minister, the Minister of State, the Deputy Minister and the Parliamentary Secretary, as the case may be, shall be entitled to medical attendance and treatment, free of charge, on the scale and conditions applicable to, the members of the All India Services and members of their families under the rules relating to medical attendance and treatment, made from time to time, under the All India Service Act, 1951 (LXI of 1951).(2)While on tour undertaken by him in the discharge of his official duties outside India, a Minister, a Minister of State, a Deputy Minister and Parliamentary Secretary shall also be entitled to such medical attendance and treatment, free of charge, as may be admissible to the Head of the Indian Mission at that place.]

8. Prohibition against practising any profession, drawing salary as member, etc.

- A Minister, a Minister of State, a Deputy Minister, and a Parliamentary Secretary shall not:-(a)during the tenure of his office for which he draws salary and allowance, practise any profession or engage in any trade or undertake for remuneration any employment other than his duties as Minister, Minister of State, Deputy Minister or Parliamentary Secretary; and(b)while he draws salary and allowance for his office, be entitled to any salary or allowance as member of the Madhya Pradesh Legislative Assembly.

9. Travelling and Daily Allowance to Ministers, etc.

(1)A Minister, a Minister of State, a Deputy Minister and a Parliamentary Secretary shall, in accordance with the rules, made in this behalf by the State Government, be entitled to-(a)travelling allowance for himself and the members of his family dependent upon him and for the transport of his and his family's effects-(i)in respect of the journey to Bhopal from his usual place of residence out of Bhopal for assuming office; and(ii)in respect of the journey from Bhopal to his usual place of residence out of Bhopal on relinquishing office; and(b)travelling and daily allowance in respect of tours undertaken by him in the discharge of his official duties whether by land, sea or air.(2)Any travelling allowance under this section may be paid in cash or free official transport provided in lieu thereof.(3)In addition to travelling and daily allowances payable in respect of tours specified in clause (b) of sub-section (1), a Minister, a Minister of State, a Deputy Minister and a Parliamentary Secretary shall be entitled, without payment of any charge, to accommodation in and provision of electricity at, circuit houses and Rest Houses maintained by the State Government, for the period of their stay during such tours.

9A. [Allowances and perquisites to be exclusive of Income-tax. [Substituted by M.P. Act No. 31 of 1997 (w.e.f. 1-4-1994).]

- All allowances payable and furnished residence without payment of rent and other perquisites admissible to a Minister, a Minister of State, a Deputy Minister and a Parliamentary Secretary under this Act shall be exclusive of income-tax which shall be payable by the State Government at the maximum rate payable by a Minister, a Minister of State, a Deputy Minister or a Parliamentary Secretary, as the case may be. Out of the total amount of income accruing from the above allowances and perquisites payable to a Minister, a Minister of State, a Deputy Minister or a Parliamentary Secretary, the amount of the limit of exemption from income-tax and standard deductions, whatsoever as admissible from time to time, shall not be deducted.]

10. Notification respecting appointment etc. of Ministers, Ministers of State, Deputy Ministers and Parliamentary Secretaries to be conclusive evidence thereof.

- The date on which any person becomes or ceases to be a Minister, a Minister of State, a Deputy Minister, or a Parliamentary Secretary shall be notified in the Gazette and any such notification shall be conclusive evidence of the fact that he became or ceased to be a Minister, a Minister of State, a Deputy Minister or a Parliamentary Secretary on that date for all the purposes of this Act.

11. Power to make rules.

(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 on the Table of the Legislative Assembly.

12. Provisions of Section 9 (3) to have retrospective effect.

- The provisions of sub-section (3) of Section 9 shall be deemed to have come into force on the 21st January, 1957.

13. Repeal.

- The Madhya Pradesh Salaries and Allowances of Ministers Act, 1956 (V of 1957), is hereby repealed.