

The Jammu and Kashmir Deputy Ministers' Salaries and Allowances Act, 1957

JAMMU & KASHMIR

India

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Act 6 of 1957

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The Jammu and Kashmir Deputy Ministers' Salaries and Allowances Act, 1957 Act No. 6 of 1957 [Received the assent of the Sadr-i-Riyasat on 1st February, 1957 and published in Government Gazette dated 4th March, 1957.] An Act to provide for the Salaries and allowance of Deputy Ministers of the Jammu and Kashmir State. Be it enacted by the Jammu and Kashmir State Legislature in the Eighth year of the Republic of India as follows:-

1. Short title and commencement.

(1) This Act may be called the Jammu and Kashmir Deputy Ministers' Salaries and Allowances Act, 1957. (2) [It shall come into force on such date as the Government may, by notification in the Government Gazette, appoint in this behalf.] [Enforced w.e.f. 4th March, 1957 vide Notification No. 138-F of 1957 dated 20-04-1957.]

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 charge for electricity and water.

3. Salaries and Allowances of Deputy Ministers.

- [(1) There shall be paid to each Deputy Minister-(a) a salary of [thirty-five thousand rupees] per mensem 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] [In clause (b) the words 'one thousand rupees' substituted by Act XV of 1985, Section 6.] per mensem to cover the cost of petrol or diesel oil for journey within a radius of sixteen kilometres from headquarters.(1-a) Where a Deputy Minister-(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 Deputy Minister shall be provided with free furnished house, the maintenance charges of which shall be born 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 Deputy Minister.(3)Each Deputy Minister 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 Deputy Minister uses his own car, he shall in that case be entitled to such additional allowances as may be prescribed under the rules made by the Governor.] [Proviso to section 3 added by XIII of 1968 with effect from 1-4-1967.]

3A. [Advance for motor Cars. [Sections 3-A and 3-B inserted by XIII of 1968.]

- There may be paid to any Deputy Minister by way of repayable advance such some 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 allowance] [Substituted by Act XI of 1987, Section 7.] to Deputy Minister.

- The Governor may, by rules made in this behalf, provide for the grant of such [Sumptuary and Constituency allowance] [Substituted by Act XI of 1987, Section 7.] per mensem as he may deem fit to any Deputy Minister.] [Sub-section (1) of section 3 substituted by Act XVI of 1981, Section 6.]

4. Power to make rules.

(1)The travelling allowances including daily allowance of the Deputy Ministers as well as their rights in respect of [xxx] [The word 'privilege' omitted by Act XIII of 1968 with effect from 1-4-1966.] leave including [xxx] [The word 'privilege' omitted by Act XIII of 1968 with effect from 1-4-196.] leave allowance shall be regulated in accordance with such rules as may be framed by the [Governor] [Substituted by the Constitution of Jammu and Kashmir (Sixth Amendment) Act, 1965 for 'Sadar-i-Riyasat'.] from time to time.

2. The [Governor] [Substituted by the Constitution of Jammu and Kashmir (Sixth Amendment) Act, 1965 for 'Sadar-i-Riyasat'.] may pass such under as he may deem necessary both in connection with the interpretation of the provisions of this Act and any travelling allowance claims of the Deputy

Ministers prior to the commencement of this Act.

5. Repeal and Saving.

(1)The Jammu and Kashmir Deputy Minister' Salaries and Allowances Act, 2010 (Act VIII of 2010 of 2010) is hereby repealed.(2)Notwithstanding such repeal, anything done or any action taken in the exercise of any power conferred by or under the said act shall be deemed to have been or taken in the exercise of the powers conferred by this Act as if this Act were in force on the day on which such things was done or action was taken.