


भारत का राजपत्र
The Gazette of India

असाधारण
 EXTRAORDINARY
 भाग II — खण्ड 1
 PART II — Section 1
 प्राधिकार से प्रकाशित
 PUBLISHED BY AUTHORITY

सं० 51] नई दिल्ली, बुधवार, सितम्बर 12, 2001 / भाद्र 21, 1923
 No. 51] NEW DELHI, WEDNESDAY, SEPTEMBER 12, 2001 / BHADRA 21, 1923

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
 Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, 12th September, 2001/Bhadra 21, 1923 (Saka)

The following Act of Parliament received the assent of the President on the
 11th September, 2001, and is published for general information:—

THE SALARIES AND ALLOWANCES OF MINISTERS
(AMENDMENT) ACT, 2001

No. 44 OF 2001

[11th September, 2001.]

An Act further to amend the Salaries and Allowances of Ministers Act, 1952.

BE it enacted by Parliament in the Fifty-second Year of the Republic of India as follows:—

1, (1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 2001.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

58 of 1952.

2. For section 5 of the Salaries and Allowances of Ministers Act, 1952 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

Substitution of new section for section 5.

Sumptuary allowance to Ministers.

“5. There shall be paid a sumptuary allowance to each Minister at the following rates, namely:—

(a) the Prime Minister	Rupees three thousand per mensem;
(b) every other Minister who is a member of the Cabinet	Rupees two thousand per mensem;
(c) a Minister of State	Rupees one thousand per mensem;
(d) a Deputy Minister	Rupees six hundred per mensem.”

Amendment of section 6.

3. In section 6 of the principal Act, for sub-section (IA), the following sub-section shall be substituted, namely:—

“(IA) A Minister shall be entitled to travelling allowance in respect of not more than twelve return journeys performed, during each year, within India, for himself and his family, whether travelling together or separately at the same rates at which travelling allowance is payable to such Minister under clause (b) of sub-section (I) in respect of tours referred to in that clause, subject to the overall entitlement of forty eight single journeys in each year.”

SUBHASH C. JAIN,
Secy. to the Govt. of India.

To library Salaries & Allowances of Ministers
Amendment Act, 2001,
Exhe Copy

रजिस्ट्री सं० डी० एल०-33004/99

530

REGD. NO. D. L.-33004/99



सत्यमेव जयते

भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 665]

नई दिल्ली, सोमवार, सितम्बर 17, 2001/भाद्र 26, 1923

No. 665]

NEW DELHI, MONDAY, SEPTEMBER 17, 2001/BHADRA 26, 1923

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 17 सितम्बर, 2001

का.आ. 890(अ).—मंत्रियों के सम्बलमों और भत्तों से संबंधित (संशोधन) अधिनियम, 2001 (2001 का 44) की धारा 1 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा 17 सितम्बर, 2001 को उक्त अधिनियम के प्रवृत्त होने की तारीख निश्चित करती है।

[फा. सं. 10/33/98-एम एंड जी]

आर. के. सिंह, संयुक्त सचिव

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 17th September, 2001

S.O. 890(E).—In exercise of the powers conferred by sub-section (2) of section 1 of the Salaries and Allowances of Ministers (Amendment) Act, 2001 (44 of 2001), the Central Government hereby appoints the 17th day of September, 2001 as the date on which the said Act shall come into force.

[F.No. 10/33/98-M&G]

R. K. SINGH, Jt. Secy

Gazette No. 37 dated 16th September 1952.

PART I

Section i

NOTIFICATION.

LD (b) 4-3191|52|Law.

23rd August 1952.

The following Central Acts which were recently passed by the Parliament of India and published in the Gazette of India Extraordinary, Part II, Section I dated the 14th and 16th August 1952 as Acts Nos. LVIII, LIX and LX of 1952, respectively are republished for general information. The Bills as passed by the Parliament of India were assented to by the President on the dates noted against them.

- (1) The Salaries and Allowances of Ministers Act, 1952 (LVIII of 1952)—(Received assent on 12th August 1952).
- (2) The Prevention of Corruption (Second Amendment) Act, 1952 (LIX of 1952)—(Received assent on 12th August 1952).
- (3) The Commissions of Inquiry Act, 1952 (LX of 1952)—(Received assent on 14th August 1952).

By order of His Highness
the Raj Pramukh,

N. S. RADHAKRISHNA SARMA,
Secretary to Government.

Government Secretariat,
Law Department,
Trivandrum,

THE SALARIES AND ALLOWANCES OF MINISTERS

ACT, 1952. *Repealed in part by Act 36 of 1952*
(LVIII OF 1952)

AN

ACT

to provide for the salaries and allowances of Ministers.

Be it enacted by Parliament as follows :—

1. *Short title.*—This Act may be called the Salaries and Allowances of Ministers Act, 1952.

2. *Definition.*—In this Act, “Minister” means a member of the Council of Ministers, by whatever name called and includes a Deputy Minister.

3. *Salaries of Ministers.*—There shall be paid to each Minister, other than a Deputy Minister, a salary of two thousand two hundred and fifty rupees *per mensem*, and to each Deputy Minister a salary of one thousand seven hundred and fifty rupees *per mensem*.

4. *Residence of Ministers.*—Each Minister shall be entitled without payment of rent to the use of a furnished residence throughout his term of office and for a period of fifteen days immediately thereafter, and no charge shall fall on the Minister 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.

5. *Sumptuary allowance to Ministers.*—The Central Government may, by rules made in this behalf, provide for the grant of a sumptuary allowance not exceeding five hundred rupees *per mensem* to any Minister other than a Deputy Minister, and such rules may provide for the grant of the allowance to different Ministers at different rates.

6. *Travelling and daily allowances to Ministers.*—(1) Subject to any rules made in this behalf by the Central Government, a Minister shall be entitled to—

(a) travelling allowances for himself and the members of his family and for the transport of his and his family's effects—

(i) in respect of the journey to Delhi from his usual place of residence outside Delhi for assuming office, and

(ii) in respect of the journey from Delhi to his usual place of residence outside Delhi on relinquishing office; and

(b) travelling and daily allowances in respect of tours undertaken by him in the discharge of his official duties, whether by sea, land or air.

(2) Any travelling allowance under this section may be paid in cash or free official transport provided in lieu thereof.

7. *Medical treatment, etc., to Ministers.*—Subject to any rules made in this behalf by the Central Government, a Minister and the members of his family shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to medical treatment.

8. *Advances to Ministers for purchase of motor-cars.*—There may be paid to any Minister by way of a repayable advance such sum of money as may be determined by rules made in this behalf for the purchase of a motor-car in order that he may be able to discharge conveniently and efficiently the duties of his office.

9. *Ministers not to draw salary or allowances as Members of Parliament.*—No person in receipt of a salary or allowance under this Act shall be entitled to receive any sum out of funds provided by Parliament by way of salary or allowance in respect of his membership of either House of Parliament.

10. *Notification respecting appointment, etc., of Ministers to be conclusive evidence thereof.*—The date on which any person became or ceased to be a Minister shall be published 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 for all the purposes of this Act.

11. *Power to make rules.* (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) All rules made under this Act shall be laid before both Houses of Parliament as soon as may be after they are made.

12. *Regularisation of certain payments.*—All salaries paid or payable for the period commencing on the 14th day of May 1952, and ending with the commencement of this Act to Ministers described as Ministers of Cabinet rank (but not Members of the Cabinet), all charges incurred before the commencement of this Act in respect of the accommodation provided in any hospital maintained by the Central Government for or on the medical treatment of any Minister or any member of his family and all payments made before such commencement by way of travelling or daily allowances to any Deputy Minister, shall be deemed to have been properly paid, payable or incurred or made.

13. ~~*Repeal of Act LIII of 1947.*~~—The ~~Salaries of Ministers Act, 1947,~~ is hereby repealed.

Done on the
13th Feb
1952.

THE PREVENTION OF CORRUPTION (SECOND
AMENDMENT) Act, 1952.
(LIX OF 1952).

AN
ACT

Further to amend the Prevention of Corruption Act, 1947.

Be it enacted by Parliament as follows:—

1. *Short title.*—This Act may be called the Prevention of Corruption (Second Amendment) Act, 1952.

2. *Amendment of section 3, Act II of 1947.*—In section 3 of the Prevention of Corruption Act, 1947 (hereinafter referred to as the principal Act),—

(a) after the word and figures “section 165” the words, figures and letter “or section 165A” shall be inserted; and

(b) the proviso shall be omitted.

3. *Amendment of section 4, Act II of 1947.*—The proviso to section 4 of the principal Act shall be omitted³ and the said section shall be renumbered as sub-section (1) thereof and after sub-section (1) as so renumbered, the following sub-sections shall be inserted, namely:—

“(2) Where in any trial of an offence punishable under section 165A of the Indian Penal Code (Act XLV of 1860), it is proved that any gratification (other than legal remuneration) or any valuable thing has been given or offered to be given or attempted to be given by an accused person, it shall be presumed unless the contrary is proved that he gave or offered to give or attempted to give that gratification or that valuable thing, as the case may be, as a motive or reward such as is mentioned in section 161 of the Indian Penal Code or, as the case may be, without consideration or for a consideration which he knows to be inadequate

(3) Notwithstanding anything contained in sub-sections (1) and (2), the court may decline to draw the presumption referred to in either of the said sub-sections, if the gratification or thing aforesaid is, in its opinion, so trivial that no inference of corruption may fairly be drawn.”

4. *Amendment of section 5 Act II of 1947.*—For sub-section (4) of section 5 of the principal Act, the following sub-section shall be substituted, namely:—

“(4) The provisions of this section shall be in addition to, and not in derogation of, any other law for the time being in force, and nothing contained herein shall exempt any public servant from any proceeding which might, apart from this section, be instituted against him.”

GOVERNMENT OF KERALA

Law (Leg. Pbn.) Department

NOTIFICATION

No. 1795/Leg. Pbn. 2/78/Law.

Dated, Trivandrum, 6th February 1978.

The following Act of Parliament, published in a Gazette of India Extraordinary, Part—II Section 1, dated the 9th December, 1977, is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 9th December, 1977.

By order of the Governor,
K. VISWANATHAN NAIR,
Additional Law Secretary.

THE SALARIES AND ALLOWANCES OF MINISTERS
(AMENDMENT) ACT, 1977
(Act 37 of 1977)

An
Act

for further to amend the Salaries and Allowances of Ministers Act, 1952.

BE it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 1977.

2. *Substitution of new section for section 11.*—For section 11 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952) (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

“11. *Power to make rules.*—(1) The Central Government may make rules to carry out the purposes of this Act.

(2) Every rule made under this Act after the commencement of the Salaries and Allowances of Ministers (Amendment) Act, 1977 shall be laid before each House of Parliament and no such rule shall come into force until it has been approved, whether with or without modifications, by each House of Parliament and published by the Central Government in the Official Gazette.”

3. *Validation.*—Notwithstanding anything contained in section 1 of the principal Act, as it stood immediately before the commencement of this Act, no rule made, or purporting to have been made, by the Central Government under that section with retrospective effect and no action taken or thing done in accordance with the rule so made, at any time before the commencement of this Act, shall be deemed to be invalid or ever to have been invalid by reason only of the fact that the Central Government had no power to make such rule retrospectively under that section.



GOVERNMENT OF KERALA
Law (Legislation-Publication) Department
NOTIFICATION

No. 5708/Leg. Pbn. 2/86/Law.

Dated, Trivandrum, 1st April 1986.

The following Act of Parliament, published in a Gazette of India Extraordinary Part II—Section 1, dated the 26th December 1985 is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 26th December, 1985.

By order of the Governor,
P. P. MATHAI,
Secretary, Legislation.

THE SALARIES AND ALLOWANCES OF MINISTERS
(AMENDMENT) ACT, 1985
(Central Act 76 of 1985)

AN
ACT

Further to amend the Salaries and Allowances of Ministers Act, 1952

Enacted by Parliament in the Thirty-sixth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 1985.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Substitution of new section for section 3.*—For section 3 of the Salaries and Allowances of Ministers Act, 1952 (53 of 1952) (hereinafter referred to as the principal Act), the following section shall be substituted, namely :—

“3. Salaries and daily and constituency allowances.—(1) Each Minister shall be entitled to receive a salary per mensem, and an allowance for each day during the whole of his term as such

Minister at the same rates as are specified in section 3 of the Salaries, Allowances and Pension of members of Parliament Act, 1954 (30 of 1954) with respect to members of Parliament.

(2) Each Minister shall be entitled to receive a constituency allowance at the same rate as is specified under section 8 of the said Act with respect to members of Parliament.”.

3. *Substitution of new section for section 5.*— For section 5 of the principal Act, the following section shall be substituted, namely :—

“5. *Sumptuary allowance to Ministers.*— There shall be paid a sumptuary allowance to each Minister at the following rates, namely :—

- | | |
|---|---|
| (a) the Prime Minister | Rupees one thousand five hundred pensem ; |
| (b) every other Minister who is a member of the Cabinet | Rupees one thousand per mensem ; |
| (c) a Minister of State | Rupees five hundred per mensem : |
| (d) a Deputy Minister | Rupees three hundred per mensem.”. |

4. *Amendment of section 6.*—In section 6 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely :—

“(1A) A Minister and any one member of his family accompanying him shall be entitled to travelling allowances in respect of not more than six return journeys performed, during each year, within India, at the same rates at which travelling allowances are payable to such Minister under clause (b) of sub-section (1) in respect of tours referred to in that clause.

Explanation.—For the purposes of this sub-section, “return journey” means a journey from one place to another place and the return journey from such other place to the first mentioned place.”.

5. *Insertion of new section 10A.*—In the principal Act, after section 10, the following section shall be inserted, namely :—

“10A. *Exemption from liability to pay income-tax on certain perquisites received by a Minister.*—Notwithstanding anything contained in the Income-tax Act, 1961, (43 of 1961) the value of rent free furnished residence (including maintenance thereof) provided to a Minister under sub-section (1) of section 4 shall not be included in the computation of his income chargeable under the head “Salaries” under section 15 of the Income-tax Act, 1961.”.

Salaries & allowances of ministers
Amendment Act, 2001.

Bill No. 86-F of 2001

S. 30

THE SALARIES AND ALLOWANCES OF
MINISTERS (AMENDMENT) BILL, 2001

Act

(AS PASSED BY THE HOUSES OF PARLIAMENT—
LOK SABHA ON 30TH AUGUST, 2001
RAJYA SABHA ON 31ST AUGUST, 2001)

ASSENTED TO
ON 11.09.2001
ACT No. 44 OF 2001

Bill No. 86-F of 2001

THE SALARIES AND ALLOWANCES OF MINISTERS
(AMENDMENT) BILL, 2001 *Act*

~~(AS PASSED BY THE HOUSES OF PARLIAMENT)~~

~~BILL~~

Further to amend the Salaries and Allowances of Ministers Act, 1952.

BE it enacted by Parliament in the Fifty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 2001.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. For section 5 of the Salaries and Allowances of Ministers Act, 1952 (hereinafter referred to as the principal Act), the following section shall be substituted, namely:—

Substitution of new section for section 5.

“5. There shall be paid a sumptuary allowance to each Minister at the following rates, namely:—

Sumptuary allowance to Ministers.

(a) the Prime Minister	Rupees three thousand per mensem;
(b) every other Minister who is a member of the Cabinet	Rupees two thousand per mensem;
(c) a Minister of State	Rupees one thousand per mensem;
(d) a Deputy Minister	Rupees six hundred per mensem.”

Amendment
of section 6.

3. In section 6 of the principal Act, for sub-section (IA), the following sub-section shall be substituted, namely:—

“(IA) A Minister shall be entitled to travelling allowance in respect of not more than twelve return journeys performed, during each year, within India, for himself and his family, whether travelling together or separately at the same rates at which travelling allowance is payable to such Minister under clause (b) of sub-section (I) in respect of tours referred to in that clause, subject to the overall entitlement of forty-eight single journeys in each year.”

Bill No: 7-F of 2002

THE SALARIES AND ALLOWANCES OF
OFFICERS OF PARLIAMENT AND LEADERS
OF OPPOSITION IN PARLIAMENT
(AMENDMENT) ~~BILL~~, 2002

(AS PASSED BY THE HOUSES OF PARLIAMENT—

LOK SABHA ON 7TH MAY, 2002

RAJYA SABHA ON 14TH MAY, 2002)

ASSENTED TO
ON 27-05-2002
ACT No. 29 OF 2002

Bill No. 7-F of 2002

THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT
AND LEADERS OF OPPOSITION IN PARLIAMENT
(AMENDMENT) ~~BILL~~, 2002

~~(AS PASSED BY THE HOUSES OF PARLIAMENT)~~

~~BILL~~

*further to amend the Salaries and Allowances of Officers of Parliament Act, 1953 and
the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977.*

BE it enacted by Parliament in the Fifty-third Year of the Republic of India-as
follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Salaries and Allowances of Officers of Parliament
and Leaders of Opposition in Parliament (Amendment) Act, 2002.

Short title
and com-
mencement.

(2) It shall be deemed to have come into force on the 17th day of September, 2001.

CHAPTER II

AMENDMENT TO THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT
ACT, 1953

Amendment
of section 5
of Act
20 of 1953.

2. In section 5 of the Salaries and Allowances of Officers of Parliament Act, 1953, the following proviso shall be inserted, namely:—

“Provided that on and from the 17th day of September, 2001, the sumptuary allowance shall be paid to—

(a) the Speaker of the House of the People at the same rate at which the sumptuary allowance is payable, under section 5 of the Salaries and Allowances of Ministers Act, 1952, to every other Minister who is a member of the Cabinet; 58 of 1952.

(b) the Deputy Chairman and the Deputy Speaker at the same rate at which the sumptuary allowance is payable, under section 5 of the Salaries and Allowances of Ministers Act, 1952, to a Minister of State.”. 58 of 1952.

CHAPTER III

AMENDMENT TO THE SALARY AND ALLOWANCES OF LEADERS OF OPPOSITION IN
PARLIAMENT ACT, 1977

Amendment
of section 3
of Act
33 of 1977.

3. In section 3 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977, in sub-section (3), the following proviso shall be inserted, namely:—

“Provided that on and from the 17th day of September, 2001, the sumptuary allowance shall be paid to each Leader of the Opposition at the same rate at which the sumptuary allowance is payable, under section 5 of the Salaries and Allowances of Ministers Act, 1952, to every other Minister who is a member of the Cabinet.”. 58 of 1952.

CS:30

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2003—09

REGISTERED NO. DL—(N)04/0007/2003—09



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II— खण्ड 1

PART II— Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY.

सं० 3]

नई दिल्ली, शुक्रवार, जनवरी 22, 2010 / 2 माघ, 1931

No. 3]

NEW DELHI, FRIDAY, JANUARY 22, 2010 / 2 Magha, 1931

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 22nd January, 2010/Magha 2, 1931 (Saka).

The following Act of Parliament received the assent of the President on the 21st January, 2010, and is hereby published for general information:—

THE SALARIES AND ALLOWANCES OF MINISTERS

(AMENDMENT) ACT, 2009

(No. 2 of 2010)

[21st January, 2010.]

An Act further to amend the Salaries and Allowances of Ministers Act, 1952.

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

1. (1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 2009.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Amendment
of section 6
of Act 58 of
1952.

2. In section 6 of the Salaries and Allowances of Ministers Act, 1952, for sub-section (1A), the following sub-section shall be substituted, namely:—

"(1A) A Minister shall be entitled to an amount equal to the fare for a single journey performed by him, during each year, within India, either alone or along with spouse or legitimate or step children, residing with and wholly dependent on him, or any number of companions or relatives, at the same rates at which travelling allowance is payable to such Minister under clause (b) of sub-section (1) in respect of tours referred to in that clause, subject to a maximum of forty-eight such fares per year:

Provided that the spouse or legitimate or step children residing with and wholly dependent on the Minister, as the case may be, may undertake such journey alone."

V. K. BHASIN,
Secy. to the Govt. of India.