



सत्यमेव जयते

THE MIZORAM GAZETTE

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N O T I F I C A T I O N

No. LJD. 100/73/21, the 14th. February, 1974. The following Act of the Mizoram Legislative Assembly which received the assent of the President is hereby published for general information,

MIZORAM ACT NO 1 OF 1974.

(Received the assent of the President on 19th January, 1974).

THE MIZORAM SALARIES AND ALLOWANCES OF MINISTERS ACT, 1974.

AN

ACT

to provide for the salaries and allowances of the Ministers in the Union territory of Mizoram.

BE it enacted by the Legislative Assembly of Mizoram in the Twenty-fourth Year of the Republic of India as follows :-

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| Short title and commencement. | 1. (1) This Act may be called the Mizoram Salaries and Allowances of Ministers Act, 1973. |
| | (2) It shall be deemed to have come into force on the 8th day of June, 1973. |
| Definitions. | 2. In this Act, unless the context otherwise requires— |
| | (a) "Administrator" means the Administrator of the Union territory of Mizoram appointed by the President under article 239 of the Constitution ; |
| | (b) "Assembly" means the Legislative Assembly of the Union territory of Mizoram ; |
| | (c) "Family" in relation to a Minister means his wife residing with him and legitimate children and step children residing with or wholly dependent on him and where the husband has more than one wife, only one wife shall be included in his family for the purposes of this Act. If the Minister is a married woman "family" shall include her husband residing with her ; |

- (d) "the Government" means the Government of the Union territory of Mizoram ;
- (e) "Minister" means a Minister appointed under sub-section (1) of section 45 of the Government of Union Territories Act, 1963 and includes the Chief Minister and a Deputy Minister ; Central Act
20 of 1963
- (f) "Schedule" means the Schedule appended to this Act ;
- (g) "travelling allowance" means the allowance granted to a Minister under this Act to cover the expenses which he incurs in travelling in the interest of the public service as against travelling in personal interest or for private purpose, such as journeys for rest, recoupment of health, attending party meetings or election campaign.

Salaries of Chief Minister and other Ministers.

3. There shall be paid to the Chief Minister and to each Minister, other than a Deputy Minister, a salary of one thousand rupees per mensem and to each Deputy Minister a salary of seven hundred rupees per mensem.

Sumptuary allowance of Chief Minister and other Ministers.

4. There shall be paid to the Chief Minister a sumptuary allowance of two hundred rupees per mensem and to each Minister a sumptuary allowance of one hundred rupees per mensem.

Residence of Ministers.

5. Each Minister shall be entitled, without any payment to the use and maintenance of a furnished residence throughout his term of office and for a period of fifteen days immediately thereafter ; and so long as such residence is not provided, there shall be paid to each Minister, other than a Deputy Minister, a compensatory allowance of two hundred and fifty rupees per mensem and to each Deputy Minister a compensatory allowance of two hundred rupees per mensem.

Explanation :— For the purposes of this section,—

- (a) "residence" includes the staff quarters and other buildings appurtenant thereto and the garden thereof ;
- (b) "maintanance," in relation to a residence, includes,—

- (i) provision of electricity and water to the extent of one hundred rupees per mensem in the case of a Minister, other than a Deputy Minister; and seventy-five rupees per mensem in the case of a Deputy Minister; and
- (ii) payment of local rates and taxes.

Conveyance allowance and use of motor-cars.

6. Each Minister shall, at his option in writing, be entitled to:—

- (a) (i) the free use of a motor-car, the cost of maintenance of which shall be borne by him.
- (ii) the services of a chauffeur, and
- (iii) a conveyance allowance of one hundred rupees per mensem; or
- (b) a conveyance allowance of three hundred rupees per mensem, if he uses his own vehicle; or
- (c) the free use of a motor-car, the entire cost of maintenance and propulsion of which shall be borne by the Government subject to the following conditions, namely:—
 - (i) no conveyance allowance shall be admissible;
 - (ii) for journeys on tour, only daily allowance shall be admissible according to normal rules and no mileage allowance shall be admissible;
 - (iii) in respect of journeys which do not qualify for travelling allowance within 8 kilometers from the head quarters, a limit of 1,800 kilometers per quarter will apply and beyond these limits, charges at the rates prescribed under the Staff Car Rules shall be payable to the Government:
 - (iv) charges at the rates mentioned above shall also be payable in respect of private journeys performed by the vehicle beyond 8 kilometers from head-quarters; and
 - (v) a log book shall be maintained for journeys referred to in condition (iii) or condition (iv) to facilitate payments to the Government.

Explanation :— (i) For the purpose of clause (a) "maintenance" shall include the cost of petrol and oil, servicing, repairs below twenty-five rupees and other incidental charges, but shall not include expenditure on insurance and fees for registration and municipal taxes.

(ii) The option to any one of the benefits mentioned in clauses (a), (b) and (c) once exercised by a Minister shall not be varied at least for one year.

Motor-car advance.

7. There may be paid to a Minister by way of repayable advance such sum of money, and subject to such conditions as the Administrator may by rules prescribe in this behalf, for the purchase of motor-car, in order that he may be able to discharge conveniently and efficiently the duties of his office :

— Provided that if a Minister ceases to be in office by way of resignation or otherwise, the balance amount due against such advance shall be recoverable in one instalment.

Travelling and daily Allowance.

8. Subject to the provisions of condition (ii) in clause (c) of section 6 and the Schedule, a Minister shall be entitled to : -

(a) travelling allowance for himself and members of his family and for the transport of personal effects of himself and his family—

(i) in respect of of journey to Aizawl from his usual place of residence outside Aizawl for the purpose of assuming office ; and

(ii) in respect of journey from Aizawl to his usual place of residence outside Aizawl 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.

Medical facilities

9. 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 in accordance with the Medical Attendance Rules, as amended from time to time, applicable to Class I Officers of the Central Government serving in connection with the administration of the Union territory of Mizoram.

Ministers not to draw salaries or allowances as members of the Assembly

10. No person in receipt of a salary or allowance under this Act shall be entitled to receive any sum out of the funds provided by the Assembly by way of salary or allowance in respect of his membership of the Assembly.

Notification respecting appointment of Minister to be conclusive evidence thereof.

11. The date on which any person becomes, or ceases to be, a Minister shall be published in the Official Gazette of the Union territory of Mizoram 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.

Repeal and saving.

12. (1) The Salaries and Allowances of Ministers (Mizoram) Order, 1972 is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the order so repealed shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under this Act.

THE SCHEDULE (See section 8)

Travelling on duty.

1. When travelling on duty by railway or by road or by steamer or by air a Minister shall be entitled to draw travelling allowances and daily allowance at the maximum rates applicable to First Grade Officers of the Central Government serving in connection with the administration of the Union territory of Mizoram:

Provided that a Minister shall be entitled to draw only half of such travelling allowance if he travels on duty by road in a motor-car provided to him under clause (a) (i) of section 6.

Travelling allowance on journeys for assuming and de-mitting of office

2. In respect of the journey to headquarters from his usual place of residence for assuming office or between headquarters and his usual place of residence on demitting office, a Minister is entitled to travelling allowance on the scale for the time being admissible to First Grade Officers of the Central Government serving in connection with administration of the Union territory of Mizoram on transfer, subject to the modification that for journeys by rail, a Minister and the members of his family may travel by air-conditioned class of accommodation.

Travel by air.

3. (1) A Minister may, in the public interest, perform journeys on tour by air in public air transport services.

(2) On the cancellation of a journey due to official reason, a Minister shall be entitled to be reimbursed by the Government any deduction made by the air-transport services when refunding the fare on account of cancellation of the air passage.

(3) A Minister who does not utilise the free transport provided by the air transport services between the air-booking centre and the air-port may also recover in respect of journey to and from the air-port actual travelling expenses or road mileage as for journey on duty by road, whichever is less.

Travel by railway

4. A Minister shall have the right to reserve by requisition an ordinary first class compartment when travelling by railway on duty.

Explanation— For the purposes of this paragraph, a first class compartment means a two-berthed Compartment or an air-conditioned coupe, where it is available, or a four-berthed compartment if a two-berthed compartment or an air-conditioned coupe is not available in the train by which the Minister travels.

Advances.

5. A Minister shall be entitled to—

(a) an advance of travelling allowance towards the cost of transporting himself and the members of his family and his family's effects,—

(i) In respect of the journey to headquarters from his usual place of residence outside headquarters for assuming office ;

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

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

A. Sarkar,
Secretary,
Law & Judicial Department,
Mizoram.