

THE BIHAR MINISTERS' SALARIES AND ALLOWANCES
ACT, 1953.

[This Act received the assent of the Governor on the 8th May 1953
and the assent was first published in the Bihar Gazette of
the 27th May, 1953.]

AN
ACT

TO DETERMINE THE SALARIES AND ALLOWANCES OF THE GOVERNOR'S
MINISTERS.

WHEREAS provision has been made by clause (5) of Article
164 of the Constitution of India for the determination by a law
of the Legislature of the State of the salaries and allowances of
the Governor's Ministers :

It is hereby enacted as follows :—

1. *Short title.*—This Act may be called the Bihar Ministers'
Salaries and Allowances Act, 1953.

*1A. *Definition.*—In this Act "Minister" means a member
of the Council of Ministers, by whatever name called and includes
a Minister of State.

**2. *Salaries of Ministers.*—There shall be paid to each of
the Ministers a salary at the rate of fifteen hundred rupees per

**Substituted by Bihar Act 2 of 1977 vide notification no. Lg.-1-015/76-
Leg.—470, dated the 24th March, 1964. The Bihar Ministers' Salaries and
Allowances (Amendment) Act, 1964.

**Substituted by Bihar Act 2 of 1977 vide notification no. Lg.-1-015/76-
Leg.—209 dated the 17th January, 1977. The Bihar Ministers', Deputy
Ministers' and Officers' of the Legislature Salaries and Allowances Law
(Amendment) Act, 1976.

month. Income-tax due on his salary and allowances shall be paid by the State Government.

***2A. Residence of Ministers.**—(i) 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 one month immediately thereafter at Patna or at such other place as the State Government may, from time to time, for the purposes of this Act, declare to be the headquarters of the Government for such period as may be specified in such declaration.

(ii) No charge shall fall on the Minister personal in respect of the maintenance of such residence.

(iii) The expenditure on furnishing and maintenance of the residence provided under this section shall be on such scale and subject to such monetary limits as the State Government may, by rules, determine.

Explanation.—For the purposes of this section, the expression "residence" includes the staff quarters and other building attached with it and the garden thereof and 'maintenance of residence' includes payment of local and other taxes and even supply of water and electricity.

****3. Advances to Ministers for purchase of Motor Cars and grant of conveyance allowance.**—(1) The State Government may, from time to time, purchase and provide motor cars for the use of Ministers on such terms as the State Government may, by rules, determine:

*Substituted vide notification no. L.G.-1-015/76-Leg.-200, dated the 17th January 1977 (Bihar Act 2 of 1977).

**Second proviso to section 3 deleted by clause 2 of the Bihar Ministers, Deputy Ministers and Officers of the Legislature Salaries and Allowances Law (Amendment) Ordinance, 1980, (Bihar Ordinance no. 106 of 1980). It came into force w.e.f. the 9th June, 1980.

*परन्तु यदि कोई मंत्री राज्य सरकार द्वारा खरीदी गई मोटरगाड़ी नहीं रखे तो उसे उसके बदले सवारी भत्ते की ऐसी रकम और मोटरगाड़ी की खरीद के लिए प्रतिव्यय अग्रिम के तौर पर, ऐसी धनराशि उन निबन्धनों पर दी जायगी जो राज्य सरकार नयनों द्वारा भवधारित करे, ताकि वह अपने पद के कर्तव्यों का सुविधा और दक्षतापूर्वक निर्वहन कर सके।

(2) A Minister shall be entitled to the use of a staff car on payment of charges at such concessional rates and on such other conditions as the State Government may, from time to time, by rules, determine.

Explanation.—For the purposes of this sub-section the expression a "staff car" means any motor vehicle owned and maintained by the State Government for official purposes.

4. *Travelling and daily allowances to Ministers.*—A Minister shall be entitled to travelling and daily allowances while touring on public business at such rates and upon such conditions as the State Government may, by rules, determine.

**5. *Field Allowance.*—A Minister shall be entitled to receive a Field allowance at such rates and upon such conditions as the State Government may, from time to time, by rules determine.

**6. *Sumptuary allowance.*—A Minister shall be entitled to receive a Sumptuary allowance at such rates and upon such conditions as the State Government, may, from time to time, by rules, determine.

7. *Medical treatment etc., to Ministers.*—A Minister and the members of his family shall be entitled to such facilities and concessions in respect of free medical attendance and

*Notification no. Lg-135, dated the 15th January 1975. The Bihar Ministers' Salaries and Allowances (Amendment) Act, 1975 (Bihar Act VII of 1975).

**Inserted and amended by the Bihar Ministers, Deputy Ministers and Officers of the Legislature Salaries and Allowances Law (Second Amendment) Ordinance, 1981 (Bihar Ordinance no. 88 of 1981). It came into force w.e.f. 22nd April 1981.

supply of medicines and of accommodation in hospitals as the State Government may, by rules, determine.

or carrying out the provisions of the said Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, the State Government may make rules to determine the following :—

(a) Advances to Minister for purchases of motor car and grant of conveyance allowance.

(b) Travelling and daily allowance to Minister.

(c) Field allowance.

(d) Sumptuary allowance.

(e) Other allowances.

(3) Every rule made under this section shall be laid as soon as may be after it is made, before each House of the State Legislature while it is in session for a total period of 14 days which may be comprised in one Session or in two successive Sessions and if, before the expiry of the Session in which it is so laid or the Session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

9. *Repeal.*—The Bihar Ministers' Salaries Act, 1937 (Bihar Act I of 1937) is hereby repealed.

†Inserted Amendment by the Bihar Ministers' Deputy Ministers' and Officers of the Bihar Legislature Salaries and Allowances Law (Second Amendment) Ordinance, 1981 (Bihar Ordinance no. 88 of 1981). It came into force w.e.f. the 22nd April, 1981.