The Jammu and Kashmir Deputy Speaker's and Deputy Chairman's (Emoluments) Act, 1956

Act 22 of 1956

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THE JAMMU AND KASHMIR DEPUTY SPEAKER'S AND DEPUTY CHAIRMAN'S (EMOLUMENTS) ACT, 1956

ACT NO. XXII OF 1956.

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THE JAMMU AND KASHMIR DEPUTY SPEAKER'S AND DEPUTY CHAIRMAN'S (EMOLUMENTS) ACT, 1956.

ACT NO. XXII OF 1956.

[Received the assent of the Sadar-i-Riyasat on 23rd October, 1956 and published in Government Gazette (Extra.) dated 1st November, 1956.]

An Act to provide for the salary and allowances of the Deputy Speaker and Deputy Chairman of Jammu and Kashmir.

Be it enacted by the Jammu and Kashmir State Legislature in the Seventh Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Jammu and Kashmir Deputy Speaker's and Deputy Chairman's (Emoluments) Act, 1956.

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

2. Definitions.—In this Act,—

(a) “Deputy Speaker” and “Deputy Chairman” mean respectively the Deputy Speaker of the Jammu and Kashmir Legislative Assembly and the Deputy Chairman of the Jammu and Kashmir Legislative Council;

(b) “house” includes the staff quarters and other buildings appurtenant thereto;

(c) “maintenance” in relation to a house shall include the payment of local rates and taxes and charges for electricity and water.

3. Salary and allowances of the Deputy Speaker.—(1) There shall be paid to the Deputy Speaker—

(a) a salary of twelve hundred rupees per mensem exclusive of tax under income leviable the Income Tax Act, 1961. The tax, if any,—

1. Sub-section (1) of section 1 substituted by Act XXII of 1957 with effect from 30th July, 1957.
3. Original clauses (a) and (b) renumbered as clauses (b) and (c) respectively and new clause (a) inserted by Act XXII of 1957 with effect from 30th July, 1957.
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) ; or

(b) an allowance of 1[one thousand rupees] per mensem to cover the cost of petrol or diesel oil for journey within a radius of sixteen kilometres from headquarters.

(1-a) Where the Deputy Speaker—

(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) The Deputy Speaker shall be provided with a free furnished house, the maintenance charges of which shall be borne 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 the Deputy Speaker.

(3) The Deputy Speaker 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.

2[Provided that if the Deputy Speaker 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 3[Governor]. ]

4[3-A. Advance for Motor Car.—There may be paid to the Deputy Speaker by way of a repayable advance such sum of money as may be determined by rules made in this behalf by the 3[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.]
3-B. Salary and allowances of Deputy Chairman.—The provisions of this Act shall apply in relation to the Deputy Chairman as they apply in relation to the Deputy Speaker.

3-C. 1[Sumptuary and constituency allowance to the Deputy Speaker.—The 2 [Governor] may, by rules made in this behalf, provide for the grant of such 1[sumptuary and constituency allowance] per mensem as he may deem fit to the Deputy Speaker.

4. Power to make rules.—(1) Travelling allowances including daily allowance of the Deputy Speaker as well as his rights in respect of leave and leave allowances shall be regulated in accordance with such rules as may be framed by the 2 [Governor] from time to time.

(2) The 2 [Governor] may pass such orders as he may deem necessary in connection with the interpretation of the provisions of this Act.

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