The Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981

Act 14 of 1981

Keyword(s):
Legislative Assembly, Legislative Council, Family, Maintenance, Minister


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No. 2545(2)/XVII-V-1—103-81

Dated Lucknow, October 3, 1981

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Mantri (Vetan, Bhatta Aur Prakrma Upabandh) Adhiniyam, 1981 (Uttar Pradesh Adhiniyam Sankhya 14 of 1981) as passed by the Uttar Pradesh Legislature and assented to by the Governor on October 1, 1981:

THE UTTAR PRADESH MINISTERS (SALARIES, ALLOWANCES AND MISCELLANEOUS PROVISIONS) ACT, 1981

[U. P. ACT NO. 14 OF 1981]

(As passed by the Uttar Pradesh Legislature)

AN ACT

to consolidate and amend the law relating to the salaries, allowances and other facilities to Ministers of the State of Uttar Pradesh.

It is hereby enacted in the Thirty-second Year of the Republic of India as follows:

Short title.

1. This Act may be called the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981.

Definitions.

2. In this Act,—

(a) 'Assembly' means the Uttar Pradesh Legislative Assembly;

(b) 'Council' means the Uttar Pradesh Legislative Council;

(c) 'family' in relation to a Minister means his or her spouse, son, daughter, father, mother, brother or sister residing with and wholly dependent on such Minister;

(d) 'maintenance' in relation to a residence includes the payment of local rates and taxes and the provision for water and electricity including electricity duty;

(e) 'Minister' means a member of the Council of Ministers of the Government of Uttar Pradesh and includes the Chief Minister, a Minister of State and a Deputy Minister of that State.

Salary.

3. (1) Every Minister and Minister of State shall be entitled, throughout the term of his office, to a salary of one thousand rupees per month.

(2) Every Deputy Minister shall be entitled, throughout the term of his office, to a salary of six hundred and fifty rupees per month.

(3) The salary referred to in sub-sections (1) and (2) shall be exclusive of the tax payable in respect of such salary (including perquisites) under any law relating to income tax for the time being in force, and such tax shall be borne by the State Government.

Residence.

4. (1) Each Minister shall be entitled without payment of any rent to the use throughout the term of his office and for a period of fifteen days thereafter, of a residence at Lucknow which shall be furnished and maintained at public expense at the prescribed scale.

(2) Where a Minister has not been provided with a residence in accordance with sub-section (1), or does not avail of the benefit of the said sub-section, he shall be entitled to a compensatory allowance at the rate of—

(a) three hundred rupees per month in the case of Deputy Minister, and

(b) five hundred rupees per month in any other case.

Conveyance.

5. (1) Each Minister shall, throughout the term of his office, be provided with a chauffeur driven motor vehicle which shall be purchased and maintained at public expense in accordance with the rules made in that behalf.

(2) The terms and conditions for the use of the motor vehicle referred to in sub-section (1) shall be such as may be prescribed.
(3) The motor vehicle provided to a Deputy Minister at any time before the commencement of this Act shall be deemed to have been validly provided.

6. (1) Each Minister other than a Deputy Minister shall be entitled for journeys (whether by land, sea or air) performed in connection with the discharge of his official duties to travelling allowance and out of pocket expenses for himself and the members of his family at such rates and upon such conditions as may be prescribed.

(2) Each Deputy Minister shall be entitled for journeys (whether by land, sea or air) performed in connection with the discharge of his official duties to travelling and daily allowance at such rates and upon such conditions as may be prescribed.

(3) Each Minister shall be entitled to travelling allowance for himself and the members of his family and for the transport of his and his family’s effects—

(a) in respect of the journey to Lucknow from his usual place of residence outside Lucknow for the purposes of assuming office; and

(b) in respect of the journey from Lucknow to his usual place of residence outside Lucknow on relinquishing office.

(4) Notwithstanding anything contained in sub-sections (1) to (3), no travelling allowance shall be payable to a Minister in respect of journeys performed in the motor vehicle referred to in section 5 or any other vehicle belonging to the State Government.

7. Every Minister shall be entitled and be deemed always to be entitled to the use of the circuit house, inspection house or other rest houses maintained by the State Government without payment of any rent or electricity charges during the course of journeys performed in connection with the discharge of his official duties.

8. Every Minister and the members of his family shall be entitled, free of charge, to accommodation in hospitals maintained by the State Government and to medical attendance and treatment in accordance with such principles as may be prescribed.

9. The date on which any person became or ceased to be a Minister shall be notified 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.

10. No Minister shall during the tenure of his office for which he draws his salary and allowance, practise any profession or engage in any trade or undertake for remuneration any employment other than his duties as Minister.

11. Every Minister who is a member of the Assembly or Council, as the case may be, shall continue to enjoy the benefits available to him under sections 4, 9, 16 and Chapter VIII of the Uttar Pradesh State Legislature (Members' Employment and Pension) Act, 1980.

12. A Minister may, at any time, relinquish the whole or any part of the salary, all bances or other facilities to which he is entitled by making a written declaration to that effect:

Provided that any such relinquishment may likewise be cancelled by him at any time with prospective effect.

13. (1) The State Government may, by notification, make rules to carry out the purposes of this Act.

(2) All rules made under the enactment repealed by section 14 and in force on the date immediately preceding the date of commencement of this Act shall, in so far as they are not inconsistent with the provisions of this Act, be deemed to have been made under this Act and they shall continue to be valid and effective until they are repealed by new rules made under sub-section (1).

14. The Uttar Pradesh Ministers and Deputy Ministers (Salaries and Allowances) Act, 1952, is hereby repealed.

By order,

G. B. SINGH,

Sachiv.
THE UTTAR PRADESH MINISTERS, AND STATE LEGISLATURE, OFFICERS AND MEMBERS AMENITIES LAWS (AMENDMENT) ACT, 1996

(U.P. Act No. 5 of 1996)

(As passed by the U.P. Legislature)

AN ACT,

further to amend the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981, the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980 and the U. P. State Legislature (Officers' Salaries and Allowances) Act, 1952.

It is hereby enacted in the Fortieth Year of the Republic of India as follows:

1. (1) This Act may be called the Uttar Pradesh Ministers, and State Legislature Officers and Members Amenities Laws (Amendment) Act, 1990.

(2) It shall be deemed to have come into force on December 31, 1989.

2. In section 4 of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981, after sub-section (1), the following sub-section shall be inserted, namely:

“(1-A) Each Minister for whose use a residence at Lucknow has been provided under sub-section (1) shall immediately after the expiration of the period referred to in that sub-section, vacate such accommodation and an officer authorised by the State Government in this behalf may take possession of the accommodation and may for the purpose use such force as may be necessary in the circumstances.

Explanation—For the purposes of this sub-section 'Minister' includes a person who has ceased to be a Minister, and also includes a person who was given the status of a Minister.”

3. In section 16 of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980, after sub-section (1), the following sub-section shall be inserted, namely:

“(1-A) Every member for whose use accommodation at Lucknow has been provided under sub-section (1) shall immediately after the expiration of the period referred to in that sub-section vacate such accommodation and an officer authorised by the State Government in this behalf may take possession of the accommodation and may for the purpose use such force as may be necessary in the circumstances.

Explanation—For the purposes of this sub-section 'Member' includes a person who has ceased to be a member.”

4. In the State Legislature (Officers' Salaries and Allowances) Act, 1952, the existing section 4 shall be renumbered as sub-section (1) thereof and after sub-section (1), as so renumbered, the following sub-section shall be inserted, namely:

“(2) Every person referred to in sub-section (1) for whose use accommodation has been provided under sub-section (1) shall immediately after the expiration of the period referred to in that sub-section vacate such accommodation and an officer authorised by the State Government in this behalf may take possession of the accommodation and may for the purpose use such force as may be necessary in the circumstances.”

5. (1) The Uttar Pradesh Ministers and State Legislature Officers and Members Amenities Laws (Amendment) Ordinance, 1989, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Acts referred to in sections 2, 5 and 4 as amended by the Ordinance referred to in subsection (1), shall be deemed to have been done or taken under the corresponding provisions of the said Acts as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
NARAYAN DAS,
Sachiv.
No. 1117 (2)/XVII-V-1—1(KA)—16-1997  
Dated Lucknow, August 2, 1997

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Mandi Aur Rajya Vidhan Mandal Adhikari Aur Sadasya Sukh-Suvidiya Vidihi (Sanskodhan) Adhiniyam, 1997 (Uttar Pradesh Adhiniyam Sampkhyas 8 of 1997) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 2, 1997:

THE UTTAR PRADESH MINISTERS AND STATE LEGISLATURE OFFICERS AND MEMBERS AMENITIES LAWS (AMENDMENT) ACT; 1997  
(U. P. Act No. 8 of 1997)  
[As passed by the Uttar Pradesh Legislature]

AN ACT


Whereas the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981 inter alia provides that each Minister including Chief Minister and Deputy Minister shall be entitled without payment of any rent to the use throughout the term of his office and for a period of fifteen days thereafter of a residence at Lucknow which shall be furnished and maintained at public expense at the prescribed scale;

And, whereas, the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980 inter alia provides that every member including Parliamentary Secretary shall be entitled without payment of rent to the use of such accommodation at Lucknow as may be provided to him for the duration of his membership and such further period as may be prescribed;

And, whereas, the Uttar Pradesh State Legislature (Officers' Salaries and Allowances) Act, 1952 inter alia provides that the Speaker, the Chairman, the Deputy Speaker and the Deputy Chairman shall each be entitled to, throughout the term of his office a free furnished residence at Lucknow;

And, whereas, it is the duty of the State Government to provide residences to Ministers, Legislators, Speaker and Deputy Speaker of the Legislative Assembly and Chairman and Deputy Chairman of the Uttar Pradesh Legislative Council;

And, whereas, to ensure timely availability of residence to Minister, Speaker, Deputy Speaker, Chairman, Deputy Chairman and Legislators it has been considered expedient to specify certain accommodations as Minister's residence, Speaker's residence, Chairman's residence, Deputy Speaker's residence, Deputy Chairman's residence and Legislator's residence;

It is hereby enacted in the Forty-eighth Year of the Republic of India as follows:

1. This Act may be called the Uttar Pradesh Ministers and State Legislature Officers and Members Amenities Laws (Amendment) Act, 1997.

2. After section 4 of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981, the following section shall be inserted, namely:

"4-A (1) On and from the commencement of the Uttar Pradesh Ministers and State Legislature Officers and Members Amenities Laws (Amendment) Act, 1997, the State Government may, with a view to ensuring timely availability of residence to a Minister under sub-section (1) of section 4, by a notified order, specify any type-VI accommodation or an accommodation in which a Minister..."
was in occupation at any time, under the control and Management of the Estate Department of the State Government, as Ministers residence and an accommodation so specified shall be allotted to a Minister only and not to any other person.

(2) The State Government, or an officer authorised by it in this behalf may, if a person other than a Minister referred to in sub-section (1-A) of section 4 is in occupation of an accommodation specified as Minister's residence under sub-section (1) on the basis of any allotment order or otherwise, cancel the allotment order of such person, if any, and by notice in writing require such person to vacate the said accommodation within fifteen days from the date of service upon him of such notice, and if such person fails to vacate the said accommodation within the said period, an officer authorised by the State Government in this behalf may take possession of the accommodation and may for the purpose use such force as may be necessary in the circumstances".

3. After section 16 of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980, the following section shall be inserted, namely:

"16-A (1) On and from the commencement of the Uttar Pradesh Ministers, and State Legislatures, Officers, and Members Amenities Laws (Amendment) Act, 1997, the State Government may, with a view to ensuring timely availability of accommodation to a member under sub-section (1) of section 16 by a notified order, specify any accommodation in the colony or building named as Vidhayak Niwas No. 1, A-Block Darulshafa, Vidhayak Niwas No. 2, B-Block Darulshafa, Vidhayak Niwas No. 3, O. C. R., Vidhayak Niwas No. 4, Royal Hotel, Vidhayak Niwas No. 5, Mirahbai Marg, Vidhayak Niwas No. 6, Park Road under the control and management of the Estate Department of the State Government, as Legislatures' residence and an accommodation so specified shall be allotted to a member only and not to any other person;

(2) The State Government, or an officer authorised by it in this behalf may, if a person other than a member referred to in sub-section (1-A) of section 16 is in occupation of an accommodation specified as Members' residence under sub-section (1) on the basis of any allotment order or otherwise, cancel the allotment order of such person if any, and by notice in writing require such person to vacate the said accommodation within fifteen days from the date of service upon him of such notice, and if such person fails to vacate the said accommodation within the said period, an officer authorised by the State Government in this behalf may take possession of the said accommodation and may for the purpose use such force as may be necessary in the circumstances".

4. After section 4 of the U. P. State Legislature (Officers Salaries and Allowances) Act, 1952, the following section shall be inserted, namely:

"4-A—(1) On and from the commencement of the Uttar Pradesh Ministers and State Legislature Officers, and Members Amenities Laws (Amendment) Act, 1997, the State Government may, with a view to ensuring timely availability of residence to a person referred to in sub-section (1) of section 4, by a notified order specify any type-VI accommodation or an accommodation in which a Speaker or a Chairman or a Deputy Speaker or a Deputy Chairman was in occupation at any time under the control and Management of the Estate Department of the State Government as Speaker's residence, Chairman's residence, Deputy Speaker's residence or Deputy Chairman's residence and an accommodation so specified shall be allotted to a person as the case may be, referred to in sub-section (1) of section 4 only, and not to any other person.
(2) The State Government, or an officer authorised by it in this behalf, may, if a person other than a person referred to in sub-section (2) of section 4 is in occupation of an accommodation specified as Speaker's residence, Chairman's residence, Deputy Speaker's residence or Deputy Chairman's residence under sub-section (1) on the basis of any allotment order or otherwise, cancel the allotment order of such person, if any, and by notice in writing require such person to vacate the said accommodation within fifteen days from the date of service upon him of such notice, and if such person fails to vacate the said accommodation within the said period, an officer authorised by the State Government in this behalf may take possession of the said accommodation and may for the purpose use such force as may be necessary in the circumstances.

By order,

R. D. MATHUR,
Pramukh Sachiv.
"भारत का संविधान" के अनुच्छेद 200 के अर्थन राज्यपाल यहूदा ने उत्तर प्रदेश राज्य विधान मंडल सदस्य और अधिकारी तथा मंत्री सुख-मुख्य विधि (संशोधन) विवेचन, 2010 पर दिनांक 03 मार्च, 2010 की अनुमति प्राप्त की और वह उत्तर प्रदेश अधिनियम संख्या 9 सन् 2010 के स्पष्ट संरक्षावार की सुन्दर इस अधिनियम द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश राज्य विधान मंडल सदस्य और अधिकारी तथा मंत्री सुख-मुख्य विधि (संशोधन) अधिनियम, 2010

(उत्तर प्रदेश अधिनियम संख्या 9 सन् 2010)

उत्तर प्रदेश राज्य विधान मंडल (सदस्यों की उपविधियों और पैरोल) अधिनियम, 1980 और उत्तर प्रदेश राज्य विधान मंडल (अधिकारियों के वेतन तथा भाग्य) अधिनियम, 1952 तथा उत्तर प्रदेश मंत्री (वेतन, पत्रिका और प्रमुख उपभोक्ता) अधिनियम, 1981 का अनुसार संशोधन करने के लिए अधिनियम

भारत गणराज्य के इकसाब्दों वर्ष ने निम्नविषयक अधिनियम बनाया जाता है

अखिल-एक

प्रारंभिक:

1- यह अधिनियम उत्तर प्रदेश राज्य विधान मंडल सदस्य और अधिकारी तथा मंत्री सुख-मुख्य विधि (संशोधन) अधिनियम, 2010 का जारी है।
उत्तर प्रदेश विधान समिति, 1952 का संशोधन

उत्तर प्रदेश विधान मंडल (सदस्यों की उपलब्धियाँ और पेशें) अधिनियम, 1980 का संशोधन

2-उत्तर प्रदेश राज्य विधान मंडल (सदस्यों की उपलब्धियाँ और पेशें) अधिनियम, 1980 की, जिसे इस अध्याय में आगे मूल अधिनियम कहा गया है, दर्शाता है, जिसके अंतर्गत विधान चुनाव समेत गठन के के स्थान पर शब्द “उद्योग राज्य सर्वे” रख दिये जायेंगे।

पालन (क) विधा दर्शाता है, जिसके अंतर्गत विधान मंडल (सदस्यों की उपलब्धियाँ और पेशें) अधिनियम, 1980 की में शब्द “उद्योग राज्य सर्वे” रख दिये जायें।

पालन (क) विधा दर्शाता है, जिसके अंतर्गत विधान मंडल (सदस्यों की उपलब्धियाँ और पेशें) अधिनियम, 1980 की में शब्द “उद्योग राज्य सर्वे” रख दिये जायें।

पालन (क) विधा दर्शाता है, जिसके अंतर्गत विधान मंडल (सदस्यों की उपलब्धियाँ और पेशें) अधिनियम, 1980 की में शब्द “उद्योग राज्य सर्वे” रख दिये जायें।

पालन (क) विधा दर्शाता है, जिसके अंतर्गत विधान मंडल (सदस्यों की उपलब्धियाँ और पेशें) अधिनियम, 1980 की में शब्द “उद्योग राज्य सर्वे” रख दिये जायें।

11-उत्तर प्रदेश राज्य विधान मंडल (अधिकारियों के बैठन तथा घरते) अधिनियम, 1952 का संशोधन

उत्तर प्रदेश राज्य विधान मंडल (अधिकारियों के बैठन तथा घरते) अधिनियम, 1952 की, जिसे इस अध्याय में आगे मूल अधिनियम कहा गया है, दर्शाता है, जिसके अंतर्गत विधान चुनाव समेत गठन के के स्थान पर शब्द “उद्योग राज्य सर्वे” रख दिये जायें।

पालन (क) विधा दर्शाता है, जिसके अंतर्गत विधान मंडल (सदस्यों की उपलब्धियाँ और पेशें) अधिनियम, 1980 की में शब्द “उद्योग राज्य सर्वे” रख दिये जायें।
In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Rajya Vidhan Mandal Sadasya Aur Adhikari tatha Maantri Sukh-Suvidha Vidhi (Sanshodhan) Adhiniyam, 2010 (Uttar Pradesh Adhiniyam Sankhya 9 of 2010) as passed by the Uttar Pradesh Legislature and assented to by the
THE UTTAR PRADESH STATE LEGISLATURE MEMBERS AND OFFICERS AND MINISTERS AMENITIES LAWS (AMENDMENT) ACT, 2010

(U.P. ACT NO. 9 OF 2010)

[As passed by the Uttar Pradesh Legislature]

AN

ACT


IT IS HEREBY enacted in the Sixty-first Year of Republic of India as follows:-

CHAPTER-I

Preliminary

1. This Act may be called the Uttar Pradesh State Legislature Members and Officers and Ministers Amenities Laws (Amendment) Act, 2010.

CHAPTER-II

Amendment of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980

2. In section 3 of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980, hereinafter referred to in his chapter as the principal Act, in sub-section (1) for the words “three thousand rupees” the words “eight thousand rupees” shall be substituted.

In section 4 of the principal Act in clause (a) for the words “six thousand rupees” the words “ten thousand rupees” shall be substituted.

3. In section 15-A of the principal Act for the words “ten thousand rupees” the words “twenty two thousand rupees” shall be substituted.

4. In section 18-A of the principal Act in clause (a) for the words “six thousand rupees” the words “ten thousand rupees” shall be substituted.

5. In section 24 of the principal Act in sub-section (1), for the words “five hundred rupees” appearing in the first proviso. the words “seven thousand rupees” shall be substituted.

7. For section 26-A of the principal Act, the following section shall be substituted:—

"26-A (1) If a sitting member, dies during the tenure of his or her office, the spouse of such member shall be entitled to a family pension equal to 50% pension otherwise admissible to the deceased member at the time of death, for the life-time of such spouse.

(2) If an ex-member, who is entitled to a pension under sub-section (1) of section 24, dies, the spouse of such ex-member shall be entitled to a family pension equal to 50% of pension of such ex-member at the time of death, for the life-time of such spouse.

Provided that if the spouse is entitled to a salary under section 3 or a pension under sub-section (1) of section 24 she/he will not be entitled to receive family pension under sub-section (1) or sub-section (2)."
CHAPTER-III
Amendment of the Uttar Pradesh State Legislature (Officers' Salaries and Allowances) Act, 1952

8. In section 2 of the Uttar Pradesh State Legislature (Officers Salaries and Allowances) Act, 1952, hereinafter referred to in this chapter as the principal Act, in sub-section (1) for the words “five thousand rupees” the words “twelve thousand rupees” shall be substituted.

9. In section 4 of the principal Act, in sub-section (3) for the words “ten thousand rupees” the words “fifteen thousand rupees” shall be substituted.

CHAPTER-IV
Amendment of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981

10. In section 3 of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981—

(a) in sub-section (1) for the words “five thousand rupees” the words “twelve thousand rupees” shall be substituted;

(b) in sub-section (2) for the words “four thousand rupees” the words “ten thousand rupees” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The pay, allowances, pension and other amenities admissible to the members and officers of the State Legislature and to the ministers have not been revised for a quite some time. In view of the price rise and escalation in cost of living it has been decided to revise the same so that they may serve the cause of their constituency in a meaningful manner by amending the Uttar Pradesh State Legislature (Members’ Emoluments and Pension) Act, 1980, the Uttar Pradesh State Legislature (Officers Salaries and Allowances) Act, 1952 and the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981.

It has been experienced that the spouses of deceased members and ex-members of legislature have been facing hardship and have been living in penury. In difference to the dignity of office which they have held it has also been decided to provide for making, in the aforesaid Act of 1980, provision for family pension to the spouse of the deceased members and ex-members of the State Legislature.

The Uttar Pradesh State Legislature Members and Officers and Ministers Amenities Law (Amendment) Bill, 2010 is introduced accordingly:

By order,

P. V. KUSHWAH
Sachiv.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित
असाधारण

विधायी परिषिक्त
भाग-1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, शुक्रवार, 16 सितंबर, 2016
भाद्रपद 25, 1938 शक सम्बत्

उत्तर प्रदेश शासन
विधायी अनुभाग-1

संख्या 1401/79-कि-1-16-1(क)-22-2016
लखनऊ, 16 सितंबर, 2016

अधिसूचना

विषय

“भारत का संविधान” के अनुसार 200 के अधीन राजस्थान महादेव ने उत्तर प्रदेश मंत्री (वेतन, भत्ता और प्रक्रियाओं उपबन्ध) (संशोधन) विषयक, 2016 पर दिनांक 14 सितंबर, 2016 के अनुसार प्रस्तुत की और वह उत्तर प्रदेश अधिनियम संख्या 22 सन् 1966 के रूप में सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश मंत्री (वेतन, भत्ता और प्रक्रियाओं उपबन्ध) (संशोधन) अधिनियम, 2016
(उत्तर प्रदेश अधिनियम संख्या 22 सन् 1966)
[१०००० उत्तर प्रदेश विषय मंत्रि द्वारा परिषिक्त हुआ]
उत्तर प्रदेश मंत्री (वेतन, भत्ता और प्रक्रियाओं उपबन्ध) अधिनियम, 1981 का अभिरुचि संशोधन करने के लिए

अधिनियम

भारत गणराज्य के सदस्यों वर्ष में निर्दिष्ट समय के अधिकारियां बनाया जाता है:

1-यह अधिनियम उत्तर प्रदेश मंत्री (वेतन, भत्ता और प्रक्रियाओं उपबन्ध) (संशोधन) पंजीकृत नाम अधिनियम, 2016 कहा जाएगा।
उत्तर प्रदेश असाधारण गजट, 16 सितंबर, 2016

लागू वर्ष 2 का संशोधन

उत्तर प्रदेश मंत्री (रेतन, भूता और प्रकृतिवादि उपयोग) अधिनियम, 1981 जिसके अंतर्गत मूल अधिनियम का संशोधन किया गया है, की धारा 2 में—

(क) खण्ड (क) के पंचात्तू मूल अधिनियम का लिखित खण्ड बढ़ा दिया जायेगा, अर्थात् :-

“(क-1) ‘मुख्यमंत्री’ का तात्पर्य उत्तर प्रदेश के मुख्यमंत्री से है।”

(ख) खण्ड (ग) के स्थान पर मूल अधिनियम का लिखित खण्ड रख दिया जायेगा, अर्थात् :-

“(ख) ‘परिवार’ का तात्पर्य मुख्यमंत्री या किसी मंत्री के संबंध में उसके पति या उसकी पत्नी, पुत्र, पुत्री, पिता, माता, भाई या बहन से है जो ऐसे मुख्यमंत्री या मंत्री के साथ रहते हों और उन पर पूर्णतया आश्रित हों;”

(ग) खण्ड (ड) के स्थान पर मूल अधिनियम का लिखित खण्ड रख दिया जायेगा, अर्थात् :-

“(ड) ‘मंत्री’ का तात्पर्य उत्तर प्रदेश सरकार के भारतीय सेवा के किसी सदस्य से है और ऐसे कर्मचारि राज्य मंत्री (स्वतंत्र प्रभार), राज्य मंत्री और उस राज्य के उप मंत्री भी हैं।”

लागू वर्ष 3 का संशोधन

मूल अधिनियम की धारा 3 में उपधारा (1) और (2) के स्थान पर मूल अधिनियम की धारा 3 में उपधारा (1) और (2) के स्थान पर मूल अधिनियम की धारा 2 में उपलब्ध की जाएगी, अर्थात् :-

(1) मुख्यमंत्री, प्रधान मंत्री, राज्य मंत्री (स्वतंत्र प्रभार) और राज्य मंत्री अपनी पदवधि में आयोजित चालीस हजार रुपये प्रति मास के बेंगल का हकदार होंगे।

(2) प्रधान मंत्री अपनी पदवधि में आयोजित चालीस हजार रुपये प्रति मास के बेंगल का हकदार होंगे।

लागू वर्ष 4 का संशोधन

मूल अधिनियम की धारा 4 के स्थान पर मूल अधिनियम की धारा 4 में उपलब्ध की जाएगी, अर्थात् :-

“4-(1) मुख्यमंत्री और प्रधान मंत्री अपनी पदवधि में आयोजित और उसके पंचात्तू पदवधि तिन की अवधि के लिये लक्षण में मिलता-स्थान का, किराये का भुगतान किये बिना, उपयोग करने का हकदार होंगे, जिसे विशिष्ट मानदंड के अनुसार सरकारी व्यय पर भुगतान लगा और अनुरुपति किया जायेगा।

(2) जहां मुख्यमंत्री या किसी मंत्री का उपधारा (1) के अनुसार निवास स्थान की व्ययस्था न की गयी हो, या वह उसके उपधारा के लाभ का उपभोग न करे, वहां वह,

(क) मुख्यमंत्री, मंत्री, राज्य मंत्री (स्वतंत्र प्रभार) और राज्य मंत्री की स्थिति में वह हजार रुपये प्रति मास; और

(ख) उप मंत्री की स्थिति में, अधि हजार रुपये प्रति मास; की दर पर प्रतिकार भता पाने का हकदार होगा।

(3) उत्तर प्रदेश के किसी रूप और मुख्यमंत्री को उसके अनुरोध पर जीवनपर्याप्त, कोई सरकारी आबाद, राज्य सरकार के राज्य संपत्ति विभाग द्वारा समय-समय पर नियमित बनाए जाने वाले मानक किराये के भुगतान पर आवश्यकता किया जायेगा।”

लागू वर्ष 5 का संशोधन

उपधारा (1) के स्थान पर मूल अधिनियम की धारा 5 में, उपधारा (1) के स्थान पर मूल अधिनियम की धारा 5 में उपलब्ध की जाएगी, अर्थात् :-

“(1) मुख्यमंत्री और प्रधान मंत्री अपनी पदवधि में आयोजित एक मोटर गाड़ी और उसे चलाने के लिये शीर्षक की व्यवस्था की जायेगी जिसका कर्म और अनुरक्षण सरकारी व्यय पर इस निम्नत बनाये गये नियमों के अनुसार किया जायेगा।”
(k) उपयोग (1) के स्थान पर निम्नलिखित उपयोग रख दी जायेगी,
अथवा :-

“(1) मूख्यमंत्री और प्रत्येक मंत्री अपने पदवी कर्मचारी के पालन के समय में (रक्षा, समुद्र या वायु मार्म द्वारा) की गयी यात्रा हेतु अपने लिये उस दर पर और उन शरीर पर, जो विशिष्ट की जाय, यात्रा भट्टा और फुटकर खर्च के हकदार होगे।
(ख) उपयोग (2) को निकाल दिया जायेगा।
(ग) उपयोग (3) और (4) के स्थान पर निम्नलिखित उपयोग रख दी जायेगी, अथवा :-

(3) मूख्यमंत्री और प्रत्येक मंत्री -
(क) पद ग्रहण करने के प्रोणजनार्थ लखनऊ से बाहर अपने सामान्य निवास स्थान से लखनऊ के लिये यात्रा करने के संबंध में, और
(ख) पद त्याग करने पर लखनऊ से बाहर अपने सामान्य निवास स्थान तक यात्रा करने के संबंध में,
अपने लिये और अपने परिवार के सदस्यों के लिये और अपने तथा अपने परिवार के समस्तों के उपराईन के लिये यात्रा-भट्टा के हकदार होगे।
(4) उपयोग (1) से (3) में अन्त्यतः किसी वाद के होते हुए भी मूख्यमंत्री या किसी मंत्री को दाता 5 में लिर्देंट मोटर गाड़ी या राज्य सरकार के किसी अन्य गाड़ी से की गयी यात्रा के लिये कोई यात्रा भट्ता सदैव नहीं होगा।”

7-धारा 7, 8, 9, 10, 11 और 12 के स्थान पर निम्नलिखित दाताओं रख दी जायेंगी, अथवा :-

“7- मूख्यमंत्री और प्रत्येक मंत्री अपने पदवी कर्मचारी के पालन के संबंध में की होगी यात्राओं के दौरान जिससे किसी निर्देशक या नियुक्त प्रभार का पुरस्कार किया जाए, राज्य सरकार द्वारा अनुसूचित संबंधित हाउस, निर्धारण गृह या अन्य विश्राम गृहों का प्रयोग करने के हकदार होंगे।
8-मूख्यमंत्री या प्रत्येक मंत्री और उनके परिवार के सदस्य राज्य सरकार द्वारा अनुसूचित अस्पतालों में नियुक्त आवास, उन सिद्धांतों के अनुसार जिससे किंतु जाए, विकल्प, यात्रा और उपयोग के हकदार होंगे।
9-विश्व दिनांक से कोई व्यक्ति मूख्यमंत्री या मंत्री होता है या नहीं रह जाता है, उसे गाट द्वारा अविश्वसनीय घोषित जायेगा और कोई ऐसी अविश्वसनीय इसचतुरता का निश्चलक नाश होगा कि वह उस दिनांक से मूख्यमंत्री या मंत्री बना या नहीं रह गया।
10- मूख्यमंत्री विश्व दिनांक के दौरान, जिससे लिये वह वेतन और भत्ता अर्जित करता हैं, मूख्यमंत्री या मंत्री के रूप में अपने कर्मचारियों से भिन्न कोई गृह किंतु या बाहर या परिषद के लिये नियोजन स्थीतिक नहीं करेंगे।
11- मूख्यमंत्री या प्रत्येक मंत्री जिसे व्यापक अनुपालन या परिषद का सदस्य हो, उन्हें राज्य विधान मंडल (सदस्यों की उपलब्धियां और रैंकिंग) अधिनियम, 1980 की धारा 4,9,18 और अध्याय-आठ के अधीन उपलब्ध लाभ का उपयोग करते हुए रखा जायेगा।
12-मूख्यमंत्री या कोई मंत्री, किसी समय, ऐसे वेतन, भत्ता या अन्य सुविधाओं के जिनकी वह हकदार है, पुरी तरह या उनके किसी अन्य सुविधाओं के धारण इस प्रकार की विशिष्ट धीरे से दिखाई जा सकती है।"
The Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) (Amendment) Act, 2016

[U.P. Act No. 22 of 2016]

(As passed by the Uttar Pradesh Legislature)

AN ACT

further to amend the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981.

It is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

1. This Act may be called the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Amendment Act, 2016.

2. In section 2 of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981, hereinafter referred to as the principal Act, in section 2,-

(a) after clause (a), the following clause shall be inserted, namely:-

"(a-1) 'Chief Minister' means the Chief Minister of Uttar Pradesh;"

(b) for clause (c) the following clause shall be substituted, namely:-

"(c) ‘family’ in relation to Chief Minister or a Minister means his or her spouse, son, daughter, father, mother, brother or sister residing with and wholly dependent on such Chief Minister or Minister;"

(c) for clause (e) the following clause shall be substituted, namely:-

"(e) 'Minister' means a member of the Council of Ministers of the Government of Uttar Pradesh and includes the Minister of State (Independent Charge), Minister of State and a Deputy Minister of that State."
3. In section 3 of the principal Act, for sub-sections (1) and (2) the following sub-sections shall be substituted, namely:

"(1) The Chief Minister, every Minister, Minister of State (Independent Charge) and Minister of State shall be entitled, throughout the term of his office, to a salary of forty thousand rupees per month.

(2) Every Deputy Minister shall be entitled, throughout the term of his office, to a salary of thirty five thousand rupees per month."

4. For section 4 of the principal Act, the following sections shall be substituted, namely:

"4. (1) The Chief Minister and each Minister shall be entitled, without payment of any rent to the use, throughout the term of his office and for a period of fifteen days thereafter, of a residence at Lucknow which shall be furnished and maintained at public expense at the prescribed scale.

(2) Where the Chief Minister or a Minister has not been provided with a residence in accordance with sub-section (1) or does not avail of the benefit of the said sub-section, he shall be entitled to a compensatory allowance at the rate of:

(a) ten thousand rupees per month in the case of the Chief Minister, a Minister, a Minister of State (Independent Charge) and a Minister of State;

(b) eight thousand rupees per month in the case of a Deputy Minister.

(3) A Government residence shall be allotted to a former Chief Minister of Uttar Pradesh, at his/her request, for his/her life time, on payment of such rent as may be determined from time to time by the Estate Department of the State Government."

5. In section 5 of the principal Act, for sub-section (1) the following sub-section shall be substituted, namely:

"(1) The Chief Minister and each Minister shall, throughout the term of his office, be provided with a chauffeur driven motor vehicle which shall be purchased and maintained at the public expense in accordance with the rules made in that behalf."

6. In section 6 of the principal Act-

(a) for sub-section (1) the following sub-section shall be substituted, namely:

"(1) The Chief Minister and each Minister shall be entitled for journeys (whether by land, sea or air) performed in connection with the discharge of his official duties to travelling allowance and out of pocket expenses for himself at such rate and upon such conditions as may be prescribed."

(b) sub-section (2) shall be omitted.

(c) for sub-sections (3) and (4) the following sub-sections shall be substituted, namely:

"(3) The Chief Minister and each Minister shall be entitled to travelling allowance for himself and the members of his family and for the transport of his and his family's effects-

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

(b) in respect of the journey from Lucknow to his usual place of residence outside Lucknow on relinquishing office."
(4) Notwithstanding anything contained in sub-sections (1) to (3), no travelling allowance shall be payable to the Chief Minister or any Minister in respect of journeys performed in the Motor vehicle referred to in section 5 or any other vehicle belonging to the State Government."

7. For sections 7, 8, 9, 10, 11 and 12 the following sections shall be substituted, namely:

"7. The Chief Minister and every Minister shall be entitled to the use of the circuit house, inspection house or other rest houses maintained by the State Government without payment of any rent or electricity charges during the course of journey performed in connection with the discharge of his official duties.

8. The Chief Minister or every Minister and the members of the family thereof shall be entitled, free of charge, to accommodation in hospitals maintained by the State Government and to medical attendance and treatment in accordance with such principles as may be prescribed.

9. The date on which any person became or ceased to be the Chief Minister or a Minister shall be notified in the Gazette and any such notification shall be conclusive evidence of the fact that he became, or ceased to be the Chief Minister or a Minister, on that date.

10. No Minister including the Chief Minister shall during the tenure of his office for which he draws his salary and allowance, practice any profession or engage in any trade or undertake for remuneration any employment other than his duties as Chief Minister or Minister.

11. The Chief Minister or every Minister who is a member of the Assembly or Council, as the case may be, shall continue to enjoy the benefits available to him under sections 4, 9, 18 and Chapter VIII of the Uttar Pradesh State Legislature (Members’ Emoluments and Pension) Act, 1980.

12. The Chief Minister or a Minister may, at any time, relinquish the whole or any part of the salary, allowance or other facilities to which he is entitled by making a written declaration to that effect:

Provided that any such relinquishment may likewise be cancelled by him at any time with prospective effect."

STATEMENT OF OBJECTS AND REASONS

The pay and allowances of Ministers have not been revised for a quite sometime. In view of the price rise and escalation in cost of living, it has been decided to revise the pay and compensatory allowance, in case of a residence not being made available, by amending the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981.

In view of the security requirements of the former Chief Ministers, it has also been decided to provide for allotment of official residence to them in the aforesaid Act.

The Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) (Amendment) Bill, 2016 is introduced accordingly.

By order,

RANG NATH PANDEY,

Pramukh Sachiv.
सरकारी गजट, उत्तर प्रदेश
उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिषिक्त
मांग—1, खण्ड (क)
(उत्तर प्रदेश अभिनियम)

लखनऊ, शुक्रवार, 27 दिसंबर, 2019
पीध 6, 1941 शक सम्बत्

उत्तर प्रदेश शासन

विधायी अनुमान-1

संख्या 2243/79-वि-1-19-1(क)-16-19
लखनऊ, 27 दिसंबर, 2019

अभिसूचना

"भारत का संविधान" के अनुसार 200 के अंतर्गत अधिनियम ने उत्तर प्रदेश मंत्री (बेतन, मला और प्रकीर्ण उपक्रम) (संशोधन) विवेचन, 2019 जिससे गोपन अनुमान-1 प्रशासनिक रूप से सम्बन्धित है, पर विनाकृत 26 दिसंबर, 2019 को अनुमान शासन की और वह उत्तर प्रदेश अभिनियम संख्या 19 सन् 2019 के रूप में सर्वसाधारण की सूचना इस अभिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश मंत्री (बेतन, मला और प्रकीर्ण उपक्रम) (संशोधन) अभिनियम, 2019
(उत्तर प्रदेश अभिनियम संख्या 19 सन् 2019)
[जैसा उत्तर प्रदेश विधान मंडल द्वारा पारित हुआ]

उत्तर प्रदेश मंत्री (बेतन, मला और प्रकीर्ण उपक्रम) अभिनियम, 1981 का अन्तर संशोधन करने के लिये

अभिनियम

भारत गणराज्य के संबंधों के लिये निर्देशित अभिनियम बनाया जाता है :-

1-(1) यह अभिनियम उत्तर प्रदेश मंत्री (बेतन, मला और प्रकीर्ण उपक्रम) (संशोधन) अभिनियम, 2019 का आधार बना।

(2) यह 6 नवंबर, 2019 को प्रकाशित हुआ समझा जायेगा।
उत्तर प्रदेश अधिनियम संख्या 14 सन् 1981 (उपाध्याय अधिनियम संख्या 5 जून 2019)

उत्तर प्रदेश मंत्री (वेतन, भत्ता और प्रक्रियाओं उपबन्ध) अधिनियम, 1981 की धारा 3 में, उपाध्य (3) निकाल दी जायेगी।

3-(1) उत्तर प्रदेश मंत्री (वेतन, भत्ता और प्रक्रियाओं उपबन्ध) (संशोधन) अध्यादेश, 2019, प्रदर्शन निरसित किया जाता है।

(2) ऐसे निरसन के होते हुए भी उपाध्य (1) में निर्देश अध्यादेश द्वारा यथा संशोधित मूल अधिनियम के उपबंधों के अधीन कृत कोई कार्य या की गयी कोई कार्यवाही, इस अधिनियम द्वारा यथा संशोधित मूल अधिनियम के सह प्रत्येक उपबंधों के अधीन कृत या की गयी समझौता जारी गयी गानी इस अधिनियम के उपबंध सभी सार्वजनिक समयों में प्रमुख थे।

उद्देश्य और कारण

उत्तर प्रदेश मंत्री (वेतन, भत्ता और प्रक्रियाओं उपबन्ध) अधिनियम, 1981 (उत्तर प्रदेश अधिनियम संख्या 14 सन् 1981), उत्तर प्रदेश राज्य के मंत्रियों हेतु वेतन, भत्ता और अन्य युविधाओं से संबंधित विधि को समृद्धित तथा संशोधित करने के लिए अधिनियमित किया गया है। उपन्य अधिनियम की धारा 3 की उपाध्य (3) में यह उपबंध है कि प्रत्येक मंत्री, राज्य मंत्री तथा उप मंत्री के वेतन, भत्ता मंत्री अथवा आयकर से संबंधित किसी विधि के अधीन ऐसे वेतन पर सदेश कर में सम्मिलित होने और ऐसे कर, राज्य सरकार द्वारा व्यक्त किया जायेगा। यून आयकर का भुगतान, राज्य के अथवा आयकर विधि की परिधि के अधीन आने वाले प्रत्येक नागरिक द्वारा किया जाता है, इसलिए उत्तर मंत्री और आयकर का भुगतान करने के लिए उल्लिखित दोहों। इसके अतिरिक्त, उत्तर मंत्री के आयकर का भुगतान पिछले 35 वर्षों से राज्य सरकार द्वारा किया जा रहा था। सम्यक विपरीतपरत्व यह निर्देशन किया गया है कि धारा 3 की उपाध्य (3) को हटाने के लिए उत्तर अधिनियम में संशोधन किया जाय, जिससे कि उत्तर मंत्री आयकर का भुगतान करने का उत्तराधिकार व्यक्त कर सकें।

भूषक राज्य विधान मंडल सत्र में नहीं था और उक्त विभाग का लागू करने के लिए तत्काल विधायी कार्यवाही की जानी आवश्यक थी, अतः राज्य विधान द्वारा उत्तर प्रदेश मंत्री (वेतन, भत्ता और प्रक्रियाओं उपबन्ध) (संशोधन) अध्यादेश, 2019 (उत्तर प्रदेश अध्यादेश संख्या 5 सन् 2019) दिनांक 06 नवंबर, 2019 को प्रकाशित किया गया।

2-निःपुर्वुल उत्तर प्रदेश मंत्री (वेतन, भत्ता और प्रक्रियाओं उपबन्ध) (संशोधन) विधेयक, 2019, पुर्वोक्त अध्यादेश को प्रतिस्थापित करने के लिए पुर्वोक्त किया जाता है।

आजा ते,
जेए पीएंग सिंह-II,
प्रमुख सचिव।
IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Mantri (Vetan, Bhatta Aur Prakima Upbandh) (Sanshodhan) Adhiniyam, 2019 (Uttar Pradesh Adhiniyam Sankhya 19 of 2019) as passed by the Uttar Pradesh Legislature and assented to by the Governor on December 26, 2019. The Gopan Anubhag-1 is administratively concerned with the said Adhiniyam.

THE UTTAR PRADESH MINISTERS (SALARIES, ALLOWANCES AND MISCELLANEOUS PROVISIONS) (AMENDMENT) ACT, 2019

(U. P. Act no. 19 of 2019)

[As passed by the Uttar Pradesh Legislature Assembly]

AN ACT

further to amend the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981.

IT IS HEREBY enacted in the Seventieth Year of the Republic of India as follows :-

1. (1) This Act may be called the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) (Amendment) Act, 2019.

(2) It shall be deemed to have come into force on November 6, 2019.

2. In section 3 of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981 sub-section (3) shall be omitted.

3. (1) The Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) (Amendment) Ordinance, 2019 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.
STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981 (U.P. Act no. 14 of 1981) has been enacted to consolidate and amend the law relating to the salaries, allowances and other facilities to the Ministers of the State of the Uttar Pradesh. Sub-section (3) of section 3 of the said Act provides that the salaries of every Minister, Minister of State and Deputy Minister shall be exclusive of tax payable of such salaries (including perquisites) under any law relating to income tax for the time being in force, and such tax shall be borne by the State Government. Since the income tax is being paid by every citizen in the State who comes under the ambit of income tax law, the said Ministers shall also be responsible for the payment of income tax. Besides the payment of the income tax of the said Ministers was being paid by the State Government for the last 35 years. After due consideration it has been decided to amend the said Act to omit the said sub-section (3) of section 3, so as to make the said Ministers to take there responsibility of payment of income tax themselves.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the said decision, the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) (Amendment) Ordinance, 2019 (U.P. Ordinance No. 5 of 2019) was promulgated by the Governor on November 6, 2019.

2. The Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) (Amendment) Bill, 2019 is introduced to replace the aforesaid Ordinance.

By order,
J.P. SINGH-II,
Pramukh Sachiv.