

MOST IMMEDIATE

No.21/39/2009-M&G
Government of India
Ministry of Home Affairs

North Block, New Delhi,
23rd June 2009.

To

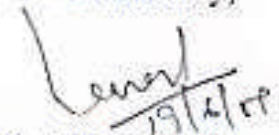
Shri M.K.Haridas,
Ashirwad, Door No. 31/774,
Tagore Road, Vyttila,
P.O. Kochi - 682 019

Sub:- Supply of information under the Right to Information Act, 2005.

Sir,

With reference to your letter dated 27.5.2009, received in this office on 16.06.2009 through Cabinet Secretariat, on the subject mentioned above, find enclosed a copy of the Salaries and Allowances of Ministers Act, 1952 as well as the rules framed thereunder.

Yours faithfully,


(NEERAJ KANSAL)
CPIO/DIRECTOR (CS-II)
Tel. No. 2309 2933

Enclosure: as above.

THE SALARIES AND ALLOWANCES OF MINISTERS ACT, 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 include a Deputy Minister.

^{1**} 3(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 with respect to Members of Parliament.

^{2***} 3(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.

4(1) 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 ^{3*}(one month) immediately thereafter, and no charge shall fall on the Minister personally in respect of the maintenance of such residence.

⁴[(2) In the event of the death of the Minister, his family shall be entitled to the use of the furnished residence occupied by the Minister:-

- (a) for a period of one month immediately after his death, without payment of rent and no charge shall fall on the family of the Minister in respect of the maintenance of such residence, and
- (b) for a further period of one month, on payment of rent at such rates as may be prescribed by rules made in this behalf by the Central Government and also charges in respect of electricity and water consumed in that residence during such further period.]

EXPLANATION: For the purpose of this Section 'residence' includes the staff quarters and other buildings apartment thereto, and the gardens thereof, and 'maintenance' in relation to a residence includes the payment of local rates taxes and to provision of electricity and water. ¹

¹ ** Substituted by Act 76 of 1985.

² *** Substituted by Act 76 of 1985.

³ * () Substituted for 'fifteen days' by Act 47 of 1969.

⁴ [] Inserted by Act 47 of 1969.

MINISTRY OF HOME AFFAIRSNOTIFICATIONNew Delhi, the 5th April, 1957.

S.R.O. 1154 – In exercise of the powers conferred by sub-section (1) of section 11 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952), the Central Government hereby makes the following rules, namely: -

1. **SHORT TITLE:** These rules may be called the Ministers' (Allowances, Medical Treatment and other Privileges) Rules, 1957.
2. **DEFINITION:** In these rules unless there is anything repugnant to the subject or context –
 - (i) 'actual travelling expenses' means the actual costs of transporting a Minister with his servants and personal luggage and includes charges for ferry and other tolls and for carriage of camp equipment, if necessary, but does not include charges for hotels, travellers bungalows or refreshments or for the carriage of stores or conveyance or for presents to coachmen and the like; or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants;
 - (ii) 'advance' means a repayable advance made to a Minister on account of travelling or daily allowance or for the purchase of a motor car;
 - (iii) 'family' means except in relation to the rule in section IV a Minister's wife residing with him and legitimate children and step children residing with and wholly dependent on him. Not more than one wife is included in a family for the purpose of these rules. If the Minister is a married woman, 'family' will include her husband residing with and wholly dependent upon her;
 - (iv) 'first class compartment' means a two-berthed or four berthed first class compartment or an air-conditioned coupe or a four berthed air conditioned compartment¹ or a coupe in the air-conditioned sleeper class;
 - (v) 'form' means a form appended to these rules;
 - (vi) 'Minister' means a member of the Council of Ministers by whatever name called and except in relation to the rules in sub-section (1) of section 11, includes a Deputy Minister;

¹* Inserted vide MHA Notification No.14/30/70-Public-1 dated 2-2-1972.

^{5*} 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 - Rupees two thousand per mensem;
who is a Member of
the Cabinet
- (c) a Minister of State - Rupees one thousand per mensem;
- (d) a Deputy Minister - Rupees six hundred per mensem.

6. Travelling and daily allowance to Ministers:

(1) Subject to any rules made in this behalf by the Central Government, a Minister shall be entitled to:-

- (a) travelling allowance for himself and the members of his family and for the transport of his and his family's effects -
 - (i) in respect of 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 allowance in respect of tours undertaken by him in the discharge of his official duties, whether by sea, land or air.

^{6**}(1A) A Minister shall be entitled to traveling 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 (1) in respect of tours referred to in that clause, subject to the overall entitlement of forty eight single journeys in each year.

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

^{5*} Substituted by Act 44 of 2001 and made effective from 17-9-2001 vide MHA Notification No.10/33/98-M&G dated 17-9-2001.

^{6**} Substituted by Act 44 of 2001 and made effective from 17-9-2001 vide MHA Notification No.10/33/98-M&G dated 17-9-2001.

7. Medical treatment etc. to Minister – 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. Advance to Ministers for purchase of motor car – 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. Minister 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 allowances 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 purposes of this Act.

*7%10A. Notwithstanding anything contained in the Income Tax Act, 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.

11. (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 modification, by each House of Parliament and published by the Central Government in the Official Gazette.

(3) Notwithstanding anything contained in section 11 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 things 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.

* % Inserted by Act 76 of 1985.

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 Minister of Cabinet rank (but not Member 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.

-: oOo :-

EXTRACTS FROM THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT ACT, 1954.

3. Salaries and Daily Allowances: A member shall be entitled to receive a salary at the rate of sixteen thousand rupees per mensem (w.e.f. 14-9-2006) during the whole of his term of office and subject to any rules made under this Act and allowances at the rate of one thousand rupees (w.e.f. 14-9-2006) for each day during any period of residence on duty.

8. A member shall be entitled to such constituency allowance and to such housing, telephone, water, electricity facilities or such amount in cash in lieu of all or any of such facilities as may be prescribed by rules under Section 9.

EXTRACTS FROM THE MEMBERS OF PARLIAMENT (CONSTITUENCY ALLOWANCE) RULES, 1986.

2. Amount of Constituency Allowance: A member shall be entitled to receive the Constituency Allowance under section 8 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954) at the rate of rupees twenty thousand per mensem (w.e.f. 12-12-2006).

-: oOo :-

- (vii) 'travelling allowance' means an allowance granted to a Minister to cover the expenses which he incurs in travelling in the interest of public service as against travelling in personal interest or for private purpose, such as journey for rest or recoupment of health or for attending party meetings or for election campaign.

2.^{2*} A calculation of road mileage and mileage allowance in kilometers: The road mileage and the mileage allowance payable under these rules shall be calculated with reference to distance in kilometers.

SUMPTUARY ALLOWANCE

3.^{3*} ----- OMITTED -----

SECTION - II

TRAVELLING ALLOWANCE

Sub-section (1) - Travelling Allowance of Ministers other than Deputy Ministers

A - JOURNEY FOR ASSUMPTION OF OFFICE

4. **TRAVELLING ALLOWANCE:** In respect of the journey to headquarters from his usual place of residence for assuming office, a Minister is entitled to travelling allowance on the scale for the time being admissible to a Central Government servant of the first grade on transfer subject to the modification of that for journeys by rail a Cabinet Minister and the members of his family may travel by air-conditioned class of accommodation.

5. **ALTERNATIVE TERMS:** In lieu of drawing travelling allowance under rule 4 for journeys by rail for assuming office, a Minister may at his option, travel by railway on the following terms, namely,

- (a) Any accommodation which he will be entitled to reserve by requisition after assuming office will, if practicable be placed at his disposal.
- (b) The charge of haulage of the reserved accommodation will be paid by the Government.
- (c) The Minister shall pay to the Government the fare which he would have paid if no accommodation had been reserved and shall, in addition, pay in cash to the station master of the station from which the journey commences, the fares for any members of his family accompanying him, whether they share his reserved

^{2*} Inserted vide MHA Notification No.14/30/70-Public-I dated 2-2-1972.

^{3*} Section I, Rule 3 omitted vide MHA Notification No.10/41/85-M&G dated 13-5-1986.

accommodation or not. When the Government pays full tariff rates for the accommodation, all such fares will be credited to the Government.

TRAVELLING ON DUTY

A - BY RAIL

6. **TRAVEL BY RAILWAY ON DUTY :** (1) A Minister when travelling on duty by railway may reserve by requisition a standard gauge saloon, if for any reason, a saloon is not available for his use, he may reserve by requisition an inspection carriage. Similarly, when an inspection carriage is not available or if a saloon or an inspection carriage is not desired, the Minister may at his option reserve by requisition a first class compartment. The Prime Minister apart from other privileges of reserving railway accommodation may reserve on standard gauge and one metre gauge train.

^{4*} [Explanation: - The Government shall also meet empty haulage charges of saloons.

- (i) from the stabling station to the station at which it has been requisitioned;
- (ii) from the station at which it is vacated to the stabling station referred to in clause (1) by the shortest route.

Explanation-II: - When a saloon is requisitioned by a Minister and is made available to him but is not subsequently utilised due to cancellation or change of tour programme, the empty haulage charges of the saloon will be met by the Government provided that

- (a) there was not sufficient time to prevent the haulage of the saloon after the programme was cancelled or changed and
- (b) an intimation regarding cancellation or change of tour programme for official reasons resulting in the empty haulage of the saloon was made to Audit.]

(2) If it is impossible for a Minister, when travelling by railway on duty to arrange to travel by train, which is not a mail train, and if the railway authorities are unable to attach his reserved carriage to a mail train, he is entitled to order a special train at the expenses of the Government.

7. **OPTION TO TRAVEL BY TAKING A SINGLE BERTH:** A Minister may also, at his option, travel by taking a single berth in an air-conditioned coach or in any ordinary first class compartment.

^{4*} Added vide MHA Notification No.14/46/57-Public.I dated 16-5-1959.

8. **OTHER PERSONS, SERVANTS AND LUGGAGE:** (1) A Minister when travelling on duty in a saloon or an inspection carriage is entitled, without payment to -

- (i) take with him in the reserved accommodation one relative subject to the authorised capacity of the reserved accommodation this concession is admissible even if a Minister travels in a first class compartment.
- (ii) accommodation for two personal servants; and
- (iii) free carriage of all luggage which he certifies as his personal luggage, including stores carried for consumption on tour, whether carried in the luggage van of the train to which his reserved carriage is attached or sent by any other train.

(2) Freight charges for goods and for stores other than those covered by sub-rule (1) shall be met by the Minister himself.

(3) Any person other than the relative mentioned in sub-rule (1) (i) travelling with the Minister in the reserved accommodation shall pay the usual fares to the railway by the purchase of first class tickets and in every bill for travelling allowance in respect of a journey performed in reserved accommodation, the Minister will specify the number of persons who travelled with him and furnish a certificate in Form-I.

Explanation: - The high official requisition should not be utilised for reservation of accommodation for the staff who are required to pay in cash.

9.^{3*}[**TRAVEL IN RESERVED COMPARTMENT:** A Minister when travelling in a reserved compartment on requisition shall be entitled without payment to accommodation for two personal servants and to draw daily allowance in accordance with the provisions of rule 17.]

10. **TRAVEL IN A SINGLE BERTH :** Where a Minister travels by taking on requisition or otherwise, a single berth in an air-conditioned coach or in an ordinary first class compartment under Rule 7, he ^{6^}(shall be entitled without payment to accommodation for two personal servants and) may draw the actual fare paid, if any and in addition, daily allowance in accordance with provisions of rule 17.

11. **TRANSPORT OF MOTOR CAR ON TOUR:** A Minister may recover the cost of transporting a motor car while on tour provided the President is satisfied that -

- (i) It is in the interest of the public service that a motor car should be sent by rail; and
- (ii) the car was employed for all practicable purposes, only as a means of performing in the public interest, a journey off the line of railway.

^{3*} [] Amended vide MHA Notification No.4/9/76-States dated 12-8-1980.

^{6^} () Inserted vide MHA Notification 14/30/70-Pub.I dated 2-2-1972.

In case where the presence of his car with the Minister on tour has saved him the expenses in hiring a conveyance for personal convenience, or served his personal convenience to an appreciable extent, he should pay one-fifth of the cost of transporting the car.

B - BY ROAD OR STEAMER

12. **TRAVEL BY ROAD OR STEAMER:** (1) A Minister when travelling on duty by road or steamer, whether in Government transport or otherwise, may recover his actual travelling expenses appending to his bill in certificate to the following effect: -

"I certify that I have actually paid the amount of this bill and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or charge for refreshment, hotels or staging bungalows."

(2) A Minister when travelling on duty by road in his private car may in lieu of the 'actual travelling expenses' admissible under sub-rule (1) draw at his option a mileage allowance at the rate of thirty two paise per kilometer.

* [(3) A Minister, when travelling on duty by road shall be entitled, without payment, to take with him one relative.]

C - BY AIR

13. **TRAVEL BY AIR:** (1) A Minister, may in the public interest travel by air in a regular air service machine and recover in respect of such travel, the air fare (except when it is paid by Government direct to the company) [§] actually paid by him. In addition, he may :

recover the cost of transporting by road, passenger train or steamer his luggage upto a maximum of 224 kilograms and two servants by the cheapest mode of transport by road, rail or steamer, appending to his bill a certificate as follows :

"I certify that I have actually paid the amount of this bill and that it does not include any charge for the freight of any stores or goods, other than my personal luggage or any charge for refreshment, hotels or staging bungalows other than what is included on that account, in their fare itself."

Provided that the Minister who carries his personal effects ⁹ () by air, may subject to the maximum (224 kilograms) recover actual expenses upto the limit of the amount which would have been admissible had he taken the same quantity by the surface route.

* [] Added vide MHA Notification No.14/3/59-Public.I dated 21-11-1960.

§ Substituted vide MHA Notification No.14/30/70-Pub.I dated 2-2-1972.

⁹ - () Substituted vide MHA Notification No.14/30/70-Pub.I dated 2-2-1972.

NOTE: In case of travel in a private plane, free of charge, the Minister may recover the cost of transporting his luggage and servants on the scale mentioned ¹⁰@ in this sub-rule appending to his bill the following certificate, unless the entire luggage and the private servants are also carried free in private plane, namely :

"I certify that I have actually paid the amount of this bill and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels or staging bungalows."

¹¹* [(2) A Minister who does not utilise the free transport by air company between air-booking centre and the airport may also recover, in respect of the journey to or from the airport, actual travelling expenses or road mileage as for a journey on duty by road admissible under rule 12.]

(3) If the Minister intends to make the return journey also by air, he should purchase a return ticket if this involves a saving. In the case of an air journey, performed as a part of or as a link in a railway journey, he is entitled to the usual concessions for servants and luggage as for a railway journey.

14. **PERSONS WHO CAN ACCOMPANY A MINISTER:** When a Minister travels on duty in a regular air service machine, he may take with him at the expense of the Government his private secretary, or an assistant private secretary, or a personal assistant and a jamadar or a domestic servant, whenever this is considered by the Minister to be urgent and necessary in the public interest.

15. **CANCELLATION OF AIR PASSAGE:** On the cancellation of journey due to official reasons ¹²** (or circumstances which are unavoidable and are beyond his control), a Minister shall be entitled to be reimbursed by Government any deduction made by an Air Transport Company when refunding the fare on account of cancellation of the air passage.

16. **CHARTERING OF AEROPLANE:** Subject to the rules for chartering of aeroplane in force for the time being, a Minister may on his own authority, authorise the chartering of an aeroplane for a journey on duty if the journey by a chartered plane is considered by him to be necessary in the public interest.

D - DAILY ALLOWANCE

17. **RATES OF DAILY ALLOWANCE:** (1) Subject to the provisions of sub-rule (2) a Minister shall be entitled to draw daily allowance for the entire period of absence from headquarters starting with the departure from Headquarters and ending with the arrival at the Headquarters at the following rate namely: -

¹⁰@ Amended vide MHA Notification No.4/9/76-States dated 12-8-1980.

¹¹* [] Added vide MHA Notification No.14/3/59-Pub.I dated 21-11-1960.

¹²** () Inserted vide MHA Notification No.14/46/57-Pub.I dated 16-5-1959.

- (a) a daily allowance ^{13*}[as admissible to a Secretary to the Government of India] when he does not stay in the saloon or inspection carriage; and
- (b) a daily allowance ^{14*}[at the rate of 50% of the rates admissible to a Secretary to the Government of India] if he stays in his saloon or inspection carriage.

EXPLANATION: Daily allowance for the entire period of absence from Headquarters will be regulated as follows :-

Full daily allowance may be granted for each completed calendar day of absence from headquarters, for less than 24 hours, the daily allowance will be admissible at the following rates :-

- (a) for absence not exceeding 6 hours : NIL
- (b) for absence exceeding 6 hours but not exceeding 12 hours : 70% of the rate
- (c) for absence exceeding 12 hours : full daily allowance

In case the period of absence from headquarters falls on two calendar days, it is reckoned as two days and D.A. is calculated for each day as above. Similarly, D.A. for days of departure from and arrival at the headquarters will also be regulated accordingly.

(2) For a continuous halt on tour exceeding 30 days, daily allowance will be admissible as under :-

- (a) first 30 days - at the rates specified in sub-rule (1)
- (b) beyond 30 days and upto 180 days - Half of the rates specified in sub-rule (1)
- (c) beyond 180 days - NIL

Provided that a Minister whose headquarters are at a place other than Delhi, may, where he makes a continuous halt exceeding 30 days at Delhi and his actual expenses, during the period after the first 30 days of such halt exceeds the limit of allowance admissible to him under this rule, draw for the period aforesaid such actual expenses of certifying to the same but not exceeding the amount that would be admissible at the rate as admissible to the Secretary to the Government of India or at the rate of 50% of the rate admissible to the Secretary to the Government of India as the case may be.

^{13*}[] Substituted vide MHA Notification No.10/19/93-M&G dated 6-12-1995. [GSR No.779(E)]

^{14*}[] Substituted vide MHA Notification No.10/19/93-M&G dated 6-12-1995. [GSR No.779(E)]

18. **ALLOWANCE ADMISSIBLE WHEN ON TOUR AS A STATE GUEST:** When a Minister is treated as a State Guest during his official visit to a State in India and is provided with free boarding and lodging at the expenses of the State, he may, if he draws daily allowance limit it to his actual expenses subject to a maximum of the full allowance admissible under the rules, the actual expenses may include presents to bearers, servants and drivers etc. during the period of stay in a State.

(E) JOURNEYS OUTSIDE INDIA

19. **JOURNEY ON DUTY OUTSIDE INDIA:** A Minister proceeding on duty outside India is entitled to such terms in regard to travelling and other expenses as the President may, in such case decide.

JOURNEY ON DEMITTING OFFICE

20. **JOURNEY AFTER DEMITTING OFFICE:** On demitting office, a Minister is entitled to the same travel concessions in respect of the journey between headquarters and his usual place of residence as are admissible under the rules in respect of his journey for assumption of office.

¹⁵*[20A. **JOURNEY AFTER DISSOLUTION OF COUNCIL OF MINISTERS CONSEQUENT ON DEATH OR RESIGNATION OF PRIME MINISTER:** In the event of dissolution of Council of Ministers consequent on the death or resignation of the Prime Minister, a Minister who is away from headquarters on tour on duty, shall be entitled, for his return journey to headquarters to the same travelling and other allowances as were admissible to him under these rules immediately before the dissolution of the Council of Ministers.]

Sub-section (2) – Travelling allowance of Deputy Minister

A – JOURNEY FOR ASSUMPTION OF OFFICE

21. **TRAVELLING ALLOWANCE:** In respect of the journey to headquarters from his usual place of residence for assuming office, a Deputy Minister is entitled to travelling allowance on the scale for the time being admissible to a Central Government servant of the first grade on transfer.

22. **ALTERNATIVE TERMS:** In lieu of drawing travelling allowance under rule 21 for the journey by rail for assuming office, a Deputy Minister may, at his option travel by railway on the following terms, namely –

- (a) Any accommodation (except air-conditioned accommodation) which he will be entitled to reserve by requisition after assuming office will, if practicable, be placed at his disposal.

¹⁵ * [] Inserted vide MHA Notification No.14/30/66-Pub.I dated 8-12-1966.

- (b) The charge for hire of the reserved accommodation will be paid by the Government.
- © The Deputy Minister shall pay to the Government the fare which he would have paid if no accommodation had been reserved and shall, in addition, pay in cash to the station master of the station from which the journey commences, the fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When the Government pays full tariff rate for the accommodation all such fares will be credited to the Government.

B. TRAVELLING ON DUTY

23. **TRAVELLING ALLOWANCE:** The rules and orders for the time being in force, regulating the grant of travelling and daily allowances to a Secretary to the Government of India shall, subject to the following modifications, apply to the grant of travelling and daily allowances to a Deputy Minister in respect of journeys undertaken by him in discharge of his duties:-

- (i) A Deputy Minister shall be entitled to daily allowance at the maximum rate;
- (ii) The Deputy Minister for transport and railways shall be entitled to the use of a saloon subject to the same terms and conditions as are applicable to the Chairman of the Railway Board;
- (iii) Not more than one person, being a relative of the Deputy Minister, may subject to the authorised capacity of the reserved accommodation travel with him in such accommodation without payment of any fare (this provision shall have effect from the 7th December, 1954).
- ^{16*}(iv) A Deputy Minister, when travelling on duty by road, shall be entitled without payment, to take one relative.
- (v) In the case of a journey by air on duty, a Deputy Minister who does not utilise the free transport provided by the Air Company between the air booking centre and the airport shall be entitled to draw mileage allowance in respect of the road journey between the "duty point" and the airport;
- (vi) A Deputy Minister shall be entitled to draw the actual cost of hiring a conveyance for short road journey on duty at his headquarters for which no travelling allowance is admissible to him under these rules subject to his furnishing a certificate in each case that such conveyance was hired because a staff car could not be made available by the Ministry concerned or taken on loan from any other Ministry.
- (vii) The proviso to supplementary Rule 46 does not apply to Deputy Minister.]

¹⁶ * [] Inserted vide Ministry of Home Affairs' Notification No.14/3/59-Pub.I dated 21-11-1960.

24. **TRAVEL IN A RESERVED COMPARTMENT:** A Deputy Minister when travelling by railway in a reserved compartment on requisition shall be entitled to draw daily allowance at the rates for the time being admissible to a Central Government servant of the first grade.

25. **TRAVEL IN A SINGLE BERTH:** A Deputy Minister may at his option travel by taking on requisition or otherwise, a single berth in air-conditioned coach or in any ordinary first class compartment. In such cases he may draw the actual fare paid, if any, and, in addition daily allowances at the rates for the time being admissible to a Central Government servant of the first grade.

JOURNEY ON DEMITTING OFFICE

^{17*} [26. **JOURNEY AFTER DEMITTING OFFICE:** On demitting office, a Deputy Minister shall be entitled to the same travel concession in respect of the journey between headquarters and his usual place of residence as are admissible to him under these rules in respect of his journey for assumption of office.

26A. **JOURNEY AFTER DISSOLUTION OF COUNCIL OF MINISTERS CONSEQUENT ON DEATH OR RESIGNATION OF THE PRIME MINISTER:** In the event of dissolution of the Council of Ministers consequent on the death or resignation of the Prime Minister a Deputy Minister, who is away from headquarters on tour on duty, shall be entitled, for his return journey to the headquarters, to the same travelling and other allowances as were admissible to him under the rules immediately before the dissolution of the Council of Ministers.]

SUB-SECTION (3): JOURNEY OF FAMILY ON DEATH OF MINISTER

27. **TRAVELLING EXPENSES:** On the death of a Minister, the members of his family, shall be entitled to travelling expenses in respect of the journey from headquarters to his usual place of residence on the same scale as is admissible for the time being to the family of a Central Government servant of the first grade on his death while in service provided that the journey shall be completed within six months after the death of the Minister.

SECTION - III

ADVANCES

28. **ADVANCES:** A Minister shall be entitled to:

(a) an advance of travelling allowance towards the cost of transporting himself and the member of his family and his family's effects :

¹⁷ * [] Inserted vide Ministry of Home Affairs' Notification No.14/30/66-Pub.I dated 8-12-1966.

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

SECTION - IV

MEDICAL ATTENDANCE AND TREATMENT

29. **MEDICAL ATTENDANCE AND TREATMENT:** (1) A Minister and members of his family shall be entitled, free of charge, to medical attendance and treatment on the scale and conditions applicable to members of the All India Services and members of their families under the All India Services (Medical Attendance) Rules, 1954.

(2) While on duty outside India, a Minister shall also be entitled free of charge to such medical attendance and treatment as may be admissible to the Head of the Indian Mission at that place.

NOTE: Family for the purpose of this rule will have the same meaning as defined in the relevant medical attendance rules.

SECTION - V

ADVANCES FOR THE PURCHASE OF MOTOR CARS

30. **ADVANCE WHEN ADMISSIBLE:** A Minister may be paid an advance for the purchase of a motor car in India in order that he may be able to discharge conveniently and efficiently the duties of his office subject to the conditions hereinafter specified.

31. **MAXIMUM AMOUNT OF ADVANCE:** The maximum amount which may be advanced to a Minister for the purchase of a motor car shall not exceed ^{18*} (rupees one lakh), or the actual price of the motor car, which is intended to be purchased, whichever is less.

¹⁸ * () Substituted by Ministry of Home Affairs' Notification No.10/32/98-M&G dated the 31-12-1998 (earlier Rs.50,000/- w.e.f. 26-3-1987 - MHA Notification No.10/28/96-M&G)

32. **REPAYMENT OF ADVANCE:** ¹⁹[(1) Recovery of the advance granted under rule 31, together with interest thereon, shall be made from the salary bill of the Minister concerned not more than sixty equal monthly instalments. @(...) The Government may, however, permit recovery to be made in a smaller number of instalments if the Minister receiving the advance so desires. The deduction shall commence with the first issue of salary after the advance is drawn, simple interest at the rate fixed by the Government for the purpose of purchase of conveyance by Government servants, shall be charged on the advance.

EXPLANATION: The amount of the advance to be recovered monthly shall be fixed in whole rupees except in the case of last instalment when the remaining balance included any fraction of a rupee should be recovered.

(2) In case a Minister relinquishes office before the advance is fully repaid, the outstanding balance together with interest thereon shall be paid to the Government immediately in one lumpsum.]

33. **SALE OF MOTOR CAR:** (1) Except when a Minister relinquishes his office the previous sanction of the Government shall be obtained for the sale by the Minister of the Motor car purchased with the aid of advance, if such advance together with the interest accrued there on has not been fully repaid, if a Minister wishes to transfer the motor car and the liability attaching thereto to another Ministry, he may be permitted to do so under the orders of the Government, provided that the purchasing Minister records a declaration that he is aware that the motor car transferred to him remains subject to mortgage to the government and that he is bound by the terms and provisions of the mortgage bond.

(2) In all cases where a motor car is sold before the advance with interest thereon has been fully repaid, the sale proceeds must be applied, so far as may be necessary, towards the repayment of such outstanding balance.

Provided that when the motor car is sold only in order that another motor car may be purchased, the Government may permit the Minister to apply the sale proceeds towards such purchase, subject to the following conditions namely:-

- (a) the amount outstanding shall not be permitted to exceed the cost of the new car.
- (b) The amount outstanding shall continue to be repaid at the rate previously fixed; and
- (c) The new car shall be mortgaged to the Government and also insured.

34. **PERIOD WITHIN WHICH NEGOTIATIONS FOR PURCHASE OF CAR MAY BE COMPLETED:** A Minister who draws an advance for the purchase of a motor car, shall complete negotiations for the purchase of, and make final payment for,

¹⁹ * [] Substituted vide Ministry of Home Affairs' Notification No.14/26/57-Pub.I dated the 1-6-1957.

the motor car, within one month of the date on which he draws the advance failing such completion and payment, the full amount of the advance drawn, with interest, thereon for one month, shall be refunded to the Government. The period of one month for completion of the deal may however, be relaxed by the Government in individual cases. An advance will not be admissible when a motor car has already been purchased and paid for in full. In a case in which payment has been made in part, the amount of advance will be limited to the balance to be paid as certified by the Minister.

35. EXECUTION OF AGREEMENT: At the time of drawing the advance, the Minister shall execute an agreement in form-II and on completing the purchase, he shall further execute a mortgage bond in form-III hypothecating the motor car to, the Government as a security for the advance. The cost price of the motor car shall be entered in the schedule of specification attached to the mortgage bond.

36. CERTIFICATE TO THE ACCOUNTS OFFICER: When an advance is drawn, the sanctioning authority shall furnish to the Accounts Officer, a certificate that the agreement in form-II has been signed by the Minister drawing the advance and that it has been found to be in order. The sanctioning authority shall see that the motor car is purchased within one month from the date on which the advance is drawn or such period as may have been specifically allowed in individual cases, by the Government for completion of the deal under rule 34, and shall submit every mortgage bond promptly to the Accounts Officer for examination before final record.

37. SAFE CUSTODY AND CANCELLATION OF MORTGAGE BOND: The mortgage bond shall be kept in the safe custody of the sanctioning authority. When the advance together with the interest thereon has been fully repaid, the bond shall be returned to the Minister concerned duly cancelled, after obtaining a certificate from the Accounts Officer, as to the complete repayment of the advance and interest.

38. INSURANCE OF MOTOR CAR: The motor car purchased from the advance shall be fully insured against loss by fire, theft or accident. The insurance policy shall contain a clause (as in form-IV) by which the insurance company agrees to pay to the Government, instead of the owner, any sum payable in respect of loss or damage to the motor car which is not made good by repair, reinstatement or replacement.

39. REPEAL AND SAVING: (1) All rules and orders in force immediately before the commencement of these rules in so far as they relate to matters provided for in these rules, are hereby repealed.

(2) Notwithstanding such repeal claims which arose before and are pending at the commencement of these rules shall be disposed of under these rules.

FORM - I
[Rule 8(3) Certificate]

1. Certified that no person travelled with me in the reserved compartment.
2. Certified that personal assistant/stenographer/clerk travelled with me in the reserved accommodation. It is further certified that it was in the interest of public service that the personal assistant/stenographer/clerk should have travelled with me in the reserved accommodation and the personal assistant/stenographer/clerk actually purchased a ticket of the class of accommodation to which he was entitled.
3. Certified that a relative of mine travelled with me in the reserved accommodation, without payment of any fare as authorised.
4. Certified that _____ extra persons travelled with me in the reserved accommodation and that necessary ticket were purchased by them.

(Note: Please score out the paragraphs which do not apply)

FORM - II
(Rule 35)

Form of agreement to be exercised at the time of drawing an advance for the purchase of a motor car.

An agreement made this _____ day of _____ two thousand and _____ between Shri _____, Minister of Union (hereinafter called the borrower, which expressions shall include his legal representatives and assigns) of the one part and the President of India (hereinafter called the Central Government) of the other part.

Whereas the Borrower has under the Ministers' (Allowances, Medical Treatment and other Privileges) Rules, 1957, applied to the Central Government for a loan of Rs. _____ (Rupees _____ only) for the purchase of motor car and the Central Government have agreed to lend the said amount to the Borrower on the terms and conditions hereinafter contained.

2. Now it is hereby agreed between the parties hereto that in consideration of the sum of Rs. _____ (Rupees _____ only) paid by the Central Government to the Borrower (the receipt of which the Borrower hereby acknowledges) the Borrower hereby agrees with the Central Government:

- (1) to pay the Central Government the said amount with interest calculated according to the said rules by monthly deductions from his salary as provided for by the said rules and hereby authorises the Central Government to make such deductions.
- (2) within one month from the date of these presents to expend the full amount of the said loan in the purchase of a motor car or if the actual price paid is less than the loan, to repay the differences to the Central Government forthwith, and
- (3) to execute a document hypothecating the said motor car to the Central Government as security for the amount lent to the Borrower, as aforesaid and interest in the form provided by the said rule.

And it is hereby lastly agreed and declared that if the motor car is not purchased and hypothecated as aforesaid within one month from the date of these presents or if the Borrower within that period becomes insolvent or relinquishes his office or otherwise ceases to be a Minister or dies, the whole amount of the loan and interest accrued thereon shall immediately become due and payable.

In witness whereof the Borrower has hereinto set his hand the day and year first before written.

Signed by the said Shri _____ in the presence of _____.

FORM - III
(Rule 35)

Form of mortgage for motor vehicle advance

This indenture made this _____ day of _____ two thousand and _____ BETWEEN _____ (hereinafter called 'the Borrower', which expression shall include his heirs, administrators, executors and legal representatives) of the one part and the President of India (hereinafter called 'the President', which expression shall include his successors and assigns) of the other part.

Whereas the Borrower has applied for and has been granted an advance of Rupees _____ to purchase a motor vehicle on the terms of Section of the Ministers (Allowances, Medical Treatment and other Privileges) Rules, 1957 (hereinafter referred to as 'the said rules') and WHEREAS one of the conditions upon which the said advance has been/was granted to the Borrower is/was that he will/would hypothecate the said motor vehicle to the President as security for the amount lent to the Borrower AND

WHEREAS the Borrower has purchased with or partly with the amount so advanced as aforesaid the motor vehicle particulars whereof are set out in the schedule hereunder written.

Now this indenture witnesseth that in pursuance of the said agreement and for the consideration aforesaid the Borrower doth hereby covenant to pay to the President the sum of Rs. _____ (Rupees _____) aforesaid or the balance thereof remaining unpaid at the date of these presents by equal payment of Rs. _____ (Rupees _____) each on the first day of every month and will pay interest on the sum for the time being remaining due the owing, calculated according to the said rules and the Borrower doth agree that such payments may be recovered by monthly deductions from his salary in the matter provided by the said rules, and in further pursuance of the said agreement the Borrower both hereby assign and transfer upto the President the Motor Vehicle the particulars whereof are set out in the Schedule hereunder written by way of security for the said advance and the interest thereon as required by the said rules.

And the borrower doth hereby agree and declare that he has paid in full the purchase price of the said Motor Vehicle and that the same is his absolute property and that he has not pledged and so long as any money remains payable to the President in respect of the said advance will not sell, pledge or part with the property in or possession of the said motor vehicle.

Provided always and it is hereby agreed and declared that if any of the said instalments of principle or interest shall not be paid or recovered in the manner aforesaid within ten days after the same are due or if the borrower shall die or at any time relinquish his office or otherwise cease to be a Minister or if the Borrower shall sell or pledge or part with the property in or possession of the said Motor Vehicle or become insolvent make any composition or arrangement with his creditors or if any person shall take proceedings in execution of any decreetior judgement against, the Borrower, the whole of the said principal sum which shall then be remaining due and unpaid together with interest thereon calculated as aforesaid shall forthwith become payable.

And it is hereby agreed and declared that the President may on the happening of any of the events herein-before mentioned seize and take possession of the said Motor Vehicle and either remain in possession thereof without removing the same or else may remove and sell the said Motor Vehicle either by public auction or private contract and may, out of the sale money retain the balance of the said advance then remaining unpaid and any interest due thereon calculated as aforesaid and all costs, charges, expenses and payments properly incurred or made in maintaining, defending or realizing his rights hereunder and shall pay over the surplus, if any, to the borrower, his executors, administrators or personal representatives.

Provided further that the aforesaid power of taking possession or selling of the said Motor Vehicle shall not prejudice the right of the President, to sue the Borrower or his personal representatives for the said balance remaining due and interest or in the case

of the Motor Vehicle being sold the amount by which the net sale proceeds fall short of the amount owing.

And the Borrower hereby further agrees that so long as any money are remaining due and owing to the President, he, the Borrower will insure and keep insured the said Motor Vehicle against loss of damage by fire, theft, or accident with an Insurance Company to be approved by the Accounts Officer concerned and will produce evidence to the satisfaction of the Accounts Officer that the Motor Insurance Company with whom the said Motor Vehicle is insured have received notice that the President is inserted in the policy.

And the Borrower hereby further agrees that he will not permit or suffer the said Motor Vehicle to be destroyed or injured or to deteriorate in greater degree that it would deteriorate by reasonable wear and tear thereof AND further that in the event of any damage or accident happening to the said Motor Vehicle the Borrower will forthwith have the same repaired and made good.

THE SCHEDULE

Description of Motor Vehicle
 Maker's name
 Description
 No. of cylinders
 Engine Number
 Chassis Number
 Cost Price

In witness whereof the said (Borrower's name) and for and on behalf of the President have hereunto set their respective hands the day and year first above written.

Signed by the said in the presence of

1. _____
 2. _____
 (signature witness)

(Signature and designation of the Borrower)

Signed by (name and designation)

 (for and on behalf of the President of India in the presence of

1. _____
 2. _____
 (signature of witness)

(Signature and designation of the Officer)

Name & Designation of the Borrower _____

(Rule 38)

For the clause to be inserted in Insurance Policy

It is hereby declared and agreed that Shri _____ (the owner of the motor car hereinafter referred to as the insured in the Schedule to this policy) has hypothecated the car to the President of India hereinafter called the 'Government' as security for advances for the purchase of Motor Car and it is further declared and agreed that the said Government are interested in money which but for this endorsement would be payable to the said Shri _____ (the insured under this policy) in respect of the loss or damage to the said Motor Car (which loss or damage is not made good by repaid, reinstatement or replacement) and such money shall be paid to the Government as long as they are the mortgage of the motor car and their receipt shall be full and final discharge to the company in respect of such loss or damage.

2. Save as by this endorsement expressly agreed nothing herein shall modify or affect the rights or liabilities of the insured or the company respectively under or in connection with this policy or any term, provision or condition thereof.

MINISTERS - RESIDENCES RULES, 1962
(AS AMENDED UPTO 21-2-2003)

In exercise of the powers conferred by Section 11 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952) the Central Government hereby makes the following rules namely:-

1. **SHORT TITLE:** These rules may be called the Ministers Residences Rules, 1962.

2. **DEFINITION:** In these rules, "Act" means the Salaries and Allowances of Ministers Act, 1952 (58 of 1952).

3. **SIZE OF RESIDENCE:** (1) A Minister, other than a Deputy Minister shall be allotted a residence of which the standard rent or if the rents have been pooled, the pooled standard rent calculated in accordance with the provisions of Fundamental Rule 45-A does not, as far as possible exceed Rs.650/- per mensem.

(2) A Deputy Minister shall be allotted a residence of which the standard rent, or, if the rents have been pooled, the standard rent calculated in accordance with the provisions of Fundamental Rule 45-A does not, as far as possible, exceed Rs.350 per mensem.

4. **FURNITURE AND ELECTRICAL APPLIANCES:** (1) The value of furniture and electrical appliances provided free of rent in a residence allotted under Section 4 of the Act shall not exceed:-

- *[(a) In the case of a residence allotted to a Cabinet Minister, Rupees two lakh and fifty thousand;
- (b) In the case of a residence allotted to a Minister of State, Rupees two lakh; and
- (c) In the case of a residence allotted to a Deputy Minister, Rupees one lakh and twenty five thousand.]

EXPLANATION: (1) The value of furniture and electric appliances supplies for the use in the positions of the residence set apart for office purpose shall not be taken into account for the purpose of the limits specified in this sub-rule.

(2) For every article of furniture or electrical appliances provided in such residences, in excess of the limits specified in sub-rule (1), a Minister shall be liable to pay rent at the same rates as per applicable to Government servants, together with departmental charges.

****5. RENT FOR PERIOD OF OVERSTAY:** (1) Where a Minister occupies a residence beyond the period specified in section 4 of the Act, he shall be liable to pay, for the period of overstay rent calculated in accordance with the provisions of Fundamental Rule 45-B together with full departmental charges, or, if the rents have been pooled, the pooled standard rent under Fundamental Rule 45-A, whichever is higher.

(2) Where the family of a Minister occupies a residence as specified in clause (b) of sub-section 4 of the Act, the family shall be charged rent in accordance with the provisions of FR 45-A, or if the rents have been pooled, the pooled standard rent under Fundamental Rule 45-A.

6. INVENTORY OF FURNITURE AND FITTINGS: An inventory of furniture, fittings and electrical appliances provided in a residence allotted to a Minister shall be prepared and verified periodically in accordance with the instructions issued by the Central Government from time to time.

7. INTERPRETATION: If any question arises as to the interpretation of these rules, it shall be referred to the Central Government whose decisions thereon shall be final.

8. SAVING: Nothing in these rules shall apply to the residence of the Prime Minister and the Deputy Prime Minister.

Issued in File No.14011(2)/67-Pol.III

* Notified vide notification No.14011/(27)/67-Pol.III dated 15-11-1967.

** Notified vide notification No.12012(1)/66-Pol.II dated 3-5-1978.

*[] Amended vide notification No.14012/1/87-Pol.III dated 21-2-2003.[GSR No.117(E)]