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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके ।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 30th August, 1982/Bhadra 8, 1904 (Saka)

The following Act of Parliament received the assent of the President on the 28th August, 1982, and is hereby published for general information:—

THE GOVERNORS (EMOLUMENTS, ALLOWANCES AND PRIVILEGES) Act, 1982

No. 43 OF 1982

[28*th August*, 1982]

An Act to determine the emoluments, allowances and privileges of Governors.

BE it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

Short title, extent and commencement.

1. (*1*) This Act may be called the Governors (Emoluments, Allowances and Privileges) Act, 1982.

(*2*) It extends to the whole of India except the State of Jammu and Kashmir.

(*3*) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(*a*) "Governor" means the Governor, or any person discharging the functions of the Governor, of any State or of two or more States;

(*b*) "maintenance",—

(*i*) in relation to official residences, includes the provision of electricity, gas and water;

(*ii*) in relation to motor vehicles, includes the pay and allowances of chauffeurs and the provision of oil and petrol or other fuel;

(*c*) "members of the family", in relation to a Governor, means the spouse and the dependent children of the Governor;

(*d*) "official residences", in relation to a Governor, means such residences as may be specified by the President, by notification in the Official Gazette, as the official residences of the Governor and includes the staff quarters and other buildings appurtenant thereto and the gardens thereof;

(*e*) "rules" means rules made under this Act;

(*f*) "State" does not include a Union territory.

Emoluments.

3. There shall be paid to every Governor emoluments at the rate of rupees five thousand five hundred per mensem:

Provided that if a Governor, at the time of his appointment,—

(*a*) is in receipt of a pension (other than disability or wound pension) in respect of any previous service under the Government of India or any of its predecessor Governments or under the Government of a State or any of its predecessor Governments his emoluments shall be reduced,—

(*i*) by the amount of that pension; and

(*ii*) if he has, before such appointment, received in lieu of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension; and

(*iii*) if he has, before such appointment, received a retirement gratuity in respect of such previous service, by the pension equivalent of that gratuity; or

(*b*) is in receipt of any benefit by way of contributory provident fund, his emoluments shall be reduced by the pension equivalent of such benefit.

Leave allowance.

4. (*1*) Subject to any rules made in this behalf, the President shall grant such leave to a Governor as he may consider necessary.

(*2*) Where a Governor is granted leave by the President, he shall, during the period of such leave, be paid leave allowance at such rate as the President may by order determine:

Provided that such leave allowance shall be reduced to the extent, if any, to which the emoluments of the Governor are liable to be reduced under the proviso to section 3.

Use and maintenance of official residences.

5. A Governor shall be entitled, without payment of rent, to the use of his official residences throughout his term of office and no charge shall fall on the Governor personally in respect of the furnishing or the maintenance of such residences.

Household establishment.

6. Subject to any rules made in this behalf, no charge shall fall on a Governor personally in respect of pay, allowances or pension or other emoluments paid to, or facilities provided for, the members of the household establishment provided to the Governor.

Medical treatment.

7. Subject to any rules made in this behalf, a Governor and the members of his family shall be entitled during the term of his office and thereafter also, to free medical attendance, accommodation and treatment in the hospitals maintained by the Central Government or the Government of any State.

Conveyance.

8. (*1*) A Governor shall be entitled to use without payment of rent or hire, such number of motor vehicles as the President may by order determine.

(*2*) No charge shall fall on a Governor personally in respect of the maintenance of the motor vehicles referred to in sub-section (*1*).

(*3*) The use of the motor vehicles referred to in sub-section (*1*) by the members of the family of a Governor shall be regulated by rules made in this behalf.

Travelling allowance on assumption or vacation of office.

9. Subject to any rules made in this behalf, a Governor 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 for assuming office from the place where he is ordinarily residing to the place of his duty; and

(*b*) in respect of the journey on relinquishing office from the place of his duty to the place where he would ordinarily reside thereafter or if he is to take up any other office under the Government (including the office of the Governor of another State) after such relinquishment, to the place of duty with respect to such other office.

Allowances for renewing furnishings and for maintenance of official residences.

10. Subject to any rules made in this behalf, a Governor shall be entitled to such allowances for renewing the furnishings and for the maintenance of the official residences, as the President may by order determine.

Other privileges and allowances.

11. For the purpose of enabling a Governor to discharge conveniently and with dignity the duties of his office, he shall be—

(*i*) entitled to such other privileges as may be prescribed by rules made in this behalf, and

(*ii*) paid, subject to any rules made in this behalf, such amount, as the President may, by general or special order, determine by way of the following, namely:—

(*a*) entertainment allowance;

(*b*) hospitality grant;

(*c*) household establishment expenses;

(*d*) office expenses;

(*e*) contract allowance, *i.e.*, an allowance for miscellaneous expenses;

(*f*) tour expenses; and

(*g*) such other allowances or expenses as may be provided for by rules.

Additional expenses.

12. (1) Where, in the case of any Governor, the President is satisfied that the amount authorised under this Act by way of any allowances or for meeting any expenses with respect to any matter requires to be increased or that a need has arisen to sanction expenses with respect to any matter for which provision, though permissible, has not been made in the rules made under this Act, he may by special order increase such amount or sanction such expenses to such extent as may be specified in such order.

(2) An order may be made under sub-section (1) so as to have retrospective effect.

(3) Every order made under this section shall be laid, as soon as may be after it is made, before both Houses of Parliament.

Power to make rules.

13. (1) The President may, by notification in the Official Gazette, make rules for the purpose of giving effect to the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) grant of leave to a Governor under section 4;

(b) matters relating to the household establishment provided to a Governor under section 6;

(c) medical attendance, accommodation and treatment of a Governor and the members of his family under section 7;

(d) the use of motor vehicles by the members of the family of a Governor under sub-section (3) of section 8;

(e) the travelling allowance on assumption or vacation of office of a Governor under section 9;

(f) allowances for renewing the furnishings and for the maintenance of the official residences under section 10;

(g) the privileges to which a Governor is entitled and the allowances or expenses payable to a Governor under section 11.

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

Validation.

14. (1) Every special order issued, before the commencement of this Act, by the President in regard to the allowances, expenses (including medical expenses) or privileges of any Governor (other than the Governor of Nagaland) shall, notwithstanding that such order was made with retrospective effect, or is inconsistent with any general order issued under any law with respect to those matters, be as valid and effective as if such special order formed part of this sub-section and this sub-section had been in force at all material times.

(2) Every general or special order issued, before the commencement of this Act, by the President in regard to the allowances, expenses (including medical expenses) or privileges of the Governor of Nagaland shall, notwithstanding that such order was made with retrospective effect, be as valid and effective as if it formed part of this sub-section and this sub-section had been in force at all material times.

Saving.

15. Nothing contained in this Act or the rules made thereunder shall have effect so as to diminish the emoluments and allowances of any Governor during his term of office.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

IndiaCode