

**THE HIMACHAL PRADESH PARLIAMENTARY SECRETARIES
(APPOINTMENT, SALARIES, ALLOWANCES, POWERS,
PRIVILEGES AND AMENITIES) ACT, 2006**

ARRANGEMENT OF SECTIONS

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**THE HIMACHAL PRADESH PARLIAMENTARY SECRETARIES
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(ACT NO. 1 OF 2007)¹

(Received the assent of the Governor on the 23rd January, 2007 and was published in Hindi and English in the Rajpatra, Himachal Pradesh (Extra-ordinary), dated 24th January, 2007, pp. 9895-9904).

An Act to provide for the Appointment, Salaries, Allowances, Powers, Privileges and Amenities etc. of the Parliamentary Secretaries in the State of Himachal Pradesh.

Amended, repealed or otherwise, affected by,-

1. H.P. Act No. 18 of 2009² assented to by the Governor on the 17th September, 2009, published both in Hindi and English in the Rajpatra, Himachal Pradesh, dated 23rd September, 2009, pp. 4098-4100.

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1. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For statement of Objects and Reasons see the Rajpatra, Himachal Pradesh (Extra-ordinary), dated 27th December 2006, pp. 9225 and 9231.
 2. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see the Rajpatra, Himachal Pradesh, dated 15th September, 2009, pp. 3763 and 3765.

2. H.P. Act No. 30 of 2012¹ assented to by the Governor on the 4th May, 2012, published both in Hindi and English in the Rajpatra, Himachal Pradesh, dated 9th May, 2012, pp. 1026-1028.
3. H.P. Act No. 44 of 2013² assented to by the Governor on the 19th September, 2013, published both in Hindi and English in the Rajpatra, Himachal Pradesh, dated 21st September, 2013, pp. 3770-3771.
4. H.P. Act No. 7 of 2016³ assented to by the Governor of Himachal Pradesh on the 7th May, 2016, published both in Hindi and English in the Rajpatra, Himachal Pradesh, dated 16th May, 2016, pp. 858-859.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Fifty-seventh Year of Republic of India, as follows:-

1. Short title.- This Act may be called the Himachal Pradesh Parliamentary Secretaries (Appointment, Salaries, Allowances, Powers, Privileges and Amenities) Act, 2006.

2. Definitions.- In this Act, unless the context otherwise requires,-

- (a) “Chief Minister” means the Chief Minister of Himachal Pradesh;
- (b) “member” means a member of the Legislative Assembly of Himachal Pradesh;
- (c) “notification” means a notification published under proper authority in the Official Gazette;
- (d) “Parliamentary Secretary” means a member of the Legislative Assembly of Himachal Pradesh appointed as the Parliamentary Secretary or the Chief Parliamentary Secretary under section 3 of this Act;
- (e) “prescribed” means prescribed by the rules made under this Act; and
- (f) “specified” means specified by notification published in the Official Gazette.

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1. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see the Rajpatra, Himachal Pradesh, dated 7th April, 2012, pp. 282 and 284.
 2. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see the Rajpatra, Himachal Pradesh, dated 30th August, 2013, pp. 3091 and 3093.
 3. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see the Rajpatra, Himachal Pradesh, dated 12th April, 2016, pp. 209-210 and 211.

3. Appointment.- The Chief Minister may appoint such number of the Parliamentary Secretaries, and assign to each of them such duties and functions, as he may deem fit.

4. Powers and functions.- (1) A Parliamentary Secretary shall exercise such powers, discharge such functions and perform such duties as may be specified by the Chief Minister.

(2) A Parliamentary Secretary shall not have the powers to approve the action proposed by a Secretary or any other subordinate functionary of the Government, except recording his note in the form of proposal on the file for the consideration of the Minister-In-Charge.

5. Privileges and amenities.- A Parliamentary Secretary shall be entitled to such privileges and amenities as available to the members.

6. Oath of office and secrecy.- Before a Parliamentary Secretary enters upon his office, the Chief Minister shall administer to him oath of office and secrecy in the following manner :-

“I, _____, do swear in the name of God that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as a Parliamentary Secretary for the State except as may be required for the due discharge of my duties as such Parliamentary Secretary.”

7. Salaries and allowances.- A Chief Parliamentary Secretary shall be entitled to the salary of Rs. ¹[65,000/-] per month, while a Parliamentary Secretary shall be entitled to a salary of Rs. ²[60,000/-] per month. In addition, the Parliamentary Secretary shall be entitled to compensatory allowance and other perquisites as are admissible to the members.

8. Residence.- (1) A Parliamentary Secretary shall be provided with a furnished house, the maintenance charges of which shall be borne by the State Government or in lieu of such house, shall be paid an allowance at the following rates, namely:-

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|-------------------------------------|---------------------------------------|
| (a) a Chief Parliamentary Secretary | Rupees three thousand per mensem; and |
| (b) a Parliamentary Secretary | Rupees two thousand and five |

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1. The figure and sign “ 18000/-“ substituted for the figure and sign “11,000/-” vide Act No. 18 of 2009, the figure and sign “23000” substituted for the figure and sign “18,000/-” vide Act No. 30 of 2012, the figure and sign “40000/-” substituted for the figure and sign “23,000/-” vide Act No. 44 of 2013 again substituted for the figures and signs “40,000/-“ vide Act No. 7 of 2016.
 2. The figure and sign “17000/-” substituted for the figure and sign “10,000/-” vide Act No. 18 of 2009, the figure and sign “22,000/-” again substituted for the figure and sign “17,000/-” vide Act No. 30 of 2012, the figure and sign “35,000/-” substituted for the figure and sign “22,000/-” vide Act No. 44 of 2013 again substituted for the figures and signs “35,000/-“ vide Act No. 7 of 2016.

hundred per mensem;

(2) The State Government may allow a Parliamentary Secretary to continue in occupation of the house provided to him for a period not exceeding fifteen days from the date of his ceasing to be a Parliamentary Secretary.

(3) A Parliamentary Secretary shall be liable to pay license fee at the rate of ¹[Rs. 1500/- per month] in respect of the furnished house allotted to him and the same shall be recoverable monthly from his salary.

Explanation.- A Parliamentary Secretary shall not become personally liable for any payment in case the standard rent of the house allotted to him for residence exceeds the amount specified in sub-section (1) .

9. Conveyance allowance.- A Parliamentary Secretary shall be entitled to the use of a car, the expenses on the maintenance and propulsion of which shall be borne by the State Government or in lieu thereof to a conveyance allowance at the rate of rupees three hundred per mensem.

10. Parliamentary Secretary not to draw salary or allowances as member.- No Parliamentary Secretary, in receipt of the salary or allowances under this Act, shall be entitled to receive any sum by way of salary or allowances as member.

11. Parliamentary Secretary not to practice profession etc.- A Parliamentary Secretary shall not, during his office as such, practice any profession or engage in any trade or commerce or undertake for remuneration any employment other than his duties as such Parliamentary Secretary.

12. Power to make rules.- (1) The State Government may, by notification published in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the State Legislative Assembly, while it is in session, for a total period of ten days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions aforesaid, the Legislative Assembly agrees in making any modification in the rule or agrees 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 amendment shall be without prejudice to the validity of anything previously done under that rule.

1. Substituted for the figures, signs and words “10% of his salary” vide Act No. 7 of 2016.