



GOVERNMENT OF MAHARASHTRA

LAW AND JUDICIARY DEPARTMENT

Bombay Act No. XLVII of 1956

**The Maharashtra Legislative Council
(Chairman and Deputy Chairman) and
Maharashtra Legislative Assembly
(Speaker and Deputy Speaker)
Salaries and Allowances Act.**

(As modified upto 18th December 2017)



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THE MAHARASHTRA LEGISLATIVE COUNCIL (CHAIRMAN AND
DEPUTY CHAIRMAN) AND MAHARASHTRA LEGISLATIVE
ASSEMBLY (SPEAKER AND DEPUTY SPEAKER)
SALARIES AND ALLOWANCES ACT.

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BOMBAY ACT No. XLVII OF 1956¹

[THE MAHARASHTRA LEGISLATIVE COUNCIL (CHAIRMAN AND DEPUTY CHAIRMAN) AND MAHARASHTRA LEGISLATIVE ASSEMBLY (SPEAKER AND DEPUTY SPEAKER) SALARIES AND ALLOWANCES ACT.]

(This Act received the assent of the Governor on the 30th November 1956, assent first published in the Bombay Government Gazette, Part IV, on the 30th November 1956)

Adapted and modified by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

Amended by Mah. 8 of 1960 Amended by Mah. 2 of 1982 (1-2-1982)*

” ” ”	2 of 1961	” ” ”	2 of 1986 @ @ (1-8-1985)*
” ” ”	2 of 1965	” ” ”	25 of 1987 (1-8-1987)*
” ” ”	51 of 1969	” ” ”	4 of 1989 (1-7-1988)*
” ” ”	20 of 1973 (25-4-1973)*	” ” ”	2 of 1991 @ @ @
” ” ”	41 of 1975 (8-9-1975)*	” ” ”	3 of 1994 (1-8-1993)*
” ” ”	52 of 1976	” ” ”	10 of 1997 (1-1-1997)*
” ” ”	18 of 1977 (1-4-1977)*	” ” ”	32 of 1999 (1-5-1999)*
” ” ”	15 of 1980	” ” ”	54 of 2000 (1-8-2000)*
” ” ”	25 of 1981 (1-4-1981)*	” ” ”	8 of 2001 (8-1-2001)*
” ” ”	48 of 1981†	” ” ”	25 of 2003 (1-1-2003)*
” ” ”	72 of 1981†† (1-4-1981)*	” ” ”	30 of 2005 (1-4-2005)*
		” ” ”	18 of 2009 (1-7-2009)*
		” ” ”	32 of 2010 (1-4-2010)*
		” ” ”	11 of 2013 (1-4-2013)*
		” ” ”	32 of 2016 (24-8-2016)*
		” ” ”	17 of 2017 (24-8-2016)*

An Act to provide for the salaries and allowances of the Chairman and the Deputy Chairman of ²[the Maharashtra Legislative Council] and the Speaker and the Deputy Speaker of ²[the Maharashtra Legislative Assembly] and certain other matters.

WHEREAS it is expedient to provide for the determination of the salaries and allowances of the Chairman and the Deputy Chairman of ³[the Maharashtra Legislative Council] and the Speaker and Deputy Speaker of ³[the Maharashtra Legislative Assembly] and certain other matters as hereinafter appearing ; It is hereby enacted in Seventh Year of the Republic of India as follows :—

1. ⁴[(1) This Act may be called the Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act.]

Short title and commencement.

(2) It shall be deemed to have come into force on the 1st November 1956.

2. In this Act, unless there is anything repugnant in the subject or context,—

Definitions.

(a) “Assembly” means the ⁵[Maharashtra Legislative Assembly];

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1956, Part V, p.338.

* This indicates the date of commencement of Act.

† Mah. 48 of 1981 except sections 5, 7 and 9 shall be deemed to have come into force on the 1st day of April 1981. Sections 5, 7 and 9 shall come into force on the 18th September 1981 i.e. the date of publication of this Act in the *Official Gazette*.

†† Sections 1, 2, 4, 5, 6, 7 and 8 were deemed to have come into force on the 1st day of April 1981 and sections 3 and 9 of this Act have come into force on the 29th day of December 1981.

@ @ Mah. 2 of 1986, except sections 1, 2 and 5, came into force on the 1st day of August 1985. Sections 1, 2 and 5 came into force on the date of publication of this Act in the *Official Gazette*, i.e. on the 28th January 1986.

@ @ @ Sections 2, 4 and 5 of this Act came into force on the 1st day of June 1990 and section 3 came into force on the 20th day of May 1987.

² These words were substituted respectively for the words, “ the Bombay Legislative Council ” and “ the Bombay Legislative Assembly ” by Mah. 15 of 1980, s. 2 and Schedule.

³ These words were substituted respectively for the words “ the Bombay Legislative Council ” and “ the Bombay Legislative Assembly ” by Mah. 15 of 1980, S. 2. and Schedule.

⁴ Sub-section (1) was substituted, by Mah. 15 of 1980, S. 2. and Schedule.

⁵ These words were substituted for the words “ Bombay Legislative Assembly ” by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

(b) "Chairman" and "Deputy Chairman" means respectively the Chairman and Deputy Chairman of the Council;

(c) "Council" means the ¹[Maharashtra Legislative Council];

(d) "maintenance" in relation to a residence includes the payment of rates and taxes to the Government or any local authority and the provision of electricity, gas and water ;

(e) "residence" includes the staff quarters and other buildings appurtenant thereto and the garden thereof ;

(f) "rules or orders" means the rules or order respectively made under this Act ;

(g) "Speaker" and "Deputy Speaker" means respectively the Speaker and Deputy Speaker of the Assembly.

Salaries of
Chairman and
Speaker.

²[3. Save as otherwise provided in this Act, there shall be paid to the Chairman and Speaker, during the term of their office, the salary equivalent to ³[the basic pay and dearness allowance] admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time.]

Residences of
Chairman and
Speaker.

4. (1) The Chairman and Speaker each shall be entitled, without payment of rent, to the use of a furnished residence in Bombay throughout his term of office and for a period of fifteen days immediately thereafter, or in lieu of such residence, a house allowance at the rate of ⁴[⁵[Rs. 10,000] per month and in addition a sum equal to the electricity charges and water charges, if any, paid by him for his place of residence in Bombay (being a place other than the place of residence provided under this Act by the State Government)].

(2) No charge shall fall on the Chairman or the Speaker personally in respect of the maintenance of any residence provided under this section.

(3) The expenditure on furnishing residence provided under this section shall be on such scale as the State Government may by rules or orders determine.

⁶[(4) Where a house allowance and other sums are payable under sub-section (1) to the Chairman or the Speaker, then, save as otherwise provided by or under this Act, the State Government shall not incur any expenditure, or the Chairman or the Speaker shall not be entitled to any payment, for additions, alterations, maintenance, repairs or for doing anything whatsoever in respect of his place of residence.]

Sumptuary
allowance to
Chairman and
Speaker.

⁷[4A. ⁸[There shall be placed at the disposal of the Chairman] and the Speaker, each, a sumptuary allowance of ⁹[six lakh rupees] *per annum*].

¹ These words were substituted for words " Bombay Legislative Council " by Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

² Section 3 was substituted by Mah. 32 of 2016, s.2.

³ These words were substituted for the words "the basic pay and dearness allowance and other allowance", by Mah. 17 of 2017, s. 2.

⁴ These words were substituted for the letters, figures and words " Rs. 250 " by Mah. 4 of 1989, s. 2(a).

⁵ These letters and figures were substituted for the letters and figures "Rs. 2,500" by Mah. 32 of 2010, s. 4.

⁶ Sub-section (4) was added by Mah. 4 of 1989, s. 2(b),

⁷ Section 4A was inserted by Mah. 8 of 1960, s. 2.

⁸ These words were substituted for the words " There shall be paid to the Chairman" by Mah. 51 of 1969, s. 3(a).

⁹ These words were substituted for the words " four lakh rupees " by Mah. 18 of 2009, S. 2.

5. (1) The State Government may, from time to time, for the use of the Chairman and the Speaker purchase and provide motor cars and other suitable conveyances, upon such conditions as regards their maintenance and repairs as may be determined by rules or orders made in this behalf. ¹[The State Government may also provide free of charge the services of a chauffeur for each motor car or conveyance so provided.]

Conveyances for
Chairman and
Speaker.

²[(2) ***** deleted].

³[6. Subject to any rules made in this behalf by the State Government, the Chairman or the Speaker shall be entitled to,—

Travelling and
daily allowances.

(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 the journey to Bombay from his usual place of residence outside Bombay, for assuming office, and

(ii) in respect of the journey from Bombay to his usual place of residence outside Bombay, on relinquishing Office ; and

(b) travelling and daily allowances in respect of tours on public business undertaken by him.

Explanation.—The expression ‘ Bombay ’ includes any other place appointed by the State Government for the purpose of this section.]

7. Subject to rules or order made by the State Government, the Chairman and the Speaker and the members of the family of the Chairman or the Speaker, as the case may be, who are residing with and dependent on him, shall be entitled, free of charge, to accommodation in hospitals maintained by the State Government and to medical attendance and treatment.

Medical
attendance.

Explanation.— For the purpose of this section, the expression “ a member of the family ” means the husband, wife, son, daughter, father, mother, brother or sister.

⁴[7A. (1) Every Officer of the State Legislature shall during the term of his office be entitled also to have a telephone installed at Government cost at the place of residence or at any place in his constituency selected by him (being a place other than the place of residence provided under this Act by the State Government).

Telephone
facilities to
Officers of State
Legislature.

(2) No charge shall fall on the office of the State Legislature personally in respect of installation of, initial deposit for, rental charges for maintenance of, and official calls made from, the telephone installed under sub-section (1).

(3) There shall also be paid to every Officer of the State Legislature a sum of, ⁵[Rs. 12,000] per month from the month in which telephone facility has been provided under this section.

⁶[(4) Where an officer of the State Legislature has a telephone installed at any place referred to in sub-section (1) at his own cost, then—

(a) the rental charges in respect of such telephone shall be borne by the State Government; and there shall be paid to such officer a sum of ⁷[Rs. 12,000] per month in respect of such telephone; and

¹ These words were added by Mah. 51 of 1969, s. 4.

² Sub-section (2) was deleted by Mah. 32 of 2016, s.3.

³ Section 6 was substituted for the original by Mah. 2 of 1961, s. 2.

⁴ Section 7A was inserted by Mah. 41 of 1975, s. 2.

⁵ These letters and figures were substituted for the letters and figures “ Rs. 8,000 ” by Mah. 32 of 2010, s. 4(a).

⁶ Sub-section (4) was substituted for the original by Mah. 4 of 1989, s. 4.

⁷ These letters and figures were substituted for the letters and figures “ Rs. 8,000 ” by Mah. 32 of 2010, s. 4(b).

(b) the charges in respect of official calls made from such telephone shall also be borne by the State Government, if such Officer resides at such place as a residence and a separate telephone is not provided to him by or under the provisions of this Act by the State Government.]

Explanation.—In this section ¹[and in section 8] ‘Officer of the State Legislature’ means the Chairman and the Deputy Chairman and the Speaker and the Deputy Speaker.]

Free transit by railway and steamer.

²[8. (1) Every Officer of the State Legislature shall, ³* * * be provided with facilities, which shall entitle him at any time to travel singly by ⁴[first class or, as the case may be, by air-conditioned two-tier] by any railway in any part of India or by steamer in any part of the State of Maharashtra, in such manner, and subject to such conditions, as may by rules or orders be prescribed in that behalf :

Provided that such travel by railways, in any part of India, whether within the State or outside the State, may be availed of by the Officer, either singly or jointly with his spouse or with his minor children or jointly with his spouse and minor children ⁵[or companion], so, however, that the distance so travelled by the Officer outside the State, and by members of his family ⁶ [or companion] whether within or outside the State, in any financial year, does not in the aggregate exceed ⁷[fifty thousand kilometers].

Explanation.— For the purpose of calculating the maximum limit of ⁷[fifty thousand kilometers] for travelling the number of kilometers travelled by the Officer outside the State, and the number of kilometers travelled by the members of his family ⁸[or companion] from the place of their residence, whether within or outside the State, shall be counted separately.

(2)(a) Notwithstanding anything contained in this Act, where an Officer, either singly or jointly with his spouse or with his minor children, or jointly with his spouse and minor children ⁹[or companion], undertakes a journey by air, in any part of India, whether within or outside the State, instead of by railway as provided in this section, he shall be entitled, subject to the maximum limit of ⁷[fifty thousand kilometers] for travelling, to claim travelling allowance, as if he or both or all of them, as the case may be, had undertaken the ¹⁰[journey by air-conditioned two-tier by railway]. In such cases, the difference between the fare for journey by air and the fare for ¹⁰[journey by air-conditioned two-tier by railway] will have to be borne by the Officer.

(b) Where an Officer, either singly or jointly with the members of his family ¹¹[or companion] as aforesaid undertakes a journey by steamer or road transport, in any part of India outside the State, he shall be entitled, subject to the maximum limit of ⁷[fifty thousand kilometers] for travelling, to claim the fare for journey by steamer or road transport if it is less than the fare for ¹⁰[journey by air-conditioned two-tier by railway] for the same distance or, if the fare for journey by steamer or road transport is more than the fare for the same distance, to claim the fare of ¹⁰[journey by air-conditioned two-tier by railway] for the same distance, and he shall have to bear the difference between the two fares.

(3) In this section, where facilities are given to an Officer of the State Legislature to travel jointly with the spouse (with or without minor children) ¹²[or companion], then in case of a lady Officer, she shall be entitled to have these facilities to travel, from time to time, jointly with her spouse or, instead, with any other member of her family as defined in the *Explanation* to section 12A.]

¹ These words were inserted by Mah. 52 of 1976, s.2.

² Section 8 was substituted by Mah. 72 of 1981, s. 4.

³ The words, figures and letters “with effect from the 1st day of April 1991”, were deleted by Mah. 2 of 1991, s. 3(a) (i).

⁴ These words were substituted for the words “first class”, by Mah. 2 of 1991, s. 3(a) (ii).

⁵ These words were inserted by Mah. 8 of 2001, s. 2(a)(i)(A).

⁶ These words were inserted by, by Mah. 8 of 2001, s. 2(a)(i)(B).

⁷ These words were substituted for the words “thirty thousand kilometers” by Mah. 32 of 2010, s. 5.

⁸ These words were inserted by Mah. 8 of 2001, s. 2(a)(ii).

⁹ These words were inserted by, by Mah. 8 of 2001, s. 2(b)(i).

¹⁰ These words were substituted for the words “journey by first class by railway” by Mah. 11 of 2013, s. 2.

¹¹ These words were inserted by Mah. 8 of 2001, s. 2(b)(ii).

¹² These words were inserted by Mah. 8 of 2001, s. 2(c).

9. Notwithstanding anything contained in any law for the time being in force, determining the salaries and allowances of the members of the State Legislature, ¹[the Chairman, the Deputy Chairman, the Speaker or the Deputy Speaker] shall not be entitled to receive any salary or allowances under such law, although ²[he] is a member of the Council or Assembly.

¹Chairman, Deputy Chairman, Speaker and Deputy Speaker] not entitled to salaries and allowances as members of State Legislature.

⁴[10. Save as otherwise provided in the Act, there shall be paid to the Deputy Chairman and Deputy Speaker, during the term of their office, the salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Additional Chief Secretary to the Government of Maharashtra and as revised, from time to time.]

Salaries of Deputy Chairman and Deputy Speaker.

⁵[10-1A. There shall be placed at the disposal of the Deputy Chairman and the Deputy Speaker each, a sumptuary allowance of three lakh rupees *per annum*.]

Sumptuary allowance to Deputy Chairman and Deputy Speaker.

10A. [*Sitting allowances to Chairman, Deputy Chairman Speaker and Deputy Speaker*] Deleted by Mah. 17 of 2017, s.4.

⁶[11. (1) The Deputy Chairman and the Deputy Speaker each shall be entitled without payment of rent, to the use of a furnished residence in Bombay throughout his term of office and for a period of fifteen days immediately thereafter, or in lieu of such residence a house allowance at the rate of ⁷[⁸[Rs. 10,000] per month and in addition a sum equal to the electricity charges and water charges, if any, paid by him for this place of residence in Bombay (being a place other than the place of residence provided under this Act) by the State Government].

Residences of Deputy Chairman and Deputy Speaker.

(2) No charge shall fall on the Deputy Chairman or the Deputy Speaker personally in respect of the maintenance of any residence provided under this section.

(3) The expenditure on furnishing any residence provided under this section shall be on such scale as the State Government may by rules or orders determine.

⁹[(4) Where a house allowance and other sum are payable under sub-section (1) to the Deputy Chairman or the Deputy Speaker, then save as otherwise provided, by or under this Act, the State Government shall not incur any expenditure, or the Deputy Chairman or the Deputy Speaker shall not be entitled to any payment, for additions, alterations, maintenance, repairs or for doing any thing what soever in respect of his place of residence.]

11A. (1) The State Government may, from time to time, for the use of the Deputy Chairman and the Deputy Speaker purchase and provide motor cars and other suitable conveyances upon such conditions as regards their maintenance and repairs as may be determined by rules or orders made in this behalf. ¹⁰[The State Government may also provide free of charge the services of a chauffeur for each motor car or conveyance so provided.]

Conveyances for Deputy Chairman and Deputy Speaker.

¹¹[(2) ****]

¹ These words were substituted for the words "the Chairman and the Speaker" by Mah. 2 of 1965, s. 4(a).

² This word was substituted for the words "such Chairman or Speaker" by Mah. 2 of 1965, s. 4(b).

³ These words were substituted for the words "Chairman or Speaker" by Mah. 2 of 1965, s. 4(c).

⁴ Section 10 was substituted by Mah. 32 of 2016, s. 4.

⁵ Section 10-1A was inserted by Mah. 32 of 2010, s. 7.

⁶ Sections 11 and 11A were substituted for the original section 11 by Mah. 2 of 1965, s. 6.

⁷ These letters, figures and words were substituted for the letters, figures and words "Rs. 150 per month" by Mah. 4 of 1989, s. 5(a).

⁸ These letters and figures were substituted for the letters and figures "Rs. 2,500" by Mah. 32 of 2010, s.

⁹ Sub-section (4) was added by Mah. 4 of 1989, s. 5(b).

¹⁰ These words were substituted for the words, letters and figures, "the rate of Rs. 1,000 per month" by Mah. 2 of 1986, s. 5.

¹¹ Sub-section (2) was deleted by Mah. 17 of 2017, s. 5.

³[Travelling and
daily allow-
ances.]

¹[12. Subject ²* * * * * to any rule made in this behalf
by the State Government, the Deputy Chairman or the Deputy Speaker 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 the journey to Bombay from his usual place of residence outside Bombay, for assuming office, and

(ii) in respect of the journey from Bombay to his usual place of residence outside Bombay, on relinquishing office; and

(b) travelling and daily allowances in respect of tours on public business undertaken by him.

Explanation.—The expression 'Bombay' includes any other place appointed by the State Government for the purpose of this section.]

Medical
attendance.

⁴[12A. Subject to rules or orders made by the State Government, the Deputy Chairman and the Deputy Speaker and the members of the family of the Deputy Chairman or the Deputy Speaker, as the case may be, who are residing with and dependent on him, shall be entitled, free of charge, to accommodation in hospitals maintained by the State Government and to medical attendance and treatment.

Explanation.— For the purposes of this section, the expression " member of the family " means the husband, wife, son, daughter, father, mother, brother or sister.]

Facility of a
personal
assistant ⁵[and
computer
operators].

⁶[12B. ⁷[1] The Chairman, the Speaker, the Deputy Chairman and the Deputy Speaker shall be entitled, free of charge, to the services of a personal assistant. For this purpose, the Chairman, the Deputy Chairman, the Speaker or the Deputy Speaker, as the case may be, may appoint any person, possessing such qualification as may be prescribed by rules or orders made under section 13, as his personal assistant. Subject to such rules or orders as may be made in this behalf, the assistant so appointed shall receive a fixed salary of ⁸[Rs.25000] per month from the State Government.]

⁹[(2) There shall be paid to the Chairman, the Speaker, the Deputy Chairman and the Deputy Speaker a sum of Rs. 10,000 per month for availing the services of computer operator.]

Power of State
Government to
make rules and
orders.

13 ¹⁰[(1) The State Government may, in consultation with the Chairman and the Speaker, make rules or orders for carrying out the purposes of this Act.

(1A) All rules or orders made under this Act shall be laid before both Houses of the State Legislature as soon as may be after they are made.]

¹ Section 12 was substituted for the original by Mah. 2 of 1961. s. 3.

² The words "to the provisions of section 11 and" were deleted by Mah. 2 of 1965. s. 7(a).

³ This marginal note was substituted for the original by Mah. 2 of 1965. s. 7(b).

⁴ Section 12A was substituted for the original by Mah. 2 of 1965. s. 7(a), s. 8.

⁵ These words were added by Mah. 32 of 2016, S. 5(c).

⁶ Section 12B was inserted by Mah. 48 of 1981, s. 5, which came into force on 18th September 1981.

⁷ Section 12B was renumbered as sub-section (1) of that section by Mah. 32 of 2016, s.5(a).

⁸ These letters and figures were substituted for the letters and figures "Rs. 15,000" by Mah. 32 of 2016, s.5(a).

⁹ Sub-section 2 was inserted by Mah. 32 of 2016, s.5(b).

¹⁰ Sub-sections (1) and (1A) were substituted for the original sub-section (1) by Mah. 8 of 1960, s. 3.

(2) Any rule or order made under this section may be made so as to be retrospective to any date not earlier than the 1st day of November 1956.

(3) Rules or orders made under this section shall have effect as if enacted in this Act.

Bom. VIII of 1952. 14. The Bombay Legislative Council (Chairman and Deputy Chairman) and the Bombay Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1952 (in this section referred to as the said Act) and any law corresponding to the provisions of this Act in force immediately before the 1st day of November 1956 in or in relation to any territories which after that date form part of the new *State of Bombay, shall stand repealed : Repeal.

Provided that notwithstanding such repeal any rules or orders made under the said Act shall, so far as they are not inconsistent with the provisions of this Act continue in force and be deemed to have been made under the provisions of this Act, unless and until they are superceded by any rules or orders made under this Act.

* The words " State of Bombay " shall stand unmodified *vide* the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Orders, 1960.

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