

Maharashtra Legislature Members' Salaries and Allowances Act, 1956

MAHARASHTRA

India

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Act 49 of 1956

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Maharashtra Legislature Members' Salaries and Allowances Act, 1956 Bombay Act No. 49 of 1956 For Statement of Objects and Reasons, see Bombay Government Gazette, 1956, Part V, pages 341-42. [This Act received the assent of the Governor on the 30th November 1956 and assent first published in the Bombay Government Gazette, Extraordinary, Part IV, dated the 30th November 1956]. An Act to provide for the salaries and allowances of Members of [the Maharashtra Legislature] [These words were substituted for the words 'the Bombay Legislature' by Maharashtra 15 of 1980, Schedule.] and certain other matters. Whereas it is expedient to provide for the salaries and allowance of Members of [the Maharashtra Legislature] [These words were substituted for the words 'the Bombay Legislature' by Maharashtra 15 of 1980, Schedule.] and certain other matters as hereinafter appearing; It is hereby enacted in the Seventh Year of the Republic of India as follows:-

1. Short title and commencement.

- [(1) This Act may be called the Maharashtra Legislature Members' Salaries and Allowances Act.] [Sub-section (1) was substituted, by Maharashtra 15 of 1980, Schedule.](2) It shall be deemed to have come into force on the 1st day of November 1956.

2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context,-(a) "Assembly" means the [Maharashtra Legislative Assembly] [These words were substituted for the words 'Bombay Legislative Assembly' by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order 1960.];(b) "Chairman" means the Chairman of the Council;(c) "Committee" means a Committee of the Assembly or the Council or a joint committee of both, as the case may be;(d) "Council" means the [Maharashtra Legislative Council] [These words were substituted for the

words 'Bombay Legislative Council' by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.];(e)"Member" means a Member of the Assembly or the Council, as the case may be;(f)["Minister" "Minister of State" and "Deputy Minister" means respectively a Minister, a Minister of State and a Deputy Minister] [These words were substituted for the words 'Minister' and 'Deputy Minister' means, respectively a 'Minister and a Deputy Minister' by Maharashtra 52 of 1969, section 2.] of the [Government of Maharashtra] [These words were substituted for the words 'Government of Bombay' by the Maharashtra Adaptation of Law (State and Concurrent Subjects) Order, 1960.], and Minister includes the Chief Minister [and the Deputy Chief Minister] [These words were inserted by Maharashtra 9 of 1978, section 4.];(ff)["new Member" means a [Member who is elected or nominated to the Assembly or Council after the commencement or the Bombay Legislature Members' Salaries and Allowances (Amendment) Act, 1969,] [Clause (ff) was inserted by Bombay 43 of 1958, section 2(1).] and includes a Member who is re-elected or re-nominated;](g)"Parliamentary Secretary" means a Parliamentary Secretary to a Minister;(h)"Speaker" means the Speaker of the Assembly;(i)["term of office" means- [Clause (i) was added by Bombay 43 of 1958, section 2(2).](a)in relation to a new Member, the period beginning with the date when such Member takes his seat in the Assembly or as the case may be, in the Council [or such other earlier date as the State Government may by order specify in this behalf, if he is not likely to take his seat as aforesaid within fifteen days of the date of occurrence of vacancy or the date of notification of his election or nomination, whichever is later,] and ending with the date on which his seat becomes vacant;(b)in relation to any other Member, the period at whichever date begun, before the commencement of the [Bombay Legislature Members' Salaries and Allowances (Amendment) Act, 1969] [These words, brackets and figures were substituted for the words, brackets and figures 'Bombay Legislature Members' Salaries and Allowance (Amendment) Act, 1958' by Maharashtra 21 of 1969, section 2(b)(ii).] and ending with the date on which his seat becomes vacant.]

3. Salaries to be paid to members [and consolidated allowances.] [Theses words were added by Bombay 38 of 1959, section 2(2).]

- [(1)] [Section 3 was renumbered as sub-section (1) and sub-section (2) was added by Bombay 38 of 1959 section 2(1).] There shall be paid to each Member [during the whole of his term of office] [These words were inserted by Bombay 43 of 1958, section 3.] a salary at the rate of [Rs. 8,000] [These letters and figures were substituted for the letters and figures 'Rs. 2000' by Maharashtra 32 of 2010, section 16(a) (w.e.f. 1-4-2010).] per month.(2)[There shall be paid to each Member during the whole of his term of office per month a sum of [Rs. 3,000] [Section 3 was renumbered as sub-section (1) and sub-section (2) was added by Bombay 38 of 1959 section 2(1).] as consolidated allowance for all matters not specifically provided for by or under the provisions of this Act.]

3A. [Salary and allowances of Leaders of Opposition]

Deleted by Maharashtra 8 of 1978, section 14 (a).

4. Daily allowance to be paid to Members.

- There shall be paid subject to such rules or orders [as may be made under section 8] [These words and figures were substituted for the words 'as the State Government may make' by Bombay 38 of 1959, section 3.] in this behalf, to each Member a daily allowance [at the rate of [Rs.1,000] [This portion was substituted for the words, figures and letters 'as the rate of Rs. 10' by Maharashtra 3 of 1965, section 3.]] for each day of the period of residence for the purpose of attending the session of the Assembly or Council or the meeting of a Committee, as the case may be, at the place where such session or meeting is held [or for each day of the period of residence at any place where any business connected with the Members' duties as Chairman of a Committee is transacted] [These words were inserted by Maharashtra 17 of 1962, section 2(1).] [or where any other business connected with his duties as Member is transacted] [These words were inserted by Maharashtra 19 of 1978, section 2(a).]:Provided that in the case of a Member, who ordinarily resides or carries on business at the place where such session or meeting is held [or where such business is transacted] [These words were inserted by Maharashtra 17 of 1962, section 2(2)(a).], there shall be paid to such Member subject to the rules or order as aforesaid daily allowance [at the rate of [Rs. 400] [This portion was substituted for the words, figures and letters 'as the rate of Rs. 10' by Maharashtra 3 of 1965, section 3.]] for each day on which he attends such session or meeting [or transacts such business] [These words were inserted by Maharashtra 30 of 2005, section 2(2)(b).]; but a break of not more than three days between two successive meetings [or day on which such business is transacted] [These words were inserted by Maharashtra 30 of 2005, section 2(2)(c).] shall be deemed to be days of attendance [or of the transaction of such business] [These words were inserted by Maharashtra 30 of 2005, section 2(2)(d).] for such Member who does not leave the place of session or meeting [or of the transaction of such business] [These words were inserted by Maharashtra 30 of 2005, section 2(2)(e).] during such break.[Explanation.- For the purposes of this section and section 5, attendance of a Member, with the approval of the Speaker or the Chairman, as the case may be, at any place for participating in any refresher course in parliamentary practice and procedure, or for being present at any seminar, conference or meeting of any Parliamentary Association, University or other recognised body on matters connected with any parliamentary affairs, shall be deemed to be attendance of the Member at that place for transacting a business connected with his duties as a Member.] [The Explanation was added by Malt 19 of 1978, section 2(b).]

5. Travelling allowance to be paid to Members.

(1)There shall be paid to each Member a travelling allowance for a journey undertaken for the purpose of attending to session of the Assembly or Council or a meeting of a Committee to the place where such session or meeting is held [or for the purpose of transacting any business connected with his duties as Chairman of a Committee [or of attending to any other business connected with his duties as Member] [These words were inserted by Maharashtra 17 of 1962, section 3(1).] to the place where such business is to be transacted] and for the return journey from such place -(i)[at the rate of one and one-half of a [the air-conditioned two-tier fare] [Clause (i) was substituted by Maharashtra 3 of 1965, section 4(a)(ii).] for a journey by railways or steamer, irrespective of the class in which the Member actually travels, and](ii)at such rate per mile for a journey by road, sea or river in addition to the journey by railway or steamer, as may likewise be prescribed [* * *] [The

words 'by the State Government' were deleted by Bombay 38 of 1959, section 4(2).][***] [Deleted by Maharashtra Act No. 57 of 2018, dated 13.8.2018.][[Provided that] [This proviso was inserted by Maharashtra 11 of 1966, section 2(a).], if a member ordinarily resides or carries on business at any place outside the State of Maharashtra, he shall be entitled to travelling allowance under this section only for that part of his journey which is performed within the limits of the State]:[Provided further that] [This proviso was substituted by Maharashtra 3 of 1965, section 4(a)(iii).], where a member travels [by railway or steamer] [These words were substituted for the words 'by railway' by Maharashtra 64 of 1974 section 2.] in accordance with the facilities provided under section 5AC, or travels on a free pass under section 5A he shall be entitled only to a travelling allowance on an amount equal to one first class fare for the distance travelled as if such journey had been performed by railway.][Provided also that, where a Member travels by railway actually by air-conditioned two-tier [or three-tier] [This proviso was added by Maharashtra 3 of 1991, section 3.] he shall be entitled, if such journey is for any of the purposes specified in this section or, as the case may be, in accordance with the facilities provided under section 5AC, to a travelling allowance of an amount equal to one and one half of air-conditioned two-tier [or three-tier] [These words were inserted by Maharashtra 14 of 1999 section 2(a).] fare or to one such fare, as the case may be.](1A)[Notwithstanding anything contained in sub-section (1), any member may undertake or perform journey by air from any airport to any cities or towns or from any cities or towns to any airport, within the State, total thirty-two single journeys; and journey from any airport within the State to any airport situated out of the State within the territory of India, total eight single journeys during the entire period of a year.] [Sub-section (1A) was substituted by Maharashtra 32 of 2010, section 18, (w.e.f. 1.4.2010).][Explanation I. -] For the purposes of this sub-section, the term "any airport within the State" shall include such airport situated out of the State, which is nearest from his place of residence] [Explanation re-numbered as Explanation I and after so re-numbered Explanation II added by Maharashtra 11 of 2013, section 6, (w.e.f. 1.4,2013).].[Explanation II. -]Where the member undertakes or performs journey by air, along with his spouse, every single journey so undertaken or performed shall, for the purposes of this sub-section, be counted as two single journeys] [Explanation re-numbered as Explanation I and after so re-numbered Explanation II added by Maharashtra 11 of 2013, section 6, (w.e.f. 1.4,2013).].(2)[Notwithstanding anything contained in section 4, in this section, if a session of the Assembly or the Council is adjourned for more than one day and if a member undertakes a journey from the place where the session is held to the place where he ordinarily resides or carries on business and the return journey, he shall be entitled to draw, at his option, either the daily allowance for the period of such journeys or the travelling allowances.] [Sub-section (2) was added by Maharashtra 28 of 1981, section 4.]

5AA. [Allowances to Chairman or members of Committee when on tour on duty in any part of India. - There shall be paid to the Chairman or a member of Committee in respect of a journey performed by him in the course of a tour in any part of India, undertaken in the discharge of his duties as such Chairman or Member [daily and travelling allowances] [This section was inserted by Maharashtra 17 of 1962, Section 4.] at the same rates as are provided for in section 4 and 5.]

5AB. [* * *] [Sections 5AB and 5AC were inserted by Maharashtra 3 of 1965, section 6.

Section 8 of Maharashtra 3 of 1965 reads as follows: - 'Sections 5AB inserted in the principal Act by section 6 of this Act shall be deemed to have come into force on the 15th day of December 1961.']

Chairman of [* *] [The word 'certain' was deleted by Maharashtra 49 of 1972, section 2(b).]

Committees entitled to travel [by air-conditioned coach or by air.] [These words were substituted for the words 'by air' by Maharashtra 24 of 1969, section 2(c).] Notwithstanding anything contained in section 5 and section 5AA [* * * *] [The words 'the Leaders of the opposition when undertaking or performing any journey for the purposes of these sections and' were deleted by Maharashtra 8 of 1978, section 14(a)(1).] any member may for the purpose of transacting any business connected with his duties as [Chairman of any Committee] [These words were substituted for the words beginning with 'Chairman of the Committee' and ending with 'or Committee on Government Assurances' by Maharashtra 49 of 1972, section 2(a).] undertake or perform the journey referred to in those, sections [either by railway in an air-conditioned coach or by air] [These words were substituted for the words 'by air' by Maharashtra 24 of 1969, section 2(a).] and in that case, he shall be entitled to receive travelling allowance of an amount equal to one and one-fourth [of the fare for the air-conditioned class, or as the case may be of the air fare] [These words were substituted for the words 'of the air fare' by Maharashtra 24 of 1969, section 2(b).] for each such journey].

5AC. [Free transit by railway and steamer.] [Section 5AC was substituted by Maharashtra 72 of 1981, section 2.] - (1) Every member shall [* *] [The words, figures and letters 'with effect from the 1st day of April 1981' were deleted by Maharashtra 3 of 1991, section 4(a)(1).] be provided with facilities which shall entitle him at any time to travel singly by [first Class or, as the case may be by an air-conditioned two-tier] [These words were substituted for the words 'first class' by Maharashtra 3 of 1991, section 4(a)(ii).] [or three-tier] [These words were inserted by Maharashtra 14 of 1999, section 3, (w.e.f. 25.1.1999).] 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 be rules or orders be prescribed in that behalf:

Provided that such travel by railway in any part of India, whether within the State or outside the State may be availed of by the member, either singly or jointly with his spouse or with his minor children or jointly with his spouse and minor children [or companion] [These words were inserted by Maharashtra 8 of 2001, section 7(a)(1), (w.e.f. 8.1.2001).] so, however, that the distance so travelled by the member outside the state and by the members of his family [or companion] [These words were inserted by Maharashtra 8 of 2001, section 7(a)(1), (w.e.f. 8.1.2001).] whether within or outside the State, in any financial year does not in the aggregate exceed [thirty thousand kilometres] [These words were substituted for the words 'twenty thousand kilometres' by Maharashtra 22 of 1987, section 5.]. Explanation. - For the purpose of calculating the maximum limit of [thirty thousand kilometres] [These words were substituted for the words 'twenty thousand kilometres' by

Maharashtra 22 of 1987, section 5.] for travelling the number of kilometres travelled by the member outside the State and the number of kilometres travelled by the members of his family [or companion] [These words were inserted by Maharashtra 8 of 2001, section 7(a)(1), (w.e.f. 8.1.2001).] 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 a member either singly or jointly with his spouse or with his minor children [or companion] [These words were inserted by Maharashtra 8 of 2001, section 7(a)(1), (w.e.f. 8.1.2001).] or jointly with his spouse and minor children 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 [thirty thousand kilometres] [These words were substituted for the words 'twenty thousand kilometres' by Maharashtra 22 of 1987, section 5.] for travelling to claim travelling allowance, as if he or both or all of them as the case may be had undertaken the [journey by air-conditioned two-tier by railway] [These words were substituted for the words 'journey by first class by railway' by Maharashtra 11 of 2013, section 7, (w.e.f. 1.4.2013).]. In such cases, the difference between the fare for journey by air and the fare for [journey by air-conditioned two-tier by railway] [These words were substituted for the words 'journey by first class by railway' by Maharashtra 11 of 2013, section 7, (w.e.f. 1.4.2013).] will have to borne by the member.(b)Where a member either singly or jointly with the members of his family [or companion] [These words were inserted by Maharashtra 8 of 2001, section 7(a)(1), (w.e.f. 8.1.2001).] 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 [thirty thousand kilometres] [These words were substituted for the words 'twenty thousand kilometres' by Maharashtra 22 of 1987, section 5.] for travelling to claim the fare for journey by steamer or road transport if it is less than the fare for [journey by air-conditioned two-tier by railway] [These words were substituted for the words 'journey by first class by railway' by Maharashtra 11 of 2013, section 7, (w.e.f. 1.4.2013).] for the same distance or, if the fare for journey by steamer or road transport is more than the fare for [journey by air-conditioned two-tier by railway] [These words were substituted for the words 'journey by first class by railway' by Maharashtra 11 of 2013, section 7, (w.e.f. 1.4.2013).] for the same distance to claim the fare for [journey by air-conditioned two-tier by railway] [These words were substituted for the words 'journey by first class by railway' by Maharashtra 11 of 2013, section 7, (w.e.f. 1.4.2013).] or the same distance, and he shall have to bear the difference between the two fares.(3)In this section and in section 5A where facilities are given to a member to travel jointly with the spouse with or without minor children [or companion] [These words were inserted by Maharashtra 8 of 2001, section 4(c) (w.e.f. 8.1.2001).] then in the case of a lady member 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 below sub-section (2) of section 6.]

5A. [Free transit by road transport service. [Section 5A was substituted for the original by Maharashtra 29 of 1960, section 3.]

- Every member shall be provided with one free non-transferable pass [together with a voucher book, for reservation of seats without charges]] which shall entitle him at any time [to travel either singly or jointly with his spouse, [or companion] [These words were substituted for the words 'to travel by such road transport services' by Maharashtra 28 or 1981, section 6.] by such road transport

service, including those provided by the Maharashtra Tourism Development Corporation Limited,] (in any part of the State of Maharashtra in which those services operate), in such class of accommodation therein and subject to such conditions as may by rules or orders be prescribed in that behalf.]

5B. [Daily allowance and travelling allowance to members on vacating seats. - Notwithstanding anything contained in this Act, a person on ceasing to be a member shall be entitled and be deemed always to have been entitled-

(a)for the day next succeeding the day on which he ceased to be a member to daily allowance at the rate provided for in section 4, and(b)for the return journey to travelling allowance at the rate provided for in section 5 for such journey]

5C. [Telephone facilities to members. - (1) A member shall be entitled to have a telephone installed at Government cost at the place where he ordinarily resides or at any other place in the State which is also used by him for residence. The amount of initial deposit, installation and rental charges shall be borne by the State Government.

(2)Where a member has a telephone installed at a place of his residence referred to in sub-section (1) at his own cost, then the rental charges in respect of such telephone shall be borne by the State Government.(3)There shall be paid to every Member [a sum of [Rs. 8000] [Section 5C was substituted for the original by Maharashtra 40 of 1975, section 2.] per month irrespective of the fact whether or not telephone facility has been provided under this section or whether the member has a telephone installed at his own cost.] [Section 5B was inserted by Bombay 66 of 1959, section 2.]]

6. [Amenities.] [Section was substituted by Maharashtra 23 of 1964, section 2.] - (1) A member shall be entitled to residential accommodation [either without payment of rent or on payment of such rent and] [These words were inserted by Maharashtra 3 of 1965, section 7.] on such scale and on such conditions and to such other facilities as may be prescribed by rules or orders made under section 8 :

[Provided that where any residential accommodation is provided to a member in any Hostel for the members, it shall be without payment of rent.] [This proviso was added by Maharashtra 28 of 1981, section 8(a).](2)Subject to rules or orders made under section 8 a member shall be entitled for himself and for members of his family who are residing with, and dependent on him, free of charge, to accommodation in hospitals maintained by the State Government and to medical attendance and treatment.Explanation.- For the purpose of this sub-section, the expression "a member of his family" means the husband, wife, son, daughter, father, mother, brother or sister.](3)[A member shall be entitled, free of charge, to the services of a personal assistant. For this purpose, the member

may appoint any person, possessing such qualifications as may be prescribed by rules or orders made under section 8 as his personal assistant. Subject to such rules or order as may be made in this behalf the assistant so appointed shall receive a fixed salary of [Rs. 15,000] [Sub-section (3) was substituted by Maharashtra 48 of 1981, section 3.] per month from the State Government.](4)[There shall be paid to every Member a lump sum amount of [Rs. 46,000] [Sub-section (4) was substituted by Maharashtra 26 of 2008, section 2, (w.e.f. 8-8-2008).] per month as a mileage allowance for the purpose of touring.](5)[There shall be paid to every member a sum of [Rs. 10,000] [This sub-section was added by Maharashtra 23 of 1985, section 6(c).] stationery and postage.]

6A. [Travel facilities to members.] [Section 6A was inserted by Maharashtra 64 of 1974, section 5.] - Without prejudice to the other provisions of this Act, every member who travels with his spouse [or companion] [These words were inserted by Maharashtra 8 of 2001, section 6(a) (w.e.f. 8.1.2001).] shall once during every session be entitled to one first class railway fare or as the case may be, [Steamer fare] [These words were substituted for the words 'steamer fare and ' by Maharashtra 11 of 1976, section 3. Second Schedule.] for his spouse [or companion] [These words were inserted by Maharashtra 8 of 2001, section 6(b), (w.e.f. 8-1-2001).] from his usual place of residence to the place where the session is held and for the return journey from such place:

[Provided that, where a member and his spouse travel by railway actually by air-conditioned two-tier, he shall be entitled to one air-conditioned two-tier fare for his spouse.] [This proviso was added by Maharashtra 3 of 1991, section 7.]

6B. [Other amenities. - (1) The State Government may, by order, subject to such terms and conditions as may be specified in the said order, allot a piece of land, in the vicinity of Vidhan Bhavan or MLAs' Hostel in Mumbai, to the Maharashtra State Legislature for the purpose of making available to the Members of the State Legislature, amenities like Gymkhana, Club House or Recreation Centre, etc.

Explanation.- For the purposes of this section, "the members of the State Legislature "means the sitting and past Members of the State Legislature.(2)On allotment of the land to the Maharashtra State Legislature by the State Government under sub-section (1), a Managing Committee consisting of the office bearers as specified below, shall be deemed to have been constituted from the date of such allotment, for the management, supervision, running and maintenance of such Gymkhana, Club House or Recreation Centre, etc., as the case may be, namely:-

(a) Chairman

ex-officioChairperson

(b) Speaker	ex-officio Co-Chairperson.
(c) Chief Minister	ex-officio Member.
(d) Deputy Chairman, Maharashtra Legislative Council.	ex-officio Member.
(e) Deputy Speaker, Maharashtra Legislative Assembly.	ex-officio Member.
(f) Deputy Chief Minister	ex-officio Member,
(g) Minister for Parliamentary Affairs	ex-officio Member.
(h) Leaders of opposition in the Assembly and Council.	ex-officio Members
(i) Minister(s) of State, Parliamentary Affairs	ex-officio Member(s).
(j) One member each from the recognised political parties in the State Legislature, nominated by the Chairperson	ex-officio Members

(3) The Chairperson shall appoint, from amongst the members, a Treasurer and such other office bearers as deemed necessary, and the principal Secretary of the Maharashtra Legislative Assembly or the Maharashtra Legislative Council, nominated by the Chairperson, shall be the ex-officio Executive Secretary of the Committee. (4) The objectives, the nature and scope of the activities, etc., of such Gymkhana Club House or Recreation Centre, as the case may be, set up on such land by the Maharashtra State Legislature and the membership fees, the annual subscription fees or any other fees or charges to be collected from the members by such Gymkhana, Club House or Recreation Centre, as the case may be, shall be such as may be prescribed by the rules made in this behalf by the Managing Committee and such rules shall be laid, as soon as may be, after the same are made, before each House of the State Legislature. (5) The Managing Committee may make bye-laws for its governance, and for carrying out its functions and duties, consistent with the provisions of this Act and the rules made thereunder any other law for the time being in force. (6) The Executive secretary of the Managing Committee shall be responsible for convening the meetings of the Committee as per the directions of the Chairperson and for recording the minutes of the meetings and shall perform such other duties and functions as may be directed by the Committee.

6C. Constitution of Fund.

(1) The Maharashtra Legislature Secretariat shall, on allotment of land by the State Government under section 6B, constitute a fund to be called "the Gymkhana Fund", "the Club Fund", or "the Recreation Centre Fund", as the case may be. Such fund shall consist of, - (i) initial grant of not less than rupees five crores given by the State Government, after appropriation duly made in this behalf, by law; (ii) Membership fees, donations, endowments or any other money received by such institution by way of rent or any other source. (2) The Gymkhana, Club or the Recreation Centre, as the case may be, shall keep the current and savings deposit account with the State Bank of India or any other nationalised bank. (3) Such account shall be operated by such office bearers as may be authorised by the Managing Committee. (4) The Managing Committee shall lay before both Houses of the State Legislature, its Annual Report, not later than three months from the expiry of every financial year. [Section 6B and 6C were inserted by Maharashtra 26 of 2003, section 2, (w.e.f. 31-12-2002).]

7. [Ministers, Ministers of State, Deputy Minister,] [These words were substituted by Maharashtra 52 of 1969, section 5(1).] Speaker, Chairman, [Leaders of the Opposition] [These words were inserted by Maharashtra 8 of 1978, section 14(c)(ii).] or salaried Parliamentary Secretaries not entitled to salaries and allowances under this Act.

Notwithstanding anything contained in this Act, [Ministers, Ministers of State or Deputy Minister] [These words were substituted by Maharashtra 52 of 1969, section 5(1).], the Speaker or Chairman [or a Leaders of the Opposition] [These words were inserted by Maharashtra 8 of 1978, section 14(c)(ii).] [or a salaried Parliamentary Secretary shall not be entitled to any salary, allowances, or provisions for residential accommodation under this Act, by reason of the fact that [the Ministers, Ministers of State, Deputy Minister] [These words were substituted by Maharashtra 52 of 1969, section 5(1).], Speaker, Chairman, [Leaders of the Opposition] [These words were inserted by Maharashtra 8 of 1978, section 14(c)(ii).] or salaried Parliamentary Secretary is a member of the Assembly or Council.

8. [Power to make rules and orders.] [These words were inserted by Maharashtra 8 of 1978, section 14(c)(iii).]

(1)[(a)] [Sub-section (1) and the marginal note were substituted for the original by Bombay 38 of 1959.] For the purpose of making rules or orders under this section, there shall be constituted a Joint Committee of both Houses of the State Legislature consisting of five members from the Council nominated by the Chairman and ten members from the Assembly nominated [by the Speaker and the Finance Minister shall be its ex-officio member and Chairman] [These words were substituted for the words 'by the Speaker' by Maharashtra 72 of 1981, section 3(a).],(b)The Joint Committee constituted under clause (a) [* * * *] [The words 'shall elect its Chairman and' were deleted by Maharashtra 72 of 1981, section 3(b).] shall have Power to regulate its procedure,(c)A member of the Joint Committee, [other than the Finance Minister] [These words were inserted by Maharashtra 72 of 1981, section 3(c).] shall hold office as such members for one year from the date of his nomination and any casual vacancy in the Joint Committee may be filled by nomination by the Chairman or the Speaker, as the case may be,(d)The point Committee constituted under clause (a) may, in consultation with the State Government make rules or orders for carrying out the purposes of this Act,(e)Any rules or orders made under clause (d) shall not take effect until they are approved and confirmed by the Chairman and the Speaker and are published in the Oft-foal Gazette; and such publication of the rules or orders shall be conclusive proof that they have been duly made.(2)Any rule or order 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.

9. Repeal.

The Bombay Legislature Members' Salaries and Allowances Act, 1937, the Bombay Legislature Members' Daily Allowances Act, 1950 and the Bombay Legislature Members' Travelling Allowance

Act, 1950 (in this section referred to as the said Acts), 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: Provided that notwithstanding such repeal any rules or orders made under the said Acts, 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 under they are superseded by any rules orders made under this Act. Notifications G.N., L. & ID., No. 130-B-N, dated 1st December, 1969 (M.G., Part IV-B, Pages 1766) - In exercise of the powers conferred by sub-section (2) of section 1 of the Bombay Legislature Members' Salaries and Allowances (Third Amendment) Act, 1969 (Maharashtra LII of 1969), the Government of Maharashtra hereby appoints the 1st day of December 1969 to be the date on which the said Act shall come into force. G.N., L. & JD., No. 970/B, dated 9th January, 1970 (M.G., Part IV-B, Pages 393) - In exercise of the powers conferred by sub-section (2) of section 1 of the Bombay Legislature Members' Salaries and Allowances (Fourth Amendment) Act, 1969 (Maharashtra LII of 1970), the Government of Maharashtra hereby appoints the 9th day of January 1970 to be the date on which the said Act shall come into force. G.N., L. & J. D., No. 12613/B, dated 12th May, 1970 (M.G., Part IV-B, Pages 732) - In exercise of the powers conferred by sub-section (2) of section 1 of the Bombay Legislature Members' Salaries and Allowances (Amendment) Act, 1970 (Maharashtra XXIII of 1970), the Government of Maharashtra hereby appoints the 12th day of May 1970 to be the date on which the said Act shall come into force. G.N., L. & ID., No. 9585/B, dated 12th April, 1965 (M.G., Part IV-B, Pages 783) - In exercise of the powers conferred by section 5AC of the Bombay Legislature Members' Salaries and Allowances Act, 1956 (Bombay XLIX of 1956), the Government of Maharashtra hereby appoints the 15th day of April 1965 to be the date for the purposes of the said section 5AC.