

The Maharashtra Legislative Council (Chairman And Deputy Chairman) And Maharashtra Legislative Assembly (Speaker And Deputy Speaker) Salaries And Allowances Act, 1956

MAHARASHTRA

India

The Maharashtra Legislative Council (Chairman And Deputy Chairman) And Maharashtra Legislative Assembly (Speaker And Deputy Speaker) Salaries And Allowances Act, 1956

Act 1 of 1956

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The Maharashtra Legislative Council (Chairman And Deputy Chairman) And Maharashtra Legislative Assembly (Speaker And Deputy Speaker) Salaries And Allowances Act, 1956[30th November, 1956]BOMBAY ACT No. XLVII OF 1956An Act to provide for the salaries and allowances of the Chairman and the Deputy Chairman of the Maharashtra Legislative Council and the Speaker and the Deputy Speaker of 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 the Maharashtra Legislative Council and the Speaker and Deputy Speaker of the Maharashtra Legislative Assembly 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 Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act.(2)It shall be deemed to have come into force on the 1st November 1956.

2. Definitions.

In this Act, unless there is anything repugnant in the subject or context,—(a)“Assembly” means the Maharashtra Legislative Assembly;(b)“Chairman” and “Deputy Chairman” means respectively the Chairman and Deputy Chairman of the Council;(c)“Council” means the 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.

3. Salaries of Chairman and Speaker

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 the basic pay and dearness allowance admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time.

4. Residences of Chairman and Speaker.

(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 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.(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.

4A. Sumptuary allowance to Chairman and Speaker.

There shall be placed at the disposal of the Chairman and the Speaker, each, a sumptuary allowance of six lakh rupees per annum.

5. Conveyances for Chairman and Speaker.

(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. The

State Government may also provide free of charge the services of a chauffeur for each motor car or conveyance so provided.(2)Omitted.

6. Travelling and daily allowances.

Subject to any rules made in this behalf by the State Government, the Chairman or the 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.

7. Medical attendance.

Subject to rules or orders 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.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.

7A. Telephone facilities to Officers of State Legislature.

(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).(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, Rs. 12,000 per month from the month in which telephone facility has been provided under this section.(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 Rs. 12,000 per month in respect of such telephone; and(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 and in section 8 'Officer of the State Legislature' means the Chairman and the Deputy Chairman and the Speaker and the Deputy Speaker.

8. Free transit by railway and steamer.

(1) Every officer of the State Legislature shall, be provided with facilities, which shall entitle him at any time to travel singly by 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 or companion, so, however, that the distance so travelled by the Officer outside the State, and by the members of his family or companion whether within or outside the State, in any financial year, does not in the aggregate exceed fifty thousand

kilometers. Explanation.— For the purpose of calculating the maximum limit of 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 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 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 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 journey by air-conditioned two-tier by railway. In such cases, the difference between the fare for journey by air and the fare for 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 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 fifty thousand kilometers 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 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 for 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) 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 12-A.

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

Notwithstanding anything contained in any law for the time being in force, determining the salaries and allowances of the members of the State Legislature, 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 he is a member of the Council or Assembly.

10. Salaries of Deputy Chairman and Deputy Speaker.

Save as otherwise provided in this 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 admissible to the Additional Chief Secretary to the Government of Maharashtra and as revised, from time to time.

10. 1A. Sumptuary allowance to Deputy Chairman and Deputy Speaker.

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.

10A. Omitted.

11. Residences of Deputy Chairman and Deputy Speaker.

(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 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).(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.(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 anything whatsoever in respect of his place of residence.

11A. Conveyances for Deputy Chairman and Deputy Speaker.

(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. The State Government may also provide free of charge the services of a chauffeur for each motor car or conveyance so provided.(2)Omitted.

12. Travelling and daily allowances.

Subject 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.

12A. Medical attendance.

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.

12B. Facility of a personal assistant and a computer operator.

(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 Rs. 25,000 per month from the State Government.(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.

13. Power of State Government to make rules and orders.

(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.(2)Any rule or order made under this section may be made so as to be retro-spective 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.

14. Repeal.

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: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 superseded by any rules or orders made under this Act.