

## **MAHARASHTRA LEGISLATURE MEMBERS (APPOINTMENT OF PERSONAL ASSISTANT) RULE, 1981**

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## **MAHARASHTRA LEGISLATURE MEMBERS (APPOINTMENT OF PERSONAL ASSISTANT) RULE, 1981**

### **MAHARASHTRA LEGISLATURE MEMBERS (APPOINTMENT OF PERSONAL ASSISTANT) RULE, 1981**

#### **1. Short title and commencement :-**

(1) These rules may be called the Maharashtra Legislature Members' (Appointment Of Personal Assistant) Rules, 1982.

(2) These rules except sub-rule (2) of the Rule 4, shall be deemed to have come into force with effect from 1st April, 1981. Sub-rule (2) of Rule 4 shall come into force on the 1 st day of the month succeeding the month in which these rules are issued.

#### **2. Definitions :-**

In these rules, unless the context requires otherwise ,-

(a) "the Act" means the Maharashtra Legislature Members' Salaries and Allowances Act;

(b) "member" means members of the Assembly or the Council, as the case may be, but does not include a Minister, a Minister of State or a Deputy Minister, or the Chairman or the Deputy Chairman, or the Speaker or the Deputy Speaker, or a Leader of Opposition or a salaried Parliamentary Secretary;

(c) "personal assistant" means a person appointed by the member, at his discretion as a personal assistant under Section 3. of Section

6 of the Act.

**3. Free service of personal assistant :-**

Every Member shall be entitled, free of charge, to the services of a personal assistant throughout his term of office, in addition to the staff placed at his disposal by the State Government.

**4. Appointment of personal assistant :-**

(1) The Member may appoint any person, other than a member of his family, as his personal assistant.

(2) The person to be appointed or continued as a personal assistant shall possess the minimum educational qualification of having passed the Secondary School Certificate examination held by any Statutory Board or any examination recognised by Government as equivalent to that examination, which is the requisite qualification prescribed by Government for recruitment to the post of a clerk in a Government office, and the fact that the person appointed is a matriculate shall be certified by the member appointing the personal assistant.

Explanation For the purposes of this sub-rule, the expression "member of his family" means the husband, wife, son, daughter, father, mother, brother or sister of the appointing authority.

**5. Appointment or termination order :-**

(1) The appointment or termination order in respect of a personal assistant shall be made in Form A appended to these rules. The appointment of a personal assistant, unless terminated earlier shall be coterminous with the term of office of the member. The member shall forward a copy of the appointment order or the termination order, as the case may be. to the officer-in-charge of the Treasury or Sub-Treasury, from where the member draws his salary, the Secretary to the Maharashtra Legislature and also to the personal assistant.

**6. Remuneration of personal assistant :-**

(1) The personal assistant shall be entitled to a remuneration of <sup>1</sup> [Rs. 700] per month as long as he is working with the member. He shall not be entitled to any travelling or daily allowances or any other allowances.

(2) The personal assistant shall prefer his claim for his salary with

the Treasury or Sub-Treasury from where the member draws his salary. The claim shall be countersigned by the member, with whom the personal assistant is working and the personal assistant shall receive the salary from the Treasury or Sub-Treasury.

1. The letters and figures "Rs. 500" were substituted vide MLS. Notification No. 31415- D/H-38, published in M.G.G. Pt. IV-C, dated 17-12-1985, pps. 728 and 729.

**7. Personal Assistant not a Government servant :-**

A person appointed as a personal assistant under these rules shall not be treated as a Government servant for any purpose.