
Maharashtra Ministers Salaries And Allowances Act, 1956

48 of 1956

[30 November 1956]

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PREAMBLE

Amended by Bom. 42 of 1958

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

Amended by Mah. 7 of 1960

Amended by Mah. 16 of 1962

Amended by Mah. 1 of 1965

Amended by Mah. 36 of 1969.

Amended by Mah. 50 of 1969.[2]
 Amended by Mah. 41 of 1975 (8-9-1975)[3]
 Amended by Mah. 17 of 1976 (26-4-1976)[3]
 Amended by Mah. 52 of 1976.
 Amended by Mah. 9 of 1978 (7-3-1978)[3]
 Amended by Mah. 15 of 1980.
 Amended by Mah. 26 of 1981 (1-4-1981)[3]
 Amended by Mah. 27 of 1981 (1-4-1981)[3]
 Amended by Mah. 48 of 1981[4]
 Amended by Mah. 72 of 1981[5] (1-1-1981)[3]
 Amended by Mah. 10 of 1982 (1-2-1982)[3]
 Amended by Mah. 12 of 1982 (1-4-1982)[3]
 Amended by Mah. 41 of 1983 (1-4-1983)
 Amended by Mah. 1 of 1986[6] (1-8-1985)[3]
 Amended by Mah. 23 of 1987 (1-8-1987)[3]
 Amended by Mah. 4 of 1989 (1-8-1988)[3]
 Amended by Mah. 4 of 1991 [7](2-1-1991
 Amended by Mah. 5 of 1994 (1-4-1993)[8]
 Amended by Mah. 10 of 1997.
 Amended by Mah. 32 of 1999 (w.e.f 01-05-1999)
 Amended by Mah. 8 of 2001 (08-01-2001)
 Amended by Mah. 25 of 2003 (w.e.f. 01-01-2003)
 Amended by Mah. 30 of 2005 (w.e.f. 01-04-2005)
 Amended by Mah. 18 of 2009 (w.e.f. 01-07-2009)
 Amended by Mah. 32 of 2010 (w.e.f. 01-04-2010)
 An Act to provide for salaries and allowances of the Ministers of [9]
 [the Government of Maharashtra] and certain other matters.
 WHEREAS, it is expedient to provide for the determination of the
 salaries and allowances of the Ministers of [10][the Government of
 Maharashtra] and certain other matters as hereinafter appearing; It
 is hereby enacted in the Seventh Year of the Republic of India as
 follows:-

[1] For Statement of Objects and Reasons, see Bombay Government Gazette, 1956, Part V, p. 350.

[2] Maharashtra Ordinance No. 15 of 1969 was repealed by Mah. 50 of 1969.

[3] This indicates the date of commencement of the Act.

[4] Mah. 48 of 1981, except Sections 5, 7 and 9 came into force on the 1st April, 1981. Sections 5, 7 and 9 came into force on the date of publication of the Act in the Official Gazette i.e. on the 18th September, 1981

[5] Mah. 72 of 1981, except sections 5 and 9 came into force on 1st April 1981; Remaining sections came into force on 29th December 1981, i.e. the date of publication of the Act in Official Gazette.

[6] Mah. 1 of 1986 except Sections 1, 2 and 3 came into force on the 1st August, 1985. Sections 1, 2 and 3 came into force on the date of publication of the Act in the Official Gazette; i.e. on the 28th January, 1986.

[7] Sections 2, 3 and 5 of the Act came into force on the 1st day of June 1990 and Section 4 came into force on the 20th day of May 1987.

[8] This indicates the date of commencement of the Act..

[9] These words were substituted for the words "the Government of Bombay" by the Maharashtra adaptation of Laws (State and Concurrent Subjects) Order, 1960.

[10] These words were substituted for the words "the Government of Bombay" by the Maharashtra adaptation of Laws (State and Concurrent Subjects) Order, 1960.

1. Short Title And Commencement :-

[1][(1) This Act may be called the Maharashtra Ministers Salaries and Allowances Act.]

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

[1] Sub-section (1) was substituted, "by Mah. 15 of 1980, Schedule.

2. Definitions :-

In this Act, unless there is anything repugnant in the subject or context,-

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

(b) [1]"Minister", "Minister of State" and "Deputy Minister" means respectively a Minister, a Minister of State and a Deputy Minister] of the [2][Government of Maharashtra] and "Minister" includes the Minister [3][and the Deputy Chief Minister];

(c) "residence" includes the staff quarters and other building appurtenant thereto, and the gardens thereof;

(d) "rules or orders" means rules or orders respectively made this

Act.

[1] These words were substituted for the words "Minister and Deputy Minister respectively a Minister and Deputy Minister" by Mah. 50 of 1969, Section 2

[2] These words were substituted for the words "the Government of Bombay" Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

[3] These words were inserted by Mah. 9 of 1978, Section 2

3. Salaries Of Ministers And Ministers State :-

[1][There shall be paid to each Minister a salary of [2][Rs. 10,000] per month; and to each Minister of State a salary of [3][9,200] per month.

[1] Section 3 was substituted by Mah. 50 of 1969, S. 3

[2] Substituted for "Rs. 5,000" by Mah. 32 of 2010 (w.e.f. 01-04-2010).

[3] Substituted for "Rs. 4,600" by Mah. 32 of 2010 (w.e.f. 01-04-2010).

4. Residences Of Ministers And Ministers Of State :-

Residences of Ministers and [1][Ministers of State]

(1) Each [1][Minister and Minister of State] 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 [2][Rs. 10,000] per month.

(2) No charge shall fall on the [3][Minister and Minister of State] personally in respect of the maintenance of any residence provided under this section.

(3) The expenditure on furnishing the 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 Minister or Minister of State, then, save as otherwise provided by or under this Act the State Government shall not incur any expenditure, or the Minister or Minister of State shall not be entitled to any payment, for additions, alterations maintenance, repairs or for doing anything whatsoever in respect of his place of residence.].

[1] These words were substituted for the words "Minister" by Mah. 50 of 1969, Section 4(1).

[2] Substituted for "Rs. 2,500" by Mah. 32 of 2010 (w.e.f. 01-04-2010).

[3] Substituted by Mah. 50 of 1969, Section 4(2).

[4] Sub-section (4) was added by Mah. 50 of 1969., Section 6 (b).

5. Conveyances For Ministers And Ministers Of State :-

Conveyances for Ministers [1][and Ministers of State]

(1) The State Government may from time to time for the use of [2] [the Minister or Ministers of State], purchase and provide a motor car 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. [3][The State Government may also provide free of charge the services of a chauffeur for each motor car or conveyance so provided.

(2) There shall also be paid to [4][each Minister and Minister of State] a conveyance allowance at [5][such rate per month as may be prescribed by rules made in that behalf.]

[1] This portion was substituted by Mah. 50 of 1969, Section 5(3).

[2] These words were substituted for the words "Minister" by Mah. 50 of 1969, Section 4(1).

[3] These words were substituted for the words ".Minister" by Mah. 50 of 1969, Section 4(2).

[4] This word were substituted for the words "each Minister" by Mah. 50 of 1969, Section 5(2).

[5] These words were substituted for the letters and figures "the rate of Rs. 1,000 per month" by Mah. 3 of 1986, Section 2.

6. Salaries Of Deputy Ministers :-

There shall be paid to each Deputy Minister [1][a salary of [2] [2,100 per month].

[1] These words were substituted for the portion "a salary of Rs. 750 per month" by Mah. 50 of 1969, Section 6.

[2] Substituted for "Rs. 1,600" by Mah. 32 of 1999, dated 30th April 1999 (w.e.f 1-05-1999)

7. Residences Of Deputy Ministers :-

(1) Each Deputy Minister shall be entitled, without payment of rent, to the use of 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 [1][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 Deputy Minister personally in respect of the maintenance of any residence provided under this section.

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

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

[1] Substituted for "Rs. 2,500" by Mah. 32 of 2010 (w.e.f. 01-04-2010).

[2] Sub-section (4) was added by Mah. 4 of 1989, Section 7(b)

8. Conveyances For Deputy Ministers :-

[1][(1) The State Government may from time to time for the use of Deputy Ministers purchase and provide a motor car 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. [2][The State Government may also provide free of charge the services of a chauffeur for each motor car or conveyance so provided.

(2) There shall also be paid to each Deputy Minister, a conveyance allowance at [3][such rate per month as may be prescribed by rules made in that behalf.]

[1] Section 8 was substituted for the original by Mah 16 of 1962, Section 2.

[2] These words were added by Mah. 50 of 1969, Section 7.

[3] These words were substituted for the letters and figures "the rate of Rs. 1,000 per month" by Mah. 1 of 1986, Section 3.

8A. Sitting Allowance To Ministers :-

[1][Each Minister, Minister of State and Deputy Minister shall be entitled to a sitting allowance at the rate of [2][Rs. 500] per day throughout his term of office as such Minister or Minister of State or

Deputy Minister, as the case may be.]

[1] Section 8A inserted by Mah. 23 of 1987, S. 4

[2] Substituted for "Rs. 200" by Mah. 32 of 2010 (w.e.f. 01-04-2010).

9. Travelling And Daily Allowances And Residential Accommodation At Places Other Than Headquarters :-

[1][Subject to any rules or orders made in this behalf by the State Government, [2][a Minister or Minister of State or Deputy Minister] 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 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 and suitable residential accommodation at places visited by him on such business.

Explanation-- The expression "Bombay" includes any other place appointed by the State Government for the purposes of this section.]

[1] Section 9 was substituted for the original by Mah. 7 of 1960, Section 2

[2] These words were substituted for the words "a Minister or Deputy Minister" by Mah. 50 of 1969, Section 8.

10. Medical Attendance :-

Subject to rules or orders made by the State Government, [1][a Minister or Minister of State and a Deputy Minister] and the members of the family of [1][the Minister the Minister of State] or the Deputy Minister, 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 "a member of the family" means the husband, wife, son, daughter, father, mother and brother or sister.

[1] These words were substituted for the words "a Minister or Deputy Minister" by Mah. 50 of 1969, S. 8.

10A. Telephone Facilities To Ministers :-

[1][(1) Every [2][Minister, Minister of State and Deputy Minister] shall during the term of his office also be entitled 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 [3][Minister, Minister of State or Deputy Minister] 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 [4][Minister, Minister of State and Deputy Minister] a sum of [5][Rs. 12,000] per month, from the month in which telephone facility has been provided under the section.

[6][(4) Where a Minister, Minister of State or Deputy Minister] 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 Minister, Minister of State or Deputy Minister, as the case may be a Sum of [7][Rs. 12,000] for 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 Minister, Minister of State or Deputy Minister, as the case may be, resides at such as a residence and a separate telephone is not provided to him by or under the provisions of this Act by the State Government.]

[1] Section 10A was inserted by Mah. 41 of 1975, Section 3

[2] These words were substituted for the words "Minister or Minister of State" by Mah. 17 of 1976, Section 2 (1).

[3] These words were substituted for the words "a Minister or Minister of State" by Mah. 17 of 1976, Section 2 (2).

[4] These words were substituted for the words "a Minister and Minister of State" by Mah. 17 of 1976, Section 2(3).

[5] Substituted for "Rs. 8,000" by Mah. 32 of 2010 (w.e.f. 01-04-2010).

[6] Substituted by Mah. 23 of 1982, Section 8(a).

[7] Substituted for "Rs. 8,000" by Mah. 32 of 2010 (w.e.f. 01-04-2010).

10B. Free Transit By Railway And Steamer :-

[1][Every Minister, Minister of State and Deputy Minister] shall, [2][***] [be provided with facilities, which shall entitle him at any time to travel singly by [3][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 railway, in any part of India whether within the State or outside the State, may be availed of by the Minister, Minister of State or Deputy Minister, as the case may be, either singly or jointly with his spouse or with his minor children or jointly with his spouse and minor children [4][or companion] so however, that the distance so traveled by the member outside the State, and by the members of his family [4][or companion] whether within or outside the State, in any financial year does not in the aggregate exceed [5][fifty thousand kilometres].

Explanation - For the purpose of calculating the maximum limit of [5][fifty thousand kilometres] for travelling the number of kilometres traveled by the Minister, Minister of State or Deputy Minister, as the case may be, outside the State, and the number of kilometres traveled by the members of his family [6][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 a Minister or Minister of State or Deputy Minister, either singly or jointly with his spouse or with his minor children [6][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 [5][fifty thousand kilometres] 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 first class by railway. In such cases, the difference between the fare for journey by air and the fare for journey by first class by railway will have to be borne by the Minister, Minister of State or Deputy Minister, as the case may be.

(b) Where a Minister, Minister of State or Deputy Minister, either singly or jointly with the members of his family [6][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 [5] [fifty thousand kilometres] for travelling, to claim the fare for journey by steamer or road transport if it is less than the fare for journey first class by railway for the same distance or, if the fare for journey by steamer or road transport is more than the fare for [7][journey by first class by railway] for the same distance, to claim the fare for [7][journey by first class 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 a Minister of State and Deputy Minister, to travel jointly with the spouse (with or without minor children [6][or companion], then in the case of a lady Minister, Minister of State or Deputy Minister, 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 10.]

[1] Section 10B was inserted by Mah. 72 of 1981, Section 5

[2] The words, figures and letters "with effect from the P April 1981," were deleted by Mah. 4 of 1991, Section 4(a)(i)

[3] These words were substituted for the words "first class" by Mah. 4 of 1991, Section 4(a)(ii)

[4] Inserted by Mah. 8 of 2001, dated 8th January 2001, Section 3.

[5] Substituted for "thirty thousand kilometres" by Mah. 32 of 2010 (w.e.f. 01-04-2010).

[6] Inserted by Mah. 8 of 2001, dated 8th January 2001, Section 3.

[7] These words were substituted for the words "journey by railway" by Mah. 4 of 1991, Section 4(6).

10C. Facility Of A Personal Assistant :-

[1][Every Minister, Minister of State and Deputy Minister shall be entitled, free of charge, to the services of a personal assistant. For this purpose, the Minister, Minister of State or Deputy Minister, as the case may be, may appoint any person, possessing such qualifications as may be prescribed by rules or orders made under Section 14, 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 [2][Rs. 8,000] per month from the State Government.]

[1] Section 10-C was inserted by Mah. 48 of 1981, Section 7 which came into force on the 18th September, 1981.

[2] Substituted for "Rs. 7,000" by Mah. 18 of 2009 (w.e.f. 01-07-2009).

11. Sumptuary Allowance To Chief Minister :-

There shall be placed at the disposal of the Chief Minister a sum of [1][ten lakh rupees] per year as sumptuary allowance.

[1] These figures and words were substituted for the letters and words "Rs. 4,00,000" by Mah. 49 of 1983, Section 2

12. Minister, Minister Of State And Deputy Minister 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 [1][a Minister or a Minister of State or a Deputy Minister] shall not be entitled to receive any salary or allowances under such law although he is member of the [2] [Maharashtra Legislative Assembly] or the [2][Maharashtra Legislative Council].

[1] These words were substituted for the words "a Minister or Deputy Minister" by Mah. 50 of 1969, S. 10(2).

[2] These words were substituted for the words "Bombay Legislative Assembly" by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

13. Minister Of State And Deputy Minister Not Disqualified :-

[1][Minister of State and Deputy Minister] not disqualified
For the avoidance of doubt, it is hereby declared that a person shall not be disqualified for being chosen as, or for being, a member of the [2][Maharashtra Legislative Assembly] or the [3][Maharashtra Legislative Council] merely by reason of the fact that he holds the [4][office of a Minister of State] or of a [5][Deputy Minister].

[1] These words were substituted for the words "Deputy Minister" by Mah. 50 of 1969, Section

[2] These words were substituted for the words "Bombay Legislative Assembly" by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

[3] These words were substituted for the words "Bombay Legislative Council" by the Maharashtra Adaptation of Laws (State

and Concurrent Subjects) Order, 1960.

[4] These words were substituted for the words "Minister and" by Mah. 50 of 1969, Section 10(2)

[5] These words were substituted for the words "office of a Deputy Minister" by Mah. 50 of 1969, Section 11 (1)

14. Power Of State Government To Make Rules And Orders

:-

(1) The State Government may make any rules or orders for carrying out the purposes of this Act.

(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.

15. Repeal :-

The Bombay Ministers 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 new [1] 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.

[1] The words "State of Bombay" shall stand unmodified vide the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.