



The Maharashtra Legislature Members' Pension Act, 1976

Act 1 of 1977

Keyword(s):

Member, Term of Office, MLA, pension, Legislative Member

Amendments appended: 15 of 2006, 46 of 2006, 1 of 2007, 26 of 2007, 20 of 2008, 24 of 2008, 18 of 2009, 23 of 2011

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**THE MAHARASHTRA LEGISLATURE MEMBERS' PENSION
ACT, 1976.**

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MAHARASHTRA ACT No. I OF 1977.¹

[THE MAHARASHTRA LEGISLATURE MEMBERS' PENSION ACT, 1976]

[5th January 1977]

Amended by Mah. 15 of 1977.

" " " 53 of 1977 (1-4-1977).†

An Act to provide for payment of pension to persons who have served as members of any State Legislature in Maharashtra.

WHEREAS it is expedient to provide for payment of pension to persons who have served as members of any State Legislature in Maharashtra and for other matters connected therewith ; It is hereby enacted in the Twenty-seventh Year of the Republic of India as follows :—

1. (1) This Act may be called the Maharashtra Legislature Members' Pension Act, 1976. Short title and commencement.

(2) It shall come into force on such ²date as the State Government may, by notification in the *Official Gazette*, appoint.

2. In this Act, unless the context otherwise requires,—

Definitions.

(1) " member of the State Legislature " means a member of the Maharashtra Legislative Assembly or the Maharashtra Legislative Council, and includes—

(a) a member of the Bombay Legislative Assembly, the Madhya Pradesh Legislative Assembly or the Hyderabad Legislative Assembly, elected to any of those Assemblies, on or after the earliest date on which all constituencies of any of those Assemblies were called upon to elect members in 1952, (hereinafter in this clause referred to as " the said date ")—

(i) if as a sitting member, he continued as a member of the Bombay Legislative Assembly or was deemed to have been elected to that Assembly under the States Reorganisation Act, 1956 ; or

(ii) if as a sitting member, he continued to be a member of the Maharashtra Legislative Assembly or was deemed to be elected to that Assembly under the Bombay Reorganisation Act, 1960 ;

(b) a member of the Bombay Legislative Assembly, nominated to that Assembly, on or after the said date; ^{3*} * * * *

(c) a member of the Bombay Legislative Council elected to that Council, on or after the said date,—

(i) if as a sitting member, he continued as a member of the Bombay Legislative Council or was deemed to have been elected to that Council under the States Reorganisation Act, 1956 ; or

(ii) if as a sitting member, he continued as a member of the Maharashtra Legislative Council or was deemed to have been elected to that Council under the Bombay Reorganisation Act, 1960 ;

(d) a member of the Bombay Legislative Council, nominated to that Council, on or after the said date; ^{3*} * * * *

(2) " term of office ", in relation to a member of the State Legislature, means the period beginning with the date of publication of the notification of his election or nomination as a member and ending with the date on which his seat becomes vacant.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1976, Part V, Extra., pp. 612-617.

² 1st April 1977 vide G. N., L. A. D., No. PEN. 1077/152-III, dated 1st April 1976, published in *Maharashtra Government Gazette*, 1977, Part IV-B, Extra, page 156.

³ The words " if such member was during the period of his membership permanently residing in any area which forms part of the State of Maharashtra " were deleted by Mah. 53 of 1977, s. 2(a).

†This indicates the date of commencement of Act.

XXX-VII of 1956.

XI of 1960.

XXX-VII of 1956.

XI of 1960.

Explanation I.—Where a general election to the Assembly is held and election does not take place in any constituency for any reason and a member is elected in that constituency at the election held subsequently, in his case the term of office shall be deemed to have begun on the date on which the results of the general election in other constituencies are published in the *Official Gazette*.

Explanation II.—Where any member of the State Legislature had resigned his seat for any cause or causes approved by the State Government in this behalf by notification in the *Official Gazette*, then for the purpose of calculating his term of office, the period during which he would have continued to be a member, but for his resignation, shall be taken into consideration and he shall be deemed to have served as a member for that period also :

Provided that, the maximum period which shall be taken into consideration accordingly shall not exceed six months in the case of any member.

¹*Explanation III.*—Where any Assembly is dissolved earlier, but not earlier than six months prior to the date on which its duration would have expired under the provisions of clause (1) of article 172 of the Constitution of India, then for the purpose of calculating the term of office of any member thereof, the period during which he would have continued to be a member of the Assembly if it had not been dissolved earlier, shall be taken into consideration, and he shall be deemed to have served as a member for that period also.

Explanation IV.—Where the term of office of any member of the Bombay Legislative Council referred to in paragraphs (c) and (d) of clause (1) was curtailed under section 156 of the Representation of the People Act, 1951, and he was made to retire before the expiry of his normal term of office, then the period during which he served as such member, shall, notwithstanding anything contained in section 3 of this Act be taken into consideration, and he shall be paid a pension of fifty rupees per month for every period of one complete year he served as such member.] XVII
of
1951.

Pension payable to members.

3. (1) With effect from the date of commencement of this Act, there shall be paid a pension of two hundred and fifty rupees per month to every person who has served as a member of the State Legislature for a term of office of five years, whether before or after such commencement, whether continuous or not and whether as a member of the same House or of different Houses of the State Legislature :

Provided that, where any person has served as aforesaid for a period exceeding five years, there shall be paid to him an additional pension of fifty rupees per month for every year in excess of five, so, however, that in no case the pension payable to such person shall exceed five hundred rupees per month.

(2) In computing the number of years for the purposes of sub-section (1), the period during which a person has served as Chairman or Deputy Chairman of a Legislative Council or Speaker or Deputy Speaker of a Legislative Assembly or as Minister, Minister of State, Deputy Minister or Parliamentary Secretary or in more than one of those capacities by virtue of his membership in the Council or in the Assembly, shall also be taken into account.

Pension to be held in abeyance or to be reduced in certain circumstances.

4. (1) Where any person entitled to pension under section 3,—

(a) is elected to the office of the President or Vice-President of India or is appointed to the Office of the Governor of any State or the Administrator of any Union Territory ; or

(b) becomes a member of the Council of States or the House of the People or any Legislative Assembly of a State or Union territory or any Legislative Council of a State ; ; or

¹ These explanations were added by Mah. 53 of 1977, s. 2 (b).

(c) is employed on a salary under the Central Government or any State Government, or any corporation owned or controlled by the Central Government or any State Government, or any local authority or otherwise receives any remuneration from such Government, corporation or local authority;

such person shall not be entitled to any pension under section 3 for the period during which he continues to hold such office, or continues as such member, or is so employed, or continues to receive such remuneration :

Provided that, where the salary payable to such person for holding such office or being such member or so employed, or where the remuneration referred to in clause (c) paid to such person, is in, either case, less than the pension payable to him under section 3, such person shall be entitled only to receive the balance as pension under that section.

(2) Where any person entitled to pension under section 3 also receives any pension from the Central Government or any State Government, or any corporation owned or controlled by the Central Government or the State Government, or any local authority, under any law or otherwise, then, ¹[where the amount of pension which he receives under such law or otherwise is less than five hundred rupees per month, such person shall be entitled to pension under section 3, but where the total amount of such pensions exceeds five hundred rupees per month, he shall be entitled to only such amount of pension under section 3 which falls short of the amount of five hundred rupees per month].

²[(3) Notwithstanding anything contained in sub-section (2), where any person entitled to pension under section 3 also receives any pension from the Central Government or any State Government as a freedom-fighter, then such pension shall not be taken into consideration in deciding the amount of pension to which he is entitled under that section].

³[5. (1) (a) 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 Maharashtra Legislative Council nominated by the Chairman of the Council and ten members from the Maharashtra Legislative Assembly nominated by the Speaker of the Assembly. Power to make rules and orders.

(b) The Joint Committee constituted under clause (a) shall elect its Chairman and shall have power to regulate its procedure.

(c) A member of the Joint Committee shall hold office as such member 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.

(2) (a) The Joint Committee constituted under sub-section (1) may, in consultation with the State Government, make rules or orders for carrying out the purposes of this Act.

(b) In particular and without prejudice to the generality of the foregoing power, such rules or orders may provide for all or any of the following matters, namely :—

(i) the form in which and the authority to which an application for pension shall be made ;

(ii) the certificates to be furnished along with an application for pension ;

(iii) the declarations to be made at the time of drawing pension ;

(iv) any other matters necessary for proper implementation and enforcement of this Act.

¹ This was substituted for original clauses (i) and (ii) by Mah. 53 of 1977, s. 3(a).

² Sub-section (3) was added, *ibid.*, s. 3(b).

³ Section 5 was substituted for the original by Mah. 15 of 1977, s. 2.

(3) All rules or orders made under sub-section (2) shall not take effect until they are approved and confirmed by the Chairman of the Council and the Speaker of the Assembly and are published in the *Official Gazette*. Such publication of the rules or orders shall be conclusive proof that they have been duly made.

(4) Any rules or orders under this section may be made so as to be retrospective to any date not earlier than the date of commencement of this Act.

(5) All rules or orders made under this section shall have effect as if enacted in this Act.]

Decisions on
questions
relating to
pension.

6. If there is any doubt or dispute as to whether a person is entitled to pension or as to the amount of pension or as to the period for which he shall be entitled to pension under this Act, the matter shall be referred to ¹[the Chairman of the Maharashtra Legislative Council and the Speaker of the Maharashtra Legislative Assembly, who shall, in consultation with the State Government, decide the question. The decision of the Chairman and the Speaker shall be final].

¹ These words were substituted for the words "the State Government and its decision shall be final", by Mah. 15 of 1977., s. 3.



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

गुरुवार, मे ४, २००६/वैशाख १४, शके १९२८

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislature Members' pension (Amendment) Act, 2006 (Maharashtra Act No. XV of 2006), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XV OF 2006.

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette" on the 4th May 2006.)

An Act further to amend the Maharashtra Legislature Members' Pension Act, 1976

Mah. I of 1977. WHEREAS it is expedient further to amend the Maharashtra Legislature Members' Pension Act, 1976, for the purposes hereinafter appearing; it is hereby enacted in the Fifty-seventh Year of the Republic of India as follows:—

1. This Act may be called the Maharashtra Legislature Members' Short title. Pension (Amendment) Act, 2006.

(३३८)

[किंमत : रुपये ९.००]

Amend-
ment of
section 4A of
Mah. I of
1977.

2. In section 4A of the Maharashtra Legislature Members' Pension Act, 1976,—

Mah.
I of
1977.

(a) in sub-section (2),—

(i) for the figures, letters and words "1st day of August 1993" the figures, letters and words "1st day of January 2006" shall be substituted ;

(ii) for the word "widow" the words "widow or widower" shall be substituted ;

(iii) for the words "rupees one thousand" the words "rupees three thousand" shall be substituted ;

(b) in sub-section (2A),—

(i) for the figures, letters and words "1st day of August 1993" the figures, letters and words "1st day of January 2006" shall be substituted ;

(ii) for the word "widow" the words "widow or widower" shall be substituted ;

(iii) for the words "rupees one thousand" the words "rupees three thousand" shall be substituted ;

(c) after sub-section (2A), the following sub-sections shall be inserted, namely :—

"(2B) Notwithstanding anything contained in sub-sections (1), (2) or (2A), but subject to the provisions of sub-section (3), there shall be paid a pension to the widow or widower of the member of the State Legislature, who was not entitled to pension under the Act, from the 1st September 2000 to the 31st December 2005, at the rate of rupees one thousand per month ; and with effect from the 1st January 2006, at the rate of rupees three thousand per month.

(2C) With effect from the 1st January 2006, where the widow or the widower of the deceased member is survived by a minor child or children of such member, there shall be paid a pension per month to such minor child or children at the same rate at which the pension was payable to the widow or widower, and such pension shall be paid in such manner as may be prescribed by rules."

(d) for sub-section (3), the following sub-section shall be substituted, namely :—

"(3) Where such widow or widower has re-married, then she or he shall not be entitled to the pension under this section from the date of such re-marriage."

(e) in the marginal note, for the words "widow of member" the words "widow, widower or minor child of member" shall be substituted.



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

शुक्रवार, डिसेंबर २९, २००६/पौष ८, शके १९२८

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislature Members' Pension (Third Amendment) Act, 2006 (Mah. Act No. XLVI of 2006), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT NO. XLVI OF 2006

(First Published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 29th December 2006)

An Act further to amend the Maharashtra Legislature Members' Pension Act, 1976.

WHEREAS it is expedient further to amend the Maharashtra Mah. I Legislature Members' Pension Act, 1976, for the purposes of hereinafter appearing; it is hereby enacted in the Fifty-seventh 1977. Year of the Republic of India as follows:—

1. This Act may be called the Maharashtra Legislature Short title. Members' Pension (Third Amendment) Act, 2006.

(८९६)

Amendment
of section 3
of Mah. I of
1977.

2. In section 3 of the Maharashtra Legislature Members' Pension Act, 1976, in sub-section (1), in the second proviso, for the words "disqualified as a Member of the State Legislature" the words "disqualified for being a Member of the State Legislature under clause (1) of article 191 of the Constitution of India" shall be substituted and shall be deemed to have been substituted with effect from the 1st September 2000.

Mah. I
of
1977.



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

शुक्रवार, जानेवारी ५, २००७/ पौष १५, शके १९२८

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislature Members' Pension (Second Amendment) Act, 2006 (Mah. I of 2007), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. I OF 2007.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 5th January 2007).

An Act further to amend the Maharashtra Legislature Members' Pension Act, 1976.

Mah. I WHEREAS it is expedient further to amend the Maharashtra
of Legislature Members' Pension Act, 1976, for the purposes
1977. hereinafter appearing; it is hereby enacted in the Fifty-seventh
Year of the Republic of India as follows:—

1. This Act may be called the Maharashtra Legislature Short title.
Members' Pension (Second Amendment) Act, 2006.

Mah. I 2. In section 3 of the Maharashtra Legislature Members' Amendment
of Pension Act, 1977, in sub-section (1), for the first proviso, the of section
1977. following proviso shall be substituted, namely:— 3 of Mah. I
of 1977.

(१)

" Provided that, where any person has served as a Member for a period exceeding five years, there shall be paid to him an additional pension of five hundred rupees per month for every year in excess of five years : " .



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

शुक्रवार, ऑगस्ट १०, २००७/श्रावण १९, शके १९२९

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislature Members' Pension (Amendment) Act, 2007 (Mah. Act No. XXVI of 2007), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,

Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXVI OF 2007.

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 10th August 2007).

An Act further to amend the Maharashtra Legislature Members' Pension Act, 1976.

WHEREAS it is expedient further to amend the Maharashtra Legislature Members' Pension Act, 1976, for the purposes hereinafter appearing; it is hereby enacted in the Fifty-eighth Year of the Republic of India as follows:—

Mah.
1 of
1977.

1. This Act may be called the Maharashtra Legislature Short title. Members' Pension (Amendment) Act, 2007.

(४२२)

Amendment
of section 3
of Mah. I of
1977.

2. In section 3 of the Maharashtra Legislature Members' Pension Act, 1976 (hereinafter referred to as "the principal Act"), in sub-section (1), for the words "six thousand rupees" the words "eight thousand rupees" shall be substituted and shall be deemed to have been substituted with effect from the 1st April 2007.

Amendment
of section
4A of Mah.
I of 1977.

3. In section 4A of the principal Act,—

(a) in sub-section (2),—

(i) for the figures, letters and words "1st day of January 2006" the figures, letters and words "1st day of April 2007" shall be substituted;

(ii) for the words "rupees three thousand" the words "rupees four thousand" shall be substituted;

(b) in sub-section (2A),—

(i) for the figures, letters and words "1st day of January 2006" the figures, letters and words "1st day of April 2007" shall be substituted;

(ii) for the words "rupees three thousand" the words "rupees four thousand" shall be substituted;

(c) in sub-section (2B), for the portion beginning with the words, figures and letters "from the 1st September 2000" and ending with the words "rupees three thousand per month" the following shall be substituted, namely :—

"with effect from the 1st April 2007 at the rate of rupees four thousand per month".



महाराष्ट्र शासन राजपत्र

असाधारण
प्राधिकृत प्रकाशन

शुक्रवार, मे ९, २००८/विशाख १९, शके १९३०

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislature Members' Salaries and Allowances and Pension (Amendment) Act, 2008 (Mah. XX of 2008), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XX OF 2008.

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette" on the 9th May).

An Act further to amend the Maharashtra Legislature Members' Salaries and Allowances Act and the Maharashtra Legislature Members' Pension Act, 1976.

Bom. XLIX of 1956. Mah. I of 1977. WHEREAS it is expedient further to amend the Maharashtra Legislature Members' Salaries and Allowances Act and the Maharashtra Legislature Members' Pension Act, 1976, for the purposes hereinafter appearing; it is hereby enacted in the Fifty-ninth Year of the Republic of India as follows:—

(४८५)

CHAPTER I

PRELIMINARY.

- Short title. 1. This Act may be called the Maharashtra Legislature Members' Salaries and Allowances and Pension (Amendment) Act, 2008.

CHAPTER II

AMENDMENT TO THE MAHARASHTRA LEGISLATURE
MEMBERS' SALARIES AND ALLOWANCES ACT.

- Amendment of section 5 of Bom. XLIX of 1956. 2. In section 5 of the Maharashtra Legislature Members' Salaries and Allowances Act, in sub-section (1A), for the words "twelve single journeys" the words "twenty single journeys" shall be substituted. Bom. XLIX of 1956.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA LEGISLATURE
MEMBERS' PENSION ACT, 1976.

- Amendment of section 4 of Mah. I of 1977. 3. In section 4 of the Maharashtra Legislature Members' Pension Act, 1976, in sub-section (1), the proviso shall be deleted and shall be deemed always to have been deleted. Mah. I of 1977.



महाराष्ट्र शासन राजपत्र

असाधारण

प्राधिकृत प्रकाशन

सोमवार, मे १२, २००८/ वैशाख २२, शके १९३०

स्वतंत्र संकलन म्हणून फाईल करण्यासाठी या भागाला वेगळे पृष्ठ क्रमांक दिले आहेत.

भाग आठ

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislature Members' Pension (Amendment) Act, 2008 (Mah. XXIV of 2008), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

A. M. SHINDEKAR,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXIV OF 2008.

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 12th May 2008).

An Act further to amend the Maharashtra Legislature Members' Pension Act, 1976.

Mah. I
of
1977. WHEREAS it is expedient further to amend the Maharashtra Legislature Members' Pension Act, 1976, for the purposes hereinafter appearing; it is hereby enacted in the Fifty-ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Maharashtra Legislature Members' Pension (Amendment) Act, 2008.

(2) It shall come into force with effect from the 1st May 2008.

Short title
and
commen-
cement.

(४९३)

Amendment of section 3 of Mah. I of 1977. 2. In section 3 of the Maharashtra Legislature Members' Pension Act, 1976 (hereinafter referred to as "the principal Act"), in sub-section (1),—

Mah. I of 1977.

(a) for the words "eight thousand rupees" the words "ten thousand rupees" shall be substituted;

(b) in the first proviso, for the words "five hundred rupees" the words "seven hundred fifty rupees" shall be substituted.

Amendment of section 4A of Mah. I of 1977.

3. In section 4A of the principal Act,—

(a) in sub-section (2),—

(i) for the words, letters and figures "the 1st day of April 2007" the words, letters and figures "the 1st May 2008" shall be substituted ;

(ii) for the words "rupees four thousand" the words, "rupees five thousand" shall be substituted ;

(b) in sub-section (2A),—

(i) for the words, letters and figures "the 1st day of April 2007" the words, letters and figures "the 1st May 2008" shall be substituted ;

(ii) for the words "rupees four thousand" the words "rupees five thousand" shall be substituted ;

(c) in sub-section (2B), for the words, figures and letters "the 1st April 2007, at the rate of rupees four thousand per month" the words, figures and letters "the 1st May 2008, at the rate of rupees five thousand per month" shall be substituted.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष १, अंक २५(२)]

शनिवार, जून २७, २००९/आषाढ ६, शके १९३१

[पृष्ठे ४, किंमत : रुपये २०.००

असाधारण क्रमांक ५०

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances, the Maharashtra Legislature Members' Pension and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Act, 2009 (Mah. XVIII of 2009), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

H. B. PATEL,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XVIII OF 2009.

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 27th June 2009).

An Act further to amend the Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, the Maharashtra Ministers' Salaries and Allowances Act, the Maharashtra Legislature Members' Salaries and Allowances Act, the Maharashtra Legislature Members' Pension Act, 1976 and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978.

(१)

WHEREAS it is expedient further to amend the Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, the Maharashtra Ministers' Salaries and Allowances Act, the Maharashtra Legislature Members' Salaries and Allowances Act, the Maharashtra Legislature Members' Pension Act, 1976 and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978, for the purposes hereinafter appearing; it is hereby enacted in the Sixtieth Year of the Republic of India as follows :—

Bom.
XLVII
of
1956.
Bom.
XLVIII
of
1956.
Bom.
XLIX
of
1956.
Mah.
I of
1977.
Mah.
VIII
of
1978.

CHAPTER I

PRELIMINARY.

Short title
and
commence-
ment.

1. (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, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances, the Maharashtra Legislature Members' Pension and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Act, 2009.

(2) It shall come into force with effect from the 1st July 2009.

CHAPTER II

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

Amendment
of section 4A
of Bom.
XLVII of
1956.

2. In section 4A of the Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Chairman and Deputy Chairman and the Speaker and Deputy Speaker Salaries and Allowances Act"), for the words "four lakh rupees" the words "six lakh rupees" shall be substituted.

Bom.
XLVII
of
1956.

Amendment
of section
12B of
Bom. XLVII
of 1956.

3. In section 12B of the Chairman and Deputy Chairman and the Speaker and Deputy Speaker Salaries and Allowances Act, for the letters and figures "Rs. 7,000" the letters and figures "Rs. 8,000" shall be substituted.

CHAPTER III

AMENDMENT TO THE MAHARASHTRA MINISTERS' SALARIES AND ALLOWANCES ACT.

- Bom. XLVIII of 1956. 4. In section 10C of the Maharashtra Ministers' Salaries and Allowances Act, for the letters and figures "Rs. 7,000" the letters and figures "Rs. 8,000" shall be substituted.

Amendment of section 10C of Bom. XLVIII of 1956.

CHAPTER IV

AMENDMENTS TO THE MAHARASHTRA LEGISLATURE MEMBERS' SALARIES AND ALLOWANCES ACT.

- Bom. XLIX of 1956. 5. In section 5 of the Maharashtra Legislature Members' Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Members' Salaries and Allowances Act"), to sub-section (1A), the following *Explanation* shall be added, namely :—

Amendment of section 5 of Bom. XLIX of 1956.

"*Explanation.*—For the purposes of this sub-section, in relation to a member whose nearest airport from his residence is situated out of the State, the term "nearest airport from his residence, within the State" shall include such airport situated out of the State, which is nearest from his residence."

6. In section 6 of the Members' Salaries and Allowances Act, in sub-section (3), for the letters and figures "Rs. 7,000" the letters and figures "Rs. 8,000" shall be substituted.

Amendment of section 6 of Bom. XLIX of 1956.

CHAPTER V

AMENDMENTS TO THE MAHARASHTRA LEGISLATURE MEMBERS' PENSION ACT, 1976.

- Mah. I of 1977. 7. In section 3 of the Maharashtra Legislature Members' Pension Act, 1976 (hereinafter, in this Chapter, referred to as "the Legislature Members' Pension Act"), in sub-section (1),—

Amendment of section 3 of Mah. I of 1977.

(a) for the words "ten thousand rupees" the words "fifteen thousand rupees" shall be substituted ;

(b) in the first proviso, for the words "seven hundred fifty rupees" the words "one thousand rupees" shall be substituted.

8. In section 4A of the Legislature Members' Pension Act,—

Amendment of section 4A of Mah. I of 1977.

(a) in sub-section (2),—

(i) for the words, letters and figures "the 1st day of May 2008" the words, letters and figures "the 1st July 2009" shall be substituted ;

(ii) for the words "rupees five thousand" the words "rupees seven thousand five hundred" shall be substituted ;

(b) in sub-section (2A),—

(i) for the words, letters and figures " the 1st May 2008 " the words, letters and figures " the 1st July 2009 " shall be substituted ;

(ii) for the words " rupees five thousand " the words " rupees seven thousand five hundred " shall be substituted ;

(c) in sub-section (2B), for the words, figures and letters " the 1st May 2008, at the rate of rupees five thousand per month " the words, figures and letters " the 1st July 2009, at the rate of rupees seven thousand five hundred per month " shall be substituted.

CHAPTER VI

AMENDMENT TO THE LEADERS OF OPPOSITION IN MAHARASHTRA LEGISLATURE SALARIES AND ALLOWANCES ACT, 1978.

Amendment of section 10A of Mah. VIII of 1978. **9.** In section 10A of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978, for the letters and figures " Rs. 7,000 " the letters and figures " Rs. 8,000 " shall be substituted. Mah. VIII of 1978.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक १५(२)

शनिवार, एप्रिल ३०, २०११/वैशाख १०, शके १९३३

| पृष्ठे २, किंमत : रुपये १४.००

असाधारण क्रमांक ६०

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislature Members' Pension (Amendment) Act, 2011 (Mah. Act No. XXIII of 2011), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

H. B. PATEL,
Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXIII OF 2011.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 30th April 2011).

An Act further to amend the Maharashtra Legislature Members' Pension Act, 1976.

WHEREAS it is expedient further to amend the Maharashtra Legislature Members' Pension Act, 1976, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-second Year of the Republic of India as follows:—

1. This Act may be called the Maharashtra Legislature Members' Pension (Amendment) Act, 2011.

Amendment of section 3 of Mah. I of 1977. 2. In section 3 of the Maharashtra Legislature Members' Pension Act, 1976 (hereinafter referred to as "the principal Act"), in sub-section (1), for the words "fifteen thousand rupees" the words "twenty-five thousand rupees" shall be substituted, with effect from the 1st May 2011. Mah. I of 1977.

Amendment of section 4 of Mah. I of 1977. 3. In section 4 of the principal Act, to sub-section (1), the following proviso shall be inserted and shall be deemed always to have been inserted, namely:—

"Provided that, where the salary payable to such person for holding such office or being such member or so employed, or where the remuneration referred to in clause (c) paid to such person, is, in either case, less than the pension payable to him under section 3, such person shall be entitled only to receive the balance of pension under that section."

Amendment of section 4A of Mah. I of 1977. 4. In section 4A of the principal Act, after sub-section (2C), the following sub-section shall be inserted, namely:—

"(2D) Notwithstanding anything contained in sub-sections (1), (2), (2A), (2B) and (2C), but subject to the provisions of sub-section (3), there shall be paid a pension, to the widow or widower of the member of the State Legislature or where the widow or widower of such deceased member is survived by minor child or children, to such minor child or children, with effect from the 1st May 2011, at the rate of rupees twenty-five thousand per month."