

## THE MAHARASHTRA MINISTERS' SALARIES AND ALLOWANCES ACT

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25. Amended by Mah. 32 of 1999 (1-5-1999)
26. Amended by Mah. 8 of 2001 (8-1-2001)
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28. Amended by Mah. 30 of 2005 (1-4-2005)

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<sup>1</sup> Maharashtra Ordinance No. XV of 1969 was repealed by Mah. 50 of 1969.

<sup>2</sup> Mah. 48 of 1981, except sections 5, 7 and 9 came into force on the 1<sup>st</sup> 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 18<sup>th</sup> September 1981.

<sup>3</sup> Mah. 72 of 1981, except sections 5 and 9 came into force on 1<sup>st</sup> April 1981. Remaining sections came into force on the 29<sup>th</sup> December 1981. i.e. the date of publication of the Act in the *Official Gazette*.

<sup>4</sup> Mah. 1 of 1986, except sections 1, 2 and 3 came into force on the 1<sup>st</sup> August 1985. Sections 1, 2 and 3 came into force on the 28<sup>th</sup> January 1986.

<sup>5</sup> Mah. 4 of 1991, except section 4 came into force on the 1<sup>st</sup> August 1985. Sections 1, 2 and 3 came into force on the 28<sup>th</sup> January 1986.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

29. Amended by Mah. 18 of 2009 (1-7-2009)
30. Amended by Mah. 32 of 2010 (1-4-2010)
31. Amended by Mah. 11 of 2013 (1-4-2013)
32. Amended by Mah. 32 of 2016 (24-8-2016)
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34. Amended by Mah. 44 of 2022 (1-4-2022)

**ACT No. XLVIII OF 1956<sup>1</sup>****[THE MAHARASHTRA MINISTERS' SALARIES AND ALLOWANCES ACT.]**

[This Act received the assent of the Governor on the 30<sup>th</sup> November 1956; assent was first published in the *Bombay Government Gazette*, Part IV, on the 30<sup>th</sup> November 1956.]

**An Act to provide for the salaries and allowances of the Ministers of <sup>2</sup>[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 <sup>3</sup>[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. Short title and commencement.**— <sup>4</sup>[(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 1<sup>st</sup> day of November 1956.

**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 or any local authority and the provision of electricity, gas and water ;

(b) <sup>5</sup>['Minister', 'Minister of State' and 'Deputy Minister' means respectively a Minister, a Minister of State and a Deputy Minister] of the <sup>6</sup>[Government of Maharashtra], and “Minister” includes the Chief Minister <sup>7</sup>[and the Deputy Chief Minister];

(c) “residence” includes the staff quarters and other buildings appurtenant thereto, and the gardens thereof ;

(d) “rules or orders” means rules or orders respectively made under this Act.

<sup>8</sup>**[3. Salaries of Ministers and Minister of State.**— (1) Save as otherwise provided in this Act, there shall be paid to the Minister, during the term of his office, the salary equivalent to <sup>9</sup>[the basic pay and dearness allowance] admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time.

(2) Save as otherwise provided in this Act, there shall be paid to the Minister of State, during the term of his office, the salary equivalent to <sup>10</sup>[the basic pay and dearness allowance] admissible to the Additional Chief Secretary to the Government of Maharashtra and as revised, from time to time.]

**4. Residences of <sup>11</sup>[Ministers and Ministers of State].**— (1) Each <sup>12</sup>[Minister and Minister of State] 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 <sup>13</sup>[<sup>14</sup>[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 State Government).]

<sup>1</sup> For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1956, Part V, Page 350.

<sup>2</sup> These words were substituted for the words “ the Government of Bombay ” by Mah. 15 of 1980, Schedule.

<sup>3</sup> These words were substituted for the words “ the Government of Bombay ” by Mah. 15 of 1980, Schedule.

<sup>4</sup> Sub-section (1) was substituted, by Mah.15 of 1980, Schedule.

<sup>5</sup> These words were substituted for the words “ Minister ” and “ Deputy Minister ” means respectively a “Minister” and a “Deputy Minister” by Mah. 50 of 1969, s. 2.

<sup>6</sup> These words were substituted for the words “Government of Bombay” by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

<sup>7</sup> These words were inserted by Mah. 9 of 1978, s. 2.

<sup>8</sup> This section was substituted by Mah. 32 of 2016, s. 6.

<sup>9</sup> These words were substituted for the words “the basic pay and dearness allowances and other allowances” by Mah. 17 of 2017, s. 6(1), w.e.f. 24.08.2016.

<sup>10</sup> These words were substituted for the words “the basic pay and dearness allowances and other allowances” by Mah. 17 of 2017, s. 6(2), w.e.f. 24.08.2016.

<sup>11</sup> These words were substituted for the word “Minister” by Mah. 50 of 1969, s. 4 (2).

<sup>12</sup> These words were substituted for the word “the Ministers” by Mah. 50 of 1969, 4(1).

<sup>13</sup> This portion was substituted for the letters, figures and words “Rs. 250 per month” by Mah. 4 of 1989, s.6(a).

<sup>14</sup> These letters and figures were substituted for the letters and figures “Rs. 2500” by Mah. 32 of 2010, s.11.

(2) No charge shall fall on the <sup>1</sup>[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.

<sup>2</sup>[(4) Where a house allowance and other sum are payable under sub-section (1) to the Minister or 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.]

**5. Conveyances for Ministers <sup>3</sup>[and Ministers of State].—** (1) The State Government may, from time to time, for the use of <sup>4</sup>[the Ministers and Ministers of State] 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. <sup>5</sup>[The State Government may also provide free of charge the services of a chauffeur for each motor car or conveyance so provided.]

<sup>6</sup>[\* \*]

**6. Salaries of Deputy Ministers.**—There shall be paid to each Deputy Minister <sup>7</sup>[of salary of <sup>8</sup>[Rs. 2,100] per month.]

**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 <sup>9</sup>[<sup>10</sup>[Rs. 10,000]per month and in addition a sum equal to the electricity charges and water charges, if 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.

<sup>11</sup>[(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.]

<sup>12</sup>**[8. Conveyance for Deputy Minister.**— (1) The State Government may, from time to time, for use of the Deputy Ministers 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. <sup>13</sup>[The State Government may also provide free of charge the services of a chauffeur for each motor car or conveyance so provided.]

<sup>14</sup> [\* \*]

<sup>15</sup> [\* \* \*]

<sup>1</sup> These words were substituted for the word "Minister" by Mah. 50 of 1969, s. 4 (1).

<sup>2</sup> Sub-section (4) was added by Mah. 4 of 1989, s.6(b).

<sup>3</sup> These words were added by Mah. 50 of 1969, s. 5(3).

<sup>4</sup> These words were substituted for the word "the Ministers" by Mah. 50 of 1969, 5(1)(a).

<sup>5</sup> These words were added by Mah. 50 of 1969, 5(1)(b).

<sup>6</sup> Sub-section (2) was deleted by Mah. 17 of 2017, s. 7.

<sup>7</sup> This portion was substituted for the portion "a salary of Rs. 750 per month" by Mah. 50 of 1969, s. 6.

<sup>8</sup> These letters and figures were substituted for the letters and figures "Rs. 1,600" by Mah. 32 of 1999, s. 6.

<sup>9</sup> This portion was substituted for the letters, figures and words "Rs. 150 per month" by Mah. 4 of 1989, s. 7(a).

<sup>10</sup> These letters and figures were substituted for the letters and figures " Rs. 2,500 " by Mah. 32 of 2010, s. 12.

<sup>11</sup> Sub-section (4) was added by Mah. 4 of 1989, s. 7(b).

<sup>12</sup> Section 8 was substituted for the original by Bom. 16 of 1962, s. 2.

<sup>13</sup> These words were added by Mah. 50 of 1969, s. 7.

<sup>14</sup> Sub-section (2) was deleted by Mah. 32 of 2016, s. 7.

<sup>15</sup> Section 8A was deleted by Mah. 32 of 2016, s. 8.

<sup>1</sup>[**9. Travelling and daily allowances and residential accommodation at places other than headquarters.**— Subject to any rules made in this behalf by the State Government <sup>2</sup>[a Minister or Minister of State or Deputy Minister] shall be entitled to—

(a) travelling allowance for himself and 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 allowance 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 purpose of this section.]

**10. Medical attendance.**—Subject to rules or orders made by the State Government <sup>3</sup>[a Minister, a Minister of State and a Deputy Minister] and the members or the family of <sup>4</sup>[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, brother or sister.

<sup>5</sup>[**10A. Telephone facilities to Ministers.**— (1) Every <sup>6</sup>[Minister, Minister of State and Deputy Minister] 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 <sup>7</sup>[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 <sup>8</sup>[Minister, Minister of State and Deputy Minister] a sum of <sup>9</sup>[Rs. 12,000] per month from the month in which telephone facility has been provided under this section.

<sup>10</sup>[(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 <sup>11</sup>[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 Minister, Minister of State or Deputy Minister, as the case may be, 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.] ]

<sup>1</sup> Section 9 was substituted for the original by Mah. 7 of 1960, s. 2.

<sup>2</sup> These words were substituted for the words “a Minister or Deputy Minister” by Mah. 50 of 1969, s. 8.

<sup>3</sup> These words were substituted for the words “a Minister and a Deputy Minister” by Mah. 50 of 1969, s. 9.

<sup>4</sup> These words were substituted for the words “the Minister”, by Mah. 50 of 1969, s. 9.

<sup>5</sup> Section 10A was inserted by Mah. 41 of 1975, s. 3.

<sup>6</sup> These words were substituted for the words “Minister and Minister of State” by Mah. 17 of 1976, s. 2(1).

<sup>7</sup> These words were substituted for the words “Minister or Minister of State” by Mah. 17 of 1976, s. 2(2).

<sup>8</sup> These words were substituted for the words “Minister and Minister of State”, by Mah. 17 of 1976, s. 2(3).

<sup>9</sup> These letters and figures were substituted for the letters and figures “Rs. 8,000” by Mah. 32 of 2010, s. 14(a).

<sup>10</sup> Sub-section (4) was substituted by Mah. 4 of 1989, s. 8.

<sup>11</sup> These letters and figures were substituted for the letters and figures “Rs. 8,000” by Mah. 32 of 2010, s. 14(b).

<sup>1</sup>[10B. **Free transit by railway, steamer.**— (1) Every Minister, Minister of State and Deputy Minister shall <sup>2</sup>\*\*\* be provided with facilities, which shall entitle him at any time to travel singly by, <sup>3</sup>[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 <sup>4</sup>[or companion], so however, that the distance so travelled by the member outside the State, and by the members of his family <sup>5</sup>[or companion] whether within or outside the State, in any financial year does not in the aggregate exceeds <sup>6</sup>[fifty thousand kilometers.]

*Explanation.*— For the purpose of calculating the maximum limit of <sup>7</sup>[fifty thousand kilometers] for travelling, the number of kilometers travelled by the Minister, Minister of State or Deputy Minister, as the case may be, outside the State and the number of kilometers travelled by the members of his family <sup>8</sup>[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, Minister of State or Deputy Minister, either singly or jointly with his spouse, or with his minor children or jointly with his spouse and minor children <sup>9</sup>[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 <sup>10</sup>[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 <sup>11</sup>[journey by air-conditioned two-tier by railway]. In such cases, the difference between the fare for journey by air and the fare for <sup>12</sup>[journey by air-conditioned two-tier 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 <sup>13</sup>[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 <sup>14</sup>[fifty thousand kilometers] for travelling to claim the fare for journey by steamer or road transport if it is less than fare for <sup>15</sup>[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 <sup>16</sup>[journey by air-conditioned two-tier by railway] for the same distance, to claim the fare for <sup>17</sup>[journey by air-conditioned two-tier by railway] for the same distance, and he shall have to bear the difference between 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) <sup>18</sup>[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].

<sup>1</sup> Section 10B was substituted by Mah. 72 of 1981, s. 5.

<sup>2</sup> The words, figures and letters “with effect from the 1<sup>st</sup> April 1981” were deleted by Mah. 4 of 1991, s. 4 (a)(i).

<sup>3</sup> These words were substituted for the words “first class” by Mah. 4 of 1991, s. 4(a) (ii).

<sup>4</sup> These words were inserted by Mah. 8 of 2001, s. 3(a)(ii).

<sup>5</sup> These words were inserted by Mah. 8 of 2001, s. 3(a)(i).

<sup>6</sup> These words were substituted for the words “thirty thousand kilometres” by Mah. 32 of 2010, s. 15.

<sup>7</sup> These words were substituted for the words “thirty thousand kilometres” by Mah. 32 of 2010, s. 15.

<sup>8</sup> These words were inserted by Mah. 8 of 2001, s. 3(a)(ii).

<sup>9</sup> These words were inserted by Mah. 8 of 2001, s. 3(b)(i).

<sup>10</sup> These words were substituted for the words “thirty thousand kilometres” by Mah. 32 of 2010, s. 15.

<sup>11</sup> These words were substituted for the words “journey by first class by railway” by Mah. 11 of 2013, s. 4(i).

<sup>12</sup> These words were substituted for the words “journey by first class by railway” by Mah. 11 of 2013, s. 4(i).

<sup>13</sup> These words were inserted by Mah. 8 of 2001, s. 3(b)(ii).

<sup>14</sup> These words were substituted for the words “thirty thousand kilometres” by Mah. 32 of 2010, s. 15.

<sup>15</sup> These words were substituted for the words “journey by first class by railway” by Mah. 11 of 2013, s. 2(ii).

<sup>16</sup> These words were substituted for the words “journey by first class by railway” by Mah. 11 of 2013, s. 2(ii).

<sup>17</sup> These words were substituted for the words “journey by first class by railway” by Mah. 11 of 2013, s. 2(ii).

<sup>18</sup> These words were inserted by Mah. 8 of 2001, s. 3(c).



<sup>1</sup>[10C. **Facilities of a personal assistant** <sup>2</sup>[and computer operator].—<sup>3</sup>[(1)] Every Minister, Minister of State and Deputy Minister shall be entitled, free of charge, to the service 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 <sup>4</sup>[per month as may be specified by order issued by the State Government.]

<sup>5</sup>[(2) There shall be paid to every Minister, Minister of State and Deputy Minister a sum of Rs. 10,000 per month for availing the services of computer operator.]

**11. Sumptuary allowance to Chief Minister.**—There shall be placed at the disposal of the Chief Minister a sum of <sup>6</sup>[ten lakh rupees] per year as sumptuary allowance.

**12. <sup>7</sup>[Ministers, Ministers of State and] Deputy Minister not entitled to salaries and allowances as member 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, <sup>8</sup>[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 a member of the <sup>9</sup>[Maharashtra Legislative Assembly] or the <sup>10</sup>[Maharashtra Legislative Council].

**13. <sup>11</sup>[Ministers of State and Deputy Ministers] 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 member of the <sup>12</sup>[Maharashtra Legislative Assembly] or the <sup>13</sup>[Maharashtra Legislative Council] merely by reason of the fact that he holds the <sup>14</sup>[office of a Minister of State or of a Deputy Minister].

**14. Power of State Government to make rules and orders.**—(1) The State Government may make rules or orders for carrying out the purposes of this Act.

(2) Any rule or order made under this section may be made so as to be retrospective to any date not earlier than the 1<sup>st</sup> 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 (Bom. VII of 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 1<sup>st</sup> day of November 1956 in or in relation to any territories which after that date form part of the new <sup>15</sup>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 that Act.

<sup>1</sup> Section 10C was inserted by Mah. 48 of 1981, s. 7 which came into force on the 18<sup>th</sup> September 1981.

<sup>2</sup> These words were added by Mah. 32 of 2016, s. 9(c).

<sup>3</sup> Section 10C was renumbered as sub-section (1) thereof by Mah. 32 of 2016, s. 9.

<sup>4</sup> These words were substituted for the words, letters and figures “ of Rs. 25,000 per month from the State Government” by Mah. 44 of 2022, s. 3.

<sup>5</sup> Sub-section (2) was inserted by Mah. 32 of 2016, s. 9(b).

<sup>6</sup> These words were substituted for the letters and figures “Rs. 6,00,000” by Mah. 4 of 1989, s. 9.

<sup>7</sup> These words were substituted for the words “Minister and” by Mah. 50 of 1969, s. 10(2).

<sup>8</sup> These words were substituted for the words “ a Minister or a Deputy Minister ” by Mah. 50 of 1969, s. 10(1).

<sup>9</sup> These words were substituted for the words “Bombay Legislative Assembly” by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

<sup>10</sup> These words were substituted for the words “Bombay Legislative Council”, by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

<sup>11</sup> These words were substituted for words “Deputy Minister”, by Mah. 50 of 1969, s. 11(2).

<sup>12</sup> These words were substituted for the words “ a Minister or a Deputy Minister ” by Mah. 50 of 1969, s. 10(1).

<sup>13</sup> These words were substituted for the words “Bombay Legislative Council”, by the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.

<sup>14</sup> These words were substituted for the words “ officer of a Deputy Minister ”, by Mah. 50 of 1969, s. 11(1).

<sup>15</sup> The words “State of Bombay” shall stand unmodified *vide* the Maharashtra Adaptation of Laws (State and Concurrent Subjects) Order, 1960.