



The Leaders of Opposition in Maharashtra Legislature Salaries and
Allowances Act, 1978

Act 8 of 1978

Keyword(s):

Leaders of the Opposition, Salaries, Allowances, MLA

Amendments appended: 18 of 2009, 32 of 2010, 32 of 2016, 17 of 2017

DISCLAIMER: This document is being furnished to you for your information by PRS Legislative Research (PRS). The contents of this document have been obtained from sources PRS believes to be reliable. These contents have not been independently verified, and PRS makes no representation or warranty as to the accuracy, completeness or correctness. In some cases the Principal Act and/or Amendment Act may not be available. Principal Acts may or may not include subsequent amendments. For authoritative text, please contact the relevant state department concerned or refer to the latest government publication or the gazette notification. Any person using this material should take their own professional and legal advice before acting on any information contained in this document. PRS or any persons connected with it do not accept any liability arising from the use of this document. PRS or any persons connected with it shall not be in any way responsible for any loss, damage, or distress to any person on account of any action taken or not taken on the basis of this document.

MAHARASHTRA ACT No. VIII OF 1978¹

(THE LEADERS OF OPPOSITION IN MAHARASHTRA LEGISLATURE SALARIES AND ALLOWANCES ACT, 1978]

Amended by Mah.	30 of 1981 (1-4-1981). *
" " "	48 of 1981 £
" " "	72 of 1981 (1-4-1981). *££
" " "	10 of 1982 (1-2-1982). *
" " "	3 of 1986 @(1-8-1985). *
" " "	24 of 1987 (1-8-1987). *
" " "	4 of 1989 (1-7-1988). *
" " "	6 of 1991 @@(2-1-1991). *
" " "	5 of 1994 (1-8-1993). *
" " "	10 of 1997 (1-1-1997)*

An Act to provide for salaries and allowances of Leaders of Opposition in Maharashtra State Legislature.

WHEREAS, it is expedient to provide for determination of the salaries and allowances of the Leaders of the Opposition in the Maharashtra State Legislature and for certain other matters hereinafter appearing; It is hereby enacted in the Twenty-ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978. Short title and commencement.
- (2) It shall, be deemed to have come into force on the 27th March 1978.

2. In this Act, "Leader of the Opposition" in relation to either House of the State Legislature, means that member of the State Legislature Assembly or the State Legislature Council as the case may be who is for the time being the Leader in that House of the party in opposition to the State Government having the greatest numerical strength and recognised as such by the Speaker of the Assembly or the Chairman of the Council as the case may be. Definition.

Explanation.—Where there are two or more parties in opposition to the State Government in the Assembly or in the Council having the same numerical strength, the Speaker of the Assembly or the Chairman of the Council as the case may be shall, having regard to the status of the parties, recognise any one of the Leaders of such parties as the Leader of the Opposition for the purposes of this Act, and such recognition shall be final and conclusive.

3. There shall be paid to each Leader of the Opposition a salary of ²[Rs. 2,000] per month. Salary of Leaders of Opposition.

¹ For Statement of Objects and Reasons, see *Maharashtra Government Gazette*, 1978, Part V. Extra, p. 46.

² These letter and figures were substituted for the letters and figures "Rs. 1,800" by Mah. 24 of 1987, s. 2.

* This indicates the date of commencement of Act.

£Mah. 48 of 1981 except sections 5, 7 and 9 came into force on the 1st April 1981, Section 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.

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

@Mah. 3 of 1986, except sections 1 and 2 came into force on 1st August 1985, sections 1 and 2 came into force on the date of publication of the Act in the *Official Gazette*, i. e., 28th January 1986.

@@Sections 2, 4 and 5 of this Act came into force on the 1st day of June 1990 and section 3 came into force on the 20th May 1987.

Sitting allowance to Leaders of Opposition. 1[3A. Each Leader of Opposition shall be entitled to a sitting allowance at the rate of 2[Rs. 150] per day throughout his term of office as such Leader of Opposition.]

Residence of Leaders of Opposition. 4. (1) Each Leader of the Opposition shall, so long as he continues as such Leader and for a period of fifteen days immediately thereafter, be entitled, without payment of rent, to the use of a furnished residence in Bombay, or in lieu of such residence a house allowance at the rate of 3[Rs. 2,500 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 Leader of the Opposition personally in respect of the maintenance of and residence provide 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[(4) Where a house allowance and other sum are payable under sub-section (1) to a Leader of the Opposition, then, save as otherwise provided by or under this Act, the State Government shall not incur any expenditures, or the Leader of the Opposition shall not be entitled to any payment for, additions, alterations, maintenance, repairs or for doing anything whatsoever in respect of his place of residence.]

Conveyances for Leaders of Opposition. 5. (1) The State Government may from time to time for the use of each Leader of the Opposition, purchase and provide a motor car and other suitable conveyances upon such conditions as regards its 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 the car or conveyance so provided.

(2) There shall be paid to each Leader of the Opposition a conveyance allowance at 5[such rate per month as may be prescribed by rules made in that behalf.]

Travelling and daily allowance and residential accommodation at places other than head-quarters. 6. Subject to any rules or orders made in this behalf by the State Government, each Leader of the Opposition 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 undertaken by him in the discharge of his duties as the Leader of the Opposition, and suitable residential accommodation at places visited by him on such tours.

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

¹ Section 3A was inserted by Mah. 24 of 1987, s. 3.

² These letters and figures were substituted for the letters and figures "Rs. 100" by Mah. 6 of 1991, s. 2.

³ These words were substituted for the words and figures "Rs. 250 per month" by Mah. 4 of 1989, s. 10(a).

⁴ Sub-section (4) was added by Mah. 4 of 1989, s. 4(b).

⁵ These words were substituted for letters and figures "to rate of at Rs. 1,000 per month" by Mah. 3 of 1986, s. 2.

kilometres for]travelling, to claim travelling allowance as if he or both or all of them, as the case may be, had undertaken the ¹[journey by first class by railway]. In such cases, the difference between the fare for journey by air and the fare for ¹[journey by first class by railway] will have to be borne by the Leader of the Opposition.

(b) Where a Leader of the Opposition, either singly or jointly with the members of his family 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 ²[thirty thousand kilometres] of travelling, to claim the fare for journey by steamer or road transport if it is less than the fare for ¹[journey by 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 ¹[journey by first class by railway] for the same distance, to claim the fare for ¹[journey by first class by] railway for the distance, and he shall have to bear the difference between the two fares.

(3) In this section, where facilities are given to a Leader of the Opposition to travel jointly with the spouse (with or without minor children), then in the case of a lady Leader of Opposition, 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 8.]

8. Subject to any rules or orders made by the State Government, a Leader of the Opposition and the members of his family who are residing with and dependant ^{attendance} 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.

9. (1) Each Leader of the Opposition shall during the term of his office be ^{Telephone facilities} 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 Leader of the Opposition 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 each Leader of the Opposition a sum of ³[Rs. 4,500] per month, from the month in which telephone facility has been provided under this section.

⁴[(4) Where a Leader of the Opposition 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 him a sum of ⁵[Rs. 4,500] per month in respect to such telephone;

¹ These words were substituted for the words “first class” by Mah. 6 of 1991, s. 3(b).

² These words were substituted for the words “twenty thousand kilometres” by Mah. 24 of 1987 s. 4.

³ These letter and figures were substituted for the letters and figures “Rs. 4,000” by Mah. 10 of 1997, s. 8(a), with effect from 1st January 1997.

⁴ Sub-section (4) was substituted by Mah. 4 of 1989, s. 11.

⁵ These letters and figures were substituted for the letters and figures “Rs. 4,000” by Mah. 10 of 1997, s. 8(b), with effect from 1st January 1997.

(b) the charges in respect of official calls made from such telephone shall also be borne by the State Government if he 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.]

Secretariat facilities. **10.** There shall be placed at the disposal of each Leader of the Opposition such staff as may be determined by rules or orders made in that behalf.

Facility of a personal assistant. ¹**10A.** Each Leader of the Opposition shall be entitled, free of charge, to the services of a personal assistant. For this purpose, each Leader of Opposition may appoint any person, possessing such qualifications 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 ²[Rs. 2,500] per month from the State Government].

Leaders of Opposition not to draw salary and allowances etc. as members of State Legislature. **11.** Notwithstanding anything contained in any law for the time being in force determining the salaries and allowances of the members of the State Legislature, a Leader of the Opposition shall not be entitled to receive any salary or allowances or other facilities under such law although he is member of the Assembly or the Council, as the case may be.

Leaders of Opposition not disqualified. **12.** 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 State Legislative Assembly or the State Legislative Council merely by reason of the fact that he holds the office of a Leader of the Opposition.

Power of State Government of make rules and orders. **13.** (1) Without prejudice to any power to make rules or orders contained elsewhere in this Act, the State Government may make any rules or orders for carrying out the purposes of this Act.

(2) Any rule or order under this Act may be made so as to be retrospective to any date not earlier than the date of commencement of this Act.

(3) All rules or orders made under this Act shall have effect as if enacted in the Act.

14. [Amendment of Bom. XLIX of 1956] *Amendments have been incorporated in the principal Act.*

¹ Section 10A was inserted by Mah. 48 of 1981, s. 9.

² These letters and figures were substituted for the letters and figures " Rs. 2,000 " by Mah. 5 of 1997, s. 9, with effect from 1st January 1997.



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

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 :—

CHAPTER I

PRELIMINARY.

Short title and commencement.

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 २, अंक ४७(४) मंगळवार, डिसेंबर २१, २०१०/अग्रहायण ३०, शके १९३२ [पृष्ठे ६, किंमत : रुपये १९.००]

असाधारण क्रमांक ९५

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 Legislative Members' Salaries and Allowances and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Act, 2010 (Mah. Act No. XXXII of 2010), 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. XXXII OF 2010.

(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette", on the 21st December, 2010).

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 and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978.

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 and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978, for the purposes hereinafter appearing; it is hereby enacted in the Sixty-first Year of the Republic of India as follows :—

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

CHAPTER I

PRELIMINARY

Short title and commencement. 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 and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Act, 2010.

(2) It shall be deemed to have come into force on the 1st April 2010.

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 3 of Bom. XLVII of 1956. 2. In section 3 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 Speaker and Deputy Speaker Salaries and Allowances Act"), for the letters and figures "Rs. 5,000" the letters and figures "Rs. 10,000" shall be substituted.

Bom.
XLVII
of
1956.

Amendment of section 4 of Bom. XLVII of 1956. 3. In section 4 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, in sub-section (1), for the letters and figures "Rs. 2,500" the letters and figures "Rs. 10,000" shall be substituted.

4. In section 7A of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act,—

(a) in sub-section (3), for the letters and figures "Rs. 8,000" the letters and figures "Rs. 12,000" shall be substituted;

(b) in sub-section (4), in clause (a), for the letters and figures "Rs. 8,000" the letters and figures "Rs. 12,000" shall be substituted.

Amendment of section 7A of Bom. XLVII of 1956.

5. Throughout section 8 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, for the words "thirty thousand kilometers", wherever they occur, the words "fifty thousand kilometers" shall be substituted.

Amendment of section 8 of Bom. XLVII of 1956.

6. In section 10 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, for the letters and figures "Rs. 4,600" the letters and figures "Rs. 9,200" shall be substituted.

Amendment of section 10 of Bom. XLVII of 1956.

7. After section 10 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, the following section shall be inserted, namely:—

Insertion of section 10-1A in Bom. XLVII of 1956.

"10-1A. 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*."

Sumptuary allowance to Deputy Chairman and Deputy Speaker.

8. In section 10A of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, for the letters and figures "Rs. 200" the letters and figures "Rs. 500" shall be substituted.

Amendment of section 10A of Bom. XLVII of 1956.

9. In section 11 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, for the letters and figures "Rs. 2,500" the letters and figures "Rs. 10,000" shall be substituted.

Amendment of section 11 of Bom. XLVII of 1956.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MINISTERS' SALARIES AND ALLOWANCES ACT.

Bom. XLVII of 1956. 10. In section 3 of the Maharashtra Ministers' Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Ministers' Salaries and Allowances Act"),—

Amendment of section 3 of Bom. XLVIII of 1956.

(a) for the letters and figures "Rs. 5,000" the letters and figures "Rs. 10,000" shall be substituted;

(b) for the letters and figures "Rs. 4,600" the letters and figures "Rs. 9,200" shall be substituted.

- Amendment of section 4 of Bom. XLVIII of 1956. 11. In section 4 of the Ministers' Salaries and Allowances Act, in sub-section (1) for the letters and figures "Rs. 2,500" the letters and figures "Rs. 10,000" shall be substituted.
- Amendment of section 7 of Bom. XLVIII of 1956. 12. In section 7 of the Ministers' Salaries and Allowances Act, in sub-section (1), for the letters and figures "Rs. 2,500" the letters and figures "Rs. 10,000" shall be substituted.
- Amendment of section 8A of Bom. XLVIII of 1956. 13. In section 8A of the Ministers' Salaries and Allowances Act, for the letters and figures "Rs. 200" the letters and figures "Rs. 500" shall be substituted.
- Amendment of section 10A of Bom. XLVIII of 1956. 14. In section 10A of the Ministers' Salaries and Allowances Act,—
 (a) in sub-section (3), for the letters and figures "Rs. 8,000" the letters and figures "Rs. 12,000" shall be substituted;
 (b) in sub-section (4), in clause (a), for the letters and figures "Rs. 8,000" the letters and figures "Rs. 12,000" shall be substituted.
- Amendment of section 10B of Bom. XLVIII of 1956. 15. Throughout section 10B of the Ministers' Salaries and Allowances Act, for the words "thirty thousand kilometers", wherever they occur, the words "fifty thousand kilometers" shall be substituted.

CHAPTER IV

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

- Amendment of section 3 of Bom. XLIX of 1956. 16. In section 3 of the Maharashtra Legislature Members' Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Legislature Members' Salaries and Allowances Act"),—
 (a) in sub-section (1), for the letters and figures "Rs. 2,000" the letters and figures "Rs. 8,000" shall be substituted;
 (b) in sub-section (2), for the letters and figures "Rs. 1,500" the letters and figures "Rs. 3,000" shall be substituted.
- Amendment of section 4 of Bom. XLIX of 1956. 17. In section 4 of the Legislature Members' Salaries and Allowances Act, for the letters and figures "Rs. 500" the letters and figures "Rs. 1,000" shall be substituted.

18. In section 5 of the Legislature Members' Salaries and Allowances Act, for sub-section (1A), the following sub-section shall be substituted, namely:—

Amendment of section 5 of Bom. XLIX of 1956.

“(1A) Notwithstanding anything contained in sub-section(1), any member may undertake or perform journey by air from any airport to any cities or towns or from any cities or towns to any airport, within the State, total thirty-two single journeys; and journey from any airport within the State to any airport situated out of the State within the territory of India, total eight single journeys during the entire period of a year.

Explanation.—For the purposes of this sub-section, the term “any airport within the State” shall include such airport situated out of the State, which is nearest from his place of residence.”

19. In section 6 of the Legislature Members' Salaries and Allowances Act,—

Amendment of section 6 of Bom. XLIX of 1956.

(a) in sub-section (4), for the letters and figures “Rs. 25,000” the letters and figures “Rs. 46,000” shall be substituted;

(b) in sub-section (5), for the letters and figures “Rs. 7,500” the letters and figures “Rs. 10,000” shall be substituted.

CHAPTER V

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

Mah. VIII of 1978. 20. In section 3 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978 (hereinafter, in this Chapter, referred to as “the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act”), for the letters and figures “Rs. 5,000” the letters and figures “Rs.10,000” shall be substituted.

Amendment of section 3 of Mah. VIII of 1978.

21. In section 3A of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, for the letters and figures “Rs. 200” the letters and figures “Rs. 500” shall be substituted.

Amendment of section 3A of Mah. VIII of 1978.

22. In section 4 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, in sub-section (1), for the letters and figures “Rs. 2,500” the letters and figures “Rs. 10,000” shall be substituted.

Amendment of section 4 of Mah. VIII of 1978.

Insertion of section 4A in Mah. VIII of 1978. **23.** After section 4 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, the following section shall be inserted, namely:—

Sumptuary allowance to Leaders of Opposition. **“4A.** There shall be placed at the disposal of each Leader of Opposition, a sumptuary allowance of three lakh rupees *per annum.*”.

Amendment of section 7 of Mah. VIII of 1978. **24.** Throughout section 7 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, for the words “thirty thousand kilometers”, wherever they occur, the words “fifty thousand kilometers” shall be substituted.

Amendment of section 9 of Mah. VIII of 1978. **25.** In section 9 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act,—

(a) in sub-section (3), for the letters and figures “Rs. 8,000” the letters and figures “Rs. 12,000” shall be substituted;

(b) in sub-section (4), in clause (a), for the letters and figures “Rs. 8,000” the letters and figures “Rs.12,000” shall be substituted.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष २, अंक ५८(२)]

बुधवार, ऑगस्ट २४, २०१६/भाद्र २, शके १९३८

[पृष्ठे ५, किंमत : रुपये २७.००

असाधारण क्रमांक ९३

प्राधिकृत प्रकाशन

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 Legislative Council (Chairman and Deputy Chairman) and the 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, 2016 (Mah. Act No. XXXII of 2016), is hereby published under the authority of the Governor.

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

PRAKASH H. MALI,
Principal Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XXXII OF 2016.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 24th August 2016).

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.

XLVII of 1956. WHEREAS it is expedient further to amend the Maharashtra Legislative
XLVIII of 1956. Council (Chairman and Deputy Chairman) and Maharashtra Legislative
XLIX of 1956. Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, the
Mah. I of 1977. Maharashtra Ministers' Salaries and Allowances Act, the Maharashtra
Mah. VIII of 1978. 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 Sixty-seventh Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

Short title. **1.** This Act may be called the Maharashtra Legislative Council (Chairman and Deputy Chairman) and the 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, 2016.

CHAPTER II

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

- Substitution of section 3 of XLVII of 1956. **2.** For section 3 of the Maharashtra Legislative Council (Chairman and Deputy Chairman) and the Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act"), the following section shall be substituted, namely"—
- Salaries of Chairman and Speaker. **"3.** 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 and other allowances admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time."
- Amendment of section 5 of XLVII of 1956. **3.** In section 5 of the Legislative Council Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, sub-section (2) shall be deleted.
- Amendment of section 10 of XLVII of 1956. **4.** For section 10 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, the following section shall be substituted, namely:-
- Salaries of Deputy Chairman and Deputy Speaker. **"10.** 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 and other allowances admissible to the Additional Chief Secretary to the Government of Maharashtra and as revised, from time to time."
- Amendment of section 12B of XLVII of 1956. **5.** Section 12B of the Maharashtra Legislative Council Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, shall be re-numbered as sub-section (1) thereof and,—
- (a) in sub-section (1), as so re-numbered, for the letters and figures "Rs. 15,000" the letters and figures "Rs. 25,000" shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(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.”;

(c) in the marginal note, after the words “personal assistant” the words “and a computer operator” shall be added.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MINISTERS’ SALARIES AND ALLOWANCES ACT.

- XLVIII of 1956. **6.** For section 3 of the Maharashtra Ministers’ Salaries and Allowances Act (hereinafter, in this Chapter, referred to as “the Ministers’ Salaries and Allowances Act”), the following section shall be substituted, namely”—
- Substitution of section 3 of XLVIII of 1956. Salaries of Ministers and Minister of State.
- “**3.** (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 the basic pay and dearness allowance and other allowances 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 the basic pay and dearness allowance and other allowances admissible to the Additional Chief Secretary to the Government of Maharashtra and as revised, from time to time;”.
- 7.** In section 8 of the Ministers’ Salaries and Allowances Act, sub-section (2) shall be deleted.
- Amendment of section 8 of XLVIII of 1956.
- 8.** Section 8A of the Ministers’ Salaries and Allowances Act shall be deleted.
- Deletion of section 8A of XLVIII of 1956.
- 9.** Section 10C of the Ministers’ Salaries and Allowances Act, shall be re-numbered as sub-section (1) thereof and,-
- Amendment of section 10C of XLVIII of 1956.
- (a) in sub-section (1), as so re-numbered, for the letters and figures “Rs. 15,000” the letters and figures “Rs. 25,000” shall be substituted;
- (b) after sub-section (1), the following sub-section shall be inserted, namely:-
- “(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.”;
- (c) in the marginal note, after the words “personal assistant” the words “and a computer operator” shall be added.

CHAPTER IV

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

- XLIX of 1956. **10.** In section 3 of the Maharashtra Legislature Members’ Salaries and Allowances Act (hereinafter, in this Chapter, referred to as “the Legislature Members’ Salaries and Allowances Act”).
- Amendment of section 3 of XLIX of 1956.
- भाग आठ १३-२

(a) for sub-section (1), the following sub-section shall be substituted, namely:-

“(1) Save as otherwise provided in this Act, there shall be paid to the Members, during the term of his office, the salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Principal Secretary to the Government of Maharashtra and as revised, from time to time.”;

(b) sub-section (2), shall be deleted;

(c) in the marginal note, the words “and consolidated allowances” shall be deleted.

Amendment of section 4 of XLIX of 1956.

11. In section 4 of the Legislature Members’ Salaries and Allowances Act, for the letters and figures “Rs. 1,000” the letters and figures “Rs. 2,000” shall be substituted.

Amendment of section 6 of XLIX of 1956.

12. In section 6 of the Legislature Members’ Salaries and Allowances Act,-

(a) in sub-section (3), for the letters and figures “Rs. 15,000” the letters and figures “Rs. 25,000” shall be substituted;

(b) after sub-section (3), the following sub-section shall be inserted, namely:-

“(3A) There shall be paid to every Member a sum of Rs. 10,000 per month for availing the services of computer operator.”;

(c) sub-section (4) shall be deleted.

CHAPTER V

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

Amendment of section 3 of Mah. 1 of 1977.

13. In section 3 of the Maharashtra Legislature Members’ Pension Act, 1976, in sub-section (1), for the words “forty thousand rupees” the words “fifty thousand rupees” shall be substituted.

Mah. 1 of 1977.

CHAPTER VI

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

Substitution of section 3 of Mah. VIII of 1978.

14. For section 3 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978 (hereinafter, in this Chapter, referred to as “the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act”), the following section shall be substituted, namely:—

Mah. VIII of 1978

Salary of Leader of Opposition.

“**3.** Save as otherwise provided in this Act, there shall be paid to the each Leader of Opposition, during the term of his office, the salary equivalent to the basic pay and dearness allowance and other allowances admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time.”.

Deletion of section 3A of Mah. VIII of 1978.

15. Section 3A of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act shall be deleted.

16. Section 10A of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978, shall be re-numbered as sub-section (1) thereof and,—

Amendment
of section 10A
of Mah. VIII
of 1978.

(a) in sub-section (1), as so re-numbered, for the letters and figures “Rs. 15,000” the letters and figures “Rs. 25,000” shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

(2) There shall be paid to each Leader of Opposition a sum of Rs. 10,000 per month for availing the services of computer operator.”;

(c) in the marginal note, after the words “personal assistant” the words “and a computer operator” shall be added.



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक १०(५)]

सोमवार, जानेवारी १६, २०१७/पौष २६, शके १९३८

[पृष्ठे ३ किंमत : रुपये २७.००

असाधारण क्रमांक २२

प्राधिकृत प्रकाशन

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 Legislative Council (Chairman and Deputy Chairman) and the Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Act, 2016 (Mah. Act No. XVII of 2017), is hereby published under the authority of the Governor.

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

PRAKASH H. MALI,
Principal Secretary to Government,
Law and Judiciary Department.

MAHARASHTRA ACT No. XVII OF 2017.

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 16th January 2017).

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 and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978.

XLVII of 1956. WHEREAS it is expedient further to amend the Maharashtra Legislative
XLVIII of 1956. Council (Chairman and Deputy Chairman) and Maharashtra Legislative
XLIX of 1956. Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, the
Mah. VIII of 1978. Maharashtra Ministers' Salaries and Allowances Act, the Maharashtra Legislature
Members' Salaries and Allowances Act and the Leaders of Opposition in
Maharashtra Legislature Salaries and Allowances Act, 1978, for the purposes
hereinafter appearing; it is hereby enacted in the Sixty-seventh Year of the
Republic of India as follows:-

(१)

CHAPTER I

PRELIMINARY

Short title and commencement. **1.** (1) This Act may be called the Maharashtra Legislative Council (Chairman and Deputy Chairman) and the Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Act, 2016.

(2) It shall be deemed to have come into force with effect from the 24th August 2016.

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 3 of XLVII of 1956. **2.** In section 3 of the Maharashtra Legislative Council (Chairman and Deputy Chairman) and the Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act"), for the words "the basic pay and dearness allowance and other allowances" the words "the basic pay and dearness allowance" shall be substituted. XLVII of 1956.

Amendment of section 10 of XLVII of 1956. **3.** In section 10 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, for the words "the basic pay and dearness allowance and other allowances" the words "the basic pay and dearness allowance" shall be substituted.

Deletion of section 10A of XLVII of 1956. **4.** Section 10A of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, shall be deleted.

Amendment of section 11A of XLVII of 1956. **5.** In section 11A of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, sub-section (2) shall be deleted.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MINISTERS' SALARIES AND
ALLOWANCES ACT.

Amendment of section 3 of XLVIII of 1956. **6.** In section 3 of the Maharashtra Ministers' Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Ministers' Salaries and Allowances Act"),- XLVIII of 1956.

(1) in sub-section (1), for the words "the basic pay and dearness allowance and other allowances" the words "the basic pay and dearness allowance" shall be substituted;

(2) in sub-section (2), for the words "the basic pay and dearness allowance and other allowances" the words "the basic pay and dearness allowance" shall be substituted.

Amendment of section 5 of XLVIII of 1956. **7.** In section 5 of the Ministers' Salaries and Allowances Act, sub-section (2) shall be deleted.

CHAPTER IV

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

XLIX of 1956. **8.** In section 3 of the Maharashtra Legislature Members' Salaries and Allowances Act, for sub-section (1), the following sub-section shall be substituted, namely:-

Amendment of section 3 of XLIX of 1956.

“ (1) Save as otherwise provided in this Act, there shall be paid to the Members, during the term of his office, the salary equivalent to the minimum basic pay and dearness allowance admissible to the Principal Secretary to the Government of Maharashtra and as revised, from time to time. ”.

CHAPTER V

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

Mah. VIII of 1978. **9.** In section 3 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978 (hereinafter, in this Chapter, referred to as “ the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act ”), for the words “ the basic pay and dearness allowance and other allowances ” the words “ the basic pay and dearness allowance ” shall be substituted.

Amendment of section 3 of Mah. VIII of 1978.

10. In section 5 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, sub-section (2) shall be deleted.

Amendment of section 5 of Mah. VIII of 1978.