



The Orissa Legislative Assembly Members' Salaries and Allowances Act, 1938

Act 2 of 1938

Keyword(s):

MLA Salary, MLA Allowances, Legislators, Legislative Assembly, Assembly, Member, Place of Residence, Salaries

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.

GOVERNMENT OF ORISSA.

LAW AND COMMERCE DEPARTMENT.

ORISSA ACT II OF 1938.

**THE ORISSA LEGISLATIVE ASSEMBLY
MEMBERS' SALARIES AND ALLOWANCES
ACT, 1938.**

*[The assent of the Governor to the Act was published in the
Orissa Gazette of the 18th February 1938.]*

AN ACT TO PROVIDE FOR THE SALARIES AND ALLOWANCES
OF MEMBERS OF THE ORISSA LEGISLATIVE ASSEMBLY.

WHEREAS it is provided in section 72 of the Government of India Act, 1935, that members of Provincial Legislative Assemblies shall be entitled to receive such salaries and allowances as may, from time to time, be determined by Act of the Provincial Legislature;

And whereas it is expedient that such provision should be made;

It is hereby enacted as follows:-

Short title.

1. This Act may be called the Orissa Legislative Assembly Members' Salaries and Allowances Act, 1938.

Definitions.

2. In the Act, unless the context otherwise requires,-

- (a) "Assembly" means the Orissa Legislative Assembly;
- (b) "Committee" means a Select Committee or other Committee of the Assembly and includes any Committee appointed by Government for a purpose connected with the business of the Assembly and declared by Government to be a Committee of the Assembly;
- (c) "member" means a member of the Assembly, who has taken his seat therein, other than the Speaker or

Deputy Speaker of the Assembly or a Parliamentary Secretary or a Minister chosen by the Governor under sub-section (1) of section 51 of the Government of India Act, 1935; and

(d) "place of residence" means the place where a member ordinarily resides for at least six months in the year or, if such place is outside the Province, the headquarters of his constituency or, the headquarters of the district of the Province which is nearest to the place where he resides, according as he is an elected or a nominated member.

Salaries.

3. There shall be paid to every member a salary at the rate of one hundred rupees a month.

Allowances.

4. There shall be paid to every member the following allowances at rates specified against each:-

(a) Daily allowance.- Ten rupees a day for each day of actual residence at the place where the Assembly or a Committee meets.

(b) Travelling allowances.-For the journey, each way between the member's place of residence and the place of meeting of the Assembly or a Committee-

(i) in case of a journey by railway or steamer, double the fare of the one and a half fare of the first class.

(ii) in case of a journey by road, eight annas for each mile travelled.

Power to make rules.

5. The Provincial Government may make rules for carrying out the purposes of this Act and, in particular, for determining the period during which daily and travelling allowances are to be drawn and the circumstances in which deductions from such allowances and the salary fixed under section 3 may be made.

Interpretation.

6. If any question arises as to the interpretation of this Act or of the rules made thereunder, the matter shall be referred to the Provincial Government whose decision shall be final.