

ODISHA ACT 2 OF 1938

THE ODISHA LEGISLATIVE ASSEMBLY MEMBERS' SALARIES AND  
ALLOWANCES ACT, 1937

(18<sup>th</sup> February 1938)

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

**W**HEREAS 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 this 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 seventy-five rupees a month.

Allowances.

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

(a) Daily allowance.—Two rupees and eight annas a day for each day of actual residence at the place where the Assembly or a Committee meets.

(b) Travelling allowance.—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 inter-class, and

(ii) in case of a journey by road, four 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.