

Gujarat Legislative Assembly Members Salaries And Allowances (Amendment) Act, 1968

16 of 1968

[17 September 1968]

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Gujarat Legislative Assembly Members Salaries And Allowances (Amendment) Act, 1968

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An Act further to amend the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960. It is hereby enacted in the Nineteenth Year of the Republic of India as follows:-

1. Short Title :-

This Act may be called the Gujarat Legislative Assembly Members Salaries and Allowances (Amendment) Act, 1968.

2. Amendment Of Section 2 Of Guj. 2 Of 1960 :-

Section 2 of the Gujarat Legislative Assembly Members Salaries and Allowances Act, 1960 (Guj. 2 of 1960) (hereinafter referred to as "the principal Act") shall be renumbered as sub-section (1) thereof, and (i) in sub-section (1) as so renumbered after clause (b) the following clause. shall be inserted, namely:-

"(bb) "Leader of the Opposition" means that member of the Assembly who is for the time being the leader in that Assembly of the party in opposition to the State Government having the greatest numerical strength in that Assembly;"

(ii) after sub-section (1) as so renumbered the following sub-

section shall be inserted, namely:-

"(2) If any doubt arises as to which is or was at any material time the party in opposition to the State Government having the greatest numerical strength in the Assembly, or as to who is or was at any material time the leader in that Assembly of such a party, the question shall be decided for the purpose of this Act by the Speaker, and his decision, certified in writing under his hand, shall be final and conclusive."

3. Amendment Of Section 3 Of Guj. 2 Of 1960 :-

In sub-section (1) of section 3 of the principal Act. for the words, letters and figures "at the rate of Rs. 200" the words, letters and figures "at the rate of Rs. 300" shall be substituted.

4. Substitution Of Section 4 Of Guj. 2 Of 1960 :-

For section 4 of the principal Act, the following shall be substituted, namely:-

"4. Daily allowance to be paid to Members.--There shall be paid, subject to such rules or orders as may be made under section 10 in this behalf,

(a) to each Member, to whom clause (b) does not apply, a daily allowance at the rate of Rs. 21 for each day of the period of residence for the purpose of attending the session of the Assembly or the meeting of a Committee or the business connected with the Members duties as Chairman of a Committee, as the case may be, at the place where such session or meeting is held or such business is transacted.

(b) to each member who ordinarily resides or carries on business at the place where such session or meeting is held or the business connected with the Members duties as Chairman of a Committee is transacted, a daily allowance at the rate of Rs. 21 for each day on which he attends such session, meeting or business:

Provided that where a member attends such session, meeting or business immediately before and after a break of not more than four days between any two successive meetings, such break shall be deemed-

(i) in the case of a Member to whom clause (a) applies, to be the period of residence at the place where such session or meeting is held or such business is transacted,

(ii) in the case of a Member to whom clause (b) applies, to be the days of attendance of such session or meeting or business."

5. Substitution Of Section 8 In Guj. 2 Of 1960 :-

In the principal Act for section 8, the following section shall be substituted, namely : -

"8. Amenities.--

(1) A member not being the Leader of the Opposition shall be entitled to residential accommodation on such scales and on such conditions as may be determined by rules or orders.

(2) The Leader of the Opposition shall be entitled, without payment of rent, to the use of a furnished residence in Ahmedabad so long as he is such a leader and for a period of fifteen days immediately after he ceases to be such a leader, or in lieu of such residence a house allowance at the rate of Rs. 250 per month.

(5) No charge shall fall on the Leader of the Opposition, personally in respect of the maintenance of any residence provided to him under sub-section (2).

(4) The expenditure on furnishing the residence provided under sub-section (2) shall be on such scale as may be determined by rules or orders.

(5) A member shall be entitled to such free medical and other facilities as may be determined by rules or orders.

Explanation.-In this section, "rules" and "orders" mean rules or orders respectively made under section 10."