

GUJARAT LEGISLATIVE ASSEMBLY MEMBERS' SALARIES AND ALLOWANCES ACT, 1960

2 of 1960

[22nd September 1960]

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GUJARAT LEGISLATIVE ASSEMBLY MEMBERS' SALARIES AND ALLOWANCES ACT, 1960

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[22nd September 1960]

An Act to provide for the salaries and allowances of Members of the Gujarat Legislature and certain matters. Whereas it is expedient to provide for the determination of the salaries and allowances of Members of the Gujarat Legislative Assembly and other matters hereinafter appearing; It is hereby enacted in the eleventh Year of

the Republic of India as follows :-

1. Short title and commencement:- :-

(2) It shall come into force on the 1st day of May, 1960.

2. Definitions - :-

3. Salaries to be paid to Members and consolidated allowances:- :-

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.

Provided that where a Member attends such session, meeting or business [immediately before or immediately 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 Member to whom clause (b) applies, to be the days of attendance of such session or meeting or business.]

5. Travelling allowance to be paid to Members. :-

5A. Allowances to Chairman or Member of committee when on the tour on duty in any part of India.- :-

There shall be paid to the Chairman or a Member of a Committee in respect of a journey performed by him in the course as a tour in any part of India, undertaken in the discharge of his duties as such Chairman or Member, daily and travelling allowance at the same rates as are provided for in Section 4 and Section 5 .

5B. Free transit by railway.- :-

Every Member shall, with effect from such date as may be notified by the State Government in the Official Gazette, be provided with facilities which shall entitle him at any time to travel by [first class or by second class air conditioned] by any railway in any part of the State of Gujarat [and in any part of India] in such manner and subject to such conditions as may by rules or orders be prescribed in that behalf:

6. Free transit by road transport service and payment of

mileage.- :-

6AA. 6AA :-

Where a Member travels Jointly with his spouse [and two other Members] of his family residing with and dependent on him in any part of the State of Gujarat either by railway or by road transport service such [spouse and the Members] of his family shall be entitled in respect of such travel to the same facility of free transit by railway or as the case may be , free transit by road transport service as such Member is entitled under section 5B or. as the case may be, sub-section (1) of section 5 .]

6AB. Travel facilities by air.- :-

Any Member may undertake or perform journey alongwith co-traveler by air from the nearest airport from his residence to and fro in any part of India on three occasions in each year:

Provided that difference between the fare for journey by air and the fare for journey by railway by first class or by second class air conditioned, whichever is higher, shall be borne by the Member.]

6A. Telephone facilities.- :-

(1) Where a Member has a telephone installed at the place where he ordinarily resides or at any other place in the State of Gujarat which is also used by him for residence, the rental charges in respect of such telephone shall be borne by the State Government

7. Daily allowance and travelling allowance to Members on vacating seats:- :-

Notwithstanding anything contained in this Act, a person on ceasing to be a Member, shall be entitled-

8. Amenities.- :-

(1) A Member [x x x] shall be entitled to residential accommodation on such scales and on such conditions as may be determined by rules or orders.

(6) A Member shall be entitled to such other facilities, as may be determined by rules or orders]].

8A. Mode of recovery of sums due by Member.- :-

Any sum due to the State Government from a Member in respect of any amenity or facility provided to him under section 8 , if not paid by the Member. may be recovered from him by making a deduction from the amount of the salary or other allowances payable to him

under this Act.]

9. Ministers, Deputy Ministers, Speaker, Deputy Speaker, Leader of the Opposition, Salaried Parliamentary Secretaries or Government Chief Whip not entitled to salaries and allowances under this Act.- :-

Notwithstanding anything contained in this Act. a Minister or Deputy Minister, the Speaker or the Deputy Speaker. [Leader of the Opposition], a salaried Parliamentary Secretary or a Government Chief Whip shall not be entitled to any salary, allowances. or provisions for residential accommodation under this Act. by reason of the fact that Minister, Deputy Minister, Speaker, Deputy Speaker. [Leader of the Opposition], Parliamentary Secretary or a Government Chief Whip is a Member of the Assembly.]

10. Power to make rules and orders.- :-

11. Repeal of Gujarat Ord. No. III of 1960 and Gujarat Ord. No. X of 1960.- :-

The Gujarat Legislative Assembly Members Salaries and Allowances Ordinance. 1960 (Gujarat Ord. No.III of 1960) and the Gujarat Legislative Assembly Members' Salaries and Allowances (Amendment) Ordinance, 1960 (Gujarat Ord. No.X of 1960) are hereby-repealed and the provisions of section 7 and 25 of the Bombay General Clauses Act, 1904 (Bom.I of 1904), shall apply to such repeal as if those Ordinances were enactments.