The Gujarat Legislative Assembly Members Salaries and Allowances Act, 1960

Act 2 of 1960

Keyword(s):
Legislative Assembly, Committee, Member, MLA, Minister and Deputy Minister, Parliamentary Secretary, Speaker, Term of office

PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

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M. G. MONANI,
Secretary to the Government of Gujarat, Legal Department.

GUJARAT ACT No. II OF 1960

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 22nd September 1960.)

An Act to provide for the salaries and allowances of Members of the Gujarat Legislature and certain other 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:

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1. (1) This Act may be called the Gujarat Legislative Assembly Members Salaries and Allowances Act, 1960.

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

Definitions.

2. In this Act unless there is anything repugnant in the subject or context —

(a) "Assembly" means the Gujarat Legislative Assembly;

(b) "Committee" means a Committee of the Assembly;

(c) "Member" means a Member of the Assembly;

(d) "Minister" and "Deputy Minister" mean respectively a Minister and a Deputy Minister of the Government of Gujarat, and "Minister" includes Chief Minister;

(e) "Parliamentary Secretary" means a Parliamentary Secretary to a Minister;

(f) "Speaker" means the Speaker of the Assembly;

(g) "term of office" in relation to a Member means the period beginning with the date when such Member takes his seat in the Assembly and ending with the date on which his seat becomes vacant.

Provided that in the case of Members of the Bombay Legislative Assembly who are by virtue of section 15 of the Bombay Reorganization Act, 1960, deemed to have been elected to the Gujarat Legislative Assembly the period of their term of office shall for the purposes of this Act be deemed to begin with the 1st day of May 1960.

3. (1) There shall be paid to each Member during the whole of his term of office a salary at the rate of Rs. 150 per month.

(2) There shall be paid to each Member during the whole of his term of office per month a sum of Rs. 100 as a consolidated allowance for all matters not specifically provided for by or under the provisions of this Act.

4. There shall be paid, subject to such rules or orders as may be made under section 10 in this behalf, to each Member a daily allowance at the rate of Rs. 10 for each day of the period of residence for the purpose of attending the session of the Assembly or the meeting of a Committee, as the case may be, at the place where such session or meeting is held:

Provided that in the case of a Member, who ordinarily resides or carries on business at the place where such session or meeting is held, there shall be paid to such Member, subject to the rules or orders as aforesaid, daily allowance at the rate of Rs. 10 for each day on which he attends such session or meeting; but a break of not more than three days between two successive meetings shall be deemed to be days of attendance for such Member who does not leave the place of session or meeting during such break.

5. (1) There shall be paid to each Member a travelling allowance for a journey undertaken for the purpose of attending the session of the Assembly or a meeting of a Committee to the place where such session or meeting is held and for the return journey from such place —

(i) at the rate of one and one-half of the fare of such class provided on a railway or steamer, as may be determined by rules or orders made under section 10, and

(ii) at such rate per mile for a journey by road, sea or river in addition to the journey by railway or steamer, as may likewise be determined.
Provided that nothing in this sub-section shall entitle a Member to travelling allowance, if such Member ordinarily resides or carries on business at the place where such session or meeting is held.

(2) Notwithstanding anything contained in sub-section (1), there shall be paid to each Member a conveyance allowance at the rate of Rs. 3 per day for each day on which he attends such session or meeting.

6. Every Member shall be provided with one free non-transferable pass which would entitle him to travel at any time in any part of the Revenue Division in which his constituency is situated, by such road transport service, in such class of accommodation, and subject to such conditions, as may be determined, by rules or orders made under section 10:

Provided that, nothing contained in this section shall affect the payment of any travelling allowance payable to a Member under section 5.

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

(a) for the day next succeeding the day on which he ceased to be a Member, to daily allowance at the rate provided for in section 4, and

(b) for the return journey, to travelling allowance at the rate provided for in section 5 for such journey.

8. A Member shall be entitled to residential accommodation on such scales and on such conditions and to such free medical and other facilities as may be determined by rules or orders made under section 10.

9. Notwithstanding anything contained in this Act, a Minister or Deputy Minister, the Speaker or a salaried Parliamentary Secretary shall not be entitled to any salary, allowances, or provision for residential accommodation under this Act, by reason of the fact that Minister, Deputy Minister, Speaker, or salaried Parliamentary Secretary is a Member of the Assembly.

10. (1) (a) For the purpose of making rules or orders under this section, there shall be constituted a Committee consisting of ten Members from the Assembly nominated by the Speaker. The Chairman of the Committee shall be appointed by the Speaker from amongst the Members thereof.

(b) The Committee constituted under clause (a) shall have power to regulate its procedure.

(c) A Member of the Committee shall hold office as such Member for one year from the date of his nomination and any casual vacancy in the Committee may be filled by nomination by the Speaker.

(d) The Committee constituted under clause (a) may, in consultation with the State Government, make rules or orders for carrying out the purposes of this Act.

(e) Any rules or orders made under clause (d) shall be approved and confirmed by the Speaker and shall be published in the Official Gazette; and such publication of the rules or orders shall be conclusive proof that they have been duly made.
(1A) Until a Committee is constituted under sub-section (1), the State Government in consultation with the Speaker, may make rules or orders for carrying out the purposes of this Act and any rule or order so made shall continue in force until superseded by any rule or order made by the Committee under sub-section (1).

(2) Any rule or order made under this section may be made so as to be retrospective to any date not earlier than the 1st day of May 1960.

(3) Rules or orders made under this section shall have effect as if enacted in this Act.

11. The Gujarat Legislative Assembly Members’ Salaries and Allowances Ordinance, 1960 and the Gujarat Legislative Assembly Members’ Salaries (Amendment) Ordinance, 1960 are hereby repealed and the provisions of sections 7 and 25 of the Bombay General Clauses Act, 1904 shall apply to such repeal as if those Ordinances were enactments.
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 2nd May 1963 is hereby published for general information.

AKBAR S. SARELA,
Secretary to the Government of Gujarat, Legal Department.

GUJARAT ACT NO. XXIV OF 1963. *

[First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 6th May 1963].

An Act further to amend the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960.

It is hereby enacted in the Fourteenth Year of the Republic of India as follows:—

1. This Act may be called the Gujarat Legislative Assembly Members' Salaries and Allowances (Amendment) Act, 1963.

Guj. II of 1960. 2. In section 5 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960 (hereinafter referred to as "the principal Act"), in sub-section (7),—

(a) for clause (i), the following clause shall be substituted, namely:—

"(i) for a journey by railway or steamer at the rate of one and one half of the fare of such class provided thereon, as may be determined by rules or orders made under section 10, and";
(b) for clause (ii), the following clause shall be substituted, namely:—

“(ii) subject to the provisions of sub-section (2) of section 6, for a journey by road, sea or river whether in addition to the journey by railway or steamer, or otherwise, at such rate per kilometre as may likewise be determined.”

3. For section 6 of the principal Act, the following shall be substituted, namely:—

“6 (1) Every Member shall be provided with one free non-transferable pass entitling him to travel at any time in any part of the State of Gujarat by such road transport service, in such class of accommodation, and subject to such conditions, as may be determined by rules or orders made under section 10.

(2) Where a Member travels on such pass for a purpose mentioned in subsection (1) of section 5 he shall be paid travelling allowance at such rate per kilometre as may be determined by rules or orders made under section 10.”
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 11th May 1965 is hereby published for general information:

SUMANT M. VIDYARTHJI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 11 OF 1965.

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 15th May 1965).

An Act further to amend the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960.

It is hereby enacted in the Sixteenth Year of the Republic of India as follows:

1. This Act may be called the Gujarat Legislative Assembly Members’ Salaries and Allowances (Amendment) Act, 1965.

2. In section 3 of the Gujarat Legislative Assembly Members’ Salaries and Allowances Act, 1960 (hereinafter referred to as “the principal Act”):—

(i) in sub-section (2) for the words, letters and figures “at the rate of Rs. 150” the words, letters and figures “at the rate of Rs. 200” shall be substituted; and

(ii) in sub-section (2), for the words, letters and figures “a sum of Rs. 100” the words, letters and figures “a sum of Rs. 150” shall be substituted.

3. In section 4 of the principal Act—

(a) for the letters and figures “Rs. 10” wherever they occur the letters and figures “Rs. 18” shall be substituted;

(b) after the words “as the case may be, at the place where such session or meeting is held” the words “or for each day of the period of residence at any place where any business connected with the member’s duties as Chairman of a Committee is transacted” shall be inserted;

(c) in the proviso,—

(i) after the words “carries on business at the place where such session or meeting is held” the words “or where such business is transacted” shall be inserted;

(ii) after the words “attends such session or meeting” the words “or transacts such business” shall be inserted;

(iii) for the words “the place of session or meeting during such break” the words “during such break the place of session or meeting or as the case may be the place where such business is transacted” shall be substituted.

4. In section 5 of the principal Act,—

(i) in sub-section (1),—

(a) after the words “such session or meeting is held”, where they occur for the first time, the words “or for the purpose of transaction of any business connected with his duties as Chairman of a Committee to the place where such business is transacted” shall be inserted;

(b) after the words “such session or meeting is held”, where they occur for the second time, the words “or such business is transacted” shall be inserted;

(c) after the proviso, the following further proviso shall be inserted, namely:—

“Provided further that where a member travels by railway in accordance with the facilities under section 5B he shall be entitled only to a travelling allowance of an amount equal to one first class fare for the distance travelled.”;

(2) sub-section (2) shall be deleted.
5. After section 5 of the principal Act, the following new sections shall be inserted, namely:

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

5B. 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 by any railway in any part of the State of Gujarat in such manner and subject to such conditions as may by rules or orders be prescribed in that behalf."

6. After section 8 of the principal Act, the following new section shall be inserted, namely:

"8A. 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."

7. The amendments made to the principal Act by section 2, section 3 and clause (2) of section 4 of this Act shall be deemed to have been made and to have come into force on the 1st March 1965.
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 13th October, 1966, is hereby published for general information.

SUMANT M. VIDYARTHI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 17 OF 1966.

(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 15th October 1966.)

An Act further to amend the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960.

It is hereby enacted in the Seventeenth Year of the Republic of India as follows:—

1. This Act may be called the Gujarat Legislative Assembly Members' Salaries and Allowances (Amendment) Act, 1966.

2. In Section 5 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, in sub-section (1), in the second proviso, for the words “one first class fare” the words “one half first class fare” shall be substituted.
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 16th September 1968 is hereby published for general information.

SUMANT M. VIDYARTHII,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 16 OF 1968.

(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 17th September 1968.)

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

2. Section 2 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960 (hereinafter referred to as "the principal Act") shall be renumbered as sub-section (f) thereof, and

(f) in sub-section (f) as so renumbered after clause (b) the following clause shall be inserted, namely:

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"(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 (i) 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. In sub-section (i) 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. For section 4 of the principal Act, the following shall be substituted, namely: —

"4. 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 Member’s 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 Member’s 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. In the principal Act for section 8, the following section shall be substituted, namely:

"8. (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.

(3) 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."
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the
Governor on the 4th April 1970 is hereby published for general information.

K. M. SATWANI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 6 OF 1970.

(First published after having received the assent of the Governor in the "Gujarat

An Act further to amend the Gujarat Legislative Assembly Members’
Salaries and Allowances Act, 1960.

It is hereby enacted in the Twenty-first Year of the Republic of India as
follows:—

1. This Act may be called the Gujarat Legislative Assembly Members’ Salaries and Allowances (Amendment) Act, 1970.

Guj. II of 1960.

2. In section 8 of the Gujarat Legislative Assembly Members’ Salaries and Allowances Act, 1960,—

(i) for sub-section (j) the following sub-sections shall be substituted, namely:—
“(5) A member and the members of his family who are residing with and dependent on him shall be entitled, free of charge, to accommodation in hospitals maintained by the State Government and to medical attendance and treatment therein:

Provided that a member shall be entitled to be reimbursed by the State Government with any amount paid by him on account of such attendance or treatment accorded outside such hospital on production by him of a certificate in writing by the medical officer in-charge of such hospital to the effect that the necessary and suitable attendance or treatment was not available in such hospital.

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

(ii) the existing Explanation shall be numbered as Explanation (I) and after Explanation (I) as so numbered, the following Explanation shall be added, namely:

“Explanation (2).—For the purposes of this section “a member of the family” means the husband, wife, son, daughter, father, mother, brother or sister.”.
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 7th July, 1972 is hereby published for general information.

K. M. SATWANI,
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 7 OF 1972

(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 12th July, 1972.)

An Act further to amend the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960.

It is hereby enacted in the Twenty-third Year of the Republic of India as follows:—

1. (1) This Act may be called the Gujarat Legislative Assembly Members' Salaries and Allowances (Amendment) Act, 1972.

(2) It shall be deemed to have come into force on 20th March, 1972.
2. In section 4 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, (hereinafter referred to as "the principal Act"), in the proviso, for the words "immediately before and after a break" the words "immediately before or immediately after a break" shall be substituted.

3. In section 8 of the principal Act, in sub-section (2), for the words "in Ahmedabad" the words "in Gandhinagar" shall be substituted.
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 6th August 1977 is hereby published for general information.

S. L. TALATI,
Secretary to the Government of Gujarat,
Legal Department

GUJARAT ACT NO. 22 OF 1977.

(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 9th August 1977).

An Act further to amend the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960.

It is hereby enacted in the Twenty-eighth Year of the Republic of India as follows:

1. (1) This Act may be called the Gujarat Legislative Assembly Members' Salaries and Allowances (Amendment) Act, 1977.
   
2. In the Gujarat Legislative Assembly Members' Salaries and Allowances Amendment Act, 1960 (hereinafter referred to as "the principal Act"), in section 2, in subsection (1), in clause (d), for the words "and "Minister" includes Chief Minister", the following shall be substituted, namely:

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"and "Minister" includes—

(i) the Chief Minister,

(ii) the Deputy Chief Minister, and

(iii) a Minister of State;”.

3. In the principal Act, in section 3, in sub-section (2), for the letters and figures "Rs. 150", the letters and figures "Rs. 250" shall be substituted.

4. In the principal Act, in section 4, in clauses (a) and (b), for the letters and figures "Rs. 21" the letters and figures "Rs. 30" shall be substituted.

5. In the principal Act, after section 6, the following new section shall be inserted, namely:—

"6A. (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.

(2) There shall be paid to every Member a sum of Rs. 100 per month to meet with the cost of telephone charges that may be incurred by him as such member, whether or not he has a telephone installed at the place referred to in sub-section (1).”.

6. (1) In section 8 of the principal Act,—

(1) in sub-section (5),

(a) before the existing proviso, the following proviso shall be inserted, namely:—

"Provided that a member shall be entitled—

(i) in a place where there is no hospital maintained by the State Government, to such accommodation, medical attendance or treatment in a hospital maintained by a municipality or a panchayat; and

(ii) in a place where there is no hospital maintained by the State Government, a municipality or a panchayat, to be reimbursed by the State Government, subject to such rules as may be made under section 10 in this behalf, with any amount paid by him on account of the attendance and treatment taken by him or a member of his family residing with and dependant upon
him from any registered medical practitioner, on production by him of a certificate and bills regarding the charges paid by him to such medical practitioner:"

(b) in the existing proviso, for the words "Provided that", the words "Provided further that" shall be substituted;

(2) after sub-section (5), the following new sub-section shall be inserted, namely:

"(5A) There shall be paid to every Member a sum of Rs. 50 per month to meet with the cost of postal charges that may be incurred by him as such member."
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 3rd April, 1979 is hereby published for general information.

V. V. BEDARKAR,
Secretary to the Government of Gujarat,
Legal Department.


(First published after having received the assent of the Governor in the "Gujarat Government Gazette" on the 6th April, 1979.)

An Act further to amend the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, for certain purposes.

It is hereby enacted in the Thirty-Third Year of the Republic of India as follows:—

1. (1) This Act may be called the Gujarat Legislative Assembly Members' Salaries and Allowances (Amendment) Act, 1979.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.
2. In the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960 (hereinafter referred to as "the principal Act"), in section 5B, after the words "first class" the words "or any other class the fare for which does not exceed that for the first class" shall be inserted.

3. In the principal Act, in section 8, in sub-section (5), in the first proviso—

(a) for the words "provided that a member shall be entitled—" the words "Provided that" shall be substituted;

(b) in clause (i) for the words "in a place where" the words "a member and the members of his family who are residing with and dependent on him shall be entitled in a place where" shall be substituted;

(c) in clause (ii) for the words "in a place where" the words "a member shall be entitled in a place where" shall be substituted.
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 19th September, 1986 is hereby published for general information.

J. P. VASAVADA.
Secretary to the Government of Gujarat,
Legal Department.

GUJARAT ACT NO. 29 OF 1986

(First published, after having received the assent of the Governor in the “Gujarat Government Gazette” on the 20th September, 1986.)

An Act further to amend laws relating to salaries and allowances of Members and Speaker of Gujarat Legislative Assembly, Ministers and Leader of the Opposition.

It is hereby enacted in the Thirty-seventh Year of the Republic of India as follows:

1. (1) This Act may be called the Gujarat Salaries and Allowances of Members and Speaker of Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Act, 1986.

(2) It shall be deemed to have come into force on the 1st September, 1986.

2. The enactments specified in column 2 of the Schedule shall be amended to the extent and in the manner specified in column 3 of the said Schedule.
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1. In section 3,—

   (1) in sub-section (2), for the figures "400", the figures "500" shall be substituted;

   (2) in sub-section (2), for the figures "300", the figures "500" shall be substituted.

2. In section 4,—

   (1) in clause (a), for the figures "40", the figures "70" shall be substituted;

   (2) in clause (b), for the figures "40", the figures "70" shall be substituted.

3. In section 5B, in the proviso,—

   (1) for the figures "5000", the figures "7500" shall be substituted; and

   (2) for the figures "10,000", the figures "15,000" shall be substituted.

4. In section 6A, in sub-section (2), for the figures "300", the figures "400" shall be substituted.

5. In section 8,—

   (1) after sub-section (2), the following sub-section shall be inserted, namely:
“(2) There shall be paid to every Member a sum of Rs. 150/- per month towards the cost of services of a personal assistant that may be incurred by him as such Member.”;

(2) in sub-section (5), for the first proviso, the following proviso shall be substituted, namely:—

“Provided that—

(a) a Member and the members of his family who are residing with and dependent on him shall be entitled—

(i) in a place where there is no hospital maintained by the State Government, such accommodation, medical attendance or treatment in a hospital maintained by a municipality or a panchayat; and

(ii) notwithstanding that in a place where there is a hospital maintained by the State Government, in the case of emergency to be certified by the Civil Surgeon of such hospital, to such accommodation, medical attendance or treatment in a hospital maintained by a Municipal Corporation or a municipality; and

(b) a Member shall be entitled in respect of such attendance or treatment either
in a place in the State of Gujarat where there is no hospital maintained by the State Government, a municipality or a panchayat or in a place in any part of India outside the State of Gujarat to be reimbursed by the State Government, subject to such rules as may be made under section 10 in this behalf, with any amount paid by him on account of attendance and treatment taken by him or a member of his family residing with and dependant on him from any registered medical practitioner on production by him of a certificate and bills regarding the charges paid by him to such medical practitioner;”;

(3) in sub-section (5A), for the figures “100”, the figures “200” shall be substituted.

1. In section 3, for the figures “1600” the figures “2000” shall be substituted.

2. In section 5, in sub-section (2), for the figures “300”, the figures “500” shall be substituted.

1. In section 3—

(a) for the figures “1600”, the figures “2000” shall be substituted;

(b) for the figures “1400”, the figures “1800” shall be substituted.
2. In section 5, in sub-section (2), for the figures “300”, the figures “500” shall be substituted.

3. In section 6, for the figures “1200”, the figures “1600” shall be substituted.

4. In section 8, in sub-section (2), for the figures “300”, the figures “500” shall be substituted.

The Gujarat Legislative Assembly (Leader of the Opposition) Salary and Allowances Act, 1979 (Guj. 16 of 1979).

1. In section 3, for the figures “1600”, the figures “2000” shall be substituted.

2. In section 5, in sub-section (2), for the figures “300”, the figures “500” shall be substituted.
PART IV

Acts of the Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature having been assented to by the Governor on the 31st March, 1992 is hereby published for general information.

R. H. GORI,
Secretary to the Government of Gujarat,
Legal Department.


(First published, after having received the assent of the Governor in the "Gujarat Government Gazette" on the 31st March, 1992.

AN ACT

further to amend the laws relating to salaries and allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition.

It is hereby enacted in the Forty-third year of the Republic of India, as follows:

1. (I) This Act may be called the Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Act, 1992.

(2) It shall come into force on the 1st April, 1992.

2. The enactments specified in column 2 of the Schedule shall be amended to the extent and in the manner specified in column 3 of the said Schedule.

Short title and commencement.

Amendment of certain enactments.
## SCHEDULE

(See section 2)

<table>
<thead>
<tr>
<th>No.</th>
<th>Name of the enactments</th>
<th>Extent of Amendment</th>
</tr>
</thead>
</table>
| 1   | The Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960 (Guj. II of 1960). | 1. In section 3,—  
(I) in sub-section (1), for the figures "500", the figures "756" shall be substituted;  
(2) in sub-section (2), for the figures "500", the figures "750" shall be substituted. |
|     |                        | 2. In section 4,—  
(I) in clause (a), for the figures "70", the figures "100" shall be substituted;  
(2) in clause (b), for the figures "70", the figures "100" shall be substituted. |
| 3   |                        | 3. In section 6A, in sub-section (2), for the figures "400", the figures "1200" shall be substituted. |
| 4   |                        | 4. In section 8,—  
(1) in sub-section (2), for the figures "150", the figures "600" shall be substituted;  
(2) in sub-section (5), in the first proviso,—  
(A) in clause (a), for sub-clause (ii), the following sub-clause shall be substituted, namely:—  
"(ii) notwithstanding that in a place where there is a hospital maintained by the State Government in case of critical condition of health or emergency to be certified by the Authorised Medical Attendant of a hospital or dispensary where treatment is taken to such accommodation, medical attendance or treatment in the hospital maintained by a municipal corporation, a municipality, a panchayat or a hospital or dispensary receiving aid from the State Government; and"; |
(B) for clause (b), the following clause shall be substituted, namely:

"(b) a Member shall be entitled to be reimbursed by the State Government, subject to such rules as may be made under section 10 in this behalf, with any amount paid by him on account of medical attendance and treatment taken by him or by a member of his family residing with and dependant on him, on production of a certificate and bills regarding the charges paid by him in respect of such medical attendance or treatment—

(i) from any Authorised Medical Attendant of a hospital mentioned in proviso (a)(ii) above, or

(ii) from any Registered Medical Practitioner (a) in the State of Gujarat, where there is no hospital maintained by the State Government, municipal corporation, municipality or a panchayat or a hospital or dispensary receiving aid from the State Government, or (b) in any part of India outside the State of Gujarat;"

(C) second proviso shall be deleted;

(3) in sub-section (5-A), for the figures "200", the figures "400" shall be substituted.

5. For section 9, the following section shall be substituted, namely:

"9. Notwithstanding anything contained in this Act, a Minister or Deputy Minister, the Speaker or the Deputy Speaker, 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, salarised Parliamentary Secretary or a Government Chief Whip is a member of the Assembly.".

Consolidated allowance to Speaker.

1. In section 3, for the figures “2000”, the figures “2500” shall be substituted.

2. After section 3, the following section shall be inserted, namely :

“3A. There shall be paid to the Speaker during the whole of his term of office per month a sum of Rs. 1000 as a consolidated allowance for all matters not specifically provided for by or under the provisions of this Act.”

3. In section 5, in sub-section (2), for the figures “500”, the figures “1500” shall be substituted.

4. In section 10, for the figures “1800”, the figures “2300” shall be substituted.

5. After section 10, the following section shall be inserted, namely :

“10A. There shall be paid to the Deputy Speaker during the whole of his term of office per month a sum of Rs. 1000 as a consolidated allowance for all matters not specifically provided for by or under the provisions of this Act.”

6. In section 12C, in sub-section (3), for the figures “500”, the figures “1500” shall be substituted.


Consolidated Allowance to Ministers.

1. In section 3,—

(a) for the figures “2000”, the figures “2500” shall be substituted;

(b) for the figures “1800” the figures “2300” shall be substituted.

2. After section 3, the following sections shall be inserted, namely :

“3A. There shall be paid to each Minister during the whole of his term of office per month a sum of Rs. 1000 as a consolidated allowance for all matters not specifically provided for by or under the provisions of this Act.”

3. In section 5, in sub-section (2), for the figures “500”, the figures “1500” shall be substituted.

4. In section 6, for the figures “1600”, the figures “2100” shall be substituted.
<table>
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<th>1</th>
<th>2</th>
<th>3</th>
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<tbody>
<tr>
<td>5.</td>
<td>After section 6, the following section shall be inserted, namely:—</td>
<td></td>
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<tr>
<td></td>
<td>Consolidated Allowance to Deputy Ministers.</td>
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<tr>
<td></td>
<td>“6A. There shall be paid to each Deputy Minister during the whole of his term of office per month a sum of Rs. 1000 as a consolidated allowance for all matters not specifically provided for by or under the provisions of this Act.”.</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>In section 8, in sub-section (2), for the figures “500”, the figures “1500” shall be substituted.</td>
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<tr>
<td>1.</td>
<td>In section 3, for the figures “2000”, the figures “2500” shall be substituted.</td>
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<tr>
<td>2.</td>
<td>After section 3, the following section shall be inserted, namely:—</td>
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<tr>
<td></td>
<td>Consolidated allowance to Leader of the Opposition.</td>
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<tr>
<td></td>
<td>“3A. There shall be paid to the Leader of the Opposition during the whole of his term of office per month a sum of Rs. 1000 as a consolidated allowance for all matters not specifically provided for by or under the provisions of this Act.”.</td>
<td></td>
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<tr>
<td>3.</td>
<td>In section 5, in sub-section (2), for the figures “500”, the figures “1500” shall be substituted.</td>
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</tbody>
</table>
The following Act of the Gujarat Legislature, having been assented to by the Governor on the 30th July, 1998, is hereby published for general information.

KUM. H. K. JHAVERI,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

(First published after having received the assent of the Governor in the Gujarat Government Gazette, on the 31st July, 1998.)

AN ACT

Further to amend the Laws relating to salaries and allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition.

It is hereby enacted in the Forty-ninth Year of the Republic of India as follows:

1. (1) This Act may be called the Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Act, 1998.

(2) It shall come into force on the 1st August, 1998.

2. The enactments specified in column 2 of the Schedule shall be amended to the extent and in the manner specified in column 3 of the said Schedule.
### SCHEDULE

(See section 2)

<table>
<thead>
<tr>
<th>No.</th>
<th>Name of the enactment</th>
<th>Extent of Amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960 (Guj. II of 1960).</td>
<td>1. In section 3,—</td>
</tr>
</tbody>
</table>

(1) in sub-section (1), for the figures "750", the figures "1,500" shall be substituted ;

(2) in sub-section (2), for the figures "750", the figures "1,500" shall be substituted.

2. In section 4, in clauses (a) and (b), for the figures "100", the figures "150", shall be substituted.

3. In section 5B,—

(1) for the words "first class or any other class the fare for which does not exceed that for the first class", the words "first class or by second class air conditioned" shall be substituted;

(2) in the proviso,—

(a) for the words "or any one other member" wherever they occur, the words "and two other members" shall be substituted;

(b) for the figures "7500" and "15,000", the figures "10,000" and "20,000" shall be substituted respectively ;

(3) in the Explanation, for the words "or any one other member" wherever they occur, the words "and two other members" shall be substituted.

4. In section 6,—

(1) in sub-section (1), for the words "be provided with one free non-transferable pass entitling him", the words "on the production of identity card, be entitled" shall be substituted;

(2) in sub-section (2), for the words "such pass", the words "such identity card" shall be substituted;

(3) in sub-section (3), in the proviso, for the words "or any one other member", the words "and two other members" shall be substituted.
5. After section 6, the following section shall be inserted, namely:

"6AB. Any member may undertake or perform journey along with co-traveller by air from the nearest airport from his residence to and from 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."

6. In section 6AA,—

(1) for the words "or any one other member", the words "and two other members" shall be substituted;

(2) for the words "spouse or the members", the words "spouse and the members" shall be substituted.

7. In section 6A, in sub-section (2), for the figures "1200", the figures "3,000" shall be substituted.

8. In section 8,—

(1) in sub-section (2), for the figures "600", the figures "2,400" shall be substituted;

(2) in sub-section (5A),—

(a) for the figures "400", the figures "1,600" shall be substituted;

(b) for the words "postal charges", the words "postal and stationery charges" shall be substituted.

9. In section 9,—

(1) after the words "Deputy Speaker" occurring at two places, the words "Leader of the Opposition" shall be inserted;

(2) in the marginal note, after the words "Deputy Speaker", the words "Leader of the Opposition" shall be inserted.

1. In section 3, for the figures "2500", the figures "4,500" shall be substituted.

2. The Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960 (Guj. III of 1960).
2. In section 3A, for the figures "1000", the figures "3,500" shall be substituted.
3. In section 5, in sub-section (2), for the figures "1500", the figures "3,000" shall be substituted.
4. After section 6A, the following sections shall be inserted, namely:

"6AA. The Speaker and the Deputy Speaker shall be provided with facilities which shall entitle them at any time to travel by first class or by second class air conditioned by railway in any part of India in such manner and subject to such conditions as may be prescribed in that behalf.

Provided that such travel by railway in any part of India outside the State of Gujarat may be availed of by the Speaker or the case may be, by the Deputy Speaker singly or jointly with his spouse and two other members of his family residing with and dependent on him, so however, that the total distance so travelled by the Speaker or, as the case may be, the Deputy Speaker singly in any year does not exceed 10,000 kilometres and the total distance so travelled jointly by the Speaker or, as the case may be, the Deputy Speaker and his spouse and two other members of his family residing with and dependent on him in any year does not exceed 20,000 kilometres.

Explanation.—For the purpose of calculating the number of kilometres travelled by the Speaker or, as the case may be, the Deputy Speaker jointly with his spouse and two other members of his family residing with and dependent on him, outside the State of Gujarat, the number of kilometres travelled by him and by his spouse and two other members of his family residing with and dependent on him shall be counted separately.

"6AB. The Speaker and the Deputy Speaker may undertake or perform journey along with co-traveller by air from the nearest airport from his residence to and from 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 Speaker or, as the case may be, by the Deputy Speaker."
5. In section 6B,—

(1) in sub-section (1), for the words "a telephone installed", the words "telephone facilities" shall be substituted;

(2) in sub-section (2), for the words "telephone installed", the words "telephone facilities provided" shall be substituted.

6. In section 7A, for the figures "30,000", the figures "60,000" shall be substituted.

7. In section 10, for the figures "2300", the figures "4,500" shall be substituted.

8. In section 10A, for the figures "1000", the figures "3,500" shall be substituted.

9. In section 12A,—

(1) in sub-section (1), for the words "a telephone installed", the words "telephone facilities" shall be substituted;

(2) in sub-section (2), for the words "telephone installed", the words "telephone facilities provided" shall be substituted.

10. In section 12C, in sub-section (3), for the figures "1500", the figures "3,000" shall be substituted.


1. In section 3, for the figures "2500" and figures "2300", the figures "4,500" shall be substituted.

2. In section 3A, for the figures "1000", the figures "3,500" shall be substituted.

3. In section 5, in sub-section (2), for the figures "1500", the figures "3,000" shall be substituted.

4. In section 6, for the figures "2100", the figures "4,500" shall be substituted.

5. In section 6A, for the figures "1000", the figures "3,500" shall be substituted.

6. In section 8, in sub-section (2), for the figures "1500", the figures "3,000" shall be substituted.

7. After section 9A, the following sections shall be inserted, namely:—
9AA. Every Minister and Deputy Minister shall be provided with facilities which shall entitle them at any time to travel by first class or by second class air-conditioned by railway in any part of India in such manner and subject to such conditions as may by rules or orders be prescribed in that behalf:

Provided that such travel by railway in any part of India outside the State of Gujarat may be availed of by a Minister or, as the case may be, a Deputy Minister singly or jointly with his spouse and two other members of his family residing with and dependent on him, so however, that the total distance so travelled by the Minister or, as the case may be, the Deputy Minister singly in any year does not exceed 10,000 kilometres and the total distance so travelled jointly by the Minister or, as the case may be, the Deputy Minister and his spouse and two other members of his family residing with and dependent on him in any year does not exceed 20,000 kilometres.

Explanation.—For the purpose of calculating the number of kilometres travelled by a Minister or, as the case may be, a Deputy Minister jointly with his spouse and two other members of his family residing with and dependent on him, outside the State of Gujarat, the number of kilometres travelled by him and by his spouse and two other members of his family residing with and dependent on him shall be counted separately.

9AB. Every Minister and the Deputy Minister may undertake or perform journey along with co-traveller 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 Minister or, as the case may be, the Deputy Minister.

8. In section 9B,—

(1) in sub-section (1), for the words "a telephone installed", the words "telephone facilities" shall be substituted;

Free transit by railway.

Free transit by air.

(2) in sub-section (2), for the words "a telephone installed", the words "telephone facilities provided" shall be substituted.

9. In section 11, for the figures "75,000", the figures "1,50,000" shall be substituted.

1. In section 3, for the figures "2500", the figures "4,500" shall be substituted.
2. In section 3A, for the figures "1000", the figures "3,500" shall be substituted.

3. In section 5, in sub-section (2), for the figures "1500", the figures "3,000" shall be substituted.

4. In section 8, in sub-section (2), for the figures "200", the figures "500" shall be substituted.

5. After section 8, the following section shall be inserted, namely:

"8A. The Leader of the opposition shall be provided with facilities which shall entitle him at any time to travel by first class or by second class airconditioned by railway in any part of India in such manner and subject to such conditions as may by rules or orders be prescribed in that behalf:

Provided that such travel by railway in any part of India outside the State of Gujarat may be availed of by the Leader of the Opposition singly or jointly with his spouse and two other members of his family residing with and dependent on him, so however, that the total distance so travelled by the Leader of the opposition singly in any year does not exceed 10,000 kilometres and the total distance so travelled jointly by the leader of the Opposition and his spouse and two other members of his family residing with and dependent on him in any year does not exceed 20,000 kilometres.

Explanation.—For the purpose of calculating the number of kilometres travelled by the Leader of the Opposition jointly with his spouse and two other members of his family residing with and dependent on him, outside the State of Gujarat, the number of kilometres travelled by him and by his spouse and two other members of his family residing with and dependent on him shall be counted separately."
<table>
<thead>
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<th>1</th>
<th>2</th>
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<tbody>
<tr>
<td>Free transit by air.</td>
<td>8B. The Leader of the Opposition may undertake or perform journey alongwith co-traveller 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 Leader of the Opposition.</td>
<td></td>
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</tbody>
</table>
PART - IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 23rd March, 2005 is hereby published for general information:

S. S. PARMAR,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department,

GUJARAT ACT NO. 23 OF 2005.
(First published, after having received the assent of the Governor in the "Gujarat Government Gazette", on the 23rd March, 2005.

AN ACT

further to amend the laws relating to salaries and allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition.

It is hereby enacted in the Fifty-sixth Year of the Republic of India as follows:--

1. (1) This Act may be called the Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Act, 2005.

(2) It shall come into force on the 1st April, 2005.

2. The enactments specified in column 2 of the Schedule shall be amended to the extent and in the manner specified in column 3 of the said Schedule.

IV-Ex-23-1

23-1
### SCHEDULE

(See section 2)

<table>
<thead>
<tr>
<th>No.</th>
<th>Name of the enactment.</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960 (Guj.II of 1960).</td>
<td>For section 3, the following section shall be substituted, namely:</td>
</tr>
<tr>
<td></td>
<td>(See Schedule 2)</td>
<td>1. For section 3, the following section shall be substituted, namely:</td>
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<td></td>
<td></td>
<td>“3. (1) There shall be paid to each Member during the whole of his term of office, a salary per month at the rate of minimum basic pay payable to a Class I officer in the lower rung of the State Government.</td>
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<tr>
<td></td>
<td></td>
<td>(2) There shall be paid to each Member during the whole of his term of office per month, the consolidated allowance on the aggregate amount of the pay, cost of telephone charges, services of personal assistant and postal and stationery charges referred to in sub-section (1) of this section, sub-section (2) of section 6A and sub-sections (2) and (5A) of section 8 respectively, at the rate of dearness allowance applicable to the employees of the State Government.</td>
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<td></td>
<td><strong>Explanation.</strong> For the purpose of this sub-section, 'dearness allowance' means the dearness allowance as may be increased by the State Government from time to time after the 1st April, 2005 but does not include dearness allowance already declared prior to the said date.&quot;.</td>
</tr>
<tr>
<td>2.</td>
<td>In section 4, in clauses (a) and (b), for the figures &quot;150&quot;, the figures &quot;200&quot; shall be substituted.</td>
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<tr>
<td>3.</td>
<td>In section 6A, in sub-section (2), for the figures &quot;3,000&quot;, the figures &quot;4,000&quot; shall be substituted.</td>
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</tr>
</tbody>
</table>
4. In section 8,—

(1) in sub-section (2), for the figures "2,400", the figures "3,000" shall be substituted;

(2) in sub-section (5A), for the figures "1,600", the figures "3,000" shall be substituted.

2. The Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960 (Guj. III of 1960).

1. In section 3,—

(1) for the figures "4,500", the figures "10,000" shall be substituted;

(2) the following proviso shall be added, namely :-

"Provided that where the salary of the Members of the Assembly increases by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, the salary to be paid to the Speaker shall be increased in proportion to the increase in the salary of the Member of the Assembly."

2. In section 3A, for the figures "3,500", the figures "7,000" shall be substituted.

3. After section 3A, the following new section shall be inserted, namely :-

"3B. There shall be paid to the Speaker during the whole of his term of office per month the dearness allowance on the aggregate amount of the salary, consolidated allowance and the conveyance allowance referred to in sections 3, 3A and sub-section (2) of section 5 respectively, at the rate of dearness allowance applicable to the employees of the State Government.

Explanation.—For the purpose of this section, 'dearness allowance' means the dearness allowance as may be increased by the State Government from time to time after the 1st April, 2005 but does not include dearness allowance already declared prior to the said date."
4. In section 5, in sub-section (2), for the figures "3,000", the figures "4,000" shall be substituted.

5. In section 10,-

(1) for the figures "4,500", the figures "10,000" shall be substituted;

(2) the following proviso shall be added, namely :-

"Provided that where the salary of the Members of the Assembly increases by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, the salary to be paid to the Deputy Speaker shall be increased in proportion to the increase in the salary of the Member of the Assembly."

6. In section 10A, for the figures "3,500", the figures "7,000" shall be substituted.

7. After section 10A, the following new section shall be inserted, namely :-

"10B. There shall be paid to the Deputy Speaker during the whole of his term of office per month the dearness allowance on the aggregate amount of the salary, consolidated allowance and the conveyance allowance referred to in sections 10, 10A and sub-section (3) of section 12C respectively, at the rate of dearness allowance applicable to the employees of the State Government."

Explanation.- For the purpose of this section, 'dearness allowance' means the dearness allowance as may be increased by the State Government from time to time after the 1st April, 2005 but does not include dearness allowance already declared prior to the said date."
PART IV] GUJARAT GOVERNMENT GAZETTE EX., 23-3-2005 23-5

8. In section 12C, in sub-section (3), for the figures "3,000", the figures "4,000" shall be substituted.


1. In section 3,-

(1) for the figures "4,500" occurring at two places, the figures "10,000" shall be substituted;

(2) the following proviso shall be added, namely :-

"Provided that where the salary of the Members of the Assembly increases by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, the salary to be paid to the Minister shall be increased in proportion to the increase in the salary of the Member of the Assembly."

2. In section 3A, for the figures "3,500", the figures "7,000" shall be substituted.

3. After section 3A, the following new section shall be inserted, namely :-

"3B. There shall be paid to each Minister during the whole of his term of office per month the dearness allowance on the aggregate amount of the salary, consolidated allowance and the conveyance allowance referred to in sections 3, 3A and sub-section (2) of section 5 respectively, at the rate of dearness allowance applicable to the employees of the State Government.

Explanation.- For the purpose of this section, 'dearness allowance' means the dearness allowance as may be increased by the State Government from time to time after the 1st April, 2005 but does not include dearness allowance already declared prior to the said date."

4. In section 5, in sub-section (2), for the figures "3,000", the figures "4,000" shall be substituted.
5. In section 6,-

   (1) for the figures "4,500", the figures "10,000" shall be substituted;

   (2) the following proviso shall be added, namely:

"Provided that where the salary of the Members of the Assembly increases by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, the salary to be paid to the Deputy Minister shall be increased in proportion to the increase in the salary of the Member of the Assembly."

6. In section 6A, for the figures "3,500", the figures "7,000" shall be substituted.

7. After section 6A, the following new section shall be inserted, namely:

"6B. There shall be paid to each Deputy Minister during the whole of his term of office per month the dearness allowance on the aggregate amount of the salary, consolidated allowance and the conveyance allowance referred to in sections 6, 6A and sub-section (2) of section 8 respectively, at the rate of dearness allowance applicable to the employees of the State Government.

*Explanation.* For the purpose of this section, 'dearness allowance' means the dearness allowance as may be increased by the State Government from time to time after the 1st April, 2005 but does not include dearness allowance already declared prior to the said date."

8. In section 8, in sub-section (2), for the figures "3,000", the figures "4,000" shall be substituted.

1. In section 3,-

(1) for the figures "4,500", the figures "10,000" shall be substituted;

(2) the following proviso shall be added, namely: -

"Provided that where the salary of the Members of the Assembly increases by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960, the salary to be paid to the Leader of Opposition shall be increased in proportion to the increase in the salary of the Member of the Assembly."

2. In section 3A, for the figures "3,500", the figures "7,000" shall be substituted.

3. After section 3A, the following new section shall be inserted, namely: -

"3B. There shall be paid to the Leader of the Opposition during the whole of his term of office per month the dearness allowance on the aggregate amount of the salary, consolidated allowance and the conveyance allowance referred to in sections 3, 3A and sub-section (2) of section 5 respectively, at the rate of dearness allowance applicable to the employees of the State Government.

Explanation.- For the purpose of this section, "dearness allowance" means the dearness allowance as may be increased by the State Government from time to time after the 1st April, 2005 but does not include dearness allowance already declared prior to the said date."

4. In section 5, in sub-section (2), for the figures "3,000", the figures "4,000" shall be substituted.

5. In section 8, in sub-section (2), for the figures "500", the figures "1,000" shall be substituted.

Government Central Press, Gandhinagar.
PART IV

Acts of Gujarat Legislature and Ordinances promulgated and
Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 3rd March, 2017 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 2 OF 2017.
(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 6th March, 2017).

AN ACT

further to amend the laws relating to Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition.

It is hereby enacted in the Sixty-eighth Year of the Republic of India as follows:-

IV Ex.-2 2-1
1. (1) This Act may be called the Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Act, 2017.

(2) It shall be deemed to have come into force on the 20th December, 2016.

2. In the Gujarat Legislative Assembly Members’ Salaries and Allowances Act, 1960, in section 8,-

(i) sub-section (5) shall be deleted;

(ii) Explanation (2) shall be deleted.

3. In the Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960, section 7 and section 12E shall be deleted.

4. In the Gujarat Ministers’ Salaries and Allowances Act, 1960, section 10 shall be deleted.

5. In the Gujarat Legislative Assembly (Leader of the Opposition) Salary and Allowances Act, 1979, section 7 shall be deleted.

6. In the Gujarat Legislative Assembly (Leader of the Opposition) Salary and Allowances Act, 1979, in section 12, in sub-section (2), clause (c) shall be deleted.

7. (1) The Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Ordinance, 2016 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Gujarat Legislative Assembly Members’ Salaries and Allowances Act, 1960, the Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960, the Gujarat Ministers’ Salaries and Allowances Act, 1960 or, as the case may, the Gujarat Legislative Assembly (Leader of the Opposition) Salary and Allowances Act, 1979, as amended by the said Ordinance, shall be deemed to have been done or taken under the said Acts as amended by this Act.

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Government Central Press, Gandhinagar
PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 11th October, 2018 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat, Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 18 OF 2018.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 12th October, 2018).

AN ACT

further to amend the laws relating to salaries and allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition.

It is hereby enacted in the Sixty-ninth year of the Republic of India as follows:-

1. (1) This Act may be called the Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Act, 2018.

(2) It shall be deemed to have come into force on the 22nd December, 2017.
2. The enactments specified in column 2 of the Schedule shall be amended to the extent and in the manner specified in column 3 of the said Schedule.

SCHEDULE

(See section 2)

<table>
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<th>No.</th>
<th>Name of the enactment.</th>
<th>Extent of amendments.</th>
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<tr>
<td>1</td>
<td>The Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960 (Guj. II of 1960).</td>
<td>1. For section 3, the following section shall be substituted, namely:–</td>
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Salaries to be paid to Members and dearness allowance.

(1) There shall be paid to each Member during the whole of his term of office, a basic salary per month at the rate of minimum basic pay payable to the Deputy Secretary of the State Government in Sachivalaya.

(2) There shall be paid to each Member during the whole of his term of office per month, the dearness allowance on the amount of the basic salary referred to in sub-section (1) at such rate as is being paid to the employees of the State Government from time to time.

2. In section 4, in clauses (a) and (b), for the figures "200", the figures "1,000" shall be substituted.

3. In section 6A, for sub-section (2), the following shall be substituted, namely:–

“(2) There shall be paid to every member a sum of Rs.7,000 per month to meet with the telephone expenses including that of the mobile phone.”.

4. In section 8,–

(1) in sub-section (2), for the figures "3,000", the figures "20,000" shall be substituted;

(2) in sub-section (5A), for the figures "3,000", the figures "5,000" shall be substituted.
2. The Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960 (Guj. III of 1960).

1. For section 3, the following section shall be substituted, namely:

"3. (1) There shall be paid to the Speaker 25% more basic salary per month than the basic salary payable to a Member of the Assembly by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960.

(2) There shall be paid to the Speaker during the whole of his term of office per month the dearness allowance on the amount of the basic salary referred to in sub-section (1) at such rate as is being paid to the employees of the State Government from time to time."

2. In section 3A, for the figures "7,000", the figures "20,000" shall be substituted.

3. Section 3B shall be deleted.

4. In section 5, in sub-section (2), for the figures "4,000", the figures "7000" shall be substituted.

5. For section 10, the following section shall be substituted, namely:

"10. (1) There shall be paid to the Deputy Speaker 25% more basic salary per month than the basic salary payable to a Member of the Assembly by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960.

(2) There shall be paid to the Deputy Speaker during the whole of his term of office per month the dearness allowance on the amount of the basic salary referred to in sub-section (1) at such rate as is being paid to the employees of the State Government from time to time."
6. In section 10A, for the figures "7,000", the figures "20,000" shall be substituted.

7. Section 10B shall be deleted.

8. In section 12C, in sub-section (3), for the figures "4,000", the figures "7,000" shall be substituted.

1. For section 3, the following section shall be substituted, namely:

3. (1) There shall be paid to the Minister 25% more basic salary per month than the basic salary payable to a Member of the Assembly by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960.

(2) There shall be paid to the Minister during the whole of his term of office per month the dearness allowance on the amount of the basic salary referred to in sub-section (1) at such rate as is being paid to the employees of the State Government from time to time.

2. In section 3A, for the figures "7,000", the figures "20,000" shall be substituted.

3. Section 3B, shall be deleted.

4. In section 5, in sub-section (2), for the figures "4,000", the figures "7,000" shall be substituted.

5. For section 6, the following section shall be substituted, namely:

6. (1) There shall be paid to the Deputy Minister 25% more basic salary per month than the basic salary payable to a Member of the Assembly by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960.

(2) There shall be paid to the Deputy Minister during the whole of his term of office per month the
dearness allowance on the amount of the basic salary referred to in sub-section (1) at such rate as is being paid to the employees of the State Government from time to time."

6. In section 6A, for the figures "7,000", the figures "20,000" shall be substituted.

7. Section 6B shall be deleted.

8. In section 8, in sub-section (2), for the figures "4,000", the figures "7,000" shall be substituted.


1. For section 3, the following section shall be substituted, namely:-

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3. (1) There shall be paid to the Leader of the Opposition 25% more basic salary per month than the basic salary payable to a Member of the Assembly by virtue of the provisions of sub-section (1) of section 3 of the Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960."

(2) There shall be paid to the Leader of the Opposition during the whole of his term of office per month the dearness allowance on the amount of the basic salary referred to in sub-section (1) at such rate as is being paid to the employees of the State Government from time to time.".
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2. In section 3A, for the figures "7,000", the figures "20,000" shall be substituted.

3. Section 3B shall be deleted.

4. In section 5, in sub-section (2), for the figures "4,000", the figures "7,000" shall be substituted.

5. In section 8, in sub-section (2), for the figures "1,000", the figures "10,000" shall be substituted.
PART IV

Acts of Gujarat Legislature and Ordinances promulgated and Regulations made by the Governor.

The following Act of the Gujarat Legislature, having been assented to by the Governor on the 29th September, 2020 is hereby published for general information.

K. M. LALA,
Secretary to the Government of Gujarat,
Legislative and Parliamentary Affairs Department.

GUJARAT ACT NO. 7 OF 2020.

(First published, after having received the assent of the Governor, in the "Gujarat Government Gazette", on the 30th September, 2020).

AN ACT

further to amend the laws relating to salaries and allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly and of Ministers and Leader of the Opposition.

It is hereby enacted in the Seventy-first Year of the Republic of India as follows: -

1. (1) This Act may be called the Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Act, 2020.

Ex. IV-18 18-1
(2) It shall be deemed to have come into force on the 8th April, 2020.

2. In the Gujarat Legislative Assembly Members’ Salaries and Allowances Act, 1960, in section 3, after sub-section (1), the following sub-section shall be inserted, namely:-

“(1A) Notwithstanding anything contained in sub-section (1), there shall be paid to each Member 30 per cent less basic salary per month for a period of twelve months commencing from the 1st April, 2020.”.

3. In the Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960,-

(i) in section 3, after sub-section (1), the following sub-section shall be inserted, namely:-

“(1A) Notwithstanding anything contained in sub-section (1), there shall be paid to the Speaker 30 per cent less basic salary per month for a period of twelve months commencing from the 1st April, 2020.”.

(ii) in section 10, after sub-section (1), the following sub-section shall be inserted, namely :-

“(1A) Notwithstanding anything contained in sub-section (1), there shall be paid to the Deputy Speaker 30 per cent less basic salary per month for a period of twelve months commencing from the 1st April, 2020.”.

4. In the Gujarat Ministers’ Salaries and Allowances Act, 1960,-

(i) in section 3, after sub-section (1), the following sub-section shall be inserted, namely:-

“(1A) Notwithstanding anything contained in sub-section (1), there shall be paid to the Minister 30 per cent less basic salary per month for a period of twelve months commencing from the 1st April, 2020.”.
(ii) in section 6, after sub-section (1), the following sub-section shall be inserted, namely:

“(1A) Notwithstanding anything contained in sub-section (1), there shall be paid to the Deputy Minister 30 per cent less basic salary per month for a period of twelve months commencing from the 1st April, 2020.”.

5. In the Gujarat Legislative Assembly (Leader of the Opposition) Salary and Allowances Act, 1979, in section 3, after sub-section (1), the following sub-section shall be inserted, namely:

“(1A) Notwithstanding anything contained in sub-section (1), there shall be paid to the Leader of the Opposition 30 per cent less basic salary per month for a period of twelve months commencing from the 1st April, 2020.”.

6. (1) The Gujarat Salaries and Allowances of Members, Speaker and Deputy Speaker of the Gujarat Legislative Assembly, Ministers and Leader of the Opposition Laws (Amendment) Ordinance, 2020 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Gujarat Legislative Assembly Members’ Salaries and Allowances Act, 1960, the Gujarat Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, 1960, the Gujarat Ministers’ Salaries and Allowances Act, 1960, or as the case may, the Gujarat Legislative Assembly (Leader of the Opposition) Salary and Allowances Act, 1979, as amended by the said Ordinance, shall be deemed to have been done or taken under the said Acts as amended by this Act.

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