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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.

Short title and commencement.

(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.

Amendment of certain enactments.

SCHEDULE

(See section 2)

No.	Name of the enactment.	Extent of amendments.
1	2	3
1.	<p>The Gujarat Legislative Assembly Members' Salaries and Allowances Act, 1960 (Guj.II of 1960).</p> <p style="text-align: center;">Salaries to be paid to Members and consolidated allowance.</p>	<p>1. For section 3, the following section shall be substituted, namely:-</p> <p>“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.</p> <p>(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.</p>
		<p><i>Explanation.-</i> 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.”.</p>
		<p>2. In section 4, in clauses (a) and (b), for the figures "150", the figures "200" shall be substituted.</p>
		<p>3. In section 6A, in sub-section (2), for the figures "3,000", the figures "4,000" shall be substituted.</p>

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."

Guj. II of 1960.

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 :-

Dearness allowance to Speaker.

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."

Guj. II of 1960.

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 :-

Dearness allowance to Deputy Speaker.

"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."

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

3. The Gujarat Ministers' Salaries and Allowances Act, 1960 (Guj. VI of 1960).

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 :-

Guj. II of 1960.

"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 :-

Dearness allowance to Ministers.

"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."

Guj. II of 1960.

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 :-

Dearness allowance to Deputy Ministers.

"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.

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

Guj. II of 1960.

Dearness
allowance to
the Leader of
Opposition.

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.