

Gujarat Legislative Assembly (Leader of the Opposition) (Free Transit by Railway) Rules, 2004

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SCHEDULE :-

Gujarat Legislative Assembly (Leader of the Opposition) (Free Transit by Railway) Rules, 2004

In exercise of the powers conferred by Sec. 8-A of the Gujarat Legislative Assembly (Leader of the Opposition) Salaries and Allowances Act, 1979 (Guj. 16 of 1979), the Government of Gujarat hereby makes the following rules, namely:

1. Short title :-

These rules may be called the Gujarat Legislative Assembly (Leader of the Opposition) (Free Transit by Railway) Rules, 2004.

2. Definitions :-

In these rules, unless the context otherwise requires,

(a) "the Act" means the Gujarat Legislative Assembly (Leader of the Opposition) Salaries and Allowances Act, 1979 (Guj. 16 of 1979);

(b) "co-travellers" means the spouse of the Leader of the Opposition and two other members of his family, residing with and dependant on him and travelling jointly with him;

(c) "Coupon Book" means a rail travel coupon book issued to the Leader of the Opposition under these rules;

(d) "Leader of the Opposition" means the Leader of the Opposition of the Gujarat Legislative Assembly as defined in the Gujarat Legislative Assembly (Leader of the

Opposition) Salaries and Allowances Act, 1979 (Guj. 16 of 1979);

(e) "Secretary" means the Secretary of the Gujarat Legislature Secretariat and includes any person for the time being performing the duties of the Secretary;

(f) "year" means a financial year.

3. Leader of the Opposition to be provided with coupon books :-

(1) Subject to the provisions of Sec. 8-A of the Act and these rules the Leader of the Opposition shall be provided by the Secretary with coupon books,

(a) which shall entitle him to travel singly by first class or, as the case may be, by air conditioned two tier or three tier by railway in any part of India outside the State of Gujarat in any year so, however, that the total distance so traveled does not exceed ten thousand kilometers, and

(b) which shall entitle him to travel singly or jointly with co-travellers, by railway, in any part of India outside the State of Gujarat so, however, that the total distance so travelled on the set of coupon books does not exceed twenty thousand kilometers in a financial year:

Provided that the aggregate journey performed on this set of coupon books shall not exceed thirty thousand kilometers in a financial year:

Provided further that, the coupons may be used for the payments of fares of ticket, reservation fee, supplementary charge on super-fast trains and sleeper surcharge for sleeping accommodation only at the station counter:

Provided also that on production of receipt for cash payment of such surcharge or reservation charge, as the case may be, enroute, the Secretary shall reimburse the said surcharge or reservation charges to the Leader of the Opposition.

(2) Where the Secretary is satisfied that purchase of a first class season ticket for any journey within the State by the member for himself by rail is more economical than use of coupons for such journey, he may permit the member to use the coupons mentioned in para (a) of sub-rule (1) above for purchase of such first class season ticket.

4. Requisition for supply of coupon books :-

(1) The Secretary shall, whenever necessary, make a requisition to the General Manager, Central Railway, Bombay, for the supply of coupon books for use by the Leader of the Opposition in accordance with the provisions of these rules.

(2) On receipt of such requisition, the General Manager, Central Railway, Bombay, shall supply the Secretary sets of first class coupon books referred to in Rule 3 which may be used for travel by two tier or three tier on any Indian Railway in any part of India within or outside the State of Gujarat as the case may be, by the Leader of the Opposition and raise the necessary debit against the State Government.

5. Money value of rail travel coupon books :-

(1) Rail travel coupon shall be available in books, each containing money value coupons for three thousand rupees of such denominations as Secretary, may deem fit, in consultation with the railway authorities.

(2) Each coupon book shall be numbered with the book number, and each coupon therein with the book number and coupon number, shall be in serial order.

6. Certificate on coupon books :-

Every coupon book shall be affixed with one of the following appropriate certificates by the Secretary, namely:

I

(for use of the Leader of the Opposition for journey

by railway within the State by himself.)

"I hereby certify that

Shri/Smt./Kumari.....is the Leader of the Opposition of the Gujarat Legislative Assembly, and tickets may be issued in exchange for the rail travel coupons for journeys to be undertaken by him/her within the State of Gujarat.

SEAL Secretary,

Gujarat
Legislative
Secretariat.

Date

II

(for use of the Leader of the Opposition for journey by railway outside the State of Gujarat singly or jointly with co-travellers for journey within or outside the State of Gujarat).

"I hereby certify that Shri/Smt./Kumari.....is

the Leader of the Opposition of the Gujarat Legislative Assembly and ticket may be issued in exchange the rail travel coupons, (a) for journeys to be undertaken by the Leader of the Opposition singly

outside the State, or (b) for journey to be undertaken by his/her spouse and minor children or companion jointly with him/her outside the State of Gujarat.

SEAL Secretary,

**Gujarat
Legislative
Secretariat.**

Date

7. Declaration before issue of coupon books :-

(1) The name of the Leader of the Opposition to whom a coupon book is issued shall be filled in by the Secretary before it is issued to him.

(2) The Secretary shall get one of the following appropriate declarations (which shall be printed on cover page of every such book) duly signed by the Leader of the Opposition before any such coupon book is issued, namely:

I

"I, Shri/Smt./Kumari.....hereby declare that the coupons will be used by me for the journeys undertaken within the State of Gujarat admissible to me under Sec. 8-A of the Gujarat Legislative Assembly (Leader of the Opposition) Salaries and Allowances Act, 1979 (Guj. 16 of 1979) and the rules framed thereunder."

**Date : Signature of the Leader
of the Opposition.**

II

"I, Shri/Smt./Kumari.....hereby declare that the coupons will be used by me for the journey as per the provisions of proviso to Sec. 8-A of the Gujarat Legislative Assembly (Leader of the Opposition) Salaries and Allowances Act, (Guj. 16 of 1979) and the rules framed thereunder."

Date : Signature of the Leader of the Opposition

8. Value of coupon books may be issued at a time and its validity :-

The Leader of the opposition at a time shall not be issued with the coupon book of the description prescribed in column 2 of more than the value prescribed in column 3 of the Table below:

Table		
SI. No.	Description of coupon book	Value in rupees
1.	Coupon books described in clause (a) of sub-rule (1) of Rule 3	3,000.00
2.	Coupon books described in clause (b) of sub-rule (1) of Rule 3	6,000.00
3.	Coupon books	6,000.00

<p>described in clause (c) of sub-rule (1) of Rule 3.</p>	
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9. Number of coupon books to be used at a time and their availability :-

(1) Except issue of first set of coupon books under Rule 3, no fresh coupon books shall be issued unless the Leader of the Opposition furnished to the Secretary an account of the used coupons in either of the appropriate forms prescribed under the schedule appended to these rules and the secretary is satisfied that the coupon books previously issued to him/her have been used by him/her or returned by him/her to the Secretary on or before the last day of the period of validity:

Provided that when no such account is furnished by him or it is reported by him that such books are lost and as such he is unable to render such account, the Secretary shall recover money value of such coupons or coupon books, as the case may be, from the amount of travelling and daily allowances payable to him/her.

(2) Where any unused coupons are not returned by the Leader of the Opposition before the expiry of the period of validity the cost thereof shall be recovered by the Secretary from the amount of travelling and daily allowances payable to him:

Provided that if, in the opinion of the Secretary, it was not possible to recover the cost of such unused coupons from him as aforesaid, it may be recovered from him after he ceases to be the Leader of the Opposition of the House by the Collector as arrears of land revenue.

(3) The coupon book shall be available for use only by the Leader of the Opposition whose name is specified thereon for the journeys contemplated in Sec. 8-A of the Act.

(4) The coupon books issued under these rules shall be valid for the period of three years from the date of issue by the Railway to the Secretary, Gujarat Legislature Secretariat. The date will be indicated on the coupon books.

10. Coupon books and coupons not transferable :-

(1) The coupon books issued under these rules and the coupons therein shall be non-transferable and shall be used only for journeys by the persons in whose favour they are issued.

(2) In the event of any person ceasing to be the Leader of the Opposition, the coupon books shall be returned to the Secretary.

11. Method of purchasing tickets with coupons :-

(1) The Leader of the Opposition desiring to undertake a journey either singly or

jointly with co-travellers shall present the appropriate coupon book to the booking clerk without detaching any coupon therefrom. Loose coupons, i.e. coupons detached from a coupon book, shall not be accepted in any circumstances.

(2) The booking clerk shall personally remove from the coupon book the number of coupons necessary for the journey. Before removing the coupon, the booking clerk may ask the holder of the coupons book to show his identity card and to write his or her signature on a piece of paper for the purpose of verification with the signature in the coupon book. Where coupons, in excess of those actually required, are detached from a coupon book by a booking clerk, a suitable remark such as "wrongly detached" shall be made by the booking clerk on the back of the detached coupons and the loose coupons with the remark so made shall be accepted when presented for the issue of a ticket, provided the coupon book from which the coupons have been detached, is produced.

(3) In exchange for the coupon or coupons, the booking clerk shall issue a single journey ticket or first class season ticket as may be required, after scoring out the fare printed thereon and writing on the reverse of the ticket or first class season ticket, in red ink the words "R.T. coupons for the Leader of the Opposition only". Explanation, If rail travel coupons from two different coupon books issued in favour of the Leader of the Opposition are presented for issue of tickets or first class season ticket, they shall, subject to the provisions of this rule, be accepted by the booking clerk.

12. Identity of the Leader of the Opposition :-

The Leader of the Opposition when travelling with the ticket issued to him under Rule 10 shall keep with him his identity card containing his photograph duly attested by the Secretary and produce the same when demanded by the railway authorities.

13. Availability of a ticket issued on rail travel coupons :-

The period of availability of a ticket shall, having regard to the date on which it is issued, be the same as for ordinary tickets.

14. Pilgrim and terminal taxes :-

When issuing a ticket in exchange for a rail travel coupon for journeys to and from stations at which pilgrim or terminal taxes are leviable, the pilgrim or terminal tax shall be collected in cash from the person presenting the coupon. The amount of tax so collected shall be entered on the face of ticket.

15. Luggage :-

The Leader of the Opposition shall be entitled to carry such luggage free of charge as is permissible on first class, ordinary tickets, and the member shall pay in cash for the excess luggage, if any, at the luggage rate prescribed by the Railway Administration concerned.

16. Un-exchanged coupons :-

The Leader of the Opposition found travelling on exchanged rail travel coupon shall be considered as travelling without a ticket, and shall be liable to the prescribed penalties. In such cases, he shall pay the fares and excess charges, in cash.

17. Use of coupons :-

No rail travel coupons shall be used for any purpose except for the purpose of exchanging them for passenger tickets at the booking office of the railway

concerned for journeys within the State of Gujarat or outside, as the case may be, and the coupons shall not in any circumstances be accepted by the railway administration towards payment of any other charges, such as luggage charges.

18. Confiscation of coupons :-

The Railway administration may confiscate a coupon book on proof that the conditions on which it has been issued have not been observed after referring the matter to the Secretary and obtaining his approval for such confiscation. On such confiscation, the value of the coupon books shall be refunded to the Secretary.

19. Refunds :-

(1) Subject to Railway rules, refund on unused coupons returned to the Railway Administration by the Secretary, shall be granted on unused coupons, provided they are returned to the Railway within one month after the expiry of the period of their validity.

(2) Subject to Railway rules, refund shall be admissible on an unused or partly used ticket on its presentation to the Railway Administration. Refund shall, in all cases, be made only to the Secretary, and not to the individual.

20. Rules 10 to 19 to be printed on coupon books :-

Each coupon book shall have printed thereon in extenso the provisions of Rules 10 to 19, both inclusive.

SCHEDULE

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