

EXTRAORDINARY

Registered No. M 324



The Sindh Government Gazette

Published by Authority

 KARACHI FRIDAY FEBRUARY 28, 2005

PART-I

PROVINCIAL ASSEMBLY OF SINDH

NOTIFICATION

KARACHI, THE 17TH FEBRUARY, 2005

NO.PAS/Legis-B-4/2003-. The Sindh Special Assistants (Appointment, Powers, Functions, Salaries, Allowances and Privileges) Act, 2003 having been passed by the provincial Assembly of Sindh on 26th April, 2004 and assented to by the Governor of Sindh on 9th February, 2005, is hereby published as an Act of the Legislature of Sindh.

THE SINDH SPECIAL ASSISTANTS (APPOINTMENT, POWERS,
FUNCTIONS, SALARIES, ALLOWANCES AND PRIVILEGES) ACT,
2003

SINDH ACT NO. I OF 2005

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 17th February, 2005).

**AN
ACT**

to provide for appointment, powers, functions, salaries, allowances and privileges of Special Assistants to the Chief Minister of Sindh.

- Preamble.** WHEREAS it is expedient to provide for appointment, powers, functions, salaries, allowances and privileges of Special Assistants to the Chief Minister of Sindh.
- It is hereby enacted as follows: -
- Short title and commencement.** 1. (1) This Act may be called the Sindh Special Assistants (Appointment, Powers, Functions, Salaries, Allowances and Privileges) Act, 2003
- (2) It shall come into force at once and be deemed to have taken effect on and from January 1, 2003.
- Definitions.** 2. In this Act, unless the subject or context otherwise requires, the following expressions shall have the meanings hereby assigned to them respectively: -
- (a) "Chief Minister" means the Chief Minister of Sindh;
- (b) "Family" means the wife and children residing with and wholly dependent upon the Special Assistant;
- (c) "Government" means the Government of Sindh;
- (d) "maintenance" in relation to a residence includes the payment of local rates, tax and the provision of electricity, water and gas;
- (e) "official residence" means the house reserved from time to time for residence by a Special Assistant and includes out houses and gardens appurtenant thereto;
- (f) "prescribed" means prescribed by rules framed under this Act; and
- (g) "Special Assistant" means a person appointed as Special Assistant to the Chief Minister under this Act.
- Overriding effect.** 3. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law, for the time being in force or any judgment, order or decree of any Court.
- Appointment and term of office.** 4. (1) The Chief Minister may in his discretion from time to time appoint such number of persons as he considers necessary, to be Special Assistants, who shall hold office during the pleasure of the Chief Minister.
- (2) A Special Assistant shall exercise all such powers as may be delegated and perform such functions as may be assigned to him by the Chief Minister.
- Salary.** 5. The salary of a Special Assistant shall be fifteen thousand rupees per month.

6. A Special Assistant shall be entitled to get three thousand rupees per month as sumptuary allowance. Sumptuary allowance.

7. A Special Assistant to the Chief Minister shall be entitled to the use of one official car through out his term of office and for a period of fifteen days immediately thereafter; provided that the Chief Minister may withhold this facility from a Special Assistant who is removed from his office on the grounds of misconduct. Transport.

8. (1) A Special Assistant shall be entitled, without payment of rent, to the use of an official residence including accommodation on tour through out his term of office, and for a period of fifteen days immediately thereafter, and the charges for its maintenance including the electricity and gas charges shall be borne by Government. The residence shall be furnished by Government at a cost not exceeding sixty thousand rupees only once during the term of his office. Official residence.

(2) Where a Special Assistant chooses to reside

- (i) in his own house; or
- (ii) in a rented house occupied by him before his appointment as a Special Assistant;

he may be paid a monthly sum of ten thousand rupees in lieu of the official furnished accommodation and to cover all expenses on its maintenance. The charges for consumption of electricity and gas in respect of the said house shall be borne by Government.

9. (1) Subject to the provisions made hereafter a Special Assistant travelling on official duty shall be treated as a first grade officer. Travelling allowance.

(2) A Special Assistant may, if the public interest so demands travel by air in such case he shall be entitled to:

- (a) economy class airfare paid for himself;
- (b) cost of transporting personal luggage up to forty five kilograms, inclusive of the free allowance given by the air company;
- (c) claim the actual premium paid for ensuring himself for the air journey for an amount not exceeding one lac rupees.

(3) A Special Assistant, when travelling for any official assigned work by rail in Pakistan, shall be entitled to-

(a) requisition at the cost of Government-

- (i) an ordinary first-cum-second class carriage or a 'B' class tourist car or an 'A' class tourist car, if a 'B' class tourist car is not available; or

- (ii) if the vehicles specified at (i) above are not available, or are not desired an ordinary four berthed first class compartment or a two berthed air-conditioned (coupe) compartment;

- (4) When a Special Assistant travels for official assigned work in public interest, by road, between places connected by Railway and chooses to forego the privileges granted under sub-section (4), he may, where the journey is performed in a vehicle not owned or maintained by Government, draw:
- (a) travelling allowance admissible for the time being:
- Form of Certificate. 10. Every claim by a Special Assistant for travelling allowance or daily allowance shall be supported by a written certificate in the following form signed by him: -
- "Certified that such amount has not been claimed by me in any other bill or drawn by me from any other source".
- Compensation in case of air accident 11. (1) If a Special Assistant, while travelling by air, on official duty, by any flight, scheduled or unscheduled (including flight in a Government owned aircraft of any type), dies or receives an injury as a result of an accident, Government shall pay to the persons referred to in sub-section (2), a sum of three hundred thousand rupees, in case of death, and an amount to be determined by Government having regard to scales of compensation applied by insurance companies in like cases, in case of injury.
- (2) The compensation shall be payable in case of injury to the Special Assistant and in case of death, to a member or members of his family, or if there be no such member, any other person or persons as may be nominated by him in this behalf, or, in the absence of such nomination, to his heirs:
- Provided that the nominee shall distribute the amount received by him among the heirs of the deceased.
- (3) A nomination under sub-section (2) may be made, revoked or altered by a notice in writing signed by the Special Assistant.
- Daily allowance. 12. A Special Assistant, while on officially assigned tour, shall be entitled to receive a daily allowance at the rate of three hundred rupees per day: Provided that where the duration of such tour is less than eight hours, one-half daily allowance shall be admissible.
- Controlling Officer 13. The Minister Finance shall, for purposes of travelling allowances, be the Controlling Officer of a Special Assistant.
- Medical facilities. 14. A Special Assistant shall be entitled to medical facilities in terms of Special Medical Attendance Rules, 1950.
- Leave 15. (1) The Chief Minister may grant, to a Special Assistant during his term of office at any one time or from time to time, leave of absence, for urgent reasons of health or private affairs, for a period not exceeding three months in the aggregate.
- (2) The leave allowance of a Special Assistant shall be the same as his salary.
- Personal staff. 16. A Special Assistant, except while on leave, shall be entitled to have such personal staff as may be sanctioned by Government.

17. (1) All reasonable precautions shall be taken to see that the official residence, transport and furniture provided to a Special Assistant by Government be used with the same care with which a person's own property is taken care of.

General.

(2) All furniture and furnishing provided in an official residence shall be marked by the Works and Services Department for the purpose of identification.

(3) When a Special Assistant occupies an official residence, it shall be the duty of the officer concerned of the said Department to hand over charge of the furniture and furnishing in that residence to the Special Assistant or to a person authorized by him in writing according to an inventory to be drawn up and signed by such officer.

(4) When a Special Assistant is about to vacate the official residence, he shall inform the officer concerned of the said Department and shall arrange that the furniture and furnishings of the official residence are handed over to that officer according to an inventory to be drawn up and signed.

18. A Special Assistant shall be entitled to one official telephone at office and one official telephone at the residence, both for official and private purposes;

Telephone

Provided that the liability of Government in respect of the telephone installed at the residence shall not exceed an amount equal to one thousand local calls.

Jurisdiction
barred.

19. Save as provided under this Act, no order made or proceedings taken under this Act, or the rules made thereunder by Government shall be called in question in any Court and no injunction shall be granted by any Court in respect of any decision made or proceedings taken in pursuance of any power conferred by, or under, this Act, or the rules made thereunder.

Power to make
rules.

20 Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

HADI BUX BURIQO
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH.