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PART IV

PROVINCIAL ASSEMBLY OF SINDH

NOTIFICATION

Karachi, the 30th March, 1995

NO.PAS/Legis-B-5/95-. The Sindh Revision of Emoluments of Public Representatives Bill, 1995 having been passed by the Provincial Assembly of Sindh on 26th March, 1995 and assented to by the Governor of Sindh on 28th March, 1995 is hereby published as an Act of the Legislature of Sindh.

THE SINDH REVISION OF EMOLUMENTS OF PUBLIC REPRESENTATIVES ACT, 1995

SINDH ACT No. I of 1995

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary dated 30th March, 1995).

AN

ACT

to revise the salaries and other emoluments of the holders of representative offices in the Province of Sindh.

WHEREAS it is expedient to revise the salaries and other emoluments of the holders of representative offices in the Province of Sindh and amend the relevant laws;

Preamble.

L(iv)512 Ext. IV - 6

(12)

[Price : 0-50 Paisa]

It is hereby enacted as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the Sindh Revision of Emoluments of Public Representatives Act, 1995.

(2) It shall come into force at once.

Amendment
of Sind Act
XXVI of
1974.

2. The following amendments shall be made in the Sind Assembly Members (Salaries and Allowances) Act, 1974 namely—

(1) in section 3, for the words “two thousand and five hundred”, the words “four thousand and five hundred” shall be substituted;

(2) after section 3, the following new section shall be inserted—

“3-A: A member shall receive sumptuary allowance at the rate Sumptuary allowance of two thousand rupees per month.”.

(3) for section 4, the following shall be substituted:—

“4. A member shall be entitled to receive a daily allowance at Daily allowance and conveyance allowance. the rate of four hundred rupees and conveyance allowance at the rate of two hundred and fifty rupees per diem for the period of residence on duty and for the day of arrival and the day of departure from the place where a session of the Assembly or a meeting of Committee is held or where any other business connected with his duties as such member is transacted.”.

(4) for section 4-A, the following shall be substituted:—

“4-A: A member shall be paid a subsidy at the rate of four Subsidy hundred and fifty rupees for each day during the period of residence on duty.

4-B: Where official accommodation is not provided to a Accommodation Allowance member, he shall be paid an accommodation allowance at the rate of one thousand rupees per day for the period of residence on duty.”.

(5) for section 5, the following shall be substituted:—

Travelling allowance. “5. (1) For every Journey performed for the purpose of attending a session or a meeting of a Committee or for attending to any other business connected with his duties as member from his usual place of residence to the place where the session or meeting is held or other business is transacted and for the return Journey from such place to his usual place of residence, a member shall be entitled to receive travelling allowance at the following rates:—

(a) where the Journey is performed by rail, an amount equal to the fare of the class travelled, plus half fare of the AC class;

(b) where the Journey is performed by air, the fare of the business class; and

(c) where the Journey or any part thereof is performed by road, the fare at the rate for the purpose mentioned in the Travelling Allowances Rules applicable to Sindh for the time being in force for officers of Grade First:

Provided that if the Journey is performed by personal car, the mileage allowance shall be three rupees per Kilometer:

Provided that—

- (i) no travelling allowance shall be admissible for Journeys made during a session between the place where the session is held and any other place; and
 - (ii) a member who ordinarily resides or carries on business at any place within five miles of the place at which his attendance is required in connection with his duties as a member, shall not be entitled to travelling allowance.
- (2) The travelling allowance at the rates mentioned in sub-section (1) shall be admissible to a member for Journey performed during the period of adjournment of a session, if the session is adjourned for a period of more than ten days.
- (3) A member shall be entitled to travel by air in first class while travelling abroad on an official visit.”.
- (6) in section 5—A—
- (a) in sub-section (1), for the words “twenty five thousand”, the words “forty thousand” shall be substituted; and
 - (b) for sub-section (2), the following shall be substituted:—
“(2) A member who does not wish to be provided with such vouchers shall be paid an allowance which bears the same proportion to the value of the vouchers he would have been entitled to be provided with under sub-section (1) as the sum of thirty thousand rupees bears to the sum of forty thousand rupees.”.
- (7) for section 6, the following shall be substituted:—
“(1) A member shall be entitled to, at Government expense, the Telephone. facility of a telephone at the place where he ordinarily resides, if the installation facility is available at such place:
Provided that Government shall pay only rupees four thousand per month as charges of rent of the telephone and the calls made therefrom irrespective of whether the telephone is a private connection or installed at Government expense:
Provided further that the Government shall not pay expenses of re-installation in case the place of residence is changed.
(2) A member who has not been provided with a telephone or who has no telephone connection in his own name shall be entitled to get rupees four thousand per month in lieu of the telephone charges mentioned in sub-section (1).
- (8) in section 6—B, for the words “one thousand and five hundred”, the words “four thousand” shall be substituted.
- (9) for section 7 and its Explanation, the following section 7 and

7—A shall be substituted:—

“7. Notwithstanding anything in this Act, the Leader of the Leader of the Opposition. Opposition shall be entitled to the salary, allowance and privileges as are admissible to a Provincial Minister under the Sind Ministers (Salaries, Allowances and Privileges) Act, 1975;

7—A. A member who holds the office of Chairman of a Committee Official Transport: of Assembly, other than that of a Select Committee or a Special Committee, shall be entitled to the use of not more than one official car regardless of his entitlement to have an official car in any other capacity, and where he avails himself of this facility, he shall not be entitled to receive the conveyance allowance under section 4 and travelling allowance under section 5:

Provided that—

- (i) only one Car shall be provided to a Chairman of a Committee during the whole term of his office;
- (ii) a Chairman of a Committee shall be allowed eight thousand rupees per month as petrol and maintenance allowance and expenses on petrol and maintenance of the car shall entirely be his responsibility;
- (iii) on ceasing to hold office the Chairman of the Committee shall return the Car within three days.”.

Amendment
of Sind Act
VII of 1975.

3. In the Sind Speaker's and Deputy Speaker's (Salaries, Allowances and Privileges) Act, 1975, the following amendments shall be made:—

- (1) in section 3, in clause (c), the words and commas “in case of the Speaker and eighty maunds in case of the Deputy Speaker,” shall be omitted;
- (2) in section 3—A, for the words “Three thousand rupees and Two thousand” the words “Five thousand” shall be substituted;
- (3) in section 5, for the words “Five thousand rupees and Four thousand” the words “Twenty thousand two hundred and fifty rupees and eighteen thousand” shall be substituted;
- (4) in section 6—
 - (i) for sub-section (1), except the explanation, the following shall be substituted:—

“(1) The Speaker or the Deputy Speaker, as the case may be, shall be entitled 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 one hundred thousand rupees.”.
 - (ii) in sub-section (2), for the words “Eight thousand rupees or Seven thousand” wherever occurring, the words “Seventeen thousand rupees or Fifteen thousand” shall be substituted;
 - (iii) sub-section (3) shall be deleted.

(5) in section 7-A, for sub-section (1), the following shall be substituted:—

“(1) The Speaker and the Deputy Speaker may in their discretion, make grants to the extent of five hundred thousand rupees and three hundred thousand rupees respectively in a year.”

(6) in section 8, for the words “Three thousand rupees and one thousand and five hundred”, the words “Six thousand” shall be substituted;

(7) for section 8-A, the following shall be substituted:—

“8-A. The Speaker or the Deputy Speaker, as

Telephone. the case may be, shall be entitled at Government expense to the use of two Telephones at his office and two Telephones at his residence both for official or private use through out the term of his office and for a period of fifteen days immediately thereafter. He will also be entitled to free telephonic facility while on tour where such facility is available.”

(8) in section 9—

(a) in sub-section (2), after clause (b), the following new clauses(c), (d) and (e) shall be inserted and the existing clauses(c) and (d) shall be re-numbered as clauses (f) and (g):—

“(c) requisition, at the cost of Government, if he considers it necessary in the public interest, a Pakistan Air Force aeroplane or an aeroplane belonging to Government subject to availability, and in accordance with the rules made by the Federal Government or the Provincial Government, as the case may be;

(d) take with himself his wife, whether travelling by a commercial aeroplane or by a requisitioned aeroplane:

Provided that no non-official shall be allowed to travel in a Pakistan Air Force aeroplane without the authority of the Ministry of Defence;

(e) cost of transporting upto two personal servants by the lowest class of accommodation by rail or steamer”;

(b) for sub-sections (3) and (4) and note thereunder the following shall be substituted:—

“(3) The Speaker, or the Deputy Speaker, as the case may be, when travelling on duty 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;

(b) take with himself in the reserved accommodation without payment of any fare, his family members not exceeding four when travelling in a requisitioned railway compartment.

(c) take with himself upto two personal servants, by the lowest class of accommodation available; and

(d) the carriage of personal luggage upto three maunds when travelling by a railway compartment or upto six maunds when travelling by a requisitioned railway saloon,

(4) The Speaker, or the Deputy Speaker, as the case may be, reserving accommodation in the railway shall be required, before beginning the journey, to have the number and other details of the tickets purchased for the persons travelling with him in the reserved accommodation entered on the requisition form by the Station Master of the Station from which the journey is to commence.

(c) In sub-section 6, in clause a, for the words "Seventy five paise per mile" the words "Three rupees per kilometer" shall be substituted.

(d) After section 9, the following shall be added:—

"9—A (1) If the Speaker, or the Deputy Speaker, as the case may be, 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 any accident, the Government shall pay to person or persons referred to in sub-section(2), a sum of three hundred thousand rupees, in case of death and an amount to 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 Speaker or the Deputy Speaker as the case may be, and in case of death, to such 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 Speaker or the Deputy Speaker as the case may be, and addressed to the Accountant General, Sindh."

(9) In section 10, in sub-section(1), for the words "One hundred and twenty five" the words "Four hundred and fifty" shall be substituted.

(10) Section 13, shall be renumbered as 13(1) and thereafter the following sub-section (2) shall be added:—

"(2) The leave allowance of the Speaker and the Deputy Speaker shall be twenty thousand two hundred and fifty rupees and eighteen thousand rupees respectively, per mensem".

(11) After section 13, the following new sections 14, 15, 16 and 17 shall be added and the existing sections 14 and 15 shall be renumbered as section 18 and 19:

"14. Travelling allowance for tour abraod.	The Speaker or the Deputy Speaker as the case may be, while travelling on official business outside Pakistan shall be entitled to First Class air fare and such allowance as may be specified by Government.
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15. Provident Fund	(1) The Speaker or the Deputy Speaker, as the case may be, may, at his option, become a subscriber to the General Provident Fund, and if he so opts, he shall subscribe to the fund as a compulsory subscriber in accordance with the General Provident Fund Rules applicable to Provincial Government Servants.
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(2) A temporary advance may be granted to the Speaker or the Deputy Speaker as the case may be from the amount standing to his credit in the General Provident Fund at the discretion of Government for the purpose for which such advance may be granted to a subscriber under the said rules.

(3) The grant of a temporary advance under sub-section(2), shall, unless the Government otherwise directs, be subject to the condition to which an advance granted to a subscriber under the said rules is subject.

16. Holidaying abroad. (1) The Speaker, or the Deputy Speaker, as the case may be, may, while holidaying abroad, draw his full pay in foreign currency, for the period of holiday spent abroad.

(2) When the Speaker or the Deputy Speaker, as the case may be, is holidaying abroad and draws his pay in foreign currency, he shall not be liable to pay income-tax, provident fund subscription, etc., in foreign currency, if he makes arrangement to pay such amount in rupees in Pakistan.

(3) The expenditure in foreign exchange involved under this Act shall be adjusted against the foreign exchange allocation placed at the disposal of the Government for each relevant shipping period.

(4) Where the pay is drawn in foreign currency by the Speaker or the Deputy Speaker, as the case may be, he shall not be eligible to receive foreign exchange allocation from the State Bank of Pakistan in any other capacity.

17. Power to make rules. The Government may make rules to carry out the purposes of this Act.

4. In the Sind Ministers (Salaries, Allowances and Privileges) Act, 1975, the following amendments shall be made; namely—

Amendment
of Sind Act
VIII of 1975.

(1) in section 3-A, for the words "three thousand and five hundred" the words "fifteen thousand" and for the words "three thousand" the words "five thousand" shall be substituted;

(2) in section 5, for the words "six thousand", the words "twenty one thousand" and for the words "five thousand", the words "eighteen thousand" shall be substituted;

(3) in section 6, for the words "four thousand", the words "ten thousand" and for the words "three thousand", the words "six thousand" shall be substituted;

(4) in section 6-A, for sub-section (1), the following shall be substituted:—

"(1) An appropriate amount and a sum of three hundred thousand rupees in a year shall be placed at the disposal of the Chief Minister and a Minister respectively per annum for making discretionary grants in such manner as may be prescribed."

(5) in section 7, in sub-section(1)—

(a) for the proviso, the following shall be substituted:—

"Provided that the expenditure on the furnishing of the official residence of the Chief Minister and a Minister shall not exceed five hundred thousand rupees and one hundred thousand rupees respectively."

- (b) in sub-section(2), for the words "eight thousand" the words "fifteen thousand and for the words "twenty thousand" the words "sixty thousand" shall be substituted.
- (6) in section 9, in sub-section (5), in clause (a), for the words "seventy five paisas per mile" the words "three rupees per kilometre" shall be substituted;
- (7) for section 10 including proviso, the following shall be substituted—
 "10. The Chief Minister or a Minister while on tour shall be Daily Allowance. entitled to draw a daily allowance of four hundred and fifty rupees per day:
 Provided that where the duration of the tour is less than eight hours one half daily allowance shall be admissible.";
- (8) in section 11, for the words "one lac and twenty five thousand", the words "three hundred thousand" shall be substituted;
- (9) in section 12, after the words "entitled to" the words "First Class air fare and", shall be inserted;
- (10) after section 16, the following shall be added:—
 "16—A.(1) The Chief Minister or a Minister, as the case may be, while Holidaying abroad. holidaying abroad, may draw his full pay in foreign currency, for the period of holiday spent abroad.
 (2) When the Chief Minister or a Minister, as the case may be, is holidaying abroad and draws his pay in foreign currency, he shall not be liable to pay income-tax, provident fund subscription, etc., in foreign currency, if he makes arrangement to pay such amount in rupees in Pakistan.
 (3) The expenditure in foreign exchange involved under this Act shall be adjusted against the foreign exchange allocation placed at the disposal of the Government for each relevant shipping period.
 (4) Where the pay is drawn in foreign currency by the Chief Minister or a Minister, as the case may be, he shall not be eligible to receive foreign exchange allocation from the State Bank of Pakistan in any other capacity."

BY ORDER OF THE SPEAKER
 PROVINCIAL ASSEMBLY OF SINDH

ZAKIR HUSSAIN K. MIRZA
 Secretary
 Provincial Assembly of Sindh