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SIND ACT NO.III OF 1972

THE SIND MINISTERS (SALARIES, ALLOWANCES AND PRIVILEGES) ACT, 1972

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SIND ACT NO.III OF 1972

THE SIND MINISTERS (SALARIES, ALLOWANCES AND PRIVILEGES) ACT, 1972

[18th July, 1972]

An Act to provide for the salaries, allowances and privileges of the Chief Minister and Ministers.

Preamble.

WHEREAS clause (9) of Article 104 of the Interim Constitution of the Islamic Republic of Pakistan provides that the salaries, allowances and privileges of Ministers shall be such as may be determined by law;

AND WHEREAS it is expedient to determine the salaries, allowances and privileges of the Chief Minister and Ministers in the manner hereinafter appearing.

It is hereby enacted as follows: -

Short title and commencement.

1. (1) This Act may be called the Sind Ministers (Salaries, Allowances and Privileges) Act, 1972.

(2) It shall come into force on and from the twenty first day of April, 1972.

Definitions.

2. (1) In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say —

(a) "Constitution" means the Interim Constitution of the Islamic Republic of Pakistan;

(b) "Family" means the wife, legitimate and step-children residing with and wholly dependent upon the Minister.

(c) "Government" means the Government of Sind;

(d) "maintenance" in relation to a residence includes the payment of local rates and taxes and the provision of electricity and water;

(e) "Chief Minister" means the Chief Minister appointed under Article 104 of the Constitution for the Province of Sind;

(f) "Minister" means the Minister appointed under Article 104 of the Constitution for the Province of Sindh;

(g) "Official residence" means the house reserved from time to time for use by a Minister and includes the staff quarters and other buildings appurtenance and the gardens of the residence.

(2) Words and expressions used in this Act and not defined shall have the meanings assigned to them in the Constitution.

Salary.

3. The salary of the Chief Minister shall be three thousand rupees per mensem. The salary of every other Minister shall be two thousand five hundred rupees per mensem.

Allowance on taking up and laying down the office.

4. (1) The Chief Minister and every other Minister shall be entitled to claim actual expenses to the extent mentioned below from his ordinary place of residence to the seat of Government on taking up office and from the seat of Government to his ordinary place of residence on laying down office: -

(a) the actual traveling expenses for himself and his family;

(b) the cost of transporting personal servants, not exceeding two by the lowest class of accommodation; and

(c) the cost of transporting house-hold effects, not exceeding one hundred and twenty maunds, by goods train, steamer or other craft, excluding aircraft, and his personal car, if any.

(2) No claim shall lie for any travel or transportation not performed within six months of the date of taking up or laying down office, as the case may be.

Sumptuary Allowance.

5. The Chief Minister shall receive a Sumptuary Allowance of two thousand rupees per mensem and every other Minister shall receive a Sumptuary Allowance of five hundred rupees per mensem.

Transport.

6. The Chief Minister and every other Minister shall be entitled to the use of an official car maintained at Government expense.

Official Residence.

7. (1) The official residence of the Chief Minister shall be furnished by Government at a cost not exceeding twenty five thousand rupees and that of every other Minister not exceeding twenty thousand rupees. The furniture so provided may include carpets and one refrigerator but no other house-hold effects. Two bed rooms in the residence may be air-conditioned.

(2) If at the time of entering upon office, an official residence is not available, the Chief Minister or any other Minister shall until such residence is provided by Government be paid the actual expenditure incurred by him on furnished accommodation for himself and his family, subject to a maximum of two thousand rupees per mensem.

(3) Where the Chief Minister or any other Minister chooses to reside in his own house, he may be paid a monthly sum of fifteen hundred rupees in lieu of the furnished accommodation and to cover all expenses on its maintenance.

Traveling Allowance for touring in Pakistan.

8. (1) Subject to the provisions made hereafter, the Chief Minister or any other Minister traveling on official duty shall be treated as a first grade officer.

Journey by Air.

(2) The Chief Minister or any other Minister may, if the public interest so demands, travel by Air, in which case he shall be entitled to:—

(a) to the actual air fare for economy class paid for himself;

(b) to the cost of transporting personal luggage upto one hundred pounds, inclusive of the free allowance given by the air company;

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

(d) to take with himself his wife whether traveling by a commercial aero-plane; or by a requisitioned aero-plane; provided that no non-official shall be allowed to travel in a Pakistan Air Force aero-plane without the authority of the Ministry of Defence;

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

(f) to the carriage of personal luggage by rail or steamer, subject to a maximum of three maunds;

(g) to claim the actual premium paid for insuring him-self for the air journey or an amount not exceeding rupees one lac.

Note:— Wherever possible, the Chief Minister or any other Minister shall purchase return air tickets.

Journey by Rail.

(3) The Chief Minister or any other Minister, when traveling on duty by Railway in Pakistan shall be entitled—

(a) to requisition at the Government expense: —
  (i) an ordinary first-cum-second class carriage or a 'A' class tourist car, or an 'B' class tourist car if a 'A' class tourist car is not available;
  (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) to take with himself in the reserved accommodation, without payment of any far e, his family members not exceeding five when traveling in a requisitioned Railway compartment or Saloon;

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

(d) to the carriage of personal luggage upto three maunds when traveling by a railway compartment or upto six maunds when traveling by a requisitioned Railway Saloon.

Note:— The Chief Minister or any other Minister 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 traveling 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.

Journey by steamer or Launch.

(4) The Chief Minister or any other Minister, when traveling on duty in Pakistan by steamer or launch, shall be entitled—

(a) to draw the actual fare paid for himself;
(b) to take with him upto two personal servants by the lowest class of accommodation available; and
(c) to the carriage of personal luggage upto three maunds.

Journey by Road.

(5) When the Chief Minister or any other Minister travels on duty in the public interest, by road between places not connected by Railway and where so connected, when he chooses to forego the privileges granted under sub-section (3) or (4) he may, where the journey is performed in a vehicle not

owned or maintained by Government, draw:—

(a) traveling allowance at the rate of seventy-five paisa per mile for his own journey by road; and
(b) actual expenses of the transport of—
(i) two private servants; and
(ii) all his personal luggage, including stores carried for consumption on tour.

Compensation in case of Air Accidents.

9. (1) If the Chief Minister or any other Minister, while traveling 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 person or persons referred to in sub-section (2), a sum of rupees one lakh and twenty five thousand in the 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 the case of injury.

(2) The compensation shall be payable in the case of injury to the Chief Minister or any other Minister, 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, and in the absence of such nomination to his heirs.

(3) A nomination under sub-section (2) may be made, and may also be revoked or altered by a notice in writing signed by the Chief Minister or any other Minister and addressed to the Comptroller Sind.

Daily Allowance during halt.

10. The Chief Minister or any other Minister while on tour shall be entitled to draw an allowance of rupees fifty per day for the duration of his halts on tour:

Provided that:—

(a) in respect of a place of halt, one half Daily Allowance shall be admissible for—

(i) the day of arrival,
(ii) the day of departure, and
(iii) the day of the arrival and departure if the

Chief Minister or any other Minister arrives and departs on the same day;

(b) for such continuous halt on tour exceeding ten days daily allowance admissible:—

(i) for the first ten days shall be at the full rate,
(ii) for the next twenty days or part thereof at three-fourth of the full rate, and
(iii) for the remaining period at one-half of the full rate.

Explanation— A halt on tour shall be treated as continuous unless terminated by an absence at a distance from the halting place exceeding five miles, for a period including not less than seven nights.

Traveling Allowance for tour abroad.

11. The Chief Minister and every other Minister traveling on official business outside Pakistan shall be entitled to such allowance as may be prescribed by Government.

12. The Chief Minister shall, notwithstanding anything to the contrary contained in this Act, be entitled to receive the actual expenditure incurred by him on tours if such expenditure exceeds the amount to which he is entitled under other provisions of this Act.

Controlling Officer.

13. The Chief Minister and other Minister shall be his own controlling officer for purposes of traveling allowances.

Medical facilities.

14. The Chief Minister and every other Minister shall be entitled to medical facilities admissible in terms of the Special Medical Attendance Rules, 1950, except that he and his family shall be entitled to medical attendance at his residence.

Leave.

15. The Governor may grant to the Chief Minister and Chief Minister to any other Minister during his term of office at 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.

Personal Staff.

16. The Chief Minister of any other Minister except while on leave shall be entitled to have such personal staff as may be sanctioned from time to time by Government.

Provident Fund.

17. The Chief Minister or any other Minister 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.

General.

18. (1) All reasonable precautions shall be taken to see that official residence, transport and furniture provided to the Chief Minister or any other Minister by Government are used with the same care with which a persons own property is taken care of.

(2) All furniture and furnishings provided in an official residence shall be marked by the Buildings Department, Government of Sind, for the purposes of identification.

(3) When the Chief Minister or any other Minister occupies an official residence it shall be the duty of the officer concerned of the Buildings Department, Government of Sind, to hand over the charge of the furniture and furnishings in that residence to the Chief Minister or a Minister or to a person authorized by him in writing according to an inventory to be drawn up and signed by such officer.

(4) When the Chief Minister or any other Minister is about to vacate the official residence, he shall inform the officer concerned of the Buildings Department, Government of Sind, 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.

(5) The Officer concerned of the Buildings Department, Government of Sind may from time to time, inspect an Official residence, its furniture and furnishings with the prior approval of the Chief Minister or a Minister.