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SIND ACT NO. V OF 1972

THE SINDH PROVINCIAL ASSEMBLY (SALARIES, ALLOWANCES OF MEMBERS) ACT, 1972.

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THE SINDH PROVINCIAL ASSEMBLY (SALARIES, ALLOWANCES OF MEMBERS) ACT, 1972.

[18th July,1972]

An Act to provide for the salaries and allowances of the Members of the Provincial Assembly of Sind;

Preamble.

WHEREAS Article 119 of the Interim Constitution of the Islamic Republic of Pakistan provides that salaries and allowances of Members of each Provincial Assembly may be defined by Act of the Provincial Legislature;

AND WHEREAS, it is expedient to define the salaries and allowances of the Members of the Provincial Assembly of Sind;

It is hereby enacted as follows:-

Short title and commencement.

1. (1) This Act may be called the Sind Provincial Assembly (Salaries and Allowances of Members) Act, 1972.

(2) It shall be deemed to have come into force with effect from 21st day of April, 1972.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context-

(a) "Assembly" means the Provincial Assembly of Sind;

(b) "Committee" means a Committee appointed by the Assembly and includes a Standing Committee and a Select Committee of the Assembly;

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

(d) "Member" means a Member of the Assembly other than the appointed as Governor, Minister, Speaker or Deputy Speaker;

(e) "meeting" means a meeting of the Assembly;

(f) "Period of residence on duty" means the period during which a Member resides at a place where a session of the Assembly or of a Committee is held or where any other business connected with his duties as such

Member is transacted, for the purpose of attending such session or sitting or for the purpose of attending to such other business and includes-

(i) In the case of a session of the Assembly a period of such residence, not exceeding three days immediately preceding the commencement of the session and period of such residence not exceeding three days immediately following the end of the session, and

(ii) In the case of sitting of a Committee or any other business a period of such residence, not exceeding two days, immediately preceding the comment of the business of the Committee or other business and a period of such residence, not exceeding two days immediately following the conclusion of the business of the Committee or any other business.

Explanation- In the case of a Member who ordinarily resides at a place where a session of the Assembly or a sitting of a Committee is held or where any other business connected with his duties as such Member, is transacted, the period of residence on duty shall include the duration of the session or sitting or the time occupied for the transaction of such other business, but shall not include the three or two days immediately preceding or following, as the case may be, and any period during which the Assembly is adjourned for more than ten days.

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(g) "Rules of Procedure" means the Rules regulating the procedure of the Assembly for the time being in force;

(h) "Secretary" means Secretary of the Assembly;

(i) "Speaker" means the Speaker of the Assembly.

Salary and Allowances.

3. Each Member may draw the following salary and allowances:-

(1) a salary at the rate of four hundred rupees per Mensum:

Provided that a member who without permission of the Assembly—

(a) fails to attend at least three fourths of the total number of meetings held in a month, or

(b) if elected during the course of a month, fails to attend at least three-fourths of the total number of meetings held in that month subsequent to the date on which he takes his oath.

(c) Shall be ineligible to draw salary for that month;

(2) a daily allowances at the rate of fifty per diem for the period of residence on duty.

When Salary not payable.

4. Notwithstanding anything contained in section 3 no salary shall be paid to any Member in respect of any period during which he was under detention on conviction for an offence involving moral turpitude under any law for the time being in force.

Travelling allowance and mileage allowance.

5. (1) Each Member shall in connection with his duties as a Member be entitled to draw travelling allowance on the

same scale as is admissible to the Government servants of the First Grade:

Provided that no travelling allowance shall be admissible for journeys made during the currency of a sessions between Karachi and any other place;

Provided further that travelling allowance shall be admissible for journeys made during the period of adjournment of the session if the session is adjourned for a period of more than ten days;

Provided also that 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) Notwithstanding anything contained in sub-section(1) a Member shall be entitled-

(a) when travelling by rail, to draw mileage allowance at one and half times of the first class railway fare plus A.C.C. surcharge where the journey is performed in air conditioned accommodation;

(b) when travelling by air, to the actual air fare for economy class;

(c) to daily allowance for the day or days of journey at the rate of rupees fifty per diem.

Explanation- For the purpose of clause (c)of this sub-section-

(i) The allowances for a half day or half days shall be admissible at the rate of twenty five rupees per half day;

(ii) a day shall be reckoned from mid-night;

(iii) a part of the day at the commencement or end of the journey shall be-

(a) ignored, if it is less than two hours;

(b) reckoned as a half day, if it is two hours or more, but is less than eight hours; and

(c) reckoned as a full day, if it is eight hours or more.

Free transit by Railway.

6. Each Member shall be provided with one free non-transferable first class railway pass which shall entitle him to travel upto a maximum of 1,500 miles per year on the Pakistan Western Railways, but nothing contained in this section shall affect the payment of any travelling allowance to a Member under any provision of this Act.

Medical facilities.

7. Each Member shall be entitled for himself to free indoor as well as out door medical aid facilities of the standard for which a class **I** Officer of the Provincial Government is eligible.

Consolidated salary.

8. A Member may, not later than thirty days from the commencement of any financial year or, in the case of a Member elected at any time after the commencement of a financial year not later than thirty days from the date of his making the oath, opt by writing under his hand addressed to the Secretary to receive during such financial year a consolidated salary, and when he so opts, shall be entitled to receive, in lieu of the salary mentioned in sub-section (1) of section 3 and the benefits and privileges mentioned in sections 6 and 7, a consolidated salary of eight hundred rupees per mensum which shall be in addition to the daily allowance and gravelling allowance admissible under sub-section (2) of section 3 and section 5.

Provided that a Member so opting for a consolidated salary when travelling by rail, shall, in lieu of the mileage allowance admissible under clause (a) of sub-section (2) of section 5 be entitled

to draw mileage allowance at the rate of a single first class railway fare plus A.C.C. surcharge where the journey is performed in air conditioned accommodation.

Repeal.

9. The Sind Provincial Assembly Members (Salary, Allowances and Privileges) Order, 1972 is hereby repealed.