

*Repealed by the West Pakistan (Adaptation and  
Repeal of Laws) Act, 1957 (W.P. Act XVI of 1957), II s. 6, Sch. IV*

SIND ACT No. V OF 1938<sup>1</sup>.

[THE SIND LEGISLATIVE ASSEMBLY MEMBERS' SALARIES AND  
ALLOWANCES ACT, 1938.]

[4th June, 1938]

*An Act to provide for the salaries and allowances of the Members  
of the Sind Legislative Assembly.*

WHEREAS it is expedient to provide for the salaries and  
allowances of the Members of the Sind Legislative Assembly; It is  
hereby enacted as follows :—

1. (1) This Act may be called the Sind Legislative Assembly  
Members' Salaries and Allowances Act, 1938. Short title  
and com-  
mencement.

<sup>2</sup>(2) \* \* \* \* \*

2. In this Act—

Definitions.

(1) 'Assembly' means the Sind Legislative Assembly consti-  
tuted under the Government of India Act, 1935.

(2) 'Member' means a member of the Assembly other than a  
Minister, Parliamentary Secretary or the Speaker of the Assembly.

3. There shall be paid to each member—

Salaries and  
allowances  
to be paid to  
members.

(a) a salary at the rate of rupees <sup>3</sup>[two hundred and fifty]  
per mensem ;

(b) a daily allowance at the rate of <sup>4</sup>[twenty rupees] and eight  
annas for each day of attendance at the meetings of the  
Assembly or of a Committee of the Assembly ;

<sup>1</sup> For Statement of Objects and Reasons, see S. G. G., 1938, Pt. IV, p. 11 and for Proceed-  
ings in Assembly, see S. L. A. Debates, 1938, Vol. V—Book No. 1, pp. 34—78, Book No. 2,  
pp. 47—80.

<sup>2</sup> Sub-section (2) rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration)  
Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

<sup>3</sup> The original words "seventy-five" were first amended by Sind 15 of 1941, s. 3 (i) (w. e. f.  
26th February 1941) to read as "one hundred and twenty-five" and then by Sind 3 of 1945,  
s. 4(i) (w. e. f. 14th March 1945), to read as above.

<sup>4</sup> The original words "two rupees and eight annas" were first amended by Sind 3 of 1945,  
s. 4 (ii) (w. e. f. 14th March 1945) to read as "ten rupees" and then by Sind 21 of 1947, s. 3  
(w. e. f. 1st January 1947) to read as above.

*Repealed by Co. P. Act no. VII of 57.*

<sup>1</sup>[(bb) Where the member does not ordinarily reside or carry on business <sup>2</sup>\* \* \* \* at the place where a session of the Assembly or a meeting of the Committee of the Assembly is held, a subsistence allowance at the rate of <sup>3</sup>[ten rupees] for each day of attendance at such session or meeting, and where the session or meeting is adjourned to a specified date—

- (i) for a period not exceeding seven days, at the option of the member either subsistence allowance at the aforesaid rate for each day of residence <sup>4</sup>\* \* \* \* at the place where such session or meeting is held for the purpose of attending the adjourned session or meeting, or travelling allowance at the rate specified in clause (c) for one journey undertaken during the period of such adjournment to the member's usual place of residence and for the return journey completed during such period from the member's usual place of residence to such place, such travelling allowance being limited to the amount of the subsistence allowance at the aforesaid rate for seven days;
- (ii) for a period exceeding seven days, at the option of the member either travelling allowance or subsistence allowance in accordance with sub-clause (i), the latter being limited to the amount of the travelling allowance as aforesaid ;

*Explanation.*—If such member, while being <sup>2</sup>\* \* \* \* at the place where the session of the Assembly or a meeting of the Committee of the Assembly is held, is not able to attend the session or meeting on any day on account of illness, he shall be entitled to subsistence allowance as if he had attended such session or meeting on that day :

Provided that subsistence allowance shall not be admissible on such ground for more than seven days;]

<sup>1</sup> Subs. by Sind 14 of 1943, s. 2 (a) (w. e. f. 24th February 1943), for cl. (bb) which was ins. by Sind 15 of 1941, s. 3 (ii) (w. e. f. 26th February 1941).

<sup>2</sup> The words "in Karachi or" rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

<sup>3</sup> Subs. by Sind 3 of 1945, s. 4 (iii) (w. e. f. 14th March 1945), for "seven rupees and eight annas".

<sup>4</sup> The words "at Karachi or" rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.

(c) a travelling allowance for the journey under taken for the purpose of attending the session of the Assembly or a meeting of a Committee of the Assembly at the place where such session or meeting is held <sup>1</sup>[and for the return journey from such place to the member's usual place of residence]—

(i) for journey by railway, an amount equivalent to one and a half times the <sup>2</sup>[first class] fare payable for such journey;

(ii) for journey by road, between the member's usual place of residence and the railway station nearest to such place, at the rate of four annas per mile ; and

(d) where the duration of the session of the Assembly exceeds fourteen days, travelling allowance at the rates specified in clause (c) for one journey undertaken during the session from such place to the member's usual place of residence and for the return journey completed during the session from the member's usual place of residence to such place :

Provided that nothing in this section shall entitle a member to receive a travelling allowance if such member ordinarily resides or carries on business at the place where the session of the Assembly or a meeting of the Committee is held.

4. Notwithstanding anything contained in section 3, where a member remains absent from a meeting of the Assembly a deduction of five rupees for every day of such absence shall be made from his salary: Deduction from salary for absence.

Provided that no such deduction shall be made if a member is absent on account of illness.

5. (1) The Provincial Government may make rules<sup>3</sup> for the purpose of carrying out the purposes of this Act. Power of the Provincial Government to make rule.

(2) Rules made under this Act shall be laid upon the table of the Sind Legislative Assembly at the session of the said Assembly next following and shall be liable to be modified or rescinded by a resolution of the said Assembly and such rules shall after notification of such resolution in the *Official Gazette* be deemed to have been modified or rescinded accordingly.

<sup>1</sup> Ins. by Sind 14 of 1943, s. 2 (b) (w. e. f. 24th February 1943).

<sup>2</sup> Subs. by Sind 15 of 1941, s. 3 (iii) (w. e. f. 26th February 1941), for "second class".

<sup>3</sup> For Rules, see S. L. R. and O.