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THE PUNJAB MINISTERS (SALARIES, ALLOWANCES AND PRIVILEGES) ACT, 1975

(XLI of 1975)

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TEXT

[1]THE PUNJAB MINISTERS (SALARIES, ALLOWANCES AND PRIVILEGES) ACT, 1975

(XLI of 1975)

[5th July, 1975]

An
Act

to provide for the salaries, allowances and privileges of the Ministers of the Punjab.

Preamble.– **WHEREAS** it is expedient to provide for the salaries, allowances and privileges of the Ministers of the Punjab;

It is hereby enacted as follows:–

1. Short title and commencement.– (1) This Act may be called the Punjab Ministers (Salaries, Allowances and Privileges) Act, 1975.

(2) It shall come into force at once but shall be deemed to have taken effect on and from the first day of March, 1975.

2. Definitions.– (1) In this Act, unless the context otherwise requires:–

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

(b) "Family" means the wife and children residing with and wholly dependent upon a Minister;

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

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

(e) "Minister" means a Minister appointed under the Constitution and includes the Chief Minister;

(f) "official residence" means the house reserved from time to time for residence by a Minister and includes out-houses and gardens appurtenant thereto; and

(g) "prescribed" means prescribed by rules framed under this Act.

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

[2]**[3. Salary**.– (1) the salary of the Chief Minister and that of a Minister shall respectively be thirty nine thousand rupees and thirty five thousand rupees per month.

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[1]This Act was passed by the Punjab Assembly on 26th June, 1975; assented to by the Governor of the Punjab on 5th July, 1975; and, published in the Punjab Gazette (Extraordinary), dated 5th July, 1975, pages 969-I to 969-P.

[2]Substituted by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006, pages 205-209, s.4.

[3][(2) The Government shall, by notification, increase the salary mentioned in subsection (1) in proportion to the increase in the salary of the civil servants of highest grade.

Explanation.– The word "salary" in subsection (2) shall include any ad hoc relief or special allowance provided to the civil servants of the highest grade, having the effect of increase in the basic pay of the civil servants.]]

[4]**[4. Equipment Allowance**.– The Chief Minister and a Minister may draw a sum of [5][thirty thousand] rupees and [6][ten thousand] rupees, respectively as equipment allowance on their appointment as such:

Provided that no such allowance was received by him during the lifetime of the Assembly on appointment to a diplomatic post, or as a Governor, a Speaker, a Chief Minister or a Minister.]

5. Allowance on taking up and laying down the office.– (1) A Minister shall be entitled to claim actual expenses to the extent mentioned below from his ordinary place of residence to the seat of Government and from the seat of Government to his ordinary place of residence on taking up or laying down office, as the case may be-

(a) actual travelling expenses for himself and his family;

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

(c) 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.

6. Sumptuary Allowance.– (1) The Chief Minister shall be entitled to receive sumptuary allowance at the rate of [7][twenty thousand] rupees per mensem.

(2) A Minister shall be entitled to receive sumptuary allowance at the rate of [8][ten thousand] rupees per mensem.

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[3]Substituted by the Punjab Public Representatives' Laws (Amendment) Act 2016 (XI of 2016); and published in the Punjab Gazette (Extraordinary), dated 17.2.2016, pages 3911-3914, s.4: it came into force w.e.f. 1 July 2015.

[4]Substituted by the Punjab Ministers (Salaries, Allowances and Privileges) (Amendment) Act, 1985 (X of 1985); and published in the Punjab Gazette (Extraordinary), dated 7.11.1985, pages 5288-s to 5288-U, s.2 (effective from 1st day of July, 1985).

[5]Substituted for the words "fifteen thousand" by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006, pages 205-209, s.4.

[6]Substituted for the words "five thousand" by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006, pages 205-209, s.4.

[7]Substituted for the words "ten thousand" by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006 pages 205-209, s.4. Earlier substituted for the words "four thousand" by the Punjab Revision of Emoluments of Public Representatives Act, 1995 (IV of 1995); and published in the Punjab Gazette (Extraordinary), dated 13.2.1995, pages 9-17, s.3.

[8]Substituted for the words "six thousand" by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006 pages 205-209, s.4. Earlier substituted for the words "three thousand" by the Punjab Revision of Emoluments of Public Representatives Act, 1995 (IV of 1995); and published in the Punjab Gazette (Extraordinary), dated 13.2.1995, pages 9-17, s.3.

7. Transport.– A Minister shall be entitled to use of [9][one] official [10][car] maintained at Government expense throughout his term of office and for a period of 15 days immediately thereafter, provided that the Chief Minister may withhold this facility to a Minister who is removed from his office on the ground of misconduct of misbehavior.

[11]**[7-A. Duty free car**.– The Chief Minister, during his tenure as such, may import or purchase out of bond one motor car with engine capacity upto 3200 CC for his personal use, without payment of custom duty and sales tax if exemption in respect of the same is granted by the Federal Government.]

8. Official Residence.– (1) a Minister shall be entitled, without payment of rent, to the use of an official residence including accommodation on tour throughout 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. [12][The residence shall reasonably be furnished by the Government in the manner as may be prescribed.]

[13][* * * * * * * * * * * *]

(2) If at the time of entering upon office, an official residence is not available, a 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[14][twenty thousand] rupees per mensem.

[15][(3) Where a Minister chooses to reside in his own house, he shall be paid a monthly sum of twenty five thousand rupees in lieu of the official furnished accommodation and to cover all expenses on its maintenance except the charges for consumption of electricity and gas which shall be borne by the Government.

(4) Where a Minister has not been provided with an official residence or he does not own any house at Lahore, he shall be entitled to requisition at the Government expense a reasonably furnished house and the Government shall bear the electricity and gas charges of the said house.]

9. Travelling Allowance for touring in Pakistan.– (1) Subject to the provisions made hereafter, a Minister travelling on official duty shall be treated as a first grade officer.

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[9]Inserted by the Punjab Ministers (Salaries, Allowances and Privileges) (Amendment) Ordinance, 1984 (IX of 1984); and published in the Punjab Gazette (Extraordinary), dated 14.10.1984, s.2.

[10]Substituted ibid., for the word "car".

[11]Added by the Punjab Ministers (Salaries, Allowances and Privileges) (Amendment) Act, 1996 (III of 1996); and published in the Punjab Gazette (Extraordinary), dated 21.5.1996, pages 183-184, s.2.

[12]Substituted for the words and colon "The residence shall be furnished by Government at cost not exceeding one hundred thousand rupees:" by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006 pages 205-209, s.4.

[13]Omitted by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006 pages 205-209, s.4.

[14]Substituted by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006 pages 205-209, s.4.

[15]Substituted by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006 pages 205-209, s.4.

(2) A Minister may, if the public interest so demands, travel by air, in which case he shall be entitled to:–

(a) [16][Business Class] air fare paid for himself:

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

(c) 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 Federal Government or the Provincial Government, as the case may be;

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

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

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

(g) claim the actual premium paid for insuring himself for the air journey for an amount not exceeding one lac rupees.

(3) Wherever possible a Minister shall purchase return air ticket.

(4) A Minister, 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, 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 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 an fare, his family members not exceeding four when travelling in a requisitioned railway compartment of saloon;

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

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

(5) A Minister reserving accommodation in the Railway shall be required, before beginning the journey, to have the number and other details of the tickets

[16]Substituted by the Punjab Revision of Emoluments of Public Representatives Act, 1995 (IV of 1995); and published in the Punjab Gazette (Extraordinary), dated 13.2.1995, pages 9-17, s.3.

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.

A Minister, when travelling on duty in Pakistan by steamer or launch, shall be entitled to–

(a) draw the actual fare paid for himself;

(b) take with him up to two personal servants by the lowest class of accommodation available; and

(c) the carriage of personal luggage up to three maunds.

(7) When a Minister travels on duty, in the public interest, by road between places connected by Railway and chooses to forego the privileges granted under sub-sections (4) and (6), he may, where the jouney is performed in a vehicle not owned or maintained by Government, draw–

(a) travelling allowance at the rate of [17][five rupees] per kilometer for his own journey by road, and

(b) actual expenses of transport of–

(i) two private servants; and

(ii) all his personal luggage including stores carried for consumption on tour.

10. Compensation in case of air accident.– (1) if a Minister, 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 intury as a result of an accident, the Government shall pay to the persons referred to in sub-section (2), a sum of [18][five hundred thousand] rupees, in case of death, and an amount to be determined by government hiving 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 Minister and in a 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.

[19][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 Minister and addressed to the Accountant General, Punjab.

[20]**[11. Daily Allowance**.– A Minister while on tour shall be entitled to draw an allowance of [21][one thousand] rupees per day:

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[17]Substituted for the words “three rupees” by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006 pages 205-209, s.4.

[18]Substituted for the words “three hundred thousand” by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006, pages 205-209, s.4.

[19]Added by the Punjab Ministers (Salaries, Allowances and Privileges) (Amendment) Ordinance, 1984 (XXIII of 1984); and published in the Punjab Gazette (Extraordinary), dated 171.2.1984, s.2.

Provided that where the duration of the tour is less than eight hours one half daily allowance shall be admissible.]

12. Controlling Officer.– A Minister shall be his own controlling officer for purposes of travelling allowance including the journey undertaken outside his jurisdiction in the discharge of official business.

13. Travelling allowance for tour abroad.– A Minister travelling on official business outside Pakistan shall be entitled to [22][first class air fare and] such allowance as may be specified by Government.

[23]**[14. Medical facilities**.– A Minister shall be entitled, for himself and for his parents, spouse, real and step sons and daughters, wholly dependent upon him, to medical facilities admissible in terms of the Special Medical Attendance Rules, 1950.]

15. Leave.– (1) The Chief Minster may grant to a Minister 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.

[24][(2) The leave allowance of the Chief Minister and a Minister shall respectively be [25][thirty nine thousand] rupees and [26][thirty five thousand] rupees per mensem.]

16. Personal Staff.– A Minister, except while on leave, shall be entitled to have such personal staff as may be sanctioned from time to time by Government.

17. Provident Fund.– (1) A 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.

(2) A temporary advance may be granted to a Minister 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 conditions to which an advance granted to a subscriber under the said rules is subject.

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[20]Substituted by the Punjab Revision of Emoluments of Public Representatives Act 1995 (IV of 1995); and published in the Punjab Gazette (Extraordinary), dated 13.2.1995, s.3.

[21]Substituted for the words “five hundred and fifty” by the Punjab Revision of Emoluments of Public Representatives Act 2006 (IX of 2006); and published in the Punjab Gazette (Extraordinary), dated 21.7.2006, pages 205-209, s.4.

[22]Inserted by the Punjab Revision of Emoluments of Public Representatives Act 1995 (IV of 1995); and published in the Punjab Gazette (Extraordinary), dated 13.2.1995, s.3.

[23]Substituted by the Punjab Revision of Medical Facilities of Public Representatives Act 2006 (XV of 2006); and published in the Punjab Gazette (Extraordinary), dated 2.11.2006, pages 1555-1556, s.3.

[24]Substituted by the Punjab Ministers (Salaries, Allowances and Privileges) (Amendment) Act, 1985 (X of 1985); and published in the Punjab Gazette (Extraordinary), dated 7.11.1985, pages 5228-s to 522-u, s.3 (effective from 1st day of July, 1985).

[25]Substituted for the words “twenty one thousand” by the Punjab Revision of Emoluments of Public Representatives Ordinance, 2002 (LXXII of 2002); and published in the Punjab Gazette (Extraordinary), dated 21.10.2002, pages 3087-3090, s.3, which will remain in force under the Provisional Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

[26]Substituted ibid.

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

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

(3) When a Minister 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 furnishings in that residence to the 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 a Minister 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.

(5) The officer concerned of the said department may from time to time, inspect an official residence, its furniture and furnishings with the prior approval of the Minister.

19. Holidaying abroad.– (1) A Minister may, while holidaying abroad, draw his full pay in foreign currency for the period of holiday spent abroad.

(2) A Minister who draws pay in foreign currency while holidaying abroad 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 a Minister he shall not be eligible to receive foreign exchange allocation from the State Bank of Pakistan in any other capacity

20. Telephone.– A Minister 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 purposes throughout the term of his office and for a period of fifteen days immediately thereafter. He will also be entitled to free telephone facility while on tour where such facility is available [27][:]

[28][Provided further that the liability of Government in respect of the two telephones installed shall not exceed the amount equal to ten thousand local calls collectively for both the telephones.]

[29]**[21. Discretionary Grant**.– An appropriate amount and a sum of [30][three hundred thousand] rupees shall be placed at the disposal of the Chief Minister and a Minister

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[27]Substituted for the full-stop by the by the Punjab Revision of Emoluments of Public Representatives Ordinance, 2002 (LXXII of 2002); and published in the Punjab Gazette (Extraordinary), dated 21.10.2002, pages 3087-3090,s.3, which will remain in force under the Provisional Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

[28]Added by the Punjab Revision of Emoluments of Public Representatives Ordinance, 2002 (LXXII of 2002); and published in the Punjab Gazette (Extraordinary), dated 21.10.2002, pages 3087-3090,s.3, which will remain in force under the Provisional Constitution (Amendment) Order 1999 (9 of 1999), Article 4, notwithstanding the maximum limit of three months prescribed under Article 128 of the Constitution of the Islamic Republic of Pakistan.

respectively per annum for making discretionary grants in such manner as may be prescribed.]

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

23. Repeal.– The Punjab Ministers (Salaries, Allowances and Privileges) Order, 1972 is hereby repealed.

24. Repeal of Punjab Ordinance No. XIV of 1975.– The Punjab Ministers (Salaries, Allowances and Privileges) Ordinance, 1975 (Punjab Ordinance No. XIV of 1975), is hereby repealed.

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[29]Substituted by the Punjab Ministers (Salaries, Allowances and Privileges) (Amendment) Act, 1988 (III of 1989); and published in the Punjab Gazette (Extraordinary), dated 14.1.1989, pages 77-78, s.2.

[30]Substituted for the words “rupees one lac” by the Punjab Revision of Emoluments of Public Representatives Act 1995 (IV of 1995); and published in the Punjab Gazette (Extraordinary), dated 13.2.1995, s.3.