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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN

THE GILGIT BALTISTAN LEGISLATIVE ASSEMBLY MEMBERS

(Salaries, allowances and privileges) Act-IV of 2010

Gilgit, the 28th September, 2010

No. PS-Law-1/2008.—To provide for Salaries, Allowances and Privileges of the Members Gilgit Baltistan Legislative Assembly.

AN

ACT

WHEREAS it is expedient to provide for salaries, allowances and privileges of the Members of the Gilgit-Baltistan Legislative Assembly for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.—(1) This Act may be called the Gilgit-Baltistan Legislative Assembly (Salaries, Allowances and Privileges of Members) Act No. IV of 2010.

(627)

Price: Rs. 5.00

[2885(2010)/Ex. Gaz.]

It shall come into force at one.

- 2. **Definitions.**—In this Act, unless there is anything repugnant in the subject or context:—
 - (a) 'Assembly' means the Gilgit-Baltistan Legislative Assembly;
 - (b) 'Committee' means a Select Committee or other Committees of the Assembly and included Committees of joint sitting and any committee constituted by the Government for the purpose connected with the Assembly and declared by the Government to be a committee of the Assembly;
 - (c) 'Family' means wife/husband and such of his children, step children parents, brothers and sisters as ordinarily reside with and are wholly dependent;
 - (d) 'Government' means the Government of Gilgit-Baltistan;
 - (e) 'Meeting' means a meeting of the Assembly or any of its committees from the commencement of its business to the termination of the business of a day;
 - (f) 'Member' means a Member of the Assembly other than a Minister, Parliamentary Secretary, Speaker or Deputy Speaker;
 - (g) '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 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 a period of such residence, not exceeding three days, immediately following the end of the session; and
 - (ii) In the case of a sitting of a Committee or any other business, a period of such residence not exceeding two days, immediately preceding the commencement 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; and

- (h) 'Session' means the period commencing on the day of the first meeting of the Assembly after having been summoned and ending on the day the Assembly is prorogued or dissolved.
- Salary.—(1) Subject to the provision of sub-section 2 and sub-section
 a member may draw salary at the rate of thirty thousand rupees per month:

Provided that a member who, without permission of the Assembly:-

- fails to attend at least three-forth of the total number of sittings held in a month; or
- (b) if elected during the course of month, fails to attend at least threeforth of total number of meetings held in that month subsequent to the date on which he takes his oath, shall be ineligible to draw salary for that month.
- 2. In the case of a Member who, by virtue of his holding an office of profit in the services of Gilgit-Baltistan or Pakistan declared by law not to disqualify its holder from being a member, is entitled to receive a salary, the amount of salary to which he is entitled under this Act, shall be only such amount as would not, together with the amount of the salary calculated on a monthly basis to which he is entitled by virtue of his holding such an office, exceed one thousand rupees per mensem.
- 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.
- 4. Daily allowance and conveyance allowance.—A member shall be entitled to receive a daily allowance at the rate of one thousand five hundred rupees and Conveyance allowance at the rate of one thousand five hundred rupees per diem for the period of residence on duty and for the day or arrival and the day of departure from the place where a session of the Assembly or a meeting of a Committee is held or where any other business connected with his duties as such Member is transacted.
- 5. Sumptuary allowance.—A member shall receive sumptuary allowance at the rate of twelve thousand rupees per month.
- 6. Dearness allowance.—A member shall be entitle to receive dearness allowance at the rate of *five thousand* rupees per mensem.

- 7. Office maintenance allowance.— A member shall be entitled to receive an office maintenance allowance at the rate of ten thousand rupees per month.
- 8. Traveling allowance.—(1) For every journey performed for the purposes 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 traveling allowance at the following rates:—
 - (a) where the journey is performed by rail, an amount equal to the fare of the class traveled, plus half fare of the Air-conditioned 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 admissible to officers category I according to Gilgit Baltistan T.A Rules:

Provided that if the journey is performed by personal, borrowed or hired Car, the mileage allowance shall be ten rupees per Kilometer:

Provided further that no traveling allowance shall be admissible for journeys made during a session between the place where the session is held and any other place:

Provided further 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 traveling allowance. A Member shall be entitled to travel by air in first class while traveling abroad on official visit.

- 9. Traveling allowance and daily allowance for business other than Assembly business.—Where a member is called by a Government / Department in connection with any official business in his capacity as a Member, he shall be paid by that Department, traveling allowance and daily allowance for the days of journey from and to his ordinary place of residence and for the day or days he is required to attend any such official business, at the rates admissible to him under this Act.
- 10. Free travel.—(1) A Member shall be provided during a year with such vouchers of the *forty two thousand* rupees as would enable him to travel within Gilgit Baltistan and Pakistan at any time without payment of any fare by Air or by Rail:

Provided that, where a person becomes a Member during the course of a year, the value of vouchers with which he is provided during that year shall not exceed that value which bears the same proportion to *forty two thousand* rupees as the unexpired portion of the year bears to a year.

- (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 forty two thousand rupees.
- (3) Any vouchers with which a Member is provided under sub-section (1) may be utilized by the family of the Member.
- (4) The utilization by a Member of any voucher with which he is provided under sub-section (1) for the purpose of any journey for which he is entitled to any traveling allowance under this Act shall not in any way affect his right to receive such allowance.

Explanation-I—In sub-section (3) 'family' means the spouse and children of a Member and one servant.

Explanation-II.—In this section, 'Member' means and includes a Member or the Legislative Assembly, the Speaker the Deputy Speaker, a Minister and a Parliamentary Secretary.

11. Form of certificate.—Every claim by a Member for traveling allowance or daily allowance shall be supported by a written certificate in the following form signed by the Member:—

"Certified that the amount has not been claimed by me in any other bill or drawn by me from any other source."

- 12. Accommodation.—(1) Subject to availability and on payment of such charges as Government may determine, a member may be provided with Government accommodation during the period of residence on duty.
- (2) A member shall be paid a subsidy at the rate of rupees two thousand rupees per diem for the period of residence on duty.
- 13. Medical facilities.— (1) A member residing in Gilgit Baltistan shall be entitled for himself and his family free indoor as well as outdoor medical facilities inside the country and abroad of the standard admissible to a class-I officer of the Government;

- (2) A member residing outside Gilgit Baltistan shall be entitled to receive for himself and his family:—
 - (a) in case of hospitalization in a Government Hospital, the actual expenditure incurred by him; or
 - (b) in case the facility under clause (a) is not available, the actual expenditure incurred in a Private Hospital, duly verified by the concerned member:

Provided that a certificate of non availability by the concerned Government Hospital shall be necessary.

14. **Telephone.**—(1) A member shall be entitled to, at Government expenses the facility of a telephone at the place where he ordinarily resides, if the installation facility is available at such place:

Provided further that the Government shall not pay expenses of reinstallation 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 *five thousand* rupees per month in lieu of the telephone charges mentioned in sub-section (1).
- 15. Compensation in case of death or accident.— (1) If a member during his tenure of term dies or receives in any injury as a result of an accident or by violence, the government shall pay to the person referred in sub-para (2) a sum of rupees ten hundred thousand in case of death and an amount to be determined by the government having regard to scale 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 member 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.
- 16. House rent charges.—A member shall be entitled to receive house rent allowance at the rate of ten thousand rupees per mensem.
- 17. Leader of the opposition.— Notwithstanding any thing contained in this Act, the Leader of the opposition shall be entitled to the salary, allowances and privileges as are admissible to a Minister of Gilgit Baltistan.

18. Official transport.—A Member who holds the office of Chairman of a Committee of Assembly, or committee of joint sitting, other than of Select Committee or a Special committee, shall be entitled to 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 traveling allowance under section 8:

Provided that;

- (i) a car shall be provided to a Chairman of a Committee during the term of his office;
- (ii) A Chairman of a Committee and committees of joint sitting shall be allowed rupees eight thousand per month as petrol etc.
- (iii) On ceasing to hold office the Chairman of the Committee shall return the car within three days;
- (iv) The maintenance of the car provided under clause (1) shall be the responsibility of the Services and General Administration Department.
- 19. Exemption from payment of toll tax.—A member shall be exempted from the payment of tool tax levied by Government or any local authority in the Gilgit Baltistan.
- 20. Power to make rules.— After consultation with the Speaker of the Assembly, the Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

WAZIR BAIG,
SPEAKER,
Gilgit-Baltistan
Legislative Assembly!

ACTING GOVERNOR, Gilgit-Baltistan.