PASSED ON 16.06.2023.

[AS PASSED BY THE SENATE]

A

Bill

to provide for the salaries, allowances and privileges of the Chairman of the Senate

WHEREAS, it is expedient to provide for the salaries, allowances and privileges of the Chairman of the Senate and to repeal to that extent the Chairman and Speaker (Salaries, Allowances and Privileges) Act, 1975 (LXXXII of 1975), and for the matters ancillary thereto and connected therewith;

It is hereby enacted as follows:-

1. **Short title and commencement.** — (1) This Act shall be called the Chairman Senate (Salaries, Allowances and Privileges) Act, 2023.

(2) It shall come into force at once.

2. **Definitions.** — (1) In this Act, unless there is anything repugnant in the subject or context,—

(a) "Chairman" means the Chairman of the Senate as defined in the Constitution when he is not performing the functions of the President;

(b) "family" in relation to the Chairman, means his spouse, children and step children residing with and wholly dependent upon him;

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

(d) "official business" in relation to the Chairman, means attending the sessions of the Senate, and the joint sittings of both Houses of Majlis-e- Shoora (Parliament), and includes such other functions or duties connected with the business of Majlis-e-Shoora (Parliament) as may be performed or discharged by the Chairman; and

(e) "official residence" means the house reserved from time to time for use by the Chairman and includes the staff quarters and other buildings appurtenant to, and the gardens of, the residence.

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(2) Other words and expressions used but not defined in this Act shall have the same meaning as assigned thereto in the Constitution of the Islamic Republic of Pakistan or in the Fundamental and Supplementary Rules.

3. Salary.— (1) There shall be paid to the Chairman a salary at the rate of two hundred five thousand rupees per mensem:

Provided that if a person who has retired from the service of Pakistan is elected as Chairman after the commencement of this Act, his pension shall be held in abeyance and shall not be payable for the period he holds the office of Chairman.

4. Equipment allowance.—The Chairman may, on his election as such, draw five thousand rupees as an allowance for equipping himself:

Provided that during the ten years immediately preceding the said election, he had not drawn an allowance for the same purpose upon election or appointment as Chairman, Deputy Chairman, Speaker, Deputy Speaker, Federal Minister, Governor or Minister of State or to a diplomatic office.

5. Allowances on taking up and laying down the office.— (1) The Chairman shall be entitled to claim actual expenses to the extent mentioned below from his ordinary place of residence to the seat of the Senate on taking up office and from the seat of the Senate 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 household effects, not exceeding four thousand eight hundred kilograms, 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 or effected within six months of the date of taking up or laying down office, as the case may be.

6. Sumptuary allowance.—The Chairman shall receive sumptuary allowance at the rate of fifty thousand rupees per mensem.

7. Transport.— The Chairman and members of his family shall be entitled to the use of official vehicles maintained at Government expense.

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8. Official residence.—(1) The Chairman shall be entitled, without payment of rent, to the use of a residence throughout his term of office, and for a period of fifteen days immediately thereafter and no charge shall fall on him personally in respect of its maintenance.

(2) The assessed rent of a house hired for the use of the Chairman shall in no case exceed two hundred fifty thousand rupees per mensem.

(3) The official residence shall be furnished at Government expense at a cost not exceeding five million rupees during one term of the Chairman.

(4) If, at the time a Chairman enters upon his office, an official residence is not provided to him, he shall, until such residence is provided by the Government, be paid the actual expenditure incurred by him on furnished accommodation for himself and his family subject to a maximum of five hundred thousand rupees per mensem.

(5) Where the Chairman chooses to reside in his own house, he shall be paid a monthly sum of two hundred fifty thousand rupees, in lieu of the furnished accommodation and to cover all expenses on its maintenance:

Provided that no furniture or furnishings shall be provided therein at the cost of Government.

(6) The Chairman may establish a residential office which shall be furnished and facilities provided therein at Government expense.

9. Residential telephone, etc.— (1) The Chairman shall be entitled to telephones at his residence at Government expense and shall be exempt from payment of their rental and charges of calls made therefrom within the country.

(2) A casual telephone facility shall be provided to the Chairman during his tour within the country or to his native residence.

10. Travelling allowance for journey within Pakistan.—(1) Subject to the provisions hereinafter appearing, the Chairman when travelling on official business shall be treated as a first grade officer.

(2) When travelling on official business by rail, the Chairman shall be entitled,-

(a) to requisition at the cost of Government a reserved railway saloon, if available, or a two-berthed or four-berthed first class compartment, including an air-conditioned compartment if available on the train ;

(b) to draw an allowance of ten thousand rupees for every twenty-four hours of the period of journey, and an allowance of five thousand rupees for a lesser period in addition to the daily allowance admissible under section 11;

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(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation when traveling by a two-berthed or four-berthed railway compartment and not more than four personal servants when travelling by a requisitioned railway saloon;

(d) to the cost of transporting personal luggage not exceeding one hundred twenty kilograms when travelling by a railway compartment and not exceeding two hundred forty kilograms when travelling by a requisitioned railway saloon; and

(e) to take with him, without payment of fare, the members of his family, not exceeding four, when travelling in a requisitioned railway compartment or a saloon.

(3) When travelling on official business by steamer or launch, the Chairman shall be entitled,-

(a) to draw the actual fare paid for himself;

(b) to draw an allowance of ten thousand rupees for every twenty-four hours of the period of journey, and five thousand rupees for a lesser period, in addition to the daily allowance admissible under section 11;

(c) to take with him, at Government expense, not more than two personal servants by the lowest class of accommodation; and

(d) to the cost of transporting personal luggage not exceeding one hundred twenty kilograms.

(4) The Chairman may travel by air, in which case he shall be entitled,-

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

(b) to the cost of transporting personal luggage not exceeding 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, an aeroplane or a helicopter belonging to the Federal Government, Provincial Government, armed forces of Pakistan, any flying club in Pakistan or any chartered air service provider;

(d) to take with him one member of his family when travelling by a commercial aeroplane or four members of his family when travelling by a requisitioned aeroplane or a helicopter;

(e) to the cost of transporting not more than two personal servants by the lowest class of accommodation by rail or steamer;

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(f) the carriage of personal luggage by rail or steamer, subject to a maximum of one hundred twenty kilograms; and

(g) to take with him by air one personal servant or a peon in lieu of the entitlement in clauses (e) and (f).

(5) The Chairman shall be entitled, for a journey performed on official business by road beyond a radius of five miles from his headquarter, to an allowance of three hundred rupees per kilometer if a public conveyance is used or four hundred per kilometer if a private car is used, and in any other case to an allowance at the rate of one thousand rupees per day:

Provided that the allowance mentioned in this sub-section shall be admissible only in respect of,-

(a) a journey or that part of a journey which has to be undertaken by road in the absence of railway communication; and

(b) a short journey which cannot conveniently be undertaken by rail and which involves in absence from headquarters for more than eight consecutive hours.

(6) In respect of a journey performed on official business by road beyond a radius of five miles from his headquarters, the Chairman shall be entitled to receive the actual cost of transporting,-

(a) not more than two personal servants, provided that the servants travelled by a conveyance other than that by which the Chairman travelled ; and

(b) up to a maximum of one hundred twenty kilograms of personal luggage:

Provided that the journey is performed to a place of halt in respect of which daily allowance is admissible.

11. Daily allowance during halt.- (1)The Chairman, while on tour on official business, shall be entitled to receive a daily allowance of,-

(a) ordinary rate of ten thousand rupees; and

(b) special rate of fifteen thousand rupees for each day of halt except that, when he stays in a reserved railway saloon, the allowance shall be one thousand rupees per day.

(2) The allowance mentioned in sub-section (1) shall be admissible,-

(a) at half of the full rate for the day of arrival at, and departure from, the place of halt, but no daily allowance shall be admissible in respect of a place of halt from which the Chairman departs on the same day on which he arrived at it; and

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(b) except as provided in clause (a), at the full rate for the first ten days of each continuous halt at three-fourth of the full rate for the next twenty days and at half of the full rate thereafter.

(3) Where the Chairman on tour stays in a hotel, he shall be entitled to the re-imbursement of actual rent charges of a suite for the period of stay in that hotel, in addition to the daily allowance.

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

13. Travelling allowance and protocol for journeys abroad.—(1) The Chairman when travelling on official business outside Pakistan shall be entitled to such travelling allowance as may be prescribed by Government from time to time:

Provided that the Chairman, while travelling on official business outside Pakistan, shall be entitled to the protocol of the Deputy Head of State or Vice-President.

(2) The Chairman while travelling abroad shall also be entitled,-

(a) to requisition at the cost of Government, if he considers it necessary in the public interest, an aeroplane belonging to the Federal Government, Provincial Government, armed forces of Pakistan, any flying club in Pakistan or any chartered air service provider; and

(b) to take with him one member of his family when travelling by a commercial aeroplane or four members of his family when travelling by a requisitioned aeroplane.

14. Medical facilities.—The Chairman and his family shall be entitled to medical facilities in public and private hospitals and he and his family shall be entitled to receive medical treatment at his official residence:

Provided that a person who has held the office of the Chairman for a full term of three years , he, his wife or widow, as the case may be, shall also be entitled to medical facilities as above, for life:

Provided further that payments for medical treatment shall be made by the Secretariat of the Senate directly to the hospital on receipt of bills.

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15. Provident fund.— (1) The Chairman 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 (Central Services), Rules.

(2) A temporary advance may be granted to a Chairman from the amount standing to his credit in the General Provident Fund at the discretion of the President for the purpose for which such advance may be granted to the subscriber under the said Rules.

(3) The grant of temporary advance under sub-section (2) shall, unless the President otherwise directs, be subject to the conditions to which an advance granted to a subscriber under the aforesaid Rules is subject.

16. Personal staff.— (1) The Chairman shall be entitled to such personal staff as may be prescribed by the Senate Finance Committee.

(2) A person who has held the office of the Chairman for a full term of three years shall be entitled to supporting staff of twelve in number, either from the existing Senate employees or contract appointment:

Provided that the services of contract employees referred to in sub-section (2), shall not be regularised in any case whatsoever.

17. Compensation in case of air accidents.— (1) If the Chairman, while traveling by air on official duty, by any flight, scheduled or un-scheduled including flight in a Government-owned aircraft of any type, dies or receives an injury as a result of an accident, the Government shall pay to the person or persons referred to in sub-section (2) a sum of ten million rupees in case of death and an amount to be determined by the 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 Chairman, and in the case of death, to such member or members of his family or, if there be no such member, such 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, revoked or altered by a notice in writing signed by the Chairman and addressed to the Accountant General, Pakistan Revenues.

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18. Leave.—(1) The President may grant to the Chairman 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 in the aggregate three months.

(2) The Chairman shall be entitled to receive leave salary of two hundred thousand rupees per mensem.

19. Discretionary grant.— The Chairman shall be entitled to authorised discretionary grant of eighteen hundred thousand rupees per annum or such amount as may be decided by the Finance Committee of the Senate.

20. Additional privileges.—The Finance Committee of the Senate may grant to the Chairman and the person who has held such office for a full term of three years, such additional privileges as it may deem fit.

21. Security. — Every person who has held the office of the Chairman for a full term of three years, shall be entitled for life to full security detail that is to say six sentries at the declared residence, four personnel of police, Anti-Terrorism Force, Rangers, Frontier Corps or Frontier Constabulary in one squad vehicle, for which the Federal Government in Islamabad, or a provincial government in the respective province, shall make the required arrangements.

22. Power to make rules. — The Federal Government may, by notification in the official Gazette, make rules for carrying into effect the provisions of this Act.

23. Repeal and savings. —(1) The Chairman and Speaker (Salaries, Allowances and Privileges) Act, 1975 (LXXXII of 1975), in so far as it relates to the Chairman Senate is hereby repealed.

(2) All rules, notifications, guidelines, circulars, directives, orders (special or general) or exemptions issued, made or granted before commencement of this Act, under the Chairman and Speaker (Salaries, Allowances and Privileges) Act, 1975 (LXXXII of 1975), shall have effect as if it had been issued, made or granted under the corresponding provisions of this Act unless repealed, amended or substituted under this Act.

STATEMENT OF OBJECTS AND REASONS

The National Assembly represents federating units on the basis of the population in contrast to the Senate which ensures equality in representation, regardless of the population size of any federating unit. Additionally, the nature of elections, terms of office and the powers and functions in various matters for the members, Chairman and Deputy Chairman of the Senate and the members, Speaker and Deputy Speaker of the National Assembly vary from each other. Regardless of the

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aforesaid fact, the Chairman and Speaker (Salaries, Allowances and Privileges) Act, 1975 deals with both the Chairman Senate and Speaker National Assembly under one enactment that does not justify and sufficiently provide for the functions and responsibilities of both positions. This Bill aims at providing separate provisions regarding Chairman Senate from the existing Act, by repealing the clauses in so far as it relates to the Chairman and for the matters ancillary thereto.

SENATOR KAUDA BABAR
SENATOR MANZOOR AHMED
SENATOR MIAN RAZA RABBANI
SENATOR SYED YOUSUF RAZA GILLANI
SENATOR DILAWAR KHAN
SENATOR FAROOQ HAMID NAEK
SENATOR MUSHAHID HUSSAIN SAYED
SENATOR DR.AFNAN ULLAH KHAN
SENATOR ATTA-UR-REHMAN
SENATOR MOHAMMAD ABDUL QADIR
SENATOR HAFIZ ABDUL KARIM
SENATOR DR. SHAHZAD WASEEM, Leader of the Opposition
SENATOR ZEESHAN KHAN ZADA
SENATOR FAWZIA ARSHAD
SENATOR SARDAR MUHAMMAD SHAFIQ TAREEN
SENATOR HIDAYATULLAH KHAN
SENATOR SAEED AHMED HASHMI
SENATOR IRFAN-UL-HAQUE SIDDIQUI
SENATOR MUHAMMAD AKRAM
SENATOR FIDA MUHAMMAD
SENATOR PROF. DR. MEHR TAJ ROGHANI
SENATOR SAIFULLAH ABRO
SENATOR PRINCE AHMED UMER AHMEDZAI
SENATOR DANESH KUMAR
SENATOR RANA MAHMOOD UL HASSAN
SENATOR FALAK NAZ
SENATOR MOLANA ABDUL GHAFOOR HAIDERI
SENATOR SEEMEE EZDI
SENATOR MOHAMMAD HUMAYUN MOHMAND
SENATOR KESHOO BAI
SENATOR BAHRAMAND KHAN TANGI
SENATOR ABIDA MUHAMMAD AZEEM
SENATOR MUHAMMAD TAHIR BIZINJO
SENATOR NUZHAT SADIQ
SENATOR PALWASHA MOHAMMED ZAI KHAN
SENATOR TAJ HAIDER
SENATOR HILLAL UR REHMAN
SENATOR RUBINA KHALID
SENATOR SAIFULLAH SARWAR KHAN NYAZEE
SENATOR KHALIDA ATEEB
SENATOR ANWAR LAL DEAN
MEMBERS-IN-CHARGE

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