

**AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR,
LAW AND PARLIMENTARY AFFAIRS SECRETARIATE,
MUZAFFARABAD.**

Dated: the 18th of September, 1975.

No. 2833/SL/75. The following ordinance made by the President on the 17th of September, 1975, is hereby published for general information:-

(ORDINANCE XXIX OF 1975)

AN ORDINANCE to provide for the salary, allowances and privileges of the speaker of the Legislative Assembly of Azad Jammu and Kashmir.

WHEREAS it is expedient to provide for the salary, allowances and privileges of the Speaker of the Legislative Assembly of Azad Jammu and Kashmir.

AND WHEREAS the Legislative Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by section 41, of the Azad Jammu and Kashmir Interim Constitution Act, 1974, the President is pleased to make and promulgate the following ordinance:-

- 1. Short title and commencement:** (1) This Ordinance may be called the Azad Jammu and Kashmir Legislative Assembly Speaker (Salary, Allowances, and Privileges) Ordinance, 1975.
(2) It shall come in to force at once.
- 2. Definitions:** (1) In this Ordinance unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say-
 - (a) "Constitution" means the Azad Jammu and Kashmir Interim Constitution Act, 1974.
 - (b) "Family" means the wife, children residing with and wholly dependent upon the Speaker.
 - (c) "Government" means the Azad Government of the State of Jammu and Kashmir;
 - (d) "Maintenance" in relation to a residence includes the payment of local rates, taxes and the provision of

electricity, water and gas;

- (e) "Official residence" means the house reserved from time to time for residence by Speaker and includes out-houses and gardens appurtenants thereto;
 - (f) "Prescribed" means prescribed by rules framed under this Act, and
 - (g) "Speaker" means the Speaker of the Legislative Assembly of Azad Jammu and Kashmir.
- (2) Words and expressions used but not defined in this Ordinance shall have the same meanings as are assigned to them in the constitution.
- 3. Salary:** The salary of the Speaker shall be two thousand and five hundred rupees per mensem.
- 4. Equipment Allowance:** The Speaker may draw a sum of one thousand and five hundred rupees as equipment allowance on his appointment as such; provided that no such allowance was received by him during the preceding ten years on appointment to a diplomatic post, or as a president, Speaker or Minister.
- 5. Allowance on taking up and laying down the office:** (1) The Speaker 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 Traveling 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 mounds, by goods train, steamer, or other craft, excluding aircraft, and of 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:** The Speaker shall be entitled to receive sumptuary allowance at the rate of seven hundred and fifty rupees per mensem.

7. **Transport:** The Speaker shall be entitled to the use of official cars maintained at Government expense throughout his term of office.
8. **Official Residence:** (1) The Speaker shall be entitled, without payment of rent, to the use of an of official residence including accommodation on tour throughout his term of office, and for a period of fifteen days immediately thereafter, and the charge for its maintenance including electricity and gas charge shall be borne by Government, The residence shall be furnished by Government at a cost not exceeding twenty thousand rupees.
- (2) If, at the time of entering upon office, an official residence is not available, the Speaker shall, until such residence is provided by Government, be paid the actual expenditure incurred by him or furnished accommodation for himself and his family, subject to a maximum of one thousand and five hundred rupees per mensem.
- (3) Where a Speaker choose to reside-
- (i) In his own house; or
- (ii) In a rented house occupied by him before his appointment as Speaker;
- He may be paid a monthly sum of Rs, 1,500/- in lieu of the official furnished accommodation and to cover all expenses on its maintenance. The charges for consumption of electricity and gas in respect of the said house shall be borne by Government.
9. **Traveling Allowance for touring in Azad Kashmir of Pakistan:** (1) Subject to the provisions made hereafter, the Speaker traveling on official duty shall be Treated as a First Grade officer.
- (2) The Speaker may, of the public interest so demands, travel by air, in which case he shall be entitled to-
- (a) Actual air fare paid for himself;
- (b) Cost of transporting personal luggage up to one hundred pound, inclusive of the 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 airplane or an aeroplane belonging to the government

subject to availability and in accordance with the rules made by the Federal Government or the provincial Government of Pakistan.

- (d) Take with himself his wife whether traveling by a commercial aero plan or by a requisitioned aero plan;

Provided that no non-official shall be allowed to travel in Pakistan Air Force aero plan without the authority of the Ministry of Defense;

- (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 a maximum of three mounds; 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, the Speaker shall purchase return air ticket.

- (4) The Speaker, when traveling on duty by rail in Pakistan shall be entitled to--

- (a) Requisition at the cost of Government--
- (i) An ordinary first-class carriage or a "B" class 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 are not desired, and ordinary four berthed first class compartment or a two berthed air conditioned (coups) compartment;
- (b) Take with himself in the reserved accommodation without payment of any fare, his family members not exceeding four when traveling in a requisitioned railway compartment or saloon;
- (c) Take with himself up to two personal servants, by the lowest class of accommodation available; and
- (d) The carriage of personal luggage up to three mounds when traveling by a railway compartment or up to six mounds when traveling by a requisitioned railway saloon.

(5) The Speaker reserving accommodation in the Railway shall be required before beginning the journey, to have the number and other details of the tickets purchased for the persons traveling 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.

(6) The Speaker, when traveling on duty in Pakistan by steamer or a 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 mounds.

(7) When the Speaker travels on duty, in the public interest, by road between place connected by railway and chooses to forego the privileges granted under sub-section (4) and (6) he may, where the journey is performed in a vehicle not owned or maintained by Government, draw-

- (a) Traveling allowance at the rate of seventy-five paise per mile for his own journey by road, and
- (b) Actual expenses of the transport of-
 - (i) Two private servants; and
 - (ii) All his personal luggage, including stores carried for consumption on tour.

10. Compensation in case of accident: (1) If the Speaker, during his tenure of office, dies or received an injury as a result of an accident or by violence the government shall pay to person or persons referred to in sub-section (2), a sum of one Lac and twenty five thousand rupees, in case of death, and an amount to be determined by Government having 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 Speaker, and in case of death to such member or members of his family, or, if there be no such member, any other persons as may be nominated by him in this behalf, or, 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 Speaker and addressed to the Account-General Azad Jammu and Kashmir.

- 11. Daily Allowance during Halt:-** The Speaker, while on tour shall be entitled to draw an allowance of seventy-five rupees per day for the duration of his halts on tours;

Provided that in case of halt for less than eight hours one-half daily allowance shall be admissible:

Provided further that for such continuous halt on tour exceeding ten days daily allowance admissible for-

- (i) The first ten days shall be at the full rate;
- (ii) The next twenty days or part, thereof at three-fourth of the full rate; and
- (iii) The remaining period, at one-half of the full rate;

Explanation:

- (i) Time spent on journey shall be included in the included in the halt; and
- (ii) A halt or tour shall be treated as continuous unless terminated by an absence at a distance from the halting place exceeding five miles, for a period not less than seven nights.

- 12. Controlling officer:** The Speaker shall be his own controlling officer for purposes of traveling allowance including the journey undertaken outside his jurisdiction in the discharge of his official duties.

- 13. Traveling allowance for tour abroad:** Speaker traveling on official business outside Pakistan shall be entitled to such allowance as may be specified by Government.

- 14. Medical Facilities:** The Speaker shall be entitled to medical facilities admissible in terms of Medical Attendance rules except that he and his family shall be entitled to Medical attendance at his residence.

- 15. Leave** (1) The Prime Minister may, grant to the Speaker 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.

- (2) The leave allowance of the Speaker shall be two thousand and five hundred rupees per mansion.
- 16. Provident fund:** (1) The Speaker 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 applicable to Azad Kashmir Government Servants.
- (2) A temporary advance may be granted to the Speaker from the amount standing to his credit in the General Provident Fund at the discretion of Government for the purposes of which such advance may be granted to a subscriber under the said rules.
- (3) The grant of temporary advance under sub-section (2) shall unless the Government otherwise direct be subject to the condition to which an advance granted to a subscriber under the said rules is subject.
- 17. Charge:-** The Speaker shall not be required to sign a charge report on taking up office as Speaker or laying down that office.
- 18. General report:**(1) All reasonable precautions shall be taken to see that the official residence transport and furniture provided to the Speaker 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 the official residence shall be marked by the Building Department, Azad Kashmir, for the purposes of identification.
- (3) When the Speaker occupies an official residence, it shall be the duty of the officer concerned of said Department to hand over charge of the furniture and furnishings in that residence to the Speaker or to a person authorized by him in writing according to an inventory to be drawn up and signed by such officer.
- (4) When the Speaker is about to vacate the official residence, he shall inform the office 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 Speaker.
- 19. Holidaying Abroad:** (1) The Speaker may, while holidaying

abroad, draw his full pay in foreign currency for the period of holiday of holidays spent abroad,

(2) When the speaker is holidaying abroad and draws his pay in the currency, he shall not be liable to pay income tax provident fund subscription etc. in foreign currency, if he makes arrangements to pay such amount in rupees in Azad Kashmir.

(3) The expenditure in foreign exchange involved under this Ordinance 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 the Speaker he shall not be eligible to receive foreign exchange allocation from the State Bank of Pakistan in any other capacity;

- 20. Telephone:-** The Speaker 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 use throughout the term of his 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.
- 21. Discretionary Grant:** A sum of Rs, 7,500/- per annum shall be placed at the disposal of the Speaker of 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 Ordinance.

Sd/-
(Sardar Muhammad Ibrahim Khan)
President
Azad Jammu and Kashmir

Sd/-
(Mohammad Akram Shah)
Deputy Secretary
Law & Parliamentary Affairs
Azad Government of the State of
Jammu and Kashmir