

AZAD GOVT. OF THE STATE OF JAMMU AND KASHMIR

LAW AND PARLIMENTARY AFFAIRS SECRETARIAT,
MUZAFFARABAD.

Dated the December 24, 1975

No 3934/ SL/ 75 The following Act of the Legislative Assembly received the assent of the President on the 16th day of December 1975 and is hereby published for general information:

(ACT XIX 1975)

1. **Short title and commencement:**(1)This Act may be called the Azad Jammu and Kashmir President's (Salary, Allowance and Privileges) Act, 1975.
(2) It shall come into force at once.
2. **Definitions:**In this Act, unless there is anything repugnant in the subject or context;
 - (a) 'Acting President' means a person appointed as President to act as President when the President is absent from Azad Kashmir/Pakistan or is unable to perform the functions of his office due to any cause;
 - (b) "Family" means the President's wife and such, of his children, step-children, parents, brothers and sisters as ordinarily reside with and are wholly dependent upon him;
 - (c) "Furnishing" means picture, paintings curious, linen, glass-ware, brass-ware cutlery, crockery, kitchen equipment, radios, radiograms, lamps, public address system, projectors, television set of all kinds, accoustical equipment and similar other articles;
 - (d) "Furniture" includes carpets, sofa-sets, curtains, refrigerators, air-conditioners, washing machines and similar articles;
 - (e) "Maintenance"
 - (i) In relation to official residence, includes the maintenance and repalishing of furniture, and furnishings, payment of local rates, and taxes, maintenance of roads and electric, water, gas and sanitary fixtures, and installations, and the provisions of electricity gas and water; and
 - (ii) In relation to official cars and aircrafts, includes the pay and allowances of chauffeurs, pilots and other establishment and the provisions of oil and petrol;
 - (f) "Official cars","railway saloons" and "aircrafts"

means such cars, railway saloons and aircraft, if any, as are from time to time provided for use by the President;

- (g) "Official residence" means the house reserved from time to time for residence by the President and includes out-houses and gardens appurtenant thereto;
- (h) "Year" means a year commencing on the first day of July and ending on the thirtieth day of June next following; and
- (i) "Other words" and expressions used in this Act and not defined shall have the meanings assigned to them in the Azad Jammu and Kashmir Interim Constitution Act, 1974.

3. Annual Salary: The annual salary to be paid to the President shall be seventy-two thousand rupees.

4. Equipment Allowance: (1) The President may on his assumption of office as such, draw two thousand and five hundred rupees as an allowance for equipping himself;

Provided that, during the ten years immediately preceding the assumption of that office, he had not drawn an allowance for the same purpose upon election or appointment to the office of President, Prime Minister, Speaker Minister, or a Diplomatic office.

(2) The Provisions of sub-section (1) shall not apply to an Acting President.

5. Allowances on taking up and laying down the office:-

(1) The President shall be entitled to traveling allowance to the extent mentioned below for the journey from ordinary place of residence to the official residence on taking up office and from the official residence 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 three by the lowest class of accommodation; and
- (c) The cost of transporting, house-hold effects, not exceeding one hundred and twenty mounds, by goods train or steamer 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 assuming or laying down office, as the case may be.

(3) The Provisions of sub-section (1) shall not apply to

an Acting President, but there shall be paid to an Acting President and allowance equal to his actual expenses on journeys undertaken within Azad Kashmir or Pakistan with his family, if any, and his family's effects, in connection with the taking up and relinquishment of his duties as Acting President.

6. **Privilege in case of journeys from Azad Kashmir to Pakistan:**The president shall, when traveling on official duty from Azad Kashmir to Pakistan, be entitled to take with him his wife, or one other member of his family, at Government expenses.
7. **Official Residence, Railway saloons, aircraft and official cars:**(1)Though out his term of office, the President shall be entitled, without payment of rent or hire, the use of his official residence, and of the railway saloons, aircraft and official cars, and no charge shall fall on him personally in respect of the maintenance thereof:

Provided thatthe President shall not, except when proceeding on or return in form leave, be entitled to the use of the railway saloons, aircraft or official cars during any period for which he is on leave.

(2) The provisions of subsection (1) shall apply to the family of the president.
8. **Sumptuary allowance:**The President shall be entitled to receive sumptuary allowance of thirty thousand rupees per annum.
9. **Discretionary Grant:**A sun of Rs, 40,000/- per annum shall be placed at the disposal o the President for making discretionary grants in such manner as may be prescribed.
10. **Payment of further Amounts:-** There shall, from time to time, be paid to the President, for the replacement of official cars and for any other purposes considered necessary to enable him to discharge conveniently and with dignity the duties of the office, such further amounts as the President may, by general or special order, authorized and any such order may be given retrospective effect whenever necessary.
11. **Amounts to be included in estimates of expenditure:-** The President shall determine, the amounts to be included in any year in the estimates of expenditure for the purpose of giving effect to the provisions of this Act, and such amount shall be charged upon and paid out of the Azad Kashmir Budget Receipts.
12. **Compensation in case of accident:**(1)If the President, during his tenure of office dies or receive an injury as a result of an accident or by violence the Government shall

pay to the person or persons referred to in sub-section (2), a sum of one Lac and fifty thousand rupees, in the 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 President 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, and may also be revoked or altered, by a notice in writing, signed by the President and addressed to the Accounts Officer concerned.

- 13. Daily allowance during halt:-** The President, while on tour, shall be entitled to draw an allowance of seventy five rupees per day for the duration of his halts on tour:

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:- For the purpose of this section:-

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

- 14. Leave of Absence:-** (1)The president may at any one time or from time to time grant to him self-

- (a) 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 four months in the aggregate;

Provided thatthe President may extend this period of four months in which case the reason for the extension shall be recorded in a minute;

- (b) upon the conclusion of his term of office leave (to

which the provisions of the next succeeding subsection apply) for a single period not exceeding four months, or if any leave has been availed of during the term of office, the difference between four months and the period of leave availed of.

- (2) The leave allowance of the President shall at the rate of three thousand rupees per mensem:

Provided that, in the case of the President appointed from Govt. service, the rate of leave allowance shall, if the rate admissible to him immediately before his appointment is higher than the rate admissible to him under this Act as a President, be that former rate.

- (3) Where payment is made in dollars, the rate of exchange taken shall be that ruling on that day of payment or on the last day of the month in respect of which the payment is made, whichever day first occurs.

- (4) An Acting President shall not be entitled to any leave allowance.

- 15. Medical Facilities:-** The President and the family of the President shall be entitled to medical facilities in accordance with the Medical Attendance Rules:

Provided that he and his family shall ordinarily be entitled to receive medical treatment at his residence.

- 16. Personal Staff:-** The President, except while on leave, shall be entitled to have such personal staff as may be sanctioned from time to time by the Government.

- 17. Custom duties or sales tax not leviable on certain articles:-** (1) No Custom duties or sales Tax shall be levied on the following articles if imported or purchased out of bond by the President on appointment or during his tenure of office, namely:-

- (a) Articles for the personal use, wear or consumption of the President or any member of the family of the President.

Provided that the cost thereof shall not exceed fifteen thousand rupees per annum;

- (b) One car the cost of which shall not exceed fifty thousand rupees, for his personal use during the tenure of his office;
- (c) Foodstuffs and tobacco for consumption by the President, members of his family and his guests, whether official or not;
- (d) Articles for furnishing of the President's official residence; and

(e) Official cars and aircraft.

(2) No excise duties or sales tax shall be levied on tobacco imported by manufacture in Azad Kashmir or Pakistan for the manufacture of cigarettes, and no excise duty shall be levied on indigenous tobacco used in Azad Kashmir or Pakistan in manufacture of cigarettes and on cigarettes manufactured in Azad Kashmir or Pakistan, when such cigarettes are for consumption by the President, members of his family or the guests referred to in clause (c) sub-section (1).

(3) No excise duty shall be levied on indigenous petrol and petroleum products when such petrol or petroleum products are for use in the official cars and aircrafts.

- 18. Provident Fund:** The President 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.
- 19. Act to have effect subject to instructions, etc:-** This Act shall have effect subject to such instructions, rules, exception, further concessions or casements, as the President may from time to time, prescribe or grant.
- 20. Repeal:** The Azad Jammu and Kashmir President's Salary Allowance and Privileges Ordinance, 1975 (Ordinance XXVII of 1975) is hereby repealed.

Sd/-

President

Azad Jammu and Kashmir