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PART I

Acts, Ordinances and President's Orders

NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 10th September, 1974

The following Acts of Parliament received the assent of the President on the 7th September, 1974, and are hereby published for general information :—

ACT No. XLVII OF 1974

An Act to amend the Employees' Cost of Living (Relief) Act, 1973

WHEREAS it is expedient to amend the Employees' Cost of Living (Relief) Act, 1973 (I of 1974), for the purposes hereinafter appearing :

It is hereby enacted as follows :—

1. **Short title and commencement.**—(1) This Act may be called the Employees' Cost of Living (Relief) (Amendment) Act, 1974.

(2) It shall come into force at once.

2. **Amendment of section 2, Act I of 1974.**—In the Employees' Cost of Living (Relief) Act, 1973 (I of 1974), hereinafter referred to as the said Act, in section 2,—

- (a) in clause (a), for the words "the amount" the words "an amount" shall be substituted ; and
- (b) in clause (b), for the words "seven hundred and thirty-five" the words "one thousand and one hundred" shall be substituted.

3. **Amendment of section 3, Act I of 1974.**—In the said Act, section 3 shall be re-numbered as sub-section (1) of that section and—

- (a) in sub-section (1) renumbered as aforesaid, after the word "employee", the words "whose wages do not exceed seven hundred and thirty-five rupees" shall be inserted ; and

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(b) after sub-section (1) renumbered and amended as aforesaid, the following new sub-section shall be inserted, namely:—

“(2) In addition to the cost of living allowance admissible under sub-section (1), if any, every employee shall, in respect of his employment, on or after the eighth day of June, 1974, whether on time-work or piece-work basis, be paid by his employer a cost of living allowance,—

- (a) equal to fifty rupees per month or ten percent of his monthly wages, whichever is more, if his wages do not exceed one thousand rupees; or
- (b) at such rate as, together with his wages, makes a total of one thousand and one hundred rupees per month, if his wages exceed one thousand rupees.”

4. **Amendment of section 5, Act I of 1974.**—In the said Act, in section 5, for the proviso the following shall be substituted, namely:—

“Provided that where an employee employed in an undertaking has not been paid the cost of living allowance payable under sub-section (1) of section 3 for any period commencing on or after the first day of August, 1973, but preceding the commencement of the Employees’ Cost of Living (Relief) Act, 1973 (I of 1974), or, as the case may be, under sub-section (2) of that section for any period commencing on or after the eighth day of June, 1974, but preceding the commencement of the Employees’ Cost of Living (Relief) (Amendment) Act, 1974, the employer shall pay it to him within thirty days of the commencement,—

- (a) in the case of the cost of living allowance payable under sub-section (1) of section 3, of the Employees’ Cost of Living Allowance (Relief) Act, 1973 (I of 1974); and
- (b) in the case of the cost of living allowance payable under sub-section (2) of that section, of the Employees’ Cost of Living (Relief) (Amendment) Act, 1974.”

5. **Substitution of section 8, Act I of 1974.**—In the said Act, for section 8 the following shall be substituted, namely:—

“8. *Saving of certain rights and privileges.*—Nothing in this Act shall affect any right or privilege to which an employee was entitled,—

- (a) in the case of the cost of living allowance payable under sub-section (1) of section 3, immediately before the commencement of the Employees’ Cost of Living (Relief) Ordinance, 1973 (XXII of 1973), or
- (b) in the case of the cost of living allowance payable under sub-section (2) of section 3, immediately before the commencement of the Employees’ Cost of Living (Relief) (Amendment) Act, 1974.

under any law for the time being in force or under any award, decision, agreement, settlement, contract, custom or usage in force immediately before such commencement :

Provided that, if, at any time commencing on or after the first day of August, 1973, but preceding the commencement of the said Ordinance or, as the case may be, commencing at or after the commencement of the said Ordinance but preceding the commencement of the Employees' Cost of Living (Relief) (Amendment) Act, 1974, any employer has paid, or become liable to pay, whether by virtue of an award, decision, agreement, settlement, contract, custom or usage, to any employee, in respect of any period, any sum of money, which is intended to provide relief due to a rise in the cost of living, such employer shall not be required to pay to such employee in respect of such period any amount in excess of the difference, if any, between the amount so paid by him or the amount which he has so become liable to pay, and the cost of living allowance payable to such employee."

Explanation.—For the purposes of this proviso, any increase in wages accruing by virtue of the usual annual increment or promotion to a higher grade, or an allowance not specifically given to provide relief due to a rise in the cost of living, shall not be deemed to be an increase intended to provide relief due to a rise in the cost of living.