[AS PASSED BY THE SENATE]

A

Bill

to provide for salaries, allowances and privileges of members of the Senate and certain privileges of the Leader of the House and Leader of the Opposition in the Senate

WHEREAS, it is expedient to provide for the salaries, allowances and privileges of members of the Senate, and certain privileges of the Leader of the House and the Leader of the Opposition in the Senate and to repeal the Members of Parliament (Salaries and Allowances) Act, 1974 (XXVII of 1974), in so far as it relates to the members of the Senate, the Leader of the House and the Leader of the Opposition in the Senate, and for the matters ancillary thereto or connected therewith;

It is hereby enacted as follows:-

1. **Short title and commencement.** – (1) This Act shall be called the Members of Senate (Salaries and Allowances) Act, 2023.

   (2) It shall come into force at once.

2. **Definitions.** – In this Act, unless there is anything repugnant in the subject or context, –

   (a) “committee” means a standing committee, a select committee or any other committee set up by or under the authority of Senate or a joint sitting in connection with the business of the Senate or, as the case may be, the joint sitting;

   (b) “House” means the Senate;

   (c) “joint sitting” means a joint sitting of both Houses of the Senate and the National Assembly assembled together under Article 56 of the Constitution;

   (d) “Leader of the House” means a member of the House who is appointed by the Prime Minister to be the Leader of the House;
(e) "Leader of the Opposition" means a member of the House who, in the opinion of the Chairman of the Senate, is for the time being the Leader of the members in opposition to the Government in the House;

(f) "member" means,

(i) in relation to the Senate, a member of the Senate; and

(ii) in relation to a joint sitting, a member of the Senate, but does not include the Chairman or Deputy Chairman of the Senate, the Prime Minister, a Federal Minister or a Minister of State;

(g) "session" means the period commencing on the date of the first meeting of the Senate or the joint sitting after having been summoned and ending on the day the House or, as the case may be, the joint sitting is prorogued; and

(h) "year" means the financial year.

3. **Salary.** A member shall be entitled to receive a salary at the rate of one hundred fifty thousand rupees per mensem:

   Provided that a person who by virtue of his holding an office of profit in the service of Pakistan declared by law not to disqualify its holder from being a member is entitled to receive a salary, the amount of the salary to which he is entitled under this Act shall be only such amount as would not, together with the amount of salary calculated on a monthly basis to which he is entitled by virtue of his holding such an office exceed one hundred fifty thousand per mensem.

4. **Daily allowance and conveyance allowance.** — (1) For each day during any period of residence on duty, a member shall be entitled to receive special daily allowance at the rate of four thousand eight hundred rupees, ordinary daily allowance at the rate of two thousand eight hundred rupees as the case may be and conveyance allowance at the rate of two thousand rupees.

(2) A member who arrives at the place of duty or departs from such a place shall be entitled to draw daily allowance and conveyance allowance for the day of arrival or the day of departure, as the case may be:

   Provided that not more than one daily allowance and one conveyance allowance may, in any case, be claimed in respect of any one day.
Explanation:—For this section and section 11, “period of residence on duty” means the period during which a member, for the purpose of attending a session or a meeting of a committee or for attending to any other business connected with his duties as member, resides at the place, including his usual place of residence, where the session or the meeting is held or other business is transacted and includes,—

(a) in the case of a session, the period of such residence, not exceeding three days, immediately preceding the commencement of the session and the period of such residence not exceeding three days, immediately following the end of the session; and

(b) in the case of a sitting of a committee or transaction of any other business, the period of such residence, not exceeding two days immediately preceding the commencement of the sitting of the committee or of the other business and the period of such residence not exceeding two days, immediately following the conclusion of the sitting of the committee or of the other business.

5. **Absence from sitting without leave of the House.**—Notwithstanding anything contained in this Act, a member who, without leave of the House, remains absent for three consecutive days of its sittings, shall not be entitled to receive any daily allowance or conveyance allowance in respect of the days of such absence.

6. **Sumptuary allowance.**—A member shall receive sumptuary allowance at the rate of five thousand rupees per mensem.

7. **Travelling allowance.** — (1) For every journey performed for the purpose of attending a session or a meeting of a committee or for attending 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 travelling allowance at the following rates, namely:—

(a) where the journey is performed by rail, an amount equal to the aggregate of one air-conditioned class fare and one second class fare;

(b) where the journey is performed by air, an amount equal to the aggregate of one business class air fare and one hundred and fifty rupees; and

(c) where the journey or any part thereof is performed by road, a mileage allowance at the rate of thirty rupees per kilometer.
(2) The travelling allowance in respect of a journey between two stations shall be admissible on the basis of the shortest of the practicable routes between those stations.

(3) A member who performs a journey between the place where a session or meeting of a committee is held or other business connected with his duties as a member is transacted and a place which is not his usual place of residence may draw travelling allowance for a journey between the place where the session or meeting is held or other business is transacted and his usual place of residence.

(4) A member shall be entitled to travel by air in first class while travelling abroad on an official visit.

8. Intermediate journey.-Where, during a session or a sitting of a committee, a member absents himself for less than fifteen days from the place where the session or sitting is held and performs a journey for visiting any place in Pakistan, he shall be entitled to receive travelling allowance in respect of the journey to such place and for return journey from such place to the place where the session or the sitting is held at the following rates, namely:-

(a) where the journey is performed by rail, an amount equal to one air-conditioned class fare;

(b) where the journey is performed by air, an amount equal to one business class air fare by the shortest practicable route; and

(c) where the journey or any part thereof is performed by road, an allowance at the rate of three rupees per kilometer:

Provided that the amount of travelling allowance under this section shall not in any case exceed the aggregate of the daily, conveyance and housing allowance admissible under sections 4 and 11 to which the member would have been entitled had he not so absented himself.

9. Short intervals between sessions or sittings of committee.- Where the interval between the termination of one session and the commencement of another session or between the termination of one sitting of a committee and the commencement of another sitting of the committee, at the same place does not exceed three days, a member who,-

(a) remains at such place, shall during such interval be entitled to receive for each day of residence at such place daily, conveyance and housing allowances at the rates specified in sections 4 and 11; or
(b) leaves such place for another place, shall be entitled to receive travelling allowance at the same rates and subject to the same conditions as are specified in section 8 as if he was absent from such place during the session or sitting of the committee.

10. **Form of certificate.**— Every claim by a member for travelling allowance, conveyance allowance or daily allowance shall be supported by a written certificate in following form signed by the member, namely:

    "Certified that no amount has been claimed by me for the same journey period in any other bill from the House or from the Government or a Government organisation."

11. **Housing allowance.**— Every member shall be paid a housing allowance at the rate of two thousand rupees for each day during any period of residence on duty.

12. **Travel facility.**—(1) Every member shall be provided during a year with such vouchers of the value of three hundred thousand rupees or cash in lieu of vouchers, as would enable him to travel at any time by any airline or by Pakistan Railways:

    Provided that where a person becomes a member during the course of a year, the value of the vouchers or cash, with which he is provided during that year shall not exceed the value which bears the same proportion to three hundred thousand rupees as the unexpired portion of the year bears to a year.

    (2) A member shall, in addition to the vouchers or cash as referred to in sub-section (1) be entitled to twenty five business class open return air tickets from the airport nearest or most viable to his constituency to Islamabad or the equivalent value thereof in cash.

    **Explanation I:**—In this sub-section, where any airline does not operate flight from the concerned member’s constituency, twenty-five open business class return air tickets of any airline, or cash of equivalent value, shall be issued for travel from another nearest viable airport. The member may opt for provision of air tickets or cash.

    **Explanation II:**—In this sub-section where no flight operates from the nearest viable airport, the finance committee of the Senate shall decide appropriate value for travelling, not exceeding sixty thousand rupees.

    (3) Any voucher with which a member is provided under sub-section (1) may be utilized by the family of the member.

    **Explanation:**— In this sub-section, “family” means the spouse and children of a member and any other person.
(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 travelling allowance under this Act shall not in any way affect his right to receive such allowance.

(5) The privileges provided to a member under this section shall not be refunded.

13. **Telephone.**- A member shall be entitled to have telephone installed at his residence at Government expenses where facilities for installation are available and to a monthly allowance of ten thousand rupees on account of telephone charges, whether a telephone is so installed or not.

14. **Office maintenance allowance.**- A member shall be entitled to receive an office maintenance allowance at the rate of eight thousand rupees per mensem.

15. **Other facilities.** - (1) A member shall be entitled to such facilities as were admissible to a member of the Senate of Pakistan immediately before the commencement of this Act.

(2) An ex-member who remained a member of the Senate for at least three years, shall also be entitled to such facilities as may be notified from time to time.

(3) A member and ex-member shall be entitled to the same medical facilities as are admissible to an officer of BPS-22 of the Federal Government.

16. **Leader of the House and Leader of the Opposition.** - (1) A Leader of the House and a Leader of the Opposition shall be entitled to the salaries, allowances and privileges as are admissible to a Federal Minister under the Federal Ministers and Ministers of State (Salaries, Allowances and Privileges) Act, 1975 (LXII) of 1975:

Provided that the Finance committee of the Senate may, subject to the requirement, allow additional vehicle for the purpose of security.

(2) It is hereby declared that the office of the Leader of the House or Leader of the Opposition shall not disqualify its holder from being elected or chosen as, or from being, a member of the Senate.

17. **Chairman of the standing committee.** - (1) A member elected as the chairman of a standing committee of the Senate shall, in addition to the salary, allowances and facilities admissible as a member, be entitled to,-

(a) an honorarium of twenty-five thousand rupees per month;

(b) the services of a private secretary in basic pay scale 17, stenographer in basic pay scale 15, driver in basic pay scale 4 and one naib qasid in basic pay scale 1;
(c) telephone facility in the office to a limit of ten thousand rupees per month and the excess amount over and above the limit shall be deducted from their salaries;

(d) office accommodation with necessary furniture and equipment; and

(e) upto 1600 CC car and three hundred and sixty liters of petrol per month for local use subject to the following conditions, namely:-

(i) the chairmen of the standing committees are also allowed to use staff car beyond the municipal limits of Islamabad within the aforesaid ceiling in prescribed manner.

Explanation: On the basis of the expenditure being incurred on provision or maintenance of the official transport, the chairmen standing committees shall be entitled to the option of transport monetization of rupees two hundred thousand per month in lieu of official car, petrol and driver.

(ii) they shall hire private driver for the journey conducted outside Islamabad at their own;

(iii) they shall be responsible for the restitution of any damage caused to the official car in the event of any accident that occurs during journey outside Islamabad;

(iv) no travelling and daily allowance shall be allowed to the staff or driver accompanying the chairman of the standing committee during their journey outside Islamabad;

(v) cost of petrol beyond aforesaid prescribed ceiling shall be borne by the chairmen of the standing committees themselves; and

(vi) no deduction of conveyance allowance shall be made to which the chairman is entitled as member of the Majlis-e-Shoora (Parliament).

Explanation: For the purpose of this section, the functional committees of the Senate shall be deemed to be the standing committees thereof.

18. Power to make rules.- After consultation with the Chairman of the Senate, the Federal Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

19. Increase in emoluments.- The salaries, allowances and privileges of members shall automatically be increased by the Federal Government by notification in the official Gazette in proportion to the increase in the emoluments of the civil servants.

20. Repeal and saving. - (1) The Members of Parliament (Salaries and Allowances) Act, 1974 (XXVII of 1974), in so far as it relates to the members of the Senate, the Leader of the House and the Leader of the Opposition in the 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 Members of Parliament (Salaries and Allowances) Act, 1974 (XXVII of 1974), 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 aforesaid fact, the Members of Parliament (Salaries and Allowances) Act, 1974, deals with both the Members of Senate and 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 Members of the Senate from the existing Act, by repealing the clauses in so far as it relates to the Senators 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 NAEEK
SENATOR MUSHAHID HUSSAIN SAYED
SENATOR DRAFAN ULLAH KHAN
SENATOR ATTA-UR-REHMAN
SENATOR MOHAMMAD ABDUL QADIR
SENATOR HAFIZ ABDUL KARIM
SENATOR DR. SHAHZAD WAISEEM, Leader of the Opposition
SENATOR ZEESHAHN KHAN ZADA
SENATOR FAWZIA ARSHAD
SENATOR SARDAR MUHAMMAD SHAFIG TAREEN
SENATOR HIDAYATULLAH KHAN
SENATOR SAEED AHMED HASHMI
SENATOR IRFAN-UL-HAQE 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 HAIREDI
SENATOR SEEMEE EZDI
SENATOR MUHAMMAD HUMAYUN MOHMAND
SENATOR KESHOO BAI
SENATOR BAHRAMAND KHAN TANGI
SENATOR ABIDA MUHAMMAD AZEEM
SENATOR MUHAMMAD TAHRIR 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