

SINDH ACT NO.I OF 2005

THE SINDH SPECIAL ASSISTANTS (APPOINTMENT, POWERS, FUNCTIONS, SALARIES, ALLOWANCES AND PRIVILEGES) ACT, 2003

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[28" February, 2005]

An Act to provide for appointments, powers, functions, salaries, allowances and privileges of Special Assistants to the Chief Minister of Sindh.

WHEREAS it is expedient to provide for appointments, powers, | Preamble. functions, salaries, allowances and privileges of Special Assistants to the Chief Minister of Sindh.

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Special Assistants | Short title and (Appointment, Powers, Functions, Salaries, Allowances and Privileges) Act, | commencement 2003.

(2) It shall come into force at once and be deemed to have taken effect on and from January 1, 2003.

2. In this Act, unless the subject or context otherwise requires, the | Definitions. following expressions shall have the meanings hereby assigned to them respectively:-

(a) "Chief Minister" means the Chief Minister of Sindh;

(b) "Family" means the wife and children residing with and wholly dependent upon the Special Assistant;

(c) "Government" means the Government of Sindh;

(d) "maintenance" in relation to a residence includes the payment of local rats, tax and the provision of electricity, water and gas;

(e) "official residence" means the house reserved from time to time for residency by a Special Assistant and includes out houses and gardens appurtenant thereto;

(f) "prescribed" means prescribed by rules framed under this Act; and

(g) "Special Assistant" means a person appointed as Special Assistant to the Chief Minister under this Act.

"(3) Where the Special Assistant is not provided with an official residence or prefers to reside in his own house or a private residence; he shall be paid forty five thousand rupees per mensem.""

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3. The provisions of this Act shall have effect notwithstanding anything to the contrary contained in any other law, for the time being in force or any judgment, order or decree of any Court;

Overriding
effect.

4. (1) The Chief Minister may in his discretion from time to time appoint such number of persons as he considers necessary, to be Special Assistants, who shall hold office during the pleasure of the Chief Minister.

(2) A Special Assistant shall exercise all such powers as may be delegated and perform such functions as may be assigned to him by the Chief Minister.

Appointment
and term of
office.

5. The salary of a Special Assistant shall be fifteen thousand rupees per month.

Salary.

6. A Special Assistant shall be entitled to get “ten thousand]” rupees per month as sumptuary allowance.

Sumptuary
allowance.

7. A Special Assistant to the Chief Minister shall be entitled to the use of one official car through out his term of office and for a period of fifteen days immediately thereafter; provided that the Chief Minister may withhold this facility from a Special Assistant who is removed from his office on the grounds of misconduct.

Transport.

8. (1) A Special Assistant shall be entitled, without payment of rent, to the use of an official residence including accommodation on tour through out his term of office and for a period of fifteen days immediately thereafter, and the charges for its maintenance including the electricity and gas charges shall be borne by Government. The residence shall be furnished by Government at a cost not exceeding sixty thousand rupees only once during the term of his office.

(2) Where a Special Assistant chooses to reside—
(i) in his own house; or
(ii) in a rented house occupied by him before his

appointment as a Special Assistant;

he may be paid a monthly sum of *"[**]" *"[thirty thousand]" rupees 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.

Official
residence.

" Substituted by Sindh Act No. XXII of 2017 dated 4" July, 2017
Substituted by Sindh Act No. XXXI of 2013 dated 1" April, 2013

3 Substituted by Sindh Act No. XXII of 2017 dated 4" July, 2017

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(2) A Special Assistant may, if the public interest so demands travel by air in such case he shall be entitled to:

- (a) economy class airfare paid to himself;
- (b) cost of transporting personal luggage up to forty five kilograms, inclusive of the free allowance given by the air company;
- (c) claim the actual premium paid for ensuring himself for the air journey for an amount not exceeding one lac rupees.

(3) A Special Assistant, when travelling for any official assigned work by rail in Pakistan, shall be entitled to—

- (a) requisition at the cost of Government—
 - (i) an ordinary first-cum-second 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 an ordinary four berthed first class compartment or a two berthed air-conditioned (couple) compartment;

(4) When a Special Assistant travels, for official assigned work in public interest, by road, between places connected by Railway and chooses to forego the privileges granted under sub section (4), he may, where the journey is performed in vehicle not owned or maintained by Government, draw:

- (a) Travelling allowances admissible for the time being.

71H9-A, (1). The Special Assistant, during the tour on official duty, be entitled to draw a daily allowance of rupees one thousand for the duration of halts:

Provided that half daily allowance shall be admissible for the day arrival, the day of departure and the day of both arrival and departure;

Residence maintenance allowance (instead of furnishing Government/private residence) Rs.30,000/= special assistant to Chief

1 Equipment

[“8-A The Special Assistant to Chief Minister, on his first appointment, as | 4 jowance. such, receive an equipment allowance of fifty thousand rupees”]

9. (1) Subject to the provisions made hereafter a Special Assistant | Travelling travelling on official duty shall be treated as a first grade officer. allowance.

' Inserted new section "8-A" by Sindh Act No. XXII of 2017 dated 4" July, 2017
Inserted new section "9-A" by Sindh Act No. XXII of 2017 dated 4" July, 2017

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Minister per month.

Compensation in case of air or road Accident Rs.50,00,000/= of special assistant to Chief Minister.

10. Every claim by a Special Assistant for travelling allowance or daily | Form of allowance shall be supported by a written certificate in the following form | Certificate. signed by him:-

“Certified that such amount has not been claimed by me in any other bill or drawn by me from any other source”.

11. (1) If a Special Assistant, while travelling by air, on official duty, | Compensation by any flight, scheduled or unscheduled (including flight in a Government | in case of air owned aircraft of any type), dies or receives an injury as result of any | accident. accident, Government shall pay to the persons referred to in sub-section (2), a sum of three hundred 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 Special Assistant and in case of death, to a member or members of his family, or if there be no such member, any other person or persons as may be nominated by him in this behalf, or, in the absence of such nomination, to his heirs:

Provided that the nominee shall distribute the amount received by him among the heirs of the deceased.

(3) A nomination under sub-section (2) may be made, revoked, or altered by a notice in writing signed by the Special Assistant.

12. A Special Assistant, while on officially assigned tour, shall be | Daily entitled to receive a daily allowance at the rate of three hundred rupees per | allowance. day:

Provided that where the duration of such tour is less than eight hours one half daily allowance shall be admissible.

13. The Minister Finance shall, for purposes of travelling allowances, be | Controlling the Controlling Officer of a Special Assistant. Officer.

14. A Special Assistant shall be entitled to medical facilities in terms of | Medical Special Medical Attendance Rules, 1950. facilities.

15. (1) The Chief Minister may grant, to a Special Assistant during | Leave. 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

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months in the aggregate.

(2) The Leave allowance of a Special Assistant shall be the same as his salary.

16. A Special Assistant, except while on leave, shall be entitled to have | Personal staff. such personal staff as may be sanctioned by Government.

17. (1) All reasonable precaution shall be taken to see that the official | General. residence, transport and furniture provided to a Special Assistant by Government re-used with the same care with which a person's own property is taken care of.

(2) All furniture and furnishing provided in an official residence shall be marked by the Works and Services Department for the purpose of identification.

(3) When a Special Assistant occupies an official residence, it shall be the duty of the officer concerned of the said Department to hand over charge of the furniture and furnishing in that residence to the Special Assistant or to a person authorize by him in writing according to an inventory to be drawn up and signed by such officer.

(4) When a Special Assistant is about to vacate the official residence, he shall inform the officer concerned of the said Department and shall arrange that the furniture and furnishing of the official residence are handed over to that officer according to an inventory to be drawn up and signed.

18. A Special Assistant shall be entitled to one official telephone at office | Telephone. and one official telephone at the residence, both for official and private purposes;

Provided that the liability of Government in respect of the telephone installed at the residence shall not exceed an amount equal to one thousand local calls.

19. Save as provided under this Act, no order made or proceedings taken | Jurisdiction under this Act, or the rules made thereunder by Government shall be called | barred.

in question in any Court and no injunction shall be granted by any Court in respect of any decision made or proceedings taken in pursuance of any power conferred by, or under, this Act, or the rules made thereunder.

20. Government may, by notification in the official Gazette, make rules | Power to make for carrying out the purposes of this Act. rules.