



## THE MEMBERS OF PARLIAMENT (SALARIES AND ALLOWANCES) ACT, 1974



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## THE PAKISTAN CODE

# THE MEMBERS OF PARLIAMENT (SALARIES AND ALLOWANCES) ACT, 1974

<sup>1</sup>ACT NO. XXVII OF 1974

[24th April, 1984]

*An Act to consolidate and amend the law relating to salaries and allowances of members of Parliament and to provide for certain privileges of the Leaders of the House and the Leaders of the Opposition in the two Houses of Parliament.*

**WHEREAS** it is expedient to consolidate and amend the law relating to the salaries and allowances of members of Parliament and to provide for certain privileges of the Leaders of the House and the Leaders of the Opposition in the two Houses of Parliament ;

It is hereby enacted as follows:—

**1. Short title and Commencement.**—(1) This Act may be called the Members of Parliament (Salaries and Allowances) Act, 1974.

(2) It shall come into force at once.

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

- (a) “Assembly” means the National Assembly;
- (b) “committee” means a Standing Committee, a Select Committee or any other committee set up by or under the authority of a House or a joint sitting in connection with the business of that House or, as the case may be, the joint sitting;
- (c) “House” means the Senate or the Assembly;
- (d) “Joint sitting” means a joint sitting of the two Houses and includes both Houses assembled together under Article 56 of the Constitution;
- (e) “Leader of the House” means a member of a House who is appointed by the Prime Minister to be the Leader of the House;
- (f) “Leader of the Opposition” means a member of a House who, in the opinion of the Speaker of the Assembly or, as the case may be, the Chairman of the Senate, is for the time being the leader of the members in opposition to the Government in that House;
- (g) “members” means —
  - (i) in relation to the Assembly, a member of the Assembly;
  - (ii) in relation to the Senate, a member of the Senate; and

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<sup>1</sup>For Statement of Objects and Reasons, see Gaz. of P., 1973, Ext., Pt. III, p. 1916

(iii) in relation to a joint sitting, a member of either House;

but does not include the Speaker or Deputy Speaker of the Assembly, the Chairman or Deputy Chairman of the Senate, the Prime Minister, a Federal Minister or a Minister of State;

(h) “session” means the period commencing on the date of the first meeting of a House 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 or, in the case of the Assembly, dissolved; and

(i) “year” means the financial year.

**3. Salary.** A member shall be entitled to receive a salary at the rate of <sup>1</sup>[thirty-six thousand four hundred and twenty-three] 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 <sup>2</sup>[five thousand] rupees 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 daily allowance at the rate of <sup>3</sup> <sup>4</sup>[two thousand] rupees] and conveyance allowance at the rate of <sup>5</sup><sup>6</sup>[two hundred and fifty] rupees].

<sup>7</sup>[(2) A member who arrives at the place of duty or departs from such 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.* —In this section and in section 9, “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,—

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<sup>1</sup>Subs. by Finance Act (v of 2015), s.4. (w.e.f. 01-07-2005)

<sup>2</sup>Subs. by the Finance Act 1996 (9 of 1996), s. 6. for “three thousand”, which was previously subs. by Act 3 of 1988, s.2.

<sup>3</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1985 (12 of 1985), s.3, for “fifty rupees”.

<sup>4</sup>Subs. by Finance Act, 2014 (IX of 2014), s.3 (w.e.f 1.7.2014).

<sup>5</sup>Subs. by Act 12 of 1985, s. 3, for “twenty-five rupees”.

<sup>6</sup>Subs. by Act 9 of 1996, s. 6, for “two hundred”, which was previously subs. by Act 3 of 1993, s. 2, for “one hundred”.

<sup>7</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1988 (3 of 1988), s. 3.

- (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.

<sup>1</sup>**[4A. Absence from sittings 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.]

<sup>2</sup>**[4B. Sumptuary Allowance.** A member shall receive sumptuary allowance at the rate of <sup>3</sup>[three] thousand rupees per mensem.]

**5. Traveling allowance.**—(1) For every journey performed 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 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 <sup>4</sup>[second] class fare;
- (b) where the journey is performed by air, an amount equal to <sup>4</sup>[the aggregate of one <sup>5</sup>[business class] air fare and <sup>6</sup>[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 <sup>4</sup>[ <sup>7</sup>[ten]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.

<sup>1</sup>New section 4A ins. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1977, (20 of 1977), s. 2.

<sup>2</sup>New section 4B ins. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1993, (3 of 1993), s. 3.

<sup>3</sup>Subs. by the Finance Act, 1996 (9 of 1996) s. 6. for “two”.

<sup>4</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1985 (12 of 1985), s. 4, (w.e.f. 1.3.1985).

<sup>5</sup>Subs. by the Finance Act, 1996 (9 of 1996), s.6, for “economy class”.

<sup>6</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1988 (3 of 1988), s. 4, for “one second class railway fare”.

<sup>7</sup>Subs. by the Finance Act XVI of 2010, s. 6 (w.e.f. 1.07.10).

<sup>1</sup>[(4) A member shall be entitled to travel by air in first class while travelling abroad on an official visit.]

**6. Intermediate journeys.** 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 the 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 <sup>2</sup>[business class] air fare by the shortest practicable route; and
- (c) where the journey or any part thereof is performed by road, a mileage allowance at the rate of <sup>3</sup><sup>4</sup>[three] rupees per kilometer]:

<sup>5</sup>[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 9 to which the member would have been entitled had he not so absented himself.]

**7. Short intervals between sessions or sittings of committee.** Where the interval between the termination of one session <sup>3</sup>[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 <sup>6</sup>[Three] days and, during such interval, a member—

- (a) remains at such place, he shall be entitled to receive for each day of residence at such place <sup>3</sup>[daily, conveyance and housing allowances at the rates specified in sections 4 and 9] ; or
- (b) leaves such place for another place, he shall be entitled to receive travelling allowance at the same rates and subject to the same conditions as are specified in section 6 as if he were absent from such place during the session or sitting of the committee.

**8. 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 <sup>3</sup>[from either House or from Government or a Government Organization]”.

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<sup>1</sup>New sub-section 4 added by Act, 9 of 1996, s. 6.

<sup>2</sup>Subs. by the Finance Act, 1996 (9 of 1996), s.6, for “economy class”.

<sup>3</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1988, (3 of 1988), ss. 5, 6 and 7 for certain words.

<sup>4</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1993 (3 of 1993) s. 5, for “two”.

<sup>5</sup>Subs. by Act XXII of 2013, s. 3 (w.e.f. 1-7-2013).

<sup>6</sup>Subs. by Act XVII of 2012, s. 5 (w.e.f. 1-7-2012).

<sup>1</sup>[**9. Housing allowance.** A member shall be paid a housing allowance at the rate of <sup>2</sup>[four hundred and fifty] rupees for each day during any period of residence on duty.].

**10. Free travel.**—(1) Every member shall be provided during a year with such vouchers of the value of <sup>3</sup>[<sup>4</sup>[<sup>5</sup>[three hundred] thousand] rupees] as would enable him to travel <sup>6</sup>[\*\*] at any time without payment of any fair <sup>6</sup>[by <sup>13</sup>[any Pakistani airline] or by Pakistan Railways]:

Provided that, where a person becomes a member during the course of a year, the value of the vouchers with which he is provided during that year shall not exceed the value which bears the same proportion to <sup>3</sup>[<sup>4</sup>[<sup>5</sup>[three hundred] thousand] rupees], as the unexpired portion of the year bears to a year.

(2) A member who does not wish to be provided with such vouchers shall be paid an allowance which bears the same proportion to the value of the vouchers he would have been entitled to be provided with under sub-section (1) as the sum of <sup>7</sup>[<sup>8</sup>[<sup>9</sup>[ninety thousand] rupees] bears to the sum of <sup>3</sup>[<sup>4</sup>[<sup>5</sup>[three hundred] thousand] rupees.]

<sup>10</sup>[(2A) A member shall, in addition to the vouchers referred to in sub-section (1) or, as the case may be, amount of <sup>9</sup>[ninety thousand] rupees in cash referred to in sub-section (2), be entitled to <sup>13</sup>[twenty five] business class open return air tickets from the airport nearest <sup>14</sup>[or most viable] to his constituency to Islamabad <sup>14</sup>[or the equivalent value thereof in travel vouchers.]]

<sup>14</sup>[Explanation.—In this sub-section where the Pakistan International Airlines Corporation (PIAC) does not fly from the concerned member's constituency, twenty-five business class open return air tickets shall be issued by the PIAC or travel vouchers of equivalent value for issuance of air tickets from another nearest viable Airport. The member may opt for provision of air tickets or travel vouchers.]

(3) Any voucher with which a member is provided under sub-section (1) <sup>14</sup>[and (2A)] may be utilised by the family of the member.

*Explanation.*— In this sub-section, “family” means the spouse and children of a member and <sup>11</sup>[any other persons].

(4) The utilisation by a member of any voucher with which he is provided under sub-section (1) <sup>14</sup>[and (2A)] 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.

<sup>11</sup>[(4A) The privileges provided to a member under this section will not be refunded.]

<sup>12</sup>[**11. Telephone.** A member shall be entitled to have a telephone installed at his residence at Government expenses where facilities

<sup>1</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1985 (12 of 1985), s. 5, for section 9.

<sup>2</sup>Subs. by Act 3 of 1993 s. 6, for “three hundred” which was previously subs. by Act (12 of 1985), s. 5.

<sup>3</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1985 (12 of 1985), s. 6. for “six thousand and six hundred rupees”.

<sup>4</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1993 (3 of 1993), s. 7, for “thirty thousand”, which was previously subs. by Act 3 of 1988, s. 8 for “fifteen thousand”.

<sup>5</sup>Subs. by Act 2012 (XVII of 2012), s. 5 (w.e.f. 1.7.2012).

<sup>6</sup>Omitted and subs. by Act 2015 (V of 2015), s.4. (w.e.f. 01-07-2005)

<sup>7</sup>Subs. by Act 1985 (12 of 1985), s. 6, for “four thousand and two hundred rupees bears to the sum of six thousand and six hundred rupees”.

<sup>8</sup>Subs. by Act 1993 (3 of 1993) s. 7, for “twenty thousand”, which was previously subs. by Act 3 of 1988, s. 8. for “ten thousand”.

<sup>9</sup>Subs. by Finance Act 2006 (III of 06), s. 12 A.

<sup>10</sup>New sub-section (2A) ins. by Act 1996 (9 of 1996), s. 6 for “thirty”.

<sup>11</sup>Subs. and added by the Finance Act, 2022 (XIII of 2022), s. 2B

<sup>12</sup>Subs. by Act 1985 (12 of 1985), s. 11 for “section 11”.

<sup>13</sup>Subs. by the Finance Act, 2018 (XXX of 2018), s.4.

<sup>14</sup>Ins. and added by the Finance Act, 2021 (VIII of 2021), s.4.

for installation are available and to a monthly allowance of <sup>1</sup>[four thousand and six hundred] rupees on account of telephone charges whether a telephone is so installed or not].

<sup>2</sup>[**11A. Office maintenance allowance.** A member shall be entitled to receive an office maintenance allowance at the rate of <sup>3</sup>[five thousand] rupees per mensem.]

**12. Other facilities.** <sup>4</sup>[(1)] A member shall be entitled to such facilities <sup>9</sup>[\* \* \*] as were admissible to a member of the National Assembly of Pakistan immediately before the commencement of this Act.

<sup>4</sup>[(2)] An *ex*-member who remained a member of either House of Parliament for atleast one term shall also be entitled to such facilities as are notified from time to time <sup>9</sup>[\* \* \*].

<sup>9</sup>[(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.

(4) An *ex*-member and his spouse shall be entitled to the gratis official (blue) passport.]

**13. Leader of the House and Leader of the Opposition.** —<sup>5</sup>[(1)] A leader for the House and a Leader of Opposition, other than the Prime Minister, 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).]

(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 Parliament.

<sup>6</sup>[**13A. Chairman of the Standing Committee.** A member elected as the Chairman of a Standing Committee of a House shall, in addition to the salary, allowances and facilities admissible as a member, be entitled to—

- (a) an honorarium of <sup>9</sup>[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 <sup>7</sup>[ten] thousand rupees per month ;
- (d) office accommodation with necessary furniture and equipment ;
- <sup>8</sup>[(e) 1300 CC car and three hundred and sixty liters of petrol per month for local use subject to the following conditions, namely: —

<sup>1</sup>Subs. by the Finance Act 1996 (9 of 1996), s. 6, for “four thousand”, which was previously amended by various enactments.

<sup>2</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1985 (12 of 1985), s. 7, for section 11.

<sup>3</sup>Subs. by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1993 (3 of 1993), s. 9, for “three thousand”, which was previously subs. by Act 3 of 1988, s. 10, for “seven hundred and fifty”.

<sup>4</sup>Re- numbered and added by Act XVI of 2011, s. 3.

<sup>5</sup>Subs. by Act 9 of 1996, s. 6, for sub-section (1).

<sup>6</sup>New section 13A ins. *ibid.*,

<sup>7</sup>Subs. and shall be deemed to have been so subs. on 13<sup>th</sup> February, 2004, s. 12A (Act III of 06).

<sup>8</sup>Subs. and shall be deemed to have been so subs. on the 15<sup>th</sup> day of September, 2005 by the Finance Act III of 2006, s.12A.

<sup>9</sup>Omitted, Added and Subs. by the Finance 2018 (XXX of 2018), s.4.

- (i) the Chairmen of the Standing Committees of a House are also allowed to use staff car beyond the municipal limits of the Islamabad within the prescribed ceiling of 360 liters of petrol per month and for this purpose PSO Fleet Cards issued to them may be used any where in the country for obtaining petrol;
- (ii) they will hire private driver for the journey conducted outside Islamabad at their own;
- (iii) they will 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 TA/DA will be allowed to the staff or driver accompanying the Chairman of the Standing Committee of a House during their journey outside Islamabad;
- (v) cost of petrol beyond prescribed ceiling of 360 liters per month shall be borne by the Chairmen of the Standing Committees of a House themselves;
- (vi) no deduction of conveyance allowance shall be made to which the Chairman is entitled as member of the Parliament ; and

(f) installation of telephone at the residence at Islamabad at Government expense and exemption of rental and payment of charges of calls upto a maximum of <sup>1</sup>[five thousand] rupees per month<sup>1</sup>[.]

<sup>1</sup> [\* \* \* \* \*]

Explanation.—For the purpose of this section, the functional Committees of the Senate <sup>2</sup>[ \* \* \*] shall deem to be the Standing Committees thereof.]

**14. Power to make rules.** After consultation with the Speaker of the Assembly and 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.

<sup>3</sup>[**14A. Act to have effect subject to instructions, etc.** This Act shall have effect subject to such instructions, rules, exceptions, further concessions or easements as the Federal Government may <sup>4</sup>[by notification in the official Gazette] from time to time issue or grant.]

<sup>5</sup>[**14B. Increase in emoluments.** The Salaries, allowances and privileges of Members shall automatically be increased by the Federal Government <sup>4</sup>[by notification in the official Gazette] in proportion to the increase in the emoluments of the civil servant.]

<sup>6</sup>[**14C. Increase in salaries etc.** (1) The Federal Government may, by notification in the official Gazette, revise the salaries and allowances of members to enable them to perform their functions and discharge their responsibilities in a befitting and effective manner.

( ) The provision of this section shall have effect notwithstanding anything contained in any provision of this Act.

Explanation.— For the purpose of this section the expression “Members” include the Chairman of the Standing Committee of a House.]

**15. [Repeal.]** Omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (XXVII of 1981), s. 3 and II Sch.

<sup>1</sup>Subs. and omitted by Act 2006 (III of 06), shall be deemed to have been so subs. on 13<sup>th</sup>, February 2004.

<sup>2</sup>Omitted by Act 2015 (V of 2015), s.4.

<sup>3</sup>New section 14A, added by the Members of Parliament (Salaries and Allowances) (Amdt.) Act, 1985 (12 of 1985), s. 9.

<sup>4</sup>Ins.and Added by the Finance Act 2006 (III of 06), s. 12A.

<sup>5</sup>Subs. by Act 2005 (V of 2005), s. 2.

<sup>6</sup>Ins. by Finance Act 2016 (XXIX of 2016), s.8.