

**THE ¹[KHYBER PAKHTUNKHWA] MINISTER
(SALARIES, ALLOWANCES AND PRIVILEGES) ACT, 1975.**

(²[KHYBER PAKHTUNKHWA] ACT NO. IV OF 1975)

[23rd June, 1975.]

PREAMBLE

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¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

³ Omitted vide Khyber Pakhtunkhwa Act No. IX of 1985.

⁴ Substituted vide Khyber Pakhtunkhwa Act No. I of 2021.

⁵ Inserted vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

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(SALARIES, ALLOWANCES AND PRIVILEGES) ACT, 1975.**

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**AN
ACT**

*to provide for the salaries, allowances and privileges of Ministers in the
³[Khyber Pakhtunkhwa].*

WHEREAS Article 250 of the Constitution of the Islamic Republic of Pakistan inter alia provides that the salaries, allowances and privileges of Minister shall be determined by law; Preamble.

It is hereby enacted as follows: —

1. (1) This Act may be called the ⁴[Khyber Pakhtunkhwa] Minister (Salaries, Allowances and Privileges) Act, 1975. Short title and commencement.

(2) It shall come into force at once.

2. (1) In this Act, unless the context otherwise requires, — Definitions.

(a) “Constitution” means the Constitution of the Islamic Republic of Pakistan;

(b) “family” means ⁵[the parents,] the wife, legitimate and step children residing with and wholly dependent upon the Minister;

(c) “Government” means the Government of the ⁶[Khyber Pakhtunkhwa];

(d) “maintenance” in relation to a residence includes the payment of water rates, local rate, local taxes, electricity, gas and fuel charges and the conservancy charges;

(e) “Minister” means a Minister of Government and includes the Chief Minister;

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

³ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Inserted vide Khyber Pakhtunkhwa Act No. II of 1995.

⁶ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

- (f) “official residence” means the house reserved from time to time for use by a Minister and includes the staff quarters and other buildings appurtenant to and the gardens of the residence.

(2) Words and expressions used in this Act and not defined shall have the meanings assigned to them in the Constitution.

3. ¹[(1)] ²[The Chief Minister shall be paid a salary at the rate of ³[rupees two lacs] per mensem and all other Ministers shall be paid a salary at the rate of ⁴[rupees one lac and eighty thousand] per mensem.] Salary.

⁵[(2) The salary and other emoluments of Ministers shall automatically be increased by Government in proportion increase to be made in the salary of the civil servants in BPS-20 from time to time.]

4. (1) A Minister shall be entitled to claim— Allowance on taking up and laying down the office.
- (a) the actual travelling expenses for himself and his family;
 - (b) the actual cost of transporting personal servants, not exceeding two, by the lowest class of accommodation; and
 - (c) the actual cost of transporting house-hold effects not exceeding one hundred and twenty maunds, by goods train, steamer or other craft, excluding aircraft, and his personal car, if any,

from his ordinary place of residence to the seat of Government on taking up office and from the seat of Government to his ordinary place of residence on laying down office.

(2) No claim shall lie for any travel or transportation not performed within six months of the date of taking up or laying down office, as the case may be.

5. The Chief Minister shall receive a Sumptuary Allowance of ⁶[twenty thousand] rupees per mensem and every other Minister shall receive a Sumptuary Allowance of ⁷[fifteen thousand] rupees per mensem. Sumptuary Allowance.

⁸[6. Omitted-.]

¹ Re-numbered as sub section 1 of section 3 vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

² Substituted vide Khyber Pakhtunkhwa Act No. XII of 1991.

³ Substituted vide Khyber Pakhtunkhwa Act No. III of 2017.

⁴ Substituted vide Khyber Pakhtunkhwa Act No. III of 2017.

⁵ Added vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

⁶ Substituted vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

⁷ Substituted vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

⁸ Omitted vide Khyber Pakhtunkhwa Act. No. IX of 1985.

7. A Minister shall be entitled to the use of an official car maintained at Transport. Government expense.

Electricity,
gas and
telephone
charges.

¹[7-A. The electricity, gas and telephone charges pertaining to the official residence of a Minister shall be paid by the Administration Department of Government out of the imprest money.]

²[7-B. **Usage of aircraft or helicopter etc.---**(1) The Chief Minister may an aircraft or helicopter helicopter of Government, at Government's expenses, for his official use or for any journey relating to his duties as such.

(2) The Chief Minister may hire an aircraft or helicopter from open market or requisition it from Pakistan Army, Pakistan Air Force or Federal Government for official use, at the cost of Government, in accordance with the rules or regulations made in this behalf by the Pakistan Army, Pakistan Air Force or Federal Government, as the case may be.

(3) The Chief Minister may allow a Minister, Advisor or Special Assistant to Chief Minister, public servant or Government servant to use an aircraft or helicopter of Government, at Government's expenses, for official use or for any journey relating to his duties as such.

(4) Any aircraft or helicopter of Government, subject to availability and with the prior approval of the Chief Minister, be used for private purposes on payment of charges, at the rate determined by Government from time to time.

(5) While using any aircraft or helicopter, the Chief Minister, a Minister, Advisor or Special Assistant to Chief Minister, a public servant or Government servant, so authorized under sub-section (3), may be accompanied by and fly together with his support staff, aides and all other individuals that he deems necessary for such air journey or excursion.

(6) The Administration Department of Government, with the approval of Government, may issue necessary standing operating procedures, for carrying out the purposes of this section.

(7) All official journeys and excursions, so carried out and undertaken on any aircraft or helicopter of Government, by the Chief Minister, any Minister, Advisor or Special Assistant to Chief Minister, public servant or Government servant, or any of his support staff, aides, any other individual, on and from Ist November, 2008 till the commencement of the Khyber Pakhtunkhwa Ministers (Salaries, Allowances and Privileges) (Second Amendment) Act, 2022, shall deem to be validly carried out and undertaken under this Act and shall not be called in question for want of any deficiency of procedure or approval, as the case may be.]

8. (1) A Minister shall be entitled to the use, without payment of rent, of a house provided by Government throughout his term of office and for a period of fifteen days immediate thereafter. Official residence.

(2) The official residence of a Minister shall, subject to such conditions as may be imposed by Government from time to time, be maintained by

¹ Substituted vide Khyber Pakhtunkhwa Act No. I of 2021.

² Substituted vide Khyber Pakhtunkhwa Act No. XLVIII of 2022.

Government and shall be furnished at a cost not exceeding ¹[five hundred thousand] rupees. The term furniture will include carpets and curtains but will not include the cost of ²[two] Air-Conditioner and one Refrigerator to which a Minister is otherwise entitled.

(3) If at the time of entering upon office an official residence is not available a Minister shall, until such residence is provided by Government, be paid the actual expenditure incurred by him on furnished accommodation for himself and his family, subject to a maximum of ³[seventy thousand] rupees per mensem.

(4) Where a Minister chooses to reside in his own house, he may be paid a monthly sum of ⁴[seventy thousand] rupees in lieu of the furnished accommodation so as to cover all expenses on its maintenance.

⁵[(5) A Minister shall be entitled, without payment of rent, to the use of Government Guest Houses, Circuit Houses, or other Rest Houses wherever such accommodation is available, whenever he is on official duty.]

Travelling allowance for touring in Pakistan.

9. (1) Subject to the provisions hereinafter appearing a Minister travelling on official duty shall be treated as a First Grade Officer.

(2) A Minister may, if the public interest so demands travel by Air in which case he shall be entitled to—

(1) the actual air fare for economy class paid for himself, and the cost of transporting personal luggage not exceeding one hundred pounds, inclusive of the fare allowance given by the air company;

(2) the actual air fare for economy class paid for one private servant.

(3) A Minister travelling by air in a regular service may take with him one member of his personal staff.

(4) When a journey by air is combined with a journey by any other means, a Minister may claim air mileage only for the air part of the journey, and for the rest of the journey he shall charge the usual allowance; provided that no mileage allowance shall be admissible in respect of surface transport which forms part of the air journey and is included in the fare paid for the air journey.

¹ Substituted vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

² Substituted vide Khyber Pakhtunkhwa Act No. IX of 1985.

³ Substituted vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

⁴ Substituted vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

⁵ Added vide Khyber Pakhtunkhwa Act No. III of 1987.

(5) A Minister may if he considers necessary in the public interest, travel by a Government plane or a plane of the Pakistan Air Force if available.

(6) If a Minister makes a return journey by air, he shall purchase a return ticket, if this would cost less than the purchase of two single tickets.

Journey
by rail.

(7) A Minister, when traveling on duty by railway in Pakistan, shall be entitled at Government expense:—

(a) to requisition—

(i) an ordinary first-cum-second class carriage or an “A” class tourist car, or a “B” class tourist car if an “A” class tourist car is not available; or

(ii) an ordinary four berthed first class compartment or a two berthed air-conditioned (coupe) compartment, if the vehicles specified in clause (i) are not available; or are not desired;

(b) to take with him in the reserved accommodation without payment of any fare, his wife when travelling in a requisitioned railway compartment;

(c) to take with him not more than two servants by the lowest class of accommodation ¹].

(d)]

(8) Any person, other than the wife of a Minister, travelling with the Minister in the reserved accommodation shall pay the usual fare to the Railway by the purchase of first class ticket, and in every bill for travelling allowance in respect of that journey the Minister reserving the accommodation shall specify the number of persons who so travelled with him and certify that necessary tickets were purchased by them.

Journey
by steamer
or launch.

(9) A Minister travelling on duty in Pakistan by steamer or launch, shall be entitled:—

(a) to draw the actual fare paid for himself;

(b) to take with him not more than two personal servants by the lowest class of accommodation; and

¹ The Semi-colon was replaced by the full stop and clause (d) omitted vides Khyber Pakhtunkhwa Act No. XV of 1976, section 2.

(c) to the carriage of personal luggage not exceeding three maunds.

Journey
by road.

(10) A Minister travelling on duty by road between places not connected by railway and where so connected he chooses to forego the privileges granted under sub-section (7) may, where the journey is performed in a vehicle not owned or maintained by Government, draw—

- (a) travelling allowance at the rate of ¹[two rupees] per kilo meter] for his own journey by road; and
- (b) actual expenses of the transport of two private servants and all personal luggage, including stores carried for consumption on tour.

10. (1) If a Minister, while travelling by air, on official duty by any flight scheduled or unscheduled (including flight in a Government owned aircraft of any type) dies or receives any injury as a result of an accident, Government shall pay to the person or persons referred to in sub-section (2), a sum of rupees ²[five hundred thousand] in the 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 the case of injury ³[.]

Compensation
in case of air
accident.

⁴[* * * * *].

(2) The compensation shall be payable in the case of injury to a Minister, and in case of death, to such member or members of his family, or (if there be no such member) any 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, revoked, or altered by a notice in writing signed by a Minister and addressed to the Accountant-General ⁵[Khyber Pakhtunkhwa].

11. A Minister while on tour shall be entitled to draw an allowance of Rupees ⁶[one thousand] per day for the duration of his halts on tour:

Daily
Allowance
during halt.

Provided that:—

- (a) in respect of a place of halt, one-half daily allowance shall be admissible for—

¹ Substituted vide Khyber Pakhtunkhwa Act No. XII of 1991.

² Substituted vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

³ The colon replaced vide Act No. II of 1995.

⁴ Proviso deleted vide Act No. II of 1995.

⁵ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁶ Substituted vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

- (i) the day of arrival;
 - (ii) the day of departure; and
 - (iii) the day of the arrival and departure if a Minister arrives and departs on the same day;
- (b) for such continuous halt on tour exceeding ten days daily allowance shall be admissible—
- (i) for the first ten days, at the full rate;
 - (ii) for the next twenty days or part thereof at three-fourth of full rate; and.
 - (iii) for the remaining period, at one-half of the full rate.

Explanation:—A halt on tour shall be treated as continuous unless terminated by an absence at a distance from the halting place exceeding five miles, for a period including not less than seven nights.

12. A Minister travelling on official business outside Pakistan shall be entitled to such allowance as may be allowed by Government from time to time.

Travelling allowance for tour abroad.

¹[12A. Discretionary grant.— A Minister shall be entitled to receive a discretionary grant at the rate of three hundred thousand per year.]

Special privileges of the Chief Minister.

13. Notwithstanding anything to the contrary contained in this Act the Chief Minister shall be entitled to receive the actual expenditure incurred by him on tours if such expenditure exceeds the amount to which he is entitled under this Act.

Controlling officer.

14. A Minister shall be his own controlling officer for purposes of travelling allowances.

Medical facilities.

15. A Minister shall be entitled to medical facilities admissible in terms of the Medical Attendance Rules for the time being in force in respect of Government servants except that he and his family shall be entitled' to medical attendance at his residence.

Leave.

16. (1) The Governor may grant to a Minister during his terms of office at one time or from time to time leave of absence for urgent reasons of health or private affairs for a period not exceeding one month in a year; provided that

¹ Inserted vide Khyber Pakhtunkhwa Act No. XXIV of 2014.

such leave may be accumulated for a period not exceeding three months. ¹[The leave salary of the Chief Minister and Ministers shall be the same as admissible to them under section 3].

(2) If the leave granted under sub-section (1) is spent abroad, a Minister shall be entitled to draw his leave salary in Foreign Currency subject to such conditions and restrictions as may be imposed by the Federal Government.

Personal Staff.

17. A Minister except while on leave shall be entitled to have such personal staff as may be sanctioned from time to time by Government.

Provident Fund.

18. A Minister 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.

General.

19. (1) All reasonable precautions shall be taken to see that official residence, transport and furniture provided to a Minister by Government are used with the same care which a person's own property is taken care of.

(2) All furniture and furnishings provided in an official residence shall be marked by the Buildings Department, Government of ²[Khyber Pakhtunkhwa], for the purpose of identification.

(3) When a Minister occupies an official residence it shall be the duty of the officer concerned of the Buildings Department, Government of ³[Khyber Pakhtunkhwa], to hand over the charge of the furniture and furnishing that residence to a Minister or to a person authorized by him in writing according to an inventory to be drawn up and signed by such officer.

(4) When a Minister is about to vacate the official residence, he shall inform the officer concerned of the Buildings Department, Government of ⁴[Khyber Pakhtunkhwa], and shall arrange that the furniture and furnishings of the official residence are handed over to that officer according to an inventory to be drawn up and signed.

(5) The officer concerned of the Buildings Department, Government of ⁵[Khyber Pakhtunkhwa], may from time to time, inspect an official residence, its furniture and furnishings with the prior approval of a Minister.

20. The ⁶[Khyber Pakhtunkhwa] Minister (Salaries, Allowances and Privileges) Act, 1972 ⁷[Khyber Pakhtunkhwa], Act II of 1972, is hereby repealed.

¹ Substituted vide Khyber Pakhtunkhwa Act No. XV of 1976.

² Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

³ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁶ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁷ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

