

Government of Pakistan
Finance Division
(Regulations Wing)

No. F.2(1)R.5/2007

Islamabad the 18th April, 2013

OFFICE MEMORANDUM

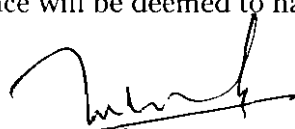
Subject: **ADMISSIBILITY OF HOUSE RENT ALLOWANCE TO MARRIED GOVERNMENT SERVANTS WHERE EITHER OF THE SPOUSES HAS BEEN PROVIDED WITH GOVERNMENT ACCOMMODATION**

The undersigned is directed to say that as per existing policy of the Government, contained in the Finance Division's O.M's No. 2(2) R-5/83 dated 10-04-1988 and No. 2(1)R-5/1991 dated 25-8-1991, if both the husband and wife are living together in residential accommodation provided by the Government at the same station, no house rent allowance shall be allowed to either of them. However, if the spouse is living separately from husband/wife, the house rent allowance is admissible to one of them who does not reside in Government accommodation.

2. Appeals against the above mentioned policy were filed in Federal Service Tribunal and Federal Shariat Court by some employees of the Federal Government, requesting that the impugned rule may be set aside/ amended being unjust and repugnant to the injunctions of Islam. Their appeals were accepted and Federal Service Tribunal in its judgment dated 28-06-2010 in case No. 185(R) CS/2008 directed to take fresh decision and frame rules for the entitlement of house rent allowance to the respective spouses when one of them is allowed an official residence. Federal Shariat Court in its judgment dated 12-12-2012 in Shariat petition No. 8/1 of 2004 and 4 linked Shariat petitions, declared that the impugned O.M./Rules to the extent of depriving of the House Rent Allowance to one of the spouses who are civil servants, and one of them is allotted Government accommodation, are repugnant to the injunctions of Islam and therefore in view of article 203 D (3) of the constitution, directed the Federal Government and Provincial Governments to take necessary steps to amend impugned O.M's/Rules referred to above, so as to bring the same in conformity with the injunctions of Islam.

3. To implement the above cited judgments of Federal Service Tribunal and Federal Shariat Court, Government has decided, with immediate effect, that in case both the spouses are employees of Government/autonomous/semi-autonomous organization and posted at same/different station, they will both be entitled to House Rent Allowance. However if they are living in Government accommodation, House Rent Allowance will not be admissible to the one in whose name Government accommodation has been allotted.

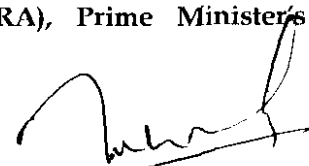
4. The earlier instructions on the subject of House Rent Allowance will be deemed to have been modified to the extent of instructions contained in this O.M.


(Abdul Ghaffar Khan)
Section Officer (R-5)

All Ministries/Divisions.

Copy also forwarded for information to:

1. President's Secretariat (Public), Islamabad.
2. President's Secretariat (Personal), Islamabad.
3. Prime Minister's Secretariat (Internal), Islamabad.
4. Prime Minister's Secretariat (Public), Islamabad.
5. National Assembly Secretariat, Islamabad.
6. Senate Secretariat, Islamabad.
7. Election Commission of Pakistan, Islamabad.
8. Supreme Court of Pakistan, Islamabad.
9. Federal Shariat Court, Islamabad.
10. AGPR, Islamabad/Lahore/Peshawar/Karachi/Quetta.
11. Pakistan Mint, Lahore.
12. Auditor General of Pakistan, Islamabad.
13. Federal Public Service Commission, F-5/1, Agha Khan Road, Islamabad.
14. Capital Development Authority, Islamabad.
15. Cost Accounts Organization, Islamabad.
16. Military Accountant General, Rawalpindi.
17. Central Directorate of National Savings, Islamabad.
18. Chief Accounts Officer, M/o Foreign Affairs, Islamabad.
19. Financial Adviser and Chief Accounts Officer, Pakistan Railways, Lahore.
20. All Financial Advisers/Deputy Financial Advisors attached to Ministries/Divisions etc and all officers of Finance Division.
21. Secretariat Training Institute, Islamabad.
22. Federal Tax Ombudsman's Secretariat, Islamabad.
23. DG Post Offices, Islamabad.
24. Office of the Chief Commissioner, Islamabad.
25. Secretary, Wafaqi Mohtasib (Ombudsman)'s Secretariat, Islamabad.
26. Pakistan Atomic Energy Commission, Islamabad.
27. All Chief Secretaries/Finance Secretaries of the Government of Punjab/ Sindh/ Khyber Pakhtun Khwa/Baluchistan & Azad State of Jammu & Kashmir & Gilgit Baltistan.
28. Directorate General of Inspection & Training, Customs & Central Excise, 8th Floor, New Custom House, Karachi.
29. National Accountability Bureau, Islamabad.
30. Intelligence Bureau, Islamabad.
31. Member (Finance), KRL, P.O.Box.No.1384, Islamabad.
32. Controller General of Accounts, Islamabad.
33. Web Administrator, Finance division, Islamabad (for uploading at Finance Division's website i.e. www.finance.gov.pk)
34. Earthquake Reconstruction & Rehabilitation Authority (ERRA), Prime Minister's Secretariat (Public), Islamabad.



(Abdul Ghaffar Khan)
Section Officer (R-5)

(Mughair)