

¹THE UTTARAKHAND STATE LEGISLATURE ASSEMBLY (MEMBERS'
EMOLUMENTS AND PENSION) ACT, 2008

Uttarakhand Act No. 06 of 2008

(as amended by Uttarakhand Act No. 16 of 2010, 01 of 2011, 14 of 2014, 26 of 2015,
15 of 2018 and 29 of 2020)

AN
ACT

to consolidate and amend the law relating to payment of salaries, allowances and
other facilities to the members of the State Legislature

IT IS HEREBY enacted in the Thirty-First Year of the Republic of India as follows:

CHAPTER I
Preliminary

Short title and commencements	1	(1) This Act may be called the Uttarakhand State Legislature Assembly (Members' Emoluments and Pension) Act, 2008. ² [(2) It shall be deemed to have come into force from the date of 01 April 2009 except section 23A.]
Definitions	2	In this Act- (a) ' Assembly ' means the Uttarakhand Legislative Assembly; (b) ' Chairman ' means Chairman of the Uttarakhand Legislative Assembly; (c) ' Deputy Chairman ' means the Deputy Chairman of the Assembly; (d) ' duration of membership '; in relation to a member means the period- (i) beginning with the date of publication in the official Gazette of the notification of his election or nomination, as the case may be, or the date he makes more or subscribes the oath or affirmation in accordance with Article 188 of the Constitution of India, whichever is earlier ; and (ii) ending with the date when he ceases to be such a member due to death, resignation or otherwise; (e) ' Leader of Opposition ' means the member of the Assembly who is, for the time being, recognized as such by the Chairman, as the case may be ; (f) 'member' means a member of the Assembly, who does not hold the office of a Minister, Chairman, Deputy Chairman; (g) 'member of family' in relation to a member of

¹ Govt. of Uttarakhand Not No. 1328/XXXVI(4)/2008, dated Dehradun, May 01, 2008, w.e.f. 01.12.2007 except clause 20.

Subst. by Uk. Act No. 01 of 2011, Not. No. 116/XXXVI(3)/2010/49(1)/2009, Dated March 29, 2011

		<p>assembly, whether or not he holds any office referred to in clause(f), means his or her spouse, son, daughter, father, mother, brother or sister, residing with and wholly dependent on such member;</p> <p>(h) ‘Minister’ means the Chief Minister, a Minister for State or a Deputy Minister;</p> <p>(i) ‘place of residence’ in relation to a member means the place of which the member is, according to the entry in the electoral roll of an Assembly Constituency, ordinarily resident, and in case the member changes such place, the place within Uttarakhand notified as such on request of the member by the Secretary :</p> <p>Provided that no such notification shall be issued before the expiry of the period of six months after the election or after the issue of the earlier notification issued under this clause, as the case may be ;</p> <p>(j) ‘Railway coupons’ means free non-transferable rail travel coupons issued under the authority of the Railway Board for the purposes of this Act;</p> <p>(k) ‘incidental charge’ means –</p> <p style="padding-left: 20px;">(i) in the case of a journey performed by rail an amount equal to the railway fare for such journey in first class for one person; and</p> <p style="padding-left: 20px;">(ii) in any other case, the amount payable as such at the rate to be prescribed;</p> <p>(l) “secretary/Principal Secretary” in relation to members of the Assembly, means the Secretary/Principal Secretary of the Assembly;</p> <p>(m) ‘year’ means the period of twelve months commencing on the first day of June and ending on the thirty-first day of May next following.</p>
--	--	--

CHAPTER II

Salary and Constituency Allowance

Salary	3	<p>(1) Every member, other than the leader of Opposition of the Assembly shall be entitled to receive, for the duration of his membership, a salary of ³[thirty thousand rupees] per month.</p> <p>(2) The payment of salary referred to in sub-section (1) shall be subject to the following conditions, namely:-</p>
---------------	----------	---

³ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

		<p>(a) the salary shall be liable to such deductions on the ground of absence or other cause as may be prescribed;</p> <p>(b) no salary shall be payable to a member for the period during which he is unable to sit in the Assembly, as the case may be, as a result of any decision of any court or tribunal;</p> <p>(c) no salary shall be payable to a member of the Assembly for the period of preceding the date of constitution of the Assembly;</p>
Constituency Allowance	4	Every member of the Assembly, whether or not he holds any of the offices referred to in clause (f) of section 2, shall be entitled to receive, for the duration of his membership a constituency allowance of ⁴ [one lac fifty thousand rupees] per month.
	⁵ [4A]	Each member of the Assembly whether he holds any post or not in section 2(F) shall be entitled for ⁶ {Rupees twelve thousand} per month as driver allowance.]

CHAPTER III
Travel Facility

Railway Coupons	5	<p><u>English version published in Uttarakhand Gazette E.O. Vidhayi Parishst Bhag -1 khand ka, Page 105, dated 17.10.2017 as follows</u></p> <p>(1) Subject to the provisions of this Act, every member of the Assembly, whether or not he holds any office referred to in clause (f) of section 2, shall be provided, in the manner prescribed, equal of railway coupons of ⁷[three lac twenty five thousand rupees] per annum as the amount of diesel expenditure for the period, as may be used by such member for himself and for the members of his family for travel by any railway in any class at any time within or outside Uttarakhand in accordance with such principles as may be prescribed:</p> <p><u>Hindi version published in Uttarakhand Gazette E.O. Vidhayi Parishst Bhag -1 khand ka, Page 101 (Kha), dated 01.05.2008 as follows</u></p> <p>1''इस अधिनियम में उपबंधों के अधीन रहते हुए, सभा के प्रत्येक सदस्य को, चाहे वह धारा 2 के खण्ड (च) में निर्दिष्ट किसी पद पर आसीन हो या नही प्रतिवर्ष ⁸{तीन लाख पचीस हजार रुपये} के रेलवे कूपन के बराबर की धनराशि डीजल व्यय हेतु तथा शेष धनराशि ⁹{तीस हजार रुपये} के रेलवे कूपन विहित रीति से दिए जायेंगे, जो ऐसे सदस्य के द्वारा अपने लिए और अपने परिवार के सदस्यों के</p>
------------------------	----------	---

⁴ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

⁵ Inserted by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

⁶ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

⁷ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

⁸ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

⁹ Inserted by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

		<p>लिए किसी रेल से, किसी श्रेणी में, किसी किये जायं, उपयोग में लाए जा सकते हैं।”</p> <p>(2) Subject to the other provisions of this Act, every ex- member shall be provided, in the manner prescribed, as equal of railway coupons of such value of ¹⁰[rupees two lakh seventy two thousand rupees] per annum out of which ¹¹[seventy two thousand rupees] as diesel/petrol expenditure per annum and additional ¹²[twenty eight thousand] rupees for railway coupons may be used by such ex- member for himself and for the members of his family:</p> <p>¹³[Provided that member who attends the age of 60 years shall be the option to receive full amount of cash in the form of diesel/petrol expenditure.]</p> <p>Explanation - The value of railway coupons for journeys by the railway referred to in this section shall from time to time be determined by the State Government in consultation with the Railway Board.</p> <p>Provided that out of the railway coupons to be supplied under this section to a member, he shall at his option be supplied coupons of equal value or reimburse the fare for travel by air at any time within or outside Uttarakhand.</p> <p>Provided further that whenever there is an increase in the railway fare of ^{1st} Class, the State Government may by a notified order make a proportional increase in the value of railway coupons.</p>
Journey with companion	6	<p>The railway coupons referred to in section-5 may also used by member for taking along with himself in journeys by rail one companion in the following cases namely –</p> <p>(a) not more than twice during each session of the Assembly, as the case may be, for coming to Dehradun from the railway station nearest to the place of his residence and going back from Dehradun to such railway station ;</p> <p>(b) In case of a woman member, for such journey as is performed by her for her attendance required in connection with her duties and functions as such member and for returning, after such attendance, to the place of her residence.</p>
Journey by Ministers, Speaker etc.	7	<p>The Railway coupons referred to section 5 may, in the manner prescribed, used by every member who holds any office mentioned in clause (f) of section 2 for himself and members of his family for travel in any railway in any class at any time within or outside Uttarakhand for purposes otherwise than in discharge of official duties.</p>
Validity of Railway Coupons	8	<p>The railway coupons issued to a member under this Chapter shall be valid for such period and every unused coupon shall</p>

¹⁰ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

¹¹ Subst. by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

¹² Subst. by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

¹³ Inserted by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

		be surrendered to the Secretary/Principal Secretary in such manner as may be prescribed.
Journey by Bus	9	<p>(1) Every ¹⁴[member or former member] shall be entitled in the manner prescribed with a free non-transferable pass to travel at place by the Uttarakhand Transport Corporation bus including air conditioned or deluxe bus without payment of the passenger tax due under any law for the time being in force.</p> <p>(2) The facility referred to in sub-section (1) may also be availed by a ¹⁵[member or former member] for taking one companion with him in the bus.</p> <p>(3) Every person who is entitled to a pension under Chapter XI shall be entitled in the manner prescribed with a free non-transferable pass to travel at any place by the Uttarakhand Transport Corporation Bus without payment of the passenger tax due under any law for the time being in force:</p> <p>Provided that if a person referred to travels in air conditioned bus or a deluxe bus, he shall pay himself the excess amount of fare difference.</p> <p>(4) The pass referred to in sub-section (3) may also be used by such person for taking one companion along with him in the bus :</p>

Chapter IV

Incidental Charges and Daily Allowances

Incidental charges	10	<p>Incidental charges shall be payable to every member at such rates and subject to such conditions and restrictions as may be prescribed, for his attendance in connection with his duties or functions as such member in the following cases namely ;</p> <p>(a) for journeys for attendance in each session of the Assembly, or at any sitting of any Committee thereof, as the case may be only for coming to the place of sitting and going back to the place of his residence, not more than twice in one calendar month :</p> <p style="padding-left: 40px;">Provided that if a member attends the sitting of two or more Committees in the same calendar month, the incidental charges shall in no case be payable under this clause for more than four times in such month;</p> <p>(b) for journeys for attendance in any meeting called by the Chairman, as the case may be, for coming to the place of his residence;</p>
---------------------------	-----------	--

¹⁴ Subst. by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

¹⁵ Subst. by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

		<p>(c) for journeys performed by him as Chairman of any Committee, in connection with the work of such Committee other than a meeting of the Committee for coming to Dehradun and for going back to the place of his residence, not more than twice in one calendar month ;</p> <p>(d) for journey for attendance in any meeting called by or under authority of the Speaker of the Lok Sabha or the Chairman of the Rajya Sabha or the Speaker of Legislative Assembly or as the case may be, the Chairman of the Legislative Council of any other State or by the Indian Institute of Parliamentary Studies or organized otherwise in connection with Constitutional Studies or any seminar or Study Course :</p> <p>Provided that such member is nominated to attend such meeting by the Chairman as defined in clause (b) the said section (2):</p> <p>Provided further that not more than five members shall be nominated for attendance in any such meeting and no such nomination shall be made for more than twice in a year.</p>
Daily Allowance	11	<p>(1) - Every member, whether or not he holds any office referred to in clause (f) of section 2 shall be entitled to daily allowance at the rate of ¹⁶[three thousand rupees] per day which shall be calculated in accordance with the following principles, namely:-</p> <p>(i) the allowance shall be payable for each day of attendance during the session of the Assembly, or at any sittings of any Committee thereof ;</p> <p>(ii) The allowance shall also payable for one day before and one day after, a continuous sitting of the Assembly, as the case may be, provided that the member is present at the place of such continuous sitting on those days ;</p> <p>(iii) The allowance shall be payable for the days of adjournment in the course of continuous sitting of the Assembly of its Committee, as the case may be, and for the holidays falling in between such continuous sitting, provided that the member is a present at the place of sitting on all such days ;</p> <p>(iv) the allowance shall also be payable for the member of days not exceeding four which intervene between the last day of a sitting of the Assembly or of its Committee, and the first day of the sitting of the same or another Committee or of the Assembly, as the case may be provided that the member is present at the place of sitting on all such days ;</p>

¹⁶ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

	<p>(v) where in a case falling under clause (iii) or clause (iv), a member leaves the place of sitting for his residence or for his constituency, he shall, notwithstanding anything contained in section 10, be entitled to a daily allowance in accordance with the provisions of this section or incidental charges in accordance with section 10, whichever is less ;</p> <p>(vi) the allowance shall also be payable to a member for his visits to Dehradun as Chairman of any committee in connection with the work of such committee, other than the meeting of such committee, in case no such allowance is otherwise payable to him under any other provision of this section:</p> <p style="padding-left: 40px;">Provided that no such allowance shall be payable for more than two visits in a calendar month and more than two days per such visit ;</p> <p style="padding-left: 40px;">(vii) the allowance shall also be payable for attendance in any meeting, seminar for study course referred to in clause (d) of section 10.</p> <p>(2) Every member shall be entitled to daily allowance at the rate of ¹⁷[two thousand] rupees per day for the days during which he tours for the works in the service of the public and for which the daily allowance under sub section (1) or incidental expenditure under Section 10 are not, or may not be admissible.</p> <p>(3) Notwithstanding anything contained in sub-section (1), daily allowance at the rate of ¹⁸[two thousand] rupees shall be payable to a member holding any office referred to in clause (f) of section 2 and the Leader of Opposition for each day during the whole of the term in which he holds such office, except such days for which he claims the daily allowance under sub section (1).</p> <p>Explanation- For the purposes of this section, a sitting shall be deemed to be continuous if the number of days between the last day of a meeting and the first day of another meeting is not more than four.</p>
--	--

Chapter- V

Secretarial Allowance

Secretarial allowance	<p style="text-align: center;">12</p> <p>Every member of the Assembly, whether or not he holds any of the office referred to in clause (f) of section 2 including the leader of opposition shall be entitled to receive for the duration of his membership or, during the whole of term in which he holds such office as the case may be secretarial allowance at the rate of ¹⁹[twelve thousand rupees] per month.</p>
------------------------------	---

Chapter VI

¹⁷ Subst. by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

¹⁸ Subst. by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

¹⁹ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

Accommodation to Member

<p>Arrangement of accommodation</p>	<p>of 13</p>	<p>(1) Every member (including a Parliamentary Secretary) shall be entitled, without payment of rent, to the use of such accommodation at Dehradun as may be provided to him for the duration of his membership and such further period as may be prescribed:</p> <p style="padding-left: 40px;">²⁰[Provided that if any member shall not arrange such accommodation then three hundred rupees per month shall be reimbursed.]</p> <p>(2) Each member for whose use accommodation at Dehradun has been provided under sub-section (1) shall immediately after the expiration of the period referred to in that sub-section, vacate such accommodation and an officer authorized by the State Government in this behalf may take possession of the accommodation and may for the purpose use such force as may be necessary in the circumstances.</p> <p>Explanation - For the purposes of this sub-section 'Member' includes a person who has ceased to be a member.</p> <p>(3) Where a member has not been provided with any accommodation, he shall be entitled to an accommodation allowance at the rate of three hundred rupees per mensem.</p> <p>Provided that in case government accommodation allotted to member such amount not be payable.</p> <p>(4) where a member is provided with an accommodation the standard rent whereof is less than three hundred rupees per month the difference thereof shall be paid to such member as compensatory accommodation allowance and where the standard rent of the accommodation so provided is more than the said amount the difference be chargeable from the member.</p> <p>Explanation - A member shall be deemed to have been provided with an accommodation on the date when intimation about its allotment in his favour is given to him whether or not such member accepts the allotment or occupies the accommodation.</p>
<p>Power of State Government to make rules regarding to accommodation on arrangement</p>	<p>14</p>	<p>(1) For the purposes of allotment of accommodation under section 13, State Government may make rules which shall provide for the following matters, namely:-</p> <p>(a) laying down the standard of accommodation to which a member shall be entitled,</p> <p>(b) fixing the scale on which every such accommodation shall be furnished,</p> <p>(c) fixing standard rent of any accommodation,</p> <p>(d) making provision for payment by the State Government of all charges including charges for electricity and water and for regulating the supply of water and electricity in such accommodation.</p> <p>(2) The rules referred to in sub-section (1) may be made in respect of those members also who hold any of the offices referred to in clause (f) of section 2.</p>

²⁰ Inserted by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

CHAPTER VII
PROVISION OF LOAN TO MEMBERS

Advance to members	15	<p>²¹[The State Government may provide for grant of repayable advance of a sum not exceeding rupees fifty lakh to any person who is a member, whether or not he holds any office referred to in clause (f) of section 2, or who has held office as a member of the Assembly, either for construction or purchase of housing accommodation and rupees not exceeding fifteen lacs for purchase of vehicle:</p> <p style="padding-left: 40px;">Provided that the rate of interest shall be according to the rate of State Bank of India:</p> <p style="padding-left: 40px;">Provided further that if advance with interest is returned by any member then facility of re-advance may be permitted on request of such member.]</p>
---------------------------	-----------	---

CHAPTER VIII
TELEPHONE FACILITIES

Telephone facilities to members	16	Every member shall be entitled to such facilities regarding telephone (Mobile and basis phone) at Dehradun and the place of his normal residence or in his constituency as may be prescribed.
--	-----------	---

CHAPTER IX
MEDICAL FACILITIES

Medical Facilities	17	<p>²²[Every member or ex-member, whether or not he holds any office mentioned in clause (f) of section 2, rate of reimbursement of the medical expenditure of himself and the family members shall be permissible the rates of Central Government Health Service (C.G.H.S) and facility of treatment in foreign shall be permissible on reference by the All India Institute of Medical Sciences.]</p>
---------------------------	-----------	---

CHAPTER X
FACILITIES TO THE LEADER OF OPPOSITION

Salary, accommodation, conveyance and other facilities to the Leader of Opposition.	18	The Leader of Opposition shall be entitled to such salary, accommodation, conveyance and other facilities as are admissible to any member of the Council of Ministers under the provisions of sections 3, 4, 5, 6, 7 and 8 of the Uttar Pradesh Ministers (Salaries, Allowances and Miscellaneous Provisions) Act, 1981 (as applicable in Uttarakhand State) and the provisions of the said sections and the rules relating thereto shall mutatis mutandis apply to the Leader of Opposition as they apply in relation to any member of Council of Ministers.
--	-----------	---

CHAPTER XI
PENSION TO EX-MEMBERS

Meaning of Certain expressions	19	<p>For the purposes of this Chapter—</p> <p>(a) The expression 'Assembly' shall include the United Provinces Legislative Assembly:-</p> <p style="padding-left: 40px;">(i) which was constituted and functioned as such under the Government of India Act,1935, either before or after the commencement of the Indian Independence Act,1947;</p> <p style="padding-left: 40px;">or</p>
---------------------------------------	-----------	--

²¹ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

²² Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

		<p>(ii) which functioned as a House of the Provisional Legislature for the State under the Constitution of India</p> <p>(b) The expression one year means any period of twelve calendar months;</p> <p>(c) The period during which a person has, by virtue of his membership in the Assembly, held any of the offices mentioned in clause (f) of section 2 shall also taken into account for determining the term of such membership.</p>
Pension to Ex- member	20	<p>(1) Every person who has served as a member of the Assembly for any period shall be entitled to a pension at the rate of ²³[forty thousand rupees] per month throughout his life:</p> <p>²⁴{Provided that where any person has worked for period of more than one year, he shall be entitled to an additional pension for ²⁵[two thousand] rupees per month for more than one year, whole year, five per cent after completion the age of 65 years, ten per cent after completion the age of 70 years, twenty five per cent completion the age of 75 years and fifty per cent after completion the age of 80 years.}</p> <p>Provided further that in the state of dissolution of Legislative Assembly, the time period from the date of legislative assembly will the first session of new legislative assembly shall be counted for the pension purposes for such a member who has been the speaker of the dissolve Legislative Assembly and has been holding his post in this form during the said period.</p> <p>Explanation- Where a person have served as a member of the Assembly for a term of six months and above and have not completed one year then such person shall for the purposes of calculating the pension, be deemed to have served as member for the year.</p> <p>(2) Where any person entitled to pension under sub-section (1) is also entitled to any other pension such person shall be entitled to receive the pension under sub-section (1) in addition to such pension.</p>
Conditions of pension payable to certain persons	21	<p>Where a person becomes entitled to pension or additional pension under this Act on the ground that he has served as a member of a Assembly, constituted or in existence before January 1, 1946 such pension or additional pension, as the case may be, shall be deemed to be admissible to such person with effect from January 1, 1977.</p>
Pension when not payable	22	<p>Notwithstanding anything contained in section 20, no person shall be entitled to any pension under this Chapter in the following cases, namely-</p> <p>(a) where any person is employed on a salary under the Central Government or any State Government or any Local Authority, or becomes otherwise entitled to any remuneration from any corporation owned or controlled by such Government or from a local authority, and such salary or remuneration is equal to or exceeds the amount of pension admissible under section 20 per month and he continues to be so employed or entitled to such remuneration :</p> <p>(b) where any person is elected to the office of the President or</p>

²³ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

²⁴ Inserted by Uk. Act No. 14 of 2014, Not. No. 101/XXXVI(3)/2014/15(1)/2014, dated September 20, 2017, w.e.f. 01.01.2014

²⁵ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

			Vice- President or is appointed to the office of Governor of any State or the Administrator of any Union Territory and continues to hold such office: (c) where any person is elected or nominated as member of the House of Parliament and Legislative Assembly of any state to be such member continues to hold such office. (d) Where any person ceases to be a citizen of India.
Pension to be reduces in certain cases	23		Where in the circumstances mentioned in clause (a) of section 22, a person is entitled to a pension, salary or remuneration amounting to less than the amount of pension admissible under section 20 per month, then the pension payable to such person under section 20 shall not exceed the amount by which such pension, salary or remuneration.
²⁶ {पारिवारिक पेंशन	23-क	(1)	यदि सदस्यता की अवधि के दौरान किसी आसीन सदस्य की मृत्यु हो जाय, तो उसके आश्रित को उसके सदस्यता काल पर आगणित उसे देय पेंशन मात्र की पचास प्रतिषत राशि पारिवारिक पेंशन के रूप में देय होगी।
		(2)	यदि किसी पूर्व सदस्य की मृत्यु हो जाय तो उसके आश्रित को उसे देय पेंशन मात्र की पचास प्रतिषत राशि पारिवारिक पेंशन के रूप में देय होगी। ²⁷ { Explanation-1- Regarding dependent of member and ex-member means with residing and fully dependent on him, his husband or his wife, minor son, un-married daughter, father or mother in order of preference. Explanation-2- “Ex-member” means such member who is getting pension from Uttarakhand Assembly Secretariat. } ²⁸ [Provided that on death of such ex members who represented the area of Uttarakhand in the Legislative Assembly/Council of the State of Uttarakhand or Uttar Pradesh, his/her dependent shall be entitled a minimum Rupees ²⁹ {twenty thousand} family pension from the Legislative Assembly secretariat of the State of Uttarakhand.]
	23B		Each members of the Assembly has member or not of any post mentioned in clause (F) of section 2, shall be entitled for group life insurance of five lac rupees on death and accident.

CHAPTER XII **MISCELLENEOUS**

Relinquishment salary etc.	of 24	Any person entitled to any salary, allowance or other facilities under this Act may at any time relinquish the whole or any part of such salary, allowances or facilities by intimating in writing to the Speaker or the Chairman, as the case may be :
-----------------------------------	--------------	---

²⁶ Inserted by Uk. Act No. 16 of 2010, Not. No. 27/XXXVI(3)/2010/49(1)/2009, Dated January 07, 2010, w.e.f. 01.04.2009

²⁷ Subst. by Uk. Act No. 01 of 2011, Not. No. 116/XXXVI(3)/2010/49(1)/2009, Dated March 29, 2011

²⁸ Inserted by Uk. Act No. 26 of 2015, Not. No. 339/XXXVI(3)/2015/40(1)/2015, Dated November 17, 2015

²⁹ Subst. by Uk. Act No. 15 of 2018, Not. No. 183/XXXVI(3)/2018/39(1)/2018, dated April 11, 2018, w.e.f. 01.04.2017

		<p>Provided that any such relinquishment may be cancelled by him at any time, with prospective effect, by writing to the Speaker or the Chairman, as the case may be.</p> <p>³⁰[Provided further that notwithstanding anything contained in sub-section (1) of section 3, section 4, section 12 and section 18 from total amount of such salary, constituency allowance and secretarial allowance of the members to which they are entitled shall be reduced by thirty percent for a period of one year commencing from the 1st April 2020 to 31st March 2021, in view of the calamity arising out of Corona Virus (COVID-19) pandemic.]</p>
Recovery of Government and other dues from member's bills.	25	<p>(1) Where any Government dues (such as rent or charges for accommodation, telephone dues, etc.) are reported to be outstanding against a member and appropriate claims or bills in support thereof are received from the concerned authority, and such member fails to pay such dues, an amount equivalent to such dues, or where any repayable advance has been provided by Government to a member than an amount equivalent to such advance or any installment thereof due from such member, together with interest, if any shall be deducted by the secretary from the salary or travelling or daily or compensatory accommodation or any other allowance bill of such member.</p> <p>(2) In case of a person who has ceased to be a member or a person who is not a member at the time when any repayable advance has been provided to him by the Government, the amount referred to in sub-section (1) may be deducted from the amount of pension or any other amount payable to such person under this Act;</p> <p>Provided that if any other Government dues are reported against such person, whether it is for the period of the membership or for the period he is not a member shall also be deducted from the pension of such person.</p> <p>(3) Ordinarily any non-Government dues outstanding against a member shall not be recovered from his salaries or allowances but where such dues are on account of certain services rendered to him in the course of his parliamentary duties, such as, when he is on tour with a Committee, and the arrangements for such services have been made by or at the instance of the semi-Government institutions or private parties at the request of officers of the State Legislative Assembly, and such member fails to pay such dues, recovery thereof may be effected from the salary or travelling or daily allowances bills of such member.</p>
Power to remove difficulties	26	<p>(1) The State Government may, for the purpose of removing any difficulty, particularly in relation to the transition from the provisions of the enactments repealed by section 28 to the provisions of this Act, by order published in official Gazette, direct that provisions of this Act shall during such period as may be specified in the order, have effect subject to such adaptations whether by way</p>

³⁰ Inserted by Uk. Act No. 29 of 2020, Not. No. 385/XXXVI(3)/2020/12/2008, dated October 22, 2020, w.e.f. 01.04.2020

		<p>of modification, addition or omission as it may deem to necessary or expedient.</p> <p>Provided that no such order shall be made after the expiry of two years from commencement of this Act.</p> <p>(2) Every order made under sub-section (1) shall be laid before the State Legislative Assembly.</p> <p>(3) No order under sub-section (1) shall be called in question in any court on the ground that no difficulty as is referred to in sub section (1) existed or required to be removed.</p>
Rule making power	27	(1) The State Government may, by notification make rules to carry out the purposes of this Act.
Repeal and occupation	28	<p>(1) The Uttarakhand (the Uttar Pradesh Legislative Assembly (Members emoluments and pensions) Act, 1980] adaption and transition order, 2007 is hereby repealed.</p> <p>(2) Notwithstanding such repeal, in refer Act of sub-section (1), any action or proceeding taken under the provision of the Principal Act as amended, the act or proceeding under this Act shall be deemed to be subject to the same provisions as if all the provision of this Act was in force at the substantial time.</p>