NOTIFICATION

PARLIAMENTARY SECTION-I

No. 2752-S XVII-81-170(S)-80

Date: Lucknow, June 26, 1981

IN exercise of the powers under section 30 of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980 (U. P. Act XXIII of 1980), and all other powers enabling in this behalf, the Governor is pleased to make the following rules:-

THE UTTAR PRADESH STATE LEGISLATURE (MEMBERS' EMOLUMENTS AND PENSION) RULES, 1981

CHAPTER I

Preliminary

Short title and commencement

1. (1) These rules may be called the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1981.

(2) They shall come into force on July 1, 1981 except rule 16 which shall come into force on such date as the State Government may by notification appoint in this behalf.

Definitions

2 In these rules--

(a) 'Act' means the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980;

(b) 'Appendix' means an appendix appended to these rules;

(c) 'Committee' means a committee appointed by the House or by its Presiding Officer and includes a Joint Committee of both the Houses, constituted under the Rules of either House made under Article 208 of the Constitution or under a resolution adopted by both the Houses and also includes a sub-committee or a study group appointed by a committee ;

(d) 'Form' means a form appended to these rules ;

(e) 'House' means the Assembly or the Council, as the case may be ;

(f)'Meeting' means a meeting of the House or of both the Houses assembled together or of a committee ;

(g) 'Place of sitting' means the place where a meeting is held ;

(h)'Transport Corporation' means the Uttar Pradesh State Road Transport Corporation ;

(i)'Travelling allowance' means any allowance granted to a member for the performance of a journey by him under the provisions of the Act and these rules ;

(j) All other words and expressions used and defined in the Act but not defined in these rules shall have the meanings assigned to them in the Act.

Chapter II

Salary, Constituency and Accommodation Allowances

Salary when to become due

3. (1) Subject to the provisions of these rules, the salary of a member shall become due on the first day of the succeeding month, and may be drawn on that very day or any day subsequent thereto.

(2) In the case of a member whose seat becomes vacant, the salary shall become due on the day following the date of vacancy, and may be drawn on that very day or any day subsequent thereto.

Drawing officer

4. (1) Every member shall be the drawing officer of his salary bill, and the Principal Secretary shall be the controlling officer in respect of such bill.

(2) Every such bill shall be prepared in Form A and shall be countersigned by the Principal Secretary.

(3) Every member shall forward to the Treasury Officer of the district where the payment of the salary bill is required to be made and the Principal Secretary shall forward to all the Treasury Officers in Uttar Pradesh, a specimen of his signature for the purposes of verification, before payment of such bill.

Information to Accountant General.

5. When a person ceases to be a member of the House, either by resignation, death or otherwise, a copy of the necessary notification shall immediately be sent to the Accountant-General.

Deduction from salary

6. [1][If a member fails to attend a meeting continuously for a period exceeding six days (excluding non-sitting days), a deduction at the rate of ten rupees per day for the entire period during which such failure continues shall be made from the salary payable to such member, unless he certifies within period of one month from the date of such absence in Form B that his absence was due to -

(a) personal illness ; or

(b) serious illness or bereavement in his family ; or

(c) some religious ceremony at his home ; or

(d)the performance of any duty on behalf of the State Government or the Government of India in or outside India ; or

(e) The preventive detention under any law for the time being in force.]

Constituency accommodation allowance

7. The provisions of this Chapter excluding rule 6 shall *mutatis mutandis* apply and to the claims in respect of constituency allowance and accommodation allowance as they apply to the claim in respect of salary.

1 Substituted vide notification no. 1755-S-xvii-1-85-4984 dated 15 July, 1985

CHAPTER III

Journey by Rail

Coupons for the railway journey

8 [1][The railway coupons referred to in sections 5, 6 and 9 shall be supplied to member concerned by the Principal Secretary, who shall make necessary arrangements for the requisition of such coupons from the Railway Board, and also for the return of the unused coupons.]

Value of Railway coupons for part of the year

9 [2][(1) Where in any year railway coupons for travel are to be issued for a part of the year, the coupons shall be issued in proportion to such part of the year only;

(2) Railway coupons under this rule shall be issued in round figure and in case any member is to be provided with coupons of the value of rupees fifty or above but less than rupees one hundred, he shall be given railway coupons for rupees one hundred and no railway coupons will be issued for less than rupees fifty.]

Issue of fresh coupons, coupons for cancelled Railway

10 (1) If a member, after having obtained railway tickets in lieu of the railway coupons, cancels the intended journey he shall obtain Ticket Refund Receipt from the

journey possible. Administration and submit the same to the Principal Secretary as soon as

[3][(2) Where the Ticket Deposit Receipt is submitted within the year in which the concerned railway coupons were issued, the Principal Secretary may issue fresh coupons equal to sixty per cent of the amount of such tickets.]

Form C for

journeys made by companion

every journey performed by his or her companion under section 7, within three months from the date of performing such journey.

Deduction for his journeys in contravention of the Act

12 Where a journey has been performed by a member or by his companion or by family member in contravention of the provisions of the Act, the Principal Secretary shall make necessary adjustment by deducting an amount equal to the value of the railway coupons used for such journey from any of the bills referred to in Chapter II of these rules.

T.A. Bill for Journeys in

13 [4][Omitted]

Second Class

Issue of fresh coupons only

14 [5][(1) Ordinarily railway coupons shall not be issued to a member for a sum exceeding twenty thousand rupees at a time. Fresh coupons shall be issued when the Principal Secretary is satisfied that the coupons previously issued to a member have been used, or returned under sub-rule (2).]

(2) Every member, shall submit to the Principal Secretary by the 8th day of June each year, a certificate in Form `E', and return all unused coupons along with the said certificate. No fresh coupons shall be issued to the defaulting member.

No advance coupons to be issued

15 No member shall be entitled to any railway coupons in advance.

Stamping of railway coupons

16 [6][Omitted]

[1]Substituted vide notification no. 336-S-xvii-1-87-78-S-86 dated 11 Februrary, 1987

[2]Substituted vide notification no. 336-S-xvii-1-87-78-S-86 dated 11 Februrary, 1987

[3]Substituted vide notification no. 3112--VII-S-1-2005-68-S-2005 dated 21 November, 2005

[4]Omittedvide notification no. 336-S-xvii-1-87-78-S-86 dated 11 Februrary, 1987

[5]Substituted vide notification no. 2444--LXXIX-S-1-2008-53-S-2002 dated 06 October, 2008

[6]Omittedvide notification no. 453-S-XVII-1-85-231-83 dated 21 Februrary, 1985

Loss of railway Coupons and

17 In case of loss of railway coupons, the member concerned shall lodge a report with the police and shall also intimate to the Principal Secretary about such loss report.

Validity of railway coupons

18 [1][The railway coupons issued to a member under sections 5, 6 and 9 shall be valid upto 31st day of May following the date of issue.]

Other provisions relating to railway coupons.

19 All other matters relating to the requisition, issue, use, return and refund of the railway coupons shall be governed by the provisions contained in Appendix I.

Railway coupons to ex-section members

[2][19-A (1) The railway coupons referred to in sub-section (2) of section 5 shall be different in colour from the colour of railway coupons referred to in sub-(1) of section 5.

(2) The provisions of rules 8 to 19 shall, mutatis mutandis apply to the coupons referred to in sub-section (2) of section 5.]

Insertion of section (1) form 'EE' supplied an

[3][19-B Every member, out of the railway coupons admissible to him under sub-of section 5, shall, on making his option every month in Form EE be amount in cash not exceeding three thousand rupees for petrol or diesel for own

vehicle.]

Insertion of form 'EEE' 1st June

4[19-C Every ex-Member, out of the Railway coupons admissible to him under sub-section (2) of section 5 shall on the making his option every year between and 31st August in form ' EEE' be paid in cash an amount not exceeding fifty thousand rupees for petrol or diesel for his / her own vehicle.]

1Substituted vide notification no. 336-S-xvii-1-87-78-S-86 dated 11 Februrary, 1987

2 Inserted vide notification no 2840(2)/XVII-S-!-98-131-S-98 dated 07 November, 1998

3Inserted vide notification no 1851/ XVII-S-!--2000-42(S)/99 dated 03 June, 2000

4Inserted vide notification no 301/ XC-S-!--2017-53-S-2002 dated 15 June, 2017

CHAPTER IV

Journey by Bus

Bus pass to ex-members

[20 (1) The Bus pass referred to in sub-section (3) of section 13 shall be supplied to such person by the Principal Secretary who shall make necessary arrangements for the requisition of such Pass from the Transport Corporation.

(2) Every Bus Pass shall bear a duly attested photograph as well as the signature of the person concerned.

(3) If a Bus Pass is lost, destroyed or mutilated, duplicate copy thereof shall be issued on payment of a fee of rupees ten.

Bus Journey by companion

21 Every person referred to in rule 20 desirous of taking a companion with him in the bus shall fill up Form F and handover the same to the conductor or the Booking Clerk before the commencement of the journey, and such form shall be attached to the Way Bill.

Liability to pay pilgrim tax etc.

22 (1) Every person, referred to in rule 20 travelling through the bus pass issued under the said rule shall be liable to pay pilgrims tax, terminal tax and passenger insurance surcharge, if any, imposed under any law for the time being in force.

(2) Every companion, travelling, with such person referred to in sub-rule(1), shall be liable to pay the tax and surcharge referred to in sub-rule (1) in addition to the passenger tax and additional tax, if any, under any such law.

(3) The amount of tax referred to in sub-rule (1) and surcharge shall be paid in cash before the commencement of the journey.

Duty to produce bus

23 Every person referred to in rule 20 travelling by a Transport Corporation Bus shall, on demand by the conductor or any officer of the Corporation produce his bus pass

pass for inspection

for inspection.

Excess luggage carry — 24 — Every person referred to in rule 20 and his companion shall be entitled to luggage free of charge as is permissible under, the rules or orders of the Transport Corporation and shall pay for the excess luggage, if any, at the prescribed rate.

Amount pay by able to Transport Corporation and the tax officer — 25 — (1) The Principal Secretary shall pay in respect of the journeys performed by persons referred to in rule 20 and their companions-

(a) to the Transport Corporation, such amount in lump sum as may be mutually agreed upon in lieu of the bus pass;

(b) to the Tax Officer appointed under the Uttar Pradesh Motor Vehicles (Passenger-Tax) Act, l962, such amount as may be mutually agreed upon in lieu of the passenger tax referred to in section 13 of the Act.

(2) If mutual agreement is not possible under sub-rule (1) the matter shall be referred to the State Government and the decision of the Government shall be final.

Other terms and conditions for travelling through bus pass — 26 — Other terms and conditions regarding travel by persons referred to in rule 20 and the companion through bus pass and the maintenance of accounts and other connected matters shall be regulated by general or special directions of the State Government.][1]

Bus Pass to Ex-Members — 27 — [2][omitted]

[1] Rule 20,21,22,23,24,25 and 26 Substituted vide notification no. 3112/VII-S-1-2005-68-S-2005 dated 21 November 2005

[2] Omitted videnotification no. 3112/VII-S-1-2005-68-S-2005 dated 21 November 2005

CHAPTER V

Incidental Charges and Daily Allowance

Journey by connection Road connected by the performed by a be of — 28 — Where a member is required to perform a journey for his attendance in with his duties or functions as such a member 'between places not railway, such journey shall be performed by a Transport Corporation Bus. If place of journey is not connected by such bus, the journey may be private bus. If a private bus is also not available then the journey may performed in accordance with the rules applicable to the Gazetted Officers Class I serving under the State Government.

Incidental he shall charges for mileage, as the case Journeys by — 29 — Where a member performs a journey by road in accordance with rule 28, be entitled to incidental charges (including actual fare) or road may be, at the rates admissible and subject to all other

conditions applicable to the road

Gazetted Officers referred to in the said rule.

Insertion of new rule 29-A of the incidental

[1][29-A Where a member, in unavoidable circumstances, performs a journey for the purpose of clause (d) of section 14 of the act by air, with prior permission Chairman or the Speaker, as the case may be, he shall be entitled to charges equal to the fare of economy class.]

Road mileage accordance with for local journeys

30 Road mileage in respect of local journeys shall also be payable in the principles specified in rule 29.

Conditions for charges payment of this Chapter, incidental charges

31 [2][Notwithstanding anything contained in rule 29, the payment of incidental including road mileage for journeys performed by rail or road under shall be subject to the following conditions and restrictions, namely—

calculated

(a) the incidental charges for a journey between two places shall be with reference to the shortest route available ;

(b) in calculating the incidental charges, fractions of a kilometre shall be ignored from the total of a bill for any journey, but not from the various items which make up the Bill ;

(c) the amount of incidental charges for any journey from any place other than the place of residence to Lucknow or the place of sitting, as the case may be, and back, shall not exceed the amount to which the member would have been entitled, if the journey had been performed by him from the place of residence to Lucknow or the Place of sitting, as the case may be, and back.]

[1]Inserted vide notification no 827/90-S-1-2015-52-S-2013 dated 06 August, 2015 [2]Substituted vide notification no. 1755-S/XVII-!-85-149/84 dated 15 July, 1985.

CHAPTER VI

Travelling Allowance Bill

Preparation of Principal T.A. Bills Secretary shall

32 (1) Every member entitled to any travelling allowance shall submit to the Secretary the particulars of his journey in Form G. The Principal then get the travelling allowance bill prepared in Form H on the basis of the particulars furnished in Form G which shall invariably be attached to the

bill.

(2) The bill shall thereafter be checked by the Principal Secretary and if found correct shall, after his counter-signature thereon, be sent to the member concerned who will, after signing the payees discharge and affixing the necessary stamp, present it at the treasury of his district for encashment. If the member desires to have his bill cashed at a sub-Treasury, he can arrange with the treasury officer of the district to issue necessary authority to the Sub-Treasury Officer concerned.

(3) Payment of the bill may also be obtained at the District Treasury, Lucknow by having the name of such treasury specified by the controlling officer on the travelling allowance bill.

Payment of shall T.A. Bills in before cash Treasury specimen

33 If any member desires that the payment of his bill should made in cash, he send his specimen signature in triplicate to the Treasury Officer concerned

any such bill is presented there. At the time of making payment, the Officer should carefully observe the rules relating to comparison of signature with the signature on the bill.

Advance T.A place of	34	(1) A member, wishing to draw his travelling allowance in advance atthe sitting. shall, as soon as may be, after his arrival at the place of sitting, fill in

Form of his bill journey, daily advance Form I bill and concerned who stamp, present

I, giving details of his inward journey, intended return journey and the days halt already made at the place of sitting. The Principal Secretary shall get a prepared, which will contain the travelling allowance for the inward allowance for the days of halt already made and travelling allowance in for the return journey on the basis of the entries made by the members in which shall be attached to the bill. The Principal Secretary shall check the if correct, shall, after his counter-signature send it to the member shall, after signing the payees discharge and affixing the necessary it at the office of the Principal Secretary for encashment.

(2) A member shall also be supplied with a copy of Form J in which he shall fill in the particulars of the journey on arrival at his residence and shall then return it to the Principal Secretary. The Principal Secretary shall thereupon prepare a consolidated bill for the complete journey.

(3) Over-payment if any, shall be adjusted from the next travelling allowance bill, or any other bill referred to in Chapter II of these Rules relating to such member.

Procedure for (except the 34) shall be specified words. Erasures and necessary the and

35 The entries in the bill shall be complete and the dates of the journeys, preparation of T.A. bills return journey if travelling allowance is claimed under rule and the total claim shall be entered in figures as well as in over-writing in bills are forbidden and if any corrections, be incorrect entry shall be cancelled in red ink and the correct entry interlined duly initialled.

T.A for the travelling certifies, that he meeting

36 (1) A member, who proceeds to the place of a meeting not being aware of postponed or cancelled meetings. postponement or cancellation of the meeting, shall be entitled to the allowance in accordance with these rules provided such member did not receive the intimation of the postponement or cancellation of before he left his place of residence.

(2) A member who proceeds to the place of a meeting, but fails to attend the meeting consequent on its postponement for want of quorum or otherwise shall be entitled to the travelling allowance in accordance with these rules.

CHAPTER VII

Telephone Facilities

Telephone to other elected entitled, members of Assembly.

[1][37 Subject to the provisions of this Chapter, every member of the Assembly, than a nominated member, shall, for the duration of his membership be to-

(i) a telephone installed, at the cost of the State Government, at each of the following places, namely ;

(a) the place of his normal residence in Lucknow city, and

(b) the place of his normal residence outside Lucknow city in the state or any place in his constituency, and

(ii) a Sim card of Mobile phone with National roaming facility,

with the facility of Subscribers Trunk Dialing (S.T.D) , internet and 3G.

Telephone to members of Council and nominated

38 Subject to the provisions of this Chapter, every nominated member of the Assembly and every member of the Council, shall likewise be entitled to, --

(i) a telephone installed at the cost of the State Government at each of the

members of Assembly

following places, namely; —

(a) the place of his normal residence in Lucknow city, and

(b) the place of his normal residence outside Lucknow city in the State or any other place within his constituency, and

(ii) a Sim card of Mobile phone with National roaming facility,

with the facility of Subscribers Trunk Dialing (S.T.D) , internet and 3G.

Provided that where such member has his normal residence in Lucknow city and has no normal residence outside Lucknow city in the State then such member shall likewise be entitled to have the telephone referred to in clause *(b)* installed at his normal residence in Lucknow city other than the accommodation provided to him under section 16 of the Act.]

Telephone not been admissible in any government of mobile

connection at a place

2[38-A certain cases

Notwithstanding anything contained in rule 37 or rule 38 if a member has provided with a sim card of Mobile phone or a telephone referred to in the said rule 37 or rule 38, by virtue of an office held by him public undertaking body or authority or in any government or semi-organization, he shall not be entitled, under these rules, to a sim card phone or telephone connection at such place.]

Application for telephone

rule 38

39 (1) Every member desirous of availing the facility specified in rule 37 or shall apply to the Principal Secretary in Form 'K'.

3[(2) On receipt of an application referred to in sub-rule (1), the Principal Secretary shall issue the sim card and cause the necessary amount to be deposited with the Telephone Department and shall ensure that the telephones are installed in accordance with these rules as early as possible.]

1 Rules No. 37 and 38 substituted vide notification no. 229/XC-S-1-2012-77-S-2005 dated 10 April, 2012. 2 Susbstituted vide notification no. 1166/VII-S-1-2006-77-S-s005 dated 21 June, 2006

3Susbstituted vide notification no. 1166/VII-S-1-2006-77-S-s005 dated 21 June, 2006

Condition the for installation of Telephones

40 The installation of every telephone under this Chapter shall be subject to following conditions, namely:—

(a) The telephone shall be installed at the place or places referred to in rule

37 or either is

rule 38 in the premises where the member normally resides and which is owned or tenanted by him or is allotted to him by the State Government or otherwise in his exclusive possession. No telephone shall be installed at any premises belonging to the friend or relative of a member unless such

premises is in

the exclusive possession of such member.

Explanation—For the purposes of this clause, premises shall be deemed to be in exclusive possession of a member, if it is occupied by him or by his wife or husband, as the case may be, or by the son or daughter of such member, either exclusively or jointly with each other.

(b) No telephone shall be installed at any premises which are used for the purposes of a shop or commercial establishment.

(c) No telephone shall be installed, unless the place where such installation is sought lies within the area of operation of an existing telephone exchange at normal charges,

(d) 1[omitted]

2[(e) The members shall be entitled to, -

(i) The telephones installed at their Constituencies and at Lucknow residences and

(ii) Mobile phone

with the facility of Subscribers Trunk Dialing (S.T.D.), internet and 3G with the condition that the State Government shall make payment of the amount of telephones and mobile bills not exceeding six thousand rupees per month and the amount exceeding rupees six thousand shall be deducted from the salary/other dues of the member concerned :

Provided that the Leader of a Legislature Party of a Recognized National or Provincial Party having number of members not less 3 percent of total number of members of the Legislature, shall be entitled for free of charge local telephone call at their Lucknow residence.

Explanation: - For the removal of the doubt it is hereby explained that a member may use either all the facility of two telephones and one mobile phone or any of the facility within the limit of the amount mentioned in this clause.]

1Omitted vide Notification no. 1457/XC-S-1-2010-77S-2005 dated 30 December, 2010 2 Substituted vide notification no. 229/XC-S-1-2012-77-S-2005 dated 10 April, 2012.

1[(f) Subject to the provisions of these rules, the State Government shall be liable to pay the charges for initial installation of the Telephones and, their bills and including the bill of mobile referred to in clause (e).

(g) All charges for reconnection of the disconnected telephones and mobiles where such disconnection has been occasioned on account of any default on the part of the member and all charges for shifting of telephones where such shifting has been occasioned at the request of the member shall be borne by the member concerned.

Explanation - Theexpression shifting of telephone shall include the closing of the telephone at one place and installation of the same or a new telephone at another place for any reason whatsoever.

(h) If a member dies or otherwise ceases to be a member, the Principal Secretary may permit the use of mobile or the telephone to be retained at the place of its installation for a period not exceeding fifteen days of such death or cessation, as the case may be, provided the legal representatives of such member undertake or, as the case may be, the member himself undertakes to pay all charges thereof for the said period including all arrears due on such mobile or telephones.]

(i) When a person ceases to be a member, he and in case of his death, his legal representatives, shall be bound to return the telephone instrument and all the other accessories to the Principal Secretary or to the authorised officer of the Telephone Department and to obtain receipt therefor failing which he or they, as the case may be, shall be bound to pay the cost thereof.

(j) The member shall be personally liable for the proper upkeep of the telephones and accessories provided to him. He shall also be liable for any loss or damage caused to such telephones or their accessories.

(k) Notwithstanding anything contained in this Chapter, no member shall be entitled to get two telephones installed under this Chapter in the same premises.

(l) No member shall be entitled to any additional benefit in respect of a telephone installed under this Chapter, which results in the increase of financial liability of the State Government.

Telephones to name be in the name

41 (1) Every telephone installed in accordance with this Chapter shall be in the of the Principal Secretary.

of Principal Secretary

[2][(2) All bills from the Telephone Department regarding telephones installed in accordance with this Chapter and bills from mobile companies shall be submitted to the Principal Secretary, who shall pay the bills within the time specified therefor and proceed to recover the amount payable by the member from him in accordance with these rules.]

[1]Susbstituted vide notification no. 1166/VII-S-1-2006-77-S-s005 dated 21 June, 2006 [2]Susbstituted vide notification no. 1166/VII-S-1-2006-77-S-s005 dated 21 June, 2006

Telephone facility to members

42. [1][(1) Where any member has personal sim card mobile phone or private telephones installed at the places specified in rule 37 or rule 38 and such member does not apply for any new sim card for mobile or telephone in accordance with rule 39, he shall be entitled to claim re-imbursement of the mobile and telephone charges paid by him in respect of such mobile and private telephones.

having private telephones

(2) Where any member has a private telephone at any one of the two places specified in rule 37 or rule 38 and such member applies for installation of only one telephone at the remainder of such places in accordance with the provisions of rule 37 to 41, then he shall be entitled to claim re-imbursement of the telephone charges paid by him in respect of such private telephone.

(3) No mobile and telephone charges shall be re-imbursed to any member under this rule, unless he has submitted to the Principal Secretary, the particulars required in form 'L' and the proof of having paid the same to the mobile company and Telephone Department.

(4) The mobile and telephone charges shall be re-imbursed to a member only for the duration of his membership.

(5) Where any member has been provided with a sim card of mobile phone and any telephone in accordance with rules 37 to 41 and such member subsequently owns any private sim card or telephone at any of the places mentioned in rule 37 or rule 38, the Principal Secretary may re-imburse the bill of mobile phone or telephone charges in respect of such private sim card and telephone from the date when the former sim card is ceased or the telephone is " closed under shift " and the member furnishes, the particulars required in form "L".

"*Explanation I- For* the purposes of this rule, the expression 'Telephone charges' in relation to any private telephone, means the amount of bills received."

"*Explanation II- For* the purposes of this rule, the expression 'personal sim card' or 'private telephone' in relation to a member who has no personal sim card or private telephone in his name, means the sim card or telephone installed in the name of the husband or wife, as the case may be, of the member.]

[1]Susbstituted vide notification no. 1166/VII-S-1-2006-77-S-s005 dated 21 June, 2006

CHAPTER VIII

Pension to Ex-Members

Application. 43 (1) Every person entitled to pension under Chapter VIII of the Act, shall apply in For Pension

Form M in duplicate to the Principal Secretary, along with three passport size latest photographs and specimen signatures of the applicant which shall be duly attested by a Gazetted Officer or a sitting member of the House.

(2) Where a person has been a member of both the Houses, he shall submit the application under sub-rule (1) to the Principal Secretary of the House of which he has been a member for longer duration.

(3) Where the person entitled to any pension under Chapter VIII of the Act—

(a) is a lunatic, the application under sub-rule (1) shall be submitted in Form N by the person appointed to manage the estate of such lunatics under the provisions of the Indian Lunacy Act, 1912;

Form M, the application under sub-rule (1) shall be submitted in Form N by the person obtaining a succession certificate under the Indian Succession Act; 1925 or a certificate under the Administrator General's Act, 1963.

(4) On receipt of the application under sub-rule (1) or sub-rule (3), the Principal Secretary shall verify the facts stated therein with reference to the available records.

Family Pension along with shall be Legislature.

[1][43-A 26- A (1) Any person, entitled to family pension under sub-section (1) of section of the act shall apply in Form-Q in duplicate to the Principal Secretary, his three passport size latest photographs and specimen signatures, which duly attested by a Gazetted Officer or a sitting member of the State

(2) Any person entitled to family pension under sub-section (2) of section 26- A of the act shall apply in Form-R in duplicate to the Principal Secretary, along with his three passport size latest photographs and specimen signatures, which shall be duly attested by a Gazetted Officer or a sitting member of the State Legislature.

(3) The provisions of rules 43 to 47 and of Act/Rules shall mutatis mutandis apply to the family pension referred to in sub-section (1) and (2) of section 26-A. Where any Government dues are reported to be outstanding against an expired member or ex-member, such dues shall be deducted by the Principal Secretary from the family pension.]

Sanction of found pension

44 [2][The Principal Secretary shall, if the facts stated in the application are correct and the application is not otherwise defective, record a certificate in Part II of

Form M or Form N, as the case may be, and sanction the pension to the applicant by filling up Part III of such Form. The papers shall then be sent to the Chief Accounts Officer/ Finance Controller of the Legislative Assembly Secretariat or Legislative Council Secretariat, as the case may be, who shall be on satisfying himself the amount of pension has been correctly sanctioned issue Pension Payment Order/Authority.]

1 Inserted vide notification no. 1457/XC-S-1-2010-77S-2005 dated 30 December, 2010 2Substituted vide notification no. 15/XVII-S-1-90/67/S-89 dated 10 January, 1990

Payment from Treasury

45 (1) Every person to whom pension is sanctioned under rule 44 shall be entitled to receive it from the treasury mentioned in

Form M or Form N.

(2) The pensioner or the person referred to in sub-rule (3) of rule 43 drawing pension from treasury shall furnish a certificate to the Treasury Officer in Form O whenever he claims payment of this pension and no payment shall be made in default thereof.

[1][(3) Notwithstanding anything contained in rule 50, no claim under this Chapter, not preferred within a period of one year from the date when it became due, shall be paid without prior sanction Chief Accounts Officer/ Finance Controller of the Legislative Assembly Secretariat or Legislative Council Secretariat, as the case may be.[

Accrual of pension

46 The pension sanctioned under these rules shall become due for payment only on the expiry of the month to which it relates.

Insertion of new rule 46-A after rule 46

[2][46 A Where a person entitled to pension under Chapter VIII of the Act, whom submitting application in

Form M, pension has been sanctioned, dies, his nominee may apply to the concerned Treasury Officer for payment of the amount of pension due to such person on the date of his death, and the Treasury Officer shall after satisfying himself about the identity of the applicant, make payment to him of the amount that is found due.]

Cancellation or modification of Pension Order after due fact or sanctioned is Officer/ and

47 [3][(1) If after the communication of the order sanctioning the pension any which has a bearing on the sanction or the amount of pension already brought to the knowledge of the Principal Secretary, he shall, verification, if he considers necessary so to do so, issue an order cancelling modifying the order made under rule 44. The concerned Chief Accounts Finance Controller shall then recall the Pension Payment Order/Authority cancel or modify the same in accordance with the said order.

(2) Consequent upon the cancellation or modification of pension under sub-rule (1), the excess amount, if any, received by the pensioner shall be recoverable by adjustment against any future payments, and may, without prejudice to any other mode of recovery be recovered as arrears of land revenue.]

1Inserted vide notification no. 3444/XVII-S-1-91-72-90(S)-87 dated 27 November 1991 2 Inserted vide notification no. 2754/XVII-S-1-2000-8-S-93 dated 21 September 2000 3 Substituted vide notification no 15/XVII-S-1-90/67/S-89 dated 10 January, 1990

CHAPTER IX

Miscellaneous

Payment by the cheque Bills

48 (1) If a member wants his claims under these rules to be paid by cheque, Principal Secretary shall after checking and countersigning the relevant follow the procedure laid down in Appendix II.

(2) The Principal Secretary may with the prior approval of the State Government, adopt Cheque System for payment of all claims arising under these rules.

Delegation, rules to below

49 The Principal Secretary may delegate all or any of his powers under these an Accounts Officer or any other officer of the Secretariat of the House not the rank of an Under Principal Secretary.

Prior sanction or for claim shall be beyond one year Finance Council,

50 1[(1) No claim under these rules, not preferred within a period of one year preferred but not paid within one year, from the date when it became due, paid without prior sanction of the Senior-most officer of the Uttar Pradesh and Accounts Service appointed in the Secretariat of the Assembly or the as the case may be.

(2) the authority, referred to in sub-rule (1), shall act in accordance with the procedure laid down by the Finance Department of the State Government in this behalf.]

Claims due to to a deceased estate of the members

51 2[Notwithstanding anything contained in the foregoing rules, any claim due deceased member under these rules may be paid to the claimant of the deceased member without the production of usual legal authority-

(a) where the gross amount claimed does not exceed five thousand rupees, under the orders of the Principal Secretary, if the Collector of the district in which the deceased member had his ordinary place of residence, certifies the claimant to be the proper person to receive such payment;

(b) where the gross amount claimed exceeds five thousand rupees, under the orders of the Principal Secretary on execution of an indemnity bond in 'Form P' with such sureties as the Principal Secretary may require:]

3[Provided that the Principal Secretary, may subject to the condition

prescribed in sub-clause(A) provisionally pay an amount not exceeding five thousand rupees, pending the issuance of the usual legal authority.]

1Substituted vide notification no 3019/XVII-S-1-2001/148/S/2000 dated 15 December, 2000 2Substituted vide notification no 453-S/ XVII -1-85-23-83 dated 21 February, 1985 3Substituted vide notification no. 3444/XVII-S-1-91-72-90(S)-87 dated 27 November 1991

Notes- (1) Normally there shall be two sureties both of known financial stability, unless the gross amount claimed is less than seven thousand five hundred rupees in which case the authority accepting the indemnity bond in 'Form P' for and on behalf of the Governor shall decide on the merits of each case whether to accept only one surety instead of two.

(2) The obligor as well as the sureties executing the indemnity bond should have attained majority so that the bond may have legal effect and force of law. The bond is also required to be accepted on the behalf of the Governor by an officer duly authorized under Article 299 (1) of the Constitution.

(3) In case of any doubt, payment shall be made only to the person producing the legal authority.

Repeal and saving

52 (1) The Uttar Pradesh Legislative Chambers (Members Emoluments and Pension) Rules, 1976, the Uttar Pradesh State Legislature (Telephone Facilities to Members) Rules, 1980 and the Uttar Pradesh State Legislature (Members Railway Coupons) Rules, 1981 are hereby repealed.

(2) Notwithstanding any such repeal anything done or any action taken under the rules referred to in sub-rule (1) shall be valid and be deemed always to have been valid.

APPENDIX I

RULES REGARDING ISSUE OF RAILWAY COUPONS TO MEMBERS OF THE UTTAR PRADESH STATE LEGISLATURE

[See Rule 19 *of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules* 1981]

Para 1—Requisition for Railway Coupons--The requisition for railway coupons shall be made by the Principal Secretary, Legislative Assembly/Legislative Council on the General Manager, Northern Railway, New Delhi.

[1][*Para 2—Supply of Railway Coupons-On* receipt of such a requisition, the said Railway Administration shall supply Railway Coupon Books which can be issued for travel by any class by any Indian Railway within or outside Uttar Pradesh and raise the necessary debit against the Government of Uttar Pradesh.

Para 3—Form of Certificate—Each coupon book shall contain the following certificate affixed by the Principal Secretary:-

"I hereby certify that Sri/Srimati/Kumari……. is member of the Uttar Pradesh Legislative Assembly/Council and tickets may be issued in exchange of the railway coupons for journeys to be undertaken by him/her according to Rules within or outside Uttar Pradesh.

Principal Secretary, Legislative Assembly/ Council

(Seal)

Para 4—Railway Coupons—Railway coupons will be available in books. Each coupon book shall contain the money value coupons of such denominations as may be decided from time to time in consultation with the Railway Board.]

Para 5— Each coupon will be numbered with the book number and the coupon number in serial order.

Para 6—Availability—A coupon book shall be available only for the use of the member of the Uttar Pradesh Legislature, whose name is to be specified on the coupon book. The name of the member concerned should be filled in by the Principal Secretary Legislative Assembly/Council before the book is issued to the member concerned.

[2][*Para 7—Undertaking by Members of the U. P. Legislature- The* member using the book shall fill in an undertaking in the following form which will be printed on the cover of every coupon book:-

I, Sri/Smt./Kumari ……. hereby declare that the coupons will be used by me for journeys undertaken within the State of Uttar Pradesh and according to rules outside Uttar Pradesh admissible to me under the U. P. State Legislature (Members' Emoluments and Pension) Act, 1980 and the rules made thereunder.

……..

Signature of the Member]

1 Substituted vide notification no. 336-S/XVII-1-87/78/S-86, dated 11 February, 1987 2Substituted vide notification ibid.

Para 8- The above undertaking shall be got filled before the book is handed over to the member by the Principal Secretary, Legislative Assembly/Council.

Para 9—Availability of Coupon Book—The period of availability of a coupon book, shall be from the 1st day of June in any year upto the 31st May of the year immediately following and it may be issued from 1st theday of June or any subsequent date within that period.

Para 10— Coupons and Coupon-books not transferable-The coupon books issued under these rules and the coupons contained therein shall not be transferable and must be used only for journeys by the member in whose favour they are issued. In the event of the member ceasing to be a member of

the U. P. Legislative Assembly/Council the coupon books shall be returned to the Principal Secretary, Legislative Assembly/ Council.

Para 11-Method of purchasing tickets with coupons- The coupons Book must be presented by the member undertaking the journey to the Booking Clerk without detaching any coupons from the book. Loose coupons, *i.e.* coupons detached from the book will not be accepted in any circumstances.

Para 12—The Booking Clerk will personally remove from the book, the number of coupons necessary for the journey. To guard against the impersonation, the booking clerk may ask the holder of the coupon book to show his identity-card and to write his/her signature on a piece of paper to compare it with the signature in the coupon book. In cases, where coupons in excess of those actually required arc detached from coupon book by a Booking Clerk, suitable remark shall be made by the Booking Clerk, on the back of the coupons "Wrongly detached" and such loose coupons shall be accepted when presented for the issue of ticket, provided—

(a) the coupon book from which the coupons have been detached is produced, and

(b) the period of availability of the coupon-book has not expired.

[1][*Para 13*—In exchange for the coupons, the Booking Clerk will issue single, return journey ticket for travel in the class as may be required scoring out the fare printed thereon and writing on the reverse of the ticket in red ink the words "R.T. Coupons for members only."

Para 14—If rail travel coupons from two different books issued in favour of the same members are presented for issue of tickets, they should be accepted.

Para 15—Identity of Member- A member when travelling with the ticket issued to him under preceding paragraphs shall keep his identity card containing his photograph duly attested by the Principal Secretary Legislative Assembly/Council and produce the same when demanded by the Railway authorities.

Para 16—Availability of tickets issued on Railway Coupons-The date and period of availability of the tickets will be same as for ordinary tickets.

Para 17—Pilgrims and terminal taxes—When issuing tickets in exchange for rail travel coupons for journey to and from stations at which pilgrim or terminal tax is leviable, the pilgrim or terminal tax must be collected in cash from the person presenting the coupons. The amount of tax so collected must be entered on the face of the tickets.

[2*Para 18*—Travel in Higher class and Reservation charges – Tickets obtained in exchange for coupons may be converted to any higher class in accordance with Railway Standing Rules and these coupons can also be used for paying the difference of fare with between the two classes. The coupons can also be used for paying charges for reservation of seats and berths.]

1Substituted vide notification no. 336-S/XVII-1-87/78/S-86, dated 11 February, 1987 2Substituted vide notification ibid.

Para 19 Luggage- Freeallowance of luggage as for ordinary tickets will be allowed. Excess over the free allowance will be charged at luggage rates and the amount recovered in cash.

Para 20 Unexchanged Coupons- Membersfound travelling on unexchanged coupons will be considered as travelling without tickets and will be liable to the prescribed penalties. In such cases, fares and excess charges must be paid in cash.

[1][*Para 21.*—Use of coupons- No Railway coupons shall be used for any purpose except for purposes of exchanging them for passenger ticket, reservation fees, difference of fares for travel in higher class, supplementary charge on Superfast trains and sleeper charge for sleeping accommodation at a Booking Office. Coupons cannot, in any circumstances be accepted towards payment of any other charges, e.g.

luggage charges etc., not permissible under the Act and the rules made thereunder.]

Para 22.—Confiscation of coupons- TheRailway Administration which issued a coupon book, may confiscate it on proof that the conditions on which it has been issued, have not been observed. Before doing so, it should refer the matter to the Principal Secretary, Legislative Assembly/Council and obtain his approval for such confiscation. On such confiscation the value of the coupon book shall be refunded to the Principal Secretary or may be adjusted against future coupons.

Para 23-Refunds- Norefund will be allowed on unused coupons unless the unused coupons are returned to the Railway Administration within their period of availability.

Para 24—Refunds will not be granted on unused or partly used tickets issued in exchange for coupons except in exceptional circumstances.

APPENDIX II

Procedure for Payment of Claims by Cheque

[See Rule 48 *of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules* 1981]

1- ThePrincipal Secretary shall obtain cheque book direct from the Treasury Officer, Lucknow, or if the place of meeting is elsewhere than Lucknow, from the Treasury Officer of the headquarter's treasury of the district in which meeting takes place, in accordance with the procedure laid down rule 54 of the Financial Hand Book, Volume V, PartI.

2- Cheque will be issued over the signature of the Principal Secretary to the members who desire payment by cheque. All cheques shall be made payable to the Members concerned or to his order. Bearer cheque shall in no case be issued.

3- Cheques shall be payable on the treasury from which the cheque books have been obtained or on the local branch of the State Bank of India, as the case may be. A Member will make his own arrangement for encashing the cheque through his banker or otherwise.

4- The instruction laid down in section V in Chapter III, Financial Handbook, Volume V Part I, on the subject of cheques shall be carefully followed by the Principal Secretary.

1Substituted vide notification no. 336-S/XVII-1-87/78/S-86, dated 11 February, 1987

FORM A

STATE/ NON PLAN

BILL FOR SALARY AND OTHER CLAIMS OF MEMBERS OF THE LEGISLATURE

[See rule 4 the U.P State Legislature (Member's Emoluments and Pension) Rules, 1981]

Name of the Member……..
District ……..

Member of Assembly/Council

Audit no
payment

Budget Head

Voucher no. of list of
for ……., 198

Received my-
Amount

P.

Monthly Rate

Rs. P. Rs.

(1) Salary for the month of
……198
(2) Constituency allowance for the
month
of…….198
(3) Accommodation allowance, if any,
for
the month of ……..198
(4) ……..
(5)……..

Gross Claim

Less- deductions as follows:

(1) Under rule,6 of the U.P State Legislature (Member's Emoluments and Pension)
Rules, 1981 (2)……..
(3)……..

-
Total Deductions

--
Net amount payable

--

-- (A) (Net Amount in words)……..

(B) Net amount to be written in the hand-writing of the member.
Please pay to ……

Dated……199 Signature Signature of the member,

Passed for Rs……(rupees in words)……..

Signature of Controlling Officer,

*On receipt of report from Estate Officer, Uttar Pradesh , I hereby certify that Sri…… …… member, Legislative Assembly/Council has not been provided any free accommodation at Lucknow.

OR

On receipt of report from Estate Officer, Uttar Pradesh , I hereby certify that Sri…… …… member, Legislative Assembly/Council is entitled to accommodation allowance @ Rs……per month.

Signature of the Controlling

Officer *(Strike out which ever is not applicable)

DIRECTIONS

1 A pay bill may be presented at a District Treasury two day before the last working day of the month for which the pay is earned .

2 A pay bill may, if desired, be enfaced for a payment to a Banker or Agent and submitted for collection through such Banker or Agent. This will obviate the necessity of the members attendance in person or by messenger as payment may then be made direct to the Banker or Agent.

3 Government accepts no responsibility for any fraud or misappropriation in respect of money or Cheques or bills made over, to messenger.

(A) IN CASE OF PAYMENT AT THE TREASURY

Pay Rs.

……..

Examination and entered.

Accountant

Dated……198 Treasury Officer ---------

(B) IN CASE OF PAYMENT AT THE BANK

To

The AGENT, STATE BANK OF INDIA …….

Please pay Rs. ( ) …….

Treasury

Dated……..198 Treasury

Officer PAYES DISCHARGE TO THE BANK

Received payment

Name ……..

Office……..

FOR USE IN ACCOUNTANT GENERAL'S OFFICE Admitted Rs.

Objected to Rs …… Auditor

---- Superintendent

FORM-B

CERTIFICATE OF ABSENCE

[See rule 6 of the U.P State Legislature (Member's Emoluments and Pension) Rules, 1981]

Name of the Member…… M.L.A/ M.L.C

District……..

Nature of the meeting from which absent……..

Date of absence……..

I hereby certify that my absence from the attendance required in connection with my duties or functions as a member was due to ……..

(a) my personal illness; or

(b) serious illness or bereavement in my family; or

(c) religious ceremony at my home ; or

(d) performance of the duty on behalf of the State Government or the Government of India ; or (e) my detention under the law relating to preventive detention .

It is requested that may salary should bit be deducted for the above days.

(Signature)……..

FORM C

STATEMENT OF JOURNEY PERFORMED BY COMPANION

[See rule 11 of the U.P State Legislature (Member's Emoluments and Pension) Rules, 1981] 1. Name of the member……M.L.A/ M.L.C 2. Name of the full address of the companion…….. 3. Date of commencement of journey…….. 4. Railway station from which the journey commenced…….. 5 .Railway station from which the journey ended…… 6. Number and the name of train by which the journey was performed…… 7. Date of commencement of the return journey…….. 8. Railway station from which the journey commenced…… 9. Railway station from where the journey ended…….. 10. Number and the name of train by which the journey was performed……..

Certified that above journeys have been performed in accordance with the provisions of section7 (1) (2) of the U.P State Legislature (Member's Emoluments and Pension) Rules, 1980

(Signature)……..

(Date)……..

---

[1][FORM-D] Omitted

[1] Omitted vide notification no. 336-S-xvii-1-87-78-S-86 dated 11 Februrary, 1987

FORM-E

REQUEST FOR FRESH COUPONS

[See rule 14 of the U.P State Legislature (Member's Emoluments and Pension) Rules, 1981]

Name of the member……M.L.A/ M.L.C
District……

I hereby certify that I have utilized all the railway coupons issued to me except coupons of the value of Rs..... which I have returned as unused coupons.

I further certify that I have submitted to the Principal Secretary all Ticket Refund Receipts in respect of cancelled journeys.

Details of the Coupons ---------- -------
---------- ----------

(Signature)……..

(Date)……..

---

[1] FORM-EE

[See rule 19-B of the U.P State Legislature (Member's Emoluments and Pension) Rules, 1981]

1. Name of the member……M.L.A/ M.L.C
2.District……
3. Vehicle number……

I HEREBY by declare that above vehicle is registered in my name.

I opt that out of the railway coupons to be supplied to be during the coupon year……., I be given this month Rs…….. in cash instead of equal value of railway coupons for petrol or diesel for my vehicle number……..

(Signature)……..

(Date)……..]

[2] Form-EEE

(See rule 19-C)

1- Name of the Ex-member …….. (Ex MLA/Ex MLC) 2- District ……
3- Vehicle Number ……..

I HEREBY declare that I have used my private vehicle.

I opt that out of the railway coupons to be supplied to me during the coupon year……..

I be given this year Rs…….. in cash instead of equal value of railway coupons for petrol or diesel for my vehicle.

(Signature)……

(Date)……"

[1]Inserted vide notification no 1851/ XVII-S-!--2000-42(S)/99, dated 03 June, 2000 [2]Inserted vide notification no 301/ XC-S-!--2017-53-S-2002 dated 15 June, 2017

FORM-F

DETAILS OF JOURNEY BY COMPANION

[See Rule 21 of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1981]

Name of member…… M.L.A./M.L.C.
District……

I am taking Sri/Srimati/Kumari…….. aged about……years resident of ….. as my companion from ……to…….. by U.P.S.R.T.C Bus no…….. under section13(2) of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1980

No. of Bus Pass……..

(Signature)……..

(Date)……..

FORM-G

DETAILS OF JOURNEY FOR TRAVELLING ALLOWANCE

[See Rule 32 (1) of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1981]

(1) Name of the member……M.L.A/ M.L.C (2) Place of residence…… (3) Date and time of departure from……..

(4) Date and time of arrival at…… (5) Date of attendance…… (6) Date and time of departure from……..

(7) Date and time of arrival at…… (8) Whether the journey was made by road, if so how…….. (9) Distance covered by road journey……..

(10) If the journey was performed by road, describe the nature of vehicle and also whether it was own or hired

(i) from place of residence to station……..

(ii) ……..Station to residence……

(11) Whether travelling allowance for these journeys or daily allowance for this period has been drawn from any other official source……..

(12) Purpose of the journey……..

(Signature)……..

(Date)……..

Non-Plan State

FORM H

TRAVELLLING ALLOWANCE BILL OF MEMBERS OF LEGISLATURE [See Rule 32 (1) of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1981]

Legislative Assembly/Council Secretariat, Uttar Pradesh

INSTRUCTIONS FOR PREPARING TRAVELLING ALLOWANCE BILLS

1. Journeys of different kinds and journeys and halts should not be entered on the same line.
2. Fractions of kilometre in total of a bill for any one journey should not be charged for.
3. When the first item of travelling allowance bill is a halt, the date of commencement of the halt should be stated in the Remarks column.
4. Against each entry in Column 13 there should be corresponding entry in Column 14.
5. A travelling allowance bill may, if desired be enfaced for payment to a Banker or Agent and submitted for collection through such Banker, or Agent, this will obviate of the necessity the Government servant's attendance in person or by messenger as payment may then be made direct to the Banker or Agent.

(Space for pre-audit enfacement in respect of bill submitted for pre-audit) Note-Only international numerals should be used in the preparation of the Bill.

For the use in Accountant-Generals Office

Head of Services Chargeable

Admitted for Rs…….. Objected to Rs……

Reason of objections Senior Accountant

G.O

LEGISLATIVE ASSEMBLY/COUNCIL SECRETARIAT UTTAR PRADESH

TRAVELLING ALLOWANCE BILL

FOR THE MEMBERS OF LEGISLATURE

District…… Name……

Headquarter…….. Designation……

……..Month of……..

Pay……Rs.850……..

Rail Fare

Particulars of Journeys and halts						Kind of Journey i.e. by rail (mail or passenger) steamer, road or	Steamer Fare			Distance travelled by road or trolley			
										For which mileage is admissible		For which daily allowances is admissible	
Departure			Arrival				Class	Number of fares	Amount	At ordinary rates	At other rates		
Station	Date	Hour	Station	Date	Hour								
1	2	3	4	5	6	7	8	9	10	11	12	13	

Rs. P.

Received

Contents Railway and steamer fares (Column 10)

Actual expenses (Column 16) (Column 14)

Rs	P.

signature of the member who travelled
Office Memorandum
Dated 19

----------miles at (Column 11)

Stamp

Road Mileage
----------miles at (Column 12)
---------- days for which daily
allowance is claimed

Appropriation for 19
Total

Rs.	P.

Expenditure including this bill . Balance

Deduct-For hire due to Government (Paragraphs 29. F.H.B.Vol.(III)
Other Deductions
Net Claim

Rupees in words and figures----------

Passed for rupees----------

Dated……..19 Controlling Officer

(A) IN CASE OF PAYMENT AT THE TREASURY

Examined and entered ----------
----- Dated 19 Pay Rs. ( ) Accountant Treasury Officer

(B) IN CASE OF PAYMENT AT THE

BANK THE AGENT, STATE BANK OF INDIA

Please pay Rs ( ) ……..

TREASURY Treasury

Officer ----------

Dated.....,19 PAYEE'S DISCHARGE TO THE BANK

Received payment.

Name----------

Office----------

N.B.-- Either (A) or (B) should be scored out as the case may be.

FORM I

REQUEST FOR ADVANCE T. A.

[SeeRule 34(1) of the Uttar Pradesh State Legislature (Member's Emoluments and Pension) Rules, 1981]

(1) Name of member .....

(2) Place of residence .....

(3) Date-and time of departure from .....

(4) Date and time of arrival at .....

(5) Date and time of departure from .....

(6) Single first class railway fare from home town to ..... Rs .....

(7) If the journey was performed by road describe the nature of vehicle and also whether It was own or hired—

(i) from place of residence to station .....

(ii) ....station to residence (8)

Purpose, of the journey .....

(9) Period of halt already made .....

(Signature)

.....

(Date) .....

CERTIFIED that no amount has been or will be claimed for this journey/period in any bill drawn as a member from any other official source.

(Signature) .....

(Date) .....

FORM J

DETAILS OF RETURN JOURNEY

[SeeRules 34(2) of the U. P. State Legislature (Members' Emoluments and Pension) Rules 1981]

(To be returned to the Principal Secretary Legislative Assembly/Council Secretariat Uttar Pradesh, Lucknow, immediately on arrival, at place of residence).

CERTIFIED THAT -

I performed the return journey from ..... to ..... as detailed below :

(1) Time and date of departure .....

(2) Time and date of arrival .....

(3) Name and no. of the train .....

(Signature)

.....

(Address) ,,,,,,,,,,,,,,,,,,,,,,,,

(Date) .....

1[FORM K

APPLICATION FOR REIMBURSEMENT OF TELEPHONE FACILITY

[SeeRules 39(1) of the U. P. State Legislature (Members' Emoluments and Pension) Rules 1981]

I. Name of the member ..... 2. Name of the constituency..... 3. Place of normal residence in Lucknow City..... 4. Normal place of residence outside Lucknow City .....

5. Places where new telephones are sought to be installed --

(a) in Lucknow City .....

(b) Outside Lucknow City ..... 6.

(a) Particulars of premises in which the telephone is sought to be installed in Lucknow City .....

(b) Nature of occupation of the premises, (whether owned, tenanted, allotted or otherwise in exclusive possession) .....

7. (a) Particulars of premises in which the telephone is sought to be installed outside Lucknow City .....

(b) Nature of occupation of the premises, (whether owned, tenanted, allotted or otherwise in exclusive possession) .....

8. Name of nearest Telephone Exchange regarding premises.....

(a) mentioned in Column no. 6 .....

(b) mentioned in Column no. 8 .....

9. Any other information which the member wants to furnish .....

I hereby-

(a) declare that the terms and conditions imposed by or under the Rules referred to above shall be binding on me ;

(b)declare that the premises mentioned in paras 7 and 8 are not being used for the purposes of any shop or commercial establishment;

(c) undertake to pay to the Government all outstanding Telephone Bills ;

(d) authorise the Principal Secretary to deduct (from myPay Bills and T.A. Bills), all outstanding amounts which I am legally bound to pay under or in accordance with the aforesaid Rules.

Date..... Signature in full.....

1Form K and L substituted vide notification no. 1166/VII-S-1-2006-77-S-s005 dated 21 June, 2006

FORM L

APPLICATION FOR REIMBURSEMENT OF TELEPHONE CHARGES

[SeeRules 42(3) and (5) of the U. P. State Legislature (Member's Emoluments and Pension) Rules 1981]

I. Name of the member ..... 2. Name of the constituency ..... 3. Address at Lucknow ..... 4. Normal place of residence outside Lucknow ..... 5. Whether any application in Form K has been submitted ? If so, when ? ..... 6. Whether any new telephone connection is desired ?..... 7. If the answer to Column no. 6 is in the affirmative, then give the particulars of the place and premises where the telephone connection is sought to the installed .....

8. Nature of occupation of the premises, (whether owned, tenanted, allotted or otherwise in exclusive possession) .....,,,

FORM M

Application for
Pension
PART I

[Seesection 24 of the Uttar Pradesh State Legislature (Member's Emoluments and Pension), Act, 1980]

(To be submitted in duplicate by Ex-member of the State Legislature)

From

Sri/Srimati/Kumari .....

(Ex-member of Uttar Pradesh Legislative Assembly/Uttar Pradesh Legislative Council/United Provinces Legislative Assembly/United Provinces Legislative Council)
(here mention House in which last served).....

To,

The Principal Secretary,
Uttar Pradesh Legislative Assembly/Uttar Pradesh Legislative
Council, Council House,
Lucknow.

Subject : **Sanction of Pension under the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Act, 1980.**

Sir,

In terms of section 24 of the above-mentioned Act, I am entitled to pension in respect of the following periods served by me as a:—

(1) Member of United Provinces Legislative Assembly 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 upto January 26, 1950 and thereafter provisional Uttar Pradesh Legislative Assembly (before the first General Election held in 1952) from ..... to ..... .

(2) Member of United Provinces Legislative Council 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 upto to January 26, 1950 and thereafter provisional Uttar Pradesh Legislative Council (before the First General Election held in 1952) from ..... to .....

(3) Member of Uttar Pradesh State Legislative Assembly after First General Election held in 1952 from ..... to ..... .

(4) Member of Uttar Pradesh Legislative Council after first General Election held in 1952 from..... to ..... .

Aggregate of periods above .....years..... months and ,,,,,,,,,,,,,,,days.

2. It is requested that steps may kindly be taken to sanction pension to me. I desire to draw my pension from Government treasury at ..... .

3. I enclose herewith the following documents duly attested by a First Class Magistrate/ Class I Officer belonging to Central Government or a State Government/ a sitting Member of State Legislature:

(i) Three specimens of my Signatures
(ii) Three copies of latest photograph in passport size

4. (i) My present address is .....

(ii) My permanent address is .....

5. (i) My date of Birth by Christian era……..

(ii) Height
(iii) Identification marks
(iv) Thumb and finger impression.

Thumb Fore-finger Middle Finger Ring Finger Little Finger

6. In the contingency of my death occurring before sanction of pension as well as for payment of arrears of pension due on my death I nominate Sri/Srimati ..... who will receive the pension for the period I remain alive.

7. I hereby declare that:-

(i) I am not holding the elected office of the President or the Vice-President or the office of the Governor of any State or the Administrator of any Union Territory ;

(ii) I am not a member of any House of Parliament or Uttar Pradesh Legislative Council or Uttar Pradesh Legislative Assembly ;

(iii) I am not employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority or I am not otherwise entitled to any remuneration from such	Or	I am holding the office of .....or member of ..... or employed as ..... or in ..... and the total remuneration received by me is Rs. .....(A certificate from the
(iv) I never was a Member of the Constituent Assembly, provisional Parliament or Lok Sabha/Rajya Sabha ;	Or	I was Member of Constituent Assembly, provisional Parliament or Lok Sabha/ Rajya Sabha from ..... to
(v) I am not in receipt of any pension nor have applied therfor, nor am I entitled to any pension under the Salary, Allowances and Pension of Members of Parliament Act, 1954;	Or	I am in receipt of a pension Rs. ..... or have applied for pension Rs. ..... under the Salary, Allowances and Pension of Members
(vi) I am not in receipt of any Military/Civil Pension;	Or	Rs. ..... as Military/Civil Pension is being drawn from ..... (A certificate from the competent authority to be attached);
(vii) I am not in receipt of any pension as freedom fighter from Central/State Government.	Or	Or pension of Rs. ..... as freedom fighter from Central/State Government is being drawn by me.

Name
.....
Station
.....
Date
.....

Yours faithfully,
( )

Part II

CERTIFIED that Sri/Srimati/Kumari ..... remained a member of the .....Assembly/Council from ..... to .....

Principal Secretary,
Legislative
Assembly/Council

Part III

Accounts/Parliamentary Section, Uttar Pradesh Legislative Assembly _____

Accounts/Parliamentary Section, Uttar Pradesh Legislative Council

A pension of Rs..... (Rupees .....) only per mensem is sanctioned to Sri/Srimati/Kumari ..... with effect from .....

Signature
Sanctioning Authority,
Designation.....
..

FORM N

Application for

Pension

PART I

[Seesection 24 of the Uttar Pradesh State Legislature (Member's Emoluments and Pension), Act, 1980 and rule 43(3) of the Uttar Pradesh State Legislature (Member's Emoluments and Pension), Rules, 1981]. *(To be submitted in duplicate by the person managing the estate of a lunatic Ex-member of the State Legislature or heir of an Ex-member of the State Legislature)*

From

Sri/Srimati/Kumari .....

(on behalf of Sri/Srimati/Kumari .....

Ex-member of Uttar Pradesh Legislative Assembly/Uttar Pradesh Legislative Council/United Provinces Legislative Assembly/United Provinces Legislative Council)

(Here mention House in which the member last served).....

To,

The Principal Secretary,
Uttar Pradesh Legislative Assembly/Uttar Pradesh Legislative Council,
Lucknow.

Subject : Sanction of Pension under the Uttar Pradesh State Legislature (Member's Emolument's and Pension) Act, 1980.

Sir,

In terms of section 25 of the above-mentioned Act, Sri/Srimati/Kumari .....

is/was entitled to pension in respect of the following periods served by him/her as a:—

(1) Member of United Provinces Legislative Assembly 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 upto January 26, 1950 and thereafter provisional Uttar Pradesh Legislative Assembly (before the first General Election held in 1952) from ..... to ..... .

(2) Member of United Provinces Legislative Council from January 1, 1946 to January 26, 1950 and thereafter provisional Uttar Pradesh Legislative Council (before the first General Election held in 1952) from ..... to .....

(3) Member of Uttar Pradesh State Legislative Assembly after first General Election held in 1952 from ..... to .....

(4) Member of Uttar Pradesh Legislative Council after first General Election held in 1952 from..... to.....

Aggregate of periods above .....years..... months and days.

2. It is requested that steps may kindly be taken to sanction the pension. I desire to draw his/her pension from Government treasury at .....

3. I enclose herewith the following documents duly attested by a 1st Class Magistrate/ Class I Officer belonging to Central Government or a State Government/ a sitting Member of State Legislature :

(i) Three specimens of my Signatures

(ii) Three copies of my latest photograph in passport or t size

(iii) Certified. Copy of an order appointing Me to manage the estate of Sri/Srimati/ Kumari .....

or
Succession
Certificate.

4. (i) My present address is .....
(ii) My permanent address is .....

5. (i) My date of Birth by Christian era

(ii) Height
(iii) Identification marks
(iv) Thumb and finger impression.

Thumb Fore-finger Middle Finger Ring Finger Little Finger

6. Date of birth of ex-member by Christian era……..

In the contingency of my death occurring before sanction of pension as well as for payment of arrears of pension due on my death I nominate 7. I hereby declare that:- Sri/Srimati .....who will receive the pension for the period I remain above.

(i) is not holding/was not holding in the period for which pension is being claimed the elected office of the President or the Vice-President or the office of the Governor of any State or the Administrator of any Union Territory ;

(ii) I am not a member of any House of Parliament or Uttar Pradesh Legislative Council or Uttar Pradesh Legislative Assembly;

(iii) I am not employed on a salary under the Central Government or any State Government or any Corporation owned or controlled by the Central Government or any State Government or any local authority or I am not otherwise entitled to any remuneration from such		Or I am holding the office of .....or member of ..... or employed as ..... or in ..... and the total remuneration received by me is Rs. .....(A certificate from the
(iv) I never was a Member of the Constituent Assembly, provisional Parliament or Lok Sabha/Rajya Sabha ;		I was Member of Constituent Assembly, provisional Parliament or Lok Sabha/ Rajya Sabha from ..... to
(v) I am not in receipt of any pension nor have applied therfor, nor am I entitled to any pension under the Salary, Allowances and Pension of Members of Parliament Act, 1954;		I am in receipt of a pension Rs. ..... or have applied for pension Rs. ..... under the Salary, Allowances and Pension of Members of
(vi) I am not in receipt of any Military/Civil Pension;		Rs..... as Military/Civil Pension is being drawn from ..... (A certificate from the competent
(vii) I am not in receipt of any pension as freedom fighter from Central/State Government.		Or pension of Rs. ..... as freedom fighter from Central/State Government is being drawn by me.

Name.....

Station.....

Date.....

Yours faithfully,

( )

Part II

CERTIFIED that Sri/Srimati/Kumari ..... remained a member of the .....Assembly/Council from ..... to .....

Principal Secretary,
Legislative
Assembly/Council

Part III

Accounts/Parliamentary Section, Uttar Pradesh Legislative Assembly _____

Accounts/Parliamentary Section, Uttar Pradesh Legislative Concil

A pension of Rs..... (Rupees .....) only per mensem is sanctioned to Sri/Srimati/Kumari ..... with effect from.....

Signature
Sanctioning
Authority,
Designation.....

Form O

[*See* rule 45(2) of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1981]

CERTFICATE

I HEREBY certify that there is no change in the facts stated or certified by me in the application on the

basis of which I have been sanctioned the pension under the Uttar Pradesh State Legislature (Members' Emoluments and Pension), Act, 1980.

Signature of Pensioner or the person managing
the estate of the member.
(with date)

NOTE—In case there is any change in the facts stated or certified in the application for pension the fact shall forthwith be reported to the Principal Secretary, Legislative Assembly/Council.

"FORM P"

[See RULE 51 (b)]

Form of Bond of indemnity for drawing arrears of pay and allowances or any other claim due to a decreased member of Legislative Assembly/Council, Uttar Pradesh or pensions of a decreased ex-member of Uttar Pradesh State Legislature.

KNOW ALL MEN THESE PRESENTS that I ----------
(a).....widow/husband/son/daughter of Sri/Srimati----------
(b)……residing at……(c) .....(hereinafter called "the Obligor") which expression shall unless excluded by or repugnant to the context include his/their heirs executors administrators and legal representative) bind ourselves jointly and severally to pay to the Governor of Uttar Pradesh (hereinafter called 'the Government which expression shall unless excluded by or repugnant to the context include his successors in a office and assigns) on demand and without a demand a sum of Rs……(f)(Rupees……) for which payment well and truly to be made we made we bind ourselves firmly by these presents.

Dated this---------- day of ----------19---------- corresponding to *Saka Samvat.* The **----------**day of---------- 19

WHEREAS THE aforesaid Sri/Srimati---------- (b)……was at the time of his/her death, a member of the Uttar Pradesh Legislative Assembly/Council/receiving/entitled to receive a pension of Rs……as an ex-member of Uttar Pradesh Legislature;

AND, WHEREAS, the said Sri/Srimati……(b)……died on the……day of……19……and there was due to him/her claim regarding……19 (to be specified) as a member of Legislative Assembly/Council, Uttar Pradesh /in respect of him/her said pension as said pension as ex-member of Uttar Pradesh State Legislature;

AND, WHEREAS, the above Bounder

Obligor……..(a)…….. claims to be entitled to the said sum as heir of her/his husband/wife/father, the said Sri/Srimati……..(b) …….. but has not obtained letters of administration of or a succession certificate to the properly and effects Sri/Srimati…….. (b)……..

AND, WHEREAS**,** the government desire to pay the said sum the obligor but under rules and of the

Government of Uttar Pradesh it is necessary that she/he should first execute a bond with one surety/two sureties

to indemnify the Government against all claims to the amount so due to the said

Sri/Srimati……..(b)…….before the said sum can be paid to the obligor.

NOW THE CONDITION of this bond is such that if after has been made to the Obligor the Obligor or

the one surety/two sureties shall in the event of claim being made by any other person against the Government

with respect to the aforesaid sum of Rs……(f)……(Rupees……) refund to the Government, the sum of Rs……..(f)……(Rupees……..) and shall otherwise indemnify and save the Government harmless from all liability in respect of aforesaid sum and all costs incurred

in consequence of any claim thereto . THEN the above written bond or Obligation shall be void but otherwise

the said bond shall remain the full force, effect and virtue. AND it is hereby agreed and declared that without

prejudice to any other remedy the government may on a certificate of the Principal Secretary, Legislative

Assembly/Council, Uttar Pradesh which shall be final, conclusive and binding on the claimant and / or the surety or sureties, recover all dues hereunder as arrears of land revenue.

In WITNESS WHEREOF the parties here to have hereunto said there respective hands the day and the year first above written.

*……..

Signed by above named Obligor in the presence of……..

(1) **……..……(Ist Surety)

Signed by the above named Surety- Sureties in the presence of……..

(Address) Witness: (1) ……..…….. (Address)

(2) .....……..…….

(2 ***…….. (IInd Surety) (Address)

(Address)

Accepted for and on behalf of the Governor of Uttar Pradesh by*…….. the presence of……..

Notes-

(a) Full name of the claimant.

(b) Full name of the decreased member of Legislative Assembly/Council, Uttar Pradesh or pensioner as ex-member of Uttar Pradesh State Legislature;

(c) Full address of place of residence of the claimant.

(d) First Surety.

(e) Second Surety.

(f) Amount of the claim.

* Signature of the Obligor

** Signature of the First Surety

*** Signature of the Second Surety

*Name and designation of the officer authorized in pursuance of article 299 of the Constitution to accept the bond for and on behalf of the Governor.

+ Name and designation of witness.

NOTE-- The Obligor or as well as sureties should have attained majority so that the bond may have legal effect or force.

Proper stamp duty should be paid on this bond.

[1][FORM-Q

Application for Family Pension

[See Rule 26-A (1) of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1981]

(To submittedin duplicate by spouse of sitting member)

From,

Sri/Smt ……

……..

……..

To,

The Principal Secretary,
Uttar Pradesh Legislative Assembly/ Legislative Council, Council House,
Lucknow.

Subject - Sanction of Family Pension under the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1980.

Sir,

I have to inform you that my wife /husband Smt/Sri…….. has expired on dated……He/She remained member of the Uttar Pradesh Legislative Assembly/ Legislative Council from …….. to ……and (an attested photo copy of death certificate issued by an appropriate Authority should be enclosed)

2. It is requested that steps may kindly taken to sanction family pension to under section26-A (1) of the Act. I desire to draw my pension from Government.

3. I enclose herewith the following documents duly attested by a first class Magistrate/Gazetted Officer belonging to Central Government or a State Government a sitting member of State Legislature:-

(i) Three specimen signatures
(ii) Three copies of latest photograph in passport size 4.
(i) My present address is…….. (ii) My permanent address is……..

5. My date of Birth By Christian era
(ii) Height
(iii) Identification mark
(iv)Thumb –Fore finger Ring finger Little finger

6. In the contingency of my death occurring before sanction of family pension as well as well as for payment of arrears of pension due on my death I nominateSri/Smt……. (relation) who will receive the pension for the period I remail alive.

7. I hereby declare that
(i) at present I am not a member of Uttar Pradesh Legislative Assembly/ Legislative Council.

1Form Q and R inserted vide Notification no. 1457/XC-S-1-2010-77S-2005 dated 30 December, 2010 43

(ii) I have neither been a member of Uttar Pradesh Legislative Assembly/ Legislative Council nor I am nor I am getting any pension as an ex-member

Yours faithfully,
( )

Name……..
Station……
Date……

FORM-II

Certified that Sri/Smt…….. remained a member of Uttar Pradesh Legislative Assembly/ Legislative Council.

Principal Secretary

Legislative Assembly/ Council.

FORM-III

Account Section, Uttar Pradesh Legislative Assembly

Account Section, Uttar Pradesh Legislative Council

A family Pension of Rs……(Rupees……..) only per mensem is sanctioned to Sri/Smt……..with effect from ……..

Signature

Sanctioning Authority

Designation

FORM-R

Application for Family Pension

Part I

[See Rule 26-A (2) of the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1981]

(To submittedin duplicate by spouse of sitting member)

From,

Sri/Smt ……

……..

……..

To,

The Principal Secretary,
Uttar Pradesh Legislative Assembly/ Legislative Council, Council House,
Lucknow.

Subject - Sanction of Family Pension under the Uttar Pradesh State Legislature (Members' Emoluments and Pension) Rules, 1980.

Sir,

I have to inform you that my wife /husband Smt/Sri…….. has expired on dated **……** He/She remained member of the Uttar Pradesh Legislative Assembly/ Legislative Council from…….. Constituency Distt……..from……..to……..and from……..total…….years and at the time of death she/he was getting of pension of Rs……..(Rupees……)only per mensem under Pension Payment Order no……..dated……..from Distt Treasury……..(attested photo copies of Death Certificate issued by an appropriate Authority and Pension Payment Order should be enclosed)

2. It is requested that steps may kindly taken to sanction family pension to under section26-A (1) of the Act. I desire to draw my pension from Government.

3. I enclose herewith the following documents duly attested by a first class Magistrate/Gazetted Officer belonging to Central Government or a State Government a sitting member of State Legislature:-

(i) Three specimen signatures
(ii) Three copies of latest photograph in passport size 4.
(i) My present address is……..
(ii) My permanent address is……..
5. My date of Birth By Christian era
(ii) Height
(iii) Identification mark
(iv)Thumb –Fore finger Ring finger Little finger

6. In the contingency of my death occurring before sanction of family pension as well as well as for payment of arrears of pension due on my death I nominateSri/Smt…… (relation) who will receive the pension for the period I remail alive.

7. I hereby declare that

(i) at present I am not a member of Uttar Pradesh Legislative Assembly/ Legislative Council.

(ii) I have neither been a member of Uttar Pradesh Legislative Assembly/ Legislative Council nor I am nor I am getting any pension as an ex-member

Yours faithfully, ( )

Name……..
Station……
Date……

FORM-II

Certified that Sri/Smt…….. remained a member of Uttar Pradesh Legislative Assembly/ Legislative Council.

Principal Secretary
Legislative Assembly/
Council.

FORM-III

Account Section, Uttar Pradesh Legislative Assembly

Account Section, Uttar Pradesh Legislative Council

A family Pension of Rs……(Rupees……..) only per mensem is sanctioned to Sri/Smt……..with effect from ……..

Signature

Sanctioning Authority

Designation]