

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE AND PARLTAMENTARY AFFAIRS DEPARTMENT,
MUZAFFARABAD**

DATED: 7-10-2003

No. LD/629-36/03. The following Act of the Assembly received the assent of the President on 30th day of September, 2003 is hereby published for general information:-

(ACT XIV OF 2003)¹

**AN
ACT**

to establish a Welfare Fund for providing regular monthly grant to members of A.I&K Legislative Assembly

WHEREAS it is expedient to establish a Welfare Fund for providing regular monthly grant to such member of AJ&K Legislative Assembly who is or has been elected member of the Assembly and has paid monthly contribution during his term towards the welfare fund and for matters connected therewith or incidental thereto;

it is hereby enacted as follows: -

1. **Short title and commencement**:- (1) This Act may be called the AJ&K Legislative Assembly Members ²[“Pension”] Fund Act, 2003.
(2) It shall apply to all members of the Assembly.
(3) It shall come into force at once.
2. **Definitions**.- In this Act, unless the contents otherwise require the following expression shall have the meaning hereby respectively assigned to them;
 - a) “Assembly” Means the AJ&K Legislative Assembly,
³[xxx]
 - c) “Family” means the wife, dependent parents, sons and unmarried daughters or the person duly nominated by a member;

1 This Act repealed and merged into Act III of 2008 dt. 27.06.2008
2 In subsection (1) of Sec. 1, the word “Welfare” shall be omitted and before the word “Fund” the word “Pension” ins. by the AJ&K Legislative Assembly Members Pension Fund (Amdt.) Act, 2006 (Act IV of 2006) dt. 31.01.2006.
3 Omitted by Ibid. The original context of cl. b) of Sec. 2 is reproduced as under:-
“b) “Board” means the Welfare Board constituted under Section 4”

- d) “Member” means a person who is or has been a member of Legislative Assembly and has regularly contributed towards the welfare fund during his term as a member of Assembly;
- e) “Speaker” means the Speaker of the Legislative Assembly;
- f) “Prescribed” means prescribed by rules made under this Act;

¹[“g) “Fund” means the Fund established under Section 3;]

²[“(3) **Fund.**- (1) There shall be established a fund to be called the AJ&K Legislative assembly Members Welfare Fund which shall be raised from the contribution made by the all members of Azad Jammu & Kashmir legislative Assembly as prescribed under Section 5, and rule made there under.

(2) The money credited into the Fund shall become part of the Azad Jammu & Kashmir consolidated fund which shall be maintained by the Accountant General.

(3) The Accountant General shall pay the pension to former members of Legislative Assembly contributing in accordance with the procedure laid down under Section 5, and rules made there under.”]

³[xxx]

1 Subs. by the AJ&K Legislative Assembly Members Pension Fund (Amdt.) Act, 2006 (Act IV of 2006) dt. 31.01.2006. The original context of cl. g) of Sec. 2 is reproduced as under:-

“g) “Welfare fund” means the welfare Fund established under Section 3;”

2 Subs. by Ibid. The original extract of Sec. 3 is reproduced as under:-

“3. Welfare Fund.- (1) There shall be established a fund to be called the AJ&K Legislative assembly Members Welfare Fund which shall consist of,-

- a) all contributions received under Section 5 from members of the Assembly;
- b) all contributions, donations and grant in aid received from the Government; and
- c) any interest or profit accruing on such contributions.

(2) The money credited into the Welfare Fund shall be kept in such bank or banks as the board may prescribed.

3 Omitted by Ibid. The original context of Sec. 4 is reproduced as under:-

“4. **Welfare Board.**- (1) There shall be set up a board to be known as the Welfare Board consisting of the following, namely:-

- a) Speaker; Chairman
- b) Minister Finance; Member

5. **Contribution.-** Every member shall pay to the ¹[xxx] Fund as his contribution such sum of money as may be prescribed, and amount of such contribution, as far as possible, be deducted at the source from his pay and credited or remitted to the ²[xxx] Fund.
6. **Utilization of ³[xxx] Fund.-** The ⁴[xxx] Fund shall be utilized for the following purposes,-
- a) to pay a prescribed monthly ⁵[pension] to former members of the Assembly who have contributed during their term as members of Assembly but any sitting member of the Assembly shall not be entitled to this ⁶[pension]; and
 - b) to provide prescribed monthly ⁷[pension] to the family of a deceased member.
- ¹["7. **Rules.-**The Government may make rules for carrying out the purposes of this Act."]

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- c) One Member from the treasury benches, Member nominated by the Parliamentary leader;
 - d) One member from opposite benches, Member nominated by Opposition Leader;
 - e) Secretary Finance; Member
 - f) Secretary Assembly; Member / Secretary
- (2) The Board shall,-
- a) Scrutinize income of the Welfare Fund;
 - b) sanction expenditure;
 - c) invest available funds;
 - d) prescribe and sanction monthly grant of members of the Assembly;
 - e) prescribe and sanction grant to the family of a deceased member; and
 - f) prescribe monthly contribution to be received from the members.

(3) The Board may do or cause to be done all the things ancillary or incidental to any of the powers under subSection (2) or to the purposes of the Welfare Fund."

- 1 The word "Welfare" omitted by Ibid.
- 2 The word "Welfare" omitted by Ibid.
- 3 The word "Welfare" omitted by Ibid.
- 4 The word "Welfare" omitted by Ibid.
- 5 The word "grant" has been subs. by the word "pension" by Ibid
- 6 The word "grant" has been subs. by the word "pension" by Ibid.
- 7 The word "grant" has been subs. by the word "pension" by Ibid.

- ²[“8. **Savings:-** Notwithstanding anything contained in this Act, anything done. All actions taken, notifications issued, order made, proceedings initiated, powers exercised under the provisions of Act XIV of 2003 shall be deemed to have been validity done, issued, initiated or exercised under this Act.”]

Sd/-(IRSHAD AHMED QURESHI)
DEPUTY SECRETARY

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- 1 Subs. by the AJ&K Legislative Assembly Members Pension Fund (Amdt.) Act, 2006 (Act IV of 2006) dt. 31.01.2006. The original extract of Sec. 7 is reproduced as under:-
“7. **Rules.-**The Welfare Board may, with prior approval of the Government, make rules for carrying out the purposes of this Act.”
- 2 Added by Ibid.