

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

Dated: 27.06.2008

No./LD/Legis./ 467-481 /2008. The following Act of Assembly received the assent of the President on 18th day of June, 2008, is hereby published for general information.

(ACT III OF 2008)¹

**AN
ACT**

to establish a Pension Fund for Providing Regular monthly grant to members of Azad Jammu & Kashmir Legislative Assembly

WHEREAS it is expedient to establish a Pension Fund for providing regular monthly grant to such member of Azad Jammu & Kashmir Assembly who is or had been elected member of the Assembly and had paid monthly contribution during his term towards the Pension Fund and for matters connected therewith or incidental thereto;

It is hereby enacted as follows:-

1. **Short title, application and commencement.**- (1) This Act, may be called the Azad Jammu and Kashmir Legislative Assembly Members Pension Fund Act, 2008.
 - (2) It shall apply to all member of the Assembly.
 - (3) It shall take effect from and on the date of 1st January, 2003.
2. **Definitions.**-In this Act, unless the context otherwise requires, the following expressions shall have the meanings as hereby respectively assigned to them:-
 - (a) “Assembly” means legislative Assembly of Azad Jammu and Kashmir;
 - (b) “Family” means the spouse, minor son, unmarried daughter and dependent parents of the member;
 - (c) “Fund” means the Fun established under Section 3 of this Act;
 - (d) “Member” means a member of the Assembly, who during the term of his office, is or has been making contribution towards the fund in the prescribed manner;

¹ Act III of 2008 repealed and merged in Act Vi of 2014 dt. 24-03-2014.

(e) “Prescribed” means prescribed by rules made under this Act; and

(f) “Speaker” means the Speaker of the Assembly;

3. **Fund.-** (1) There shall be established a fund to be called the AJ&K Legislative Assembly Members Pension Fund which shall be raised from the contributions made by all members of Assembly as prescribed under section 4, and the rules made under this Act;

(2) The money contributed to the Fund shall become part of the Azad Jammu & Kashmir Consolidated fund, which shall be maintained by the Accountant General of Azad Jammu and Kashmir.

(3) The Accountant General shall pay pension to ex-members of Assembly in Accordance with the procedure laid down under Section 5, and rules made under this Act;

4. **Contribution.-** Every member of the Assembly shall pay to the Fund as contribution a sum of money as may be prescribed, and amount of such contribution, as far as practicable be deducted at source from his pay and credited or remitted to the Fund.

5. **Payment of Pension to Member.-** Every member and in case of his death his family shall be entitled to receive pension in the prescribed manner and rate:

Provided that any sitting member of the Assembly shall not be entitled to receive pension during the period of his sitting membership;

Provided further that if a member of the assembly had died after commencement of this Act without having made the prescribed contribution, his family shall be entitled to receive pension at the prescribed rates subject to deposit of membership fee and other prescribed contribution for the term for which the deceased remained member of the Assembly.

6. **Rules.-** The Government may make rules for carrying out the purpose of this Act.

7. **Saving.-** Notwithstanding anything contained in this Act, anything done, all actions taken, notifications issued, orders made, proceedings initiated powers exercised under the provision of the Azad Jammu and Kashmir Assembly Members Welfare Fund Act, 2003 (Act XIV of 2003) and Azad Jammu and Kashmir Assembly Member Pension Fund (Amendment) Act, 2006 (Act IV of 2006) Rules made thereunder shall be

deemed to have been validly done, issued, initiated or exercised under this Act.

8. **Repeal.**- The Azad Jammu and Kashmir legislative Assembly Members Welfare Fund Act, 2003 (Act XIV of 2003) and Azad Jammu and Kashmir Assembly Members Pension Fund (Amendment) Act, 2006 (Act IV of 2006) are hereby repealed.

Sd/-Raja Zulqarnain Khan)

President

Azad Jammu & Kashmir

Sd/-Raja Muhammad Abbas Khan)

Draftsman Law