

No. 176/XXXVI(3)/2023/78(1)/2022

Dated Dehradun, May 08, 2023NOTIFICATIONMiscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of 'The Uttarakhand Qualifying Service for Pension and Validation Act, 2022' (Act No. 15 of 2023).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 03rd May, 2023.

The Uttarakhand Qualifying Service For Pension And Validation Act, 2022

(Uttarakhand Act No. 15 of 2023)

An

Act

to provide for qualifying service for pension and to validate certain actions taken in this behalf and for matters connected therewith or incidental thereto,

Be it enacted by the Uttarakhand Legislature in the seventy-third year of the Republic of India as follows-

Short title, extent and commencement	1.	(1) This Act may be called the Uttarakhand Qualifying Service for Pension and Validation Act, 2022.
		(2) It shall extend to the whole of the State of Uttarakhand.
		(3) It shall be deemed to have come into force on April 1, 1961.
Qualifying Service for Pension	2	Notwithstanding anything contained in any rule, regulation or Government order for the purposes of entitlement of pension to an officer, "Qualifying Service" means the services rendered by an officer appointed on a temporary or permanent post in accordance with the provisions of the service rules prescribed by the Government for the post.

- Validation 3 Notwithstanding any Judgement, decree or order of any Court, anything done or purporting to have been done action taken or purporting to have been taken under or in relation to sub-rule (8) of rule 3 of the Uttar Pradesh Retirement Benefit Rules, 1961 (As applicable in Uttarakhand) and the Uttarakhand Retirement Benefits Act, 2018 before the commencement of this Act, shall be deemed to be and always to have been done or taken under the provisions of this Act and to be and always to have been valid as if the provisions of this Act were in force at all material times with effect from April 1, 1961.
- Overriding effect. 4. Save as otherwise provided, the provisions of this Act shall have effect, notwithstanding anything inconsistent therewith contained in any other law for the time being in force or in any instrument having effect by virtue of any law for the time being in force other than this Act.

By Order,

SHAHANSHAH MUHAMMAD DILBER DANISH,
Secretary.

Statement of objects and reasons

Despite the enactment of the Uttarakhand Retirement Benefits Act, 2018, cases are being filed in honorable courts for giving retirement benefits from the date of posting as daily wage workers, ad-hoc, work-charged, contract, fixed pay and part-time workers, In such a situation, it is necessary to make a law for the purpose of bringing a transparent process in view of the limited resources of the state.

02. The proposed bill fulfills the aforesaid objectives.

(Prem Chand Agarwal)
Minister