

**THE NAGALAND LEGISLATIVE ASSEMBLY
MEMBERS' SALARIES ALLOWANCES AND
PENSION (AMENDMENT) ACT, 1982.**

(NAGALAND ACT NO. 8 OF 1982)

(Received the assent of Governor on 29th November, 1982)

An

Act

To amend the Nagaland Legislative Assembly Members' Salaries
and Allowances Act, 1964 (6 of 1964).

It is hereby enacted in the thirty third years of the Republic of
India as follows:

1. Short title and commencement.

- (1) This Act may be called the Nagaland Legislative Assembly Members' Salaries Allowances and Pension (Amendment) Act 1982.
- (2) It shall come into force with effect from the first day of April, 1982.

2. Amendment of the title preamble.

The words "Salaries and allowances" appearing in the long title, preamble and short title of the Nagaland Legislative Assembly Members' Salaries and Allowances Act 1964 shall be substituted as follows namely:-
"Salaries-Allowances and Pension"

3. Insertion of Section 3A.

Section 3A shall be inserted after section 3 of the Nagaland Legislative Assembly Members' Salaries and Allowances Act 1964.
"3A-(1) There shall be paid a pension of three hundred rupees per mensem to every person who has served for a period of not less than five years whether continuous or not as a member of the Assembly.

Pension.

Provided that where any person has served as aforesaid for a period exceeding five-year, there shall be paid to him an additional pension of thirty rupees per mensem for every year in excess of five years, so, however, that in no case the pension payable to such person shall exceed four hundred rupees mensem.

- (2) Where any person entitled to pension under sub-section (1).
 - (i) is elected to the office of the President or Vice-president or is appointed to the office of the Governor of any State or the Administrator of any Union Territory:
 - (ii) becomes a Member of the Council of State or the House of the people or any Legislative Assembly of a State or Union Territory or any Legislative Council of a State of the Metropolitan Council of Delhi constituted under section 3 of the Delhi Administration Act, 1966, or

(iii) is 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 becomes otherwise entitled to any remuneration from such Government Corporation or local authority, such person shall not be entitled to any pension under sub-section (1) for the period during which he continues, to hold such office or as such member, or is so employed, or continues to be entitled to such remuneration.

Provided that where the salary payable to such person for holding such office or being such member or so employed, or where the remuneration referred to in clause (iii) payable to such person is, in either case, less than the person payable to him under sub-section (1) such person shall be entitled only to receive the balance as pension under that sub-section.

(3) Where any person entitled to pension under sub-section (1) is also entitled to any pension from 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, under any law or otherwise, then

(a) Where the amount of pension to which he is entitled under such law or otherwise, is equal to or in excess of that to which he is entitled under sub-section (1) such person shall not be entitled to any pension under that sub-section, and

(b) Where the amount of pension to which he is entitled under such law or otherwise, is less than that to which he is entitled under sub-section (1), such person shall be entitled to pension under that sub-section only of an amount which falls short of the amount of pension to which he is otherwise entitled under that sub-section,

(4) In computing the number of years for the purposes of subsection (1), the period during which a person has served as a Minister as defined in the Nagaland Ministers' Salaries and Allowances Act 1964 (Act No. 4 of 1964) or the Speaker or the Deputy Speaker of the Assembly shall be taken into account.

(5) For the purposes of claiming any pension under this section a person shall furnish certificates in such form as may be prescribed.

