

THE UTTAR PRADESH FIGHTERS OF DEMOCRACY

HONOUR ACT, 2016¹

(U. P. ACT No. 9 OF 2016)

Amended by

U. P. Act No. 36 of 2018

U. P. Act No. 25 of 2021

[As passed by the Uttar Pradesh Legislature, assented to by the Governor on March 21, 2016 and published in the U.P. Gazette extraordinary on March 22, 2016]

AN

ACT

to provide for Honour money, free transport facility and free medical facility to fighters of democracy who actively fought to protect the democracy during emergency period (25.06.1975 to 21.03.1977) and who were detained in jail under MISA/DIR for participating in such activities and for matters connected therewith or incidental thereto.

IT IS HEREBY enacted in the Sixty-seventh Year of the Republic of India as follows :—

**Short title
and extent**

1. (1) This Act may be called the Uttar Pradesh Fighters of Democracy Honours Act, 2016.

(2) It extends to the whole of Uttar Pradesh.

Definitions

2. In this Act, unless the context otherwise requires, —

(a) “Fighters of Democracy” means such permanent residents of Uttar Pradesh who actively fought to protect the democracy during emergency period i. e. from 25.06. 1975 to 21.03.1977 and who were detained at any time during this period, on political grounds in jail under MISA/DIR for participating in such activities ;

(b) “Free medical facility” means free medical facility, which includes all kinds of free tests, free treatment and free distribution of necessary medicines including purchase of medicines as per requirement, to be provided in Government hospitals of the State, to fighters of democracy ;

(c) “Free transport facility” means free travel facility in the buses of the Uttar Pradesh State Roadways Transport Corporation to fighters of democracy ;

(d) “Honour money” means such Honour money to be given to the fighters of democracy as may be determined by the State Government from time to time.

**This Act shall
not apply to
certain
persons**

3. The provisions of this Act shall not apply to : —

(1) persons detained in jail other than political grounds ;

(2) persons who have submitted false details or information or certificate in his/her favour or in the favour of any other person for making him/her eligible to avail the Honour money and other facilities;

1. For SOR see at the end of this Act.

**Power to
sanction
Honour
money**

4. (1) Any Honour money under this Act shall be sanctioned by the District Magistrate of the concerned district in the pro-forma given in Appendix 'A'.

(2) The District Magistrate shall pay the Honour money directly after necessary verification of the documents submitted by the applicant.

(3) (i) A fighter of democracy must be a resident of Uttar Pradesh and was detained under MISA/DIR in any jail of the country. He shall have to annex the certificate as such, which shall be verified by the District Magistrate concerned at his level ;

(ii) Which considering the case of such fighters of democracy whose documents are not available in the jail or destroyed, the District Magistrate concerned shall, after necessary verification, satisfy himself with other available documents that F.I.R. was lodged in relevant sections under MISA/DIR against the applicant while opposing the emergency imposed during period from 25.06.1975 to 21.03.1977 and his arrest/detention is confirmed ;

(iii) Such fighters of democracy, against whom other criminal sections were also imposed besides MISA/DIR, the District Magistrate shall satisfy himself that such other sections were imposed while fighting for the democracy during emergency and in opposition of imposition of emergency and arrest/detention was not other than political grounds ;

(iv) In such cases where any applicant is applying for availing Honour money and other facilities from more than one district, the District Magistrate shall take an affidavit from the applicant that he has applied from only one district and the District Magistrate shall confirm it from the other District Magistrate ;

(v) Such persons, who have already been declared fighters of democracy in the year 2006-2007 and such persons, who have been declared fighters of democracy after issuance of Uttar Pradesh Loktantra Senaniyon ko diye jane wali Samman Rashi Niyamawali, 2012, dated 14.09.2012 and before 30.12.2013 i.e. date of commencement of amended Rules, shall be sanctioned Honour money with effect from 01.04.2012 and such persons, who have been declared fighters of freedom after commencement of the above mentioned amended Rules, shall be sanctioned Honour money deeming them fighters of democracy from the date of sanction of their application from.

(4) If any fighter of democracy died after 01.04.2012 and during the period of enforcement of this scheme then in such case his successor shall be given honour money only for such period during which fighter of democracy was alive after 01.04.2012.

(5) The fighter of democracy shall be given facility of free travel along with one attendant in the buses of Uttar Pradesh State Road Transport Corporation. The expenditure incurred on it shall be reimbursed to the Uttar Pradesh State Road Transport Corporation by the department of Political Pension of the State Government.

(6) The Medical department of the State Government shall provide free medical facility to Fighters of democracy in State Government Hospitals, which includes all kinds of free tests, free treatment and free distribution of necessary medicines, including purchase of medicines as per requirement and the orders issued in this regard by the medical department shall be effective.

(7) The person receiving the Honour money shall have to open a single operated savings account in such branch of any bank where he/she resides and shall have to intimate it to the District Magistrate.

(8) The District Magistrate concerned shall send the grant bill for withdrawal of Honour money, in the concerned Treasury. The name of the person receiving the Honour money, savings bank account number, name of bank and details of bank-wise amount shall be attached along with the bill. Thereafter according to these details, the concerned treasury shall directly deposit the Honour money in the bank accounts of the persons getting the Honour money. No advance payment shall be given in any case.

(9) All the documents related with the Honour money and other facilities shall be maintained safely and shall get audited according to relevant rules.

**Cancellation
of Honour
money**

5. The honour money sanctioned to a person under this Act may be cancelled on the following grounds or any other ground at any time without giving any reasons or notice :—

- (i) participation in any crime of moral turpitude and in anti-national activity;
- (ii) punishment in any crime other than political punishment;
- (iii) received the Honour money despite any ineligibility under sub-sections (1) and (2) of section 3 ;
- (iv) submission of false information and false affidavit.

**In case of
death of
fighters of
democracy**

6. (1) In the event of the death of a fighter of democracy, the wife or husband of the fighter of democracy, as the case may be, shall get the Honour money and the facilities.

¹[Provided that those Fighters of Democracy who were declared as such and getting honour money and died before the commencement of this Act i.e. March 22, 2016, the successor wife or husband thereof, as the case may be, shall be given honour money and facilities under this sub-section with effect from the sanction of their application made for this purpose as sanctioned to the successor wife or husband as the case may be, of the deceased Fighter of Democracy under this Act.]

²[Provided further that the successor wife or husband of such fighters of democracy, as the case may be, shall be entitled to get the honour money and other facilities under this sub-section from the next day after the death of such fighter of democracy, but such application shall be required to be made within three months of the death of such fighter of democracy;

1. Ins. by sec. 2 of U. P. Act. No. 36 of 2018.

2. Ins. by sec. 2 of U.P. Act No. 25 of 2021.

Provided also that if the aforesaid application for the honour money and other facilities is given by the successor wife of husband of the deceased fighter of democracy as the case may be, three months after the death of the democracy fighter, then in such a situation, the honour money and other facilities shall be provided from the date of receipt of the said application.]

(2) In the event of the death of the any fighter of democracy, his last rites will be performed with State Honours.

**Manner of
Supplying for
Honour
money**

7. (1) The application form for the sanction of Honour money under this Act shall be submitted in pro-forma given in Appendix-A to the District Magistrate.

(2) The applicant shall submit a certificate in support of his detention in jail given by the Jail Superintendent or the District Magistrate concerned along with the application form.

(3) The State Government may make enquiry regarding any application if necessary.

**Recovery of
Honour
money**

8. (1) In case of cancellation of Honour money of any applicant under section 5, it shall be recovered from him/her as arrears of land revenue.

(2) The District Magistrate of the concerned district shall be responsible for any irregularity in sanctioning of the Honour money.

**Power to
make rules**

9. The State Government may, by notification in the *Gazette*, make rules for carrying out the purposes of this Act.

**Power to
remove
difficulties**

10. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, for removing such difficulty, by order published in the *Gazette* direct that the provision of this Act shall, during such period as may be specified in the order, have effect subject to such adaptations, whether by way of modification, addition or omission, as it may deem to be necessary and expedient.

(2) No order under sub-section (1) shall be made after the expiration of a period of two years from the date of commencement of this Act.

**Rescission
and
validation**

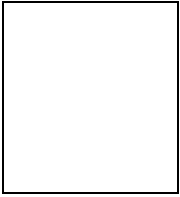
11. (1) The Uttar Pradesh Loktantra Senaniyo ko Diye Jane Wali Samman Rashi Sambandhi Niyamavali, 2012 issued in Government notification no. 800(1)Z/6-SA-1-2012-55G/90, dated September 14, 2012, as amended on 30th December, 2013 is hereby rescinded.

(2) Notwithstanding such rescission, anything done under the Niyamavali referred to in sub-section (1) shall be deemed to have been done or taken under this Act, as if this Act were in force at all material times.

APPENDIX “A”

[See section- 4 (1)]

Form of application for receiving Honour money by political prisoners of the State detained in the jail during period of emergency (commencing on 25.06.1975 and ending with 21.03.1977) in the country

1. Name of applicant 
2. Father's name
3. Full address Permanent
.....
.....
Local
.....
.....
4. Whether applicant is a domicile of Uttar Pradesh
5. Period of detention in jail (date of detention and date of release)
6. Place of detention in jail and name of the district where it situated
7. Details of activities which he/she was detained (this certificate shall be in addition to jail certificate and is essential to be attached)
8. Sections under which he/she detained in jail
9. Certified copies of the document of the detention
10. Evidences of details given in item no 7 above

(This certificate shall be given by two former or present MLAs/MPs/Fighters of democracy who have been sanctioned the Honour money and who have been co-prisoners with the applicant, which mentions the period during which detention has been suffered on political grounds during the emergency.)

I hereby certify that the details given in item no. 7 above are true to my personal knowledge and information.

Signature of certifying person
Designation and full address

1.

2.

[The Uttar Pradesh Fighters of Democracy Honour Act, 2016]

Affidavit by the applicant

I, hereby, pledge that above details are true. If the Government finds anything false, it shall have right to cancel my Honour money and shall be recovered from me as arrears of land revenue.

Dated.....

Signature of applicant

Certificate

No.....

Dated.....

It is hereby certified that the details given above have been examined by me and found true.

NOTE. (1)

(2)

District Magistrate

Seal

STATEMENT OF OBJECTS AND REASONS

Several people had fought for protecting democracy during emergency period (from June 25, 1975 to March 21, 1977) due to which democracy could be revived. For the first time in the year 2006 rules have been framed for those political pensioners/fighters of democracy of Uttar Pradesh to provide them Honour money per month, free travel facility in the buses of State Roadways Transport Corporation and free medical facility in the Government Hospitals who actively fought for the protection of democracy during emergency and detained in prison under MISA/DIR. Such rules were in force till March 31, 2007. The State Government is of the opinion that the said facilities shall be given to the said persons. It has, therefore, been decided to make a law to provide for giving Honour money, free transport facilities and free medical facilities to the persons of Uttar Pradesh who actively fought to protect the democracy during emergency period (June 25, 1975 to March 21, 1977) and were detained in Jail under MISA/DIR for participating in such activities.

The Uttar Pradesh Fighters of Democracy Honour Bill, 2016 is introduced accordingly.

