

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 Uttar Pradesh Pension ki Hakdaari Tatha Vidhimanyakaran Adhiniyam, 2025 (Uttar Pradesh Adhiniyam Sankhya 5 of 2026) as passed by the Uttar Pradesh Legislature and assented to by the Governor on January 1, 2026. The Vitt Samanya Anubhag-3 is administratively concerned with the said Adhiniyam.

THE UTTAR PRADESH ENTITLEMENT TO PENSION AND VALIDATION

ACT, 2025

(U.P. ACT no. 5 of 2026)

[As passed by the Uttar Pradesh Legislature Assembly]

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ACT

to provide for entitlement to pension and to validate certain actions taken in this behalf and for matters connected therewith or incidental thereto.

IT IS HEREBY enacted in the Seventy-sixth Year of the Republic of India as follows:-

1. (1) This Act may be called the Uttar Pradesh Entitlement to Pension and Validation Act, 2025.	Short title, extent and commencement
(2) It shall extend to the whole of the State of Uttar Pradesh.	
(3) It shall be deemed to have come into force on April 1, 1961.	
2. For purposes of this Act, unless the context otherwise requires,—	Definitions
(a) “Government” shall mean the Government of Uttar Pradesh;	
(b) “regulations” shall mean any regulations in exercise of any power conferred by any enactment by the State of Uttar Pradesh and shall include the Civil Service Regulations as adopted for application in Uttar Pradesh and any other regulations made by the Governor of Uttar Pradesh;	
(c) “rules” shall mean any rules made in exercise of any power conferred by any enactment by the State of Uttar Pradesh and shall include the Uttar Pradesh Retirement Benefits Rules, 1961 and any other rules made by the Governor of Uttar Pradesh under the proviso to Article 309 of the Constitution;	
(d) “substantive appointee” shall mean any person who has been appointed in accordance with the procedure prescribed in the applicable rules or regulations to any temporary or permanent post duly created by the Government in a permanent establishment of the Government.	
3. Notwithstanding anything contained in any rules, regulations or Government orders, no person who,—	Entitlement to Pension
(a) is not a substantive appointee in any department or in any organization under any department of the Government; and	
(b) is or has been a subscriber to any Contributory Provident Fund or the Employees’ Provident Fund;	
shall be entitled to pension under any rules, regulations or Government orders relating to the grant of pension.	
4. Notwithstanding any judgement, decree or order of any Court, Tribunal or Authority, all actions taken, things done or Government orders issued or purporting to have been taken, done or issued, by which pension has been denied to any persons or class of persons who are not substantive appointees and who are or have been subscribers to any Contributory Provident Fund or the Employees’ Provident Fund, shall be deemed to be and always to have been validly taken, done or issued 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.	Validation

Overriding effect	5. 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.
Repeal and saving	6. (1) The Uttar Pradesh Entitlement to Pension and Validation Ordinance, 2025 is hereby repealed.
	U.P. Ordinance no. 9 of 2025
	(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

STATEMENT OF OBJECTS AND REASONS

The conditions for entitlement to pension payable are given in the Uttar Pradesh Retirement Benefits Rules, 1961 and the Uttar Pradesh Civil Service Regulations. However, these are open to subjective interpretation which leads to administrative difficulties.

It has, therefore, been decided to make a law defining the conditions of entitlement to pension and to validate such definition with effect from 1st April, 1961, which is the date of commencement of the Uttar Pradesh Retirement Benefits Rules, 1961.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Entitlement to Pension and Validation Ordinance, 2025U.P. Ordinance no. 9 of (2025) was promulgated by the Governor on 2nd September, 2025

This Bill is introduced to replace the aforesaid Ordinance.

By order,

J. P. SINGH-II,
Pramukh Sachiv.