

THE
SALARIES & ALLOWANCES
OF
OFFICERS OF PARLIAMENT ACT, 1953
AND
RULES MADE THEREUNDER

(As amended up to 30.12.2008)

MINISTRY OF PARLIAMENTARY AFFAIRS,

NEW DELHI

April, 2010

CONTENTS:

1. The Salaries & Allowances of Officers of Parliament Act, 1953
2. The Officers of Parliament (Travelling and Daily Allowances) rules, 1956
3. The Officers of Parliament (Advances for Motor-Cars) Rules, 1953
4. The Officers of Parliament (Rent for Residence Retained by Family after Death) Rules, 1974
5. The Officers of Parliament (Medical Facilities) Rules, 1993
6. The Officers of Parliament (Pension, Housing and Medical Facilities to the Spouse of the Speaker of the House of the People, Dying while Holding Such Office), Rules, 2002.

THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT ACT. 1953

(No. 20 of 1953)

(16th May, 1953)

An Act to provide for the salaries and allowances of certain officers of Parliament.

Be it enacted by Parliament as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Salaries and Allowances of Officers of Parliament Act 1953.

(2) It shall be deemed to have come into force on the first day of May, 1953.
2. **Definition** .— in this Act " Officer of Parliament " means any of the following officers, namely, the Chairman and Deputy Chairman of the Council of States and the Speaker and the Deputy Speaker of the House of the People.
- '[3. **Salaries etc., of Officers of Parliament** ,—(1) There shall be paid to the Chairman of the Council of States a salary of *one lakh twenty-five thousand rupees per mensem,

(2) Each officer of Parliament shall be entitled to receive a salary per mensem and an allowance for each day during the whole of his term as such officer at the same rates as are specified in Section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 with respect to Members of Parliament.

(3) Each officer of Parliament,** (other than the Chairman of the Council of States,) shall be entitled to receive a constituency allowance at the same rate as is specified under Section 8 of the said Act with respect to Members of Parliament,]
4. **Residence for Officers of Parliament** .— 3(1) Each officer of Parliament shall be entitled without payment of rent to the use of a furnished residence throughout his term of office and for a period of '(one month) immediately thereafter, and no charge shall fall on the officer personally in respect of the maintenance of such residence.

1Substituted by Act 75 of 1985, effective from 26-12-1985.

2Inserted by Act 17 of 1990, effective from 1-4-1988,

3Renumbered by Act 49 of 1972, effective from 1-11-1969.

* Substituted vide Act 30 of 2008, effective retrospectively from 1.1.2006

** Deleted vide Act 26 of 1998, effective retrospectively from 1.1.1996

4 .Substituted by Act 49 of 1972, effective from 1.11.1969

1[(2) In the event of the death of an officer of Parliament, his family shall be entitled to the use of the furnished residence occupied by the officer of Parliament—

(a) for a period of one month immediately after his death, without payment of rent and no charge shall fall on the family of the officer of Parliament in respect of the maintenance of such residence, and

(b) for a further period of one month, on payment of rent at such rates as may be prescribed by rules made in this behalf under Section 11 and also charges in respect of electricity and water consumed in that residence during such further period.]

Explanation .— For the purposes of this section, "residence" includes the staff quarters and other buildings appurtenant thereto and the garden thereof, and "maintenance" in relation to a residence includes the payment of local rates and taxes and the provision of electricity and water,

5.Sumptuary Allowance .— 2There shall be paid to the Speaker of the House of the People a sumptuary allowance of one thousand rupees per mensem and to the Deputy Chairman and the Deputy Speaker a sumptuary allowance of five hundred rupees per mensem-

3"Provided that on and from the 17th day of September, 2001, the sumptuary allowance shall be paid to-

- a. a. The Speaker of the House of the People at the same rate at which the sumptuary allowance is payable, under section 5 of the Salaries and Allowances of Ministers Act, 1952, to every other minister who is a member of the Cabinet;
- b. b. The Deputy Chairman and the Deputy Speaker at the same rate at which the sumptuary allowance is payable, under section 5 of the Salaries and Allowances of Ministers Act, 1952, to a Minister of State."

6.Travelling and daily allowances to Officers of Parliament.—

(1) Subject to any rules made in this behalf under Section 11, an Officer of Parliament shall be entitled to —

(a) travelling allowances for himself and the members of his family and for the transport of his and his family's effect—

(i) in respect of the journey to Delhi from his usual place of residence outside Delhi for assuming office, and

(ii) in respect of the journey from Delhi to his usual place of residence outside Delhi on relinquishing office; and

1.Inserted by Act 49 of 1972,

2Substituted by Act 75 of 1985.

3Inserted by Act 29 of 2002, effective retrospectively from 17.09.2001.

(b) travelling and daily allowances in respect of tours undertaken by him in the discharge of his official duties, whether by sea, land or air.

*[(1A) On and from the commencement of the Salaries and Allowances of Officers of Parliament and Leaders of Opposition in Parliament (Second Amendment) Act, 2002, an officer of Parliament and his family, whether travelling together or separately, shall be entitled to travelling allowance at the same rates and for the same number of return journeys as admissible to a Minister and his family under sub-section (1A) of section 6 of the Salaries and Allowances of Ministers Act, 1952.]

Explanation .— For the purposes of this sub-section, "return Journey" means a journey from one place to another place and the return journey from such other place to the first mentioned place.]

(2) Any travelling allowance under this section may be paid in cash or free official transport may be provided in lieu thereof-

7. **Medical facilities to Officers of Parliament.**—Subject to any rules made in this behalf under Section 11, an Officer of Parliament and the members of his family shall be entitled free of charge to accommodation in hospitals maintained by the Government and also to medical treatment.

**7A(1) With effect from the commencement of the Salaries and Allowances of Officer of Parliament (Second Amendment) Act, 2002, there shall be paid a family pension, to the spouse of the Speaker of the House of the people who dies while holding such office at the rate of fifty percent of the salary last drawn by him for the remainder of life of such spouse from the date of death of Speaker.:

Provided that the spouse of such Speaker shall not be entitled receive pension available to the spouse of any member of Parliament who dies during his term of office as such member for a period of five years from the date of death of the member under sub-section (IA) of section 8A of the Salary, Allowances and Pension of Members of Parliament Act, 1954.

2. 2. Without prejudice to the provisions of clause (a) of sub-section (2) of section 4 and subject to any rules made in this behalf under section 11, such spouse shall be entitled to the use of unfurnished residence without payment of licence fee for the remained of her life.

* Substituted by Act 56 of 2002. effective retrospectively from 17.09.2001.

**Inserted by G.S.R No.535(E) and 592(E) effective from 3.3.2002.

3. 3. Subject to any rules made in this behalf under section 11,-

(a) such spouse, for the remainder of her life; and

(b) the minor children of such Speaker, shall be entitled to medical attendance and treatment, free of charge."

8. **Advances to Officers of Parliament for purchase of motor-cars** .—There may be paid to any Officer of Parliament by way of a repayable advance such sum of money as may be determined by rules made in this behalf under Section] 1 for the purchase of a motor-car in order that he may be able to discharge conveniently and efficiently the duties of his office.

9. **Officers of Parliament not to draw salary or allowances as Members of Parliament**.—No Officer of Parliament in receipt of a salary or allowance under this Act shall be entitled to receive any sum out of funds provided by Parliament by way of salary or allowance in respect of his membership of either House of Parliament.

10. **Notification respecting appointment, etc., of Officers of Parliament to be conclusive evidence thereof**.— The date on which any person became or ceased to be an Officer of Parliament shall be published in the Official Gazette and any such notification shall be conclusive evidence of the fact that ~ he became, or ceased to be, an Officer of Parliament on that date for all the purposes of this act.

*10A. Notwithstanding anything contained in the Income-tax Act, 1961,—

(a) in computing the total income of a previous year of the chairman of the council of states, any income by way of an allowance referred to in sub-section (1) of section 3 shall not be included;

(b) the value of rent free furnished residence (including maintenance thereof) provided to an officer of Parliament under sub-section (1) of section 4 shall not be included in the computation of his income chargeable under the head "Salaries" under section 15 of the income-tax Act, 1961.

11. **Power to make rules** .— (1) The Central Government may, in consultation with the chairman and the speaker, make rules for carrying out the purposes of this Act.

(2) All rules made under this Act shall be laid before both Houses of Parliament as soon as may be after they are made.

* inserted by Act 75 of 1985 and substituted by Act 17 of 1990.

OFFICERS OF PARLIAMENT (TRAVELLING AND DAILY ALLOWANCES) RULES, 1956

1. **Short title** .— These rules may be called the officers of Parliament (Travelling and Daily Allowances) Rules, 1956.

2. **Allowances admissible to chairman of the council of States and the Speaker of the House of the People** .—The Chairman of the Council of the States and the Speaker of the House of the People shall each be entitled—

(a) on assumption and relinquishment of his office, to such travelling allowances for himself and the members of his family and for the transport of his and his family's effects as are admissible to a Cabinet Minister on the assumption and relinquishment of his office under the rules made under section 11 of the Salaries and Allowances of Ministers Act, 1952 (LVIII of 1952). as for the time being in force;

(b) in respect of tours undertaken by him in India in the discharge of his official duties, to such travelling and daily allowances as are admissible to a Cabinet Minister under the said rules;

(c) in respect of tours undertaken by him outside India in the discharge of his official duties, to such travelling and daily allowances as the Central Government may, in each case, determine—

3. **Certain additional allowances admissible to the Speaker of the House or the People** .— The Speaker of the House of the People, shall, in respect of the journey undertaken by him from Delhi to his constituency (Headquarters) at the end of each session of the House of the People and for return journey to Delhi at the beginning of the next session, be entitled to—

(a) travelling allowances (without daily allowances) at the rates admissible under clause (b) of rule 2:

(b) actual charges for the haulage of his motor car at his own risk; and

(c) actual railway fare by the lowest class for his chauffeur.

4. **Allowances admissible to Deputy Chairman and Deputy Speaker.**—The Deputy Chairman of the Council of States and the Deputy Speaker of the House of the People shall each be entitled—

(a) on the assumption and relinquishment of his office, to such travelling allowances for himself and the members of his family and for the transport of his and his family's effects as are admissible to a '[Minister of state] on the assumption and relinquishment of his office under the rules made under section 11 of the Salaries and Allowances of Ministers Act, 1952 (LVI11 of 1952), as for the time being in force;

(b) in respect of tours undertaken by him in India in the discharge of his official duties to such travelling and daily allowances as are admissible to a '[Minister of State] under the said rules;

(c) in respect of the Journey undertaken by him from Delhi to his constituency (headquarters) at the end of each session of the Council of States or the House of the People, as the case may be, and for the return journey to Delhi at the beginning of the next session, to travelling allowances (without daily allowances) at the rates admissible under clause (b);

(d) in respect of tours undertaken by him outside India in the discharge of his official duties, to such travelling and daily allowances as the Central Government may, in each case, determine.

2[4A. **Payment of advance of travelling allowance and daily allowance .**— There may be paid to an Officer of Parliament an advance of any travelling allowance or daily allowance admissible to him under these Rules.]

5.**Special provision regarding allowances paid before the commencement of these rules ,**— All payments made before the commencement of these rules to any officer of Parliament by way of travelling and daily allowances shall be deemed to have been properly made, as If the rates at which such allowances were paid had been fixed under these rules.

1D.P.A's Notification No.F. 10 (3) / 62-Admn. dated 30-8-1962

2. 2 D.P.A's Notification No. Admn. 3 (203)/58, dated 26-8-1958.

THE OFFICERS OF PARLIAMENT (ADVANCES FOR MOTOR-CARS) RULES, 1953

In exercise of the powers conferred by Section II read with Section 8 of the Salaries and Allowances of Officers of Parliament Act, 1953 (20 of 1953), the Central Government, In consultation with the Chairman of the Council of States and the Speaker of the House of the People, hereby makes the following rules to regulate the grant of advances to Officers of Parliament for the purchase of motor-cars, namely :-

1. **Short title and commencement** .— (1) These Rules may be called the Officers of Parliament (Advances for Motor-Cars) Rules, 1953.

(2) They shall be deemed to have come into force on the first day of May, 1953.

2. **Maximum amount of advance** .— 2{(1)} The maximum amount which may be advanced to an Officer of Parliament for the purchase of a motor-car shall not exceed 3(Rupees one lakh or the actual price of the motor-car which is intended to be purchased, whichever is less,

4{(2) The amount of the advance under sub-rule (1) shall be sanctioned in the name of the President and authenticated in accordance with the provisions of the Authentication (Orders and other instruments) Rules, 1958}

3. **Repayment of Advance** .— 5''{(1) Recovery of the advance granted under rule 2, together with interest thereon, shall be made from the salary bill of the Officer of Parliament concerned in not more than sixty equal monthly installments, The Government may, however, permit recovery to be made in a smaller number of installments if the Officer of Parliament receiving the advance so desires. The deduction shall commence with the first issue of salary after the advance is drawn. Simple interest at the rate fixed by the Government for the purpose of purchase of conveyances by Government servants, shall be charged on the advance,

Explanation .—The amount of the advance to be recovered monthly shall be fixed in whole rupees, except in the case of last installment when the remaining balance including any fraction of a rupee shall be recovered.}"

(2) In case an Officer of Parliament relinquishes office before the advance is fully repaid, the outstanding balance together with interest thereon shall be paid to Government immediately in one lump sum.

¹ Published as Notification No.F.35(9) E.V./54 fated the 22nd May, 1954, form Ministry of Finance, Government of India.

² Renuembered vide DPA's Notification No. F-10 (4)/ 63-Admn, dated 19-9-1963.

³ Substituted-ibid and GSR No. 935 (E), Published in the India Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) dated 18-12-1992 vide MPA, Notification No. 13(1)/ 92-WS dated 17-12-1992.

⁴ Added-Natification dated 19-9-1963(ibid)

⁵ Substituted vide Notification dated 10-9-1963 ibid.

* Substituted vide G.S.R 132(B) dated 23-2-1999.

4. Sale of motor-car .— (1) Except when an Officer of Parliament relinquishes his office, previous sanction of Government shall be obtained for the sale by the Officer of Parliament of the motor car purchased with the aid of an advance, if such advance together with the Interest accrued thereon, has not been fully repaid. If an Officer of Parliament wishes to transfer the motor car to another Officer of Parliament he may be permitted under the orders of Government to transfer the liability attaching to the motor car to the later Officer of Parliament, provided that the purchasing officer of Parliament records a declaration that he is aware that the motor car transferred to him remains subject to the mortgage bond and that he is bound by its terms and provisions.

(2) In all cases where a motor car is sold before the advance received for its purchase from Government with Interest has been fully repaid, the sale-proceeds must be applied, so far as may be necessary, towards the repayment of such outstanding balance, provided that when the motor car is sold only in order that another motor car may be purchased, Government may permit the Officer of Parliament to apply the sale proceeds towards such purchase, subject to the following conditions, namely:—

- (a) the amount outstanding shall not be permitted to exceed the cost of the new car;
- (b) the amount outstanding shall continue to be repaid at the rate previously fixed; .and
- (c) the new car shall be insured and mortgaged to Government.

5. Period within which negotiations for purchase of car may be completed ,—An Officer of Parliament who draws an advance for the purchase of a motor car, shall complete his negotiations for the purchase of, and pay finally for, the motor-car within one month of the date on which he draws the advance, failing such completion and payment, the full amount of the advance drawn, with interest thereon for one month, will be refunded to Government. An advance will not be admissible when a motor-car has already been purchased and paid for in full. In a case in which payment has been made In part the amount of advance will be limited to the balance to be paid as certified by the Officer of Parliament.

6.Execution of Agreement .— At the time of drawing the advance the Officer of Parliament will be required to execute an agreement in Form I and, on completing the purchase, he will further be required to execute a mortgage bond in Form 11 hypothecating the motor-car to the Government as security for the advance. The cost price of the motor-car shall be entered in the schedule of specifications attached/to the mortgage bond.

1{7. Certificate to the Pay and Accounts Officer .— When an advance is drawn, the sanctioning authority shall furnish to the Pay and Accounts Officer, Council of States / House of the People, a certificate that the Agreement in Form I has been signed by the Officer of Parliament drawing the advance and that'll has been found to be in order. The sanctioning authority shall see that the motor-car is purchased within one month from the date on which the advance is drawn and shall submit the mortgage bond promptly to the Pay and Accounts Officer, Council of States/House of the People for examination before final record.}

8. Safe custody and cancellation of mortgage bond .— The mortgage bond shall be kept in the safe custody of the sanctioning authority. When the advance has been fully repaid, the

bond shall be returned to the Officer of Parliament concerned duly cancelled, after obtaining a certificate from the² Pay & Accounts Officer, Council of States / House of the People} as to the complete repayment of the advance and interest. 9. **Insurance of motor-car.**—The motor car purchased from the advance shall be insured against full loss by fire, theft or accident. The insurance policy shall contain a clause (as in Form ii!) by which the insurance company agrees to pay to Government instead of the owner, any sums payable in respect of loss or damage to the motor-car which is not made good by repair, reinstatement or replacement.

¹Substituted vide D.P.A.'s Notification No. F 10 (4) /63 - Admn. dated 19-9-1963.

²Substituted - ibid.

FORM I

FORM OF AGREEMENT TO BE EXECUTED AT THE TIME OF DRAWING AN ADVANCE FOR THE PURCHASE OF A MOTOR-CAR

An agreement made this day of one thousand nine hundred and.....BETWEEN Shrian Officer of Parliament (hereinafter called the Borrower, which expression shall include his legal representatives and assignees) of the one part and the President of India (hereinafter called the Central Government) of the other part WHEREAS the Borrower has under the provisions of the Rules regulating the grant of advances to Officers of Parliament for purchase of motor-cars, made under the Salaries and Allowances of Officers of Parliament Act, 1953 applied to the Central Government for a loan of Rs.....(Rupeesonly) for the purchase of a motor-car and the Central Government have agreed to lend the said amount to the Borrower on the terms and conditions hereinafter contained NOW IT IS HEREBY AGREED between the parties hereto that in consideration of the sum of Rs..... paid by the Central Government to the Borrower (the receipt of which the Borrower hereby acknowledges) the Borrower hereby agrees with the Central Government (1) to pay the Central Government the said amount with interest calculated according to the said rules by monthly deductions from his salary as provided for by the said rules and hereby authorise the Central Government to make such deductions and (2) within one month from the date of these presents to expend the full amount of the said loan in the purchase of a motor-car or if the actual price paid is less than the loan to repay the difference to the Central Government forthwith and (3) to execute a document hypothecating the said motor-car to the Central Government as security for the amount lent to the Borrower as aforesaid and interest in the form provided by the said rules AND IT IS HEREBY LASTLY AGREED AND DECLARED that if the motor-car has not been purchased and hypothecated as aforesaid within one month from the date of these presents or if the Borrower within that period becomes insolvent or relinquishes his office or dies the whole amount of the loan and interest accrued thereon shall become due and payable.

IN WITNESS whereof the Borrower has hereunto set his hand the day and year first before written.

Signed by the said Shri

In the presence of

FORM II

FORM OF MORTGAGE BOND FOR MOTOR VEHICLES ADVANCE

THIS INDENTURE made this..... day of
one thousand nine hundred and BETWEEN
..... (hereinafter called "the Borrower", which expression shall include his
heirs, administrators, executors and legal representatives) of the one part and the PRESIDENT of
India (hereinafter called "the President", which expression shall include his successors and
assignees) of the other part, WHEREAS the Borrower has applied for and has been granted an
advance of Rupees to purchase a motor vehicle on the terms of rule 3 of
the Rules regarding the grant of advances to Officers of Parliament for the purchase of motor-
cars made under the Salaries and Allowances of Officers of Parliament Act, 1953 (hereinafter
referred to as "the said Rules" AND WHEREAS one of the conditions upon which the said
advance has been/was granted to the Borrower is/was that the Borrower will/would hypothecate
the said motor vehicle to the President as security for the amount lent to the Borrower and
WHEREAS the Borrower has. purchased with or partly with the amount so advanced as
aforesaid the motor vehicle particulars whereof are set out in the Schedule hereunder written.

NOW THIS INDENTURE: WITNESSETH that in pursuance of the said agreement and
for the consideration aforesaid the Borrower doth hereby covenant to pay to the President the
sum of Rs.....aforesaid or the balance thereof remaining unpaid
at the date of these presents by equal payment of Rs..... each on the first day of
every month and will pay interest on the sum for the time being remaining due and owing
calculated according to the said Rules and the Borrower doth agree that such payments may be
recovered by monthly deductions from his salary in the manner provided by the said Rules, and
in further pursuance of the said agreement the Borrower doth hereby assign and transfer unto the
President the motor vehicle the particulars whereof are set out in the Schedule hereunto written
by way of security for the said advance and the interest thereon as required by the said Rules.
And the Borrower doth hereby agree and declare that he has paid in full the purchase price of the
said motor vehicle and that the same is his absolute property and that he has not pledged and, so
long as any money remains payable to the President in respect of the said advance, will not sell,
pledge or part with the property in or possession of the said motor vehicle. Provided always and
it is hereby agreed and declared that if any of the said instalments of principal or Interest shall
not be paid or recovered in manner aforesaid within ten days after the same are due or if the
Borrower shall die or at any time relinquishes his office or if the Borrower shall sell or pledge or
part with the property in or possession of the said motor vehicle or become insolvent or make
any composition or arrangement with his creditors or if any person shall take proceedings in
execution of any decree or judgement against the Borrower the whole of the said principal sum
which shall then be remaining due and unpaid together with interest thereon calculated as afore-
said shall forthwith become payable AND IT IS HEREBY AGREED and declared that the
President may on the happening of any of the events herein before mentioned seize and take
possession of the said motor vehicle and either remain in possession thereof without removing
the same or else may remove and sell the said motor vehicle either by public auction or private
contract and may out of the sale money retain the balance of the said advance then remaining
unpaid and any interest due thereon calculated as aforesaid and all costs, charges, expenses and

payments properly incurred or made in maintaining, defending or realizing his rights hereunder and shall pay over the surplus, if any, to the Borrower, his executors, administrators or personal representatives PROVIDED FURTHER that the aforesaid power of taking possession or selling of the said motor vehicle shall not prejudice the right of the President to sue the Borrower or his personal representatives for the said balance remaining due and interest or in the case of the motor vehicle being sold the amount by which the net sale proceeds fall short of the amount owing AND the Borrower hereby further agrees that so long as any moneys are remaining due and owing to the President, he, the Borrower will insure and keep insured the said motor vehicle against loss or damage by fire, theft, or accident with an insurance company to be approved by the Accountant General concerned and will produce evidence to the satisfaction of the Accountant General that the Motor Insurance Company with whom the said motor vehicle is insured have received notice that the President is interested in the Policy AND the Borrower hereby further agrees that he will not permit or suffer the said motor vehicle to be destroyed or injured or to deteriorate in a greater degree than it would deteriorate by reasonable wear and tear thereof AND further that in the event of any damage or accident happening to the said motor vehicle the Borrower will forthwith have the same repaired and made good.

THE SCHEDULE

Description of motor vehicle :

Maker's Name :

Description :

No. of Cylinders :

Engine Number :

Chasis No. :

Cost Price :

IN WITNESS Whereof the said(Borrower's name) and for and on behalf of the President have hereunto set their respective hands the day and year first above written, Signed by the said in the presence of

1.....

(Signatures of Witnesses)(Signatures and Designation of the Borrowers)

Signed by (Name & Designation)

.....

for and on behalf of the President of India in the presence of

1.....

2.....

(Signatures of Witnesses)

(Signatures and Designation of the Officer)

Name & Designation of the Borrower.....

.....

FORM III

FORM OF THE CLAUSE TO BE INSERTED IN INSURANCE POLICIES

1. It is hereby declared and agreed that Mr..... (the owner of the Motor Car hereinafter referred to as the insured in the Schedule to this policy) has hypothecated the car to the Government of India (or President of the Indian Union) as security for advances for the purchase of the motor car and it is further declared and agreed that the said Government (or President) are interested in any moneys which but for this endorsement be payable to the said Mr..... (the insured under this policy) in respect of the loss or damage to the said Motor Car (which loss or damage is not made good by repair, reinstatement or replacement) and such moneys shall be paid to the Government as long as they are the mortgagees of the Motor Car and their receipt shall be full and final discharge to the Company In respect of such loss or damage,

2 2 Save as by this endorsement expressly agreed, nothing herein shall modify or effect the rights or liabilities of the insured or the company respectively under or in connection with this policy or any term, provision or condition thereof.

THE OFFICERS OF PARLIAMENT (RENT FOR RESIDENCE RETAINED BY FAMILY AFTER DEATH) RULES, 1 974*

G.S.R. No. 200 In exercise of the powers conferred by section 11 of the Salaries and Allowances of Officers of Parliament Act. 1953 (20 of J953), the Central Government, In consultation with the Chairman of Council of States and the Speaker of the House of the People- hereby makes the following Rules, namely :—

1. Short title and commencement :

(1) These rules may be called the Officers of Parliament (Rent for Residence Retained by Family after death) Rules, 1974.

(2) They shall come into force on the date of their publication In the Official Gazette.

2. Definition:

In these rules, "The Act" means the Salaries and Allowances of Officers of Parliament Act, 1953 (20 of 1953).

3. Rent for residence by family after death :

Where the family of an officer of Parliament occupies a residence as specified in clause (b) of sub-section (2) of section 4 of the Act, the family shall be charged rent in accordance with the provisions of Fundamental Ruie45-A, or, if the rents have been pooled, the pooled standard rent under Fundamental Rule 45-A.

*D.P.A. Notification No. F 198(L)/ 70-PA dated 7-2-1974.

***THE OFFICERS OF PARLIAMENT (MEDICAL FACILITIES) RULES, 1993**

G.S.R, 282 (E) —In exercise of the powers conferred by section 11 read with section 7 of the Salaries and Allowances of Officers of Parliament Act, 1953 (20 of 1953), the Central Government, in consultation with the Chairman of the Council of States and the Speaker of the House of the People hereby make the following rules to regulate the grant of free medical attendance and treatment to the Officers of the Parliament and members of their families, namely:-

1.Short title and commencement :

- (1) These rules may be called the Officers of Parliament (Medical Facilities) Rules, 1993.
- (2) They shall come into force from the date of their publication in the Official Gazette.

2. Medical Attendance and Treatment : (1) An Officer of Parliament and members of his family shall be entitled free of charge to medical attendance and treatment on the scale and conditions applicable to members of the All India Services and members of their families under the All India services (Medical Attendance) Rules, 1954.

(2) While on duty outside India, an Officer of Parliament shall also be entitled free of charge to such medical attendance and treatment as may be admissible to the Heads of the Indian Mission at that place.

Note : "FAMILY" for the purpose of these rules will have the same meaning as defined in the All India Services (Medical Attendance) Rules, 1954.

3. Repeal and Savings : The Secretary of States Services (Medical Attendance) Rules, 1938 as applicable to Officers of Parliament vide notification no, 59 (1)-EV/53 (Ministry of Finance) dated 17th April, 1954 stands repealed except in respect of things done before the repeal of such rules.

***THE OFFICERS OF PARLIAMENT (PENSION, HOUSING AND MEDICAL FACILITIES TO THE SPOUSE OF THE SPEAKER OF THE HOUSE OF THE PEOPLE, DYING WHILE HOLDING SUCH OFFICE), RULES, 2002.**

**THE GAZETTE OF INDIA : EXTRAORDINARY [PART II SECTION 3(1)]
MINISTRY OF PARLIAMENTARY AFFAIRS
NOTIFICATION**

New Delhi, the 31st July, 2002

G.S.R. 535 (E)- In exercise of the powers conferred by section 11 of the Salaries and Allowances of Officers of Parliament Act, 1953 (20 of 1953), the Central Government, in consultation with the Chairman of the Council of States and the Speaker of the House of the People, hereby makes the following rules, namely: -

1. Short title and commencement:-]

(1) These rules may be called The Officers of Parliament (Pension, Housing and Medical Facilities to the Spouse of the Speaker of the House of the people, Dying while Holding Such Office), Rules, 2002.

(2) (2) They shall be deemed to have come into force on 3rd day of March, 2002.

2. 2. Definition- In these rules unless the context otherwise requires-

(a)"medical attendant" means any registered medical practitioner practising any system of medicine;

(b)"medical attendant" means any registered medical practitioner practising any system of medicine; "medical attendance and treatment" means medical consultation, hospitalisation, cost of medicines, clinical and pathological tests, other methods of medical examination and surgical operations, which the spouse of the Speaker dying while holding such office and minor children of such Speaker may require;

c. c. "residence" means a residential accommodation of-

- i. i. the Type VII bungalow at a place where Central Government owned accommodation is available or the next highest type of accommodation if Type VII bungalow is not available; or
- ii. ii. the nature having a living area of not exceeding two thousand square feet at a place where Central Government owned accommodation is not available

d. "Speaker dying while holding such office" means a person who dies while holding the post of the Speaker of the House of the People;

e. "spouse" means a person, who is legally married to the Speaker dying in office;

f. "travelling expenses" means-

(i) in the case of Government medical officers, such travelling allowances as may be admissible to them under the rules of their services; and

(ii) in the case of person other than Government medical officers, expenditure incurred on travel not exceeding the maximum amount admissible to a Group A Government Servant.

3. Pension- The Lok Sabha Secretariat shall issue the pension payment order which shall include the amount of family pension and other facilities to which the spouse and the minor children shall be entitled.

4. Housing- (1) The Directorate of Estates, Ministry of Urban Development shall provide the spouse for the remainder of life, an unfurnished residence either owned or hired by the Central Government without payment of licence fee, anywhere in India at the choice of the spouse.

(2) (2) The electricity and water charges for the residence shall be borne by the spouse.

5. Medical attendance and treatment-(1) The spouse or minor children or both of the Speaker dying while holding such office shall be entitled to medical attendance and treatment at the residence, or at the clinic, nursing home or institution of similar nature or consulting room of the medical attendant in India.

(2) All expenses incurred on services referred to in sub-rule (1) shall be borne by the Lok Sabha Secretariat on production of a certificate by the spouse in Form-I.

6. Travelling expenses.- (1) All travelling expenses incurred by the spouse or minor children or a medical practitioner or a medical specialist or medical attendant in connection with the medical attendance or treatment of the spouse or minor children or both of the Speaker dying while holding such office shall be borne by the Lok Sabha Secretariat on production of a certificate by the spouse to that effect in Form II.

(2) (2) A Central Government medical officer who performs journey to attend on the spouse or minor children or both of such Speaker shall be entitled to travelling expenses as per the rules for the time being in force and a medical officer who belongs to a State Government may claim reimbursement on such account directly from the Lok Sabha Secretariat.

7. Interpretation and removal of difficulty.- If any question arises relating to the interpretation of these rules or any difficulty arises in complying with the provisions of the rules, it shall be referred to the Central Government, whose decision shall be final.

FORM-I
[See rule 5(2)]

Certified that the amount of Rs,.....(Rupees.....) drawn has been expended in connection with the medical treatment/attendance/consultation of Shri/Shrimati..... spouse/minor child of late Sh.....former Speaker of the House of the People, who dies while holding such office on

Signature.....

Designation.....

Date.....

Place.....

FORM-II
[See rule 6(1)]

It is certified that the amount of Rs.....(mention in figure)[Rupees.....(mention in words)] drawn by Shri/Shrimati.....being spouse of late Sh./Smt.....the former Speaker of the House of the People who died while holding the office as such, has been incurred as travelling expenses by the spouse or his/her minor children or his/her medical practitioner or medical specialist or medical attendant in connection with the medical attendance or treatment of the spouse or his/her minor children.

Signature.....

Designation.....

Date.....

Place.....

EXPLANATORY MEMORANDUM

The Salaries and Allowances of Officers of Parliament (Second Amendment) Act, 2002 has come into force with effect from the 3rd day of March, 2002.It is therefore proposed to bring these rules with effect from the 3rd day of March, 2002, being the date on which the said Act came into force. It is certified that no person is likely to be affected by the retrospective operation of the rules.
