

THE
SALARY, ALLOWANCES AND PENSION
OF
MEMBERS OF PARLIAMENT ACT, 1954
AND
RULES MADE THEREUNDER

(As amended up to 13th December, 2010)



LOK SABHA SECRETARIAT
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The Salary, Allowances and Pension of Members of Parliament Act, 1954 and Rules Made Thereunder

(As amended upto 13th December, 2010)

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Chapter 1
THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF
PARLIAMENT ACT, 1954
(No. 30 of 1954)

(As Amended by Acts Nos. 9 of 1955, 55 of 1958, 26 of 1964, 25 of 1969, 29 of 1972, 65 of 1974, 48 of 1975, 105 of 1976, 33 of 1977, 27 of 1979, 21 of 1981, 35 of 1982, 61 of 1982, 22 of 1983, 74 of 1985, 60 of 1988, 30 of 1989, 3 of 1993, 48 of 1993, 18 of 1995, 28 of 1998, 16 of 1999, 17 of 2000, 46 of 2001, 34 of 2002, 9 of 2004, 40 of 2006 and 37 of 2010).

[22nd May, 1954]

An Act to provide for the ¹[Salary, Allowances and Pension]
of Members of Parliament

Be it enacted by Parliament in the Fifth Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the ^{1a}[Salary, Allowances and Pension] of Members of Parliament Act, 1954.

(2) It shall come into force on the first day of June, 1954.

2. Definition.—In this Act,—

(a) 'Committee' means a Committee of either House of Parliament, and includes a Joint Committee of both Houses;

^{1b} [(aa) "Dependent" means any of the following relatives of a deceased member, namely:—

- (i) a minor legitimate son, and an unmarried legitimate daughter and a widowed mother; or
- (ii) if wholly dependent on the earnings of the member at the time of his death, a son or a daughter who has attained the age of eighteen years and who is infirm; or
- (iii) if wholly or in part dependent on the earnings of the member at the time of his death, --
 - (a) a parent; or
 - (b) a minor brother or an unmarried sister; or
 - (c) a widowed daughter-in-law; or
 - (d) a minor child of a pre-deceased son; or
 - (e) a minor child of a pre-deceased daughter where no parent of the child is alive; or
 - (f) the paternal grandparent if no parent of the member is alive; or

¹ & ^{1a} Substituted by Act 105 of 1976 – effective from 9.9.1976.

^{1b} Inserted by Act 9 of 2004 – effective from 9.1.2004

(g) such other person as may be specified by the rules made under section 9 by the Joint Committee.]

(b) 'Member' means a member of either House of Parliament ²[But, save as otherwise expressly provided in this Act, does not include]—

(i) a Minister as defined in the Salaries and Allowances of Ministers Act, 1952 (58 of 1952);

(ii) ^{2a}[a Leader of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977]; and

(iii) an Officer of Parliament as defined in the Salaries and Allowances of Officers of Parliament Act, 1953 (20 of 1953);

(c) 'New member' means a member who takes his seat in either House of Parliament after the commencement of this Act and includes a member who is re-elected or re-nominated;

(d) 'period of residence on duty' means the period during which a member resides at a place where a session of a House of Parliament or a sitting of a Committee is held or where any other business connected with his duties as such member is transacted, for the purpose of attending such session or sitting or for the purpose of attending to such other business, and includes—

(i) in the case of a session of a House of Parliament, a period of such residence not exceeding three days, immediately preceding the commencement of the session and a period of such residence, not exceeding three days, immediately succeeding the ^{2b}[date on which the House of Parliament is adjourned *sine die* or for a period exceeding seven days]; and

(ii) in the case of sitting of a Committee or any other business a period of such residence, not exceeding two days, immediately preceding the commencement of the business of the Committee or other business and a period of such residence, not exceeding two days immediately succeeding the conclusion of the business of the Committee or other business;

Explanation.— A member who ordinarily resides at a place where a session of a House of Parliament or a sitting of a Committee is held or where any other business connected with his duties as such member is transacted shall, for the duration of the session or sitting or the time occupied for the transaction of other business (including the three or two days immediately preceding or succeeding), be deemed to reside at such place for the purpose of attending such session or sitting or, as the case may be, for the purpose of attending to such other business;

(e) 'term of office' means,—

(a) in relation to a person who is a member at the commencement' of this Act, the period beginning with such commencement and ending with the date on which his seat becomes vacant;

^{2c}[(b) in relation to a new member,—

(i) where such new member is a member of the Council of States elected in a biennial election, or nominated, to that House, the period beginning with the date of publication of the notification in the Official Gazette notifying his name under section 71 of the Representation of the People Act, 1951; or

² Substituted by Act 55 of 1958 – effective from 30-12-1958.

^{2a} inserted by Act 33 of 1977 – effective from 18-08-1977.

^{2b} Substituted by Act 26 of 1964 – effective from 01-06-1964.

^{2c} Substituted by Act 105 of 1976 – effective from 09-09-1976.

(ii) where such new member is a member of the House of the People elected in a general election held for the purpose of constituting a new House of the People, the period beginning with the date of publication of the notification of the Election Commission under section 73 of the said Act; or

(iii) where such new member is a member of either House of Parliament elected in a by-election to that House or a member nominated to the House of the People, the period beginning with the date of his election referred to in section 67A of the said Act, or as the case may be, the date of his nomination;

and ending with, in each case, the date on which his seat becomes vacant.]

3. Salaries and Daily Allowances.—A member shall be entitled to receive ^{2d}[a salary, at the rate of fifty thousand rupees per mensem] during the whole of his term of office ³[and subject to any rules made under this Act]. ⁴[an allowance at the rate of two thousand rupees for each day] during any period of residence on duty:

^{4a} [Provided that no member shall be entitled to the aforesaid allowance unless he signs the register, maintained for this purpose by the Secretariat of the House of the People or, as the case may be, Council of States, on all the days (except intervening holidays for which no such signing is required) of the session of the House for which the allowance is claimed.]

^{4b} [Provided further that the rates of salary and allowance specified in this section shall be applicable from the 18th day of May, 2009]

4. Travelling Allowance.—(1) There shall be paid to each member in respect of every journey performed by him ⁵[in India] for the purpose of attending a session of a House of Parliament or a meeting of a Committee or for the purpose of attending to any other business connected with his duties as a member, from his usual place of residence to the place where the session or the meeting is to be held or the other business is to be transacted and for the return journey from such place to his usual place of residence—

(a) if the journey is performed by rail, an amount equal to one ⁶[First] class fare plus one second class fare for each such journey, irrespective of the class in which the member actually travels;

(b) if the journey is performed by air, an amount equal to one and one fourth of the air fare for each such journey;

(c) if the journey or any part thereof cannot be performed by rail or air—

⁷[(i) where the journey or any part thereof is performed by steamer, an amount equal to one and three-fifths of the fare (without diet) for the highest class in the steamer for each such journey or part thereof, or, if there is not regular steamer service, such amount for each such journey or part thereof as may be prescribed by rules made under section 9];

^{2d} Substituted by Act 37 of 2010 – effective from 18-05-2009.

³ Substituted by Act 55 of 1958 – effective from 30-12-1958.

⁴ Substituted by Act 37 of 2010 – effective from 01-10-2010.

^{4a} Inserted by Act 48 of 1993 – effective from 09-06-1993.

^{4b} Substituted by Act 37 of 2010 – effective from 18-05-2009.

⁵ Inserted by Act 26 of 1964 – effective from 01-06-1964.

⁶ Substituted by Act 9 of 1955 – effective from 07-04-1955.

⁷ Substituted by Act 55 of 1958 – effective from 30-12-1958.

- (ii) where the journey or any part thereof is performed by road, ⁸[a road mileage at the rate of sixteen rupees per kilometer] for each such journey or part thereof;

^{8a} [Provided that when Parliament is in session and the spouse of member, if any, performs such journey or part thereof by road, accompanied by such Member, in respect of which such spouse has been allowed to travel by air or partly by air and partly by rail from the usual place of residence of the Member to Delhi or back under sub-section (2) of section 6(B), the road mileage prescribed under this sub-clause shall be allowed to such Member for such journey or part thereof, subject to the condition that the total number of such journeys shall not exceed eight in a year;];

^{8b}[Provided further that where a member performs journey by road in Delhi from and to an aerodrome, he shall be paid a minimum amount of one hundred and twenty rupees for each such journey.]

^{8c}[* * * *].

Explanation.—For the purposes of sub-clause (ii) of clause (c) of this sub-section the expression 'journey' shall include the journey from and to railway station, port or aerodrome to and from the usual place of residence of the member or as the case may be, the residence of the member at the place where the session of the House of Parliament or a meeting of the Committee is to be held or where any other business is to be transacted.

(2) Notwithstanding anything contained in sub-section (1), a member who performs a journey by road between places connected by rail or steamer, either wholly or in part, may draw the mileage allowance referred to in sub-clause (ii) of clause (c) of sub-section (1) in place of the travelling allowance which would have been admissible to him if he had travelled by rail or steamer, as the case may be:

^{8d}[Provided that the total amount of travelling allowance drawn by such Member for the entire journey shall not exceed the amount which would have been admissible to him had he performed such journey by rail or by steamer, as the case may be:

Provided further that the first proviso shall be applicable to such journey only where the places of the journey are connected by express, mail or superfast train.]

^{8e}[Provided also that the first proviso shall not be applicable to a member who, in the opinion of the Chairman of the Council of States or, as the case may be, the Speaker of the House of the People, is so incapacitated physically and cannot travel by air or train.]

^{8f}[Provided also that in case a member resides within a distance of three hundred kilometers from Delhi, he or his spouse, for the journey performed by him by road, may draw the mileage allowance referred to in sub-clause (ii) of clause (c) of sub-section (1) in place of the travelling allowance which would have been admissible to him had he performed such journey by rail or by road, as the case may be:

Provided also that in case a member resides in the States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim or Tripura, he or his spouse may draw the mileage allowance referred to in sub-clause (ii) of clause (c) of sub-section (1) for

⁸ Substituted by Act 37 of 2010 – effective from 01-10-2010.

^{8a} Substituted by Act 37 of 2010 – effective from 01-10-2010.

^{8b} Inserted by Act 48 of 1993 – effective from 09-06-1993.

^{8c} Omitted by Act 37 of 2010 – effective from 01-10-2010.

^{8d} Inserted by Act 17 of 2000 – effective from 07-06-2000.

^{8e} Inserted by Act 40 of 2006 – effective from 15-9-2006.

^{8f} Inserted by Act 9 of 2004 – effective from 9-1-2004.

journey performed by him by road from his residence in any of the said States to the nearest airport.]

⁹[(3) There shall be paid to a member in respect of a journey performed by him in the course of a tour outside India undertaken in the discharge of his duties as such member, such travelling and daily allowances as may be prescribed by rules made under section 9].

^{9a} [(4) There shall be paid to a person—

- (a) who has been elected in a biennial election as a member of the Council of States but the notification in the Official Gazette notifying his name under section 71 of the Representation of the People Act, 1951 has not been published in the Official Gazette; or
- (b) who has been elected as a member of the House of the People in a general election held for the purpose of constituting a new House of the People but the notification in the Official Gazette notifying his name under section 73 of the Representation of the People Act, 1951 has not been published in the Official Gazette; or
- (c) who has been elected in a bye-election as a member of either House of Parliament or nominated as a member to either House of Parliament, an amount equivalent to the fare in respect of every journey performed by him for coming to Delhi before the publication of notification referred to in clause (a) or clause (b), or election or nomination under clause (c);

Provided that in case the journey is performed by rail or steamer or road, he shall be entitled to the reimbursement of the fare or road mileage to which a member is entitled:

Provided further that in case he performs the journey by air, such journey shall be included for the purpose of counting thirty-four journeys referred to in the first proviso to sub-section (2) of section 5].

5. Travelling allowances for intermediate journeys.— ^{9b}[(1) Where a member absents himself for less than fifteen days during a session of a House of Parliament or a sitting of a Committee for visiting any place in India he shall be entitled to receive travelling allowances in respect of such journey to such place and for the return journey—

- (a) if the journey is performed by rail equal to one ¹⁰[First] class fare for each such journey irrespective of the class in which the member actually travels;
- (b) ¹¹[if the journey, *being a journey during a sitting of the Committee*] is performed by air, equal to one fare by air for each such journey:

Provided that such travelling allowances shall not exceed the total amount of daily allowances which would have been admissible to such member under section 3 for the days of absence if he had not remained absent:

^{11a} [Provided further that nothing in the first proviso shall apply, if the member performs the journey by air for visiting any place in India not more than once during a sitting of the Committee.]

^{11b} [(1A) Notwithstanding anything contained in sub-section (1), a member shall be entitled to receive travelling allowances in respect of every journey performed by air for

⁹ Inserted by Act 55 of 1958 – effective from 30-12-1958.

^{9a} Inserted by Act 9 of 2004 – effective from 9-1-2004.

^{9b} Re-numbered by Act 105 of 1976-effective from 9-9-1976

¹⁰ Substituted by Act 9 of 1955-effective from 1-4-1955

¹¹ Substituted by Act 74 of 1985-effective from 26-12-1985

^{11a} Substituted by Act 74 of 1985-effective from 26-12-1985

^{11b} Substituted by Act 18 of 1995-effective from 31-3-1995

visiting any place in India during the interval not exceeding ^{11c}[five days] between two sittings of a Departmentally related Standing Committee when a House of Parliament is adjourned for a fixed period during the Budget Session:

Provided that such travelling allowances, excluding the air fare, shall not exceed the total amount of daily allowances which would have been admissible to such member under section 3 for the days of absence if he had not remained absent.]

^{11d}[(2) Every member shall be entitled to an amount equal to the fare by air for each single journey by air (other than a journey referred to in section 4 or the second proviso to sub-section (1) of this section or section 6C) performed by him ^{11e}[either alone or alongwith spouse or any number of companions or relatives] from any place in India to any other place in India during his term of office as such member:]

^{11f}[Provided that the total number of such journeys under this sub-section shall be thirty-four journeys per year:]

^{11g}[Provided further that where the number of journeys performed by any member by air is ^{11h}[less than thirty-four] then, such number of journeys not performed by him shall be carried over to the following year:]

¹¹ⁱ[Provided also that the spouse or companion of a member, as the case may be, may alone perform maximum eight journeys by air from any place of India to the place in India for the purpose of visiting such member and such journey shall be included for the purpose of counting ^{11j}[thirty-four] journeys referred to in the first proviso to sub-section (2):]

^{11k}[Provided also that in case any member avails a total number of journeys by air more than thirty-four, such journeys permissible to him, in the year, he may be allowed to adjust not exceeding eight such journeys from the entitled number of journeys which may accrue in his credit in the next following year.]

^{11l}[(3) Notwithstanding anything contained in sub-section (2), there shall be paid to a member who, in the opinion of the Chairman of the Council of States or, as the case may be, the Speaker of the House of the People, is so incapacitated physically and therefore cannot perform air or train journey, road mileage for the entire road journey.]

Explanation I.—The provisions of clause (c) of sub-section (1) and of sub-section (2) of section 4 shall, so far as may be, apply to travelling allowances payable under this section as they apply to travelling allowances payable under that section.

Explanation II.—For the purposes of this section. "year" means,—

(i) in the case of a person who is a member at the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act 1985, the year beginning with such commencement and each of the subsequent years;

(ii) in the case of a person who becomes a member after such commencement, the year beginning with the date on which his term of office as such member

^{11c} Substituted by Act 40 of 2006-effective from 15-9-2006

^{11d} Substituted by Act 74 of 1985-effective from 26-12-1985

^{11e} Substituted by Act 16 of 1999-effective from 23-3-1999

^{11f} Substituted by Act 40 of 2006-effective from 15-9-2006

^{11g} Substituted by Act 28 of 1998-effective from 20-8-1998

^{11h} Substituted by Act 40 of 2006-effective from 15-9-2006

¹¹ⁱ Substituted by Act 9 of 2004-effective from 9-1-2004

^{11j} Substituted by Act 40 of 2006-effective from 15-9-2006

^{11k} Inserted by Act 40 of 2006-effective from 15-9-2006

^{11l} Inserted by Act 40 of 2006-effective from 15-9-2006

commences and each of the subsequent year.]

^{11m}[*Explanation III.*—For the purpose of sub-section (2) any journey performed by the ¹¹ⁿ{spouse, companions or relatives shall be added in computing the limit of ^{11o}[thirty-four] journeys specified in the proviso to that sub-section.}]

^{11p}[**5A. Transit Accomodation.**- Where a person referred to in sub-section (4) of section 4 comes to Delhi, he shall be entitled to such transit accommodation for such period as may be specified by the rules made under clause (ccc) of sub-section (3) of section 9 by the Joint Committee.]

6. Free transit by Railway.— ¹²[(1) Every member shall be provided with one free non-transferable ^{12a}[first class air-conditioned or executive class of any train] pass which shall entitle him to travel at any time by any railway in India.]

Explanation.— ¹³[for the purposes of this sub-section and section 6A and 6B], a member shall include a Minister as defined in the Salaries and Allowances of Ministers Act, 1952 ^{13a}[A Leader of the Opposition as defined in the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977] and an Officer of Parliament as defined in the Salaries and Allowances of Officers of Parliament Act, 1953, other than the Chairman of the Council of States.

(2) A free railway pass issued to a member under sub-section (1) shall be valid for the term of his office and on the expiration of such term, the pass shall be surrendered to the Secretary-General of the House of the People or the Council of States as the case may be:

Provided that where any such pass is issued to a new member before he takes his seat in either House of Parliament, he shall be entitled to use the pass for attending a session of that House for taking his seat therein.

(3) Until a member is provided with a free railway pass under sub-section (1), he shall be, and shall be deemed always to have been, entitled to an amount equal to one ^{13b}[first class air-conditioned or executive class of any train] fare for any journey of the nature referred to in sub-section (1) of section 4 performed by him by rail.

(4) A member who on ceasing to be a member surrenders his pass shall, if he performs any return journey by rail of the nature referred to in sub-section (1) of section 4, be entitled and be deemed always to have been entitled in respect of that journey to an amount equal to one ^{13c}[first class air-conditioned or executive class of any train] fare.

(5) Nothing in this section shall be construed as disentitling a member to any travelling allowances to which he is otherwise entitled under the provisions of this Act.

¹⁴ [6A. ^{14a}{**Free transit by Steamer:**-(1) Without prejudice to provisions of section 6, every member representing the Union territory of the Andaman and Nicobar Islands or the Union territory of Lakshadweep shall—

(a) be provided with one free non-transferable pass which shall entitle him to travel at any time by the highest class by steamer *to and fro* any part of his constituency and any other part of his constituency or the nearest port in the mainland of India; and

^{11m} Inserted by Act 3 of 1993-effective from 5-1-1993
¹¹ⁿ Substituted by Act 16 of 1999-effective from 22-3-1999
^{11o} Substituted by Act 40 of 2006-effective from 15-9-2006
^{11p} Inserted by Act 9 of 2004-effective from 9-1-2004
¹² Substituted by Act 55 of 1958-effective from 30-12-1958
^{12a} Substituted by Act 16 of 1999-effective from 22-3-1999
¹³ Substituted by Act 29 of 1972-effective from 9-6-1972
^{13a} Inserted by Act 33 of 1977-effective from 18-8-1977
^{13b} Substituted by Act 16 of 1999-effective from 22-3-1999
^{13c} Substituted by Act 16 of 1999-effective from 22-3-1999
¹⁴ Inserted by Act 29 of 1972-effective from 9-6-1972
^{14a} Substituted by Act 60 of 1988-effective from 1-4-1988

(b) be entitled to an amount equal to the fare by air from his usual place of residence to the nearest airport in the mainland of India } ^{14b}{and back}:

Provided that nothing in this sub-section shall be construed as absolving the member from payment of any diet charges payable by him during such travel.

(2) A free steamer pass issued to a member under sub-section (1) shall be valid for the term of his office and on the expiration of his term the pass shall be surrendered to the Secretary-General of the House of the People:

Provided that where any such pass is issued to a new member before he takes his seat in the House of the People, he shall be entitled to use the pass for attending a session of that House for taking his seat therein.

(3) Until a member is provided with a free steamer pass under sub-section (1), he shall be entitled to an amount equal to one fare (without diet) for the highest class for any journey of the nature referred to in sub-section (1) of section 4 performed by him by steamer.

(4) A member who on ceasing to be a member surrenders the steamer pass issued to him under sub-section (1) shall, if he performs any return journey by steamer of the nature referred to in sub-section (1) of section 4, be entitled in respect of that journey to an amount equal to one fare (without diet) for the highest class.

(5) Nothing in this section shall be construed as disentitling a member to any travelling allowances to which he is otherwise entitled under the provisions of this Act.

(6) In addition to ¹⁵[the facilities provided to a member] under sub-section (1), he shall also be entitled—

(i) to one free pass for one person to accompany the member and travel by the ^{15a}[highest class] by steamer *to and fro* any part of the constituency of the member and any other part of his constituency or the nearest port in the mainland of India; ^{15b}[or]

(ii) to one free non-transferable pass for the spouse, if any, of the member to travel by the highest class by steamer *to and fro* the usual place of residence of the member in his constituency and the nearest port in the mainland of India, ^{15c}[at any time between the Island and the mainland of India; and]

^{15d}[(iii) to an amount equal to the fare by air either for the spouse, if any, of the member or for one person to accompany the member from the usual place of residence in the Island to the nearest airport of the mainland of India ^{15dd}[and back]:

Provided that nothing in this sub-section shall be construed as absolving the person accompanying the member or the spouse of the member from payment of any diet charges payable by such person or spouse during such travel.]

^{15e}**[6AA. Special facilities to Members from Ladakh.—(1)** Without prejudice to the provisions of section 6, every member who has his ordinary place of residence in the Ladakh area of the State of Jammu and Kashmir shall be entitled to an amount equal to the fare by air for each single journey by air performed by him from any airport in Ladakh to the airport in Delhi and back at any time.

(2) In addition to the air travel provided to a member under sub-section (1), he shall also be entitled to an amount equal to the fare by air for each single journey by air performed by the

^{14b} Inserted by Act 30 of 1989-effective from 28-8-1989

¹⁵ Substituted by Act 60 of 1988-effective from 1-4-1988

^{15a} Substituted by Act 60 of 1988-effective from 1-4-1988

^{15b} Substituted by Act 60 of 1988-effective from 1-4-1988

^{15c} Substituted by Act 60 of 1988-effective from 1-4-1988

^{15d} Inserted by Act 60 of 1988-effective from 1-4-1988

^{15dd} Inserted by Act 30 of 1989-effective from 28-8-1989

^{15e} Inserted by Act 60 of 1988-effective from 1-4-1988

spouse, if any, of the member or one person to accompany such member, from any airport in Ladakh area to the airport in Delhi and back at any time].

^{15f}[**6B. Travel facilities to Members.--** ^{15g}[(1)] Without prejudice to the other provisions of this Act, every member shall be entitled to—

(i) one free air-conditioned two-tier class railway pass for one person to accompany the member when he travels by rail; and

(ii) free travel by any railway in India in first class air-conditioned or executive class in any train with the spouse, if any, of the member from any place in India to any other place in India and if such journey or part thereof is performed by air, from any place other than usual place of residence of the member, to Delhi and back, to an amount equal to the fare by air for such journey or part thereof or the amount equal to the journey performed by air from the usual place of the residence of the member to Delhi and back, whichever is less.]

^{15h}[Provided that where a Member has no spouse, such Member may be accompanied by any person in place of the spouse, and notwithstanding anything contained in clause (i), the person so accompanying shall be entitled to every facility available to the spouse.

^{15hh}[(2) Notwithstanding anything contained in clause (ii) of sub-section (1), the spouse of a Member shall be entitled to travel,-

(a) any number of times, by railway in first class air-conditioned or executive class in any train from the usual place of residence of the Member to Delhi and back; and

(b) when Parliament is in session, by air or partly by air and partly by rail, from the usual place of residence of the Member to Delhi or back, subject to the condition that the total number of such air journeys shall not exceed eight in a year:

Provided that where any such journey or part thereof is performed by air from any place other than the usual place of residence of the member to Delhi and back, then, such spouse shall be entitled to an amount equal to the fare by air for such journey or part thereof, as the case may be, or to the amount equal to the journey performed by air from the usual place of residence of the member to Delhi and back, whichever is less.]

¹⁶[**6C. Air travel facilities in certain circumstances.--** Without prejudice to the other provisions of this Act, where during any part of a year the usual place of residence of a member in his constituency is inaccessible to or from any place outside his constituency by road, rail or steamer due to climatic conditions, but there is air service between any place in his constituency, and the nearest place, having rail service, outside his constituency, such member shall be entitled to travel *to and fro* by air from the nearest place in his constituency where there is air service to such place having rail service:

Provided that where the nearest place having air service is outside his constituency, such member shall be entitled to travel *to and fro* by air only from such place to the nearest place having rail service.].

^{16a}[**6D. Special Facility to Blind and Physically Incapacitated Members.—** A Member who is blind or who is, in the opinion of the Chairman of the Council of States or, as the case may be, the Speaker of the House of the People, so incapacitated physically as to require the facility of an attendant shall, with respect to each such journey—

(i) by air as is referred to in clause (b) of sub-section (1) of section 4 or clause (b) of sub-section (1) or sub-section (2) of section 5 or section 6C which he performs

^{15f} Substituted by Act 16 of 1999-effective from 22-3-1999

^{15g} Re-numbered by Act 17 of 2000-effective from 7-6-2000

^{15h} Inserted by Act 17 of 2000-effective from 7-6-2000

^{15hh} Substituted by Act 37 of 2010-effective from 1-10-2010

¹⁶ Inserted by Act 105 of 1976-effective from 9-9-1976

^{16a} Substituted by Act 17 of 2000-effective from 7-6-2000

along with an attendant be entitled (in addition to the allowances which he is entitled under section 4 or section 5 or, as the case may be, section 6C) to an amount equal to one fare by air for such journey;

- (ii) by rail as is referred to in section 4, section 5, section 6 or section 6B be allowed the facility of one free railway pass for an attendant, to attend such Member, in the same class in which such Member travels in lieu of one free air-conditioned two-tier class railway pass under clause (i) of sub-section (1) of section 6B.]

^{16b}[(iii) by road as is referred to in section 4 or section 5, be entitled to an amount equal to one road mileage.]

7. Allowances during short intervals between the termination of one session and the commencement of another session etc.—^{16c}[Where the interval between the adjournment of a House of Parliament or as the case may be, one sitting of a Committee and the re-assembly of that House or the next sitting of the Committee at same place] does not exceed ^{16d}[five days] and the member concerned elects to remain at such place during the interval, he shall be entitled to draw for each day of residence at such place a daily allowance at the rate specified in section 3:

Provided that if the member leaves such place during the interval, his absence from the place shall be treated as absence during a session of a House of Parliament or a sitting of the Committee, as the case may be, and the provisions of section 5 shall apply accordingly.

¹⁷[(8) **Constituency Allowance and Amenities.**—A member shall be entitled to such constituency allowance ^{17a}[Office Expense Allowance] and to such medical facilities for himself and for members of his family and to such housing, telephone, water, electricity facilities or such amount in case in lieu of all or any of such facilities, as may be prescribed by rules under section 9.]

^{17b}[Provided that where the House of the People is sooner dissolved before completing five years from the date appointed for its first meeting, the Member of such House may be allowed without payment, to such extent of the quota of free telephone calls or free units of electricity or free units in kilolitres of water, available to him for a year in which such dissolution of such House takes place, as remains unutilised on the date of such dissolution, to avail during the period commencing on and from the date of such dissolution and ending on the date immediately preceding the date on which the notification under section 73 of the Representation of the People Act, 1951 has been issued for the constitution of subsequent House of the People subject to the condition that such Member shall be liable to pay for any telephone calls, in excess of the calls so allowed to be made during such period on the telephone provided to him by the Government for such purpose, and units of electricity or kilolitres of water consumed in excess of the free electricity or kilolitres of water allowed:

Provided further that where the Member referred to in the first proviso becomes Member of the subsequent House of the People as referred to be constituted in that proviso, then, he shall be entitled for the adjustment of the excess telephone calls, units of electricity, kilolitres of water for the payment of which he is liable under the first proviso against the quota of free telephone calls, units of electricity and kilolitres of water for which he is entitled during the first year of the duration of such subsequent House of the People.]

¹⁸[**8A. Pension.**— ^{18a}[(1) With effect from 18th day of May, 2009, there shall be paid a pension of twenty thousand rupees per mensem to every person who has served for any period as a member of the Provisional Parliament or either House of Parliament:

^{16b} Inserted by Act 40 of 2006-effective retrospectively from 17-5-2004.

^{16c} Substituted by Act 55 of 1958-effective from 30-12-1958.

^{16d} Substituted by Act 40 of 2006-effective from 15-9-2006.

¹⁷ Substituted by Act 74 of 1985-effective from 26-12-1985.

^{17a} Inserted by Act 60 of 1988-effective from 1-4-1988.

^{17b} Inserted by Act 17 of 2000-effective retrospectively from 26-4-1999.

¹⁸ Substituted by Act 9 of 2004-effective from 09-01-2004.

Provided that where a person has served as a member of the Provisional Parliament or either House of Parliament for a period exceeding five years, there shall be paid to him an additional pension of fifteen hundred rupees per mensem for every year served in excess of five years.”

Explanation.—For the purpose of this sub-section, "Provisional Parliament" shall include the body which functioned as the constituent Assembly of the Dominion of India immediately before the commencement of the Constitution.’]

^{18b}[* * * *]

(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; or
- (ii) becomes a member of the Council of States or the House of the People or any Legislative Assembly of a State or Union territory or any Legislative Council of a State or 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 continued 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 pension payable to him under sub-section (1), such person shall be entitled only to receive the balance as pension under that sub-section.

^{18bb}[(3) Where any person entitled to pension under sub-section (1) is also entitled to any other pension, such person shall be entitled to receive the pension under sub-section (1) in addition to such other pension.]

(4) In computing the number of years, for the purposes of sub-section (1), the period during which a person has served as a Minister as defined in Salaries and Allowances of Ministers Act, 1952 or as an Officer of Parliament as defined in the Salaries and Allowances of Officers of Parliament Act, 1953, (other than the Chairman of the Council of States), or

^{18bbb}[as a Leader of the Opposition as defined in the Salary and Allowances of Leader of Opposition in Parliament Act, 1977, or has served in all or any two of such capacities] by virtue of his membership in the House of the People or in the Council of States shall also be taken into account.

¹⁹[**8AA** ^{19a}[(1)]. **Travel facilities to ex-members.**-- Every person who is not a sitting member but has served for any period as a member of either House of Parliament shall be,-

- (a) with effect from the 18th day of January, 1999, entitled along with a companion to travel in any train by any railway in India in air-conditioned two-tier class; or

^{18a} Substituted by Act 37 of 2010-effective from 18-5-2009.

^{18b} Omitted by Act 40 of 2006-effective from 15-9-2006

^{18bb} Substituted by Act 48 of 1993-effective from 9-6-1993.

^{18bbb} Inserted by Act 33 of 1977-effective from 18-8-1977.

¹⁹ Inserted by Act 40 of 2006-effective from 15-9-2006.

^{19a} Substituted by Act 9 of 2004-effective from 09-01-2004.

- (b) entitled to travel alone in any train by any railway in India in air-conditioned first class,

without payment of any charges on the basis of an authorisation issued for this purpose by the Secretariat of either House of Parliament as the case may be.]

^{19aa}[(2) Every person who is not a sitting member but has served for any period as a member from the Andaman and Nicobar Islands or the Lakshadweep, shall be entitled to travel by the highest class of accommodation in any steamer sailing between the Andaman and Nicobar Islands or, as the case may be, the Lakshadweep and the main land territory of India in addition to the facilities available to such member under sub-section (1), without payment of any charges on the basis of an authorization issued for this purpose by the Secretariat of either House of Parliament.]

^{19aaa}**[8AB. Rounding off period of pension.--** Where the period for which the pension is payable under this Act contains a part of a year, then, if such part is nine months or more, it shall be reckoned equivalent to complete one year for the purpose of payment of additional pension under sub-section (1) of section 8A and if such part is less than nine months, it shall be ignored.]

^{19b}**[8AC (1)** On the death of a member of either House of Parliament during his term of office, his spouse, if any, or dependent of such member shall be paid during the remaining period of life of such spouse or, as the case may be, such dependent so long as such dependent continues to be a dependent within the meaning of clause (aa) of section 2, family pension equivalent to one-half of the pension which such member of Parliament would have received had he retired.

Provided that no such family pension shall be payable to a dependent if such dependent is a sitting member of Parliament or is drawing pension under section 8A.

(2) The family pension payable under sub-section (1) shall also be payable to the spouse or dependent of a person who was a member of either House of Parliament or the Provisional Parliament at any time before the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006 and died after serving as such member:

Provided that such spouse or dependent is not drawing any pension under this Act or is not entitled to draw family pension under the proviso to sub-section (1).

Provided further that no person shall be entitled to claim arrears of any family pension under this sub-section in respect of a period before the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2006.

Explanation.- For the purpose of this section, “Provisional Parliament” shall include the body which functioned as the Constituent Assembly of the Dominion of India immediately before the commencement of the Constitution.]

^{19bb} **[8B. Advance for purchase of conveyance.—**There may be paid to member by way of a repayable advance such sum of money not exceeding ^{19c}[four lakh rupees] as may be determined by rules made in this behalf under section 9 for the purchase of a conveyance].

9. Power to make rules.—(1) For the purposes of making rules under this section, there shall be constituted a Joint Committee of both Houses of Parliament consisting of five members from the Council of States nominated by the Chairman and ten members from the House of the People nominated by the Speaker.

^{19aa} Inserted by Act 40 of 2006-effective from 15-9-2006.

^{19aaa} Inserted by Act 9 of 2004-effective from 09-01-2004.

^{19b} Inserted by Act 40 of 2006-effective from 15-9-2006.

^{19bb} Inserted by Act 74 of 1985-effective from 26-12-1985.

^{19c} Substituted by Act 37 of 2010-effective from 1-10-2010.

(2) The Joint Committee constituted under sub-section (1) shall elect its Chairman and shall have power to regulate its procedure.

^{19d} [(2A) A member of the Joint Committee shall hold office as such member for one year from the date of his nomination and any casual vacancy in the Joint Committee may be filled by nomination by the Chairman of the Council of States, or the Speaker of the House of the People, as the case may be.

Explanation.—In the case of member of a Joint Committee holding office as such immediately before the commencement of the Salary and Allowances of Members of Parliament (Amendment) Act, 1958, the period of one year shall be computed from the date of such commencement.]

(3) The Joint Committee constituted under sub-section (1) may ²⁰[after consultation with the Central Government] makes rules to provide for all or any of the following matters, namely—

(a) the routes for the performance of any journey;

^{20a} {(aa) the person who may be specified as dependent under sub-clause (g) of clause (aa) of section 2};

(b) the manner in which fractions of a day shall be dealt with for the purpose of determining the daily allowance admissible for that day;

(c) the travelling allowance admissible where a member is provided with free transit for the whole or any part of a journey ²¹[and the reduction of the daily allowance where a member is provided with free board or lodging at the expenses of the Government or a local authority];

^{21a}[(cc) the rate at which road mileage shall be paid under sub-clause (ii) of clause (c) of sub-section (1) of section 4];

^{21b}(ccc) the transit accommodation and the period for which such accommodation may be provided under section 5A};

(d) the travelling allowance admissible where the place from which a member commences his journey or to which he returns is not his usual place of residence;

²²[(dd) the travelling allowance admissible in respect of journeys performed by any vessel where there is no regular steamer service;

(ddd) the travelling and daily allowances admissible for journeys performed by a member in the course of a tour outside India undertaken in connection with his duties as such member];

(e) the form in which certificates if any, shall be furnished by a member for the purpose of claiming any allowance under this Act;

^{22a}[(ee) the form in which certificates, if any, shall be furnished by any person for the purpose of claiming any pension under this Act];

²³[(f) the constituency allowance and medical and other facilities mentioned in section 8 and the amount to be paid in cash in lieu of such facilities];

^{19d} Inserted by Act 55 of 1958-effective from 30-12-1958.

²⁰ Inserted by Act 55 of 1958-effective from 30-12-1958.

^{20a} Inserted by Act 9 of 2004-effective from 09-01-2004.

²¹ Inserted by Act 55 of 1958-effective from 30-12-1958.

^{21a} Inserted by Act 61 of 1982-effective from 6-11-1982.

^{21b} Inserted by Act 9 of 2004-effective from 09-01-2004.

²² Inserted by Act 55 of 1958-effective from 30-12-1958.

^{22a} Inserted by Act 105 of 1976 – effective from 9-9-1976.

²³ Substituted by Act 48 of 1975 – effective from 16-8-1975.

(ff) the amount which may be paid by way of repayable advance for the purchase of conveyance; the rate of interest thereon and the mode of recovery of such amount and interest thereon;] and

^{23a}{ (fff) to provide for carry forward of unutilised free telephone calls pertaining to any year beginning on or after the 1st day of April, 2002 to any subsequent year};

(g) generally for regulating payment of the ^{23b}[daily and travelling allowances and pension] under this Act.

(4) Any rules made under sub-section (3) shall not take effect until they are approved and confirmed by the Chairman of the Council of States and the Speaker of the House of the People and are published in the Official Gazette and such publication of the rules shall be conclusive proof that they have been duly made.

***10. Validation of payment of certain travelling allowance.**

^{23a} Inserted by Act 9 of 2004 – effective from 9-1-2004.

^{23b} Substituted by Act 105 of 1976 – effective from 9-9-1976.

* Repealed by the Repealing and Amending Act, 1960 (58 of 1960) S. 2 and Schedule 1.

Chapter 2

THE MEMBERS OF PARLIAMENT (TRAVELLING AND DAILY ALLOWANCES) RULES, 1957

New Delhi, the 4th April, 1957

S.R.O. 1148. -- The following Rules made by the Joint Committee constituted under sub-section (1) of Section 9 of the Salaries and Allowances of Members of Parliament Act, 1954 (No. 30 of 1954), in exercise of the powers conferred on it by sub-section (3) of the said section, which have been approved and confirmed by the Chairman of the Council of States and the Speaker of the House of the People as required by sub-section (4) of that section, are published for general information:--

THE MEMBERS OF PARLIAMENT (TRAVELLING AND DAILY ALLOWANCES) RULES, 1957* (As amended upto 13th December, 2010)

PRELIMINARY

1. Short Title. -- (1) these rules may be called the Members of Parliament (Travelling and Daily Allowances) Rules, 1957.

(2) They shall be deemed to have come into force on the 1st day of June, 1954, provided that any claim already settled before the publication of these rules in the Official Gazette shall not be reopened by virtue of any provision contained in these rules.

2. Definitions. -- In these rules, unless the context otherwise requires, --

- a. "the Act" means the Salaries and Allowances of Members of Parliament Act, 1954 (30 of 1954), as amended (9 of 1955);
- b. "Controlling Officer" means an officer of the Lok Sabha Secretariat empowered by the Secretary to the Lok Sabha or an Officer of the Rajya Sabha Secretariat empowered by the Secretary to the Rajya Sabha, to countersign the traveling and daily allowances bills of Members of the Lok Sabha or the Rajya Sabha as the case may be;
- c. "Day" means a period of twenty-four hours beginning at midnight;
- d. "Form" means a form appended to these rules;
- e. "Joint Committee" means the Joint Committee constituted under sub-section(1) of section 9;
- f. "Section" means a section of the Act.

ROUTES FOR THE PERFORMANCE OF ANY JOURNEY

3. (i) Subject to the other provisions of these rules, the railway fare referred to in clause (a) of sub-section (1) of section 4 of the Act shall be calculated by the shortest route, i.e., the route by which a Members may most speedily reach his destination. When more routes than one are equally short, the fare shall be calculated by the cheapest route.

* Published in the Gazette of India, Extraordinary, Part I, Section 3, dated the 6th April, 1957.

(ii) Where the shortest route is temporarily closed, the extra fare may be allowed by the next quickest route.

¹[(iii) Where it is not convenient for a Member to travel by the shortest route, he may travel by any route more convenient to him, and in such a case the railway fare shall be calculated by the route by which he actually travelled:

Provided that where the difference between the fare by the shortest route and the fare by the route by which he actually travelled exceeds sixty rupees, the difference in fare payable to the Member shall be limited to sixty rupees.]

²[(iv)The 'second class fare' referred to in clause (a) of sub-section (1) of section 4 of the Act shall be calculated at the rates prescribed for journeys by mail trains irrespective of the train in which the Member actually travels.]

³[3A. ^{3a}{(1) The Member is entitled to receive travelling allowances in respect of journey performed by air in any airlines.

(IA) The air fare referred to in clause (b) of sub-section (1) of section 4, or in clause (b) of sub-section (1), and sub-section (2) of section 5 shall be calculated by the direct route:

Provided that where there are more routes than one, the airfare shall be calculated by the route by which a Member may reach his destination at the earliest. }

(2) Where the direct route is temporarily closed, or there is no service on a particular day, and the journey is performed by the Member by the next cheapest route, the airfare shall be allowed by that route.

(3) Where it is not convenient for a Member to travel by the direct route, he may travel by any route more convenient to him and in such a case, he shall be allowed an amount which is equal to --

(i) the air fare by the route by which he had actually travelled, or

(ii) the air fare by the direct route plus a sum of rupees ^{3b}[two hundred and fifty], whichever is less.

^{3c}[Provided that a Member of Parliament shall be entitled to travel by any other route to avoid inconvenience to reach his destination on the same day when connected flights are not

¹ Inserted by S.R.O. 342, published in the Gazette of India, Extraordinary, Part II, Section 3, dated the 25th January, 1958.

² Inserted by G.S.R. 1285, published in the Gazette of India, Extraordinary Part II, Section 3 sub-section (i), dated the 24th November, 1959.

³ Inserted by G.S.R. 338(E), published in the Gazette of India, Extraordinary, Part II Section 3, sub-section (i), dated the 2nd July, 1973.

^{3a} Inserted by G.S.R. 702 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 26th October, 2004.

^{3b} Substituted by G.S.R. 1091 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 25th November, 1988.

available by the shortest route, subject to the permission of the Speaker, Lok Sabha or Chairman, Rajya Sabha as the case may be.]

(4) Where a Member travels by a circuitous *air-cum-rail* route he shall be allowed travelling allowance under section 4 for the journey actually performed air-cum-rail or the travelling allowance by air by the direct route, whichever is less:

Provided that where the air portion of the journey performed is less than half the total distance by the direct route, the travelling allowance by air shall be allowed for the distance actually travelled by air and for the remainder of the journey, travelling allowance by rail shall be allowed by working out the total rail mileage by the direct route from the starting point to the destination and reducing therefrom the rail mileage from the starting point upto the place a Member travelled by air.

^{3d}[(5) Where the journey by air is performed by, --

- i. a Member under section 4, section 5 or section 6C.
- ii. the spouse of the Member under section ^{3e}{6B}, or
- iii. an attendant of the Member under section 6D, the Member shall produce the counterfoil of air ticket of the journey so performed:

Provided that where the counterfoil is lost or has been misplaced, the Member shall produce a certificate from ^{3f}{concerned Airlines} for having performed the journey by air.]

MANNER IN WHICH FRACTIONS OF A DAY SHOULD BE DEALT WITH FOR THE PURPOSE OF DETERMINING THE DAILY ALLOWANCE ADMISSIBLE FOR THE DAY.

4. Daily allowance shall be admissible to a Member for each day of residence on duty irrespective of the time of arrival or departure.

^{3g}[4A. Every Member shall be entitled to receive road mileage allowance at the rate of ^{3h}{rupees sixteen per kilometer} for the journey or any part thereof performed by road for the purpose of sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Act:

^{3c} Inserted by G.S.R. 539 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 31st August, 1998.

^{3d} Inserted by G.S.R. 769 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i),

dated the 1st October, 1983.

^{3e} Substituted by G.S.R. 702 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 26th October, 2004, effective from 7.6.2000.

^{3f} Substituted by G.S.R. 702 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 26th October, 2004.

Provided that in respect of journey from the usual place of residence in Delhi to the Delhi airport and vice-versa the minimum amount shall be Rs. 120].

ADMISSIBILITY OF TRAVELLING ALLOWANCE WHERE A MEMBER IS PROVIDED WITH FREE TRANSIT FOR THE WHOLE OR ANY PART OF A JOURNEY.

5. No travelling allowance under section 4 shall be claimed by a Member in respect of any journey or part thereof performed by him in a conveyance provided at the expense of the Government of India or a State Government or a local Fund but he shall be entitled to draw an allowance at the rate of Rs. 5.25 (Rupees five and paise twenty-five) only per diem, where the duration of such journey lasts for not less than six hours on any day:

Provided that the provisions of the rule shall not apply to a journey performed on any railway.

Note -- The amount of Rs. 5.25 is granted to the Member to cover his incidental expenses during such journeys or parts thereof, and is in lieu of the extra air or steamer fares or road mileage when he performs the journey by a conveyance supplied without charge. This allowance is not an alternative to the daily allowance of ⁴(two thousand rupees per diem) which is allowed to him for each day of residence on duty.

ADMISSIBILITY OF TRAVELLING ALLOWANCE WHERE THE PLACE FROM WHICH A MEMBER COMMENCES HIS JOURNEY OR TO WHICH HE RETURNS IS NOT HIS USUAL PLACE OF RESIDENCE

6. Where a Member performs a journey for the purpose of attending a session of a House of Parliament or a meeting of a Committee or for the purpose of attending to any other business connected with his duties as a Member from a place, other than his usual place of residence or returns to such place, he may draw travelling allowance for the actual journey performed or the journey from or to his usual place of residence whichever is less.

⁵[6A. Where during a Session of a House of Parliament or a sitting of a committee a Member performs a journey from the place where such session or sitting is held to any other place for

^{3g} Substituted by G.S.R. 572 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 25th August, 1993

^{3h} Substituted by G.S.R. 968 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 13th December, 2010

⁴ Substituted by G.S.R. 968 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 13th December, 2010.

⁵ Inserted by G.S.R. 1179, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

the purpose of attending to any business connected with his duties as a Member, he shall be entitled to receive—

- a. travelling allowance, in respect of such journey to such other place and for the return journey, at the rates specified in section 4, and
- b. daily allowance for each day during any period of residence on duty at the other place at the rate specified in section 3.]

⁶[* * * *]

GENERAL RULES REGULATING THE PAYMENT OF DAILY AND TRAVELLING ALLOWANCES UNDER THE ACT

8. Every Member shall, as soon as possible after he is elected or nominated, declare his usual place of residence to the Controlling Officer, and any subsequent change in the usual place of residence so declared shall be notified to the Controlling Officer in Form 'A' as early as possible.

9. Notwithstanding that a Member has not taken his seat in a House of Parliament to which he is elected or nominated, he shall be entitled to receive travelling allowance for the journey performed by him for the purpose of taking his seat in the House.

10. (1) For absence for a period of 15 days or more during a session of a House of Parliament or a meeting of a Committee for visiting any place in India, no travelling or daily allowance will be admissible. The period of absence of a Member shall be reckoned in terms of days beginning and ending at midnight.

Explanation -- If a Member comes back on the 15th day, whether in the forenoon or in the afternoon, his absence shall be treated as being less than 15 days.

(2) The term 'during a session' or 'a sitting of a Committee' occurring in section 5 and sub-rule (1) of this rule does not include a period of three days immediately preceding the commencement of and three days immediately succeeding the end of the session or two days immediately preceding the commencement of the business and two days immediately succeeding the conclusion of the business of the Committee:

⁷[Provided that nothing in this rule shall apply to availing of ^{7a}(thirty four) single air journey during any year from any place in India to any other place in India in terms of the provision of sub-section (2) of section 5 of the Act].

(i), dated the 15th September, 1961.

⁶ Omitted by G.S.R. 573, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 19th April, 1971.

⁷ Inserted by G.S.R. 520 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 21st May, 1987.

12. If a Member leaves the place where a session of a House of Parliament or a sitting of a Committee is held before the commencement of the interval between the adjournment of the session or the sitting of a Committee sine die and the Commencement of another session or sitting, such interval not exceeding a period of seven days, his absence from that place shall be treated as intermediate absence during a session of a House or a sitting of a Committee, as the case may be and the provisions of section 5 shall apply accordingly.

13. Travelling allowance for a return journey to the usual place of residence shall be admissible to a Member who leaves the place of a session of a House of Parliament or a sitting of a Committee during the continuance of such session or sitting and returns to the place of the session or sitting after the conclusion of the business of the session or the sitting, as the case may be, before finally returning to his usual place of residence.

14. All cases regarding the admissibility of travelling allowance to a Member whom arrives at the place where a session of a House of Parliament or a sitting of a Committee is held, without knowledge of the postponement of the session or the Sitting, including cases of such Members as arrive after the session or the sitting is adjourned suddenly shall be determined by the Speaker of the House of the People or the Chairman of the Council of States, as the case may be, having regard to the circumstances of each case.

15. Where a Member is provided with free board and lodging at the expense of the Government of India or a State Government or a Local Fund, he shall be entitled to receive only one-half of the daily allowance admissible to him under section 3. If only board or lodging is allowed free to a Member, he shall be entitled to receive three-fourths of the daily allowances admissible to him under that section.

16. (1) Where a Member loses his ⁸[Identity Card-cum-Railway Pass or Spouse's Railway Pass] and a duplicate thereof is required to be issued to him, he shall make an application to the Speaker of the House of the People or the Chairman of the Council of States, as the case may be, explaining the circumstances under which the loss occurred and if the Speaker or the Chairman, as the case may be, is satisfied, a duplicate ⁹[Identity Card-cum-Railway Pass or Spouse's Railway Pass] shall be issued to the Member.

^{7a} Substituted by G.S.R. 745 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 12th December, 2006 effective from 15.9.2006.

^{7b} Rule 11 shall be omitted by G.S.R. 1280, published in the Gazette of India, Extraordinary, Part II, Section 3,

sub-section (i), dated the 31st October, 1960.

⁸ Substituted by G.S.R. 573, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 19th April, 1971.

⁹ Substituted by G.S.R. 573, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 19th April, 1971.

(2) ¹⁰[Where a Member/Spouse travels by rail without his (Identity Card-cum-Railway Pass /Spouse's Railway Pass) he shall be governed by the ordinary railway rules in regard to such travel.]

¹¹[**16A.** (1) Where a Member loses his Steamer Pass or the Spouse's Steamer Pass and a duplicate thereof is required to be issued to him, he shall make an application to the Speaker of the House of the People or the Chairman of the Council of States, as the case may be, explaining the circumstances under which the loss occurred and if the Speaker or the Chairman, as the case may be, is satisfied a duplicate Steamer Pass or the Spouse's Steamer Pass, shall be issued to the Member.

(2) Where a Member or his Spouse travels by steamer without the Steamer Pass, he shall be governed by the ordinary rules in regard to such travel.]

17. (1) Whenever a Member undertakes a journey by using the railway pass provided under section 6, he shall fill in a Member's Railway Journey Form as set out in Form 'B' before the commencement of the journey and hand over the form to the railway ticket-collecting stall on the termination of the journey at the detraining station. For this purpose, a booklet containing twenty-five machine-numbered copies of Form 'B' shall be supplied to each Member.

(2) Whenever a Member wants to reserve accommodation on the railway, he shall fill a form as set out in Form 'C'.

¹²[**17-A.** Whenever the spouse of a Member undertakes a journey by using the railway pass provided under ¹³[Section 6B], a railway journey form as set out in Form B-I shall be filled in by the Member before the commencement of the journey. The form so filled shall be handed over to the railway ticket-collecting staff on the termination of the journey at the detraining station. For this purpose, a booklet containing machine numbered copies of Form B-I to be used by the spouse of the Member, shall be supplied to a Member, on request].

¹⁰ Substituted by G.S.R. 573, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 19th April, 1971.

¹¹ Inserted by G.S.R. 243(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 10th May, 1973.

¹² Inserted by G.S.R. 573, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 19th April, 1971, effective from 21.8.1969.

¹³ Substituted by G.S.R. 243(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 10th May, 1973.

¹⁴[**17-B.** Whenever a person accompanies the Member, when he travels by rail, by using the railway pass provided under ¹⁵[Section 6B], a railway journey form as set out in Form B-II shall be filled in by the Member before the commencement of the journey. The form so filled shall be handed over to the railway ticket-collecting staff on the termination of the journey at the detraining station. For this purpose, a booklet containing twenty-five machine-numbered copies of Form B-II shall be supplied to each Member.]

¹⁶[**17-C.** Whenever a Member undertakes a journey by using the Steamer Pass provided under Section 6A, he shall fill in a Member's Steamer Journey Form as set out in Form B-III before the commencement of the journey and hand over the form to the Master of the Vessel on the completion of the voyage. For this purpose, a booklet containing twenty-five machine-numbered copies of Form B-III shall be supplied to the Member concerned.

17-D. Whenever the spouse of a Member undertakes a journey by using the Steamer Pass provided under section 6A, a Steamer Journey Form as set out in Form B-IV shall be filled in by the Member before the commencement of the journey. The form so filled shall be handed over to the Master of the Vessel on the completion of the voyage. For this purpose, a booklet containing twenty-five machine-numbered copies of Form B-IV to be used by the spouse of the Member, shall be supplied to the Member, on request.

17-E. Whenever a person accompanies a Member, when he travels by steamer by using the Steamer Pass provided under section 6-A, a Steamer Journey Form as set out in Form B-V shall be filled in by the Member before the commencement of the journey. The form so filled shall be handed over to the Master of the Vessel on the completion of the voyage. For this purpose, a booklet containing twenty-five machine-numbered copies of Form B-V shall be supplied to the Member.]

^{16a}[**17-F.**(1) A member who is so physically incapacitated as to require an attendant to accompany him by air shall, along with his application addressed to the Chairman of the Council of States or the Speaker of the House of the People, as the case may be, append therewith a certificate from a panel of doctors of Dr. Ram Manohar Lohia Hospital, New Delhi, certifying the nature of incapacity whether permanent or temporary.

¹⁴ Inserted by G.S.R. 1785, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 29th November, 1971.

¹⁵ Substituted by G.S.R. 243(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 10th May, 1973.

¹⁶ Inserted by G.S.R. 243(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 10th May, 1973.

^{16a} Inserted by G.S.R. 611(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 2nd November, 1979.

(2) If the nature of the incapacity is temporary, the period of such incapacity shall be specified and shall not initially exceed six months.

(3) If the Member feels that an attendant is required for travel by air along with him even after the period referred to in sub-rule (2), the Member shall appear again before the panel of doctors referred to in sub-rule(1) for obtaining a certificate to which the provisions of sub-rule (2) shall apply.]

¹⁷[**18.** (1) Travelling Allowance Bill for any return journey of the nature referred to in sub-section (1) of section 4 of the Act may be paid to a Member not more than seven days in advance of the date on which the journey is to be performed by him:

Provided that in case the Member does not subsequently perform the journey on such date, the amount of the travelling allowance taken in advance shall be refunded forthwith.

(2) A bill on account of daily allowance is payable only up to the date of the presentation of the bill.]

¹⁸[**18A.** Where the journey or any part thereof is performed by a casual steamer, the member may be allowed to draw an amount equal to one and three-fifths of the fare(without diet) for the highest class in the steamer for each such journey or part thereof. Where the journey or part thereof is performed by sea or river in a steam launch or in any vessel other than a steamer, mileage at the rate of ¹⁹(0.32 paise per kilometer) may be paid to the Member for each such journey or part thereof.]

^{19a}[**18B.** (1) Every Member shall, as soon as he is elected or nominated to either House of Parliament, lodge with the Secretariat of the concerned House of Parliament a nomination in Form 'E' stating the particulars of the nominee who shall in the event of such Member's death be entitled to receive the salary, additional facilities, allowances, travelling allowance, daily allowance, medical reimbursement claims and any other allowances and claims

¹⁷ Substituted by S.R.O. 342, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 24th January, 1958.

¹⁸ Inserted by G.S.R. 1286, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 24th November, 1959.

¹⁹ Substituted by G.S.R. 243(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 10th May, 1973.

^{19a} Inserted by G.S.R. 239(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 1st March, 1982.

whatsoever payable to such Member, under the provisions of the Act and the rules framed thereunder for the time being in force, and which remain unpaid to him at the time of his death.

(2) Every nominee under sub-rule (1) shall, before claiming payment, furnish a bond in Form 'F' to the Secretariat of the House to which the deceased Member was elected or nominated.]

FORM OF CERTIFICATES TO BE FURNISHED BY MEMBER FOR THE PURPOSE OF CLAIMING ALLOWANCES UNDER THE ACT

19. A Member who claims any travelling or other allowances under these rules shall support his claim by a Certificate in the following form, namely:-

²⁰**[I certify that the information given by me is true to the best of my knowledge. I have not claimed the TA/DA from any other official source for the period mentioned in this Bill.]**

²¹[* * * *]

23. (1) Whenever any Government dues, such as house rent, telephones dues, are reported to be outstanding against a Member and appropriate claims or bills in support thereof are received from the authority concerned, an amount equivalent to such dues shall be deducted from the next salary, or travelling and daily allowances bills to be prepared for and on behalf of the Member and the balance shall be paid to him.

(2) Ordinarily any non-Governmental dues outstanding against a Member shall not be recovered from his salary or allowances but where such dues are on account of certain services rendered to him in the course of his parliamentary duties such as, when he is on tour with a Parliamentary Committee and the arrangements for such services have been made by or at the instance of semi-Government institutions or private parties at the request of officers of the Lok Sabha or the Rajya Sabha Secretariat and where such Member in spite of repeated requests had failed to make payment of such dues, recovery thereof may be effected from the salary or travelling or daily allowance bills of such Member.

24. If any question arises as to the interpretation of these rules, the question shall be referred to the Joint Committee and its decision thereon shall be final.

[F-14-MSA/56]

²⁰ Substituted by G.S.R. 383(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 30th August, 1996.

²¹ Rules 20, 21 and 22 shall be omitted by G.S.R. 383 (E), published in the Gazette of India, Extraordinary, Part

II, Section 3, sub-section (i), dated the 30th August, 1996.

Form 'A'
[See Rule 8]

I have changed my usual place of residence from.....
.....to.....
with effect from.....due to

(Here state the reasons)

I may hence forward be allowed travelling allowances
from.....

(Signature).....

(Division No.).....

(Date).....

²²[Form 'B']
[See Rule 17 (1)]

No.

No.

Lok Sabha Secretariat
Rajya Sabha Secretariat

Lok Sabha Secretariat
Rajya Sabha Secretariat

**MEMBER'S RAILWAY
JOURNEY FORM**

**MEMBER'S RAILWAY
JOURNEY FORM**

BOOK FOIL

FOIL

I am travelling by class*.....

I am travelling by class*.....

From.....

From.....

Station to.....

Station to.....

Station via.....

Station via.....

²³and have commenced my journey
on.....

²³and have commenced my journey
on.....

accompanied/unaccompanied by one person
in first class.

accompanied/unaccompanied by one person
in first class.

My identity Card-cum-Railway
Pass No. is.....

My identity Card-cum-Railway
Pass No. is.....

Div. No.....

Div. No.....

Member, Lok Sabha
Rajya Sabha

Member, Lok Sabha
Rajya Sabha

*I/II/III AC III/Sleeper coach, etc.
[To be retained by Member]

*I/II/III AC III/Sleeper coach, etc.
[To be handed over to the Railway ticket
collecting staff on the termination of the
journey]

²² Substituted by G.S.R. 573, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 19th April, 1971, effective from the 21st August, 1969.

²³ Substituted by G.S.R. 1785, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 29th November, 1971.

²⁴[Form 'B-1']
[See Rule 17-A]

No.

Lok Sabha Secretariat
Rajya Sabha Secretariat

SPOUSES RAILWAY
JOURNEY FORM

BOOK FOIL

My wife/husband, Shrimati / Shri
.....is travelling
by.....*class from
.....(usual place of
residence) to Delhi/New Delhi & from
Delhi/New Delhi to
.....(usual
place of residence) via.....
commencing the journey on.....
in respect ofSession,
Lok Sabha/Rajya Sabha.
My Identity Card-cum-Railway Pass no.
is.....
My spouse's Railway Pass No.
is.....
Div. No.

Member, Lok Sabha
Rajya Sabha

[To be retained by Member and returned to
Lok Sabha/Rajya Sabha Secretariat]

*I/II/III AC III/Sleeper coach, etc.

No.

Lok Sabha Secretariat
Rajya Sabha Secretariat

SPOUSES RAILWAY
JOURNEY FORM

FOIL

My wife/husband, Shrimati / Shri
.....is travelling
by.....*class from
.....(usual place of
residence) to Delhi/New Delhi & from
Delhi/New Delhi to
.....(usual
place of residence) via.....
commencing the journey on.....
in respect ofSession,
Lok Sabha/Rajya Sabha.
My Identity Card-cum-Railway Pass no.
is.....
My spouse's Railway Pass No.
is.....
Div. No.

Member, Lok Sabha
Rajya Sabha

[To be handed over to the Railway ticket
collecting staff on the termination of the
journey]

*I/II/III AC III/Sleeper coach, etc.

²⁴ Inserted by G.S.R. 573, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 19th April, 1971 effective from the 21st August, 1969.

No.

Lok Sabha Secretariat
Rajya Sabha Secretariat

**RAILWAY JOURNEY FORM FOR
THE USE OF ONE PERSON TO
ACCOMPANY THE MEMBER OF
PARLIAMENT**

BOOK FOIL

Certified that Shri/Shrimati.....
.....who
is accompanying me has travelled
from.....
..... (Station) to
.....
(Station)..... in I class, via
.....
Commencing the Journey on
.....20.....

My Identity Card-cum-Railway Pass
No. is.....

Div. No.

Member, Lok Sabha
Rajya Sabha

[To be retained by Member and returned to
Lok Sabha/Rajya Sabha Secretariat after
use.]

No.....

Lok Sabha Secretariat
Rajya Sabha Secretariat

**RAILWAY JOURNEY FORM FOR THE
USE OF ONE PERSON TO
ACCOMPANY THE MEMBER OF
PARLIAMENT**

FOIL

Certified that Shri/Shrimati.....
.....who
is accompanying me has travelled
from.....
..... (Station) to
.....
(Station)..... in I class, via
.....
Commencing the Journey on
.....20.....

My Identity Card-cum-Railway Pass
No. is

Div. No.

Member, Lok Sabha
Rajya Sabha

[To be handed over to the Railway ticket
collecting staff on the termination of the
journey]

²⁵ Inserted by G.S.R. 1785, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 29th November, 1971.

No.

Lok Sabha Secretariat
Rajya Sabha Secretariat

**MEMBER'S STEAMER JOURNEY
FORM**

BOOK FOIL

I am travelling by.....class
(without diet) from
.....(Port)
to (Port)
and have commenced my journey on.....
.....20.....
My Steamer Pass No. is

Div. No.

Member, Lok Sabha
Rajya Sabha

[To be retained by Member and returned to
Lok Sabha/Rajya Sabha Secretariat after use.]

No.....

Lok Sabha Secretariat
Rajya Sabha Secretariat

**MEMBER'S STEAMER JOURNEY
FORM**

FOIL

I am travelling by.....class
(without diet) from
.....(Port)
to (Port)
and have commenced my journey on.....
.....20.....
My Steamer Pass No. is

Div. No.

Member, Lok Sabha
Rajya Sabha

[To be handed over to the Master of the vessel
on the completion of the voyage.]

²⁶ Inserted by G.S.R. 243 (e), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 10th May, 1973.

No.

Lok Sabha Secretariat
Rajya Sabha Secretariat

**SPOUSE'S STEAMER JOURNEY
FORM**

BOOK FOIL

My wife/husband, Shrimati/Shri.....
.....is
travelling byclass (without diet)
from.....
(usual place of residence of Member/nearest
port in the mainland of India) to
.....(nearest port in the
mainland of India/ usual place of residence of
Member commencing the Journey on.....
in respect of.....Session.
My Steamer Pass No. is
My Spouse's Steamer Pass No. is

Div. No.

Member, Lok Sabha
Rajya Sabha

[To be retained by Member and returned to
Lok Sabha/Rajya Sabha Secretariat after use.]

No.....

Lok Sabha Secretariat
Rajya Sabha Secretariat

**SPOUSE'S STEAMER JOURNEY
FORM**

FOIL

My wife/husband, Shrimati/Shri.....
.....is
travelling byclass (without diet)
from.....
(usual place of residence of Member/nearest
port in the mainland of India) to
.....(nearest port in the
mainland of India/ usual place of residence of
Member commencing the Journey on.....
in respect of.....Session.
My Steamer Pass No. is
My Spouse's Steamer Pass No. is

Div. No.

Member, Lok Sabha
Rajya Sabha

[To be handed over to the Master of the vessel
on the completion of the voyage.]

²⁷ Inserted by G.S.R. 243 (E), published in the Gazette of India, Extraordinary, Part II,
Section 3, sub-section

(i), dated the 10th May, 1973.

No.

No.....

Lok Sabha Secretariat
Rajya Sabha Secretariat

Lok Sabha Secretariat
Rajya Sabha Secretariat

**STEAMER JOURNEY FORM FOR
THE USE OF ONE PERSON TO
ACCOMPANY THE MEMBER OF
PARLIAMENT**

**STEAMER JOURNEY FORM FOR
THE USE OF ONE PERSON TO
ACCOMPANY THE MEMBER OF
PARLIAMENT**

BOOK FOIL

FOIL

Certified that Shri/Shrimati.....
..... who
is accompanying me has travelled from
.....(Port)
to(Port) in
the lowest class (without diet) commencing
the Journey on20.....
My Steamer Pass No. is
Div. No.

Certified that Shri/Shrimati.....
..... who
is accompanying me has travelled from
.....(Port)
to(Port) in
the lowest class (without diet) commencing
the Journey on20.....
My Steamer Pass No. is
Div. No.

Member, Lok Sabha
Rajya Sabha

Member, Lok Sabha
Rajya Sabha

[To be retained by Member and returned to
Lok Sabha/Rajya Sabha Secretariat after
use.]

[To be handed over to the Master of the
Vessel on the completion of the voyage]

²⁸ Inserted by G.S.R. 243 (E), published in the Gazette of India, Extraordinary, Part II,
Section 3, sub-section

(i), dated the 10th May, 1973.

[Form 'C']
[See Rule 17 (2)]

LOK SABHA
RAJYA SABHA

To
The Station Superintendent/Master,
.....

Please reserve one -----class berth for my journey ex.....
to..... by train No.on.....

Signature.....

Lok Sabha
Member -----
Rajya Sabha

Identity Card-cum-Rly. Pass No.....
Division No.....
Address.....
.....
.....

²⁹ [Form 'D']

Departure and Return Journey Certificate

I certify that the information given by me is true to the best of my knowledge. I have not claimed the TA/DA from any other official source for the period mentioned in this Bill

Signature.....

Name.....

Member: Rajya Sabha/Lok Sabha.....

I.C. No.....

²⁹ Inserted by G.S.R. 383(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 30th August, 1996.

***[FORM 'E']**
 [See Rule 18B (1)]
NOMINATION FORM
 (To be filled in duplicate)

I,..... Member of Lok Sabha/Rajya Sabha hereby nominate the person(s) mentioned below who is/are member(s) of my family and confer on him/them the right to receive Salary/**[Additional Facilities, Allowance/Travelling/Daily Allowance/Medical Reimbursement Claims and any other allowances and claims whatsoever which becomes due to me from the Lok Sabha/Rajya Sabha Secretariat and remain unpaid to me in the event of my death.

ORIGINAL NOMINEE			ALTERNATIVE NOMINEE		
Name and Address of nominee	Relationship with Member	Age	Name and address of nominee	Relationship with member	Age

Dated this day of..... 20..... at.....

Witness to signature:

1.....

Name.....

Address.....

2.....

Name.....

Address.....

Signature of Member

Name.....

Serial No.....

DIVISION NO.....

Note: The member is advised that it would be in the interest of his nominee of copies of the nominations and related notices and acknowledgements are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

* Inserted by G.S.R. 239 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 1st March, 1982.

** Now Constituency Allowance.

*[FORM 'F']
[See Rule 18B (2)]

FORM OF BOND OF INDEMNITY FOR DRAWING ARREARS OF SALARY,
** ADDITIONAL FACILITIES ALLOWANCE, TRAVELLING AND DAILY
ALLOWANCES, MEDICAL REIMBURSEMENT CLAIM AND ANY OTHER
ALLOWANCES AND CLAIMS WHATSOEVER DUE TO A DECEASED
MEMBER OF LOK SABHA/RAJYA SABHA.

WHEREAS was at the time of his death a Member of Lok Sabha/Rajya Sabha (name of deceased) and there was due to him a sum of Rupees.....(for Salary, ** Additional Facilities Allowance, Travelling and Daily Allowances and Medical Reimbursement Claim in respect of his said office)

AND WHEREAS the above bounder.....
(name of claimants)

(Hereinafter called the Claimant) claims to be entitled to the said sum as heir/heirress of the said.....(Name of deceased)

but has not obtained letters of administration or of a succession certificate to the property and effects of the said(name of deceased) including the said sum of Rs.....Rupees.....

AND WHEREAS the claimant has satisfied the Lok Sabha/Rajya Sabha Secretariat that he/she is entitled to the aforesaid sum and that it would cause undue delay and hardship if the claimant were required to produce letters of administration or of a succession certificate to the property and effects of the said.....(name of deceased) including the said sum of Rs.....Rupees.....

AND WHEREAS the Lok Sabha/Rajya Sabha Secretariat desire to pay the sum of Rs.....Rupees..... to the claimant but require the claimant first to execute a bond with one surety/two sureties to indemnify and keep indemnified and harmless the Lok Sabha/Rajya Sabha Secretariat against all claims to the sum of Rs.....(Rupees.....) due as aforesaid to the said(name of deceased) before the said sum can be paid to the claimant.

KNOW ALL MEN by these presents that I.....
(Full name of claimant with place or residence) (State relationship to the deceased) and I/We(Full name of claimant) with sureties for him/her are held firmly bound to the President of India in the sum of Rs.....

* Inserted by G.S.R. 239 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section

(i), dated the 1st March, 1982.

** Now Constituency Allowance.

.....Rupees..... to be paid to the President, FOR WHICH Payment to be well and truly made each of us jointly and severally binds himself and his heirs, executors, administrators and assigns firmly by these presents; PROVIDED that if after payment of the said sum of Rs.....Rupees.....has been made to the Claimant, the Claimant or the surety/sureties shall, in the event of a claim being made by any other person(s) against the Lok Sabha/Rajya Sabha Secretariat with respect of the aforesaid sum of Rs.....Rupees..... or any party thereof pay, or cause to be paid, the said sum or such party thereof as may be the subject of claim by third person(s) or shall otherwise indemnify and save the Lok Sabha/Rajya Sabha Secretariat harmless from all liability in respect of the aforesaid sum and all cost and expenses incurred in consequence of any such claim thereto THEN the above written bond or obligation shall be void BUT OTHERWISE the same shall remain in full force and virtue.

IN WITNESS WHEREOF WE

WITNESS (1).....(Claimant above named)

WITNESS (2).....(Surety above named)

WITNESS (3).....(Surety above named)

have hereunto set our hands thisday of.....20.....

[F.11/3/MSA/80]

Chapter 3

THE HOUSING AND TELEPHONE FACILITIES (MEMBERS OF PARLIAMENT) RULES, 1956

S.R.O. 1973.—In exercise of the powers conferred by clause (f) of sub-section (3) of section 9 of the Salary and Allowances of Members of Parliament Act, 1954 (No. 30 of 1954), the Joint Committee constituted under sub-section (1) of that section hereby makes the following rules, the same having been approved and confirmed by the Chairman of the Council of States and the Speaker of the House of the People, as required by sub-section (4), of the said section, namely:—

THE HOUSING AND TELEPHONE FACILITIES (MEMBERS OF PARLIAMENT) RULES, 1956*

(As amended upto 12th December, 2006)

1. Short title and commencement.—(1) These Rules may be called the Housing and Telephone Facilities (Members of Parliament) Rules, 1956.

(2) These rules shall be deemed to have come into force on the 1st day of April, 1955.

2. ¹[Facilities of Housing etc. to Members.—(1) Each Member shall be entitled without payment of ^{1a}[licence fee] to housing accommodation in the form of a flat throughout his term of office:

^{1b}[Provided that where a member is allotted housing accommodation in the form of bungalow at his request, he shall pay full normal licence fee if he is entitled to such accommodation.]

^{1c}[Provided further that in case a member comes to Delhi immediately after he is declared elected by the returning officer, prior to the notification in the Official Gazette for such declaration under the provisions of the Representation of Peoples Act, 1951 (43 of 1951), he shall be provided transit accommodation from the date of his arrival at Delhi till he is allotted a Government accommodation in the form of flat or bungalow as the case may be.]

Explanation.—For the purposes of this sub-rule "Flat" includes hostel accommodation.

^{1d}[(2) Every Member shall in respect of any accommodation allotted to him under sub-rule (1) or in respect of any private accommodation in Delhi in which he is residing also be

* Published in the Gazette of India, Extraordinary, Part III, Section 3, dated the 8th May, 1956 (S.R.O. 1973).

¹ Substituted by G.S.R. 13(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 3rd January, 1986.

^{1a} Substituted by G.S.R. 1169(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 28th October, 1986.

^{1b} Substituted by G.S.R. 453(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 13th May, 2000.

^{1c} Inserted by G.S.R. 701(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub- Section

(i) dated the 26th October, 2004.

^{1d} Substituted by G.S.R. 508 (E), published in the Gazette of India, Extraordinary, Part-II, Section 3, sub-

entitled without payment of charges to the supply of water and electricity upto a maximum of ^{1e}{50,000} units of electricity per annum [^{1f}{25,000} units each of light/power meters or pooled together] and ^{1g}[4000 kilolitres of water per annum free of charge beginning first January of every year:

Provided that electricity may be supplied without payment of charge upto ^{1h}(50,000) units measured on light meter per annum, only to those Members of Parliament whose residence have no power meters installed].

^{1ha}“Provided further that the electricity in units and water in kilolitres as admissible under this sub-rule shall be calculated separately, if both husband and wife are members of either or the same House of Parliament and are residing in the same accommodation:

Provided also that where a member does not consume the units of electricity and water in kilolitres as admissible under this sub-rule in any year, the balance units of electricity and water in kilolitres shall be carried over to the subsequent years till his seat becomes vacant:

Provided also that where a member consumes more than his entitled units of electricity and water in kilolitres in a particular year, the excess units of electricity and water in kilolitres so consumed by him shall be adjusted from units of electricity and water in kilolitres available for the next year:

Provided also that in case the seat of a member becomes vacant due to resignation or completion of terms, he shall be entitled to consume the balance units of electricity and water in kilolitres as available for that year under this sub-rule within a maximum period of one month from the date on which his seat becomes vacant.

(3) Where in respect of any accommodation referred to in sub-rule (1) ¹ⁱ(licence fee) is payable on account of any improvement or addition made to it or any additional service

section (i), dated the 30th August, 1997.

^{1e} Substituted by G.S.R. 806 (E), published in the Gazette of India, Extraordinary, Part-II, Section 3,

sub-section (i), dated the 25th October, 2001.

^{1f} Substituted by G.S.R. 806 (E), published in the Gazette of India, Extraordinary, Part-II, Section 3,

sub-section (i), dated the 25th October, 2001.

^{1g} Substituted by G.S.R. 806 (E), published in the Gazette of India, Extraordinary, Part-II, Section 3,

sub-section (i), dated the 25th October, 2001.

^{1h} Substituted by G.S.R. 806 (E), published in the Gazette of India, Extraordinary, Part-II, Section 3,

sub-section (i), dated the 25th October, 2001.

^{1ha} Inserted by G.S.R. 744(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-

section (i) dated the 12th December, 2006.

¹ⁱ Substituted by G.S.R. 1169(E), published in the Gazette of India, Extraordinary, Part II, Section 3,

provided thereto, it shall be twenty-five per cent less than the normal rent payable in respect of such improvement, addition or additional service.

^{1j}[Provided that the furniture shall be made available free of charge to the Members within the existing monetary ceiling of Rs. ^{1ja}(60,000) in respect of durable furniture and Rs. ^{1jb}(15,000) for non-durable furniture respectively:

Provided further that where an additional provision such as tiles in bathroom and kitchen as demanded and the facility of washing of sofa covers and curtains after every three months the same shall be provided free of cost to the Members.]

^{1k}Provided that the rent for additional items of furniture shall be charged on the depreciated value of the furniture so made available at the residence of a member.

Explanation I.—For the purposes of this sub-rule "improvement or addition" means the provision of additional accommodation, furniture, table and pedestal fans, table lamps, floor standard lamps, boilers, refrigerators, desert coolers and air-conditioning units.

Explanation II.—"Furniture" means such items of furniture as are admissible to a member for a residence allotted to him and includes any additional items taken on rent by a member in his residence.

Explanation III.—"Additional service" means

- (a) the provisions of Sweepers, Jamadars and the staff attached to members residences with dusters and brooms;
- (b) the supply of electric bulbs at the residences of members;
- (c) the maintenance of flower beds;
- (d) the maintenance of any place (like an Enquiry Office) intended for the common benefit of members; and
- (e) any other service provided for the common benefit of members.

sub-section (i) dated the 28th October, 1986.

^{1j} Inserted by G.S.R. 508(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-

section (i) dated the 30th August, 1997.

^{1ja} Substituted by G.S.R. 744(E), published in the Gazette of India, Extraordinary, Part II, Section 3,

sub- section (i), dated the 12th December, 2006.

^{1jb} Substituted by G.S.R. 744(E), published in the Gazette of India, Extraordinary, Part II, Section 3,

sub- section (i), dated the 12th December, 2006.

^{1k} Inserted by G.S.R. 744(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-

section (i) dated the 12th December, 2006.

EXPLANATORY MEMORANDUM

**AMENDMENT OF RULE 2 OF THE HOUSING AND TELEPHONE FACILITIES
(MEMBERS OF PARLIAMENT) RULES, 1956**

Some difficulties had been experienced in the assessment of rent of residences allotted to Members of Parliament as it was felt that Rule 2 of the Housing and Telephone Facilities (Members of Parliament) Rules, 1956 did not cover the residences constructed for Members of Parliament or added in the M.Ps. pool or resided after the 1st April, 1955. In practice, however, the concession admissible to Members of Parliament regarding rent of residences as envisaged in Rule 2 was also being allowed to Members who were allotted residences constructed or added to the M.Ps. pool after the 1st April, 1955. With a view to overcoming the difficulties experienced it was felt that the existing Rule 2 be suitably amended to cover residences added to the M.Ps. pool or constructed for the M.Ps. pool after the 1st April, 1955. The amendment as notified is designed to meet the requirement. As the amendment is to cover the residence for the purpose of allowing certain concessions to Members of Parliament, no Member of Parliament is likely to be adversely affected by the issue of the said amendment and giving it retrospective effect.

[No. F. 4/MSA/72-Vol. I]

²**[2.A. Retention of Government accommodation after the death of a Member.**—In the case of death of a member during the term of his office, the members of his family shall be entitled to retain the accommodation on the ^{2a}[same terms as were applicable to] the member immediately before his death for a maximum period of ^{2aa}[six months] after which the allotment shall be deemed to be cancelled.]

^{2b}[Provided that the family of a deceased member shall be entitled to consume the balance units of electricity and water in kilolitres available to such member for that particular year at the residence allotted to him during his term of office within a period of one month from the date of his death.”]

3. Remission in respect of transport charges. —The charges, if any, on account of the transport of any items of furniture to/or from the residence of a Member made at his request shall also be 25 per cent less than the actual charges otherwise payable in respect thereof under the rules for the time being in force.

² Inserted by G.S.R. 299(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 29th May, 1972.

^{2a} Substituted by G.S.R. 10(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 3rd January, 1986.

^{2aa} Substituted by G.S.R. 744 (E), published in the Gazette of India, Extraordinary, Part II, Section 3,

sub-section (i) dated the 12th December, 2006.

^{2b} Inserted by G.S.R. 744 (E), published in the Gazette of India, Extraordinary, Part II, Section 3,

sub-section (i) dated the 12th December, 2006.

4. Exemption in respect of telephone charges.—³[(1) No charges shall be payable by a Member in respect of the installation and rental of one telephone installed either at his residence or at his office in Delhi or New Delhi, and no Member shall be liable to make any payment in respect of the first ⁴[Fifty thousand] local calls made from the telephone during any year.].

⁵[(2) In addition to the exemption in respect of telephone charges admissible under the provisions of sub-rule (1), a Chairman of a Parliamentary Committee shall be exempted from payment of any charges for calls made from the telephone installed at his residence in Delhi or New Delhi.

Explanation.—In this sub-rule, a "Parliamentary Committee" does not include a Select or Joint Committee on a Bill or any other *ad hoc* Committee."]

⁶[(3) Without prejudice to the provisions contained in sub-rule (1), no charges shall be payable by a Member in respect of the installation and rental of one telephone installed either at his usual place of residence, or at a place selected by him, being a place—

- (i) situated within the State which he represents ⁷[or within the State in which he resides] in the case of a member of the Council of States, other than a member nominated to that House;
- (ii) situated within the State in which his Constituency is ^{7a}[or within the State in which he resides] in the case of a member of the House of the People, other than a member nominated to that House;
- (iii) approved by the Chairman of the Council of States or the Speaker of the House of the People, as the case may be in the case of nominated members; and

no Member shall be liable to make any payment in respect of the first ⁸[fifty thousand] local calls made from that telephone during any year:

Provided that the place selected by the Member or approved by the Chairman or the Speaker, as the case may be, shall be within the area of operation of an existing telephone exchange.]

^{8a}[* * * * *]

³ Re-numbered as sub-rule (1) of rule 4 by G.S.R. 1526, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 23rd December, 1960

⁴ Substituted by G.S.R. 508(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 30th August, 1997.

⁵ Inserted by G.S.R. 1526, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 23rd December, 1960

⁶ Inserted by G.S.R. 1842, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 5th August, 1964.

⁷ Inserted by G.S.R. 830, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 8th May, 1970.

^{7a} Inserted by G.S.R. 830, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 8th May, 1970.

⁸ Substituted by G.S.R. 508(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 30th August, 1997.

^{8b}[(4) No charges shall be payable by a Member for an additional cord not exceeding ten metres in length or a plug and socket added to a telephone installed under sub-rule (i) or sub-rule (3).]

^{8c}[(5) In addition to the exemption in respect of telephone charges admissible under the provisions of sub-rule (1) and sub-rule (3), no charges shall be payable by a member in respect of the installation and rental of one telephone installed,—

- (a) at his office situated at his residence in Delhi or New Delhi; or
- (b) at his usual place of residence; or
- (c) at a place selected by him, within his constituency or State; or
- (d) within the State in which he resides for Internet connectivity purposes;

and no member shall be liable to make any payment in respect of the first fifty thousand local calls from the telephone during a year.]

^{8d}[(6) A member, on his request, is entitled to avail one mobile phone connection of Mahanagar Telephone Nigam Limited with national roaming facility and another mobile phone connection of Mahanagar Telephone Nigam Limited or Bharat Sanchar Nigam Limited with national roaming facility for utilisation in his constituency and no charges shall be payable by him in respect of the registration and rental of such mobile phone connections:

Provided that the calls made by a member from such mobile phone connections shall be adjusted from the total free local calls available to him under sub-rule (1), sub-rule (3) and sub-rule(5):

Provided further that where services of Mahanagar Telephone Nigam Limited or Bharat Sanchar Nigam Limited are not available for utilizing total free local calls available to him under sub-rule (1), sub-rule (3) and sub-rule (5), he may avail such facility from any other private mobile operator subject to the condition that the registration and rental charges for the private mobile phone connection shall be borne by the member himself.

(7) A member may avail broadband facility from Mahangar Telephone Nigam Limited or Bharat Sanchar Nigam Limited on any one telephone available to him under sub-rule (1), sub-rule (3) or sub-rule (5), and shall not be liable to make payment upto a maximum of one thousand five hundred rupees per mensem which shall be paid directly to Mahangar Telephone Nigam Limited or Bharat Sanchar Nigam Limited, as the case may be, towards charges for this facility.]

⁹**[4A. Other exemptions in respect of telephone charges.—** (1) Where metering facility in respect of the telephone installed under sub-rule (3) of rule 4 is available, local calls made from that telephone and local calls made from the telephone installed under sub-rule (1) and sub-rule (5) of rule 4 shall be pooled together and a member shall not be liable to make any

^{8a} Omitted by G.S.R. 744(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 12th December, 2006.

^{8b} Inserted by G.S.R. 1036, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 12th July, 1971.

^{8c} Inserted by G.S.R. 454 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) dated the 13th May, 2000.

^{8d} Substituted by GSR 744(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 12th December, 2006.

⁹ Substituted by G.S.R. 718(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 23rd October, 2002.

payment in respect of one lakh and fifty thousand calls made from the three telephones during any year.

(2) Where metering facility in respect of a telephone installed under sub-rule (3) of rule 4 is not available, no member shall be liable to make any payment in respect of the local calls made from that telephone and in respect of another fifty thousand local calls, in addition to the fifty thousand local calls made from each of the telephones installed under sub-rule (1) and sub-rule (5) of the rule 4 and the total number of such free local calls shall not exceed one lakh fifty thousand local calls during any year.

(3) Where a member has either not been provided with a telephone or does not desire to be provided with a telephone under sub-rule (3) of rule 4, he shall not be liable to make any payment in respect of the additional fifty thousand local calls made from each of the telephones installed under sub-rule (1) and sub-rule (5) of rule 4 and the total number of such free local calls shall not exceed one lakh fifty thousand local calls during any year.

^{9a}{(3A) A member is entitled to use any number of telephones for utilising total free local calls available to him under sub-rule (1), sub-rule (3) and sub-rule (5) of rule 4 subject to the condition that the telephone should be in his name at the places specified in that rule and installation and rental charges of telephones other than the three telephones provided to him under sub-rule (1), sub-rule (3) and sub-rule (5) of rule 4 shall be borne by the member himself.}

(4) The trunk calls bills of the members may be adjusted within the monetary equivalent of the ceiling of one lakh and fifty thousand local calls per annum as aforesaid.

^{9b}{(4A) Where a member does not utilise the free telephone calls available to him on the three telephones provided under sub-rule (1), sub-rule (3) and sub-rule (5) of rule 4, in any year beginning on or after the 1st day of April, 2002, the balance unutilised telephone calls shall be carried forward to the subsequent years till his seat becomes vacant.}

(5) Excess telephone calls made, over and above the pooled total of one lakh fifty thousand free local calls per annum in respect of the three telephones installed under sub-rule (1), sub-rule (3) and sub-rule (5) of rule 4, may be adjusted against the one lakh fifty thousand free local calls allowed on the three telephones for the next year.

^{9bb}[* * * * * * * * * * * * *]

^{9c}{(7) A member is liable to make payment in respect of charges of local calls made in excess of total local calls available to him under sub-rule (1), sub-rule (3) and sub-rule (5) of rule 4.}

4B. Retention of Telephone by Family in case of Death of Members.--Where a Member dies during the term of his office, his family shall, for a period not exceeding two months from the death of the Member, be entitled to retain the telephone and avail of such facilities

^{9a} Inserted by G.S.R. 701(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub- section (i) dated the 26th October 2004.

^{9b} Inserted by G.S.R. 701(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub- section (i) dated the 26th October 2004.

^{9bb} Omitted by G.S.R. No.744(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub- section (i) dated the 12th December 2006.

^{9c} Inserted by G.S.R. No.701(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub- section (i) dated the 26th October 2004.

as were available to the said Member immediately before his death under the provisions of rules 4 and 4-A.

5. Rules not to apply in certain cases.—Nothing contained in these Rules shall apply in the case of any accommodation allotted to a Member, whether temporarily or permanently, in excess of the accommodation to which he is entitled as a Member:

¹⁰[Provided that a Member shall, on being given a change of residence, be entitled to retain the residence to be vacated and the residence to be occupied by him, for a period not exceeding three days on payment, for the period during which both the residences are occupied by him of ^{10a}[licence fee] ^{10b}[for one of the residences] at the rate specified in rule 2.]

¹⁰ Substituted by G.S.R. No.1227, published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 7th August, 1967.

^{10a} Substituted by G.S.R. No.1169(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 28th October, 1986.

^{10b} Substituted by G.S.R. No.13(E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 3rd January, 1986.

Chapter 4

THE MEDICAL FACILITIES (MEMBERS OF PARLIAMENT) RULES, 1959

New Delhi, the 16th November, 1959

G.S.R. 1253. -- The following rules which have been made by the Joint Committee constituted under sub-section (1) of Section 9 of the Salary and Allowances of Members of Parliament Act, 1954 (30 of 1954), after consultation with the Central Government, in exercise of the powers conferred on it by clause (ddd) of sub-section (3) of the said section and have been approved and confirmed by the Chairman of the Council of States and the Speaker of the House of the People, as required by sub-section (4) of that section are published for general information --

THE MEDICAL FACILITIES (MEMBERS OF PARLIAMENT) RULES, 1959

(As Amended upto 30 August, 1997)

1. Short title and commencement. -- (1) These rules may be called the Medical Facilities (Members of Parliament) Rules, 1959.

(2) They shall come into force on the 16th November, 1959.

2. Medical facilities admissible. -- Members of Parliament shall ¹[during their term of office] be entitled to the same medical facilities as are available to officers of the Central Civil Service, Class I, having their headquarters in Delhi or New Delhi, under the Contributory Health Services Scheme for Central Government employees contained in the Ministry of Health Memorandum No. F6(1)-1.54-Hosp. dated the 1st May, 1954 ²[as in force from time to time.]

³**[3. Contribution.** -- A compulsory monthly contribution shall be levied from every Member of Parliament at the same rate as would be payable by the highest Civil Servant and such contribution shall be recoverable from the Monthly Salary Bill of the Member.]

[No.F.130-MSA/59 III]

¹ Inserted by G.S.R. No. 431, published in the Gazette of India, Extraordinary, Part- II, Section 3, Sub-section(i), dated the 14th April, 1960.

² Substituted by G.S.R. No. 1888, published in the Gazette of India, Extraordinary, Part- II, Section 3, Sub-section (i), dated the 12th December, 1966.

³ Substituted by G.S.R. No. 509 (E), published in the Gazette of India, Extraordinary, Part- II, Section 3, Sub-section (i) dated the 30th August, 1997.

Chapter 5

THE MEMBERS OF PARLIAMENT (ALLOWANCES FOR JOURNEYS ABROAD) RULES, 1960

New Delhi, the 25th July, 1960

G.S.R. 830 -- The following rules which have been made by the Joint Committee constituted under sub-section (1) of section 9 of the Salary and Allowances of Members of Parliament Act, 1954 (30 of 1954), after consultation with the Central Government in exercise of the powers conferred on it by clause (ddd) of sub-section (3) of the said section and have been approved and confirmed by the Chairman of the Council of States and the Speaker of the House of the People, as required by sub-section (4) of that section are published for general information :--

THE MEMBERS OF PARLIAMENT (ALLOWANCES FOR JOURNEYS ABROAD) RULES, 1960.

1. Short title and commencement -- (1) These rules may be called the Members of Parliament (Allowances for Journeys Abroad) Rules, 1960.

(2) They shall be deemed to have come into force with effect from the 30th December, 1958, provided that any claim already settled before the publication of these rules in the official gazette shall not be re-opened by virtue of any provision contained in these rules.

2. Allowances in respect of journeys abroad -- Where a member performs a journey outside India in the discharge of his duties as such Member, he shall be entitled to the following travelling and other allowances in respect of such journey, namely :-

I. (i) *Travelling Allowance* -- For that part of the journey which a Member undertakes in India, travelling allowance will be regulated in accordance with section 4 of the Salary and Allowances of Members of Parliament Act, 1954 and the rules made under section 9 thereof.

(ii) *Passage* -- For the journey undertaken outside India free return air-cum-rail-cum-sea passage by the shortest route will be provided by the First Class in air and rail journeys and First Class- C grade passage in journey by sea or by any lower class by which the Member actually travels from the last port of the emplanement or embarkation in India to the place visited in the foreign country and back. Rail travel will include sleeping berth during nights.

(iii) *Luggage* -- A member can carry with him not exceeding ¹[40] kilograms of luggage including the free allowance allowed by the Air Transport Companies.

II. *Daily Allowance* -- (i) Daily Allowance as admissible to a grade I Officer of the Central Government will be paid on the basis of nights spent at the place of business in connection with his work in the foreign country in accordance with the rates prescribed by the Ministry of External Affairs, from time to time.

¹ Substituted by G.S.R. No.1889, published in the Gazette of India, Extraordinary, Part II, Section, 3, Sub-section (i) dated the 12th December, 1966.

(ii) Two-thirds of the daily allowance will also be paid during the period of journey by rail provided the cost of food is not included in the rail fare paid.

(iii) Members will not be entitled to any daily allowance admissible under any other rules, for the period of deputation outside India.

III. Other Expenses – A Member is entitled to :

- (i) free board and lodging expressed at enforced halts *en route* where the Air Companies do not provide the same subject to the maximum Daily Allowance admissible at the place of halt;
- (ii) actual expenses incurred on passport fees and vaccination and inoculation certificates subject to the production of receipts;
- (iii) incidental expenses such as tips, taxi-hire and cab fare incurred on duty on production of the necessary vouchers:

Provided that where the receipts or vouchers for actual or incidental expenses incurred are not available the expenditure shall be reimbursable on the basis of the certificate of the Member that it was actually incurred.

3. A Member who claims the actual or incidental expenses under rule 2 (III), shall support his claim by the certificates in the following form namely:-

(i) Certified that expenses incurred on passport fees, vaccination and inoculation certificates were in the interest of the work of the Delegation and that the rates of taxi-hire, etc. are in accordance with the prevailing rates and the expenditure on these items was reasonable.

(ii) Certified that the expenditure on account of tips included in the bills is not more than what has been actually incurred.

[No.61-MSA/59]

Chapter 6

THE MEMBERS OF PARLIAMENT (CONSTITUENCY ALLOWANCE) RULES, 1986

New Delhi, the 3rd January, 1986

¹**G.S.R. 11(E).**—The following rules which have been made by the Joint Committee constituted under sub-section (1) of section 9 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954), after consultation with the Central Government, in exercise of the powers conferred on it by clause (f) of sub-section (3) of the said section, and have been approved and confirmed by the Chairman of the Council of States and the Speaker of the House of the People, as required by sub-section (4) of that section, are published for general information:—

THE MEMBERS OF PARLIAMENT (CONSTITUENCY ALLOWANCE) RULES, 1986

(As amended upto 13th December, 2010)

1. Short title and commencement.—(1) These rules may be called the Members of Parliament (Constituency Allowance) Rules, 1986.

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

2. Amount of Constituency allowance.—A member shall be entitled to receive the constituency allowance under section 8 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954), at the rate of ²(rupees forty-five thousand per mensem).

3. Constituency allowance to be in addition to other allowances, etc.—For the avoidance of doubts, it is hereby declared that the constituency allowance admissible under these rules shall be in addition to, and not in derogation of, any other allowances or facilities admissible (whether in cash or in kind) under any other rules for the time being in force.

4. Repeal.—The Members of Parliament (Additional Facilities) Rules, 1975 are hereby repealed.

[F. No. 2/1/MSA/85]

¹ Published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), dated the 3rd January, 1986.

² Substituted by G.S.R. 965 (E), published in the Gazette of India, Extraordinary, Part-II, section-3, sub-section (i), dated the 13th December, 2010.

Chapter 7

THE MEMBERS OF PARLIAMENT (ADVANCE FOR THE PURCHASE OF CONVEYANCE) RULES, 1986

New Delhi, the 3rd January, 1986

¹G.S.R. 12(E). -- The following rules which have been made by the Joint Committee constituted under sub-section (1) of section 9 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954), after consultation with the Central Government, in exercise of the powers conferred on it by clause (ff) of sub-section (3) of the said section, and have been approved and confirmed by the Chairman of the Council of States and the Speaker of the House of the People, as required by sub-section (4) of that section, are published for general information :--

THE MEMBERS OF PARLIAMENT (ADVANCE FOR THE PURCHASE OF CONVEYANCE) RULES, 1986

(As amended upto 13th December, 2010)

1. Short title and commencement. – (1) These rules may be called the Members of Parliament (Advance for the Purchase of Conveyance) Rules, 1986.

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

2. Maximum amount of advance .-- (1) The maximum amount which may be advanced to a member for the purchase of conveyance ²(shall not exceed rupees four lakhs) or the actual price of the conveyance, which is intended to be purchased, whichever is less:

Provided that no advance shall be admissible when a conveyance has already been purchased and paid for in full:

Provided further that where such payment has been made in part, the amount of advance shall be limited to the balance to be paid as certified by the member.

(2) The amount of 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. - (1) Recovery of the advance granted under rule 2, together with interest thereon, shall be made from the salary bill of the member concerned in not more than sixty equal monthly installments, which shall not extend beyond the tenure of his membership:

Provided that where the member receiving the advance so desires, the Chairman of the Council of States or the Speaker of the House of the People, as the case may be, may permit recovery of the advance to be made in lesser number of installments.

¹ Published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated the 3rd January, 1986.

² Substituted by G.S.R. No.967(E), published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated the 13th December, 2010.

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) The recovery of advance shall commence with the first issue of salary after the advance is drawn.

(3) Simple interest at the rate fixed by the Central Government in relation to advance for purchase of conveyance by Government servants shall be charged on the said advance.

(4) Where a member ceases to be such a member before the full repayment of the advance, the outstanding balance, together with interest thereon, shall be paid to the Central Government immediately in one lump-sum.

4. Sale of Conveyance. -- (1) Except when a member ceases to be such a member, previous sanction of the Central Government shall be obtained for the sale by the member of the conveyance purchased with the aid of an advance, if such advance, together with the interest accrued thereon, has not been fully repaid.

(2) Where a member wishes to transfer the said conveyance to another member, he may be permitted under the orders of the Central Government, to transfer the liability attaching to that conveyance to the latter member provided that the member purchasing the conveyance records a declaration that he is aware that the conveyance transferred to him remains subject to the mortgage bond and that he is bound by its terms and provisions.

(3) In all cases where a conveyance is sold before the advance received for its purchase, together with interest thereon, 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 conveyance is sold only in order that another conveyance may be purchased, the Central Government may permit the member 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 conveyance;

(b) the amount outstanding shall continue to be repaid at the rate previously fixed; and

(c) the new conveyance shall also be insured and mortgaged to the Central Government.

5. Period within which negotiations for purchase of conveyance may be completed. -- A member who draws an advance for the purchase of a conveyance shall complete his negotiations for the purchase of and pay finally for, the conveyance within one month of the date on which he draws the advance and failing such completion of negotiations and final payment, the full amount of the advance drawn, together with the interest thereon for one month, shall be refunded by the member to the Central Government.

6. Execution of agreement. -- (1) At the time of drawing the advance, the member shall execute an agreement in Form I and on completing the purchase, he shall further execute a mortgage bond in Form II hypothecating the conveyance to the Central Government as security for the advance.

(2) The cost price of the conveyance shall be entered in the schedule of specifications attached to the mortgage bond in Form II.

7. Certificate to the Pay and Accounts Officer. -- (1) When an advance is drawn, the sanctioning authority shall furnish to the Pay and Accounts Officers of the Council of States or, as the case may be, of the House of the People, a certificate that the Agreement in Form I has been signed by the member drawing the advance and that it has been found to be in order.

(2) The sanctioning authority shall see that the conveyance is purchased within one month from the date on which the advance is drawn and shall submit the mortgage bond, duly executed by the member, promptly to the Pay and Accounts Officer of the Council of States, or, as the case may be, of the House of the People for examination before final record.

8. Safe custody and cancellation of mortgage bond. – (1) The mortgage bond shall be kept in the safe custody of the sanctioning authority.

(2) When the advance has been fully repaid, the bond shall be returned to the member concerned, duly cancelled, after obtaining a certificate from the Pay and Accounts Officer of the Council of States or, as the case may be, of the House of the People, as to the complete repayment of the advance and interest.

9. Insurance of conveyance.– The conveyance purchased from the advance shall be insured against full loss by fire, theft and accident and the insurance policy shall contain a clause (as in Form III) by which the insurance company agrees to pay to the Central Government instead of the owner, any sums payable in respect of loss or damage to the conveyance, which is not made good by repair, re-instatement or replacement.

***FORM I**
(See rule 6)

**FORM OF AGREEMENT TO BE EXECUTED AT THE TIME OF DRAWING AN
ADVANCE FOR THE PURCHASE OF A CONVEYANCE**

An agreement made this _____ day of
_____ two thousand and _____ between
Shri _____

a Member of Parliament (hereinafter called the Borrower, which expression shall include his heirs, administrators, executors, 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 Members of Parliament for purchase of conveyance made under the Salary, Allowances and Pension of Members of Parliament Act, 1954 applied to the Central Government for a loan of Rs. _____ (Rupees _____ only) for the purchase of a conveyance and the Central Government have agreed to lend the said amount of the Borrower on the terms and conditions herein after contained;

NOW it is hereby agreed between the parties hereto that in consideration of the sum of Rs. _____ paid by the Central Government to Borrower (the receipt of which the Borrower hereby acknowledge (s)], the Borrower hereby agrees with the Central Government (1) to pay to 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 authorises the Central Government to make such deductions and (2) to expend within one month from the date of these presents, the full amount of the said loan in the purchase of a conveyance or if the actual price paid is less than the loan to repay the difference to the Central Government forthwith and to execute a document hypothecating the said conveyance to the Central Government as security for the amount lent to the Borrower as aforesaid and interest thereon in the form provided by the said rules. And it is hereby lastly agreed and declared that if the conveyance has not been purchased and hypothecated as aforesaid with one month from the date of these presents or if the Borrower with that period becomes insolvent or ceases to be a member 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 _____

* Inserted by G.S.R. 12 (E), Published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 3rd January, 1986.

***FORM II**

(See rule 6)

FORM OF MORTGAGE BOND FOR CONVEYANCE

THIS INDENTURE made this _____ day of _____ two thousand and _____ between Shri _____ (hereinafter called "the Borrower", which expression shall include his heirs, administrators, executors, legal representatives and assignees) of the one part and the President of India (herein after called, Central Government) of the other part, WHEREAS the Borrower has applied for and has been granted and advance of Rupees _____ to purchase a conveyance in terms of Rules regarding the grant of advances to Members of Parliament for the purchase of conveyance made under the Salary, Allowances and Pension of Members of Parliament Act, 1954 (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 conveyance to the Central Government 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 conveyance particulars whereof are set out in Schedule hereunder written.

NOW THIS INDENTURE WITNESSETH that in pursuance of the said agreement and for the consideration aforesaid the Borrower doth hereby convenient to pay to the Central Government 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 Central Government the conveyance the particulars whereof are set out in the Schedule here under 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 conveyance and that the same is his absolute property and that he has not pledged and, so long as any money remains payable to the Central Government in respect of the said advance, will not sell, pledge or part with the property in, or possession of the said conveyance. Provided always and it is hereby agreed and declared that if any of the said installments 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 ceases to be a Member or if the Borrower shall sell or pledge or part with the property in or possession of the said conveyance 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 aforesaid shall forthwith become payable AND IT IS HEREBY AGREED and declared that the Central Government may on the happening of any of the events herein before mentioned seize and take possession of the

* Inserted by G.S.R. 12 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section(i), dated the 3rd January, 1986.

said conveyance and either remain in position thereof without removing the same or else may remove and sell the said conveyance 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 its 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 said conveyance shall not prejudice the right of the Central Government to sue the Borrower or his personal representatives for the said balance remaining due and interest or in the case of the conveyance 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 Central Government he, the Borrower will insure and keep insured the said conveyance against loss or damage by fire, theft, and 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 Central Government (President of India) is interested in the Policy AND the Borrower hereby further agrees that he will not permit or suffer the said conveyance to be destroyed or damaged 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 conveyance, the Borrower will forthwith have the same repaired and made good.

SCHEDULE

Description of Conveyance
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 of India have hereunto set their
respective hands the day and year first above, written.

Signed by the said in the presence of:

1. _____
2. _____

(Signature of Witnesses)

.....
(Signature and Designation of the Borrower)

Signed by (Name and Designation)

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

1. _____
2. _____

(Signature of Witnesses)

.....
(Signature and Designation of the Officer).

Name and designation of the Borrower.....

*FORM III
(See rule 9)

FORM OF THE CLAUSE TO BE INSERTED IN INSURANCE POLICIES

1. It is hereby declared and agreed that Shri_____ (the owner of the conveyance hereinafter referred to as the insured in the Schedule to this policy) has hypothecated the conveyance to the Central Government (President of India) as security for advance for the purchase of the conveyance and it is further declared and agreed that the said Government (President) are interested in any moneys which but for this endorsement be payable to the said Shri_____ (the insured under this policy) in respect of the loss or damage to the said conveyance (which loss or damage is not made good by repair, reinstatement or replacement) and such moneys shall be paid to the said Government (President) as long as they are the mortgages of the conveyance and their receipt shall be full and final discharge to the company in respect of such loss or damage.

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

[F.No.2/1/MSA/85]

Secretary-General.

* Inserted by G.S.R. 12 (E) Published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated the 3rd January, 1986.

Chapter 8

THE MEMBERS OF PARLIAMENT (OFFICE EXPENSE ALLOWANCE) RULES, 1988

G.S.R. 1093 (E). – The following rules which have been made by the Joint Committee constituted under sub-section (1) of Section 9 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954), after consultation with the Central Government, in exercise of the powers conferred on it by Clause (f) of sub-section (3) of the said section and have been approved and confirmed by the Chairman of the Council of State and the Speaker of the House of the People, as required by sub-section (4) of that section, are published for general information-

THE MEMBERS OF PARLIAMENT (OFFICE EXPENSE ALLOWANCE) RULES, 1988¹

(As amended upto 13th December, 2010)

1. Short Title and Commencement. – (1) These rules may be called the Members of Parliament (Office Expense Allowance) Rules, 1988.

(2) They shall be deemed to have come into force on 1st day of April, 1988.

2. Definitions. – In these rules, unless the context otherwise requires:-

(a) “Act” means the Salary, Allowances and Pension of Members of Parliament Act, 1954.

(b) “Office expense” means expenses on stationery, postage and Secretarial help as are not covered by other rules.

² **[3. Amount of Office Expense Allowance.-** A member shall be entitled to receive office expense allowance under Section 8 of the Act at the rate of rupees forty-five thousand per mensem, out of which-

(a) rupees fifteen thousand shall be for meeting expenses on stationery item and postage; and

(b) the Lok Sabha or the Rajya Sabha Secretariat may pay up to rupees thirty thousand to the person(s) as may be engaged by a Member for obtaining Secretarial assistance and one such person shall be computer literate duly certified by the Member.]

4. Office Expense Allowances to be in Addition to other Allowances etc. – For the removal of doubts, it is hereby declared that the office expense allowance admissible under these rules shall be in addition to, and not in derogation of, any other allowances or facilities admissible (whether in cash or in kind) under any other rules for the time being in force.

[F. No. 25/1/MSA/88]

¹ Published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 25th November,

1988 effective from 1st April, 1988.

² Substituted by G.S.R. No. 966 (E), published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i), dated the 13th December, 2010.

EXPLANATORY MEMORANDUM

Explanatory Memorandum to the –

- (i) The Members of Parliament (Constituency Allowance) Amendment Rules, 1988.
- (ii) The Members of Parliament (Travelling and Daily Allowance) Amendment Rules, 1988.
- (iii) The Housing and Telephone Facilities (Members of Parliament) Amendment Rules, 1988.
- (iv) The Members of Parliament (Office Expense Allowance) Rules, 1988.
- (v) The Members of Parliament (Advance for the Purchase of Conveyance Amendment Rules, 1988.

The Joint Committee on Salaries and Allowances of Members of Parliament constituted under Section 9 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 and Rules made thereunder recommended in November 1987 certain additional facilities to the members of Parliament by way of increase in travelling and daily allowance, secretarial facilities, constituency allowance, road mileage, purchase of conveyance etc. To give effect to certain recommendations the Parliament enacted the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1988, with retrospective effect from 1st day of April, 1988 (Act 60 of 1988).

The Government have proposed that the recommendations of the Committee and the above Act should be given effect from 1st day of April, 1988. It is, therefore, proposed to amend the existing rules and also to frame new rules namely, the Members of Parliament (Office Expense Allowance) Rules, 1988 with retrospective effect. As the purpose of the amendments/framing of rules are to give additional facilities no Member of Parliament is likely to be adversely affected by the issue of the said amendments/framing of the rules and giving it retrospective effect.

EXPLANATORY MEMORANDUM

The Joint committee on Salaries and Allowances of Members of Parliament recommended that a member may be allowed to engage any number of persons either in Delhi or in his constituency for obtaining secretarial assistance within the total monetary ceiling of Rs. 14,000 per month and out of them at least one person should be computer literate and the certification by the Member about the computer literacy of such person would suffice. Several Members of Parliament have stated that they are already engaging more than one person in Delhi for secretarial assistance under the then prevalent Rules and hence the above proposed modifications should be effective from 12-12-2006.

The matter have been examined by the Government and it has been decided that since there is no additional financial implication and proposed amendments are more in the nature of providing flexibility, these amendments could be made effective from 12th December, 2006, the date of issue of earlier Notification in this regard. Further, nobody is likely to be adversely effected by the issue of amending rules and giving the same retrospective effect.

EXPLANATORY MEMORANDUM

The Salary, Allowances and Pension of Members of Parliament Act, 1954 has been amended *vide* the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 2010(37 of 2010). The provisions of the said Amendment Act, save otherwise provided therein, have been brought into force with effect from 1st day of October, 2010. Pursuant to the said amendments, some consequential amendments are required to be made in the Members of Parliament (Travelling and Daily Allowances) Rules, 1957, and the Members of Parliament (Advance for the Purchase of Conveyance) Rules, 1986 in conformity with the provisions of the Salary, Allowances and Pension of Members of Parliament Act, 1954 as now amended. As the purpose of the amendment of these rules is to give increased Daily Allowance, Road Mileage and Conveyance Advance, none is likely to be adversely effected by given these rules retrospective effect.

In addition, the Members of Parliament (Constituency Allowance) Rules, 1986 and the Members of Parliament (Office Expense Allowance) Rules, 1988 are also being amended, inter alia, to increase the Constituency Allowance and the Office Expense Allowance of the Members of Parliament and none is likely to be adversely affected by giving these rules retrospective effect.