

THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT ACT, 1953

ACT NO. 20 OF 1953

[16th May, 1953.]

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

BE it enacted by Parliament as follows:—

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

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

2. Definition.—In this Act “officer of Parliament” means any of the following officers, namely, the Chairman and Deputy Chairman of the Council of States and the Speaker and the Deputy Speaker of the House of the People.

¹**[3. Salaries, etc., of officers of Parliament.**—²(1) There shall be paid to the Chairman of the Council of States a salary of ³[one lakh twenty-five thousand rupees] per mensem.]

(2) Each officer of Parliament, other than the Chairman of the council of States, shall be entitled to receive a salary per mensem and an allowance for each day during the whole of his term as such officer at the same rates as are specified in section 3 of the Salaries, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954) with respect to members of Parliament.

(3) Each officer of Parliament, other than the Chairman of the Council of States, shall be entitled to receive a constituency allowance at the same rate as is specified under section 8 of the said Act with respect to members of Parliament.]

4. Residence for officers of parliament.—⁴(1) Each officer of Parliament shall be entitled without payment of rent to the use of a furnished residence throughout his term of office and for a period of ⁵[one month] immediately thereafter, and no charge shall fall on the officer personally in respect of the maintenance of such residence.

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

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

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

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

1. Subs. by Act 75 of 1985, s. 2, for section 3 (w.e.f. 26-12-1985).

2. Subs. by Act 26 of 1998, s. 2 for sub-section (1) (w.e.f. 1-1-1996).

3. Subs. by Act 30 of 2008, s. 2, for “forty thousand rupees” (w.e.f. 1-1-2006).

4. Section 4 renumbered as section (1) by Act 49 of 1970, s. 2 (w.e.f. 1-11-1969).

5. Subs. by s. 2, *ibid.*, for “fifteen days” (w.e.f. 1-11-1969).

6. Ins. by s. 2, *ibid.* (w.e.f. 1-11-1969).

¹[**5. Sumptuary allowance.**—There shall be paid to ^{2***} the Speaker of the House of the People a sumptuary allowance of one thousand rupees per mensem and to the Deputy Chairman and the Deputy Speaker a sumptuary allowance of five hundred rupees per mensem.]

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

(a) the Speaker of the House of the People at the same rate at which the sumptuary allowance is payable, under section 5 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952), to every other Minister who is a member of the Cabinet;

(b) the Deputy Chairman and the Deputy Speaker at the same rate at which the sumptuary allowance is payable, under section 5 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952), to a Minister of State.]

6. Travelling and daily allowances to officers of parliament.—(1) Subject to any rules made in this behalf under section 11, an officer of Parliament shall be entitled to—

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

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

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

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

⁴[(1A) On and from the commencement of the Salaries and Allowances of Officers of Parliament and Leaders of Opposition in Parliament (Second Amendment) Act, 2002, an officer of Parliament and his family, whether travelling together or separately, shall be entitled to travelling allowance at the same rates and for the same number of return journeys as admissible to a Minister and his family under sub-section (1A) of section 6 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952).]

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

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

⁵[**7A. Family pension, etc., to spouse of Speaker dying in office.**—(1) With effect from the commencement of the Salaries and Allowances of Officers of Parliament (Second Amendment) Act, 2002, there shall be paid a family pension, to the spouse of the Speaker of the House of the People who dies while holding such office at the rate of fifty per cent. of the salary last drawn by him for the remainder of life of such spouse from the date of death of the Speaker:

Provided that the spouse of such Speaker shall not be entitled to receive pension available to the spouse of any member of Parliament who dies during his term of office as such member for a period of

1. Subs. by Act 75 of 1985, s. 3, for s. 5 (w.e.f. 26-12-1985).

2. The words “the Chairman of the Council of States and” omitted by Act 26 of 1998, s. 3 (w.e.f. 1-1-1996).

3. Ins. by Act 29 of 2002, s. 2 (w.e.f. 17-9-2001).

4. Subs. by Act 56 of 2002, s. 2, for sub-section (1A) (w.e.f. 17-9-2001).

5. Ins. by Act 31 of 2002, s. 2 (w.e.f. 3-3-2002).

five years from the date of death of the member under sub-section (1A) of section 8A of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954).

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

(3) Subject to any rules made in this behalf under section 11,—

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

(b) the minor children of such Speaker,

shall be entitled to medical attendance and treatment, free of charge.]

8. Advances to officers of Parliament for purchase of motor-cars.—There may be paid to any officer of Parliament by way of a repayable advance such sum of money as may be determined by rules made in this behalf under section 11 for the purchase of a motor-car in order that he may be able to discharge conveniently and efficiently the duties of his office.

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

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

¹[**10A. Exemption from liability to pay income-tax on daily allowance received by the Chairman and certain perquisites received by an officer of Parliament.**—Notwithstanding anything contained in the Income-tax Act, 1961 (43 of 1961),—

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

(b) the value of rent free furnished residence (including maintenance thereof) provided to an officer of Parliament under sub-section (1) of section 4 shall not be included in the computation of his income chargeable under the head “Salaries” under section 15 of the Income-tax Act, 1961 (43 of 1961).]

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

²[(2) Every rule made by the Central Government under this Act shall be published in the Official Gazette.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.]

1. Subs. by Act 17 of 1990, s. 3, for section 10A (w.e.f. 1-4-1988).

2. Subs. by Act 4 of 2005, s. 2 and the Schedule, for sub-section (2) (w.e.f. 11-1-2005).