

**(For Official Use)**

**THE LEADERS AND CHIEF WHIPS OF RECOGNISED PARTIES**

**AND GROUPS IN PARLIAMENT (FACILITIES) ACT, 1998**

**AND**

**RULES MADE THEREUNDER**

**(No.5 of 1999)**

**(As amended up to December, 2000)**

**MINISTRY OF PARLIAMENTARY AFFAIRS**

**NEW DELHI**

**December, 2002**

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**THE LEADERS AND CHIEF WHIPS OF RECOGNISED  
PARTIES  
AND GROUPS IN PARLIAMENT (FACILITIES) ACT, 1998**

(No. 5 of 1999)  
(As amended by Act No.18 of 2000)

(7<sup>th</sup> January, 1999)

An Act to provide for facilities to Leaders and Chief Whips of recognised parties and groups in Parliament.

**Short title and commencement**

Be it enacted by Parliament in the Forty-ninth Year of the Republic of India as follows:-

1. (1) This Act may be called the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998.

<sup>1</sup>[(2) It shall be deemed to have come into force on the 5<sup>th</sup> day of February, 2000]

**Definitions**

<sup>2</sup>[2. In this Act, unless the context otherwise requires,-

(a) "recognised group" means,-

(i) in relation to the Council of States, every party which has a strength of not less than fifteen members and not more than twenty-four members in the Council;

(ii) in relation to the House of the People, every party which has a strength of not less than thirty members and not more than fifty-four members in the House;

(b) "recognised party" means,-

(i) in relation to the Council of States, every party which has a strength of not less than twenty-five

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<sup>1</sup> Substituted by Act 18 of 2000 – effective retrospectively from 5.2.1999

<sup>2</sup> Substituted by Act 18 of 2000 – effective retrospectively from 5.2.1999

members in the Council;

(ii) in relation to the House of the People, every party which has a strength of not less than fifty-five members in the House.]

**Facilities to the Leaders, Deputy Leaders and Chief Whips of recognized groups and parties**

<sup>3</sup>[3 Subject to any rules made in this behalf by the Central Government, each leader, deputy leader and each chief whip of a recognised group and a recognised party shall be entitled to telephone and secretarial facilities:

Provided that such facilities shall not be provided to such leader, deputy leader or chief whip, as the case may be, who---

**58 of 1952**

(i) holds an office of Minister as defined in section 2 of the Salaries and Allowances of Ministers Act, 1952;

**33 of 1977**

(ii) holds an office of the Leader of the Opposition as defined in section 2 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977; or

(iii) is entitled to similar telephone and secretarial facilities by virtue of holding any office of, or representation in, a Parliamentary Committee or other Committee, Council, Board, Commission or other body set up by the Government; or

(iv) is entitled to similar telephone and secretarial facilities provided to him in any other capacity by the Government or a local authority or Corporation owned or controlled by the Government or any local authority.]

**Power to make rules**

4. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) Every rule made under sub-section (1) shall be laid, as soon as may be after it is made, before each House of parliament,

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<sup>3</sup> Substituted by Act 18 of 2000 – effective retrospectively from 5.2.1999

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 each 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.

**Amendment  
of Section 3  
of Act 10 of  
1959**

5. In the Parliament (Prevention of Disqualification ) Act, 1959, in section 3,-

(i) after clause (ab) , the following clause shall be inserted, namely:—

“(ac) the office of <sup>4</sup>[each leader and each deputy leader] of a recognised party and a recognised group in either House of Parliament;”

(ii) After Explanation 2, the following Explanation shall be inserted, namely:—

‘Explanation 3.- In clause (ac), the expressions “recognised party” and “recognised group” shall have the meanings assigned to them in the Leaders and Chief Whips of Recognised parties and Groups in Parliament (Facilities) Act, 1998.’

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<sup>4</sup> Substituted by Act 18 of 2000 – effective retrospectively from 5.2.1999

**Validation  
of rules  
and certain  
actions**

<sup>5</sup>[6. The Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Telephone and Secretarial Facilities) Rules, 1999 published in the Gazette of India, Extraordinary, dated the 5<sup>th</sup> February, 1999 with the notification of the Government of India in the Ministry of Parliamentary Affairs No.G.S.R.66(E), dated the 4<sup>th</sup> February, 1999 (hereinafter referred to as the said Rules) shall be deemed to have and to have always had effect on and from the 5<sup>th</sup> day of February, 1999 as if the amendments made by section 2 had been in force at all material times and accordingly any action taken or anything done or purported to have been taken or done under the said Rules during the period commencing on and from the 5<sup>th</sup> day of February, 1999 and ending with the day on which the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Amendment Act, 2000 receives the assent of the President shall be deemed to be, and to always have been, for all purposes, as validly and effectively taken or done as if the said Rules had been in force at all material times.]

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<sup>5</sup> Inserted by Act 18 of 2000 – effective retrospectively from 5.2.1999

(4<sup>th</sup> February, 1999)

**GSR 66-E** – In exercise of the powers conferred by Section 4 of the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998 (5 of 1999), the Central Government hereby makes the following rules namely:-

**THE LEADERS AND CHIEF WHIPS OF RECOGNISED PARTIES IN PARLIAMENT (TELEPHONE AND SECRETARIAL FACILITIES) RULES, 1999**

**1. Short title.-** (1) These rules may be called the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Telephone and Secretarial Facilities) Rules, 1999.

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

**2. Definitions.-** In these rules,-

(i) "Act" means the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998 (5 of 1999).

(ii) the expressions "recognised party" and "recognised group" shall have the meaning assigned to them under section 2 of the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998 (5 of 1999).

<sup>1</sup>[(iii) \*\*\* \*\*\* \*\*\* ]

<sup>2</sup>**3. Telephone Facilities.-** (1) Each leader, each deputy leader and each chief whip of a recognised party or group shall not be liable to make any payment in respect of the installation and rental of one telephone installed either at his office or residence in Delhi or New Delhi and he shall not be liable to make any payment in respect of any calls from that telephone during his tenure as such leader, deputy leader and chief whip subject to his certifying that the calls were made in the discharge of his duties as such leader, deputy leader and chief whip.

(2) The facility under sub-rule (1) shall be in addition to the telephone facilities admissible to him as a Member of Parliament under the Housing and Telephone Facilities (Members of Parliament) Rules, 1956.]

**4. Secretarial facility.-**<sup>3</sup>[Each leader, each deputy leader and each chief whip] of a recognised party or recognised group shall be entitled to the following secretarial facility:-

Stenographer - one  
(Private Secretary Grade III in the

<sup>1</sup> Omitted by GSR No.583(E), published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (I), dated 3<sup>rd</sup> July, 2000.

<sup>2</sup> Substituted by GSR No.583(E), published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (I), dated 3<sup>rd</sup> July, 2000

<sup>3</sup> Substituted by GSR No.583(E), published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (I), dated 3<sup>rd</sup> July, 2000

pay scale of Rs.8000-13,500)

**5. Facilities to be temporary and co-terminus.-** The telephone and secretarial facilities admissible under rules 3 and 4 of these rules shall be temporary and co-terminus with the tenure as <sup>4</sup>[the leader, deputy leader or chief whip] of the recognised party or recognised group.

<sup>5</sup>[**6.** The telephone and secretarial facilities admissible under rule 3 and 4 shall not be provided to such leader, deputy leader or chief whip, as the case may be, as mentioned in the proviso to section 3 of the Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998.]

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<sup>4</sup> Substituted by GSR No.583(E), published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (I),

<sup>5</sup> Inserted by GSR No.583(E), published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (I), dated 3<sup>rd</sup> July, 2000