THE VICE-PRESIDENT'S PENSION ACT, 1997

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title.
2. Pension to retiring Vice-Presidents.
3. Medical facilities to the family of deceased Vice-President.
3A. Free accommodation to spouse of Vice-President.
4. Pension to be charged on the Consolidated Fund of India.
5. Power to make rules.
6. Power to remove difficulties.

IndiaCode

THE VICE-PRESIDENT'S PENSION ACT, 1997

ACT NO. 30 OF 1997

[28*th May*, 1997.]

An Act to provide for the payment of pension and other facilities to retiring Vice-Presidents.

BE it enacted by Parliament in the Forty-eighth Year of the Republic of India as follows:–

1. Short title.–This Act may be called the Vice-President's Pension Act, 1997.

2. Pension to retiring Vice-Presidents.–(*1*) There shall be paid to every person who ceases to hold office as Vice-President, either by the expiration of his term of office or by resignation of his office, a pension [1][at the rate of fifty per cent. of the salary of the Vice-President] per month, for the remainder of his life:

Provided that such person shall not be entitled to receive any pension during the period he holds the office of the Prime Minister, a Minister or any other office or becomes a Member of Parliament and is in receipt of salary and allowances which are defrayed out of the Consolidated Fund of India or the Consolidated Fund of a State.

[2][(*1A*) The spouse of a person who dies–

(*a*) while holding the office of Vice-President, or

(*b*) after ceasing to hold office as Vice-President either by the expiration of his term of office or by resignation of his office,

shall be paid a family pension at the rate of fifty per cent. of pension as is admissible to a retiring Vice-President, for the remainder of her life.]

(*2*) Subject to any rules that may be made in this behalf, every such person shall, for the remainder of his life, be entitled–

[3][(*a*) to the use without payment of rent of such furnished residence (including its maintenance), as the Central Government may determine from time to time;]

(*b*) to the use of similar telephone facilities at his residence, as a member of Parliament is entitled to under the provisions of the Salary, Allowances and Pension of Members of Parliament Act, 1954(30 of 1954);

[4][(*c*) to secretarial staff consisting of a Private Secretary, an Additional Private Secretary, a Personal Assistant and two Peons and office expenses not exceeding [5][ninety thousand rupees] per annum;]

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1. Subs. by Act 29 of 2008, s. 2, for "of twenty thousand rupees" (w.e.f. 1-1-2006).
2. Ins. by Act 23 of 2002, s. 2 (w.e.f. 5-7-2002).
3. Subs. by Act 45 of 1999, s. 2, for clause (*a*) (w.e.f. 30-12-1999).
4. Subs. by Act 29 of 2008, s. 2, for clause (*c*) (w.e.f. 30-12-2008).
5. Subs. by Act 13 of 2018, s. 204, for "sixty thousand rupees" (w.e.f. 1-4-2018).

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(*d*) to the same facilities for himself as respects medical attendance and treatment and on the same conditions as a retired President is entitled to under the provisions of the President's Emoluments and Pension Act, 1951(30 of 1951);

(*e*) to the same facilities for his spouse and minor children as respects medical attendance and treatment and on the same conditions as the spouse of a retired President is entitled to under the provisions of the President's Emoluments and Pension Act, 1951(30 of 1951);and

[1][(*f*) to travel anywhere in India, accompanied by spouse or a companion or a relative, by the highest class by air, rail or steamer;]

[2][(*3*) Where any such person is re-elected to the office of Vice-President, he or his spouse shall not be eligible to any benefit under this section for the period during which such person again holds such office.

(*4*) Where any person being a Vice-President gets elected to the office of the President of India, he or his spouse shall not be eligible to any benefit under this section.]

3. Medical facilities to the family of deceased Vice-President.–Subject to any rules that may be made in this behalf, the spouse of a person who dies while holding the office of Vice-President shall, for the remainder of life, be entitled to medical attendance and treatment, free of charge.

[3][**3A. Free accommodation to spouse of Vice-President.**–Subject to any rules that may be made in this behalf, the spouse of a person who dies–

(*a*) while holding the office of Vice-President, or

(*b*) after ceasing to hold office as Vice-President either by the expiration or his term of office or by resignation of his office,

shall be entitled to the use of [4][furnished residence (including its maintenance)] without payment of licence fee, for the remainder of her life.]

4. Pension to be charged on the Consolidated Fund of India.–Any sum payable under this Act shall be charged on the Consolidated Fund of India.

5. Power to make rules.–(*1*) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(*2*) 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.

[5][**6. Power to remove difficulties.**–(*1*) If any difficulty arises in giving effect to the provisions of this this Act as amended by the Vice-President's Pension (Amendment) Act, 2008 (29 of 2008), the Central Government may, by order, do anything not inconsistent with such provisions for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiration of two years from the date on which this Act comes into force.

(*2*) Every order made under sub-section (*1*) shall be laid before each House of Parliament.]

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1. Subs. by Act 45 of 1999, s. 2, for clause (*f*) (w.e.f. 30-12-1999).
2. Ins. by s. 2, *ibid.* (w.e.f. 30-12-1999).
3. Ins. by Act 23 of 2002, s. 3 (w.e.f.5-7-2002).
4. Subs. by Act 29 of 2008, s. 3, for "unfurnished residence" (w.e.f. 30-12-2008).
5. Ins. by s. 4, *ibid.*(w.e.f. 30-12-2008).

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 30th March, 1999.

G.S.R.No. 228 (E) – In exercise of the powers conferred by section 5 of the Vice-President's Pension Act, 1997, (30 of 1997), the Central Government hereby makes the following rules namely :-

1. Short title and commencement – (1) These rules may be called the **Vice-President's Pension, Housing and Other Facilities Rules, 1999.**

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

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

(a) 'retired Vice-President' means a person who ceased to hold office as the Vice-President of India either by the expiration of his term of office or by resignation of his office;

(b) 'secretarial staff' means any person or persons who may be employed by the retired Vice-President in connection with secretarial work;

(c) 'medical attendance and treatment' include medical consultation, hospitalisation, cost of medicines, clinical and pathological tests, other methods of examination and surgical operations, which the retired Vice-President may require;

(d) 'medical attendant' means any registered medical practitioner practicing any system of medicine;

(e) 'regular medical attendant' means a medical attendant who may be nominated by the retired Vice-President for regular medical attendance and treatment;

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

(ii) in the case of persons other than Government Medical Officer, expenditure incurred on travel not exceeding the maximum amount admissible to a Group A Government servant.

3. The Rajya Sabha Secretariat shall issue the pension payment order which shall include the amount of pension and other facilities to which the retired Vice-President and his spouse shall be entitled.

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4. [1]*{1(a) A retired Vice-President shall be entitled to Secretarial staff consisting of a Private Secretary, an Additional Private Secretary, a Personal Assistant and two Peons and shall be paid actual charges incurred by him for the maintenance of such secretarial staff;}

Provided the charges payable to the secretarial staff shall not exceed the pay and allowances admissible to the corresponding posts in the Government of India. The secretarial staff shall be drawn from outside the Government of India/State including any Public Sector Undertaking.

[1]*{(b) during each financial year, an amount not exceeding [Rs.90,000 (Rupees ninety thousand only)][2] shall be paid to every retired Vice-President towards the actual charges incurred by him on account of office expenses;}

(c) a retired Vice-President shall be entitled without payment of rent to the use of a furnished residence as mentioned in sub-rule 1(d) at the station of his choice, any where in India, without payment of water and electricity charges for the remainder of his life.

[1]*{(d) at places where Government owned accommodation is allotted to a retired Vice-President, the residence shall be a Type-VIII bungalow, and if the highest type of Government owned accommodation available at a particular place is smaller in size as compared to a Type-VIII bungalow, the highest type of accommodation available at that place shall be allotted to the retired Vice-President and at places where suitable Government residence is not available for allotment to a retired Vice-President, the size of residence to be taken on lease to be provided to a retired Vice-President shall have a living area not exceeding 2000 square feet for which the Ministry of Urban Development (Directorate of Estates) will be responsible for providing the said accommodation (including hired accommodation);}

(e) the value of the furniture and electrical appliances provided free of rent in a residence allotted to the retired Vice-President shall not exceed the monetary limit prescribed for supply of furniture and electrical appliances provided free of rent in a residence [3]#{allotted to a Cabinet Minister} in the Union Council of Ministers;

(f) a retired Vice-President shall be entitled to the use of a telephone at his residence as admissible to a Member of Parliament as provided under the Housing and Telephone Facilities (Members of Parliament) Rules, 1956;

Provided that the number of free telephone calls including adjustment towards trunk calls shall be the same as is admissible to a Member of Parliament from two telephones pooled together and provided to him one at his residence/office in Delhi/New Delhi and the other at usual place of residence/constituency/State.

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[1] * { } Substituted vide MHA Notification No.10/19/96-M&G dated 10-2-2009 [G.S.R. No.89(E)]
[2] [] Substituted vide MHA Notification No.1/1/2016-M&G dated 24-5-2018 [G.S.R. No.487(E)]
[3] #{ }Substituted vide MHA Notification No. 1/3/2011-M&G dated 24.01.2013 [G.S.R. No. 44(E)]

[4]* (g) a retired Vice-President shall be entitled to travel anywhere in India, by the highest class, by air, rail or steamer, accompanied by spouse or a companion or relative;

(2) At the initial appointment of the secretarial staff, information regarding the persons employed, their emoluments and the periods of their employment shall be furnished to the Central Government. All subsequent changes shall also be intimated as and when they occur.

(3) The actual charges claimed by the retired Vice-President for the maintenance of secretarial staff and for the office expenses shall be drawn in the form of simple receipt as and when required.

(4) At the end of each year, a certificate to the effect that the amount so far drawn has been expended for the purpose for which it had been drawn, shall be given by the retired Vice-President in Form-I.

[5]^{**4A**. Allotment of residential accommodation to the surviving spouse of a person dying while holding the office of Vice-President or after demitting office: -

[6]*{(1) In the event of a person dying while holding the office of Vice-President or after demitting the office, the surviving spouse of such Vice-President (hereafter, in this rule, referred to as the surviving spouse) shall, subject to sub-rule (4), be entitled, without payment of licence fee, to the use of furnished residence anywhere in India at the choice of such spouse, without payment of water and electricity charges, for the remainder of the life of such spouse.}

(2) At places where Government owned accommodation is allotted to the surviving spouse, the class of accommodation shall be Type VII and in case the highest type of Government owned accommodation available at a particular place is smaller in size, the highest type of accommodation available at that place shall be allotted.

(3) At places where suitable Government accommodation is not available for allotment to the surviving spouse, the size of the accommodation to be taken on lease to be provided to the surviving spouse shall have a living area not exceeding 185.80 sq. metres.

(4) Residential accommodation under this rule shall be allotted to the surviving spouse at a place indicated by such spouse, if he or she does not own any accommodation in that particular place.

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[4] * Substituted vide MHA Notification No.1/9/2007-M&G dated 30.01.2009 [G.S.R. No.59(E)]
[5] ^{ } Inserted vide MHA Notification No.1/4/2000-M&G dated 5-8-2002 [G.S.R.No. 548(E)]
[6] * { } Substituted vide MHA Notification No.10/19/96-M&G dated 10-2-2009 [G.S.R. No.89(E)]

(5) The accommodation allotted to the surviving spouse shall be for the exclusive use of such spouse and the same shall not be transferred to any other person after the death of the surviving spouse.

(6) The Directorate of Estates of the Central Government shall be responsible for arranging accommodation under this rule for the surviving spouse.}

[7]*{**5.** Medical attendance and treatment – (1) A retired Vice-President shall be entitled to medical attendance and treatment,

(a) at his residence, or at the clinic, nursing home or institution of similar nature or consulting room of the medical attendant in India; and

(b) by a round the clock personal physician attached to him based on need and request received from the dignitary.

(2) The surviving spouse of a deceased Vice-President shall, for the remainder of his life, be entitled to medical attendance and treatment, free of charge, by a round the clock personal physician attached to him based on need and request received from the dignitary.}

6. All expenses incurred which is referred to in rule 5 shall be borne by the Central Government on production of a certificate by the retired Vice-President in Form-II.

7. Travelling expenses – Any travelling expenses incurred by the retired Vice-President or the medical attendant or regular medical attendant or specialist or medical practitioner in connection with the medical attendance and treatment of the retired Vice-President shall be borne by the Central Government on production of a certificate by the retired Vice-President in Form-III appended to these rules. In the case of a Government medical officer who may perform journeys to attend on the retired Vice-President, the travelling expenses may be drawn by him through the usual Government channels. If the officers belong to a State Government, the latter may claim reimbursement of the cost from the Central Government.

8. Application of rules 5 to 7 to the spouse of a retired Vice-President, etc. – (1) The provisions of rules 5 to 7 shall, so far as may be, apply to the spouse of a retired Vice-President and to the surviving spouse of a person who dies while holding the office of the Vice-President or thereafter.

(2) All expenses under this rule, shall be borne by the Central Government on production of a certificate by the spouse in Form-II or Form-III, as the case may be.

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

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[7] *{} Substituted vide MHA Notification No.10/19/96-M&G dated 10-2-2009 [G.S.R. No.89(E)]

FORM – I

[Form of certificate referred to in sub-rule (4) of rule 4]

Certified that the amount of Rs. ..... (Rupees .....) drawn by me during the year ending 31st March, ... has been expended on the maintenance of my secretarial staff and the office expenses thereof.

Signature :.....
Date :.....
Place :.....

FORM – II

(Form of certificate referred to in rule 6 and rule 8)

Certified that the amount of Rs..... (Rupees .....) drawn by me has been expended in connection with my/my spouse medical treatment/attendance/consultation.

Signature : .....
Date : .....
Place : .....

FORM – III

(Form of certificate referred to in rule 7)

Certified that the amount of Rs. ..... (Rupees .....) drawn by me on account of travelling expenses has been incurred by me/my medical attendant/specialist/ medical practitioner in connection with medical consultation/attendance/treatment.

Signature : .....
Date : .....
Place : .....

-: oOo :-

रजिस्ट्री सं० डी० एल०-33004/99 REGD. NO. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 345] नई दिल्ली, बृहस्पतिवार, मई 24, 2018/ ज्येष्ठ 03, 1940
No. 345] NEW DELHI, THURSDAY, MAY 24, 2018/ JYAISTHA 03, 1940

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 24 मई, 2018

सा.का.नि. 487(अ).—केन्द्रीय सरकार, उपराष्ट्रपति पेंशन अधिनियम, 1997 (1997 का 30) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उपराष्ट्रपति पेंशन, आवास और अन्य सुविधाएं नियम, 1999 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

1. संक्षिप्त नाम और प्रारंभ -

(1) इन नियमों का संक्षिप्त नाम उपराष्ट्रपति पेंशन, आवास और अन्य सुविधाएं (संशोधन) नियम, 2018 है।

(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे।

2. उपराष्ट्रपति पेंशन, आवास और अन्य सुविधाएं नियम, 1999 के नियम 4 में उपनियम (1) के खंड (ख) के स्थान पर निम्नलिखित खंड रखा जाएगा और यह 1 अप्रैल, 2018 से रखा हुआ समझा जाएगा, अर्थात्:-

"(ख) प्रत्येक वित्तीय वर्ष के दौरान 90000 रुपए (नब्बे हजार रुपए केवल) से अनधिक राशि प्रत्येक सेवानिवृत्त उपराष्ट्रपति को कार्यालय व्यय के मद्दे उसके द्वारा उपगत वास्तविक प्रभारों के लिए संदत्त की जाएगी"।

[फा.सं. 1/1/2016-एमएंडजी]

एस. के. शाही, संयुक्त सचिव

टिप्पण:- मूल नियम, भारत के राजपत्र में अधिसूचना सं. सा.का.नि. 228(अ), तारीख 30 मार्च, 1999 द्वारा प्रकाशित किए गए थे और तत्पश्चात् निम्नलिखित अधिसूचना संख्यांकों द्वारा संशोधित किए गए:-

(i) सा.का.नि. सं. 222(अ) तारीख 6 मार्च, 2000,

(ii) सा.का.नि. सं. 548(अ) तारीख 5 अगस्त, 2002 और

(iii) सा.का.नि. सं. 89(अ) तारीख 10 फरवरी, 2009

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 24th May, 2018

G.S.R. 487(E).—In exercise of the powers conferred by sub-section (1) of section 5 of the Vice-President's Pension Act, 1997 (30 of 1997), the Central Government hereby makes the following rules further to amend the Vice-President's Pension, Housing and Other Facilities Rules, 1999, namely:-

1. Short title and commencement -

(1) These rules may be called the Vice-President's Pension, Housing and Other Facilities (Amendment) Rules, 2018.

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

2. In the Vice-President's Pension, Housing and Other Facilities Rules, 1999, in rule 4, in sub-rule (1), for clause (b), the following clause shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2018.

"(b) during each financial year, an amount not exceeding Rs. 90,000/- (Rupees ninety thousand only) shall be paid to every retired Vice-President towards the actual charges incurred by him on account of office expenses".

[F. No. 1/1/2016-M&G]

S. K. SHAHI, Jt. Secy.

Note: The principal rules were published in the Gazette of India, vide number G.S.R. 228(E), dated the 30th March 1999 and subsequently amended *vide* the following notification numbers—

(i) No. G.S.R. 222(E), dated the 6th March 2000,

(ii) No. G.S.R. 548(E), dated the 5th August, 2002 and

(iii) No. G.S.R. 89(E), dated the 10th February, 2009.

अधिसूचना

नई दिल्ली, 24 मई, 2018

सा.का.नि. 488(अ).— केन्द्रीय सरकार, राष्ट्रपति उपलब्धियां और पेंशन अधिनियम, 1951 (1951 का 30) की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राष्ट्रपति पेंशन नियम, 1962 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :-

1. संक्षिप्त नाम और प्रारंभ :-

(1) इन नियमों का संक्षिप्त नाम राष्ट्रपति पेंशन (संशोधन) नियम, 2018 है ।

(2) ये राजपत्र में उनके प्रकाशन की तारीख को प्रवृत्त होंगे ।

2. राष्ट्रपति पेंशन नियम, 1962 के नियम 3, उपनियम (1) में खंड (ख) और खंड (ङ) के स्थान पर निम्नलिखित खंड रखे जाएंगे और ये 1 अप्रैल, 2018 से रखे हुए समझे जाएंगे, अर्थात्:--

"(ख) प्रत्येक वित्तीय वर्ष के दौरान 1,00,000 रुपए (एक लाख रुपए केवल) से अनधिक राशि प्रत्येक सेवानिवृत्त राष्ट्रपति को कार्यालय व्यय के मद्दे उसके द्वारा उपगत वास्तविक प्रभारों के लिए संदत्त की जाएगी";

रजिस्ट्री सं० डी० एल०-33004/98

REGD. NO. D. L.-33004/98

भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 151] नई दिल्ली, मंगलवार, मार्च 30, 1999/चैत्र 9, 1921

No. 151] NEW DELHI, TUESDAY, MARCH 30, 1999/CHAITRA 9, 1921

गृह मंत्रालय

अधिसूचना

नई दिल्ली, 30 मार्च, 1999

सा.का.नि. 228(अ).—केन्द्रीय सरकार, उप राष्ट्रपति पेंशन अधिनियम, 1997 (1997 का 30) की धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात् :—

संक्षिप्त नाम और प्रारंभ (1) इन नियमों का संक्षिप्त नाम उप राष्ट्रपति पेंशन, आवास और अन्य सुविधाएं नियम, 1999 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

परिभाषाएं 2. इन नियमों में, जब तब संदर्भ से अन्यथा अपेक्षित न हो—

(क) "सेवा निवृत्त उप राष्ट्रपति" से ऐसा व्यक्ति अभिप्रेत है जो अपने पद की अवधि समाप्त होने पर या अपना पद त्याग देने के कारण भारत के उप राष्ट्रपति के पद पर नहीं रह जाता है,

(ख) "सचिवीय कर्मचारिवृन्द" से ऐसा व्यक्ति या ऐसे व्यक्ति अभिप्रेत है/हैं जो सेवा निवृत्त उप राष्ट्रपति द्वारा सचिवीय कार्य के संबंध में नियोजित किए जा सकते हैं।

(ग) "चिकित्सीय परिचर्या और उपचार" में चिकित्सीय परामर्श, अस्पताल में दाखिल होने, औषधियों की लागत और विकृतिजन्य परीक्षण के अन्य ढंग तथा शल्य क्रियाएं सम्मिलित हैं, जिनकी सेवा-निवृत्त उप राष्ट्रपति को आवश्यकता हो,

(घ) "चिकित्सीय परिचर" से कोई रजिस्ट्रीकृत चिकित्सा व्यवसायी अभिप्रेत है जो आयुर्विज्ञान की किसी पद्धति में व्यवसाय करता है,

(ङ) "नियमित चिकित्सा परिचर" से ऐसा चिकित्सा परिचर अभिप्रेत है जो नियमित चिकित्सा परिचर्या और उपचार के लिए सेवा निवृत्त उप राष्ट्रपति द्वारा नाम निर्देशित किया जाए,

(च) "यात्रा व्यय" से (i) सरकारी चिकित्सा अधिकारियों की दशा में, ऐसी यात्रा और अन्य भत्ते अभिप्रेत हैं जो उनकी सेवा के नियमों के अधीन उनको अनुज्ञेय हों, और

(छ) (ii) सरकारी चिकित्सा अधिकारियों से भिन्न व्यक्तियों की दशा में, किसी समूह "क" सरकारी सेवक को अनुज्ञेय अधिकतम राशि से अनधिक यात्रा पर उपगत व्यय अभिप्रेत हैं।

3. राज्य सभा सचिवालय पेंशन भुगतान का आदेश जारी करेगी जिसमें पेंशन की राशि और अन्य सुविधाएं सम्मिलित होंगी जिनके लिए सेवा निवृत्त उप राष्ट्रपति और उसकी/उसका पत्नी/पति हकदार हैं।

4. 1. (क) कोई सेवा निवृत्त उप राष्ट्रपति सचिवीय कर्मचारिवृन्द का हकदार होगा जिसमें एक निजी सहायक और एक चपरासी अंतर्विष्ट हैं तथा ऐसे सचिवीय कर्मचारिवृन्द को रखने के लिए उसके द्वारा उपगत वास्तविक प्रभार संदत्त किए जाएंगे :

परन्तु सचिवीय कर्मचारिवृन्द को संदेय प्रभार भारत सरकार के तत्समान पदों को अनुज्ञेय वेतन और भत्तों से अधिक नहीं होंगे। सचिवीय कर्मचारिवृन्द भारत सरकार/राज्य सरकार से जिनमें कोई पब्लिक सेक्टर उपक्रम भी है, बाहर के व्यक्ति होंगे।

(ख) प्रत्येक वित्तीय वर्ष के दौरान, 6000 रु. (छह हजार रुपए) से अनधिक की राशि प्रत्येक सेवा निवृत्त उप राष्ट्रपति को, कार्यालय व्यय के मद्दे उसको उपगत वास्तविक प्रभारों के लिए संदत्त की जाएगी।

(ग) कोई सेवा निवृत्त उप राष्ट्रपति अपनी पसन्द के किसी केन्द्र पर भारत में कहीं भी, उप नियमा (घ) में यथा उल्लिखित,

एक सुसज्जित वास सुविधा का भाड़े का संदाय किए बिना, उसके शेष जीवन के लिए जल और विद्युत प्रभारों के संदाय किए बिना उपयोग करने का हकदार होगा।

(घ) ऐसे स्थानों पर जहां किसी सेवा निवृत्त उप राष्ट्रपति को सरकारी स्वामित्व की वास सुविधा आवंटित की जाती है वहां वास सुविधा का आकार उसके तुल्य होगा जिसके लिए संघ के मंत्रिपरिषद का कोई उपमंत्री किसी वास सुविधा के लिए हकदार है, और यदि किसी विशिष्ट स्थान पर उपलब्ध सरकारी वास सुविधा का आकार संघ के मंत्रिपरिषद के किसी उपमंत्री को आवंटित की जाने वाली वास सुविधा के आकार से छोटा है तो वहां उस स्थान पर उपलब्ध सबसे बड़े आकार की वास सुविधा सेवा-निवृत्त उप राष्ट्रपति को आवंटित की जाएगी ऐसे स्थानों पर जहां किसी सेवा-निवृत्त उप राष्ट्रपति को आवंटन के लिए उपयुक्त सरकारी वास सुविधा उपलब्ध नहीं है वहां किसी सेवा निवृत्त उप राष्ट्रपति को पट्टे पर लिए गए वास सुविधा का आकार, 2000 वर्ग फुट आवासीय क्षेत्र से अनधिक का होगा।

(ङ) सेवा निवृत्त उप राष्ट्रपति को आवंटित किसी वास सुविधा में फर्नीचर और विद्युत साधित्रों को भाड़ा मुक्त उपलब्ध किए जाने वाले सामान की कीमत, संघ के मंत्रिपरिषद में किसी उप मंत्री को उपलब्ध कराए गए भाड़ा मुक्त निवास पर फर्नीचर और विद्युत साधित्रों के प्रदाय करने के लिए विहित की गई धनीय सीमा से अधिक नहीं होगी।

(च) कोई सेवा निवृत्त उप राष्ट्रपति, आवास और टेलिफोन सुविधा (संसद सदस्य) नियम, 1956 के अधीन यथा उपबंधित, किसी संसद सदस्य को यथा अनुज्ञेय उसके निवास पर किसी टेलिफोन के उपयोग का हकदार होगा,

परन्तु यह कि निःशुल्क टेलिफोनों के कालों की संख्या जिसके अंतर्गत ट्रंक कालों का समायोजन भी है, वही होगी जो किसी संसद सदस्य को अनुज्ञेय है और दोनों टेलिफोनों को सम्मिलित करके पूल में रखा जाएगा जो उसे एक उसके निवास/कार्यालय पर दिल्ली/नई दिल्ली में तथा अन्य उसके औपचारिक निवास स्थान/निर्वाचन-क्षेत्र/राज्य में उपलब्ध कराए जाते हैं।

(छ) कोई सेवा निवृत्त उप राष्ट्रपति, एक कैलेंडर वर्ष में एकजीक्यूटिव क्लास में वायुयान द्वारा बारह एकल यात्रा करने का हकदार होगा जिसमें भारत में कहीं भी उसका/उसकी पति/पत्नी साथ होगी।

(2) सचिवीय कर्मचारिवृंद की प्रारंभिक नियुक्त पर नियोजित व्यक्तियों की बाबत उनकी परिलब्धियां और उनके नियोजन की अवधियों की जानकारी केन्द्रीय सरकार को दी जाएगी। सभी पश्चात्वर्ती परिवर्तन जब कभी होते हैं, संसूचित किए जाएंगे।

(3) सेवा निवृत्त उप राष्ट्रपति द्वारा सचिवीय कर्मचारिवृन्द के अनुरक्षण और कार्यालय व्यय के लिए दावा किए गए वास्तविक प्रभारों को जब कभी अपेक्षित हो, सादा रसीद के प्रारूप में लिया जाएगा।

(4) प्रत्येक वर्ष के अंत में इस भाव का, कि इस प्रकार ली गई राशि का उस प्रयोजन के लिए व्यय कर लिया गया है जिसके लिए इसे लिया गया था, प्ररूप1 में सेवा-निवृत्त उप राष्ट्रपति द्वारा एक प्रमाण पत्र दिया जाएगा।

5. चिकित्सा परिचर्या और उपचार.—कोई सेवा-निवृत्त उप राष्ट्रपति अपने निवास पर चिकित्सा परिचर्या और उपचार का, या भारत में क्लीनिक में, परिचर्या-गृह में या उसी प्रकार की संस्था में अथवा चिकित्सा परिचर के परामर्शी कक्ष में प्राप्त करने का हकदार होगा।

6. वे सभी उपगत व्यय जो नियम 5 में निर्दिष्ट हैं, सेवा-निवृत्त उप राष्ट्रपति द्वारा प्ररूप-2 में एक प्रमाण पत्र के रूप में प्रस्तुत किए जाने पर केन्द्रीय सरकार द्वारा वहन किए जाएंगे।

7. यात्रा व्यय.—सेवा-निवृत्त उप राष्ट्रपति की चिकित्सा परिचर्या और उपचार के संबंध में सेवा निवृत्त उप राष्ट्रपति या चिकित्सीय परिचर या नियमित चिकित्सीय परिचर या विशेषज्ञ या चिकित्सीय व्यवसायी द्वारा उपगत सभी यात्रा व्यय इन नियमों से उपाबद्ध प्ररूप-3 में सेवा-निवृत्त उप राष्ट्रपति द्वारा प्रमाण पत्र के प्रस्तुत करने पर केन्द्रीय सरकार द्वारा वहन किए जाएंगे। ऐसे सरकारी चिकित्सा अधिकारी की दशा में जो सेवा-निवृत्त उप राष्ट्रपति की परिचर्या के लिए यात्राएं करें, उसके द्वारा यात्रा व्यय सामान्य सरकारी चैनल के माध्यम से निकाले जाएंगे। यदि अधिकारी राज्य सरकार का है तो वह केन्द्रीय सरकार से लागत की प्रतिपूर्ति का दावा कर सकेगा।

8. नियम 5 से नियम 7 तक का सेवा-निवृत्त उप राष्ट्रपति की पत्नी/पति को लागू होना आदि.—(1) नियम 5 से नियम 7 के उपबंध, यावत्साध्य सेवा-निवृत्त उप राष्ट्रपति की पत्नी/पति और ऐसे व्यक्ति की पत्नी/पति को जिसकी मृत्यु उप राष्ट्रपति का पद धारण करने के दौरान या उसके पश्चात् हो जाती है, को लागू होंगे।

(2) इस नियम के अधीन सभी व्यय सेवा-निवृत्त उप राष्ट्रपति की पत्नी/पति द्वारा यथा स्थिति प्ररूप 2 या प्ररूप 3 में प्रमाणपत्र प्रस्तुत किए जाने पर केन्द्रीय सरकार द्वारा वहन किया जाएगा।

9. निर्वचन और कठिनाइयों को दूर किया जाना.—यदि इन नियमों के निर्वचन से संबंधित कोई प्रश्न उद्भूत होता है या इन नियमों के उपबंधों का अनुपालन करने में कोई कठिनाई उद्भूत होती है, तो उसे केन्द्रीय सरकार को निर्दिष्ट की जाएगी जिस पर उसका विनिश्चय अंतिम होगा।

प्ररूप 1

(नियम 4 के उप नियम (4) में निर्दिष्ट प्रमाणपत्र का प्ररूप)

प्रमाणित किया जाता है कि 31 मार्च,.....को समाप्त होने वाले वर्ष के दौरान मेरे द्वारा निकाले गए ..... रुपये (केवल ..... रुपये) की राशि मेरे सचिवीय कर्मचारिवृंद और उनके कार्यालय व्ययों पर व्यय की गई है।

हस्ताक्षर .....

तारीख .....

स्थान .....

प्ररूप 2

(नियम 6 और नियम 8 में निर्दिष्ट प्रमाणपत्र का प्ररूप)

प्रमाणित किया जाता है कि मेरे द्वारा निकाले गए ..... रुपये (केवल ..... रुपये) की राशि मेरी पत्नी/पति के चिकित्सीय उपचार/परिचर्या/परामर्श के संबंध में व्यय की गई है।

हस्ताक्षर .....

तारीख .....

स्थान .....

प्ररूप 3

(नियम 7 में निर्दिष्ट प्रमाणपत्र का प्ररूप)

प्रमाणित किया जाता है कि मेरे द्वारा यात्रा भत्ते निकाली गई .....रुपये केवल ..... की राशि चिकित्सीय परामर्श/परिचर्या/उपचार के संबंध में मेरे/मेरे चिकित्सीय परिचर/विशेषज्ञ/चिकित्सा व्यवसायी द्वारा उपगत की गई है।

हस्ताक्षर .....

तारीख .....

स्थान .....

[फा. सं. 1/9/97-एम. एण्ड जी.]

वी. के. मल्होत्रा, संयुक्त सचिव

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 30th March, 1999

G.S.R. 228 (E).—In exercise of the powers conferred by section 5 of the Vice-President's Pension Act 1997, (30 of 1997), the Central Government hereby makes the following rules namely :—

Short Title and Commencement

1. (1) These rules may be called the President's Pension, Housing and Other Facilities Rules, 1999.

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

Definitions

2. In these rules, unless the context otherwise requires,—

(a) **'retired Vice-President'** means a person who ceased to hold office as the Vice-President of India either by the expiration of his term of office or by resignation of his office;

(b) **'secretarial staff'** means any person or persons who may be employed by the retired Vice-President in connection with secretarial work;

(c) **'medical attendance and treatment'** include medical consultation, hospitalisation, cost of medicines, clinical and pathological tests, other methods of examination and surgical operations, which the retired Vice-President may require;

(d) **'medical attendant'** means any registered medical practitioner practising any system of medicine;

(e) **'regular medical attendant'** means a medical attendant who may be nominated by the retired Vice-President for regular medical attendance and treatment;

(f) **'travelling expenses'** means—(i) in the case of Government medical officers, such travelling and other allowances as may be admissible to them under the rules of their service; and

(ii) in the case of persons other than Government Medical Officers, expenditure incurred on travel not exceeding the maximum amount admissible to a Group A Government servant.

3. The Rajya Sabha Secretariat shall issue the pension payment order which shall include the amount of pension and other facilities to which the retired Vice-President and his spouse shall be entitled.

4. 1(a) A retired Vice-President shall be entitled to Secretarial staff consisting of a Personal Assistant and a Peon and shall be paid actual charges incurred by him for the maintenance of such secretarial staff:

Provided the charges payable to the secretarial staff shall not exceed the pay and allowances admissible to the corresponding posts in the Government of India. The Secretarial Staff shall be drawn from outside the Government of India/State including any Public Sector Undertaking.

(b) During each financial year, an amount not exceeding Rs. 6,000/ (Rupees six thousand only) shall be paid to every retired Vice-President towards the actual charges incurred by him on account of office expenses.

(c) A retired Vice-President shall be entitled without payment of rent to the use of a furnished residence as mentioned in sub-rule 1(d) at the station of his choice, any where in India, without payment of water and electricity charges for the remainder of his life.

(d) At places where Government owned accommodation is allotted to a retired Vice-President, the size of the residence shall be comparable to a residence to which a Deputy Minister in the Union Council of Ministers is entitled to and if the highest type of Government residence available at a particular place is smaller in size than a residence allotted to a Deputy Minister in the Union Council of Ministers, the highest type of accommodation available at that place shall be allotted to a retired Vice-President. At places where suitable Government residence is not available for allotment to a retired Vice-President, the size of residence to be taken on lease to be provided to a retired Vice-Ptesident shall have a living area not exceeding 2000 square feet.

(e) The value of the furniture and electrical appliances provided free of rent in a residence allotted to the retired Vice-President shall not exceed the monetary limit prescribed for supply of furniture and electrical appliances provided free of rent in a residence entitled to a Deputy Minister in the Union Council of Ministers.

(f) A retired Vice-President shall be entitled to the use of a telephone at his residence as admissible to a Member of Parliament as provided under the Housing and Telephone Facilities (Members of Parliament) Rules, 1956 :

Provided that the number of free telephone calls including adjustment towards trunk calls shall be the same as is admissible to a Member of Parliament from two

telephones pooled together and provided to him one at his residence/office in Delhi/New Delhi and the other at usual place of residence/constituency/State.

(g) A retired Vice-President shall be entitled in a 'calender' year to twelve single journeys by air, in the executive class accompanied by his spouse anywhere in India.

(2) At the initial appointment of the secretarial staff, information regarding the persons employed, their emoluments and the periods of their employment shall be furnished to the Central Government. All subsequent changes shall also be intimated as and when they occur.

(3) The actual charges claimed by the retired Vice-President for the maintenance of secretarial staff and for the office expenses shall be drawn in the from of simple receipt as and when required.

(4) At the end of each year, a certificate to the effect that the amount so far drawn has been expended for the purpose for which it had been drawn, shall be given by the retired Vice-President Form-I.

Medical Attendance and Treatment

5. A retired Vice-President shall be entitled to medical attendance and treatment at his residence, or at the clinic, nursing home or institution of similar nature or consulting room of the medical attendant in India.

6. All expenses incurred which is referred to in rule 5 shall be borne by the Central Government on production of a certificate by the retired Vice-President in Form-II.

Travelling Expenses

7. Any travelling expenses incurred by the retired Vice-President or the medical attendant or regular medical attendant or specialist or medical practitioner in connection with the medical attendance and treatment of the retired Vice-President shall be borne by the Central Government on production of a certificate by the retired Vice-President in Form-III appended to these rules. In the case of a Government medical officer who may perform journeys to attend on the retired Vice-President, the travelling expenses may be drawn by him through the usual Government channels. If the officers belong to a State Government, the latter may claim reimbursement of the cost from the Central Government.

Application of rules 5 to 7 to the spouse of a retired Vice-President etc.

8. (1) The provisions of rules 5 to 7 shall, so far as may be, apply to the spouse of a retired Vice-President and to the surviving spouse of a person who dies while holding the office of the Vice-President or thereafter.

(2) All expenses under this rule, shall be borne by the Central Government on production of a certificate by the spouse in Form-II or Form-III, as the case may be.

Interpretation and removal of difficulty

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

FORM-I

[Form of certificate referred to in sub-rule (4) of rule 4]
Certified that the amount of Rs.————————
(Rupees————————————————)
drawn by me during the year ending 31st March, 19———
has been expended on the maintenance of my secretarial staff and the office expenses thereof.

Signature :————————

Date :————————

Place :————————

FORM-II

(Form of certificate referred to in rule 6 and rule 8)
Certified that the amount of Rs.————————
(Rupees————————————————)
drawn by me has been expended in conneaction with my/ my spouse medical treatment/attendance/consultation.

Signature :————————

Date :————————

Place :————————

FORM-III

(Form of certificate referred to in rule 7) Certified that the amount of Rs.————————(Rupees————
————————————————) drawn by me on account of travelling expenses has been incurred by me/my medical attendant/specialist/medical practitioner in connection with medical consultation/attendance/treatment.

Signature :————————

Date :————————

Place :————————

[F. No. 1/9/97-M&G]
V.K. MALHOTRA, Jt. Secy.

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NOTIFICATION

New Delhi, the 10th February, 2009

G.S.R. 89(E).—In exercise of the powers conferred by sub-section (1) of Section 5 of the Vice-President's Pension Act, 1997 (30 of 1997), the Central Government hereby makes the following rules further to amend the Vice-President's Pension, Housing and Other Facilities Rules, 1999, namely :—

1. (1) These rules may be called the Vice-President's Pension, Housing and Other Facilities (Amendment) Rules, 2009.

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

2. In the Vice-President's Pension, Housing and Other Facilities Rules, 1999, (hereinafter referred to as the said rules), in rule 4, in sub-rule (1), for clauses (a), (b) and (d), the following clauses shall, respectively, be substituted, namely :—

"(a) A retired Vice-President shall be entitled to secretarial staff consisting of a Private Secretary, an Additional Private Secretary, a Personal Assistant and two Peons and shall be paid actual charges incurred by him for the maintenance of such secretarial staff;

(b) during each financial year, an amount not exceeding Rs. 60,000 (Rupees sixty thousand only) shall be paid to every retired Vice-President towards the actual charges incurred by him on account of office expenses;

(d) at places where Government owned accommodation is allotted to a retired Vice-President, the residence shall be a Type-VIII bungalow, and if the highest type of Government owned accommodation available at a particular place is smaller in size as compared to a Type-VIII bungalow, the highest type of accommodation available at that place shall be allotted to the retired Vice-President and at places where suitable Government residence is not available for allotment to a retired Vice-President, the size of residence to be taken on lease to be provided to a retired VicePresident shall have a living area not exceeding 2000 square feet for which the Ministry of Urban Development (Directorate of Estates) shall be responsible for providing the said accommodation (including hired accommodation).".

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3. In the said rules, in rule 4A, for sub-rule (1), the following sub-rule shall be substituted, namely :—

"(1) In the event of a person dying while holding the office of Vice-President or after demitting the office, the surviving spouse of such Vice-President (hereafter, in this rule, referred to as the surviving spouse) shall, subject to sub-rule (4), be entitled, without payment of licence fee, to the use of furnished residence anywhere in India at the choice of such spouse, without payment of water and electricity charges, for the remainder of the life of such spouse.".

4. In the said rules, for rule 5, the following rule shall be substituted, namely :—

"5. **Medical attendance and treatment.**—(1) A retired Vice-President shall be entitled to medical attendance and treatment,

(a) at his residence, or at the clinic, nursing home or institution of similar nature or consulting room of the medical attendant in India; and

(b) by a round the clock personal physician attached to him based on need and request received from the dignitary.

(2) The surviving spouse of a deceased Vice-President shall, for the remainder of his life, be entitled to medical attendance and treatment, free of charge, by a round the clock personal physician attached to him based on need and request received from the dignitary.".

[F. No. 10/19/96-M&G]

NIRMALJEET SINGH KALSI, Jt. Secy.

Note :— The principal rules were published in the Gazette of India *vide* notification number G.S.R. 228(E), dated the 30 March 1999 and subsequently amended *vide* G.S.R. 222(E) dated the 6th March 2000, G.S.R. 548(E), dated the 5th August 2002.

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