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;]

---

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).

IndiaCode

(*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.]

---

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.

IndiaCode

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.

---

[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.

---

[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.

---

[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 :-