

सत्यमेव जयते

The Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998

(ACT NO. 5 OF 1999)

[*As on the* 1*st June,* 2026]

AMENDING ACT

1. The Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Amendment Act, 2000 (18 of 2000).

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LIST OF ABBREVIATIONS USED

Cl., cls.	*for*	Clause, clauses.
Ins.	,,	Inserted.
Notifn.	,,	Notification.
S., ss.	,,	Section, sections.
Sch.	,,	Schedule.
Subs.	,,	Substituted.
w.e.f.	,,	with effect from.

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

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title and commencement.
2. Definitions.
3. Facilities to the Leaders and Chief Whips of recognised groups and parties.
4. Power to make rules.
5. Amendment of section 3 of Act 10 of 1959.

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

ACT NO. 5 OF 1999

[7*th January,* 1999.]

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

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

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

[1][(*2*) It shall be deemed to have come into force on the 5th day of February, 1999.]

[2][**2. Definitions.**—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 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.]

[3][**3. Facilities to the Leaders and Chief Whips of recognised groups and parties.—**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—

(*i*) holds an office of Minister as defined in section 2 of the Salaries and Allowances of Ministers Act, 1952 (58 of 1952); or

(*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 (33 of 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.]

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

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1. Subs. by Act 18 of 2000, s. 2, for sub-section (*2*) (w.e.f. 5-2-1999).
2. Subs. by s. 3, *ibid.*, for s. 2 (w.e.f. 7-6-2000).
3. Subs. by s. 4, *ibid.*, for s. 3 (w.e.f. 7-6-2000).

(*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, 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. Amendment of section 3 of Act 10 of 1959.—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 [1][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 Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Act, 1998.'.

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1. Subs. by Act 18 of 2000, s. 5, for "each leader" (w.e.f. 5-2-1999).

STATEMENT OF OBJECTS AND REASONS

The Eleventh All-India Whips' Conference held at Bangalore in January. 1994 made the following recommendations:—

"Chief Whips of recognised Opposition Parties in Parliament and the State Legislatures should be provided secretarial assistance and facilities of telephone and office accommodation in the premises of Legislatures by giving them statutory recognition (Secretarial assistance means one Stenographer Grade 'B' and one Peon)"

2. The Twelfth All India Whips' Conference held at Srinagar on 21st and 22nd August, 1997 further deliberated the issue relating to the facilities to the extended to Whips.

3. The smooth functioning of the Parliamentary system depends, to a large extent. on the efficiency of the party machinery in the legislatures. The chief whips and leaders of parties and groups in Parliament are important party functionaries who play a vital role in the proper functioning of the parties and groups in the legislatures and, hence, fulfil an important public purpose.

4. After due consideration of the matter as a whole and to implement the recommendation of the All-India Whips' Conferences, it is proposed to provide for secretarial and telephone facilities to the Leaders and Chief Whips of recognised parties and recognised groups in Parliament.

5. The Bill seeks to achieve the above object.

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MADAN LAL KHURANA

NEW DELHI;

The 8*th December,* 1998.