

The President's Emoluments And Pension Act, 1951

UNION OF INDIA

India

The President's Emoluments And Pension Act, 1951

Act 30 of 1951

- Published on 13 May 1951
- Commenced on 13 May 1951
- [This is the version of this document from 30 December 2008.]
- [Note: The original publication document is not available and this content could not be verified.]

1. [Amended by THE PRESIDENT'S EMOLUMENTS AND PENSION (AMENDMENT) ACT, 2008 (Act 28 of 2008) on 30 December 2008]

The President's Emoluments And Pension Act, 1951 Act No. 30 Of 1951

27.

/1393Whereas it is desirable that some suitable financial provision should be made for Presidents after their retirement, this Bill is introduced to provide for a pension of Rs. 15,000 per annum, which will be subject to income-tax. The pension will be given to all Presidents after they vacate their office. It will also be allowed to the last Governor-General. The expenditure involved will be a charge on the Consolidated Fund of India." - Gazette of India, 25-11-1950, Pt. II, section 2, p.

385.Amending Act 79 of 1976.- The President's Pension Act, 1951 (30 of 1951), inter alia, provides for medical attendance and treatment, free of charge, to a retired President. Such facilities are, however, not available to the spouse of a retired President or the spouse of a President who dies while holding office as such keeping in view the dignity of the high office of the President, it is proposed to extend the said facilities to the spouse of a President in both cases.² It is also proposed to include in the Act the standard provision relating to laying of rules before the Houses of Parliament.³ The Bill seeks to achieve the above objects.- Gazette of India, 10-8-1976, Pt. 2, section 2, Ext., p. 1011.[13th May, 1951]An Act To Provide [For The Emoluments Of The President And For] [Substituted by Act 77 of 1985 s.2 (w.e.f. 26-12-1985)] pension To retiring Presidents

1. Short title.

This Act may be called the President's [Emoluments and Pension] [Substituted by Act 77 of 1985 s.3 (w.e.f. 26-12-1985)] Act, 1951.

1A. [Emoluments of the President. [Inserted by Act 77 of 1985, section 2]

There shall be paid to the President by way of emoluments [five lakh rupees] per mensem.]

2. Pension to retiring Presidents.

[(1)] [Section 2 re-numbered as sub-section (1) thereof by Act 24 of 1962, Section 2.] Pension to retiring Presidents. There shall be paid to every person who ceases to hold office as President, either by the expiration of his term of office or by resignation of his office, a pension of [at the rate of fifty per cent of the emoluments of the President per month] [Substituted by Act 28 of 2008 for "of three lakh rupees per annum" w.e.f. 1.1.2006] for the remainder of his life.[Provided that if any person before assuming the office of President, has held the office of the Vice-President, such person shall not be entitled to any pension and other benefits under the provisions of the Vice-President's Pension Act, 1997.](2)[Subject to any rules that may be made in this behalf, every such person shall, for the remainder of his life, be entitled- [Inserted by Act Inserted vide President's Emoluments and Pension (Amendment) Act, 1998 (25 of 1998)](a)[to the use of a furnished residence (including its maintenance), without payment of rent, two telephones (one for internet and broadband connectivity), one mobile phone with national roaming facility and a motor-car, free of charge or to such car allowance as may be specified in the rules; [Substituted by Act 28 of 2008.](b)to secretarial staff consisting of a Private Secretary, one Additional Private Secretary, one Personal Assistant, two Peons and office expenses up to [one lakh rupees] per annum.](c)to medical attendance and treatment free of charge.(d)[to travel anywhere in India, accompanied by one person, by highest class by air, rail or steamer.] [Inserted by Act No 79 of 1976, Section 2.]Explanation.--For the purposes of this sub-section "residence" shall have the meaning assigned to it in the Salaries and allowances of Ministers Act, 1953.(2A)[Subject to any rules that may be made in this behalf, the spouse of every such person shall, for the remainder of life, be entitled to medical attendance and treatment, free of charge.] [Substituted by Act No 79 of 1976 s. 2 for sub-section (3).](3)[Where any such person is re-elected to the office of President, such person or the spouse of such person shall not be entitled to any benefit under this section for the period during which such person again holds that office.] [Substituted by Act No 79 of 1976 Section 3.]

2A. [The spouse of a person who dies -

(a)while holding the office of President, or(b)after ceasing to hold office as 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 President, for the remainder of her life.]

3. [Free medical attendance and treatment to spouse of President dying in office. [Substituted by Act 79 of 1976 , s.2 (w.e.f. 25-08-1976)]

Subject to any rules that may be made in this behalf, the spouse of a person who dies while holding the office of President shall, for the remainder of life, be entitled to medical attendance and treatment, free of charge.] [Inserted vide President's Emoluments and Pension (Amendment) Act,

2000 (14 of 2000). with effect from 11-8-2000.]

3A.

Subject to any rules that may be made in this behalf, the spouse of a person who dies -(a)while holding the office of President, or(b)[after ceasing to hold office as President, either on the expiration of his term of office or by resignation of his office, shall be entitled, -(i)to the use of furnished residence (including its maintenance) without payment of licence fee;(ii)to secretarial staff consisting of a Private Secretary and a Peon and office expenses as per actuals, the total expenditure on which shall not exceed [twenty thousand rupees] per annum;(iii)to a telephone and a motor-car, free of charge or such car allowance for the remainder of his life, as may be specified in the rules;(iv)to travel anywhere in India, in a calendar year to twelve single journeys, by the highest class, by air, rail or steamer, accompanied by a companion or a relative.]

4. Sums to be charged on the Consolidated Fund of India.

Any [sum] [Substituted by Act 24 of 1962, Section 3, for "pension".] payable under this Act shall be charged on the Consolidated Fund of India.

5. [Power to make rules. [Inserted by Act 24 of 1962, section 4]

[(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.] [4 Inserted by Act 79 of 1976 s. 4]

6. [Power to remove difficulties. [Inserted by the President's Emoluments and Pension Act, 2008 (28 of 2008). w.e.f. 30.12.2008.]

(1)If any difficulty arises in giving effect to the provisions of this Act, as amended by the President's Emoluments and Pension (Amendment) Act, 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.]