

PRESIDENT'S PENSION ACT, 1951

30 of 1951

[13th May, 1951]

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STATEMENT OF OBJECTS AND REASONS "Whereas 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 Rupees 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" -Gaz. of Ind.. 25-11-1950. Pt. II. S. 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 seek? to achieve the above objects.-Gaz of India. 10-8-1976, Pt. 2, S. 2,

Ext., p. 1011. Prefatory Note Statement of Objects and Reasons. The President's Emoluments and Pension Act, 1951, inter alia, provides for the emoluments of the President and pension to retiring Presidents. Sub-section (2-A) of Section 2 and Section 3 provide for medical attendance and treatment, free of charge, to the spouse of a retired President for the remainder of her life. Apart from this, the spouse is not entitled to any other pensionary benefits. It would be just and proper that the spouse of a retired President, after the death of the latter, while holding or after demitting office, gets suitable pension and accommodation so that the spouse can maintain a reasonable standard of living for the remainder of her life. 2. The Bill seeks to achieve the above objective.

1. Short title :-

This Act may be called THE PRESIDENT'S¹ [Emoluments and Pension]ACT, 1951.

1. Substituted for "PENSION ", vide THEPRESIDENT'S PENSION (AMENDMENT)ACT, 1985 (77 Of 1985), Dt. 26thDecember, 1985 Published in Received the assent of the President on December 26, 1985 and published in the Gazette of India, Extra., Part II, Section I, dated 26th December, 1985, pp. 1-2

1A. Emoluments of the President :-

¹.-There shall be paid to the President by way of emoluments ²³ [fifty thousand rupees]per mensem.

1. THE PRESIDENT'S PENSION (AMENDMENT)ACT¹985 (77 Of 1985), Dt. 26th December, 1985 Published in Received the assent of the President on December 26, 1985 and published in the Gazette of India, Extra., Part II, Section I, dated 26th December, 1985, pp. 1-2

2. Substituted for "fifteen thousand rupees ", vide THE PRESIDENT'S EMOLUMENTS AND PENSION (AMENDMENT) ACT, 1990 (16 Of 1990), Dt. 3rd June, 1990 Published in Received the assent of the President on June 3, 1990 and published in the Gazette of India, Extra., Part II, Section 1, dated 4th June, 1990, pp. 1-2 [C] [W]

3. Substituted for "[twenty thousand rupees]", vide The President's Emoluments and Pension (Amendment) Act, 1998 (25 Of 1998), Dt. August 20, 1998

2. Pension to retiring Presidents :-

¹

[(1)] 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 hi-: office. a pension of **234**[three lakh rupees]per annum for the remainder of his life: **1**[* * * * *]

6 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 (30 of 1997).

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

8(a) to the use of a furnished residence (including its maintenance), without payment of rent, a telephone and a motor-car, free of charge or to such car allowance as may be specified in the rules;

(b) to secretarial staff consisting of a Private Secretary, a Personal Assistant and a Peon, and office expenses the total expenditure on which shall not exceed twelve thousand rupees per annum;

(c) to medical attendance and treatment free of charge.

9(d) to travel anywhere in India, accompanied by one person, by the highest class by air, rail or steamer.

10 [(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.]

11 [(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.]

1. Original Section 2 re-numbered as sub-section (1) thereof and the proviso to the section deleted therefrom, by the President's Pension (Amendment) Act, 1962 (24 of 1962), S. 2 (28-6-1962).

2. Substituted for "fifteen thousand rupees ", vide THE PRESIDENT'S PENSION (AMENDMENT) ACT, 1985 (77 Of 1985), Dt. 26th December, 1985 Published in Received the assent of the President on December 26, 1985 and published in the Gazette of India, Extra., Part II, Section I, dated 26th December, 1985, pp. 1-2

3. Substituted for "[thirty thousand rupees]", vide THE PRESIDENT'S EMOLUMENTS AND PENSION (AMENDMENT) ACT, 1990 (16 Of 1990), Dt. 3rd June, 1990 Published in Received the assent of the President on June 3, 1990 and published in the

Gazette of India, Extra., Part II, Section 1, dated 4th June, 1990, pp. 1-2 [C] [W]

4. Substituted for "[one lakh twenty thousand rupees]", vide The President's Emoluments and Pension (Amendment) Act, 1998 (25 Of 1998), Dt. August 20, 1998

6. Inserted vide The President's Emoluments and Pension (Amendment) Act, 1998 (25 Of 1998), Dt. August 20, 1998

7. Sub-sections (2) and (3) inserted, the President's Pension (Amendment) Act, 1962 (24 of 1962).

8. Substituted for " (a) to secretarial staff and office expenses, the total expenditure on which shall not exceed twelve-thousand rupees per annum; and (b) to medical attendance and treatment free of charge. ", vide THE PRESIDENT'S EMOLUMENTS AND PENSION (AMENDMENT) ACT, 1990 (16 Of 1990), Dt. 3rd June, 1990 Published in Received the assent of the President on June 3, 1990 and published in the Gazette of India, Extra., Part II, Section 1, dated 4th June, 1990, pp. 1-2 [C] [W]

9. Inserted vide The President's Emoluments and Pension (Amendment) Act, 1993 (71 Of 1993), Dt. 26th December, 1993 Published in Received the assent of the President on December 26, 1993 and published in the Gazette of India, Extra., Part II, Section 1, dated 27th December. 1993, p. I, SI. No. 122

10. Subsection (2A) inserted by the President's Pension (Amendment) Act, 1976 (79 of 1976]. S. 2(a) (25-8-1976).

11. Substituted for the original sub-section (3) the President's Pension (Amendment) Act, 1976 (79 of 1976], S. 2 (b).

2A. Family pension to spouse of President. :-

¹ -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."

1. Inserted after section 2 by "the President's Emoluments and Pension (Amendment) Act, 2000.

3. Free medical attendance and treatment to spouse of President dying in office :-

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.]

3A. Free accommodation to spouse of President. :-

¹ 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 by the expiration of his term of office or by resignation of his office, shall be entitled to the use of unfurnished residence without payment of licence fee, for the remainder of her life."

1. Inserted after section 3 by "the President's Emoluments and Pension (Amendment) Act, 2000.

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

:-

Any ¹ [sum] payable under this Act shall be charged on the Consolidated Fund of India.

1. Substituted for the word 'pension' by the President's Pension (Amendment) Act, 1962 (24 of 1962), S. 3 (28-6-1962).

5. Power to make rules :-

1. - 2

[(1)] The Central Government may by notification in the Official Gazette make rules for carrying out the purposes of the Act.]

³ [(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 to which 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.]

1. For President's Pension (Maintenance of Secretarial Staff and Medical Attendance) Rules, 1962, see Gaz of Ind., 1-10-1962 Pt. II S. 3 (i), Ext" p. 521 (Amended by G.S.R. 1317. d.29-8-1967. Giz of India. 29-8-1967. Pt. II. S. 3 (i), Ext, p. 435 and G.S.R. 1845. d. 9-10-1968-Gaz. of India. 9-10-1968, Pt. II, S. 3 (i), Ext. p. 561)

2. Original section 5 re-numbered as sub-section (1) thereof by the President's Pension (Amendment) Act, 1976 (79 of 1976), S. 4 (25-8-1976).

3. Inverted, the President's Pension (Amendment) Act, 1976 (79 of

1976).