

# THE PRESIDENT'S EMOLUMENTS AND PENSION ACT, 1951

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## ARRANGEMENT OF SECTIONS

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### SECTIONS

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# THE PRESIDENT'S EMOLUMENTS AND PENSION ACT, 1951

ACT NO. 30 OF 1951

[13th May, 1951.]

An act to provide <sup>1</sup>[for the emoluments of the President and for] pensions to retiring Presidents.

BE it enacted by Parliament as follows:—

**1. Short title.**—This Act may be called the President's <sup>2</sup>[Emoluments and Pension] Act, 1951.

<sup>3</sup> **1A. Emoluments of the President.**—There shall be paid to the President by way of emoluments <sup>4</sup>[<sup>5</sup>[five lakh rupees]] per mensem.

**2. Pension to retiring Presidents.**—<sup>6</sup>[(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 his office, a pension of <sup>7</sup>[at the rate of fifty per cent. of the emoluments of the President per month] for the remainder of his life:

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<sup>9</sup>[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).]

<sup>10</sup>[(2) Subject to any rules that may be made in this behalf, every such person shall, for the remainder of his life, be entitled—

<sup>11</sup>[<sup>12</sup>[(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;

(b) to secretarial staff consisting of a Private Secretary, one Additional Private Secretary, one Personal Assistant, two Peons and office expenses up to <sup>13</sup>[one lakh rupees] per annum;]

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

<sup>14</sup>[(d) to travel anywhere in India, accompanied by one person, by the highest class by air, rail or steamer.]

*Explanation.*—For the purposes of this sub-section, “residence” shall have the meaning assigned to it in the Salaries and Allowances of Ministers Act, 1952 (58 of 1952).]

<sup>15</sup>[(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.]

<sup>16</sup>[(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.]]

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1. Subs. by Act 77 of 1985, s. 2, for “for the payment of” (w.e.f. 16-12-1985).

2. Subs. by s. 3, *ibid.*, for “Pension” (w.e.f. 16-12-1985).

3. Ins. by s. 4, *ibid.* (w.e.f. 16-12-1985).

4. Subs. by Act 28 of 2008, s. 2, for “fifty thousand rupees” (w.e.f. 30-12-2008).

5. Subs. by Act 13 of 2018, s. 137, for “one lakh fifty thousand rupees” (w.e.f. 1-1-2016).

6. Section 2 re-numbered as sub-section (1) thereof by Act 24 of 1962, s. 2 (w.e.f. 28-6-1962).

7. Subs. by Act 28 of 2008 s. 3, for “of three lakh rupees per annum” (w.e.f. 1-1-2006).

8. The proviso omitted by Act 24 of 1962, s. 2 (w.e.f. 28-6-1962).

9. Ins. by Act 25 of 1998, s. 2 (w.e.f. 20-8-1998).

10. Ins. by Act 24 of 1962, s. 2 (w.e.f. 28-6-1962).

11. Subs. by Act 16 of 1990, s. 3, for clauses (a) and (b) (w.e.f. 29-6-1990).

12. Subs. by Act 28 of 2008, s. 3, for clauses (a) and (b) (w.e.f. 30-12-2008).

13. Subs. by Act 13 of 2018, s. 138, for “sixty thousand rupees” (w.e.f. 1-4-2018).

14. Ins. by Act 71 of 1993, s. 2 (w.e.f. 26-12-1993).

15. Ins. by Act 79 of 1976, s. 2 (w.e.f. 25-8-1976).

16. Subs. by s. 2, *ibid.*, for sub-section (3) (w.e.f. 25-8-1976).

<sup>1</sup>[**2A. Family pension to spouse of President.**—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.]

<sup>2</sup>[**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.]

<sup>3</sup>[**3A. Free Accommodation to spouse of 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 President, or

<sup>4</sup>[(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 <sup>5</sup>[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 <sup>6</sup>[sum] payable under this Act shall be charged on the Consolidated Fund of India.

<sup>7</sup>[**5. Power to make rules.**—<sup>8</sup>[(1)] The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.]

<sup>9</sup>[(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.]

<sup>10</sup>[**6. Power to remove difficulties.**—(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 (28 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. Ins. by Act 14 of 2000, s. 2 (w.e.f. 11-8-2000).

2. Subs. by Act 79 of 1976, s. 3, for section 3 (w.e.f. 24-5-2000).

3. Ins. by Act 14 of 2000, s. 3 (w.e.f. 11-8-2000).

4. Subs. by Act 28 of 2008, s. 4, for clause (b) (w.e.f. 30-12-2008)

5. Subs. by Act 13 of 2018, s. 139, for “twenty thousand rupees” (w.e.f. 1-4-2018).

6. Subs. by Act 24 of 1962, s. 3, for “pension” (w.e.f. 28-6-1962).

7. Ins. by s. 4, *ibid.* (w.e.f. 28-6-1962).

8. Section 5 re-numbered as sub-section (1) thereof by Act 79 of 1976, s. 4 (w.e.f. 25-8-1976).

9. Ins. by s. 4, *ibid.* (w.e.f. 25-8-1976).

10. Ins. by Act 28 of 2008, s. 5 (w.e.f. 30-12-2008).