

# THE PRESIDENT'S <sup>1^</sup>(EMOLUMENTS AND) PENSION ACT, 1951 ( 30 OF 1951 )

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*The Principal Act received the assent of the President on the 13<sup>th</sup> May, 1951 and published in the Gazette of India on 17<sup>th</sup> May, 1951*

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An act to provide <sup>1^</sup>(for the emoluments of the President and for) pension to retiring Presidents.

Be it enacted by Parliament as follows:-

1. **Short title :** This Act may be called the President's <sup>1^</sup>(Emoluments and) Pension Act, 1951.

<sup>1^</sup> [1A. There shall be paid to the President by way of emoluments <sup>2\$</sup>(**five lakh** rupees) per mensem.]

2. (1) 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 <sup>2\$</sup>(**at the rate of fifty per cent of the emoluments of the President per month**) for the remainder of his life.

<sup>3\* @</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.

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

<sup>4</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>5</sup>[**one lakh**] rupees per annum;}

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<sup>1^</sup> ( ) Inserted *vide* the President's Pension (Amendment) Act, 1985 (77 of 1985). Made effective from 26-12-1985.

<sup>2\$</sup> ( ) Substituted *vide* the Finance Act 2018 (17 of 2018). Made effective from 1-1-2016.

<sup>3\* @</sup> Inserted *vide* President's Emoluments and Pension (Amendment) Act, 1998 (25 of 1998).

<sup>4</sup> { } Substituted *vide* the President's Emoluments and Pension Act, 2008 (28 of 2008). Made effective from 30.12.2008.

<sup>5</sup> Substituted *vide* the Finance Act 2018 (17 of 2018) made effective from 1-4-2018.

<sup>6</sup>[(c) to medical attendance and treatment free of charge;]

<sup>7</sup>(d) to travel anywhere in India accompanied by one person by the highest class by air, rail or steamer.

**Explanation** – For the purpose of this sub-section “residence” shall have the meaning assigned to it in the Salaries and Allowances of Ministers Act, 1952.

<sup>8\*</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.

(3) Where any 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.]

<sup>9</sup>^ [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. 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. 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>10</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, -

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<sup>6</sup> [ ] Substituted *vide* the President’s Emoluments and Pension Act, 1990 (16 of 1990). Made effective from 29-6-1990.

<sup>7</sup> Added *vide* the President’s Emoluments and Pension (Amendment) Act, 1993 (71 of 1993). Made effective from 27-12-1993.

<sup>8</sup> [ ] Added *vide* the President’s Pension (Amendment) Act, 1976.

<sup>9</sup>^ [ ] Inserted *vide* President’s Emoluments and Pension (Amendment) Act, 2000 (14 of 2000). Made effective from 11-8-2000.

<sup>10</sup> { } Substituted *vide* the President’s Emoluments and Pension Act, 2008 (28 of 2008). Made effective from 30.12.2008.

(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>11</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. Pensions 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. (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 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>9</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, 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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<sup>11</sup> Substituted *vide* the Finance Act 2018 (17 of 2018) made effective from 1-4-2018