

Presidents Emoluments and Pension (Amendment) Act, 2008

February 15, 2013

PRESIDENTS EMOLUMENTS AND PENSION (AMENDMENT) ACT, 2008¹

[NO. 28 OF 2008]

[30th December, 2008]

An Act further to amend the President's Emoluments and Pension Act, 1951 Be it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:-

Prefatory Note-Statement of Objects and Reasons.

Section 1-A of the President's Emoluments and Pension Act, 1951 provides that there shall be paid to President, by way of emoluments, fifty thousand rupees per mensem. Sub-section (1) of Section 2 of the said Act provides for pension of three lakh rupees per annum to the retired Presidents. In order to maintain parity in the emoluments of various constitutional functionaries, it is proposed to enhance the emoluments of the President from rupees fifty thousand per mensem to rupees one lakh and fifty thousand per mensem. It is also proposed to entitle a retired President to a pension at the rate of fifty per cent of the emoluments of the President per mensem with effect from 1st January, 2006.

2. The former Presidents are entitled to the use of a telephone at the residence, free of charge. In the light of changes in modern technology and for the ease of communication, it is proposed to provide an additional telephone facility including Internet and broadband connectivity and a mobile phone with national roaming facility free of charge to former Presidents.

3. The former Presidents are also entitled to one Private Secretary, one Personal Assistant, one Peon and rupees twelve thousand per annum as office expenses. In order to maintain parity with other dignitaries, it is proposed that the strength of the personal staff of a former President be increased by providing an Additional Private Secretary and an extra Peon. Further, keeping in view the inflation over the years, the office expenses are proposed to be increased from rupees twelve thousand per annum to rupees sixty thousand per annum.

4. The spouse of a deceased President is entitled to a rent-free unfurnished accommodation. To mitigate their hardships, it is proposed to make the spouse of a deceased President entitled to a furnished residence including its maintenance; secretarial staff consisting of one Private Secretary and one Peon with office expenses as per actuals, but not exceeding rupees twelve thousand per annum; a telephone and a motor-car, free of charge; travel facilities anywhere in India along with a companion or relative by the highest class by air, rail or steamer restricted to twelve single journeys in a calendar year.

5. The Bill seeks to achieve the above objects.

1. Received the assent of the President on December 30, 2008 and published in the Gazette of India, Extra., Part II, Section I, dated 31st December, 2008, pp. 1 -2, No. 37.

1. Short title and commencement.



(1) This Act may be called the President's Emoluments and Pension (Amendment) Act, 2008.

(2) The provisions of Section 2 and clause (i) of Section 3 shall be deemed to have come into force on the 1st day of January, 2006 and remaining provisions of this Act shall come into force at once.

2. Amendment of Section 1-A

In Section I-A of the President's Emoluments and Pension Act, 1951 (30 of 1951) (hereinafter referred to as the principal Act), for the words "fifty thousand rupees", the words "one lakh fifty thousand rupees" shall be substituted.

3. Amendment of Section 2.

In Section 2 of the principal Act,-

(i) in sub-section (1), for the words "of three lakh rupees per annum", the words "at the rate of fifty per cent of the emoluments of the President per month" shall be substituted;

(ii) in sub-section (2), for clauses (a) and (b), the following clauses shall be substituted, namely:-

"(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 sixty thousand rupees per annum."

4. Amendment of Section 3-A.

In Section 3-A of the principal Act, for clause (b), the following clause shall be substituted, namely:-

"(i) to the use of furnished residence (including its maintenance) without after 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 twelve 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."



5. Insertion of new Section 6.

After Section 5 of the principal Act, the following section shall be inserted, namely:-

"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."


