

**Title:** Discussions on the President's Emoluments and Pension (Amendment) Bill, 2000. (Bill passed)

15.27 hrs.

MR. CHAIRMAN: I have before me another Bill further to amend the President's Emoluments and Pension Act, 1951. I think, this can be passed without too much time. We have limited time.

SHRI RAMESH CHENNITHALA (MAVELIKARA): We can pass it without discussion.

MR. CHAIRMAN: That is a very cooperative approach.

THE MINISTER OF HOME AFFAIRS (SHRI L.K. ADVANI): I am grateful to you for this gesture. It relates to the President.

SHRI VARKALA RADHAKRISHNAN (CHIRAYINKIL): I have a doubt. Let it be clarified.

SHRI L.K. ADVANI: I beg to move:\*\*

"That the Bill further to amend the President's Emoluments and Pension Act, 1951 be taken into consideration. "

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the President's Emoluments and Pension Act, 1951 be taken into consideration. "

\*Published in the Gazettee of India, Extraordinary, Part-II, Section2, dated 28.4.2000

\*\* Moved with the recommendation of the President.

SHRI VARKALA RADHAKRISHNAN : At the outset, I would like to say that in Clause 2A, the expression "by resignation of his office." has been used. There may be Presidents who may not resign but they may be removed by some other way.

Is the spouse of the President entitled for pension? ...(*Interruptions*) Normally, the term will be over by resignation. Should we not make it clear? Not all Presidents, there are some Presidents who may be removed from office and some Presidents may be forced to resign. In that case, are they entitled to get pension?

SHRI RAMESH CHENNITHALA (MAVELIKARA): That is only in exceptional cases.

SHRI VARKALA RADHAKRISHNAN : In law, where is the exception? Law includes all cases. I am not speaking about a particular President. I do concede and I have no objection. But the question is, there may be some instances wherein the President will be removed or the President will be forced to resign. Would you mean in that case his spouse is entitled for pension?

SHRI L.K. ADVANI: No. Even in the original Bill, the provision is that if he holds office as President. In this case, the spouse becomes entitled only if he ceases to hold the office of the President, either by expiry of his term of office or by resignation, not by impeachment. ...(*Interruptions*)

SHRI VARKALA RADHAKRISHNAN : If a President is removed from office or resignation, is he not entitled?

SHRI L.K. ADVANI: No.

MR. CHAIRMAN : That means, he will not get all that if he is impeached.

SHRI L.K. ADVANI: These are only two circumstances. It is a very simple Bill. The original Bill provides pension for the President. But for the spouse of the President, there was nothing provided except that she would be entitled to medical assistance or medical attendance. Now, provision is being made for family pension amounting to 50 per cent of the pension that the President is entitled to and also accommodation for the surviving spouse for the rest of her life.

SHRI VARKALA RADHAKRISHNAN : Is it given only after his death? ...(*Interruptions*)

SHRI L.K. ADVANI: Yes. This is given to the surviving spouse after the death of the President.

SHRI VARKALA RADHAKRISHNAN : My question is: Will it be given with retrospective effect? There are wives of former Presidents who are still surviving. Will it be applicable to them?

SHRI L.K. ADVANI: They would be entitled. I may mention to the House that there are four surviving spouses who are entitled, who would be entitled.

MR. CHAIRMAN: Will it be with retrospective effect from the beginning?

SHRI L.K. ADVANI: No, it would be with prospective effect. ...(*Interruptions*)

MR. CHAIRMAN: I will now put the motion for consideration of the Bill to the vote of the House.

The question is:

"That the Bill further to amend the President's Emoluments and Pension Act, 1951, be taken into consideration. "

*The motion was adopted.*

MR. CHAIRMAN: The House will now take up clause-by-clause consideration of the Bill.

The question is:

"That clauses 2 and 3 stand part of the Bill. "

*The motion was adopted.*

*Clauses 2 and 3 were added to the Bill.*

*Clause 1, the Enacting Formula and the long Title were added to the Bill.*

----

SHRI L.K. ADVANI: I beg to move:

"That the Bill be passed."

MR. CHAIRMAN: The question is:

"That the Bill be passed."

*The motion was adopted.*

MR. CHAIRMAN: A few minutes have been consumed for this Bill out of the Private Members' Business. I apologise for the same. I hope the House has no objection.

-----

