

**Bill No. 69 of 2008**

THE GOVERNORS (EMOLUMENTS, ALLOWANCES AND  
PRIVILEGES) AMENDMENT BILL, 2008

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*further to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982.*

BE it enacted by Parliament in the Fifty-ninth Year of the Republic of India as follows:—

**1.** This Act may be called the Governors (Emoluments, Allowances and Privileges) Amendment Act, 2008. Short title.

43 of 1982.

**2.** In the Governors (Emoluments, Allowances and Privileges) Act, 1982 (hereinafter referred to as the principal Act), in section 2, in clause (c), for the words “spouse and the dependent children”, the words “spouse, dependent children and the dependent parents” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 2007. Amendment of section 2.

**3.** In section 3 of the principal Act, for the words “rupees thirty-six thousand per mensem”, the words “rupees one lakh ten thousand per mensem” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of January, 2006. Amendment of section 3.

Power to  
remove  
difficulties.

**4.** If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions, not inconsistent with the provisions of the principal Act as amended by this Act, as may appear to be necessary or expedient for the purpose of removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the date on which this Act comes into force.

(2) Every order made under this section shall, as soon as may be after it is made, to be laid before each House of Parliament.

## STATEMENT OF OBJECTS AND REASONS

As per the Governors (Emoluments, Allowances and Privileges) Act, 1982, the Governors are entitled to emoluments amounting to rupees thirty-six thousand per mensem with effect from 1st January, 1996. Consequent upon the revision of salary and allowances of various other constitutional authorities, it is proposed to enhance the emoluments of the Governors from rupees thirty-six thousand per mensem to rupees one lakh and ten thousand per mensem with effect from 1st January, 2006.

2. As per the above said Act, the definition of family, *inter alia*, includes the spouse and the dependent children of the Governor. As per the rules made under this Act, the Governor and the members of his family are entitled to medical facilities on the scale and conditions applicable to the highest ranking member of the All India Services under the All India Services (Medical Attendance) Rules, 1954 and in rule 2(c) of these rules, the definition of 'family' means (i) the wife or husband of a member of the service and (ii) the parents, children and stepchildren of such member wholly dependent upon that member. It is, therefore, proposed that the definition of family of the Governor be revised so as to include the 'dependent parents' with effect from 1st January, 2007.

3. In order to overcome any difficulty which may arise while giving effect to the provisions of the said Act as amended by the present Bill, it is proposed to insert clause 4 in order to provide for the 'removal of difficulties' in the Bill to enable the Central Government to issue an order within two years from the commencement of this amendment Bill.

4. The Bill seeks to achieve the above objects.

NEW DELHI;  
The 15th October, 2008.

SHIVRAJ V. PATIL.

ANNEXURE

EXTRACTS FROM THE GOVERNORS (EMOLUMENTS, ALLOWANCES AND PRIVILEGES) ACT, 1982  
(43 OF 1982)

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Definitions.	<b>2.</b> In this Act, unless the context otherwise requires,—				
	*	*	*	*	*
	(c) “members of the family”, in relation to a Governor, means the spouse and the dependent children of the Governor;				
	*	*	*	*	*
Emoluments.	<b>3.</b> There shall be paid to every Governor emoluments at the rate of rupees thirty-six thousand per mensem:				
	Provided that if a Governor, at the time of his appointment,—				
	(a) is in receipt of a pension (other than disability or wound pension) in respect of any previous service under the Government of India or any of its predecessor Governments or under the Government of a State or any of its predecessor Governments his emoluments shall be reduced,—				
	(i) by the amount of that pension; and				
	(ii) if he has, before such appointment, received in lieu of portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension; and				
	(iii) if he has, before such appointment, received a retirement gratuity in respect of such previous service, by the pension equivalent of that gratuity; or				
	(b) is in receipt of any benefit by way of contributory provident fund, his emoluments shall be reduced by the pension equivalent of such benefits.				
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further to amend the Governors (Emoluments, Allowances and Privileges) Act, 1982.

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*(Shri Shivraj V. Patil, Minister of Home Affairs)*