

**Bill No. 229 of 2015**

THE HIGH COURT AND THE SUPREME COURT JUDGES (SALARIES  
AND CONDITIONS OF SERVICE) AMENDMENT BILL, 2015

A

BILL

*further to amend the High Court Judges (Salaries and Conditions of Service) Act, 1954  
and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958.*

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

CHAPTER I

PRELIMINARY

5 **1.** (1) This Act may be called the High Court and the Supreme Court Judges (Salaries  
and Conditions of Service) Amendment Act, 2015.

(2) The provisions of section 8 shall be deemed to have come into force on the 1st day  
of April, 2004 and the remaining provisions shall come into force on such date as the Central  
Government may, by notification in the Official Gazette, appoint.

Short title  
and  
commencement.



(ii) in clause (b), the words "is not a member of the Indian Civil Service but" shall be omitted;

(iii) in the proviso for the words and figures "as the case may be Part II or" shall be omitted.

5 (b) in sub-section (2), the words and figures "Part II or, as the case may be" shall be omitted.

**10.** In the High Court Judges Act, in section 16, in the proviso, the words and figures "Part II or" shall be omitted. Amendment of section 16.

**11.** In the High Court Judges Act, in section 17A,—

10 (a) in sub-section (1), in the *Explanation*, in clause (ii), the words and figures "Part II or " shall be omitted; Amendment of section 17A.

(b) in sub-section (2), the words and figures "Part II or " shall be omitted.

**12.** In the High Court Judges Act, section 18 shall be omitted.

Omission of section 18.

**13.** In the High Court Judges Act, in section 20, in the first proviso,—

15 (i) the words "is a member of the Indian Civil Service or" shall be omitted; Amendment of section 20.

(ii) the second proviso shall be omitted.

**14.** In the High Court Judges Act, section 23B shall be omitted.

Omission of section 23B.

**15.** In the High Court Judges Act, in section 24, in sub-section (2), after clause (a), the following clause shall be inserted, namely:—

Amendment of section 24.

20 "(aa) the number of casual leaves and the conditions subject to which it may be allowed under sub-section (3) of section 3."

**16.** In the High Court Judges Act, section 25 shall be omitted.

Omission of section 25.

**17.** In the High Court Judges Act, in the First Schedule,—

(a) in Part I,—

Amendment to First Schedule.

25 (i) for paragraph 1, the following paragraph shall be substituted, namely:—

"1. The provisions of this Part apply to a Judge who has not held any other pensionable post under the Union or a State or a Judge who having held any other pensionable post under the Union or a State has elected to receive the pension payable under this Part.";

30 (ii) in paragraph 2, for the words "and who has completed not less than seven years of service" shall be omitted;

(iii) paragraphs 8 and 9 shall be omitted.

(b) Part II shall be omitted.

### CHAPTER III

35 AMENDMENT OF THE SUPREME COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) ACT, 1958.

41 of 1958. **18.** In the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958 (hereinafter referred to as the Supreme Court Judges Act), in section 2, in clause (g), for the words "either in the Federal Court or in Supreme Court or in any such Court "the words" in the Supreme Court" shall be substituted.

Amendment of section 2.

40 **19.** In the Supreme Court Judges Act, in section 3, after sub-section (2), the following sub-section shall be inserted, namely:—

Amendment of section 3.

45 "(3) For the purposes of this Chapter, casual leave may be admissible to a Judge in a calendar year, for such number of days and subject to such conditions as may be prescribed."

Amendment of section 4A.	<b>20.</b> In the Supreme Court Judges Act, in section 4A, for the words "in respect of the period of earned leave at his credit", the words "in respect of the period of leave at his credit, calculated on full allowances basis," shall be substituted.	
Substitution of new section for section 9. Leave allowances.	<b>21.</b> In the Supreme Court Judges Act, for section 9, the following section shall be substituted, namely:—  "9. The monthly rate of leave salary payable to a Judge shall be in accordance with the provisions of sub-section (1) of section 3."	5
Amendment of section 13.	<b>22.</b> In the Supreme Court Judges Act, in section 13, for the <i>Explanation</i> , the following <i>Explanation</i> shall be substituted, namely:—  ' <i>Explanation.</i> —In this section, "Judge" means a Judge who has not held any other pensionable post under the Union or a State and includes a person who was in service as a Judge on the 20th May, 1954, and also includes a Judge having held any other pensionable post under the Union or a State, who has elected to receive the pension payable under Part I of the Schedule.'	10
Amendment of section 14.	<b>23.</b> In the Supreme Court Judges Act, in section 14,—  (a) for sub-section (1), the following sub-section shall be substituted, namely:—  "(1) Every Judge who has held any other pensionable post under the Union or a State shall, on his retirement, be paid a pension in accordance with the provisions of Part III of the Schedule:  Provided that every such Judge shall elect to receive the pension payable to him either under Part I of the Schedule, or as the case may be, Part III of the Schedule, and the pension payable to him shall be calculated accordingly."  (b) in sub-section (2), the words and figures "Part II or, as the case may be," shall be omitted.	15
Amendment of section 16A.	<b>24.</b> In the Supreme Court Judges Act, in section 16A, in the <i>Explanation</i> , in clause (ii), the words and figures "Part II or" shall be omitted.	25
Omission of section 18.	<b>25.</b> In the Supreme Court Judges Act, section 18 shall be omitted.	
Amendment of section 20.	<b>26.</b> In the Supreme Court Judges Act, in section 20, in the proviso, the words "is a member of the Indian Civil Service or" shall be omitted.	
Amendment of section 24.	<b>27.</b> In the Supreme Court Judges Act, in section 24, in sub-section (2), after clause (a), the following clause shall be inserted, namely:—  "(aa) the number of casual leaves and the conditions subject to which it may be allowed under sub-section (3) of section 3."	30
Amendment of Schedule.	<b>28.</b> In the Supreme Court Judges Act, in the Schedule,—  (a) in Part I, for paragraph 1, the following paragraph shall be substituted, namely:—  "1. The provisions of this Part apply to a Judge who has not held any other pensionable post under the Union or a State and also apply to a person who was in service as a Judge on the 20th May, 1954, and to a Judge who, having held any other pensionable posts under the Union or a State, has elected to receive the pension payable under this part."  (b) Part II shall be omitted.	35
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## STATEMENT OF OBJECTS AND REASONS

The Bill seeks to amend the High Court Judges (Salaries and Conditions of Service) Act, 1954 and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958. With the passage of time, certain provisions in the aforesaid Acts have become spent and out-dated. A review has been undertaken and it has been decided to remove the same for clarity and provide for the added years of service in view of the judgement given by the Supreme Court. Some of the provisions relating to determination of leave allowances of judges in both the Acts needed to be simplified.

2. In this regard, it may be mentioned that in a Writ Petition (Civil) No. 521/2002 filed in the Hon'ble Supreme Court, prayer was made for addition of ten years practice as an advocate to the service as a Judge of High Court for the purpose of computing pension admissible under Part I of the first schedule to the Act, 1954 on the analogy of added years of service *i.e.* ten years practice at Bar, provided to Supreme Court Judges. As per provision under section 13A of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958, a Judge of Supreme Court, appointed under article 124(3)(b) of the Constitution, is entitled to addition of ten years practice at the Bar to their actual qualifying service for pension. The Hon'ble Supreme Court had, *inter-alia*, allowed the prayer *vide* judgement dated the 31st March, 2014 directing that "for pensionary benefit, ten years practice as an Advocate be added as qualifying service for Judges elevated from the Bar with effect from the 1st April, 2004, the date on which section 13A was inserted by the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Act, 2005 (46 of 2005)."

3. This Bill seeks to achieve the above objectives.

NEW DELHI;  
The 6th August, 2015.

D.V. SADANANDA GOWDA.

## FINANCIAL MEMORANDUM

Clause 8 of the Bill seeks to insert a new section 14A in the High Court Judges (Salaries and Conditions of Service) Act, 1954 to provide with retrospective effect from 1st April, 2004 for addition of a period of ten years for the purposes of pension to the service of a Judge who is appointed under article 217(2)(b) of the Constitution.

The additional expenditure in respect of the Judges of High Courts is to be borne by the concerned State Governments under article 290 of the Constitution of India. The Bill, if enacted and brought into operation, will involve an additional recurring expenditure from the Consolidated Fund of India on account of revision of pension. The non-recurring expenditure on account of payment of arrears of pension retrospectively would be about rupees six to seven crores and an expenditure of recurring nature to the tune of rupees seventy five lakhs per annum.

The Bill does not involve any other expenditure of either recurring or non-recurring nature.

ANNEXURE

EXTRACTS FROM THE HIGH COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) ACT, 1954

(28 OF 1954)

\* \* \* \* \*

2. (1) In this Act, unless the context otherwise requires,— Definitions.

(b) "acting Judge" means a person appointed to act as a Judge under sub-section (2) of section 222 of the Government of India Act, 1935 or under clause (2) of article 224 of the Constitution;

\* \* \* \* \*

(d) "Additional Judge" means a person appointed as an additional Judge under sub-section (3) of section 222 of the Government of India Act, 1935 or under clause (1) of article 224 of the Constitution;

(e) "Former Indian High Court" means the High Court at Rangoon, the High Court at Lahore, the Chief Court of Sind or the Judicial Commissioner's Court of North-West frontier province.

(2) In the calculation of service for the purposes of this Act, previous service for any period or period as acting Judge or additional Judge or as a Judge of a former Indian High Court shall be reckoned as service as a Judge but, save as otherwise expressly provided, previous service as an acting Chief Justice shall not be reckoned as service as Chief Justice.

(3) Any period of leave taken by a Judge before the commencement of this Act under the rules then applicable to him as an acting Judge, additional Judge or a Judge shall, for the purposes of this Act, be treated as if it were leave taken by him under this Act.

(4) Any period of leave taken by a Judge while serving as a Judge of a former Indian High Court before his appointment to a High Court shall for the purposes of this Act be treated as if it were leave taken by him under this Act.

\* \* \* \* \*

4A. A Judge shall be entitled in his entire service, including the period of service rendered in a pensionable post under the Union or State or on re-employment, if any, to claim the cash equivalent of leave salary on his retirement in respect of the period of earned leave at his credit, to the extent of the maximum period prescribed for encashment of such leave under the All-India Service (Leave) Rules, 1955. Leave encashment.

\* \* \* \* \*

9. (1) The monthly rate of leave allowance payable to a Judge while on leave on full allowances shall be for the first forty-five days of such leave a rate equal to the monthly rate of his salary, and thereafter, in the case of the Chief Justice, fifty-five per cent. of the monthly rate of his salary and in the case of each of the other Judges, Sixty per cent. of the monthly rate of his salary: Leave allowances.

Provided that where leave on full allowances is granted to a Judge on medical certificate, the monthly rate of leave allowances shall, for the first one hundred and twenty days of such leave, be a rate equal to the monthly rate of his salary.

\* \* \* \* \*

14. Subject to the provisions of this Act, every Judge shall, on his retirement, be paid a pension in accordance with the scale and provisions in part I of the First Schedule: Pension payable to Judges.

Provided that no such pension shall be payable to a Judge unless—

\* \* \* \* \*

(b) he has attained the age of sixty-two years; or

(c) his retirement is medically certified to be necessitated by ill-health;

Provided further that if a Judge at the time of his appointment is in receipt of a pension (other than a disability or wound pension) in respect of any previous service in the Union or a State, the pension payable under this Act shall be in lieu of, and not in addition to, that pension.

*“Explanation.—*In this section, “Judge” means a Judge who is not a member of the Indian Civil Service or has not held any other pensionable post under the Union or a State and includes a Judge who being a member of the Indian Civil Service or having held any other pensionable post under the Union or a State has elected to receive the pension payable under Part I of the First Schedule.

Special provision for pension in respect of Judges who are members of service.

**15. (1)** Every Judge,—

(a) who is a member of the Indian Civil Service shall, on his retirement, be paid a pension in accordance with the scale and provisions in Part II of the First Schedule;

(b) who is not a member of the Indian Civil Service but has held any other pensionable post under the Union or a State, shall, on his retirement, be paid a pension in accordance with the scale and provisions in Part III of the First Schedule:

Provided that every such Judge shall elect to receive the pension payable to him either under Part I of the First Schedule or, as the case may be, Part II or Part III of the First Schedule, and the pension payable to him shall be calculated accordingly.

(2) Notwithstanding anything contained in sub-section (1), any Judge to whom that sub-section applies and who is in service on or after the 1st day of October, 1974, may, if he has elected under the proviso to that sub-section to receive the pension payable to him under Part II or, as the case may be, Part III of the First Schedule before the date on which the High Court Judges (Conditions of Service) Amendment Act, 1976, receives the assent of the President, cancel such election and elect afresh to receive the pension payable to him under Part I of the the First Schedule and any such Judge who dies before the date of such assent shall be deemed to have elected afresh to be governed by the provisions of the said Part I if the provisions of that Part are more favourable in his case.

35 of 1976.

Power of President to add to the service for pension.

**16.** The President of India may for special reasons direct that any period not exceeding three months shall be added to the service for pension of a Judge:

Provided that the period so added shall be disregarded in calculating any additional pension under Part I or Part II or Part III of the First Schedule.

\* \* \* \* \*

Extraordinary pensions.

**17A. (1)** Where a Judge who, being in service on or after the commencement of the High Court and Supreme Court Judges (Conditions of Service) Amendment Act, 1986, dies, whether before or after retirement in circumstances to which section 17 does not apply, family pension calculated at the rate of fifty per cent. of his salary on the date of his death shall be payable to the person or persons entitled thereto and the amount so payable shall be paid from the day following the date of death of the Judge for a period of seven years or for a period up to the date on which the Judge would have attained the age of sixty-five years, had he survived, whichever is earlier, and thereafter at the rate of thirty per cent. of his salary.

54 of 1986.

*Explanation.—*For the purposes of determining the person or persons entitled to family pension under this sub-section,—

(i) in relation to a Judge who elects or is eligible to receive pension under Part I of the First Schedule, the rules, notifications and orders for the time being in force with regard to the person or persons entitled to family pension in relation to an officer of the Central Civil Services, Group 'A', shall apply;

(ii) in relation to a Judge who elects to receive pension under Part II or Part III of the First Schedule, the ordinary rules of his service if he had not been appointed a Judge with respect to the person or persons entitled to family pension shall apply and his service as a Judge being treated as service therein.



(2) Where any Judge, who has elected to receive the pension payable to him under Part II or Part III of the First Schedule retires, or dies in circumstances to which section 17 does not apply, gratuity, if any, shall be payable to the person or persons entitled thereto under the ordinary rules of his service if he had not been appointed a Judge, his service as a Judge being treated as service therein for the purpose of calculating that gratuity.

\* \* \* \* \*

**18.** Pensions expressed in sterling only shall, if paid in India, be converted into rupees at such rate of exchange as the Central Government may, from time to time, specify in this behalf:

\* \* \* \* \*

**20.** Every Judge shall be entitled to subscribe to the General Provident Fund (Central Services):

Provided that a Judge who is a member of the Indian Civil Service or has held any other pensionable civil post under the Union or a State shall continue to subscribe to the Provident Fund to which he was subscribing before his appointment as a Judge:

Provided further that a Judge who was appointed before the commencement of this Act may continue to subscribe to the Provident Fund to which he was subscribing immediately before such commencement.

\* \* \* \* \*

**23B.** (1) In the calculation of the service for pension of a continuing Judge for the purposes of this Act, his previous service for pension as a Chief Justice or as a Judge of a former high Court in a Part B State, under the provisions of the High Court Judges (Part B States) Order, 1953, or any other order or rule then applicable to him, shall be reckoned as service for pension as a Chief Justice or, as the case may be, as a Judge under this Act.

(2) In the calculation of the amount of leave at the credit of a continuing Judge for the purposes of this Act, the amount of leave due to him immediately before the 1st day of november, 1956, under the provisions of the High Court Judges (Part B States) Order, 1953, or any other order or rule then applicable to him, shall be added to the amount of leave at his credit under this act.

(3) In this section, "continuing Judge" means a Judge of a former high Court in a Part B State who on the first day of November, 1956, or on any date subsequent thereto has become or been appointed as a Judge of a High Court for a State.

\* \* \* \* \*

**25.** (1) Nothing contained in this Act shall have effect so as give to a Judge who is serving as such at the commencement of this Act less favourable terms in respect of his allowances or his rights in respect of leave of absence (including leave allowances) or pension than that to which he would be entitled if this Act had not been passed.

46 of 1958. (2) Nothing contained in this Act, as amended by the High Court Judges (Conditions of Service) Amendment Act, 1958, shall have effect so as to give to a Chief Justice or a Judge of a former high Court in a Part B State less favourable terms in respect of his allownaces) or his rights in respect of leave of absence (including the leave allowances) or pension than those to which he would be entitled under the High Court Judges (Part B States) Order, 1953, or any other order or rule then applicable to him, if he had continued as a judge of that High Court, his service as a Judge on or after the Ist day of November, 1956, being treated as service in that High Court.

\* \* \* \* \*

## THE FIRST SCHEDULE

(See sections 14 and 15)

## Pensions of Judges

## PART I

**1.** The provisions of this Part apply to a Judge who is not a member of the Indian Civil Service or has not held any other pensionable post under the Union or a State or a State and also apply to a Judge who, being a member of the Indian Civil Service or having held any other pensionable post under the Union or a State, has elected to receive the pension payable under this Part.

**2.** Subject to the other provisions of this part, the pension payable to a Judge to whom this part applies and who has completed not less than seven years of service for pension shall be,—

(a) for service as Chief Justice in any High Court, per annum for each completed year of service;

(b) for service as any other Judge in any High Court, Rs. 34350:

Provided that the pension under this paragraph shall in no case exceed Rs. 48,000 per annum in the case of any other Judge.

\* \* \* \* \*

**8.** Notwithstanding anything contained in the foregoing provisions of this Part, the pension payable to a Judge who has completed fourteen years of service for pension, including not less than six years of service as Chief Justice of one or more of the High Courts, shall be Rs. 20,000 per annum.

**9.** Where a Judge to whom this Part applies retires or has retired at any time after the 26th January, 1950 without being eligible for a pension under any other provision of this Part, then, notwithstanding anything contained in the foregoing provisions, a pension of Rs. 6,000 per annum shall be payable to such a Judge:

Provided that nothing in this paragraph shall apply—

(a) to an additional Judge or acting Judge; or

\* \* \* \* \*

## PART II

**1.** The provisions of this Part apply to a Judge who is a member of the Indian Civil Service and who has not elected to receive the pension payable under Part I.

**2.** The pension payable to such a Judge shall be—

(a) the pension to which he is entitled under the ordinary rules of the Indian Civil Service if he had not been appointed a Judge, his service as a Judge being treated as service therein for the purpose of calculating that pension; and

(b) the additional pension, if any, to which he is entitled under paragraph 3:

Provided that the pension under clause (a) and the additional pension under clause (b) together shall in no case exceed per annum in the case of a Chief Justice and per annum in the case of any other Judge.

**3.** If such a Judge has completed not less than seven years of service for pension in a High Court, he shall be entitled to an additional pension in accordance with the following scale:—

For seven completed years of service for pension 34,696;

For eight completed years of service for pension 41,642;

For nine completed years of service for pension 48,559;  
 For ten completed years of service for pension 55,508;  
 For eleven completed years of service for pension 62,462;  
 For twelve or more completed years of service for pension 64,402.

\* \* \* \* \*

EXTRACTS FROM THE SUPREME COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) ACT, 1958  
 (41 OF 1958)

\* \* \* \* \*

**2.** In this Act, unless the context otherwise requires,— Definitions.

\* \* \* \* \*

(g) "service as a Judge in India" means service rendered either in the Federal Court or in the Supreme Court or in any such Court and in one or more of the High Courts, and "Judge in India" and "service for pension as a Judge in India" shall be construed accordingly;

\* \* \* \* \*

**4A.** A Judge shall be entitled in his entire service including the period of service rendered in a pensionable post under the Union or a State or on re-employment, if any, to claim the cash equivalent of leave salary on his retirement in respect of the period of earned leave at his credit, to the extent of the maximum period prescribed for encashment of such leave under the All India Service (Leave) Rules, 1955. Leave encashment.

\* \* \* \* \*

**9.** (1) The monthly rate of leave allowances payable to a Judge while on leave on full allowances shall be for the first forty-five days of such leave a rate equal to the monthly rate of the salary and thereafter, in the case of the Chief Justice fifty per cent. of the monthly rate of his salary and in the case of each of the other Judges, fifty-five per cent. of the monthly rate of his salary: Leave allowances.

Provided that where leave on full allowances is granted to a Judge on medical certificate, the monthly rate of leave allowances shall, for the first one hundred and twenty days of such leave, be a rate equal to the monthly rate of his salary.

(2) The monthly rate of leave allowances payable to a Judge while on leave on half allowances shall be in the case of the Chief Justice, twenty-five per cent. of the monthly rate of his salary, and in the case of each of the other Judges, twenty-seven and a half per cent. of the monthly rate of his salary:

Provided that the monthly rate of leave allowances payable to a Judge in respect of leave credited to his leave account under sub-section (2) (a) (iii) of section 4 shall not exceed the rate of leave allowances admissible to him therefor as a Judge of a High Court and shall be payable by the State Government concerned.

\* \* \* \* \*

**13.** Subject to the provisions of this Act, a pension shall be payable in accordance with the provisions of Part I of the Schedule to a Judge of the Supreme Court on his retirement if, but only if,— Pension payable to Judges.

- (a) he has attained the age of sixty-five years; or
- (b) his retirement is medically certified to be necessitated by health.

*Explanation.*—In this section, "Judge" means a Judge who is not a member of the Indian Civil Service or has not held any other pension post under the Union or a State and

includes a person who was in service as a Judge on the 20th May, 1954, and also includes a Judge who being a member of the Indian Civil Service or having held any other pensionable post under the Union or a State has elected to receive the pension payable under part I of the Schedule.

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Special provisions for pension in respect of Judges who are members of service.

**14. (1) Every Judge—**

(a) who is a member of the Indian Civil Service shall, on his retirement, be paid a pension in accordance with the provisions of Part II of the Schedule;

(b) who is not a member of the Indian Civil Service but held any other pensionable post under the Union or a State shall, on his retirement, be paid a pension in accordance with the provisions of Part III of the Schedule;

\* \* \* \* \*

Family pension and gratuity.

**16A. (1)** The rules, notifications and orders for the time being in force with respect to the grant of family pension in relation to an officer of the Central Civil Services, Class I, shall apply to the grant of family pension in relation to a Judge who, being in service on or after the 1st day of October, 1974, dies, whether before or after retirement in circumstances to which section 16 does not apply.

(2) The rules, notifications and orders for the time being in force with respect to the grant of death-cum-retirement gratuity benefit to or in relation to an officer of the Central Civil Services, Class I (including the provisions relating to deductions from pension for the purpose) shall apply to or in relation to the grant of death-cum-retirement gratuity benefit to or in relation to a Judge who, being in service on or after the 1st day of October, 1974, retires, or dies in circumstances to which section 16 does not apply, subject to the modifications that—

(i) the minimum qualifying service for the purpose of entitlement to the gratuity shall be two years and six months;

(ii) the amount of gratuity shall be calculated on the basis of ten days salary for each completed six months period of service as a Judge;

*Explanation.*— the expression "Judge" has the same meaning in section 13.

\* \* \* \* \*

Conversion of sterling pension into rupees.

**18.** Pensions expressed in sterling only shall, if paid in India, be converted into rupees at such rate of exchange as the Central Government may, from time to time, specify in this behalf.

\* \* \* \* \*

Provident Fund.

**20.** Every Judge shall be entitled to subscribe to the Central Provident Fund (Central Services):

Provided that a Judge who is a member of the Indian Civil Service or has held any other pensionable civil post under the Union or a State shall continue to subscribe to the provident fund to which he was subscribing before his appointment as a Judge:

Provided further that a Judge who was appointed before the commencement of this Act may continue to subscribe to the provident fund to which he was subscribing immediately before such commencement.

\* \* \* \* \*

THE SCHEDULE

(See sections 13 and 14)

PENSIONS OF JUDGES

PART I

1. The provisions of this Part apply to a Judge who is not a member of the Indian Civil Service or has not held any other pensionable post under the Union or a State and also apply to a person who was in service as a Judge on the 20th May, 1954, and to a Judge who being a member of the Indian Civil Service or having held any other pensionable post under the Union or a State, has elected to receive the pension payable under this Part.

\* \* \* \* \*

PART II

1. The provisions of this Part apply to a Judge who is a member of the Indian Civil Service and who has not elected to receive the pension payable under Part I.

2. The pension payable to such a Judge shall be—

(a) the pension to which he is entitled under the ordinary rules of the Indian Civil Service if he had not been appointed a Judge, his service as a Judge in India being treated as service therein, and

(b) an additional pension of per annum for each completed year of service for pension in the Supreme Court.

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LOK SABHA

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BILL

further to amend the High Court Judges (Salaries and Conditions of Service) Act, 1954  
and the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958.

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*(Shri D.V. Sadananda Gowda, Minister of Law and Justice)*

LOK SABHA

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CORRIGENDA

to

THE HIGH COURT AND THE SUPREME COURT JUDGES (SALARIES AND CONDITIONS OF SERVICE) AMENDMENT BILL, 2015

[To be/As introduced in Lok Sabha]

1. Page 2, line 30,-  
for “in section 14, in the proviso,—”  
read “in section 14, in the first proviso,—”
2. Page 2, marginal heading against the proposed new section 14A,-  
for “Benefit of added years of services”  
read “Benefit of added years of service”
3. Page 3, line 14,-  
for “in section 20, in the first proviso,—”  
read “in section 20,—”
4. Page 3, line 15,-  
for '(i) the words "is a member of the Indian Civil Service or" '  
read '(a) in the first proviso the words "is a member of the Indian Civil Service or" '
5. Page 3, line 16,-  
for “(i) the second proviso”  
read “(b) the second proviso”
6. Page 3, lines 39 and 40,-  
for ' "either in the Federal Court or in Supreme Court or in any such Court "the words" in the Supreme Court" '  
read ' "either in the Federal Court or in the Supreme Court or in any such Court", the words "in the Supreme Court" '
7. Page 4, line 25,-  
for “in section 16A, in the *Explanation*,”  
read “in section 16A, in sub-section (1), in the *Explanation*,”

8. Page 4, line 28,-  
for “in section 20, in the proviso,”  
read “in section 20, in the first proviso,”
9. Page 5, in line 5 of paragraph 1,-  
for “in view of the judgement”  
read “in view of the judgment”
10. Page 5, in line 9 of paragraph 2,-  
for “*vide* judgement”  
read “*vide* judgment”
11. Page 6, line 1 of paragraph 1,-  
for “section 14A in the High Court Judges”  
read “section 14A after section 14 of the High Court Judges”
12. Page 6, line 2 of paragraph 2,-  
for “article 290 of the Constitution of India.”  
read “article 290 of the Constitution.”

**NEW DELHI;**

**August 11, 2015**  
**Shravana 20, 1937 (Saka)**