

THE HIGH COURT JUDGES (CONDITIONS OF SERVICE)  
AMENDMENT ACT, 1971

No. 78 OF 1971

[30th December, 1971.]

An Act further to amend the High Court Judges (Conditions of Service) Act, 1954.

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

1. (1) This Act may be called the High Court Judges (Conditions of Service) Amendment Act, 1971. Short title and commencement.

(2) It shall come into force on such date<sup>1</sup> as the Central Government may, by notification in the Official Gazette, appoint.

28 of 1954. 2. In section 2 of the High Court Judges (Conditions of Service) Act, 1954 (hereinafter referred to as the principal Act), in sub-section (1), in sub-clause (ii) of clause (h), for the words "one month", the words "forty-five days" shall be substituted. Amendment of section 2.

3. In section 3 of the principal Act, in sub-section (1), for clause (a), the following clause shall be substituted, namely:— Amendment of section 3.

"(a) leave on full allowances (including commuted leave on half allowances into leave on full allowances on medical certificate); or"

4. In section 5 of the principal Act, in sub-section (3), for the words "The maximum period of leave which may be granted", the words, brackets, figures and letter "Subject to the provisions of sub-section (2) of section 5A, the maximum period of leave which may be granted" shall be substituted. Amendment of section 5.

5. After section 5 of the principal Act, the following section shall be inserted, namely:— Insertion of new section 5A.

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<sup>1</sup>15-1-1972: vide Notification No. G.S.R. 106/ dated 10-1-1972, Gazette of India, Part II, Section 3(i), p: 353.

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"5A. (1) Notwithstanding anything contained in sub-section (2) of section 5, a Judge may be permitted to commute leave on half allowances into leave on full allowances on medical certificate up to a maximum of three months during the whole period of his service as a Judge.

(2) In computing the maximum period of leave on full allowances which may be granted at one time to a Judge under sub-section (3) of section 5, the amount of commuted leave permitted to him under this section shall not be taken into account."

Amend-  
ment of  
section 9.

6. In section 9 of the principal Act, in sub-section (1), for the words "for the first month of such leave", the words "for the first forty-five days of such leave" shall be substituted.