

THE HIGH COURT AND SUPREME COURT JUDGES
(CONDITIONS OF SERVICE) AMENDMENT ACT, 1989

No. 32 OF 1989

[30th August, 1989.]

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

BE it enacted by Parliament in the Fortieth Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

Short title
and com-
mencement.

1. (1) This Act may be called the High Court and Supreme Court Judges (Conditions of Service) Amendment Act, 1989.

(2) The provisions of sections 2, 4 and 5 shall be deemed to have come into force on the 1st day of November, 1986 and the provisions of sections 3 and 6 shall be deemed to have come into force on the 1st day of April, 1986.

CHAPTER II
AMENDMENT OF THE HIGH COURT JUDGES (CONDITIONS OF SERVICE)
ACT, 1954

Amend-
ment of
section 4.

2. In section 4 of the High Court Judges (Conditions of Service) Act, 1954 (hereafter in this Chapter referred to as the High Court Judges Act), in sub-section (2), in clause (a), in sub-clause (iii), for the words "one hundred and eighty days", the words "two hundred and forty days" shall be substituted.

23 of 1954.

Amend-
ment of
section 9.

3. In section 9 of the High Court Judges Act,—

(a) in sub-section (1), for the words "and thereafter two thousand two hundred and twenty rupees", the words "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" shall be substituted;

(b) in sub-section (2), for the words "one thousand one hundred and ten rupees", the words "in the case of the Chief Justice, twenty-seven and a half per cent. of the monthly rate of his salary and in

the case of each of the other Judges, thirty per cent. of the monthly rate of his salary" shall be substituted.

4. In section 17A of the High Court Judges Act, in sub-section (1), for the words "family pension so admissible", the words "family pension so admissible subject to a minimum of three hundred and seventy-five rupees per month" shall be substituted.

Amend-
ment of
section
17A.

CHAPTER III

AMENDMENT OF THE SUPREME COURT JUDGES (CONDITIONS OF SERVICE) ACT, 1958

41 of 1958.

5. In section 4 of the Supreme Court Judges (Conditions of Service) Act, 1958 (hereafter in this Chapter referred to as the Supreme Court Judges Act), in sub-section (2), in clause (a), in sub-clause (iii), for the words "one hundred and eighty days", the words "two hundred and forty days" shall be substituted.

Amend-
ment of
section 4.

6. In section 9 of the Supreme Court Judges Act,—

(a) in sub-section (1), for the words "and thereafter two thousand two hundred and twenty rupees", the words "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" shall be substituted;

Amend-
ment of
section 9.

(b) in sub-section (2), for the words "one thousand one hundred and ten rupees", the words "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" shall be substituted.

7. In section 16A of the Supreme Court Judges Act, in sub-section (1), for clause (b), the following clauses shall be substituted, namely:—

Amend-
ment of
section
16A.

"(b) dies after retirement on attaining the age of sixty-five years, family pension shall be twenty-five per cent. of the pension admissible and shall be payable to the person or persons entitled thereto;

(c) dies after retirement after seeking premature retirement and before attaining the age of sixty-five years, family pension shall be calculated at the rates specified in clause (a) and shall be payable to the person or persons entitled thereto."