

Bill Summary

The High Court and the Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2015

- The High Court and the Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2015 was introduced in Lok Sabha on August 13, 2015. The Bill amends the High Court Judges (Salaries and Conditions of Service) Act, 1954 and Supreme Court Judges (Salaries and Conditions of Service) Act, 1958.
- The Statement of Objects and Reasons in the Bill states that in response to a writ petition, the Supreme Court issued a direction for adding ten years practice as an Advocate in calculating pensionary benefits for a High Court judge. It also specified that this be effective from April 1, 2004.
- **Pension payable to HC judges:** The Bill states that a period of 10 years will be added from April 2004 to the service of a Judge, for the purpose of providing pension. This would be applicable to a judge who has been an advocate of a High Court for at least 10 years.
- **Casual leave for SC and HC judges:** The 1954 and 1958 Acts provide for leave on full allowances and half allowances. The Bill adds that casual leave for SC and HC judges will be computed in a manner to be prescribed.
- **Leave allowances of HC judges:** Under the 1954 Act and the 1958 Act, the monthly rate of leave allowances, while on leave on full allowances, would be equal to the monthly rate of his salary, for the first 45 days of leave. Thereafter, it would be 55% of the monthly salary rate for the Chief Justice of HC (CJHC), 50% for Chief Justice of India (CJI), 55% for other SC judges, and 60% for other HC judges.

The rate of leave allowance for leave on half allowance would be 25% of monthly allowance rate for a CJI, 27.5% for a CJHC and other SC judges, and 30% for other HC judges. The Bill amends this to state that Judges would have the option of availing leave on full allowances, half allowances, or partly full and partly half allowances.
- **Joining time allowance for HC judges:** The 1954 Act provides for an allowance at the rate of 1110 rupees a month instead of salary, in relation to joining time on his return from leave out of India. The Bill deletes this provision.

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