

## **Supreme Court Judges Rules, 1959**

### CONTENTS

1. Short title
2. Special disability leave
3. Extraordinary pensions and gratuities
  - 3A. Payment of arrears of pension
  - 3B. Post retiral benefits
4. Residence of Judges
  - 4A. Rent for period of over stay
  - 4B. Free furnishings
5. Facilities for medical treatment and accommodation in hospitals
6. Conditions of Services where no express provision is made in the Act
7. Decision of question
8. Savings

## **Supreme Court Judges Rules, 1959**

1GSR 935, dated the 4th August, 1959,--In exercise of the powers conferred under sub-section (1) and clauses (a), (b), (d) and (e) of sub-section (2) of section 24 of the 2Supreme Court Judges (Salaries and Conditions of Service) Act, 1958, (41 of 1958), the Central Government hereby makes the following rules, namely:-

### **1. Short title :-**

These rules may be called the Supreme Court Judges Rules, 1959.

### **2. Special disability leave :-**

The rules for the time being in force with respect to the grant of special disability leave in relation to an officer of the Central Civil Services, Class-I, who has entered service on or after the 16th July, 1931, and who may be disabled by injury caused in, or in consequence of his official position shall apply in relation to a Judge, subject to the modification that the monthly rate of allowance payable to a Judge while on such leave shall be as specified in the First Schedule to these rules.

### **3. Extraordinary pensions and gratuities :-**

The rules for the time being in force with respect to the grant of extra ordinary pension and gratuities in relation to an officer of the Central Civil Services, Class-I, who has entered service on or after the 1st April, 1937, and who may suffer injury or dies as a result of violence in the course of and as a consequence of the due performance of his official duties, shall apply in relation to a Judge, subject, however, to the modification that reference in those rules to tables of injury gratuities and pensions, and of family gratuities and pensions shall be construed as references to the tables in the Second Schedule to these rules.

### **3A. Payment of arrears of pension :-**

3 3A Payment of arrears of pension

A Judge may nominate any other person to receive the arrears of pension payable to him in accordance with the provisions of the payment of Arrears of Pension (Nomination) Rules, 1983.

### **3B. Post retiral benefits :-**

4 3B(1) Post retiral benefits-A retired Chief Justice shall be entitled during his lifetime to a payment of rupees twenty five thousand rupees per month for defraying the services of an orderly, driver and security guard, for meeting the expenses incurred towards secretarial assistance on contract basis and for maintenance of an office-cum-residence. He shall also be entitled to a residential telephone free of cost and the number of free calls to the extent of 1,500 per month (over and above the number of free calls per month allowed by the telephone authorities).

(2) A retired Judge shall be entitled during his lifetime to a payment of fourteen thousand rupees per month for defraying the services of an orderly and for meeting the expenses incurred towards secretarial assistance on contract basis and also shall be entitled to a residential telephone free of cost and the number of free calls to the extent of 1,500 per month (over and above the number of free calls per month allowed by the telephone authorities).

(3) The retiral benefits mentioned in Sub-rules (1) and (2) shall be provided by the Registrar of the Supreme Court of India on furnishing a certificate by the retired Chief Justice and the Judges as the case may be in the form specified by the Registry of the Supreme Court of India. Provided that the retiral benefits available under this rule shall not be deemed to be income, liable to

Tax, under the Income Tax Act, 1961 (43 of 1961).

#### **4. Residence of Judges :-**

Each Judge shall be entitled without payment of rent to the use of furnished residence throughout his term of office and for a period of 1(one month) immediately thereafter, and no charge shall fall on the Judge personally in respect of the maintenance of such residence. This concession shall also be admissible to the members of the family of a Judge, who dies while in service, for a period of 1(one month) immediately after his death. Explanation--For the purposes of this rule, residence includes the staff quarters and other buildings apartment thereto and the garden thereof, and maintenance in relation to a residence includes the payment of 2local rates and taxes and electricity and water.

This rule shall be deemed to have come into force on the 26th January, 1950.

#### **4A. Rent for period of over stay :-**

3 [4A. Rent for period of over stay

(1) Where a Judge occupies a residence beyond the period specified in rule 4, he shall be liable to pay, for the period of over stay, rent calculated in accordance with the provisions of Fundamental Rules 45-B together with full departmental charges or if the rents have been pooled, the pooled standard rent under Fundamental Rules 45-A whichever is higher.

(2) Where a Judge dies while in service the members of his family shall, in addition to the period specified in rule 4, be entitled to occupy residence for a further period not exceeding one month by making payment of rent calculated in accordance with the provisions of Fundamental Rules, 45-A, or, if the rents have been pooled the Standard rent under that rule].

#### **4B. Free furnishings :-**

4 4B. Free furnishings

The value of free furnishing ( including electrical appliances) provided free of rent in the official residence allotted to the Chief Justice shall not exceed Rs.5(2,50,000) (Rupees Two Lakh Fifty Thousand Only) and in the case of other Judges shall not exceed Rs.5(2,00,000) (Rupees Two Lakh only).

#### **5. Facilities for medical treatment and accommodation in**

## **hospitals :-**

In respect of facilities, for medical treatment and accommodation in hospitals, the provisions of the All India Services (Medical Attendance) Rules, 1954, shall apply to a Judge as they apply to a Member of the India Administrative Service and shall be deemed to have come into force on the 26th January, 1950. 6 Provided that the expenses shall be reimbursed on prescription of Government Doctors/Hospitals or Recognised Private Practitioners/Private Hospitals by the Registry of the Supreme Court of India.

## **6. Conditions of Services where no express provision is made in the Act :-**

The conditions of service of a Judge of the Supreme Court for which no express provision has been made in the 7 Supreme Court Judges (Salaries and Conditions of Service) Act, 1958, shall be and shall from the commencement of the Constitution be deemed to have been determined by the rules for the time being applicable to a member of the Indian Administrative Service holding the rank of Secretary to the Government of India.

NOTE: Cases relating to reimbursement of medical charges or any other matter covered by rule 5 or rule 6 which have been decided before the date of publication of these rules in the official Gazette, shall not be re-opened unless it is specifically so desired by the Judge concerned.

## **7. Decision of question :-**

If any question arises about the interpretation of the provisions of these rules, the decision of the Central Government thereon shall be final.

## **8. Savings :-**

Nothing in these rules shall have effect so as to give to a Judge who is serving as such on the date of publication of these rules in the Gazette less favourable terms in respect of his privileges than those to which he should have been entitled, if these rules had not been framed.