

THE SCHEDULE

(See sections 13 and 14)

PENSIONS OF JUDGES

PART I

¹[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 (28 of 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.]

2. Subject to the provisions of this Part, the pension payable to a Chief Justice to whom this Part applies ^{2***} shall be an amount equal to the sum of the following amounts, that is to say,—

(a) an amount equal to the pension which would have been payable to him in accordance with the scale and provisions in Part 1 of the First Schedule to the High Court Judges (Conditions of Service) Act, 1954 (28 of 1954), if his service as a Judge had been rendered as the Chief Justice of a High Court;

(b) an additional amount of ³ ⁴[Rs. 34,104]] per annum for each completed year of service as the Chief Justice of the Supreme Court until he has become entitled to a pension of ⁵ ⁶[Rs. 10,34,040]] per annum, and thereafter an additional amount of ⁷ ⁸[Rs. 86,884]] for each completed year of such service:

Provided that the aggregate amount of his pension shall in no case exceed ⁹ ¹⁰[Rs. 16,80,000]] per annum.

3. The pension payable to any other Judge to whom this part applies ^{2***} shall be an amount equal to the pension which would have been payable to him in accordance with the scale and provisions in Part 1 of the First Schedule to the High Court Judges (Conditions of Service) Act, 1954 (28 of 1954), if his service as a Judge had been rendered as the Chief Justice of a High Court:

¹¹[Provided that the pension under this paragraph shall in no case exceed ¹² ¹³[Rs. 15,00,000]] per annum.]

4. If Judge of the Supreme Court who has served as an acting Chief Justice thereof is subsequently appointed Chief Justice, his service as acting Chief Justice shall, for the purposes of paragraph 2 of this Part, be treated as service as Chief Justice.

1. Subs. by Act 13 of 2016, s. 28, for Paragraph 1 (w.e.f. 5-4-2016).

2. The words “and who has completed not less than seven years of service for pension as a Judge in India” omitted by Act 46 of 2005, s. 11 (w.e.f. 1-4-2004).

3. Subs. by Act 23 of 2009, s. 13, for “Rs. 6,030” (w.e.f. 1-1-2006).

4. Subs. by Act 10 of 2018, s. 9, for “Rs. 12,180” (w.e.f. 1-1-2016).

5. Subs. by Act 23 of 2009, s. 13, for “Rs. 1,82,820” (w.e.f. 1-1-2006).

6. Subs. by Act 10 of 2018, s. 9, for “Rs. 3,69,300” (w.e.f. 1-1-2016).

7. Subs. by Act 23 of 2009, s. 13, for “Rs. 15,360” (w.e.f. 1-1-2006).

8. Subs. by Act 10 of 2018, s. 9, for “Rs.31,030” (w.e.f. 1-1-2016).

9. Subs. by Act 23 of 2009, s. 13, for “Rs. 2,97,000” (w.e.f. 1-1-2006).

10. Subs. by Act 10 of 2018, s.9 for “Rs. 6,00,000” (w.e.f. 1-1-2016).

11. The proviso inserted by Act 20 of 1988, s. 7 (w.e.f. 1-11-1986).

12. Subs. by Act 23 of 2009, s. 13, for “Rs. 2,70,000” (w.e.f. 16-3-2009).

13. Subs. by Act 10 of 2018, s. 9, for “Rs. 5,40,000” (w.e.f. 1-1-2016).

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PART III

1. The provisions of this Part apply to a Judge who has held any ⁴[pensionable post] under the Union or a State (but is not a member of the Indian Civil Service) and who has not elected to receive the pension payable under Part 1.

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

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

(b) a special additional pension of ⁵[⁶[Rs. 45,016]] per annum in respect of each completed year of service for pension as a Judge in India ⁷***.

⁸[Provided that the pension under clause (a) and the additional pension under clause (b) together shall in no case exceed ⁹[¹⁰[Rs. 16,80,000]] per annum in the case of a Chief Justice and ¹¹[¹²[Rs. 15,00,000]] per annum in the case of any other Judge.]

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1. Paragraph 5 omitted by Act 46 of 2005, s. 11 (w.e.f. 1-4-2004).
2. Paragraphs 6 and 7 omitted by Act 20 of 1988, s. 7 (w.e.f. 1-11-1986).
3. Part II omitted by Act 13 of 2016, s. 28 (w.e.f. 5-4-2016).
4. Subs. by Act 57 of 1980, s. 9, for "pensionable civil post" (w.e.f. 1-4-1975).
5. Subs. by Act 23 of 2009, s. 13, for "Rs. 7,800" (w.e.f. 1-1-2006).
6. Subs. by Act 10 of 2018, s. 9, for "Rs. 16,020" (w.e.f. 1-1-2016).
7. The certain words omitted by Act 7 of 1999, s. 11 (w.e.f. 1-1-1996).
8. The proviso ins. by Act 20 of 1988, s. 7 (w.e.f. 1-11-1986).
9. Subs. by Act 23 of 2009, s. 13, for "Rs. 2,97,000" (w.e.f. 16-3-2009).
10. Subs. by Act 10 of 2018, s. 9 for "Rs. 6,00,000" (w.e.f. 1-1-2016).
11. Subs. by Act 23 of 2009, s. 13, for "Rs.2,70,000" (w.e.f. 16-3-2009).
12. Subs. by Act 10 of 2018, s. 9 for "Rs. 5,40,000" (w.e.f. 1-1-2016).
13. Paragraphs 3 and 4 omitted by Act 20 of 1988, s. 7 (w.e.f. 1-11-1986).