THE FIRST SCHEDULE

(See sections 14 and 15)

PENSIONS OF JUDGES

PART I

1. The provisions of this Part apply to a Judge who has not held any other pensionable post under the Union or a State or a Judge who having held any other pensionable post under the Union or a State has elected to receive the pension payable under this Part.

2. Subject to the other provisions of this Part, the pension payable to a Judge to whom this Part applies shall be,

(a) for service as Chief Justice in any High Court, Rs.43,890 per annum for each completed year of service;

(b) for service as any other Judge in any High Court, Rs.34,350 per annum for each completed year of service:

Provided that the pension under this paragraph shall in no case exceed Rs.5,40,000 per annum in the case of a Chief Justice and Rs.4,80,000 per annum in the case of any other Judge.

6. A Judge who has rendered service for pension both as Chief Justice and other Judge in any High Court may claim that any period of service of less than a completed year rendered by him as Chief Justice, or any portion of any such period, shall be treated for the purposes of paragraph 2 as service rendered by him as other Judge.

7. For the purposes of this Part, service as an acting Chief Justice of a High Court or as an ad hoc Judge of the Supreme Court, shall be treated as though it were service rendered as Chief Justice of a High Court.

Provided that nothing in this paragraph shall apply—

(a) to an additional Judge or acting Judge; or

(b) to a Judge who at the time of his appointment is in receipt of a pension (other than a disability or wound pension) in respect of any previous service under the Union or a State.

1. Subs. by Act 13 of 2016, s. 17, for paragraph 1 (w.e.f. 5-4-2016).
2. Subs. by Act 20 of 1988, s. 4, for para 2 (w.e.f. 1-11-1986).
3. The words “and who has completed not less than seven years of service” omitted by Act 13 of 2016, s. 17 (w.e.f. 5-4-2016).
4. Subs. by Act 23 of 2009, s. 7, for “Rs. 21,945” (w.e.f. 1-1-2006).
5. Subs. by s. 7, ibid., for “16,725” (w.e.f. 1-1-2006).
6. Subs. by s. 7, ibid., for “Rs. 2, 70, 000” (w.e.f. 1-1-2006).
7. Subs. by s. 7, ibid., for “Rs. 34, 000” (w.e.f. 1-1-2006).
9. Omitted by Act 20 of 1988, s. 6 (w.e.f. 1-11-1986).
10. Omitted by Act 13 of 2016, s. 17 (w.e.f. 5-4-2016).
11. Added by Act 46 of 1958, s. 10 (w.e.f. 1-11-1996).
13. Part II omitted by Act 13 of 2016, s. 17 (w.e.f. 5-4-2016).
PART III

1. The provisions of this Part apply to a Judge who has held any \(^1\) [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 I.

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 being treated as service therein for the purpose of calculating that pension; and

\[(b)\] a special additional pension of \(^2\) [Rs. 16,020] per annum in respect of each completed year of service for pension, \(^3\)***

\[^4\] [Provided that the pension under clause (a) and the additional pension under clause (b) together shall not in no case exceed \(^5\) [Rs. 5,40,000] per annum in the case of a Chief Justice and \(^6\) [Rs.4,80,000] per annum in the case of any other Judge.]