THE SUPREME COURT JUDGES RULES, 1959 (AS ON 10.05.2019)

[1]GSR 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 [2]Supreme 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 Ist 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 ~ Second Schedule to these rules.

[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.

[4]3B(1) Post retiral benefits--A retired Chief Justice shall be entitled during his lifetime to a payment of [5]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 maintainance 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) .

1.Published in the Gazette of India 1959, Pt.II Section 3(i) page (b)
2.Subs. by Act 18 of 1998 w.e.f. 1.1.1996
3.Ins. by GSR No.1176(E) dated 4.11.1986 (F.No.24/20/86-Jus.) 4.Ins. by GSR 680(E) w.e.f. 12.11.1991 5.Subs. by GSR 162(E) dated 11.3.2006

*(2) A retired Judge shall be entitled during his life time 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 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 above retiral benefits shall be provided by the Registrar of the Supreme Court of India on furnishing a certificate by the retired Chief Justice in the form specified by the Registry of the Supreme Court of India.

Provided tha t 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) .

*Subs by GSR No.602(E)dated 29.9.2006.

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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 ! (one month) immediately thereafter, and no charge shall fallon 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 l(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 26~ January, 1950.

3[4A. Rent for period of over stay-(l) 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] .

44B. 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(10,00,000) (Rupees ten lakhs Only)and in the case of other Judges shall not exceed Rs.5(8,00,000) (Rupees eight lakhs only) .

1 Subs. GSR No.634 dated 22.4.1976
2.Subs. by GSR 718(E) dated 3.11.1995 w.e.f.
1.4.1994 3.Ins. by GSR 634 dated 22.4.1976
4.Ins. by GSR 698 (E) dated 25.11.1991.
5.Subs.by GSR 238(E) dated 19.03.2018 w.e.f. 19.03.2018

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.

Provided that the expenses shaLL be reimbursed on prescription of Doctors/HospitaLs or Recognised Private Practioners/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 lSupreme 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.

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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.

1.Subs. by Act 18 of 1998 w.e.f. 1.1.1996

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THE FIRST SCHEDULE

(See Rule 2)

The monthly rate of leave allowances payable to a Judge while on special disability leave shall be as follows:

Period	Monthly rate of leave allowance
(1) First 120 days	(a) at the monthly rate of salary for the First 45 days (b) at the monthly rate of Rs.2,220 for the next 75 days.
(2) for the remaining period of any such disability leave	(i) at the monthly rate of Rs,1,110/- (ii) at the option of the Judge for a period not exceeding the period of leave which under the provision in Chapter-II of the Supreme Court Judges (Salaries and Conditions of Service) Act, 1958, may be admissible to him on full allowances, at the monthly rate of Rs.2,220/- provided that when such an option is exercised one half of such leave shall be debited in the leave account.

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THE SECOND SCHEDULE

(See Rule 3

INJURY GRATUITY AND PENSION

	Officer	Gratuity	Annual Pension	
			Higher Scale	Lower Scale
1.	The Chief Justice of India or acting Chief Justice or a Judge of the Supreme Court.	Rs.20,000/-	Rs.5,400/-	Rs.4,700/-

FAMILY GRATUITY AND PENSION

(A) WIDOW

	Officer	Gratuity	Annual Pension
1.	The Chief Justice of India or acting Chief Justice or a Judge of the Supreme Court.	Rs.15,000/-	Rs.5,000/-

(B) CHILDREN

	Annual Pension
If the child is motherless	Rs.550/-
If the child is not motherless	Rs.320/-

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Ministry of Home Affairs 15/6/58-Judl.I]

FOOT NOTE:- Principal Rules published vide Notification No. GSR 935 dated the 4th August, 1959, Gazette of India, Part-II, section 3(I) page 1161.

[Ministry of Home Affairs No.15/6/58-Judl.I

Subsequently amended by:

1. Notifiction No.1/34/74-Jus(1) dated 18.12.1974.
2. GSR No.634 dted 22.4.1976.
3. GSR No.854 dated 1.8.1980.
4. GSR No.1176(E) dated 4.11.1986.
5. GSR No.680(E) dated 12.11.1991.
6. GSR No.381(E) dated 20/4/1993 w.e.f. 25.9.1992.
7. G.S.R. 444(E) dated 10.5.1995 w.e.f.12.11.94
8. GSR No. 717(E) dated 3.11.1995.
9. GSR No. 718(E) dated 3.11.1995 w.e.f.1.4.1994
10. GSR No. 149(E) dated 24.2.1999.

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