THE SUPREME COURT JUDGES (TRAVELLING ALLOWANCE) RULES 1959

(As on 10.05.2019)

1GSR 844 dated the 14th July, 1959 -- In exercise of the powers conferred by sub-section (1) and clauses (c) and (f) 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. (1) Short title and commencement--These rules may be called the Supreme Court Judges (Travelling Allowance) Rules, 1959.

(2) They shall come into force at once.

31A. Definition--In these rules, "full wagon" means--

(1) Between places connected by rail :

(a) By goods train--any quantity upto the maximum carrying capacity of a wagon and "wagon" means a four wheeler wagon only;

(b) By passenger train or by road--the mileage allowance will be limited to the amount chargeable for 6,000 kilograms by goods train;

(2) Between places not connected by rail:

6,000 kilograms

4(3) Mileage allowance means the road mileage allowance at the rates notified by the concerned Directorate of Transport for Taxi.

2. Travelling allowance to a Judge of High Court on his appointment as Judge of Supreme Court--When a Judge of a High Court is appointed to be a Judge of the Supreme Court, he is entitled in respect of his journey to join his new post to draw travelling allowance at the rates and to enjoy travelling facilities specified in rule 6 of the High Court Judges Travelling Allowance Rules, 1956, 5[He shall also be entitled to a lump sum transfer grant and packing allowance at the rates as are admissible to a member of the Indian Administrative Service holding the rank of Secretary to the Government of India when transferred or deputed from the State Government to the Central Government.]

1.Published in the Gazette of India, 1959, Pt.II Sec.3(1) p.1054
2 Subs. by Act 18 of 1998
3.Subs. by GSR 343(E) dated 12.5.1976.
4.Ins. by GSR 1187(E) dated 6.11.1986.
5.Ins. by GSR 378 (E) dated 16.4.1993.

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3. (l)Provisions applicable to Government Servant appointed as Judge of Supreme Court--When a Government servant, appointed to be a Judge, travels by rail to join his post, he may, at his option and in lieu of drawing travelling allowance under the rule governing a journey on transfer applicable to him, travel in a reserved compartment of the highest class, excluding the air-conditioned class.

(2) A Government servant who avails himself of this concession must pay to Government the fare which he would have paid if no accommodation had been reserved, and must, in addition, pay in cash to the station master of the station from which the journey commences, the fares for any members of his family accompanying him, whether they share his reserved accommodation or not. When Government pays full tariff rates for the accommodation, all such fares shall be credited to Government.

4. Provisions relating to non-Government servant appointed as Judge of Supreme Court--When a person not already in Government service is appointed to be a Judge, he may, when travelling by railway to join his post, travel in a reserved compartment of the highest class, excluding the air-conditioned class and subject to the conditions prescribed in sub-rule (2) of rule 3.

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Provided that, if any such person is appointed to be the Chief Justice, he may travel in an inspection carriage or in an air-conditioned coupe of two berths.

Explanation-- For purposes of rules 3, 4 and 7 a reserved compartment means a two berth compartment or four-berth compartment if a two-berth compartment is not available in the train by which a Judge travels.

5. Travelling facilities to a Judge travelling on duty-(1) When a Judge travels on duty, he is entitled-1[(a) When travelling by railway--

(i) to a reserved two-berth compartment of the highest class including the air-conditioned class, and if one such compartment is not available, then, to a reserved four-berth compartment of the highest class (but excluding the air-conditioned class) ;

(ii) if such a compartment is provided to take his wife along with him without payment of fare; and

(iii) the fares at the lowest class rates actually paid for servants not exceeding two in number.]

2[Provided that the Chief Justice or an acting Chief Justice will, if he so chooses, be provided with a standard gauge saloon and if, for any reason a standard gauge saloon is not available for his use, he will be provided with an inspection carriage and the Chief Justice or an acting Chief Justice, while travelling by a standard gauge saloon or an inspection carriage shall be entitled to take with him in the

1.Subs.by GSR 343(E) dated 12.5.1976.
2.Subs. by GSR 1881 dated 3.10.1968.

standard gauge saloon or the inspection carriage, without payment one relative.

Provided further that where the Chief Justice or an acting Chief Justice travels by a standard gauge saloon or an inspection carriage, he shall not be entitled to any fares for the servants]

(b) when travelling by a Steamer service, to one reserved first-class cabin if available, or to the fare actually paid for himself and the fares at lowest class rates actually paid to the steamer service for servants not exceeding two in number subject to usual deductions on account of messing charges;

(c) when travelling by a public air transport service, to the fare paid for himself and if actually paid, the cost of transporting upto 1(80 kilograms) of luggage by rail at passenger rates, or steamer and the railway or steamer fares of the lowest class for servants not exceeding two in number, and the expenditure actually incurred on the transport by road of servants or luggage upto a maximum of 1(one-half of rate per kilometer notified by the concerned Directorate of Transport for Auto-rickshaw) of that part of the journey by road for which no allowance is claimed under clause (d) of this sub-rule;

2Provided that the Chief Justice shall be entitled to take his wife with him when travelling by a public air transport services, within the country.

(d) when travelling by road, to 3(the Mileage Allowance)

Provided that--

(i) no such allowance shall be payable in respect of that portion of Journey by road for which a public air transport service provides its own transport and the fare for which journey is included in the air fare paid under clause (c) for the air journey.

(ii) no such allowance shall be payable in cases where the Judge uses transport provided at Government expenses;

4(e) [ ]

(f) 7to a daily allowance up-to sRs. 7500/ - per day for hotel or guest house accommodation, transport charges (AC taxi) of up-to 50 kms. for travel wi thin the city and food bills not exceeding sRs.1200/- per day for the entire period of absence from headquarters, the absence being reckoned from the time of departure from headquarters to the time of return to headquarters;

1. Subs. by GSR 1187 (E) dated 6.11.1996.
2. Ins. by GSR 175 dated 8.3.1986.
3. Subs. by GSR 175 dated 8.3.1986
4. Omitted by GSR 343 (E) dated 12.5.1976.
5. Subs. By GSR 630 (E) dated 12.07.2018.

Provided that daily allowance so admissible shall be regulated as follows :-

(i) full daily allowance for each completed day, that is, reckoned from mid-night to mid-night. (ii)for absence from headquarters for less than twenty-four hours the daily allowance shall be at the following rates, namely:-

(1) if the absence from headquarters does not exceed six hours 30 per cent of the full daily allowance;
(2) if the absence from headquarters exceeds six hours, but does not exceed twelve hours, 50 per cent of the full daily allowance;
(3) if the absence from headquarters exceeds twelve hours full daily allowance.
(iii)if the dates of departure from and return to headquarters fallon different dates, the period of absence from headquarters shall be reckoned as two days and daily allowance shall be calculated for each day as in clause (ii):

Provided further that in case the Chief Justice or the acting Chief Justice stays in a saloon or an inspection carriage, the daily allowance admissible shall be 1(Rs.1150/-) and if he stays in any hotel or other place, the daily allowance shall be 1(Rs.5000/-.

Provided also that--

(i) when a Judge is required to perform functions outside his normal duties away from his headquarters, he may, subject to such conditions as the President may in each case determine, be granted daily allowance up-to 2[Rs.7500/per day for hotel or guest house accommodation, transport charges (AC taxi) of up-to 50 kms. for travel within the city and food bills not exceeding 2 [Rs .1200/- per day and shall also be entitled to Government accommodation at the same rates as for Government servants of equivalent pay;

(ii) when a Judge is required to perform similar functions, whether part-time or whole-time in his own headquarters, he shall not be paid any allowance or charges unless the special work involves extra expenses in which case he may be granted such allowance not exceeding 2(Rs.7500/-) per day as the President in each case determine.

(iii) when a Judge is a State Guest or is to avail free board and lodging allowed at the

1.Subs. by GSR 149(E) dated 24.2.1999.
2.Subs. by GSR 630(E) dated 12.7.2018

expenses of the Central or State Government or any autonomous industrial or commercial undertaking or corporation or a statutory body or a local authority in which Government funds have been invested or in which Government have any other interest, the daily allowance shall be restricted to 25 per cent of the amount admissible or sanctioned; and if only board or lodging is allowed free, the Judge may draw daily allowance at one-half of the admissible rate;]

(g) to the expenditure, if any, actually incurred on the transport by passenger train or steamer at owner's risk of a motor car, and the fare at lowest class rate actually paid to a railway or steamer service in respect of one driver or cleaner for the car;

(h) to the actual freight paid for the transport of personal effects nor exceeding the freight chargeable for transporting by goods train personal effects weighing 1(2,400 kilograms).

Provided that no freight shall be payable for any personal effects which are capable of being carried in an inspection carriage.

(2) If any person 2(other than wife and servants) accompany a Judge in a compartment of cabin reserved for him under sub-rule (1) , fares shall be payable by him on their account, and the fares so paid shall, if full tariff rates have been paid by Government for the reserved accommodation, be credited to Government.

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[(2A) When a Judge is deemed, under clause (ii) of sub-rule (3), to be travelling on duty, he shall also be entitled to reimbursement of the fares paid by him in respect of one of the members of his family (excluding married sons and married daughters if he or she accompanied him on such journeys.]

(3) For the purposes of this rule--

(i) all journeys to and from headquarters shall be deemed to commence and terminate at the Judge's residence at headquarters or, as the case may be at an out-station. For journeys by road within 1(eight kilometres) of the Judge's residence at headquarters, no mileage allowance will be admissible unless the Judge actually proceeds to a place outside the 1 (eight kilometres) radius. Actual out station, no mileage allowance in addition to a daily allowance to which a Judge may be entitled will be admissible for road journeys within 1(eight klometres) of the Judge's temporary residence;

(ii)a Judge shall be deemed to be travelling on duty when, during a vacation of the Supreme

1.Subs. by GSR 1187(E) dated 6.11.1986.
2.Ins. by GSR 579 dated 30.5.1974 w.e.f. 15.5.1974.

Court, he proceeds from any place in Indi where he was spending the vacation for the purpos of doing duty in the Supreme Court and return to such place after completion of such duty;

(iii) "actual expenses" means the ordinary and normal expenses incidental to the journey and include any charge for ferry, payment of tolls, amount spent on transport of camp equipment but do not include such other charges as hotel charges, rent for occupying a traveller's bungalow, cost of refreshments, charges for carriage of stores or conveyance or presents to coachmen or tips to bearers or any other allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants;

[1] [(iv)

(v) when the period of continuous halt at any place exceeds ten days, but does not exceed thirty days, daily allowance shall be admissible at full rate for the first ten days and at three fourth of the rates for any subsequent days.

6. Travelling allowance payable to Judge when proceeding on, or returning from leave etc. (1) when a Judge--

(a) proceeds on, or returns from leave, or

(b) proceeds on, or returns from, vacation spent in or outside India, or

(c) proceeds to join another post after resigning his office, he may, when travelling by rail in India, travel in a reserved compartment of the highest class, excluding the air-conditioned class, subject to the conditions prescribed in sub-rule (2) of rule 3 :

Provided that --

(i) the Chief Justice may travel in an inspection carriage or in an air conditioned coupe of two berths, if one is available;

(ii) a Judge, who was holding office as such immediately before the 9th March, 1954, may, when travelling by rail, travel in a reserved compartment of the highest class, excluding the air-conditioned class, subject to the conditions prescribed in sub-rule (2) of rule 5;

[2] [(iii)

1. omitted by GSR 343 (E) dated 12.5.1976.
2. Omitted by GSR 2010 dated 15.12.1970.

(2) The facilities provided under this rule will be available upto and from the place of embarkation or disembarcation or the place where the Judge ordinarily resides in India, as the case may be.

1(3) When a Judge retires from service, he and the members of his family shall be entitled to the following expenses for travel and for the transportation of personal effects from the place in which he was on duty prior to his retirement to the permanent residence in his home State declared for the purpose before retirement. If a Judge wishes to settle down at a place other than the permanent residence in his home State, the amount reimbursable to him on account of the expenditure actually incurred by him on his journey and the journey of the members of his family and for the transportation of personal effects shall be that which would have been admissible to him had he actually proceeded to his permanent residence in his home State or the amount reimbursable for journey to a place other than the permanent residence in his home State, whichever is less. The precise entitlement as aforesaid under these rules shall be as follows, namely

2[(a) When travelling by rail or air]

2[(i) the Judge himself may travel by a reserved compartment of highest class including the air conditioned class or by air. The members of his family may also travel in such reserved compartment.

(ii) members of his family not trvelling in the reserved compartment may travel in the highest class of accommodation including the air-conditioned class or by air.

Provided that the Chief Justice may travel in an inspection carriage or in an air conditioned coupe of two berths, if one is available]

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(b) when travelling by road;

3[One mileage allowance for the Judge, a second mileage allowance if two members of his family are traveling with him and a third mileage allowance if more than two members of his family travel with him at the rate applicable to the Judge on the date he was last on duty:

Provided that when any portion of the journey can be performed by rail, the allowance claimed in respect of that portion shall not exceed the amount admissible had the Judge and the members of his family travelled on such portion by rail by the highest class, including air-conditioned.]

4[(bb) when travelling by the modes referred to in clause (a) and (b), daily allowance shall be admissible to the Judge and each member of his family at the same rates as are admissible to a Judge when he travels on duty and the provisions of clause (f) of sub-rule (1) of the rule (5) shall, as far as may be, apply.]

1.Ins. by GSR 2010 dated 15.12.1970. 2.Subs. by GSR 716 (E) dated 4.12.1991 3.Subs. by GSR 1187 (E) dated 6.11.1986. 4.Subs. by GSR 343(E) dated 12.5.1976.

[1](C) for transportation of one motor car, by passenger train at Railway risk or by air at owner's risk whichever is less]; and

(d) for transportation of other personal effects not exceeding the expenditure which would be incurred in the transport of [2](a full four wheeler wagon or 6,000 kg. by goods train or on Double Container) and the expenditure incurred in loading and un-loading such personal effects;

(e) the lumpsum transfer grant and packing allowance at the same rates as are admissible to a member of the All India Services holding the rank of Secretary to the Government of India.

Provided that the above entitlement will lapse if the Journey is not completed by the Judge within six months from the date of his retirement.

Provided further that the members of his family may follow him within six months or precede him by not more one month and the period of six months or one month, as the case may be shall count from the date of retirement of the Judge.

[3]Explanation--For the purposes of this rule and rule 47, members of a Judge's family means his wife, his children, parents, sisters and minor brothers normally residing with and wholly dependent on him.

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46A. Notwithstanding anything contained in rule 6, a Judge of the Supreme Court shall be entitled to leave travel concession for himself, his wife and the dependent members of his family for visiting any place in India (including permanent residence in his home State) during his leave, [5](thrice) a year in accordance with the rules applicable in this behalf to a member of the Indian Administrative Service holding the rank of a Secretary to the Government of India.

Explanation:--For the purpose of this rule, 'leave' shall include vacation [6](any of the Gazetted holidays, closed holidays and Sundays) .

Provided that a Judge and his wife shall have the option to travel by air or by air-conditioned first class when travelling by Railway. Dependent members of the family shall also be allowed to travel with either of them by air conditioned first class or by Air, when the Judge or his wife travels on Leave Travel Concession (or they can travel independently while travelling by air) .

[6B. Travelling facilities to Judge travelling on Sundays and holidays-- Judge while travelling by rail on Sundays or closed holidays shall be entitled to a reserved two-berths

1.Subs. by GSR 915(E) dated 6.9.1988.
2.Ins. by GSR 484(E) dted 7.3.1986.
3. Subs. by GSR 343(E) dated 12.5.1976.
4.Ins. by GSR (E) dated 27.4.1972 further amended by GSR 899 dated 28.9.1985 Relettered by GSR 1187(E) dt.6.11.1986. 5.Subs. by GSR 979(E) dated 18.12.1990.
6.Ins. by GSR 636 dated 27.7.1988.

compartment of the highest class (excluding the air conditioned class) for his exclusive use.]

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7. Travelling expenses payable to family of Judge who dies while in service--In the case of a Judge who dies while in service, the members of his family shall be entitled to the following travelling expenses for travel by the shortest route from the headquarters of the Judge to his normal place of residence which shall be the permanent home as entered in the record or such other place, as might have been declared to be permanent home by the Judge while in service, provided the journey is completed within six months after the death of the Judge:--

(a) For journey by rail and/or by Steamer--

2[(i) actual first class fare for every member of the family]

(ii) actual cost of transportation of personal effects upto 2(a full wagon).

(b) For journeys by road--

3(i) one mileage allowance for one member of the family, a second mileage allowance if two members of the family and a third mileage allowance if more than two members of the family of the deceased Judge travel, at the rate applicable to such deceased Judge;

(ii) actual cost limited to the expenditure, which would be incurred in the transportation of 3(2,400 kilograms) of goods and the expenditure incurred in embarking and disembarking such personal effects.

4(C) for journeys by the modes referred to in clauses (a) and (b) daily allowance at the same rates as are admissible to a Judge when he travels on duty and the provisions of clause (f) of sub-rule (1) of rule 5 shall, as far as may be, apply.]

The above concessions will also be admissible for the travel of a member of the family of the Judge from the headquarters of the Judge to a place other than the headquarters of the Judge, where the member happens to be at the time of the Judge's death, to a place other than the normal place of residence, provided that the total expenses claimed shall not exceed the amount admissible had such member travelled from the headquarters of the Judge to the normal place of residence and the journey is completed within six months after the death of the Judge.

1.Omitted by GSR 1187(E) dated 6.11.1986.
2.Subs. by GSR 343(E) dated 12.5.1976.
3.Subs. by GSR 1187(E) dated 6.11.1986.
4.Ins by GSR 343(E) dated 12.5.1976.

This rule shall not apply to a Judge who dies while on leave pending retirement.

8. Repeal and Savings--(l) The Supreme Court Judges (Travelling Allowance) Rules, 1951, are hereby repealed.

Notwithstanding such repeal, nothing contained these i rules shall have effect so as to give to Judge who serving as is such at the commencement of these rules favourable terms in less respect of his travelling and allowances than those to which daily he would be entitled if rules had not been made. these

[Ministry of Home Affairs No.12/12/56-Judl.I]

1.omitted by GSR 343(E) dated 12.5.1976

FOOT NOTE: Principal Rules published vide Notification No. GSR 844 dated 14th July, 1959, Gazette of India dated 25th July, 1959, Part-II Section 3(i) page 1054 (Ministry of Home Affairs F.No.12/19/56-Judl.I)

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Subsequently amended by

(1) GSR 1881 dted 3.10.1968.
(2) GSR 2010 dated 15.12.1970.
(3) GSR 263(E) dated 27.4.1972
(4) GSR 579 dated 30.5.1974.
(5) GSR 1365 dated 18.12.1974.
(6) GSR 343(E) dated 12.5.1976.
(7) GSR 990 dated 28.7.1978.
(8) GSR 871 dated 5.8.1980.
(9) GSR 1043 dated 23.9.1980.
(10 GSR 394 dated 4.4.1981.
(11 GSR 899 dated 28.9.1985.
(12 GSR 484(E) dated 7.3.1986.
(13 GSR 175 dated 8.3.1986.
(14 GSR 1187(E) dated 6.11.1986.
(15 GSR 915(E) dated 6.9.1988.
(17 GSR 979(E) dated 18.12.1990.
(18 GSR 716 (E) dated 4.12.1991.
(19 GSR 378(E) dated 16.4.1993.
(20 GSR 150(E) dated 24.2.1999.

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