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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 10th December, 1980/Agrahayana 19, 1902 (Saka)

The following Act of Parliament received the assent of the President on the 10th December, 1980, and is hereby published for general information:—

THE HIGH COURT AND SUPREME COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT ACT, 1980

No. 57 OF 1980

[*10th December, 1980*]

An Act further to amend the High Court Judges (Conditions of Service) Act, 1954, and the Supreme Court Judges (Conditions of Service) Act, 1958.

BE it enacted by Parliament in the Thirty-first Year of the Republic of India as follows:—

CHAPTER I
PRELIMINARY

Short title.

1. This Act may be called the High Court and Supreme Court Judges (Conditions of Service) Amendment Act, 1980.

CHAPTER II
AMENDMENT OF THE HIGH COURT JUDGES (CONDITIONS OF SERVICE) ACT, 1954

Amendment of section 2.

28 of 1954.

2. In section 2 of the High Court Judges (Conditions of Service) Act, 1954 (hereafter in this Chapter referred to as the High Court Judges Act), in clause (*h*) of sub-section (*1*), for sub-clause (*ii*), the following sub-clause shall be substituted, namely:—

"(*ii*) the amount, actually taken, of each period of leave on full allowances at a rate equal to the monthly rate of the salary;".

Amendment of section 9.

3. In section 9 of the High Court Judges Act, to sub-section (*1*), the following proviso shall be added, namely:—

"Provided that where leave on full allowances is granted to a Judge on medical certificate, the monthly rate of leave allowances shall, for the first one hundred and twenty days of such leave, be a rate equal to the monthly rate of his salary.".

Amendment of sections 14 and 15.

4. In the High Court Judges Act, in the *Explanation* to section 14 and in section 15, for the words "pensionable civil post", wherever they occur, the words "pensionable post" shall be substituted and shall be deemed always to have been substituted.

section 22D.

Exemption from liability to pay income-certain perquisites or allowance received by a Judge.

5. After section 22C of the High Court Judges Act, the following section shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 1975, namely:—

'22D. Notwithstanding anything contained in the Income-tax Act, 1961,— 43 of 1961.

(*a*) the value of rent-free official residence provided to a Judge under sub-section (*1*) of section 22A; or

(*b*) the allowance paid to him under sub-section (*2*) of that section,

shall not be included in the computation of his income chargeable under the head "Salaries" under section 15 of the Income-tax Act, 1961.'.

Amendment of First Schedule.

6. In the First Schedule to the High Court Judges Act,—

(*a*) in paragraph 1 of Part I, for the words "pensionable civil post", at both the places where they occur, the words "pensionable post" shall be substituted and shall be deemed always to have been substituted;

(*b*) in paragraph 1 of Part III, for the words "civil pensionable post", the words "pensionable post" shall be substituted and shall be deemed always to have been substituted.

CHAPTER III

AMENDMENT OF THE SUPREME COURT JUDGES (CONDITIONS OF SERVICE) ACT, 1958

Amendment of section 2.

7. In section 2 of the Supreme Court Judges (Conditions of Service) Act, 1958 (hereafter in this Chapter referred to as the Supreme Court Judges Act), in clause (*h*), for sub-clause (*iii*), the following sub-clause shall be substituted, namely:— 41 of 1958.

"(*iii*) the amount, actually taken, of each period of leave on full allowances at a rate equal to the monthly rate of the salary;".

Amendment of section 9.

8. In section 9 of the Supreme Court Judges Act, to sub-section (*1*), the following proviso shall be added, namely:—

"Provided that where leave on full allowances is granted to a Judge on medical certificate, the monthly rate of leave allowances

shall, for the first one hundred and twenty days of such leave, be a rate equal to the monthly rate of his salary.".

Amendment of sections 13 and 14 and Schedule.

9. In the Supreme Court Judges Act, in the *Explanation* to section 13, in section 14, in paragraph 1 of Part I, and in paragraph 1 of Part III, of the Schedule, for the words "pensionable civil post", wherever they occur, the words "pensionable post" shall be substituted and shall be deemed always to have been substituted.

Insertion of new section 23D.

10. After section 23C of the Supreme Court Judges Act, the following section shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 1975, namely:—

Exemption from liability to pay income-tax on certain perquisites received by a Judge.

'23D. Notwithstanding anything contained in the Income-tax Act, 1961, the value of rent-free official residence provided to a Judge under sub-section (*1*) of section 23 shall not be included in the computation of his income chargeable under the head "Salaries" under section 15 of the Income-tax Act, 1961.'.

43 of 1961.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

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