

THE HIGH COURT JUDGES RULES, 1956

AS AMENDED UPTO 23rd August, 2022

Note: Principal Rules published by Notification No. S.R.O. 224 dated the 24th January, 1956 - Gazette of India, 1956 Part-II Section 3, page 106.

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Subsequently amended by :

S.R.O. 707 dated 28.02.1957

G.S.R. 497 dated 13.03.1970

G.S.R. 336 (E) dated 11.07.1972

G.S.R. 562 (E) dated 21.04.1979

G.S.R. 1015 (E) dated 21.07.1979

G.S.R. 1175 (E) dated 04.11.1986

G.S.R. 299 (E) dated 18.03.1987

G.S.R. 718 (E) dated 04.12.1991

G.S.R. 698 (E) dated 31.07.1992

G.S.R. 721 (E) dated 26.11.1993

G.S.R. 558 (E) dated 29.06.1994

G.S.R. 720 (E) dated 03.11.1995

G.S.R. 394 (E) dated 01.07.2004

G.S.R. 879(E) dated 24.12.2008

G.S.R.239(E) dated 19.03.2018

G.S.R.565(E) dated 07.08.2019

G.S.R. 650(E) dated 23.08.2022

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+ S.R.O.224, dated the 24th January, 1956 – In exercise of the powers conferred by section 23 and 24 of the High Court Judges (Conditions of Service) Act, 1954 (28 of 1954), the Central Government hereby makes the following rules, namely:-

+ These rules were extended to the State of Sikkim on 16-5-1975 vide Notification NOs. 208(E), and S.O. 210(E) dt. 16-5-1975

1 **Short title:-** These rules may be called the High Court Judges
@.....Rules, 1956.

@ Omitted by SRO 707 dt. 28-2-1957

\$ (1-A) **Definition :** In these rules, “Judge” includes an acting Judge and an
Additional Judge.)

\$ Ins. by SRO 707 dt. 28-2-1959

2 **Conditions of service in** The conditions of service of a Judge of a High Court for

certain cases :

which no express provision has been made in the High Court Judges (Conditions of Service) Act, 1954, 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 the State in which the principal seat of the High Court is situated :

% [Provided that, in the case of a Judge of the High Court of Delhi, ** (and a Judge of the High Court of Punjab and Haryana &) the conditions of service shall be determined by the rules for the time being applicable to a member of the Indian Administrative Service on deputation to the Government of India and holding the rank of Joint Secretary to the Government of India stationed at New Delhi.]

% Ins. by GSR 497 dt.13-3-1970

** Ins. by GSR 562 dt. 21-3-1979 w.e.f. 1-11-66 w.e.f 31-7-1992
& Omitted by GSR 698(E) dt. 31-7.1992

[[Union of India vs. Gurnam Singh 1982\(2\) SCC,314.](#)]

***[Provided further that, in respect of facilities for medial

treatment and accommodation in hospitals :-

- (a) in the case of Judges of the High Courts other than the Delhi High Court and the Punjab and Haryana High Court, the rules and provisions as applicable to a Cabinet Minister of the State Government in which the principal seat of the High Court is situated, shall apply ;
- (b) in the case of Judges, other than the Chief Justices, of the Delhi High Court and the Punjab and Haryana High Court, the rules and provisions as applicable to a Union Deputy Minister shall apply ;
- (c) in the case of the Chief Justices of the Delhi High Court and the Punjab and Haryana High Court, the rules and provision as applicable to a Union Cabinet Minister shall apply.]

*** Subs. by GSR 1175(E) dt. 4-11-1986 (Ins. by GSR 562 dt. 221-4-1979)

Notes :- Cases of reimbursement of medial charges decided before the commencement of

these rules shall not be reopened unless it is specifically so desired by the Judge concerned :

%(Provided also that where at the request of the President, any Judge undertake to discharge any function outside his normal duties in any locality away from his headquarters, the President may, having regard to the nature of such function and locality, determine the facilities that may be afforded to such Judge including accommodations, transport and telephone so long as he continues to discharge such function, either without any payment or at a concessional rate).

% Ins. by GSR 336(E) dt. 11-7-1972

"Provided further that a judge of the High Court shall also be entitled to any one of the following special compensatory allowances, at the same rates as applicable to a member of the Indian Administrative Service holding the rank of Secretary to the Government of the State in which the principal seat of the High Court situate, with the condition that an option can be exercised to claim any one of the following Special Compensatory Allowances whichever is advantageous, namely :

(i) Special Compensatory (Remote Locality) Allowance

(ii) Special Compensatory (Hill Area) Allowance

(iii) Special Compensatory (Bad Climate) Allowance

(iv) Special Compensatory (Schedules/Tribal Area) Allowance.

Inserted by GSR 394(E) dt.01-07-2004 in Rule2

"**Explanation** – For the purpose of this proviso, it is hereby clarified that Special Compensatory (Remote Locality) Allowance shall be deemed to be admissible from 1st July, 1982".

Inserted by GSR 565(E) dt. 07-08-2019

+ 2A. Residence of Judges Each Judge who avails himself of the use of an official residence, shall be entitled without payment of rent to the use of a furnished residence throughout his term of Office and for a period of one month immediately thereafter, and no charge shall fall on the Judge personally in respect of the

over-stay, calculated in accordance with the rules applicable in this behalf to the members of the Indian Administrative Service holding the rank of Secretary to the Government of the State or the Union Territory, as the case may be, in which the principal seat of the High Court is situated.

@ 2D.

A Judge of a High Court may nominate any other person to receive the arrears of pension payable to him in accordance with the provision of the payment of arrears of pension (Nomination) Rules, 1983.

@ Ins. by GSR No. 1175(E) dated 4-11-1986 (F. No. 24/20/86-Jus.)

% 2E

Free water and electricity

Every Judge, irrespective of the fact whether he resides in an official residence or not, shall be entitled to re-imbusement of charges on account of water and electricity consumed at his residence not exceeding* 3600 kilo litres of water and ** 10,000 units of power per annum.

% Ins. by GSR 299 (E) dated 18-03-1987; Rule 2E.

* Subs. by GSR 721 (E) dated 26.11.1993; 3600 kilo litres.

**Subs. by GSR 558 (E) dated 29.06.1994; 10,000.

* 2F

Protocol

A retired Chief Justice of a High Court shall be entitled to protocol to extend courtesies at ceremonial lounges at airports.

* Ins. by GSR 650(E) dated 23.08.2022

3

Passage benefits

(i) A Judge who is a member of the Indian Civil Service and whose domicile at the date of his appointment to that Service was elsewhere than in India, shall have the same rights in respect of passages for himself, his wife and children, if any, as, under the rules of that service, he would have had if he had not been appointed a Judge, his service as Judge being treated as service for the purpose of determining those rights.

(ii) Any other Judge whose domicile at the date of his appointment as Judge was elsewhere than in Asia shall have the same rights in respect of passages for himself, his wife and children, if any, as, under the rules for the time being applicable to persons who become members of the Indian Civil Service on that date, would have had, if he had become a member thereof on that date, and if his service as Judge were treated as service therein for the purpose of determining those rights :

Provided that, in the case of a Judge who was, before appointment to a High Court in India, a Judge of a former Indian High Court, the date of his appointment and his service as such Judge shall be treated as the date of appointment and his service as Judge respectively for the purpose of this sub-rule, and any passages taken by him as such Judge shall be treated as passages taken under these rules.

Note : The passage benefits provided in rule 3 shall be, and shall from the commencement of the Constitution be deemed to have been admissible only to such Judges as were serving in the High Court on the 1st day of May, 1955.

4 **Decision of questions** If any question arises about the interpretation of these provisions of these rules, the decision of the Central Government thereon shall be final.
