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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

LOK SABHA

The following Bills were introduced in Lok Sabha on the 8th August, 1986:—

BILL NO. 95 OF 1986

A Bill further to amend the Constitution of India.

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

- | | |
|---|----------------------------------|
| <p>1. This Act may be called the Constitution (Fifty-Fourth Amendment) Act, 1986.</p> | <p>Short title.</p> |
| <p>2. In article 125 of the Constitution, for clause (1), the following clause shall be substituted, namely:—</p> <p style="padding-left: 40px;">“(1) There shall be paid to the Judges of the Supreme Court such salaries as may be determined by Parliament by law and, until provision in that behalf is so made, such salaries as are specified in the Second Schedule.”.</p> | <p>Amendment of article 125.</p> |
| <p>3. In article 221 of the Constitution, for clause (1), the following clause shall be substituted, namely:—</p> <p style="padding-left: 40px;">“(1) There shall be paid to the Judges of each High Court such salaries as may be determined by Parliament by law and, until provision in that behalf is so made, such salaries as are specified in the Second Schedule.”.</p> | <p>Amendment of article 221.</p> |

4. In the Second Schedule to the Constitution, in Part D,—

Amend
ment of
Second
Schedule.

(a) in sub-section (1) of paragraph 9,—

(i) for the figures and word "5,000 rupees", the figures and word "10,000 rupees" shall be substituted;

(ii) for the figures and word "4,000 rupees", the figures and word "9,000 rupees" shall be substituted;

(b) in sub-paragraph (1) of paragraph 10,—

(i) for the figures and word "4,000 rupees", the figures and word "9,000 rupees" shall be substituted;

(ii) for the figures and word "3,500 rupees", the figures and word "8,000 rupees" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The salaries of Judges of the Supreme Court and the High Courts are governed by the provisions of Part D of the Second Schedule to the Constitution of India as indicated below:

Chief Justice of India	Rs. 5,000 per month
Judges of the Supreme Court	Rs. 4,000 per month
Chief Justice of a High Court	Rs. 4,000 per month
Judges of a High Court	Rs. 3,500 per month

2. These salaries have remained static since 1950, despite high inflation and price rise that has taken place during all these years. The Joint Conference of Chief Justices, Chief Ministers and Law Ministers of the States held on 31st August and 1st September, 1985, *inter alia*, discussed and recommended improvement in service conditions of Judges including increase in their salaries, not only to minimise the inflationary pressures on them but also to attract best talents in the country to man the judicial posts.

3. Having considered all aspects of the matter, it is proposed to increase the salaries of the Judges as detailed below:

Chief Justice of India	Rs. 10,000 per month
Judges of the Supreme Court	Rs. 9,000 per month
Chief Justice of a High Court	Rs. 9,000 per month
Judges of a High Court	Rs. 8,000 per month

4. This Bill seeks to amend Part D of the Second Schedule to the Constitution to give effect to the above increases in the salaries of Judges and to make an enabling provision in articles 125 and 221 to provide for changes in the salaries of Judges in future by Parliament by law.

NEW DELHI;

A. K. SEN.

The 4th August, 1986.

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to amend article 125 of the Constitution to make an enabling provision to provide for the changes in the salaries of Supreme Court Judges in future by parliamentary law. Similarly, clause 3 of the Bill seeks to amend article 221 of the Constitution to make an enabling provision to provide for the changes in the salaries of High Court Judges in future by parliamentary law. Clause 4 of the Bill seeks to amend the Second Schedule to the Constitution to enhance the salary of the Chief Justice of India from Rs. 5,000 per month to Rs. 10,000 per month and that of other Judges of the Supreme Court/Chief Justices of the High Courts from Rs. 4,000 per month to Rs. 9,000 per month and the Judges of the High Court from Rs. 3,500 per month to Rs. 8,000 per month.

2. The additional expenditure that is likely to be incurred in view of the above increases in respect of the Judges of the Supreme Court and the Delhi High Court will be charged on the Consolidated Fund of India. In respect of Judges of the other High Courts, this expenditure will be a charge on the Consolidated Fund of the respective States. The sanctioned strength of the Judges of the Supreme Court and the Delhi High Court is at present 26 and 27, respectively. Apart from their salary as fixed in Part D of the Second Schedule to the Constitution, the Judges are entitled to dearness allowance, additional dearness allowance and interim relief as admissible to members of the All-India Services. On this basis the present total monthly emoluments drawn by the Chief Justice of India, Judges of the Supreme Court/Chief Justices of the High Courts and the Judges of the High Courts are Rs. 8,150.00, Rs. 7,050.00 and Rs. 6,500.00, respectively. The actual additional recurring expenditure that is therefore likely to be incurred from the Consolidated Fund of India in so far as it relates to the Supreme Court and the Delhi High Court will be of the order of Rs. 10,98,600.00 per annum.

3. No other expenditure, either recurring or non-recurring, is likely to be incurred.