

Rep. by Act 52 of 1961, S. 2 & Sec. I (w.e.f. 29.12.61)

THE HIGH COURT JUDGES (CONDITIONS
OF SERVICE) AMENDMENT ACT, 1961

No. 50 OF 1961

[8th December, 1961]

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

BE it enacted by Parliament in the Twelfth Year of the Republic of India as follows:—

1. This Act may be called the High Court Judges (Conditions of Service) Amendment Act, 1961.

2. In section 2 of the High Court Judges (Conditions of Service) Act, 1954 (hereinafter referred to as the principal Act), in subsection (1), after clause (g), the following clause shall be, and shall be deemed always to have been, inserted, namely:—

‘(gg) “pension” means a pension of any kind whatsoever payable to or in respect of a Judge, and includes any gratuity or other sum or sums so payable by way of death or retirement benefits;’

3. After section 17 of the principal Act, the following section shall be, and shall be deemed always to have been, inserted, namely:—

“17A. Where any Judge who has elected to receive the pension payable to him under Part II or Part III of the First Schedule dies, whether before or after retirement, in circumstances to which section 17 does not apply, a family pension or gratuity, if any, shall be payable to the person or persons entitled thereto under the ordinary rules of his service if he had not been appointed a Judge, his service as a Judge being treated as service therein for the purpose of calculating that family pension or gratuity.”

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of Service) Amendment*

Amendment
of section 24.

4. In section 24 of the principal Act, for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule.”