

THE CONSTITUTION (FIFTY-FOURTH AMENDMENT) ACT, 1986

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Statement of Objects and Reasons appended to the Constitution (Fifty-fourth Amendment) Bill, 1986 which was enacted as the Constitution (Fifty-fourth Amendment) Act, 1986

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.

THE CONSTITUTION (FIFTY-FOURTH AMENDMENT) ACT, 1986

[14th March, 1987.]

An Act further to amend the Constitution of India.

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

1. Short title and commencement.- (1) This Act may be called the Constitution (Fifty-fourth Amendment) Act, 1986.

(2) It shall be deemed to have come into force on the 1st day of April, 1986.

2. Amendment of article 125.- In article 125 of the Constitution, for clause (1), the following clause shall be substituted, namely:-

"(1) There shall be paid to the Judges of the Supreme Court such salaries as may be determined by Parliament by such law and, until provision in that behalf is so made, salaries as are specified in the Second Schedule."

3. Amendment of article 221.- In article 221 of the Constitution, for clause (1), the following clause shall be substituted, namely:-

"(1) There shall be paid to the Judges of each High Court such salaries as may be determined by Parliament by such law and, until provision in that behalf is so made, salaries as are specified in the Second Schedule."

4. Amendment of Second Schedule.- In the Second Schedule to the Constitution, in Part D,-

(a) in sub-paragraph (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.