

of Railways, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN : The House will now take up clause-by-clause consideration of the Bill.

The question is :

"That clauses 2 and 3 and the Schedule stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 and the Schedule were added to the Bill.

MR. CHAIRMAN : The question is :

"That clause 1, Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clause 1, Enacting Formula and the Title were added to the Bill.

MR. CHAIRMAN : The Minister may now move that the Bill be passed.

SHRI MADHAVRAO SCINDIA : I beg to move :

"That the Bill be passed."

MR. CHAIRMAN : The question is :

"That the Bill be passed"

The motion was adopted.

16.53 hrs.

APPROPRIATION (RAILWAYS) NO. 3  
BILL, 1988\*

[English]

MR. CHAIRMAN : The Minister may now move for leave to introduce Bill No. 3.

THE MINISTER OF STATE OF THE MINISTRY OF RAILWAYS (SHRI MADHAVRAO SCINDIA) : I beg to move for leave to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of

March, 1986 in excess of the amounts granted for those services and for that year.

MR. CHAIRMAN : The question is :

"That leave be granted to introduce a Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1986 in excess of the amounts granted for those services and for that year."

The motion was adopted.

MR. CHAIRMAN : The Minister may now introduce the Bill.

SHRI MADHAVRAO SCINDIA : I introduce† the Bill.

MR. CHAIRMAN : The Minister may move that the Bill be taken into consideration.

SHRI MADHAVRAO SCINDIA : I beg to move† :

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1986 in excess of the amounts granted for those services and for that year, be taken into consideration."

MR. CHAIRMAN : The question is :

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent on certain services for the purposes of Railways during the financial year ended on the 31st day of March, 1986 in excess of the amounts granted for those services and for that year, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN : We shall now take up clause by clause consideration of the Bill.

\*Published in Gazette of India, Extraordinary, Part II, section 2, dated 21.3.1988.

†Introduced/moved with the recommendation of the President,

[Mr. Chairman]

The question is :

“That Clauses 2 and 3 and Schedule stand part of the Bill.”

Clause 2 and 3 and Schedule were added to the Bill.

MR. CHAIRMAN : The question is ;

“That Clause 1, the Enacting Formula and the Title stand part of the Bill.”

The motion was adopted.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI MADHAVRAO SCINCIA : I beg to move :

“That the Bill be passed.”

MR. CHAIRMAN : The question is :

“That the Bill be passed.

The motion was adopted.

16.58 hrs.

HIGH COURT AND SUPREME COURT  
JUDGES (CONDITIONS OF SERVICE)  
AMENDMENT BILL

[English]

THE MINISTER OF STATE IN THE  
MINISTRY OF LAW AND JUSTICE  
(SHRI H.R. BHARDWAJ) : I beg to  
move :\*

“That the Bill further to amend the High Court Judges (Conditions of Service) Act, 1954 and the Supreme Court Judges (Conditions of Service) Act, 1958 respectively be taken into consideration.”

As you are aware, during the year 1986, substantial improvements in the Service Conditions of the Judges the High Courts and the Supreme Court have been made. The present Bill is also a result of our concern to bring further improvements in the Service Conditions of Judges. In the Bill passed by the Lok Sabha on 8-8-1986,

enhanced pensionary benefits, enhanced sumptuary allowances and conveyance facilities were extended to the Judges with effect from 1-11-1986.

Those Judges who retired prior to 1-11-1986 were not entitled to the enhanced rates and scales of pensionary benefits. However, in the intervening period few Hon'ble Judges have approached the Government as well as the Supreme Court of India. Though, the matter was receiving the attention of the Government, the Supreme Court of India delivered its verdict that the Judges including Chief Justices who retired prior to 1-11-1986 were also entitled to the rates and scales of pensionary benefits as applicable to the Judges including Chief Justices who retired on or after 1-11-1986. Keeping in view, the Judgement of the Supreme Court, the Government have decided that Judges including Chief Justices who retired prior to 1-11-1986, may also be given the similar benefits.

The enhanced conveyance facilities included provision of Staff Car and driver also in lieu of a fixed amount as Conveyance Allowance. However, later on it was found that the value of conveyance facilities and sumptuary allowance paid to the Judges were being computed for the purpose of income-tax paid by the Judges under the head 'Salaries.' The computation of income-tax under the head 'Salaries on' the enhanced conveyance facilities and sumptuary allowances resulted in the erosion of the benefits extended to the Judges in this regard with effect from 1-11-1986. Now, it is proposed to exempt the value of conveyance facilities and sumptuary allowance payable/paid to the Judges from the purview of income-tax.

It is also proposed to raise the amount of DCRG admissible to Judges who have not held a pensionable post from the present figures of Rs. 50,000. The DCRG payable to such Judges is regulated by the rules applicable to Central Government Group A employees, who are now entitled to a maximum of DCRG of Rs. 1,00,000 with effect from 1-1-1986. The Supreme Court have decided that such Judges should be given this benefit from the same date. The

\*Moved with the recommendation of the President.