

any benefit under this Ordinance shall be determined by the rules or other similar instrument] for the time being applicable to an officer appointed by the <sup>1</sup>[President] and holding the rank of Secretary to the Government:

Provided that nothing in this section shall have effect so as to give to a Judge who is a member of a civil service less favourable terms in respect of his conditions of service than those to which he would have been entitled as member of such service if he had not been appointed as a Judge, his service as Judge being treated as service for the purpose of determining those privileges and rights.

Repeal

**24.** The High Court Judges (Leave, Pension and Privileges) Order, 1970 (P. O. No. 9 of 1970), and the Supreme Court Judges (Leave, Pension and Privileges) Order, 1968 (P.O. No. 1 of 1968), are hereby repealed.

**<sup>2</sup>[THE FIRST SCHEDULE]**

(See section 14)

**PART I**

A Judge to whom section 14 (a) applies, and a Judge to whom section 14 (b) applies but who elects to receive pension under this Part, shall be entitled to receive, for the first five years of his service for pension, pension equivalent to five-eighths of the salary last drawn by him per month and thereafter, for each completed year of such service, equivalent to one-eighth of such salary, subject to a maximum pension per month which shall not, in the aggregate, exceed the amount of the salary last drawn by him as a Judge.

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"shall be determined by the rules" by section 3 of the Supreme Court Judges (Leave, Pension and Privileges) (Amendment) Act, 2001 (Act No. VII of 2001).

<sup>1</sup> The word "President" was substituted for the words "Chief Martial Law Administrator" by section 5 of the Supreme Court Judges (Leave, Pension and Privileges) (Second Amendment) Ordinance, 1984 (Ordinance No. LIV of 1984).

<sup>2</sup> The First Schedule was substituted by section 3 of the Supreme Court Judges (Leave, Pension and Privileges)(Amendment) Act, 1993 (Act No. XXIII of 1993).

## **PART II**

The pension payable to a Judge to whom section 14 (b) applies and who does not elect to receive pension under Part I shall be-

- (a) the ordinary pension to which he is entitled under the ordinary rules applicable to persons belonging to his service or holding the post held by him as if he had not been appointed a Judge, his service as a Judge being treated, for the purpose of calculating his pension, as continuation in the service to which he belonged immediately before his appointment as Judge or as service against the post which he held before such appointment; and
- (b) an extra pension at the rate of one-eighth of the salary last drawn by him per month for each completed year of service for pension as Judge, subject to a maximum pension per month which shall not, in the aggregate, exceed to amount of the salary last drawn by him as a Judge.]

## **THE SECOND SCHEDULE**

*(See section 17)*

### **INJURY GRATUITIES AND PENSIONS**

Judge.	Gratuity.	Annual Pension (Higher Scale).	Annual Pension (Lower Scale).
	Taka	Taka	Taka
Chief Justice .. .. ..	15,000	5,000	4,400
Judge or Additional Judge	15,000	4,700	4,000
<sup>1</sup> [***].			

<sup>1</sup> The words "or Acting Chief Justice" were omitted by section 6 of the Supreme Court Judges (Leave, Pension and Privileges) (Second Amendment) Ordinance, 1984 (Ordinance No. LIV of 1984).

**FAMILY GRATUITIES AND PENSION**

**A-Widows**

Judge	Gratuity	Annual Pension
	Taka	Taka
Chief Justice .. .. ..	15,800	4,600
Judge or Additional Judge <sup>1</sup> [* * *].	13,500	4,000

**B- Children**

	Annual Pension per child.
	Taka
If child is motherless .. .. ..	500
If child is not motherless .. .. ..	320

<sup>1</sup> The words “or Acting Chief Justice” were omitted by section 6 of the Supreme Court Judges (Leave, Pension and Privileges) (Second Amendment) Ordinance, 1984 (Ordinance No. LIV of 1984).