

**THE SUPREME COURT JUDGES (REMUNERATION
AND PRIVILEGES) ORDINANCE, 1978**

ORDINANCE NO. XI OF 1978

[28th March, 1978]

**An Ordinance to provide for the remuneration and
privileges of the Judges of the Supreme Court.**

WHEREAS it is expedient to provide for the remuneration and privileges of the Judges of the Supreme Court;

NOW, THEREFORE, in pursuance of the Proclamations of the 20th August, 1975, and the 8th November, 1975, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

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| Short title | 1. This Ordinance may be called the Supreme Court Judges (Remuneration and Privileges) Ordinance, 1978. |
| Definition | 2. In this Ordinance, unless there is anything repugnant in the subject or context, “Judge” means a Judge of a Division of the Supreme Court, and includes the Chief Justice and an Additional Judge of a Division of that Court. |
| Salary | 3. ¹ [(1) There shall be paid to the Judges salary at the following rates, namely:- |
| | (a) for the period from 1 January, 2005 to 30 June, 2005 (both days inclusive): |
| | (i) The Chief Justice - Taka 28,125 <i>per mensem</i> ; |
| | (ii) A Judge of the Appellate Division - Taka 26,750 <i>per mensem</i> ; |
| | (iii) A Judge of the High Court and Division - Taka 24,875 <i>per mensem</i> ; |

¹ Sub-section (1) was substituted by section 2 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 2005 (Act No. XXV of 2005).

(b) after the period mentioned in clause (a):

- (i) The Chief Justice - Taka 30,500 *per mensem*;
- (ii) A Judge of the Appellate Division - Taka 29,000 *per mensem*;
- (iii) A Judge of the High Court Division - Taka 27,000 *per mensem*.]

(2) No income-tax shall be payable in respect of ¹[salary and allowances payable to a Judge under this Ordinance].

3A. [Omitted by section 3 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Ordinance, 1985 (Ordinance No. XLV of 1985).]

3B and 3C. [Omitted by section 3 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 1992 (Act No. XIII of 1992).]

²**3D.** There shall be paid to a judge, from 1 July 2003 to 31 December 2004 (both days inclusive), a dearness allowance at the rate of 10% of his salary *per mensem*.] Dearness allowance

4. ³[(1)]A Judge shall be entitled to, and provided with,- Privileges regarding residence, etc.

- (a) a furnished residence free from the payment of any rent and charges on account of municipal taxes and local rate and of the use of electricity, water and gas and, until such residence is provided, a Judge shall be paid a residence allowance of Taka ⁴[20,000] *per mensem*;

¹ The words “salary and allowances payable to a Judge under this Ordinance” were substituted for the words, brackets and figure “salary payable to a Judge under sub-section (1)” by section 2 of the Supreme Court Judges (Remuneration and Privileges) (Second Amendment) Act, 1990 (Act No. XLI of 1990).

² Section 3D was inserted by section 2 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 2006 (Act No. XX of 2006).

³ The existing provision was numbered as sub-section (1) of that section by section 4 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 1992 (Act No. XIII of 1992).

⁴ The figure “20,000” was substituted for the figure “15,000” by section 2 of the Supreme Court Judges (Remuneration and Privileges) (Second Amendment) Act, 2001 (Act No. L of 2001).

¹[(b) an official transport on the same terms as are admissible to a Secretary to the Government and, until such transport is provided or if it is not required by him, he shall be paid a car allowance of Taka ²[12,000] *per mensem* if he uses his own car or Taka 1,000 *per mensem* if he does not use his own car; and]

(c) a telephone at his residence at Government expense.

³[(2) There shall be paid to the Judges a domestic aid allowance at the following rates, namely:-

- (a) The Chief Justice - Taka ⁴[1250] *per mensem*
- (b) A Judge of the Appellate Division - Taka ⁵[1125] *per mensem*
- (c) A Judge of the High Court Division - Taka ⁶[1000] *per mensem.*]

⁷[(3) There shall be paid to the Judges a sumptuary allowance at the following rates, namely:-

- (a) The Chief Justice - Taka 5,200 *per mensem*;
- (b) A Judge of the Appellate Division - Taka 975 *per mensem*;
- (c) A Judge of the High Court Division - Taka 650 *per mensem.*]

¹ Clause (b) was substituted by section 2 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Ordinance, 1983 (Ordinance No. LIX of 1983).

² The figure "12,000" was substituted for the figure "10,000" by section 3 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 2005 (Act No. XXV of 2005).

³ Sub-section (2) was substituted by section 2 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 2001 (Act No. VIII of 2001).

⁴ The figure "1250" was substituted for the figure "750" by section 3 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 2005 (Act No. XXV of 2005).

⁵ The figure "1125" was substituted for the figure "710" by section 3 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 2005 (Act No. XXV of 2005).

⁶ The figure "1000" was substituted for the figure "685" by section 3 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 2005 (Act No. XXV of 2005).

⁷ Sub-section (3) was added by section 3 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 2005 (Act No. XXV of 2005).

5. A Judge and the members of his family shall be entitled to medical facilities admissible under the Special Medical Attendance Rules, except that he and the members of his family shall be entitled to medical treatment at the residence of the Judge; and such medical facilities shall continue to be admissible after the Judge has retired or otherwise ceased to hold office.

Medical facilities

6. (1) In respect of leave, pension, gratuity and provident fund, a Judge shall be entitled, subject to the provisions of this Ordinance, to all the rights, privileges and allowances as were admissible to him immediately before the commencement of this Ordinance.

Rights relating to leave, pension, etc.

(2) [Omitted by section 4 of the Supreme Court Judges (Remuneration and Privileges) (Amendment) Act, 2005 (Act No. XXV of 2005).]

7. This Ordinance shall not apply to a Judge who, immediately before the commencement of this Ordinance, was holding office as a Judge of the ¹[High Court Division] or ²[Appellate Division of the Supreme Court] and who, within a period of three months from such commencement, exercises in writing communicated to the Accountant General of Bangladesh his option to be governed by the provisions of law which, immediately before such commencement, were applicable to him.

Option of Judges

8. The Supreme Court and the High Court Judges (Remuneration and Privileges) Ordinance, 1976 (LXV of 1976) is hereby *repealed*.

Repeal

9. The provisions of this Ordinance shall be deemed to have taken effect on the 1st day of December, 1977.

Retrospective effect

¹ The words "High Court Division" were substituted for the words "High Court" by Article 7(1)(a) of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972) as amended by the Bangladesh Adaptation of Existing Laws (Amendment) Order, 1972 (President's Order No. 150 of 1972).

² The words "Appellate Division of the Supreme Court" were substituted for the words "Supreme Court" by Article 7(1)(b) of the Bangladesh (Adaptation of Existing Laws) Order, 1972 (President's Order No. 48 of 1972) as amended by the Bangladesh Adaptation of Existing Laws (Amendment) Order, 1972 (President's Order No. 150 of 1972).