

**The Medical Facilities for the Retired
Judges of the High Court of Tripura &
their Families Rules, 2017.**

(As Amended upto 2nd Amendment Rules, 2017, dated 03-08-2019 A.D)

**GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIATE : AGARTALA**

No. F.-2(7)-Law/Estt.2/2013/4067-76

Dated, Agartala, 30th the March, 2017.

NOTIFICATION

WHEREAS, the High Court of Tripura vide its letter No.F.4(16)-HC/M/RJ/13-15/1144-46 dated 27.01.2015 has requested the State Government to frame Rules for granting post retiral benefits like Secretarial Assistance, Domestic Help and Medical Facilities to the retired Hon'ble Chief Justices and retired Hon'ble Judges of the High Court of Tripura;

AND WHEREAS, the State Government has already framed a Scheme for Post Retiral Benefits of the Retired Chief Justices and Retired Judges of the High Court of Tripura, for defraying the services of an Orderly, driver, security guard, secretarial assistance etc. and for a free of cost residential telephone, vide Notification No.F.2(7)-Law/Estt.2/2013/4648-58 dated 01.7.2015, in compliance with the judgment and order of the Hon'ble Supreme Court of India in Case No. WP(C)521/2002 and in accordance with the resolution of the joint conference of the Chief Minister of States and Chief Justices of the High Courts held on 18.9.2004;

AND WHEREAS, the aforesaid Scheme does not extend any medical facilities for the retired Judges of the High Court of Tripura and there is no separate rules framed for providing medical facilities to the retired Judges of the High Court of Tripura;

NOW THEREFORE, the State Government in exercise of the powers conferred under Sub-section (2) of Section 23 D of the High Court Judges (Conditions of Service) Act, 1954, hereby makes the following rules:-

1. Title and commencement :

- (i) These Rules may be called "The Medical Facilities for the Retired Judges of the High Court of Tripura and their Families Rules, 2017",
- (ii) They shall come into force on and from the date of their publication in the Tripura Gazette.

2. Definition :

A Retired Judge of the High Court of Tripura, for the purpose of these rules, shall mean a Judge or a Chief Justice, who was or is initially appointed or

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transferred as a Judge or a Chief Justice of the High Court of Tripura, demits his office as a Judge or as a Chief Justice of the High Court of Tripura, either on transfer or on retirement or on any other reason(s), as the case may be [and includes a Judge or a Chief Justice of the Gauhati High Court, who had been domiciling in the State of Tripura while he was appointed as a Judge of the Gauhati High Court and retired before commencement of the High Court of Tripura]¹.

3. Entitlements :

- (i) A Retired Judge and the members of his family shall be entitled to the same medical benefits as are applicable to a sitting Judge of the High Court of Tripura. The facilities shall be made available to the spouse, minor children and dependent widow or divorced daughter of a deceased judge;
- (ii) A Retired Judge shall be entitled to take medical treatment in any Hospital/Nursing Home outside the State on the basis of a referral by the Standing Medical Board of the State of Tripura;
- [(iii) Where, however, a Retired Judge has been re-employed and by virtue of such re-employment, he is entitled to receive any benefit of medical reimbursement, he may exercise his option to receive such benefits during the period of such re-employment, either from the establishment where he is re-employed or from the High Court of Tripura;]²
- (iv) A Retired Judge and his family shall be entitled to the assistance of a Liaison Officer or an Escort for Medical treatment and transport for medical treatment at any other location, outside the State, subject to the written advice of the referring medical Board;
- (v) Reimbursement in respect of the entitlements as per these rules shall be made by the High Court of Tripura.

By order and on behalf of the Governor,

Sopan Chaudhuri
Deputy Secretary, Law
Government of Tripura.

1. Added by the Medical Facilities for the Retired Judges of the High Court of Tripura and their Families (Amendment) Rules, 2017, published in Tripura Gazette, Part-I, May 27, 2017, w.e.f. 27.05.2017.

2. Substituted *ibid*.

**GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIAT: AGARTALA**

No. F.-2(7) -LAW/ESTT.2/2013/4804-13

Dated, Agartala, the 3rd May, 2017.

NOTIFICATION

In exercise of the powers conferred under Sub-section (2) of Section 23 D of the High Court Judges (Conditions of Service) Act, 1954, the State Government hereby makes the following rules, to amend the Medical Facilities for the Retired Judges of the High Court of Tripura and their Families Rules, 2017:-

1. Short Title and commencement:

- (i) These Rules may be called "The Medical Facilities for the Retired Judges of the High Court of Tripura and their Families (Amendment) Rules, 2017";
- (ii) They shall come into force on and from the date of their publication in the Tripura Gazette.

2. Amendment of Rule 2:

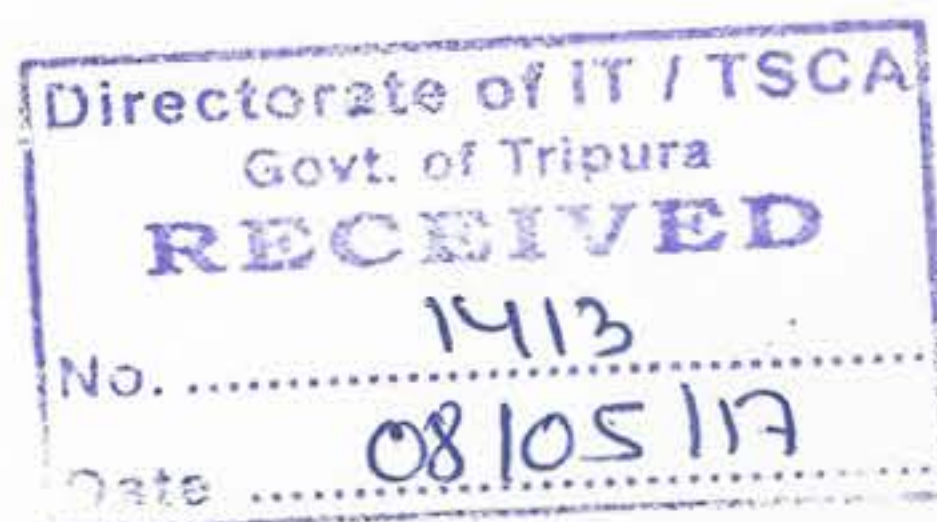
In Rule 2 of 'The Medical Facilities for the Retired Judges of the High Court of Tripura and their Families Rules, 2017' (hereinafter referred to as the Principal Rules), after the expression "as the case may be", the following expression shall be added-

"and includes a Judge or a Chief Justice of the Gauhati High Court, who had been domiciling in the State of Tripura while he was appointed as a Judge of the Gauhati High Court and retired before commencement of the High Court of Tripura."

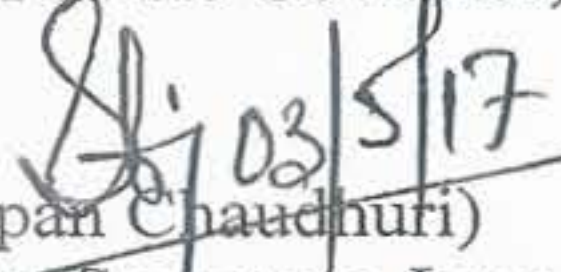
3. Amendment of sub-rule (iii) of Rule 3:

Sub-rule (iii) of Rule 3 of the Principal Rules shall be substituted with the following-

"(iii) Where, however, a Retired Judge has been re-employed and by virtue of such re-employment, he is entitled to receive any benefit of medical reimbursement, he may exercise his option to receive such benefits during the period of such re-employment, either from the establishment where he is re-employed or from the High Court of Tripura."

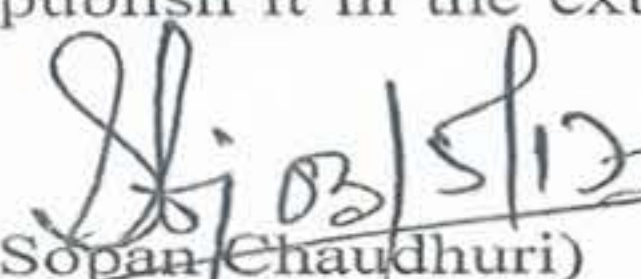


By order and on behalf of the Governor, Tripura


(Sopan Chaudhuri)
Deputy Secretary, Law
Government of Tripura.

Copy to:-

1. The Secretary to the Hon'ble Governor, Tripura, Rajbhavan, Agartala.
2. The Pr. Secretary to the Hon'ble Chief Minister, Tripura, Agartala.
3. The O/o the Hon'ble Law Minister, Tripura, Secretariat, Agartala.
4. The Accountant General (A & E), Tripura, Agartala.
5. The Registrar (Judicial), Supreme Court of India, New Delhi-110 011.
6. The Registrar General, High Court of Tripura, Agartala.
7. The Finance Department, Govt. of Tripura, Agartala.
8. The Director, Information Technology Deptt., Indranagar, Agartala, with a request to upload the Notification in the relevant section of this department's official website and in the Tripura State Portal.
9. The Manager, Govt. Press, A.D. Nagar, Agartala with a request to publish it in the extra ordinary issue of Tripura Gazette.
10. Guard File.


(Sopan Chaudhuri)
Deputy Secretary, Law
Government of Tripura.

**GOVERNMENT OF TRIPURA
LAW DEPARTMENT
SECRETARIAT: AGARTALA**

No. F.-2(7) -LAW/ESTT.2/2013/6993-7002

Dated, Agartala, the 3rd August, 2019.

NOTIFICATION

In compliance of the order dated 24.10.2018 and subsequent order dated 30.04.2019 of the Hon'ble Supreme Court of India passed in Contempt Petition(C)No(s). 425-426/2015 arising out of WP(C) No.523 of 2002 (Justice V.S. Dave, President, The Association of Retired Judges of Supreme Court and High Courts Vs. Kusumjit Singh & Ord.) and in exercise of the powers conferred under Sub-section (2) of Section 23 D of the High Court Judges (Conditions of Service) Act, 1954, the State Government hereby makes the following rules, to further amend the Medical Facilities for the Retired Judges of the High Court of Tripura and their Families Rules, 2017:-

2. Short Title and commencement:

- (1) These Rules may be called "The Medical Facilities for the Retired Judges of the High Court of Tripura and their Families (Second Amendment) Rules, 2019";
- (2) They shall come into force on and from the date of their publication in the Tripura Gazette.

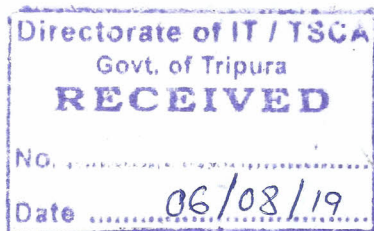
3. Amendment of Rule 3 :

- (1) In sub rule (i) of Rule 3, the expression "members of his family" shall be substituted by the expression "dependent members of his family".
- (2) Sub rule (ii) of Rule 3, shall be substituted with the following-

"(ii) A Retired Judge shall be entitled to medical reimbursement for medical treatment for himself and his dependent family members in any private Hospital/Nursing Home inside and outside the State, without prior approval of the State Government."

- (3) Sub-rule (iv) of Rule 3, shall be substituted with the following-

"(iv) A Retired Judge and his dependent family members shall be entitled to the assistance of a Liaison Officer or an Escort for medical treatment and transport for medical treatment, at any other location, outside the State."



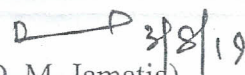
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- (4) In sub-rule (v) of Rule 3, before the expression "High Court of Tripura" the expression "Registrar General" shall be added.

(5) **Insertion of new sub rule (vi):**

- "(vi) To introduce cashless medical treatment for the retired Chief Justices and retired Judges of the High Court of Tripura and their dependent family members, endeavour shall be made to make agreement with the empanelled or other private hospitals based on deferred payment basis."

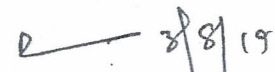
By order and on behalf of the Governor, Tripura


(D. M. Jamatia)

L.R. & Principal Secretary, Law
Government of Tripura.

Copy to:-

1. The Secretary to the Hon'ble Governor, Tripura, Rajbhavan, Agartala.
2. The Additional Chief Secretary to the Hon'ble Chief Minister, Tripura, Agartala.
3. The O/o the Hon'ble Law Minister, Tripura, Secretariat, Agartala.
4. The Accountant General (A & E), Tripura, Agartala.
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7. The Finance Department, Govt. of Tripura, Agartala.
- ✓ 8. The Director, Information Technology Deptt., Indranagar, Agartala, with a request to upload the Notification in the relevant section of this department's official website and in the Tripura State Portal.
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(D. M. Jamatia)

L.R. & Principal Secretary, Law
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