



THE FEDERAL CONSTITUTIONAL COURT JUDGES (LEAVE, PENSION AND PRIVILEGES) ORDER, 2025



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THE SCHEDULE



THE PAKISTAN CODE

THE FEDERAL CONSTITUTIONAL COURT JUDGES (LEAVE, PENSION AND PRIVILEGES) ORDER, 2025

[10th December, 2025]

PRESIDENT'S ORDER NO. 3 OF 2025

WHEREAS paragraph 2 of the Fifth Schedule to the Constitution of Islamic Republic of Pakistan relating to the Federal Constitutional Court provides that every Judge of the Federal Constitutional Court shall be entitled to such privileges and allowances, and to such rights in respect of leave of absence and pension, as may be determined by the President;

NOW THEREFORE, in exercise of the said powers the President is pleased to make the following Order:

PART-I PRELIMINARY

1. Short title and commencement.—(1) This order may be called the Federal Constitutional Court Judges (Leave, Pension and Privileges) Order, 2025.

(2) It shall come into force at once.

2. Definitions.—In this Order, unless there is anything repugnant in the subject or context,—

- (a) “acting Chief Justice” means a Judge appointed under Article 175J of the Constitution to act as Chief Justice;
- (b) “acting Judge” means a Judge of a High Court appointed under Article 175K of the Constitution to act temporarily as a Judge;
- (c) “actual service” means the time spent by a Judge on duty as such or in the performance of such other functions as he may perform under the Constitution and law, or at the request of the President, and includes vacations;
- (d) “Chief Justice” means the Chief Justice of the Federal Constitutional Court;
- (e) “High Court” means the High Court of a Province and shall include a High Court which existed in Pakistan at any time before the commencement of the Constitution.
- (f) “Judge” means a Judge of the Federal Constitutional Court and includes the Chief Justice, an acting Chief Justice and an acting Judge;
- (g) “Judge of a High Court” includes the Chief Justice of a High Court;
- (h) “service as Judge” means service rendered as a Judge either in the Federal Constitutional Court only or in that Court, the Supreme Court and in one or more of the High Court(s);
- (i) “service for pension” means actual service and includes thirty days of the amount actually taken, whichever is less of each period of leave on full allowance;
- (j) “Federal Constitutional Court” means the Federal Constitutional Court of Pakistan; and

- (k) “vacation” means a vacation fixed by or under the rules of the Federal Constitutional Court.

PART-II LEAVE

3. Kinds of leave.—(1) Subject to the provisions of this Order, leave granted to a Judge may, at his option, be either—

- (a) leave on full salary; or
- (b) leave on half salary; or
- (c) leave partly on full salary and partly on half salary.

(2) For the purposes of this part, any period of leave on full salary shall be reckoned as double that period of leave on half salary.

4. Leave account.—A leave account shall be kept for each Judge showing therein the amount of leave due to him in terms of leave on half salary and in such account there shall be—

- (i) credited to him in two separate columns—
 - (a) a period equal to one-fourth of actual service; and
 - (b) where any duties are assigned to a Judge and, for reasons of such assignment, the Judge does not avail of any vacation or avails of less than thirty days of vacation in any calendar year, in addition to the leave credited under the preceding sub-clause, a further period equal to double the period by which the vacation availed of by him falls short of thirty days; and
- (ii) debited to him the period of all leave on full or half salary granted to him:

Provided that the opening credit at the commencement of this order shall not exceed six months in the case of any Judge.

5. Aggregate amount of leave.—(1) The aggregate amount of leave granted to a Judge during his whole period of service as such shall not exceed, in terms of leave on half salary, thirty-six months.

(2) The aggregate amount of leave on full salary granted to a Judge during his whole period of service as such shall not exceed one twenty-fourth of the period spent by him on actual service,

but the leave credited to a Judge under sub-clause (b) of clause (i) of paragraph 4 shall not be subject to the limit herein specified.

(3) The period of leave granted at any one time shall not exceed, in the case of leave on full salary six months and, in the case of leave of any other kind specified in paragraph 3, sixteen months.

6. Grant of leave not due.—Subject to the maximum limit specified in sub-paragraph (1) of paragraph 5, leave on half salary may be granted to a Judge in excess of the amount at his credit—

- (a) on a medical certificate; and

- (b) for a period not exceeding six months and not more than once during the whole period of his service as Judge, otherwise than on medical certificate.

7. Leave salary.—(1) The monthly rate of leave salary payable to a Judge while on leave on full salary shall be equal to the monthly rate of his salary.

(2) The monthly rate of the leave salary payable to a Judge while on leave on half-salary shall be equal to half the monthly rate of his salary.

(3) A Judge appointed after the commencement of this Order, shall not be entitled to draw his leave salary, otherwise than in Pakistan rupees unless he, immediately before such appointment, was entitled, in the service of Pakistan to draw leave salary in foreign exchange in which case he may draw leave salary in foreign exchange on the same terms and conditions as were applicable to him as a person in the service of Pakistan.

(4) A Judge who was holding office as such immediately before the commencement of this Order may draw leave salary in foreign exchange in respect of any period of leave spent outside Pakistan as if he were a Federal Government servant recruited prior to the 17th May, 1958.

8. Encashment of leave.—A Judge who has, at the time of retirement, three hundred and sixty-five days leave on full salary to his credit, shall be paid with effect from the first day of July, 2012 twelve months salary in lieu of leave not availed of.

9 Extraordinary leave.—(1) Leave in excess of any leave admissible under the foregoing provisions of this Order may be granted to a Judge for a period not exceeding six months and not more than once during the whole period of his service.

(2) No leave under sub-paragraph (1) shall be granted to a Judge so as to terminate with his retirement nor after he has tendered his resignation.

(3) No leave salary shall be payable to a Judge in respect of the period of leave granted under sub-paragraph (1).

10. Combining leave with vacation.—A Judge may be permitted to combine vacation with leave of any kind if the leave is either at the commencement or at the end of vacation but not at both:

Provided that no such permission shall be granted to a Judge if it becomes necessary thereby to appoint an acting Judge.

11. Overstaying leave or vacation.—If a Judge overstays his leave or any vacation, whether combined with leave or not, he shall receive no salary for the period of his absence in excess of the leave granted to him or beyond the end of the vacation, as the case may be:

Provided that, if such absence is due to circumstances beyond his control, the period thereof may be treated as leave admissible to him.

12. Abeyance of acting appointments in vacation.—Nothing in this Order shall be construed as authorising any acting Chief Justice or acting Judge to continue to hold his acting appointment during vacation.

13. Special Disability Leave.—Special disability leave may be granted to a Judge when he is disabled by injury intentionally inflicted or caused in, or in consequence of, the due performance of his official duties or in consequence of his official position and the provisions of Fundamental Rule 83 shall, so far as may be, apply to a Judge as they apply to a Government servant under the rule making power of the President.

14. Authority competent to grant leave.—The authority competent to grant or refuse, within or ex-Pakistan leave, or to revoke or curtail leave already granted, shall, in the case of the Chief Justice, be the President and, in the case of other Judges, the Chief Justice.

PART-III PENSION

15. Entitlement.—A Judge shall, on his retirement, resignation or removal, be paid a pension in accordance with the provisions of this Order if he has—

- (a) attained the retiring age; or
- (b) completed not less than ten years' service as Judge or not less than seven years' service for pension and before attaining the retiring age resigned or sought retirement; or
- (c) completed not less than five years' service as Judge or not less than three years' service for pension and, before attaining the retiring age, resigned, his resignation having been medically certified to be necessitated by ill health or been removed for physical or mental incapacity or been allowed by the President for sufficient cause to retire.

16. Payable pension.—(1) Subject to sub-paragraph (2), the Chief Justice and a Judge on his retirement or resignation as provided in paragraph 15 shall be entitled to the minimum amount of pension equal to seventy-five per cent of the salary determined by the President from time to time payable to the Chief Justice, or as the case may be, a Judge plus five per cent of the said salary for each completed year of service either as the Chief Justice or as the Judge not exceeding the maximum amount of pension equal to ninety per cent of the said salary.

Explanation:—The expression “salary” means the salary referred to in paragraph 1 of Fifth Schedule to the Constitution of the Islamic Republic of Pakistan or such higher salary as the President may determine from time to time and shall include Superior Judicial Allowance but shall not include any other allowance or amount representing any privilege or facility.

(2) If a Chief Justice or a Judge before his appointment in the Federal Constitutional Court was the Chief Justice or a Judge of a High Court and the pension payable to him as Chief Justice or Judge of the High Court would have been more than the pension payable to him under sub-paragraph if he would have retired on the day he was appointed in the Federal Constitutional Court would have the option to receive pension either under sub-paragraph (1) or of the High Court.

16A. Pension on re-employment etc.—(1) Where a Judge in receipt of a pension is appointed to a post in connection with affairs of the Federation or a Province or a body owned or controlled by any such Government or is holding any such post he shall draw the pay sanctioned for the post minus his gross pension.

(2) Where a Judge who is receiving a pension—

(a) a Commission of Inquiry; or

(b) is appointed to act an arbitrator by the Federal Government or Provincial Government or is required by such Government to give a legal opinion in any matter,

he shall not receive any fee or compensation for so acting or tendering a legal opinion except reimbursement of out of pocket expenses.

17. Commutation of pension.—The Civil Pension (Commutation) Rules shall, with necessary modifications, apply to a Judge.

(2) Where the pension of a Judge increase at any time after his retirement on account of a subsequent increase of salaries payable to Judges, he shall not be entitled to have the different of the pension payable to him at the time of his retirement and the subsequent increase in pension commuted.

(3) A Judge at the time of his appointment to a High Court was in receipt of a pension in respect of any post and had got any part of the said pension commuted, the amount of commutation so paid shall be deducted from the amount of commutation arrived at under sub-paragraph (1).

18. Extraordinary pension.—The Central Civil Services (Extraordinary Pension) Rules shall apply to a Judge, who may suffer injury or die as a result of violence as they apply to an officer of the Federal Government subject to the modification that reference in those rules to tables relating to injury gratuities and pensions and family gratuities and pensions, shall be construed as reference to the corresponding tables in the Schedule to this Order.

19. Subsidiary conditions of service.—Subject to the provisions of this Order and such other provisions as the President may make in this behalf, other privileges and rights of a Judge shall be determined by the rules for the time being applicable to an officer appointed by the President holding the rank of Secretary to the Federal Government:

Provided that a Judge shall be entitled to be paid monthly, a Medical Allowance amounting to one hundred and fifty thousand rupees:

Provided further that nothing in this paragraph 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 be entitled as a member of such service if he had not been appointed as a Judge, his service as a Judge being treated as service for the purpose of determining those privileges and rights.

20. Official residence.—(1) A Judge shall be entitled, without payment of rent, to the use of a residence throughout his term of office and for a period of one hundred and eighty days thereafter and no charge shall fall on him personally in respect of its maintenance.

(2) Where a Judge chooses to reside in a house not provided by Government he shall be entitled to be paid a monthly allowance of three hundred fifty thousand rupees and his residence shall also be, maintained at Government expense.

Explanation.—In this paragraph—

- (a) maintenance in relation to a residence includes the payment of local rates and taxes and the provision of electricity, gas and water; and
- (b) residence includes the staff quarters and other building appurtenant to, and the gardens of the residence.

20A. Temporary residence-cum-office.—If the official residence of the Chief Justice provided under paragraph 20, is located at a place other than Islamabad, he shall be entitled, with payment of rent, to the use of a designated house, i.e. the Chief Justice House, as a temporary residence-cum-office and no charge shall fall on him personally in respect of its maintenance.

20B. A Judge shall also be entitled throughout his term of office, without payment of rent, to the use of single accommodation consisting of at payment of rent, to the use of single accommodation consisting of at least one bed room, office, study, living room etc. duly furnished and maintained at the government expense in all the Rest Houses of the Federal Constitutional Court located at Islamabad, if his residence whether official or private is located at place other than Islamabad.

21. Official car.—(1) A Judge shall be entitled to the use of official car(s), to be determined by the Chief Justice, maintained at Government expense, but shall have to bear the cost of petrol used in the car(s) during a month in excess of eight hundred litres.

(2) Car(s) provided for the use of a Judge shall be used by him until he retires, subject to its replacement earlier, either because of its having completed the specified number of years of service or distance to be covered or of its having become unserviceable in accordance with the rules.

22. Superior judicial allowance.—A Judge shall be entitled to be paid monthly, a Superior Judicial Office Allowance amounting to one million and five hundred thousand rupees.

Explanation.—For the purposes of this paragraph, “Judge” shall include the “Chief Justice” or an “Acting Chief Justice”.

24. Exemption from income-tax.—No income-tax shall be payable in respect of the allowance admissible to a Judge under paragraph 20 or paragraph 22 or the other benefits and perquisites to which a Judge is entitled under the said paragraph 20 or paragraph 21 or medical allowance admissible under paragraph 19.

25. Facilities to retired Judges.—(1) A Judge on retirement and after his death, his widow, shall be entitled to the following benefits and perquisites at Government expense, namely:—

- (a) The services of a driver and an orderly or to draw a Special Additional Pension equal to the pay and allowances of a contingent driver and an orderly as admissible from time to time to the employees of same scale of the Federal Constitutional Court of Pakistan:

Provided that the Chief Justice shall also be entitled to the services of an Assistant Private Secretary (BS-16):

Provided further that his widow, shall not be entitled to the facility of Assistant Private Secretary;

- (b) 3000 (three thousand)] free local telephone calls per month;
- (c) 2000 units of electricity as well as 25hm³ of Gas per month and free supply of water; and
- (d) 400 liters of petrol per month.
- (e) At the residence of retired Judge during his lifetime deployment of one security guard by concerned police round the clock so that after every eight hours a new security guard replaces the former guard:

Provided that widow of the retired Judge shall not be entitled to such security facility under this clause.

(2) If during service a Judge dies or has died before the commencement of this Order, his widow shall also be entitled to the benefits and perquisites provided in sub-paragraph (1).

(3) No Income Tax shall be payable in respect of benefits and perquisites to which a Judge or a widow, as the case may be, is entitled under this paragraph.

(4) A Judge on retirement opting to avail the facilities specified in sub-paragraph (1) shall undertake to perform the work of arbitration involving Government interest if assigned to him without charging any fee.

THE SCHEDULE (See paragraph 18) INJURY GRATUITIES AND PENSIONS			
Officer	Gratuity	Annual Pension Higher Scale	Annual Pension Lower Scale
The Chief Justice or a Judge of the Federal Constitutional Court	Rs. 37,500	Rs. 7,700	Rs. 5,000
FAMILY GRATUITIES AND PENSIONS A-WIDOWS			
Officer	Gratuity	Annual Pension	
The Chief Justice or a Judge of the Federal Constitutional Court.	Rs. 20,600	Rs.8,000	
B-CHILDREN			
If child is motherless :			Rs. 1,300
If child is not motherless :			Rs. 600

RGN Date: 06-01-2026