

GOVERNMENT OF ASSAM
FINANCE (PAY RESEARCH UNIT) DEPARTMENT
DISPUR- GUWAHATI-6

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 2nd April, 2005.

No.PPC.10/97/Pt.V/374 : In pursuance of the order dated 8.4.20014 in I.A.No.103,105 etc. in W.P. (C) No. 1022/1989 read with the judgement dated 21.3.2002 passed by the Hon'ble Supreme Court of India in W.P.(C) No. 1022/1989, the Governor of Assam is pleased to extend the Revised Retirement Benefits to the members of the Subordinate judiciary of the State based on the recommendations of the First National Judicial Pay Commission (Justice Shetty Commission) as under :

A. Retirement Benefits :

- (i) The age of superannuation of Judicial Officers will be as at present i.e. 60 years.
- (ii) The qualifying service for earning full pension will continue to be 33 years.
- (iii) The last pay drawn shall continue to be taken as emolument for the purpose of pension. The State Pension Rules shall continue to apply for calculation of pension, provided that the pension so calculated is not less than 50% of the minimum pay of the post held at the time of retirement.
- (iv) Commutation of pension shall be 50% of the pension with restoration after 15 years.
- (v) There shall be no ceiling for maximum pension.
- (vi) The payment of Death-Cum-Retirement Gratuity will continue to be as per Rules of the State Govt.
- (viii) Payment of Family Pension shall be determined as per State Govt. Rules.

The aforesaid provisions will come into force with effect from 01-07-1996 and will be applicable to Judicial Officers who have retired or ceased to be in service due to death or retirement on or after***** 01.07.1996.

B. Pension Structure for the past Pensioner :

- (a) The Revised Pension/ Family Pension of the Judicial Officers who have retired or died while in service prior to 01.07.1996 shall be as follows :-
 - (i) Basic Pension/ Family Pension as on 01.07.1996.
 - (ii) Dearness Relief admissible as on 01.01.1996, appropriate to A.I.C.P. level of 1510 points.
 - (iii) Interim Relief of 40% of the basic Pension/Family Pension sanctioned vide No.PPC.10/97/98 dated 22.05.1998.

Contd....2/-

The consolidated Revised Pension/ Family Pension to be calculated as above shall not be less than 50% of the minimum of the Revised pay of the post held by the Judicial Officers at the time of retirement who have put in full qualifying service at the time of retirement. In respect of Judicial Officers who have put in less than the full qualifying service, there shall be proportionate reduction.

(b) The Dearness Relief over the basic revised pension shall be at the rates equivalent to Dearness Allowance as admissible to the serving Judicial Officers.

(c) This revision of pension shall come into effect from 01.07.1996 and will be applicable to Judicial Officers who have retired or ceased to be in service due to death or retirement prior to 01.07.1996.

(d) The drawal of revised Pension/ Family Pension shall be made on adjustment of pension. Family pension already drawn as sanctioned vide Govt. Notification No.FPC.10/97/Pt./69 dated 20.09.2001 and subject to adjustment of interim Relief drawn after the issue of Notification No FPC.10/97/Pt./69 dated 20.09.2001 if not already adjusted.

Commissioner & Secretary to the Govt. of Assam,
Finance Department.

Memo No.FPC.10/97/Pt.V/374-A,

Dated Dispur, the 2nd April, 2005

Copy forward for information and necessary action to :-

1. The Accountant General (A&E), Assam, Maidamgaon, Beltola , Guwahati-29.
2. The Commissioner & Secretary to the Govt. of Assam, Judicial Department, Dispur, Guwahati-6.
3. The Commissioner & Secretary to the Govt. of Assam, Pension & Public Grievances Department, Dispur, Guwahati-6.
4. The Registrar, Gauhati High Court, Guwahati-1.
5. The Assistant Registrar, Supreme Court of India, New Delhi.
6. All Treasury Officers.

By order etc.

Deputy Secretary to the Govt. of Assam,
Finance (Pay Research Unit) Department.