

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

ORDERS BY THE GOVERNOR

NOTIFICATION

NO.FPC.73/2009/Pt/288,

Dated Dispur, the 22nd November, 2010

In pursuance of the Order dated 4-5-2010, dated 19-7-2010, dated 26-7-2010 and dated 2-8-2010 passed by the Hon'ble Supreme Court of India on Interlocutory Application No.244 in Writ Petition (c) no.1022/89 (All India Judges Association-Vs-union of India & Others) and in exercise of the power conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to extend the benefit of revised pay scales and Pension /Family pension etc. as recommended by justice E. Padmanabhan (Retd.) Committee to the Judicial Officers/Retd. Judicial officers of Subordinate of the State with effect from 1-1-2006 as below:-

A	SI No	Cadre/Post	Existing scale of pay (₹)	Revised scale of pay (₹)
	1	2	3	4
	1	Civil Judge (Junior Division, Entry level) Judicial Magistrate/ Munsiff/ Sub-Divisional Judicial Magistrate).	9000-250-10750-300-13150-350-14550/-	27700-770-33090-920-40450-1080-44770/-
	2	Civil Judge (Junior Division) I Stage ACP scale.	10750-300-13150-350-14900/-	33090-920-40450-1080-45850/- after years of continuous service from the date of entry.
	3	Civil Judge (Junior Division) II Stage ACP scale.	12850-300-13150-350-15950-400-17550/-	39530-920-40450-1080-49090-1230-54010/- after completion of another 5 years continuous service.
	4	Civil Judge (Senior Division) (entry level Chief Judicial Magistrate/Addl Chief Judicial Magistrate/Asstt. District & Session Judge)	12850-300-13150-350-15950-400-17550/-	39530-920-40450-1080-49090-1230-54010/-
	5	Civil Judge(Senior Division) I State ACP scale	14200-350-15950-400-18350/-	43690-1080-49090-1230-56470/- after 5 years continuous service.
	6	Civil Judge(Senior Division) II State ACP scale	16750-400-19150-450-20500/-	51550-1230-58930-1380-63070/- after completion of another 5 years continuous service.
	7	District Judge (Entry level) (District & Session Judge/ Addl. District & Session Judge/ Special Judges)	16750-400-19150-450-20500/-	51550-1230-58930-1380-63070/-
	8	District Judge (Selection Grade)	18750-400-19150-450-21850-500-22850/-	57700-1230-47930-1380-67210-1540-70290/- on merit-cum-seniority to available 25% of the cadre post of these officers who have put in not less then 5 year continuous service in the cadre.
	9	District Judge (Super time scale)	22850-500-24850/-	70290-1540-76450/- on merit cum-seniority to available 10% of the selection grade to those officers who have put in not less then 3 years of continuous service as selection grade District Judges.

B. Fixation of Pay:-

There will be no fitment or fixation of pay by giving one or more increment or additional weightage. The pay drawn in the existing scale of pay specified in column (2) of the pay stage in Table below correspond to the same stage in the revised scale of pay specified in Column (4) thereof with increment.

Table

SI No.	Existing		Revised	
	Pay	Annual Increment	Pay	Annual Increment
(1)	(2)	(3)	(4)	(5)
1	9000	250	27700	770
2	9250	250	28470	770
3	9500	250	29240	770
4	9750	250	30010	770
5	10000	250	30780	770
6	10250	250	31550	770
7	10500	250	32320	770
8	10750	300	33090	920
9	11050	300	34010	920
10	11350	300	34930	920
11	11650	300	35850	920
12	11950	300	36770	920
13	12250	330	37690	920
14	12550	300	38610	920
15	12850	300	39530	920
16	13150	350	40450	1080
17	13500	350	41530	1080
18	13850	350	42610	1080
19	14200	350	43690	1080
20	14550	350	44770	1080
21	14900	350	45850	1080
22	15250	350	46930	1080
23	15600	350	48010	1080
24	15950	400	49090	1230
25	16350	400	50320	1230
26	16750	400	51550	1230
27	17150	400	52780	1230
28	17550	400	54010	1230
29	17950	400	55240	1230
30	18350	400	56470	1230
31	18750	400	57700	1230
32	19150	450	58930	1380
33	19600	450	60310	1380
34	20050	450	61690	1380
35	20500	450	63070	1380
36	20950	450	64450	1380
37	21400	450	65830	1380
38	21850	500	67210	1540
39	22350	500	68750	1540
40	22850	500	70290	1540
41	23350	500	71830	1540
42	23850	500	73370	1540
43	24350	500	74910	1540
44	24850		76450	

C. Date of effect and payment of arrears:-

The revised pay scales shall come into w.e.f. 1-1-2006. The salary of the revised pay scales shall be paid in cash for the month of November, 2010 payable in the month of December, 2010. Arrears shall be paid before 31st March, 2011. 40% of arrears of salary & D.A. shall be deposited in the Provident Fund account of the judicial officer.

D. Dearness Allowances:-

The existing provision regarding grant of Dearness Allowance in accordance with policy followed by the Govt. of India shall continue.

E. Increment and date of next increment:-

The rate of annual increment as shown in Column (5) in Table (fixation of pay) shall be applicable. The next increment of a Judicial Officer, whose pay in the Revised Pay Scales is fixed with effect from 1-1-2006 shall be on the date on which he would have drawn his increment had he continued in the existing scale of pay.

F. Exercise of option:-

Officers may exercise their option to switch over to the revised within 60 days from the date of issue of this Notification. If no option is exercised within the stipulated period from the date of the Notification, the officer shall automatically be brought over to the revised scale with effect from 1-1-2006.

It should be noted that mere exercise of an option within the specified time limit by an officer is not sufficient. It will be his responsibility to ensure that his option paper reaches the authority.

The option once exercised is final and in no circumstance it can be modified on any subsequent date.

G. Superannuation and Retirement Benefits :-

(i) The last pay drawn shall continue to be taken as emolument for the purpose of Pension. Superannuation pension of Judicial Officers shall be 50% of the average emoluments drawn during ten months preceding the date of superannuation as pension. There should not be any ceiling limit on the maximum pension payable.

In case of past pensioners i.e. who have retired prior to 1-1-2006 the revised pension should be at least 50% of the minimum pay of the post held at the time of retirement as revised from time to time.

(ii) The qualifying years of service for full pension shall be 20 years with prospective benefit from 2-9-2008.

(iii) The Death-Cum-Retirement Gratuity shall be enhanced to ₹ 10 lakhs w.e.f. 1-1-2006.

(iv) Commutation of pension up to a maximum of 50% of the last pension drawn as applicable at present for Judicial Officers.

(v) Family pensioners who are entitled to drawn family pension will be entitled for family pension @30% of the salary as revised from time to time.

H. The additional quantum of pension/family pension with respect to the pensioners/family pensioners, who complete the age of 80yrs, 85yrs ,90yrs ,95yrs and 100yrs or more will be as below :-

Age of pensioner/ family pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension/family pension.
From 85 years to less than 90 years	30% of revised basic pension/family pension.
From 90 years to less than 95 years	40% of revised basic pension/family pension.
From 95 years to less than 100 years	50% of revised basic pension/family pension.
From 100 years or more	100% of revised basic pension/family pension.

I. DOMESTIC HELP ALLOWANCE:-

Domestic Help Allowance shall be paid as below w.e.f. 1-1-2006 :-

- III. It shall be paid @ ₹ 2500/-p.m. for the retired Judicial Officers.
- IV. The family pensioners shall also be entitled to Domestic Help Allowance @ ₹ 1000/- p.m.

Subject to condition that the D.D.O's will ensure that the same is paid after obtaining a certificate every month from the pensioner/family pensioner mentioning the name of Domestic Help engaged and the period from which such Domestic Help has been engaged along with the confirmation from the individual Domestic Help engaged.

OTHERS S ALLOWANCES & BENEFITS :-

(a) Special Pay, Reimbursement of Electricity & Water Charges, News Papers/ magazine, Telephone facilities, Conveyance, Concurrent Charge Allowance and Transfer Grant :-

The existing provision shall continue and Judicial Department will issue necessary Notification in this regards.

(b) Sumptuary allowance :-

Sumptuary Allowance will be admissible as below :-

- (i) Civil Judges (Jr. Division) - ₹ 1500/- p.m.
- (ii) Civil Judges (Sr. Division)- ₹ 2300/- p.m.
- (iii) District Judges (All Level)- ₹ 3100/- p.m.

(c) Medical Allowance & Medical facilities:-

All Judicial officers of the State, shall be given the Medical Allowance @ ₹ 1000/-p.m.. The retired Judicial Officers and the Family pensioners shall be paid Medical Allowance @ ₹ 1500/- p.m. and ₹ 750/-p.m. respectively.

The existing provision of reimbursement of medical expenses to the serving and retired judicial officers shall continue.

Judicial Department will issued necessary notification in this regard.

(d) Hill Area/Remote Area Allowance :-

Hills /Remote area allowance shall be admissible @ ₹ 1500/- per month to all Judicial Offices posted in Hills/ remote area.

(e) Robe Allowance:-

Robe allowance @ ₹ 5000/- shall be admissible to the Judicial Officers once in every three years.

(f) LTC & HTC :-

- iii. L.T.C. will be admissible on completion of two years of continuous service and after successful completion of the period of probation while the retaining in block period of 4 (four) years as eligible period.
- iv. HTC will continue to be availed by Judicial Officers once in 2(two) years.

In case where a Judicial Officers is subjected to two or more transfers in the same cadre from one end of the State to other, for administrative reasons, he may be allowed to avail an additional HTC in addition to the HTC for which he is eligible.

(g) **Encashment of Leave:-**

Encashment of leave and leave shall be admissible subjected to the following conditions :

- iii. Benefits of availing encashment of leave be extend to all judicial officer without insisting on the availment of leave simultaneously.
- iv. Judicial Officers be allowed to encash leave not exceeding one month in a block period of two years.

Encashment benefits however shall be subjected to availability of leave in leave account of the officers concerned. The leave encashment will be deducted from the leave account.

(h) **Housing & House Rent Allowance etc :-**

Judicial Department will take steps to notify the following :-

4. All Judicial Officers irrespective of their cadre shall be provided with Government quarter according to their entitlement. If adequate Government quarters are not available at a time, the judicial Officers and will requisition proper houses, make these available to the Judicial Officers and will prescribe appropriate ceilings on the monthly rent of such requisitioned accommodation with due regard to the rank and seniority of the Officers in consultation with Finance Department.
5. No House Rent Allowance shall be payable to Judicial Officers who are provided with Government quarters or official accommodation. The Judicial Officers who are not provided with Government quarters or official accommodation shall be entitled to House Rent Allowance at the rate provided to the corresponding State Government employee vide Notification No.FM.5/2010/02 dated 19.02.2010.
6. Judicial Officers who occupy their own house with the permission of high court shall also be entitled to House Rent Allowance at the same rate as provided to the corresponding Government employees.

(i) **Advance :-**

The Judicial Department will move proposal in consultation with Finance Department for consideration of the Cabinet.

(H.S. Das, IAS)
Principal Secretary to the Govt. of Assam,
Finance Department.

Memo No-FPC.73/2009/288-A,

Dated Dispur, the 22nd November, 2010

Copy forwarded for information and necessary action to :-

1. The Accountant General (A & E), Assam ,Maidamgaon, Beltola, Guwahati-29.
2. The L.R. & Secy. to the govt. of Assam, Judicial Department.
3. Registrar, Gauhati High Court, Guwahati-1.
4. The Asstt. Registrar, Supreme Court of India, New Delhi.
5. All Treasury Officers.
6. All Administrative Department.
7. The Director, A.G.Press, Guwahati-21.

By order etc.

(L.C. Borbarua)
Additional Secretary to the Govt. of Assam,
Finance (Pay Research Unit) Department.