



# **REPORT OF THE SECOND NATIONAL JUDICIAL PAY COMMISSION**

VIGYAN BHAWAN ANNEXE  
NEW DELHI

**JANUARY-2020**

**PART I VOLUME-IV  
(SUMMARY)**

**JUSTICE P. V. REDDI**

Former Judge Supreme Court of India  
CHAIRMAN

**SHRI R. BASANT**

Former Judge High Court of Kerala  
MEMBER

**SHRI VINAY KUMAR GUPTA**

District Judge, Delhi  
MEMBER-SECRETARY

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CHAPTER-1

SUMMARY OF RECOMMENDATIONS ON PAY STRUCTURE

1. States/High Courts shall take immediate steps to re-designate the officers in conformity with the All India pattern as recommended by FNJPC i.e. those who have not done it so far.
2. The new pay structure shall be as per the 'Pay Matrix' pattern on the model of VII CPC as against the 'Master Pay Scale' pattern so as to remove the anomalies and to rationalize the pay structure and to ensure due benefit to the judicial officers of all cadres within the framework of established principles.
3. The categorization of the Judicial officers shall be based on their status in the functional hierarchy reflected in horizontal range in Table-I below para 13.1 in the following levels:

Civil Judge (Jr. Div.) (Entry Level)	J-1
Civil Judge (Jr. Div.) ACP-I	J-2
Civil Judge (Jr. Div.) ACP-II	J-3
Civil Judge (Sr. Div.) (Entry Level)	J-3
Civil Judge (Sr. Div.) ACP-I	J-4
Civil Judge (Sr. Div.) ACP-II	J-5
District Judge (Entry Level)	J-5
District Judge (Selection Grade)	J-6
District Judge (Super Time Scale)	J-7

4. The initial pay for each rank of officer is about 2.81 times the existing entry pay of each rank except J-6 and J-7, which is in

the same proportion of increase as that of the High Court Judge. Accordingly, the first row in the horizontal range (J-1 to J-7) denotes the entry pay for fresh recruits/appointees in that level.

- 5.** A distinct pay matrix for judicial officers contained in Table-I at para 13.1 of this Chapter, is as under:

**TABLE-I**

Sr. No.	Civil Judge (Jr. Div) Entry Level	Civil Judge (Jr. Div) I Stage ACP	Civil Judge (Jr. Div) II Stage ACP/Civil Judge (Sr. Div) Entry Level	Civil Judge (Sr. Div) I Stage ACP	Civil Judge (Sr. Div) II Stage ACP/District Judges Entry Level	District Judges (Selection Grade)	District Judges (Super Time Scale)
<b>Existing Pay Scale</b>	27700-44700	33090-45850	39530-54010	43690-56470	51550-63070	57700-70290	70290-76450
<b>Existing Entry Pay Level</b>	27700	33090	39530	43690	51550	57700	70290
<b>Level</b>	<b>J-1</b>	<b>J-2</b>	<b>J-3</b>	<b>J-4</b>	<b>J-5</b>	<b>J-6</b>	<b>J-7</b>
Year 1	77840	92960	111000	122700	144840	163030	199100
Year 2	80180	95750	114330	126380	149190	167920	205070
Year 3	82590	98620	117760	130170	153670	172960	211220
Year 4	85070	101580	121290	134080	158280	178150	217560
Year 5	87620	104630	124930	138100	163030	183490	224100
Year 6	90250	107770	128680	142240	167920	188990	
Year 7	92960	111000	132540	146510	172960	194660	
Year 8	95750	114330	136520	150910	178150	200500	
Year 9	98620	117760	140620	155440	183490	206510	
Year 10	101580	121290	144840	160100	188990	212710	
Year 11	104630	124930	149190	164900	194660	219090	
Year 12	107770	128680	153670	169850			
Year 13	111000	132540	158280	174950			
Year 14	114330	136520	163030	180200			
Year 15	117760						
Year 16	121290						
Year 17	124930						
Year 18	128680						
Year 19	132540						
Year 20	136520						

In this two dimensional pay matrix, the horizontal range (J-1 to J-7) reflects the functional hierarchy and the vertical range in each level (J-1 to J-7) denotes pay progression within that level.

- 6.** The new Mean Pay percentage vis-a-vis the salary of High Court Judge in relation to each cadre and grade, shall be as under:

Civil Judge (Jr. Div.) (Entry Level)	J-1	47.63%
Civil Judge (Jr. Div.) ACP-I	J-2	50.99%
Civil Judge (Jr. Div.) ACP-II	J-3	60.89%

Civil Judge (Sr. Div.) (Entry Level)	J-3	60.89%
Civil Judge (Sr. Div.) ACP-I	J-4	67.3%
Civil Judge (Sr. Div.) ACP-II	J-5	75.44%
District Judge (Entry Level)	J-5	75.44%
District Judge (Selection Grade)	J-6	84.91%
District Judge (Super Time Scale)	J-7	94.04%

- 7.** The annual increment shall be @3% cumulative, meaning thereby that the increment @3% has to be calculated on the previous years basic pay instead of fixed amount increments recommended by FNJPC and JPC.
- 8.** In the Pay Matrix pattern, there shall be now 37 stages instead of 44.
- 9.** The fitment/migration of the existing officers shall be as reflected in Table II at para 13.3 of this chapter, which is as under:

**TABLE-II (Fitment)**

S.No	Existing Pay	New Proposed Pay Scale
1	27700	77840
2	28470	80180
3	29240	82590
4	30010	85070
5	30780	87620
6	31550	90250
7	32320	92960
8	33090	95750
9	34010	95750
10	34930	98620
11	35850	101580
12	36770	104630
13	37690	107770

14	38610	111000
15	39530	114330
16	40450	114330
17	41530	117760
18	42610	121290
19	43690	124930
20	44770	128680
21	45850	132540
22	46930	132540
23	48010	136520
24	49090	140620
25	50320	144840
26	51550	149190
27	52780	149190
28	54010	153670
29	55240	158280
30	56470	163030
31	57700	163030
32	58930	167920
33	60310	172960
34	61690	178150
35	63070	178150
36	64450	183490
37	65830	188990
38	67210	188990
39	68750	194660
40	70290	199100
41	71830	205070
42	73370	211220
43	74910	217560
44	76450	224100

**10.** The procedure for migration/fitment of the serving Judicial officers and also the procedure for fixation of pay on promotion shall be as explained in paras 13.5 and 13.8.

**11 (i).** As regards the date of accrual of increment, there shall be no change in the existing system which is being followed in various

states/UTs i.e. the increment shall be once in a year as per the date of appointment or promotion or financial upgradation.

- 11 (ii).** The retiring Judicial officers shall have the benefit of increment becoming due the next day following their retirement. That increment shall be for the purposes of pension only and shall be subject to vertical ceiling of Rs. 2,24,100/-.
- 12.** The pay of the judicial officers of all ranks/grades in the new pay matrix/pay structure shall be effective from **01.01.2016**.
- 13.** Arrears of Pay **w.e.f. 01.01.2016** shall be paid during the calendar year 2020, after adjusting the interim relief already paid under the Interim Report dated 09.03.2018.
- 14.** The present practice of sanction of DA at the rates prescribed by Central Government from time to time shall continue. The Hon'ble Supreme Court may issue directions that the benefit of revised DA in conformity with the orders issued by the Central Government from time to time shall be paid to the Judicial officers without delay, and in any case, not later than **3** months from the date of issuance of the order by the Central Government. The benefit of revised rates of DA shall accrue from the effective date as specified in the Order issued by Central Government in this behalf.

- 15 (i).** Grant of 1<sup>st</sup> ACP to Civil Judge (Jr. Div.) shall not be based on the application of the existing norm of seniority-cum-merit. There shall be relaxed norms for assessing the performance in terms of output. The scrutiny shall be for the limited purpose of ascertaining whether there is anything positively adverse such as consistently poor/unsatisfactory performance or adverse report of serious nature leading to the inference that the Officer is unfit to have the benefit of ACP.
- 15 (ii).** If for any reason, delay in grant of ACP goes beyond one year, one additional increment for every year delay shall be granted subject to adjustment while drawing the arrears on grant of ACP.
- 16 (i).** The posts of District Judges (Selection Grade) shall be increased to 35% of the cadre strength as against the existing 25%, and the District Judges (Super Time Scale) shall be increased to 15% of the cadre strength as against the existing 10%. It will be effective from **01.01.2020**.
- 16 (ii).** The upgradation benefit shall be given to the District Judges by applying the principle of seniority-cum-merit instead of merit-cum-seniority.



- 16 (iii).** If the post remains or continues for three years it shall form part of cadre strength.
- 17.** The Pay Revision benefit which is already available to the Presiding Judges of Industrial Tribunals/Labour Courts (outside the regular cadre of subordinate judiciary) in view of the recommendation of JPC, shall be extended to them also simultaneously with Judicial Officers of regular cadre without administrative delays.
- 18.** The Judges of the Family Courts in Maharashtra who belong to a separate cadre have to be extended the benefit of pay of District Judge (Selection Grade) and District Judge (Super Time Scale) in the same ratio as prescribed for regular District Judges. The High Court to propose the minimum age for grant of Selection Grade, if considered necessary. The Principal Judge Family Court (ex-cadre) to be allotted quarters preferentially, in General Pool Accommodation.
- 19.** Special Judicial Magistrates (Second Class)/Special Metropolitan Magistrates (dealing with petty criminal cases) shall get minimum remuneration of Rs.30,000/- per month in addition to conveyance allowance of Rs.5,000/- per month w.e.f. **01.04.2019** and to be suitably revised every five years.

**PART-I**  
**CHAPTER-3**

**SUMMARY OF RECOMMENDATIONS ON PENSION & FAMILY PENSION**

**I. PENSION**

- 1.** For the Judicial Officers retiring on or after 01.01.2016, no change is suggested in the existing percentage of pension/ family pension, that is, the pension shall be @50% / 30% of the last drawn pay at the time of retirement.
- 2.** Revised pension of the retired Judicial Offices should be 50% of the **last drawn pay** of the post held at the time of retirement.
- 3.** The formulations as given in para 32 above shall be applied for pension revision.
  - i.** Multiplier/factor (2.81) applied for pay revision shall be applied for revision of pension ( illustrative example given in para 32, formulation-I).
  - ii.** The pensioners shall be fitted at the appropriate level in the fitment table ( illustrative example given in para 32, formulation-II, read with Table II in para 13.3 Chapter 2, Vol.-I).  
  
whichever is higher.

4. The pension payable on the basis of revised pay scale in respect of Judicial Officers who retired prior to 01.01.2016 shall be no different from the pension payable to the Judicial Officer retiring on or after 01.01.2016 at the same level or grade. The pension shall be worked out with effect from 01.01.2016 by placing all the Judicial Officers who retired prior to that date notionally at the **corresponding** stage including increment accrued thereon, as per the fitment table.
5. As regard the Judicial Officers who retired prior to 01.01.1996, the Commission would like to make it clear that if no consequential re-fixation has been done by the Government concerned based on the directives of the Hon'ble Court in the decisions/orders passed in 2012, 2016, 2018 referred to earlier, the said benefit shall be extended to them first without further delay and thereafter the pension shall be revised as recommended above.
6. The benefits of number of years of practice at bar subject to maximum of weightage of ten years shall be given while calculating pension and other retiral benefits to the direct recruits of Higher Judicial Service who have retired prior to 01.01.2016.

**SUMMARY OF RECOMMENDATIONS ON FAMILY PENSION**

**II. FAMILY PENSION**

- 1.** For family pensioners, no change is suggested in the existing percentage of family pension, that is, it shall be @30% of last drawn pay at the time of retirement of the Judicial officer.
- 2.** Family Pension @30% shall be paid to eligible family member(s) as given in Rule 54 CCS (Pension) Rules 1972, at par with the spouse, after the death of the spouse.
- 3.** The quantum of family pension shall be worked out in the same manner as quantum of pension is worked out.
- 4.** Income limit, if any prescribed by any State in relation to dependent family members (other than the spouse) for being eligible to get family pension shall be not less than Rs.30,000/- per month (rupees thirty thousand per month).

**SUMMARY OF RECOMMENDATIONS ON ADDITIONAL QUANTUM OF PENSION/FAMILY PENSION**

**III. ADDITIONAL QUANTUM OF PENSION/FAMILY PENSION**

- 1.** The additional quantum of pension shall be made available to the Judicial officers on completion of age of and at the rates specified below:

Age of Pensioner/ Family pensioner	Additional Quantum of pension/family pension
75-80 years	20%
80-85 years	30%
85-90 years	40%
90-95 years	60%
95-100 years	80%
On completion of 100 years	100%

P.N: The above percentages are in relation to basic pension/family pension, **as revised**. Further, to obviate any doubts, the expression 'years' shall mean completed years.

- 2.** This benefit of additional pension shall be available to all eligible pensioners/family pensioners w.e.f. **01.01.2016**.
- 3.** No recovery shall be effected from those who have availed the benefit of additional pension on completion of age of 65 or 70 years as per the extant orders of the some of the State Governments.

- 4.** The State Governments may also choose to continue to extend the prevailing benefits upto the age of 75 years to the retired Judicial officers as well.

## SUMMARY OF RECOMMENDATIONS ON GRATUITY

**IV. RETIREMENT/DEATH GRATUITY**

1. Retirement gratuity shall be calculated as per Rule 50(1)(a) of CCS (Pension) Rules 1972.
2. The maximum limit for retirement gratuity/death gratuity shall be Rs. 20 lakhs which shall be increased by 25% whenever DA rises by 50%.
3. These recommendations shall be effective from **01.01.2016**.
4. To the officers who have retired after 01.01.2016 and paid retirement gratuity as per pre-revised pay and the maximum limit at that time, the differential gratuity payable on account of revision of pay shall be paid subject to the revised maximum limit.
5. The death gratuity shall be payable as per the following table:

<b>Length of service</b>	<b>Rate of Death Gratuity</b>
Less than one year	2 times of monthly emoluments
One year or more but less than 5 years	6 times of monthly emoluments
5 years or more but less than 11 years	12 times of monthly emoluments
11 years or more but less than 20 years	20 times of monthly emoluments
20 years or more	Half month of emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments.

**SUMMARY OF RECOMMENDATIONS ON FINANCIAL ASSISTANCE**

**V. FINANCIAL ASSISTANCE**

- 1.** The benefit of family pension as per Rule 54(3) of CCS (Pension) Rules, as amended vide notification dated 19.09.2019 shall be extended to the family members/dependants of deceased Judicial Officers.
  
- 2.** The other benefits such as one time lumpsum grant, compassionate appointment, permission to stay in official quarters etc. already in force in the States shall continue to apply, in addition to death gratuity.



**SUMMARY OF RECOMMENDATIONS ON ASSISTANCE TO PENSIONERS/  
FAMILY PENSIONERS**

**VI. ASSISTANCE TO PENSIONERS/FAMILY PENSIONERS**

- 1.** In order that the pensioners/family pensioners have a feeling that they are being cared for and to eliminate the communication gap, special attention shall be bestowed to them by rendering due assistance for processing the medical bills of the pensioners/family pensioners who are too old, infirm or differently abled or undergoing in-patient treatment for serious ailment.
- 2.** District Judge shall nominate a Nodal Officer for liasoning work, if required, in emergency in facilitating admission in the hospital and getting the medical bills of the pensioners/family pensioners cleared promptly.
- 3.** Special Cell entrusted with the responsibility of the processing the representations of the pensioners/family pensioners and to initiate action as may be considered appropriate to redress the grievance expeditiously, shall be created in the High Court under the supervision of an officer of the rank of Joint Registrar, in the High Court.
- 4.** A Judge of the High Court shall be nominated to oversee the functioning of Special Cell and issue necessary instructions.

5. The representatives of the Retired Judges Associations shall be permitted to meet the Registrar General of the High Court atleast once in a year to discuss the problems, if any.
6. The Registry of the High Courts to compile data of the pensioners and family pensioners.

**PART-I**  
**CHAPTER-4**

**SUMMARY OF RECOMMENDATIONS ON NATIONAL PENSION SYSTEM**

- 1.** The National Pension System (NPS)/Defined Contributory Pension Scheme shall not be applicable to the judicial officers of all cadres.
- 2.** The Defined Benefit Pension Scheme/Old Pension Scheme shall be applicable to all Judicial officers irrespective of the date of their joining the judicial service.
- 3.** The contributions together with the returns earned thereon, on account of applicability of NPS to the judicial officers who have joined the judicial service after 01.01.2004 shall be either refunded to them **or** may be transferred to their GPF Account.
- 4.** The Government shall facilitate opening of the GPF Account of the new entrants to the judicial service after 01.01.2004 and transfer their contribution with the returns earned thereon to the said GPF Account within three months of acceptance of this report by the Hon'ble Supreme Court.

**CHAPTER-5  
ALLOWANCES**

**I. ADVANCES – HOUSE BUILDING ADVANCE (HBA)**

**SUMMARY OF RECOMMENDATIONS**

- 1.** House Building Advance shall be available to the Judicial Officers in terms of HBA Rules, 2017 (**Appendix I, Vol.III, Pages 4 to 9**).
- 2.** House Building Advance shall also be available to the Judicial Officers for purchase of ready built house from private individuals subject to safeguards as may be prescribed.
- 2.1** State Government, in consultation with the High Court to evolve suitable safeguards.

**II. CHILDREN EDUCATION ALLOWANCE (CEA)**

**SUMMARY OF RECOMMENDATIONS**

- 1.** Children Education Allowance shall be made available to Judicial Officers @Rs.2250/- per month and hostel subsidy @Rs.6750/- per month, or the actual whichever is lower.
- 2.** The Children Education Allowance and hostel subsidy shall stand increased by 25% whenever D.A. increases to 50%.
- 3.** This facility shall be available in respect of two children upto class XII.
- 4.** For disabled children, the reimbursement shall be at double the rates.
- 5.** The reimbursement shall be on the basis of certificate issued by the Head of the Institution(s) of the children mentioning therein the expenditure incurred on Hostel and/or tuition fee.
- 6.** The Children Education Allowance and hostel subsidy shall be available at the aforesaid rates w.e.f. the current academic year i.e. 2019-20.
- 7.** The Children Education Allowance and hostel subsidy already available to the Judicial Officers in certain States and UTs at the same rates shall continue. Needless to say, the rights of Officers

who are already receiving this benefit will not in any way be adversely affected by this recommendation.

8. In short, the benefit of the Children Education Allowance (CEA) as available under OM No.27012/2017-Estt.(AL) dated 16.08.2017 (**Appendix I, Vol.III, Pages 14 & 15**) shall be available to all the Judicial Officers.

**III. CITY COMPENSATORY ALLOWANCE (CCA)**

**SUMMARY OF RECOMMENDATIONS**

- 1.** CCA shall be discontinued prospectively.
- 2.** No recovery shall be effected in respect of the amount already paid on account of this allowance.

**IV. CONCURRENT CHARGE ALLOWANCE**

**SUMMARY OF RECOMMENDATIONS**

- 1.** The concurrent charge allowance to be available maximum at the rate of 10% of the minimum of the scale of the additional post held beyond a period of ten working days.
- 2.** No upward revision in the percentage of the Concurrent Charge allowance.
- 3.** High Court to decide the Concurrent Charge allowance to be available to the Officer within the ceiling of 10% on the basis of the number of days worked, the quantum of judicial work turned out and the administrative work handled.
- 4.** The criterion laid down by FNJPC be dispensed with and there shall not be any insistence on the performance of 'appreciable judicial work' of the Court concerned.



**V. CONVEYANCE/TRANSPORT ALLOWANCE**

**SUMMARY OF RECOMMENDATIONS**

- 1.** The pool car arrangement which has already been disbanded by some States or which is being followed on limited scale, shall be discontinued gradually. Notwithstanding the above, the High Court may permit pool car arrangement to be continued at specific places for such time as it deems fit provided sufficient number of officers opt for it. The number of officers sharing each pool car shall not be more than three.
- 2.** There shall be increase in the quantum of petrol/diesel which is being allowed for the officers using their private cars. The reimbursement shall be allowed to the extent of the cost of 100 litres of petrol/diesel in cities and 75 litres in all other areas. The cost shall be reimbursed on actual consumption basis on self-certification.
- 3.** Transport allowance of Rs.10000/- per month for those who own the car in order to cover at least partly the cost of maintenance of car and driver's salary shall be paid to the Judicial officers of all ranks and the same shall be increased to Rs. 13,500/- after 5 years from 01.01.2016 i.e. 01.01.2021 onwards. The officers who do not own a car nor avail of the

pool car facility shall also be allowed to draw the same quantum of transport allowance.

- 4.** The list of Judicial officers eligible to get official cars shall be enlarged so as to include the Director of Judicial Academy/ Training Institute, Principal Judges of Family Court and Member Secretary, State Legal Services Authority. Any other officer as recommended by the High Court may also be included in this list. However, it shall be left to the High Courts to restrict the facility of official car to the specified officers, though they are otherwise eligible as per the recommendations of FNJPC and this Commission.
- 5.** In the States where there is an existing practice of allocating driving-knowing office attendant/peon to the officer who is not availing the pool vehicle, the same practice may be continued on request subject to the availability of personnel. Such employee (licensed driver) shall be permitted to drive private vehicle of Judicial officer purely and only for official purpose. If such facility is being extended to the Judicial officer, the transport allowance can be claimed only to the extent of Rs.4000/- per month. This amount shall be increased to Rs.5000/- with effect from 01.01.2021. This benefit is apart from the fuel allowance.

- 6.** The quantum of petrol/diesel for the official cars shall be raised to the actual consumption for official purposes duly certified by the officer concerned and supported by the log book. The official cars shall be permitted to be used by the Judicial officers for private purpose to the extent of 300 KMs per month subject to payment of charges per km. as prescribed by the State Government which is being charged by the Government for such use by the senior officials in the State. Private use of the official car shall be calculated on half yearly basis.
- 7.** The Judicial officers shall be permitted to exhibit a sticker on the lower left side of the wind screen with the inscription 'JUDGE' printed in moderately sized letters. The sticker may have the facsimile signature and seal of District Judge incharge of administration.
- 8.** Soft loan facility to the extent of Rs.10 lakhs at nominal interest for the purchase of car shall be provided to the Judicial officers and for this purpose the High Court may formulate the necessary guidelines after consulting the Finance department of the concerned State. Needless to say, the application for advance to purchase the motor car shall be processed expeditiously.

**VI. DEARNESS ALLOWANCE**

- 1.** The present practice of sanction of DA at the rates prescribed by Central Government from time to time shall continue. The Hon'ble Supreme Court may issue directions that the benefit of revised DA in conformity with the orders issued by the Central Government from time to time shall be paid to the Judicial officers without delay, and in any case, not later than **3** months from the date of issuance of the order by the Central Government. The benefit of revised rates of DA shall accrue from the effective date as specified in the Order issued by Central Government in this behalf.

(Recommendation no. 14, **Chapter 2, Vol.- I, Page 185**).

**VII. EARNED LEAVE ENCASHMENT**

**SUMMARY OF RECOMMENDATIONS**

- 1.** No enhancement in the maximum limit of 300 days leave encashment at the time of retirement.
- 2.** A judicial officer shall be entitled to encash :
  - (a)** 10 days earned leave while availing LTC subject to maximum 60 days – 10 at a time upto six occasions during the entire service.
  - (b)** 30 days in a block of two years.
  - (c)** S.No.(a) and (b) shall be in addition to the right of the Judicial Officers to encash upto 300 days EL at the time of retirement.
- 3.** In case of officers who have retired and while granting leave encashment at the time of retirement, the leave encashment availed during service stand adjusted shall be paid the amount of the so adjusted earned leave, at the time of retirement as explained in the example above, within a period of three months from the date of acceptance of the report.

**VIII. ELECTRICITY AND WATER CHARGES****SUMMARY OF RECOMMENDATIONS**

1. No change in the percentage of reimbursement. The 50% of reimbursement formula recommended by FNJPC and reiterated by the JPC shall continue.
2. The ceiling in terms of units of electricity and the quantity of water consumed shall be as follows:

<b>Designation</b>	<b>Electricity Units</b>	<b>Water Quantity</b>
<b>District Judges</b>	8000 units per annum	420 Kls per annum
<b>Civil Judges</b>	6000 units per annum	336 Kls per annum

3. Reimbursement of electricity and water charges shall be on the quarterly basis on production of proof of payment of the billed amount.
4. This allowance shall be available at the enhanced rates w.e.f. **01.01.2020.**

**IX. HIGHER QUALIFICATION**

**SUMMARY OF RECOMMENDATIONS**

- 1.** The Judicial Officers shall be granted three advance increments for acquiring higher qualification i.e. post graduation in law and one more advance increment if he acquires Doctorate in Law.
- 2.** The advance increments once granted for post graduation degree or Doctorate in law shall not be again granted if, in future, the officer acquires post graduate or Doctorate degree in any other subject.
- 3.** The advance increments shall be available to the officer who had acquired the post graduation degree or Doctorate either before recruitment or at any time subsequent thereto while in service.
- 4.** The advance increments shall be granted from the date of initial recruitment, if the officer has already acquired the post graduation degree or Doctorate and from the date of acquiring the post graduation or Doctorate degree, if acquired after joining the service.
- 5.** The advance increments shall be made available to the officers only and only if the higher qualification has been acquired through regular studies (full time or part time) and not through distant learning programmes.

- 6.** The benefit of advance increments shall not be extended at the ACP stage (ACP I or II). However, the advance increment shall be available when the Officer is promoted from Civil Judge (Jr. Div.) to Civil Judge (Sr. Div.) and from Civil Judge (Sr. Div.) to District Judge cadre.
- 7.** The advance increments shall be available in the District Judge Cadre from District Judge (Entry Level) to District Judge (Selection Grade) and from District Judge (Selection Grade) to District Judge (Super Time Scale).
- 8.** The advance increments for all practical purposes shall be part of salary and Dearness Allowance shall be available on the same.



**X. HILL AREA/TOUGH LOCATION ALLOWANCE**

**SUMMARY OF RECOMMENDATIONS**

- 1.** Hill Area/Tough Location Allowance @Rs.5000/- per month shall be paid to the Judicial Officers posted in hill areas/tough locations.
- 2.** More beneficial provision, if any, already applicable to the officials of the State/UT shall be extended to the Judicial officers.
- 3.** In case of doubt, whether a particular area can be considered to be hilly or tough location area, decision of the High Court shall be followed in relation to the Judicial officers.
- 4.** This allowance shall be available w.e.f. **01.01.2016.**

**XI. HOME ORDERLY/DOMESTIC HELP ALLOWANCE****SUMMARY OF RECOMMENDATIONS**

- 1.** The Home-cum-office orderly allowance shall be available to the serving Judicial officers at the following rates :

**District Judges** : minimum wages for one unskilled worker in the concerned State/UT subject to minimum of Rs.10,000/- per month.

**Civil Judges** : 60% of the minimum wages for one unskilled worker in the concerned State/UT subject to minimum of Rs.7,500/- per month.

- 2.** Judicial officers getting higher allowance on this account by virtue of the orders issued by some States, they may continue to draw the same.

- 3.** The allowance at the aforesaid rates shall be available to the Judicial Officers **w.e.f. 01.01.2016** in States where they are getting the same prior to 01.01.2016 and in other cases, **w.e.f. 01.01.2020**.

- 4.** The Judicial officers provided with Group D employee as an Attender/Peon/office subordinate for residential duties may exercise their option either to continue with the present system and forego the allowance that has been recommended or to claim the allowance instead of availing the services of the official Attender/Peon.

- 5(a)** The payment of home orderly allowance should not result in discontinuance of practice, if any, of deputing the Office Peons/ Attenders or other Group D employee during nights at the residences of (i) Magistrates who are called upon to attend the Judicial work at times during night times. (ii) the Office Peon/Attender or such other Group D employee deputed for night duty at the residence of Judicial officer living in the areas generally considered to be disturbed or security risk areas or outsourced security guards to be deployed in such areas and (iii) such personnel can also be deputed to the residence of Principal District Judge or equivalent rank officer having administrative responsibilities.
- (b)** The deployment of Peons/Attenders for such residential duties shall be subject to the availability of Group D/Class IV personnel and without detriment to Court related duties.
- 6.** Drawing up a panel of Home Orderlies/residential attendants/ sevaks appointed on consolidated salary equivalent to minimum wages and allotting them to the Judicial officers (as suggested by the Madras High Court) can be thought of as an alternative subject to the decision taken in this regard by the concerned High Court. However, in such a case, Home Orderly allowance cannot be claimed.

**7a.** Domestic Help Allowance to the pensioners and family pensioners shall be available at the following rates from

**01.01.2016 :**

Pensioner : Rs.9,000/- per month

Family pensioners : Rs.7,500/- per month

**7b.** This allowance shall stand increased by 30% on completion of five years from 01.01.2016 that is, **w.e.f. 01.01.2021.**

**8.** The allowance shall be drawn on the self certification of the Judicial Officer/Pensioner/Family Pensioner.

**XII. HOUSE RENT ALLOWANCE & RESIDENTIAL QUARTERS**

**SUMMARY OF RECOMMENDATIONS**

- 1.** State Governments, with a sense of urgency to undertake construction of properly designed residential complex or residential quarters for the Judicial Officers.
- 2a.** The official Government accommodation or requisitioned private accommodation to be made available to the Judicial Officer(s) within one month of taking charge of the post.
- b.** The minimum plinth area for the residential accommodation shall be as follows:

<b>District Judge</b>	:	2500 sq.ft.
<b>Civil Judge</b>	:	2000 sq.ft.
- c.** If the official government accommodation or requisitioned private accommodation is not made available to the Judicial Officer within the prescribed time, the Judicial Officer may secure private accommodation.
- d.** If the rent of the private accommodation so secured is within the admissible house rent allowance, no fixation of rent by any authority is required. The Judicial officer concerned shall however, certify the actual rent being paid.

- e. If the rent of the private accommodation is more than the permissible house rent allowance, there shall be rent assessment by the Principal District Judge who may seek the assistance of PWD/R&B officials for this purpose. However, the process shall not be delayed.
- f. The Principal District Judge may seek the approval of the High Court if the variation between the permissible house rent allowance and the rent assessed is more than 15% unless the officer is prepared to bear the differential cost.
- 3a. The rates of HRA notified by the Central Govt (Dept. Of Expenditure) in O.M.No. 20/5/2017-E II (B) dated 07.07.2017 (**Appendix I, Vol.III, Pages 84 to 86**) shall be applied to all Judicial Officers. They are as follows:

Rates of HRA per month  
as percentage of basic pay

24%  
16%  
8%

- b. The rates of HRA shall be 27%, 18%, 9% of the basic pay when the DA crosses 25% **and** 30%, 20% and 10% when the DA crosses 50% in terms of the OM dated 07.07.2017 issued by Government of India (Department of Expenditure).

- c. The officers who are living in their own houses including the house of parents or spouse shall get the above rates notified by Govt of India (Dept of Expenditure) w.e.f. **01.01.2016**:

Classification of cities/town

X  
Y  
Z

- d. The High Court may upgrade and add the cities/ towns presently covered in Y class to X class and from Z class (unclassified category at present) to Y class having regard to local conditions.
- e. The benefit of HRA at the rates recommended by the Commission shall be available to the officers already living in hired accommodation w.e.f. **01.01.2020** depending on the actual rent being paid by them within the said ceiling.
- f. The Office of the Principal District Judge or other competent authority shall pay rent directly to the landlord in which case, the officer is not eligible to draw HRA.
4. Furniture grant of Rs.1.25 lakhs every five years shall be provided to the Judicial Officer subject to production of proof of purchase by the Judicial Officer. Household electrical appliances can also be purchased by availing of the said grant. The Officers having not less than two years of service will also be eligible for

this allowance. The option to purchase the furniture being used by the officer at the depreciated rate shall be available at the time of fresh grant or retirement.

- 4.1** Apart from the furniture grant, one air-conditioner shall be provided at the residence of every Judicial Officer once in every five years.
- 5.** To ensure proper maintenance and minor repairs of residential quarters and for attending to minimum rectification works required to be attended to immediately by an electrician, plumber etc., from time to time either at the official or rented accommodation, funds to the extent of Rs. 10 lakhs per annum shall be made available to each Principal District Judge, on the basis of the proposals sent by the Registry of the High Court. The same can also be utilized for repairs to old furniture if required. The District Judge can engage private agency for the said purpose and if necessary, seek the assistance of PWD for such engagement.
- 6.** Steps to be taken for construction of Guest house-cum-transit home for the Judicial Offices in major cities and important towns as decided by the High Court in a phased manner.



- 6a.** A time-frame of 6 months for initiating the proposals in this regard and allocation of funds during the financial year 2020-21 may be directed by the Hon'ble Supreme Court.
- 6b.** The renovation of existing Judicial Officers' guest houses (which are few in number) should also be taken up on priority basis.
- 7.** The Family Court Judges (ex cadre) such as in Maharashtra to be provided General Pool accommodation by scaling up the preference now being given.

**XIII. LEAVE TRAVEL CONCESSION (LTC)**

**SUMMARY OF RECOMMENDATIONS**

- 1.** No payment shall be made for not availing the LTC.
- 2.** Encashment of 10 days earned leave while availing LTC (not HTC) (subject to the maximum of 60 days) shall continue. The same will be in addition to encashment of 300 days at the time of retirement and 30 days encashment in a block of two years.
- 3a)** One LTC and one HTC in a block of 3 years shall be available to the Judicial Officers.
- (b)** HTC shall be allowed 2 times in the first block of 3 years for fresh recruits. However, the block of 3 years will commence on completion of the period prescribed for probation (not necessarily declared).
- 4a)** The Judicial officers irrespective of their rank shall be allowed to travel by air and the reimbursement shall be made subject to the condition that the tickets have been purchased either directly from the Airlines or from the agents authorized, namely, Ashoka Travels, Balmer and Lawrie and IRCTC by the Central/ State Government subject to further addition or deletion of the authorized agent by the Central/State Government.

- b)** The other details such as class of travel, advance etc. shall be governed by the respective Rules/Orders of States/UTs.
- 5.** The Judicial officers shall be allowed to carry forward LTC anywhere in India beyond retirement for a period of one year.
- 6.** No LTC/HTC facility shall be available to the retired Judicial officers.
- 7.** The District Judges and Senior Civil Judges shall be permitted to travel to SAARC countries while availing LTC, however the said facility shall be restricted only to two occasions in their service career and they have to travel in economy class.
- 8.** For availing LTC/HTC, it shall not be necessary to avail earned leave only. LTC/HTC can be availed by availing casual leave as a prefix and suffix to the extent of two days.

**XIV. MEDICAL ALLOWANCE AND MEDICAL FACILITIES****SUMMARY OF RECOMMENDATIONS**

- 1.** Fixed medical allowance shall be payable @Rs.3,000/- p.m. to the serving Judicial Officers with effect from **01.01.2016**.
- 2.** Fixed medical allowance shall be payable @Rs.4,000/- to the pensioners and family pensioners with effect from **01.01.2016**.
- 3.** The spouse or other dependents of Judicial Officers drawing family pension shall also be eligible for medical facilities/ reimbursement at par with the pensioners of the judiciary.
- 4(a)** The necessity of reference from the Medical Officer of a Government hospital shall be dispensed with. Straightaway, the Judicial Officers including pensioners/family pensioners shall be entitled to have consultations/treatment in the Government notified/empanelled private hospitals/Pathological Labs and seek reimbursement by submitting the bills as per the usual procedure (which is now being followed).
- 4(b)** In regard to Judicial Officers governed by DGEHS or CGHS, the existing procedure which is quite simple and systematic, can be followed.

- 4(c)** The Principal District Judges or Registry of High Court [in respect of Principal District Judge] shall be empowered to address credit letters to the concerned hospitals where the Judicial Officer or Judicial Pensioner/Family Pensioner has been or to be admitted as inpatient.
- 4(d)** For the Pensioners and Family Pensioners, a Medical Card on the lines of what is being issued in Delhi as shown in **Appendix III (Vol.III, Pages 119 and 120)** shall be issued by the Principal District Judge.
- 4(e)** The expenditure incurred towards inpatient treatment or for serious ailments requiring more or less continuous treatment shall be processed and sanctioned by the Principal District Judges or other authorized Officer of that rank or as the case may be by the Registry of the High Courts.
- 4(f)** In the case of emergency, the Judicial Officer, serving & retired as well as the family pensioner can take treatment in any nearest private hospital – not necessarily, Government notified hospitals and seek reimbursement as per the usual procedure. If necessary, Credit letter shall be issued for this purpose.
- 5.** On submission of the estimate given by the recognized/empanelled hospital, 80% shall be sanctioned as advance,

subject to preliminary scrutiny by the Principal District Judge or a District Judge of equivalent rank authorized by the Registry of the High Court. The balance shall be reimbursed on certification by the designated Civil Surgeon or Official of the Directorate of Medical & Health Services as the case may be. If the Government approved rates are not available for any particular item, the certifying officer shall have due regard to the rates generally charged in the hospitals concerned. Though there needs to be scrutiny before sanctioning the payment in view of the tendency to exaggerate the estimates, the extent of disallowance shall be minimal and the reasons for disallowance shall be disclosed by the certifying authority. The bills sent by the District Judge for scrutiny of the designated Civil Surgeon/Officer of Directorate shall be cleared within a maximum period of one month from the date of receipt.

**6(a)** The retired Judicial Officers and the family pensioners who have settled down in another State shall have the facility to claim medical reimbursement/advance from the State from which s(he) is drawing pension/family pension.

**6(b)** The cost of treatment including room charges/tests undergone in any Government/Government notified/recognized hospitals/pathological labs in an emergency or otherwise shall be

reimbursed to the serving officers on tour (official or private purpose) to another State or settled in another State after retirement even though it is not recognized hospital/lab in the State in which the officer is serving or had served.

- 7.** The Registry of the High Court shall examine whether the notified/empanelled hospitals sufficiently cater to the needs of the Judicial Officers including the pensioners/family pensioners and send proposals to the Government for notifying additional hospitals/pathological Labs to the extent it is considered necessary.
- 8.** To avoid delays in processing and sanctioning the bills for want of funds, the Registry of High court shall take prompt action in addressing the Government for releasing additional funds and the Finance Department of the State shall take immediate action by way of making available the additional funds to the High Court on this account.

**XV. NEWSPAPER/MAGAZINE ALLOWANCE**

**SUMMARY OF RECOMMENDATIONS**

- 1.** Reimbursement for newspaper and magazines shall be Rs.1000/- for District Judges (two newspapers and two magazines) and Rs.700/- for Civil Judges (two newspapers and one magazine).
- 2.** The reimbursement shall be on half yearly basis from January to June and July to December, on the basis of self certification.
- 3.** The allowance at the above mentioned rates shall be available from **01.01.2020**.
- 4.** More beneficial provision already in operation in any State shall continue.



**XVI. RISK ALLOWANCE**

**SUMMARY OF RECOMMENDATIONS**

- 1.** Risk allowance shall be made available to the Judicial Officers working in the States of Jammu & Kashmir and insurgency affected North East States at the same rate as is available to the Civilian Government officials working in those areas.
  
- 2.** The allowance will be available w.e.f. **01.01.2020.**

**XVII. ROBE ALLOWANCE**

**SUMMARY OF RECOMMENDATIONS**

- 1.** The robe allowance shall payable @Rs.12,000/- once in 3 years w.e.f. **01.01.2016**.
  
- 2.** The demand may not be raised before the next Commission.

**XVIII. SPECIAL PAY FOR ADMINISTRATIVE WORK**

**SUMMARY OF RECOMMENDATIONS**

- 1.** Special Pay for Judicial officers doing administrative work shall be payable to :
  - a)** Principal District and Sessions Judges : Rs.7000/- per month
  - b)** Other District Judges including I Additional District Judges entrusted with administrative work who have to generally spend time beyond Court working hours : Rs. 3500/- per month.
  - c)** District Judges presiding over Special Courts and Tribunals having independent administrative responsibilities : Rs.3500/- per month.
  - d)** CJMs **and** Principal Senior, Junior Civil Judges and other Judicial Officers having administrative responsibilities being in charge of independent Courts with filing powers : Rs.2000/- per month.
- 2.** The Special Pay shall be available w.e.f. **01.01.2019**.

**XIX. SUMPTUARY ALLOWANCE**

**SUMMARY OF RECOMMENDATIONS**

- 1.** The sumptuary allowance shall be available to the Judicial Officers at the following rates :

District Judges	Rs. 7,800/- per month
Civil Judges (Sr. Div.)	Rs. 5,800/- per month
Civil Judges (Jr. Div.)	Rs. 3,800/- per month

- 2.** The allowance shall be available **w.e.f. 01.01.2016.**

- 3.** The following categories of Judicial Officers shall get Rs.1,000/- (One thousand) more by virtue of their status or the additional responsibilities they shoulder.

- Principal District Judge in-charge of administration in the Districts/Cities
- District Judges in selection grade and super time-scale.
- Director of Judicial Academy/Judicial Training Institute/Member Secretary, State Legal Services Authority
- Chief Judicial Magistrate/Chief Metropolitan Magistrate

- 4.** No sumptuary allowance shall be payable to retired Judicial Officers.

**XX. TELEPHONE FACILITY****SUMMARY OF RECOMMENDATIONS**

**1.** The Judicial Officers shall be provided with the following telephone facilities:

**i. Residential Telephone (Landline) :**

**(a)** The landline telephone and broadband facility (by the same or different service providers) shall be provided at the residence of the Judicial Officers with the permitted user as follows :

District Judges : Rs.1500/- per month

Civil Judges : Rs.1000/- per month

inclusive of rent, calls (local and STD both) and internet use.

**(b)** At places where broadband facility is not available, the permissible user shall be :

District Judges : Rs.1000/- per month

Civil Judges : Rs.750/- per month

inclusive of rent and calls (local and STD both).

**ii.(a)** The provision of mobile phone (handset) with internet shall be as follows:

District Judge : Rs.30,000/-

Civil Judges (Jr. & Sr. Divisions) : Rs.20,000/-

And the permissible user shall be :

District Judges : Rs.2000/- per month

Civil Judges : Rs.1500/- per month

inclusive of internet data package.

- (b) At the request of the Judicial Officers, the mobile phone handset shall be replaced once in three years.
- (c) The Judicial Officers shall be given option to retain the old mobile phone handset at a price to be determined as per the guidelines prescribed by the Registry of High Court.
- (d) The existing facilities in so far as they are more beneficial by virtue of the order issued by some of the State Governments/ UTs shall be continued notwithstanding the above recommendations.

**iii. Office Telephone:**

Regarding telephone connection to the office, the present arrangement shall continue.

**XXI. TRANSFER GRANT****SUMMARY OF RECOMMENDATIONS**

- 1.** On transfer, the composite transfer grant shall be equivalent to one month's basic pay.
- 2.** If the transfer is to a place at a distance of 20 kilometres or less or within the same city (if it involves actual change of residence), the transfer grant shall be 1/3<sup>rd</sup> of the basic pay.
- 3.** For the transportation of personal effects, the O.M. dated 13.07.2017 (**Appendix I, Vol.III, Pages 154 to 159**) issued by the Department of Expenditure; Government of India pursuant to the recommendations of VII CPC shall be applicable.
- 4.** In case of transportation by road, the admissible amount shall be Rs.50/- per km. inclusive of labour charges for loading and unloading or the actual whichever is lower. The said amount shall be raised by 25% when the DA increases by 50%.
- 5.** The recommendations will come into effect from **01.01.2016**.
- 6.** The Officers who have undergone transfer(s) after 01.01.2016 and their claims for transfer grant paid as per pre-revised pay scales, shall be paid the differential amount on the basis of revised pay w.e.f. **01.01.2016**.

### **SUPPLEMENTAL REPORT**

There are three topics which could not be included in this part of this report. They are :

1. Restoration of commuted pension.
2. Review at the age of 58 years.
3. Availment of the services of retired Judicial Officers.

Certain clarifications and additional inputs required especially in regard to the first item i.e. restoration of commuted pension.

The Commission will be submitted a supplemental report on these points shortly.



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Former Judge High Court of Kerala  
MEMBER

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