

THE HIGH COURT OF JUDICATURE AT PATNA .

Pursuant to the direction of the Hon`ble Supreme Court passed in W.P.(C) No-643 of 2015 (All India Judges' Association - Vs - Union of India and Others) on 04.01.2024, the Committee for Service Condition of the District Judiciary (in short CSCDJ) has already been constituted by the Hon`ble Chief Justice of the Patna High Court. After detailed deliberation, the CSCDJ comprising of The Hon`ble Mr. Justice P. B. Bajanthri, Judge, Patna High Court -cum Chairman and Hon`ble Mr Justice Nawneet Kumar Pandey, Judge, Patna High Court formulates the following Standard Operating Procedure (SOP) for proper implementation of the recommendation of the SNJPC in respect of pay, pension, allowances and all allied matters as approved by the Hon`ble Supreme Court including all the payment of arrears of salary and pension of the Judicial Officers, pensioners and family pensioners etc. of the State of Bihar.

STANDARD OPERATING PROCEDURE FOR DISBURSEMENT OF ARREAR AND CURRENT CLAIMS AND ALLOWANCES TO THE SERVING AND RETIRED JUDICIAL OFFICERS AND FAMILY PENSIONERS IN COMPLIANCE OF THE JUDGEMENT OF THE SUPREME COURT OF INDIA DATED 04.01.2024 IN WRIT PETITION (CIVIL) 643 OF 2015.

1. The Law Department, Government of Bihar with concurrence of Finance Department shall provide adequate funds in each head, in respect of pay, pension, allowances and all allied matters to comply with the direction of the Hon`ble Supreme Court and for proper implementation of the recommendation of the Second National Judicial Pay Commission (in short SNJPC) as approved by the Hon`ble Supreme Court.

2. The State Government and all the concerned authorities shall act in terms of the above direction passed by the Hon'ble Supreme Court on 04.01.2024 and earlier in W.P(C) 643 of 2015 and disbursement on account of arrears of salary, pension and all allowances due and payable to Judicial Officers, retired Judicial Officers and family pensioners shall be computed and paid on or within timeline and compliance report be submitted to the Registrar General.
3. The Law Department, Government of Bihar with the concurrence of Finance Department to pass necessary direction by which the above bills can be passed in anticipation of allotment to comply with the above direction of the Hon'ble Court and sufficient funds may be released by the concerned department in order to disbursement of arrears of pay and allowances in compliance with the direction of the Hon'ble Supreme Court.
4. In the G.O/ Notification the effective dates, Major/Minor heads of Accounts from which the current and arrears claim/ allowances be drawn / reimbursed shall be mentioned. Keeping in mind the timeline of payment of allowance fixed by Honble Supreme Court, Allowances to be paid which do not fall under any prescribed/existing heads for payment, shall be paid from the contingency head/pay or salary head till the head of new allotment is created.

5. The Major/Minor Head of Accounts from which the arrear and current claims/allowances be drawn/reimbursed shall also be created by the concerned Department at the earliest.
6. For drawal of all the arrear and current claims of both serving and retired Judicial Officers as well as Family Pensioners, the Finance Department shall allocate sufficient funds in appropriate Head of Accounts at the disposal of the respective Drawing and Disbursing Officer(DDO).
7. The requirement for issuing a payslip for the payment of specific allowances which form part of Salary can be waived for the time being keeping in mind the timeline of payment of allowance fixed by Honble Supreme Court, provided that officers apply for the payslip within a month of receiving the allowance. The Department of Finance will then issue the payslip. If there are any discrepancies in the payment, officers are responsible for returning any excess amount they may have received.
8. All the District Judges and heads of office shall constitute a special team to prepare the above bills for disbursement of the arrears and current amounts to comply with the direction of the Hon'ble Supreme Court. The District Judges must also appoint a Judicial Officer who can make necessary communication with the Nodal agencies and Nodal Officer of this Committee pertaining to implementation of the direction.

9. The Registry shall supply all the detailed information of retired Judges and family pensioners to the Registrar General and office of the Accountant General, Bihar by 01.05.2024 to maintain a database with a process for periodical updating, at least on a quarterly basis and the same be uploaded in the website of the court by the I.T cell of Patna High Court.

10. The Judicial Officers, pensioners and family pensioners shall not be harassed in any form by any authority in the smooth release of their entitlements including salary, allowance and pensionary benefits.

11. The Judicial Officers, pensioners and family pensioners retired after 01.01.2016 shall furnish the claims and raise the Bills/self-declaration within three days from the publication of the SOP or circulation for Requisition / Notice / Request for submissions of Bills/self-declaration. The Bills/declaration may be processed within a period of one week. There is no need of certification who retired prior to 01.01.2016.

12. Time periods given, be strictly followed without any exception in view of direction of the Hon'ble Supreme Court.

13. If the arrear salary/retiral & pensionary benefits, of any serving Judicial officer/pensioner/family pensioner has not been disbursed by their respective Heads of Department/DDO as per previous orders of the Hon'ble Supreme Court, it shall be paid with immediate effect and compliance reports be submitted to the Registrar General

of the High Court for onward submission before the Hon'ble Supreme Court of India.

14. For smooth disbursement of salary, allowances, arrears and other service and retiral benefits, the following Government Authorities are hereby declared as Nodal Agencies –

- Principal Secretary, Finance Department, Govt. of Bihar;(0612-2215805)
- Accountant General (A & E), Bihar; (0612-2223251)
- Secretary-cum-LR, Law Department, Govt. of Bihar;(0612-2217666)
- Secretary, Health and Family Welfare Department, Govt. of Bihar(0612-2215809/2215801)
- District Judges of all the Judgeships of Bihar; (Contact number is available at annexure I of SoP)
- Joint Registrar(Establishment), High Court of Judicature Patna; (0612-7158615)
- Joint Registrar (Judicial) Patna High Court(Both will be Representative of Registrar General, Patna High Court)(0612-7158607)
- Heads of Department of all the Courts/Offices/Institutions of the Government where Judicial Officers are working or have worked on deputation. ((Contact number is available at annexure II of SoP)

15. The above authorities shall see that the disbursement on account of salary, pension and allowances and its arrears due and payable to Judicial Officers, retired Judicial Officers and family pensioners shall be computed every month and paid within timeline fixed by the Honble Supreme Court.
16. If the officers are entitled to Official vehicle and driver and it has not been actually provided properly to them in exclusive manner, they shall not be deprived of the pecuniary benefits in the light of the direction of the Hon'ble Supreme Court.
17. As per direction of the Hon'ble Supreme Court, the Principal Secretary / Addl. Principal Secretary, Health Department, Government of Bihar in consultation with the District Magistrate of each District shall ensure that Hospitals / Institutions for Medical Investigations of requisite standard with necessary facilities are empaneled for every district without compromising the standard. The District Magistrates / Collectors of the District shall render all necessary assistance for due streamlining of the empanelment. Preliminary compliance Report be submitted by 02.04.2024 and if any follow up action is required, same be completed within a month thereof.
18. The Judicial Officer/Pensioner/Family Pensioner, shall be at liberty to bring to notice, in writing, any grievance or issue relating to disbursement of arrear and current claims and allowances to the Nodal Officer concerned of the respective District where the Judicial

Officer is currently posted or from where the Judicial Officer demitted office, who in turn shall bring it to the notice of the Nodal Agency or directly to Nodal Officer of the committee within three days from such receipt. The Nodal Agency shall forthwith take effective steps for redressal of the issue under an intimation to the “Committee for Service Condition of the District Judiciary (CSCDJ)”.

19. Joint Registrar (Establishment) shall monitor and coordinate the functioning of all the Nodal Agencies. Instant grievance of Judicial Officer, if not addressed at District level, regarding payment of arrears, within timeline, may be directly emailed to his official email jd-amitmanu@aj.gov.in

20.(i) The application for the House Building Advance shall be processed within a period of two months from the receipt of the application. Law Department in coordination with Finance Department of the Government of Bihar shall ensure that Permissible Soft Loans applied by the officers shall be finally processed within a period of two months, from the date of receipt of application by the Law Department.

(ii) Fixed Education Allowance of Rs.2,250/- per month and Hostel grant of Rs. 6,750/- per month is admissible for education of each child (for two children only) up to twelfth (XII) standard.

(iii) If a Judicial Officer is assigned with the charge of another Court for a period of more than 10 consecutive days, then monthly allowance at the rate of 10 percent of the minimum pay scale of the post of additional charge held by the said Judicial Officer, shall be admissible, provided that the officer in charge of the additional court has functioned as if they were the successor court. Mere formal order signing of routine order of adjournment as Incharge court does not qualify the officer for this allowance as such the District and Sessions Judge shall form a committee of two seniormost Additional Judges of the Judgeship to verify the claim of judicial Officer.

(iv) In addition to the aforesaid allowance, the reimbursement of the expenses on petrol/diesel/fuel of 100 litres per month shall be admissible for the Cities, whereas 75 litres per month at other places. Regarding fuel allowance, it is advised to adhere to the categorization of cities for the House Rent Allowance (HRA) according to the seventh pay commission (O.M. No. 02.05.2014-EII(B) dated 21.07.2015) and the subsequent Notification of the Bihar government outlined in संकल्प संख्या 3ए-3-भत्ता 01/2017-8043/ वि, दिनांक 11.11.2017 of Department of Finance ,Government of Bihar. The arrears of fuel allowance will be disbursed at the revised rate from the cutoff date of pay revision, based on self-certification provided by the officer, taking into account the significant passage of time.

(v) Furniture allowance amounting to Rs.1,25,000/- for a period of five years, as well as air conditioner allowance for a five-year block,

will be granted at the updated rate. The block year for such allowance shall commence from the year 2024. For purchase of Mobile Phone, the block year shall start from the year 2024. The Judicial officer shall be given option to retain old handset at a price to be prescribed by the Registry of the High Court.

21. Henceforth **the new rate of allowances thereof** will be disbursed based on self-certification, unless specific rules necessitate the submission of bills.

22. **For arrears of allowance**, necessary self- declarations be obtained from the concerned Judicial Officers in computation of arrears of each allowances, which shall form the basis of payment of arrears, and production of original bills for the corresponding period not to be insisted upon, considering significant passage of time.

23. The SOP is framed as per the direction of Hon'ble Supreme Court and the above SOP published on the website of the Court shall be communicated to all concerned for their information and further compliance.

ANNEXTURE I

TELEPHONE NUMBERS OF DISTT & SESSIONS JUDGES OF SUBORDINATE COURTS OF BIHAR

Name of Judgeship	Telephone Number of Distt. & Sessions Judge			Fax.No
	S.T.D Code	Office	Residence	
Aurangabad	06186	222302	223108	222308
Begusarai	06243	212336	200535	212336
Bhagalpur	0641	2401250	2400260	2400783
Bhojpur (Ara)	06182	221356	233456	221356
Buxar	06183	222681	223388	222118
Darbhanga	06272	240377	240355	242361
East Champaran (Motihari)	06252	232631	232663	232631
Gaya	0631	2327401	2220307	2420049
Gopalganj	06156	224681	224748	224678
Jamui	06345	222055	222092	
Jehanabad	06114	223007	223171	223853
Kaimur (Bhabhua)	06189	223396	223832	223396
Katihar	06452	222676	222677	223587
Khagaria	06244	222368	226902	223780
Madhepura	06476	222142	222769	222070
Madhubani	06276	222220	222219	225095
Munger	06344	222343	222459	222496
Muzaffarpur	0621	2212260	2214050	2214042
Nalanda (Biharsharif)	06112	225213	225212	225484
Nawadah	06324	212286	212286	212304
Patna	0612	2300828	2224451	2300004
Purnea	06454	222537	222512	224743
Rohtas(Sasaram)	06184	221062	221281	225455
Saharsa	06478	223524	223624	223524
Samastipur	06274	222351	222352	221122
Saran (Chapra)	06152	232344	232274	232344
Sitamarhi	06226	250256	250543	250256
Sheohar				
Siwan	06154	222246	222237	227002
Vaishali (Hajipur)	06224	275523	272311	272396
West Champaran	06254	232744	232745	232744

ANNEXTURE II

Sl. No.	Heads of Department of all Courts / Offices / Institutions of the Government where Judicial Officers are working or have worked on Deputation	Phone No.		
		Office	Mob. No.	Fax No.
1	Principal Secretary, Transport Department	0612-2547070		
2	Commissioner-cum-Secretary, Commercial Tax Department	0612-2214741		
3	Director, Bihar Judicial Academy	0612-7156523		7156789(F)
4	Secretary, Minority Welfare Department (Wakf Board)	0612-2236742		
5	Member Secretary, Bihar State Legal Service Authority	0612-2508390		0612-2201390
6	Secretary-cum-L.R., Law Department, Govt. of Bihar	0612-2217666 0612-2217763		
7	Principal Secretary, Labour Department	0612-2533855 0612-2535004		
8	Principal Secretary, Health Department	0612-2215809/ 0612-2215801		
9	Principal Secretary, Food and Consumer Protection Department	0612-2217799 0612-2232003		0612-2239760
10	Principal Secretary to Governor, Governor Secretariate	0612-2217468		0612-2786178
11	Secretary, Bihar Legislative Assembly	0612-2217840	9431012736	
12	Secretary, Bihar Legislative Council	0612-2215667		0612-2215683
13	Secretary, Building Department	0612-2547656		0612-2547746
14	Principal Secretary, Urban Development and Housing Department	0612-2215550		0612-2217059
15	A.C.S., Revenue and Land Reforms Department	0612-2215259		0612-2235811