

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
I.A. No. of 2024
In
WRIT PETITION (C) No.643 OF 2015

IN THE MATTER OF:

All India Judges Association

... Petitioner

Versus

Union of India

...Respondent

AND IN THE MATTER OF:-

N. Suresh, S/o. R. Narayanan
Secretary of the Tamil Nadu Judge's Association
having office at 3rd Floor,
Madras Advocate Co-Operative Society Canteen,
Near Aavin Gate, City Civil Court Campus,
Chennai-600 104,
Tamil Nadu.

...Applicant/Respondent

FILING INDEX

Sl. No.	Particulars	Copies	Court Fees
1.	Application for seeking impleadment	1+3	100/-
2.	Vakalatnama and Memo of Appearance on behalf of applicant.	1	10/-
		Total Rs.	----- 110/- -----

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Mr. Arjun Clerk

IC No.4244

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Filed on:22.08.2024



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I.A.No. of 2024

An application for seeking impleadment with affidavit

COUNSEL FOR THE APPLICANT:M.P.PARTHIBAN

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APPLICATION SEEKING IMPLEADMENT OF ABOVE NAMED
AS RESPONDENT IN THE PRESENT WP.

To,

The Hon'ble Chief Justice of India
And His Companion Justices of the
Hon'ble Supreme Court.

The humble application of the applicant.

MOST RESPECTFULLY SOWETH:-

1. That the application is filing in W.P.(Civil) No.643 of 2015.
2. The applicant is the Association of the Judges of the District Judiciary of the State of Tamil Nadu. The said Association is recognized by the Government of Tamil Nadu. The Applicant Association is taking care of the interests of the Judicial Officers of the District Judiciary.
3. The Applicant Association seeks to implead itself as a party in Writ Petition (Civil) No.643 of 2015 filed by the All India Judges Association in the following circumstances:

This Hon'ble Court by order dated 04.01.2024 has directed the State Governments/Union Territories to give effect to implement the recommendations of the Second National Judicial Pay Commission (SNJPC). The SNJPC amongst other recommendations in the respect of conveyance/transport charges have made the following recommendations (vide page 32 of Volume III of the Report). The said recommendation is in respect of conveyance/transport allowance.

4. This Hon'ble Court in the order dated 04.01.2024 in paragraphs 33 and 34 has considered the said report and has directed as follows ;

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“33 As regards Conveyance/Transport Allowance, the SNJPC made the following recommendations:

(a) The pool car service for various judicial officers, as recommended by FNJPC, must be dispensed with. However, if the officers wish, they can forgo the transport allowance and continue with the pool car service for a period of one year or so;

(b) The transport allowance at the rate of Rs 10,000 per month be given to those judicial officers who own the car so as to cover the cost of maintenance and driver's salary and this will be increased to Rs 13,500 from 01.01.2021. The transport allowance would be payable at a reduced rate of Rs 4,000 per month in those States where there is an existing practice of allocating a driving-knowing office attendant/peon to the officer;

(c) In addition to the transport allowance, there should be a reimbursement of the cost of 100 litres of petrol/diesel in cities and 75 litres of petrol/diesel in other areas;

(d) After the recommendations of FNJPC, the following judicial functionaries were eligible for official vehicles, namely, Principal District Judge, Chief Judicial Magistrate/Chief Metropolitan Magistrate, Principal Judge of City Civil Court and Principal Judge of Small Causes Court. In addition to these functionaries, three

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more judicial functionaries would be eligible for official vehicles, namely, Director of the Judicial Academy/Judicial Training Institute, Principal Judge of the Family Courts and Secretary of the District Legal Services Authority. The High Courts were permitted to prune down the list depending upon the financial capacity of the State;

(e) The quantum of petrol/diesel for official cars would be raised to the actual consumption for official purposes as certified by the concerned official and supported by a log book, which would be maintained. The judicial officers using official cars may be permitted to use them for private purposes to the extent of 300 kms per month;

(f) The judicial officers shall be permitted to exhibit a sticker at their option on the lower left side of the windscreen with inscription 'Judge' printed in moderately sized letters; and

(g) Soft loan facilities to the extent of Rs ten lakhs at nominal interest for the purchase of car shall be extended to the judicial officers.

34 The report of the SNJPC in regard to the payment of conveyance/transport allowance is accepted. All

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concerned authorities shall take steps for the purpose of implementing the recommendations..

5. The Applicant respectfully submit that though in the recommendation the Commission has recommended that the conveyance of the transport allowance should be given to a Judicial Officer who own a car in their name or in the name of the spouse, in paragraph 33 of the said order there is no mention about the car owned by the spouse. It is submitted that several Judicial Officers though do not have cars in their names but are using vehicles which are registered in the names of their spouses.
6. The Applicant respectfully submit that in compliance with the order of this Hon'ble Court, the Government of Goa has issued order dated 14.02.2024 wherein in paragraph 5, the Government of the Goa has directed payment of conveyance /transport allowance to both judicial officers who own four wheeler vehicles in their own name or in the name of their spouse.
7. Similarly, the Government of Maharashtra has issued an order dated 06.02.2024, wherein in paragraph 5, the Government has directed payment of conveyance/ transport allowance to those judicial officers who own four wheeler vehicle in their own name or in the name of the spouse.
8. But so far as the State of Tamil Nadu is concerned, the Government has issued GO MS No.473 Home Court

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Department dated 14.08.2024 wherein the Government has directed in paragraph 5 payment of conveyance /transport allowance only to judicial officers who own the car. In other words, a judicial officer who uses the car in the name of the spouse is not entitled for the said allowance. This is contrary to the recommendation of the Pay Commission.

9. This Hon'ble Court in the final order dated 04.01.2024 in paragraph 17 has held as follows :

“17 This Court has categorically held that there is a need to maintain uniformity in the service conditions of judicial officers across the country. Thus, the plea that rules of each State must govern pay and allowances, lacks substance”.

10. In view of the above position of law as held in paragpoh 17, there has to be uniformity in the matter payment of conveyance/transport allowances to the judicial officers in all the States/Union Territories. As demonstrated above, to the knowledge of the Applicant, two State Governments have allowed payment of conveyance/transport allowance to those officers who do not own a car in their name but use the car in the name of their spouse. The Government of Tamil Nadu cannot therefore take a different stand and decline to pay the said allowance to the judicial officers who use the car of their spouses. Therefore, it is necessary that the Hon'ble Court may be pleased to issue a direction to Government of Tamil Nadu to

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amend the said GO so as to allow the payment of conveyance/transport allowance to those officers who use the car of their spouses.

11. It is further submitted that the Commission recommended payment of the conveyance /transport allowance to those officers who do not own a car either in their names or in the names of their spouses. But the Tamil Nadu Government in the GO has not extended the benefit of the conveyance/ transport allowances to these officers. Therefore, it is submitted that this Hon'ble Court may be pleased to issue a direction to the State Government to implement the recommendations of the Pay Commission so as to pay the conveyance / transport allowance to these officers as well.
12. In view of the above, the Applicant prays that this Hon'ble Court be pleased to implead the Applicant/Association as a party / Petitioner in the above writ petition, and thus render justice.
13. The Government of Maharashtra has issued an order, wherein in paragraph 5, the Government has directed payment of conveyance/ transport allowance to those judicial officers who own four wheeler vehicle in their own name or in the name of the spouse. A true copy of the order dated 06.02.2024 issued by the Government of Maharashtra vide Government Decision No.HCT 1222/1065/Q.No.163(Part-2)/Ka-3, is annexed hereto as ANNEXURE A1 at pages 12-28

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14. The Government of Goa has issued order wherein in paragraph 5, the Government of the Goa has directed payment of conveyance /transport allowance to both judicial officers who own four wheeler vehicles in their own name or in the name of their spouse. A true copy of the order dated 14.02.2024 passed by the Government of Goa vide No.14/03/2018-LD (Estt.)/353 is annexed hereto as ANNEXURE A2 at pages 29-42
15. The Government of the State of Tamil Nadu has issued GO MS No.473 Home Court Department wherein the Government has directed in paragraph 5 payment of conveyance /transport allowance only to judicial officers who own the car. A true copy of the order dated 14.08.2024 passed by the Government of Tamil Nadu vide. G.O.(Ms) No.473 is annexed hereto as ANNEXURE A3 at pages 43-58
16. Hence the Applicant prays that this Hon'ble Court may be pleased to implead the Applicant- Tamil Nadu Judge's Association, Registration No. 70 of 2013 as a Respondent in Writ Petition (Civil) No. 643 of 2015 and thus, render justice.

PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may be graciously pleased to:-

- a) implead the abovenamed as Respondent in the present Writ Petition;

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b) pass such other and further order(s) as deemed fit and proper in the interest of justice and in the facts and circumstances of the present case.

AND FOR THIS ACT OF KINDNESS THE APPLICANT AS IS DUTY BOUND SHALL EVER PRAY.



FILED BY:-

M.P. PARTHIBAN
Counsel for the Applicant/Respondent

Date of Filing : 22.08.2024
Place : New Delhi

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...Respondent

AFFIDAVIT

I, N. Suresh, S/o. R. Narayanan aged 49 years, Secretary of the Tamil Nadu Judge's Association having office at 3rd Floor, Madras Advocate Co-Operative Society Canteen, Near Aavin Gate, City Civil Court Campus, Chennai-600 104, Tamil Nadu do hereby state on solemn affirmation as under:

1. That I am the applicant in the above application and I say that I am conversant with the facts, records and circumstances of the case and as such I am competent to swear this affidavit. on behalf of other applicants also.
2. I further state that I have gone through the accompanying application for impleadment which have been drafted by my counsel as per my instruction. I further state that all the contents stated therein are true and correct to the best of my knowledge and nothing material has been concealed therefrom.

- 3. I state that the Annexure A/I to A/... at pages ..12.. to 50... Enclosed with the Writ Petition are the true copies of the respective originals.
- 4. I say that contents, averments and facts stated therein above are true to the best of my knowledge and believe no part of it is false and nothing material has been concealed therefrom.

Thiru. N. SURESH, M.L.,
 General Secretary
 THE TAMILNADU JUDGE'S ASSOCIATION
 Registration No. 70/2013
 Reg. Off. at 3rd FLOOR,
 MADRAS ADVOCATE CO-OPERATIVE SOCIETY CANTEEN
 (NEAR AAVIN GATE),
 CITY CIVIL COURT CAMPUS,
 CHENNAI-600 104.

VERIFICATION

I, N. Suresh, the deponent above named do hereby verify that the contents of the above affidavit are true and correct, and believe that no part of it is false and nothing material has been concealed therefrom.

Verified at ^{Chennai} on this the ^{21st} day of August, 2024.

Thiru. N. SURESH, M.L.,
 General Secretary
 THE TAMILNADU JUDGE'S ASSOCIATION,
 Registration No. 70/2013
 Reg. Off. at 3rd FLOOR,
 MADRAS ADVOCATE CO-OPERATIVE SOCIETY CANTEEN,
 (NEAR AAVIN GATE),
 CITY CIVIL COURT CAMPUS,
 CHENNAI-600 104.



P. Babu
 21/08/24
 P. BABU, M.A.B.L.,
 Panel Advocate - ESI Corporation.
 Government of India-Notary Public
 No. 29, Laxmi Street, Shenoy Nagar
 '600 030 Cell: 93826 6651'

Translated

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ANNEXURE A-1

As per the order of the Hon'ble Supreme Court, the application of allowances to the Judges of the State as per the recommendations made by the Second National Judicial Pay Commission.

Maharashtra Government

Department of Justice,

Government Decision no. HCT 1222/1065/Q.No.163(Part-2)/Ka-3, Ministry, Mumbai-400 032.

Date :- 06 February, 2024.

- See :- 1) Government Resolution no. HCT-2009/Pro.No.141/Ka-3, dated 22/10/2010
- 2) Govt. HCT-2009/P.No.141/Ka-3, dated 05/01/2011
- 3) Judgment of the Hon'ble Supreme Court in Writ Petition No.643/2015 dated 27/07/2022 dated 19/05/2023.
- 4) Government decision no. HCT-1222/1065/Cr.163Ka-3, Dated.27/09/2022.
- 5) Government Decision No. HCT-2018/133/Pro.No.43/Ka-3, dated 24/03/2023.
- 6) Government Decision No. HCT-1222/1065/Pro.No.163(R-1)/Ka-3, dated 18/08/2023.
- 7) Hon. Writ Petition No. 643/2015 of Supreme Court v. Judgment dated 04/01/2024.

Introduction:-

Hon'ble Supreme Court Writ Petition (Civil) No. 643/2015, All India Judges Association-vs.-Union of India, in this case, the Hon'ble Supreme Court ordered the Second National Judicial Pay Commission (Hon. Justice Reddy Commission) to be established. Hon'ble Justice Reddy Commission in this regard in its Report January, 2020 submitted to the Hon. Supreme Court.

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2. Hon. The Supreme Court has passed an order dated 27/07/2022 and dated 19/05/2023 in Writ Petition No. 643/2015, and by this order has directed the recommendations made by the Hon'ble Reddy Commission regarding salary, retirement pay and other benefits of retirement be granted to serving and retire officers of all the states. It has been ordered to implement the above recommendations with effect from 01/01/2016 by applying to the all judges of the District Courts. Accordingly, the State Government has made the Government order /Regulations dated 27/09/2022 and 18/08/2023.

3. Subsequently, Hon. The Supreme Court vide its order dated 04/01/2024 has directed all the State Governments to accept and implement the recommendations made by the Hon'ble Reddy Commission regarding the allowances and other benefits recommended to the judicial officers and to provide the arrears. Accordingly, it was under consideration and up to the Government to apply the recommended allowances and other benefits to the judicial officers of the State as recommended by the Hon'ble Reddy Commission. Thus, the government is taking the following decisions. Government decision :-

In accordance with the recommendation made by the Hon'ble Justice Reddy Commission vide Hon. Supreme Court order dated 04/01/2024, the Government hereby grants permission to apply the following allowances and other benefits to the Judges of the State.

(1) House Building Advance (HBA): -

a) House Building Advance (Gharbani advance) will be admissible to State Judicial Officers like Central Government Servants. However, at present, judicial officers in the state are being granted (HBA) gharbani advance like state government employees, so the demand for (HBA) gharbani advance to judicial officers can be made as per the same rules as that currently prevailing in the state.

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According to the method Kakarwa Kendra can be done like government employees.

b) Advances are being allowed to the judicial officers to purchase ready-made houses from private individuals. It will be necessary for the judicial authorities to take the permission of the Hon'ble High Court before purchase the said house.

(2) Children Education Allowance: - The Children Education Allowance shall be admissible to all the Judicial Officers in the State. The said allowance shall be payable as per the Central Government's O.M. No. A27012/02/2017 • ESTI' (AL) dated 16.08.2017 and 16.07.2018 of the Ministry of Employees, Public complaints and Pension, Employees and Training Department and as per the amendments made therein from time to time, as under.

- (a) Fixed Education Allowance of an amount of Rs.2,250/- per month and Hostel allowance of an amount of Rs.6,750/- per month is made admissible for the education of each child (for two children only) upto twelfth standard.
- (b) The amount of allowance and grant mentioned at Sr. No. (a) above shall be double of the same for the children with special needs.
- (c) When there is a hike in the rate of dearness allowance by 50%, the said allowance and grant shall be increased by 25% at each time.
- (d) Reimbursement of the aforesaid education allowance shall be made on the basis of self-certificate.
- (e) For the reimbursement of the above-mentioned Hostel grant, it shall be necessary to produce the proof showing that the child has taken admission in the Hostel.
- (f) The above-mentioned allowance and grant shall be admissible from the Academic year 2019-2020.

(3) City Compensatory Allowance: - This allowance is discontinued. No recovery shall be affected on the amount already paid on account of the allowance from the officer concerned.

(4) Concurrent Charge allowance:-

- (a) If the Judicial Officer is assigned with the charge of another Court for the period of more than 10 days continuously then, monthly allowance in the

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maximum limit of 10 percent of minimum basic pay in the pay level of the post, the additional charge of which has been held by the said Judicial Officer, shall be admissible as per the criteria that may be determined by the Hon'ble High Court.

- (b) The aforesaid allowance shall be admissible on revised pay with effect from the date 01.01.2016.

(5) Conveyance/Transport Allowance:-

- (a) Pool-car facility recommended by the First Judicial Pay Commission (Hon'ble Justice Shetty Commission) shall be stopped in due course of time. However, if the Judicial Officers are interested to avail Pool-car facility then, they may continue to avail Pool-car facility on the condition of giving up the amount of conveyance/transport and fuel allowance. One pool-car shall be admissible to three (3) Judicial Officers together.
- (b) Those Judicial Officers who own four-wheeler vehicle in their own name or in the name of spouse, the allowance at the rate of Rs.10,000/- per month, towards the expenses on maintenance, repairs and salary of the driver of the said vehicle, shall be admissible to them with effect from the date 01.01.2016 and the said allowance shall be admissible at the enhanced rate of Rs.13,500/- per month with effect from the date 01.01.2021.
- (c) The Judicial Officers who do not have their own four-wheeler vehicle and who do not avail pool-car facility shall be eligible for getting conveyance allowance as mentioned hereinabove. However, they shall not be eligible for getting fuel allowance.
- (d) Besides the aforesaid allowance, the reimbursement of the expenses on petrol/diesel/fuel for 100 liters per month shall be admissible in the cities like metropolitan cities and the places within the limits of municipal corporations and districts places and for 75 liters per month at other places w.e.f. 01/01/2016
- (e) Apart from the Judicial Officers to whom separate Office vehicle is admissible at present, separate office vehicle shall be admissible to other Judicial Officers like the Director, Judicial Training Academy/Institution, Principal Judge, Family Courts and the Secretary, District Legal Services Authority.

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- (f) As regards the Judicial Officers to whom the government vehicle is admissible, use of the said vehicle for private purpose within the limit of 300 kilometers per month, shall be admissible to them free of cost.
 - (g) The aforesaid conveyance/transport and fuel allowance shall not be admissible to those Judicial Officers who are using government vehicles.
 - (h) All Judicial Officers shall be at liberty to mention "Judge" on their private vehicles.
 - (i) Vehicle loan up to the limit of Rupees 10 lakhs at the simple rate of interest of four (4) percent shall be admissible to the Judicial Officers and the loan sanction process for the same shall be completed on priority basis.

(6) Dearness Allowance:-

The Dearness allowance shall be admissible to the Sitting and also to the retired Judicial Officers like the employees in Central Government Service.

(7) Earned Leave Encashment: -

Earned Leave Encashment shall be admissible to the Judicial Officers in the below-mentioned manner.

- (a) Encashment of maximum 300 days earned leave shall be admissible at the time of retirement.
- (b) Leave encashment of 30 days shall be admissible in two year-block.
- (c) Facility of encashment of 10 days leave at one time shall be admissible for Leave Travel Concession (LTC) (Maximum 60 days during the entire service tenure — 10 days at one time, thus total 6 times.)
- (d) The facility mentioned at (b) and (c) shall be in addition to the facility of encashment of leave of 300 days being given to the Judicial Officers at the time of their retirement.
- (e) After adjusting the amount of leave encashment given to the retired Judicial Officers as per the non-revised pay at the time of their retirement, the amount of difference calculated as per revised pay shall be paid within three months.
- (f) Due to deduction of days of leave encashment from the leave encashment at the time of retirement of Judicial Officers as mentioned in the above-mentioned at (b)

and (c), if the amount of encashment of leave less than 300 days admissible to the Judicial Officers is paid to them at the time of their retirement, the amount of difference shall be paid as per the example mentioned in **Annexure "A"**.

(g) The facility of the aforesaid allowance shall be admissible with effect from the date 01.01.2016.

(8) Electricity and Water Charges: -

Reimbursement of 50% of the actual total monthly bill amount of the electricity and water charges shall be admissible to the Judicial Officers. It shall be mandatory to produce the receipt in respect of payment of bill for the said reimbursement and such reimbursement shall be payable after every three months. The limit of the said reimbursement of electricity and water bill shall be as under: -

Designation	Electricity Usage Units	Water usage quantity
District Judge	8000 units per year	420 KLS per year
Civil Judge	6000 units per year	336 S per year

(9) Higher Qualification Allowance: -

- (a) If the Judicial Officers acquire post-graduation degree (L.L.M.) in Law Stream then, 3 advance increments shall be admissible to them. Similarly, if they acquire Doctor of Philosophy (Ph.D.) degree then, one more advance increment shall be admissible to them.
- (b) After receiving the aforesaid advance increment, if the Judicial Officers acquire any post graduate degree or Ph.D. in any other subject, then, no increment for such additional degree shall be admissible.
- (c) If the Judicial Officers have acquired post graduate degree or Ph.D. in Law Stream before entry in Government Service or during their entire government service tenure, the aforesaid advance increment shall be admissible.
- (d) If the Officers have acquired post graduate degree or Ph.D. in Law Stream before entry in government service, then, the above mentioned advance

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increment shall be admissible to such officers with effect from the date of their entry in government service and if they have acquired such degrees tiller entry in government service, then, the same shall be admissible to them with effect from the date of acquiring such post graduate degree or Ph.D.

- (e) lithe Judicial Officers have acquired post graduate degree or Ph.D. in Law stream by studying on regular part-time or full time basis or from distant or other U.G.C. recognized academic curriculum then, advance increment shall he admissible to them as mentioned hereinabove.
- (f) The aforesaid advance increments to be received on account of acquiring post graduate degree or Ph.D. in Law shall be admissible to the Judicial Officers in all cadres at every level like Civil Judge First and second Assured Progress Scheme, promotion, District Judge First Entry, Selection grade and District Judge Supertime payscale (J-1 to J-7).
- (g)The aforesaid advance increments shall be admissible even on single tier/senior pay-scale level to be given in Tribal and Naxal affected areas.
- (h)The aforesaid advance increments shall be a part of the monthly pay and the prevailing dearness allowance shall be admissible on the same.

10. Hill Area/Tough Location Allowance: -

- (a) **Allowance of Rs.5,000/- per month shall** be admissible to the Judicial Officers working in Hill Areas/Tough Locations.
- (b) **The said allowance shall be admissible** with effect from the date 01.01.2016.
- (c) **Hill Areas/Tough Locations for the said** allowance shall he as determined by the Hon'ble High Court.

11. Home Orderly/Domestic Help Allowance: -

- (a) Home Orderly/Domestic Help Allowance shall be admissible to the Sitting Judicial Officers at the below-mentioned rates with effect from the date 01.01.2016 and the same shall be increased by 5 percent after every six months with effect from the date 01.01.2016.

(1) District Judge: Rs. **10,000/-** per month.

(2) Civil Judge: Rs. 7,500/- per month.

- (b) Domestic Help Allowance per month shall be admissible to the retired Judicial Officers at the rate of **Rs.9,000/-** and to the family pension holders at the rate of RS. 7,500/- per month with effect from the date 01.01.2016 and at the increased rate of 30% with effect from the date 01.01.2021.
- (c) Though the employee in Group-D cadre is made available at the residence of the Judicial Officers during night times or if the Security guards are made available to the Judicial Officers as they are residing generally in the areas where there is danger or though the employee in Group-D cadre is made available at the residence of the Principal District Judges or Judicial Officers on analogous posts, even then, the Home Orderly Allowance shall be admissible to such Officers at the above-mentioned rates.
- (d) The said allowance shall be paid on the basis of self-certificate.

12. House Rent Allowance and Residential Quarters. :-

- (a) (1)** Rent free residential quarter shall be made available to the Judicial Officers within one month from the date of assuming the charge of the post or if the residential quarter is not available then, the Office shall make available private residence and if such residence is available, then, house rent allowance shall not be admissible to such Judicial Officers.
- (2) The Principal District Judge or Analogous Officers shall pay the rent of the residence made available by the Office due to non availability of residential quarter, directly to the owner of the House.
- (3) Minimum carpet area of the residence of the Judicial Officers shall be as under: -
- i) District Judge: 2,500 sq.ft.
 - ii) Civil Judge (CJSD & CJJD): 2,000 sq.ft.
- (4)** If the government quarter or private residence is not made available by the Office for the Judicial Officers within the aforesaid prescribed period then, such Judicial Officers himself may make arrangement of private residences and House rent allowance shall be admissible to such Judicial Officers as per the Central govt OM No.20/5/2017-E II dated 07/07/2017 issued by Department of Finance and as per rules framed by High Court

about classification of cities and the House rent will be admissible accordingly.

(5) House Rent allowance as aforesaid shall be admissible even to those Judicial Officers who are residing in the houses of their ownership or of the ownership of their spouse or in the houses of the ownership of their parents or those who are residing in rented premises.

(6) If the rent of private residence is within the limit of admissible house rent allowance as aforesaid then, it is not necessary to determine the rent. However, if the rent of private residence is more than the limit of admissible house rent allowance as aforesaid then, the Principal District Judge or Analogous Officers shall determine / evaluate the rent of the said residence with the help of the Public Works Department and if the difference between the rent determined /evaluated accordingly and the admissible house rent allowance is more than 15% then, the Principal District Judge or Analogous Officers may sanction the amount of difference in rent after obtaining approval from the Hon'ble High Court. If the amount of such difference is less than 15 % then, the sanction is not necessary.

(b) Furniture and Air Conditioner Allowance: -

- (1) Furniture allowance of Rs.1,25,000/- and air conditioner allowance of Rs.55,000/- shall be admissible to the Judicial Officers once in 5 years. The said furniture allowance can be used for purchase of furniture, domestic, electric and electronic appliances etc.
- (2) The aforesaid allowances shall be admissible with effect from the date 01.01.2016 and the same shall be admissible in the 5 year block commencing from the date 01.01.2016 to 31.12.2020 and from the date 01.01.2021 to 31.12.2025 and even thereafter in the very manner. If the bills for furniture and air conditioner in respect of the Block year commencing from the date 01.01.2016 to 31.12.2020 are available then, the reimbursement in respect thereof shall be admissible on producing the same. However, if the bills in respect of the Block year commencing from the date 01.01.2016 to 31.12.2020 are not available then, it shall be admissible to utilize the said grant in current block year.

The guidelines in respect of deduction of certified depreciation amount and of the option of retaining with the concerned officer, the said articles

purchased in view of the aforesaid grant after every block-year or at the time of retirement shall be as per the directions as may be decided by the Hon'ble High Court.

13. Leave Travel Concession (LTC) /Home 'Town Concession (HTC):-

- (a) While availing the benefit of the LTC (Not for HTC), the Judicial Officers can make encashment of 10 days Earned Leave as mentioned in Paragraph No.7 above.
- (b) **(1)** One LTC and one HTC throughout India in a 3-year block period shall be admissible to the Judicial Officers. The said Block-Year shall be from the date 01.01.2016 up to 31.12.2018, from the date 01.01.2019 up to 31.12.2021, from the date 01.01.2022 up to 31.12.2024 and so on.
- (2)** HTC on 2 times in the first 3-year block shall be admissible to the newly appointed Judicial Officers. The three year block shall commence on completion of the probation period.
- (c) For the concession of LTC, air travel and reimbursement thereof shall be admissible to the Judicial Officers from all cadres. For the purpose of reimbursement, it shall be necessary for them to purchase their air travel ticket directly from the Airlines or through the authorised agent, authorised by the Central / State Government.
- (d) The Leave Travel Concession, if not availed of during the last block-year, can be availed in the first year of the subsequent block-year and within next one year of the retirement.
- (e) LTC / HTC is not admissible to the retired Judicial Officers.
- (f) There shall be no necessity for the Judicial Officers to avail earned leave only for the purpose of LTC / HTC and they may be permitted to avail benefit of casual leave up to the limit of two days by annexing thereto as suffix and affix.
- (g) This concession shall be admissible as per the travelling allowance payable and as per the position at the time of official tour / transfer. However, no daily allowance shall be admissible.

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14. Medical Allowance / Medical Facilities:-

- (a) The Medical Allowance of sum of Rs.3,000/- per month in cash shall be admissible to the Sitting Judicial Officers, with effect from the date 01.01.2016.
- (b) Medical Allowance of sum of Rs.4,000/- per month shall be admissible to the Pensioner Judicial Officers / Family Pension / folders with effect from the date 01.01 .2016.
- (c) The spouses of the retired Judicial Officers getting the Family Pension or the members dependent on them shall be eligible for getting medical facilities / reimbursement along with the Pensioners.
- (d) Separate orders shall be issued in respect of other medical facilities accepted by the Hon'ble Supreme Court.

15. Newspaper and Magazine Allowances: -

This allowance of sum of Rs. 1,000/- per month for District Judges and Rs.750/- per month for other Judicial Officers (2 newspapers and 1 magazine) shall be admissible with effect from the date 01.01.2020.

Reimbursement of this allowance shall be made on half yearly basis i.e. for January to June and for July to December, on the basis of self-certificate.

16) Robe Allowance: -

Robe Allowance of sum of Rs.12,000/-, once after every three years, shall be admissible to the Judicial Officers with effect from the date 01.01.2016.

17) Special Pay for Administrative Work: -

Monthly allowance as mentioned hereinbelow for the Administrative Work shall be admissible to the Judicial Officers in the below mentioned cadre with effect from the date 01.01.2019.

- (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 responsibilities: Rs.3500/- per month.

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(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.

18) Sumptuary Allowance: -

(1) Sumptuary Allowance, per month mentioned hereinbelow shall be admissible to the Judicial Officers in the below mentioned cadre, with effect from the date 01.01.2016:-

Designation	Sumptuary Allowance
District Judge	7800/-
Chief Judicial Magistrate or Chief Metropolitan Magistrate or Principal Civil Judge Senior Division.	6800/-
Civil Judge Senior Division and same designated officers on deputation.	5800/-
Civil Judge Junior Division and same designated officers on deputation.	3800/-

(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.

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

This allowance shall not be admissible to the retired Judicial Officers.

19. Telephone Facility: -

(A) (1) The allowance of sum of Rs.1,500/- per month for District Judges and the allowance of Rs.1,000/- per month for other Judicial Officers shall be admissible to them for the telephone and broadband facility at

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their residence. The places where the broadband facility is not available, an allowance of Rs.1,000/- per month shall be admissible to the District Judges and an allowance of Rs.750/- per month shall be admissible to other Judicial Officers. This facility can be availed from any service provider.

(2) The expenditure for installation of the aforesaid Telephone Facility at the office and at the residence shall be borne by the office.

(3) Reimbursement of the aforesaid allowance shall be made on the basis of self-certificate.

(B)(1) The allowance of Rs.30,000/- for mobile handset for the District Judges and Rs.20,000/- for other Judicial Officers, shall be admissible once in every three years. Similarly, the allowance of Rs.2,000/- for mobile usage charges for District Judges and Rs.1,500/- for other Judicial Officers shall be admissible every month. This allowance shall be paid on the basis of Self- certificate.

(2) The guidelines in respect of deduction of certified depreciation amount and of the option of retaining with the concerned officer, the old mobile phone handset purchased in view of the aforesaid grant after every block-year or at the time of retirement shall be as per the directions as may be decided by the Hon'ble High Court.

(3) The said mobile handset purchase facility shall be admissible for a block-year of three years from the year 2016 i.e. for the period from the date 01.01.2016 up to 31.12.2018, from the date 01.01.2019 up to 31.12.2021, from the date 01.01.2022 up to 31.12.2024 and so on. If the bills for the block-years 2016 to 2018 and 2019 to 2021 are not available, then it shall be admissible to utilize the said grant in current year.

(C) The allowances and the grant mentioned at 'A' and 'B' above shall be admissible with effect from the date 01.01.2016.

(20) Travelling Allowance and Transfer Grant:

A) Transfer Grant:

(1) On transfer, the 'Composite Transfer Grant' shall be admissible at the rate equivalent to one month's basic pay.

(2) If transfer is made at a place located at a distance of 20 kms. or less than that or in the very city (in case it includes change of residence), then, the Composite Transfer Grant shall be to the extent of 1/3rd of the basic pay.

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(3) In case of transport of goods by road, the admissible amount shall be admissible as minimum Rs.50/- per km or the actual charges, whichever is less. This shall include the labour charges required for loading and unloading of the goods. When the hike in Dearness Allowance is by 50%, this amount shall be enhanced by 25%. (eg. When Dearness Allowance becomes 50%, the admissible amount shall become Rs.62.50 per kilometer and when Dearness Allowance becomes 100%, it shall become Rs.75/- per kilometer and shall become admissible hereinafter accordingly)

(4) The aforesaid grant and allowance shall be applicable with effect from the date 01.01.2016. The admissible arrears amount in respect of the revised grant and allowance from the date 01.01.2016 shall be adjusted from the amount paid earlier and the remaining amount of arrears shall be paid in cash.

B) Travelling Allowance as per the concerned rules of the Central Government shall be admissible to the Judicial Officers.

- 21) The air travel concession shall be admissible to the Judicial Officers from all cadres in the State of Maharashtra for their attending the official work as well as for attending various workshops, study camps and various training.
- 22) Whenever Judicial Officers go for training within or outside the State of Maharashtra and if the training institution does not have an arrangement for their lodging and boarding at the said place and if it becomes necessary for them to arrange for the same from their own pocket or if the said institution has recovered from them the fee/expenses, then the amount of fee / actual expenses shall be admissible to them. If the amount of actual expenses is within the limit prescribed then the Hon'ble High Court or the Competent Authority authorised by the Hon'ble High Court shall have powers to sanction the said amount. In the case of excess amount than the said amount, the Administrative Department shall have powers to grant approval to the same.
- 23) The allowances besides the aforesaid allowances shall be applicable as admissible to the State Government Employees. Further, if the allowances given by the State Government are more beneficial than the aforesaid allowances, then the same shall be made admissible.
- 24) The aforesaid allowances and facilities shall be applicable to the State Judicial Officers, the Hon'ble Judges of the Family Courts and to the Judicial Officers on deputation.

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- 25) While paying the amount of the arrears of the aforesaid revised allowances, the amount paid shall be adjusted and the difference of the amount shall be paid in cash, in lump-sum.
- 26) Necessary steps to be taken to pay the amount of arrears due and payable towards the aforesaid allowances in cash before the date 29.02.2024.
- 27) The expenditure towards the aforesaid allowances is the expenditure to be incurred on the Judicial Officers working under the budgetary control of the Law and Judiciary Department. Other Ministerial Departments shall make separate provisions for the expenditure to be incurred for the Judicial Officers working under their control.
- 28) The expenditure to be incurred for the said allowances and facilities shall be defrayed from the sanctioned financial grant and the concerned account head.
- 29) Informal Reference No.127/Expenditure-5 of Government Assessment Division, Expenditure-5, dated 02/02/2024 Informal Reference No.46/2024/Expenditure-5, dated 01/02/2024 By consensus, the meeting of the Hon'ble Council on 05/02/2024 has been approved.
- 30) The said Government decision is available on the website www.maharashtra.gov.in of the Government of Maharashtra and the same has the serial number 202402061830240612. This order is being issued by attesting with a digital signature.

According to the order and in name of the Governor of Maharashtra.

SD/-

Kishor Hiralal Patil.

Deputy Legal advisor and
secretary.

(Digital Signature)

Copy to:-

- 1.Hon. Principal Secretary to the Governor, Rajbhavan, Malabar Yahl, Mumbai.
- 2.Principal Secretary to Hon

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3. Principal Secretary to Hon'ble Deputy Chief Minister and Minister (Economic Development and Justice).
4. Principal Secretary to Hon'ble Deputy Chief Minister and Minister (Finance).
5. Hon. Senior Senior Assistant to the Chief Secretary, Ministry, Mumbai.
6. Hon. All Honorary Learning Assembly/ Learning Council, and MP Member Maharashtra State.
7. Principal Secretary, Maharashtra Board of Education, (Economic Council) University, Mumbai.
8. Principal Secretary, Maharashtra Board Secretariat, (Years Assembly) Erbil, Mumbai.
9. General Manager, High Court, Bombay.
10. Prabanik, High Court (Original Education), Mumbai.
11. Governor General- One/Two (Legal License) Maharashtra, Mumbai / Nagpur.
12. Governor General- One/Two (Examination) Maharashtra, Mumbai / Nagpur.
13. Director, Levy and Treasury, Mumbai.
14. Aydan and Let Ayikari, Mumbai.
15. Resident Audit Officer, Mumbai.
16. Chief Justice, Nagar Yardwani and Sessions Court, Mumbai.
17. Chief Metropolitan Magistrate, Mumbai.
18. Servant Chief Justice, County Court.
19. Chief Justice, Court of Small Claims, Mumbai.
20. All Chief District Judges and Sessions Judges.
21. Director, Judicial Administrative Training Institute, Nagpur.
22. Sarvan Yajlha Treasury Ayikari.

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23. Social Commissioner, Bombay.
24. All Offices of the Department of Justice.
25. Yavatta Yavabhag (Serva-7/Expenditure-05).
26. Servan Ministry of Education.
27. Yanrvad Nasti Kayasana.



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ANNEXURE A-2

DEPARTMENT OF LAW & JUDICIARY
LAW (ESTABLISHMENT) DIVISION
Government of Goa
Secretariat, Porvorim-Goa

No. 14/03/2018- LD (Estt.)/353

Dated: 14/02/2024

Read:

- (1) Order of the Hon'ble Supreme Court dated 09-05-2017 in Writ Petition No. 643/2015.
- (2) Order of the Hon'ble Supreme Court dated 19-05-2023 in Writ Petition No. 643/2015.
- (3) Order of the Hon'ble Supreme Court dated 27/07/2022 in Writ Petition No. 643/2015.
- (4) Order No.14/03/2018-LD (Estt.)/1830 dated 30/10/2023.
- (5) Order No.14/03/2018-LD (Estt.)/1981 dated 06/11/2023.

ORDER

The Hon'ble Supreme Court of India vide its orders dated 27/07/2022, 05/04/2023, 19/05/2023 and 04/01/2024 has accepted the recommendation of Second National Judicial Pay Commission (SNJPC) on the revision of Pay and Pension of Judicial Officers. These orders have delineated inter alia the history of constitution of Second National Judicial Pay Commission (SNJPC) and the principal underlying Judicial Pay, Allowances and Pension to the Judicial Officers and Retired Judicial Officers.

Vide order dated 04/01/2024 in Writ Petition (Civil) No. 643/2015 has accepted the recommendation of payment of revised allowances of Second National Judicial Pay Commission and the payment of the allowance as recommended shall accordingly stands approved by the Hon'ble Supreme Court of India.

In pursuant to the direction of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 643/2015 vide order dated 04/01/2024, Government of Goa is please to grant approval to make admissible the allowances and other benefits to the Judicial Officers and the retired Judicial Officers and Family pensioners in the State as per the recommendations made by the Hon'ble Justice Reddy Commission, with effect from 01/01/2016 (a copy of the order dated 04/01/2024 is annexed herewith) as under: -

- (1) **House Building Advance (HBA):** - House Building advance shall be admissible to the Judicial Officers in accordance as per the procedure laid down by the Government of Goa.

(2) Children Education Allowance: - The Children Education Allowance shall be admissible to all the Judicial Officers in the State. The said allowance shall be payable as per the Central Government's O.M. No. A27012/02/2017 - ESTT (A1.) dated 16.08.2017 and 16.07.2018 of the Ministry of Employees, Public complaints and Pension, Employees and Training Department and as per the amendments made therein from time to time, as under.

- (a) Fixed Education Allowance of an amount of Rs.2,250/- per month and Hostel allowance of an amount of Rs.6,750/- per month is made admissible for the education of each child (for two children only) upto twelfth standard.
- (b) The amount of allowance and grant mentioned at Sr. No. (a) above shall be double of the same for the children with special needs.
- (c) When there is a hike in the rate of dearness allowance by 50%, the said allowance and grant shall be increased by 25% at each time.
- (d) Reimbursement of the aforesaid education allowance shall be made on the basis of self-certificate.
- (e) For the reimbursement of the above-mentioned Hostel grant, it shall be necessary to produce the proof showing that the child has taken admission in the Hostel.
- (f) The above-mentioned allowance and grant shall be admissible from the Academic year 2019-2020.

(3) City Compensatory Allowance: - This allowance is discontinued. No recovery shall be affected on the amount already paid on account of the allowance from the officer concerned.

(4) Concurrent Charge allowance:-

- (a) If the Judicial Officer is assigned with the charge of another Court for the period of more than 10 days continuously then, monthly allowance in the maximum limit of 10 percent of minimum basic pay in the pay level of the post, the additional charge of which has been held by the said Judicial Officer, shall be admissible as per the criteria that may be determined by the Hon'ble High Court.
- (b) The aforesaid allowance shall be admissible on revised pay with effect from the date 01.01.2016.

(5) Conveyance/Transport Allowance:-

- (a) Pool-car facility recommended by the First Judicial Pay Commission (Hon'ble Justice Shetty Commission) shall be stopped in due course of time. However, if the Judicial Officers are interested to avail Pool-car facility then, they may continue to avail Pool-car facility on the condition of giving up the amount of conveyance/transport and fuel allowance. One pool-car shall be admissible to three (3) Judicial Officers together.



- (b) Those Judicial Officers who own four-wheeler vehicle in their own name or in the name of spouse, the allowance at the rate of Rs.10,000/- per month, towards the expenses on maintenance, repairs and salary of the driver of the said vehicle, shall be admissible to them with effect from the date 01.01.2016 and the said allowance shall be admissible at the enhanced rate of Rs.13,500/- per month with effect from the date 01.01.2021.
- (c) The Judicial Officers who do not have their own four-wheeler vehicle and who do not avail pool-car facility shall be eligible for getting conveyance allowance as mentioned hereinabove. However, they shall not be eligible for getting fuel allowance.
- (d) Besides the aforesaid allowance, the reimbursement of the expenses on petrol/diesel/fuel for 100 litres per month shall be admissible in the cities like metropolitan cities and the places within the limits of municipal corporations and districts places and for 75 litres per month at other places w.e.f. 01/01/2016
- (e) Apart from the Judicial Officers to whom separate Office vehicle is admissible at present, separate office vehicle shall be admissible to other Judicial Officers like the Director, Judicial Training Academy/Institution, Principal Judge, Family Courts and the Secretary, District Legal Services Authority.
- (f) As regards the Judicial Officers to whom the government vehicle is admissible, use of the said vehicle for private purpose within the limit of 300 kilometers per month, shall be admissible to them free of cost.
- (g) The aforesaid conveyance/transport and fuel allowance shall not be admissible to those Judicial Officers who are using government vehicles.
- (h) All Judicial Officers shall be at liberty to mention "Judge" on their private vehicles.
- (i) Vehicle loan up to the limit of Rupees 10 lakhs at the simple rate of interest of four (4) percent shall be admissible to the Judicial Officers and the loan sanction process for the same shall be completed on priority basis.

(6) Dearness Allowance:-

The Dearness allowance shall be admissible to the Sitting and also to the retired Judicial Officers like the employees in Central Government Service.

(7) Earned Leave Encashment: -

Earned Leave Encashment shall be admissible to the Judicial Officers in the below-mentioned manner.

- (a) Encashment of maximum 300 days earned leave shall be admissible at the time of retirement.
- (b) Leave encashment of 30 days shall be admissible in two year-block.



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- (c) Facility of encashment of 10 days leave at one time shall be admissible for Leave Travel Concession (LTC) (Maximum 60 days during the entire service tenure – 10 days at one time, thus total 6 times.)
- (d) The facility mentioned at (b) and (c) shall be in addition to the facility of encashment of leave of 300 days being given to the Judicial Officers at the time of their retirement.
- (e) After adjusting the amount of leave encashment given to the retired Judicial Officers as per the non-revised pay at the time of their retirement, the amount of difference calculated as per revised pay shall be paid within three months.
- (f) Due to deduction of days of leave encashment from the leave encashment at the time of retirement of Judicial Officers as mentioned in the above-mentioned at (b) and (c), if the amount of encashment of leave less than 300 days admissible to the Judicial Officers is paid to them at the time of their retirement, the amount of difference shall be paid as per the example mentioned in **Annexure "A"**.
- (g) The facility of the aforesaid allowance shall be admissible with effect from the date 01.01.2016.

(8) Electricity and Water Charges: -

Reimbursement of 50% of the actual total monthly bill amount of the electricity and water charges shall be admissible to the Judicial Officers. It shall be mandatory to produce the receipt in respect of payment of bill for the said reimbursement and such reimbursement shall be payable after every three months. The limit of the said reimbursement of electricity and water bill shall be as under: -

Designation	Electricity Usage Units	Water usage quantity
District Judge	8000 units per year	420 KLS per year
Civil Judge	6000 units per year	336 KLS per year

(9) Higher Qualification Allowance: -

- (a) If the Judicial Officers acquire post-graduation degree (L.L.M.) in Law Stream then, 3 advance increments shall be admissible to them. Similarly, if they acquire Doctor of Philosophy (Ph.D.) degree then, one more advance increment shall be admissible to them.
- (b) After receiving the aforesaid advance increment, if the Judicial Officers acquire any post graduate degree or Ph.D. in any other subject, then, no increment for such additional degree shall be admissible.
- (c) If the Judicial Officers have acquired post graduate degree or Ph.D. in Law Stream before entry in Government Service or during their entire government service tenure, the aforesaid advance increment shall be admissible.



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- (d) If the Officers have acquired post graduate degree or Ph.D. in Law Stream before entry in government service, then, the above mentioned advance increment shall be admissible to such officers with effect from the date of their entry in government service and if they have acquired such degrees after entry in government service, then, the same shall be admissible to them with effect from the date of acquiring such post graduate degree or Ph.D.
- (e) If the Judicial Officers have acquired post graduate degree or Ph.D. in Law stream by studying on regular part-time or full time basis or from distant or other U.G.C. recognized academic curriculum then, advance increment shall be admissible to them as mentioned hereinabove.
- (f) The aforesaid advance increments to be received on account of acquiring post graduate degree or Ph.D. in Law shall be admissible to the Judicial Officers in all cadres at every level like Civil Judge First and second Assured Progress Scheme, promotion, District Judge First Entry, Selection grade and District Judge Supertime payscale (J-1 to J-7).
- (g) The aforesaid advance increments shall be admissible even on single tier/senior pay-scale level to be given in Tribal and Naxal affected areas.
- (h) The aforesaid advance increments shall be a part of the monthly pay and the prevailing dearness allowance shall be admissible on the same.

10. Hill Area/Tough Location Allowance: -

- (a) Allowance of Rs.5,000/- per month shall be admissible to the Judicial Officers working in Hill Areas/Tough Locations.
- (b) The said allowance shall be admissible with effect from the date 01.01.2016.
- (c) Hill Areas/Tough Locations for the said allowance shall be as determined by the Hon'ble High Court.

11. Home Orderly/Domestic Help Allowance: -

- (a) Home Orderly/Domestic Help Allowance shall be admissible to the Sitting Judicial Officers at the below-mentioned rates with effect from the date 01.01.2016 and the same shall be increased by 5 percent after every six months with effect from the date 01.01.2016.
 - (1) District Judge: Rs. 10,000/- per month.
 - (2) Civil Judge: Rs. 7,500/- per month.
- (b) Domestic Help Allowance per month shall be admissible to the retired Judicial Officers at the rate of Rs.9,000/- and to the family pension holders at the rate of Rs.7,500/- per month with effect from



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the date 01.01.2016 and at the increased rate of 30% with effect from the date 01.01.2021.

- (c) Though the employee in Group-D cadre is made available at the residence of the Judicial Officers during night times or if the Security guards are made available to the Judicial Officers as they are residing generally in the areas where there is danger or though the employee in Group-D cadre is made available at the residence of the Principal District Judges or Judicial Officers on analogous posts, even then, the Home Orderly Allowance shall be admissible to such Officers at the above-mentioned rates.
- (d) The said allowance shall be paid on the basis of self-certificate.

12. House Rent Allowance and Residential Quarters. :-

- (a) (1) Rent free residential quarter shall be made available to the Judicial Officers within one month from the date of assuming the charge of the post or if the residential quarter is not available then, the Office shall make available private residence and if such residence is available, then, house rent allowance shall not be admissible to such Judicial Officers.
- (2) The Principal District Judge or Analogous Officers shall pay the rent of the residence made available by the Office due to non availability of residential quarter, directly to the owner of the House.
- (3) Minimum carpet area of the residence of the Judicial Officers shall be as under: -
- i) District Judge: 2,500 sq.ft.
 - ii) Civil Judge (CJSD & CJJD): 2,000 sq.ft.
- (4) If the government quarter or private residence is not made available by the Office for the Judicial Officers within the aforesaid prescribed period then, such Judicial Officers himself may make arrangement of private residences and House rent allowance shall be admissible to such Judicial Officers as per the order No.8/1/2016-Fin(R&C) dated 25/07/2017 issued by Department of Finance (R&C), Government of Goa.
- (5) House Rent allowance as aforesaid shall be admissible even to those Judicial Officers who are residing in the houses of their

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ownership or of the ownership of their spouse or in the houses of the ownership of their parents or those who are residing in rented premises.

- (6) If the rent of private residence is within the limit of admissible house rent allowance as aforesaid then, it is not necessary to determine the rent. However, if the rent of private residence is more than the limit of admissible house rent allowance as aforesaid then, the Principal District Judge or Analogous Officers shall determine / evaluate the rent of the said residence with the help of the Public Works Department and if the difference between the rent determined /evaluated accordingly and the admissible house rent allowance is more than 15% then, the Principal District Judge or Analogous Officers may sanction the amount of difference in rent after obtaining approval from the Hon'ble High Court. If the amount of such difference is less than 15 % then, the sanction is not necessary.

(b) Furniture and Air Conditioner Allowance: -

- (1) Furniture allowance of Rs.1,25,000/- and air conditioner allowance of Rs.55,000/- shall be admissible to the Judicial Officers once in 5 years. The said furniture allowance can be used for purchase of furniture, domestic, electric and electronic appliances etc.
- (2) The aforesaid allowances shall be admissible with effect from the date 01.01.2016 and the same shall be admissible in the 5 year block commencing from the date 01.01.2016 to 31.12.2020 and from the date 01.01.2021 to 31.12.2025 and even thereafter in the very manner. If the bills for furniture and air conditioner in respect of the Block year commencing from the date 01.01.2016 to 31.12.2020 are available then, the reimbursement in respect thereof shall be admissible on producing the same. However, if the bills in respect of the Block year commencing from the date 01.01.2016 to 31.12.2020 are not available then, it shall be admissible to utilize the said grant in current block year.
- (3) The guidelines in respect of deduction of certified depreciation amount and of the option of retaining with the concerned officer, the said articles purchased in view of the

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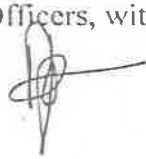
aforesaid grant after every block-year or at the time of retirement shall be as per the directions as may be decided by the Hon'ble High Court.

13. Leave Travel Concession (LTC) / Home Town Concession (HTC):-

- (a) While availing the benefit of the LTC (Not for HTC), the Judicial Officers can make encashment of 10 days Earned Leave as mentioned in Paragraph No.7 above.
- (b) (1) One LTC and one HTC throughout India in a 3-year block period shall be admissible to the Judicial Officers. The said Block-Year shall be from the date 01.01.2016 up to 31.12.2018, from the date 01.01.2019 up to 31.12.2021, from the date 01.01.2022 up to 31.12.2024 and so on.
(2) HTC on 2 times in the first 3-year block shall be admissible to the newly appointed Judicial Officers. The three year block shall commence on completion of the probation period.
- (c) For the concession of LTC, air travel and reimbursement thereof shall be admissible to the Judicial Officers from all cadres. For the purpose of reimbursement, it shall be necessary for them to purchase their air travel ticket directly from the Airlines or through the authorised agent, authorised by the Central / State Government.
- (d) The Leave Travel Concession, if not availed of during the last block-year, can be availed in the first year of the subsequent block-year and within next one year of the retirement.
- (e) LTC / HTC is not admissible to the retired Judicial Officers.
- (f) There shall be no necessity for the Judicial Officers to avail earned leave only for the purpose of LTC / HTC and they may be permitted to avail benefit of casual leave up to the limit of two days by annexing thereto as suffix and affix.
- (g) This concession shall be admissible as per the travelling allowance payable and as per the position at the time of official tour / transfer. However, no daily allowance shall be admissible.

14. Medical Allowance / Medical Facilities:-

- (a) The Medical Allowance of sum of Rs.3,000/- per month in cash shall be admissible to the Sitting Judicial Officers, with effect from the date 01.01.2016.



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(b) Medical Allowance of sum of Rs.4,000/- per month shall be admissible to the Pensioner Judicial Officers / Family Pension Holders with effect from the date 01.01.2016.

(c) The spouses of the retired Judicial Officers getting the Family Pension or the members dependent on them shall be eligible for getting medical facilities / reimbursement along with the Pensioners.

(d) Separate orders shall be issued in respect of other medical facilities accepted by the Hon'ble Supreme Court.

15. Newspaper and Magazine Allowances: -

This allowance of sum of Rs. 1,000/- per month for District Judges and Rs.750/- per month for other Judicial Officers (2 newspapers and 1 magazine) shall be admissible with effect from the date 01.01.2020.

Reimbursement of this allowance shall be made on half yearly basis i.e. for January to June and for July to December, on the basis of self-certificate.

16. Robe Allowance: -

Robe Allowance of sum of Rs.12,000/-, once after every three years, shall be admissible to the Judicial Officers with effect from the date 01.01.2016.

17. Special Pay for Administrative Work: -

Monthly allowance as mentioned hereinbelow for the Administrative Work shall be admissible to the Judicial Officers in the below mentioned cadre with effect from the date 01.01.2019.

(a) Principal District and Sessions Judges: Rs.7000/- per month

(b) Other District Judges including 1 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 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.

18. Sumptuary Allowance: -

(1) Sumptuary Allowance, per month, as mentioned hereinbelow shall be

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admissible to the Judicial Officers in the below mentioned cadre, with effect from the date 01.01.2016:

Designation	Sumptuary Allowance
Principal District and Sessions Judges	Rs. 7,800/- per month
Civil Judges (Senior Division)	Rs. 5,800/- per month
Civil Judges (Junior Division)	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.

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

This allowance shall not be admissible to the retired Judicial Officers.

19. Telephone Facility: -

(A) (1) The allowance of sum of Rs.1,500/- per month for District Judges and the allowance of Rs.1,000/- per month for other Judicial Officers shall be admissible to them for the telephone and broadband facility at their residence. The places where the broadband facility is not available, an allowance of Rs.1,000/- per month shall be admissible to the District Judges and an allowance of Rs.750/- per month shall be admissible to other Judicial Officers. This facility can be availed from any service provider.

(2) The expenditure for installation of the aforesaid Telephone Facility at the office and at the residence shall be borne by the office.

(3) Reimbursement of the aforesaid allowance shall be made on the basis of self-certificate.

(B) (1) The allowance of Rs.30,000/- for mobile handset for the District Judges and Rs.20,000/- for other Judicial Officers, shall be admissible once in every three years. Similarly, the allowance of Rs.2,000/- for mobile usage charges for District Judges and Rs.1,500/- for other Judicial Officers shall be admissible every month. This allowance shall be paid on the basis of self- certificate.

(2) The guidelines in respect of deduction of certified depreciation

amount and of the option of retaining with the concerned officer, the old mobile phone handset purchased in view of the aforesaid grant after every block-year or at the time of retirement shall be as per the directions as may be decided by the Hon'ble High Court.

(3) The said mobile handset purchase facility shall be admissible for a block-year of three years from the year 2016 i.e. for the period from the date 01.01.2016 up to 31.12.2018, from the date 01.01.2019 up to 31.12.2021, from the date 01.01.2022 up to 31.12.2024 and so on. If the bills for the block-years 2016 to 2018 and 2019 to 2021 are not available, then it shall be admissible to utilize the said grant in current year.

(C) The allowances and the grant mentioned at 'A' and 'B' above shall be admissible with effect from the date 01.01.2016.

(20) Travelling Allowance and Transfer Grant: -

A) Transfer Grant:

(1) On transfer, the 'Composite Transfer Grant' shall be admissible at the rate equivalent to one month's basic pay.

(2) If transfer is made at a place located at a distance of 20 kms. or less than that or in the very city (in case it includes change of residence), then, the Composite Transfer Grant shall be to the extent of 1/3rd of the basic pay.

(3) In case of transport of goods by road, the admissible amount shall be admissible as minimum Rs.50/- per km or the actual charges, whichever is less. This shall include the labour charges required for loading and unloading of the goods. When the hike in Dearness Allowance is by 50%, this amount shall be enhanced by 25%. (eg. When Dearness Allowance becomes 50%, the admissible amount shall become Rs.62.50 per kilometer and when Dearness Allowance becomes 100%, it shall become Rs.75/- per kilometer and shall become admissible hereinafter accordingly)

(4) The aforesaid grant and allowance shall be applicable with effect from the date 01.01.2016. The admissible arrears amount in respect of the revised grant and allowance from the date 01.01.2016 shall be adjusted from the amount paid earlier and the remaining amount of arrears shall be paid in cash.

B) Travelling Allowance as per the concerned rules of the Central Government shall be admissible to the Judicial Officers.

1. The air travel concession shall be admissible to the Judicial Officers from all cadres in the State of Goa for their attending the official work as well as for attending various workshops, study camps and various training.
2. Whenever Judicial Officers go for training within or outside the State of Goa and if the training institution does not have an arrangement for their lodging and boarding at the said place and if it becomes necessary for them to arrange for the same from their own pocket or if the said institution has recovered from them the fee/expenses, then the amount of fee / actual expenses shall be admissible to them. If the amount of actual expenses is within the limit prescribed then the Hon'ble High Court or the Competent Authority authorised by the Hon'ble High Court shall have powers to sanction the said amount. In the case of excess amount than the said amount, the Administrative Department shall have powers to grant approval to the same.
3. The allowances besides the aforesaid allowances shall be applicable as admissible to the State Government Employees. Further, if the allowances given by the State Government are more beneficial than the aforesaid allowances, then the same shall be made admissible.
4. The aforesaid allowances and facilities shall be applicable to the Judicial Officers, the Hon'ble Judges of the Family Courts and to the Judicial Officers appointed on deputation in the State.
5. While paying the amount of the arrears of the aforesaid revised allowances, the amount paid shall be adjusted and the difference of the amount shall be paid in cash, in lump-sum.
6. Necessary steps to be taken to pay the amount of arrears due and payable towards the aforesaid allowances in cash before the date 29.02.2024.
7. The expenditure towards the aforesaid allowances is the expenditure to be incurred on the Judicial Officers working under the budgetary control of the Law and Judiciary Department. Other Ministerial Departments shall make separate provisions for the expenditure to be incurred for the Judicial Officers working under their control.
8. The expenditure to be incurred for the said allowances and

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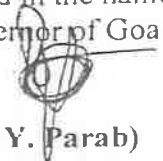
facilities shall be defrayed from the sanctioned financial grant and the concerned account head.

Authorization: -

In case of pensioners/Family Pensioners, their allowances shall be revised and arrears of revised allowances shall be authorised by Directorate of Accounts (Pension Section). After the authorization, the Pension Disbursing Authority concerned will disburse the revised allowances and arrears as detailed above.

This issues with the concurrence of the Finance (Rev. & Cont.) Department vide its U.O. No. 1400048292 dated 08/02/2024.

By order and in the name of
the Governor of Goa


(Amir Y. Parab)
(Under Secretary (Estt.)
Law Department

To,

The Director, Printing and Stationery, Government Printing Press, Panaji, Goa with request to publish Notification in today's Extra Ordinary Official Gazette. It is certified that the Notification is fit for publication. Ten copies of the Official Gazette containing the above Notification may be sent to this Department for record.

Copy to: -

1. The Registrar General, High Court of Bombay, Appellate Side, Mumbai, for information.
2. The Registrar (Admin.), High Court of Bombay at Goa, Porvorim-Goa, for necessary action.
3. The Principal District & Sessions Judge, North Goa, Panaji, for necessary action and to submit compliance report on or before 29/02/2024.
4. The Principal District & Sessions Judge, South Goa, Margao, for necessary action and to submit compliance report on or before 29/02/2024.
5. The Director, Directorate of Accounts, Porvorim-Goa for taking necessary action and furnish the compliance report by 28/02/2024.
6. The Jt. Director of Accounts, Directorate of Accounts, South Goa, Margao for taking necessary action and furnish the compliance report by 28/02/2024.
7. The President, Goa Administrative Tribunal, Dada Vaidya Building, Panaji Goa and to submit compliance report on or before 29/02/2024 for taking necessary action.
8. The Commissioner, Labour & Employment, Shram Shakti Bhavan, Patto Panaji, Goa and to submit compliance report on or before 29/02/2024 for taking necessary action.
9. The Under Secretary, Finance (R.&C.) Department, Secretariat, Porvorim-Goa.
10. The Sr. Dy. Accountant General, Audit Bhavan, Green Valley, Porvorim-Goa.
11. Guard file.
12. O/c

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ANNEXURE "A"

As per SNJPC Report Part I Volume III page 38

(Earned Leave Encashment)

Example

Leave encashed during service	120 days
Leave to the credit of the officer on the date of retirement	300 days
Maximum Leave to be encashed at the time of retirement	300 days
Eligible to get encashment of leave	300 days
Leave encashment granted at the time of retirement (120 days leave deducted on account of encashment during service)	300-120 = 180 days instead of 300 days
That 120 days leave encashment is required to be given to the officer now.	





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ANNEXURE A-3

ABSTRACT

Second National Judicial Pay Commission – Sanction of allowances to the Judicial Officers, Retired Judicial Officers and Family pensioners as recommended by the Second National Judicial Pay Commission in pursuant to the orders of the Supreme Court of India, in W.P.(C).No.643 of 2015 filed by All India Judges Association, dated 04.01.2024 – Orders – Issued.

Home (Courts-I) Department

G.O.(Ms).No.473

Dated:14.08.2024

குரோதி வருடம்,

ஆடித் திங்கள் 29-ம் நாள்

திருவள்ளூர் ஆண்டு, 2055

Read :-

1. Orders of the Hon'ble Supreme Court of India, dated 09.05.2017 in W.P.(C).No. 643 of 2015.
2. G.O.Ms.No.710, Home (Courts-I) Department, dated 13.07.2018.
3. Orders of the Hon'ble Supreme Court of India, dated 27.07.2022 in W.P.(C).No.643 of 2015.
4. Orders of the Hon'ble Supreme Court of India, dated 19.05.2023 in W.P.(C).No.643 of 2015.
5. G.O.Ms.No.384, Home (Courts-I) Department, dated 20.07.2023.
6. G.O.Ms.No.385, Home (Courts-I) Department, dated 20.07.2023.

Read also:-

7. Orders of the Hon'ble Supreme Court of India, dated 04.01.2024 in W.P. (C) No.643 of 2015.
8. From the Registrar General, High Court of Madras D.O.Letter No.3887/2017/B.1, dated 05.03.2024.
9. From the Registrar General, High Court of Madras Letter R.O.C.No.3887/2017/B.1/ SNJPC, dated 21.06.2024.
10. Orders of the Hon'ble Supreme Court of India, dated 11.07.2024 in W.P. (C) No.643 of 2015

ORDER:

In pursuant to the orders of the Hon'ble Supreme Court of India first read above, the Government of India by its resolution dated

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16.11.2017, constituted the Second National Judicial Pay Commission [SNJPC] headed by Justice P.V.Reddi (Retd.) as its Chairman with Senior Advocate R.Basant (Former Judge) as its Member. Subsequently, the Second National Judicial Pay Commission submitted its Final Report to the Supreme Court of India on 29.01.2020, covering Pay Structure, Pension and Family Pension and Allowances.

2.The Hon'ble Supreme Court of India vide its orders 3rd and 4th read above has accepted the recommendation of the Second National Judicial Pay Commission [SNJPC] on the revision of Pay and Pension of Judicial Officers and directed the States/UTs to implement the same.

3. In the Government orders 5th and 6th read above, orders have been issued revising the Pay of the Judicial Officers and the Pension / Family Pension of the Retired Judicial Officers with effect from 01.01.2016 respectively, in pursuant to the direction of the Supreme Court of India 3rd and 4th read above.

4. The Hon'ble Supreme Court of India in its order 7th read above, has accepted the revision of allowances payable to the Judicial officers, Retired Judicial Officers and Family Pensioners recommended by the Second National Judicial Pay Commission and directed the States/UTs to act in terms of its directions expeditiously for payment of arrears of salary, pension and allowances due and payable to them on or before 29th February, 2024.

5. In pursuant to the direction of the Hon'ble Supreme Court of India, in W.P.(C).No.643 of 2015 dated 04.01.2024, Government hereby grant the allowances and other benefits to the Judicial Officers, Retired Judicial Officers and Family Pensioners in the State, as recommended by the Second National Judicial Pay Commission with effect from the dates as mentioned below under each allowance:-

1. House Building Advance (HBA):-

- (i) House Building Advance shall be made available to Judicial Officers in terms of the House Building Advance Rules, 2017 ; and
- (ii) HBA shall be available to Judicial Officers also for the purchase of a ready built house from the private individuals subject to such safeguards as may be prescribed by the State Government in consultation with the Hon'ble High Court of Madras.

2. Children Education Allowance (CEA) :-

- (i) Judicial officers shall be entitled for Children Education Allowance with effect from **the academic year 2019 -2020;**

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- (ii) They shall be entitled for Rs.2,250/- per month as Children Education Allowance and Rs.6,750/- per month as Hostel subsidy for two children upto class 12;
- (iii) For children with special needs, the reimbursement shall be at double the rate stated in sub-clause (ii) above;
- (iv) When DA increases by 50%, the CEA and Hostel subsidy shall increase by 25%; and
- (v) The payment of CEA and Hostel Subsidy shall be in terms of O.M. dated 16.08.2017 of the Union Government.

3. City Compensatory Allowance (CCA):-

The CCA shall be **discontinued prospectively** and **no recovery** shall be effected on the amount already paid on account of the allowance.

4. Concurrent Charge Allowance:-

- (i) The Concurrent charge Allowance shall be payable to officers, who are required to hold full charge of the duties of equal or higher responsibilities in addition to the duties of their own post.
- (ii) 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 10 (ten) working days.
- (iii) No upward revision in the percentage of the Concurrent Charge allowance.
- (iv) The High Court shall 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.
- (v) The Criterion laid down by First National Judicial Pay Commission be dispensed with and there shall **not** be any insistence on the performance of 'appreciable judicial work' of the Court concerned.

5. Conveyance/Transport Allowance (TP):-

A. Official Vehicle:-

(1) The following Judicial functionaries shall be eligible for official vehicles namely:-

- (i). Principal District Judge;
- (ii) Chief Judicial Magistrate/Chief Metropolitan Magistrate;
- (iii) Principal Judge of City Civil Court and Principal Judge of Small Causes Court;

- (iv) Director, Tamil Nadu State Judicial Academy;
- (v) Principal Judge, Family Court;
- (vi) Secretary, District Legal Services Authorities.

The High Court is permitted to prune down the list depending upon the financial capacity of the State.

(2) The quantum of petrol/diesel for official cars shall be raised to the actual consumption for official purposes as certified by the concerned official and supported by a log book, which would be maintained.

(3) The Judicial officers using official cars may be permitted to use them for private purposes to the extent of 300 kms per month.

(4) The pool car service for various Judicial Officers, as recommended by the FNJPC shall be dispensed with. However, if the officers wish, they can forgo the transport allowance and continue with the pool car service for a period of one year or so;

(B) Own vehicle:-

- (i) The transport allowance at the rate of Rs.10,000/- per month shall be given to those Judicial Officers, who own the car so as to cover the cost of maintenance and driver's salary and this will be increased to Rs.13,500/- from 01.01.2021.
- (ii) The transport allowance would be payable at a reduced rate of Rs.4,000/- per month, where there is an existing practice/procedure of allocating a driving-knowing office attendant / peon to the officer;
- (iii) In addition to the transport allowance, there shall be a reimbursement of the cost of 100 litres of petrol/diesel in cities and 75 litres of petrol/diesel in other areas.
- (iv) The Judicial Officers shall be permitted to exhibit a sticker at their option on the lower left side of the windscreen with inscription 'Judge' printed in moderately sized letters; and
- (v) Soft loan facilities to the extent of Rupees ten lakh at nominal interest for the purchase of car shall be extended to the Judicial Officers.

6. Dearness Allowance:-

In pursuant to the order of the Supreme Court of India dated 27.07.2022 and 19.05.2023, Dearness Allowance has already been granted to the Judicial Officers in G.O.(Ms.).No.384, Home (Cts-I) Department, dated 20.07.2023.

7. Earned Leave Encashment

Earned Leave encashment shall be admissible to the Judicial Officers in the manner mentioned below:-

- (i) Judicial officers, shall be entitled to a maximum limit of 300 days leave encashment at the time of retirement.
- (ii) 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.
 - d) 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 below:-

Leave encashed during service	120 days
Leave to the credit of the officer on the date of retirement	300 days
Maximum Leave to be encashed at the time of retirement	300 days
Eligible to get encashment of leave	300 days
Leave encashment granted at the time of retirement (120 days leave deducted on account of encashment during service)	300-120 = 180 days instead of 300

That 120 days leave encashment is required to be given to the officer now.

8. Electricity and Water Charges:-

- (i) The 50% of the electricity charge and water charge consumed at the residence shall be reimbursed.

- (ii) The ceiling in terms of units of electricity and quantity of water consumed shall be as follows:-

Designation	Electricity Units	Water Quantity
District Judges	8000 units per Annum	420 kls per annum
Civil Judges	6000 units per annum	336 kls per annum

- (iii) Reimbursement of electricity and water charges shall be on the quarterly basis on production of proof of payment of the billed amount.
- (iv) This allowance shall be available at the enhanced rates **with effect from 01.01.2020.**

9. Higher Qualification Allowance:-

- (i) 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.
- (ii) The advance increment 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.
- (iii) 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.
- (iv) 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.
- (v) The advance increment shall be available when the Officer is promoted from Civil Judge (Junior Division) to Civil Judge (Senior Division) and from Civil Judge (Senior Division) to District Judge cadre. The benefit of advance increments shall be extended at the ACP stage (ACP I or II).
- (vi) 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).

- (vii) The advance increments for all practical purposes shall be part of salary and Dearness Allowance shall be available on the same."
- (viii) The advance increments for acquiring higher qualification shall **also** be made available to officers who have acquired their degrees through distance learning programmes.

10. Hill area/Tough Location Allowance:-

- (i) Hill Area/Tough Location Allowance @ Rs.5000/- per month shall be paid to the Judicial Officers posted in hill areas/tough locations, as specified by the Hon'ble High Court of Madras.
- (ii) More beneficial provision, if any, already applicable to the officials of the State shall be extended to the Judicial Officers.
- (iii) 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.
- (iv) This allowance shall be available **with effect from 01.01.2016.**

11. Home Orderly/Domestic Help Allowance:-

A. Serving Judicial Officer:-

- (i) 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 State subject to minimum of Rs.10,000/- per month
Civil Judges:	60% of the minimum wages for one unskilled worker in the State subject to minimum of Rs.7,500/- per month.

- (ii) The allowance at the aforesaid rates shall be available to the Judicial Officers **with effect from 01.01.2020.**
- (iii) 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.

- (iv) 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:-
- (a) Magistrates who are called upon to attend the Judicial work at times during night times.
- (b) 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
- (c) such personnel can also be deputed to the residence of Principal District Judge or equivalent rank officer having administrative responsibilities.
- (v) 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.

B. Retired Judicial Officers / Family Pensioners

- (i) 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

- (ii) This allowance shall stand increased by 30% on completion of five years from 01.01.2016 ie., **with effect from 01.01.2021.**
- (iii) The allowance shall be drawn on the self certification of the Judicial Officer/ Pensioner/ Family Pensioner.

12. House Rent Allowance and Residential Quarters:-

(A) Residential Quarters:

- (i) The Judicial Officer is to be provided accommodation or requisitioned private accommodation within one month of taking charge of the post.

- (ii) If the Judicial Officer is not provided with the Government accommodation or requisitioned private accommodation within one month, then the Judicial Officer may secure private accommodation and should be paid rent in the following terms:-
- a) If the rent of the private accommodation is within the admissible house rent allowance mentioned below, no fixation of rent is required. But the concerned Judicial Officer has to certify the actual rent being paid.
 - b) If the rent of the private accommodation is more than permissible house rent allowance, the rent shall be assessed by Principal District Judge with the assistance of PWD officials.
 - c) If the difference between the permissible house rent allowance and the rent assessed is more than 15% and Principal District Judge may seek approval of High Court of Madras for payment of the said amount unless the officer is ready to pay the differential cost.
- (iii) The minimum plinth area for the residential accommodation shall be 2500 sq. ft. for District Judge and 2000 sq. ft. for Civil Judge. However, the High Court administration have the discretion to sanction the designs with higher plinth area.

(B) House Rent Allowance:

- (i) Judicial officers who are allotted official quarters for residence shall **not** be entitled to HRA;
- (ii) Judicial officers residing in their own houses, including the house of a parent or spouse, shall also be entitled for the recommended HRA **with effect from 01.01.2016** after obtaining permission from the High Court of Madras to reside in their own house and Judicial Officers already residing in hired accommodation will be entitled to the recommended HRA **with effect from 01.01.2020**, subject to the actual rent paid within the said ceiling.
- (iii) The Office of the Principal District Judge or equivalent shall pay rent directly to the landlord, in which case, the officer is not eligible to draw HRA; and
- (iv) The SNJPC rates of HRA should be applicable to all Judicial Officers as per the notification dated 07.07.2017 which was issued after the VII Central Pay Commission (CPC) by the Central Government;

Classification of Cities	Rates of HRA per month as % of basic pay
X	24%
Y	16%
Z	8%

- (v) However, the minimum rates prescribed are Rs.5400/-, Rs.3600/- and Rs.1800/- respectively. And the rate will be changed in accordance with the change in Dearness Allowance in the following terms:-

Classification of Cities	Rates of HRA per month as % of basic pay	When DA crosses
X	27%	25%
	30%	50%
Y	18%	25%
	20%	50%
Z	9%	25%
	10%	50%

Z category is unclassified at present and the High Court of Madras is at liberty to upgrade and add the cities in different classes;

(C) Furniture and Air Conditioner Allowance:

- (i) Furniture grant of Rs.1.25 lakhs every five years shall be provided to the Judicial Officers, subject to production of proof of purchase by the Judicial Officer. Household electrical appliances can also be purchased by availing of the said grant.
- (ii) The officers having not less than 2 years of service shall also be eligible for this allowance.
- (iii) 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.
- (iv) Apart from the furniture grant, one air-conditioner shall be provided at the residence of every Judicial Officer once in every five years.

(D) Residential Quarters Maintenance:

An amount of Rs.10 lakh be made available to each Principal District Judge on the basis of a proposal sent by the Registry of the High Court for the proper maintenance of the residential quarters.

13. Leave Travel Concession/Home Travel Concession:-

- (i) Encashment of 10 days earned leave while availing LTC (not HTC) (subject to the maximum of 60 days) can continue. The same shall be in addition to encashment of 300 days at the time of retirement and 30 days in a block of two years.
- (ii) The Judicial Officers may be permitted to avail one LTC and one HTC in a block of 3 years.
- (iii) The HTC shall be allowed 2 times in the first block of 3 years to fresh recruits. However, the block of 3 years shall commence on completion of the period prescribed for probation (not necessarily declared).
- (iv) 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.
- (v) The other details such as class of travel, advance etc. shall be governed by the respective Rules/ Orders of the States.
- (vi) The Judicial Officers may be allowed to carry forward LTC anywhere in India beyond retirement for a period of one year.
- (vii) The Judicial officers shall not be required to avail of earned leave only, for LTC/HTC purpose and they may be permitted to avail of casual leave as a prefix and suffix to the extent of two days.

14. Medical Allowance/Medical Facilities:-

Serving and Retired Judicial Officers are entitled to the benefit of Medical Allowance/Medical Facilities as specified below:-

- (i) Fixed medical allowance shall be payable at Rs.3,000/- p.m. to the serving Judicial Officers **with effect from 01.01.2016.**
- (ii) Fixed medical allowance shall be payable at Rs.4,000/- to the pensioners and family pensioners **with effect from 01.01.2016.**

- (iii) 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.
- (iv) Regarding Medical treatment and facilities including reimbursement, the existing procedures followed shall be continued until further orders are issued by the State Government/Hon'ble High Court of Madras in consultation with the Health and Family Welfare Department of the State Government, as per paras 56, 64, 65 of the orders of the Supreme Court of India dated: 04.01.2024 in W.P.(C). No.643 of 2015.

15. Newspaper and Magazine Allowance:-

- (i) Ceiling limit of 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).
- (ii) The reimbursement shall be on half yearly basis from January to June and July to December, on the basis of self certification.
- (iii) The allowance at the above mentioned rates shall be available **from 01.01.2020**.

16. Risk Allowance:-

There are **no designated risk areas** in the State of Tamil Nadu. Hence, this allowance is **not applicable** to Judicial Officers working in the State of Tamil Nadu.

17. Robe Allowance:-

The Judicial Officers shall be entitled for Robe Allowance of Rs.12,000/- once in three years **with effect from 01.01.2016**.

18. Special Pay for Administrative Work:-

Special Pay for Judicial Officers doing administrative work shall be payable to:

- (i) Principal District and Sessions Judges : Rs.7000/- per month
- (ii) 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.

- (iii) District Judges presiding over Special Courts and Tribunals having independent administrative responsibilities: Rs.3500/- per month.
- (iv) Chief Judicial Magistrates 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.
- (v) The Special Pay shall be available **with effect from 01.01.2019.**

19. Sumptuary Allowance:-

- (i) The Sumptuary Allowance shall be available to the Judicial Officers at the following rates:-

Posts	Rates in Rs.
District Judges	Rs. 7800/- p.m
Civil Judges (Sr. Div)	Rs. 5800/- p.m
Civil Judges (Jr. Div)	Rs. 3800/- p.m

- (ii) The allowance shall be available **with effect from 01.01.2016.**
- (iii) The following categories of Judicial Officers shall get Rs.1000/- more by virtue of their status or the additional responsibilities they shoulder.
 - a) Principal District Judge in-charge of administration in the Districts/Cities.
 - b) District Judges in selection grade and super time-scale.
 - c) Director of Judicial Academy / Member Secretary, Tamil Nadu State Legal Services Authority.
 - d) Chief Judicial Magistrate / Chief Metropolitan Magistrate.
- (iv) No sumptuary allowance shall be payable to retired Judicial Officers.

20. Telephone Facility:-

The Judicial Officers shall be provided with the following Telephone facilities:-

I. Residential Telephone (Landline):

- (i) The Landline Telephone and Broadband facilities (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.	

- (ii) 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, calls (local and STD both)	

II. Mobile Phone:

- (i) The provision of mobile phone (handset) with internet shall be as follows:-

District Judges	Rs.30,000/-
Civil Judges (Junior / Senior 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.	

- (ii) At the request of the Judicial Officers, the mobile phone handset shall be replaced once in three years.
- (iii) 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 of Madras.

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III. Office Telephone :

Regarding telephone connection to the office, the present arrangement shall be continued.

21. Transfer Grant:-

- (i) On transfer, the composite transfer grant shall be equivalent to one month's basic pay.
- (ii) 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 1/3rd of the basic pay.
- (iii) For the transportation of personal effects, the Office Memorandum, dated 13.07.2017 issued by the Department of Expenditure, Government of India pursuant to the recommendations of VII Central Pay Commission shall be applicable.
- (iv) 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%.
- (v) The recommendations will come into **effect from 01.01.2016.**
- (vi) 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 **with effect from 01.01.2016.**

9. The Registrar General, High Court of Madras is requested to calculate Head of Account wise additional budget allocation and send necessary proposals for Revised Estimate 2024-2025. The Commissioner of Treasuries and Accounts is directed to take required steps to make necessary changes in the software of Treasury System in the light of orders issued herein.

10. This order issues with the concurrence of Finance Department, vide its U.O.No.1951/Home-II/2024, dated 14.08.2024.

(BY ORDER OF THE GOVERNOR)

DHEERAJ KUMAR
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT

To:

The Assistant Registrar, Supreme Court of India, New Delhi.

The Registrar General, High Court of Madras, Chennai-104.
The Advocate on Record, Supreme Court of India, New Delhi.
The Secretary to Government of India,
Ministry of Law and Justice, New Delhi.
All District Judges.

[through the Registrar General, High Court of Madras, Chennai-104]
The Accountant General, Chennai-18.

The Pay and Accounts Officer, High Court of Madras, Chennai-104.
The Commissioner of Treasuries Accounts, Chennai-35.
All Pay and Accounts Officer/ Treasury Officers.

[through the Commissioner of Treasuries Accounts, Chennai-35].
The President, Tamil Nadu Judges Association,
3rd Floor, Madras Advocate Co- operative Society Canteen,
City Civil Court Campus, Chennai-104.

Copy to:-

The Additional Chief Secretary/ Secretary-I to Chief Minister,
Chennai-9.

The Private Secretary to Additional Chief Secretary to Government,
Home, Prohibition and Excise Department, Chennai-9.

The Special Personal Assistant to Hon'ble Law Minister, Chennai-9.



The Finance (Home-II/BG-I/BG-II/ Pay Cell) Department, Chennai-9.

The Public (Special-A) Department, Chennai-9.

The Law Department, Chennai-9.

Stock File/Spare Copy.

//FORWARDED /BY ORDER//


14.8.2024.
Section Officer

14/08/2024

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IN THE SUPREME COURT OF INDIA
CIVIL/CRIMINAL/ORIGINAL/APPELLATE/JURISDICTION
S.L.P./Civil Appeal/Writ Petition/T.P.(Civil/Cri.) No. _____ 2024

IN THE MATTER OF:

All India Judges Association

... Petitioner

- Versus -

Union of India

... Respondent

VAKALATNAMA

I/We Under Signed

Appellants(s)/Petitioner(s)/Respondent(s) /Opposite party in the above Suit/ Appeal: Petition/ Reference do hereby appoint and retain Mr. M.P.PARTHIBAN Advocate of the Supreme Court to act and appear for me/us in the above Suit/ Appeal/ Petition/ Reference and or my /our behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of my application connected with the same of any decree order passed therein, including proceedings in taxation and application for Review, to file and obtain return of documents, and to deposit and receive money on my/ or behalf in the said Suit Appeal/ Petition Reference and in application of Review, and to represent me/us and to take all necessary steps on my /our behalf in the above matter, I/We agree to ratify all acts done by the aforesaid Advocate in pursuance of this authority.

Dated this the 21st day of August 2024

Accepted & identified *certified, satisfied*

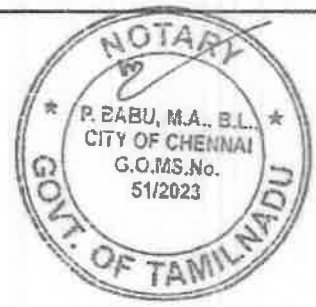
Prabhu

APPELLANT(s) (Signed) PETITIONER(s)

INTERVENOR(s) RESPONDENT(s)

M.P.PARTHIBAN
Counsel for the Applicant
A-70, Sector-14,
Noida-201301
Mob: 96433 41683.

21/8/24
Thiru. N. SURESH, M.L.,
General Secretary
THE TAMILNADU JUDGE'S ASSOCIATION,
Registration No. 70/2013
Reg. Off. at 3rd FLOOR,
MADRAS ADVOCATE CO-OPERATIVE SOCIETY CANTEEN,
(NEAR AAVIN GATE),
CITY CIVIL COURT CAMPUS,
CHENNAI-600 104.



Prabhu
P. BABU, M.A.B.L.,
Panel Advocate - ESI Corporation.
Government of India-Notary Public
No. 29, Laxmi Street, Shenoy Nagar
-600 030 Cell: 93826 6651

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MEMO OF APPEARANCE

To,
The Registrar,
Supreme Court of India
New Delhi

Sir,

Please enter my appearance on behalf of the Petitioner(s) /Appellant(s)/
Respondent(s)/ Intervenor in the matter above mentioned.

Dated this the 21st day of August, 2024

Dated:22.08.2024

Yours faithfully,



(M.P.PARTHIBAN)
Advocate for Petitioner(s)/Appellant(s)/Respondent(s)
CC No.2667