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From

The Registrar General,
Punjab and Haryana High Court,
Chandigarh

To

All the District Treasury Officers in the
States of Punjab, Haryana & UT Chandigarh

Chandigarh, Dated the 16th March 2024.

Sub: Implementation of the Judgment of the Hon'ble Supreme Court passed in Writ Petition (Civil) No. 643 of 2015 titled as "All India Judges Association Vs. Union of India & Ors."

Sir/Madam,

I am directed to refer you on the subject cited above and to inform you that while implementing the Judgment of the Hon'ble Supreme Court dated 04.01.2024 passed in Writ Petition (Civil) No. 643 of 2015 titled as "All India Judges Association Vs. Union of India & Ors.", in consequence to which Punjab Government has issued Notification No. Home-JD-10CC/8/2024-3JUD1/148 dated 22.02.2024 and Haryana Government has issued Notification No. 28/06/2024-1SIII dated 23.02.2024, the recommendations of Second National Judicial Pay Commission (SNJPC) approved and accepted by the Hon'ble Supreme Court, as framed in executable format approved by Hon'ble Committee for 'Service Conditions of the District Judiciary' in its meeting dated 01.02.2024 (Annexure 'A'), the Standard Operating Procedure (S.O.P.) (Annexure 'B') read with Explanatory Memorandum (Annexure 'C') approved by the Hon'ble Committee in its meeting dated 12.02.2024, Supplementary Explanatory Memorandum No. 1 approved by the Hon'ble Committee in its meeting held on 24.02.2024 (Annexure 'D') and Supplementary Explanatory Memorandum No. 2 approved by the Hon'ble Committee in its meeting held on 11.03.2024

(Annexure 'E'), along with annexures thereof, be strictly complied with by all concerned.

Sd/-
Registrar General-cum-ex-officio
Secretary, CSCDJ,
Punjab and Haryana High Court,
Chandigarh

Encls: As above

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

NOTIFICATION

No: 9. GAZ. II. XII-1

Dated: 14/02/2024

Pursuant to the directions of the Hon'ble Supreme Court passed in W.P.(C) No-643 of 2015 (All India Judges' Association-Vs-Union of India and Others) on 04.01.2024, the Committee for Service Conditions of the District Judiciary (in short CSCDJ) was constituted by the Hon'ble Acting Chief Justice of the Punjab and Haryana High Court on 19.01.2024. The CSCDJ headed by Hon'ble Mr. Justice Rajbir Sehrawat, Chairperson formulates the following Standard Operating Procedure (SOP) for proper implementation of the recommendations of the SNJPC in respect of pay, pension, allowances and all allied matters as approved by the Hon'ble Supreme Court including all the payment of arrears of salary and pension of the Judicial Officers, pensioners and family pensioners etc. of the States of Punjab and Haryana.

**STANDARD OPERATING PROCEDURE (SOP) FOR THE STATES OF PUNJAB
AND HARYANA**

1. The Home Department, Government of Punjab/the Chief Secretary to Government of Haryana with concurrence of their respective Finance Departments shall publish all the G.Os. /Notifications on or before 16th February, 2024, if not already issued in respect of pay, pension, allowances and all allied matters to comply with the direction of the Hon'ble Apex Court and for proper implementation of the recommendations of the Second National Judicial Pay Commission (in short SNJPC) as directed by the Hon'ble Supreme Court.
2. While formulating Resolution/Notification on each allowance, the effective dates, as recommended shall be distinctly mentioned and the major/minor heads of Account from which

the current and arrear claims/allowances be drawn/reimbursed shall be mentioned.

3. Both the State Governments and all the concerned authorities shall act in terms of the above directions passed by the Hon'ble Supreme Court on 04.01.2024 and earlier in W.P.(C) 643 of 2015 and disbursement on account of arrears of salary, pension and all allowances due and payable to Judicial Officers, retired Judicial Officers and family pensioners shall be computed and paid on or before 29.02.2024 and compliance report be submitted to the Registrar General by the first week of March, 2024.
4. (a) For drawal of the arrears of salary/allowances/retiral and pensionary benefits within the stipulated dateline as fixed by the Hon'ble Supreme Court of India, Home Department of State of Punjab/Office of Chief Secretary to Government of Haryana in consultation with the Finance Departments, shall place sufficient funds timely, i.e. on or before 16th February, 2024, in appropriate heads of account at the disposal of respective C.Os, Special C.Os, Heads of Department. DDO for the purpose. If required, funds may also be made available by resorting to the process of re-appropriation of available savings with the concerned departments in a time bound manner.
- (b) The Home Department, Government of Punjab/Chief Secretary to Government of Haryana with concurrence of Finance Department to pass necessary direction by which the above bills can be passed in anticipation of allotment to comply with the above direction of the Hon'ble Court.
5. All the District and Sessions Judges and heads of office shall constitute a special team to prepare the above bills for disbursement of the arrears and current amounts to comply with the direction of the Hon'ble Apex Court. The District Judges must also appoint a Judicial Officer who can make necessary

communication with the Nodal agencies and Nodal Officer of this Committee pertaining to implementation of the direction.

6. If the arrear of salary/retiral and pensionary benefits, of any serving Judicial Officer/pensioner/family pensioner has not been disbursed by their respective Heads of Department/DDO as per previous orders of the Hon'ble Supreme Court, it shall be paid with immediate effect and compliance reports be submitted to the Registrar General of the High Court for onward submission before the Hon'ble Supreme Court of India.
7. The authorities concerned shall fully cooperate in implementation of the recommendations and making payment of the dues of the Judicial Officers without making any unnecessary hurdles.
8. Pension Branch of Hon'ble High Court to maintain a database of retired Judges and family pensioners in the District Judiciary with periodical updating, at least on a quarterly basis. The current data shall be finalized by the Pension Branch on or before 15th February, 2024.
9. For smooth disbursement of salary, allowances, arrears and other service and retiral benefits, the following Government Authorities are hereby declared as Nodal Agencies:-
 - (i) The Chief Secretary to Government of Haryana;
 - (ii) The Administrative Secretary, Home Department, Government of Punjab;
 - (iii) The Registrar General, High Court of Punjab and Haryana;
 - (iv) The Accountant General (A&E), Punjab and Haryana;
 - (v) The Principal Secretary, Finance Department, Government of Punjab/ Additional Chief Secretary, Finance Department, Government of Haryana;
 - (vi) The Principal Secretary/Additional Chief Secretary, Health and Family Welfare Department, Government of Punjab and Haryana respectively;

- (vii) The Secretary/Additional Chief Secretary, Public Works Department, Government of Punjab and Haryana respectively;
- (viii) The Deputy Registrar (Accounts) High Court at Chandigarh, Representative of the Registrar General, High Court at Chandigarh;
- (ix) The Director of Treasury, Government of Punjab and Haryana;
- (x) The District Judges of the State of Punjab, Haryana and U.T. Chandigarh;
- (xi) The Heads of Department of all the Courts/Offices/Institutions of the Government where Judicial Officers are working or have worked on deputation or otherwise.

The above authorities shall see that the disbursement on account of arrears of salary, allowances or any other payable amounts to Judicial Officers, retired Judicial Officers, pensioners and family pensioners shall be paid on or before 29.02.2024.

The office of the Registrar General, Punjab and Haryana High Court shall prepare the contact details of these Nodal Agencies at the District and State Level and upload on the website of the Court.

10. The Judicial Officers/retired Judicial Officers/pensioners/family pensioners, if having any, grievance/issues with regard to release of their arrears of salary/allowances/or any other payment amount/retiral and pensionary benefits from the side of the concerned Heads of Department/DDO/Treasury shall be brought to the notice of the CSCDJ in writing either through the Nodal Officer of the Committee or the Registrar General of this Court for timely redressal of the same.
11. The Nodal Officer shall monitor and coordinate the functioning of all the Nodal Agencies and report to the Committee any difficulties faced in implementation of the recommendations.

12. The S.O.P. be published on the website of the Hon'ble High Court and District Courts of the States of Punjab, Haryana and UT Chandigarh.
13. The abovesaid S.O.P. shall be separately communicated to all concerned for necessary information, guidance and compliance as well.

By order of the Court
14/12/2024
Registrar General-cum-
Ex officio Secretary of (CSCDJ)
REC

ALLOWANCES AND FACILITIES RECOMMENDED BY THE SECOND NATIONAL JUDICIAL PAY COMMISSION AS APPROVED BY THE HON'BLE SUPREME COURT.

1. House Building Advance (HBA)

- (i) HBA 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 private individuals subject to such safeguards as may be prescribed by the State Government in consultation with their respective High Courts.

2. Children Education Allowance (CEA)

- (a) Rs.2,250 per month as CEA and Rs.6,750 per month as hostel subsidy for two children up to Class 12 w.e.f. the academic year 2019-20;
- (b) For children with special needs, the reimbursement would be at double the rate stated in (a);
- (c) When the DA increases by 50%, the allowances and subsidy shall increase by 25%; and
- (d) The rights of officers who are already receiving this benefit will not be adversely affected by the recommendation.

3. City Compensatory Salary Allowance

To be discontinued prospectively, but no recovery of amount already paid.

4. Concurrent Charges Allowance

1. The concurrent charge allowance to be available maximum at the rate of 10% of the minimum of the scale of the additional post held beyond a period of ten working days.
2. No upward revision in the percentage of the Concurrent Charge allowance.
3. High Court to decide the Concurrent Charge allowance to be available to the Officer within the ceiling of 10% on the basis of the number of days worked, the quantum of judicial work turned out and the administrative work handled.
4. The criterion laid down by FNJPC be dispensed with and there shall

not be any insistence on the performance of 'appreciable judicial work' of the Court concerned.

5. Conveyance/Transport Allowance (TP)

- (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 is 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 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 Court is permitted to prune down the list if considered appropriate.
- (e) The quantum of petrol/diesel for official cars is 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 are 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.

6. Dearness Allowance

Dearness allowance to be paid to the judicial officers at the rate fixed by Central Government.

7. Earned Leave Encashment

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

8. Electricity and Water Charges

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

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

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

9. Higher Qualification Allowance

1. The Judicial Officers shall be granted three advance increments for acquiring higher qualification i.e. post- graduation in law and one more advance increment if he acquires Doctorate in Law.
2. The advance increments once granted for post-graduation degree or Doctorate in law shall not be again granted if, in future, the officer acquires post graduate or Doctorate degree in any other subject.
3. The advance increments shall be available to the officer who had acquired the post-graduation degree or Doctorate either before recruitment or at any time subsequent thereto while in service.
4. The advance increments shall be granted from the date of initial recruitment, if the officer has already acquired the post- graduation degree or Doctorate and from the date of acquiring the post-graduation or Doctorate degree, if acquired after joining the service. Such allowance shall also be available to the officer acquiring his/her degree through a valid distant learning programme.
5. The benefit of advance increments shall be available at the ACP stages (ACP I or II), as well as, when the Officer is promoted from Civil Judge (Jr. Div.) to Civil Judge (Sr. Div.) and from Civil Judge (Sr. Div.) to District Judge cadre.
6. 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).
7. The advance increments for all practical purposes shall be part of salary and Dearness Allowance shall be available on the same.

10. Hill Area/Tough Location Allowance

1. Hill Area/Tough Location Allowance @ Rs.5000/- per month shall be paid to the Judicial Officers posted in hill areas/tough locations w.e.f. 01.01.2016, if the area is so specified by the High Court.
2. More beneficial provision, if any, already applicable to the officials of the State/UT shall be extended to the Judicial officers.

11. Home Orderly/Domestic Help Allowance

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

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

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

2. Judicial officers getting higher allowance on this account by virtue of the orders issued by a State, shall continue to draw the same.
3. The allowance at the aforesaid rates shall be available to the Judicial Officers w.e.f. 01.01.2016 in States where they are getting the same prior to 01.01.2016, and in other cases w.e.f. 01.01.2020.
4. The Judicial officers provided with Group D employee as an Attender/Peon/office subordinate for residential duties may exercise their option either to continue with the present system and forego the allowance that has been recommended or to claim the allowance instead of availing the services of the official Attender/Peon.
- 5(a) The payment of home orderly allowance shall not result in discontinuance of practice, if any, of deputing the Office Peons/Attenders or other Group D employee during nights at the residences of (i) Magistrates who are called upon to attend the Judicial work at times during night times. (ii) the Office Peon/Attender or such other Group D employee deputed for night duty at the residence of Judicial officer living in the areas generally considered to be disturbed or security risk areas or outsourced security guards to be deployed in such areas and (iii) such personnel can also be deputed to the residence of Principal District Judge or equivalent rank officer having administrative responsibilities.
- (b) The deployment of Peons/Attenders for such residential duties shall be subject to the availability of Group D/Class IV personnel and without detriment to Court related duties.
6. The High Court may, if considered appropriate, draw up a panel of Home Orderlies/residential attendants/sevaks appointed on consolidated salary equivalent to minimum wages and allot them to the Judicial officers. However, in such a case, Home Orderly allowance shall not be claimed.
- 7a. Domestic Help Allowance to the pensioners and family pensioners shall be available at the following rates from 01.01.2016:

Pensioner: Rs.9,000/- per month

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

- 7b. This allowance shall be increased by 30% on completion of five years from 01.01.2016 that is, w.e.f. 01.01.2021.
8. The allowance shall be drawn on the self certification of the Judicial Officer/Pensioner/Family Pensioner.”

12. House Rent Allowance and Residential Quarters

(a) Residential Quarters:

1. The State Governments are to urgently take up construction of the residential quarters for the Judicial Officers and the progress of construction may be monitored by this Court.
2. The Judicial Officer is to be provided accommodation or requisitioned private accommodation within one month of taking charge of the post.
3. 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 shall 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/R&B officials.
 - c. If the difference between the permissible house rent allowance and the rent assessed is more than 15% then Principal District Judge shall seek approval of High Court for payment of the said amount unless the officer is ready to pay the differential cost.
4. 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 shall have the discretion to sanction the design 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 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 VIIth Central Pay Commission (CPC) by the Central Government:

	Rates of HRA/pm as % of basic pay
X	24%
Y	16%
Z	8%

However, the minimum rates prescribed are 5400/-, 3600/- and 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/pm 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 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 Officer subject to production of proof of purchase by the

Judicial Officer. Household electrical appliances can also be purchased by availing of the said grant. The Officers having not less than two years of service will also be eligible for this allowance. The option to purchase the furniture being used by the officer at the depreciated rate shall be available at the time of fresh grant or retirement.

- (ii) 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 Ten lakhs is to 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 and that the Government must sanction the amount whenever proposed within two months from the date of the receipt of the proposal.

(e) Guest House/Transit Accommodation

The Guest house-cum-transit home facility is a long felt need of the Judicial Officers. The two winged Guest houses/transit homes shall be constructed by the Governments concerned out of which one can be used for transit home by transferred officers for a few weeks. The officials concerned shall act in coordination with the Registry of the High Court to identify the places where such Guest Houses are to be constructed. The details such as number and size of rooms and the amenities shall be finalized after mutual discussion. As regards the first phase of such construction, the State Governments/UTs may be directed to initiate action within a time frame of six months and necessary financial allocation has to be made for this purpose during the financial year. After construction, the High Courts will issue necessary instructions regarding maintenance, minimal catering arrangement, rent to be charges etc.

13. Leave Travel Concession (LTC)/Home Travel Concession (HTC)

- i. Payment of one month's salary for not availing the LTC is unwarranted and it would defeat the objective of LTC.
- ii. Encashment of 10 days earned leave while availing LTC (not HTC) (subject to the maximum of 60 days) is to continue. The same will

be in addition to encashment of 300 days at the time of retirement, and 30 days in a block of two years.

- iii(a) As regards frequency of LTC, the Judicial Officers are to be permitted to avail one LTC and one HTC in a block of 3 years.
- (b) As far as fresh recruits are concerned, the HTC shall be allowed 2 times in the first block of 3 years. However, the block of 3 years will commence on completion of the period prescribed for probation (not necessarily so declared).
- iv(a) The Judicial officers irrespective of their rank shall be allowed to travel by air and the reimbursement shall be made subject to the condition that the tickets have been purchased either directly from the Airlines or from the agents authorized, namely, Ashoka Travels, Balmer and Lawrie and IRCTC by the Central/State Government subject to further addition or deletion of the authorized agent by the Central/State Government.
- (b) The other details such as class of travel, advance etc. shall be governed by the respective Rules/Orders of States/UTs.
- v. The Judicial officers shall be allowed to carry forward LTC, anywhere in India, beyond retirement for a period of one year.
- vi. There is no justification for extending the LTC/HTC facility to the retired Judicial officers.
- 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

1. Fixed medical allowance shall be payable @ Rs.3,000/- p.m. to the serving Judicial Officers with effect from 01.01.2016.
 2. Fixed medical allowance shall be payable @ Rs.4,000/- to the pensioners and family pensioners with effect from 01.01.2016.
 3. The spouse or other dependents of Judicial Officers drawing family pension shall also be eligible for medical facilities/reimbursement at par with the pensioners of the judiciary.
- 4(a) The necessity of reference from the Medical Officer of a Government hospital shall be dispensed with. Straightaway, the Judicial Officers, including pensioners/family pensioners, shall be entitled to have consultations/treatment in the Government

notified/empanelled private hospitals/Pathological Labs and seek reimbursement by submitting the bills as per the usual procedure (which is now being followed).

- (b) In regard to Judicial Officers governed by DGEHS or CGHS, the existing procedure which is quite simple and systematic, can be followed.
 - (c) The Principal District Judges or Registry of High Court [in respect of Principal District Judge] shall be empowered to address credit letters to the concerned hospitals where the Judicial Officer or Judicial Pensioner/Family Pensioner has been or is to be admitted as inpatient.
 - (d) For the Pensioners and Family Pensioners, a Medical Card on the lines of what is being issued in Delhi shall be issued by the Principal District Judge.
 - (e) The expenditure incurred towards inpatient treatment or for serious ailments requiring more or less continuous treatment shall be processed and sanctioned by the Principal District Judges or other authorized Officer of that rank or as the case may be, by the Registry of the High Courts.
 - (f) In the case of emergency, the Judicial Officer, serving & retired as well as the family pensioner can take treatment in any nearest private hospital – not necessarily, Government notified hospitals and seek reimbursement as per the usual procedure. If necessary, Credit letter shall be issued for this purpose.
5. On submission of the estimate given by the recognized/empanelled hospital, 80% shall be sanctioned as advance, subject to preliminary scrutiny by the Principal District Judge or a District Judge of equivalent rank authorized by the Registry of the High Court. The balance shall be reimbursed on certification by the designated Civil Surgeon or Official of the Directorate of Medical & Health Services as the case may be. If the Government approved rates are not available for any particular item, the certifying officer shall have due regard to the rates generally charged in the hospitals concerned. Though there needs to be scrutiny before sanctioning the payment in view of the tendency to exaggerate the estimates, the extent of disallowance shall be minimal and the reasons for disallowance

- shall be disclosed by the certifying authority. The bills sent by the District Judge for scrutiny of the designated Civil Surgeon/Officer of Directorate shall be cleared within a maximum period of one month from the date of receipt.
- 6(a) The retired Judicial Officers and the family pensioners who have settled down in another State shall have the facility to claim medical reimbursement/advance from the State from which s(he) is drawing pension/family pension.
- 6(b) The cost of treatment including room charges/tests undergone in any Government/Government notified/recognized hospitals/pathological labs in an emergency or otherwise, shall be reimbursed to the serving officers on tour (official or private purpose) to another State or settled in another State after retirement even though it is not recognized hospital/lab in the State in which the officer is serving or had served.
- 7 The Registry of the High Court shall examine whether the notified/empanelled hospitals sufficiently cater to the needs of the Judicial Officers including the pensioners/family pensioners and send proposals to the Government for notifying additional hospitals/pathological Labs to the extent it is considered necessary.
8. To avoid delays in processing and sanctioning the bills for want of funds, the Registry of High court shall take prompt action in addressing the Government for releasing additional funds and the Finance Department of the State shall take immediate action by way of making available the additional funds to the High Court on this account.

The referral system is to be done away with.

15. Newspaper and Magazine Allowances

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

continue.

16. Risk Allowance

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

17. Robe Allowance

- (i) An allowance of Rs 12,000 will be payable once in three years with effect from 01.01.2016; and
- (ii) The demand for the robe allowance may not be raised before the next Commission.

18. Special Pay for Administrative Work

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

19. Sumptuary Allowance

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

District Judges	Rs. 7,800/- per month
Civil Judges (Sr. Div.)	Rs. 5,800/- per month
Civil Judges (Jr. Div.)	Rs. 3,800/- per month
2. The allowance shall be available w.e.f. 01.01.2016.
3. The following categories of Judicial Officers shall get Rs.1,000/-

(One thousand) more by virtue of their status or the additional responsibilities they shoulder.

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

20. Telephone Facility

i. Residential Telephone (Landline):

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

District Judges: Rs.1500/- per month

Civil Judges: Rs.1000/- per month

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

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

District Judges: Rs.1000/- per month

Civil Judges: Rs.750/- per month

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

ii. Mobile Phone :

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

District Judge: Rs.30,000/-

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

And the permissible user shall be:

District Judges: Rs.2000/- per month

Civil Judges: Rs.1500/- per month

inclusive of internet data package.

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

Governments/UTs, shall be continued notwithstanding the above recommendations.

iii. Office Telephone:

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

21. Transfer Grant

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

While accepting the said recommendations, the Hon'ble Supreme Court has institutionalized the implementation of the judgment dated 04.01.2024 passed by it in the All India Judges Association's case with respect to the service conditions of the district judiciary by directing the constitution of a Committee in each High Court for overseeing the said implementation which shall be called "**Committee for Service Conditions of the District Judiciary**" by also ordering that composition of the Committee shall be in the following manner:

- (i) Two Judges of the High Court to be nominated by the Chief Justice of which one should be a Judge who has previously served as a member of the district judiciary;
- (ii) The Law Secretary/Legal Remembrancer;

- (iii) The Registrar General of the High Court who shall serve as an *ex officio* Secretary of the Committee; and
- (iv) A retired judicial officer in the cadre of District Judge to be nominated by the Chief Justice who shall act as a nodal officer for the day to day redressal of grievances.

It has also described the principal functions of the said Committee in Para No.85 of the said judgment and has also directed that the said Committee shall consider the following aspects also:

- (i) Oversee the proper implementation of the recommendations of the SNJPC, including pay, pension, allowances and all allied matters as approved by this Court by its orders;
- (ii) Act as a single point nodal agency for the redressal of the grievances of the judicial officers, both serving and retired to secure the implementation of the recommendations of the SNJPC which have been approved by this Court;
- (iii) Develop an institutional mechanism for recording and archiving institutional concerns pertaining to pay, pension and service conditions of the district judiciary which shall aid in the consultative framework for subsequent Pay Commissions constituted for judicial officers; and
- (iv) Ensure that hospitals of a requisite standard with necessary facilities are empaneled for every district in consultation with the Secretary in the Health Department of the State Government. The Collectors of the districts shall render all necessary assistance in ensuring that the process of empanelment is duly streamlined. The process of empanelment shall ensure that the hospitals which are empaneled have a demonstrable track record and possess requisite medical facilities required for affording medical treatment of the requisite quality and care. The Committee may also ensure the empanelment of institutions for the purpose of carrying out medical investigations. The Committee will prescribe the benchmarks for empanelment. The Committee shall ensure that where medical care of the requisite standard for specified ailments is not available in the district concerned, treatment in respect of those ailments may be availed of elsewhere in an empaneled hospital. The Committee would be at liberty to take incidental

measures covering situations where officers who have served in the State are residing outside the State. In such a case, the Committee may consider empanelment of hospitals outside the State so as to facilitate the availing of medical facilities.

It has further been directed that all the States and Union Territories shall act in terms of the above mentioned directions and disbursement on account of arrears of salary, pension due and payable to the judicial officers, retired judicial officers and family pensioners shall be computed and paid on or before 29.02.2024 and the above said Committee shall monitor the compliance. The Hon'ble Supreme Court has also directed that each Committee working under the auspices of the Hon'ble High Court shall submit its report to the Hon'ble Supreme Court through its Registrar General on or before 07.04.2024.

Still further to obviate any delay in implementation of these accepted recommendations the Hon'ble Supreme Court has also held and ordered that the States shall not be entitled to raise any objection to the effect that it does not have the necessary finances or that any rules or regulations of the States do not permit the implementation of these recommendations or the same are inconsistent with or deficient vis-à-vis the recommendations accepted by the Hon'ble Supreme Court or that the implementation would create any disparity between the judicial officers on the one hand and the other civil servants on the other hand. So none of such objections would be available to the States anymore. It has to be pure and simple implementation.

Explanatory Memorandum in consonance with the SOP as per the judgments dated 19.05.2023 and 04.01.2024 of the Hon'ble Supreme Court passed in Writ Petition (Civil) No.643 of 2015 titled as "All India Judges Association Vs. Union of India and others".

1. Child Education Allowance:

- ❖ The Judicial Officers entitled to claim the allowance under this Head shall submit the self certificate (Annexure 'A') for claiming this allowance.

2. Conveyance/Transport Allowance:

- a) Word 'city' means cities having Municipal Corporation/Municipal Committee/Municipal Council.
- b) The Judicial Officers of Haryana having Government vehicle shall not be liable to make payment of Rs.1,000/- per month of use of vehicle for private journey.
- c) Transport Allowance shall be payable to those officers also who did not avail the facility of private drivers even if this facility was available.
- d) "Own vehicle" means and includes a registered personal vehicle in the name of the Judicial Officer concerned or in the name of his/her spouse or his/her immediate family members i.e. parents, real brother or sister.

3. Centre D.A. for pensioners:

- ❖ Serving Judicial Officers as well as retired Judicial Officers shall be entitled to D.A. at the same rate and from the same date as granted to the central government employees by the Central Government in terms of Hon'ble Supreme Court of India orders dated 19.05.2023 and 04.01.2024.

4. Earned Leave:

- ❖ The earned leave shall be available for 30 days in Block of two years and the Block shall be read as 01.01.2016 to 31.12.2017, 01.01.2018 to 31.12.2019, 01.01.2020 to 31.12.2021, 01.01.2022 to 31.12.2023, 01.01.2024 to 31.12.2025 and so on.
- ❖ The Arrears shall be paid accordingly.

- ❖ Judicial Officer who intends to claim the arrears of any of the above said blocks can claim the same at the station where he/she is posted at present.

5. Home Orderly/Domestic Help Allowance:

- a) The arrears of Domestic Help Allowance shall be paid to Judicial Officers who had not availed the services of Home Peons provided by Punjab/Haryana Governments.
- b) The difference between allowances granted now (vide order dated 04.01.2024 of Hon'ble Supreme Court at point 11) and amount already paid to the Home Peons since 01.01.2016 shall also be granted as arrears of domestic help allowance, to the Judicial Officers who had availed the services of Home Peons provided by Punjab/Haryana Governments.

6. Furniture and Air Conditioner Allowance:

- ❖ The Judicial Officers shall be entitled for reimbursement of one air conditioner once in 5 years in a Block of 01.01.2016 to 31.12.2020 and 01.01.2021 to 31.12.2025. It is further clarified that an amount of Rs.75,000/- as cost of one A.C. shall be given as air conditioner allowance subject to the production of utilization certificate. No bills shall be required to be produced.
- ❖ Judicial Officer who intends to claim the arrears of any of the above said blocks can claim the same at the station where he/she is posted at present.
- ❖ In a couple case, both the Judicial Officers shall be entitled to claim separate air conditioners and furniture allowances as per their entitlement as Judicial Officer, irrespective of the fact as to whether they are posted at the same station or different stations.
- ❖ The prevalent practice in respect of retention of furniture shall continue in respect of Air Conditioners also.

7. L.T.C.:

- a) As per the judgment dated 04.01.2024 of the Hon'ble Supreme Court, L.T.C. would be extended by one year in case of retired Judicial Officers. It is hereby clarified that such retired Judicial

Officer can avail the encashment of 10 days earned leave, if he/she is having the said earned leave to his/her credit beyond 300 days, which he/she has already got encashed.

- b) For the purpose of claiming L.T.C., the block years be read as follows:

2024-2026

2027-2029

8. Special Pay for Administrative Work:

- a) It is hereby clarified that term “Principal District and Sessions Judges” means all the District and Sessions Judges who are/were working as District and Sessions Judges, irrespective of their place of posting (including those on deputational posts).
- b) All “Other District Judges” means all Officers of Superior Judicial Service except as mentioned at Serial No.1.
- d) All Civil Judges are included in this category.

Supplementary Explanatory Memorandum No.1 in consonance with the SOP as per the judgments dated 19.05.2023 and 04.01.2024 of the Hon'ble Supreme Court passed in Writ Petition (Civil) No. 643 of 2015 titled as "All India Judges Association Vs. Union of India & Ors.

1. Children Education Allowance (CEA)

- a) It is clarified that fixed Education Allowance of Rs. 2250/- per month and Hostel Grant of Rs. 6750/- per month is admissible for education of each child (for two children only) upto twelfth (XIIth) standard.
- b) The reimbursement of Children Education Allowance/Hostel subsidy can be claimed only for the two eldest surviving children with the exception that in case after the first child, twins/multiple children are born, the allowances shall be available qua all the children on the second birth as well.
- c) For children with special needs, the reimbursement would be at double the rate stated in (a);
- d) In order to claim hostel allowance, a certificate from the Head of Institution confirming that the child remained in hostel for the concerned period, be submitted. Word "Hostel" would not include P.Gs (Paying Guest House) and other private accommodation.

2. Home Orderly/Domestic Help Allowance

The proforma of self certificate for domestic help allowance to be submitted by pensioners/family pensioners to the Pension Disbursing Bank is attached as Annexure 'D'.

3. House Rent Allowance and Residential Quarters

Since, as per the judgment of the Hon'ble Supreme Court, House Rent Allowance has been made available to the Judicial Officers residing in their own houses including the houses of their parents and spouses and only condition imposed by the judgment is that permission from the High Court to reside in such a house should have been obtained by such Judicial Officer, therefore, the said allowance shall be available to the concerned Judicial Officer with effect from 01.01.2016, if he/she resided in such a house after obtaining necessary permission from the Hon'ble High Court irrespective of the fact as to whether the Government Accommodation was available or not.

4. Transfer Grant

It is hereby clarified that in couple case/s the Judicial Officers are entitled to the transfer grant equivalent to one month's basic pay of each Officer.

5. Retention of Furniture and air conditioner as well as mobile phone

Retention of Furniture and air conditioner as well as mobile phone by the Judicial Officers on depreciated value was specifically discussed in the meeting dated 19.02.2024. It was agreed in the said meeting by the Officers of the State Governments that the existing provisions in the State of Punjab and Haryana already provide that on expiry of the requisite time period, the Judicial Officer shall be entitled to retain the said items without any payment. It was accordingly resolved in the said meeting that no provision for payment of depreciated value of the above-said items is required to be prescribed.

6. Retrospective recovery from amount of revised commuted pension

In the meeting dated 01.02.2024 of the Committee, a representation made by Mr. A.K.S. Panwar, former District & Sessions Judge was taken up. In the said representation, the Officer had stated that on revision of pensionary benefits he was allowed revision qua commutation of pension as well. However, while disbursing the said amount on account of commutation of pension, most of the amount was appropriated towards adjustment of the repayment in relation to commutation of pension along with interest. In other words, the recovery which was required to be effected from his pension has been retrospectively effected from the commuted amount of the revised pension, even that with interest from a back-date. In the meeting dated 19.02.2024, a copy of the said representation was handed over to Sh. Sunil Saran, Senior Economic Advisor, Finance Department, Haryana who assured the Committee to get the matter resolved.

In view of the above, it is clarified that the said revision of commuted value of pension be paid to the retiree after adjusting only the principal amount, without interest with effect from 01.01.2016 to the date of payment, towards repayment of commutation. The interest on commuted value would be chargeable with effect from the date of actual payment till its recovery, as per time schedule already fixed.

7. **Availability of more beneficial benefit**

If any benefit more beneficial is already available under any existing law/rule or instruction, the Judicial Officers shall have the option to get the same.

8. **Obstruction/resistance to the implementation**

Since the payments are to be made pursuant to the judgment rendered by the Hon'ble Supreme Court granting benefits to the Judicial Officers as well as to the retired Judicial Officers; and the said judgment has clarified that any law, rule, regulation and instruction of any of the State Governments inconsistent with or contrary to the judgment are irrelevant, therefore, none of the authorities shall raise any objection qua the payment on the ground that such payment would go contrary to any rule or instruction of the State Government. Therefore, all the authorities, Treasuries and the concerned Banks shall be bound by the recommendations approved and accepted by the Hon'ble Supreme Court in this regard, as interpreted by this Committee; and which are communicated to the concerned authorities. Any resistance/obstruction or denial of clearance of any bill or making of any payment by any person or authority is liable to be viewed very seriously making such person or authority liable for necessary punitive action by the Court at appropriate level and in appropriate manner.

Self Certificate for Domestic Help Allowance (DHA)

I, _____, S/o, W/o, D/o _____ being pensioner/family pensioner, Resident of _____ (Mobile) _____ having PPO No. _____ do hereby certify that I have availed the services of Domestic Help for the period from _____ (from the date of retirement, if retired after 01.01.2016) to 29.02.2024. Therefore, I am entitled to Domestic Help Allowance.

It is further certified that henceforth, I will furnish to the Pension Disbursing Bank, the requisite annual self certificate regarding the utilization of Domestic Help Allowance, in the month of November every year along with the usual life certificate.

Dated:

(Signature)

Supplementary Explanatory Memorandum No.2 in consonance with the SOP as per the judgments dated 19.05.2023 and 04.01.2024 of the Hon'ble Supreme Court passed in Writ Petition (Civil) No.643 of 2015 titled as "All India Judges Association Vs. Union of India and others".

1. Children Education Allowance:-

If the Children Education Allowance and hostel subsidy have already been claimed by the spouse of the Officer working in another Government Department at the rate less than Rs.2,250/- and Rs.6,750/- respectively, the difference of the same will be payable to the Judicial Officer as arrears.

2. House Rent Allowance to Trainee Judicial Officers:-

Since the Trainee Judicial Officers are already provided free accommodation in the Chandigarh Judicial Academy and at most of the stations of posting they are provided with accommodation, therefore, the trainee Judicial Officers would not be entitled to any House Rent Allowance (HRA).

3. Furniture and Air Conditioner Allowance:

a) Clarification with regard to Air Conditioner Allowance

The provisions regarding the Furniture and Air Conditioner Allowance are already clear. The same shall be paid as allowance payable to the Officer by the Drawing and Disbursing Officer (DDO) without further reference to the High court.

b) Clarification with regard to Furniture Allowance

No clarification is required. The judgment read with Explanatory Memorandum and Supplementary Explanatory Memorandum is clear. The Furniture Allowance as provided by the judgment of the Hon'ble Supreme Court has to be disbursed if the Judicial Officer is having 2 years or more of remaining period of service before retirement. The Air Conditioner Allowance shall be available to a Judicial Officer irrespective of his/her remaining period of service before retirement.

4. Leave Travel Concession (Punjab):-

Since the arrears arising on account of revision of pay scales have to be paid to the Judicial Officers with effect from 01.01.2016 as per the mandate of the Hon'ble Supreme Court, therefore, any allowance dependent upon pay, including L.T.C./leave encashment or the amounts in lieu thereof would be required to be calculated afresh and the difference would be payable to the Judicial Officers w.e.f. 01.01.2016.