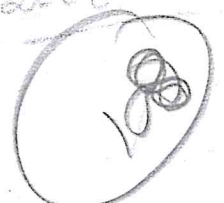


5/11/06-92

16/10/2006



Government of Tamil Nadu

ABSTRACT

First National Judicial Pay Commission - Service Conditions of Judicial Officers - Implementation of orders of Supreme Court of India on Shetty Commission Recommendations - Orders - Issued.

Home (Cts.IA) Department

G.O.(MS) No.985

Dated: 16.10.2006

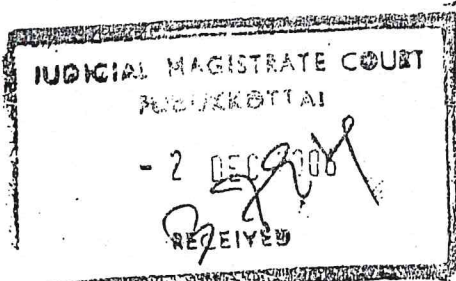
Read:-

- 1) G.O.Ms.No.581, Home, dated 30.6.2003.
- 2) Orders of Supreme Court of India dated 7.2.2006 in Writ Petition (Civil) No.1022/1989.
- 3) From the Registrar General, High Court, Madras, Letter No.53/2003/Con.B1 dated 3.5.2006.
- 4) G.O.Ms.No.668, Home (Cts.IA) Department, 26.7.2006.

ORDER:

The Hon'ble Supreme Court of India in their order dated 7.2.2006 in Writ Petition (Civil) No.1022/1989, among other things, has directed the Union of India/State Governments/Union Territories to implement the recommendations of Shetty Commission relating to the service condition of Judicial Officers/retired Judicial officers i.e Assured Career progression, Medical Allowance and Domestic Help Allowance and the following 16 items of recommendations contained in Chapter XIX (Volume III) of the Shetty Commission.

1. Water and Electricity Charges
(50% of charges to be paid by the Government)
- 2) News paper/Magazine Allowance
(Newspaper/Magazine to be supplied to Judicial Officers at the cost of the State).
- 3) City Compensatory Allowance
To be paid at the rates applicable to the State Employees.
- 4) Robe Allowance
Rs.5000/- per officer once in 5 years.
- 5) Conveyance Allowance
If pool car facility not availed, then 75/50 litres of Petrol to officers owning cars or 25 litres of Petrol to owner of two-



wheelers, plus some other facilities like soft loans for purchase of vehicles.

6) Sumptuary Allowance

Category	Rs. per month
District Judge	Rs.1000/-
Civil Judge (Sr.Div.)	Rs.750/-
Civil Judge (Jr.Div.)	Rs.500/-

7) Hill Allowance

(At the existing State pattern)

8) Medical Facilities

(Mainly on the pattern of those available to members of the State Legislature) Plus a Medical Allowance of Rs.100/- (One hundred per month to serving as well as Retired Judicial officers).

9) Leave Travel Concession (LTC)

Home Travel Concession (HTC)

(LTC once in 4 years to any place in India
(HTC once in 2 years)

10) Special pay

High Court to evolve a principle of paying SPECIAL PAY to such officers who have considerable administrative work outside the Court hours.

11) Concurrent Charge Allowance

(10% of minimum the time scale of the additional post held)

12) Encashment of Leave and Leave Salary

(Judicial Officers to be allowed to encash leave not exceeding one month in block of two years and tax free)

13) Transfer Grant/Disturbance Allowance

(As per Government of India Rules for payment of Transfer Grant i.e. an amount equal to one month's Basic Pay in case of transfer involving change of stations located at a distance of more than 20 kms from each other).

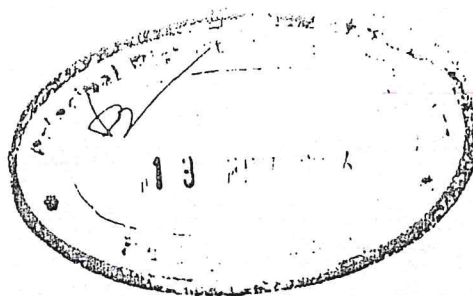
14) House Rent Allowance

Facility of rent-free accommodation ordered by the Hon'ble Court in the main judgment (2002 (4) SCC 247) dated 21.3.2002, vide para 35.)

15) Telephone facilities

Provision of telephone facility at the residence as well as court of each officer with specific free-calls permissible for different categories of Judges.

16) Advances/Loans for construction/purchase of house /vehicles / personal computers.



In the G.O. fourth read above orders were issued for the supply of News Paper/Magazine, sanction of Rebe Allowance, Conveyance Allowance, Sumptuary Allowance, Special Pay, House Rent Allowance, City Compensatory Allowance, Hill Allowance, Leave Encashment etc.,

In order to implement/comply the directions of the Supreme Court of India, now the Government have also decided to accept the following items of recommendations of Shetty Commission

1. Water and Electricity Charges

Shetty Commission has suggested that 50% of the Electricity and Water charges of the residences of the Judicial Officers should be reimbursed by the Government. Supreme Court of India viewed that there is merit in this suggestion subject to a cap being placed so that the 50% expenses does not become very exorbitant. This allowance should be paid in as much as Judicial Officers do and are required to work at their residence in discharge of their Judicial duties. Therefore it will not be inappropriate that 50% of the electricity and water charges should be borne by the State Government.

The Government accordingly direct that the Judicial Officers shall be sanctioned the reimbursement of 50% Water and Electricity charges. The Judicial Officers are requested to ensure that the Electricity and water are being utilised for discharge of official duties so that 50% of the charges on those items does not become very exorbitant. The above benefits are not applicable to the Judicial Officers who owned a house/shop which is let out for rent.

2. Medical Facilities

The Hon'ble Supreme Court of India has directed that the medical facilities to Judicial Officers mainly on pattern of those available to member of State Legislature plus a Medical Allowance of Rs.100/- per month to serving Judicial Officers.

Medical Facilities available to MLA's are as follows:-

Every Member and the members of his family are entitled, free of charge, to accommodation in the Hospitals maintained by the State Government and also to medical treatment. Cost of medicines purchased in the open market in regard to their medical treatment is reimbursed.

Financial Assistance to Major Surgery

Every Member of the Legislative Assembly, who on prior intimation to the State Government undergoes surgery relating to heart, kidney or any other part of the body, which the State Government may consider to be a major surgery in any hospital maintained by the Central Government, any State Government or any Union Territory Administration, in any private Hospital situated in the Territory of India, shall be entitled to financial assistance subject to such conditions as may be prescribed.

After careful consideration of the direction of the Hon'ble Supreme Court of India, the Government hereby issues the following orders.

1. The Judicial officers shall be entitled to claim expenses incurred by them for the medical attendance and the treatment as out-patient or in patient obtained by them and their family members in hospitals and dispensaries maintained by the Government or notified Hospitals/ dispensaries. The expenses shall be inclusive of the charges of accommodation in the place where such treatment is taken.
2. The Judicial officers shall be entitled to reimbursement of the expenses incurred by them or for their family members for the medical attendance and treatment obtained by them both as out-patient or in-patient in any hospital or dispensary or Registered Medical Practitioner other than the hospitals or dispensaries maintained by the State Government or notified by the Government. Expenses shall be inclusive of charges for accommodation.
3. There should not be any restriction on reimbursement except to the extent of in-patient room entitlement. Further, there should not be any ceiling on reimbursement of expenditure on expensive treatments like kidney transplant, open heart surgery etc. Full reimbursement of actual expenses should be allowed.
4. Power are delegated to the Principal District Judges of the Districts/Head of the Units to sanction the reimbursement of the expenses incurred by the Judicial officers working in his District for the Medical Attendance and treatment obtained by them and their family members. In case of medical claims of Principal District Judges/Unit Heads it shall be sanctioned by the Officers themselves as per the existing rules the reimbursement shall be sanctioned of the due scrutiny as per the existing rules.

5. Judicial officer shall be entitled to advances to meet the medical expenses for treatment upto 80% of the estimate and the balance be paid after approving the bill when it is produced. Powers are delegated to the Principal District Judges of the Districts/Head of Units to sanction the advance to the Judicial Officer working in the District. In the case of Principal District Judges/Heads of Unit powers are delegated to High Court to sanction such advances.

6. The Government hereby sanction Rs.100/- to the Judicial officers as medical allowance notwithstanding any thing contained in the above paras.

Leave Travel Concession / Home Travel Concession

The Government hereby sanction the facility of LTC to Judicial officers subject to following conditions.

The LTC shall be provided to Judicial Officers: _

- Once in four years to any place in India.
- For entitlement of first LTC, one must have put in not less than five years, of continuous services.
- No LTC shall be allowed within in one year before retirement.
- With regard to HTC Judicial officers shall be provided HTC once in two years. The entitlement for the journey would be according to the rules in the State.

Transfer Grant / Disturbance Allowance

The Government hereby accord sanction to composite Transfer Grant to the transferred Judicial Officer.

- Composite Transfer Grant equal to one month's basic pay in case of transfer involving a change of station located at a distance of more than 20 Kms from each other.
- In case of transfer to stations which are less than 20 kms from the old station or transfer within the same city, the composite Transfer Grant will be restricted to one third of the basic pay, provided a change of residence is actually involved.
- Further the Composite Transfer Grant excludes incidental expenses of the transferred officers and the members of his/her family, and the expenses to go from the residence to Railway Station/Bus Stand and /Airport etc. and the expenses towards transportation of personal effect.

JUDICIAL MAGISTRATE COURT
MADURAKOTTAI

- 2 DEC 2006

Telephones Facilities

The Government sanction the following telephone facilities as directed by the Supreme Court of India.

Sl. No	Name of the category	Admissible free calls for two months	
		Office	Residence
I)	Principal District Judge/Sessions Judge/Chief Metropolitan Magistrate (with STD facility both in office and residence)	3,000	2,000
II)	Additional District Judge/Additional Sessions Judge (with STD facility both in office and residence)	2,000	1,000
III)	Civil Judge (Senior Division) and Chief Judicial Magistrate (STD facility to CJM both in office and residence)	2,000	1,000
IV)	Civil Judge (Junior Division)/Magistrate	1,500	750

Concurrent Charge Allowance

The Government sanction the Concurrent Charge Allowance to the Judicial officer when he is placed in charge of another court continuously beyond the period of the working days and if he performs appreciable judicial work of that court and the charge allowance be paid to such Judicial officer at 10% of the minimum of the time scale of the additional post held.

Advances/Loans for construction/purchase of house /vehicles / personal computers

The Judicial officers shall be given soft loans on preferential basis for construction/purchase of house /vehicles / personal computers.

The expenditure arising out the above sanction shall be met from Revised Budget Estimate 2006-07.

The expenditure sanctioned above shall be debited under the following detailed heads under the relevant head of account:-

- (1) 01. Salaries - 02 Medical Allowances
- (2) 01. Salaries - 03. Medical charges
- (3) 01. Salaries - 04. Other Allowances

- (4) 01. Salaries - 07. Travel concession
 (5) 04. Travel Expenses - 02. Transfer Travelling Allowances
 (6) 05. Office Expenses - 01. Telephone charges
 (7) 05. O.E - 03. Electricity charges
 (8) 06. R.R & Taxes - 03. Water charges
 (9) 21. Motor Vehicles - 01. Purchase
 (10) 76 Computer and Accessories - 01. Purchase

Advances Loans for construction/purchase of house

"7610.00 Loans to Government Servants, etc - 201. House Building Advances - II State Plan - JA. Loans to Government Servants for construction of Houses - 02 - Advances to other Government Servants" (DPC 7610 - 00 - 201 - JA. 0209)".

3. This orders issues with the concurrence of the Finance Department vide its U.O.No.270/DS(BK)/06 Dated: 12.10.2006

(BY Order of the Governor)

Pavan Raina
 Principal Secretary to Government

✓ To
 The Registrar General, High Court, Chennai-104.
 The Accountant General, Chennai-18.
 The Accountant General, Chennai-18 (by name)
 The Accountant General, Chennai-35
 The Pay and Accounts Officer, High Court, Chennai-104.
 The Tamil Nadu Government Advocate on Record,
 Supreme Court of India, New Delhi.
 All District Judges,
 All Treasury Officer,

Copy to:-

The Chief Minister's Office, Chennai-9
 The Personal Assistant to
 Minister (Revenue and Law), Chennai-9
 The Finance (BG.II/Home.I) Department Chennai-9.
 SC/SF.

//Forwarded/By Order//

Section Officer

