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### ABSTRACT

Courts and Judges - Tamil Nadu State Judicial Service - Justice E. Padmanabhan Committee Report - Implementation of various allowances to Judicial Officers / Retired Judicial Officers with effect from 01.01.2006 - orders - Issued.

### HOME (COURTS.I) DEPARTMENT

G.O.(Ms) No.864

Dated: 05.10.2010

Read:-

1. Orders of Supreme Court of India, New Delhi, dated 28.04.2009 in W.P.No.1022/1989.
2. Report submitted on 17.07.2009 by One Man Commission headed by Justice E. Padmanabhan (Retired) to the Hon'ble Supreme Court of India on determination of salary Revision etc. to the Judicial Officers and pensioners.
3. Order of the Supreme Court of India, New Delhi, dated 04.05.2010 in W.P. No.1022/1989.
4. G.O.Ms.No. 647, Home (Courts.I) Department, dated 19.07.2010.
5. G.O.Ms.No. 648, Home (Courts.I) Department, dated 19.07.2010.
6. Orders of the Supreme Court of India, New Delhi dated: 19.7.2010

### ORDER:-

In the reference first read above, the Honourable Supreme Court of India, New Delhi has appointed One Man Commission headed by Justice Thiru. E. Padmanabhan (Retired) to determine the Pay Scale of all the Judicial Officers of the Subordinate Courts working and retired throughout the Country. On the basis of First National Judicial Pay Commission, the Commission submitted its report on 17.07.2009, before the Hon'ble Supreme Court of India.

2. In the reference third read above, it has been ordered that "All the States are hereby directed to implement Justice Thiru. E. Padmanabhan Committee recommendations with effect from 01.01.2006. There should be uniformity and all the States should implement recommendations and shall raise the pay scale allowances from 01.01.2006 and shall pay arrears of salary, if any."

3. In the reference fourth and fifth read above, orders were issued to revise Pay scales in respect of Judicial Officers of the Subordinate Courts of the State of Tamil Nadu including pensioners.

4. In the reference sixth read above, the Supreme Court of India, New Delhi in their order dated 19.07.2010 have accepted the Report of the Justice Thiru.E.Padmanabhan Committee in toto as far as Allowances are concerned. The arrears will be paid from 1<sup>st</sup> January 2006 according to formula suggested by Justice Thiru.E. Padmanabhan Committee. Accordingly, sixty per cent of the arrears will be paid within three months and remaining forty per cent will be paid within nine months thereafter.

5. The Government in pursuance of the Orders of Hon'ble Supreme Court of India, New Delhi referred to the above and in obedience thereof hereby accord sanction to implement the Recommendations of Justice Thiru.E.Padmanabhan Commission and accordingly order following allowances with effect from 01.01.2006 to Judicial Officers / Retired Judicial Officers.

#### DEARNESS ALLOWANCE

The Judicial Officers shall be allowed Dearness Allowance from 01.01.2006 at the rates as applicable to the State, Central Government employees as per orders issued by the Government from time to time.

##### i) Date from which payable rate of Dearness Relief

From 01.01.2006	No Dearness Allowance
From 01.07.2006	2% of Basic Pay
From 01.01.2007	6% of Basic Pay
From 01.07.2007	9 % of Basic Pay
From 01.01.2008	12% of Basic Pay
From 01.07.2008	16 % of Basic Pay
From 01.01.2009	22% of Basic Pay
From 01.07.2009	27% of Basic Pay
From 01.01.2010	35% of Basic Pay
From 01.07.2010	45% of Basic Pay

##### ii) CITY COMPENSATORY ALLOWANCE

The Judicial Officers are entitled to the City Compensatory Allowance at the rates as admissible to the State Government Employees.

##### iii) SUMPTUARY ALLOWANCE

<u>CATEGORY</u>	<u>Rupees per month</u>
(1) Civil Judges (Junior Division)	Rs.1500/-
(2) Civil Judges (Senior Division)	Rs.2300/-
(3) District Judges (All Levels)	Rs.3100/-

##### iv) REIMBURSEMENT OF ELECTRICITY AND WATER CHARGES

50% of the Electricity and Water charges of the residences of the Judicial Officers shall be reimbursed by the State Government.

##### v) MEDICAL ALLOWANCE

Medical Allowance at the rate of Rs.1000/- p.m. for all Judicial Officers.

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**vii) NEWSPAPER AND MAGAZINE ALLOWANCE**

One National and Regional News Papers and One Magazine may be provided to each Judicial Officer at the State expense.

**viii) HILL AREA / REMOTE AREA ALLOWANCE**

The Hill Area Allowance at the rate of Rs. 1500/- p.m. to all Judicial Officers.

**ix) ROBE ALLOWANCE**

The Robe allowance at Rs. 6000/- payable once in three years.

**x) TELEPHONE FACILITY**

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

**x) CONVEYANCE ALLOWANCE**

- (a) The existing system of providing independent vehicles to every Principal District Judge / Chief Judicial Magistrate / Chief Metropolitan Magistrate as directed by the Supreme Court shall continue.
  - (b) The Principal Judge of City Civil Court in every city where City Civil Court has been constituted shall be provided an independent vehicle.
  - (c) The Chief Judges of Small Causes Courts, who are in the cadre of District Judges, shall be provided with independent vehicles.
  - (d) The First Additional District Judge and First Additional /Principal City Civil Court Judge shall also be provided with an independent vehicle.
- One pool car for a maximum of four Officers or if there are less than 4 Officers also.
  - If there is a lady Judicial Officer to be ferried in the pool car, she should be provided the front seat of the car.

**xi) LTC**

- i) Judicial Officers concerned may be permitted to avail LTC on completion of two years of continuous service and after successful completion of the period of probation, while retaining the block period of 4 years as eligible period;
- ii) The Judicial Officers in the last year of his service may be allowed to avail LTC, if otherwise eligible to avail LTC.

#### xii) HOME TRAVEL CONCESSION

The existing procedure shall be continued with. Further "in case where a Judicial Officer is subject to two or more transfers in the same cadre from one end of the State to other, for administrative reasons, he may be allowed to avail one additional Home Travel Concession in addition to the HTC for which he is eligible."

#### xiii) 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 10 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.

#### xiv) ENCASHMENT OF LEAVE

(i)	Benefit of availing encashment of leave be extended to all Judicial Officers without insisting on the availment of leave simultaneously.
(ii)	Judicial Officers be allowed to encash leave not exceeding one month in a block period of two years.

#### xv) 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.

#### xvi) HOUSING AND HOUSE RENT ALLOWANCES etc.

(1) The Government quarters shall be provided to the Judicial Officers according to their entitlement. If adequate Government quarters are not available at a time, on the requisition, the proper houses shall be provided to the Judicial Officers.

(2) The Judicial Officer is requested to pay an amount not exceeding 12.5% of the basic pay as rent per month of the occupant of such accommodation.

(3) All Judicial Officers are entitled to House Rent Allowance at the rates provided to the Government servants.

(4) Judicial Officers who occupy their own houses with the permission of the High Court are also entitled to H.R.A. at the same rate as provided to the corresponding Government employees.

(5) The Government quarters / requisitioned house shall be provided to Judicial Officers must have separate space for 'Home Library' and the necessary books and the furniture of the Home Library shall be at the cost of the High Court, which shall be administered and managed by the Principal District Judge of the District.

(6) The Drawing Room of each such quarters / houses shall be furnished with a reasonable sofa set, carpet, teapoy and one or two side tables and chairs at the cost of the High Court / State which shall be administered and managed by the Principal District Judge. The upholstery of every sofa-set shall be changed once in three years.



(7) In respect of the Home Library and sofa set, carpet, teapoy and one or two side tables and chairs, the expenditure forms will be issued separately on receipt of the proposal from the Registrar General, High Court of Madras.

(8) The Government quarters allotted to Judicial Officers shall be maintained by the Public Works Department

(9) The First National Judicial Pay Commission has recommended that a certain percentage of sites/ houses, wherever they are available for allocation / allotment by the Housing Board / City improvement / Development Authorities etc., should be earmarked for allotment to Judicial Officers. Since, the Government have accepted the above recommendation, necessary orders will be issued separately as to the percentage of sites etc., in consultation with the Government in Housing and Urban Development Department and the Registrar General, High Court, Chennai.

xvii) FUEL ALLOWANCE

The Judicial Officer who owns Car be given the following litres of petrol / diesel or equivalent price thereof in the type of city or location as mentioned herein below:-

Type of City / Location	Ceiling limit of petrol / diesel (in Litres)
'A' and 'A-1'	75
District Centre	50

The classification of cities on the basis of population criteria adopted by the respective States best suited to their local conditions referred to in the case of QCA be adopted for the purpose of conveyance allowance.

The Judicial Officer who owns Scooter be given 25 litres of petrol or equivalent price thereof.

6. In respect of allowances, 60% of the arrears will be paid within 3 months and 40% of the arrears will be paid within nine months thereafter.

7. The expenditure shall be debited to the following detailed and sub-detailed heads of relevant heads of account:-

For Dearness Allowance:-

03 Dearness Allowance

City Compensatory Allowance:-

01 Salaries. 08 City Compensatory Allowance

Conveyance allowance and Hill allowance:-

01 Salaries 04. Other allowances

House Rent allowance:-

01 Salaries 08 - House Rent Allowance

Supply of News paper/Magazine :-

06. Office Expenses - 02 Other contingencies

Encashment of Leave:-

01. Salaries - 01. Pay

Robe Allowance:-

01. Salaries - 04. Other Allowances

Hill Area/Remote Area allowance:-

01. Salaries - 04. Other Allowances

Transfer Grant/Disturbance Allowance:-

04. Travel Expenses - 02. Transfer Travelling Allowances

For Sumptuary Allowance

14.00 Sumptuary allowance

For Medical Allowances

01. Salaries - 02. Medical Allowances

LTC / HTC

01. Salaries - 07. Travel Concession

Telephone Charges

05. Office Expenses - 01. Telephone Charges

Electricity Charges

05. Office Expenses - 03. Electricity Charges

Water Charges

06. Rent, Rates and Taxes - 03. Water Charges

8. This order issues with the concurrence of the Finance Department vide its U.O.No.25/ADS(MP)/PC /2010-1, Dated : 04.01.2010.

(BY ORDER OF THE GOVERNOR)

K. GNANADESIKAN  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Registrar General, High Court, Madras-104.

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

Thiru. T. Harishkumar, Tamil Nadu Government Advocate on Record, New Delhi.

The Pay and Accounts Officer, High Court, Madras -104

The Accountant General, Chennai-18,

The Commissioner of Treasuries and Accounts, Chennai -15.

All District Treasuries.

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Copy to:-

The Chief Minister's Office, Secretariat, Chennai -9  
The Deputy Chief Minister's Office, Secretariat, Chennai -9.  
The Private Secretary to Chief Secretary, Government of Tamil Nadu, Chennai-9  
The Private Secretary to Principal Secretary Home/Finance Department, Chennai-9  
The Finance (Home II/BG/Pay Cell) Department, Chennai-9.

// Forwarded / By Order //

*K. K. K. K.*  
SECTION OFFICER  
3/10/10 5-10-2010



**ABSTRACT**

Courts and Judges - Tamil Nadu State Judicial Service - Justice E. Padmanabhan Committee Report - Implementation of various allowances to Judicial Officers / Retired Judicial Officers with effect from 01.01.2006 - orders - Issued.

**HOME (COURTS.I) DEPARTMENT**

G.O.(Ms) No.854

Dated: 05.10.2010

Read:-

1. Orders of Supreme Court of India, New Delhi, dated 26.04.2009 in W.P.No.1022/1989.
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4. G.O.Ms.No. 647, Home (Courts.I) Department, dated 19.07.2010
5. G.O.Ms.No. 646, Home (Courts.I) Department, dated 19.07.2010
6. Orders of the Supreme Court of India, New Delhi dated: 19.7.2010

**ORDER:-**

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In the reference fourth and fifth read above, orders were issued to revise Pay scales in respect of Judicial Officers of the Subordinate Courts of the State of Tamil Nadu including pensioners.