

Allowances and Amenities other than pay to be given to the Judicial Officers of District Judiciary including Industrial Tribunal and Labour Courts in the State of Gujarat.

GOVERNMENT OF GUJARAT
Legal Department
Resolution No. SNJPC/102020/CSO-16/D
Date the 29th February, 2024

- READ:-**1. The Hon'ble Supreme Court's Judgement dated 21.03.2002 in Writ Petition (Civil) No. 1022/1989 (All India Judges Association v/s Union of India)-
2. Directions of the Hon'ble Supreme Court of India in Writ Petition (Civil) No. 643/2015, dated 04.01.2024.
3. Resolution No. PAY/102003/1233/D, dated 16.03.2007 of Legal Department.
4. Resolution No. PAY/102010/1012/D, dated 03.08.2011 of Legal Department.
5. Resolution No. PAY/102008/2964/D, dated 07.05.2013 of Legal Department.
6. Resolution No. PAY/WPC/102004/173/D, dated 04.02.2008 of Legal Department.
7. Resolution No. MAR/1099/1613/D, dated 19.11.2012 of Legal Department.
8. Resolution No. MAR/102020/155/D, dated 21.03.2022 of Legal Department.

PREAMBLE

WHEREAS the First National Judicial Pay Commission under the chairmanship of Mr. Justice Shetty has recommended certain allowances to Judicial Officers both serving as well as retired.

AND, WHEREAS the Hon'ble Supreme Court in the case of All India Judges Association and others v/s Union of India accepted the said recommendations and directed the State Government to implement the same.

AND, WHEREAS the Hon'ble Supreme Court of India, by its order dated 09.05.2017 passed in W.P. (C) no. 643/2015 filed by All India Judges Association under Article 32 of the Constitution of India, appointed the Second National Judicial Pay

Commission, under the chairmanship of Hon'ble Mr. Justice P.V.Reddy and Hon'ble Mr. Justice R. Basant, Former Judge, High Court of Kerala as a Member of the said commission.

AND, WHEREAS the Hon'ble Members of the Second National Judicial Pay Commission (SNJPC) have also submitted their report.

AND, WHEREAS the Hon'ble Supreme Court of India by its order dated 27.07.2022, 19.05.2023, has accepted the recommendations of the Second National Judicial Pay Commission, (SNJPC) chaired by Hon'ble Mr. Justice P.V.Reddy, former Judge of Supreme Court of India on the revision of pay and pension for Judicial Officers.

AND, WHEREAS the Supreme Court of India has given certain directions in Writ Petition (Civil) No. 643 of 2015 on dated 04.01.2024 regarding full compliance of the Second National Judicial Pay Commission (SNJPC).

NOW, THEREFORE, the Government is pleased to accord sanction to grant revised benefits in the form of different allowances and amenities to the State Judicial Officers, both serving and retired.

NOW, THEREFORE, in this regard the Government is pleased to issue this Resolution as under;

RESOLUTION:

1. House Building Advance (HBA):-

The Judicial officers have option to apply as per the House Building Advance Rules, 2017 of Central Government or as per the prevalent policy of State Government as amended from time to time with effect from the date of this resolution.

2. Children Education Allowance (CEA):-

All the Judicial Officers shall be paid Children Education Allowance with *effect from Academic Year 2019-2020*, which is in the following terms:

- I. Rs.2,250/- per month as CEA and Rs.6,750/- per month as Hostel Subsidy per child for two children up to Class-12;

- II. For children with special needs, the reimbursement would be at double the rate stated in (a);
- III. When the DA increases by 50%, the Allowances and Subsidy shall increase by 25%; and
- IV. The rights of officers who are already receiving this benefit will not be adversely affected by the recommendation.
- V. The arrears of the aforesaid allowance shall be paid with immediate effect.

3. City Compensatory Allowance (CCA):-

The Judicial Officers shall not be allowed CCA prospectively. No recovery shall be affected on the amount already paid on account of the allowance.

4. Concurrent Charges Allowance:-

- I. All the Judicial Officers including the Judicial Officers on deputation shall be paid charge allowance who are required to hold full charge of the duties in addition to the duties of their own post.
- II. The charge allowance shall be paid to those Judicial Officers who holds additional charge continuously beyond the period of ten (10) working days.
- III. The charge allowance be paid to such Judicial Officers @ 10% of the basic pay of the post for the which charge is held.
- IV. The aforesaid allowance shall be paid *with effect from the date 01.01.2016* and arrears shall be paid with immediate effect.

5. Conveyance/ Transport Allowance (TP):-

The pool car service for various Judicial Officers, as recommended by the FNJPC, is hereby 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.

Cost of Maintenance & Driver's Salary:-

5(A) The transport allowance at the rate of Rs.10,000/- per month shall be given to all Judicial Officers, who own the car so as to cover the cost of maintenance and driver's salary *with effect from 01.01.2016*, and this amount shall be increased to Rs.13,500/- per month *with effect from 01.01.2021*.

The aforesaid allowance shall be paid along with salary and arrears shall be paid with immediate effect.

Petrol/Diesel Allowances:-

5(B) In addition to the transport allowance, the Judicial Officer except stated in para-5(C) shall be entitled to receive Petrol/Diesel Allowances as stated herein below *with effect from 01.01.2016*.

Type of City/Town	Entitlement of Petrol/ Diesel per month
X & Y	100 Litres
Z	75 Liters

The aforesaid allowance shall be paid along with salary and arrears shall be paid with immediate effect.

5(C) The following Judicial Functionaries shall be eligible for official vehicles namely;

1. The Registrar General and Other Registrars, the High Court of Gujarat,
2. Director, Gujarat State Judicial Academy, Ahmedabad.
3. Legal Secretary & R.L.A., Legal Department, Gandhinagar.
4. Member Secretary, Gujarat State Legal Services Authority, Ahmedabad.
5. Principal District Judges,
6. Principal Judge & Addl. Prin. Judge, City Civil Court,
7. Principal Judge, Family Courts,
8. Senior most Additional District Judge at District headquarter.

9. Chief Judicial Magistrate/ Chief Metropolitan Magistrate,
10. Chief Judge, Small Cause Court, Ahmedabad.

5(D) The quantum of the Petrol/ Diesel for official car would be raised to the actual consumption for official purposes as certified by the concerned official and supported by a Logbook, which would be maintained. The Judicial Officers stated at Para-5(C) using official car may be permitted to use them for private purposes to the extent of 3600 kms per annum free of costs with effect from the date of this resolution.

5(E) All the Judicial Officers shall be permitted to exhibit a sticker at their option on lower left side of the windscreen of the vehicle with inscription 'Judge' as per **Annexure-A**.

6. Earned Leave Encashment: -

- I. No enhancement in the maximum limit of 300 days leave encashment at the time of retirement. However, in case of Judicial Officer earns more than 300 E.L. the same shall be credited accordingly.
- II. All Judicial Officers shall be entitled to encash:
 - a) 10 days earned leave while availing LTC subject to maximum 60 days, 10 at a time up to six occasions during the entire service.
 - b) 30 days in a block of two years.
 - c) Sr.No. (a) and (b) shall be in addition to the right of the Judicial Officers to encash up to 300 days EL at the time of retirement.
- III. 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 and shall be paid the amount of the so adjusted earned leave, at the time of retirement within a period of three months.
- IV. The aforesaid allowance shall be paid *with effect from 01.01.2016* and arrears shall be paid with immediate effect.

7. Electricity and Water Charges:

All the Judicial Officers shall be paid electricity charges at the enhanced rate *with effect from 01.01.2020* as follows.

Sr.No.	Designation of the Judicial Officers	Electricity Units	Water Quantity
1.	Judicial Officers in the cadre of District Judge	8000 units per annum	420 Kls per annum
2.	Senior Civil Judge	7000 units per annum	380 Kls per annum
3.	Civil Judge	6000 units per annum	336 Kls per annum

Reimbursement of electricity and water charges shall be on production of proof of payment of the billed amount and arrears of the aforesaid allowance shall be paid with immediate effect.

8. Hill Area/ Tough Location Allowances

The Judicial Officer shall be entitled to the Hill Area/ Tough Location Allowance as notified by the High Court from time to time, at the rate of Rs.5000/- per month *with effect from 01.01.2016*.

The aforesaid allowance shall be paid along with salary and arrears shall be paid with immediate effect.

9. Home Orderly/ Domestic Help Allowances - :

- I. The Home-cum- office orderly allowance shall be paid to the serving Judicial Officers at the following rates.

District Judges	Minimum wages for one unskilled worker, as may be from time to time notified by the State Government or Rs.10,000/- per month, whichever is higher.
Senior Civil Judges	80% of minimum wages for one unskilled worker, as may be from time to time notified by the State Government or Rs. 8750/- per month, whichever is higher.

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Civil Judges	60% of Minimum wages for one unskilled worker, as may be from time to time notified by the State Government or Rs. 7500/- per month, whichever is higher.
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- II. The allowance at the aforesaid rates shall be paid to the Judicial Officers *with effect from 01.01.2020*.
- III. The Judicial Officers provided with Class-IV employee as an Attender/Peon/Office subordinate for residential duties may exercise their option either to continue with the present system and forgo the allowance that has been recommended or to claim the allowance instead of availing the services of the official Attender/Peon/office subordinate. The Judicial Officer shall avail the aforesaid option within two weeks from the date of resuming duty on new assignment with effect from date of this resolution.
- IV. The aforesaid allowance shall be paid along with salary and arrears shall be paid with immediate effect.
- V. The payment of home orderly allowance shall not result in discontinuance of practice, if any, of deputing the Office Peons/ Attenders or other Class-IV employee during nights at the residences of;
- Magistrates who are called upon to attend the Judicial work at during night times.
 - The office Peon/Attender or such other Class-IV 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
 - Such Personnel can also be deputed to the residence of Principal District Judge or equivalent rank officer having administrative responsibilities.

(VI) Domestic Help Allowance (Pensioners/Family pensioners):

The Pensioners and Family pensioners shall be paid domestic help allowance *with effect from 01.01.2016* at the following rates;

Pensioner	Rs. 9,000/- per month
Family Pensioners	Rs. 7,500/- per month

This allowance shall stand increased by 30% on completion of five years from 01.01.2016, i.e. w.e.f. 01.01.2021.

10. House Rent Allowance: -

- (i) The Judicial Officer shall have an option either to claim HRA or to opt for residential quarter within one month of resuming new assignment with effect from the date of this resolution.
- (ii) Judicial officers residing in their own houses, including the house of a parent or spouse, shall also be entitled to the HRA *with effect from 01.01.2016* and Judicial Officers already residing in hired accommodation will be entitled to the actual rent paid subject to ceiling of HRA *with effect from 01.01.2020*.

In any case where a Judicial Officer has resided in hired accommodation, the HRA/actual rent which has already been paid, shall not be recovered.

- (iii) 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.

(a) 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.

(b) If the difference between the permissible house rent allowance and the rent assessed is more than 15%, The Principal District Judge may seek approval of High Court for payment of the said amount unless the officer is ready to pay the differential cost.

(iv) The rates of HRA shall be applicable to all Judicial Officers as per the notification issued by the Central Government from time to time;

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 5400/-, 3600/-, and 1800/- respectively.

(vi) The rate will be changed in accordance with the change in Dearness Allowance in the following terms:

Classification of Cities	Rates of HRA P.M. as % of Basic Pay	When DA crosses
X	27%	25%
	30%	50%
Y	18%	25%
	20%	50%
Z	9%	25%
	10%	50%

10-A Furniture and Air Conditioner Allowance:-

(i) The Judicial officers shall be paid Furniture allowance of Rs 1.25 lakhs every five years *with effect from 01.01.2016*. The Officers having not less than two years of service shall be eligible for this allowance.

(ii) In addition to the furniture allowance, one Air-Conditioner shall be provided at the residence of every Judicial Officer once in every five years in following manner-

a) The Judicial officer shall be paid lumpsum Rs.60,000/- towards air conditioner allowance for the *first block of 01.01.2016 to 31.12.2020*.

b) The Judicial officer shall be paid Air Conditioner Allowance with the rise at the rate of 25% of previous block amount for the next Blocks starting *from 01.01.2021*. In any case the maximum amount per block would not exceed the sum of Rs. 1,25,000/-.

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c) The aforesaid allowances shall be paid to the Judicial Officer within one month of initiation of the new block and arrears shall be paid with immediate effect.

11. L.T.C./H.T.C.:-

The L.T.C shall be provided to all Judicial Officers.

- (a) Once in three years *with effect from 01.01.2016* for travelling place in India to all Judicial Officer irrespective of number of service put by them.
- (b) All the Judicial Officers shall also be allowed H.T.C. twice in a block of 3 years *with effect from 01.01.2016*.
- (c) The travel entitlements for the purpose L.T.C./H.T.C. shall be a per entitlement in official tour/transfer but no daily allowance shall be admissible for travel on LTC/HTC.
- (d) All Judicial Officers shall also be allowed encashment of 10 days earned leave while availing LTC (not HTC) (subject to maximum of 60 days). 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.
- (e) The freshly recruited judicial officers shall be allowed HTC two 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 declared).
- (f) 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, IRCTC or from the agents authorized, by the Central/State Government subject to further addition or deletion of the authorized agent by the Central/State Government.
- (g) The Judicial officers shall be allowed to carry forward LTC anywhere in India beyond retirement for a period of one year with effect from date of this resolution.
- (h) 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

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a prefix and suffix to the extent of two days with effect from date of this resolution.

12. Medical Allowance / Medical facilities:-

The Judicial Officers shall be entitled to get fixed Medical Allowance as under-

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. So far as the medical facilities and reimbursement are concerned the Judicial Officers including retired Judicial Officers and family pensioners, shall be entitled to the same as per the existing benefit provided vide Legal Department Resolution dated 04.02.2008, 19.11.2012 and 21.03.2022 as amended from time to time.

13. Newspaper and Magazine Allowances:

- (i) The District Judges shall be entitled to Rs. 1000/- for newspaper and magazines.
- (ii) The Sr. Civil Judges shall be entitled to Rs. 850/- for newspaper and magazines.
- (iii) The Civil Judge shall be entitled to Rs.700/- newspapers and magazines.
- (iv) The allowance at the above-mentioned rates shall be paid *with effect from 01.01.2020.*
- (v) The aforesaid allowance shall be paid along with salary and arrears shall be paid with immediate effect.

14. Robe Allowance:-

- I. To pay a lump sum amount of Rs. 12,000/- to all Judicial Officer per year *with effect from 01.01.2016* as robe allowance.
- II. The aforesaid allowance shall be paid to all Judicial Officer in the month of January of every year and arrears shall be paid with immediate effect.

15. Special Pay: -

The Government has been pleased to accord sanction to the "Special Pay" allowance to the judicial officers of District Judiciary for administrative work *with effect from 01.01.2019*. as under: -

Sr. No.	Special Pay	Judicial Officer
1.	Rs.7,000/-p.m.	(i) Registrar General, High Court of Gujarat. (ii) Secretary and R.L.A, Legal Department, (iii) Registrars, High Court of Gujarat from the cadre of District Judge on Deputation, (iv) Judicial Officer in the cadre of District Judge on Deputation. (v) Member Secretary, GSLSA. (vi) Principal Judge, City Civil Court. (vii) Principal Judge, Family Court in each District. (viii) Principal District Judge in each District (ix) President, Industrial Court
2.	Rs. 3,500/-p.m	(i) Additional Principal Judge, City Civil Court, (ii) Additional District Judge in District Head quarter or holding independent charge in Taluka place within the district entrusted with administrative work who have to generally spend time beyond court working hours. (iii) Member, Industrial Tribunal.
3.	Rs.3,500/- p.m	(i) Judge, City Civil Court who is assigned the work of computerization, Right to Information Act, and Alternative Dispute Resolution or any other kind of administrative work.

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		<ul style="list-style-type: none"> (ii) District Judges, presiding over special courts and Tribunals having independent administrative responsibilities as notified by the Principal District Judge/ State Government (in total the special pay amount should not be aggregating Rs. 3,500/- p.m.) (iii) Chief Metropolitan Magistrate, Ahmedabad. (iv) Judicial Officer in the cadre of Senior Civil Judge on Deputation.
4.	Rs.2,000/-p.m.	<ul style="list-style-type: none"> (i) Chief Judge, Small Cause Court, (ii) Principal Senior Civil Judge in each district/ Pri. Senior Civil Judge holding independent charge in Taluka, (iii) Chief Judicial Magistrate in each District/ Additional Chief Judicial Magistrate holding independent charge in Taluka, (iv) Principal Civil Judges at Talukas, (v) Judicial Officer in the cadre of Civil Judge on Deputation, (vi) Judicial Magistrate First Class (Traffic) (vii) Judicial Magistrate First Class (Railway) (viii) Judicial Magistrate First Class (Municipality). (ix) Exclusive Judicial Magistrate First Class (x) Judge, Labour Court,

The aforesaid allowance shall be paid along with salary and arrears shall be paid with immediate effect.

16. Sumptuary Allowance:-

The sumptuary allowance shall be paid *with effect from 01.01.2016*, as under: -

Category of Judicial Officer	Rupees Per Month
District Judge	Rs. 7,800/-
Civil Judge(Sr. Div.)	Rs. 5,800/-
Civil Judge (Jr. Div.)	Rs. 3,800/-

The following categories of Judicial Officers shall get Rs.1,000/- (One thousand) more by virtue of their status or the additional responsibilities on their shoulder.

(a) Principal District Judge, Principal Judge, City Civil Court, Principal Judge Family Court and in-charge of administration in the Districts/Cities/taluka and District Judges on deputation.

(b) District Judges in selection grade and super time-scale.

(c) Director, Gujarat State Judicial Academy, Law Secretary & R.L.A, Legal Department /Member Secretary, Gujarat State Legal Services Authority.

(d) Principal Senior Civil Judge/Chief Judge, Small Causes Court/ Chief Judicial Magistrate/Chief Metropolitan Magistrate and Senior Civil Judges on deputation.

No sumptuary allowance shall be payable to retired Judicial Officers after the date of their retirement.

17. Telephone Facilities:-

(17-A) For Residential use:

All the Judicial Officers shall be entitled for landline telephone / Mobile/ broadband / internet facility by the same or different service providers at their resident inclusive of rent, local and STD calls and internet use *with effect from 01.01.2016*, as under,

- (a) District Judges: Rs. 1500/- per month,
- (b) Senior Civil Judges Rs 1250/- per month,
- (c) Civil Judges Rs. 1000/- per month.

The aforesaid allowance shall be paid along with salary and arrears shall be paid with immediate effect.

(17-B) Mobile Phone (for official use):

(i) The provision of Mobile phone (handset) with internet facility shall be as follows:

(a) District Judge: Rs.30,000/-

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

The Judicial Officers shall be entitled to a new mobile phone handset allowance once in three years i.e for the *first block of 01.01.2016 to 31.12.2018*.

(ii) The aforesaid allowances shall be paid to the Judicial Officer within one month of initiation of the new block and arrears shall be paid with immediate effect.

(ii) The permissible user shall be entitled for allowance as under:

(a) District Judges. Rs.2000/- per month,

(b) Senior Civil Judges. Rs. 1750/- per month,

(c) Civil Judge: Rs. 1500/- per month.

The aforesaid allowance shall be paid along with salary *with effect from 01.01.2016* and arrears shall be paid with immediate effect.

(17-C) Office Telephone:

Telephone connection to the office, the existing arrangement shall continue.

18. Transfer Grant:-

- I. On transfer, the composite transfer grant shall be equivalent to one month's basic pay revised from time to time.
- 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 OM. dated 13.07.2017 issued by the Department of Expenditure, Government of India and revised from time to time shall be applicable.
- IV. In the case of transportation by road, the admissible amount shall be Rs. 50/- per K.M. 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. It shall 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*.

All other facilities and amenities provided to the Government employees not in consistent with the above allowances and amenities shall also be provided to the Judicial Officers.

The amount of aforesaid arrears of all allowances shall be paid in cash without pre-audit and without production of any documents by the Judicial Officer.

This resolution is issued with the concurrence of the Finance Department of Government vide its note dated.28/02/2024 on this department's file of even number.

By Order and in the name of The Governor of Gujarat,


(Ravikumar D. Maheta)

Deputy Secretary to the Government of Gujarat
Legal Department

Copy To.

1. P.S. to Hon'ble Chief Minister, Sachivalaya, Gandhinagar.
2. P.S. to Hon'ble Law Minister, Sachivalaya, Gandhinagar.
3. Committee Constituted by The Hon'ble High Court Of Gujarat (All Members).
- 4..P.S. to the Additional Chief Secretary, Finance Department, Sachivalaya, Gandhinagar
5. P.S. to the Principal Secretary, Health & Family Welfare Department, Sachivalaya, Gandhinagar.
6. P.S. to the Secretary & R.LA., Legal Department, Sachivalaya, Gandhinagar.
7. The Registrar General, Hon'ble High Court of Gujarat. Sola, Ahmedabad [By E- mail/Letter].
8. Principal Judge, City Civil & Sessions Court, Ahmedabad.
9. All Principal District and Sessions Judges.
10. All Principal Judge, Family Courts of State.
11. President Industrial Tribunal,Ahmedabad.
12. Chief Metropolitan Magistrate, Ahmedabad.
13. Chief Judge, Small Cause Court, Ahmedabad/Rajkot/Surat/Vadodara.

14. All the District Treasury Officers.
15. Director, Pension and Provident Fund, Ahmedabad.
16. The Deputy Secretary, "F1" Branch, Legal Department, Sachivalaya, Gandhinagar.
17. The Section Officer, "D" Branch, Legal Department, Sachivalaya, Gandhinagar.
18. Select File 2024

ANNEXURE 'A'

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