

NOTIFICATION
Legal Department
Sachivalaya, Gandhinagar.
Dated the 10th October, 2022.

Constitution of India. No. GK/25/2022/SUP/102015/74/D :- WHEREAS the Government of India, Ministry of Law and Justice has appointed the Second National Judicial Pay Commission based on the directions of the Supreme Court of India by Resolution No. 19018/1/2017/JUS, dated the 16th November, 2017 for the purpose of revision of Pay scale of Judicial Officers belonging to the Subordinate Judiciary;

AND WHEREAS, the said Judicial Pay Commission submitted its report on 4th February, 2020 to Government of India;

AND WHEREAS, the Supreme Court of India in Writ Petition (Civil) No. 643 of 2015 on 27th July, 2022 gave directions to the State Governments to implement revision of pay structure for Subordinate Judicial Officers as recommended by the Second National Judicial Pay Commission indicated in Table-1 appended therewith in the order;

AND WHEREAS, in compliance with the directions of the Supreme Court dated 27th July, 2022, the Government of Gujarat has decided to implement the recommendations of the Second National Judicial Pay Commission with regard to pay structure with effect from 01st January, 2016.

AND WHEREAS, the Government of Gujarat has accepted the recommendations of pay structure mentioned in the Justice Reddy Pay Commission Report;

AND WHEREAS, the pay and allowances of Judges of the Supreme Court and High Courts have been revised under the High Court and Supreme Court Judges (Salaries and Conditions of Service) Amendment Bill, 2017, (Bill No. 225 of 2017);

NOW, THEREFORE, in exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Gujarat hereby makes the following rules, namely: -

1. Short title and commencement.- (1) These rules may be called **the Gujarat Subordinate Judicial Services (Revision of Pay) Rules, 2022.**

(2) They shall be deemed to have come into force on the **1st January, 2016.**

2. Categories of Judicial Officers to whom these rules apply. - Save as otherwise provided by or

under these rules, they shall apply to the persons appointed as Judicial Officers of Subordinate Courts in the State of Gujarat.

3. Definitions. -In these rules, unless the context otherwise requires, -

- (i) "Assured Career Progression" means assured career progression specified in rule 10;
- (ii) "Commission" means the Second National Judicial Pay Commission;
- (iii) "Existing Scale of Pay" in relation to any post specified in row (1) of Schedule 'A' means the scale of pay as specified against the posts in row (2) thereof;
- (iv) "Government" means Government of Gujarat;
- (v) "High Court" means High Court of Gujarat;
- (vi) "Judicial Officers" means the Judicial Officers specified in row (1) of Schedule 'A';
- (vii) "Revised Scale of Pay" in relation to any post specified in row (1) of Schedule 'A' means the scale of pay as specified against the posts from row No. 5 to 24 thereof;
- (viii) "Schedule" means the Schedule appended to these rules;
- (ix) "Selection Grade" means selection grade posts of District Judge and scale specified in rule 11;
- (x) "Super Time Scale" means super time scale posts of Selection Grade District Judge and scale specified in rule 11.

4. Date of effect for fixation of pay: - The revised scale of pay of Judicial Officers specified in "Schedule 'A' " shall be deemed to have come into effect from the 1st January, 2016.

5. Revised Scale of Pays: - The existing scale of pay of the *posts specified* in row (1) of Schedule- 'A' of the Judicial Officers shall be revised as per the revised pay scale respectively specified in different columns thereof. In this two-dimensional Pay Matrix, the horizontal range (J-1 to J-7) reflects the functional hierarchy and the vertical range in each level denotes pay progression within that level. The pay in the revised pay scale shall be fixed in the manner prescribed in rule 6.

6. Fixation of Pay in the Revised Scale of Pay: - (1) The Pay of Judicial Officers shall be fixed in the revised scale of pay in the following manner, namely:-

Pay drawn in the existing scale of pay specified in Colum E-1 to E-7 of Schedule 'B' shall be fixed as on 1st January 2016, in the same stage in the revised scale of pay specified in Column J-1 to J-7 thereof.

(2) Where there is no identical figure available, the new revised pay has to be fixed at the very next higher stage in that Level in Schedule-B.

Note 1: - Where a Judicial Officer is on leave on the 1st day of January, 2016 and is entitled to leave salary shall be entitled to pay in the revised scale of pay from the 1st January, 2016.

Note 2: - In case of a Judicial Officer under suspension, he shall continue to draw subsistence allowance based on the existing scale of pay and on his reinstatement, his pay in the revised scale of pay shall be fixed subject to the final order on the pending disciplinary proceedings.

7. Date of next Increment in the revised Scale of Pay. – (1) The next increment of an officer in the revised scale of pay shall be granted on the date on which he would have drawn the increment, had he continued in the existing scale of pay.

(2) If an officer draws his next increment in the revised scale of pay under sub-rule (1) and thereby becomes eligible for higher pay than his senior whose next increment falls due at a later date, then, the pay of such senior shall be re-fixed equal to the pay of the junior from the date on which the junior becomes entitled to higher pay.

(3) In case where the pay of an officer is stepped up in terms of sub-rule (2), the next increment shall be granted after completing requisite qualifying service, i.e., One year.

8. Dearness Allowance: - Dearness Allowance as admissible to the State Government employee shall be admissible from time to time to the Judicial Officers.

9. Stagnation increment: - A Judicial Officer shall be entitled to get stagnation increment in accordance with the provisions of rule 8 of the Gujarat Subordinate Judicial Services (Revision of Pay) (Amendment) Rules, 2015.

10. Assured Career Progression (A.C.P) :-

(1) Assured Career Progression shall be granted to the Civil Judge and Senior Civil Judge, subject to the fulfillment of the conditions specified in sub-rule (2), in the following manner, namely: -

(A) Assured Career Progression for the Civil Judge:

(i) The Civil Judge will be entitled to get the first Assured Career Progression in the revised scale of pay Rs. 92960-136520 (As shown in J-2) after the completion of five years of service from the date of entry.

(ii) He will be entitled to get the second Assured Career Progression in the revised scale of pay Rs. 111000-163030 (As shown in J-3) after the completion of ten years of service.

(B) Assured Career Progression for the Senior Civil Judge:

(i) The Senior Civil Judge will be entitled to get the first Assured Career Progression

in the revised scale of pay Rs. 122700-180200 (As shown in J-4) after the completion of five years of service in the cadre.

(ii) He will be entitled to get the second Assured Career Progression in the revised scale of pay Rs.144840-194660 (As shown in J-5) after the completion of ten years of service in the cadre.

(2) Conditions for the Assured Career Progression: -

(i) The cases of the Judicial Officers for the Assured Career Progression shall be considered by a Committee of Senior Judges of the High Court constituted for that purpose at the end of every year, and the same shall be decided on the appraisal of the work and performance of the Judicial Officers.

(ii) Grant of first (1st) ACP to Civil Judge and Senior Civil Judge shall not be based on the application of the existing norms of seniority-cum-merit. There shall be relaxed norms for assessing the performance in terms of output. The scrutiny shall be for the limited purpose of ascertaining whether there is anything positively adverse such as consistently poor/unsatisfactory performance or adverse report of serious nature leading to the inference that the officer is unfit to have the benefit of ACP.

(iii) If for any reason, delay in grant of ACP goes beyond one year, one additional increment for every year delay shall be granted subject to adjustment while drawing the arrears on grant of ACP.

(iv) The benefit of Assured Career Progression shall not be available to those who have declined regular promotion on any personal grounds.

(v) In case where an officer in the cadre of Civil Judge or, as the case may be, Senior Civil Judge who has been granted Assured Career Progression, refuses functional promotion to the higher cadre in his turn of seniority and merit, he shall be reverted to the original scale of pay.

(vi) Where there is no identical figure available, the new revised pay has to be fixed at the very next higher stage in that Level in "**Schedule-A**".

11. Selection Grade and Super Time Scale: -

(1) The Selection Grade and Super Time Scale shall be granted to the District Judge on functional basis at the end of every year subject to the fulfillment of the conditions specified in sub-rule (2), in the following manner: -

(i) Thirty-five per cent. (35 %) posts of the cadre strength of the posts of District Judge shall be available for Selection Grade in the revised scale of pay Rs. 163030-219090 (J-6) and shall be granted to those officers who have put in not less than five years

completion
revised
of

continuous service as District Judge.

(ii) Fifteen per cent. (15%) posts of the cadre strength of the post of District Judge shall be available for Super Time Scale in the revised scale of pay Rs. 199100-224100 (J- 7) and shall be granted to those officers who have put in not less than three years continuous service as Selection Grade District Judge.

(2) Condition for Selection grade and Super Time Scale: The selection grade and super time scale shall be granted to the District Judges by applying the principal of seniority-cum-merit.

(3) If the post remains or continues for three years it shall form part of cadre strength.

12. Mode of payment of arrears of pay. - -The total amount of arrears of pay for the period from the 1st January, 2016 arising out of revision of pay shall be payable as under: -

The amount of arrears of pay shall be computed with effect from 1st January 2016 and after adjusting the interim relief already paid, the balance amount shall be paid in cash without pre audit, on production of an undertakings in the Form appended to these rules by the Judicial Officer and in the following manner: -

- (i) 25% amount of total arrears of pay shall be paid in cash before 26.10.2022;
- (ii) 25% amount of total arrears of pay shall be paid in cash before 26.01.2023;
- (iii) remaining 50% amount of total arrears of pay shall be paid in cash on or before the end of June, 2023.

Explanation: -

- (i) " **Arrears of pay**" means the difference between-
 - (a) the aggregate of the pay and allowances to which he is entitled on account of revision of his pay and allowances under these rules for the relevant period. Revised allowances (except for dearness allowance) shall be payable only with effect from 1st January, 2016; and
 - (b) the aggregate of the pay to which he would have been entitled (whether such pay had been received or not) for that period had his pay not been so revised.
- (ii) "**Relevant period**", means the period commencing from the 1st January, 2016 and onwards.

13. Annual Increment .- The annual increment shall be followed as reflected in J-1, J-2, J-3, J-4, J-5 J-6 & J-7 of **Schedule 'A'** and, the same shall be followed year to year accordingly.

14. Overriding effect. -The provisions of the Gujarat Civil Services (Pay) Rules, 2009 (as

amended from time to time), the Gujarat State Subordinate Judicial services (Revision of Pay) Rules, 2009, (as amended from time to time) or any other rules made in this regard shall not, in so far they are inconsistent with these rules, apply to cases where the pay is regulated under these rules.

15. Power to relax: - Where the Government is satisfied that the operation of all or any of the provisions of these rules causes undue hardship in any particular case, the Government may, by order, dispense with or relax the requirements of that rule to such extent and subject to such conditions as may be considered necessary for dealing with the case in a just and equitable manner.

16. Interpretation: - If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Government for decision.

SCHEDULE – A
(See rules 3, 4 and 5)

Col/ Row No.	1	2	3	4	5	6	7	8
1.		Civil Judge (Jr. Div) Entry Level	Civil Judge (Jr. Div) I Stage ACP	Civil Judge (Jr. Div) II Stage ACP / Civil Judge (Sr. Div) Entry Level	Civil Judge (Sr. Div) I Stage ACP	Civil Judge (Sr. Div) II Stage ACP / District Judges Entry Level	District Judges (Selection Grade)	District Judges (Super Time Scale)
2	Existing Pay Scale as per G.S.J.S (ROP) Rules 2009	Rs. 27700-770- 33090-930- 40530-1080- 44850	Rs.33090-930- 40530-1080- 45930	Rs. 39600-930- 40530-1080- 49170-1240- 54130	Rs.43770-1080- 49170-1240- 56610	Rs. 51650-1240- 59090-1390- 63260	Rs. 57850- 1240-59090- 1390-67430- 1540-70510	Rs. 70510- 1540- 76670
3	Existing Entry Pay	27700	33090	39600	43770	51650	57850	70510
4	Level	J-1	J-2	J-3	J-4	J-5	J-6	J-7
5	Year 1	77840	92960	111000	122700	144840	163030	199100
6	Year 2	80180	95750	114330	126380	149190	167920	205070
7	Year 3	82590	98620	117760	130170	153670	172960	211220
8	Year 4	85070	101580	121290	134080	158280	178150	217560
9	Year 5	87620	104630	124930	138100	163030	183490	224100
10	Year 6	90250	107770	128680	142240	167920	188990	
11	Year 7	92960	111000	132540	146510	172960	194660	
12	Year 8	95750	114330	136520	150910	178150	200500	
13	Year 9	98620	117760	140620	155440	183490	206510	
14	Year 10	101580	121290	144840	160100	188990	212710	
15	Year 11	104630	124930	149190	164900	194660	219090	
16	Year 12	107770	128680	153670	169850			
17	Year 13	111000	132540	158280	174950			
18	Year 14	114330	136520	163030	180200			
19	Year 15	117760						
20	Year 16	121290						
21	Year 17	124930						
22	Year 18	128680						
23	Year 19	132540						
24	Year 20	136520						

Note:- The benefit of Assured Career Progression scale in case of Civil Judge, and Senior Civil Judge and that of Selection Grade and Super Time Scale in case of the cadre of District Judge shall be granted under rule 10 and rule 11 of these rules, as the case may be, by the High Court.

SCHEDULE - B (See rule 6)

1	2	3	4	5	6	7	8															
							Existing Pay	Proposed Pay														
Sr.No	Civil Judge	Civil Judge I Stage ACP	Civil Judge II Stage ACP/ Senior Civil Judge Entry Level	Senior Civil Judge / I Stage ACP	Senior Civil Judge II Stage ACP/ District Judges Entry	District Judges (Selection Grade)	District Judges (Super Time Scale)	Existing Pay	Proposed Pay													
								Existing Pay	Proposed Pay													
								Year 1	E-1	J-1	E-2	J-2	E-3	J-3	E-4	J-4	E-5	J-5	J-6	J-6	E-7	J-7
								Year 2	27,700	77,840	33,090	92,960	39,600	1,11,000	43,770	1,22,700	51,650	1,44,840	57,850	1,63,030	70,510	1,99,100
								Year 3	28,470	80,180	34,020	95,750	40,530	1,14,330	44,850	1,26,380	52,890	1,49,190	59,090	1,67,920	72,050	2,05,070
								Year 4	29,240	82,590	34,950	98,620	41,610	1,17,760	45,930	1,30,170	54,130	1,53,670	60,480	1,72,960	73,590	2,11,220
								Year 5	30,010	85,070	35,880	1,01,580	42,690	1,21,290	47,010	1,34,080	55,370	1,58,280	61,870	1,78,150	75,130	2,17,560
								Year 6	30,780	87,620	36,810	1,04,630	43,770	1,24,930	48,090	1,38,100	56,610	1,63,030	63,260	1,83,490	76,670	2,24,100
								Year 7	31,550	90,250	37,740	1,07,770	44,850	1,28,680	49,170	1,42,240	57,850	1,67,920	64,650	1,88,990		
								Year 8	32,320	92,960	38,670	1,11,000	45,930	1,32,540	50,410	1,46,510	59,090	1,72,960	66,040	1,94,660		
								Year 9	33,090	95,750	39,600	1,14,330	47,010	1,36,520	51,650	1,50,910	60,480	1,78,150	67,430	2,00,500		
								Year 10	34,020	98,620	40,530	1,17,760	48,090	1,40,620	52,890	1,55,440	61,870	1,83,490	68,970	2,06,510		
								Year 11	34,950	1,01,580	41,610	1,21,290	49,170	1,44,840	54,130	1,60,100	63,260	1,88,990	70,510	2,12,710		
								Year 12	35,880	1,04,630	42,690	1,24,930	50,410	1,49,190	55,370	1,64,900	64,650	1,94,660	71,900	2,19,090		
								Year 13	36,810	1,07,770	43,770	1,28,680	51,650	1,53,670	56,610	1,69,850	66,040	2,00,500	73,390	2,25,490		
								Year 14	37,740	1,11,000	44,850	1,32,540	52,890	1,58,280	57,850	1,74,950	67,430	2,06,510	74,880	2,31,990		
								Year 15	38,670	1,14,330	45,930	1,36,520	54,130	1,63,030	59,090	1,80,200	68,970	2,12,710	76,370	2,38,490		
								Year 16	39,600	1,17,760												
								Year 17	40,530	1,21,290												
								Year 18	41,610	1,24,930												
Year 19	42,690	1,28,680																				
Year 20	43,770	1,32,540																				
	44,850	1,36,520																				

FORM OF UNDERTAKING

(See rule 12)

I hereby undertake that any excess payment that may be found to have been made as a result of incorrect fixation of pay or any excess payment detected in the light of discrepancies noticed subsequently will be refunded by me to the Government by adjustment against future payment including Death-cum-Retirement-Gratuity due to me or otherwise.

Place :-----

Date : / /

Signature
Name of Judicial officer
Designation

Office in which Employed Singh Before me

Signature
Name of the officer
Designation

By order and in the name of the Governor of Gujarat

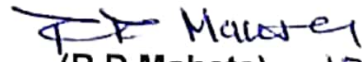
P.M.Raval
Secretary to the Government of Gujarat
Legal Department

No.GK/25/2022//SUP/102015/74/D
Legal Department
Sachivalaya, Gandhinagar.
Date:10/10/2022

To,

- The Principal Secretary to the Hon'ble Governor, Raj Bhavan, Gandhinagar.
- P.S. to Hon'ble Chief Minister, Gujarat State, Swarnim sankul-1, Sachivalaya, Gandhinagar.
- The P.S.to Hon'ble Law Minister, Gujarat State, Swarnim Sankul-I, Sachivalaya, Gandhinagar.
- The P.S.to Hon'ble Finance Minister, Gujarat State, Swarnim Sankul-I, Sachivalaya, Gandhinagar.
- Principal Secretary, Finance Department, Sachivalaya, Gandhinagar.
- The Registrar General, Gujarat High Court, Ahmedabad.

- The Secretary', Gujarat Public Service Commission, Ahmedabad,
- The Accountant General-I (Audit), Gujarat State, Ahmedabad/Rajkot.
- The Accountant General-II (Accounts & Entitlements), Ahmedabad/Rajkot.
- All Departments of Secretariat.
- All Principal District Judges, Gujarat.
- Principal Judge City Civil Court, Ahmedabad.
- All Principal Judge Family Court, Gujarat.
- Chief Judge Small Cause Court, Ahmedabad.
- Chief Metropolitan Magistrate, Ahmedabad.
- The Pay & Accounts Officer, Ahmedabad/Gandhinagar.
- The Residence Audit Officer, Ahmedabad/Gandhinagar.
- All District Treasury Officers/ Sub Treasury Officer, Gujarat High Court Sola ,Ahmedabad.
- All Officers/Branches in Legal Department.
- The Manager, Government Central Press, Gandhinagar, with a request to publish this notification in part-IV-A of the Gujarat Government Gazette (Supply 500 copies to this department).
- Select File.


(R.D. Maheta) 10-10-2022.

Under Secretary to the Government of Gujarat
Legal Department
