

No. 310.Spl.GazII(12G) Dated 14/02/2024

From

The Registrar General,
Punjab and Haryana High Court,
Chandigarh

To

- i) The Chief Secretary to the Government of Haryana,
Chandigarh
- ii) The Chief Secretary to the Government of Punjab,
Chandigarh

Sub: Standard Operating Procedure (S.O.P.) and Explanatory Memorandum in consonance with S.O.P. 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."

Sir,

In continuation of letter No.267-268.Spl.GazII(12G) dated 07.02.2024 of this Office, it is to bring to your notice that another meeting of the Hon'ble Committee for Service Conditions of the District Judiciary (CSCDJ) was held on 12.02.2024. In the said meeting, the Hon'ble Committee has approved the Standard Operating Procedure (S.O.P.) and Explanatory Memorandum. Copies of the said SOP and Memorandum are attached herewith for information and necessary action in the matter.

Any solicitation from your side for cooperation and co-ordination on the part of the High Court is always welcome.

Sd/-

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

Encl: As above

Endst. No. 311. G.P. Govt. Dated 14/02/2024

Copies of the letter with enclosures thereof are forwarded to the following for information and necessary action in the matter:-

- i) The Secretary General, Hon'ble Supreme Court of India, Tilak Marg, New Delhi – 110201
- ii) The Principal Secretary/Additional Chief Secretary, Health and Family Welfare Department, Government of Punjab, Chandigarh
- iii) The Principal Secretary/Additional Chief Secretary, Health and Family Welfare Department, Government of Haryana, Chandigarh
- iv) The Secretary/Additional Chief Secretary, Public Works Department, Government of Punjab, Chandigarh
- v) The Secretary/Additional Chief Secretary, Public Works Department, Government of Haryana, Chandigarh
- vi) The Legal Remembrancer & Principal Secretary to Govt. of Punjab, Chandigarh
- vii) The Legal Remembrancer & Admn. Secy. to Govt. of Haryana, Law & Legislative Department, Chandigarh
- viii) All the District & Sessions Judges in the State of Punjab
- ix) All the District & Sessions Judges in the State of Haryana
- x) The District & Sessions Judge, U.T. Chandigarh
- xi) The Director (Administration), Chandigarh Judicial Academy, Chandigarh
- xii) The Member Secretary, Punjab State Legal Services Authority, Punjab, S.A.S. Nagar
- xiii) The Member Secretary, Haryana State Legal Services Authority, Panchkula
- xiv) The Presiding Officer, State Transport Appellate Tribunal-cum-Presiding Officer, Food Safety Appellate Tribunal, Punjab, Chandigarh
- xv) Sh. Rajneesh Bansal, District & Sessions Judge (Retd.), Nodal Officer for day-to-day Redressal of Grievances
- xvi) The Member Secretary, Society for Centralized Recruitment of staff in Subordinate Courts (S.S.S.C.), Chandigarh
- xvii) The Member Secretary, State Legal Services Authority, U.T., Chandigarh

- xviii) The Legal Remembrancer-cum-Director Prosecution, Chandigarh Administration, Chandigarh
- xix) The Under Secretary (Estt.), National Human Rights Commission, Manav Adhikar Bhawan, Block-C, GPO Complex, INA, New Delhi
- xx) The Accountant General (A&E), Haryana, Chandigarh
- xxi) The Director, Treasuries and Accounts, Government of Punjab, Chandigarh
- xxii) Director, Treasuries & Accounts, Government of Haryana, Chandigarh
- xxiii) The Registrar (Administration-II), Punjab and Haryana High Court, Chandigarh
- xxiv) The O.S.D. (Gazette-II), Punjab and Haryana High Court, Chandigarh
- xxv) The Joint Registrar (General), Punjab and Haryana High Court, Chandigarh
- xxvi) The Deputy Registrar (Accounts), Punjab and Haryana High Court, Chandigarh

Sd/-

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

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

NOTIFICATION

No: 9. Gaz. D. XVII-I

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;

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

Sd/-

Registrar General-cum-
Ex officio Secretary of (CSCDJ)

- (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.

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.

Self Certificate

It is hereby certified that my one child/two children/one special needs child/two special needs children_____ (name of the child) is/are studying/have studied in _____class/classes in _____school (name of the school) at _____ (place) in the academic year_____.

It is further certified that my one child/two children/one special needs child/two special needs children_____ (name of the child) is/are availing/have availed the facility of hostel at _____ (place) in the academic year _____.

It is further certified that my spouse _____ (name) has not claimed or shall claim Children Education Allowance from his office/department.

Date: _____

(Signature)
Designation of Judicial Officer

*Strike off whichever is not applicable.

Tick (✓) whichever is applicable.