

No. 670. Spl. Gaz-II (12G)

From

The Registrar General,
Punjab and Haryana High Court,
Chandigarh

To

1. All the District and Sessions Judges,
in the State of Punjab
2. All the District & Sessions Judges,
in the State of Haryana
3. The District & Sessions Judge,
Chandigarh

Chandigarh, Dated the 16th March 2024

Sub: Implementation of the Judgment 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 & Ors."

Ref: This Court's earlier letter No.444-445.Spl.Gaz.II(12G) dated 28.02.2024.

Sir/Madam,

I am directed to refer you to this Court's letter under reference on the subject cited above and to forward herewith Supplementary Explanatory Memorandum No.2 (Annexure 'A') in consonance with the S.O.P. framed by the Hon'ble Committee for Service Conditions of the District Judiciary in its meeting held on 11.03.2024 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.

This is for your information and necessary compliance in the matter.

Sd/-

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

Encl: As above

Endst. No. 671.Spl.Gaz II⁽²⁰⁾ Dated 16th March, 2024.

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

1. The Secretary General, Hon'ble Supreme Court of India, Tilak Marg, New Delhi – 110201.
2. The Member Secretary, Haryana State Legal Services Authority, Panchkula.
3. The Director (Administration), Chandigarh Judicial Academy, Chandigarh.
4. The Legal Remembrancer & Principal Secretary to Govt. of Punjab, Chandigarh.
5. The Legal Remembrancer & Admn. Secy. to Govt. of Haryana, Law & Legislative Department, Chandigarh.
6. The Member Secretary, Punjab State Legal Services Authority, Punjab, S.A.S. Nagar.
7. The Presiding Officer, State Transport Appellate Tribunal-cum-Presiding Officer, Food Safety Appellate Tribunal, Punjab, Chandigarh.
8. Sh. Rajneesh Bansal, District & Sessions Judge (Retd.), Nodal Officer for day-to-day Redressal of Grievances.
9. The Member Secretary, Society for Centralized Recruitment of staff in Subordinate Courts (S.S.S.C.), Chandigarh.
10. The Legal Remembrancer-cum-Director Prosecution, Chandigarh Administration, Chandigarh.
11. The Member Secretary, State Legal Services Authority, U.T, Chandigarh
12. The Accountant General (A&E), Punjab, Chandigarh
13. The Accountant General (A&E), Haryana, Chandigarh
14. The Director, Treasuries and Accounts, Government of Punjab, Chandigarh
15. The Director, Treasuries & Accounts, Government of Haryana, Chandigarh
16. The Registrar (Administration-II), Punjab and Haryana High Court, Chandigarh
17. The O.S.D. (Gazette-II), Punjab and Haryana High Court, Chandigarh
18. All the Presiding Officers, CBI Courts, in the State of Punjab
19. All the Presiding Officers, CBI Courts, in the State of Haryana
20. All the Presiding Officers, CBI Courts, U.T. Chandigarh
21. All the Presiding Officers, Industrial Tribunal-cum-Labour Courts, in the State of Punjab
22. All the Presiding Officers Industrial Tribunal-cum-Labour Courts, in the State of Haryana
23. All the Presiding Officers Industrial Tribunal-cum-Labour Courts, in U.T. Chandigarh
24. The Joint Registrar (General), Punjab and Haryana High Court, Chandigarh
25. The Deputy Registrar (Accounts), Punjab and Haryana High Court, Chandigarh

26. The Registrar (Law & Legal), Haryana Human Rights Commission, Nirman Bhawan, Sector-33, Chandigarh
27. The Member Secretary, National Legal Services Authority, 12/11, Jamnagar House, Shahjahan Road, New Delhi
28. The Director, Appellate Tribunal for Electricity, Ministry of Power Core-4, 7th Floor, SCOPE Complex, Lodhi Road, New Delhi-110003
29. The Commissioner, Municipal Corporation, Delhi, Civic Centre, JL Nehru Road, New Delhi
30. The Registrar General, National Green Tribunal, Faridkot House, Copernicus Marg, New Delhi - 110 001
31. The Chief Engineer/H.R.D., Punjab State Power Corporation Ltd., Patiala
32. The Under Secretary (Estt.), National Human Rights Commission, Manav Adhikar Bhawan, Block-C, GPO Complex, INA, New Delhi
33. The Under Secretary to the Government of India, Ministry of Labour, 86 Employment/Shram Aur Rozgar Mantralaya, Shram Shakti Bhawan, Rafi Marg, New Delhi
34. The Under Secretary to Government of India, Ministry of Finance Department of Financial Services, 3rd Floor, Jeevan Deep Building 10 Parliament Street, New Delhi
35. The Under Secretary (Personnel), Government of Arunachal Pradesh, Arunachal Pradesh Civil Secretariat, Block No.IV, 4th Floor, Itanagar
36. The Deputy Director (Estt.), Sardar Vallabhbhai Patel National Police Academy, Government of India, Ministry of Home Affairs, Hyderabad-500052

Sd/-

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

Supplementary Explanatory Memorandum No.2 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. Children Education Allowance:-

If the Children Education Allowance and hostel subsidy have already been claimed by the spouse of the Officer working in another Government Department at the rate less than Rs.2,250/- and Rs.6,750/- respectively, the difference of the same will be payable to the Judicial Officer as arrears.

2. House Rent Allowance to Trainee Judicial Officers:-

Since the Trainee Judicial Officers are already provided free accommodation in the Chandigarh Judicial Academy and at most of the stations of posting they are provided with accommodation, therefore, the trainee Judicial Officers would not be entitled to any House Rent Allowance (HRA).

3. Furniture and Air Conditioner Allowance:

a) Clarification with regard to Air Conditioner Allowance

The provisions regarding the Furniture and Air Conditioner Allowance are already clear. The same shall be paid as allowance payable to the Officer by the Drawing and Disbursing Officer (DDO) without further reference to the High court.

b) Clarification with regard to Furniture Allowance

No clarification is required. The judgment read with Explanatory Memorandum and Supplementary Explanatory Memorandum is clear. The Furniture Allowance as provided by the judgment of the Hon'ble Supreme Court has to be disbursed if the Judicial Officer is having 2 years or more of remaining period of service before retirement. The Air Conditioner Allowance shall be available to a Judicial Officer irrespective of his/her remaining period of service before retirement.

4. Leave Travel Concession (Punjab):-

Since the arrears arising on account of revision of pay scales have to be paid to the Judicial Officers with effect from 01.01.2016 as per the mandate of the Hon'ble Supreme Court, therefore, any allowance dependent upon pay, including L.T.C./leave encashment or the amounts in lieu thereof would be required to be calculated afresh and the difference would be payable to the Judicial Officers w.e.f. 01.01.2016.