

No. 761.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

Dated, Chandigarh, the 23rd 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.311.Spl.Gaz-II (12G) dated 14.02.2024, letter No. 444-445.Spl.Gaz-II(12G) dated 28.02.2024 and letter No.670-671.Spl.Gaz-II(12G) dated 16.03.2024.

Sir/Madam,

I am directed to refer you on the subject cited above and to inform you that it has been brought to the notice of the Hon'ble Committee for Service Conditions of the District Judiciary of this Court that at the time of implementation of the judgment under reference, the District & Sessions Judges in the States of Punjab and Haryana are facing some difficulties on certain aspects. The said issues were discussed by the Hon'ble Committee in its meeting held on 20.03.2024 and following resolutions were made by the Hon'ble Committee:-

i) Grant of Special Pay to Judicial Officers for Administrative Work:

Every Judicial Officer under the jurisdiction of this High Court, posted in a Sessions Division, by default, is required to perform some administrative duties attached to his/her Court beyond office hours, as well as, other duties specifically assigned to such Officer. As such, every Judicial Officer posted in Sessions Divisions or posted or permitted to be posted by the High Court, in its discretion, at any other place, shall be entitled to the amounts of the administrative pay as specified in the judgment of the Hon'ble Supreme Court of India dated 04th January, 2024. The amount of Rs.1,000/-

already paid as Special Pay shall however be adjusted while paying the arrears for the period already availed of.

ii) Grant of Sumptuary Allowance to the CJMs posted as CJM-cum-Secretary in District Legal Services Authority and SSSC:-

As per the judgment dated 04.01.2024 passed in Writ Petition (Civil) No.643 of 2015 titled as "All India Judges Association Vs. Union of India and others", CJMs are entitled to get Rs.1,000/- more by virtue of their status or the additional responsibilities they shoulder. The CJMs in DLSA and in SSSC are posted as CJM-cum-Secretary/Members. Therefore, they are also entitled to get Rs.1,000/- more by virtue of their status or additional responsibility.

iii) Clarification regarding entitlement to the difference of One Month's Salary (Basic Pay plus DA) to the Judicial Officers of the State of Haryana on account of LTC:-

The letter No.13/19/2008-2SII dated 18.05.2009 issued by the Haryana Government, whereby it has been mentioned "This being an allowance, no arrears would be admissible even when the pay is revised from a retrospective date", was also considered by the Hon'ble Committee and it has been decided that since this benefit has been granted by the Hon'ble Supreme Court retrospectively and the Hon'ble Supreme Court has also clarified that no state law inconsistent with the judgment of the Hon'ble Supreme Court would be of any consequences, therefore, the arrears of leave encashment towards LTC be disbursed to the Judicial Officers in the State of Haryana as well, as has already been paid to Judicial Officers in the State of Punjab, as was clarified earlier in Supplementary Explanatory Memorandum No. 2 issued vide letter No. 670-671.Spl.Gaz-II (12G) dated 16.03.2024.

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

Sd/-

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

Endst. No. 762 Sp1 GAZET ⁽¹²⁴⁾ Dated 23/03/2024

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 (Admn.-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
37. All the District Treasury Officers in the States of Punjab, Haryana & UT Chandigarh (in continuation of this Court's letter No.672.Spl.Gaz-II(12G) dated 16.03.2024)

Sd/-

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