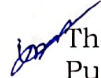


Supreme Court Case
Most Immediate

NO. 28/06/2024-1SIII
GOVERNMENT OF HARYANA
CHIEF SECRETARY'S OFFICE
DEPARTMENT OF PERSONNEL

To,

 The Registrar General,
Punjab & Haryana High Court,
Chandigarh.

Dated, Chandigarh the 23rd February, 2024.

Subject: - Writ Petition (Civil) No. 643/2015 – with SLP (C) No. 6471 -6473 of 2020, 29232 of 2018 alongwith CoCP No. 711 of 2022, 36, 37, 38, 39, 40, 848 and 1338 of 2023 – Acceptance of recommendations made by Second National Judicial Pay Commission by the Apex Court vide order dated 04.01.2024 reg. Allowances.

Sir,

I am directed to refer your letter No. 175.spl.Gaz.II(12), dated 23.01.2024 on the subject noted above and to inform that the State Government has considered the judgment/orders dated 04.01.2024 passed by the Supreme Court of India in Writ Petition (Civil) No. 643 of 2015 titled as All India Judges Association Vs. Union of India & Ors. in which the Apex Court has accepted/ approved the recommendation the Second National Judicial Pay Commission in respect of revised allowances to the Judicial Officers.

2. Further, in compliance of the directions in above said judgment, the State Government is pleased to grant approval to make admissible the allowances and other benefits to the sitting and retired Judicial Officers and family pensioners of judicial officers in State and to act in terms of the directions expeditiously. Further disbursements on account of arrears of salary, pension and allowances due and payable to judicial officers, retired judicial officers and family pensioners shall be computed and paid on or before 29th February 2024 (*w.e.f. the dates as per enclosed copy of the order dated 04.01.2024 F/A*) as under: -

| Sr. No | Allowance accepted by the Supreme Court vide its order dated 04.01.2024, are duly approved/granted by the State Government |
|--------|---|
| 1. | HOUSE BUILDING ADVANCE: - w.e.f. 04.01.2024 House Building Advance shall be admissible to the Judicial Officers of the State in accordance with the Ministry of Housing and Urban Affairs, Government of India vide O.M. No. I.17011/11(4)/2016-H-III, dated 9.11.2017 (F/B) with the modification that the purchase from a private individual is also permitted. |
| 2. | CHILDREN EDUCATION ALLOWANCE: - w.e.f. academic year 2019-20 Children Education Allowance shall be admissible to the Judicial Officers of the State in accordance with the Ministry of Personnel, P.G. and Pensions, Department of Personnel & |

| Sr. No | Allowance accepted by the Supreme Court vide its order dated 04.01.2024, are duly approved/granted by the State Government |
|--------|---|
| | <p>Training, Government of India vide O.M. No. A-27012/02/2017-Estt.(AL), dated 16.08.2017 (F/C) and as per amendments made therein from time to time. This allowance is admissible from academic year 2019-20. CEA shall be given on the basis of self certificate and hostel grant shall be given upon producing the proof showing that the child has taken admission in the Hostel.</p> <ol style="list-style-type: none"> Fixed Education Allowance of Rs. 2250/- per month and 6750/- per month as hostel subsidy for two children upto class 12. For children with special needs, the reimbursement would be at double the rate stated in (a). When the DA increases by 50%, the allowances and subsidy shall increase by 25%. |
| 3. | <p>CITY COMPENSATORY ALLOWANCE: -</p> <p>This allowance is discontinued. No recovery shall be affected on the amount already paid on account of the same allowance from the officer concerned.</p> |
| 4. | <p>CONCURRENT CHARGE ALLOWANCE: - w.e.f. 04.01.2024</p> <ol style="list-style-type: none"> The concurrent charge allowance to be available maximum at the rate of 10% of the minimum of the scale of the additional post held beyond a period of ten working days and no upward revision in the percentage of the Concurrent Charge allowance. High Court to decide the Concurrent Charge allowance to be available to the Officer within the ceiling of 10% on the basis of the number of days worked, the quantum of judicial work turned out and the administrative work handled and the criterion laid down by FNJPC be dispensed with and there shall not be any insistence on the performance of 'appreciable judicial work' of the Court concerned. |
| 5. | <p>CONVEYANCE /TRANSPORT ALLOWANCE: - w.e.f. 01.01.2016</p> <ol style="list-style-type: none"> Pool Car facility shall be stopped in due course of time, however, if the Judicial Officers are interested to avail Pool-Car facility then, they may continue to avail Pool-Car facility on the condition of giving up the amount of conveyance/transport and fuel allowance. Those Judicial Officers who own four-wheeler vehicle in their own name or in the name of spouse, the allowance at the rate of Rs. 10000/- Per Month, towards the expenses on maintenance, repairs and salary of the driver of the said vehicle, shall be admissible to them w.e.f. 01.01.2016 and the said allowance shall be admissible at the enhanced rate of Rs. 13500/- per month w.e.f. 01.01.2021. There should be a reimbursement of the cost of 100 litres of petrol/diesel per month shall be admissible in the cities like metropolitan cities and the places within the limits of municipal corporations and districts places and for 75 litres of petrol/diesel per month at other places for Judicial Officers not using Official Car. The quantum of petrol/diesel for official cars would be raised to the actual consumption for official purposes as certified by the concerned official and supported by log book, which would be maintained. The Judicial Officers using official cars permitted to use them for private purpose to the extent of 300 K.M.s per month. Soft loan facilities to the extent of Rs 10 lakhs at nominal interest for the purchase of car is extended to the judicial officers. All Judicial Officers shall be at liberty to mention "Judge" on their private vehicles. The aforesaid conveyance/transport and fuel allowance shall not be admissible to those Judicial Officers who are using government vehicles. |
| 6. | <p>DEARNESS ALLOWANCE: -</p> <p>The Dearness Allowance shall be admissible to the working and retired Judicial Officers like the employees in Central Government service.</p> |
| 7. | <p>ENCASHMENT OF EARNED LEAVE: - w.e.f. 01.01.2016</p> <ol style="list-style-type: none"> 10 days EL while availing LTC subject to maximum 60 days – 10 at a time upto six |

| Sr. No | Allowance accepted by the Supreme Court vide its order dated 04.01.2024, are duly approved/granted by the State Government | | | | | | | | | |
|-----------------|--|-------------------|-------------------|----------------|-----------------|----------------------|-------------------|--------------|----------------------|-------------------|
| | <p>occasions during the entire service.</p> <p>b) 30 days in a block of two years.</p> <p>c) Sr. No. (a) & (b) shall be in addition to the right of the Judicial Officers to encash upto 300 days EL at the time of retirement.</p> <p>d) 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 shall be paid the amount of the so adjusted earned leave, at the time of retirement as explained in the example above, within a period of three months from the date of acceptance of the report.</p> <p>f) The facility of the aforesaid allowance shall be admissible w.e.f. 01.01.2016.</p> | | | | | | | | | |
| 8. | <p>ELECTRICITY AND WATER CHARGES: - w.e.f. 01.01.2020</p> <p>a) No change in the percentage of reimbursement i.e. 50% of reimbursement formula recommended by FNJPC and reiterated by the JPC shall continue</p> <p>b) The ceiling in terms of units of electricity and the quantity of water consumed shall be as follows: -</p> <table border="1" data-bbox="456 808 1385 904"> <thead> <tr> <th>Designation</th> <th>Electricity Units</th> <th>Water Quantity</th> </tr> </thead> <tbody> <tr> <td>District Judges</td> <td>8000 units per annum</td> <td>420 Kls per annum</td> </tr> <tr> <td>Civil Judges</td> <td>6000 units per annum</td> <td>336 Kls per annum</td> </tr> </tbody> </table> <p>a) Reimbursement of electricity and water charges shall be on the quarterly basis on production of proof of payment of the billed amount, this allowance shall be payable at the enhanced rates w.e.f. 01.01.2020.</p> | Designation | Electricity Units | Water Quantity | District Judges | 8000 units per annum | 420 Kls per annum | Civil Judges | 6000 units per annum | 336 Kls per annum |
| Designation | Electricity Units | Water Quantity | | | | | | | | |
| District Judges | 8000 units per annum | 420 Kls per annum | | | | | | | | |
| Civil Judges | 6000 units per annum | 336 Kls per annum | | | | | | | | |
| 9. | <p>HIGHER QUALIFICATION ALLOWANCE: -</p> <p>a) More beneficial Higher Qualification Allowance i.e. Three additional increment in lieu of LL.M has already given to the Judicial officer, vide letter No. 28/32/2011-1SIII dated 29.01.2013 of Government of Haryana shall be continue. One more advance increment shall be granted to the Judicial Officers who acquire Doctorate in Law.</p> <p>b) These increments once granted for post-graduation degree or Doctorate in law shall not be again granted if, in future, the officer acquires post graduate or Doctorate degree in any other subject.</p> <p>c) These increments shall be available to the officer who had acquired the post-graduation degree or Doctorate either before recruitment or at any time subsequent thereto while in service.</p> <p>d) These increments shall be granted from the date of initial recruitment, if the officer has already acquired the post graduation degree or Doctorate and from the date of acquiring the post-graduation or Doctorate degree, if acquired after joining the service.</p> <p>e) The increments shall be made available to the Judicial Officers only and only if the higher qualification has been acquired through regular studies (full time or part time) or through distant learning programmes.</p> <p>f) The aforesaid increments to be received on account of acquiring post graduate degree or Ph.D. in Law shall be admissible to the Judicial Officers in all cadres at every level.</p> <p>g) The aforesaid increments for all practical purposes shall be part of salary and Dearness Allowance shall be available on the same."</p> | | | | | | | | | |
| 10. | <p>HILL AREA/TOUGH LOCATION ALLOWANCE: - w.e.f. 01.01.2016</p> <p>Hill Area/Tough Location Allowance @Rs.5000/- per month shall be paid to the Judicial Officers w.e.f. 01.01.2016. The Hill Area/Tough Locations for the said allowances shall be as determined by the High Court.</p> | | | | | | | | | |

| Sr. No | Allowance accepted by the Supreme Court vide its order dated 04.01.2024, are duly approved/granted by the State Government |
|--------|--|
| 11. | <p>HOME ORDERLY / DOMESTIC HELP ALLOWANCE: - w.e.f. 01.01.2016</p> <p>a) Home Orderly/Domestic Help Allowance shall be admissible to the Judicial Officers at the below-mentioned rates w.e.f. the date 01.01.2016 on the basis of self certificate.</p> <ol style="list-style-type: none"> 1) District Judge: Rs. 10,000/- per month. 2) Civil Judge: Rs. 7,500/- per month. 3) Pensioner 9,000/- 4) Family Pensioner 7,500/- <p>b) This allowance shall stand increased by 30% on completion of five years from 01.01.2016 that is w.e.f. 01.01.2021.</p> <p>c) Judicial officers getting higher allowance on this account by virtue of the orders issued by State, they may continue to draw the same.</p> <p>d) The payment of home orderly allowance should not result in discontinuance of practice, if any, of deputing the Office Peons/Attenders or other Group D employee during nights at the residences of (i) Magistrates who are called upon to attend the Judicial work at times during night times. (ii) the Office Peon/Attender or such other Group D 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 (iii) such personnel can also be deputed to the residence of Principal District Judge or equivalent rank officer having administrative responsibilities. The deployment of Peons/Attenders for such residential duties shall be subject to the availability of Group D/Class IV personnel and without detriment to Court related duties.</p> |
| 12. | <p>HOUSE RENT ALLOWANCE AND RESIDENTIAL QUARTERS: - w.e.f. 01.01.2016</p> <p>(A) Residential Quarters: - Rent free accommodation or requisitioned private accommodation shall be made available to the Judicial Officers within one month from the date of taking charge of the post.</p> <ol style="list-style-type: none"> (a) If residential quarter not available then, the office shall make available private residence and if such residence is available, then, house rent allowance shall not be admissible to such Judicial Officers. (b) If the rent of the private accommodation is within the admissible house rent allowance, no fixation of rent is required. If the rent of the private accommodation is more than permissible house rent allowance, the rent shall be assessed by District Judge with the assistance of PWD/R&B officials. If the difference between the permissible house rent allowance and the rent assessed is more than 15% and District Judge may seek approval of High Court for payment of the said amount unless the officer is ready to pay the differential cost. If the amount of such difference is less than 15% then, the sanction is not necessary. (c) Judicial officers residing in their own houses, including the house of a parent or spouse, shall also be entitled for the recommended HRA w.e.f. 01.01.2016 after obtaining permission from the High Court to reside in their own house and judicial officers already residing in hired accommodation will be entitled to the recommended HRA with effect from 01.01.2020, subject to the actual rent paid within the said ceiling; (d) The Minimum plinth area for the residential accommodation shall be 2500 sq. ft. for District Judge and 2000 sq. ft. for Civil Judge. The High Court has the discretion to sanction the design with higher plinth area. (e) The Office of the District Judge or equivalent shall pay rent directly to the landlord, in which case, the officer is not eligible to draw HRA. <p>(B) HRA: - The different rates of HRA are prevalent in different cities, hence the Central Government notified rates vide letter dated 07.07.2017 are adopted by the State for Judicial Officers</p> <p>"Rates of HRA/pm as % of basic pay and the rate will be changed in accordance with the change in Dearness Allowance in the following terms: -</p> |

| Sr. No | Allowance accepted by the Supreme Court vide its order dated 04.01.2024, are duly approved/granted by the State Government | | | | | | | | | |
|--------|---|-------|-----|-----|-------|-----|-----|------|----|-----|
| | <p style="text-align: center;">D.A. 25% 50%</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>X 24%</td> <td>27%</td> <td>30%</td> </tr> <tr> <td>Y 16%</td> <td>18%</td> <td>20%</td> </tr> <tr> <td>Z 8%</td> <td>9%</td> <td>10%</td> </tr> </table> <p>(C)Furniture and Air Conditioner Allowance: - Furniture grant of Rs.1.25 lakhs every five years shall be provided to the Judicial Officer. Household electrical appliances can also be purchased by availing o the said grant. Apart from this, one air-conditioner shall be provided at the residence of every Judicial Officer once in every five years.</p> <p>(D) Residential quarters – maintenance In order to obviate the problems faced by judicial officers in securing services of electricians, plumber, carpenters, sanitary workers and masons and bearing in mind that the Public Works Department, which is in-charge of maintenance, does not have sufficient funds to carry out the work, an amount of Rs Ten lakhs be made available to each District Judge on the basis of a proposal sent by the Registry of the High Court for the proper maintenance of the residential quarters.</p> | X 24% | 27% | 30% | Y 16% | 18% | 20% | Z 8% | 9% | 10% |
| X 24% | 27% | 30% | | | | | | | | |
| Y 16% | 18% | 20% | | | | | | | | |
| Z 8% | 9% | 10% | | | | | | | | |
| 13. | <p>LEAVE TRAVEL CONCESSION (LTC)/HOME TRAVEL CONCESSION (HTC): -</p> <ol style="list-style-type: none"> a) As suggested by SNJPC that the payment of one month's salary for not availing the LTC is unwarranted and it would defeat the objective of LTC, hence discontinued. b) Therefore, the Judicial Officers be permitted to avail one LTC and one HTC in a block of 3 years (Hence, a new block of 3 years is to be introduced to the Judicial Officers instead of 4 years to the employees of the State of Haryana). c) As far as fresh recruits are concerned, the HTC shall be allowed 2 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). d) 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 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. The other details such as class of travel, advance etc. shall be governed by the Rules/Orders of State. e) The Judicial officers allowed to carry forward LTC anywhere in India beyond retirement for a period of one year. But, the LTC/HTC facility is not available to the retired Judicial officers. f) 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 a prefix and suffix to the extent of two days. g) This allowance shall be admissible w.e.f. block year 2024-26, 2027-29, 2030-32 and so on as clarified from SOP issued by the Committee for Service Conditions of the District Judiciary (CSCDJ vide letter No. 310.sl.p.Gaz.II(2G), dated 14.02.2024. | | | | | | | | | |
| 14. | <p>MEDICAL ALLOWANCE/MEDICAL FACILITIES: - w.e.f. 01.01.2016</p> <ol style="list-style-type: none"> 1. Fixed medical allowance shall be payable @Rs.3,000/- p.m. to the serving Judicial Officers and Rs.4,000/- to the pensioners and family pensioners w.e.f. 01.01.2016. 2. 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. 3. Separate orders shall be issued in respect of other medical facilities accepted by the Supreme Court. | | | | | | | | | |
| 15. | <p>NEWS PAPER AND MAGAZINE ALLOWANCE: - w.e.f. 01.01.2020</p> <p>District Judges 1000/- (2 Newspapers + 2 Magazine) Civil Judges 700/- (2 Newspapers + 1 Magazine)</p> <p>The reimbursement shall be on half yearly basis from January to June and July to December, on the basis of self certification. w.e.f. 01.01.2020.</p> | | | | | | | | | |



| Sr. No | Allowance accepted by the Supreme Court vide its order dated 04.01.2024, are duly approved/granted by the State Government |
|--------|---|
| 16. | <p>ROBE ALLOWANCE: - w.e.f. 01.01.2016</p> <p>(i) An allowance of Rs 12,000 will be payable once in three years w.e.f. 01.01.2016. (ii) The demand for the robe allowance may not be raised before the next Commission.</p> |
| 17. | <p>SPECIAL PAY FOR ADMINISTRATIVE WORK: - w.e.f. 01.01.2019</p> <p>A monthly allowance for administrative work shall be admissible to the Judicial officers be payable w.e.f. 01.01.2019: -</p> <p>a) District and Sessions Judges : Rs.7000/- P.M. b) Other District Judges including Additional District Judges entrusted with administrative work who have to generally spend time beyond Court working hours : Rs. 3500/- P.M. c) District Judges presiding over Special Courts and Tribunals having independent administrative responsibilities: Rs.3500/- P.M. d) CJMs and Senior/Junior Civil Judges and other Judicial Officers having administrative responsibilities being in charge of independent Courts with filing powers : Rs.2000/- P.M.</p> |
| 18. | <p>SUMPTUARY ALLOWANCE: - w.e.f. 01.01.2016</p> <p>a) This monthly allowance shall be admissible to the Judicial officers of the below mentioned cadre, be payable w.e.f. 01.01.2016: -</p> <p>District Judges/Addl. District Judges 7800/- P.M. Civil Judges (Senior Div.) 5800/- P.M. Civil Judges (Junior Div.) 3800/- P.M.</p> <p>b) No sumptuary allowance shall be payable to the retired Judicial Officers.</p> <p>c) For various categories of Judicial Officers, they shall get Rs.1,000/- (One thousand) more by virtue of their status or the additional responsibilities they shoulder as under: -</p> <ul style="list-style-type: none"> • District Judge in-charge of administration in the Districts/Cities. • District Judges in selection grade and super time-scale. • Director of Judicial Academy/Judicial Training Institute/Member Secretary, State Legal Services Authority. • Chief Judicial Magistrate/Chief Metropolitan Magistrate. |
| 19. | <p>TELEPHONE FACILITY: - w.e.f. 04.01.2024</p> <p>i) Residential Telephone (Landline): District Judges: - 1500/- Per Month Civil Judges: - 1000/- Per Month (Inclusive of rent, calls [Local + STD] and internet use)</p> <p>ii) Mobile Phone: - District Judges: Rs. 30000 (once in 3 years) + 2000/- Per Month Civil Judges: - Rs. 20000 (once in 3 years) + 1500/- Per Month (Inclusive of internet data package) The Judicial Officers may be given option to retain the old mobile phone at a price to be determined as per guidelines prescribed by the Registry of the High Court.</p> <p>iii) Office Telephone: Regarding telephone connection to the office, the present arrangement shall continue.</p> |
| 20. | <p>TRANSFER GRANT: - w.e.f. 01.01.2016</p> <p>1. On transfer, the composite transfer grant shall be admissible to the Judicial Officers equivalent to one month's basic pay. 2. 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 1/3 rd of the basic</p> |

| Sr. No | Allowance accepted by the Supreme Court vide its order dated 04.01.2024, are duly approved/granted by the State Government |
|-----------|--|
| | <p>pay.</p> <p>3. In case of transportation by road, the admissible amount shall be Rs.50/- per km. 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%.</p> <p>4. 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 w.e.f. 01.01.2016.</p> <p>5. For the transportation of personal effects, the O.M. dated 13.07.2017 (F/D) issued by the Department of Expenditure; Government of India pursuant to the recommendations of VII CPC shall be applicable to the Judicial Officers.</p> |

3. The aforesaid allowances and facilities shall be applicable to the Judicial Officers in State of Haryana and to the Judicial Officers appointed on deputation in the State. Further, if the allowances given by the State Government are more beneficial than the aforesaid allowances, then the same shall be made admissible to the Judicial Officers.

4. While paying the amount of the arrears of the aforesaid revised allowances, the amount paid shall be adjusted and the difference of the amount shall be paid in cash, in lump-sum. Necessary steps to be taken to pay the amount of arrears due and payable towards the aforesaid allowances in cash before the date 29.02.2024.

5. The expenditure towards the aforesaid allowances is the expenditure to be incurred on the Judicial Officers working under the budgetary control of the Administration of Justice Department. Other Ministerial Departments shall make separate provisions for the expenditure to be incurred for the Judicial Officers working under their control.

This issues with the concurrence of the Finance Department (in FR Branch) vide its U.O. No. 5/47/2020-5FR (FD)/4125, dated 20.02.2024.

Sd/-

Joint Secretary to Government Haryana
Personnel Department

A copy is forwarded to the Additional Chief Secretary to Government Haryana, Administration of Justice Department and to the Finance Department (in FR Branch) w.r.t. their U.O. No. 5/47/2020-5FR (FD)/4125, dated 20.02.2024, also to the Labour Department, Haryana & Environment Department, Haryana for information and necessary action.

Sd/-

Joint Secretary to Government Haryana
Personnel Department

To,

1. The Additional Chief Secretary to Government Haryana,
Administration of Justice Department
2. The Additional Chief Secretary to Government Haryana,
Finance Department (in FR Branch)
3. The Additional Chief Secretary to Government Haryana,
Environment, Forests & Wildlife Department
4. The Principal Secretary to Government Haryana,
Labour Department

U.O. No. 28/06/2024-1SIII

Dated, Chandigarh the 23rd February, 2024

Endst. No. 28/06/2024-1SIII

Dated, Chandigarh the 23rd February, 2024

A copy is forwarded to the Principal Accountant General (A&E) for information

Sd/-

Joint Secretary to Government Haryana
Personnel Department

Endst. No. 28/06/2024-1SIII

Dated, Chandigarh the 23rd February, 2024

A copy is forwarded to the Legal Remembrancer-cum-Administrative Secretary to Government Haryana, Law and Legislative Department, Haryana w.r.t. her letter No. PS/LRH/2024/1990, dated 02.02.2024 for information and necessary action.

Sd/-

Joint Secretary to Government Haryana
Personnel Department

Endst. No. 28/06/2024-1SIII

Dated, Chandigarh the 23rd February, 2024

A copy is forwarded to the Director, Treasury and Accounts, Haryana with the request to release the payment immediately to the concerned Judicial Officers (without delay) on or before 29.02.2024.

Sd/-

Joint Secretary to Government Haryana
Personnel Department