



**Government of Jammu & Kashmir
Finance Department, (Codes Division)
Civil Secretariat, Jammu/Srinagar**

Subject:-Rationalisation of Pension of Judicial Officers in terms of Justice Shetty Commission and Justice E. Padmanabhan Report.

**Government Order No. 194- F-of 2021
Dated: 20/07/2021**

Whereas, as per recommendations of Justice Padmanabhan Committee, J&K Government has extended the benefit of pension/family pension in respect of Judicial Officers of J&K vide Government Order No. 202-F of 2013 dated 12.09.2013 wherein it was ordered that in case of State Judicial Officers who have retired prior to 01.01.2006, the revised pension shall be 50% of the minimum pay of the post held at the time of retirement as revised from time to time.

Whereas, it was observed that pensionary benefit to Pre 01.01.1996 pensioners as per recommendations of Justice Shetty Pay Commission and duly approved by the Hon'ble Supreme Court was not made available by the Government of J&K.

Whereas, Government Order No. 182 of 2020, dated 17.06.2020, was issued in supersession of Government Order No. 202-F of 2013 dated 12.09.2013 where in the sanction was accorded to the following.

"In case of Judicial Officers who retired prior to 01.01.1996, the consolidated revised pension shall not be less than 50% of the minimum of the revised pay of the post held by the Judicial Officers at the time of retirement, who have put in full qualifying service at the time of retirement, notionally w.e.f. 01.01.1996 and monetarily w.e.f. 01.07.1996.

With effect from 01.01.2006, the existing pension of all the pensioners who retired after 01.01.1996, and pensioners whose pensions were consolidated as per Karnataka Model shall be raised by 3.07 times at par with other pensioners, subject to minimum of 50% of the pay in the revised pay scale of the post held at the time of retirement as revised from time to time."

Whereas, the Judges Association approached the Government of J&K with the request that reference to the full qualifying service in the para(1) of Government Order No. 182 of 2020, dated 17.06.2020 is not in line with the Hon'ble Supreme Court directions and requested for implementation of the Hon'ble Supreme Court order dated 14.07.2016.

Whereas, Department of Law, Justice & P.A. vide U.O. No. LD(A)93/112-III dated 12.04.2021 conveyed that the proposed amendment to Government Order No. 182 of 2020 dated 17.06.2020 are in consonance with the directions of the Hon'ble Supreme Court.

Therefore, in compliance to the order dated 14.07.2016, passed in IA No. 1 & 2 arising out of W.P(C) No. 1022 of 1989, of the Hon'ble Supreme Court, the Government after careful consideration is pleased to modify para (i) of Government Order No. 182 of 2020 dated 17.06.2020 as under:

"In case of Judicial Officers who retired prior to 01.01.1996, the revised pension shall not be less than 50% of the minimum of the revised pay of the post held by Judicial Officers at the time of retirement, notionally w.e.f. 1.1.1996, and monetarily w.e.f. 01.07.1996, without reference to number of qualifying years of service."

The pay scales i.e. existing Scale (pre-1996 scales) and the revised Scale (applicable w.e.f. 01.01.1996 and 01.01.2006) in respect of State Judicial officers are enclosed as **Annexure-A** to this order.

The illustrative examples for revision of pension in respect of State Judicial Officers are enclosed as **Annexure-B** to this order.

The Form of Intimation by the Pension Sanctioning Authority to the PPO Issuing Authority (Accountant General) regarding consolidation of Pension are enclosed as **Annexure-C**

By order of the Lieutenant Governor

Sd/-
(Dr. Arun Kumar Mehta), IAS
Financial Commissioner,
Finance Department.

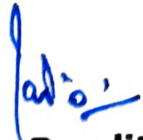

No. FD-Code/95/2021-728

Dated: 20 -07-2021

Copy to the:-

1. Advocate General, J&K High Court Srinagar/Jammu.
2. Principal Accountant General J&K Srinagar/Jammu.
3. All Financial Commissioners.
4. Principal Secretary to the Hon'ble Lieutenant Governor
5. All Principal Secretaries to Government.
6. Jt. Secretary (J&K), Ministry of Home Affairs, Government of India.
7. Principal Resident Commissioner, 5-Prithvi Raj Road New, Delhi.
8. Chief Electoral Officer, J&K.
9. All Commissioner/ Secretaries to Government.
10. Divisional Commissioner Kashmir/ Jammu.
11. Principal Secretary to Chief Justice J&K High Court Srinagar/Jammu.
12. Registrar General, J&K High Court Srinagar/Jammu.
13. Director Anti Corruption Bureau, J&K.
14. Director General, Audit and Inspections.
15. Director General, Budget Division J&K.
16. Director General Accounts and Treasuries.
17. Director General Funds Organization.
18. Director Local Fund Audit & Pensions, J&K.
19. Director Information J&K.
20. All Head of Departments/ Managing Directors/ Chief Executives of State PSU's/ Autonomous Bodies/ Societies.
21. Secretary J&K Public Service Commission.
22. All District Development Commissioners.
23. Secretary, J&K Legislative Assembly.
24. Director/Principal, Northern Zonal Accountancy Training Institute Jammu.
25. Director Accounts & Treasuries Kashmir/ Jammu.
26. All Directors of Finance/Financial Advisors & CAOs.
27. Principal Accountancy Training School Srinagar.
28. Joint Director, J&K Funds Organization Srinagar/Jammu.

29. General Manager, Government Press, Srinagar/ Jammu for publication in Government Gazette.
30. Private Secretary to Hon'ble Advisors (F)/(B)/(BK), for information.
31. Private Secretary to Chief Secretary.
32. Private Secretary to Financial Commissioner, Finance Department.
33. All Treasury Officers.
34. I/C website, FD (www.jakfinance.nic.in).
35. I/C website, GAD (www.jkgad.nic.in).
36. Government Order File (W2scs).


S.L. Pandita,
Director General (Codes),
Finance Department.


Annexure-A

The Jammu & Kashmir, Sub-Ordinate Judicial, Pay Scales (Pre 1996 Scale,
Revised Pay Scale w.e.f. 01.01.1996 and Revised Pay Scales w.e.f.
01.01.2006)

| S.No. | Designation | Existing Scale (Pre-1996 scales) | Revised Scale (applicable w.e.f 01.01.1996) in terms of Justice Shetty Commission recommendations as per SRO 368 dated 21.10.2003. | Revised Scale (applicable w.e.f 01.01.2006) as per SRO 244 dated 05.08.2011. |
|--------------------------------------|--|---|---|---|
| A | | | | |
| Pay Scales of District Judges | | | | |
| 1. | District Judge (Entry Level) | 3700-125-4700- 1500-5000 | 16750-400-19150- 450-20500 | 51550-1230-58930-1380- 63070. |
| 2. | District Judge (Selection Grade) | 4500-150-5700 | 18750-400-19150- 450-21850-500-22850 | 57700-1230-58930-1380- 67210-1540-70290. |
| 3. | District Judge (Super Time Scale) | No Super Time Scale Existed | 22850-500-24850 | 70290-1540-76450. |
| B | | | | |
| Pay Scales of Sub-Judges | | | | |
| 1. | Civil Judge (Sr. Division) Sub-Judge | 3000-100-3500-125- 4500 | Entry Level: 12850-300-13150- 350-15950-400- 17550. | 39530-920-40450-1080- 49090-1230-54010. |
| 2. | Civil Judge (Sr. Division) Ist stage ACP Scale | (No Assured Carrier Progression Scales Prior to 01.01.1996) | 14200-350-15950- 400-18350 | 43690-1080-49090-1230- 56470 after five years of continuous service. |
| 3. | Civil Judge (Sr. Division) 2nd stage ACP Scale | -Do- | 16750-400-19150- 450-20500 | 51550-1230-58930-1380- 63070 after completion of another five year of continuous service. |
| C | | | | |
| Pay Scales of Munsiffs | | | | |
| 1. | Civil Judge (Junior Division) Munsif | 2200-75-2800-EB- 100-3800 | 9000-250-10750-300- 13150-350-14550 | 27700-770-33090-920- 40450-1080-44770. |
| 2. | Civil Judge (Junior Division) Ist stage ACP Scale | (No Assured Carrier Progression Scales Prior to 01.01.1996) | 10750-300-13150- 350-14900 | 33090-920-40450-1080- 45850 after five years of continuous service from the date of entry. |
| 3. | Civil Judge (Junior Division) 2nd stage ACP Scale | -Do- | 12850-300-13150- 350-15950-400-17550 | 39530-920-40450-1080- 49090-1230-54010 after completion of another five years of continuous service. |

Annexure-B

ILLUSTRATIONS.

Example

Stage 1

A District Judge of Selection grade drawing basic salary of Rs 4500 in the revised pay scale of 4500-150-5700 retired on 01-01-1994. His pension is to be re-fixed w.e.f. 01-01-1996 notionally and w.e.f. 01-07-1996 monetarily in corresponding pay scale of 18750-400-19150-450-21850-500-22850, with the condition that irrespective of length of service his basic pension shall not be less than 50% of minimum of the corresponding pay scale with no limit to the maximum pension. Since pre 01-01-1996 pay grades were much less he shall be placed at the minimum of corresponding pay scale and 50% of the same shall be his basic pension w.e.f. 01-01-1996 notionally and w.e.f. 01-07-1996 monetarily. Thus Rs 18750/- the basic pay of the corresponding pay scale shall be his basic pay for the purpose of fixation of his pension. So 50% of Rs 18750/- which comes to Rs 9375/- shall be his basic pension notionally w.e.f. 01-01-1996 and monetarily w.e.f. 01-07-1996 with DA as permissible to the serving judicial officer.

Stage 2

W.e.f. 01-01-2006 his pension is to be revised with a multiplier of 3.07 Since his basic pay had notionally been fixed at RS 18750/- w.e.f. 01-01-1996 for purpose of revision of his pension in the corresponding pay grade, the said basic pay is to be multiplied with a multiplier of 3.07 and the 50% of the amount so arrived shall be his basic pension w.e.f. 01-01-2006 subject to not less than 50% of the minimum of the corresponding pay scale and with no limit to the maximum pension in the pay scale 57700-1230-58930-1380-67210-1540-70290. Thus Rs 18750/- the basic pay notionally fixed w.e.f. 01-01-1996 multiplied by 3.07

comes to Rs 57562.5 say Rs 57562. So his basic pension shall be $57562/2$ i.e. Rs 28782/- w.e.f. 01-01-2006 with DA permissible to the serving judicial officers.

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Annexure-C

Form of intimation by the Pension Sanctioning Authority to the PPO Issuing Authority (Accountant General) regarding consolidation of pension

1. Name of Pensioner/
Family Pensioner
2. P.P.O. No.
3. Date of retirement/death
(in case of family pension)
4. Name of Treasury/ Sub-
Treasury/Paying branch of
J&K Bank
5. Computation of Consolidated
Pension/family pension

| | Pension | *Family Pension | *Family Pension (at enhanced rate) |
|--|---------|--------------------|---|
| (a) Existing Basic pension (as on retirement) | | | |
| (b) DA | | | |
| (c) Ist Interim Relief | | | |
| (d) 2nd Interim Relief | | | |
| (e) 40% of the basic pension/ family pension as at(a) above | | | |
| (f) Consolidated pension/family Pension(a+b+c+d+e) | | | |

*If not applicable draw a line across

6. Whether consolidated
Pension/family pension
Is final or allowed as
Immediate relief
7. Remarks, if any