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Abstract 1996

First National Judicial Pay Commission - Shetty Commission Recommendations - Revision of scale of pay of Judicial Officers in the State of Tamil Nadu - Ordered - Additional 10% benefit over the basic pay as on 1.1.1996 - Orders - Issued.

Home (Courts.1) Department

G.O.(Ms) No.771

Dated 09.09.2009

Read:

1. G.O.Ms.No.289 Home dated 31.03.2003
2. Government letter No.62458/Cts.1A/2002-16, Home dated 05.05.2003
3. G.O.Ms.No.581, Home dated 30.06.2003

Read also:-

4. From Secretary, Tamil Nadu Retired Judges Welfare Association, Chennai representation dated 04.09.2008.
5. From the President and Secretary, Tamil Nadu Judicial Officers Association representation dated 23.09.2008.
6. From the Registrar General, High Court letter No.10518/2008, dated 14.05.2009.

ORDER:

Justice Shetty Commission in its recommendations Inter-alia has recommended in its para 15.90, to 15.91 as follows:

15.90 This takes us to fixation of pay for those who are now enjoying the benefit of the 5th Central Pay Commission scales. It may be noted that the 5th Central Pay Commission scales have also been pegged at 1510 AICPI level as on 1-1-1996. 5th Central Pay Commission had recommended 20% fixation benefit of basic pay. But the Government has allowed 40% fixation benefit while implementing, in the following manner:

- a. Basic Pay as on 1-1-1996
- b. D.A. as on 1-1-1996
- c. First instalment of IR - Rs.100/-
- d. Second instalment of IR-10% of Basic Pay
- e. Fixation benefit of 40% of Basic Pay as on 1-1-1996.

15.91 Even in all such cases, allow another 10% fitment (additionally) benefit on the basic pay as on 1-1-1996.

Accordingly, the Government in their order first and third read above have issued orders and the Tamil Nadu revised pay scales was implemented to the Judicial Officers with effect from 1.1.96 after adjusting interim relief and 40% of arrears were paid and 60% of the arrears for the period from 1.1.96 to

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31.3.98 was ordered to be paid during the financial year 2003-2004. As the new scale has to be given effect with effect from 1.7.96 the fixation of pay/as to be done as per Rule 23 of Fundamental Rules i.e., the pay shall be fixed in the revised scale from the date of revision of scale of pay on the basis of the pay drawn in the existing scale at the same stage, if there is a stage in the revised scale existing and if there is no such stage pay shall be fixed at the next higher stage. In both the cases the next increment in the new scale shall be given on the normal date.

4. The Secretary, Retired Judges Welfare Association and the Tamil Nadu Judicial Officers Association by its President and Secretary have represented to the Government to allow 10% additional fitment benefit as recommended by the Justice Shetty Commission.

5. The Registrar General, High Court, Madras has stated that the Government has to rectify the anomaly.

6. The Government after careful examination, decided to sanction 10% additional fitment benefit on the Basic pay of the Judicial Officers in the pre revised scales as on 1.1.96 notionally with monetary effect from 1.7.1996.

7. This order issues with the concurrence of Finance Department vide its U.O.No.31337/CMPC/2009, dated 24.7.2009.

(By order of the Governor)

Dr. S. Karuthiah Pandian

Special Secretary to Government.

To

The Registrar General, High Court, Chennai-104.

The Advocate General, High Court, Chennai-104.

The Accountant General, Chennai-18

The Accountant General, Chennai-18 (By name)

The Accountant General, Chennai-35

The Pay and Accounts Officer, High Court, Chennai-104.

The Tamil Nadu Government Advocate on Record,

Supreme Court of India, New Delhi-110 011.

All the District Judges.

The Commissioner of Treasuries and Accounts, Chennai-15.

Copy to

The Finance (CMPC) Department, Chennai-9

The Finance (Pay Cell) Department, Chennai-9

The Special Personal Assistant to Minister for Law, Chennai-9

The Chief Ministers Office, Chennai-9.

The President, Tamil Nadu Judicial Officers Association, Chennai.

The Secretary, Retired Judges Welfare Association, Chennai.

// Forwarded / By Order //

Section Officer.