

The Odisha Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1496 CUTTACK, WEDNESDAY, AUGUST 7, 2024/SRAVANA 16, 1946

No. 21451—FIN-GS2-PEN-0001/2022-F.

GOVERNMENT OF ODISHA

FINANCE DEPARTMENT

RESOLUTION

The 30th July 2024

SUBJECT— Implementation of recommendations of Second National Judicial Pay Commission (SNJPC), as approved by Hon'ble Supreme Court, in respect of grant of allowances in favour of District Judicial Officers/ retired Judicial Officers/ family pensioners.

In pursuance of the recommendation of Second National Judicial Pay Commission (SNJPC), as approved by the Hon'ble Supreme Court, the State Government hereby extends allowances in favour of District Judicial Officers/ retired Judicial Officers/ family pensioners as given below : —

1. House Building Advance (HBA) :

Provisions of the House Building Advance as per Office Memorandum No. 17502/F, dated the 13th July 2022 and No. 32344, dated the 24th November 2023 of Finance Department, Government of Odisha (Revision of admissibility of HBA in respect of State Government employees) and subsequent addenda, corrigenda, amendments, if any, shall be applicable to the district judicial officers.

2. Children Education Allowance (CEA) :

Children Education Allowance (CEA) shall be admissible to the Judicial Officers of the State with effect from the Academic Session 2019-2020 in the following terms : —

- (a) Rs. 2,250 per month per child as CEA and Rs. 6,750 per month per child as hostel subsidy for maximum of two children up to Class-XII;
- (b) For children with special needs, the reimbursement would be at double the rate i.e. @ Rs. 4,500;
- (c) When the DA increases by 50%, the allowances and subsidy shall increase by 25%;
- (d) In case both the spouses are Judicial Officers, only one of them can avail reimbursement under Children Education Allowance and Hostel Subsidy.
- (e) The reimbursement will be done just once in a year, after completion of the financial year. For reimbursement of CEA, a certificate from the head of Institution(s), where the ward of

the Judicial Officer studies, shall be sufficient for this purpose. For hostel subsidy, a similar certificate from the head of institution(s) shall suffice, with the additional requirement that the certificate should mention the amount of expenditure incurred by the Judicial Officer towards lodging and boarding in the residential complex. The amount of expenditure mentioned, or the ceiling as mentioned above, whichever is lower, shall be paid to the Judicial Officer.

3. Concurrent Charges Allowance :

Concurrent Charge Allowance (CCA) shall be payable to the Judicial Officers of the State at the rate of 10% of the minimum of the scale of the additional post held, judicial or administrative, beyond a period of ten working days with effect from the 1st January 2016.

4. Conveyance / Transport Allowance (TA) :

Conveyance/Transport Allowance shall be admissible to the Judicial Officers of the State in the following terms : —

- (a) Judicial Officers who own a car and who have not been provided with official vehicles (either individual vehicle or pool vehicle) are entitled to transport allowance at the rate of Rs. 10,000 per month with effect from the 1st January 2016 so as to cover the cost of maintenance and driver's salary and this shall be increased to Rs. 13,500 with effect from the 1st January 2021. In addition to the transport allowance, they shall be entitled for reimbursement of the cost of 100 litres of petrol/diesel in cities and 75 litres of petrol/diesel in other areas i.e. Block and Gram Panchayat headquarters with effect from the 1st January 2016.
- (b) Judicial Officers who neither own a car nor are provided with official vehicles (either individual vehicle or pool vehicle) shall be allowed to draw transport allowance at the rate of Rs. 10,000 per month with effect from the 1st January 2016 and this shall be increased to Rs. 13,500 with effect from the 1st January 2021. They shall not be entitled for reimbursement of the cost of fuel.
- (c) Judicial Officers who have been provided with official vehicles (either individual vehicle or pool vehicle) shall not be entitled to Transport Allowance. However, the official cars shall be permitted to be used by them for private purpose to the extent of 300 kms per month subject to payment of charges @Rs. 4 per km as per amendment dated 24th February 2003 in Rules Regulating Control and Use of Government Vehicles notified in Finance Department Notification No. 41750/F, dated the 29th July 1979 and its subsequent addenda, corrigenda and amendments, if any, from time to time. The calculation of the private use of official vehicle shall be on half-yearly basis. However, Judicial Officers availing pool car service can forego pool car/vehicle facility and avail transport allowance as per para. 4(a) or 4(b), as the case may be.
- (d) Principal District Judge, Judge Family Court, Director Judicial Academy, Chief Judicial Magistrate and Secretary, District Legal Services Authority shall be provided with official vehicles.
- (e) Judicial Officers may exhibit a sticker with inscription 'Judge' printed in moderately sized letters at their option on the lower left side of the windscreen of their own cars. The stickers may be designed and prepared with security hologram/barcode by the Registry of the High Court with necessary approval of CSCDJ and may be issued by the High Court to the Judicial Officers on requisition.

- (f) Soft loan facility to the extent of Rs. 10 lakhs at 8% rate of simple interest for purchase of car shall be provided to the district judicial officers.
- (g) Electric Vehicle Policy currently applicable to State Government employees regarding Electric Motor Vehicle Advance shall also be extended to district judicial officers as per the provisions of FDOM No. 8524/F, dated the 5th April 2022 and No. 19601/F, dated the 11th July 2023 and subsequent addenda, corrigenda, amendments, if any.

5. Earned Leave Encashment :

Earned Leave Encashment shall be admissible to the Judicial Officers of the State in the following terms : —

- (a) No enhancement in the maximum limit of 300 days leave encashment at the time of retirement of the Judicial Officer.
- (b) A Judicial Officer shall be entitled to encash :
 - (i) 10 days earned leave while availing LTC subject to maximum 60 days—10 days at a time up to six occasions during the entire service period.
 - (ii) 30 days (surrender of leave) in a block of two years.
 - (iii) Sl. No. (i) and (ii) shall be in addition to the right of the Judicial Officers to encash up to 300 days EL at the time of retirement.
- (c) The Earned Leave Encashment shall be implemented with effect from the 1st January 2016.

6. Electricity and Water Charges :

Electricity and Water Charges shall be admissible to the Judicial Officers of the State in the following terms : —

- (a) Judicial Officers in the cadres of District Judge shall be reimbursed with 50% of Electricity charges subject to maximum of 8000 units per annum and 50% of Water charges subject to maximum of 420 Kls per annum.
- (b) Judicial Officers in the cadres of Civil Judge (Sr. Div.) and Civil Judge (Jr. Div.) shall be reimbursed with 50% of Electricity charges subject to maximum of 6000 units per annum and 50% of Water charges subject to maximum of 336 Kls per annum.
- (c) Reimbursement of electricity charges and water charges shall be made on quarterly basis on production of proof of payment of the billed amount.
- (d) These Electricity and Water Charges will be available at the enhanced rates with effect from the 1st January 2020.

7. Higher Qualification Allowance :

Higher Qualification Allowance shall be admissible to Judicial Officers of the State in the following terms : —

- (a) Judicial Officers shall be granted three advance increments for acquiring higher qualification i.e. Post-Graduation in law and one more advance increment for acquiring Doctorate in Law.

- (b) Advance 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.
- (c) Advance 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.
- (d) Advance 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.
- (e) Advance increments shall be made available to the Judicial Officers, who have acquired the higher qualification through regular studies (full or part-time) or through Distant Learning Programmes.
- (f) Benefit of advance increments shall be extended to Judicial officers at the ACP stage (ACP I & II). The advance increment shall be available when the officer is promoted from the Civil Judge (Jr. Div.) to Civil Judge (Sr. Div.) and from Civil Judge (Sr. Div.) to District Judge Cadre.
- (g) Advance increments shall be available in the District Judge Cadre from District Judge (Entry Level) to District Judge (Selection Grade) and from District Judge (Selection Grade) to District Judge (Super Timescale).
- (h) Advance increments for all practical purposes shall be part of salary and Dearness Allowance shall be available on the same.
- (i) Benefit of the said allowance is made available with effect from the 1st January 2016.

8. Hill Area/ Tough Location Allowance :

Considering geographical location, remoteness, road and rail connectivity, threat perception from extremist groups; following locations in the State of Odisha are classified as Hill Area/Tough Locations : —

- (a) All Stations of undivided KBK Districts (Judgeships) and in the Gajapati, Kandhamal and Boudh Districts (Judgeships).
- (b) Reamal Station in the Judgeship of Deogarh.
- (c) Hemgiri Station in the Judgeship of Sundargarh.
- (d) Thakurmunda station in the Judgeship of Mayurbhanj.

Accordingly, Hill Area/Tough Location Allowance @Rs. 5,000 per month shall be paid to the Judicial Officers posted in the above hill area / tough locations with effect from the 1st January 2016. In case of doubt whether a particular area can be considered to be hilly or tough location area, decision of the CSCDJ shall be followed.

9. Home Orderly/ Domestic Help Allowance :

- (a) Home Orderly /Domestic Help Allowance shall be admissible to the Pensioners and Family Pensioners of the Judicial Officers of the State in the following terms : —

Pensioner : Rs. 9,000 P.M. with effect from the 1st January 2016
Rs. 11,700 with effect from the 1st January 2021

Family Pensioners : Rs. 7,500 P.M. with effect from the 1st January 2016
Rs. 9,750 P.M. with effect from the 1st January 2021

- (b) The Home-cum-Office Orderly Allowance shall be available to the serving District Judicial Officers at the following rates :

District Judges : Rs. 10,000 per month with effect from the 1st January 2020

Civil Judges : Rs 7,500 per month with effect from the 1st January 2020

However, District Judicial Officers provided with Group D employees as Attender/Peon/ Office subordinate for residential duties may exercise their option either to continue with the present system and forego the allowance or to claim the allowance instead of availing the services of the Official Attender/Peon.

- (c) The allowance shall be drawn on the self-certification of the serving Judicial Officers/ Pensioners/Family Pensioners.
- (d) The manner of self-certification shall be decided by the High Court by issuing an office order. Finance Department shall issue necessary instructions to the Director, Treasuries & Inspections, Odisha and the Authorities of the pension drawing Banks in the matter after receipt of the copy of the office order from the High Court.
- (e) The payment of home orderly allowance shall not result in discontinuance of the practice 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.

10. House Rent Allowance and Residential Quarters :

- (a) Residential Quarters:

The Building Committee of the High Court has already initiated action for construction of residential quarters for the Judicial Officers under the State Sector Scheme and Central Sector Scheme. So, sufficient budgetary provisions shall be made for construction of the residential quarters for all the Judicial Officers of the State and it shall be ensured that all such projects shall be completed in time bound manner as directed by the Hon'ble Supreme Court. The Building Committee of the Court may revise the plans for construction of the new residential quarter projects for the Judicial Officers of the respective cadres keeping in view their entitlements with regards to the prescribed minimum plinth area of the quarters, i.e 2500 sq. ft. for District Judge Cadre and 2000 sq. ft. for Civil Judge (Sr. Div.) and Civil Judge (Jr. Div.) Cadre as directed by the Hon'ble Supreme Court. However, the Building Committee of the High Court have the discretion to sanction the design with higher plinth area.

(b) House Rent Allowance :

- (i) Judicial Officers who are allotted official quarters for residence shall not be entitled to HRA;
- (ii) Judicial Officers residing in their own houses, including the house of a parent or spouse, shall be entitled for the recommended HRA with effect from the 1st January 2016 after obtaining permission from the High Court to reside in their own house and Judicial Officers already residing in hired accommodation shall be entitled to the recommended HRA with effect from the 1st January 2020, subject to the actual rent paid within the said ceiling;
- (iii) The office of the Principal District Judge/the sanctioning authority shall pay rent directly to the landlord, in which case, the officer is not eligible to draw HRA; and
- (iv) The SNJPC rates of HRA should be applicable to all Judicial Officers as per the Notification dated the 7th July 2017 which was issued after the 7th Central Pay Commission (CPC) by the Central Government :

Rates of HRA/P.M. as % of basic pay

X Class Cities- 24%

Y Class Cities- 16%

Z Class Cities/ Areas- 8%

- (v) However, the minimum rates prescribed are 5400, 3600 and 1800 respectively. And the rate will be changed in accordance with the change in Dearness Allowance in the following terms : —

Classification of Cities	Rates of HRA/P.M. as % of basic pay	When DA crosses
(1)	(2)	(3)
X	27%	25%
	30%	50%
Y	18%	25%
	20%	50%
Z	9%	25%
	10%	50%

- (vi) Further, looking at the cost of the hired house with the entitled plinth area of the residence of Judicial Officers as mentioned in the foregoing point and the fact of non-availability of house befitting to the entitlement of the Judicial Officers, the X, Y and Z category cities/ areas for our State are classified as follows;

Y Category Cities : —Bhubaneswar in the district of Khurda, Rourkela in the district of Sundargarh and the District Headquarter Stations of all the districts.

Z Category Cities : —All other towns/cities, Block, Municipality, NAC and Gram Panchayat headquarters.

(c) Furniture and Air Conditioner Allowance :

Furniture and Air Conditioner Allowance shall be admissible to the Judicial Officers of the State w.e.f. the 4th January 2024 in the following terms :

- (i) Furniture grant of Rs.1.25 lakhs in every five years shall be provided to the Judicial Officers subject to production of proof of purchase by the Judicial Officer. Household electrical appliances can also be purchased by availing of the said grant. The officers having not less than two years of service shall also be eligible for this allowance. The option to purchase the furniture being used by the officer at the depreciated rate shall be available at the time of fresh grant or retirement.
 - (ii) So far as providing Air Conditioners at the residence of Judicial Officers is concerned, the provisions for installation of Air Conditioners in the residential office-*cum*-quarters of Judicial Officers of all cadres which are under maintenance of judiciary has been made and the process of extending such facilities has already been initiated.
 - (iii) Therefore, the provision of one Air Conditioner in the residence of Judicial Officers who have been allotted with government quarters which are under the maintenance of Judiciary is not desirable. However, the Judicial Officers who have been allotted with government quarters beyond the jurisdiction of maintenance by Judiciary shall be provided with one Air Conditioner in their residence once in every five years with effect from the 4th January 2024.
- (d) Residential quarters—maintenance :

To ensure proper maintenance and minor repairs of residential quarters and for attending to minimum rectification works required to be attended to immediately by an electrician, plumber etc., from time to time either at the official or rented accommodation, funds to the extent of Rs. 10 lakhs per annum shall be made available to each Principal District Judge, on the basis of the proposals sent by the Registry of the High Court. The same can also be utilized for repairs to old furniture if required. The District Judge can engage private agency for the said purpose and if necessary, seek the assistance of State PWD for such engagement.

- (e) Guest House/Transit Accommodation :

The process of construction of Transit House at District Headquarters and Taluk Stations exclusively for occupation of Judicial Officers during the period of Transfer and otherwise has already been adopted by the Building Committee of the High Court on discussion with the State Government on priority basis. In some stations the construction work has already been completed and in some stations the projects are in ongoing position. The construction of the Transit House in remaining stations of the State may be taken up in phased manner by the Building Committee.

Accordingly, the State Government in Home and Finance Department shall make sufficient budgetary provisions as per requisition already submitted by the High Court in the coming financial years and endeavour shall be made for completion of constructions of Transit House in all the stations of the State within a period of 2 years for timey implementation of the direction of Hon'ble Supreme Court. The Building Committee of the Court may take necessary steps in the matter of construction of Transit House, its day to day comprehensive maintenance including housekeeping, minimal catering arrangement, fixation of room rent etc.

11. Leave Travel Concession (LTC)/Home Travel Concession (HTC) :

Leave Travel Concession (LTC)/Home Travel Concession (HTC) shall be admissible to all Judicial Officers in the following terms : —

- (a) Encashment of 10 days earned leave while availing LTC (not HTC) (subject to the maximum of 60 days) shall be given. The same shall be in addition to encashment of 300 days at the time of retirement and 30 days in a block of two years.
- (b) As regards frequency of LTC, the Judicial Officers shall be permitted to avail one LTC and one HTC in a block of 3 years.
- (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 shall commence on completion of the period prescribed for probation (not necessarily declared).
- (d) 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 or the IRCTC or the registered agencies of the Central/State Government subject to further addition or deletion of the authorized agent by the Central/State Government.
- (e) The other details such as class of travel, advance etc. shall be governed by the respective Rules/Orders of the State Government.
- (f) Judicial Officers shall be allowed to carry forward LTC anywhere in India beyond retirement for a period of one year. There is no justification for extending the LTC/HTC facility to the retired Judicial Officers.
- (g) Judicial Officers shall not be required to avail of earned leave only, for LTC/HTC purpose and they shall be permitted to avail of casual leave as a prefix and suffix to the extent of two days.

12. Medical Allowance/Medical Facilities :

Medical Allowance/Medical Facilities shall be admissible to all Judicial Officers in the following terms :

- * Fixed medical allowance shall be payable @Rs. 3,000 P.M. to the serving Judicial Officers with effect from the 1st January 2016.
- * Fixed medical allowance shall be payable @Rs. 4,000 to the pensioners and family pensioners with effect from the 1st January 2016.

So far as medical facilities and reimbursement of medical bills of the serving Judicial Officers, pensioners and family pensioners are concerned, the provisions mentioned in the draft Odisha Judicial Officers Medical Attendance (Amendment) Order, 2024 as approved and recommended by CSCDJ in its Letter No. XXIX-13/2015(PF.-4)/11744, dated the 24th July 2024, shall be implemented.

13. Newspaper and Magazine Allowances :

Newspaper and Magazine Allowances shall be admissible to all Judicial Officers in the following terms :

- (a) Reimbursement for newspaper and magazines shall be Rs. 1,000 for District Judges (two newspapers and two magazines) and Rs.700/- for Civil Judges (two newspapers and one magazine).
- (b) Reimbursement shall be on half yearly basis from January to June and July to December, on the basis of self-certification.
- (c) Allowance at the above-mentioned rates are made available with effect from the 1st January 2020.

14. Robe Allowance :

Robe allowance shall be admissible to all Judicial Officers @ Rs 12,000 once in three years with effect from the 1st January 2016.

15. Special Pay for Administrative Work :

Special Pay allowances for Administrative Work shall be admissible to the Judicial Officers with effect from the 1st January 2019 in the following terms : —

- (a) District and Sessions Judges and such cadre officers working in the Registry of the High Court and officers working on deputation in Law Department and other Departments/ Institutions/Offices of the Government: Rs. 7,000 per month.
- (b) Other District Judges including Additional District Judges entrusted with administrative work who have to generally spend time beyond Court working hours: Rs. 3,500 per month.
- (c) District Judges presiding over Special Courts and Tribunals having independent administrative responsibilities: Rs. 3,500 per month.
- (d) CJMs and Principal Civil Judges (Sr. Div.), Principal Civil Judges(Jr. Div.) and other Judicial Officers having administrative responsibilities being in charge of independent Courts with filing powers and such cadre officers working in the Registry of the High Court and officers working on deputation in Law Department and other Departments/Institutions/Offices of the Government : Rs.2,000 per month.

16. Sumptuary Allowance :

Sumptuary Allowance shall be admissible to the Judicial Officers with effect from the 1st January 2016 at the following rates : —

District Judges	Rs. 7,800 per month
Civil Judges (Sr. Div.)	Rs. 5,800 per month
Civil Judges (Jr. Div.)	Rs. 3,800 per month
Principal District Judges/Dist. Judges in Selection Grade and Super Timescale/ Director, Judicial Academy/Member-Secy, State Legal Services Authority.	Rs. 8,800 per month
CJMs	Rs. 6,800 per month
Retired Judicial Officers	No Sumptuary Allowance Payable

17. Telephone Facility :

Telephone Facilities shall be provided to the Judicial Officers with effect from the 4th January 2024 in the following manner : —

(a) Residential Telephone (Landline) : —

- (i) Landline telephone and broadband facility (by the same or different service providers) shall be provided at the residence of the Judicial Officers with the permitted user as follows : —

District Judges : Rs. 1,500 per month

Civil Judges : Rs. 1,000 per month

[inclusive of rent, calls (local and STD both) and internet use].

- (ii) At places where broadband facility is not available, the permissible user shall be :

District Judges : Rs. 1,000 per month

Civil Judges : Rs. 750 per month

inclusive of rent and calls (local and STD both).

(b) Mobile Phone :

- (i) Provision of mobile phone (handset) with internet shall be as follows :

District Judge : Rs. 30,000

Civil Judges (Jr. & Sr. Divisions) : Rs. 20,000

And the permissible user shall be :

District Judges: Rs. 2,000 per month

Civil Judges : Rs. 1,500 per month

inclusive of internet data package.

- (ii) At the request of the Judicial Officers, the mobile phone handset shall be replaced once in three years.

- (iii) Judicial Officers shall be given option to retain the old mobile phone handset at a price to be determined as per the guidelines prescribed by the Registry of High Court.

(c) Office Telephone :

Regarding telephone connection to the office, the present arrangement shall continue.

18. Transfer Grant :

Transfer Grant shall be admissible to Judicial Officer of the State with effect from the 1st January 2016 in the following terms : —

- (a) On transfer, the composite transfer grant shall be paid equivalent to one month's basic pay.
- (b) 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 paid 1/3rd of the basic pay.
- (c) For transportation of personal effects, the O.M., dated the 13th July 2017 (annexed as Appendix I to SNIPC report) issued by the Department of Expenditure; Government of India pursuant to the recommendations of VII CPC shall be applicable.
- (d) In case of transportation by road, admissible amount shall be Rs.50 per km. (for to and fro journey mileage) 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%.

- (e) The recommendations will come into effect from the 1st January 2016
- (f) The Officers who have undergone transfer(s) after the 1st January 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 with effect from the 1st January 2016.
- (g) Judicial Officer who has been transferred by the High Court on representation or on administrative ground shall not be entitled for transfer grant.

This Resolution supersedes the earlier Resolution(s) issued in this regard vide Finance Department Resolution No. 7165, dated the 16th March 2024.

ORDER—Ordered that the Resolution be published in extraordinary issue of the *Odisha Gazette*.

By order of the Governor

SASWAT MISHRA

Principal Secretary to Government