

**GOVERNMENT OF ASSAM
FINANCE (PAY RESEARCH UNIT) DEPARTMENT
DISPUR: GUWAHATI
ORDERS BY THE GOVERNOR OF ASSAM
NOTIFICATION**

Dated Dispur, the 10 October 2023.

eCF No.226991/1252: In pursuance of order dated 19.05.2023 passed by Hon'ble Supreme Court of India in Writ Petition (Civil) No.643/2015 (All India Judges' Association-Vs-Union of India & Others) and in exercise of the power conferred by the proviso to Article 309 of the Constitution of India, the Governor of Assam is pleased to extend the benefit of revised Pension /Family pension etc. as recommended by Second National Judicial Pay Commission (SNJPC) to the Retired Judicial Officers of the State with effect from 01.01.2016 as below:-

(A). PENSION

(A1). For Officers retiring after 01.01.2016

1. No change in pension for those Judicial Officers retiring after 01.01.2016. The Pension/ Family pension shall be @50% / 30% of the last drawn pay at the time of retirement.
2. Revised pension of retired judicial officers would be 50% of last drawn pay.

(A2). For Officers retiring before 01.01.2016

3. The following formulations have to be adopted:
 - (i) Multiplier factor of 2.81 to be applicable for pension; or
 - (ii) Pensioners to be fitted appropriately in the Fitment Table-II below whichever is higher between (i) & (ii).
4. Judicial officers who retired prior to 01.01.2016 to be placed notionally at the corresponding stage of the Fitment Table-II.

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FITMENT-II

SI No.	Existing Pay	New Proposed Pay
1.	27700	77840
2.	28470	80180
3.	29240	82590
4.	30010	85070
5.	30780	87620
6.	31550	90250
7.	32320	92960
8.	33090	95750
9.	34010	95750
10.	34930	98620
11.	35850	101580
12.	36770	104630
13.	37690	107770
14.	38610	111000
15.	39530	114330
16.	40450	114330
17.	41530	117760
18.	42610	121290
19.	43690	124930

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20.	44770	128680
21.	45850	132540
22.	46930	132540
23.	48010	136520
24.	49090	140620
25.	50320	144840
26.	51550	149190
27.	52780	149190
28.	54010	153670
29.	55240	158280
30.	56470	163030
31.	57700	163030
32.	58930	167920
33.	60310	172960
34.	61690	178150
35.	63070	178150
36.	64450	183490
37.	65830	188990
38.	67210	188990
39.	68750	194660
40.	70290	199100
41.	71830	205070

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42.	73370	211220
43.	74910	217560
44.	76450	224100

(B). THE PRINCIPLE TO BE FOLLOWED IN FIXING THE REVISED PENSION IS:

5. Officers who retired prior to 01.01.2016, for fixation of pension, formulations for pension revision would be: (i) Multiplier factor of 2.81 to be applicable for pension; or (ii) Pensioners to be fitted appropriately in the fitment table as exemplified below [whichever is higher between (i) & (ii)].

6. For those whose pay does not fit into the fitment table, the multiplier factor of 2.81 shall be applicable and the revised pension shall be fixed accordingly.

Formulation I :

The pension as had been fixed under JPC shall be multiplied by 2.81 to arrive at the value of revised pension. (The existing pension under JPC shall be multiplied by 2.81 to arrive at the revised pension).

Formulation II :

The pension shall be first fixed on the basis of pay matrix being recommended by the Commission at the minimum of the pay of the corresponding level in the pay matrix. This amount shall be raised by the corresponding pay stage in the pre revised pay scale in the Fitment Table – II as per new pay matrix. And 50% of the total amount so arrived shall be the revised pension.

Example – I

A District Judge of super time scale drawing pay of Rs. 71830/- in the pay scale 7029-1540-76450, retired on 31.12.2014, i.e. during the period covered

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by JPC report. The retired officer will draw pension at 50% of Rs. 70290/- i.e. Rs. 35145/-. The said pay scale of Rs. 70290-1540-76450 is level J-7 in the pay matrix with pay progression from 1,99,100 to 2,24,100.

Formulation –I

Pension as fixed under JPC i.e. Rs. 35915/- shall be multiplied by 2.81 to arrive at the revised pension and that shall be Rs. 35915 x 2.81 = 100921/15 say Rs. 100920/-.

Formulation –II

The pay progression in J-7 is from 1,99,100 - 2,24,100 and the minimum of J-7 is Rs. 199100/-. Since the officer was drawing pay @ Rs. 71830/-, as per the fitment table –II under the pay matrix, the revised pay corresponding to pre revised pay Rs. 71830/- is Rs. 2,05,070/-. And 50% of Rs. 2,05,070/- is Rs. 1,02,535/-.

(B1). For Officers retiring before 01.01.1996

7. For judicial Officers who retired prior to 01.01.1996, if no consequential re-fixation has been done as per Notification No. JDJ.470/2016/79, pension would be calculated only after consequential re-fixation to be done based on the directives of Hon'ble Supreme Court which has been complied by Government of Assam vide Notification No. JDJ.470/2016/79 dated 04.02.2020.

(C). FAMILY PENSION

8. For family pensioners, no change is suggested in the existing percentage of family pension, that is, it shall be @30% of last drawn pay at the time of retirement of the Judicial officer.

9. Family Pension @30% shall be paid to eligible family member(s) as given in Rule 54 CCS (Pension) Rules 1972 at par with the spouse, after the death of the spouse.

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10. The quantum of family pension shall be worked out in the same manner as quantum of pension is worked out.

11. Income limit, if any prescribed by any State in relation to dependent family members (other than the spouse) for being eligible to get family pension shall be not less than Rs.30,000/- per month (rupees thirty thousand per month).

(D). ADDITIONAL QUANTUM OF PENSION/FAMILY PENSION

COLUMN-I	COLUMN-II
75-80 years	20%
80-85 years	30%
85-90 years	40%
90-95 years	60%
95-100 years	80%
On completion of 100	100%

12. This benefit of additional pension shall be available to all eligible pensioners/family pensioners w.e.f. 01.01.2016.

13. No recovery shall be effected from those who have availed the benefit of additional pension on completion of age of 65 or 70 years as per the extant orders of the some of the State Governments.

14. The State Governments may also choose to continue to extend the prevailing benefits upto the age of 75 years to the retired Judicial officers as well.

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**(E). ADDITIONAL QUANTUM OF PENSION/
FAMILY PENSION**

15. Retirement gratuity shall be calculated as per Rule 50(1)(a) of CCS (Pension) Rules 1972.

16. The maximum limit for retirement gratuity/death gratuity shall be Rs. 20 lakhs which shall be increased by 25% whenever DA rises by 50%.

17. To the officers who have retired after 01.01.2016 and paid retirement gratuity as per pre-revised pay and the maximum limit at that time, the differential gratuity payable on account of revision of pay shall be paid subject to the revised maximum limit.

18. The death gratuity shall be paid on the basis of length in service as per Table below:

Length of Service	Rate of death gratuity
Less than 1 year	2 times of monthly emoluments
1 year or more but less than 5 years	6 times of monthly emoluments
5 year or more but less than 11 years	12 times of monthly emoluments
11 year or more but less than 20 years	20 times of monthly emoluments
20 year or more	Half month emoluments for every completed 6 monthly period of qualifying service subject to a maximum of 33 times of emoluments

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(F). RETIREMENT AGE OF JUDICIAL OFFICERS

19. No change in retirement age of 60 years recommended.

(G). FINANCIAL ASSISTANCE IN CASE OF DEATH

20. The benefit of family pension as per Rule 54(3) of CCS (Pension) Rules, as amended vide notification dated 19.09.2019 shall be extended to the family members.

21. The other benefits such as one time lumpsum grant, compassionate appointment, permission to stay in official quarters etc. already in force in the States shall continue to apply, in addition to death gratuity.

(H). INTERIM RELIEF ALREADY PAID

22. Finance (PRU) Department vide endorsement dated 03.12.2019 has already allowed grant of Interim Relief to the extent of 30% of increase in basic pay w.e.f 01.01.2016 which shall be adjusted.

(I). PAYMENT OF AREARS.

23. The Arrears, after adjustment of the interim relief already paid as mentioned at **Para '22'** above shall be paid, on production of an undertakings in the Form Appended at **Appendix-I** to these rules by the Retired Judicial officers, in the following manner :

(a) 25% will be paid by 31.08.2023.

(b) Another 25% by 31.10.2023 and

(c) Remaining 50% by 31.12.2023.

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(J).EFFECTIVEDATE FOR IMPLEMENTATION OF THE REVISED PENSION

24. The revised pension, family pension/gratuity shall be effective from 01.01.2016.

(K) INTERPRETATION.

25. If any question arises relating to the interpretation of any provisions in this Notification, it shall be referred to the Government of Assam in Finance (PRU) Department, whose decision thereon shall be final.

By order and in the name of Governor of Assam

 10/10/23

Additional Chief Secretary to the Govt. of Assam,
Finance Department

Memo eCF No.226991/1252-A

Dated Dispur, the 10th October 2023

Copy forwarded for information and necessary action to :-

1. The Accountant General (A & E), Assam ,Maidamgaon, Beltola, Guwahati-29.
2. P.S to Additional Chief Secretary to the Govt. of Assam, Finance Department.
3. The Legal Remembrancer & Secretary to the govt. of Assam, Judicial Department.
4. Registrar, Gauhati High Court, Guwahati-1.
5. The Asstt. Registrar, Supreme Court of India, New Delhi.
6. Sri. Shuvodeep Roy, Advocate, Standing Counsel for the State of Assam, Supreme Court of India.
7. All Treasury Officer/ Sub-Treasury Officers.
8. Director, Printing & Stationary, Bamunimaidam.
9. Content Manager, Finance (PRU) Department.
10. Finance (e-GU) Department for uploading in the website.

By order etc.

K. S. Patwary . 10/10/23

Under Secretary to the Govt. of Assam,
Finance (Pay Research Unit) Department.

APPENDIX-I

To
The Accountant General (A&E),
Assam

Sub: Revision of pension/family pension in respect of the pensioners belonging to
the
State Judicial Service

Sir,
Kindly revise my pension/family pension as against the basic pension reflected
in my PPO (photo copy enclosed)

The requisite particulars are given below:

- | | |
|---|--|
| 1. Select your Pension Issuing Authority | A.G (A &E) Assam |
| 2. Type of pension | i. Supcrannuation
ii. Family Pension |
| 3. Pension Disbursing Authority
Treasury/Sub-
Bank | District Treasury/Special
Treasury/ Public Sector |
| 4. Name of the pensioners/family pensioner | _____ |
| 5. Name of father/mother/spouse of the pensioners | _____ |
| 6. PPO no. | _____ |
| 7. Pension Account No. | _____ |
| 8. Date of retirement | _____ |
| 9. Post held at the time of retirement | _____ |
| 10. Scale of pay of the post held at the time of retirement | _____ |
| 11. Amount of basic pension at the time of retirement | _____ |
| 12. Date of commencement of pension | _____ |
| 13. Whether receiving any other pension | _____ |
| 14. Additional Pension drawn, if any | _____ |
| 15. Mobile No. | _____ |
| 16. Email Id | _____ |
| 17. Aadhaar No. | _____ |
| 18. Permanent Address | _____ |
| 19. Present Address | _____ |

Verification

I, Sri/Smti _____ son/wife/daughter _____
_____ of do hereby declare that the information furnished above are true and
correct.

Signature of the Pensioner/Family Pensioner

Undertaking

I Sri/Smt. _____ of do hereby undertake that any excess payment that is found to have been made due to incorrect remittance of pension/family pension or any excess payment detected subsequently will be refunded by me to the concerned pension disbursing authority either by adjusting against future pension/family pension due to me or otherwise.

Signature of the Pensioner/Family Pensioner