

A.11011/2/98-FIN(PRU)
GOVERNMENT OF MIZORAM,
FINANCE DEPARTMENT

Dated, Aizawl the 18th Aug,2010

NOTIFICATION

Ref:

1. Judgment of the Hon'ble Supreme Court in All India Judges Association and others Vs. Union of India reported in (2002) 4 SCC 247.
2. Report of First National Judicial Pay Commission – Headed by Hon'ble Mr. justice K.Jagannadha Shetty – in November, 1999.
- 3.1 Government of Mizoram, Finance Department's Notification No.C.108013/3/2002 – F.Est.dt.12/4/2006;
- 3.2 Government of Mizoram, Finance Department's Notification No.C.18013/2/2002 – F.Est. dt.29/5/2006;
- 3.3 Government of Mizoram, Finance Department's Notification No.C.18013/3/2002 – F.Est.dt.29/8/2006 modifying the notification dt 12/4/2006.
- 3.4 Government of Mizoram, Finance Department's Notification No.C.18013/2/2002 – F.Est. dt.28/3/2008.
4. The directions issued by the Hon'ble Supreme Court on 28.04.2009 in I.A.No.244 in W.P.(C) No. 1022/1989 (All India Judges Association and Others Vs. Union of India and others.)
5. Report submitted on 17.7.2009 by One Man Commission headed by Justice E.Padmanabhan (Retd.) on determination of salary, pension etc., to Judicial Officers and Pensioners.
6. The directions issued by the Hon'ble Supreme Court on 7.4.2010 in I.A.No.244 in W.P. (C) No. 1022/1989 (All India Judges Association and Others Vs. Union of India and others.)
7. The directions issued by the Hon'ble Supreme Court on 04/05/10 in I.A.No.244 in W.P. (C) No. 1022/1989 (All India Judges Association and Others Vs. Union of India and others.)

ORDER

The Hon'ble Supreme Court by order dated 28.4.2009 vide reference No.4 mentioned above appointed One Man Commission headed by Justice E. Padmanabhan (Retd.) to determine the revision of pay, allowances, perquisites payable to all Judicial Officers working and retired throughout the country on the basis of First National Judicial Pay Commission. The Commission submitted its report dated 17.7.2009 to the Hon'ble Supreme Court in the reference No.5 above. The Hon'ble Supreme Court issued directions to all the Governments for implementation of Justice E. Padmanabhan (Retd.) Commission's Report under references No.6 above. The Commission, inter alia, has recommended for revision of rates of Sumptuary Allowance and Medical Allowance.

2. The State Government of Mizoram, after careful consideration of the directions of the Hon'ble Supreme Court in the references No.6 and 7 above and in compliance thereof hereby accord sanction for revision of Sumptuary Allowance and Medical Allowance to all the Judicial Officers of the State, belonging to Mizoram Judicial Service w.e.f. 1.1.2006 as under, and all the other allowances sanctioned under reference No.3 above shall continue, subject this modification and as may be revised by the State Government from time to time at the rate so revised for and applicable to other employees of the State Government.

(i) Sumptuary Allowance:

Sl. No.	Name of the Post	Existing Allowance (per month)	Revised Allowance (per month)
1.	Civil Judges	Rs.500/-	Rs.1,500/-
2.	Civil Judges (Sr.Division)	Rs.750/-	Rs.2,300/-
3.	District Judges (All levels)	Rs.1,000/-	Rs.3,100/-

The revised Sumptuary Allowance is sanctioned to all the Judicial Officers w.e.f. 1.1.2006.

(ii) Medical Allowance:

All the Judicial Officers are presently drawing Medical Allowance @ Rs.100/- per month and the same stands revised and fixed @ Rs.1,000/- per month w.e.f. 1.1.2006.

3. (i) The differential amounts of Sumptuary allowance and Medical allowance with effect from 1.1.2006 to 31.7.2010 along with the arrears of salary shall be credited to the respective General Provident Fund Accounts of the Judicial Officers.

(ii) The Sumptuary allowance and Medical allowance shall be paid in cash for the Month of August, 2010 payable on or after 31.8.2010 subject to availability of fund provision in the appropriate head.

4. The arrears in respect of these allowances in respect of the Judicial Officers who retired, or died while in service, or after retirement for the periods they were in service subsequent to 1.1.2006 shall be submitted to the District Judges of the District where they last worked or died in service and the concerned District Judges of the District shall draw and pay the arrears. In respect of the claims relating to deceased Officers the claims shall be preferred by the Family Pensioners of such deceased Officers to the District judges where the deceased last worked and the arrears shall be paid to them.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF MIZORAM)

Sd/- LALTHANSANGA
Secretary to the Govt. of Mizoram,
Finance Department.

Memo No.A.11011/2/98-FIN(PRU) : Dated Aizawl, the 18th Aug, 2010.

Copy to:

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2. P.S. to Chief Minister, Govt.of Mizoram.
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8. Secretary, Mizoram Legislative Assembly.
9. Secretary, State Information Commission, Mizoram.
10. Secretary, Mizoram Public Service Commission.
11. Member Secretary, State Planning Board, Mizoram.
12. Resident Commissioner, Government of Mizoram, Lt. Ribhu Saxena
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13. All Heads of Departments, Govt.of Mizoram.
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17. Guard File.



(VANLALNGHAKA)
Addl.Secretary to the Govt.of Mizoram,
Finance Department (PRU)

A.11011/2/98-FIN(PRU)
GOVERNMENT OF MIZORAM,
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Dated Aizawl, the 18th Aug, 2010.

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- 3.1 Government of Mizoram, Finance Department's Notification No. C.18013/3/2002/F.Est dt.19/3/08.
- 3.2 Government of Mizoram, Finance Department's Notification No. C.18013/3/2002/F.Est dt.12/4/06.
- 3.3 Government of Mizoram, Finance Department's Notification No. C.18013/2/2002/F.Est dt.29/5/06.
- 3.4 Government of Mizoram, Finance Department's Notification No. C.18013/3/2002/F.Est dt.29/8/06.
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7. The directions issued by the Hon'ble Supreme Court on 04/5/2010 in I.A.No. 1022/1989 (All India Judges Association and others Vs. Union of India and others).

ORDER

The Hon'ble Supreme Court by order dated 28.4.2009 vide reference No.4 above appointed One Man commission headed by Justice E. Padmanabhan (Retd.) to determine the revised pay-scales of all the Judicial Officers working and retired throughout the country on the basis of First National Judicial Pay Commission. The Commission submitted its report on 17.7.2009 before the Hon'ble Supreme Court in the reference No.5 above. The Hon'ble Supreme Court issued directions to all the Governments for implementation of Justice E. Padmanabhan Commission Report under reference No. sixth and seventh above.

2. The Government of Mizoram, in pursuance of the orders of the Hon'ble Supreme Court vide reference No. sixth and seventh read above in compliance thereof hereby accord sanction to implement the recommendations of Justice E.Padmanabhan Commission and accordingly order the following on the Revised Pay Scales and fixation in the Revised Pay Scales in respect of Judicial Officers of the State of Mizoram:

(a) Revised:

- (i) A Revised Master Scale with effect from 1.1.2006 shall be as under:-
Rs.27700-770-33090-920-40450-1080-49090-1230-58930-1380-67210-1540-76450.
- (ii) The Revised Pay for 1 to 44 stages of Master Pay Scale and increments in the revised Pay Scale as on 1.1.2006 shall be as under:

TABLE – I

Sl.No	EXISTING		REVISED	
	Pay	Increment	Pay	Annual Increment
1	9,000	250	27,700	770
2	9,250	250	28,470	770
3	9,500	250	29,240	770
4	9,750	250	30,010	770
5	10,000	250	30,780	770
6	10,250	250	31,550	770
7	10,500	250	32,320	770
8	10,750	300	33,090	920
9	11,050	300	34,010	920
10	11,350	300	34,930	920
11	11,650	300	35,850	920
12	11,950	300	36,770	920
13	12,250	300	37,690	920
14	12,550	300	38,610	920
15	12,850	300	39,530	920
16	13,150	350	40,450	1,080
17	13,500	350	41,530	1,080
18	13,850	350	42,610	1,080
19	14,200	350	43,690	1,080
20	14,550	350	44,770	1,080
21	14,900	350	45,850	1,080
22	15,250	350	46,930	1,080
23	15,600	350	48,010	1,080
24	15,950	400	49,090	1,230
25	16,350	400	50,320	1,230
26	16,750	400	51,550	1,230
27	17,150	400	52,780	1,230
28	17,550	400	54,010	1,230
29	17,950	400	55,240	1,230
30	18,350	400	56,470	1,230

31	18,750	400	57,700	1,230
32	19,150	450	58,930	1,380
33	19,600	450	60,310	1,380
34	20,050	450	61,690	1,380
35	20,500	450	63,070	1,380
36	20,950	450	64,450	1,380
37	21,400	450	65,830	1,380
38	21,850	500	67,210	1,540
39	22,350	500	68,750	1,540
40	22,850	500	70,290	1,540
41	23,350	500	71,830	1,540
42	23,850	500	73,370	1,540
43	24,350	500	74,910	1,540
44	24,850		76,450	

(iii) The Revised Scales of Pay of the posts as on 1.1.2006 shall be under:

TABLE – II

Sl.No (I)	Designation (II)	Existing Scale of Pay (III)	Revised Scale of Pay (IV)
1	Civil Judge (Entry Level)	Rs.9000-250-10750-300- 13150-350-14550	Rs.27700-770- 33090-920-40450- 1080-44770
2	Civil Judge I Stage A.C.P Scale	Rs.10750-300-13150-350- 14900	Rs.33090-920- 40450-1080-45850
3	Civil Judge II Stage A.C.P Scale	Rs.12850-300-13150-300- 13150-350-15950-400- 17550	Rs.39530-920- 40450-1080-49090- 1230-54010
4	Civil Judge (Senior Division) (Entry Level)	Rs.12850-300-13150-350- 15950-400-17550	Rs.39530-920- 40450-1080-49090- 1230-54010
5	Civil Judge (Senior Division) I Stage A.C.P Scale	Rs.14200-350-15950-400- 18350	Rs.43690-1080- 49090-1230-56470
6	Civil Judge (Senior Division) II Stage A.C.P Scale	Rs.16750-400-19150-450- 20500	Rs.51550-1230- 58930-1380-63070
7	District Judge (Entry Level)	Rs.16750-400-19150-450- 20500	Rs.51550-1230- 58930-1380-63070
8	District Judge (Selection Grade)	Rs.18750-400-19150-450- 21850-500-22850	Rs.57700-1230- 58930-1380-67210- 1540-72090
9	District Judge (Super Time Scale)	Rs.22850-500-24850	Rs.72090-1540- 76450

(b) Date of Effect:

The Revised Pay Scale shall come into force with effect from 1.1.2006. The salary in the Revised Pay Scales shall be paid in cash for

the month of 1.8.2010 payable in September, 2010, subject to availability of fund provision under the appropriate head of account.

(c) Fitment in the Revised Pay Scales:

- (i) The pay of judicial officers in the Revised Pay Scales shall be fixed as under:

The existing pay of the Judicial Officers as on 1.1.2006 shall be revised and fixed in the Revised Scales of Pay at the corresponding stages 1 to 44 in the Master Pay Scale as shown in Table-I. There shall not be any fitment or fixation of pay by granting any increment or additional weightage while fixing the pay as above in the Revised Pay Scale.

- (ii) The next increment of a Judicial Officer, whose pay in the Revised Pay Scales is fixed with effect from 1.1.2006 as above, shall be on the date on which he would have drawn his increment had he continued in the existing scale of pay.

(d) Dearness allowance/HRA/SCA:

HRA and SCA shall be paid at such revised rates as may be made available to other employees of the State Government, whereas D.A shall be paid at the rate as mentioned in the notifications under reference No.3 above.

(e) Payment of arrears:

- (i) The of the arrears of salary including differential amounts of Dearness Allowance, House Rent Allowance and Mizoram Special Compensatory Allowance from 1.1.2006 to 31.7.2010 shall be credited to the respective General Provident Fund accounts of the Judicial Officers. The arrears of salary in respect of Judicial Officers who retired after 01/01/2006 as well as who will be retiring within 3 months from the date of issue of this Notification shall be paid in cash.
- (ii) The concerned Drawing & Disturbing Officers are directed to credit the arrears to the General Provident Fund Accounts.

(f) Assured Career Progression Scheme :

The Assured Career Progression Scheme sanctioned by the First National Judicial pay Commission and implemented by the Government by the notifications referred above shall be continued. The Assured Career Progression Scales are revised as mentioned below in Table – III with effect from 1.1.2006:

TABLE – III

Sl. No (I)	Designation (II)	Existing ACP Scale of Pay (III)	Revised ACP Scale (IV)
1	Civil Judge I Stage ACP Scale	Rs.10750-300- 13150-350-14900	Rs.33090-920-40450-1080-45850 (after 5 years of continuous service from the date of entry).
2	Civil Judge II Stage ACP Scale	Rs.12850-300- 13150-350- 15950-400-17550	Rs.39530-920-40450-1080-45850 (after completion of another 5 years continuous service).
3	Civil Judge (Senior Division) I Stage ACP Scale	Rs.14200-350- 15950-400-18350	Rs.43690-1080-49090-1230-56470 (after completion of 5 years of continuous service).
4	Civil Judge (Senior Division) II Stage ACP Scale	Rs.16750-400- 19150-450-20500	Rs.51550-1230-58930-1380-63070 (after completion of another 5 years of continuous service).
5	District Judge (Selection Grade)	Rs.18750-400- 19150-450- 21850-500-22850	Rs.57700-1230-58930-1380-67210- 1540-72090 (on merit-cum-seniority to available 25% of the cadre posts to those officers who have put in not less than 5 years of continuous service in the cadre).
6	District Judge (Super Time Scale)	Rs.22850-500- 24850	Rs.70290-1540-76450 (on merit-cum-seniority to available 10% of the selection Grade to those officers who have put in not less than 3 years of continuous service as selection Grade District Judge).

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF MIZORAM)

Sd/- LALTHANSANGA
Secretary to the Govt. of Mizoram,
Finance Department.

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5. P.S to Government Deputy Chief whip, Mizoram.

6. P.P.S to Chief Secretary, Government of Mizoram.
7. All Administrative Departments, Government of Mizoram.
8. Secretary, Mizoram Legislative Assembly.
9. Secretary, State Information Commission, Mizoram.
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Addl. Secretary to the Govt. of Mizoram,
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- 3.2 Government of Mizoram, Fianance Department's Notification No. C.18013/2/2002 F.Est – dt 29/5/2006;
- 3.3 Government of Mizoram, Fianance Department's Notification No. C.18013/3/2002 F.Est – dt 29/8/2006;
- 3.4 Government of Mizoram, Fianance Department's Notification No. C.18013/2/2002 F.Est – dt 28/3/2008.
- 3.5 Government of Mizoram, Fianance Department's Notification No. C.18013/3/2002 F.Est – dt 20/10/2008;
4. The directions issued by the Hon'ble Supreme Court on 28.04.2009 in I.A.No. 244 in W.P. (C) No. 1022/1989 (All India Judges Association and Others vs. Union of India and others).
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7. The directions issued by the Hon'ble Supreme Court on 4/5/2010 in I.A. No 244 in W.P. (C) No.1022/1989 (All India Judges Association and Others Vs. Union of India and Others.)

ORDER

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2. The Government, after careful consideration of the directions of the Hon'ble Supreme Court in the references No.6 and 7 above and in compliance thereof hereby accord sanction for revision of pension in respect of Judicial Officers who retired prior to 1.1.2006 as under :

- (i) The revised pension of the retired Judicial Officers should be 50% of the minimum pay of the revised pay scale of the post held by him at the time of the retirement, shown in the Table below:

TABLE – II

Sl.No (I)	Designation (II)	Existing Scale of Pay (III)	Revised Scale of Pay (IV)
1	Civil Judge (Junior Division) (Entry Level)	Rs.9000-250-10750-300- 13150-350-14550	Rs.27700-770- 33090-920-40450- 1080-44770
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9	District Judge (Super Time Scale)	Rs.22850-500-24850	Rs.72090-1540- 76450

- (ii) There should not be any ceiling limit on the maximum pension benefit.
 - (iii) The Dearness Relief shall be at the rates as are applicable to the serving Judicial Officers.
 - (iv) The family Pensions shall be revised and re-fixed at 30% of the minimum pay of the pay scale of the post held by the pensioner at the time of the retirement in the revised pay scales given in the above Table.
3. The revision in pension shall come into effect from 1.1.2006 and will be applicable to the Judicial Officers who have retired or ceased to be in service due to death prior to 1.1.2006.
 4. In respect of all the retired Judicial Officers and Family Pensioners all the Treasury Officers/Pension Payment Officers shall revise and refix the pensions and Family Pensions sanctioned in this order and after making necessary entries in the Pension Payment Orders make payments to the retired Judicial Officers and Family Pensioners without awaiting for further authorization/instructions from the Accountant General (A&E) concerned. The revised pension together with dearness relief and other allowances shall be paid in cash with effect from 1.1.2006.
 5. In the event of death of pensioners or Family Pensioners, the arrears of Revised Pensions and Family Pensions together with Dearness together with Dearness Relief shall be paid to the legal heirs.

(BY ORDER AND IN THE NAME OF GOVERNOR OF MIZORAM)

Sd/- LALTHANSANGA
Secretary to the Govt. of Mizoram,
Finance Department.

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A handwritten signature in blue ink, followed by the date '12/7/2010' written in blue ink.

(VANLALNGHAKA)
Addl. Secretary to the Govt. of Mizoram,
Finance Department (PRU)