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**No. Fin (Pen)A(3)-4/2005
Government of Himachal Pradesh
Finance (Pension) Department .**

From

**The Additional Chief Secretary (Finance) to the
Government of Himachal Pradesh,
Shimla-171002.**

To

**The Registrar General,
High Court of Himachal Pradesh,
Shimla-171001**

Dated; Shimla-2, the 20 October, 2005.

**Subject: - Grant of pension to Retired Judicial Officers in the State of
Himachal Pradesh on the Karnataka model as per directions
of Hon'ble Supreme Court of India.**

Sir,

I am directed to refer on the subject cited above and to state that in compliance with the directions dated 17-01-2005 of Hon'ble Supreme Court of India delivered in WP(C) No. 1022 of 1989 - "All India Judges Association and others versus Union of India and others" and in consultation with the Hon'ble High Court of Himachal Pradesh, the Governor, Himachal Pradesh is pleased to grant the pension to retired judicial officers in the State of Himachal Pradesh in the following manner:-

- (a) Qualifying service for earning full pension will be 33 years.
- (b) Last pay drawn shall be taken as emoluments for the purpose of pension. The CCS (Pension) Rules, 1972 as applicable in the State shall continue to apply for calculation of pension.
- (c) Commutation of pension shall be 50% of the pension with restoration after 15 years from the date of commutation. The commutation table laid down in CCS (Commutation of Pension) Rules, 1981 and other provisions of the Rules ibid shall continue to apply.
- (d) There shall be no ceiling for maximum pension.
- (e) The payment of DCRG and retirement gratuity shall continue per the CCS (Pension) Rules, 1972 as applicable in the State.

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- (f) Family pension shall be determined as per the CCS (Pension) Rules, 1972 as applicable in the State.

The aforesaid provisions will come into effect from 01.07.1996 and shall be applicable to the Judicial Officers who have retired or ceased to be in service due to death or retirement on or after 01.07.1996.

PENSION STRUCTURE FOR THE PAST PENSIONERS

1. The revised pension/family pension of the Judicial Officers who have retired or died while in service prior to 01.07.1996 shall constitute the following.

- (A) Basic pension/family pension as on 1.7.1996
- (B) Dearness Relief as on 1.1.1996 sanctioned vide Office Memorandum No. Fin Pen) B (10) 7/94, dated 2.7.1996.
- (C) The increase in pension/family pension, in respect of Judicial Officers who have retired prior to 1.1.1982 or died while in service prior to that date or after retirement, will be as under:-

<u>(i) Group of Pensioners/ Family pension Holders</u>	<u>Increase in Pension/ Family pension</u>
(a) Those who retired prior to 1.1.1961 or who died while in service or who retired prior to 1.1.1961 and died thereafter.	25% of the basic pension/ basic family pension.
(b) Those who retired on or after 1.1.1961 but before 1.1.1970 or died while in service or who retired during this period and died thereafter.	20% of the basic pension/ basic family pension.
(c) Those who retired on or after 1.1.1970 but before 1.1.1977 or died while in service or who retired during this period and died thereafter.	10% of the basic pension/ basic family pension.
(d) Those who retired on or after 1.1.1977 but before 1.1.1982 or died while in service or who retired during this period and died thereafter.	5 % of the basic pension/ basic family pension.

(ii) The "Basic Pension" / "Basic Family Pension" referred in (c) (i) (a) to (d) above means, the basic pension / basic family pension of the pensioner concerned fixed immediately on retirement / death with reference to the

emoluments / last pay reckoned for the purpose of calculation of Pension / Family Pension

(D) Interim Relief of forty percent of basic pension / Family pension sanctioned vide notification No.Home-B(E)3-1/90-VI, dated 18.12.1998.

The consolidated revised pension calculated above shall not be less than 50% of the minimum of the revised pay of the post held by the Judicial Officer at the time of retirement who have put in full qualifying service at the time of retirement. In respect of Judicial Officers who have put in less than the full qualifying service, there shall be proportionate reduction.

2. The Dearness Allowance shall be at the rates as are admissible to serving Judicial Officers.
3. The revision in pension shall come into effect from 1.7.1996 and shall be applicable to Judicial Officers who have retired or ceased to be in service due to death or retirement prior to 1.7.1996.

By order

Addl. Chief Secretary (Finance) to the Government of Himachal Pradesh

Endst. No. Fin (Pen)A(3)-4/2005
Copy forwarded to:-

Dated; 20 October, 2005

1. The Principal Secretary (Home) to the Government of Himachal Pradesh, Shimla-171002.
2. The Secretary, Himachal Pradesh Public Service Commission, Shimla-171002.
3. The Accountant General, Himachal Pradesh, Shimla-171003.
4. The Deputy Accountant General (A&E), Himachal Pradesh Shimla-171003.
5. All the District Judges/Additional Distt. Judges in Himachal Pradesh
6. All the District Treasury Officers/Treasury Officers in Himachal Pradesh

Chaudhary
Additional Secretary (Finance) to the Government of Himachal Pradesh