

Government of West Bengal
Judicial Department
Writers' Buildings
Kolkata-700001

G.O. No. 440 /JD/L/2S-70/09

Dated Kolkata, the 8th July, 2010

The Hon'ble Supreme Court by order dated 28.04.2009 in I.A. No. 244 in WP (C) No. 1022/1989 in the case of All India Judges Association and Others-vs-Union of India and Others appointed one member Committee headed by Justice E. Padmanabhan (Rtd.) to determine the pay scales of the Judicial Officers on the basis of the Justice Shetty Commission's report. On 17.7.2009 the Committee submitted its report before the Hon'ble Supreme Court of India recommending different revised scales of pay and other allowances, pensionary benefits for the judicial officers. By its order dated 4.5.2010 the Hon'ble Supreme Court issued directions upon all the State Governments to implement the recommendation of the Justice Padmanabhan Committee.

2. After careful consideration of the directions of the Hon'ble Supreme Court of India the Governor is hereby pleased to accord sanction to the implementation of the recommendation of the Justice Padmanabhan Committee in regard to the revised pay scales etc. of the Judicial Officers of the State of West Bengal and make the following orders:-

(a) Revised Pay Scales:

- (i) Master Pay Scale and different stages thereof as shown in Annexure-1.
- (ii) Revised Scales of Pay of the posts as shown in Annexure. -II.
- (iii) Revised A.C.P. Scale, Selection Grade Scale and Super Time Scale as shown in Annexure-III.

(b) Fitment in the Revised Pay Scales and date of next increment:

- (i) The Pay of the Judicial Officer, who was in service as on 01.01.2006, shall be fixed in the revised, scales of pay as under:

The existing pay of the Judicial Officer in the pre-revised scale 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 Revised Master Pay Scale as shown Column No. 4 in the Annexure-I without granting any increment or additional weightage while fixing the pay as above in the revised scale of pay.

- (ii) The next increment of a Judicial Officer, whose pay in the Revised Pay Scale 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.

- (iii) Where in allowing the benefit of next increment as above if it is found that the pay of the senior is lower than the pay of his junior, the pay of the senior shall be stepped up to the same stage as that of the junior.

(c) Fixation of Pay on promotion on or after 1st day of January, 2006:

- (i) In case of promotion from one pre-revised scale of pay to another, the pay in revised scale shall be fixed at the stage next above the pay notionally arrived at by increasing his pay in respect of the pay in the lower scale by one increment at the stage at which such pay has accrued.

Note (i) The benefit of fixation of pay available at the time of normal promotion from one post to another higher post shall be allowed in the case of non-functional movement to higher scales including Selection Grade Scale, Super Time Scale and the scales under A.C.P. Scheme as shown in Annexure-III,

- (ii) The next date of increment in the revised scale in such case of promotion shall be the 1st day of month in which it becomes due after completion of 12 months period from the

d) Payment of dearness allowance and house rent allowance:

(i) An officer of the West Bengal Judicial Service shall be allowed to draw dearness allowance and house rent allowance as per existing principle.

e) Date of effect:

The revised scale of pay shall come into force with effect from 01.01.2006. The salary in the revised pay scales payable for the month of July, 2010 shall be paid in cash in the month of August, 2010. District Judges, Chief Judges, Small Causes Court, Kolkata, Chief Judge, City Civil Court, Kolkata, Chief Judge, City Sessions Court, Kolkata are hereby authorized to make provisional fixation of pay in the revised pay scales and to draw and disburse salary after obtaining necessary particulars from the concerned judicial officers posted in the judgeship of the respective districts. A copy of such provisional fixation statement shall invariably be sent to the Government in the Judicial Department for approval and on receipt of such approval, the arrears shall only be drawn and disbursed.

Fixation of pay of the District Judges, Chief Judge, Small Causes Court, Kolkata, Chief Judge, City Sessions Court, Kolkata, other Judicial Officers posted on deputation and those Judicial Officers who had already retired, died or elevated after 01.01.2006 shall be made by the Judicial Department, Government of West Bengal.

f) Assured Career Progression Scheme/Selection Grade Scale/Super Time Scale:

(i) The benefit of the Assured Career Progression Scheme, the Selection Grade Scale and the Super Time Scale already allowed to the Members of the West Bengal Judicial Service as sanctioned by the First National Judicial Pay Commission and implemented by the State Government by making Judicial Service (Revision of Pay and Allowances) Rules, 2003 and also by issuance of Notifications from time to time as per recommendation of the High Court, Calcutta till the date of the Order of the Hon'ble Supreme Court of India i.e. 4th May, 2010 shall remain unaltered.

The fitment in the revised scales of Pay shall only be given with reference to the Master Scale in Annexure-1.

(ii) With effect of 4th May, 2010, an officer of the West Bengal Judicial Service other than District Judges may be allowed A.C.P. Scales as shown in Annexure-III subject to the following conditions;-

a) The conferment of the benefit by way of Assured Career Progression (AGP) Scales shall not be automatic and shall be allowed on the recommendation of the High Court, Calcutta after appraisal of their work and performance;

b) The benefit by way of Assured Career Progression (ACP) Scales shall not be provided to those who have declined regular promotion on any personal ground;

c) In case where an officer belonging to the WB Judicial Service other than the District Judges who has been provided the ACP Scales, refuses functional promotion to the higher post in his turn of seniority and merit, he shall be reverted to the original pay scale wherefrom he has been awarded the Assured Career Progression.

(iii) With effect from 4th May, 2010, an officer belonging to the cadre of District Judge may be allowed Selection Grade Scale and Super Time Scale. 25% of the posts of the Judicial Officers in the rank of District Judges who have put in not less than 5 years service in the rank of District Judges (entry level) shall be awarded Selection Grade Scale and 10% of the posts of the Selection Grade to those Officers who have put in not less than three years of continuous service in the Selection Grade posts shall be allowed Super Time Scale of Pay

g) Payment of arrears:

(i) 40% of the arrears of pay, dearness allowance and house rent allowance from 01.01.2006 to 30.06.2010 shall be credited to the respective General Provident Fund Accounts of the Judicial Officer and the remaining 60% of the arrears of pay, dearness allowance and house rent allowance shall be paid in cash spread over in two financial years. The arrears of salary in respect of Judicial Officer who retired after 01.01.2006 shall be paid in cash.

h) Relaxation of rules:

Where the Governor is satisfied that the operation of all or any of the provisions contained hereinabove causes undue hardship in any particular case or class of cases, he may, by an order, dispense with or relax the requirement of all or any of these rules to such extent and subject to conditions as he may consider necessary for dealing with class or class of cases in a just and equitable manner.

This order issues with the concurrence of the Finance (Audit) Department vide their U.O. No. 2324 Gr. P (Service) dated 08.07.2010.

Sd/-
(K. Y. S. Manhas)
Principal Secretary-in-Charge to the
Government of West Bengal
Judicial Department

Annexure-I

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:

SL. No.	Existing		Revised	
	Pay	Increment	Pay	Annual Increment
1	9000	250	27700	770
2	9250	250	28470	770
3	9500	250	29240	770
4	9750	250	30010	770
5	10000	250	30780	770
6	10250	250	31550	770
7	10500	250	32320	770
8	10750	300	33090	920
9	11050	300	34010	920
10	11350	300	34930	920
11	11650	300	35850	920
12	11950	300	36770	920
13	12250	300	37690	920
14	12550	300	38610	920
15	12850	300	39530	920
16	13150	350	40450	1080
17	13500	350	41530	1080
18	13850	350	42610	1080
19	14200	350	43690	1080
20	14550	350	44770	1080
21	14900	350	45850	1080
22	15250	350	46930	1080
23	15600	350	48010	1080
24	15950	400	49090	1230
25	16350	400	50320	1230
26	16750	400	51550	1230
27	17150	400	52780	1230
28	17550	400	54010	1230
29	17950	400	55240	1230
30	18350	400	56470	1230
31	18750	400	57700	1230
32	19150	450	58930	1380
33	19600	450	60310	1380
34	20050	450	61690	1380
35	20500	450	63070	1380
36	20950	450	64450	1380
37	21400	450	65830	1380
38	21850	500	67210	1540
39	22350	500	68750	1540
40	22850	500	70290	1540
41	23350	500	71830	1540
42	23850	500	73370	1540
43	24350	500	74910	1540

Annexure-II

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

SI. 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
2	Civil Judge (Junior Division) I Stage A.C.P.Scale	Rs. 10750-300-13150-350-14900	Rs. 33090-920-40450-1080-45850
3	Civil Judge (Junior Division) II Stage A.C.P.Scale	Rs. 12850-300-13150-350-15950-400-17550	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	R.s. 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. 1 8750-400-19150-450-21850-500-22850	Rs. 57700-1230-58930-1380-67210-1540-70290
9	District Judge (Super Time Scale)	Rs. 22850-500-24850	Rs. 70290- 1540-76450

Annexure-III

SI. No. (I)	Designation (II)	Existing APC Scale of Pay (III)	Revised APC Scale of Pay (IV)
1	Civil Judge (Junior Division) I Stage A. C. P.	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 (Junior Division) II Stage A.C.P.Scale	Rs. 12850-300-13150-350-15950-400-17550	Rs. 39530-920-40450-1080-49090-1230-54010 after completion of another 5 years of continuous service
3	Civil Judge (Senior Division) I Stage A.C.P.Scale	Rs. 14200-350-15950-400-18350	Rs. 43690-1080-49090-1230-56470 after completion of another 5 years of continuous service
4	Civil Judge (Senior Division) II Stage A.C.P.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. 57700-1230-58930-1380-67210-1540-70290 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 Judges.