



The Gazette of Meghalaya
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No. 35

Shillong, Thursday, February 22, 2024

3rd Phalguna, 1945 (S. E.)

PART-IIA

GOVERNMENT OF MEGHALAYA
LAW (A) DEPARTMENT

NOTIFICATION

The 19th February, 2024

No.LJ(A)31/2013/153.- The Governor of Meghalaya in consultation with the High Court of Meghalaya is pleased to make the following rules further to amend the Retired Judges' Secretarial Assistance and Domestic Help Rules, 2013, hereinafter referred to as the principal rules, namely:-

- 1. Short title and commencement.-** (1) These rules may be called the Retired Judges' Secretarial Assistance and Domestic Help (Amendment) Rules, 2024.
(2) They shall come into force at once.
- 2. Amendment of Rule 3.-** In the principal rules:
 - (1) In sub-rule 1 of Rule 3, the words "thirty five thousand" shall be substituted by the word "fifty thousand"
 - (2) In sub-rule 2 of Rule 3, the words "thirty thousand" shall be substituted by the word "forty thousand".
- 3. Addition of Rule 7.-** After the existing rule 6 of the Principal Rules, a new rule shall be inserted, namely:
"7. Secondment of a permanent employee - The Retired Chief Justice/Judge or their spouse shall be entitled to the services of maximum of two employees working in last Grade Service of the High Court, one of whom may be a driver.

Provided that the retired Chief Justice/Judge or their spouse, as the case may be, are not entitled to full reimbursement as stipulated in Rule-3 if two employees are provided by the High Court; or 50% of the reimbursement mentioned in Rule-3, if only one employee of the High Court is provided.

Secretary to the Govt. of Meghalaya,
Law Department.



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GOVERNMENT OF MEGHALAYA
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The 19th February, 2024.

OFFICE MEMORANDUM

Subject: Revision of Allowances to the Judicial Officers under the Meghalaya Judicial Services Rules, 2006 and Meghalaya Higher Judicial Services Rules, 2015 consequent upon the Hon'ble Supreme Court's Judgement dated 4th January, 2024 in All India Judges Association vs. Union of India & Others in WPC 643 of 2015.

No.LJ(A)2/2024/23. - The undersigned is directed to say that consequent upon the Hon'ble Supreme Court's Judgement dated 4th January, 2024 in All India Judges Association vs. Union of India & Others in WPC 643 of 2015 and in continuation of this Department's Office Memorandum No.LJ(A)50/2002/Pt.V/94, dated 26th August, 2022 read with Corrigendum No.LJ(A)50/2002/Pt.V/142, dated 30th September, 2022 and letter No.LJ(A) 50/2002/Pt.VI/107, dated 11th September, 2023, the Governor is please to revise the allowances to the Judicial Officers as follows:-

1. House Building Advance (HBA):

- HBA shall be made available to Judicial Officers in terms of the House Building Advance Rules, 2017, published vide 1.17011/11(4)2016-H-III, dated 9th November, 2017 by the Ministry of Housing and Urban Affairs, Government of India:
- HBA shall be available to Judicial Officers also for the purchase of ready built house from private individuals subject to such safeguards as may be prescribed by the State Government, in consultation with Hon'ble High Court of Meghalaya, which shall be issued separately.

2. Children Education Allowance (CEA):

- The payment of the CEA shall be with effect from academic year 2019-2020 onwards;
- ₹ 2,250/- per month as CEA and ₹ 6,750 per month as hostel subsidy for two children up to Class 12;
- For children with special needs, the reimbursement would be at double the rate stated in (a) above;
- When the DA increases by 50% the allowances and subsidy shall increase by 25%;

Note: Children Education Allowance (CEA) shall be sanctioned on receipt of order from the Hon'ble High Court of Meghalaya.

3. Concurrent Charge Allowance:

- a. The concurrent charge allowance shall be payable where a judicial officer is required to hold full charge of the duties of equal or higher responsibilities in addition to the duties of their own post continuously beyond a period of ten working days;
- b. The concurrent charge allowance shall be payable at the rate of maximum of 10% of the minimum of the scale of the additional post held beyond a period of ten working days.
- c. The Hon'ble High Court of Meghalaya shall be the authority to decide the concurrent charge allowance to be available to the Officer within the ceiling of maximum 10% as above, on the basis of the number of days worked, the quantum of judicial work turned out and the administrative work handled;
- d. There shall not be any upward revision on the percentage of the Concurrent Charge Allowance.

Note: Concurrent Charge Allowance shall be sanctioned on receipt of order from the Hon'ble High Court of Meghalaya.

4. Conveyance/Transport Allowance:

- a. The following judicial functionaries shall be eligible for official vehicles:
 - i. District Judge/Sessions Judge/Addl. District Judge/Addl. Sessions Judge/Member, MACT/Special Judge, NDPS/Special Judge (POCSO)/Director of the Judicial Academy/Member Secretary, Meghalaya State Legal Services Authority.
 - ii. Civil Judge (Senior Division)/Chief Judicial Magistrate/Asst. District & Sessions Judge/Secretary, District Legal Services Authority.
 - iii. Civil Judge (Junior Division)/Judicial Magistrate First Class/Munsiff.
- b. The quantum of petrol/diesel for official cars shall be the actual consumption for official purposes as certified by the concerned Judicial Officer and supported by a log book, which shall be maintained for the purpose.
- c. The Judicial Officers using official cars may be permitted to use them for private purposes to the extent of 300 Kms. per month;
- d. The Judicial Officers having their own cars shall be allowed transport allowance at the rate of ₹ 10,000/- per month with effect from 1st January, 2016, which shall be increased to ₹ 13,500/- with effect from 1st January, 2021.
- e. The transport allowance would be payable at a reduced rate of ₹ 4,000/- per month if the Judicial Officer, having own car has been provided with a driving-knowing office attendant/peon;
- f. In addition to the aforesaid transport allowance, there should be a reimbursement of the cost of 100 litres of petrol/diesel in cities and 75 litres of petrol/diesel in other areas;
- g. The Judicial Officers shall be permitted to exhibit a sticker at their option on the lower left side of the windscreen with inscription 'Judge' printed in moderately sized letters; and
- h. Soft loan facilities to the extent of ₹ 10 lakhs at nominal interest for the purchase of own car shall be extended to the Judicial Officers.
- i. The pool car service for Judicial Officers shall be discontinued for officers who are being paid Transport Allowance. However, if the officers wish, they can forgo the transport allowance and continue with the pool car service for a period of one year from the date of this notification.

Note: For clause d, e and f Transport allowance/POL reimbursement shall be claimed after certification from the Judicial Officer duly authenticated by Hon'ble High Court.

5. Earned Leave Encashment:

- a. There shall be a maximum limit of 300 days leave encashment at the time of retirement;
- b. A serving Judicial Officer shall be entitled to encash leave in following manner:
 - i. 10 days earned leave while availing LTC subject to maximum 60 days 10 at a time up to six occasions during the entire service;
 - ii. 30 days in a block of two years;
 - iii. Sl. No. (a) and (b) shall be in addition to the right of the judicial Officers to encash upto 300 days EL at the time of retirement.
- c. In case of officers who have retired and while granting leave encashment at the time of retirement, the leave encashment availed during service stand adjusted shall be paid the amount of the so adjusted earned leave, at the time of retirement as explained in the example above.

6. Electricity and Water Charges:

- a. The reimbursement of Electricity and Water Charges to the Judicial Officers shall be at the rate of 50% of the actual usage, which shall also be subject to the following ceiling:

Designation	Electricity Units	Water Quantity
District Judge/Sessions Judge/Addl. District Judge/Addl. Session Judge/Member, MACT/Special Judge, NDPS/Special Judge (POCSO)/Director of the Judicial Academy/Member Secretary, Meghalaya State Legal Services Authority.	8000 units per annum	420 Kls per annum
Civil Judge (Senior Division)/Chief Judicial Magistrate/Asst. District & Sessions Judge/Secretary, District Legal Services Authority. Civil Judge (Junior Division)/Judicial Magistrate First Class/Munsiff.	6000 units per annum	336 Kls per annum

- b. The reimbursement of Electricity and Water Charges shall be on quarterly basis on production of proof of payment of the billed amount;
- c. The aforesaid enhanced rates of reimbursement of Electricity and Water Charges shall be payable with effect from 1st January, 2020.

7. Higher Qualification Allowance:

- a. The Judicial Officers shall be granted three advance increments for acquiring higher qualification *i.e.* post-graduation in law and one more advance increment if he acquires Doctorate in Law.
- b. The 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. The 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. The 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. The advance increments shall be made available to the officers when the higher qualification has been acquired through regular studies (full time or part time) or through distant learning programmes.

- f. The benefit of advance increments shall be available when the Officer is promoted from Civil Judge (Jr. Div.) to Civil Judge (Sr. Div.) and from Civil Judge (Sr. Div.) to District Judge cadre and it may also be given at the ACP stage (ACP I or II).
- g. The 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 Time Scale).
- h. The advance increments for all practical purposes shall be part of salary and Dearness Allowance shall be available on the same.

Note: Higher Qualification allowances shall be made available to Judicial Officers on receipt of order of Hon'ble High Court.

8. Hill Area/Tough Location Allowance:

- a. Hill Area/Tough Location Allowance @ ₹ 5000/- per month shall be paid to the Judicial Officers posted in hill areas/tough locations. However, if a Judicial Officer is receiving better benefits, the present decision shall not adversely affect such Judicial Officers;

In case of doubt, whether a particular area can be considered to be hilly or tough location area, the Hon'ble High Court of Meghalaya shall decide as to whether the area in question qualifies for grant of this allowance.

- b. This allowance shall be available with effect from 1st January, 2016.

9. Home Orderly/Domestic Help Allowance:

A. To Serving Officers:

- (i) The Home-cum-Office orderly allowance shall be available to the serving Judicial Officers at the following rates:

Designation	Rates
District Judge/Sessions Judge/Addl. District Judge/Addl. Session Judge/Member, MACT/Special Judge, NDPS/Special Judge (POCSO)/ Director of the Judicial Academy/Member Secretary, Meghalaya State Legal Services Authority.	Minimum wages for one unskilled worker in the State of Meghalaya subject to minimum of ₹ 10,000/- per month.
Civil Judge (Senior Division)/Chief Judicial Magistrate/Asst, District & Sessions Judge/Secretary, District Legal Services Authority.	60% of the minimum wages for one unskilled worker in the State of Meghalaya subject to minimum of ₹ 7,500/- per month.
Civil Judge (Junior Division)/Judicial Magistrate First Class/Munsiff.	

However, the Judicial Officers getting higher allowance on this account shall not be adversely affected.

- i. The allowance at the aforesaid rates shall be available to the Judicial Officers with effect from 1st January, 2016 in States where they are getting the same prior to 1st January, 2016 and in other cases, with effect from 1st January, 2020.
- ii. The Judicial Officers provided with Group D employee as an Attender/Peon/office subordinate for residential duties may exercise their option either to continue with the present system and forego the allowance that has been stated above or to claim the allowance instead of availing the services of the official Attender/Peon.
- iii. The payment of home orderly allowance will not result in discontinuance of practice of deputing the Office Peons/Attenders or other Group D employee during nights at the residences of

- a. Magistrates who are called upon to attend the Judicial work at times during night times.
- b. 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 such personnel can also be deputed to the residence of District Judge or equivalent rank officer having administrative responsibility.
- iv. The deployment of Peons/Attenders for such residential duties shall be subject to the availability of Group D/Class IV personnel and without detriment to Court related duties.
- v. If Home Orderlies/residential attendants/sevaks appointed by the State Government are allotted to the Judicial Officers, Home Orderly allowance cannot be claimed.

B. To Pensioners/Family Pensioners:

- a. Domestic Help Allowance to the pensioners and family pensioners shall be available at the following rates from 1st January, 2016:
 - (i) Pensioner : ₹ 9,000/~ per month
 - (ii) Family pensioners: ₹ 7,500/- per month.
- b. This allowance shall stand increased by 30% with effect from 1st January, 2021.
- c. The allowance shall be drawn on the self-certification of the Judicial Officer/Pensioner/Family Pensioner.

The allowance is to be credited directly to Pensioner's Pension Account.

Note: Domestic Help Allowance shall be included Pensioner Payment Order.

10. House Rent Allowance and Residential Quarters:

A. Residential Quarters: If the Judicial Officer is not provided with the government accommodation or requisitioned private accommodation within one month, then the Judicial Officer may secure private accommodation and should be paid rent in the following terms:

- i. If the rent of the private accommodation is within the admissible house rent allowance mentioned below, no fixation of rent is required. But the concerned Judicial Officer has to certify the actual rent being paid.
- ii. If the rent of the private accommodation is more than permissible house rent allowances, the rent shall be assessed by the District Judge with the assistance of PWD/R & B officials.
- iii. If the difference between the permissible house rent allowance and the rent assessed is more than 15% and District Judge may seek approval of High Court for payment of the said amount unless the officer is ready to pay the differential cost.

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 also be entitled for the HRA with effect from 1st January, 2016 after obtaining permission from the High Court to reside in their own house;
- iii. Judicial Officers already residing in hired accommodation will be entitled to HRA with effect from 1st January, 2020, subject to the actual rent paid within the said ceiling;
- iv. The Office of the District Judge or equivalent shall pay rent directly to the landlord, in which case, the officer is not eligible to draw HRA; and

- v. The rates of HRA should be applicable to all Judicial Officers as per the notification dated 7th July, 2017 which was issued after the VIIth Central Pay Commission (CPC) by the Central Government as follows:

City Category	Rates of HRA/pm as % of basic pay
X	24%
Y	16%
Z	8%

However, the minimum rates of HRA prescribed shall be ₹ 5400/-, ₹ 3600/- and ₹ 1800/- per month for X, Y and Z category cities respectively.

- vii. The rates of HRA shall be modified in accordance with the change in Dearness Allowance in the following terms:

City Category	Rates of HRA/pm as % Of basic pay	When DA Crosses
X	27%	25%
	30%	50%
Y	18%	25%
	20%	50%
Z	9%	25%
	10%	50%

Note: HRA will be entitled to Judicial Officer on receipt of certification authenticated by the Hon'ble High Court of Meghalaya.

C. Furniture and Air conditioner Allowance:

- Furniture grant of ₹ 1.25 lakhs every five years shall be provided to the Judicial Officers occupying own residence continuously for five years 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 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;
- The Officers having not less than two years of service will be eligible for this allowance.
- Apart from the furniture grant, one air-conditioner shall be provided at the residence of every Judicial Officer once in every five years.

Note : Furniture grant of ₹ 1.25 lakhs every five years shall be sanctioned on receipt of order of the Hon'ble High Court of Meghalaya.

D. Residential Quarters Maintenance:

Since the State Government is maintaining all residential quarters and the cost proposed is less than the actual maintenance cost, hence the maintenance of residential quarters shall continue under Public Works Department.

E. Guest House/Transit Accommodation:

Guest house accommodation/transit accommodations may be provided to judicial officers as per prevailing practice, subject to availability, in major cities and towns.

11. Leave Travel Concessions/Home Travel Concession:

- a. The Judicial Officers may be permitted to avail one LTC and one HTC in a block of 3 years;
- b. 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 will commence on completion of the period prescribed for probation;
- c. The 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 for the said purpose by the Central Government, namely, Ashoka Travels, Balmer and Lawrie and IRCTC or such other agents as may be authorised by the Government of Meghalaya;
- d. The other details for availing LTC/HTC such as class of travel, advance etc. shall be governed by the Rules/Orders/notifications issued by the Government of Meghalaya.
- e. The Judicial officers may be allowed to carry forward LTC anywhere in India beyond retirement for a period of one year. However, no LTC/HTC except this shall be provided to the retired judicial officers.
- f. Encashment of 10 days earned leave while availing LTC (not HTC), subject to the maximum of 60 days, shall be permitted. This will be in addition to encashment of 300 days at the time of retirement and 30 days in a block of two years. There shall not be any extra payment to be made to Judicial Officers for not availing the LTC.
- g. The Judicial officers shall not be required to avail of earned leave only for LTC/HTC purpose and they may be permitted to avail of casual leave as a prefix and suffix to the extent of two days.

12. Medical Allowance/Medical Facilities: a. Fixed Allowance:

- i. Fixed medical allowance shall be payable @ ₹ 3,000/- p.m. to the serving Judicial Officers with effect from 1st January, 2016.
- ii. Fixed medical allowance shall be payable @ ₹ 4,000/- p.m. to the pensioners and family pensioners with effect from 1st January, 2016.

b. Medical Facilities and Reimbursement:

Since the Meghalaya Medical Attendance Rules, 2021 provides for full reimbursement of Medical claim, hence the provisions of MMA Rules, 2021 shall be followed.

13. Newspaper and Magazine Allowances:

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

14. Robe Allowance:

- a. An allowance of ₹ 12,000/- will be payable once in three years with effect from 1st January, 2016; and
- b. The demand for the robe allowance may not be raised before the next Commission.

15. Special Pay for Administrative Work:

- a. Special Pay for Judicial Officers doing administrative work shall be payable to:
 - i. District/Sessions Judges: ₹ 7,000/- per month.

- ii. Other District Judges including Additional District Judge entrusted with administrative work who have to generally spend time beyond Court working hours: ₹ 3,500/- per month.
 - iii. District Judges presiding over Special Courts and Tribunals having independent administrative responsibilities: ₹ 3,500/- per month.
 - iv. CJMs and Senior, Junior Civil Judges and other Judicial Officers having administrative responsibilities being in-charge of independent Courts with filling powers: ₹ 2,000/- per month.
- b. The Special Pay shall be available with effect from 1st January, 2019.

Note: Special Pay shall be sanctioned on receipt of order of the Hon'ble High Court of Meghalaya.

16. Sumptuary Allowance:

- a. The sumptuary allowance shall be available to the Judicial Officers, with effect from 1st January, 2016 at the following rates:

District Judges/equivalent rank Judicial Officers	₹ 7,800/- per month
Civil Judges (Sr. Division)/equivalent rank Judicial Officers	₹ 5,800/- per month
Civil Judges (Jr. Division)/equivalent rank Judicial Officers	₹ 3,800/- per month

- b. The following categories of Judicial Officers shall get ₹ 1,000/- (Rupees one thousand) more by virtue of their status of the additional responsibilities they shoulder.
- District Judge in-charge of administration in the Districts/Cities.
 - District Judges in selection grade and super time-scale.
 - Director of Judicial Academy/Member Secretary, State Legal Services Authority.
 - Chief Judicial Magistrate.
- c. No sumptuary allowance shall be payable to retired Judicial Officers.

17. Telephone Facility:

The Judicial Officers shall be provided with the following telephone facilities:

(1) Residential Telephone (Landline):

- i. The landline telephone and broadband facility (by the same or different service providers) shall be provided at the residence of the Judicial Officers and the permitted usage, inclusive of rent calls (local and STD both) and internet use, shall be as follows:
 - (a) District Judges/equivalent rank Judicial Officers: ₹ 1,500/- per month.
 - (b) Civil Judges/equivalent rank Judicial Officers: ₹ 1,000/- per month.
- ii. At places where broadband facility is not available, the permissible usage, inclusive of rent and calls (local and STD both) shall be as follows:
 - (a) District Judges/equivalent rank Judicial Officers: ₹ 1000/- per month.
 - (b) Civil Judges/equivalent rank Judicial Officers: ₹ 750/- per month.

(2) Mobile Phone:

- i. The provision of mobile phone (handset) with internet capability shall be as follows:
 - (a) District Judge/equivalent rank Judicial Officers: ₹ 30,000/- per month.
 - (b) Civil Judges (Jr. & Sr. Divisions)/equivalent rank Judicial Officers: ₹ 20,000/- per month.
- ii. And the permissible usage, inclusive of internet data package, shall be:

- (a) District Judges/equivalent rank Judicial Officers: ₹ 2,000/- per month.
- (b) Civil Judges/equivalent rank Judicial Officers: ₹ 1,500/- per month.
- iii. At the request of the Judicial Officers, the mobile phone handset may be replaced once in three years.
- iv. The 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 the Hon'ble High Court of Meghalaya.
- v. The existing facilities in so far as they are more beneficial by virtue of the order issued by the Government of Meghalaya shall be continued notwithstanding the above decision.

(3) Office Telephone:

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

18. Transfer Grant:

- a. On transfer, the composite transfer grant shall be 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 and if it involves actual change of residence, the transfer grant shall be $\frac{1}{3}$ rd of the basic pay.
- c. For the transportation of personal effects, the O.M. dated 13th July, 2017 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, the admissible amount shall be ₹ 50/- per Km. 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 1st January, 2016 and the Judicial Officers who have undergone transfer(s) after 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 1st January, 2016.

This supersedes this Department's O.M. No.L.J(A)36/98/325, dated 1st May, 2006 and all other O.M.s issued pursuant to First National Judicial Pay Commission.

Secretary to the Govt. of Meghalaya,
Law Department.