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Raipur, Dated /08/2023

18 AUG 2023

**CHHATTISGARH LOWER AND HIGHER JUDICIAL SERVICE  
(PAY REVISION, PENSION AND OTHER RETIREMENT BENEFITS) RULES, 2023**

**NOTIFICATION**

No. 10105 /1917/XXI-B /C.G./23.- In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, and also in due compliance with the directions given by the Hon'ble Supreme Court of India in its Judgment dated 19<sup>th</sup> May, 2023 delivered in W.P. (C) No. 643/2015 All India Judges Association vs. Union of India & Ors., in respect of the Second National Judicial Pay Commission (SNJP), the Governor of Chhattisgarh, hereby, makes the following rules in respect of revision of pay, pension and other retirement benefits of the members of the Chhattisgarh Lower and Higher Judicial Services, namely:-

**RULES**

1. **Short title, commencement and application.** - (1) These rules shall be called the Chhattisgarh Lower and Higher Judicial Service (Pay Revision, Pension and Other Retirement Benefits) Rules, 2023.  
(2) They shall be deemed to have come into force on the 1st day of January, 2016.  
(3) They shall apply to all the Members of the Chhattisgarh Lower and Higher Judicial Service.
2. **Definitions.**- In these rules, unless the context otherwise requires : -
  - (a) "Schedule" means schedule appended to these rules;
  - (b) "Basic Pay" means pay as defined in Rule 9 (21) (a) (i) of the Fundamental Rules;
  - (c) "Existing Scale of Pay" means,-
    - (i) the pay scale mentioned in column (3) of Schedule-I in respect of the post mentioned in column (2) of the said Schedule.
    - (ii) the pay scale mentioned in column (3) of Schedule-II in respect of the post mentioned in column (2) of the said Schedule.
  - (d) "Pre-Fixation Emoluments" shall include the basic pay in the existing scale as on 1-1-2016;

**Explanation:**- Where increment in the existing scale of pay is payable on 1st January, 2016, it shall be treated as part of basic pay.

(viii) Retirement cum death gratuity:- (a) Retirement gratuity of officers, who have retired after 01.01.2016, shall be calculated as per Rule 50(1)(a) of CCS (Pension) Rules 1972. The maximum limit for retirement gratuity/death gratuity shall be Rs. 20 lakhs, which shall be increased by 25% whenever D.A. rises by 50%.

(vii) there shall be no ceiling for maximum pension.

(vi) The retiring judicial officers shall have the benefit of increment becoming due the next day following their retirement. That increment shall be for the purposes of pension only and shall be subject to vertical ceiling of Rs. 2,24,100/-.

the corresponding stage.

(v) Judicial officers who retired prior to 1<sup>st</sup> January, 2016 to be placed notionally at

higher.

(ii) Pensioners to be fitted appropriately in the fitment table, as mentioned in Schedule-IV, whichever is

or

(iv) for pension revision:- (i) Multiplier factor of 2.81 to be applicable for pension;

(iii) The revised pension of the retired judicial officers shall be 50% of the last pay drawn of the post held by the judicial officers at the time of retirement;

before retiring;

given only if the direct recruit actually works for minimum ten years in service the Bar, subject to the condition that the weightage of practice at the Bar shall be whichever is less, shall be added to the service of a member recruited directly from pension and other benefits, a period of ten years or actual period of practice at Bar, Provided that in computation of the total period of service qualifying for

(ii) Qualifying service for earning full pension shall be 20 years;

(i) The age of superannuation of the Judicial Officers shall be sixty years; and

namely:-

14. Retirement Benefits:- (1) The Judicial Officers, who have ceased to be in service due to death or retirement on or after 1<sup>st</sup> January, 2016; shall get the retirement benefits on the norms, as specified below with effect from 1<sup>st</sup> January 2016,

Hon'ble Chief Justice of the High Court.

13. Assured Career Progress Scales:- ACP Scale described in revised scale should not be automatic but on the appraisal of their work and performance by the recommendation of a committee of judges of the High Court constituted by the

Note:-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.

(b) The death gratuity shall be paid as per table mentioned below on the basis of length in service, -

LENGTH OF SERVICE	RATE OF DEATH GRATUITY
Less than one year	2 times of monthly emoluments
One year or more but less than 5 years	6 times of monthly emoluments
5 years or more but less than 20 years	12 times of monthly emoluments
20 years or more	Half month of emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments.

(ix) **Family Pension-** (a) 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;

(b) The quantum of family pension shall be worked out in the same manner as quantum of pension is worked out;

(c) Income limit, if any prescribed by 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); and

(d) Where, a Judicial Officer dies, while in service, the benefit of family pension as per Rule 54(3) of CCS (Pension) Rules, 1972, as amended vide notification dated 19.09.2019, shall be extended to the family members. The other benefits such as one time lump sum 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.

(2) The retired Judicial Officers/ Family Pensioners shall be eligible for the following additional quantum of pension pensioners/family pensioners w.e.f. 01.01.2016 on completion of age of and at the rates specified below,-

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Age of Pensioner/ Family Pensioner	Additional Quantum of Pension/Family Pension
75-80 years	20%
80-85 years	30%
85-90 years	40%
90-95 years	60%
95-100 years	80%
On completion of 100 years	100%

Note.- The above percentages are in relation to basic pension/family pension, as revised. Further, to obviate any doubts, the expression 'years' shall mean completed years.

(3) Payment as per revised rate of pension/ family pension shall be made w.e.f 1<sup>st</sup> July, 2023 and arrears of pension/ family pension for the period from 1<sup>st</sup> January, 2016 to 30<sup>th</sup> June, 2023 shall be made 25% by 31<sup>st</sup> August, 2023 another 25% by 31<sup>st</sup> October, 2023 and remaining 50% by 31<sup>st</sup> December, 2023.

**15. Power to Relax.** - The State Government in consultation with the High Court may relax or suspend the operation of the provisions of these rules in the case of Judicial Officers or category of Judicial Officers in such a manner and to such extent as may appear to it, to be just and equitable or necessary or expedient in the public interest:

Provided that such relaxation or suspension shall not operate to the disadvantage of the Judicial Officer or categories of Judicial Officers, as the case may be.

**16. Saving.** - Save as herein above provided, any matter which is not covered under these rules shall be governed by the Chhattisgarh Judicial Service Pay Revision, Pension and Other Retirement Benefits Rules, 2003.

**17. Interpretation.** - If any question arises relating to the interpretation of these rules, it shall be referred to State Government in Finance Department, whose decision thereon shall be final.

This Sanction has been endorsed by the finance department vide Dispatch No. 503/2023/Finance/Rule/Four, Dated 16-08-2023.

By order and in the name of the  
Governor of Chhattisgarh,

Sd/-

Rajnish Shrivastava  
(Principal Secretary)  
Law and Legislative Affairs  
Department