

**GOVERNMENT OF HIMACHAL PRADESH
DEPARTMENT OF HOME**

File No.: Home.B.B(10)1/2014-Vol-III-Loose Dated: Shimla-2, the 1st December, 2023

NOTIFICATION

In compliance of the Order dated 19.05.2023 of Hon'ble Apex Court passed in Writ Petition (Civil) No. 643/2015 titled as All India Judges Association Vs Union of India & Ors, the Governor, Himachal Pradesh is now pleased to issue the following orders, relating to revision of pensionary benefits of the retired Judicial Officers with effect from 01.01.2016 as under:-

- (a) In the case of those who retired on or after 01.01.2016, the present system of computation of pension/family pension @ 50% / 30% of the last drawn pay at the time of retirement shall be continued.
- (b) In the case of those who retired/expired prior to **01.01.2016**, their pension will be revised in accordance with the principles laid down herein
- (i) Consolidated Pension = Existing Basic Pension (as on 31.12.2015) x 2.81
(ii) Minimum Assured Pension = 50% of revised entry level pay of their respective post
(iii) Revised Pension = (i) or (ii) whichever is higher.
- (c) In the case of those who retired/expired prior to 01.01.2016, their family pension shall be revised in accordance with the principles laid down herein
- (i) Consolidated Family Pension = Existing Basic Family Pension (as on 31.12.2015) x 2.81
(ii) Minimum Assured Family Pension = 30% of revised entry level pay of their respective post
(iii) Revised Family Pension = (i) or (ii) whichever is higher.
- (d) The additional quantum of pension/family pension shall be made available to the judicial officers on completion of age of and at the rates specified below. This benefit of additional pension shall be available to all eligible pensioners/family pensioners w.e.f. 01.01.2016:-

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%

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Note:- The expression 'years' in the above table shall mean completed years.

- (e) The ceiling of maximum amount of DCRG will be raised from 10 lakh to 20 lakh w.e.f 01.01.2016. In the case of officers who have retired on or 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.
- (f) The death gratuity will be payable as per the following table:

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 11 years	12 times of monthly emoluments
11 years or more but less than 20 years	20 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.

The existing rate of 50% of the basic pension for commutation of pension will continue. The entitlement to commute pension admissible on revised pay is applicable in the case of retirement on or after 01.01.2016. Considering the recommendation of SNJPC, the Commutation Factor shall be fixed as 8.194 from 01.01.2016 and the existing restoration period of 15 years will be continued.

(g) Date of effect of Arrears:-

1. The arrears of revision of pension, additional pension, gratuity and other retirement benefits will be paid in two installments i.e. 50% before 06.12.2023 and the remaining 50% before 31.12.2023.
2. The arrears of commutation of pension will be paid as lump sum on 31.12.2023.
3. In the event of death, the entire arrears on account of revision of pension, family pension, DCRG, Commutation as the case may be, not to drawn by the pensioner/family pensioner till the date of death will be paid as lump sum to the nominee/legal heirs of the pensioners/family pensioners.



(h) Authorization:-

1. In the case of pensioners who retired on or after 01.01.2016, their pension and arrears of revised pension/other retirement benefit shall be authorized by Accountant General (A&E). After the authorization, the treasury concerned will disburse the revised pension and arrears as detailed above.
2. In the case of pensioners who retired prior to 01.01.2016, their pension/family pension shall be revised by the concerned treasury officers and revised pension/family pension and arrears shall be disbursed as detailed above.

The Finance Department has given its sanction/concurrence vide its UO NO. Fin(Pen) A(3)-8/2023-Loose Dated 29.11.2023 and the approval of competent authority has also been obtained.

By order

**Dr. Abhishek Jain, IAS
Secretary (Home) to the
Government of Himachal Pradesh**

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1. The Registrar General, Himachal Pradesh High Court, Shimla-1.
2. Principal Accountant General (Audit), H.P. Shimla-3
- ✓ 3. Accountant General (A&E), HP Shimla-3.
4. The Special Secretary(Finance) to the Govt. of H.P.
5. The Controller, Printing and Stationery, HP Shimla-5 for publication in the Rajpatra.
6. Guard file.



(Dinesh Kumar Gupta)
Under Secretary (Home) to the
Government of Himachal Pradesh

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