

Himachal Pradesh Judicial Officers (Pay, Allowances And Conditions Of Service) Act, 2003

13 of 2003

[11 August 2003]

CONTENTS

1. Short Title, Extent And Commencement
2. Definitions
3. Salaries And Rates Of Allowances
4. Power To Make Rules
5. Saving

SCHEDULE 1 :- SCHEDULE I

Himachal Pradesh Judicial Officers (Pay, Allowances And Conditions Of Service) Act, 2003

13 of 2003

[11 August 2003]

An Act to provide for the regulation of the pay 1[, allowances] and conditions of service of the Judicial Officers in the State of Himachal Pradesh and for matters connected therewith or incidental thereto. Amended, repealed or otherwise affected by, -(i) H.P. Act No. 23 of 20063, published in R.H.P. Extra., dated 23.10.2006, pages 5273-5276. BE it enacted by the Legislative Assembly of Himachal Pradesh in the Fifty-fourth Year of the Republic of India, as follows:- 1 Inserted vide Act No. 23 of 2006. 2. Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement of Objects and Reasons see R.H.P. Extra., dated 18.7.2003, p. 808 & 814. 3 . Passed in Hindi by the Himachal Pradesh Vidhan Sabha. For Statement Objects and Reasons see R.H.P. Extra., dated 24.3.2006, p. 983-988.

1. Short Title, Extent And Commencement :-

- (1) This Act may be called the Himachal Pradesh Judicial Officers (Pay1[, Allowances] and Conditions of Service) Act, 2003.
- (2) It extends to the whole of the State of Himachal Pradesh.

(3) It shall be deemed to have come into force on the First day of July, 1996.

1. Inserted vide Act No. 23 of 2006.

2. Definitions :-

In this Act, unless the context otherwise requires,-

1[(a) "Allowances" means the allowances admissible to the Judicial Officers in Himachal Pradesh on 31st July, 2006;]

(aa) "Judicial Officers" mean the persons appointed by the State Government to the Himachal Pradesh Higher Judicial Service and the Himachal Pradesh Judicial Service in the State;

(b) "notification" means a notification published in the Rajpatra, Himachal Pradesh;

(c) "prescribed" means prescribed by the rules made under this Act;

(d) "SCHEDULE" means Schedule appended to this Act;

(e) "State" means State of Himachal Pradesh; and

(f) "State Government" means the Government of Himachal Pradesh.

1 Existing clause (a) renumbered as clause (aa) and new clause (a) Inserted vide Act No. 23 of 2006

3. Salaries And Rates Of Allowances :-

1(1) Notwithstanding anything contained in any rules regulating the scale of pay to the Judicial Officers made under article 309 read with articles 234 and 235 of the Constitution of India, there shall be paid, immediately after coming into force of this Act, to the Judicial Officers in the State, the pay scales as specified in SCHEDULE.

2[(2) The rates of allowances and other conditions of services of the Judicial Officers shall be such as may be prescribed.]

1 Inserted vide Act No. 23 of 2006.

2 Sub-Section (2) inserted vide Act No. 23 of 2006.

4. Power To Make Rules :-

(1) Subject to the provisions of section 3, the State Government may, by notification in the Official Gazette, make rules regulating the1[pay, allowances] and conditions of service of the Judicial Officers.

(2) Every rule made under this section shall be laid as soon as may

be after it is made, before the Legislative Assembly, while it is in session for a total period of not less than fourteen days which may be comprised in one session or in two or more successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following the Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

1. Substituted. vide Act No. 23 of 2006.

5. Saving :-

Subject to the provisions of section 3, the rules applicable to the Judicial Officers, immediately before the commencement of this Act shall continue to regulate the 1[pay, allowances and conditions of service of the Judicial Officers until the rules in that behalf are made under this Act.

1. Substituted. vide Act No. 23 of 2006.

SCHEDULE 1

SCHEDULE I

(See section 3)

The Pay Scales for different cadres of the Judicial Officers:

1. Civil Judge (Junior Division):

(a) Initial Scale: Rs. 9000-250-10750-300-13150-350-14550.

(b) First stage Assured Career Progression Scale after five years of service: Rs. 10750-300-13150-350-14900.

(c) Second stage Assured carrier Progression Scale after five years of service in the First Assured Career Progression Scale:

Rs. 12850-300-13150-350-15950-400-17550.

2. Civil Judge (Senior Division):

(a) Initial scale: Rs. 12850-300-13150-350-15950-400-17550.

(b) First stage Assured Career Progression Scale, after five years of service as Civil Judge (Senior Division):

Rs. 14200-350-15950-400-18350.

(c) Second stage Assured Carrier Progression Scale on completion of five years of service in the First stage Assured Carrier Progression Scale:

Rs. 16750-400-19150-450-20500.

3. District Judges Cadre:

(a) Initial Scale: Rs. 16750-400-19150-450-20500.

(b) Selection Grade: (Available to 25% Officers of the Cadre): Rs. 18750-400-19150-450-21850-500-22850.

(c) Super Time Scale: (Available to 10% Officers of the Cadre): Rs. 22850-500-24850.