

# New Pay Scales of Members of Rajasthan Judicial Service

RAJASTHAN

India

## New Pay Scales of Members of Rajasthan Judicial Service

### Rule

### NEW-PAY-SCALES-OF-MEMBERS-OF-RAJASTHAN-JUDICIAL-SERVICE of 2003

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New Pay Scales of Members of Rajasthan Judicial Service Published vide Notification No.F. 11 (3) Judi/2002, dated 7-5-2003, Published in Rajasthan Rajpatra, Extraordinary, dated 17-5-2003, page 73 (1). Supplement Rules and Regulations, of utmost importance, received late are reproduced below :- Order In compliance of order/directions dated 21st March, 2002, of the Hon ble Supreme Court of India, New Delhi, In Writ Petition (Civil) No. 1022/1989, All India Judges Association and others versus Union of India and others, read with recommendation of First National Judicial Pay Commission dated 11th November, 1999 and pursuant to Cabinet Order No. 75/2002, dated 21st August, 2002, it is hereby ordered as follows:-

## Chapter First Pay and Pay Scales

### 1.

The scales of pay of members of the Rajasthan Judicial Service shall be follows:-

S.No.	Name of Post	Grade	Scale of pay
1	2	3	4
(a)	Civil Judge (Junior Division)	III	9000-250-10750-300-13150-350-14550.
(b)	Cum-Judicial Magistrate (F.C.)	II	If found suitable by the High Court on completion of satisfactory and continuous service of five years from the date

			of entry and has passed the departmental examination, if any, prescribed by the High Court Rs. 10750-300-13150-350-14900. If found suitable by the High Court after completion of an other five years of satisfactory and continuous service. Rs. 12850-300-13150-350-15950-400-17550.
(c)	-do-	I	
	Civil Judge (Senior Division) cum-Chief		
(d)	Judicial Magistrate or Additional Chief Judicial Magistrate	III	Rs. 12850-300-13150-350-15950-400-17550.
(e)	-do-	II	If found suitable by the High Court after Five years of satisfactory and continuous service in Civil Judge (S.D.) Grade III Rs. 14200-350-15950-400-18350.
(f)	-do-	I	If found suitable by the High Court after completion of another five years of satisfactory and continuous service in Civil Judge (S.D.) Grade II Rs. 16750-400-19150-450-20500.

Explanation: - A promotion in ACP shall not affect pay stage or date of increment. (1.2) (a) The initial pay of a person appointed to the RJS as Civil Judge (Junior Division) Grade III on or after 1st July, 1996, shall be the minimum of the scale of pay admissible to him as prescribed above, but he shall be entitled to three advance grade increments if he possesses post graduate degree in law i.e. L.L.M. from a recognized university at the time of entry in the service, or he shall be entitled to have his pay protected as per existing rules if prior to joining RJS he is a government servant of the State of Rajasthan. (b) In addition to the pay aforesaid, special pay shall be admissible as provided in the rules from time to time. (1.3) The Scales of pay of members of the Rajasthan Higher Judicial shall be as follows:

S.No	Name of post	Grade	Scale
(a)	District Judges including Additional District Judges	Entry Level	Rs. 16750-400-19150-450-20500.
(b)	District Judges	Selection Grade	Rs. 18750-400-19150-450-21850-500-22850.
(c)	District Judges	Super time Scale	Rs. 22850-500-24850.

(1.4) (a) In case of a promoted officer, if promoted on or after 1st July, 1996, his pay in the aforesaid scale shall be fixed in accordance with the rules and instructions that have been issued or may hereinafter be issued from time to time. (b) The initial pay of a direct recruit, joining on or after 1st July, 1996 shall be fixed at such stage in the permissible time scale by allowing him one increment for every completed one year on or above seven years of practice at the bar subject to a maximum of five increments. (c) In addition to the pay as aforesaid, special pay or deputation allowance shall be admissible as provided in the rules from time to time. (d) Selection Grade. (1) The members of the Rajasthan Higher Judicial Service shall be eligible for promotion, permanently, to twenty-five percent of the effective strength of the RHJS officers w.e.f. 1st July, 1996, in the selection grade on completion of not less than five years of continuous service in the cadre. The twenty-five percent of the effective strength in the RHJS was/is:-

Year	Post
1996-97	46
1997-98	49
1998-99	48
1999-2000	51
2000-2001	47
2001-2002	57
2002-2003	71

(ii)Promotion to the selection grade shall be made on merit and suitability in all respects with due regard to seniority and no member of the service shall be entitled as of right to such promotion.(e)Supertime Scale. The members of the Rajasthan Higher Judicial Service shall be eligible for promotion, permanently or provisionally, w.e.f. 1st July, 1996 to ten percent of the effective strength of the RHJS officers in the Supertime scale on completion of not less than three years of continuous satisfactory service as District Judge in Selection Grade. The ten percent effective strength of the RHJS yearwise was/is:-

Year	Post
1996-97	18
1997-98	20
1998-99	19
1999-2000	20
2000-2001	19
2001-2002	23
2002-2003	29

## Chapter Second

### Fixation of Pay in Revised Scale

(2.1) Fixation of Pay in Revised New Pay Scales - The existing members of RJS and RHJS as are appointed and are working prior to 1st July, 1996 shall be fixed in the new revised pay scales as shown hereinafter and in the manner stated hereinafter:-(a)The members of the RJS and RHJS drawing pay scales in the existing pay scales on 1st July, 1996 shall be fixed in the corresponding new revised pay scales as shown below in the table:-

S.No	Name of the post	Existing Scale as on 1-7-96	Revised New Scale as on 1-7-96
1	2	3	4
1	Civil Judge (J.D.) cum-J.M.F.C. (Ordinary Scale)	Rs. 2200-4000	Rs. 9000-14550
2	Civil Judge (S.D.) cum-A.C.J.M. (Senior Scale)	Rs. 3000 4500	Rs. 12850-17750

3	Civil Judge (S.D.) cum-A.C.J.M./ C.J.M. (SelectionScale)	Rs. 3700-5000	Rs. 14200-18350
4	Civil Judge (S.D.) cum C.J.M (Supertime Scale)	Rs. 4500-5700	Rs. 16750-20500
5	District Judge (Ordinary Scale)	Rs. 5100-6300	Rs. 16750-20500
6	District Judge (Selection Grade)	Rs. 5900-6700	Rs. 18750-22850

(2.2) Fixation of Stage in the New Revised Pay Scale and Fitment Benefit; (Computation of pay as per FNJPC):(i)A member of the RJS or RHJS shall first be given a benefit of 10% over his basic pay as on 1-7-1996 in his existing pay scale,(ii)Dearness allowances as admissible on 1-7-1996 on the basic pay of that date shall be added,(iii)Amount of notional interim relief admissible (as recommended by FNJPC i.e. 40% of the basic pay plus dearness allowance as on 1-7-1996) shall also be added,(iv)After adding 10% of basic pay with basic pay as admissible on 1-7-1996, after adding DA as on 1-7-1996, and after adding notional I.R. i.e. 40% of the basic pay plus dearness allowance as on 1-7-1996 in the manner stated above, the pay of the officer in new revised pay scale shall be fixed as follows :-(a)If the aggregate of the present emoluments as aforesaid computed is less than the minimum of the corresponding revised pay scale, then, it should be at the minimum of the revised pay scale;(b)if the aggregate of the present emoluments as aforesaid computed corresponds to a stage in the corresponding revised pay scale, at the stage of the revised pay scale;(c)if the aggregate of the present emoluments so computed is more than the maximum of the revised scale, then at the maximum of the revised scale and the difference, if any, be treated as personal pay which may be set off against any future increments which may be granted for any reasons whatsoever.(2.3) Stepping up and next increment:-(a) In case, an officer drawing pay in the pre-revised scale (i.e. existing scale as on 1-7-1996), equal to or less than that of his seniors in the same cadre and similarly appointed, draws his next increment in the revised scale earlier than such senior/seniors whereby his pay is raised to a stage higher than that of such senior/seniors, the date of next grade increment of the senior/seniors shall be advanced to the date on which the junior officer draws his next increment;(b)In case, an officer promoted to a higher post before 1st July, 1996 draws less pay in the revised pay scale than his junior, shall be advanced to an amount equal to the pay fixed for his junior in the higher post, from the date of promotion of the junior.This stepping up benefit, one or the other, shall be extended, if the anomaly mentioned above at paragraph 2.3 (a) and (b) is the direct consequence of the application of the fixation in the revised pay scale.(c)Subject to the provisions as stated in clauses (a) and (b) above, the next date of grade increment of an officer in the revised pay scale shall be the date he would have drawn the increment, had he continued in the existing scale;(d)If an officer draws his next increment in the revised pay scale under clause (c) above mentioned and thereby becomes eligible for higher pay than his senior similarly appointed, whose next increment falls due at a later stage, than the pay of senior shall be refixed equal to the pay of the junior from the date on which junior becomes entitled to higher pay and the next increment shall be granted after completing one year;(e)An officer, who is blocked at the maximum of any revised pay scale and thereby reaches stagnation level, shall be given stagnation increment as admissible to other government servant of the State of Rajasthan;(f)The fixation thus made shall ensure that every Judicial Officer will get atleast one increment in the revised scale of pay for every three increments [inclusive of stagnation increment (s), if any] in the existing scale of pay.

## Chapter Third

(a) All payments made to officers of the R.J.S./R.H.J.S. due to fixation of pay in the revised pay scales in pursuance of the provisions of the Rajasthan Civil Services (Revised Pay Scales) Rules, 1998 w.e.f. 1st January, 1997 shall be set off from the arrear of pay in the new revised pay scales under this order. (b) Arrear of salary due to fixation in the revised new pay scale of an officer w.e.f. 1st July, 1996 to 30th June, 2002 shall be paid in cash if the officer has since retired and the arrears of salary of others shall be spread between 1st July, 1996 to 30th June, 2002 so as to minimize the Income Tax liability and after deductions of the Income Tax and surcharge thereon shall be credited to their General Provident Funds Account as directed by the Hon'ble Supreme Court of India. (c) That the payment of enhanced salary w.e.f. 1st July 2002 shall be in cash unless extended or otherwise directed by the Hon'ble Supreme Court of India in the above mentioned Writ Petition pending in the Hon'ble Court.