

GOVERNMENT OF MANIPUR
SECRETARIAT : FINANCE DEPARTMENT
(PAY IMPLEMENTATION CELL)

N O T I F I C A T I O N

Imphal, the 13th April, 2011.

No. 1/181/2003-PIC : In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India, the Governor of Manipur hereby makes the following rules, namely :

1. **Short title and commencement** :- (1) These rules may be called the Manipur Judicial Service (Revised Pay) Rules, 2011.

- (2) They shall be deemed to have come into effect from 1st day of January, 2006.
- (3) These rules are subject to the assumption that cadre classification pursuant to the Justice E. Padmanabhan Commission recommendations shall be made by the Administrative Department.

2. **Application of rules** :- (1) Save as otherwise provided by or under these rules, these rules shall apply to members of Manipur Judicial Service whose pay is debitable to the Consolidated Fund of the State of Manipur.

- (2) These rules shall not apply to :-
 - (a) Persons not in whole time employment ;
 - (b) Persons employed on contract;
 - (c) Any other class or category of persons whom the Government may, by order, specifically exclude from the operation of all or any of the provisions contained in these rules.
 - (d) Persons / officers whose particulars are not figured in the Computerized Personal Information System [CPIS, formerly MGEL].

3. **Definitions** :- In these rules, unless the context otherwise requires;

- (i) **"Assured Career Progression Scale"** with reference to Judicial Officers in the Manipur Judicial Service means the revised scale as mentioned in Column (4) of Schedule – I, Part - B appended to these rules.
- (ii) **"Basic Pay"** means pay drawn in the prescribed scale of pay as on 01/01/2006 in the time-scale of pay under the Manipur Judicial Service (Revised Pay) Rules, 2003, as amended, for the post held by the Judicial Officer(s) as functional scale of pay for such post including stagnation increments but not including any other type of pay like "Special pay", "Personal Pay" etc.
- (iii) **"Existing Scale"** in relation to any post or any member of the Manipur Judicial Service means the functional pay scale as on 01/01/2006, prescribed for the post held by the member of the Service under the Manipur Services (Revised Pay) Rules, 2003, as amended.

Explanation : In the case of a Judicial Officer who was on the 1st day of January, 2006, on deputation out of India or on leave or on Foreign Service or who would have on that date officiated in one or more lower posts but for his officiating in a higher post, "existing scale" includes the scale applicable to the post which he would have held but for his being on deputation or on

leave or on Foreign Service, as the case may be, but for his officiating in a higher post.

- (iv) **"Government"** means the Government of Manipur in the Administrative Department save as otherwise provided by or under these rules;
- (v) **"Judicial Officer"** means a member of the Manipur Judicial Service to whom these rules apply under rule 2 of these rules;
- (vi) **"Leave"** means any sanctioned leave, except **"Casual Leave"**. Any absence from duty without sanction of competent authority shall not be considered as leave;
- (vii) **"Officiating Post"** means the post which is held by the Judicial Officer to which he has not been confirmed or to which he has been appointed as a temporary measure while still retaining his lien on a different post or on which he performs the duties while another person holds a lien to such post. The Judicial Officer occupying a post while still on probation is also to be considered to be holding an officiating post. Further, if competent authority has appointed a Judicial Officer to officiate on a vacant post on which no other Judicial Officer holds a lien, even such appointment shall be an appointment against an officiating post;
- (viii) **"Present Scale"** in relation to any post / grade specified in column 2 of the First Schedule I, Part- B means the scale of pay specified against that post in column 3 thereof ;
- (ix) **"Revised Emoluments"** means the basic pay of a Judicial Officer in the revised scale ;
- (x) **"Revised scale"** in relation to any post specified in column 2 of Schedule – I, Part - A means the scale of pay specified against the post in column (4) thereof unless a different revised scale is notified separately for that post and the details of the revised scales mean the details specified in Part – A of Schedule – I;
- (xi) **"Schedule "** means the schedules appended to these rules;
- (xii) **"Substantive Pay "** means pay drawn by the Judicial Officer on the post to which he has been appointed substantively or by reason of his substantive position in a cadre.

4. **Scale of pay of posts** – The scale of pay of every post/grade specified in column 2 of Schedule – I, Part - B shall be as specified against it in column (4) thereof.

5. **Drawal of pay in the revised scales** – Save as otherwise provided in these rules, a Judicial Officer shall draw in the revised scale applicable to the post/grade to which he is appointed.

Provided that a Judicial Officer may elect to continue to draw pay in the existing scale until the date on which he earns his next or any subsequent increment in the existing scale or until he vacates his post or ceases to draw pay in that scale.

Explanation –

- (1) The option to retain the existing scale under this proviso to this rule shall be admissible only in respect of one existing scale;
- (2) The aforesaid option shall not be admissible to any person appointed to a post on or after the 1st day of January, 2006, whether for the first time in Government service, or by transfer or promotion from another post and he shall be allowed pay only in the revised scale; and
- (3) Where a Judicial Officer exercises the option under the proviso to this rule to retain the existing scale in respect of a post held by him in an officiating capacity or on a regular basis for the purpose of regulation of pay in that

scale under Fundamental Rule 22, or any other rule or order applicable to that post, his substantive pay shall be the substantive pay which he would have drawn had he retained the existing scale in respect of the permanent post on which he holds a lien or would have held a lien had his lien not been suspended or the pay of the officiating post which has acquired the character of substantive pay in accordance with any order for the time being in force, whichever is higher.

6. **Exercise of Option** – (1) The option under the proviso to rule 5 shall be exercised in writing in the form appended as Schedule – II so as to reach the authority mentioned in sub-rule (2) below within 60 days of the date of publication of these rules or where an existing scale has been revised by any order made subsequent to that date, within three months of the date of such order ;

Provided that –

- (i) In the case of a Judicial Officer who is, on the date of such publication or, as the case may be, date of such order, out of India or on leave or deputation or Foreign Service, the said option shall be exercised in writing so as to reach the said authority within three months of the date of his taking charge of his post in India; and
- (ii) where a judicial Officer is under suspension on the 1st day of January, 2006, the option may be exercised within 60 days of the date of his return to his duty if that date is later than the date prescribed in this sub-rule.

(2) The option shall be intimated by the Judicial Officer to the Head of his Office/ Accountant General, Manipur.

(3) If the intimation regarding option is not received within the time mentioned in sub-rule (1), the Judicial Officer shall be deemed to have elected and deemed to be governed by the revised scale of pay with effect from the 1st day of January, 2006.

(4) The option once exercised shall be final.

Note – (1) Persons whose services were terminated on or after the 1st day of January, 2006 and who could not exercise the option within the prescribed time limit, discharge on the expiry of the sanctioned posts, resignation, dismissal or discharge on disciplinary grounds, are entitled to the benefits of this rule.

(2) Persons who have died on or after the 1st date of January, 2006 and could not exercise the option within the prescribed time limit be deemed to have opted for the revised scales on and from the 1st day of January, 2006 or such later date as is most beneficial to their dependents, if the revised scales are more favourable and, in such cases, necessary action for payment of arrears should be taken by the Head of Office.

7. **Fixation of initial pay in the revised scale** – The initial pay of a Judicial Officer who elects, or is deemed to have elected under sub-rule (3) of Rule 6 to be governed by the revised scale on or from the 1st day of January, 2006, shall, unless in any case the Governor by special order otherwise directs, be fixed separately in respect of his substantive pay in the permanent post on which he holds a lien or would have held a lien if it had not been suspended, and in respect of his pay in the officiating post held by him, in the following manner, namely –

- (a) in case of all Judicial Officers

- (i) the basic pay in the existing scale as on 01.01.2006 shall be multiplied by a factor of 3.07 and rounded off the resultant figure to the next multiple of 10.
- (ii) the pay shall be fixed in the revised scale at the stage next above the amount so computed.

Provided that –

- (i) if the minimum of the revised scale is more than the amount so arrived at, the pay shall be fixed at the minimum of the revised scale.
 - (ii) if the amount so arrived is more than the maximum of the revised scale, the pay shall be fixed at the maximum of the scale.
- (b) There will be no fitment or fixation of pay by giving one or more increment or additional weightage. The pay drawn in the existing scale of pay specified in column (2) of the pay stages in Table below will correspond to the same stage in the revised scale of pay specified in column (4) thereof with increment.

TABLE

| Sl. No. | EXISTING | | REVISED | |
|---------|----------|------------------|---------|------------------|
| | Pay | Annual Increment | Pay | Annual Increment |
| (1) | (2) | (3) | (4) | (5) |
| 1. | 9,000 | 250 | 27,700 | 770 |
| 2. | 9,250 | 250 | 28,470 | 770 |
| 3. | 9,500 | 250 | 29,240 | 770 |
| 4. | 9,750 | 250 | 30,010 | 770 |
| 5. | 10,000 | 250 | 30,780 | 770 |
| 6. | 10,250 | 250 | 31,550 | 770 |
| 7. | 10,500 | 250 | 32,320 | 770 |
| 8. | 10,750 | 300 | 33,090 | 920 |
| 9. | 11,050 | 300 | 34,010 | 920 |
| 10. | 11,350 | 300 | 24,930 | 920 |
| 11. | 11,650 | 300 | 35,850 | 920 |
| 12. | 11,950 | 300 | 36,770 | 920 |
| 13. | 12,250 | 300 | 37,690 | 920 |
| 14. | 12,550 | 300 | 38,610 | 920 |
| 15. | 12,850 | 300 | 39,530 | 920 |
| 16. | 13,150 | 350 | 40,450 | 1080 |
| 17. | 13,500 | 350 | 41,530 | 1080 |
| 18. | 13,850 | 350 | 42,610 | 1080 |
| 19. | 14,200 | 350 | 43,690 | 1080 |
| 20. | 14,550 | 350 | 44,770 | 1080 |
| 21. | 14,900 | 350 | 45,850 | 1080 |
| 22. | 15,250 | 350 | 46,930 | 1080 |
| 23. | 15,600 | 350 | 48,010 | 1080 |
| 24. | 15,950 | 400 | 49,090 | 1230 |
| 25. | 16,350 | 400 | 50,320 | 1230 |
| 26. | 16,750 | 400 | 51,550 | 1230 |
| 27. | 17,150 | 400 | 52,780 | 1230 |
| 28. | 17,550 | 400 | 54,010 | 1230 |
| 29. | 17,950 | 400 | 55,240 | 1230 |
| 30. | 18,350 | 400 | 56,470 | 1230 |
| 31. | 18,750 | 400 | 57,700 | 1230 |
| 32. | 19,150 | 450 | 58,930 | 1380 |
| 33. | 19,600 | 450 | 60,310 | 1380 |
| 34. | 20,050 | 450 | 61,690 | 1380 |
| 35. | 20,500 | 450 | 63,070 | 1380 |
| 36. | 20,950 | 450 | 64,450 | 1380 |
| 37. | 21,400 | 450 | 65,830 | 1380 |

| | | | | |
|-----|--------|-----|--------|------|
| 38. | 21,850 | 500 | 67,210 | 1540 |
| 39. | 22,350 | 500 | 68,750 | 1540 |
| 40. | 22,850 | 500 | 70,290 | 1540 |
| 41. | 23,350 | 500 | 71,830 | 1540 |
| 42. | 23,850 | 500 | 73,370 | 1540 |
| 43. | 24,350 | 500 | 74,910 | 1540 |
| 44. | 24,850 | | 76,450 | |

Note – (1) Where a Judicial Officer is on leave on the 1st day of January, 2006 shall become entitled to pay in the revised scale of pay from the date he joins duty.

- (2) In case of a Judicial Officer under suspension, he shall continue to draw subsistence allowance based on the existing scale of pay and his pay in the revised scale of pay will be subject to final order on the pending disciplinary proceedings or otherwise a final order, as the case may be.
- (3) Where the existing emoluments as calculated in accordance with the principles given under this rule exceed the maximum of the revised pay scale in the case of any Judicial Officer, the differences shall be allowed as personal pay to be absorbed in future increases in pay.
- (4) Where in the fixation of pay under this rule, pay, of a Judicial Officer who, in the existing scale, was drawing immediately before the 1st day of January, 2006 more pay than another Judicial Officer junior to him in the same cadre, gets fixed in the revised scale at a stage lower than that of such junior, his pay shall be stepped up to the same stage in the revised scale as that of the junior.
- (5) In cases where a senior Judicial Officer promoted to a higher post before the 1st day of January, 2006 draws less pay in the revised scale than his junior who is promoted to a higher post on or after the 1st day of January, 2006, the pay of the senior Judicial Officer should be stepped up to an amount equal to the pay as fixed for his junior in that higher post. The stepping up should be done with effect from the date of promotion of the junior Officer subject to the fulfillment of the following conditions, namely –
 - (a) both the junior and the senior officers should belong to the same cadre and the posts in which they have been promoted should be identical in the same cadre.
 - (b) the pre-revised and revised scales of pay of the lower and higher posts in which they are entitled to draw pay should be identical.
 - (c) the senior Officer at the time of promotion have been drawing equal or more pay than the junior.
 - (d) The anomaly should be directly as a result of the application of the provisions of Fundamental Rule 22 or any other rule or order regulating pay fixation on such promotion in the revised scale. If even in the lower post, the junior officer was drawing more pay in the pre-revised scale than the senior by virtue of any advance increments granted to him, provision of this Note need not be invoked to step up the pay of the senior Officer.

The order relating to re-fixation of the pay of the senior Officer in accordance with the above provisions should be issued under Fundamental Rule 27 and the senior Officer will be entitled to the next increment on completion of his required qualifying service with effect from the date of re-fixation of pay.

8. **Date if next increment in the revised scale** – The next increment of a Judicial Officer whose pay has been fixed in the revised scale in accordance with rule 7 above shall be granted on the date he would have drawn his increment had he continued in the existing scale :

Provided that in cases where the pay of a Judicial Officer is stepped up in terms of Notes 4 or 5 of rule 7 above, the next increment shall be granted on completion of qualifying service of twelve months from the date of the stepping up of the pay in the revised scale.

Provided further that in cases, other than those covered by the preceding proviso, the next increment of a Judicial Officer, whose pay is fixed on the 1st day of January, 2006 at the same stage as the one fixed for another Officer junior to him in the same cadre and drawing pay at a lower stage than his in the existing scale, shall be granted on the same date as admissible to his junior, if the date of increment of the junior happens to be earlier.

9. **Eligibility for the grant of ACP scales** – (1) Every member of Manipur Judicial Service who, after regular satisfactory service for regular period of 5 years has not got any financial upgradation in terms of grant of a pay scale higher than the functional pay scale prescribed for the post as on 01/01/2006, on which he was recruited as a direct recruit/fresh entrant or after placement in the Senior Division, as the case may be, shall be eligible for placement in the First ACP scale.

(2) Every member of the Manipur Judicial Service who, after regular satisfactory service for the minimum period of 10 years has not got more than one financial upgradation in terms of grant of pay scale higher than the functional pay scale prescribed for the post as on 31/12/2005, on which he was recruited as a direct recruit/fresh entrant or after placement in the Senior Division, as the case may be, shall be eligible for placement in the Second ACP scale.

10. **Grant of Assured Career Progression Scales** – (1) Rule 9 lays down the eligibility conditions for placement in the relevant pay scales and does not authorize the placement automatically for placement in the ACP scales in which the member of Manipur Judicial Service is eligible for placement under these rules. The authority competent to grant the promotion in the case of such officers shall pass suitable orders for grant of ACP scales under these rules on appraisal of their work and performances authorizing the placement of such officers in the appropriate ACP scales;

Explanation – (1) The “authority competent: for the purpose of this rule means the authority competent in the case of promotion for the respective categories of post.

(2) The ACP scales so granted shall be effective from the 1st date of the succeeding month in which it was due and not from the date from which the orders were issued by the competent authority, if the orders so issued by the competent authority has been issued on a date which is different from the due date of eligibility;

Provided that the Member of the Manipur Judicial Service will draw his pay only after the orders for granting such scale are issued by competent authority in relevant ACP scale.

11. **Fixation of pay in the revised scale subsequent to the 1st day of January, 2006-** Where a Judicial Officer continues to draw his pay in the existing scale and is brought over to revised scale from the date later than the 1st day of January, 2006, his pay from the later date in the revised scale shall be fixed under the Fundamental Rules and for this purpose his pay in the existing scale shall have the same meaning as of existing

emoluments as calculated in accordance with rule 7 above except that the basic pay to be taken into account for calculation of those emoluments will be the basic pay on the later date aforesaid and where the Officer is in receipt of Special Pay, his pay shall be fixed after deducting from those emoluments an amount equal to the Special Pay at the revised rates appropriate to the emoluments so calculated.

12. **Mode of payment of arrears of pay** – The revised scale shall come into force with effect from 01.01.2006. The salary in the revised scale shall be paid in cash from the month of March, 2011 payable in April, 2011. The arrears of pay from 01.01.2006 to 28.02.2011 shall, however be paid in the following manner :-

- (i) 60% of the arrears of pay shall be paid in cash and
- (ii) 40% of the arrears shall be deposited to the G.P.F. account of the concerned Judicial Officer which shall be frozen for a period 3(three) years from 01.03.2011. In case of those Judicial Officers who entered service on or after 01.01.2005 and those retired on or after 01/01/2006, the amount of this arrear shall be paid in cash.


Explanation :- For the purpose of this rule " Arrear of pay" in relation to a Manipur Judicial Service Officer means the difference between –

- (i) the aggregate of the pay and allowances to which he is entitled on account of the revision of pay under these rule for the relevant period; and
- (ii) the aggregate of the pay and allowances in which he would have been entitled (whether such pay & allowances has been revised) or not for that period had his pay & allowances not been so revised.

13. **Over-riding effect of Rules** – These rules shall, notwithstanding anything to the contrary in other rules, orders or notifications, and all such orders or notifications including the Fundamental Rules, have effect subject to the provisions of these rules.

14. **Power to relax** – Where the Governor is satisfied that the operation of all or any of the provisions of these rules causes undue hardship in any particular case, he may, by order, dispense with or relax the requirement of that rule to such extent and subject to such conditions as he may consider necessary for dealing with the case in a just and equitable manner.

15. **Interpretation** – If any question arises to the interpretation of any of the provisions of these rules, it shall be referred to the Finance Department (Pay Implementation Cell) for a decision, whose findings thereon shall be final.



(V.K. Dewangan)
Commissioner (Finance),
Government of Manipur.

Copy to :-

- (1) The Secretary to His Excellency the Governor of Manipur, Raj Bhavan, Imphal.
- (2) The Secretary to Hon'ble Chief Minister, Manipur.
- (3) P.S. to all Ministers, Manipur.
- (4) APS to Ld. Advocate General, Manipur.
- (5) P.S. to Chief Secretary, Government of Manipur.
- (6) P.S. to Addl. Chief Secretary, Government of Manipur.
- (7) P.S. to all Principal Secretaries/Commissioners/Secretaries/Addl. Secretaries, Government of Manipur.
- (8) The Accountant General (A&E), Manipur.
- (9) The Secretary, Manipur Legislative Assembly, Imphal.
- (10) The Secretary, Manipur Public Service Commission, Imphal.
- (11) All Heads of Departments, Manipur.
- (12) All Deputy Commissioners, Manipur.
- (13) The Resident Commissioner, Manipur Bhavan, 2 – Sardar Patel Marg, New Delhi.
- (14) The Sr. Deputy Resident Commissioner, Manipur Bhavan, 26 – Rowland Road, Kolkata.
- (15) The Deputy Resident Commissioner, Manipur Bhavan, Rajgarh Road, Gauhati -3.
- (16) The Director, Information & Public Relations, Manipur.
- (17) The Director, Local Fund Audit, Manipur.
- (18) The Director, Treasuries & Accounts, Manipur.
- (19) The Registrar, Gauhati High Court, Imphal.
- (20) The Director, Printing & Stationary, Manipur for publication in the Extraordinary Gazette. He is requested to supply 100 copies to this Department.
- (21) The Secretary, Council of Higher Secondary School, Manipur.
- (22) The Secretary, Board of Secondary School, Manipur.
- (23) All Treasury Officers/Sub-Treasury Officers, Manipur.
- (24) The Under Secretary (GAD), Government of Manipur.
- (25) Guard File/Order Book.

SCHEDULE – I
PART – A
DETAILS OF THE REVISED SCALE OF MANIPUR JUDICIAL SERVICE OFFICERS

| Sl. No. | Scales of Pay |
|---------|---|
| (1) | (2) |
| 1. | Rs. 27700-770-33090-920-40-450-1080-44770 |
| 2. | Rs. 33090-920-40450-1080-45850 |
| 3. | 39530-920-40450-1080-49090-1230-54010 |
| 4. | 43690-1080-49090-1230-56470 |
| 5. | 51550-1230-58930-1380-63070 |
| 6. | 57700-1230-58930-1380-67210-1540-70290 |
| 7. | 70290-290-1540-76450 |

SCHEDULE – I
PART - B

A.

| Sl. No. | Designation | Existing Scale of Pay | Revised Scale of Pay |
|---------|--|--|---|
| (1) | (2) | (3) | (4) |
| 1. | MJS Grade – III | Rs. 9000-250-10750-300-13150-350-14550 | Rs. 27700-770-33090-920-40450-1080-44770 |
| 2. | MJS Grade – III [1 st stage ACP] | Rs. 10750-300-13150-350-14900 | Rs. 33090-920-40450-1080-45850- after 5 years of continuous service from the date of entry |
| 3. | MJS Grade – III 2 nd stage A.C.P. Scale | Rs. 12850 -300-13150-350-15950-400-17550 | Rs. 39550-920-40450-1080-49090-1230-54010 After completion of another 5 years continuous service |
| 4. | MJS Grade – II (Entry Lev) | Rs. 12850-300-13150-350-15950-400-17550 | Rs. 39550-920-40450-1080-49090-1230-54010 |
| 5. | MJS Grade – II [1 st stage of ACP] | Rs. 14200-350-15950-400-18350 | Rs. 43690-1080-49090-1230-56470 after 5 years continuous service |
| 6. | MJS Grade – II [2 nd stage ACP] | Rs. 16750-400-19150-450-20500 | Rs. 51550-1230-58930-1380-63070- after completion of another 5 years of continuous service |
| 7. | MJS Grade – I (Entry Level) | Rs. 16750-400-19150-450-20500 | Rs. 51550-1230-58930-1380-63070 |
| 8. | MJS Grade _ I (Selection Grade Level) | Rs. 18750-400-19150-450-21850-500-22850 | Rs. 57700-1230-58930-1380-67210-1540-70290 |
| 9. | MJS Grade – I (Super Time Scale) | Rs. 22850-500-24850 | Rs. 70290-1540-76450 |

SCHEDULE – II

FORM OF OPTION
[See Rule 6(1)]

*I hereby elect the revised scale with effect from 1st January, 2006.

*I hereby elect to continue in the existing scale of pay of my substantive/officiating post mentioned below until

*the date of my next increment

the date of my subsequent increment raising my pay to Rs.

I vacate or cease to draw pay in the existing scale.

Existing scale

Signature :
Name :
Designation :
Office to which employed :
Date :
Station :

* To be scored out if not applicable.