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21/2/18



GOVERNMENT OF KERALA

Abstract

GAD – ENHANCEMENT OF POST RETIRAL BENEFITS ADMISSIBLE TO RETD. CHIEF JUSTICES AND RETIRED JUDGES OF HIGH COURT OF KERALA AT PAR WITH THE ALLOWANCES SANCTIONED BY THE STATE OF ANDHRA PRADESH – SANCTIONED – MODIFIED – ORDERS ISSUED.

GENERAL ADMINISTRATION (SPECIAL C) DEPARTMENT

G.O.(Ms.) No. 35/2018/GAD

Dated, Thiruvananthapuram, 07.02.2018.

- Read:- 1. G.O. (Ms.) No. 269/1996/GAD dated 23.10.1996.
 2. G.O. (Ms.) No. 374/2002/GAD dated 06.11.2002.
 3. G.O. (Rt.) No.1520 /2003/GAD dated 03.03.2003.
 4. G.O. (Rt.) No.7650/2004/GAD dated 20.10.2004.
 5. G.O. (Ms.) No. 147/2013/GAD dated 23.05.2013.
 6. Judgment dated 31.03.2014 and Order dated 27.10.2015 of the Hon'ble Supreme Court in Contempt Petition (C) Nos. 425-426 of 2015 in Writ Petition (C) Nos. 523 & 524 of 2002 filed before the Hon'ble Supreme Court of India on behalf of the petitioner, Justice V.S. Dave, President, Association of Retired Judges of Supreme Court and High Courts.
 7. G.O. (Ms.) No. 5/2017/GAD dated 06.01.2017.
 8. Order dated 23.02.2017 of the Hon'ble Supreme Court in Contempt Petition (C) Nos. 425-426 of 2015 in Writ Petition (C) No. 523/2002 and Contempt Petition (C) No. 528 of 2015 in Writ Petition (C) No. 521/2002 with Writ Petition (C) No. 892/2016.
 9. Letters No. A1-24012/2017 dated 02.05.2017 and 25.07.2017 from the Registrar General, High Court of Kerala, Ernakulam.

ORDER

In compliance with the Common Judgement of the Hon'ble Supreme Court dated 31.03.2014 and Order dated 27.10.2015 in Contempt Petition (C) Nos. 425-426 of 2015 in Writ Petition (C) Nos. 523/2002 and 524/2002 filed by the Association of Retired Judges of Supreme Court and High Courts of India read as 6th paper above, the post retiral benefits/allowances to the retired Chief Justices/Judges of Kerala were revised at par with the allowances admissible to the Judges of Andhra Pradesh and other States by modifying the Government Order read as 5th paper above on the following rates vide Government Order read as 7th paper above;

	Existing Rate (₹.)	Revised Rate (₹)
Chief Justice(Retd)	10000/- per month	14000/- per month
Judges(Retd)	8000/- per month	12000/- per month

2. As per Order dated 27.10.2015 of Hon'ble Supreme Court in Contempt Petition read as 6th paper above, the effective date of grant of the post retiral benefits to the retired Chief Justices & retired Judges will be 6 months from the date of the order of the Court

dated 31.03.2014 ie., 30.09.2014. The Registrar General of the High Court vide letter read as 9th paper above has sought clarification as to whether the effective date of grant of allowances to the retired Chief Justices and Judges of the High Court at enhanced rates sanctioned vide Government Order read as 7th paper above will take effect from 30.09.2014. The Registrar General has also requested the Government to take steps to sanction a free residential telephone connection to the retired Chief Justices and Judges of the High Court of Kerala with number of free calls to the extent of 1,500 per month over and above the number of free calls per month allowed by the Telephone Authorities at par with the Andhra Pradesh model, on the basis of Order dated 31.03.2014 of the Hon'ble Supreme Court read as 6th paper above.

3. The Hon'ble Supreme Court, while disposing of the Contempt Petition (C) Nos. 425-426 of 2015 and 528 of 2015 in Writ Petition (C) Nos. 523 & 524 of 2002 vide Order dated 23.02.2017 read as 8th paper above, directed as follows :

"4. Taking note of the above, we close all these matters with a direction that all the States will adhere to the payment of allowance on the Andhra Pradesh Model with effect from 1st October, 2014. All amounts due in terms of the present order and the orders passed in the matters from time to time will be paid as expeditiously as possible.

5. All the contempt petitions as also the writ petition are disposed of in terms of the above. Liberty to draw the attention of the Court to non-compliance, if any, is granted."

4. Government have examined the matter in detail and are pleased to modify the Government Order read as 7th paper above and sanction the post retiral benefits/allowances at enhanced rates to the retired Chief Justices and Judges of the High Court of Kerala at par with the allowances admissible to the Judges of Andhra Pradesh and other states with retrospective effect from 01.10.2014 and to disburse the resultant arrears.

5. Sanction is also accorded for granting a free residential telephone connection to the retired Chief Justices and Judges of the High Court of Kerala with number of free calls to the extent of 1,500 per month over and above the number of free calls per month allowed by the Telephone Authorities in adherence to the benefits sanctioned to the retired Chief Justices and Judges of the Andhra Pradesh High Court.

6. The Government Order read as 7th paper above stands modified to the above extent.

7. The Judgement and Orders of Hon'ble Supreme Court read as 6th and 8th papers above are thus complied with accordingly.

(By order of the Governor),

PAUL ANTONY,

CHIEF SECRETARY TO GOVERNMENT.

To

The Principal Accountant General (Audit) Kerala, Thiruvananthapuram.

The Principal Accountant General (A&E) Kerala, Thiruvananthapuram.

The Registrar General, High Court of Kerala, Ernakulam (With C/L).

The Registrar, Supreme Court of India, Tilak Marg, New Delhi – 110 201.

The Ministry of Law & Justice, Government of India.

The Sub Treasury Officer, Sub Treasury Office, Ernakulam.

The General Administration (SC) Department.

✓ The Web & New Media Division of I&PRD.

The Finance Department (vide U.O. No.(E.152840) No.EXP-A2/489/2015-FIN dated 27.05.2017 and 23.10.2017).

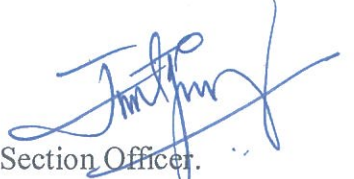
The Law Department (vide U.O.No. 11842/2017/Opinion-E3/Law
dated 15.06.2017)

The Home (C) Department.

Copy to:-

The Chief Principal Secretary to Chief Minister
The Private Secretary to Chief Minister
The Private Secretary to Minister (Finance)
The Private Secretary to Minister (Law)
The Private Secretary to Minister (Home)
The Additional Secretary to Chief Secretary
The P.A. to Additional Secretary, G.A.(Spl.A&C) Department
Stock File/Office Copy

Forwarded/By Order,



Section Officer.