

No.F.6 (2)-FIN (PC)/97(P-II)
Government of Tripura
Finance Department

Dated, the 5th January, 2011.

NOTIFICATION

In exercise of the powers conferred by proviso to Articles 309 of the Constitution of India and in compliance of the order dated 26/07 /2010 of the Hon'ble Supreme Court in WP(C) 1022/1989, the Governor is pleased to make the following rules to revise, regulate the pension, family pension, death cum retirement gratuity, leave salary and other matters connected therewith or incidental thereto, in relation to the retired State Judicial Officers belonging to the Tripura Judicial Service. These rules are made in supersession or modification of the relevant provision contained in the Tripura State Civil Services (Revised Pension) Rules 2009 & Central Civil Service (Pension) Rules, 1972 as adopted and made applicable to the State pensioners with amendment made by the State Govt. from time to time. All provisions of the Central Civil Service (Pension) Rules & Tripura State Civil Services (Revised Pension) Rules 2009 which are not repugnant to the provision of these rules shall continue to apply until amendment or repeal.

1. Title and commencement :-
 - (i) These rules may be called the Tripura State Civil Services (Revision of Pension of Judicial Officers) Rules, 2010.
 - (ii) They shall come into force from 1.1.2006.
2. Maximum Pension, Family Pension, Commutation etc :-
 - (i) Fifty percent (50%) of the last pay drawn shall be taken as emoluments for the purpose of calculation of pension.
 - (ii) There shall be no ceiling of maximum pension payable.
 - (iii) Thirty percent (30%) of the last pay drawn shall be treated as emoluments for calculation of the family pension.
 - (iv) Commutation of pension shall be fifty percent (50%) of the basic pension. Existing provisions regarding commutation table, number of years for restoration shall continue to apply
 - (v) The pension /family pension at the revised rate shall be paid in cash from 1.1.06.
3. Dearness Relief:- Retired Officers & family pensioners shall be paid Dearness Relief at the rates applicable to serving Judicial Officers.
4. Qualifying service for computation of pension:

The qualifying year of service in respect of admissibility of full pension is reduced from existing 33 years to 20 years for Judicial Officers who proceeded on superannuation or retired on or after 2.9.2008. For the purpose of computation of qualifying service the period of functional service rendered by the Judicial Officer shall be taken into consideration and six monthly periods under existing provision of the rules will remain applicable subject to reduction from 66 to 40.



5. Death cum retirement gratuity:-

Existing ceiling limit of death cum retirement gratuity is enhanced from existing Rs 2 lakhs to Rs 10 lakhs for Judicial Officers proceeding on retirement on or after 1.1.2006. Other conditions of the existing formula of computation of DCRG amount will remain unchanged.

In case of death in harness the table provided in rule 8 of the Tripura State Civil Services (Revised Pension) Rules 2009 shall be applicable.

6. Cash equivalent to leave salary:-

The existing limit of admissibility of 300 days for encashment of earned leave in credit will remain unchanged. Commutation of the encashment of earned leave in credit will be made by taking into consideration of the last pay drawn by the Officer concerned. This revised formula will be applicable for officers who proceeded on superannuation or retired on or after 1.1.06.

7. Revision of pension of past pensioners/ family pensioners who retired / superannuated prior to 1.1.06

The revision of pension/family pension of past pensioners who retired or superannuated prior to 1.1.06 shall be as per the notification issued by the Government of Tripura in the Finance Department vide No F.6.(2)-FIN(PC)/97 dated 8.7.10.

8. Additional quantum of pension for pensioners/family pensioners who have crossed the age of 80 years.

The pensioners/family pensioners who have crossed the age of 80 years will be provided with additional pension as per the table given below;

Age of Pensioner/Family Pensioner	Additional quantum of pension
From 80 years to less than 85 years	20% of revised basic pension/family pension
From 85 years to less than 90 years	30% of revised basic pension/family pension
From 90 years to less than 95 years	40% of revised basic pension/family pension
From 95 years to less than 100 years	50% of revised basic pension/family pension
100 years or more	100% of revised basic pension/family pension

9. In respect of all the retired Judicial Officer / Family Pensioners all the Treasury Officers/Pension Payment Officers (of authorized banks) shall revise and re-fix the pensions and Family Pension sanctioned in this order and after making necessary entries in the Pension Payment Orders make payments to the retired Judicial Officers and Family Pensioners without waiting for further authorization / instructions from the Accountant General (A & E), Tripura. The revised pension together with dearness relief and other allowances shall be paid in cash with effect from 01.01.2006.

In the event of death of the pensioner/ family Pensioners the arrears of Revised Pension and Family Pension together with dearness relief and other allowances shall be paid to the legal heirs.


(Handwritten signature)

10. Repeal & Savings

Tripura Government Pensioner and Family Pension (Revision of Pension of Judicial Officers) Rules 2005 is hereby repealed.

Notwithstanding such repeal any order issued, action taken or anything whatsoever done under the rules so repealed shall be deemed to have been made, issued, taken or done under the corresponding provisions of these rules and the provisions of Tripura General Clauses Act, 1966 will apply in determining the effect of such repeal.

By order & in the name of the Governor


Joint Secretary
to the Government of Tripura.

To

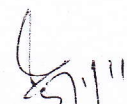
- (i) All Departments / Head of Departments.
- (ii) All Treasury & Sub-Treasury Officers.
- (iii) All Scheduled Commercial Banks, Public Sector Banks handling disbursement of Pension / Family Pension to the State Govt. Pensioners and Family Pensioners.

Copy to:-

- (i) The Principal Secretary to the Governor of Tripura, Agartala.
- (ii) The Principal Secretary to the Chief Minister, Tripura, Agartala.
- (iii) Special Assistant & Joint Secretary to the Chief Secretary, Govt. of Tripura, Agartala.
- (iv) PS / PA to all Ministers, Tripura, Agartala.
- (v) The Director, General Administration (P&S) Deptt. Govt. of Tripura, for publication in the next Tripura Gazette.
- (vi) The Secretary, Law Department, Govt. of Tripura, Agartala.
- (vii) The Secretary, Tripura Legislative Assembly, Agartala.
- (viii) The Accountant General, Tripura, Agartala.

Copy forwarded to:-

- (i) The Assistant Registrar, Supreme Court, Govt. of India, New Delhi-1.
- (ii) The Registrar General, Gauhati High Court, Gauhati.
- (iii) The Registrar, Gauhati High Court, Agartala Bench, Agartala.


Joint Secretary
to the Government of Tripura