

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:4825

ANSWERED ON:19.12.2002

SHETTY COMMISSION FOR HIGHER PAY FOR JUDICIARY

A. KRISHNASWAMY;GADDE RAMAMOCHAN;M.V.V.S MURTHI

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Justice Jagasnnadha Shetty Commission report for higher pay for judiciary pending with the Government;
- (b) if so, the reasons therefor;
- (c) the details of recommendations made by the Commission;
- (d) whether the Supreme Court of India recently ordered for its implementation; and
- (e) if so, the action taken by the Government in this regard?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COAL AND MINES AND MINISTER OF STATE IN THE MINISTRY OF LA JUSTICE (SHRI RAVI SHANKAR PRASAD):

(a) to (e) The Central Government have partially accepted the recommendations of Justice K.J.Shetty Commission (First National Judicial Pay Commission) in respect of Union Territories for which it is administratively responsible. Central Government's decision has been implemented vide implementation orders dated 11.10.2001 and 11.3.2002. The Commission has made wide ranging recommendations covering salary structure, emoluments and other conditions of service of judicial officers throughout the country, including higher pay for judicial officers. The Supreme Court's judgment of 21st March, 2002, in All India Judges' Association & Ors Vs. Union of India & Ors, inter-alia, contains directions varying the decision taken by the Government. As regards the implementation of the directions of the Supreme Court contained in its Judgment of 21st March, 2002 with regard to the recommendations of the First National Judicial Pay Commission, the State Governments have expressed financial and constitutional difficulties in complying with the Judgment and the Central Government has filed applications before the Supreme Court apprising the Court of these difficulties, seeking modifications with regard to certain directions and an appropriate extension of time. The Supreme Court, in their order dated 25.11.2002, has directed that so far as the implementation of the higher pay-scales of the officers of subordinate judiciary is concerned, the same must be given effect to on or before 1st April, 2003 and for that purpose necessary budgetary provision can be made in the budget of the respective States as well as that of the Union. The matter is listed for the next hearing in the 2nd week of May, 2003 for further directions.