

GOVERNMENT OF PUDUCHERRY
LAW AND LABOUR DEPARTMENT
(G.O. Ms. No.6/90-LLS, dated 29th January 1990)

NOTIFICATION

In exercise of the powers conferred by section 23 of the Family Courts Act, 1984 (central Act 66 of 1984) read with the Notification No. S. O. No.52 (E) dated 4th February, 1987 of the Ministry of Home Affairs, Government of India, New Delhi Lieutenant-Governor, Puducherry, after consultation with the High Court, Madras, hereby makes the following rules, namely:-

1. Short title and commencement. — (1) These rules may be called the Family Courts (Puducherry) Rules, 1987.

(2) They shall come into force on and from the date of their publication in publication in

2. Definition.— In these rules, unless the context otherwise requires, —

(1) “Act” means the Family Courts Act, 1984 (Central Act 66 of 1986);

(2) “Government” means the Administrator of the Union territory of Puducherry appointed under article 239 of the constitution;

(3) “Section” means the section of the Act

3. Terms and conditions of the service of the judges of the Family Court. — (1) A judge of a Family Court shall hold office for a term of five years from the date he assumes office or until he attains the age of sixty-two, whichever is earlier.

(2) A judge of Family Court shall be entitled to the scale of pay (including traveling and daily allowances) and leave as admissible to a District judge.

Provided that if he is in receipt of a pension in respect of any previous service under any Government, he shall be entitled to the last pay drawn by him, less the pension and the pension equivalent of other pensionary benefits, if any, drawn by him and in addition, he shall be entitled to draw the allowances admissible to a District judge:

Provided further that if a serving District Judge is appointed on deputation, he shall be entitled to the pay allowances that would have been admissible to him but for his appointment and if he retires from the service before the expiry of his term, he shall from the date of his retirement be entitled to pay and allowances admissible under the first proviso.

(3) Other conditions of service of a judge of the Family Court shall be those applicable to officers in the cadre of District Judge.

4. Appointment of persons already in service as judges of the Family Courts.— Notwithstanding anything contained in these rules and subject to the provisions of sub-section (3) of section 4, the Government may appoint any person already in the service of the Government to be a judge of the Family Court.

5. Association of persons engaged in the field of social welfare. — (1) The Family Court shall prepare in the month of January each year a list of not less than ten persons engaged in the field of social welfare for association with the Family Court and submit it to the High Court for approval:

Provided that if the Family Court is established in the middle of the year, such list shall be submitted within one month from the date of establishment of the court.

(2) The list shall be valid till the approval of the next list by the High court.

(3) The Family Court shall nominate two persons out of the list prepared under sub-rule (1) as counselors for a period of three months to assist the court in such manner as the court directs.

(4) If for any reason a counselor so nominated is unable to attend the court, the Family Court may nominate another counsellor from out of the list prepared under sub-rule (1)

+[(5) Each such Counsellor shall be entitled to a sitting fees of rupees four hundred per day with monthly ceiling of rupees eight thousand].

6. Number and categories of officers and other employees of the courts.— The salary, allowances and other conditions of service of the officers and other employees of the Family Courts referred to in sub-section (6) of section 4 shall be the same as those applicable to the employees of the Puducherry Judicial Subordinate service holding similar posts.

7. Fees and expenses of medical and other experts.—Medical and other experts and other persons referred to in section 12 whose services are secured for assisting the Family Court shall be paid fees of such rates as may be fixed by the Government and shall also be paid batta and subsistence allowance as admissible to the official and non official witnesses appearing before the criminal courts in the Union territory of Puducherry for giving evidence.

8. Fees and expenses of legal practitioner appointed under section 13.—The legal practitioners appointed under section 13 shall be entitled to payment of fees at the rate of Rs.100 per case

(By order of the Lieutenant –Governor)

A.Chandrasekhara Menon.,
Secretary to Government.

+Amended vide Notification in G.O.Ms.No.41/2014-LD dated 06.01.2015.