



W.P.(MD)No.16033 of 2014 batch

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.12.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos.16033, 16076 & 18109 to 18111 of 2014

G.Sivasubramanian

Retired Principal Grade I (Post Graduate College)

... Petitioner in WP(MD)No.16033 of 2014

S.Samson Hector

Retired Principal Grade I (Post Graduate College)

... Petitioner in WP(MD)No.16076 of 2014

R.Lakshmana Sarma

Retired Principal Grade I (Post Graduate College)

... Petitioner in WP(MD)No.18109 of 2014

A.Deva Sobhana Raj

Retired Principal Grade I (Post Graduate College)

... Petitioner in WP(MD)No.18110 of 2014

G.Oliver Robertson

Retired Principal Grade I (Post Graduate College)

... Petitioner in WP(MD)No.18111 of 2014

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary,
Department of Higher Education,
Fort St.George, Chennai – 600 009.



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2.The Secretary to Government,
Ministry of Human Resource Development,
Department of Higher Education, Shastri Bhawan,
New Delhi – 110 001.

3.The Secretary,
University Grants Commission (UGC),
Bahadur Shah Zafar Marg,
New Delhi – 110 002.

4.The Accountant General of Tamilnadu,
Office of the Accountant General,
Chennai – 600 018.

... Respondents in all WPs

COMMON PRAYER : Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of ***CERTIORARIFIED MANDAMUS*** calling for the records relating to the impugned proceedings issued by the 1st respondent herein in Letter No.721/E2/2014-3 dated 21.07.2014, quash the same, and further direct the respondents herein to re-fix and disburse the pension of the petitioners herein w.e.f. 01.01.2006 in the cadre of Principal Grade I (Post Graduate College) in the revised pay scale as not lower than 50% of the sum of minimum of pay in the pay band and grade pay thereon corresponding to the pre-revised scale as per the fitment Table-5 of the University Grants Commission Regulations on Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education 2010.



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In all Writ Petitions

For Petitioners : Mr.E.V.N.Siva

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader (R1)

Mr.K.Asok Kumar Ram (R2)

Mr.V.Maharajan (R3)
Standing Counsel

Mr.P.Gunasekaran (R4)

COMMON ORDER

These writ petitions are filed to quash the impugned proceedings issued by the first respondent herein in Letter No.721/E2/2014-3 dated 21.07.2014 and seeking for a direction to the respondents herein to re-fix and disburse the pension of the petitioners herein w.e.f. 01.01.2006 in the cadre of Principal Grade I (Post Graduate College) in the revised pay scale as not lower than 50% of the sum of minimum of pay in the pay band and grade pay thereon corresponding to the pre-revised scale as per the fitment Table-5 of the University Grants Commission Regulations on Minimum Qualifications for Appointment of Teachers and other Academic Staff in Universities and Colleges and Measures for the Maintenance of Standards in Higher Education 2010.



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2. The issues involved in these Writ Petitions are one and the same and hence all the writ petitions are taken up and this common order is passed.

3. The petitioners are retired as Grade-I Principal of their respective colleges and they had served for more than 30 years. At present, the petitioners are drawing a revised pension of Rs.23,700/-.

4. The petitioner/Dr.G.Sivasubramanian began his collegiate carrier in 1969 in Ayya Nadar Janaki Ammal College, Sivakasi as Lecturer in the Department of Chemistry and he served as Principal Grade I (Post Graduate College) on 02.06.1995 and he retired from service on 31.05.2000. He is drawing the revised pension of Rs.23,700/-.

5. The petitioner/Dr.S.Samson Hector, began his collegiate carrier in 1956, as Lecturer in the Department of History in Scott Christian College, Nagercoil and thereafter, he served as Principal Grade I (Post Graduate College) on 31.05.1986 in Nesamony Memorial Christian College, Marthandam. After retiring service on 31.10.1993, he is drawing the revised pension of Rs.23,700/-.



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6. The petitioner/ Dr.A.Deva Sobhana Raj, began his collegiate carrier in 1967 as Lecturer in the Department of Botany in Scott Christian College, Nagercoil and thereafter, he served as Principal Grade I (Post Graduate College) on 26.02.2001. After retiring service on 31.03.2003, he is drawing the revised pension of Rs.23,700/-.

7. The petitioner/Dr.G.Oliver Robertson, began his collegiate carrier in 1968 as Lecturer in the Department of English in Nesamony Memorial Christian College, Marthandam and thereafter, he served as Principal Grade I (Post Graduate College) on 21.05.2001. After retiring service on 31.12.2002, he is drawing the revised pension of Rs.23,700/-.

8. The contention of the petitioners are that they are entitled to fix the pension at Rs.26,695/- (total of Basic stage and the Academic Grade Pay (AGP0 = Rs.43,390+Rs.10,000 = Rs.53,390/- 50% of this total is Rs.26,695/-), but the respondents are paying only Rs.23,700/- for all pre-retired Grade-I (post Graduate College) Principals. The pension of Rs.23,700/- was granted to Grade-II Principals also. While in serving the Grade-I Principals were getting more pay



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9. The Government of India implemented the revised pay scales recommended by the 6th Central Pay Commission with effect from 01.01.2006. At the same time, the Ministry of Human Resource Development and the UGC of the Government of India implemented revised pay scales for the University and College Teachers in line with the recommendations of the 6th Central Pay Commission and the UGC Pay Review Committee headed by Dr.Chadha. For the Grade-I Principals who had retired before 01.01.2006, the revised pension was not fixed with reference to the last pay drawn. But the revised pension of the **“post-01.01.2006”** Grade-I Principal was based on their last drawn pay. The pension of the **“pre-01.01.2006”** Grade-I Principal was decided by the Principle of Modified Parity. According to this principle of Modified Parity, all the **pre-01.01.2006** Grade-I Principals should be given a revised pension which should not be below 50% of the minimum pension admissible to the **post-01/01/2006** Grade-I Principal. This brings all **pre-01.01.2006** Grade-I Principals on par with the minimum pension applicable to the **post-01.01.2006** Grade-I Principal.



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10. The minimum pension that should be given to **post-01.01.2006**

Grade-I Principal is that with reference to the appropriate Fitment Table No.5, provided by the MHRD, the basic stage in the revised scale indicated in the UGC regulation (2010) 5.2 of 6.8.0 is Rs.43,390/- which is added with Academic Grade pay of Rs.10,000/-. If this calculation is taken into account, the basic pay of Rs.43,390+ 10,000/- would come to Rs.53,390/-. 50% of Rs.53,390/- = Rs. 26,695/- is the minimum pension. However, the respondents have fixed the petitioners minimum pension is Rs.23,700/-. When this objection was raised before the respondents, the respondents have stated that the Grade-I Principals and Grade-II Principals were treated equally and there is no difference in between the said categories. The contention of the petitioners is that during the service period, the Grade-I Principals are considered as higher than of the Grade-II Principals.

11. Dr.Chadha, the Head of the Pay Review Committee recommended an Academic Grade pay of Rs.11,000/- to the pre-revised pay scale of the Grade-I Principal which is Rs.16,400/-450-20900-500/-=22,400. To the Grade-II Principal, the pre-revised pay scale is Rs.12,000/-420-18300 and



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Dr.Chadha recommended an Academic Grade Pay of Rs.8,700/- to the Grade-II Principals. But, in the subsequent modification by MHRD and the UGC, the Academic Grade pay of the Grade-I Principal is reduced from Rs.11,000/- to Rs. 10,000/- and the Academic Grade Pay of the Grade-II Principal is raised from Rs. 8,700 to Rs.10,000/-. This brings the Grade-I and the Grade-II Principals on the same plane which amounts to downgrading the Grade-I Principal by denying equality of treatment with reference to his pre-revised pay scale. The discriminatory procedure was disputed before the Central Administrative Tribunal, Principal Bench, New Delhi which categorically held that the discrimination was unjust and illegal and consequently, the Office Memoranda of the Director of Pensions and Pensioners' Welfare dated 03.10.2008, 14.10.2008 and 11.02.2009 was quashed, by stating that this is an adverse discrimination and it would affect the pensioners. Based on the order, the Central Government has modified the pay commission and given effect to the order of the Tribunal. Therefore, the same principles ought to be applied in the present case also. Hence, the petitioners pray to allow the present writ petition.



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12. In the counter, it has been stated that the Government has revised the pay scale to the College Teachers including aided college teachers as revised in G.O.Ms.No.350, Higher Education Department dated 09.09.2009. The pay scales for Grade-I Principal had been revised as 37400-67000 with Academic Grade pay of Rs.10,000/- and Special Allowance of Rs.3,000/- and the pay scales for Grade-II Principal had been revised as Rs.37,400-67,000 with Academic Grade Pay of Rs.10,000/- and special allowance of Rs.2,000/-. The Government also revised the pension to all the existing pensioners who are retired from the posts on standard pay scales and family pensioners shall be revised in G.O.Ms.No.235, Finance (Pay Cell) Department dated 01.06.2009. The said Government Order shall be applicable to the Government pensioners, Teacher pensioners of Aided institutions and Local bodies. In the said Government Order, it has been stated that the consolidated pension/family pension shall be treated as final basic pension with effect from 01.01.2006. The petitioners are receiving pension who are considered as pre-2006 pensioners. The pre-2006 pensioners were fixed with reference to the last pension drawn. The petitioners have already retired from service in 2002 and 2004 and not in service as on 01.01.2006. Hence, they are eligible for “**Pension Revision**” only and not “**Pay Revision**”



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along with the pension revision as on 01.01.2006. The Government has issued G.O.Ms.No.1785, Education Department dated 05.12.1988, in which, it has been stated that the post of Grade-I Principal was sanctioned to a college with Post Graduate Courses where the strength of the students is having more than 1000 and the post of Grade-II Principal was sanctioned to a college where the strength of the students is less than 1000 students. However, in G.O.Ms.No.111, Higher Education (H1) Department, dated 24.03.1999, dated 24.03.1999, the scale of pay of Rs.16,400-450-20900-500-22400 was fixed for Grade-I Principal and the minimum basic pay will be fixed at Rs.17,300/- with effect from 01.01.1996 and Rs.12,000-420-18300 was fixed for Grade-II Principal starting with the basic pay of Rs.12,840/-. The said G.O.Ms.No.111 prescribes the norms for Grade-I and Grade-II Principals. It is further submitted that the Government has revised the pay scales for College Teachers with effect from 01.01.2006 in G.O.MS.No.350 and this is applicable only for teachers those who are in service as on 01.01.2006. The Government also revised the pension to the Government staff and teachers with effect from 01.01.2006 in G.O.Ms.No.235. In paragraph No.12 of the said Government order, it is stated that “the Pension Pay Officer/Treasury Officer/Sub-Treasury Officer shall work out the revised pension/family pension



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and disburse the arrear amount to the pensioner/family pensioner as specified in paragraph No.7 above and the copy of the above shall be marked to the Principal Accountant General who will in turn take follow up action and verification in this regard”.

13. In the above extract, it has been clearly stated that “the pension pay officer shall work out the **“Revised Pension”** and not **“Pay Revision”**. Hence, the respondents submitted that the petitioners are eligible only for revised pension and not pay revision as they are not in service as on 01.01.2006. The petitioners themselves stated in the affidavit that a sum of Rs.23,700/- is the pension that has been drawn by them, (i.e.,) Rs.37,400+Grade Pay of Rs.1000/- for Grade-I Principal and this has been taken into account by the respondents. The petitioners are already receiving the revision of pension applicable under paragraph No.2(vi) of G.O.Ms.No.235, Finance (Pay Cell) Department dated 01.06.2009 with effect from 01.01.2006. Hence, the claim of the petitioners to further revise their **“Pay”** is not justified. As a retired College Teacher, they can claim only **revision of pension** benefits. It is not appropriate for them to claim re-fixation of their last pay drawn which is applicable to teachers in service.



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There is no specific clarification in the UGC guidelines. Hence, as per G.O.Ms.No.235, the petitioners are receiving eligible pension, since the petitioners have already retired in 2002 and 2004. The petitioners pension cannot be revised as claimed by them along with revision of pay after their retirement as they have retired much before 01.01.2006.

14. It has been further stated that by applying the Government Letter (2D)No.46, Higher Education (H1) Department dated 13.04.2010, all the writ petitioners are eligible only for a sum of Rs.23,700/-. Hence, the respondents pray to dismiss the present writ petition.

15. Heard Mr.E.V.N.Siva, learned Counsel appearing for the petitioners, Mr.D.Sadiq Raja, learned Additional Government Pleader appearing for R-1, Mr.K.Asok Kumar Ram, learned counsel appearing for R-2, Mr.V.Maharajan, learned Standing Counsel appearing for R-3 and Mr.P.Gunasekaran, learned counsel appearing for R4 and perused the materials on record.



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16. The Learned Counsel for the petitioners submitted that the Government has issued G.O.Ms.No.1785, Education Department, dated 05.12.1988, wherein Grade-I Principal having 15 years experience was sanctioned to a college with Post Graduate Courses with more than 1000 students and the post of Grade-II Principal having 10 years experience was sanctioned to a college with Under-Graduate College with less than 1000 students. In G.O.Ms.No.111, Higher Education (H1) Department, dated 24.03.1999, dated 24.03.1999, for Grade-I Principal the scale of pay of Rs. 16,400-450-20900-500-22400 was fixed with minimum basic pay will be fixed at Rs.17,300/- with effect from 01.01.1996 and for Grade-II Principal the scale of pay of Rs.12,000-420-18300 was fixed starting with the basic pay of Rs.12,840/-. Hence, the Grade-I and Grade-II Principals were considered as two different categories. In the 5th UGC Pay revision from 01.01.1996 to 31.12.2005, the scale of pay of the Grade-I Principal was 16400-40-20900-500-22400 and the pay scale of the Grade-II Principal was 12000-420-18300.

17. However, in the 6th Central Pay Commission and the UGC Pay Review Committee headed by Dr.Chadha, for the Grade-I Principals who had



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retired **before 01.01.2006**, the revised pension was not fixed with reference to the last pay drawn. But the revised pension of the **post-01/01/2006** Grade-I Principal was based on their last drawn pay. The contention of the petitioners is that according to the principle of Modified Parity, all the pre-1/1/2006 Grade-I Principals should be given a revised pension which should not be below 50% of the minimum pension admissible to the post-01/01/2006 Grade-I Principal. This brings all pre-01/01/2006 Grade-I Principals on par with the minimum pension applicable to the post-01/01/2006 Grade-I Principal. This Court has given its anxious consideration on the petitioner's contention. The government has taken a policy decision to "pay revision" and "pension revision" and has fixed a cut of date as 01.01.2006. In G.O. Ms. No. 350 the government has stated that the revised pay scales shall take notional effect from 01.01.2006 with the monetary benefit from 01.01.2007. The relevant portion is extracted hereunder:

“(J) DATE OF EFFECT:

The revised Pay in the relevant Pay Band and the Academic Grade Pay together with the applicable allowances including arrears of salary as mentioned above shall be paid to all eligible beneficiaries under this Scheme pending issue of Regulations by



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the UGC. The revised pay scales shall take notional effect from 1st January, 2006 and with monetary benefit from 1st January 2007”

Therefore, in the 6th Pay Commission the government has taken a policy decision and fixed the cut of date as 01.01.2006. As well as the government has taken a policy to grant “pension revision” alone to employees who had retired prior to 01.01.2006 and to employees who had retired after 01.01.2006 has decided to grant “pay revision”. Since the petitioners had retired prior to 01.01.2006 they were granted “pension revision” and not “pay revision”. The government has every power and right to fix pay, revise pay, fix pension etc. and revise pension after taking into account the financial implications on the government exchequer. In the present case the government has uniformly revised the “pension revision” to all the employees who had retired prior to 01.01.2006. It is not the case of petitioners that they were discriminated among the employees retired prior to 01.01.2006. The petitioners are comparing with that of employees who had retired after 01.01.2006 which is not permissible. The government has categorically fixed the cut of date as 01.01.2006 in the said G.O. and therefore the petitioners cannot question the cut of date for applicability of pay revision.



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Therefore, this Court is of the considered opinion that the petitioners have not made out any legal ground to interfere with the cut of date.

18. The Learned Counsel for the petitioners further contended that the respondents added fuel to the agony by keeping the retired Grade-I Principals on par with retired Grade-II Principals in the 6th Pay Commission Revision. The petitioners submitted that “Dr. Chadha Pay Review Committee” recommended an Academic Grade pay of Rs.11,000/- to the pre-revised pay scale of the Grade-I Principal which is Rs.16,400/-450-20900-500/-22,400. Likewise recommended an Academic Grade Pay of Rs.8,700/- to the pre-revised pay scale of the Grade-II Principals is Rs.12,000/-420-18300. But, in the subsequent modification by the Ministry of Human Resources Development (MHRD) and the UGC, the Academic Grade pay of the Grade-I Principal is reduced from Rs.11,000/- to Rs.10,000/- and the Academic Grade Pay of the Grade-II Principal is raised from Rs.8,700 to Rs.10,000/-, thus brings the Grade-I and the Grade-II Principals on par which amounts to downgrading the Grade-I Principal by denying equality of treatment with reference to his pre-revised pay scale. On careful consideration of the petitioners' contention this Court is of the considered opinion that the



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petitioners themselves had accepted that it is only the recommendation of the Dr.Chadha Committee that the amount was increased to 11,000/- from 10,000/- for Grade-I Principals and was increased to 10,000/- from 8,700/- to Grade-II Principals. After considering the recommendation the government has taken a policy decision to grant Rs.10,000/- to both Grade-I Principals and Grade-II Principals and had decided to keep both Grade-I Principals and Grade-II Principals on par after retirement. This policy decision cannot be fault with, since this difference was drawn based on the following criteria:

Grade-I Principals:

Are persons who are having fifteen years experience, posted in Post Graduate college having more than 1000 students.

Grade-II Principals:

Are persons who are having ten years experience, posted in Under Graduate college having less than 1000 students.

After retirement this difference no longer exists and therefore the government had decided to merger them and bring into one category and has granted same grade pay of Rs.10,000/-. Therefore this Court is of the considered opinion that the petitioners' claim is erroneous and the same cannot be granted.



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19. The petitioners further relied on the Learned Single Judge judgement rendered in ***W.P. No.2081 of 2011 and W.P. No. 5906 of 2011***, wherein the Learned Judge had held that *“there cannot be any difference between serving professors and retired professors in the matter of application of pay in the pay band. Therefore, such argument which appears to be focal point for the government appears to be preposterous and cannot be countenanced”*. However the Learned Government Pleader had submitted that there is difference between the serving and retired employees and relied on the definition of the word “Pension”, which means

“a fixed amount, other than wages, paid at regular intervals to a person or to the person's surviving dependents in consideration of past services, age, merit, poverty, injury or loss sustained, etc.”

Therefore, this Court is of the considered opinion that the pension is paid for the past services and in such circumstances there is a vast difference and as held supra the Government has every right to take a policy decision to revise the salary or to revise the pension.



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20. The Learned Counsel for the 4th respondent relied on a judgment rendered in W.P. (MD) No. 9411 of 2011, wherein this Court has held that the pension would be applicable as per the pension scheme which by itself is a self-contained scheme. Also relied on the judgment rendered in W.P.(MD) No.12757 of 2014 it has been held as under:

4. This Court is of the considered opinion that the writ petitioner was admittedly allowed to retire from service on 30.04.1998. His pension was fixed based on the last drawn pay wages. All subsequent revisions of pension are to be done strictly in accordance with the Government Orders and Pay Rules in force. However, it is made clear that the revision of scale of pay granted to the in-service Professors or Principals cannot be directly to the retired Professors or Principals. The scale of pay as applicable to the in service employees cannot be implemented in respect of the employees, who were retired from service. As far as the pensioners are concerned, separate policy decisions are taken by the Government for granting the pensionary benefits. Thus, the scale of pay, revision of pension and all other benefits are granted separately in respect of the in-service employees and retired employees. This being the concept being followed and is the policy of the Government, the writ petitioner cannot compare with the revision of scale of pay granted to the in-service candidates.



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5. The Honourable Supreme Court of India, in many number of decisions, has held that the revision of scale of pay granted to the in-service candidates cannot be claimed by the pensioners. Further, the Apex Court has held that the revision of pension is to be done strictly in accordance with the Pay Rules in force. This being the principles to be followed, the claim of the writ petitioner to grant retrospective pension with effect from the year 2006 cannot be considered by this Court. However, the pension now being disbursed to the writ petitioner shall be verified by the competent authorities and if any of the benefits conferred to the pensioners are not granted to the writ petitioner, then his case can be considered for revision of pension strictly in accordance with the Government Rules, which all are applicable to the pensioners alone. If any mistake is committed in fixing the pension or revision of pension, the said mistake or error also can be corrected. Thus, the respondents are directed to verify the correctness of the pension fixation done in the case of the writ petitioner and accordingly, revise the pension, if any mistake is found in the fixation of pension to the writ petitioner. If there is no mistake, then the existing pension, as applicable to the cadre in which the writ petitioner had worked, is to be granted and the said pension amount is to be disbursed.

This Court is of the considered opinion that the aforesaid two judgments have held that the pension is revised based on the policy decision or scheme and the power of judicial review is limited and therefore this Court is



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declined to interfere with the policy decision of the government to revise only the pension alone to the petitioners.

21. The Learned Counsel for the 4th respondent had submitted that the revision of pension challenged in the present writ petition was granted vide Letter No. 2(D) No. 45 dated 13.04.2010. The said letter along with annexure is extracted hereunder:

Annexure

Letter No.(2D)No.46, Dated 13.04.2010

Ready Reckoner for calculation of Pension/Family Pension with reference to the minimum of the revised pay scale + Grade Pay based on the recommendations of the UGC VI pay revision.

S. No.	Name of the post	Pre-revised scale of pay with effect from 01.01.1986	Existing scales of Pay with effect from 01.01.1996 (UGC scales of pay)	Revised Pay Band Scale of pay and Grade Pay (UGC scales of pay)	Pension= 50% of sum of minimum of revised scale +AGP Rs.	Family Pension= 30% of sum of minimum of revised scale + AGP Rs.
1	Lecturer/College Librarian/ Director of Physical Education	2200-75-2800-100- 4000	8000-275-13500	15600-39100+6000	10800	6480
	Lecturer Senior Scale	3000-100-3500-125- 5000	10000-325-15200	15600-39100+7000	11300	6780



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	Lecturer Selection Grade	3700-125-4950-150-5700	12000-420-18300	15600-39100+8000	11800	7080
	Lecturer SG with three years	3700-125-4950-150-5700	12000-420-18300	37400-67000+9000	23200	13920
2	Principal Grade II	3700-125-4950-150-5700	12000-420-18300 (Fixed in the minimum of Rs. 12840)	37400-67000+10000	23700	14220
3	a) Principal Grade I b) Joint Director of Collegiate Education c) Deputy Director of Collegiate Education (Prior to 14.09.94)	4500-150-5700+200-7300	16400-450-20900-50-22400 (Fixed in the minimum of Rs. 17,300/-)	37400-67000+10000	23700	14220

K.Ganesan,
Principal Secretary to Government
Section Officer.

(True Copy)

The Learned Counsel further submitted that the government had further revised the pension vide Letter (2D) No. 4 dated 04.02.2019 and the petitioners have not challenged this revision at all. The same principle and formula are adopted in this revision also. In other words that the employees who were retired were granted only pension revision and not pay revision. The petitioners are not



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aggrieved over the subsequent revision applicable from 04.02.2019 onwards. The relevant letter along with annexure is extracted hereunder:

Annexure to Letter (2D) No.4, dated 04.02.2019.

Ready Reckoner (Concordance Table) for calculation of Pension/Family Pension as per the Revised UGC Scales of Pay for Teachers and equivalent cadres in Universities: Government/Government Aided College governed by UGC with reference to the minimum of the pay in the revised pay structure.

Sl. No	Pre revised Scale w.e.f 01-01-1986	Pre-revised Scale of Pay wef 01-01-86	Pre revised Scale of Pay wef 01.01.96	Pre revised Scale of Pay wef 01-01-2006		Existing Pension/Family Pension wef minimum of the existing pay scale		Revised Academic Pay Level of the Pay Matrix wef 01-01-2016 (Notional) wef 01-10-2017		Revised Pension/family Pension wef minimum of the revised pay Level of the pay Matrix	
				Pay Band +	Academic Grade Pay	50% of Mini. of PB + GP	30% of Mini. of PB + GP	Academic Level	Minimum-Maximum	50% of Mini. of Pay Level	30% of Mini. of Pay Level
						Pension	Family pension			Pension	Family Pension
(1)	(2)	(3)	(4)	(5)		(6)	(7)	(8)		(9)	(10)
1	Lecturer/ Assistant Professor/ College Librarian/ College Director of Physical Education/ Assistant Profession with AGP Rs. 6000	2200-75-2800-100-4000	8000-275-13600	15600 - 39100	6000	10800	6480	10	57700-182400	28850	17310



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2	SENIOR SCALE: Lecturer/ Assistant Professor/ College Librarian/ College Director of Physical Education or Assistant Professor with AGP Rs.7000	3000-100-3500-125-5000	10000-325-15200	15600-39100	7000	11300	6780	11	68900-205500	34450	20670
3	SELECTION GRADE Lecturer: Assistant Professor/ College Librarian/ Physical Education or Reader or Assistant Professor with AGP Rs.8000	3700-125-4950-150-5700	12000-420-18300	15600-39100	8000	11800	7080	12	79800-211500	39900	23940
4	Selection Grade with three years: Lecturer/ Assistant Professor/ College Librarian/ College Director of Physical Education/ Reader or Associate Professor	----	-----	37400-67000	9000	23200	13920	13A	131400-217100	65700	39420
5	Professors with 19 years of total service retired prior to 01.01.1986	3700-125-4950-150-5700	12000-420-18300	37400-67000	9000	23200	13920	13A	131400-217100	65700	39420
6.	Principal Grade II (after 06-07-18)	----	----	----	----	-----	-----	13A	131400-217100	65700	39420



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7	Principal Grade II (prior to 06.07.2018)	3700-125-4950-150-5700	12000-420-18300 (Fixed in the minimum of Rs. 12840)-	37400-67000	10000	23700	14220	14	144200-218200	72100	43260
8	Principal Grade I/ Joint Director of Collegiate Education/ Deputy Director of Collegiate Education (Prior to 14.09.1994)	4500-150-5700-200-7300	16400-450-20900-500-22400 (Fixed in the minimum of Rs17300)	37400-67000	1090000	23700	14220	13A	144200-218200	72100	43260

Mangat Ram Sharma,
Principal Secretary to Government
(True Copy)
Section Officer.

On perusal of both the letters it is seen that for the revision of pension, the government has taken a separate policy decision and the same method is being followed all these years. The decision is being taken after taking into account the financial status of the government and the judicial review in such decision is limited.

22. The same issue is already dealt with by this Court in W.P. (MD)No.831 of 2014 dated 09.09.2022 and a detailed judgement was rendered



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and the writ petition was dismissed. Therefore this Court is of the considered opinion that the petitioners have not made out any case to interfere with the policy decision of the government and hence the writ petition fails.

23. For the above reasons, these Writ Petitions are dismissed. No

Costs.

Index : Yes / No

13.12.2022

Internet : Yes

ksa



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To

- 1.The State of Tamil Nadu,
Represented by its Secretary,
Department of Higher Education,
Fort St.George, Chennai – 600 009.
- 2.The Secretary to Government,
Ministry of Human Resource Development,
Department of Higher Education, Shastri Bhawan,
New Delhi – 110 001.
- 3.The Secretary,
University Grants Commission (UGC),
Bahadur Shah Zafar Marg,
New Delhi – 110 002.
- 4.The Accountant General of Tamilnadu,
Office of the Accountant General,
Chennai – 600 018.



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W.P.(MD)No.16033 of 2014 batch

S.SRIMATHY, J

KSA

Common Order made in
W.P.(MD)Nos. 16033, 16076 &
18109 to 18111 of 2014

13.12.2022