



W.P.No.4001 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.4001 of 2011

1. K.Ramasamy

2. C.G.Balakrishnan

... Petitioners

-Vs-

1. Animal Welfare Board of India,
represented by its Chairman,
13/1, III Seaward Road, Valmiki Nagar,
Thiruvanmiyur, Chennai - 600 041.

2.The Joint Secretary,
Ministry of Environment and Forest,
Parayavaran Bhawan,
4th Floor, Lodhi Road, CGO Complex,
New Delhi - 11 0003.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the second respondent to release the pension with arrears on the basis of the representation dated 03.09.2010 and reminder dated 14.01.2011 of the petitioner's subject to such stipulations.



W.P.No.4001 of 2011

For Petitioners : Mr.K.Sudalai Kannan
for Mr.P.Ganeshram

For R1 : Mr.V.Kalyanaraman

For R2 : No appearance

ORDER

This Writ Petition has been filed for direction directing the second respondent to release the pension with arrears on the basis of the representation dated 03.09.2010 and reminder dated 14.01.2011.

2. Heard the learned counsel for the petitioners and the learned counsel for the first respondent and perused the materials available on record.

3. The petitioners had retired on their attainment of superannuation from the first respondent viz., Animal Welfare Board of India. However, they were not considered for pension and as such, they had submitted a detailed representation to the respondents to release the pension with arrears. The similar request was already made by the Association. It was not considered and as such, one Sivanandam approached this Court in



W.P.No.4001 of 2011

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W.P.No.31952 of 2005, in which this Court by an order dated 09.11.2005 directed the respondents to consider their request and pass orders within a stipulated time. As directed by this Court, the second respondent rejected the request made by the Association, on the ground that the Government Policy at present has also been reconfirmed in a similar case of an autonomous body under the Ministry of Environment and Forests. The employees of the autonomous body had similarly sought conversion from CPF scheme to pension scheme. The Ministry of Finance, Department of Expenditure have clarified that the provisions contained in the Department of Pensions and PW OM dated 01.05.1987 are applicable in the case of Central Government Employees only. Unless specifically extended, employees of the autonomous/statutory bodies are not covered. It was also informed that Ministry of Finance is not in favour of introduction of pension scheme for the employees of autonomous bodies on the ground that pension scheme is costlier than CPF scheme. Therefore, the proposal for implementation of pension scheme for Animal Welfare Board employees does in fact have substantial financial implications and that the Department of Pensions and Pensioners Welfare as well as the Ministry of Finance are not in



W.P.No.4001 of 2011

favour of implementation of such a scheme in autonomous bodies.

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4. Therefore, the prayer sought for in this writ petition cannot be considered and this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. No costs.

18.08.2023

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order
mn

To

1. The Chairman,
Animal Welfare Board of India,
13/1, III Seaward Road, Valmiki Nagar,
Thiruvanmiyur, Chennai - 600 041.

2. The Joint Secretary,
Ministry of Environment and Forest,
Parayavaran Bhawan,
4th Floor, Lodhi Road, CGO Complex,
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W.P.No.4001 of 2011

G.K.ILANTHIRAIYAN, J.

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W.P.No.4001 of 2011

18.08.2023