

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A.No.590/06**

**Wednesday this the 23<sup>rd</sup> day of August 2006.**

**CORAM:**

**HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN**

Dr.R.Ansari,  
Managing Director,  
Malabar Botanical Garden Society,  
Guruvayurappan College P.O.,  
Kozhikode – 673 104.

**Applicant**

(By Advocate Shri T.Naveen)

**Vs.**

1. Union of India represented by the Secretary,  
Ministry of Environment & Forests, New Delhi.
2. Botanical Survey of India,  
represented by its Director ,  
P.8, Brabourne Road, Kolkata – 700 001.
3. The Pay & Accounts Officer,  
Pay & Accounts Office,  
Ministry of Environment & Forests,  
234/4, AJC Bose Road,  
II MSO Building (17<sup>th</sup> Floor),  
Nizam Palace Complex,  
Kolkata – 700 020.

**Respondents**

(By Advocate Shri TPM Ibrahim Khan, SCGSC)

The Application having been heard on 23.8.2006  
the Tribunal on the same day delivered the following

**ORDER**

**HON'BLE MRS.SATHI NAIR, VICE CHAIRMAN**

The applicant rendered service under the 2<sup>nd</sup> respondent, the Botanical Survey of India, from 6.11.1973 to 16.10.1996. Thereafter he was on deputation to the Government of Kerala as a Special Officer and was later absorbed in the Malabar Botanical Garden Society, which is an autonomous Society under the Government of Kerala, on 17.10.1996. The contention of the applicant is that, in terms of Annexure A-18 Office Memorandum issued by the Government of India, dealing with the transfer of Central Government servants from a Central

Autonomous Body to another autonomous body and vice versa, he is entitled to get the pensionary benefits for the period he served under the 2<sup>nd</sup> respondent. The pensionary benefits have been sanctioned to the applicant vide A-8 but not yet disbursed to him. The payment of GPF and leave encashment etc. was passed by the Pay and Accounts officer vide A-17 orders, but his pensionary benefits remained to be settled. The applicant has been sending series of representations and the latest representation at A-15 addressed to the Pay and Accounts Officer of the Botanical Survey of India, Kolkatta, has been responded to by the 1st respondent vide A-16, stating that the proposal for pension and other benefits have been submitted to the Pay and Accounts Officer and certain clarifications have been sought for. It is seen from the Annexures that the sanction of pensionary benefits to the applicant is under the consideration of the 1st and 3<sup>rd</sup> respondents and therefore I am of the view that this O.A. can be disposed with a suitable directions to these respondents to finalise the pension case of the applicant within a fixed time frame.

2. Accordingly, I direct the respondents 1 & 3 to take a final decision in the matter of payment of pensionary benefits to the applicant in the light of extant orders at A-18 ad A-19. Such a decision shall be conveyed to the applicant within a period of three months from the date of receipt of a copy of this order.

3. O.A. is disposed of as above. No costs.

Dated the 23<sup>rd</sup> August, 2006.

*Sathi Nair*

**SATHI NAIR**  
**VICE CHAIRMAN**