

IN THE HIGH COURT OF ANDHRA PRADESH: AMARAVATI

HON'BLE MR. JUSTICE DHIRAJ SINGH THAKUR, CHIEF JUSTICE

&

HON'BLE MR. JUSTICE R. RAGHUNANDAN RAO

W.P.(PIL).No.83 of 2024

(Through physical mode)

BETWEEN:

Vanga Varalakshmi W/o. Subbareddy,
#3-265, Kunchanapally Village,
Guntur District and 2 others.

...Petitioners

Versus

The State of Andhra Pradesh
Rep. by Chief Secretary,
A.P. Secretariat, Velagapudi,
Guntur District and 3 others.

...Respondents

Counsel for the petitioners : Sri Gundala Siva Prasad

Counsel for respondent No.1 : G.P. For Panchayat Raj & Rural Dev.

Counsel for respondent No.2 : Sri Harish Rasineni, S.C

Counsel for respondent No.3 : Sri D.S. Sivadarshan S.C

ORDER:**Dt.: 03.04.2024**

P.C.

Heard Sri Gundala Siva Prasad, learned counsel appearing for the petitioners, learned Government Pleader for Panchayat Raj and Rural Development appearing for respondent No.1, Sri R. Harish Rasineni, learned Standing Counsel appearing for respondent No.2 and Sri D.S. Sivadarshan learned Standing Counsel appearing for respondent No.3.

2. The Government of Andhra Pradesh has been granting pensions to aged persons, physically handicapped persons and widows. These pensions are being disbursed by the volunteers, who deliver the pensions to the pensioners at their homes in the beginning of the month.

3. A non-governmental organisation known as Citizens of Democracy, had raised certain objections as to the role of volunteers in various activities including the disbursement of pensions by volunteers. The said organisation, i.e., Citizens of Democracy, had initially filed a complaint before the Election Commission of India, and had then approached this Court by way of W.P.No.6419 of 2023 seeking a direction to the Election

Commission of India to take a decision on their representations. This Court, by order dated 13.03.2024, had disposed of the writ petition leaving it open to the Election Commission of India to take an appropriate decision in accordance with law, preferably within a period of three weeks. This Court had also observed that no opinion is being expressed in the matter by the Court.

4. The Election Commission of India, which is arrayed as the 3rd respondent, had passed an order dated 30.03.2024 bearing order No.437/AP/SOU3/2024, wherein volunteers were barred from distribution of cash benefits under any scheme, (including pensions) to eligible beneficiaries. This order also directed the Government of Andhra Pradesh to make alternative arrangements for the distribution of benefit for ongoing schemes to already selected beneficiaries using DBT (electronic transfer) preferably or through other regular Government employees.

5. The petitioners herein, have challenged the said order of the Election Commission of India by way of the present public interest litigation writ petition.

6. Sri G. Siva Prasad Reddy, learned counsel appearing for the petitioners would submit that there has been huge upheaval in the disbursal of pensions on account of the sudden withdrawal of the volunteers. He would submit that people, who

are unable to move out are now being forced to go to the village secretariat to obtain their pensions and the same is causing untold hardship and misery. He would further submit that the Election Commission of India had taken the above decision, without consulting any person or authority and without thinking the effect of such an order. He would submit that in such circumstances, the action of the Election Commission of India is an arbitrary decision, which has to be reversed.

7. Learned Government Pleader for Panchayat Raj and Rural Development has placed a Circular Memo No.2391982/RD.I/A1/2024, dated 02.04.2024 issued by the Principal Secretary to the Government, Panchayat Raj and Rural Development Department. In this circular, directions have been issued to the District Collectors and other functionaries to ensure disbursal of pensions and other benefits without any interruption. One of the instructions given in this circular is to ensure door-to-door distribution of pension to the beneficiaries who belong to differently abled category; those drawing pensions under the category of serious ailments; those who are infirm, bed ridden, and confined to wheelchairs and the elderly widows of war veterans drawing sainik welfare pensions. The instructions stated that this

form of distribution of pensions is compulsory and shall be made without any exception.

8. In view of the above instructions, it is clear that the grievance of the petitioners regarding the hardship that would be faced by such categories of persons is answered.

9. Consequently, nothing further survives in this public interest litigation writ petition and accordingly the same is dismissed. There shall be no order as to costs. As a sequel, pending miscellaneous applications, if any, shall stand closed.

DHIRAJ SINGH THAKUR, CJ

R.RAGHUNANDAN RAO, J

JS

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(per Hon'ble Sri Justice R.Raghuandan Rao)

3rd April, 2024

JS