

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. - OA 213 OF 2023

ANITA DEB - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. K.K. Bhattacharya, Learned Advocate
	For the State Respondents	:	Mr. Sankha Ghosh, Learned Advocate
<u>7</u> 27.01.2025	For the Principal Accountant General (A&E), West Bengal	:	Mr. Biswanath Mitra, Departmental Representative

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No.638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

The applicant, Anita Deb, being unmarried daughter of the deceased employee, Prafulla Kumar Deb Pattanayak, has prayed for a direction to the respondents to sanction family pension in her name. In this regard, a representation was also furnished by her before the respondent authorities on 08.02.2023. The Special Officer (Pension), Directorate of Health Services had asked the respondent No.7, the Superintendent, Uluberia Sub-Divisional Hospital to submit a report relating to a proposal for family pension to the applicant. The MSVP SCCGMCH, Uluberia had sent a memo No.2190 dated 02.12.2024 to the Special Officer Pension, where it is mentioned that as per memo No.1813 dated 23.09.2024 and reminder memo No.1998 dated 29.10.2024, the MSVP SCCGMCH, Uluberia had sent letters to Anita Deb, the applicant, regarding submission of necessary documents along with proforma for the approval of family pension and also instructed her to submit Pension Payment Order (PPO) copy to the office.

Mr. Bhattacharya, learned counsel for the applicant had submitted that the applicant does not have a copy of the PPO. However, he has the PPO number which was shared with Mr. B. Mitra, learned Departmental Representative for the Principal Accountant General (A&E), West Bengal. Mr. Mitra was requested to use his good office to arrange for a copy of the PPO, if possible. Today, Mr. Mitra presents a copy of the document signed by the Assistant Accounts Officer and submits that, though copy of the PPO dating back to 03.11.1975 could not be found, but from the relevant entries in the PPO Register, it is clear

ORDER SHEET

Form No.

ANITA DEB

Vs.

Case No. - OA 213 OF 2023

THE STATE OF WEST BENGAL & ORS.

that Prafullya Kumar Deb Pattanayak, the deceased father of the applicant, had received his pension till his death on 11.12.1991. Copies have been served on Mr. Bhattacharya, learned counsel for the applicant and Mr. Ghosh, learned counsel for the respondents.

From the above submissions and copies of the documents presented by Mr. Mitra, it satisfies the Tribunal that Prafullya Kumar Deb Pattanayak, the deceased father of the applicant was a government employee and had received his pension till his death on 11.12.1991. Now, the respondent authorities are required to examine the claim of the applicant, Anita Deb, claiming to be the unmarried daughter of the deceased employee. Mr. Mitra, referring to memo No. 448357 dated 2nd August, 2024, submits that though the MSVP SCCGMCH, Uluberia has submitted the family pension before the Principal Accountant General (A&E), but it ought to have been submitted only after approval of the Finance Department in terms of memo No.830-F(Pen) dated 20.09.2010 read with G.O. No.400-F(Pen) dated 30.06.2023.

The Tribunal, after hearing submissions of the parties and after examining the relevant records in this application, directs the respondent No.7, the Superintendent, Uluberia Sub-Divisional Hospital, now re-designated as the Medical Superintendent-cum-Vice Principal, Sarat Chandra Chattopadhyay Government Medical College and Hospital, Uluberia to submit a proposal for family pension on behalf of the applicant after examining the documents and after giving an opportunity of hearing to the applicant, if necessary and if, after examination and such hearing, he is satisfied, then a proposal, favouring family pension in favour of the applicant be submitted to the Finance Department in terms of memo No.830-F(Pen) dated 20.09.2010 read with G.O. No.400-F(Pen) dated 30.06.2023 within a period of three months from the date of communication of this order. Let the applicant's side also present a copy of this order along with copy of the PPO Register, in which the name of her deceased father, Prafullya Kumar Deb Pattanayak, appears, to the respondent No.7. The matter is disposed of.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.