

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 302 of 2023

Sulochana Panda -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. S. Agarwal,
Ld. Advocate.

For the State respondent : Mr. S.N. Ray,
Ld. Advocate.

03
21.12.2023

For the Pr.AG (A&E),
WB : Mr. B. Mitra,
Ld. 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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authorities to sanction her family pension as widow of Ashutosh Pandey. Her husband, the deceased employee superannuated on 31.07.1977 and expired on 02.05.2022 as a Police Constable under the Superintendent of Police of the then Bardhaman District.

From the submission of Mr. Mitra, the Ld. Departmental Representative for Principal Accountant General (A&E), the Tribunal has understood that the deceased employee had not opted for the then prevailing Family Pension Scheme, 1965 by failing to deposit two (02) months of salary as his contribution. As a result, after the demise of Ashutosh Pandey, the applicant as widow was not found eligible for family pension. From the submissions of the learned counsels and the records in this application, the Tribunal is satisfied that the applicant, Sulochana Panda is the widow of the deceased employee, Ashutosh Pandey. This is also supported by a correspondence of the Treasury Officer, Bankura to the Branch Manager of the Bank on 03.06.2022 in which a copy has also been endorsed to the applicant, Sulochana Panda. In need of financial support and expecting a family pension, the applicant had furnished a prayer before the Treasury Officer and the Principal Accountant General (A&E), requesting for sanction of family pension in her favour. Since no such family pension has been sanctioned in

Form No.

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Vs.

The State of West Bengal & Ors.

her favour, the applicant filed this application before this Tribunal.

After hearing the submissions of the learned counsels, the Tribunal finds that, perhaps due to ignorance of the Rule, the deceased employee, Ashutosh Pandey failed to deposit his two (02) months salary as his contribution to the Family Pension Scheme, 1965. As a result, after his death, no family pension was sanctioned to the applicant as a widow of the deceased employee. She is a widow of 82 years old and living alone without any financial security in Simlapal, Bankura and due to ignorance of her deceased husband, she was deprived of such a family pension.

Considering that this widow requires a support in the form of a family pension, the Tribunal directs the Respondent No. 3, Commissioner of Police, Asansol Durgapur Police Commissionerate to initiate a proposal for family pension in favour of the applicant, Sulochana Panda on humanitarian ground for approval of the competent authority – Finance Department within a period of eight (08) weeks from the date of communication of this order. Similarly, the applicant is advised to contact the office of the Respondent No. 3, Commissioner of Police, Asansol Durgapur Police Commissionerate and provide all available documents in her possession.

Let Mr. Ray present a status report on the directions given to Respondent No. 3 on the next date of hearing.

Let the matter appear under the heading “**For Orders**” on **22.02.2024**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

HS/SS