

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL
Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : **HON'BLE JUSTICE SOUMITRA PAL,** **HON'BLE CHAIRMAN.**

Case No. – OA 319 of 2021.
KUMKUM DAS–VS-THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. A. Roy, Advocate.
<u>7</u> 13.6.2022	For the State Respondents	: Mr. M.N. Roy, Advocate.
	For the Principal Accountant General (A & E) W.B.	: Mr. B. Mitra, Departmental representative.

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

As prayed for by Mr. A. Roy, learned advocate on record for the applicant, leave granted to add the Special Secretary, Government of West Bengal, Finance Department (Pension Branch) as a party respondent by amending the cause title of the Original Application.

Since Mr. M.N. Roy, learned advocate for the State respondents appearing on behalf of the State respondents, accepts service of notice on behalf of the added respondent, no further notice be served on the added respondents.

In this application, Kumkum Das, the applicant has prayed for sanction of family pension. It appears that the applicant is an unmarried senior citizen aged about sixty years. Motilal Das, the father of the applicant, who worked as Forest Guard under the Forest Department, Government of West Bengal had retired from service in the year 1980 and started receiving pension from 21st April, 1983. The father of the applicant expired on 9th January, 2000 leaving behind the applicant as the sole heir. It has been stated that Madhobi Das, the mother of the applicant, had predeceased her husband on 25th December, 1993.

Mr. M.N. Roy, learned advocate appearing on behalf of the State respondents submits that since the applicant has submitted representation for

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sanction and grant of family pension, if it is found that it is in accordance with law and is supported by copies of necessary documents, appropriate order may be passed for sanction of same.

Mr. B. Mitra, departmental representative for Principal Accountant General (A & E) W.B. , - the respondent no. 3 and 4 submits that since it is a case of grant of family pension, the matter has to be routed through the office of the added respondent that is Special Secretary, Government of West Bengal, Finance Department (Pension Branch) in terms of the memorandum dated 20th September, 2010. Moreover, it is submitted that the representation of the applicant for grant of family pension does not contain certain documents as evident from the intimation dated 28th July, 2021 issued by the Senior Accounts Officer/ PCJ addressed to the Divisional Forest Officer, Birbhum Division.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file representation afresh for grant of family pension in her favour along with the copies of documents as sought for, as evident from annexure 'F', page 37 of the Original Application, before the Divisional Forest Officer, Birbhum Division, - the respondent no. 2(b) along with a copy of this order downloaded from the website of the Tribunal within eight weeks.

If representation is submitted before the Divisional Forest Officer, Birbhum Division, the Divisional Forest Officer shall forward the same before the added respondent within a week thereafter. After receiving the said representation along with copies of the documents, the Special Secretary, Government of West Bengal, Finance Department (Pension Branch), the added respondent shall dispose of the same by passing a reasoned order to be communicated to the applicant within fifteen weeks after verifying the records and after making necessary enquiry and the record/file of the applicant shall be

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sent back to the Divisional Forest Officer, Birbhum Division forthwith thereafter. The Divisional Forest Officer, Birbhum Division, Birbhum shall give necessary order/sanction within a fortnight thereafter.

If it is found that the applicant is entitled to family pension, it shall be granted to her within eight weeks on completion of formalities, if any.

(SOUMITRA PAL)
CHAIRMAN.

Skg.