

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – OA-330 of 2022

Serial No. and
Date of order

Anal Jyoti Ghosh
For the Applicant

VERSUS – The State of West Bengal & Ors.

: Mr. R.J. Bhattacharya,
Ms. D. Ghosal,
Ms. M. Mondal
Learned Advocates.

04
12.09.2022

For the State
Respondents

: Mr. R.K. Mondal,
Learned Advocate.

The prayer of the applicant is direction to the respondent authority to offer compassionate employment to the applicant. It appears that the respondent authority had asked the applicant through the Divisional Forest Officer for submission of documents/clarifications to process the proposal.

Learned counsel for the applicant submits that except Sl. 1 which is N.O.C. from other siblings, the other documents/clarifications have already been submitted. The counsel for the applicant submits that N.O.C. asked from the married daughters and son from the 1st husband are not required under the law since they are not dependent members of the family. Learned counsel submits that both the daughters from 1st husband are already married. Therefore, they are not dependent and are not in need of compassionate employment. So far the son of the 1st husband is concerned; he has not claimed compassionate employment. Therefore, N.O.C. from them is not required to be submitted.

Mr. Mondal appearing for the state respondent submits that the applicant was asked to submit N.O.C. from other siblings

from the 1st husband, though the applicant has not been able to submit the same. Secondly, one of the siblings from the 1st husband Rina Giri has already applied for compassionate employment which is being processed, therefore, submission of the N.O.C. from all legal heirs/siblings is necessary to support the claim of the applicant for compassionate employment. Mr. Mondal further submits that since to complete the process, all the documents including the N.O.C. from other legal heirs are necessary and if these documents are not submitted, the proposal for compassionate employment on behalf of the applicant cannot be considered.

After having heard the learned advocates and considering the facts and circumstances, the application is disposed of by directing the Respondent No. 4, Divisional Forest Officer, Social Forestry Division, Siliguri to consider the application for compassionate employment from different siblings as per law after giving an opportunity of personal hearing and submit such proposal to the higher authorities after examining the records and eligibility as per law within a period of twelve weeks from the date of this order and the same shall be communicated to the applicant within a period of two weeks thereafter. Accordingly, OA is disposed of.

sc

SAYEED AHMED BABA
MEMBER (A)