

ORDER SHEET

**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 566 of 2022**

*Khondakar Nuruddin Ahamed* -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order  
For the Applicant : Mr. S. Seal, Ld. Advocate.  
For the State respondent : None.  
For the Pr.AG (A&E), WB : Mr. B. Mitra, Depttl. Rep.

04  
06.02.2023

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsel, the case is taken up for consideration sitting singly.

It is submitted that the revised pension and gratuity have already been sanctioned by the respondent. However, learned counsel for the applicant submits that although sanctioned, it has not been paid to the applicant as on today. The remaining part of the prayer i.e. commuted value of pension as per ROPA 2019 is yet to be considered. Mr. S. Seal, learned counsel appearing for the applicant submits that the commuted value of pension has already been sanctioned by the Deputy Commissioner of Police, South Division, Kolkata on 25.01.2021 for an amount of Rs.6,55,258/-. However, this sanction has not been considered by the Principal Accountant General (A&E), West Bengal till now.

Mr. B. Mitra, Departmental Representative for the Principal Accountant General (A&E), West Bengal submits that the revised authority for pension and gratuity has issued on 16.09.2022 and he submits that further commutation of pension under ROPA 2019 is not admissible in terms of G.O. No. 680-F (Pen) dated 23.12.2019.

Since there seems to be a lack of clarity regarding the actual position of this prayer, it is advised that the applicant submit a detailed prayer enclosing relevant documents before the Principal Accountant General (A&E), West Bengal within a period of four weeks. The Principal Accountant General (A&E), West Bengal, the Respondent No. 3 is requested to consider such a representation regarding commutation of pension as per ROPA 2019, if submitted and consider it within eight weeks from the date of such submission of representation by the applicant.

Accordingly, the matter is **disposed of**.

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**