

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 697 of 2021

Kabita Jana -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. T.K. Jana,
Ld. Advocate.

For the State Respondents : Mrs. S. Agarwal,
Ld. Advocate.

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26.11.2024

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 has prayed for a direction to the respondent authorities to sanction her the family pension being the unmarried daughter of the deceased employee, Surendra Nath Jana. From the submissions and the records, it is understood that Surendra Nath Jana, an employee under the Public Works Department holding a post of Road Mazdoor had died on 13.02.1985. After the death of the employee, his widow received the family pension and continued to receive till her eventual death on 20.11.2012. After the death of her mother also, she applied for family pension before the respondent authorities and her application along with all supporting documents were forwarded to the Principal Accountant General (A&E), West Bengal by the Executive Engineer-I, Kharagpur Division of PWD on 08.03.2014. Senior Accounts Officer/Pen.VII by his correspondence dated 25.04.2014 requested the Executive Engineer to submit income certificate of the applicant along with other documents.

Mrs. Agarwal, learned counsel submits that the proposal for family pension of the applicant could not mature due to non submission by the applicant the following documents :

- (1) Death Certificate of deceased.
- (2) Income Certificate of the applicant.
- (3) Legal Heirship Certificate.
- (4) Ration Card.

Mrs. Agarwal also draws attention to a copy of memo no. 2409 dated 21.11.2016. By this memo, the Executive Engineer had advised the applicant Kabita Jana to submit Death Certificate, Income Certificate and Legal Heirship Certificate.

Having heard the submissions of the learned counsels and after examination of the records in this application, this application is disposed of by

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directing the Respondent No. 3, the Executive Engineer, Kharagpur Division, Paschim Medinipur to complete the proposal of the applicant for her family pension being the unmarried daughter within three (03) months from the date of communication of the same. For further requirement of any document, the applicant may be advised to visit his office and submit such document. The Executive Engineer is also directed to assist the applicant in getting any document which she is not able to present. It appears that the applicant though having submitted an application for issuance of a duplicate Death Certificate has not been able to get a copy from the concerned authority. The Executive Engineer may submit the copy of the Death Certificate already available in this application as part of his proposal. After completing the proposal in its entirety, such a proposal for family pension be submitted before the respondent no. VI, the Principal Accountant General (A&E), West Bengal within a period of one (01) month. The applicant is also directed to visit the office of the Executive Engineer and communicate a copy of this order to him and provide all necessary cooperation including submission of relevant documents.

Accordingly, this application is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS