ORDER SHEET West Bengal Administrative Tribunal

Present.-

The Hon'ble Justice Ranjit Kumar Bag

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The Hon'ble Dr. Subesh Kumar Das

Case No. <u>OA - 654 of 2014</u>

Kumari Lekha Chakraborty & Anr. Versus The State of West Bengal & Ors.			
Serial No. and date of order 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary. 3	
<u>19</u> 06/02/2019	For the Applicant : Mr. H. Mondal, Ld. Advocate.		
	For the State Respondent : NONE.		
	The applicants have prayed for direction upon the		
	respondents for grant of Adhoc Family Pension in terms		
	of G.O. No. 6153-F dated January 13, 1981 issued by		
	the Finance Department, Audit Branch, Government of		
	West Bengal.		
	The report submitted by the District Magistrate,		
	Purba Midnapore on January 21, 2015 is placed on		
	record.		
	It appears from the materials on record that one		
	Kanailal Chakraborty was appointed as Distributor-		
	cum-Clerk (L.D.C.) under Food Department, Government		
	of West Bengal in the year 1948 and continued in the		
	said service till the year 1953. He was retrenched due		
	to withdrawal of rationing system and was posted in		
	the office of erstwhile J.L.R.O. of Bhagawanpore in		
	Contai Sub-Division under Collector and District		
	Magistrate of undivided Midnapore district.		
	Subsequently, he was transferred to the office of S.D.O.		
	Tamluk and retired on November 01, 1958. Kanailal		
	Chakraborty died on January 01, 1986 leaving behind		

ORDER SHEET – (Continuation)

Form No.

Kumari Lekha Chakraborty & Anr.

Vs

The State of West Bengal & Others.

Serial No. and date of order Order of the Tribunal with signature Office action with date and date signature of parties when necessary. 1 2 Office action with date and date signature of parties when necessary. 1 his wife and two daughters namely Lekha Chakraborty and Rekha Chakraborty as legal heirs. The wife of Kanailal Chakraborty expired on January 19, 2010. The present applicants being the daughters of Kanailal Chakraborty have prayed for adhoc family pension in terms of G.O. No. 6153-F dated January 13, 1981 issued by the Finance Department, Audit Branch, Government of West Bengal. None appears on behalf of the state respondents. On our query, Learned Counsel for the applicant submits that the deceased employee Kanailal Chakraborty did not get pension at any material point of time and as such he is not in a position to place on record copy of P.P.O. of the deceased employee. On consideration of G.O. No. 6153-F dated January 13, 1981 issued by the Finance Department, Audit Branch, Government of West Bengal, we find that the widow of the government employee who retired from service before April 01, 1965 is entitled to get adhoc family pension of Rs. 100/- per month w.e.f. April 01, 1981, provided the said widow submits application by giving all particulars including P.P.O. of the deceased employee before the Pension Sanctioning Authority. On close scrutiny of the said G.O. of the Finance Department, Audit Branch, Government of West Bengal, we find that only widow of the deceased government	Case No. OA – 654 of 2014				
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Department, Audit Branch, Government of West Bengal,		employee before the Pension Sanctioning Authority. On			
		close scrutiny of the said G.O. of the Finance			
we find that only widow of the deceased government		Department, Audit Branch, Government of West Bengal,			
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ORDER SHEET – (Continuation)

Form No.

Csm

Kumari Lekha Chakraborty & Anr.

Vs

The State of West Bengal & Others.

Serial No. and	- 654 of 2014 Order of the Tribunal	Office action with dat
date of order	with signature	and dated signature of
1	2	parties when necessary
1	<i>employee retiring before April 01, 1965 is entitled to get</i>	5
	adhoc family pension. The names of other dependant	
	family members including minor son or unmarried	
	daughter of the family of the deceased employee are	
	conspicuously absent from the G.O. No. 6153-F dated	
	January 13, 1981 issued by the Finance Department,	
	Audit Branch, Government of West Bengal. Since	
	limited provision of grant of adhoc family pension was	
	introduced by the State Government only for the widow	
	of the government employee who retired before April	
	01, 1965, we are constrained to hold that the	
	applicants being the daughters of the deceased	
	employee are not entitled to get adhoc family pension in	
	terms of either G.O. No. 6153-F dated January 13,	
	1981 or in terms of Rule 101 of West Bengal Services	
	(Death-cum-retirement benefit) Rules, 1971 particularly	
	when the employee died about 28 years before filing	
	the present application. The original application, thus,	
	stands dismissed.	
	S. K. DAS R. K. BAG	
	MEMBER(A) MEMBER(J)	
Com		