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## BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH

O.A. No 350/1604/2019

### DETAILS OF THE APPLICATION

#### Particulars of the applicant

Basanta Kumar Ray Mukherjee, son of Late Nabagopal Ray Mukherjee, residing at 26/2, P. G. M. Shah Road, Kolkata - 700 033.

...Applicant

-Versus-

#### Particulars of the respondents [thirteen in nos.]

1. The Central Government of India, through the Principal Secretary, Department of Personnel, Public Grievances and Pensions, Ministry of Home, having office at North Block, Cabinet Secretariat, Raisina Hill, New Delhi - 110001.

2. The Principal Secretary, Department of Ministry of Personnel, Public Grievances and Pensions, Ministry of Home, having office at North Block, Cabinet Secretariat, Raisina Hill, New Delhi - 110001.

3. The Principal Secretary, Ministry of Finance, North Block, Cabinet Secretariat, Raisina Hill, New Delhi - 110001.

4. Senior Accounts Officer [AIS Pension], Central Pension Fund Office, Ministry of Finance, Department of Expenditure, Trikoot Bhawan, New Delhi - 110 066.

The State of West Bengal, through the Principal Secretary, Home and  
Hill Affairs Department, Nabanna, 325, Sarat Chatterjee Road, Howrah -

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The Principal Secretary, Home and Hill Affairs Department,  
Government of West Bengal, Nabanna, 325, Sarat Chatterjee Road, Howrah

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Officer on Special Duty & E.O. Joint Secretary, Home and Hill Affairs  
Department, Government of West Bengal, Police Service Cell, Block - III, 3<sup>rd</sup>  
Floor, Writers Buildings, Kolkata - 700 001.

Officer on Special Duty & Controller of Accounts, AIS Pension &  
Service Records & Ex-officio Joint Secretary to the Government of West

Department of Personnel & Administrative Reforms & e-  
Service, AIS Pension Cell, Block - IV, 2<sup>nd</sup> Floor, Writers Buildings,  
Kolkata - 700 001

Principal Accountant General, West Bengal, Treasury Building,  
Kolkata - 700 001

Second Accounts Officer, Kolkata Pay and Accounts Office - II,  
Treasury Building, P-1, Hyde Lane, Kolkata - 700 073.

Joint Director [Accounts], West Bengal Police Directorate,  
Babu Banan Bhawan, South 24 Parganas - 700027.

Special Officer [IPS Cell], West Bengal Police Directorate, Nabanna,  
Sarat Chatterjee Road, Howrah - 711 102

The Director General & Inspector General of Police, West Bengal, West  
Bengal Police Directorate, Nabanna, 325, Sarat Chatterjee Road, Howrah -

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... Respondents

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA**

O.A/350/1604/2019  
MA 240/2020

Date of Order: 03.07.2020



**Coram:** Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Prasanta Kr. Ray Mukherjee.....Applicant

Vrs.

Union of India & Ors. ....Respondents

For The Applicant(s): Mr. A.R.Mukherjee, Counsel

For The Respondent(s): Mr. S.Paul, Counsel for R-1

Mr. S.N.Ray, Counsel for R-2 and 3

**ORDER (ORAL)**

Bidisha Banerjee, Member (J):

1. Heard Ld. Counsels for both the parties.
2. The applicant in this O.A. has sought for the following reliefs:

*"8.I) Pass an order / direction commanding the respondents and each one of them to release the final / regular pension along with arrear pension with effect from December, 2018 and interest thereon for delayed payment thereof for the period from December, 2018 till the actual disbursement and to act in accordance with law by acting in the manner as stated hereinabove;*

*II) Pass an order / direction commanding the respondents and each one of them to forthwith and/ or immediately certify and/ or transmit to this Hon'ble Tribunal the entire records and/ or proceedings forming subject matter of the instant case so that concessionable justice may therein be administered by setting aside and/ or quashing the impugned decision not to release the final/ regular pension along with arrear pension with effect from December, 2018 and interest thereon for delayed payment thereof for the period from December, 2018 till the actual disbursement;*

*III) Such further or other order or orders as Your Lordships may deem fit and proper."*

3. Today, Ld. Counsel for the respondents produced a letter dated 29.06.2020,  
 which is produced hereunder:



MEMORANDUM

No. 23/PAR-AIS(Pen)/IPS/12/2017

Dated Kolkata, the 29<sup>th</sup> June, 2020

Sub: Authority for payment of arrears of pension in favour of Shri Prasanta Kumar Ray Mukherjee, IPS (WB:SPS:1975) (Retd.), PPO No. 043561800085.

Shri Prasanta Kumar Ray Mukherjee, IPS (WB:SPS:1975) (Retd.), retired on superannuation w.e.f. 30.04.1998 (at the age of 58 years). Shri Ray Mukherjee was sanctioned provisional pension w.e.f. 01.05.1998 upto 30.11.2018. His superannuation Pension has been revised @ Rs. 65,550/- p.m. payable to him w.e.f. 01.01.2016 to 05.09.2018 (on the basis of his revised Basic pay, @ Rs. 1,12,100/- P.M. (34 as per 7<sup>th</sup> CPC) and thereafter as Reduced Pension @ Rs. 62,090/- p.m. w.e.f. 06.09.2018 (date of payment of CSE) upto 31.12.2019.

2. Due to late sanctioning of pensionary benefits in favour of Shri Ray Mukherjee, PPO No. 043561800085 was issued with the authority for payment of future monthly pension w.e.f. 01.01.2020 and the arrears of pension due to the pensioner on account of such delayed finalisation would be paid by the concerned administrative department (as per 2.2.2.2 of Para 7.1.1 of Civil Accounts Manual).
3. Authority is hereby issued by the Compt. of Accounts, West Bengal Police Directorate (D.O.O) to draw by present, up to 31.12.2019, the Pay & Accounts Officer, Kolkata for payment of arrears of pension @ Rs. 62,090/- p.m. with permissible dearness relief for the period from 01.12.2018 to 31.12.2019 as per provisions of All India Service (death-cum-Retirement Benefit) Rule, 1958 read with para 7.5.5 of Civil Accounts Manual of Ministry of Finance, Department of Expenditure, Controller General of Accounts.
4. The charge involved will proceed against the Head of Account, "8658-Suspense account-00-101-Pay & Accounts Office-suspense-178-Transaction Adjustable by CPAO (AIS Officer's Pen) New Delhi-21: Payment/Adjustment".

*Sd/-*

Controller of Accounts, AIS – Pension and Service Records  
 & Ex-Officio Joint Secretary to the Government of West Bengal

Ld. Counsel for the respondents assures that the payment shall reach the applicant in course of this date.

4. In view of the above, nothing survives for adjudication in this case.

Accordingly, the O.A. is disposed of without any further orders. No costs.

(Nandita Chatterjee)  
 Member (A)

(Bidisha Baherjee)  
 Member (J)

RK