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**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, CALCUTTA BENCH,
CALCUTTA**

O. A. No. 350/00 301 of 2020,

IN THE MATTER OF:

SMT. GITA BHATTACHARJEE,

wife of Late Durgadas Bhattacharjee,
aged about 88 years residing at 115,
Sarat Chandra Mukherjee Road,
Baidyabati, District- Hooghly, Pin-
712222.

...Applicant

-VERSUS-

1. **UNION OF INDIA** service through
the Secretary, Government of India,
Ministry of Personnel, Public
Grievances and Pension,
Department of Personnel &
Training, North Block, New Delhi-
110001.

2. **THE COMPTROLLER AND
AUDITOR GENERAL OF INDIA,**

Pocket -9, Deen Dayal Upadhyaya
Marg, New Delhi- 110124.

3. **THE PRINCIPAL ACCOUNTANT
GENERAL** (General & Social Sector
Audit), Treasury Building, Kolkata-
700001.

4. **THE SENIOR AUDIT OFFICER
(ADMINISTRATION)** in the office of
Principal Accountant General
(General & Social Sector Audit),
Treasury Building, Kolkata- 700001;

5. **THE CENTRALIZED PENSION
PROCESSING CENTRE** service
through the Assistant General
Manager, CPPC LHQ, Kolkata, State
Bank of India, 7th/8th Floor,
Samriddhi Bhavan, Kolkata-
700001;

6. **THE BRANCH MANAGER**, State
Bank of India, Baidyabati Branch,
287, G.T. Road, Baidyabati, District-
Hooghly, Pin- 712222.

Respondents.

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

O.A/350/301/2020

Date of Order: 12.08.2020

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

Gita Bhattacharjee

VS

M/o Personnel Public Grievances and Pensions

For The Applicant(s): Mr. P. C. Das, Counsel

Ms. T. Maity, Counsel

For The Respondent(s): None



ORDER (O R A L)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for the applicant. Despite service, none appears for respondents. Affidavit of service is taken on record. Rule 16(1) of CAT (Procedure) Rules, 1987 is invoked.

2. This application has been filed to seek the following reliefs:

"a) To pass an appropriate order directing upon the respondent authority for enhancement of pension by 20% and 30% in favour of the applicant after completion of 80 years and 85 years as per Rule 49 of the CCS (Pension) Rules, 1972 and in terms of the office memo dated 03.10.2008 issued by the Department of Personnel & Training, New Delhi with effect from the date i.e. after completion of 80 years 20% along with all arrears and after completion of 85 years 30% along with all arrears benefits with the interest at the rate of 12% per annum for not complying with the CCS (Pension) Rules, 1972 and not comply with the office memo dated 03.10.2008 issued by the DOP&T;

b) To pass an appropriate order directing upon the respondent authority to immediate enhance the pension of the applicant by 20% and 30% since at present she is 88 years of age and she is entitled to 20% after completion of 80 years and 30% after completion of 85 years in respect of enhancement of pension in respect of the circular which may be placed before the Assistant General Manager, State Bank of India, CPPC, 8th Floor, Block C/D, Samriddhi Bhavan, Kolkata-700001 and direct the Branch Manager, State Bank of India, Baidyabati Branch to implement the same by giving the actual payment in favour of the applicant without any further delay;

c) Costs;

d) Any order or orders as Your Lordships may deem fit and proper;"

3. Ld. Counsel draws our attention to page 35 of the O.A, in regard to revision of pension in terms of CCS Pension Rule 49, which shows as under;

"5. In case neither the exact date of birth nor the age is available either in the PPO or in the office records, the Pension Disbursing Authority/Bank will send an intimation to the pensioner/family pensioner about the non-availability of the information regarding date of birth/age and request him to submit four copies of any of the following documents, duly attested by a Gazetted Officer/MLA to the Pension Disbursing Authority;

- (i) *Pan Card*
- (ii) *Matriculation certificate (containing the information regarding date of birth).*
- (iii) *Passport*
- (iv) *CGHS Card*
- (v) *Driving licence (if it contains date of birth).*



If the pensioner/family pensioner submits a document which contains the information regarding exact date of birth, the additional pension/family pension will be payable from the 1st day of the month in which his date of birth falls, in the manner indicated in this Department OM of even number, dated 3-10-2008. In case the exact date of birth is not available on the document submitted by the pensioner/family pensioner but an indication regarding the age of pensioner/family pensioner is available therein, the additional pension/family pension shall be paid from the 1st January of the year following the year in which the pensioner/family pensioner has completed the age of 80 years, 85 years, etc. Based on the document submitted by the pensioner/family pensioner. For example, if the copy of the Election ID Card submitted by the pensioner/family pensioner indicates that his/her age on 1st January, 2007 is 80 years, he/she shall be allowed additional pension /family pension from 1st January, 2007."

4. Ld. counsel for the applicant would also draw our attention to the documents at page 34 of the O.A, dated 28.11.2018, issued by the SBI Baidyabati Branch, which admit that the applicant is entitled for enhancement of pension by 20% to 30% owing to completion of 80 to 85 years. Ld. Counsel for the applicant submits that the representation of the applicant failed to yield any result.

5. Accordingly, we dispose of the O.A with a direction upon the competent authority to pass appropriate order in regard to the grievance of the applicant in the light of the enumerations as above, within 2 months and extend the benefits if nothing stands in the way. In the event

the applicant is entitled, let the amount along with arrears be released within a further period of one month.

6. OA is accordingly disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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