

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH CUTTACK

Original Application No.473 of 1993

Date of Decision: 15.9.1994

Smt. Dhubani Oram

Applicant (s)

Versus

Union of India & Others

Respondent (s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? No.
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ? No.

15/9/1994
(H. RAJENDRA PRASAD)

MEMBER (ADMINISTRATIVE)

SEP 94

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CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH

Original Application No. 473 of 1993

Cuttack this the 15th day of September, 1994

C O R A M:

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMINISTRATIVE)

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Smt. Dhubani Oram, W/o. Late Kuba Oram,
aged about 68 years, R/O. Village
Chandmunda, PO: Maneswar, PS: Sadar
Thal/Munsifi/Dist: Sambalpur

Applicant/s.

By the Advocate: M/s. R.N. Panda
SK Sharma
AD Mohakud

Versus

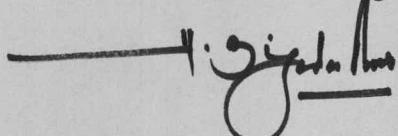
1. Director of Accounts (Postal)
Calcutta
2. Deputy Director of Accounts
(Postal), Cuttack-753005
3. Sr. Superintendent of Post Offices
Sambalpur Division, Sambalpur-768001
4. Union of India, represented through
Director General of Posts, New Delhi-1

Respondent/s

By the Advocate: Mr. Ashok Mishra
Sr. Standing Counsel (Central)

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O R D E R

MR. H. RAJENDRA PRASAD, MEMBER (ADMN): Shri Kuba Oram, was working in the Department of Posts several years ago. According to his widow, the present applicant, he had been appointed a Mail-Deon in Sambalpur Head Post Office sometime in 1938. She is not able to specify the month and the year of his appointment, nor to state whether he retired on superannuation ^{he} and if ^{he} did, when precisely did the retirement come about. Shri Oram passed away in March, 1985. In 1988, the applicant submitted a representation for grant of family pension. After a long and fairly tortuous progress, she was finally



informed that her case for family pension cannot be considered unless she furnishes certain essential details in support of her claim. She is unable to furnish any of these details. The Post-master, Sambalpur, is also not in a position to furnish any record or data except that an acquittance roll pertaining to October, 1985, shows a payment made to late Shri Oram.

2. From the scanty record and sketchy responses produced in this case, it would appear that late Oram, although called a mail-peon in one document produced by the applicant, was either a contingent worker or casual employee or an E.D. official. He certainly does not seem to have been borne on any pensionable establishment, because, if he had at all held a pensionable post, in the normal course of events a pension would have been sanctioned [redacted] and the relevant record would also be available to confirm the same. The very fact that neither the applicant nor the department has any pension payment order, or any other details of any kind, strengthens the presumption as well as the possibility that Shri Oram was not indeed a holder of any pensionary appointment. The case, therefore, is not apparently covered by the Supreme Court judgment granting family pension to the families of Government employees who retired or died before 18.1.1964 or are otherwise not covered by the Family Pension Scheme of 1964, [redacted] or by the instructions issued in compliance with the said judgment.

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3. In this instant case an avoidable and needless confusion has been created by the 'sanction of pension' issued by Senior Superintendent of Post Offices, Sambalpur Division, vide Memo No.C1/PF/1964 dated 19.9.1992, in favour of the applicant. There was not only no basis for the issue of such sanction without verifying the claim in the absence of supporting documents, but this action, evidently taken to fend-off responsibilities, merely served to generate false hopes and has only added to the agony of the applicant who has, since that day, entertained the expectation of grant of a family pension. This action, to say the least, is irresponsible.

In short, while one cannot but express sympathy for the applicant, it is not possible, at the same time, to endorse or allow her claim due to the reasons stated.

The application is disallowed. No costs.


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

15 SEP 96

B.K.Sahoo//