

50/600
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH
GUWAHATI-05

(DESTRUCTION OF RECORD RULES, 1990)

INDEX

W.P. 71105 (O.A. 73/05) and on page 1
Dated 28.3.05
O.A/T.A No. 73/2005
R.A/C.P. No. 21105
E.P/M.A No. 21105

1. Orders Sheet..... Pg. 1..... to.....
CP 21/05 and..... Pg. 1..... to..... Pg. 2..... to..... 27.5.05
2. Judgment/Order dtd. 28.3.05..... Pg. 2..... to.....
3. Judgment & Order dtd..... Received from H.C/Supreme Court
4. O.A..... 73/2005..... Pg. 1..... to. 8.....
5. E.P/M.P. 71105..... Pg. 1..... to. 9.....
6. R.A/C.P. 21105..... Pg. 1..... to. 9.....
7. W.S..... Pg..... to.....
8. Rejoinder..... Pg..... to.....
9. Reply..... Pg..... to.....
10. Any other Papers..... Pg..... to.....
11. Memo of Appearance.....
12. Additional Affidavit.....
13. Written Arguments.....
14. Amendment Reply by Respondents.....
15. Amendment Reply filed by the Applicant.....
16. Counter Reply.....

High Court under W.P.(c) 275/05 page 1 to 3

SECTION OFFICER (Judl.)

Khalid
21/11/17

FOR TING.
(SEE RULE 42)
CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

ORDER SHEET

Original Application No. 73/05

Misc. Petition No. _____

Contempt petition No. _____

Review Application No. _____

Applicants. Dipa Karmakar

N.O. I. Ims.

Advocates for the Applicant. K.K. Birwas

Advocates of the Respondents. Case

| Notes of the Registry | Dated | Order of the Tribunal |
|--|------------|---|
| THE application is in form is filed P.T. No. 0/- deposited vide I.P.C. DD No. 119 412343 Dated.....18.12.04..... 1/1/05 24/3/05 Dy. Registrar Dy. | 29.03.2005 | Present: The Hon'ble Mr. Justice G. Sivarajan Vice-Chairman. Heard learned counsel for the parties. Judgment delivered in open Court, kept in separate sheets. The O.A. is disposed of in terms of the order at the admission stage itself. |

Steps taken

bb

QD

Recd copy

1/4/05
P.K. Chawdhury

Recd. from C.P.T.
1/4/05
Advocate

G. Sivarajan
Vice-Chairman

PUC - 1

The memo No. WP(C) 275(SH) 2006/667
dated 31.5.2007 received from the SSSH Registry
The Gauhati High Court, Shillong Bench.

The PUC may kindly be seen.

The Appellant the Commissioner
Board, Shillong and another has filed a
WP(C) No 275(SH)/05 before Hon'ble
Gauhati High Court, Shillong Bench
against the judgment and order dated
28.03.2005 passed ^{in OA 73/05} by this Hon'ble Tribunal
Gauhati Bench; and the Hon'ble High
Court has called the records of OA No.
73/05 and stayed the operation of the
impugned order dated 28.3.05 passed ⁱⁿ
the above mentioned OA -

A So, we may perhaps send the
original connected case records of
OA 73/05 to the Hon'ble Gauhati High
Court, Shillong Bench by post as early
as possible to place the same before
the Hon'ble said Court.

Submitted for favour of kind
perusal and order.

8/6
11/6

Normal
SO (11.6.07)

2
1/6
Registration:

CENTRAL ADMINISTRATIVE TRIBUNAL :: GUWAHATI BENCH.

O.A. No. 73 of 2005.

DATE OF DECISION : 28.03.2005

Smti Dipa Kaur

APPLICANT(S)

Mr.K.K.Biswas

ADVOCATE FOR THE
APPLICANT(S)

- VERSUS -

U.O.I. & Ors.

RESPONDENT(S)

Mr.A.K.Chaudhuri, Addl.C.G.S.C.

ADVOCATE FOR THE
RESPONDENT(S)

THE HON'BLE MR. JUSTICE G. SIVARAJAN, VICE CHAIRMAN.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether the judgment is to be circulated to the other Benches?

Judgment delivered by Hon'ble Vice-Chairman.

CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 73 of 2005.

Date of Order: This, the 28th day of March, 2005

THE HON'BLE MR. JUSTICE G. SIVARAJAN, VICE CHAIRMAN.

Smti Dipa Kaur
Wife of Late Indar Singh
Cantonment Colony
Shillong.

... Applicant.

By Advocate Mr.K.K.Biswas.

Versus -

1. Union of India
Representing per the Ministry of Defence
The Chief Executive Officer, Cantonment Board
Shillong, Post Box No.83
Shillong - 793 001.
2. The Cantonment Executive Officer
Cantonment Board
Shillong, Post Box No.83
Shillong - 793 001. ... Respondents.

By Mr.A.K.Chaudhuri, Addl.C.G.S.C.

ORDER (ORAL)

SIVARAJAN, J (V.C.):

The applicant is the widow of late Indar Singh, who is the father of the deceased employee Dolbir Singh-V. Dolbir Singh-V, the employee died on 12.9.1999 at the age of 24 years leaving his parents. Initially late Indar Singh, the father of late Dolbir Singh preferred claim for settling the financial benefits due to deceased employee. According to the applicant, the father of late Dolbir Singh has produced all the required documents to enable the respondents to disburse the said claim. However, the respondents did not disburse the said.

fbz

claim and Indar Singh died in 2001. Thereafter the applicant in this O.A. has pursued the said claim. It is seen from the communication dated 12.11.2003 (Annexure-A) issued by the Cantonment Executive Officer that late Dolbir Singh-V owed a sum of Rs.16,361/- to the Cantt. Fund and therefore the said authority directed the General Secretary, Shillong Cantonment Board Employees Union, Shillong to arrange to deposit the said amount to the Cantt. Fund and also for submission of succession certificate from the competent authority for taking further necessary action in the matter. The applicant has produced a communication dated 8.3.2004 (Annexure-H) purporting to be in reply to Annexure-A communication sent by the Union wherein it is stated that late Indar Singh, father of the deceased employee had furnished all the required documents and that the applicant had preferred the claim only after the death of Indar Singh. It is also stated that the amount demanded in Annexure-A and sought to be recovered is very huge.

2. I have heard Mr. K. K. Biswas, learned counsel for the applicant and Mr. A. K. Chaudhuri, learned Addl. C.G.S.C. appearing for the respondents. It would appear from the correspondence already mentioned that the only reason for non-disbursement of the financial benefits due in respect of late Dolbir Singh-V are that a sum of Rs.16,361/- is due to the Cantt. Fund towards occupation of the cottage allotted to the deceased by the applicant after his death and the non-production of succession certificate issued by the competent authority. According to the learned counsel for the applicant the communication dated 8.3.2004 (Annexure-H) is a complete answer to the above. In the circumstances, I am of the view that this original application can be disposed of by directing the 2nd respondent to consider Annexure-H communication dated 8.4.2004 and pass appropriate orders in the matter as expeditiously as possible at

Spk

any rate within a period of six weeks from the date of receipt of this order. If any succession certificate is absolutely required to enable the applicant to establish ^{not y} that she is the sole heir of deceased Dolbir Singh-V and the same has not already been produced by her deceased husband Indar Singh she must be given opportunity to do so before disposing of the application.

4. The application is disposed of as above.



(G.SIVARAJAN)
VICE CHAIRMAN

bb

S/B
23.3.0

Central Administrative Tribunal

17 MAR 2005

गुवाहाटी बैच

IN THE COURT OF THE ADMINISTRATIVE TRIBUNAL::

GUWAHATI BENCH :: GUWAHATI

O.A. NO....73... of 2005

Smt. Dipa Kaur Applicant

-vs-

Union of India & Others Respondents.

LIST OF DATES & SYNOPSIS OF THE CASE.

| Date | Particulars/Contents | Page |
|------------|---|------|
| 12-9-99 | Death of Dalbir Singh-V, son of the the Applicant.- Registration . | 13 |
| 12-9-99 | Death Certificate issued by Woodland Hospital, Shillong | 15 |
| 02-5-2000 | Heairship certificate issued by Sub- Divisional Magistrate Shillong | 14 |
| 20-8-2002 | Representation of Applicant to the Respondent for final settlement of dues of Late Dalbir Singh-V | 12 |
| 12-11-2003 | Letter issued by the Respondent No: 2 to Asstt: Labour Commissioner(C), Guwahti | 9 |
| 24-2-2004 | Letter Asstt: Labour Commissioner to Union Secretary | 17 |
| 8-3-2004 | Letter of Union Secretary to Asstt: Labour Commissioner detailing facts. | 18 |
| 15-3-2005 | Submission of Original Application for 1 to 8 Release of Financial benefits of Late Dalbir Singh-V kept withheld by Respondents And withholding of his Final settlement dues. | |

Date of Filing: 17-03-05.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH ::

GUWAHATI

O.A. NO. 73 of 2005

Smt. Dipa Kaur,
Wife of Late Indar Singh,
Cantonment Colony, Shillong Petitioner.

- vs -

Union of India & Others Respondents.

INDEX

| ANNEXURES / | CONTENTS / SUBJECT | PAGE |
|-------------|--|---------|
| 1. - | Petition | 1 to 8 |
| 2. - | Verification | 8 |
| 3. A | Cantonment Executive Officer's letter NO SHG/8/D.S V/722 dt 12.11.03 | 9 to 11 |
| 4. B | Representation of Applicant dt. 20-8- 2002 to the Respondent. | 12 |
| 5. C | Registration of birth & Death of Dalbir Singh - V died on 12-9-99 | 13 |
| 6. D | ORDER of SDM/Shillong for Heirship Certificate of Late Dalbir Singh-V | 14 |
| 7. E | Death Certificate of Dalbir Singh-V | 15 |
| 8. F | Representation of Applicant dated 3-4-03 to the Respondent | 16 |
| 9. G | Asstt: Labour Commissioner's letter dt: 24-02-04 to Union Secretary | 17 |
| 10. H | Union Secretary's letter dt: 8.3.04 | 18 |
| 11. - | Vakalatnama | 19 |
| 12. - | Service Copy's Acknowledgement- (undertaking) | 20 |

Date : 17-3-05

Place: Guwahati

Filed by:
KK Biswas
(K.K.BISWAS)

Advocate.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH,
AT GUWAHATI.

Original Application No. 73 /2005.

(An Application u/s 19 of the Administrative Tribunal Act, 1985).

Smti Dipa Kaur,
Wife of Late Indar Singh,
Cantonment Colony, Shillong.Petitioner.

-Vrs-

1. Union of India, representing per,
The Ministry of Defence, Cantonment Board, ^{The Chief Executive Officer},
Shillong, Post Box No. 83, Shillong-793001.
2. Cantonment Executive Officer, Cantonment Board,
Shillong, Post Box No. 83, Shillong 793001.Respondents.

DETAILS OF APPLICATION:

1. Particulars against which the Application is made :

Release of financial benefits and security deposits of Late Dolbir Singh-V, the deceased son of the Applicant Smti Dipa Kaur, Safaiwala, including the Group Insurance, Leave Salary, Commutation value of Pension and all other ~~admissible~~ ^{admissible} benefits and release of Pension, kept pending by the Cantonment Executive Officer, Cantonment Board, Shillong as communicated vide their letter No. SHG/8/DS-V/722 dated 12.11.03.

A copy of the above impugned letter is annexed as Annexure-A.

2. Jurisdiction.

The Applicant declared that the subject matter of the Application is within the jurisdiction of this Hon'ble Tribunal.

3. Limitation.

That it is humbly submitted that the Applicant being illiterate and unaware of the law

Contd... p/2.....and Court's

File No.:
Recd by :
- H/ 3105
Advocate

And Court's procedure and also she was all the time being assured by the Respondents that the case of her deceased son was being considered for payment of all his dues and securities kept unsettled with the Respondents, the Applicant could not come to this Hon'ble Tribunal earlier.

The Applicant submits that a separate Application has been filed under M.P. No. 71/2005, ^{as advised by her counsel} praying for condonation delay, if any, in filing this Application and the Applicant prays that your Lordship may be kind enough to Condon the delay and ^{admit} this Application for redressal of the Application and for which the Applicant shall remain ever grateful to your Lordship.

Mr. ^{Advocate}
Rakesh
17/12/05

P25

4. **Facts of the Case.:**

- 4.1. That the Applicant is the citizen of India and belongs to Schedule Caste, and is therefore, entitled to the rights and privilege granted to the citizens of India under the Constitution.
- 4.2. That the Applicant was an employee, a Sanitary Jamadar in the Cantonment Executive Officer, Cantonment Board, Shillong and retired from her services on superannuation with effect from 30.6.04 Afternoon after completion of her successful and satisfactory service to the Respondents.
- 4.3. That the Applicant begs to state that her son Late Dqlbir Sing-V was also an employee, a Sweeper in the same establishment of the Shillong Cantonment Board under the control of Executive Officer, Shillong and unfortunately expired on 12.9.99, only at the age of 24 years and having finally this bereaved woman as his successor surviving to mourn for the rest of her life having lost her young son.
- 4.4. That to be succumbed to the irony of fate and the necessities of the material world, the Applicant prayed to the Respondents for releasing all the financial benefits and security deposit of Late Dqlbir Sing-V at the earliest. But the Respondents taking the advantage of the illiteracy and helplessness of this bereaved old woman had been deliberately delaying the matter for this reason or that and no positive step was taken by the Respondents to settle the final settlement of the deceased employee Late Dqlbir Sing-V, the son of the Applicant.

12
Ref. No. 412105
Advocate

4.5 The Applicant begs to submit that realising the helpless condition of the Applicant the Shillong Cantonment Board Employees Union came forward to help her in getting the matter settled in the event of releasing of financial benefits admissible to Late Dqlbir Sing-V and his security deposits deposited at the time of his appointment in the establishment of the Respondents.

4.6 That even after taking the matter by the Cantonment Employees Union, Shillong no final decision could be made as yet and the Applicant with her minor dependents are living in most uncertain condition and counting the days with much agony whether to get the legitimate dues of her son Late Dqlbir Sing-V at all from the tight grip of the Respondents in lieu of their wanton attitude and unfair administrative policy to cause miscarriage of justice to Late Dqlbir Sing-V and his family members, herein the Applicant.

4.7 That the Applicant begs to state that after taking the matter by the Union the matter could not be settled across the table with the Respondents and thence they had to approach the Regional Labour Commissioner (Central), Govt. of India, Ministry of labour, Guwahati for conciliation and settle the issue in releasing the legitimate dues of Late Dqlbir Sing-V to his legal successor.

4.8 That it is submitted that after spending a suitable period of time by the Respondents, the Respondents wrote a letter to the Assistant Labour Commissioner (Central), Government of India, Ministry of Labour, Guwahati-3 vide impugned letter as "Annexure-A".

4.9 That it is submitted that in the aforementioned letter the Respondents admitted the death of Late Dqlbir Singh-V and intimated the Assistant Labour Commissioner (Central), Government of India, Ministry of Labour, Guwahati-3 that the death of Late Dqlbir Sing was intimated by his mother Smti Dipa Kaur, herein the Applicant on 1.11.99. But at the same time with a vague plea that an amount of Rs. 16,361/- was lying outstanding against Late Dqlbir Singh-V "on account of rent for government accommodation unauthorisedly occupied" by Dipa Kaur, the Applicant and demanded some papers for final settlement.

4.10 *Wait* That it is submitted the Applicant has already submitted all necessary papers

To the respondents vide her letter dated 20.8.02 and requested the Respondents for early release of all financial benefits admissible to Late Dolbir Singh-V a deceased employee in the Respondent's establishment.

A photo copy of her above representation along with its required enclosures are submitted herewith as Annexures-B,C,D and E.

Advocate
Nafisa
13/3/05



4.11 That it is pertinent to mention that the Respondents after receiving the necessary documents and the Applicant's representations mentioned in the foregoing Para-4.10, the Applicant prayed before the Respondents by an another letter dated 3.4.03 for the total amount of dues payable to the Late Dolbir Singh-V ^{informing} so as to enable her to procure the necessary Succession Certificate, as the Court fees shall have to be produced in the Hon'ble District Judge's Court, Shillong in the event of issuance a Succession Certificate to the legal heirs of the deceased Dolbir Singh-V on the actual amount payable to the deceased ^{Certificate} employee, as per Prevailing Rules of the Succession. But it is a matter of peculiar grief and great regret that the total the total amount payable to the deceased employee Late Dolbir Singh-V was not communicated to the ^{proewce and} Applicant till date and as a result of which she could not produce the Succession Certificate as claimed for by the Respondents.

Copy of the above letter is annexed as Annexure-F.

4.12 That incidentally it is mentioned that the final settlement of a deceased employee for the house rent amount of the other who was also a regular employee in the same establishment could not be deducted at all. It was a mere vague plea of the Respondents to deprive of the Late Dolbir Singh-V from releasing his final settlement amount to the surviving successor, herein the Applicant, his mother.

4.13 That the Respondents after receiving the letters of the Applicant and several personal approaches remain chilly silent and took no assertive action in finalizing the long standing matter.

4.14 That on being pursued the matter by the Assistant Labour Commissioner(Central), Government of India, Ministry of Labour, ^{Guwahati} Shillong, The Respondent made the impugned letter and communicated to the Assistant Labour Commissioner,Guwahati detailing the vague pleas for

Advocate
Nefesos
4-3-05

Non finalizing the final settlement dues of Late Dolbir Singh V.

4.15 That on being received of the impugned letter of the Respondent the Assistant Labour Commissioner made a communication to the General Secretary, Cantonment Board Employees' Union, Shillong for comments vide his letter No.8/ID/MIC/2001-G/A dated 24.2.04.

A copy of the above letter is annexed as Annexure-E.

4.16 That after having received the letter from the Assistant Labour Commissioner (Central), Guwahati mentioned above, the Union General Secretary gave a suitable reply to the Labour Commissioner regarding the claim of the Applicant and the clarification of the Respondent's impugned letter vide his letter dated 8.3.04 and requested the Labour Commissioner to kindly take necessary steps to settle the issue after making necessary investigation personally by the Assistant Labour Commissioner (Central), Ministry of Labour, Guwahati to ascertain the fact and get redress of the bereaved family Late Dolbir Singh V.

copy of the letter is enclosed as Annexure - H

4.17 That after submission of the said letter by the Union mentioned in the foregoing Para both the Assistant Labour Commissioner and the Respondents are quite silent on the matter and the Applicant after several personal approaches to the Respondent No.2 could not get a single word from him in respect of finalizing this long standing issue.

4.18 That the Applicant begs to state that it is pertinent to mention in this connection that the Applicant's final settlement dues were also with the Respondents, more particularly the Respondent No.2 and had there been any good intention for settling the matter with fair play and equitable justice, if any dues of Late Dolbir Singh V payable to the Administration, could have been recovered from her final settlement dues as the alleged unauthorized occupation of the Government accommodation was done by the Applicant and not by the Late Dolbir Singh V, which is clear and clandestine from the very letter of the Respondent No.2 as impugned in the "Annexure-A".

4.19 That as there was no other alternative for the Applicant in this ^{recourse} ~~years of~~ of her age and being a bereaved woman of her young son only at the age of 24 years she has been compelled to feel that coming for legal recourse by this

Contd.....p/6...Hon'ble

Hon'ble Tribunal is efficacious and hence, she has come to this Hon'ble Tribunal for correct discernment of the case and justice to the bereaved Applicant.

Ms. J. S. Joshi
Advocate
17.3.05

4.20 That inaction of the Respondents has sustained a heavy financial loss to this poor and bereaved Applicant.

4.21 That the Respondents have infringed the Constitutional safeguards guaranteed under Articles 14,16(1),21,39(D) and 309 of the Constitution of India and violated the statutory provisions of Sec. 7(3) & 7(3A) of the Payment of Gratuity Act, 1972.

4.22 That the Applicant craves leave of the Hon'ble Tribunal to file Additional Written Statement/Re-joinder, if necessary for the ends of justice.

5. Ground for relief:

5.1. For that the Applicant was denied of getting the legitimate dues of her deceased son and harassed by the Respondents in this way or that right from the date of death of Late Dqlbir Singh V, happened on 12.9.99.

5.2. For that the fairness of Administrative justice was denied.

5.3. For that the Rules and prevailing system of the Respondent's own set of Rules were flouted by the Respondents.

5.4. For that the inaction and/or wrong action of the Administration has caused unfair play and miscarriage of justice and thereby infringement of Fundamental Rights in respect of Articles 14,16,21,39(d) and 309 of the Constitution of India have been caused.

6. Details of remedy exhausted..

The Applicant declares that failing to get her grievances redress under the relevant Service Rules to the best of her capabilities she has come to this Hon'ble Tribunal for having justice which seemed to her efficacious as per Article 21 of the Constitution of India.

7 Matters not previously filed or pending with any other Court.

The Applicant most humbly submits that she has not previously filed any Application, in this Tribunal nor any Writ Petition or Suit regarding the matter in respect of which this Application has been made before any Court or any other Bench of the Tribunal.

Advocate
17/3/05

CD
P

8. Relief sought:

- 8.1. In the circumstances stated above, the Applicant humbly prays that the Lordship of this Hon'ble Tribunal may be pleased to pass order and direct the Respondents to release the financial benefits admissible to Late Dqlbir Singh V, Safaiwala, a sweeper under the establishment of the Respondents, immediately as per prevailing Rules to the Applicant with all consequential benefits; and
- 8.2 Interest at the prevailing market rate for the amount payable to the deceased employee of the Respondents, namely, Late Dqlbir Singh V, to the Applicant, as is only surviving heir, for the financial loss occurred to him and his surviving family members due to deliberate and inordinate delay of the Respondents; and
- 8.3 Release of the Pension and Pensionery benefits of Late Dqlbir Singh V to the Applicant;
- 8.4 Cost for the litigation expenses; and
- 8.5 Any other relief(s) as the Hon'ble Tribunal may deem fit and proper.

9. Interim Relief:

Pending finalization of this Application your Lordship may be pleased to pass orders for early release of the Pension and Pensionery benefits of Late Dqlbir Singh V to this Applicant, and/or such order as deem fit and proper by this Hon'ble Tribunal.

10. Particulars of Application fees:

11 G 412343
Indian Postal Order No..... dated 18.12.04 amounting to Rs. 50/-

(Rupees fifty) only to be drawn in H.P.O,Guwahati,is enclosed herewith.

11. Details of Index:

An Index in duplicate containing the details of the documents to be relied upon is enclosed .

12. List of Annexures:

Annexures : A,B,C,D,E,F, G, H

VERIFICATION

I,Smti Dipa Kaur,wife of Late Indec Singh.....,aged about 60 years 8 months, a retired employee in the capacity of Sanitary Jamadar under the Management of the Executive Officer,Cantonment Board,Shillong,do hereby solemnly declare that my submission in the foregoing paras are true to my knowledge,belief and faith and I have not suppressed any material facts before this Hon'ble Tribunal ,

And I sign this VERIFICATION on this 14th day of March,2005.

Place : Guwahati

Date: 14 - 3 - 2005

SIGNATURE OF THE APPLICANT



Answered - A

Telephone
6904 (Milly)
2223929 (Civil)

REGISTERED

No SHG/8/D.S-V/722
Office of the Cantonment Board
Post Box No -83 Shillong
Dated the 12 Nov 2003

To

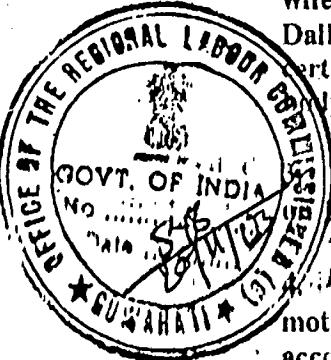
The Asstt. Labour Commissioner (Central),
Govt. of India,
Ministry of Labour,
Rajgarh Road, Chandmari,
Guwahati - 3.

SUB: FINANCIAL BENEFITS OF LATE DALBIR SINGH-V SAFAIWALA

Dear Sir,

Reference your letter No. 8/ID/MISC/2001-G/A dated 10.09.2003.

2. Late Sh. Dalbir Singh was appointed as a Safaiwala under the services of the Board on 13.05.1992 and expired on 12.09.1999 while in service. He was a married person and his wife namely Smt. Rita expired on 24.09.1998 as per the intimation furnished by late Sh. Dalbir Singh - V during his life time vide his letter dated 06.03.1999. Till date death certificate issued by the Registrar of Births and deaths has not been submitted by anybody. Late Sh. Dalbir Singh also did not nominate anybody for receiving his dues.



The death of late Sh. Dalbir Singh - V was intimated by his mother Smt. Dipa Kaur on 1.11.1999.

This office vide letter No. SHG/8/DS-V/863 dated 16.12.1999 intimated Smt. Dipa Kaur, mother of late Sh. Dalbir Singh - V that a sum of Rs. 8,115.00 only is lying in the GPF account of late Sh. Dalbir Singh - V whose death was intimated by her. Since late Sh. Dalbir Singh - V did not nominate anybody to receive financial benefits in case of his death. It was also intimated to Smt. Dipa Kaur, mother of late Sh. Dalbir Singh - V that if any body from the family of deceased Dalbir Singh - V is interested to claim the dues of late Sh. Dalbir Singh - V he/ she may submit the claim the dues of late Sh. Dalbir Singh - V he/she may submit the claim supported by documents like succession certificate, legal heir certificate etc etc.

5. On 14.02.2000 Sh. Inder Singh, father of late Sh. Dalbir Singh - V intimated that he is the only surviving legal heir of late Sh. Singh since wife of late Sh. Dalbir Singh - V expired without any children.

6. This office vide letter No. SHG/8/DS-V/1036 dated 23.02.2000 intimated Sh. Inder Singh (father of late Sh. Dalbir Singh - V) that the payment of the dues will be made to a legal representative on proper identity and on submission of legal heirship certificate and succession certificate.

7. On 27.03.2000 Smt. Dipa wife of Sh. Inder Singh and mother of late Sh. Dalbir Singh - V submitted an affidavit stating that she is the legal heir of her deceased son and is entitled to obtain dues and securities of her son.

Attested
11.3.05
Advocate

8. Simultaneously, Sh. Inder Singh father of late Sh. Dalbir Singh-V was asked vide this office letter dated 07.04.2000 to submit the death certificate of late Sh. Dalbir Singh-V and legal heirship/ succession certificate in response to his application dated 14.02.2000 mentioned at para 5 above.

9. Since, there are cross claims by the mother and father of the deceased, this office vide letter No. SHG/8/DALBIR-V/203 dated 02.06.2000 and No. SHG/8/DALBIR-V/204 dated 02.06.2000 addressed to both father and mother of the deceased to obtain succession certificate from the competent court having jurisdiction for releasing the dues of late Sh. Dalbir Singh - V Ex- Safaiwala of this Board.

10. In this connection it is submitted that the quarter allotted to late Sh. Dalbir Singh-V was occupied by Smt. Dipa the mother of late Sh. Dalbir Singh-V who was informed vide this office letter No. SHG/6/Allot/Qrt/1233 dated 23.03.2000 that since the official quarter allotted to late Sh. Dalbir Singh-V has been occupied by her w.e.f. 12.9.1999 to 31.3.2001, she shall have to pay rent to the Board.

Again, this office vide letter No. SHG/8/D.S-V dated 18.04.2001 intimated Smt. Dipa to deposit a sum of Rs. 14,981.00 only being the rent of the said quarter upto 31.03.2001 within 7 days and to vacate the quarter immediately. On compliance of the above direction, the dues of late Sh. Dilbir Singh - V will be released and paid to Sh. Inder Singh, father of late Sh. Dalbir Singh V who has submitted the succession certificate on 20.03.2001.

11. This office vide letter No. SHG/8/DS-V dated 16.05.2001 intimated Sh. Inder Singh father of late Sh. Dalbir Singh-V that Smt. Dipa mother of late Sh. Dalbir Singh-V under whose possession the quarter allotted to late Sh. Dalbir Singh-V to deposit a sum of Rs. 14,981.00 being the rent of the said quarter till 31.03.2001 and to vacate the same but in vain.

12. Smt. Dipa Kaur mother of late Sh. Dalbir Singh-V vide her application dated 20.08.2002 requested this office to release the financial benefit of late Sh. Dalbir Singh-V.

13. This office vide letter No. SHG/8/D.S-V/362 dated 12.9.2002 asked Smt. Dipa to deposit Rs. 16,361.00 only being the outstanding dues against late Sh. Dalbir Singh-V on account of rent for Govt. accommodation unauthorisedly occupied by her from 12.09.1999 to 16.5.2001 within 30 (Thirty) days from the date of receipt of this letter. On compliance of the above said direction and on production of succession certificate from the competent court the dues of late Sh. Dalbir Singh-V will be released and paid to you. In this connection it is submitted that Sh. Inder Singh expired on.

Attest
S. K. S. S. S.
11-3-05
Advocate

In view of the facts stated above the General Secretary, Shillong Cantonment Board Employees Union, Shillong may be asked to make arrangement for depositing Rs. 16,361.00 only to the Cantt. fund and also for submission of succession certificate from the competent authority for taking further necessary action in the matter.

Yours faithfully

Cantonment Executive Officer
(G.N. Mathur)

Address to
R.D.S.
11-3-25
Advocate

To

The Chief Executive Officer,
The Shillong Cantonment Board,
Shillong.

Sub:- Praying for Release of Financial Benefit
of Late Dalbir Singh-V

Respected Sir,

I have the honour to draw your kind
attention and sympathetic consideration on the facts
and circumstances mentioned below :-

That Sir, till date I have not received any
financial benefit of Late Dalbir Singh-V who expired
some time of 1999.

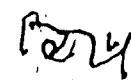
That Sir, I have already submitted relevant
papers including death Certificate of Late Dalbir Singh-V.

So Sir, I therefore most humbly requesting you
to take necessary step to release all the
financial benefit of Late Dalbir Singh-V
as early as possible and for that act
of kindness I shall be grateful to you for
ever.

Thanking you.

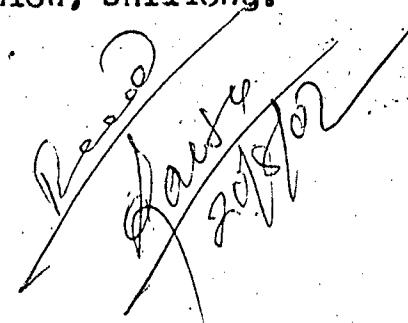
Dated: Shillong,
20th Aug/2002.

Yours faithfully,


(Dipa Kaur)

Copy to :-

General Secretary Cantonment employees
Union, Shillong.



Attest -
Dipak Kaur
11-3-05
Advocate

FORM NO. : 13

308 YEAR ;

REGISTRAR OF BIRTH AND DEATH

Registration Unit : Shillong Cantonment, East Khasi Hills

Date of Registration : 1. 11. 99

Date of Death : 12. 9. 99

Name : Debbar SinghName of Father/Husband : Inder SinghPlace of Death : Shillong - Cantt.Age : 24 yrs.Sex : MALEOccupation : Cantt. Board's employee.Religion : HINDUNationality : INDIANPermanent Residential Address : Cantt. class - IV - Staff quarters.Cause of Death : Cardio Respiratory failure.Name of the informant : Mr. Dipa.

Mr. Dipa
15/11/99
Shillong
Cantt.
East Khasi Hills
India
09/11/00
Answer - C
28

Mr. Dipa
11/3/05
Advocate

IN THE COURT OF THE SUB-DIVISIONAL MAGISTRATE,
AT SHILLONG.

Shri Inder Singh.....

..... Petitioner.

Date: 02-05-2000.

: ORDER:

Seen the Petition filed by Shri Inder Singh of Harijan Colony, Cantonment Shillong for obtaining ~~Widower~~ heir-ship Certificate for the Debt and Security left behind by his son (L) Dalbir Singh who expired on 12-9-1999 at Woodland Hospital, Shillong.

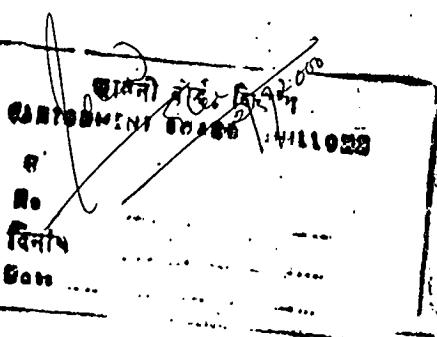
Also seen the death Certificate of Late Dalbir Singh issued by Woodland Hospital Authority this Court arrived on the conclusion that the Petitioner is the legal heir of late Dalbir Singh for all the Debts and Securities left behind by Late Dalbir Singh.

GIVEN UNDER the hand and Seal of this Court on this the 02nd day of May 2000 at Shillong.

My
decision.

2/5/2000
Sub-Divisional Magistrate,
East Khasi Hills District,
Shillong.

Alleged
Revd. 11-3-05
Advocate



Woodland Hospital

DHANKHETI, SHILLONG - 793 003, MEGHALAYA

T : 225240, 224885

DEATH CERTIFICATE

NAME : MR. DALBIR SINGH.

AGE / SEX : 24 YRS / MALE

DATE OF ADMISSION : 08/09/99

DATE OF DEATH : 12/09/99

TIME OF EXPIRY : 10.20 A.M

DIAGNOSIS AND :
1. CIRRHOSIS OF LIVER WITH DECOMPENSATION.
2. SPONTANEOUS BACTERIAL PERITONITIS.
3. PULMONARY KOCH'S WITH RIGHT PLEURAL
EFFUSION.

CAUSE OF DEATH : CARDIO RESPIRATORY FAILURE.

DR. R. S. THANGKHEW MD/DM
CONSULTANT GASTROENTEROLOGISTAttest to
Mr. K. K. Singh
11.3.05
Advocate

To

The Cantonment Executive Officer
Cantonment Board Shillong

Sub:- Praying for release of financial benefit of Late
Dalbir Singh-V

Sir

Reference your letter No. SHG/8/DS-V/362 dated 20
12.9.02 received by me on 1.4.05

With reference to above kindly let me know the
details of dues of late Sh. Dalbir Singh V so as to enable
me to produce the succession certificate.

Yours faithfully

RK

(Smt. Dipa Kaur)

Alleged
Recd
11-3-05
Advocate

Ans
03/4/03



লাইফ ইন্সুরেন্স কর্পোরেশন অব ইণ্ডিয়া
মানসূচীয় জীবন বীমা নিঃসন্দেহ
 Life Insurance Corporation of India

মণ্ডল ফার্মাসী, শীঘ্ৰ প্ৰকাশ, এচ. এচ. পোড়, গুৱাহাটী-৭৮১০০১
 মণ্ডল পার্কস, শীঘ্ৰ প্ৰকাশ, এল. এম. রোড, গুৱাহাটী-৭৮১০০১
 Divisional Office, Jeevan Prakash, S.S. Road, Guwahati-781 001

GDO/P&GS/

30-8-2000

The Executive Officer,
 Containment Board,
 P.B. No. 83
 Shillong - 1

Dear Sir,

Re : M.P No. 26301 Death claim of Late Sri Mon
 Bahadur & Late Dalbir V

We find that you have submitted the claim forms in old
 form. We are sending herewith the new claim form which are to be
 submitted to us, duly filled in.

Please send the original death certificates in both the
 cases for our verification.

On receipt of the above requirement we shall proceed
 further in the matter.

Thanking you,

Yours faithfully,

Manager (P&GS)

Enclo : 2 set of claim form.

টেলিফোন/ডেস্ক/Phone (PBX) : 543242, 544920, 544908, 544910, STD:0361, P.B. No. 0, গুৱাহাটী/গুৱাহাটী/Fax-547655,
 ই-মেইল/E-mail:licgau.0@gw1.net.in, Gram: Bimamandal

Alleged
 Received 11-3-05
 Advocate

~~18~~ ~~Answeree - H~~ X
General Secretary _____
CAÑTT. EMPLOYES UNION

Regd. No. 85
SHILLONG (MEGHALAYA)

Ref No.....

Date.....
8.03.2004.

To

The Assistant Labour Commissioner (Control),
Government of India,
Guwahati.

Re: Reference Your Letter No.8/1D/MISC/2001-C/A- Dated Nil.

Sub: Financial Benefits of Late Dalbir Singh -V (Safaiwala).

Respected Sir,

With due respect I would like to draw your attention on the facts and circumstances mentioned below:-

That Sir, as per your letter cited above first of all I have come to know that for the debts and surties both the father and mother of Late Dalbir Singh V submitted their claims, but in fact the father of Late Dalbir Singh, Shri Inder Singh deposited necessary documents before the executive Officer, the Shillong Cantonment Board but the Cantonment authority fail to clear all the financial benefit of Late Dalbir Singh V during the life time of Inder Singh Father of the Late Dalbir Singh V and after the death of Inder Singh, Smti. Deepa Kaur the mother of Late Dalbir Singh V has given application for releasing the financial benefits as, so there is no contradictory in claim matter as appears in the Written Comments submitted by the Cantonment Board, Shillong before Your honour.

That Sir, it is also a matter of utter surprise, that the Cantonment board demanding a huge amount from Smti. Deepa Kaur against the occupation of the allotted Quarter of Late Dalbir Singh V but just after the death of Late Dalbir Singh V Smti. Deepa Kaur informed the cantonment board to take necessary step regarding the allotted Quarter as it laying vacant, but no one take any types of interest, the another was reported to Shri Sujit Das, and who locked the house after five to six month and still laying vacant, over and above the condition of the said quarter is not fit for human use and Occupation, So Sir, the allegation is nothing but the Coverup the irregularity done by the authority of Shillong Cantonment Board.

That Sir, due to illegal acts and Consequences of the Shillong Cantonment Board, the Poor employees suffering a lot.

Sir, towards, the conclusion of the matter I am hereby requesting you to make necessary investigation by your honour personally to ascertain the true fact.

I hope Your kind Co-operation will help me a lot.

Thanking you.

General Secretary
Cantonment Board Employee Union Shillong
Regd No. 85. *Shankar*
Yours Faithfully. *Shankar*
11.3.05

Shankar
Advocate
11.3.05