

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

O.A. No. 350/001063/2016

Date of Order: 27.06.2018

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member

Madhuri Singh
Unemployed daughter of Late Satrugan Singh
Aged about 42 years, resident of Ward No. 1
Post Office – Inda, Kharagpur
District – Paschim Medinipur, Pin – 721305.

.....Applicant.

-vs-

1. Union of India, through the General Manager
South Eastern Railway, Garden Reach
Kolkata – 700043
2. The Divisional Railway Manager
South Eastern Railway, Kharagpur
District – Paschim Medinipur, Pin – 721301.
3. The Workshop Personnel Officer
South Eastern Railway, Kharagpur
District – Paschim Medinipur, Pin – 721301.
4. The Assistant Workshop Personnel Officer
South Eastern Railway, Kharagpur
District – Paschim Medinipur, Pin – 721301.
5. Sati Singh, Wife of Late Srihari Singh
Vill – Talbona, Post Office – Narda
Police Station – Sankrail, Howrah – 721143.

.....Respondents.

For the Applicant : Mr. T.K. Biswas

For the Respondents : Mr. A.K. Banerjee
Ms. T. Maity

ORDER (ORAL)

Per Ms. Bidisha Banerjee, Judicial Member:

Heard learned counsel for both the parties.

2. The applicant in the present case is the unmarried daughter of deceased Satrugan Singh, Ex-Employee being No. R/P-11, T No. 40086 of South Eastern Railway, Karagpur had claimed for family pension as unmarried daughter. In terms of RBE No. 116/2007 dated 16.10.2007, the case of the applicant has been turned down on the ground that her elder sister namely Sati Singh, widow daughter of the deceased, is earning and is found ineligible for family pension.

3. RBE No. 116/2007 dated 16.10.2007 is explicit to the extent that –“Grant of family pension to unmarried/widowed/divorced daughters shall be payable in order of their date of birth and younger of them will not be eligible for family pension unless the next above her has become ineligible for grant of family pension. It is further clarified that family pension to unmarried/widowed/divorced daughters above the age of 25 years shall be payable only after the other eligible children below the age of 25 years have ceased to be eligible to receive family pension and that there is no disabled child to receive the family pension.”

4. Since it explicit that the younger one should not be eligible unless the next above her has become ineligible for grant of family pension which Sati Singh has become ineligible in view of the fact that she is earning much above the limit of 2500/- pm as evident from the Certificate of Block Development Officer at

Annexure-A/7 certifying that yearly family income of Sati Singh is Rs. 150000.00.

5. Thus the rejection of the applicant's case for grant of family pension as unmarried daughter seems to be arbitrary and illegal. Accordingly, the O.A. is disposed of with the direction upon the competent authority to pass appropriate orders in favour of the applicant in terms of RBE No. 116/2007 dated 16.10.2007 untrammelled by their earlier decision for considering her ineligibility because Sati Singh has been found ineligible as a widowed daughter.

6. Let appropriate orders be issued within two months from the date of receipt copy of this order.

7. Accordingly, the O.A. stands disposed of. No order as to costs.



(Bidisha Banerjee)
Member (J)