

21.12-2023

Perused the record. Pleadings are completed .

Complainant Kherun Nisha is old aged about 95 years and she claims to be handicapped person. Her grievance is to the effect that she is not paid pension to which widows are entitled under Indira Gandhi National Widow Pension. She has contended that from April,2015 to March, 2023 her pension is not paid to her .

The respondent authorities were noticed by this Commission. The District Magistrate, Rohatas, Sasaram submitted his report that the bank account of the complainant was not functioning and therefore, pension could not be paid. It is further contended that if the bank account details and photo copy of Passbook is a made available within the Sub-divisional Officer will correct discrepancy in the 'Login' and thereafter payment shall be made directly in the account.

Subsequently the Assistant Director of the District Social Security Cell, Rohtas, Sasaram vide communication dt. 27-03-2023 has informed the Commission that pension of February,2023 amounting to Rs. 5200 is seen to be paid to the complainant from " ई-लाभार्थी पोर्टल" . This implies that the respondents were having bank details of the complainant .

The complainant has subsequently informed that she received pension from February, 2022 to February, 2023. However, she has not received pension from April, 2015 onwards, up to date.

It is clear from the reports submitted by the respondent department of the State that for the entire period as claimed by the complainant the old age pension is not paid to her. Initially lame excuse of non-availability of bank details was raised by the District Collector and subsequently the Assistant Director of the District Social Security Cell, Rohtas, Sasaram has stated that Portal shows payment of pension upto February, 2023. There is nothing substantiated that the complainant was paid Old Age Pension for the period from April, 2015 onwards fully.

Entitlement of the complainant for Old Age Pension is not disputed. The complainant has informed that she is a widow aged about 95 years. As claimed by her she is a handicapped person. There cannot be any gross abuse of human rights more than what is stated by the old and infirm complainant in this case. Right to life as guaranteed by Article 21 of the Constitution of India is breached by the authorities by the State and therefore, the complainant is certainly entitled for compensation which is quantified modestly to Rs. 5,0000 (Fifty Thousand). Apart from payment of this compensation it is recommendation to clear the entire arrears of Old Age Pension payable to the complainant within a period of two months from the date of receipt of this order by the District Collector, Sasaram at Rohtas failing which consequence as envisaged by the Protection of Human Right 1993 shall follow. Inform all concerns accordingly.

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The complaint is accordingly, allowed. Both parties are informed accordingly.

Copy of this order and report of District Collector, Rohtas, Sasaram kept in the file at Pgs(36-34) be forwarded to the Chief Secretary, Govt. of Bihar, Patna for information and necessary action.


(Ananta Manohar Badar)
Chairperson