

TRIPURA HUMAN RIGHTS COMMISSION  
KUNJABAN: AGARTALA  
PIN - 799006

**Complaint No. 46 of 2024**

**Mahuya Das Chanda**  
**Vs**  
**Divisional Forest Officer, Udaipur**

**FINAL ORDER**  
**Dated, 24<sup>th</sup> of December-2024**

On 18/06/2024 a complaint was received through e-mail sent by the complainant Smt. Mahuya Das of Shalgarah, Udaipur of South Tripura District. The said complaint did not make out any clear meaning. So, the complainant was asked to appear before the Commission. The complainant appeared on 07/08/2024 and accordingly the complainant was examined on oath.

It was stated by the complainant that her husband was working as a forest guard under DFO, Udaipur and while in service he died on 16/11/2022. But she did not get any family pension and other benefits from the concerned department even after repeated efforts made by her. She also stated that she made a prayer for a job to her eligible son under die-in-harness scheme, but that was not considered. She alleged that her rights have been infringed by the DFO, Udaipur by not settling her family pension and other benefits on the death of her husband. On that day she did not submit any documents relating to employment of her husband and she was given a chance

for submission of documents. The complainant remained absent inspite of notices issued to her on repeated occasions. Initially when the complainant appeared, she expressed her helplessness since her son was creating obstacles in taking appropriate steps and her son was usurping the retiral benefits which were allotted to her. The Commission tried to speak with the complainant through mobile, but her son grabbed her mobile phone and did not allow her to speak. So, the Commission considers that there might be something hush hush occurred which was preventing the complainant in taking appropriate steps. Considering the gamut of the facts which are available with this Commission, the Commission considered to have a proper investigation by the Investigation Wing of the Commission in respect of the complainant's affairs to protect the human rights of the complainant and accordingly the Investigation Wing of the Commission headed by Dy.S.P. L.Molsom of THRC was asked to conduct a vivid inquiry in the matter and to submit a report in details. On 29/11/2024 the Investigation Wing of THRC submitted a detailed report.

2. The Investigation Wing after due inquiry concluded their investigation which reads as follows:

**“CONCLUSION:**

*During inquiry based on all records available the following facts has been established:-*

  
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1. The complainant's husband Shyamal Chanda was working as Forest Guard under Sub-Divisional Forest Officer, Udaipur Gomati Tripura and passed away while on duty at the age of 54 due to cancer on 16.11.2022. His son prayed for die harness scheme but her husband was over 50 years of age when he expired.
2. Smt. Mahuya Das Chandra W/O Lt. Shyamal Chanda did not lodge any complaint to this Commission rather it was his son Malay Chanda who had copied her signature and lodge a complaint to the Commission through email for not getting benefits like monthly pension, G.I, GPF, Special Pension etc. from Sub-Divisional Forest Officer, Udaipur immediately after the expiry of her husband.
3. From the statement of the complainant it is revealed that the complainant's son Malay Chanda pressurizes his mother to withdraw the case and also threatened her that he will kick her out of the house and beat her up if she doesn't withdraw the case. It is further revealed that the complainant's son often pressurizes the complainant for giving money. If, the demand is not met the complainant son would raised his hands upon her. In this way Malay Chanda continues to withdraw money from the complainant Bank Account on different occasions.
4. The complainant filed a case against her son in Udaipur Women Police Station about one year ago due to continuous torture upon her by her son. But again she had to withdraw her complaint from Udaipur Women Police Station under the pressure of her son. The complainant's son had also given an undertaking stating that he would not raise his hands upon her again.
5. The Investigation Wing of this Commission visited Udaipur on 05.11.2024 and was suppose to visit the complainant house at Salgarah and talk with her son. But the investigation wing did not visit the complainant house, as Smt. Mahuya Das Chanda requested the Investigation Wing again and again not to visit her house, on fear of her son. The younger

*Handwritten signature*  
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brother of the complainant namely Sri Samir Sarkar accompanying the complainant also made the same request.

6. The Investigation Wing along with Smt. Mahuya Das Chanda and Sri Samir Sarkar visited Office of the Sub-Divisional Forest Officer, Udaipur dated 05.11.2024 and consulted with Sri Khagendra Debbarma, SDFO, Udaipur, Gomati Tripura about the concerned case and the benefits that was not received by the complainant after the death of her husband Shyamal Chanda, Ex-Forest Guard of Forest Department. Smt. Bishnu Rani Jamatia, Accountant of Sub-Divisional Forest Office, Udaipur verbally informed the complainant and Investigation Wing that most of the benefits have already been given to the complainant through her SBI Bank Account No: 39813596512 under Udaipur SBI Branch. Only benefits like Group Insurance and Special Pension benefit is yet to be received by the complainant. Although Special Pension proposal in respect of Smt. Mahuya Das Chanda W/O Lt. Shyamal Chanda, Ex Forest Guard of Forest Department, Government of Tripura is under process by the Office of SDFO, Udaipur, Gomati Tripura and Group Insurance benefits could not be processed due to non availability of Membership Document of Lt. Shymal Chanda. However, Sri Khagendra Debbarma, SDFO, Udaipur has verbally assured to the complainant that the said matter will be look into immediately and will try to process the G.I matter at the earliest.

7. The office of the SDFO, Udaipur provided some documents related to the benefits already give to the complainant signed by the then SDFO, Udaipur namely Sri Kamal Bhowmik dated 23<sup>rd</sup> August 2023, which is given below:

1. Provisional Pension including admissible DR w.e.f  
17.11.2022 to 16.05.2023 X 6(six) months: Rs. 105618/-
2. MA( @Rs. 500/-P.M) 17.11.2022  
16.05.2023 x 6(six) months : Rs. 3,000/-
3. Leave Salary for 300 days : Rs. 3,80,160/-

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4. 75% D.C. RG:

Rs. 5,54,400/-

**Total Rs.**

**: Rs.10, 43,178/-**

In Sl. No-4. of above the list 75 % D.C. RG amounting Rs. 5,54,400/- were sanctioned to the complainant from the Department of Forest. But the complainant had received only Rs. 1,04,780 on her account out of Rs. 5,54,400/. The remaining amount i.e Rs 4,49,620/- had been deducted by SBI, Ramesh Chowmani Branch, Udaipur as Loan recovery which was taken by her husband Shymal Chanda from the concerned SBI branch. The other amounts mentioned from Sl.No.1 to Sl. No.3 were given to the complainant as it is.

Beside the above mentioned benefits the complainant has received GPF amount of Rs. 23,665 on 05.08.2023. The complainant has also been receiving monthly pension benefits from the SDFO, office, Udaipur from 19<sup>th</sup> September 2023 with arrears amounting total Rs. 2,79,865/- (Rs. 1,84,800 + Rs. 95,065) on 19.09.2023, since then she has been continuously receiving pension on monthly basis.

8. The Investigation Wing along with the complainant visited SBI Branch, Udaipur and met with Branch Manager and also consulted him on the issue of the complainant. SBI Bank Account no. 39813596512 of complainant is link to his son mobile number, all the updates on the Account goes to his mobile number. In this regard, the complainant wants to stop internet banking facility in her account number and would like to withdraw only through Check Book. So, that her son may not get any update about the money credited to her account and take undue advantage. The complainant had to give one undertaking to the Branch Manager as asked by the Branch Manager in-order to stop internet facility in her account. The investigation wing also got print out statements of the complainant Accounts no. from 01.01.2023 to 30.12.2023 & 01.01.2024 to 05.11.2024 periods.

9. On perusal of the printout statements Account no. 39813596512 of the complainant from 01.01.2023 to 30.12.2023 & 01.01.2024 to 05.11.2024 periods it is reflected that most of the benefits have already been

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received by the complainant as stated by the office of the SDFO, Udaipur.

10. It is fact that the office of the SDFO, Udaipur, Gomati Tripura took few months to disburse the benefits of Lt. Shyamal Chand to the account of his wife Mahuya Das Chanda, the complainant of the instant case”

3. The statement of the complainant recorded by this Commission reads as follows:

“I Smt. Mahuya Das Chanda, W/O. Late Shyamal Chanda of village Shalghara, P.O. Shalghara P.S.- R.K Pur, Sub-Division-Udaipur, District- Gomati, Tripura, aged about 45 years, by profession-House wife, do hereby say on oath as follows :-

My husband, Shyamal Chanda, was working as a Forest Guard and died on 16.11.2022 while in service.

Though my husband was working as a Forest Guard in regular service, but after his death I have not yet received family pension. I have also not yet received leave salary, group insurance, gratuity etc. after the death of my husband.

My husband was working under the control of DFO, Udaipur. I have visited the Office of the DFO, Udaipur on different occasions, submitted death certificate and other documents, as demanded by the Office, but till today neither the family pension nor other benefits were released by the Office of the DFO, Udaipur.

I have also made an application for a job of my son under die-in- harness scheme, but till today nothing has been done.

I have been informed verbally that there were some defects in the Service Book of my husband and, therefore, nothing can be done till the required corrections are made.

I have all papers relating to the job of my husband, which I am able to submit before the Commission if a date is given.

*Handwritten signature and date:*  
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*The Office of the DFO is not taking any serious efforts for settling the family pension or other benefits on the death of my husband and, therefore, my right to life has been infringed”.*

4. The complainant at that time did not tell that the email sent to this Commission was not written by her. According to her, her husband was working under the control of DFO, Udaipur, she had visited the office of the DFO, Udaipur on different occasions, submitted the death certificate of her husband and other documents as demanded by the office. But till date, neither family pension nor other benefits were released by the office. She also made an application for providing job under die-in-harness scheme to her son Malay Chanda, but nothing was done. She was informed verbally that there were some defects in the service book of her husband and so nothing could be done till correction was made. She claimed to have all documents and papers relating to the job of her husband and she would be able to submit those before this Commission, if date is given. According to her, office of the Divisional Forest Office, Udaipur was not taking any serious effort for settling the family pension and other benefits on the death of her husband and therefore, her right to life was infringed.

5. Report of the Investigation Wing shows that SDFO, Udaipur provided some documents relating to the benefits already given to the complainant, signed by Sri Kamal Bhowmik, SDFO, Udaipur on 23/08/2023 and those benefits includes (1)provisional pension including

  
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admissible DR w.e.f. 17/11/2022 to 16/05/2023 amounting to Rs. 1,04,618/- (2) MA @ Rs. 500/- per month (3) Leave Salary for 300 days, which was calculated @ Rs. 3, 80,160/- (4) 75 % of DCRG amounting to Rs. 5, 54,000/- .

According to the report of the Investigation Wing, 75% of DCRG amounting to Rs. 5,54,400/- was sanctioned to the complainant from the Department of Forest, but the complainant received only Rs. 1,04,780/- out of Rs. 5,54,400/- and the remaining amount i.e. Rs. 4,49,620/- was deducted by SBI Ramesh Chowmuhani, Branch, Udaipur as loan recovery, which was taken by her husband Lt. Shyamal Chanda before his death from the concerned Branch. All other amount mentioned in Sl. No. 1-3 were given to the complainant.

It also shows that besides the above mentioned benefits, the complainant received GPF amount of Rs. 23,665/- on 05/08/2023 and the complainant have been receiving the monthly pension benefits from the SDFO, office, Udaipur since 19/11/2023 with arrear of Rs. 2,71,685 and since then she has been continuously receiving the pension on monthly basis.

6. During investigation conducted by the Investigation Wing of this Commission, one surprising fact came out. The Investigation Wing visited the SBI Branch, Udaipur along with the complainant and met with the Branch

  
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Manager and also consulted with him on the issue of the complainant. The complainant's account number in SBI was 39813596512 and that was linked with the mobile phone of her son. As a result, all updates and transactions of the account used to go in his mobile. The complainant knowing that fact wanted to stop the internet banking facility linked with her account number and intended to withdraw through cheque book so that her son might not get any update and operate her account or to take any undue advantage. Accordingly, the complainant gave one undertaking to the Branch Manager as desired by the Branch Manager in order to stop internet banking facility in her account. The Investigation Wing also collected one printout of the bank statement of the complainant's account from 01/01/2023 to 30/12/2023 and 01/01/2024 to 05/11/2024.

7. On perusal of the printout of the bank statement for that period, it shows that the printout statements reflected that most of the benefits have already been received by the complainant as stated by the office of the SDFO, Udaipur. The Investigation Wing also mentioned that office of the SDFO, Udaipur took few months to disburse the benefits of Lt. Shyamal Chanda to the account of his wife Smt. Mahuya Das Chanda.

  
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Thus, it is clear that the complainant already received the family pension and other benefits after the death of her husband Lt. Shyamal Chanda who was working as forest guard under the Forest Department.

8. During investigation made by the Investigation Wing of THRC, another surprising fact is revealed and that is the most significant one. It was clear during investigation, that the complainant Mahuya Das Chanda did not lodge any complaint or e-complaint before this Commission. Rather, it was his son Malay Chanda who copied her signature and lodged a complaint before the Commission through e-mail for not getting benefits like GI, Leave Salary, Gratuity etc. immediately after the death of her husband.


Thus, it is clear that the complainant concealed these facts before the Commission. It is also clear that from the Forest Department all the service benefits which were due to the complainant, after the death of her husband were already paid to her and she has also been receiving monthly family pension. Thus, it is meaningless to proceed with this enquiry anymore. Hence, the Commission thinks it proper to close the inquiry at this stage with no recommendation.

  
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Thus, this inquiry is closed without any recommendation or observation.

Inform the complainant accordingly.

On leave  
**(Justice S. C. Das)**  
**Chairperson**

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**(U. Choudhuri)**  
**Member**