



## **MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI**

Administrative Staff College Compound, 9, Hajarimal Somani Marg, Opp. C.S.T. Mumbai – 400001.  
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SHRC/BDM/04 /2014/

Date:

### **Case No. 2634/2011-12**

**Name of the complainant** : **Manjula L. Ambore,**  
**Road No.5, Nehrunagar Zopadpatti,**  
**Vile-Parle, Juhu Road,**  
**Vile Parle (E), Mumbai-400 065.**

**Name of the Respondent** : **Dy. Chief Accountant,**  
**(Dakshta Vibhag),**  
**BMC, Mumbai-400 001.**

**Administrative Officer,**  
**A.O.Swm. KIE, Gundawali,**  
**KIE Ward, Azad Road, Andheri (E),**  
**Mumbai-69.**

**Chief Engineer, (SWM)**  
**89, Lovegrow Complex,**  
**Dr. A.B.Road, Worli,**  
**Mumbai-18.**

**Date** : **29<sup>th</sup> April, 2014.**

**Coram** : **Bhagwant D. More, Member**

### **ORDER**

Complainant as well as respondents M.S.Ghadge, Ch.Engineer, Shri D.B.Ghawali, Administrative Officer, Smt. Manisha R.Lokhande, Account Officer, Smt. Sadhana Bramhe, Sr. Auditor & Account Assistant, Shri Rajendra C. Pawar, Account Officer is present.

This is a complaint by Smt Manjula L..Ambore regarding illegal stoppage of the pension since 1996. The allegations in the complaint are that her husband Laxman B.

Ambore was working in the Conservation Department, BMC, Andheri (E) and expired on 29.05.1984 and after his demise as per the law and procedure the complainant being a sole legal heir and widow of the deceased she was granted the pension. However, this pension was suddenly stopped since 1996 without any valid reason. In this regard when the complainant enquired with the BMC officials, she was informed that, as there was a complaint received through the State Bank of India (the pension dispensing agency) that her pension has been stopped as the bank have received the complaint that she has remarried and not entitled to the pension. The grievance of the complainant is that in spite of sever representation and personal meeting with all the concerns showing that the complaint is false and the pension is stopped without any valid reason. As such she is approaching the Commission to protect her Human Right.

On receipt of the complaint, as the Commission found prima facia that there was a violation of the rights of the complainant, notice was issued to all the concerns and in pursuance of the same, the Administrative Officers of the BMC reported to the Commission that proper enquiry in this regard will be held and report will be submitted. Accordingly a detailed report has been filed , stating that after due enquiry it is found that the complainant Smt. Manjula Ambore has not remarried and the stoppage of pension was incorrect and the concerned oficals have been informed to pay the pension to her. According to the officials the arrears and due is Rs. 2,65,890/- . It is stated that immediate arrangement will be made to pay the arrears due and continue to pay.

Taking into consideration the fact that no doubt that concern authority of BMC have rightly taken steps to continue the payment of pension to the complainant, however, it is to be noted that this was only after this Commission took note of the lapses, illegality, on the part of the concerned authorities. The officials of the BMC have slept over the matter almost for more than about 18 years and only after the notice issued by the Commission, have woken up like Rip Van Winkle and fortunately taken a right action. In my view however, this does not absolve the indifference, negligence on the part of the concerned officials that too against a poor widow who has been harassed for last more than 18 years. As such though the case is to be closed, I deem it

necessary to make following recommendations to prevent such indifferent attitude of the officials in future.

**Recommendations -**

- a) **The up-to-dated arrears of pension of the complainant to be paid to the complainant within four weeks from the date of receipt of this order and report compliance.**
- b) **The Municipal Commissioner of BMC is directed to hold proper enquiry in this regard to take appropriate action against the concerned officials who are responsible for such negligence and violation of the rights of the poor woman.**
- c) **As the Commission found the stoppage of pension for the last more than 18 years is illegal which is confirmed by BMC itself, the Commission deems it fit of awarding a compensation of Rs. 50,000/- to be paid to the complainant (apart from the pension) within four weeks and report the compliance thereafter.**

With these recommendations the case is closed.

**(Bhagwant D. More)**  
**Member, MSHRC**