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FAX/POST

Government of West Bengal
Disaster Management Department
Writers' Buildings, Kolkata - 700 001

Date - 27.06.12

No. 1297(18)-FR/6F-23/12

From : Sri Amit Chaudhuri, WBCS(Exe.)
Joint Secretary to the
Government of West Bengal.
Office : (033) 2214 - 3526
Fax : 2214 - 1378
Email : amitchaudhuri 2010@gmail.com.

To : The District Magistrate
Post _____
District _____

Sir,

In enclosing herewith a copy of extract of Law Deptt, Govt. of W.B., under their u/o Reference No.287 of 2012 regarding disbursement of H.B. Grant (N/C) to the legal heir of a beneficiary who expired before receiving the grant, I am directed to request you to do the needful as per views in the samd extract of Law Deptt. Govt. of W.B.

Yours faithfully,

[Signature]
27/6/12

Joint Secretary.

Memo. No. 540(21) - - - - - /Relief dt. 02.07.2012

copy along with copy forwarded for information a taking necessary action to the :-
1-4) S.D.O, Sadan Krishnagar / Tekalta / Raneyda /
Lalgarh Nadia,
5-21) B.D.O, All

[Signature]
27/6/12
For District Magistrate
Nadia.
27/6/12

The opinion of the Law Department as sought for in the instant file, relates to the Disaster Management Act, 2005 (53 of 2005), which is framed to provide for the effective management of disasters. The expression "disaster management" inter-alia includes rehabilitation and reconstruction of the affected area.

However, the intention of the legislature in the said Act, is to provide maximum benefit to the victims of any kind of disaster.

Since there is no specific provision in the said Act whether H.B. grant can be disbursed to the legal heir of a beneficiary who expired before receiving the grant and since the intention of the legislature is to provide maximum benefit to the victims of any kind of disaster, the H.B. grant may be provided to the legal heir of a beneficiary who expired before receiving the grant.

Moreover, by way of abundant caution, it may be suggested in each of such cases, to obtain an indemnity bond from the concerned heir for disbursement of H.B. grant.

Sd/- Uttam Kumar Pahari
Law Officer
18.06.2012

Sd/- M.M. Banerjee
Secretary
Law Department
18.6.12

Sd/- Moly Ghatak
Hon'ble MIC, Law &
Judicial Department
19.06.12.

Handwritten notes:
18/06/12
19/06/12