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

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

Date - 27.06.12  

From: Sri Amit Chaudhuri, WBCS(Exe.)  
Joint Secretary to the  
Government of West Bengal.  
Office: (033) 2214 - 3526  
Fax: 2214 - 1378  
Email: amitchaudhuri2010@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 said extract of Law Deptt. Govt. of W.B.

Yours faithfully,  

[Signature]

Joint Secretary.

Memo No. 540(21) Redict all 02.07.2012  

Copy along with copy to be sent  
for information a taking necessary action to the  
1-4) S.D.O., Saelen Kushnaya/Tealta/Ramgarh/  

Lady in Nadia  
5-21) B.D.O. All  

For District Magistrate  
Nadia 27/7/12
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 heirs 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
19.05.12

Sd/- Maloy Ghatack
Hon'ble MIC, Law & Judicial Department
19.06.12.