GOVERNMENT OF WEST BENGAL
Education Department, Budget Branch.

No. $\frac{\text{157 – Edn(B)}}{\text{IM – 24 / 90}}$ Dated, Calcutta, the 13th June, 1990

MEMORANDUM

Sub : *Revision of pensionary benefits of employees Governed by the West Bengal Recognised Non-Government Educational Institution Employees (Death-cum-Retirement benefit) Scheme 1981, consequent on the Revision of pay.*

In supersession of this Department Memo No. 151 Edn(B) dated the 5th June, 1990, the undersigned is directed by order of the Governor to say that the question of modification of orders granting pensionary benefits to the employees of the recognised non-government educational institutions and organisations consequent on the revision of pay introduced under this Department Memo No. 33-Edn(B) dated the 7th March, 1990 has been under consideration of Government. After careful consideration of the matter, the Governor has been pleased to decide that the pensionary benefits in respect of the employees whose pay has been fixed under the aforesaid memo bearing No. 33-Edn(B) dated the 7th March, 1990 actually or in whose favour such revised pay has been allowed notionally shall be determined as follows :

(i) The provisions contained in this order shall apply to such employees as are governed by the West Bengal Recognised Non-Government Educational Institution Employees (Death-cum-Retirement Benefit) Scheme, 1981 who retire or die-in-harness on or after the 1st January, 1986.

(ii) Where such pension has been provisionally sanctioned in cases occurring on or after 1.1.86, the same shall be revised in accordance with this order. In cases where pension has been finally sanctioned under the orders in force prior to the issue of the order and if it happens to be more beneficial than the pension becoming due under this order, the pension already sanctioned shall not be revised to the disadvantage of the pensioners.

(iii) The amount reckonable for pension/family pension, gratuity means : "Emoluments", as defined in sub-paragraph (p) of paragraph 5 of Chapter-II of Annexure I to this Department Memo No. 136-Edn(B) dated 15.5.85.

(iv) Pension shall be calculated at 50 percent of the amount reckonable for pension drawn last in all cases instead of under the slab system as provided for in sub-paragraph(I) of paragraph 16 of the West Bengal Recognised Non-Government Educational Institution Employees (Death-cum-Retirement Benefit) Scheme, 1981 and shall be subject to a minimum of Rs. 375/- (Rupees three hundred and seventy five) only, per month, and a maximum of Rs. 2,250/- (Rupees two thousand two hundred and fifty) only, per month. The amount of pension arrived at on the above basis will be related to the maximum qualifying service for 33 years. For employees who at the time of retirement have rendered qualifying service for 10 years or more but less than 33 years, the amount of their pension will be such proportion of the maximum admissible pension as the qualifying service rendered by them bears to the maximum qualifying service of 33 years. There will be no ceiling on the amount reckonable for pension.

(v) Payment of gratuity after a service of less than 10 years at the time of retirement as provided for in sub-paragraph(b) of paragraph 20 of the West Bengal Recognised Non-Government Educational Institution Employees (Death-cum-Retirement Benefit) Scheme, 1981 shall continue.

(vi) In the cases of employees who have completed qualifying service for 10 years or more, retiring gratuity on retirement shall be paid at the rate equal to one-fourth of the amount reckonable for gratuity drawn by them for each completed six monthly period of qualifying service, subject to a maximum of 16.5 times of the amount reckonable for gratuity, provided that the amount of retiring gratuity payable shall, in no case, exceed Rs. 60,000/- (Rupees sixty thousand) only. There will be no ceiling on the amount reckonable for gratuity.

(vii) In the event of death-in-harness, the death gratuity shall be admissible at the following rates:

	Length of qualifying service.	**Rate of gratuity.**
(a)	Less than one year	2 times of the amount reckonable for gratuity.
(b)	One year or more but less than 5 years	6 times of the amount reckonable for gratuity.
(c)	5 years or more but less than 20 years	12 times of the amount reckonable for gratuity.
(d)	20 years or more	Half of the amount reckonable for gratuity for every completed six monthly period of qualifying service, subject to a maximum of 33 times of the amount reckonable for gratuity provided that the amount of death gratuity shall, in no case, exceed Rs. 60,000/- (Rupees sixty thousand) only.

There will be no ceiling on the amount recknoable for death gratuity.

(viii) The rates of family pension as provided for in sub-paragraph-(a) of paragraph 25 of the West Bengal Recognised Non-Government Educational Institution Employees (Death-cum-Retirement Benefit) Scheme, 1981 shall be revised as follows :

	Amount reckonable for family pension drawn per month	**Rate of family pension per month**
(a)	Not exceeding Rs. 1,500/-	30 percent of the amount, subject to a minimum of Rs. 375/-
(b)	Exceeding Rs. 1,500/-	20 percent of the amount, subject to a minimum of Rs. 450/- and a maximum of Rs. 600/-.

There will be no change in the existing provisions except that such payment of family pension at nhanced rate shall be made for a period of 7 years or upto the date on which the deceased employees vould have attained the age of 65 years had he survived, whichever is earlier, as provided for in sub-aragraph (b) of paragraph 25 of the West Bengal Recognised Non-Government Educational Institution mployees (Death-cum-Retirement Benefit) Scheme, 1981. In no case the amount of enhanced family ension in the event of death of an employee while in service shall exceed 50 percent of the amount ckonable for family pension drawn last by the concerned employee at the time of death. In no case the nount of enhanced family pension in the event of death, after retirement shall exceed the amount of iginal pension before commutation sanctioned to the employee concerned.

(ix) Employees who retire during the period from 1.1.86 to 31.12.87 are also entitled to have their nsionary benefits revised notionally on the basis of revised pay fixed notionally in terms of this partment Memo No. 33-Edn(B) dated the 7th March, 1990 for the period prior to 1.1.88. They shall not get any arrear representing the difference between revised pension and existing pension for the period upto 31.12.87. They shall continue to draw the existing amount of pension which was fixed without taking into account the benefit of notional fixation of pay upto 31.12.87. They shall get actual payment of revised pensionary benefits, i.e., pension, death/retiring gratuity and family pension arrived at on the basis of "emoluments", allowed notionally with effect from 1.1.88. In their cases, pensionary benefits shall be calculated on the basis of notional pay fixed under this Department memo No. 33-Edn(B) dated the 7th March, 1990 and initial pay fixation statement checked by the competent authority and also on the basis of certificate of notional emoluments to be issued by the respective pension sanctioning authority on the date of superannuation/death based on initial notional pay checked by the competent authority, as a special case. The Director of Pension, Provident Fund and Group Insurance, West Bengal will issue authority for payment of revised pensionary benefits with effect from 1.1.88 onwards on the basis of certificate of notional "Emoluments" and initial pay fixation statement checked by the competent authority as stated above without insisting on issuing of last pay certificate. The pension sanctioning authority will prepare pension papers in those cases as usual on the basis of notional "emoluments" and submit the same to the Director of Pension, Provident fund and Group Insurance, West Bengal for issue of authority for payment of pensionary benefits at revised rate as stated in this order. In the cases of employees who are already in receipt of pension as stated above, the pension sanctioning authority in their cases will send previous pension papers along with service book, initial pay fixation statement checked by the competent authority and certificate of notional "emoluments" and also revised calculation sheet showing calculation of revised pensionary benefits. The Director of Pension, Provident Fund and Group Insurance, West Bengal will authorise payment of pensionary benefits at revised rate accordingly to the pension disbursing officer concerned. The amount of gratuity, if any, paid earlier in respect of the employees of this category according to the orders prevailing at the material time will be adjusted against the revised gratuity calculated on the basis of notional "emoluments" now authorised by the Director of Pension, Provident Fund and Group Insurance, West Bengal on the basis of this order. In the cases of pensioners who are otherwise eligible to have their pay fixed notionally under this Department Memo No. 33-Edn(B) dated the 7th March 1990 and who died on any date before or after being eligible to get actual payment of revised pension and gratuity determined on the basis of notional "emoluments" pension/ family pension and gratuity in respect of them shall also be determined as stated above and life-time arrears of such benefits with effect fron 1.1.88 shall be paid to the nominee/legal heir(s)/family as usual after adjustment of the amount already paid on this account earlier.

(x) The benefit of commutation of pension without medical examination not exceeding one-third of the difference between the revised pension and the pre-revised pension will also be admissible to the pensioners in accordance with the existing orders provided :

(a) they previously commuted a portion of their unrevised pension without medical examination and now apply for commutation of a portion of revised pension in the prescribed form within one year from the date of sanction of thier revised pension.

(b) the commutation in such cases shall become absolute on the date on which the application is received by the respective Pension Sanctioning Authority.

(c) the commuted value will be determined on the basis of age next birthday on the date on which the said commutation of pension shall become absolute.

(xi) The West Bengal Recognised Non-Government Educational Institution Employees (Death-cum-Retirement Benefit) Scheme, 1981 shall be deemed to have been amended to the extent of the provisions contained in thls order. Formal amendment to the said scheme will be made in due course.

2. The term "Employee" wherever it occurs in this order shall mean an employee as defined in sub-paragraph (k) of paragrpah 5 of Chapter II of Annexure I to this Department Memo No. 136-Edn(B) dated 15.5.85 and as defined in sub-paragraph (e) of paragraph 2 of this Department Memo No. 33-Edn-(B) dated the 7th March, 1990.

3. This order issues with the concurrence of the Finance Department vide their U.O. No. 1551-Group 'J' dated 1.6.90.

4. The Accountant General, West Bengal, the Pay and Accounts Officer, Calcutta Pay & Accounts Office, the Director of Pension, Provident Fund and Group Insurance, West Bengal and the Treasury Officers are being informed.

Sd/- J. M. Chatterjee.

Deputy Secretary to the Govt. of West Bengal.