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PART I—Orders and Notifications by the Governor of West Bengal, the High Court,
Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
THE CALCUTTA TRAMWAYS CO., (1978) LIMITED.

No. CMD/F—3/Pension/G—328

NOTIFICATION

In terms of G.O. No. 8203-WT/TT-7/99—7th December '01 of the Transport Department, Government of West Bengal. The Calcutta Tramways Co. (1978) Limited hereby makes the following regulations.

The Calcutta Tramways Co. (1978) Limited
Employees Pension Regulations, 2001

CHAPTER I

Preliminaries

1. Short title—These regulations may be called The Calcutta Tramways Co. (1978) Limited Employees' Pension Regulations, 2001 (hereinunder to be referred to as Pension Regulations).
2. Commencement—(1) The Pension Regulations shall come into force with retrospective effect from 1st April, 1997.

(2) The pension shall normally be treated as death-cum-retirement benefits admissible to the employees who were on pay roll of the Company as on 1-4-1997 and are on pay roll of the Company and remain on the pay roll of the Company till the date of actual notification of these regulations in the Official Gazette of the Government of West Bengal, in lieu of the benefits of the Contributory Provident Fund as provided in the "The Calcutta Tramways Co. (1978) Limited The 'B' Provident Fund" Regulations but including the benefits of gratuity under Gratuity Rules of the State Government. The employees permitted to retire under Voluntary Retirement Scheme of the Company will however not be entitled to any gratuity under these regulations.

(3) The Pension Regulations shall be optional to the employees as in Regulation 2(2) above.

(4) The Pension Regulations shall be binding upon the new entrants on and after the date of official notification.

3. Application—These Regulations shall apply to all categories of the employees of the Company except :
- persons employed at daily rates ;
 - persons not in whole-time employment ;
 - persons on deputation service from the Government of West Bengal or from any other organization ;
 - persons engaged on consolidated wages ;
 - persons employed on contract.
4. Power to give directions—Whereunder these Regulations any authority has been given power to issue any order, the exercise of that power shall be subject to such directions as Company Board may from time to time issue in this behalf.
- Provided that the Company Board shall not issue any direction inconsistent with the provisions of these Regulations.
5. Pension regulated by regulations in force—A Company employee's claim to pension shall be regulated by the Regulations in force at the time when the Company employee resigns or is discharged from service or retires on superannuation or otherwise.
6. (1) The employee who may prefer to come under the purview of these regulations shall have to exercise his option within six months from the date of actual publication of these regulations in the Official Gazette.
- (2) The employees who were on pay roll of the Company on the date on which these regulations came into effect and onwards but retired on subsequent dates, but before the publication of these regulations may exercise their option within six months from the date of publication of these regulations provided they refund to the Company the full amount of the share of Company's contribution towards Contributory Provident Fund together with interest accrued thereon plus an additional interest @ 5% simple chargeable from the date of receipt of the Company's share upto the month preceeding the month of refund. They will however, be entitled to get the benefit of pension from the date they retired and disbursement of pension shall be made only after they refunded the Company's contribution of P. F. together with interest they received.
- (3) Failure to exercise option by an employee within the stipulated period as referred to in Regulation 6(1) and (2) shall be treated as if he had not opted towards the pension regulations.
- (4) If an employee expires before exercising his option as referred to in Regulations 6(1) and 6(2) it should be taken as if he had not exercised his option in favour of the pension.

CHAPTER II

Definition

7. In these Regulations unless there is any thing repugnant to the subject or context—
- "Company" means The Calcutta Tramways Company (1978) Limited ;
 - "average emolument" means last pay drawn ;
 - "Pay" means the basic pay as defined in W.B.S.R. Part-1 ;
 - "Pension Sanctioning Authority" means the authority competent to fill up the post vacated by a retiring employee;
 - "family" includes the following relatives of a Company employee, namely—
 - for the purpose of death gratuity—
 - wife in case of a male employee,
 - husband in case of a female employee,
 - sons (including step sons),
 - unmarried and widowed daughters (including step daughters),
 - brothers below the age of 18 years and unmarried or widowed sisters,
 - father,
 - mother,

(b) for the purpose of family pension—

- (i) wife in case of a male employee,
- (ii) husband in case of a female employee,
- (iii) minor sons (including adopted sons),
- (iv) unmarried minor daughters (including adopted daughters),
- (v) dependent parents,

Note : Adoption or marriage after retirement will not be recognized for the purpose of family pension.

(6) "Pension" except when the term pension is used in contradistinction to gratuity, "Pension" includes gratuity.

CHAPTER III

Pension

8. With holding of pension—(1) Future good conduct shall be an implied condition of every grant of pension. The pension sanctioning authority may, by order in writing withhold or withdraw a pension or part thereof, whether permanently or for a specified period, if the pensioner is convicted of a serious crime or is found guilty of moral turpitude.

Where a pensioner is convicted of a serious crime by a Court of Law, action under sub-section (1) shall be taken in the light of the judgement of the court relating to such conviction.

Note :—An accident case involving an employee not authorised to drive of conduct a vehicle shall be construed as a serious crime.

(3) In a case of not falling under sub-section (2), if the pension sanctioning authority under sub-regulation (1), considers that the pensioner is prima facie guilty of moral turpitude he shall, before passing an order under sub-regulation (1)—

(a) serve upon the pensioner a notice specifying the charge of moral turpitude against the pensioner and specifying the action proposed to be taken and calling upon him to submit within 30 days of the receipt of the notice such representation in writing as he may wish to make against the proposal, and

(b) take into consideration the representation, if any, submitted by the pensioner within the specified period under clause (a) above.

(4) (a) An appeal against an order under sub-regulation (1) passed by the pension sanctioning authority shall be made to the Chairman of the Company within one month from the date of issue of such order.

(b) In case of rejection of appeal under clause (a) above an appeal against rejection order shall be made to the Company Board within one month from the date of such order. The decision of the Board shall be final and binding.

9. Withholding of pension to meet any sum due to the Company—The pension of an employee may be withheld, in whole or in part under an order of the Company passed not later than four years after the date of retirement to meet any sum due under the liability incurred by such employee to the Company.

10. Family Pension—In case of death of a Company employee while in service or after retirement, if the deceased employee was entitled to or was in receipt of, as the case may be, of superannuation, retiring, invalid or compensation pension, the family of the deceased Company employee shall be entitled to a gratuity and/or pension as provided in Chapter VI of this Regulation.

11. Limitation—An employee cannot earn two pensions at the same time or by the same continuous service. Two employees may not simultaneously count service in respect of the same post.

12. Service of a probationer—The service of a probationer followed by a substantive office and substantive pay qualifies for pension.

13. Service of an apprentice—The service of an apprentice of the Company does not qualify for pension.

CHAPTER IV

Provision for Recording Service.

14. **Period of leave**—All periods of leave including extraordinary leave specifically sanctioned without pay on medical ground shall count as service.
15. **Period spent in training**—The period of training of an employee shall count as service qualifying for pension provided the employee has been selected and deputed by the appropriate authority.

Note—Pre-employment training period shall not, however, count towards qualifying service.

16. **Period of suspension**—The period passed under suspension pending enquiry into conduct counts in full where on conclusion of the enquiry, an employee has been fully exonerated or the suspension is held to have been wholly unjustified, in other cases the period of suspension does not count unless it is treated as on duty as per order of the appropriate authority in that respect.
17. **Resignation and dismissal**—(a) Resignation from Company service, or dismissal or removal from it for insolvency, inefficiency not due to age entails forfeiture of past service.
- (b) An employee permitted to retire under Voluntary Retirement Scheme of the Company will, however, not be guided under regulation 17(a).
18. **Subsequent reinstatement**—(1) A Company employee, who is dismissed, removed, discharged or compulsorily retired from service, is reinstated on appeal or revision is entitled to count his past service.

(2) The period of break in service between the date of dismissal, removal, discharged or compulsorily retirement, as the case may be, and the date of reinstatement and the period of suspension, if any, shall not count unless regularised as duty or leave by a specific order of the authority which passed the order of reinstatement.

19. **Condonation of deficiency in service**—On any condition which it may think fit to impose, the Company may condone a deficiency upto six months in the qualifying service of an employee.

Note—The deficiency should not be condoned with a view to making up the minimum qualifying service prescribed for the purpose of death gratuity or family pension.

CHAPTER V

Conditions of Grant of Pension

20. **Classification of pension**—Pensions are divided into the following four classes namely.—

- (a) Superannuation pension,
 (b) Retiring pension,
 (c) Invalid pension,
 (d) Compensation pension.

21. **Superannuation pension**—A superannuation pension is granted to an employee of the Company entitled or compelled to retire on attainment of a particular age as per terms of The Calcutta Tramways Company Service Regulations.

22. **Retiring pension**—A retiring pension is granted to an employee of the Company who is permitted to retire voluntarily after completing 25 years of qualifying service, or on attaining the age of 50 years.

23. **Invalid pension**—An invalid pension is awarded to an employee of the Company on his retirement from Company Service, who by bodily or mental infirmity or injury while on duty, is permanently incapacitated for public service.

24. **Medical certificate**—(1) An employee applying for invalid pension shall submit a medical certificate of incapacity from appropriate medical authority.

Note—No medical certificate of incapacity for service may be treated unless the applicant appears through the competent authority. The medical authority shall be supplied by the competent authority with a statement of what appears from the official records to be the applicant's age.

- (2) The appropriate medical authority referred to in Clause (1) above shall be—

- (a) a Medical Board to be constituted by the Company in that respect.
 (b) the Presidency Surgeon of a Government Hospital authority if the Medical Board refers any case to it.

25. **Form of Medical Certificate.**—The form of Medical Certificate (annexure) to be given in respect of an employee applying for invalid pension shall be forwarded after filling it up properly to the appropriate authority by the appropriate medical authority as referred to in Regulation 24.
26. **Incapacity due to irregular or intemperate habits.**—If the incapacity is directly due to irregular or intemperate habits that is drug habits or on account of diseases resulting from immoral habits, no pension can be granted.
27. **Employee submitting medical certificate under regulation 24(1).**—(1) An employee who has submitted under Regulation 24a medical certificate of incapacity for further service shall, if he is on duty, be invalidated from service from the date of relief of his duty, which should be arranged immediately on receipt of the medical certificate.
- (2) If he is on leave, on the expiry of the leave.
28. **Compensation pension.**—A compensation pension is granted to an employee of the Company who is selected for discharge owing to abolition of post, provided he exercises his option—
- (a) of taking compensation pension or gratuity to which he may be entitled for service he has rendered, or
- (b) of accepting another appointment even on a lower pay, if offered, and continuing to count his previous service for pension.

CHAPTER VI

Amount of Pension

29. **Amount of pension is determined by length of service.**—The amount of pension that may be granted is determined by the length of qualifying service as set forth in the Regulation 33. Fraction of a year equal to six month and above shall be treated as completed six monthly period for the purpose of calculation of pension.
30. **Fraction to be rounded off.**—The amount of pension payable monthly shall be expressed in whole of rupee and where the pension calculated according to this regulation contains a fraction of a rupee it shall be rounded off to the next higher rupee.
31. **Pension fixed in rupee.**—A pension admissible to an employee shall be fixed and paid in rupees and in India.
32. **Award of full pension—**
- (1) Full pension admissible under the regulation is not to be given as a matter of course or unless the service rendered has really been approved by the pension sanctioning authority. In case of permanent employee of the Government of West Bengal whose services were transferred to and absorbed in Calcutta Tramways Company the total amount of pension payable under this regulation shall be reduced by the amount of pension due from the State Government.
- (2) If the service has not been found satisfactory during the last three years of service, the authority sanctioning the pension may make such reduction in the amount as it thinks proper provided that no order of reduction shall be made without the approval of the appointing authority.

Provided further that the pension sanctioning authority before passing any final order regarding reduction in the amount of pension shall serve upon the person concerned a notice specifying the reduction proposed to be made in such amount and the grounds therefore, and call upon such person to submit within thirty days of the receipt of the notice, or such further time as may be allowed by that authority, such representation as such person may wish to make against the proposed reduction and take into consideration the representation, if any, submitted by such person before passing the final order.

Note (a) No pension shall be liable to seizure, attachment or sequestration by process of Court of India at the instance of the creditor for any demand against the pensioner.

- (b) The measure of the reduction in the amount of pension under this regulation should be the extent by which the employee's service as referred to in Regulation 32(2) has not been found satisfactory and attempt to equate the amount of reduction with the amount of less caused to the Company shall not be made.

33. The amount of pension is regulated as follows :

- (A) **Gratuity**—For service of a period of less than ten years, an employee shall be entitled to a gratuity at the rate specified below :

Completed six monthly periods
of qualifying service

Amount of gratuity
Admissible

1	1 month emolument
2	1½ months emolument
3	2 months emolument
4	2½ months emolument
5	3 months emolument
6	3½ months emolument
7	4 months emolument
8	4½ months emolument
9	5 months emolument
10	5½ months emolument
11	6 months emolument
12	6½ months emolument
13	7 months emolument
14	7½ months emolument
15	8 months emolument
16	8½ months emolument
17	9 months emolument
18	9½ months emolument
19	10 months emolument

(B) Pension—For services for a period of 10 years and more an employee shall be entitled to pension at the rate of 50 per cent of the average emolument as defined in regulation 7(2) in all cases and shall be subject to a minimum of Rs. 1,300 (Rupees one thousand three hundred) only per month and a maximum of Rs. 9,150 (Rupees nine thousand one hundred 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.

In the case of employees who have completed qualifying service for 10 years or more, retiring gratuity on retirement shall be paid 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 16½ times of the amount reckonable for gratuity provided that the amount of retiring gratuity shall in no case exceed Rs. 2,00 lakh (Rupees two lakh) only. There will be no ceiling on the amount reckonable for gratuity.

34. Determination of pension during re-employment—No Company employee may draw pension who retires with a view to be re-employed and drawing pay in addition, whether in the service paid from the Company revenue or in the service paid from Government or any local fund.

CHAPTER VII

Death Gratuity and Family Pension

35. Application of the regulations in this chapter—The regulations in this chapter shall apply to all the employees who come under the purview of the Pension Regulations.

36. The rate of death gratuity—When an employee referred to in Regulation 35 dies while in service, a death gratuity as prescribed in Regulation 37 shall be paid to the pensioner or persons to whom the right to receive the gratuity is conferred under Regulation 39 or if there be no such persons to the members of his family.

In case of an employee who dies in service or after retirement without leaving any family as defined in regulations 7(5)(a) and without nominating any one of the nomination made by him under Regulation 39 does not subsist, the amount of death gratuity will lapse to the Company.

37. The Death Gratuity in the event of death in harness of an employee shall be calculated as follows :

<u>Length of qualifying service</u>	<u>Rate of Death Gratuity</u>
(i) Less than 1 (one) year	2 times of emoluments
(ii) 1 year or more but less than 5 years	6 times of emoluments
(iii) 5 years or more but less than 20 years	12 times of emoluments
(iv) 20 years or more	$\frac{1}{4}$ of the emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of emoluments, provided that the amount of Death gratuity shall in no case exceed Rs. 2,00,000 (Rupees two lakh) only.

38. In case of death, the balance shall be paid to the nominee when an employee who has become eligible for pension and retiring gratuity under regulation 33 dies within five years after he has retired from service and the sum actually received by the deceased or payable to his legal heirs on account of pension and retiring gratuity is less than the amount which would have been admissible as death gratuity under regulation 37 had he died on the date of retirement. The balance shall be paid as gratuity to the person or persons on whom the right to receive the gratuity is conferred under regulation 39 or if there be no such person to his legal heirs. This benefit shall not be admissible if the employee had commuted a portion of his pension.

39. Nomination—(1) An employee to whom these regulations apply may, provided he has completed five years qualifying service, make a nomination conferring on one or more persons the right to receive the death gratuity that may be sanctioned under regulation 37.

Provided that if at the time of making nomination the employee has a family, the nomination shall not be in favour of any person or persons other than the members of his family.

(2) If an employee nominates more than one person under sub-regulation (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole amount of the gratuity.

(3) The nomination made by an employee who has no family shall become invalid on his subsequently acquiring a family.

(4) Every nomination shall be made in the prescribed form as shown in annexure.

(5) An employee may at any time cancel a nomination by sending a notice in writing to the appropriate authority and shall send fresh nomination along with the notice.

(6) Every nomination made, and every notice of cancellation given, by an employee shall, to the extent that it is valid, take effect on the date on which it is received by the appropriate authority.

(7) An employee may provide in nomination—

(a) that in respect of any specified nominee, in the event of the predeceasing the employee, the right conferred upon that nominee shall pass to such other member of the employee's family as may be specified in the nomination ;

(b) that the nomination shall become invalid in the event of the happening of a contingency specified therein.

(8) An employee who is single or widower or widow and who has got no family as referred to in regulation 5 or regulation 39(3) may nominate any person as the legal nominee.

Family Pension

40. (1) Family pension is admissible to the members of the family of an employee who has rendered at least 3 years service and who dies while in service.
- (2) The benefit shall also be admissible in case of death of an employee after retirement if at the time of death he was in receipt of a compensation, invalid, retiring or superannuation pension.
41. Rate of Family Pension—Family pension shall be admissible @ 30 % cent of basic pay subject to a minimum of Rs. 1300 per month and a maximum of Rs. 5490 per month.

Note : Pay for the purpose of calculation of family pension means the amount of remuneration drawn monthly by an employee as the pay (Basic pay, personal pay, special pay but excluding D.A., if any, merged in basic pay) which has been sanctioned for the post held by him substantively or in officiating capacity which he was drawing on the date of death while in service or immediately before his retirement. If on the date of death while in service or immediately before his retirement an employee has been absent from duty on leave, other than extraordinary leave, pay means the pay which the employee would have drawn had he not proceeded on such leave. The amount of family pension shall not be increased on account of increase in pay not actually drawn but only increments falling due within the admissible period of leave up to the date of death or retirement, as the case may be, shall be taken into account. If, however, on the date of death or retirement, an employee is under suspension, pay on the date of death or retirement shall be taken to be the pay he would have drawn had he been on duty subject to the condition that the period of suspension is treated as duty.

42. Rate of family pension in case of death of an employee while in service :

- (a) For a period of seven years from the date of death upto the date on which the deceased employee would have attained the age of 65 years had he survived whichever period is less, the pension payable will be at fifty per cent of the basic pay last drawn subject to a maximum of twice the pension admissible according to the rates of family pension provided that the said benefit will not be admissible if the employee has put in less than seven years continuous service prior to his death. Pension payable thereafter will be at rates prescribed in the table.
- (b) In the event of death of an employee after retirement, the family pension at the enhanced rate as admissible under the above paragraph shall also be payable upto the date on which the deceased employee would have attained the age of 65 years had he survived, or for seven years, whichever period is less, but in no case the amount of enhanced family pension shall exceed the pension sanctioned to an employee at the time of retirement. However, in case when the amount of normal family pension as admissible as per table prescribed exceeds the pension sanctioned at the time of retirement the amount of enhanced family pension sanctioned under this paragraph shall not be less than the amount admissible as per table prescribed above. The pension sanctioned at the time of retirement shall be the pension, inclusive of the part of pension which the retired employee may have commuted before death.

The method of determining the amount of family pension payable in case of death of an employee while in service shall be calculated as follows :

Pension payable at the rates of family pension shown in the table should first be calculated by applying the minimum and maximum limits and then doubled. The resultant amount or 50 per cent of the pay last drawn, whichever is less, is the amount of family pension admissible in case of death of an employee while in service or after retirement.

43. Period during which pension is admissible subject to the provisions made in respect of pension payable to the member of the family, the pension shall be admissible :

- (a) in the case of widow/widower upto the date of death or remarriage, whichever is earlier ;
- (b) in the case of minor son until he attains the age of 25 years ;
- (c) in the case of a unmarried daughter until she attains the age of 25 years or marriage whichever is earlier ;
- (d) in the case of dependent parents upto the date of their death or remarriage whichever is earlier.

Note : Where an employee is survived by more than one widow, the family pension shall be paid to them in equal shares. On the death of a widow her share of the pension shall become payable to her eligible minor children. If at the same time of her death a widow leaves no eligible minor child, the payment of her share of the pension shall cease.

The second wife of a Hindu employee, whose marriage was solemnized after the coming into operation of the Hindu Marriage Act, 1955 and during the life time of the first wife, is not entitled to get any family pension.

44. Date of effect of family pension—A family pension shall take effect from the date following the death of an employee.

45. Pension payable to one member of the family—

- (1) Subject to the provision contained in the regulation 43, the pension awarded under the regulation shall not be payable to more than one member of the employee's family at the same time. It shall first be admissible to the widow(s)/widower and then to the minor children and thereafter to mother and lastly to the father.

In the event of remarriage or death of the widow/widower the pension shall be granted to the minor children through their natural guardian. In disputed cases, however, payment shall be made through a legal guardian.

- (2) Payment of family pension will not be any bar if at the time of entitlement the widow or widower or unmarried daughter or son happens to be employed anywhere.
- (3) An employee may be permitted on his option to come out of the family pension if any time he ceases to have a family. The option once exercised shall be final.

CHAPTER VIII

Commutation of Pension

46. An employee who is eligible to the benefit of pension under this regulation shall be entitled to commute for a lumpsum payment any portion of his pension, subject to a maximum of one-third of the pension on application by the employee within one year from the date of retirement on superannuation only without appearing for the medical examination, in other cases of retirement, on medical examination. Provided further that an employee against whom a judicial or a departmental proceeding has been instituted shall not be permitted to commute any portion of his pension during the pendency of such proceeding.

47. Sanctioning Authority—The sanctioning authority means the Managing Director of the Calcutta Tramways Company (1978) Limited.

48. Rate of commuted value of pension—The rate of commuted value of pension payable under this regulation are shown below :

Age on next birth day	Value as per rupee commuted	Age on next birth day	Value as per rupee commuted	Age on next birth day	Value as per rupee commuted
28	216.84	41	187.68	54	144.60
29	215.16	42	184.30	55	140.46
30	213.36	43	181.80	56	137.16
31	211.44	44	178.80	57	133.20
32	209.52	45	175.68	58	129.36
33	207.48	46	172.44	59	125.52
34	205.32	47	169.20	60	121.56
35	203.04	48	165.84	61	117.72
36	200.64	49	162.48	62	113.76
37	198.27	50	159.00	63	109.80
38	195.72	51	155.40	64	105.84
39	193.08	52	151.92	65	102.00
40	190.44	53	148.20	66	98.04

49. Application for commutation—An application for commutation of pension submitted by an employee within one year of the date of his retirement on superannuation only will not be subject to medical examination for the purpose of payment of commuted value. Employees retiring on superannuation who apply for commutation of pension after one year of the date of retirement will not be exempted from medical examination. An employee applying for commutation of pension will have no option to withdraw his application.

50. Grant of relief on pension to the pensioner—The relief on pension / family pension shall be as follows :

Date	Rate of relief per month
1. From 1-4-97 to 31-7-97	Nil
2. From 1-8-97 to 30-11-97	4% of Pension / Family Pension
3. From 1-12-97 to 31-3-98	8% of Pension / Family Pension
4. From 1-4-98 to 31-10-98	13% of Pension / Family Pension
5. From 1-11-98 to 31-7-99	22% of Pension / Family Pension
6. From 1-8-99 to 31-3-2000	32% of Pension / Family Pension
7. From 1-4-2000 onwards	37% of Pension / Family Pension

CHAPTER IX

Service Records

51. Service Records—The service records of each employee who comes under the purview of the Pension Regulations shall be forwarded to the Pension Branch under Central Accounts Section before six months of the retirement of each employee for fixation of pension.
52. Verification of Service—Verification of service should be made each year.
53. Authentication—After check up and verification of service records it should be duly authenticated by the appropriate authority as may be authorized by the Managing Director.
54. Register for alphabetical entries—The name of each employee entitled to get the benefit of Pension shall be alphabetically entered into a register with different information including nominations.
55. Custody of service cards—The service cards of each employee as referred to regulation 54 shall be in the custody of Chief Accounts Officer.
56. Periodical audit—The service records, the register, the option forms, nomination forms and other related documents should be periodically audited by the Audit Officer.

CHAPTER X

Application for Grant of Pension

57. Application of these Regulations :
 - (1) The Regulations in this chapter apply to all employees applying for pensions under these regulations.
 - (2) For the purpose of this chapter "Gratuity" means death-cum-retiring gratuity.
58. List of employees due to retire :
 - (1) Each head of a Department shall have a list prepared every six months, that is, on the 1st January and 1st July each year of all employees who are to retire within the next six months of that dates.
 - (2) The head of a Department shall forward at least six months ahead of the anticipated retirement of the employees, to the pension sanctioning authority such list of employees as referred to sub-regulation (1).
59. Formal application—Every employee shall submit a formal application for pension in prescribed form (annexure) at least six months in advance of the date of his anticipated retirement.
A Pension other than family pension under Regulations 40 and 41 is payable from the date on which an employee ceases to be borne on the establishment or from the date of his application, whichever is later.
60. Authority competent to sanction pension and gratuity—The Managing Director shall be the competent authority to sanction pension and gratuity to an employee under these regulations. After taking into consideration the provisions of regulations record his order in prescribed form (annexure) as to whether full pension and gratuity or both is sanctioned or whether any reduction of full pension and gratuity or both is approved.
61. Pension Order :
 - (1) On receipt of pension papers and pension sanction order, the Audit Officer placed on deputation in the Company by the Finance Department of Government of West Bengal shall apply requisite check and record his audit enforcement on the application form.
 - (2) The Audit Officer shall prepare a pension payment order and send it to the pensioner.

CHAPTER XI

Payment of Pension

62. (1) A pension is payable on and after the 1st day of the following month.
- (2) Payment of pension shall be made at the pension counter at the Central Accounts Office Headquarters after proper identification of the pensioner.

- (3) Pensioner may be permitted to draw through nationalized banks subject to approval of the Reserve Bank of India on application in that respect subject to adjustment of banking charges on his account. Till such approval is forthcoming the Managing Director will arrange payment of pension.
- (4) Payment of pension may also be made by postal money order on application in that respect subject to adjustment of postal charges on his account.
- (5) A pension is payable for the day on which the pensioner dies.
- (6) A Life Certificate from an Officer in Group 'A' belonging to State / Central Government, MLA, MP, Municipal Commissioner or Panchayet Prodhan shall have to be produced by pensioner once in each year.
- (7) Arrear pension for the period of more than three months should not be paid without Medical certificate. Arrear pension for the period of more than one year should not be without sanction of the Managing Director.
- (8) Arrear pension should be paid after the death of the pensioner to his heirs.

CHAPTER XII

Miscellaneous

63. For provisions not included in the regulations—In respect of matters for which provision has not been made in these regulations, the relevant provisions in the West Bengal Service (Death-cum-Retirement Benefit) Rules, 1971 so far as they are not inconsistent with these regulations, shall apply mutatis mutandis in respect of the employees of The Calcutta Tramways Company (1978) Limited.
64. [General Provident Fund—The employees of the Company who will exercise their option for pension under the Pension Regulations will be guided by the General Provident Fund Rules framed for the CTC Limited in line with the General Provident Rules of the State Government.
65. The employees, who have retired after 1-4-1997 or will retire hereafter Employer's Contribution to the Contributory Provident Fund along with interest accrued thereon and any other retirement benefit drawn under payment of Gratuity Act or other rules and acts etc. will have to be refunded to the Calcutta Tramways Company (1978) Ltd. for being eligible to draw pensionary benefits as mentioned above. In cases of those employees who have already drawn retirement benefit in the shape of Employer's Contribution towards C. P. Fund and / or gratuity under the existing rules which was in operation at the material time, the amount of such retirement benefit shall however be adjusted to the extent possible against arrears of pension and other retirement benefits payable with effect from 1-4-1997. If any balance remains, the same may be adjusted against the future payment on account of relief or pension.
66. The employees who have drawn gratuity under payment of Gratuity Act, 1972 or any other rules in force at the material time shall not, however, be entitled to gratuity under these regulations.