

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

NOTIFICATION

No. 144-WT/IE(D)-1/2008

Date-13.01.2011

Whereas, in pursuance of Labour Department's Notification No. 142-Imp dated 01.11.2007, the Governor is pleased to formulate a policy for dealing with the prayers for appointment or financial assistance on compassionate ground, received by State Transport Undertakings (STUs), from the dependants of the employees of STUs, who die-in-harness or retire prematurely on being declared permanently incapacitated from service. These are as under:-

1. 'STU' means herein State Transport Undertaking of Government of West Bengal. The policy is applicable to the STUs under Transport Department, namely North Bengal State Transport Corporation (NBSTC), Calcutta State Transport Corporation (CSTC), Calcutta Tramways Company (1978) Limited (CTC) and West Bengal Surface Transport Corporation Limited (WBSTC).
2. 'Employee' means a person who is / was a regular and permanent employee of STUs (NBSTC, CSTC, CTC, WBSTC).
3. For the purpose of appointment or financial assistance on compassionate ground a dependant of an employee shall mean wife / husband / son / unmarried daughter of the employee, who is / was solely dependant on the employee.
4. One of the dependants of an employee, who dies-in-harness or who retires prematurely on being declared permanently incapacitated may be offered appointment or one time financial assistance on compassionate ground if the family of the deceased or the retired employee, as the case may be, is in need of immediate assistance.

Provided that in the case of appointment of a dependant of an employee who retired prematurely on being declared permanently incapacitated the conditions laid down in para A-2 of Labour Department's Notification No. 303-Emp/1M-20/2000 dated 21.08.2002 shall have to be fulfilled.

5. It is hereby clarified that the family of a deceased or prematurely retired employee shall be considered to be in need of immediate financial assistance if any of the two conditions mentioned below is satisfied -

(a) The monthly income of the family falls below 90 percent of the gross monthly salary of the employee before death or premature retirement.

The gross monthly salary, for the purpose of this definition shall mean basic pay alongwith dearness pay, dearness allowance, house rent allowance and medical allowance.

(b) The monthly income of the family falls below the minimum salary of a Group-D employee (in case of Group-D employee) or the minimum salary of a Lower Division Clerk (in case of employee other than those belonging to the Group-D).

The monthly income of the family shall mean the aggregate of:

(i) Total family pension per month (Basic, Dearness Pension and Relief etc.)

(ii) Monthly interest income @ 8% on the total amount received by the family after death of the employee or retirement of the incapacitated employee (Gratuity, Leave encashment, any other payment except GPF / CPF accumulation that shall not be reckoned for the purpose of computing the monthly interest income).

Provided that, where an ex-employee had to incur medical expenses as indoor patient prior to and leading to his death / incapacitation, such expenses may be deducted from the amount received. All such expenses must be supported by original receipt / cash memo, hospital discharge certificates.

(iii) Monthly income from movable and immovable properties (the family members are expected to submit a declaration on the matter).

(iv) Monthly income of the dependants of the employee named in the application (the family members are expected to submit a declaration on the matter).

6. STUs would like to grant one time financial assistance to the dependants of the employee on compassionate ground if suitable vacancy is not found in the organization.

The financial assistance would be provided in lieu of appointment as ex-gratia grant equivalent to –

(a) 45 days of emoluments for each completed years of continuous service limited to the total emoluments that the employee would have drawn at the prevailing level of his emoluments for the residual period of service.

OR

(b) An amount equivalent to 35 days emoluments for each completed years of continuous service plus 25 days emoluments for each remaining year of the residual period of service limited to the total emoluments that the employee would have drawn at the prevailing level of his emoluments for the residual period of his service, whichever is higher.

For the purpose of payment of ex-gratia grant in terms of this provision, the residual period of service means the period of service that the employee would have had but for his death or premature retirement.

7. The dependant of an employee seeking appointment on compassionate ground shall henceforth make an application in prescribed form within (6) months from date of death of the deceased employee or his retirement on permanent disablement. If no application is submitted within the stipulated period, it will be presumed that the family does not require immediate financial assistance.

8. On receipt of such application the appointing authority of the organization shall form an enquiry committee of senior officials not less than three (3) in number. The committee so formed will make an enquiry discreetly into the facts and merit of the prayer. The enquiry committee will forward the case along with views considering all

aspects to the Managing Director of the concerned organization. Preference would be given to the dependants of those employees who die in accident while on duty.

9. The conditions as envisaged in para 'C', 'D' and 'E' of Labour Department's Notification No. 303-Emp/IM-10/2000 dated 21.08.2002 shall have to be fulfilled in case of appointment on compassionate ground.

10. The organizations (STUs) have to keep an eye strictly on actual requirement and financial capability of the organization in case of appointment on compassionate ground.

11. No appointment or financial assistance will be offered on the compassionate ground to the dependant of the employee without prior approval of the Transport Department.

12. This notification issues with the approval of Finance (Audit) Department U.O. No. 2583 Gr.P(Service) dated 23.07.10 and Labour Department U.O. No. 159 Emp dated 30.08.10.

13. This notification shall come into force immediately.

By order of the Governor,
Sd/

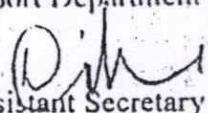
Sumantra Choudhury
Additional Chief Secretary
to the Government of West Bengal.

No. 144/1()-WT

Date-13.01.2011

Copy forwarded for information and necessary action to:

1. Managing Director, NBSTC / CSTC / WBSTC / CTC (1978) Ltd.
2. Principal Accountant General (A&E), WB, Treasury Buildings, Kolkata-1
3. Principal Accountant General (Audit), WB, Treasury Buildings, Kolkata-1
4. Pay & Accounts Officer-I, Kolkata Pay & Accounts Office, 81/2/2, Phears Lane, Kolkata-12
5. Pay & Accounts Officer-II, Kolkata Pay & Accounts Office, P-1, Hyde Lane, Kolkata-73
6. Finance Department (Group-R), / Labour Department
7. PS to MIC, Transport Department / PS to Additional Chief Secretary, Transport Department
8. Cell VII (STC Cell) / Est. Cell of this Department..


Assistant Secretary