

Government of West Bengal
Labour Department

No. 251-Emp.

Dated, Kolkata, the 3rd December, 2013

NOTIFICATION

The Governor is pleased hereby to make the following scheme regulating the appointment on compassionate ground in supersession of all previous orders in this respect :

Scheme :

1) Short title and commencement -

This scheme may be called the West Bengal Scheme for Compassionate Appointment, 2013. This will come into force with effect from the date of issue.

2) Application -

This shall apply to a dependent family member of a Government employee who –

- (a) dies while in service; or
- (b) is disabled permanently or otherwise incapacitated rendering him unfit to continue in service prematurely on being declared permanently incapacitated by a Medical Board formed by the Government.

3) Definition -

“Dependent Family Member” means

- (a) spouse; or
- (b) son (including legally adopted son before death or incapacitation); or
- (c) unmarried daughter (including legally adopted unmarried daughter before death or incapacitation); or
- (d) married daughter who on date of death or incapacitation was unmarried; or
- (e) brother or sister in case of death in harness of an unmarried employee provided his/her parent, all the brothers and sisters were fully dependent on him/her,

- who was wholly dependent on the Government employee at the time of his death in harness or incapacitation, as the case may be, and is in need of immediate financial assistance at the time of making application and also at the time of consideration.

(f) "Government employee" for the purpose of this scheme means a Government employee appointed on regular basis and not the one working on daily wage or casual or apprentice or ad-hoc or contract or re-employment basis.

4) Posts to which such appointments can be made –

Such appointments can be made to Group-C and Group-D posts only in the exempted category vacancies.

5) Authority competent to make compassionate appointment -

Respective appointing authorities for Group-C and Group-D employees shall be the appointing authority to the eligible candidates after observance of the procedure in this scheme. However, approval of the Minister-in-Charge or Minister-of-State in charge of the respective Departments would be necessary in all cases of compassionate appointment.

6) Eligibility -

(a) The family is indigent and deserves immediate assistance for relief from financial destitution. For this any of the following two conditions is to be satisfied.

- (i) The monthly income of the family falls below 90 per cent of the gross monthly salary of the employee before death or premature retirement.
- (ii) The monthly income of the family falls below the minimum salary of a Group-D employee (in case of Group-D employees) or the minimum salary of a Lower Division Clerk (in case of employees other than those belonging to the Group-D).

The gross monthly salary, for the purpose of this definition shall mean, basic pay (Band Pay + Grade Pay) , dearness allowance, house rent allowance and medical allowance.

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

- (I) Total family pension per month (Basic Pension and Dearness Relief, Medical Allowance).

(II) Monthly interest income @ 8% p.a. on the total amount received by the family after death of the employee or retirement of the incapacitated employee (Gratuity, Leave Encashment, any other payments excepting GPF).

Provided that, where an ex-employee had to incur medical expenses as indoor patient prior to and leading to his death/incapacitation, such expenses is 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 shall submit declaration on the matter).

(IV) Monthly income of the dependents of the ex-employee named in the application (the family members shall submit declaration on the matter).

(b) In case of premature retirement the concerned employee had at least two years of service left to reach the normal age of superannuation and should fulfill the following conditions.

(i) On premature retirement he/she would not be entitled to the full pensionary benefits to which he/she would have been entitled if he/she had retired at his/her normal age of superannuation.

(ii) He/she has fully exhausted all kinds of leave with pay including commuted leave on medical ground;

(iii) The financial conditions of the family is so acute as to make the appointment essential consequent upon the fall in income due to such retirement.

(c) Applicant for compassionate appointment should be eligible and suitable for the post in all respects under the provisions of the relevant recruitment rules.

Note : (a) Condonation of excess in age in case of eligible cases will be made by the respective head of the department or their subordinate Officer who are competent to make the compassionate appointment as per existing provision.

(b) Relaxation in educational qualification may be granted in eligible cases for appointment to Group 'D' post in consultation with the Finance Department.

