

Government of West Bengal
Labour Department
Employment Cell
Writers' Buildings, Kolkata-700 001.

N : 80-Emp.

Dated ; Kolkata, the 2nd April, 2008

NOTIFICATION

At present appointment on compassionate ground of the dependants of State Government employees who die in harness, or retire prematurely on being declared permanently incapacitated for service in governed by provisions of Labour Department Notifications No. 97-Emp, dated 06-06-2005, read with Corrigendum No. 131-Emp, dated 26-08-2005, Corrigendum No. 151-Emp, dated 08-09-2005, Corrigendum No. 27-Emp, dated 08-02-2006, Memorandum No. 28-Emp, dated 08-02-2006 and Notifications No. 69-Emp, dated 26-06-2007 and 133-Emp, dated 01-10-2007. The Government had been, for some time past, considering the necessity of reviewing these provisions. After careful review of the matter, the Government has now been pleased to rescind the Notification No. 97-Emp, dated 06-06-2005 along with corrigenda/orders/notification issued in the context of the said notification and restore the position which was prevailing prior to the issue of Notification No. 97-Emp, dated 06-06-2005, subject to such modifications and clarifications as specifically mentioned hereunder.

2. (1) One of the dependants of a Government employee who dies in harness or who retires prematurely on being declared permanently incapacitated may be offered appointment on compassionate ground if

- (i) the family of the deceased or the retired employee as the case may be is in need of immediate assistance; and
- (ii) the employee had at the time of death or premature retirement at least two years of service left to reach the normal age of superannuation.

Provided that in the case of appointment of a dependant of a Government employee who retires prematurely on being declared permanently incapacitated all other conditions laid down in para A. 2 of Labour Department Notification No. 303-Emp./1 M-10/2Q00, dated 21-08-2002, shall have to be fulfilled.

(2) For the purpose of appointment on compassionate ground, a dependant of a Government employee shall mean wife/husband/son/ unmarried daughter of the employee, who is/was solely dependant on the Government employee.

3. One of the conditions that needs to be fulfilled for offering appointment on compassionate ground is that the family of the deceased or prematurely retired employee is in need of immediate financial assistance.

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 80 percent of the gross monthly salary of the employee before death or premature retirement.
- (b) 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 alongwith dearness pay, dearness allowance, house rent allowance and medical allowance.

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

- (a) Total family pension per month (Basic, Dearness Pension and Relief etc.)
- (b) 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 (G.P.F., Gratuity, Leave Encashment, any other payments).

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.

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

(d) Monthly income of the dependents of the ex-employee named in the application (the family members are expected to submit a declaration on the matter).

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

5. All other provisions laid down in the Notification No. 301-Emp, & 303-Emp, dated 21-08-2002, to the extent those are not inconsistent with the provisions laid down in this Notification shall continue to apply.

6. All applications for appointment on compassionate ground shall henceforth be disposed of by the concerned administrative department in accordance with the provisions laid down in the notification. Approval of the Appointment Committee of the Cabinet will not be required for offering appointment in terms of this notification.

7. This Notification shall come into force immediately.

8. This issues with the concurrence of the Finance (Audit) Department vide their U.O. No. 1 154 Group 'P' (Service), dated 28-03-2008.

By order of the Government

Sd/- Amit Kiran Deb

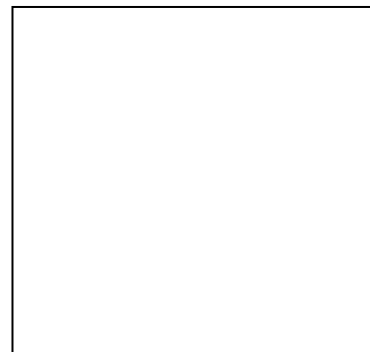
**Chief Secretary to the
Government of West Bengal.**

**PROFORMA REGARDING EMPLOYMENT OF DEPENDANTS
OF GOVT. EMPLOYEES DYING WHILE IN SERVICE**

Part I

(To be filled in by the Applicant)

1. (a) Name of the deceased employee :
- (b) Designation of the ex-employee :
- (c) Name of the office with address :
- (d) Date of birth of the deceased :
- (e) Date of death of the deceased :
(Attested copy of death certificate to be enclosed)
- (f) Date of joining in the Govt. service :
- (g) Total length of service rendered :
- (h) Whether belonging to SC/ST/BC :
(Attested copy of certificate to be enclosed)
- (i) Monthly salary drawn by the deceased in the last month—Total emoluments (Pay & other allowances) : Basic Pay : Total :
2. (a) Name of the candidate praying for appointment on :
on compassionate ground.
- (b) His/Her relationship with the ex-employee :
- (c) Date of birth of the applicant :
- (d) Educational Qualifications :
- (e) Whether fully dependent on the ex-employee :
- (f) Whether any other dependent has been appointed :
on compassionate ground
- (g) Particulars of Employment Exchange Card :
(if registered)
- (h) Whether received any financial assistance under :
any Self Employment Scheme such as SESRU,
SEP, etc.
- (i) Two passport size photographs of the candidate :
duly authenticated by the competent authority,
(one of which to be affixed on the space
Marked).



Part II
(To be filled in by the Applicant)

1. Particulars of total assets left (owned/received/entitled to) :
- (a) Family Pension : Basic : Total : as on :
- (b) (i) Death gratuity :
(ii) G.P.F. Balance :
(iii) Group Insurance :
(iv) Encashment of Leave :
(v) L.I. Policies :
(including P.L.I.) :
(vi) Movable and immovable properties and annual income therefrom by the family :
(vii) Any other assets :
2. Brief particulars of Liabilities, if any (Documentary evidence to be enclosed) :

3. Particulars of all dependents of the deceased :

Sl No.	Name	Age	Educational Qualifications	Relationship with The deceased	Living separately or With the family
(1)	(2)	(3)	(4)	(5)	(6)
1.					
2.					
3.					
4.					

Marital Status	Particulars of occupation/employment (if already employed)	Gross Salary (if employed)
(7)	(8)	(9)

4. Signature/L.T.I. of the other dependents of the family given the “No Objection” in favour of this application for employment on compassionate ground.
- (i)
(ii)
(iii)

DECLARATION

I do hereby declare that particulars given by me above are correct. If any of the particulars herein mentioned are found to be incorrect or false at the future date, my service may be terminated.

Date :

Address of the Candidate :

Shri/Smt. is known to me and the particulars mentioned are correct.

Date :

Office Address :

Designation :

Signature of the Candidate

Signature of a permanent Govt. employee of the same office

Part III
(To be filled in by the Applicant)

1. Report of Enquiry Committee regarding particulars :
furnished by the applicant in Part I & Part II of the Proforma
2. Comments of Controlling Officer :

Part IV

1. (a) Name of the deceased :
- (b) Designation :
- (c) Total emoluments last drawn :as on
(Pay & Allowances)
2. (a) Name of the Candidate :
- (b) His/Her relation with the deceased :
3. (a) Family Pension : Basic : Total : as on
- (b) Amounts received/entitled to receive from Govt. as :
death benefits including others (in total)
- (c) Amounts received/entitled to receive from other sourc- :
-es such as L.I. Policies/P.L.I./Personal Savings, etc.
- (d) Movable and immovable properties and annual income :
earned therefrom by the family.
4. (a) Educational Qualification of the candidate :
- (b) Date of birth :
- (c) Whether S.C./S.T./B.C. :
- (d) Post for which employment is proposed :
- (e) Is the vacancy reserved for E.C. ? :
- (f) Whether the post reserved for S.C./S.T./B.C. :
- (g) Is the post supposed to be filled up by promotion or by :
direct recruitment through the P.S.C. ?
- (h) Whether the candidate fulfils the requirements of the :
Recruitment Rules for the post
- (i) Is any relaxation of rule etc. required ?
- (j) Have the particulars mentioned in Part I, Part II and :
Part III and above been verified by the office ? If so,
Indicate the reports
- (k) Decision of the appointing authority :

Date :

Signature of the Appointing Authority.

Seal :