

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
AUDIT BRANCH

No.6620-F

Calcutta, the 20th August. 1981.

MEMORANDUM

Subject: Scheme for voluntary retirement of State Government employees
on completion of 20 years qualifying service.

In pursuance of the recommendation of the Pay Commission, West Bengal, the Governor has been pleased to decide that the State Government employees who have put in not less than 20 years qualifying service may, by giving notice of 3 months in writing to the appointing authority, retire from Service voluntarily. This Scheme is purely voluntary the initiative resting with the Government servant himself. The Government does not have the reciprocal right to retire, Government employees on its own under this Scheme.

2. The benefit of retiring pension will be admissible to Government employees retiring under this Scheme.

3. A notice of less than 3 months may also be accepted by the appointing authority in deserving cases with the concurrence of the Finance Department.

4. If a Government Servant retires under the Scheme of voluntary retirement while he is on leave not due without returning to duty, the retirement shall take effect from the date of commencement of the leave not due and the leave salary paid in respect of such leave not due shall be recovered.

5. A notice of voluntary retirement may be withdrawn subsequently only with the approval of the appointing authority provided the request for such withdrawal is made before the expiry of the notice.

6. A notice of voluntary retirement given after completion of 20 years qualifying service will require acceptance by the appointing authority if the date of retirement on the expiry of the notice would be earlier than the date on which the Government employee concerned could have retired voluntarily under Rule 75(aaa) of West Bengal Service Rules, Part-I. Such acceptance may be generally given in all cases except those (a) in which disciplinary proceedings are pending or contemplated against the Government employee concerned for the imposition of a major penalty and the disciplinary authority, having regard to the circumstances of the case, is of the view that the imposition of the penalty of removal or dismissal from service would be warranted in the case or (b) in which prosecution is contemplated or may have been launched in a court of law against the Government employee concerned. If it is proposed to accept the notice of voluntary retirement even in such cases, approval of the Minister-in-charge

should be obtained in respect of Government employees belonging to Group A, Group B and Group C. In respect of Government employee belonging to Group D in such cases the approval of the head of the Department should be obtained. Even where a notice of voluntary retirement given by a Government employee requires acceptance by the appointing authority, a Government employee giving notice may presume acceptance and the retirement shall be effective in terms of the notice unless the competent authority issues an order to the contrary before the expiry of the period of notice.

7. While granting pension to a Government employee retiring voluntarily under this Scheme, weightage up to 5 years would be given towards qualifying service in addition to the qualifying service actually rendered by him. The grant of weightage of up to 5 years will, however, be subject to the following conditions. :-

- (a) The total qualifying service after allowing the weightage should not in any event, exceed 30 years' qualifying service and
- (b) The total qualifying service after giving the weightage should not exceed the qualifying service which he would have had, if he had retired voluntarily at the lowest age/minimum service limit applicable to him for voluntary retirement prescribed under rule 75(aaa) of West Bengal Service Rules, Part I.

Illustrations:-

- (i) If a Government servant belonging to Group A or Group B who could be retired prematurely or voluntarily under the existing rules seeks voluntary retirement under this scheme after he has attained the age of 47 years and has rendered 22 years service, the weightage in pension would be limited only up to 3 years.
- (ii) If a Government servant belonging to Group C or Group D who could be retired prematurely or voluntarily under the existing rules, seeks voluntary retirement under this scheme after he has attained the age of 51 years and has rendered 24 years of service, the weightage in pension would be admissible up to 4 years.

8. The weightage given under this scheme will be only an addition to the qualifying service for purpose of pension and gratuity. It will not entitle the Government servant retiring voluntarily to any notional fixation of pay for purpose of calculating the pension and gratuity which will be based on the actual emoluments calculated with reference to the date of retirement.

9. The amount of pension to be granted after giving the weightage will be subject to the provisions of rule 65 of the West Bengal Services(Death-cum-Retirement Benefit) Rules, 197. The pension will also be subjected to the provisions of Rule 8,9, and 10 *ibid*.

10. The Scheme of voluntary retirement under these orders will not apply to those Government employees on deputation to autonomous bodies/public undertakings etc. who propose to get absorbed in the autonomous bodies/public undertakings etc.

11.A Government employee giving notice of voluntary retirement may also apply, before the expiry of the notice for the leave standing to his credit which may be granted to him to run concurrently with the period of notice. The period of leave, if any, extending beyond the date of retirement on expiry of notice but not extending beyond the date on which the Government servant should have retired on attaining the age of superannuation may be allowed as terminal leave. The leave salary for such terminal leave shall be payable in accordance with the rules prescribed for this purpose.

12. Government employees retiring under this scheme would continue to be subject to the provisions of rule 89 of the West Bengal Services (Death-cum-Retirement Benefit Rules, 1971 relating to post-retirement commercial employment.

13. The benefit of voluntary retirement under this scheme will not be admissible to holder of certain services and posts as enumerated in rule 59 of the West Bengal Services (Death-cum-Retirement Benefit) Rules, 1971.

14. In the light of the provisions of these orders, rule 60(1)ibid shall be deemed to have been amended to this extent and formal amendment to the West Bengal Services (Death-cum-Retirement Benefit) Rules, 1971 and the West Bengal Service rules, Part I will be taken separately by this Department in due course.

15. Before any permission of voluntary retirement under this Scheme is given certificate from the Audit Officer should be obtained to the effect that the Government Servant concerned have rendered 20 years' qualifying service.

Sd/-N.R. Bhattacharyya,
Deputy Secretary to the Government of West Bengal.

Note: Para 11 of this Order has been deleted w.e.f. 1.1.85 by Memo. No. 1517-F dated 22.2.85. For Ref. See WBSR, Part-I.