

Government of West Bengal
Department of Sports & Youth Services,
Sports Wing.

No. 801-SYS(SP)
1E - 17/91

Calcutta, the 11th July, 1994.

MEMORANDUM

The question of allowing retiring benefits to the employees of the West Bengal State Council of Sports has been under consideration of Government for sometime past.

2. Considering the recommendations of the Standing Committee of the Council, the Governor, after careful consideration has been pleased to direct that the retirement benefits at the rates described in the West Bengal State Council of Sports employees (Death-cum-Retirement benefit) Scheme 1994 enclosed as Annexure-I will be admissible to whole time employees of the West Bengal State Council of Sports who were in active service on or after 1st April, 1993 subject to the following conditions. Persons who retired from service prior to 1-4-93 will not get these benefits.
3. Persons who were in service on 1-4-93 will have an option, either:
 - (i) to continue to be governed by the existing rules governing retirement benefits, or
 - (ii) to come under the West Bengal State Council of Sports Employees (Death-cum-Retirement benefit) Scheme, 1994.
4. (a) Persons willing to come under Para-3 (ii) and opting for the benefit of pension-cum-gratuity shall apply in writing to the Secretary of the West Bengal State Council of Sports stating that he/she is willing to refund the employer's share of contribution together with interest accrued thereon, credited against his/her contributory provident fund account and that his/her own share of contribution with interest thereon transferred to the General Provident Fund Account.

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The Secretary, West Bengal State Council of Sports will maintain the G.P.F./C.P.F. Account as the case may be. The entire fund relating to employer's share of Contributory Provident Fund together with interest accrued thereon will be deposited to the fund of the Council to be created for the purpose. The employee's share will be credited to his newly opened General Provident Fund Account.

The amount of employer's share of contribution to the General Provident Fund together with interest required to be refunded or actually refunded shall have to be recorded in an appropriate space in the Service Book under proper attestation.

The Secretary/Assistant Secretary of the Council will attest the entry in the Service Book. The period of contribution to Contributory Provident Fund will also be recorded in the Service Book.

(b) Some persons have already drawn the employer's share of contribution together with the interest accrued thereon and are not able to refund the same in cash. In order to enable them to avail themselves of the benefits of pension etc. in such cases the employer's share of contribution together with interest accrued thereon should be refunded with interest at 5% simple on the amount actually drawn, calculated from the date of drawal of the said amount to the date of refund/adjustment, and the said amount should be adjusted against the amount of gratuity reported admissible. If there is some amount still remaining due, it should be adjusted against the amount of arrear pension to be paid to such employees of the Council and thereafter, if necessary, by non-payment of pension still recovery of the total amount to be refunded.


7. The Government will not shoulder any additional financial liability. The charge towards the payment of pension including family pension-cum-gratuity under the scheme will have to be met out of the fund created by amount surrendered by the employees of the Council as employers' share of contribution towards C.P. Fund together with interest accrued thereon.

8. The Director of Pension, Provident Fund and Group Insurance, West Bengal will act as Audit Authority in payment of pension to West Bengal State Council of Sports.

9. This order issues with the concurrence of the Finance Department, Pension Call U.O.No. Group 'J'(Pen)-397 dated 3-2-94.

10. The Accountant General, West Bengal and the Director of Pension, Provident Fund and Group Insurance, West Bengal are being informed.

By order of the Governor,



Deputy Secretary.

No. 801/1(3)-SYS(SP)

Copy forwarded for information (and necessary action) to the :-

- 1) Accountant General, West Bengal, Treasury Buildings, Calcutta.
- 2) Finance Department of this Government
- 3) Director of Pension, Provident Fund & Group Insurance, West Bengal, Purta Bhawan, Salt Lake, Calcutta-700 091.
() for (3) ONLY.


Calcutta,
the 11th July, 1994.


Deputy Secretary.

No. 801/2(1)-SYS(SP)

Copy forwarded for information and necessary action to the Assistant Secretary, West Bengal State Council of Sports, Netaji Indoor Stadium, Calcutta-700 021.

Calcutta,
the 11th July, 1994.


Deputy Secretary.

The date of drawal, the amount of employer's share together with interest thereon should be recorded in the Service Book and the same should be attested by the Secretary/Assistant Secretary of the Council after due verification. After full recovery of the ~~share~~ ^{including} interest, the incumbents may be allowed their monthly pension. The incumbent concerned will have to give a written undertaking to the effect that they have no objection to such recovery in a form prescribed for this purpose.

(c) The period of service for which contribution towards C.P.F. was not paid by the employer will also be taken into account as qualifying service for pensionary benefits.

5. (a) The existing employees appointed prior to 1-4-93 shall be required to opt within 90 days' from the date of issue of this scheme. Those who were appointed on 1-4-93 or after but before the circulation of the scheme shall also opt for the benefit referred to in para 4 of the scheme within the same period.

The option to be exercised by the employee shall be in the enclosed form.

(b) If any employee does not opt or fail to opt within prescribed time limit, the pensionary benefit as admissible prior to 1-4-93 would be applicable in their case.

6. In case of an employee who died on or after 1-4-93 but before issue of this order and before exercising an option, the pension sanctioning authority will allow the more advantageous of Para 3 (i) or 3 (ii) to him/her.

* * *

CHAPTER - II

DEFINITIONS

- 5(a) "West Bengal State Council of Sports" means the West Bengal State Council of Sports established under the vide Government Order Number 3214-PL dated 6.7.63 of the Home Department (Police), Government of West Bengal.
- (b) "Basic Pay" means the pay which is drawn by an employee, monthly and which corresponds to a stage in the time scale of pay attached to the post held by him.
- (c) "Competent authority" means the appointing authority who is the Secretary, West Bengal State Council of Sports and Ex-Officio Deputy Secretary to the Government of West Bengal in the Sports & Youth Services Department (Sports Wing).
- (d) "Pension sanctioning Authority" means the Secretary, West Bengal State Council of Sports & Ex-Officio Deputy Secretary, Department of Sports & Youth Services (Sports Wing) or any officer(s) authorised by Government of this behalf.
- (e) "Employee" means the office staff and the coaches of the West Bengal State Council of Sports, the appointment of whom has duly been approved by the Sports Council or an Officer authorised by the Council.
- (f) "State Government" means the Government of West Bengal.
- (g) "Leave" means any kind of leave admissible to an employee under the rules applicable to him as per Government rules.
- (h) "Service Book" means the document which contains the record of service of an employee as prescribed by State Government.
- (i) "Pension" except when the term "Pension" is used in contra-distinction to Gratuity, pension includes gratuity.
- (j) "Emolument" means the emoluments which the employee was receiving immediately before his retirement and includes (i) Basic Pay (ii) Personal pay (iii) Special Pay (iv) Dearness Pay. "Pay" means the amount of remuneration drawn monthly by an employee as the pay which has been sanctioned for the post held by him substantively or in an officiating capacity.
- "Personal Pay" means additional pay granted to an employee.
- (a) to save him from loss of pay due to revision or reduction of pay otherwise than as a disciplinary measure and (b) in exceptional circumstances on other personal consideration.
- NOTE : If an employee before his retirement or death, has been absent from duty on leave with allowance, his emoluments for the purpose of calculating pensionable service, gratuity and/or death-cum-retirement gratuity should be taken at what they would have been had he not been absent from duty.

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ANNEXURE - I

(Vide G.O.No. 801-373(SP) dated 11/7/94)

S C H E M E

CHAPTER I

1. This scheme may be called the West Bengal State Council of Sports Employees (Death-Cum-Retirement Benefit) Scheme.
2. It shall be deemed to have come into force with effect from 1st April 1993.
3. This scheme shall apply to employees of West Bengal State Council of Sports, who were in service on 1.4.93 and also to those who were appointed after that date, provided they draw pay in the scales of pay prescribed by Government for such category of employees.

Provided further their appointments were/are duly approved by the competent authority but shall not apply to employees appointed on part-time basis or those appointed on a contract basis for specified periods or to Government servants who have been permitted lien on posts under Government or who have already retired from Government service.

4. The following retirement benefits shall be admissible under this scheme.

Either Pension (including Family Pension) -Cum-Gratuity at rates as laid down in this scheme or Contributory Provident Fund at the rate of $8\frac{1}{3}\%$ (from 1.8.1988)-Cum-Gratuity according to option.

CHAPTER III

6. Service Record - The full record of an employee's service rendered in the Council from the date of first entry into regular service till the date of retirement shall be maintained by the Council in the Service Book.

7. The service qualifying for pension - (a) except for compensatory gratuity, the service rendered by an employee before the completion of the age of 18 years shall not qualify for pension.

(b) Service rendered in other States shall not count as qualifying Service. Service rendered in Territories which have since been merged in West Bengal and Service rendered in East Pakistan now Bangladesh upto 14.8.1947 shall however count towards pension.

(c) Approved temporary service including approved service on leave or deputation vacancy in one or more institutions shall count towards pension subject to fulfilment of other conditions for grant of pensions.

Fractions of a year equal to six months and above shall be treated as a completed six monthly period for the purpose of calculation of any pension under this scheme.

(d) All period of authorised leave other than extra-ordinary leave without pay shall count as qualifying service.

Extra-ordinary leave granted on medical certificate, shall however, count as qualifying service.

Provided that in the case of extra-ordinary leave other than extra-ordinary leave granted on medical certificate, the appointing authority may at the time of granting such leave allow the period of that leave to count as qualifying service if such leave is granted to an employee.

(i) due to his inability to join or rejoin duty on account of civil commotion or

(ii) for prosecuting higher scientific and technical studies.

(e) Period of suspension followed by reinstatement shall count as qualifying service provided it is treated as duty otherwise it shall not count as qualifying service.

Provided that this amount of pension and/or gratuity is not increased on account of increase in pay not actually drawn and that the benefit of higher officiating or temporary appointment but for his proceeding on leave.

Provided that if the emoluments which count towards pension are increased from a specified date with financial benefit from a subsequent date such portion of emoluments though not actually drawn will form part of the emoluments for the purpose of pension and gratuity.

"Dearness Pay" means such portion of Dearness Allowance as has been declared by Government as Dearness Pay.

(k) "Standing Committee" means the body or person charged with the management of the affairs of the West Bengal State Council of Sports.

(l) "Council" means the West Bengal State Council of Sports.

(m) "Family" includes the following relatives of an employee namely -

(1) For the purpose of a death gratuity.

(i) Wife in the case of a male employee.

(ii) Husband in the case of a female employee.

(iii) Sons including step sons.

(iv) Unmarried and widowed daughters including step daughters.

(v) Brothers below the age of 18 years and unmarried or widowed sisters.

(vi) Father

(vii) Mother

(2) 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) dependant parents.

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

(n) "Age of superannuation" is the age on attaining of which an employee must retire compulsorily and should be sixty completed years of his age for Group D staff and should be fiftyeight completed years of his age for others. The age of superannuation should be such age as prescribed time to time under rules/orders governing his service.

- NOTE :- 1) No pension is admissible to an employee for loss of appointment or discharge after the completion of a special term of service.
- 2) No pension may be awarded for the loss of any special pay or local allowance.
- 3) Reasonable notice, for not less than three months, should be given to an employee before he is discharged on abolition of the post held by him. If in any case, notice of at least three months is not given and the employee has not been provided with any alternative employment, then a gratuity not exceeding his emoluments for the period by which the notice given to him falls short of three months, may be paid to him in addition to his pension but no pension shall be payable for the period for which he receives a gratuity in lieu of notice.

11. An invalid pension is awarded on retirement from service to an employee who by bodily or mental infirmity is permanently incapacitated for service.

An employee applying for an invalid pension shall submit a medical certificate

from any Medical Officer authorised by the pension sanctioning authority. No medical certificate of incapacity may be granted unless the applicant appears through competent authority.

12. The form of the Medical Certificate as per Government norm to be submitted in respect of an employee applying for invalid pension has been shown in Appendix I.

13. No invalid pension is admissible to an employee if it is certified by the Medical Officer that the incapacity is directly due to irregular or intemperate habits, which refer to incapacity on account of drug habit or an account of diseases resulting from immoral habits.

14. A superannuation pension is granted to an employee who is required to retire at a particular age in accordance with the service conditions applicable to him.

NOTE : If only the year of birth of an applicant for pension is known but the exact date of birth in that year is not known, the first day of July of that year is to be taken as the date of birth. Similarly if only the month and the year of birth are known, the 16th of the month is taken to be the exact date of birth.

15. A retiring pension is admissible to an employee who is permitted to retire after completing qualifying service for 20 years or more.

NOTE : The Pension will commence from the date following the date of retirement under any of the four classes of pension mentioned in para 9 of this Scheme.

NOTE : For the purpose of this scheme, the date of super-annuation shall be reckoned from the date of birth on the basis of the Madhyamik/Higher Secondary/Matriculation/School Final pass certificate or other equivalent pass certificate. In the case of those employees whose date of birth entered in the Service Book on the basis of an affidavit shall be taken into account for the purpose of determining the date of superannuation.

(h) Date of retirement : If the date of retirement of a Superannuated employee falls on any date other than the first day of the month he/she will be allowed to retire with effect from the afternoon of the last day of the month of which he attains the age of superannuation.

Provided that the employee whose date of birth falls on the first day of the month he/she shall retire from service with effect from the afternoon of the last date of the proceeding month attaining the age of Superannuation.

CHAPTER - IV

ELIGIBILITY FOR PENSIONS

8. Subject to satisfactory service, an employee shall be entitled to pension provided that in case of (i), (iii) and (iv) below, the employee has rendered at least ten years of qualifying services.

- (i) on attaining the age of superannuation.
- (ii) on voluntary retirement after completing 20 years of qualifying services, or
- (iii) on being declared permanently incapacitated for further service by :
any Medical Officer authorised by the pension sanctioning authority or
- (iv) on termination of service due to abolition of the permanent post.

9. Pensions are divided into the following four classes, namely :
(a) compensation pension
(b) invalid pension
(c) superannuation pension, and
(d) gratuity pension.

10. If an employee is discharged on abolition of the permanent post held by him, he shall unless he is appointed to another comparable post, have the option -

- (a) of taking any 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.

(3) The service of an employee against whom a charge of corruption has been proved whether in a specific case or by any presumption based on recorded facts cannot be considered to be thoroughly satisfactory within the meaning of this scheme. Any action under this scheme should however, be taken only after a charge of corruption has been proved.

(4) Final pension, gratuity etc., shall not be sanctioned to an employee against whom departmental/judicial proceedings have been instituted/continued. In case of misconduct of the pensioner, the pension sanctioning authority has the power to withhold pension or reduce the pension.

Where any departmental/judicial proceeding is instituted or where a departmental proceeding is continued against an employee who has retired on attaining the age of compulsory retirement or otherwise, he shall be paid during the period commencing from the date of his retirement to the date on which, upon conclusion of such proceeding final orders are passed, a provisional pension not exceeding the maximum pension which would have been admissible on the basis of his qualifying services up to the date of retirement or if he was under suspension on the date of retirement upto the date immediately preceding the date on which he/she was placed on suspension, but no gratuity or death-cum-retirement gratuity shall be paid to him until the conclusion of such proceeding and the issue of final orders thereon.

Payment of this provisional pension shall be adjusted against the final retirement benefits sanctioned to such employee upon conclusion of the aforesaid proceeding but no recovery shall be made where the pension finally sanctioned is less than the provisional pension or the pension is reduced or withheld either permanently or for a specific period.

NOTE : The grant of pension under this sub-para shall not prejudice the operation of sub-para (2) when final pension is sanctioned upon conclusion of the proceeding.

CHAPTER - VI

GRATUITY :

20(a) In case of employees who have completed qualifying service of 10 years or more, retiring gratuity on retirement shall be paid at the rate equal to one-fourth of the amount reckonable for gratuity drawn by them to 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 payable shall in no case, exceed Rs 48,000/- (Rupees Forty Eight Thousand only). There will be no ceiling for the amount reckonable for gratuity.

(b) For service of less than 10 years the rate of gratuity is half month's of the amount reckonable for pension for every completed six monthly period of service.

CHAPTER - V

RATE OF PENSION

16(i) The amount reckonable for pension/family pension/gratuity means Emoluments as defined in sub-paragraph (j) of paragraph 5 of this scheme.

(ii) Pension shall be calculated at 50% of the amount reckonable for pension drawn last and shall be subject to a minimum of Rs 375/- (Rupees Three Hundred and Seventy Five only) and maximum of Rs 1,565/- (Rupees One Thousand Five Hundred and Sixty Five 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 employee 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. There will be no ceiling for the amount reckonable for pension.

(iii) In addition to pension as above, an employee is entitled to relief as admissible to the State Government pensioners from time to time. The relief will also be payable on Family Pension. The conditions of admissibility and rate of relief in pension shall be the same as one and will be applicable to State Government employees. No relief will be sanctioned without prior concurrence of Government in the Finance Department.

17. The amount of pension payable monthly shall be expressed in whole of a rupee and where the pension calculated according to this scheme contains a fraction of rupee, it shall be rounded off to the next higher rupee, provided that the maximum annual pension prescribed above shall not be increased thereby.

18. A pension admissible to an employee shall be fixed and paid in rupee and in India.

19(1) The full pension admissible under this scheme is not to be given as a matter of course or unless the services rendered has really been approved by competent authority.

(2) If the service has not been thoroughly satisfactory, the authority sanctioning the pension should make such reduction in the amount as it thinks proper.

Provided that in cases where the authority sanctioning pension is other than the appointing authority, no order regarding reduction of the amount of pension shall be made without the approval of the appointing authority.

NOTE : No pension shall be liable to seizure, attachment or sequestration by process of court in India at the instance, of the creditor for any demand against the pensioner.

- (2) If an employee nominates more than one person under sub-paragraph (1), he shall specify in the nomination the amount of share payable to each of the nominees in such manner as to cover the whole amount of the gratuity.
 - (3) An employee may provide in a nomination -
 - (a) That in respect of any specified nominee, in the event of his/her preceasing 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.
 - (4) The nomination made by an employee who has no family shall become invalid on his subsequently acquiring a family.
 - (5) Every nomination shall be such as may be approved in the circumstances of the case.
 - (6) An employee may at any time cancel a nomination by sending a notice in writing and the employee shall along with such notice send a fresh nomination made in accordance with this scheme.
 - (7) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-paragraph (3) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clauses (b) of that sub-paragraph or sub-paragraph (4) the employee shall send a notice in writing formally cancelling the nomination together with a fresh nomination made in accordance with this paragraph.
 - (8) Every nomination made, and every notice of cancellation given by an employee under this paragraph shall be sent to the appointing authority or Head of the Institution/Organisation as the case may be who shall, immediately on receipt of a nomination, countersign it indicating the date of receipt and get the same pasted in the Service Book.
 - (9) 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 authority mentioned in sub-paragraph (8).
23. Family Pension - (1) Family pension is admissible to the members of the family of an employee who dies while in service after rendering at least one year's 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 or gratuity.

CHAPTER - VII

Death Gratuity and Family Pension

21. Death Gratuity - In the event of death in harness, the death gratuity shall be admissible at the following rates :-

<u>Length of Qualifying Service</u>	<u>Rate of gratuity</u>
a) Less than one year	2 times of the amount reckonable for gratuity.
b) One year or more but less than 5 years	6 times of the amount reckonable for gratuity.
c) 5 years or more but less than 20 years	12 times of the amount reckonable for gratuity.
d) 20 years or more	Half of the amount reckonable for gratuity for event completed six monthly period of qualifying service, subject to a maximum of 33 times of the amount reckonable for gratuity provided that the amount of death gratuity shall in no case exceed Rs 48,000/- (Rupees Forty Eight Thousand only)

There will be no ceiling on the amount reckonable for death gratuity.

When an employee who has completed five years' qualifying service dies while in service, a death gratuity as admissible under rules shall be paid to the nominee or nominees of the deceased employee or to the surviving members of his family as defined in paragraph 5(m) of chapter II in equal shares, if there be no nominee.

When an employee who has become eligible for pension and retiring gratuity under paragraph 20 dies within five years from the date of retirement and the same actually received or payable to the members of his/her family on account of pension and retiring gratuity is less than the amount that would have been admissible as death gratuity under paragraph 21, had he died on the date of retirement, this balance shall be paid as gratuity to the pension on whom the right to receive the gratuity is confirmed under paragraph 22 or if there is no such person to the members of his family. This benefit shall not be admissible if the Officer had commuted a portion of his pension.

22. NOMINATION(4) Any employee to whom this scheme applies may, provided he has completed five years' qualifying service, make a nomination in writing conferring on one or more persons the right to receive the death gratuity that may be sanctioned under paragraph 21 and also the gratuity that may be payable under the same paragraph.

There will be no change in the existing above provisions except that such payment of family pension at enhanced rate shall be made for a period of 7 years or upto the date on which the deceased employees would have attained the age of 65 years had he survived, whichever is earlier as provided for in subparagraph (b) of paragraph 25 of this scheme. In no case the amount of enhanced family pension in the event of death of an employee while in service shall exceed 50% of the amount reckonable for family pension drawn last by the concerned employee at the time of death. In no case the amount of enhanced family pension in the event of death, after retirement shall exceed the amount of original pension before commutation sanctioned to the employee concerned.

26. Period during which the family pension is admissible.
Subject to the following conditions the family pension shall be admissible :-

- (a) in the case of widow/widower up to the date of death or re-marriage, whichever is earlier;
- (b) in the case of minor son, until he attains the age of 18 years.
- (c) in the case of unmarried daughter, until she attains the age of 21 years or marriage whichever is earlier;
- (d) in the case of dependent parent up to the date of their death or re-marriage, 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 provided the marriage was legal. On the death of widow, her share of the pension shall become payable to her eligible minor children. If at the time of her death a widow leaves no eligible minor child, the payment of her share of the pension shall cease.

27. Date of effect of Family Pension - A family pension shall take effect from the day following the death of an employee.

28. Pension payable to one member of the family - Subject to the provision contained in the note under paragraph (26), the pension awarded under this scheme 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 first eldest minor son, thereafter next minor sons according to seniority and when there will be no minor son, eldest minor daughter and so on and thereafter to mother and lastly to father. Payments to minor will be made through natural/legal guardian.

NOTE : 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.

24. Rate of family pension - Family pension at the following rates shall be admissible to the members of the family of the employee.

Amount reckonable for family pension drawn per month	Rate of family pension per month
a) Not exceeding Rs 1,500/-	30% of the amount, subject to a minimum of Rs 375/-
b) Exceeding Rs 1,500/-	20% of the amount subject to a minimum of Rs 450/- and a maximum of Rs 469/-

25. Family pension of enhanced rate -

(a) In the event of death of an employee while in service, the rate of family pension will be 50% of the pay last drawn subject to a maximum of twice the family pension ordinarily admissible at the rates shown above, provided the employee concerned has put in not less than 7 years continuous service prior to his death. The family pension at enhanced rate is payable for a period of 7 years from the date following the date of death or till the date on which the employee concerned would have attained the age of 65 years had he served, whichever period is less.

(b) In the event of death after retirement the family pension at enhanced rate shall be payable upto the date on which the deceased employee concerned would have attained the age of 65 years had he survived or for 7 years whichever period is less but in case the amount of enhanced family pension shall exceed the pension sanctioned to the employee concerned at the time of retirement. However, in cases when the amount of normal family pension exceeds the amount of pension sanctioned at the time of retirement, the enhanced family pension shall not be less than the amount of normal family pension. 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.

After the period for payment of family pension at enhanced rate is over, family pension at normal rate will commence.

NOTE : The method of determining the amount of family pension payable under the above principle should be calculated in the following manner.

Pension admissible should first be calculated by applying the minimum and maximum limits and doubled. The resultant amount or 50% of the pay last drawn, whichever is less, is the amount of family pension admissible under this scheme.

33. The Secretary, West Bengal State Council of Sports or an Officer(s) authorised by him on his behalf shall scrutinise the pension papers and forward the same to the Director of Pension, Provident Fund and Group Insurance or any officers authorised by him along with sanction in general terms in the forms as prescribed in Appendix VI at least three months before the date of retirement of the employee concerned for issue of pension payment order.

34. Where pension papers are detained for some reasons, provisional pension at the rate of 100 per cent of pension calculated on the basis of available information and provisional gratuity, after withholding of 10 per cent or Rs 1,000/- of the gratuity, whichever is less should be sanctioned immediately to the retiring employee. In no case the provisional pension will continue beyond twelve months. The issue of the last pay certificate should not be insisted upon before the payment of provisional pension. But the amount of gratuity withheld will be the released only after production of last pay certificate.

While forwarding the pension papers, a copy of the order sanctioning the payment of provisional pension (including gratuity) shall be sent to the Director of Pension, Provident Fund and Group Insurance, Government of West Bengal, along with the pension papers.

Such provisional pension (including gratuity) shall be subject to adjustment against the amount of final pension (including gratuity/relief or by short payment of pension). All outstanding dues shall be adjusted in the same manner as above.

35. The pension sanctioning authority will sanction provisional pension and gratuity and issue an order. The same will be drawn and disbursed by the Head of the Institution/Organisation or by the Drawing and Disbursing Officer, if there is any.

CHAPTER - X

Commutation of Pension :

36. An employee who is eligible for the benefit of pension under this scheme shall be entitled to commute for a lump sum payment at the rate determined by Government from time to time any portion not exceeding one third of any pension which has been or may be granted to him under this pension scheme, provided that an employee against whom a judicial or departmental proceeding has been instituted or a pensioner against whom any such proceeding has been instituted or continued shall not be permitted to commute any portion of his pension during the pendency of such proceeding.

37. Sanctioning authority : The sanctioning authority means the Secretary or any officer(s) authorised by him.

CHAPTER - VIII

Determination of Pension during Re-employment

29. No employee shall draw pension in addition to any pay that may be given to him if he is re-employed after retirement in the same post as held by him immediately before retirement. If, however, he is re-employed in any other post, the authority competent to sanction his pension shall determine the amount of pension, if any, that may be admissible to him in addition to the pay given to him during re-employment.

CHAPTER - IX

Procedure relating to application for and sanction of pension

30. List of employees due to retire : The West Bengal State Council of Sports shall have a list prepared every six months i.e. on the 1st January and the 1st July each year of all employees who are to retire within the next 12 to 18 months of that date. A copy of every such list in the form shown in Annexure I shall be sent to the Sports & Youth Services Department, Sports Wing, Government of West Bengal and Director of Pension, Provident Fund and Group Insurance, Government of West Bengal not later than the 31st January or the 31st July as the case may be, of that year. In case of the persons retiring for reasons other than by way of superannuation, the Sports Council shall promptly inform the Sports Department and the Director of Pension, Provident Fund and Group Insurance or any officer nominated by him as soon as the impending retirement become known to him.

31. An employee, who is eligible for pension under this scheme, shall submit to his appointing authority a formal application for pension in the form as prescribed in Appendix-IV and other documents as mentioned in the application form and other particulars, required in Appendix-V preferably one year in advance of the date of anticipate retirement.

32. The West Bengal State Council of Sports on receipt of the formal application for pension, shall immediately prepare the pension papers after due scrutiny and verification of the service claimed and the emoluments actually drawn and forward the same along with the following documents to the Sports & Youth Services Department, or to the Officer(s) authorised by that Department.

- (a) The Service Book duly completed and the entries duly verified and signed by the Head of the Council.
- (b) A certificate to be given by the appointing authority stating that the services claimed have been verified and that the average emoluments have been correctly calculated.
- (c) Recommendation of the appointing authority stating whether the pension should be admitted or not.

38. Rate of commuted value of pension :

As determined by Government from time to time.

39. Application for commutation :

An application for commutation of pension shall be submitted by an employee after he has retired, to the sanctioning authority as mentioned in paragraph 37 in the form as prescribed in appendix VIII.

40. An employee of the West Bengal State Council of Sports shall apply to the competent authority (Secretary or any officer authorised by him) in Form A for commutation of a portion of his pension including provisional pension, through the Head of the institution.

41. The employee who applied for commutation of pension within one year from the date of his retirement, will not be subjected to medical examination for the purpose of payment of commuted value of pension, provided this benefit will not be admissible to the persons retired on ground of invalidation. Application for commutation of pension without medical examination will be made after the date of retirement and the commutation shall become absolute, that is retired pension shall become ^{absolute}, that is the retired person shall become entitled, to receive the commuted value of pension on the date on which his application is received by the competent Authority. An employee who has applied for commutation of pension without medical examination will have no option to withdraw his application.

Persons retired on ground of invalidation and those who have applied for commutation of pension after from the date of

retirement shall be subject to medical examination as determined by the Government from time to time.

Such persons shall become entitled to receive the commuted value of pension on the basis of next birthday following the date of which the medical authority signs the medical certificate.

42. The benefit of commutation of pension without medical examination not exceeding one-third of the difference between the revised pension and the pre-revised pension will also be admissible to the pensioners in accordance with the existing Government orders.

43. In respect of matters for which any provision has not been made in this scheme, the relevant provisions provided in the West Bengal Services (Death-Cum-Retirement Benefit) Rules 1971 (amended from time to time) shall apply mutatis mutandis subject to the approval of the State Government.

Statement showing amount of Employee's share of contributory Provident Fund

Name of the Employee _____

Name of the Office _____

Address _____

Date of joining in Service _____

Date of Retirement _____

Name of the Office with address	Date of Introduction of G.P.F. benefits	Total Amount of Employer's share with interest accrued thereon	Amount Withdrawn if any	Balance if any	Whether Employer's share of G.P.F. with interest thereon has been refunded to Govt. (Challan enclosed)	Signature of the Head of the office/Secretary	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

OPTION FORM

(vide para 3 of Government Order No. 801-SYS(SP) dated 11/7/94).

I, Sri/Srimati _____ do
hereby opt for _____

- **
- (1) to continue to the existing rules (Contributory Provident Fund-cum-Gratuity) governing retirement benefits.
 - (2) to come under the West Bengal State Council of Sports employees' (Death-cum-Retirement Benefit) Scheme, 1994.

(Signature with date)

(Designation)

* Countersigned

Head of the office i.e. Secretary/Assistant Secretary,

The items that may not be applicable shall be scored out under the signature of the employee exercising the option.

* In case of the warded the option should be countersigned by the Secretary/Assistant Secretary.

** Not applicable to persons who were appointed on or after 1-4-93.