



W. B. S. E. B. Employees' (Death-cum-Retirement Benefit) Regulations, 1985 were published on 04-05-1985. During the passage of long 19 years, there had been a number of changes to address the changing requirements in keeping with the modifications in the State Government Regulations introduced in the matter of calculation and payment of pension etc. Implementation of ROPA 1999 has altogether changed the old concept of calculation of pension. In absence of an updated version, officers in the Pension Cell and individual employees were facing problems. So the need for consolidation and updating the regulations can hardly be overemphasised.

Honest attempts have been made to update the regulations by incorporating the changes made from time to time with specific indications of their respective dates of effect. I hope this updated version will be helpful for the users and individual employees, who would like to know the system of payment of pension to the employees of W. B. S. E. B. I am extremely thankful to the officers and employees of F & A Wing in general and Sri Dipak Dasgupta, Sr. Manager (F&A) and Sri Tapas Kumar Bag, Jr. Manager (F&A), Pension Cell for taking all the trouble to update the regulations and publish it in the form of a Compendium.

I am hopeful that these regulations will be uploaded in our website shortly and everybody is welcome to visit us at www.wbseb.govt.in.

14.07.04

Sd/-

(S. K. Gupta)
Member - Secretary

WEST BENGAL STATE ELECTRICITY BOARD

CORPORATE OFFICE

48/1, DIAMOND HARBOUR ROAD : Kolkata-700 027

From : Shri S. K. Chakraborti, I. A. S.
Secretary

To : All Concerned

No. Pension/1/48

Dated, Calcutta, the 4th May 1985

Subject : The West Bengal State Electricity Board Employees'
(Death-Cum-Retirement Benefit) Regulations, 1985.

The West Bengal State Electricity Board Employees' (Death-Cum-Retirement Benefit) Regulations, 1985 as approved by the West Bengal State Electricity Board in its Resolution No. 20 dated 30.7.81 for the Introduction of the Scheme on an optional basis for the existing employees of the Board and on a compulsory basis for new entrants was forwarded to the State Government for according sanction. The State Government has approved the Scheme with modifications, attached hereto, vide Order No. 277-Power/III dated 20th March, 1985 with the concurrence of the Finance Department vide their U. O. No. Group 'R' 546 dated 16.2.85. The Board has also adopted the Scheme in its meeting held on 20th April, 1985.

2) The above mentioned Scheme is applicable to all the employees of the Board with effect from 1st April, 1981. The employees irrespective of their date of appointment are required to exercise option in writing in the annexed prescribed form (Annexure I) within a period of six months from the date of issue of this Order either for Pension (including Family Pension)- Cum-Gratuity or for Contributory Provident Fund-Cum-Gratuity. Option once exercised is final.

In case of the employees who may be on leave on the date of issue of this order the limit of six months will count from the date of their return from leave.

In case of an employee who died after the 1st April, 1981 but before the issue of this order, pensionary benefits may be settled at either of the rates which will be favour-

able to him.

3) The Board contribution together with interest accrued thereon towards the Contributory Provident Fund Account of employees who will opt for the Pension (including Family Pension)-Cum-Gratuity, if already drawn consequent upon their retirement on or after the 1st April, 1981, should be refunded in full to Board (with interest) with additional interest @ 5 per cent simple chargeable from the date of receipt of the employer's share of the contribution upto the month preceding the month of the refund. Employees who have not yet retired but have so long enjoyed the benefit of Contributory Provident Fund shall not be entitled to the Board's share of contribution to the Contributory Provident Fund (with interest) if they opt for the Pension Scheme.

All such employees shall, however, be entitled to draw their own contribution to the Contributory Provident Fund (with interest) on their retirement and the employer's contribution together with interest accrued thereon will be credited to Board.

4) Separate instruction will follow regarding opening of General Provident Fund Accounts in Board for employees who will exercise option for Pension-Cum-Gratuity (including Family Pension) Scheme.

Sd/-
S. K. Chakraborti
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

Employees' (Death-cum-Retirement Benefit) Regulations, 1985

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WEST BENGAL STATE ELECTRICITY BOARD

EMPLOYEES' (DEATH-CUM-RETIREMENT BENEFIT) REGULATIONS, 1985

Short title and commencement

1. These Regulations may be called the West Bengal State Electricity Board Employees' (Death-Cum-Retirement Benefit) Regulations, 1985. They shall be deemed to have come into force with effect from 1st April, 1981.

2A. These Regulations shall apply to

- (a) all whole-time employees (both permanent and temporary) who were in service on 31st March, 1981 and have not opted out of these Regulations;
- (b) all whole-time employees (both permanent and temporary) who were appointed on or after 1st April, 1981 but before the publication of these Regulations; and
- (c) all whole-time employees appointed after the publication of these Regulations.

2B. These Regulations shall not, however, apply to the Military Pensioners re-employed in Board's service, even if appointed after publication of these Regulations (04 May 1985).

3. In case of an employee who died after the date of effect but before the date of publication of the approved Regulations, the pensionary benefit may be settled at either of the rates which will be favourable to him.

4. The Board's contribution together with interest accrued thereon towards the Contributory Provident Fund Account of employees who will opt for the pension (including Family Pension)-cum-gratuity, if already drawn consequent upon their retirement on or after the date of effect of the approved regulations should be refunded in full to the Board (with interest) with additional interest [at prevalent rate] percent simple chargeable from the date of receipt of the employer's share of contribution upto the month preceding the month of refund.

The amount mentioned above is to be deposited to the corresponding receipt head of the appropriate head of account to which the pension is charged. Employees who have not yet retired but have so long enjoyed the benefit of the Contributory Provident Fund shall not be entitled to the Board's share of contribution to the Contributory Provident Fund (with interest) if they opt for the Pension Scheme.

All such employees shall, however, be entitled to draw their own contribution (with

interest) on their retirement and the Employer's contribution together with interest accrued thereon will be credited to the Board.

Exercise of option

- 5.A. (i) Every employee who had retired on or after 1.4.81 and who is in service and is willing to come under these Regulations will have to exercise option, in writing, in the prescribed proforma as per Annexure-I within 6 months [extended from time to time and last extended upto 30.6.2002 - Circular No. 34/2001 dt. 14.12.2001] from the date of issue of notice by the West Bengal State Electricity Board (immediately after publication of these Regulations) and furnish his photograph at the time of option. Provided that in the case of an employee, who is on leave or on deputation or on foreign service or under suspension on the date of issue of the notice in this regard, the said option shall be exercised not later than 6 months of the date of his return from such leave, deputation, foreign service or on resumption of duty after suspension as the case may be;
- (ii) If the option is not exercised by an individual employee within the time limit referred to above it will be deemed that he has not opted for coming under the Death-Cum-Retirement Benefit Regulations, 1985.
- (iii) An employee who was in service on the date of issuing the aforesaid notice, but could not exercise option within the prescribed time limit due to death shall be deemed to have opted for the Contributory Provident Fund;
- (iv) The option once exercised will be final.
- 5.B. Any person appointed after the publication of these Regulations (04.05.1985) will come under these Regulations automatically and exercise of option in his case is not necessary.

Definitions

6. In these Regulations unless there is anything repugnant in the subject or context-
- (a) "Emoluments" means (w.e.f. 01.01.1990) the amount drawn monthly by an employee as the pay (excluding Dearness Allowance, if any) which has been sanctioned in relation to the post held by an employee substantively or in an officiating capacity or to which he is entitled by reason of his position in a cadre and includes personal pay, special pay, and other emoluments which may be specially classed as pay by the Board as defined in the Regulations 16(27) of the Service Rules of the Board.
[Note : "Non-practising Allowance" admissible to the Medical Officers of the Board shall be treated as "Pay" for the purpose of Retiring Benefits, with effect from 01.09.1993. [Inserted vide O. O. No. 5026 dtd. 21.10.1993]

- (b) "Pension Sanctioning Authority" means the authority competent to make appointment to the post held by the retiring employee and shall sanction pension and gratuity on receipt of the admissibility report from the controlling officer & the officer of the Finance and Accounts Department authorised by the Board on this behalf.
- (c) "Competent Authority" means the Appointing Authority.
- (d) "Board" means West Bengal State Electricity Board constituted under the Section 5 of the Electricity (Supply) Act. 1948.
- (e) "Employee" means a person appointed by the Board as whole-time employee both permanent and temporary.
- (f) "State Govt." means the Government of West Bengal.
- (g) "Leave": means any kind of leave admissible to an employee under the Rules of the Board applicable to him.
- (h) "Service Book" means the document which contains all records of service of an employee.
- (i) "Pension" except when the term pension is used in contradistinction to gratuity, includes gratuity.
- (j) "Family" includes the following relatives of an employee, namely—
 - (1) For the purpose of death gratuity :
 - (i) Wife in case of a male employee,
 - (ii) Husband in case of a female employee,
 - (iii) Sons including step-sons,
 - (iv) Unmarried and widowed daughters (including step-daughters),
 - (v) Brother below the age of 18 years and unmarried or widowed sisters,
 - (vi) Father,
 - (viii) Mother.
 - (2) For the purpose of a Family Pension :
 - (i) Wife in the case of a male employee,
 - (ii) Husband in the case of a female employee,
 - (iii) Sons (including setp-sons/adopted sons) upto the age of 25 years,
 - (iv) Unmarried daughters (including step-daughters/adopted daughters) upto the age of 25 years,

Note : 1) Adoption after retirement will not be recognised for the purpose of family-pension.

- 2) Post-retired spouses will, however, be eligible for family-pension."
[Amended - O. O. No. 5071 dt. 28.02.1994]
(v) Dependent parents.

(k) "Year of Service" means a completed year of service beginning from the date of entry by an employee in the regular establishment of the West Bengal State Electricity Board.

Service qualifying for Pension

7. (a) Continuous temporary or officiating service of a whole-time employee shall count as qualifying service provided it is followed, without interruption, by confirmation in the same or another post in the Board.
- (b) Temporary whole-time employees rendering continuous service for ten years or more will be granted pension and gratuity as admissible to permanent employees under the Regulation.
- (c) All periods of authorised leave including extra-ordinary leave without pay on Medical Certificate shall count as qualifying service.
- (d) Period of suspension followed by re-instatement shall count as qualifying service provided it is treated as duty; otherwise it shall not count as qualifying service. The re-instating authority shall specifically state in the order re-instating the Board's employees.
- (e) The period of break in service of an employee even though condoned shall not count as qualifying service.
- (f) A break in qualifying service of an employee for any period, unless condoned, shall entail forfeiture of past service. The authority competent to sanction pension may condone any break or breaks, if there be more than one break, in qualifying service for a total period of not more than six(6) months subject to the following conditions, namely—
- (i) the break has been caused by reasons beyond the control of the employee concerned; and
- (ii) the service preceding the break should not be less than five years.
- (g) An employee who is suspended as a measure of penalty and not dismissed or removed but is re-instated on appeal is entitled to count this past service.
- (h) The period of break in service of an employee between the date of dismissal or

removal and the date of re-instatement shall not count as qualifying service unless such period is treated as duty or leave by a specific order of the authority which passed the order of re-instatement.

- (i) Qualifying service for pension shall be counted upto the date of superannuation or the date preceeding the date of voluntary retirement. The period of service rendered on re-employed period after attainment of age of superannuation shall not be considered as qualifying service (for the purpose of this Regulation the date of superannuation shall be reckoned from the date of birth). [with effect from 1st July, 1984–Fraction of a year equal of 3 months and above shall be treated as a completed six monthly period of service and reckoned as qualifying service for determining retirement benefit and the period of service below 3 months will be ignored"
– C/No. P/108 dt. 24.6.86]
- (j) For the purpose of these Regulation, previous continuous service rendered in a post in the regular establishment under the Ex-Electricity Development Directorate or Messanjore Hydel Power Station, Govt. of West Bengal (vide O. O. No. 4248 dtd.3.2.88) followed without break by absorption in a regular post in the Board shall be treated as qualifying service.
- (k) Except for compensation gratuity, the service rendered by Class IV employees before the age of 16 years and by other employees in Class-III, II and before the completion of the age of 18 years shall not be qualifying for pension.
7. (1) For the purpose of these Regulations, previous continuous service rendered by an employee in a post in Regular establishment under State : Govt./Autonomous Body/ Statutory Body/Undertaking as well as under Central : Govt./Autonomous Body/Statutory Body/Undertaking followed with or without break by absorption in a post in Regular establishment in the Board shall be treated as qualifying service subject to fulfilment of the following conditions.
- (i) Previous employment will be counted for pensionary benefit only when the incumbents concern apply through proper channel and with permission from the Competent Authority of the previous employer.
- (ii) The pensionary liability shall be shared on service share basis between the Ex-employer and the Board, that is to say, the liability shall be shared on the basis of length of qualifying service rendered under each of the Employers (the Ex-employer and the Board).
- (iii) The liability of the Ex-employer shall have to be shared in a manner as prescribed below :
- (a) Where the Ex-employer is governed by Contributory Provident Fund/Gratuity

Scheme, the amounts of the Employer's share of C.P. Fund Contribution (together with interest accrued thereon upto the date of eventual deposit to the Board) and Gratuity, becoming due payable to the concerned employee in accordance with the Rules in force of the Ex-employer by virtue of the qualifying service for the purpose rendered there, shall have to be deposited by the Ex-employer to the Board.

Provided, however, that where the due amounts as aforementioned have already been paid to the concerned employee by the Ex-employer the related amounts shall have to be refunded by the employee to the Board together with simple interest @ 6% per annum calculated from the date of receipt of the same upto the end of the month preceding the same in which the amount is deposited with the Board.

- (b) Where the Ex-employer is governed by Pension/Death-cum-Retirement Gratuity Scheme, the amounts of prorata Pension/Service-Gratuity and Death-cum-Retirement Gratuity, becoming due payable to the concerned employee in accordance with the Rules in force of the Ex-employer by virtue of the qualifying service for the purpose rendered there, shall have to be deposited by the Ex-employer to the Board.

Provided, however, that where the due amounts as aforementioned have already been paid to the concerned employee by the Ex-employer the related amounts shall have to be refunded by the employee to the Board together with simple interest @ 6% per annum, calculated from the date of receipt upto the end of the month preceding the same in which the amount is deposited with the Board.

- (iv) These Regulations shall apply to the following categories of such employees referred to above :

- (a) Those who are still in service of the Board.
- (b) Those who have retired from services of the Board but are still alive and are receiving Pension on the basis of the service rendered under the Board only.
- (c) Those who have retired from services of the Board and are still alive but did not receive any Pension due to noncounting of the service rendered under the Ex-employer prior to their joining the service under the Board.
- (d) Those who will join the service under the Board from time to time here-after. Provided, however, that the employees shall have to exercise option in order to avail themselves of the benefit awarded under the said regulation at their convenient time but before the respective date of retirement/death in-harness of the individuals. Option once exercised shall be final.

[–Substituted vide O.O No. 5549 dtd. 29.9.1997]

Note-1 : Those who join the Board on deputation with lien from any of the Organisations as aforementioned may subsequently, on being absorbed in the service of the Board in Regular Establishment at their volition, come under purview of these Regulations subject to the following conditions, namely,

- (a) Option shall have to be exercised for the purpose [at any convenient time after the date of absorption in Board's service as noted above but before the respective date of retirement/death in-harness of the individuals. Option once exercised shall be final.]

[– Substituted vide O. O. No. 5549 dtd. 29.09.1997]

- (b) The pensionary liability as referred to in Sub-Regulations (iii) (a) or (iii) (b), as the case may be, shall have to be borne by the Ex-employer for a period till absorption in Board's service and the same be deposited with the Board's in due course.

[Note-2 : In all cases covered by these Regulations the pensionary liability shall have to be borne by the concerned Ex-employer in accordance with the Rules in force there. The benefit may, however, be allowed where the Ex-employer is unwilling to pay or is not in a position to pay up the dues in this regard provided that pensionary contribution for the period of service in question is paid by the employee concerned. Each case shall be taken up individually.

– Inserted vide O. O. No. 5071 dtd. 28.02.1994]

Date of Retirement

8. When an employee is required to retire on attaining a specified age, the date on which he attains that age shall be reckoned as a non-working day and the employee shall retire with effect from and including that day.

Eligibility for Pension

9. Subject to satisfactory service, an employee shall be entitled to pension provided that in case of (i), (ii) & (iv) below the employee concerned has completed at least ten years of qualifying service.
- (i) On attaining the age of superannuation, or
- (ii) On voluntary retirement after completing 25 years of qualifying service or attaining the age of 50 years in respect of Class I and Class II employees and in respect of Class III and IV employees on attaining the age of 55 years.
- [Provided further that with effect from 22.5.2000 "Weightage upto 5 (five) years would be given towards qualifying service in addition to the qualifying service actually rendered by concerned employee subject to the condition that the total qualifying service after allowing the weightage should not in any event, exceed 30 (thirty) years qualifying service.

The other conditions are :-

1. An employee seeking voluntary retirement shall have to put not less than 20 years qualifying service and apply to the appointing authority by giving at least 3 (three) months notice in writing.
2. Weightage of 5 (five) years under the rule shall not be admissible in case of those WBSEB's employees who are prematurely retired by the WBSEB in the interest of the WBSEB.
3. While granting pension to a Board employee retiring voluntarily under this scheme, the grant of weightage of upto 5 (five) 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 (thirty) 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 Regulation 9(ii) of the W.B.S.E.B Employees' (D.C.R.B.) Regulations, 1985.
 - (i) If a Board employee belonging to Class-I or Class-II 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 of service, the weightage in pension would be limited only upto 3 (three) years.
 - (ii) If a Board employee belonging to Class-III or Class-IV 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 yeras of service, the weightage in pension would be admissible upto 4(four) years.

The weightage will be only an addition to the qualifying service for the purpose of pension and gratuity. It will not entitle the Board's employees retiring voluntarily to any notional fixation of pay for the purpose of calculating the pension and gratuity which will be based on the actual emoluments calculated with reference to the date of retirement.

[Inserted vide O. O. No. 5795 dtd. 22.5.2000]

- (iii) On being declared permanently incapacitated for further service by the Chief Medical Officer of the Board or any Medical Officer of equivalent status authorised or nominated by the Pension Sanctioning Authority, or

- (iv) On termination of service due to abolition of the post.

Classification of Pension

10. Pensions are divided into the following four classes, namely–

- (i) Compensation pension,
 - (ii) Invalid pension,
 - (iii) Superannuation pension,
 - (iv) Retiring pension and.
- (ii) 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 the Chief Medical Officer of the Board or from the Medical Officer of equivalent status nominated or authorised by the Pension Sanctioning Authority. 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 on account of diseases resulting from immoral habits.
- (iii) A superannuation pension is granted to an employee who is entitled or compelled to retire at a particular age in accordance with the service conditions applicable to him.
- (iv) A retiring pension is admissible to an employee who is permitted to retire after completing qualifying service for (20) years of attaining the age of 50 years in respect of Class I and Class II employees and at the age of 55 years in respect of class III and class IV employees. A retiring pension is also granted to an employee who is required by the Board to retire after completing 20 years qualifying service or more.

Amount of Pension

11. (a) The amount of pension that may be granted is determined by the length or qualifying service.
- (b) The amount of pension payable monthly shall be expressed in whole rupees and where the pension calculated according to these Regulations contains a fraction of a rupee it shall be rounded off to the next higher rupee.
- (c) A pension admissible to an employee shall be fixed and paid in rupees and in India.
- (d) (i) A full pension admissible is not to be given as a matter of course unless the service rendered has really been approved by the Pension Sanctioning Authority. In case of a permanent employee of the Ex-Electricity Development Directorate in receipt of pension from the State Government and having been transferred to and absorbed in Board, the pension or the gratuity admissible for his service

under the Board shall be subject to the limitation that the gratuity or the capital value of pension shall not be greater than the difference between the value of pension that would be admissible at the time of his final retirement, if the two periods of service were combined, and the value of the pension already granted for his previous service.

[Provided that in case of permanent employees of the erstwhile Messanjore Hydel Power Station, Govt. of West Bengal, pension and other retirement benefits shall be granted by the Board, as may be admissible under these Regulations at the time of final retirement on taking into consideration also the service qualifying for pension as per regulation-7(j) in addition to the qualifying service rendered under the Board subject to deposition to the Board by the State Govt. of the amount admissible for the period of service rendered under the State Govt. before being transferred to and absorbed in the Board.

– Inserted Vide O. O. No. 4401 dtd. 12.4.1989]

[Provided further that in the case of permanent employees of Ex-Electricity Development Directorate pension and other retirement benefits shall be granted by the Board, as may be admissible under these Regulations at the time of final retirement, on taking into account the service qualifying for pension as per regulation-7(j) in addition to qualifying service rendered under the Board subject to exercise of option to that effect after foregoing the Govt. Share of pensionary benefits.

– Inserted Vide O. O. No. 4751 dtd. 26.9.1991]

- (ii) 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 no order of reduction shall be made without the approval of the appointing authority;

Provided further that the pension sanctioning authority before passing any final order regarding reduction in the amount of pension, or gratuity or both shall serve upon the person concerned a notice specifying the reduction proposed to be made in such amount and the grounds therefor, and call upon such person to submit within fifteen days of the receipt of the notice or such further time as may be allowed by that authority such representation as such person may wish to make against the proposed reduction and take into consideration the representation, if any, submitted by such person before passing the final order.

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

(b) The measure of the reduction in the amount of pension should be

the extent of which the employee's service as a whole has failed to reach a thoroughly satisfactory standard, and any attempt to equate the amount of reduction with the amount of loss caused to the Board is incorrect.

- (c) 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 Regulation. Any action under this Regulation should, however, be taken only after a charge of corruption has been proved.

(e) For the purpose of these Regulations, in respect of a Board employee who has rendered continuous service in contingency/work-charged establishments followed by absorption without break in a post in regular establishment or whose service has been declared as service with permanent or temporary status in a regular establishment, the pensionary benefits shall be calculated either-

- i) at the rate that would be admissible had the continuous service (including the portions rendered in the contingency/work-charged establishment) been qualifying for pension less $12\frac{1}{2}\%$ of such amount,
or
ii) on the basis of actual qualifying service in regular establishment, whichever is more favourable.

Note : Such benefit shall be extended to an employee subject to fulfilment of the following conditions :-

- a) Service paid from contingencies should have been a type of work or job for which regular posts could have been sanctioned e.g. Malis, Chowkidars, Khalasis Mazdoors etc.
- b) Service should have been one for which the payment was made either on monthly, or on daily rates computed and paid on a monthly basis and which though not analogous to the regular scale of pay, should bear some relation in the matter of pay, to those being paid for similar jobs being performed by Staff in regular establishments.
- c) Service paid from contingencies should have been continuous and followed without interruption, by absorption in regular establishment in the Board.
- d) Subject to above conditions being fulfilled, counting of such service would be limited to the period for which authentic records are available.

[– Inserted Vide O. O. No. 4976 dtd. 6.5.1993]

[11A : (1) The pension of an officer may be withheld in whole or in part under an order of the Board passed not later than three years after the date of retirement to meet any sum due under the liability incurred by such officer to the Board.

(2) Right of the Board to withhold pension in certain cases :

The Board reserves to itself the right of withholding or withdrawing the pension or any part of it whether permanently or for specified period and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to the Board, if the pensioner is found in a departmental or judicial proceeding to have been guilty of grave misconduct or negligence during the period of his service, including service rendered on re-employment after the retirement :

Provided that-

- (a) Such departmental proceeding if instituted while the officer was in service whether before his retirement or during his re-employment shall after the final retirement of the officer be deemed to be a proceeding under this Regulation and shall be continued and concluded by the authority by which it was commenced in the same manner as if the officer had continued in service
- (b) Such departmental proceedings, if not instituted while the officer was in service before his retirement or during his re-employment—
 - (i) Shall not be instituted save with the sanction of the Board;
 - (ii) Shall not be in respect of any event which took place more than four years before such institution; and
 - (iii) Shall be conducted by such authority and in such place as the Board may direct and in accordance with the procedure applicable to the departmental proceedings in which an order of dismissal from service could be made in relation to the officer during his service ;
- (c) No such judicial proceeding, if not instituted while the officer was in service whether before his retirement or during his re-employment shall be instituted in respect of the cause of action which arose or an event which took place more than four years before such institution.

– Inserted Vide O. O. No. 4232 dtd. 23.11.1987]

[Provided further that the pension of an employee may be released in rarest of the rare cases by the Chairman of the Board even during pendency of the criminal

proceedings against the employee where the Chairman of the Board is enteralia satisfied that the following conditions are fulfilled :-

- a) There is reasonable possibility of acquittal from all charges levelled against the employee in the pending criminal proceedings.
- b) The conduct of the employee during his tenure in service was otherwise satisfactory in all respects.
- c) The criminal proceeding arises out of due discharge of the official duties by the employee.

[– Inserted Vide O. O. No. 5676 dtd. 21.01.1999]

EXPLANATION :

For the purpose of this Regulation :

- (a) A departmental proceeding shall be deemed to have been instituted on the date on which the statement of charges is issued to the officer or pensioner or if the officer is placed under suspension from an earlier date, on such date, and
- (b) A judicial proceeding shall be deemed to have been instituted :
 - (i) In the case of criminal proceeding on the date on which the complaint or report of Police Officer, on which the Magistrate takes cognizance is made; and
 - (ii) In the case of a civil proceeding on the date on which the plaint is presented or, as the case may be, an application is made to a Civil Court.
 - (iii) Where any departmental or judicial proceeding is instituted under Sub-regulation-b of Regulation-11A or where a departmental proceeding is continued under Clause (a) of the proviso thereto against an officer 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 service upto the date of his retirement or if he was under suspension on the date of retirement, upto the date immediately preceding the date on which he was placed under suspension; but no gratuity or death-cum-gratuity shall be paid to him until the conclusion of such proceeding and the issue of final orders thereon.

- (iv) Payment of provisional pension made under Clause (iii) shall be adjusted against the final retirement benefits sanctioned to such officer upon conclusion of the aforesaid proceeding.

No recovery shall be made where the pension finally sanctioned is less than the provisional sanction or the pension is reduced or withheld either permanently or for specified period.

Note :

The grant of pension under this Regulation shall not prejudice the operation of Regulation - 11 when final pension is sanctioned upon conclusion of the proceeding.

[– Inserted Vide O. O. No. 4232 dtd. 23.11.1987]

Special Note :

The term 'Officer' in Regulation - 11A above Should mean all employees of the Board as classification of Additional Secretary of the Board in U/0 note dtd. 26.10.1988 conveyed vide No. F-423 dtd. 27.10.1988 in File No. Pen/1/48, Department of Pension.]

[11 (B) : Provisional Pension and Gratuity.

- (a) Where finalisation of pension is detained for some reasons other than for no fault on the part of retiring Board employees, provisional pension at the rate of 100% of Pension calculated on the basis of available information and provisional gratuity, after withholding of 10% or Rs. 1,000/- of the Gratuity, whichever is less and also deducting dues to the Board, if any, shall be sanctioned and payable for a period of maximum 12 months to the retired Board employee subject to furnishing a written undertaking by him to the effect that the amount of pension and/or gratuity so sanctioned is subject to revision and is refundable any amount so paid in excess of what he may be eventually found entitled.
- (b) In no case the provisional pension shall continue beyond twelve months. If the pension is not finalised by that time, the provisional pension shall be deemed to be final. But the amount of gratuity so withheld shall be released only after issuance of final order(s) thereon.

Note : Regulation-11(B) shall not prejudice the operation of Regulation-11 and Regulation-11-A of the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985.

[– Inserted Vide O. O. No. 4544 dtd. 23.7.1990]

12. **The Amount of Pension is regulated as follows :**

A) **Gratuity :** For Service for a period of less than ten years, an employee shall be entitled to a service gratuity at the rate specified below :

Completed six monthly periods of qualifying service	Amount of Gratuity admissible
1	½ month's emoluments last drawn
2	1 " " " "
3	1½ " " " "
4	2 " " " "
5	2½ " " " "
6	3 " " " "
7	3½ " " " "
8	4 " " " "
9	4½ " " " "
10	5 " " " "
11	5½ " " " "
12	6 " " " "
13	6½ " " " "
14	7 " " " "
15	7½ " " " "
16	8 " " " "
17	8½ " " " "
18	9 " " " "
19	9½ " " " "

B) For service for a period of ten years and more an employee shall be entitled to a pension at rates specified under subject to maximum pension of Rs. 10,225/- per month and minimum pension of Rs. 1300/- per month.

[– Amended vide O. O. No. 5730 dtd. 9.9.1999]

I. – Pension

Completed six monthly periods of qualifying service	Scale of pension	
20	10/33th. of full pension on the basis of emoluments last drawn	
21	10½/33ths.	-do-
22	11/33ths.	-do-
23	11½/33ths.	-do-
24	12/33ths.	-do-
25	12½/33ths.	-do-
26	13/33ths.	-do-
27	13½/33ths.	-do-
28	14/33ths.	-do-
29	14½/33ths.	-do-
30	15/33ths.	-do-
31	15½/33ths.	-do-
32	16/33th.	-do-
33	16½/33ths.	-do-
34	17/33ths.	-do-
35	17½/33ths.	-do-
36	18/33ths.	-do-
37	18½/33ths.	-do-
38	19/33ths.	-do-
39	19½/33ths.	-do-
40	20/33ths.	-do-
41	20½/33ths.	-do-
42	21/33ths.	-do-

Completed six monthly periods of qualifying service	Scale of pension	
43	21½/33ths. of full pension on the basis of emoluments last drawn	
44	22/33ths.	-do-
45	22½/33ths.	-do-
46	23/33ths.	-do-
47	23½/33ths.	-do-
48	24/33ths.	-do-
49	24½/33ths.	-do-
50	25/33ths.	-do-
51	25½/33ths.	-do-
52	26/33ths.	-do-
53	26½/33ths.	-do-
54	27/33ths.	-do-
55	27½/33ths.	-do-
56	28/33ths.	-do-
57	28½/33ths.	-do-
58	29/33ths.	-do-
59	29½/33ths.	-do-
60	30/33ths.	-do-
61	30½/33ths.	-do-
62	31/33ths.	-do-
63	31½/33ths.	-do-
64	32/33ths.	-do-
65	32½/33ths.	-do-
66 and above	33/33ths.	-do-

II. Gratuity

In addition to pension as specified above an employee shall also be entitled to a retiring gratuity at the rate of one-fourth of his emoluments last drawn plus an additional amount calculated as follows, for each completed six monthly period of qualifying service subject to maximum of 16½ times the emoluments provided there is no case it shall exceed Rs. 30,000/- upto 31.7.82, Rs. 36,000/- from 1.8.82, Rs. 50,000/- from 31.3.1985, Rs. 85,000/- from 1.1.1986, Rs. 2,00,000/- from 1.12.1995 and Rs. 2,50,000/- from 1.1.1996.

Amount reckonable for gratuity shall be the 'Pay' of an employee on the date of retirement as defined in regulation-16 (27) of the Service Rules of the Board plus the amount of 'Dearness Allowance' admissible to that employee on the date of his retirement.

In case of permanent employee of the Ex-Elctricity Development Directorate [or Messanjore Hydel Power Station, Govt. of West Bengal] in regular establishment, the total amount of Gratuity payable under this scheme shall be reduced by the amount of gratuity due from the State Govt.

[-Inserted vide O.O. No. 4248 dtd. 3.2.1988]

Determination of Pension during Re-employment

13 (1) 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.

Pension during the period of Commercial employment after retirement

13(2) Acceptance of Commercial Employment –

No pension shall be payable to a pensioner who accepts a commercial employment before the expiry of two years from the date of his retirement without the sanction of the competent authority.

Provided that a Board employee permitted by such authority to take up a particular form of Commercial employment during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

Explanation - In this rule, –

- (a) the expression "Commercial employment" means employment in any capacity including that of an agent, under a company, co-operative society, or individual engaged in trading, commercial, industrial, financial or professional business, and includes also a Directorship of such company and a partnership of such firm but shall not include employment under a body corporate owned or controlled by Government.

- (b) the expression "date of his retirement" in relation to a Board employee re-employed after retirement without any break either in the same or in any other post under WBSEB means the date on which such Board employees finally ceases to be re-employed in Board service.

Note-1 :Employment under a Co-operative Society shall include the holding of any office whether elective or otherwise such as that of President, Chairman, Manager, Secretary, Treasurer and like, whatever name called in such society.

Note-2 : Requests from Board employees for the sanction referred to in this rule are to be decided by applying the following criteria, namely :

- i) has the employee while in service had any such dealings with the proposed employer as might provoke the suspicion that he had shown favour to the latter?
- ii) will his commercial duties be such that his official knowledge and experience could be used to give the employer an unfair advantage?
- iii) will his duties be such as might bring him into conflict with the WBSEB ?
- iv) is the proposed employment of a thoroughly reputable kind ?
- v) are there any exceptional circumstances which would make the refusal of consent a real hardship ?

(Employment in work maintaining liaison or contract with the WBSEB cannot be described as employment of a thoroughly reputable kind).

[– Inserted vide O.O. No. 3896 dtd. 6.12.1985]

Death Gratuity

- 14 (a) When an employee dies while in service (or after retirement but before receiving the amount of retirement-gratuity), a death-gratuity (or retirement-gratuity), as prescribed, shall be paid to nominee or a nominees of the deceased employee or in equal shares to the surviving members of his/her family as defined in sub-regulation-(j) (1) of regulation-6 of these Regulations, , if there be no nominee.

Provided, however, that in the cases where an employee, at the time of death, does not leave behind even a 'family', the amount of gratuity shall be paid to his/her legal heirs on receipt of application for such, in accordance with Law of Succession governing the said employee.

[– Substituted vide O.O. No. 5071 dtd. 28.2.1994]

- (b) Where a Board employee dies or will die in-harness, the Death Gratuity shall be admissible at the following rates :

<u>Length of Qualifying Service.</u>	<u>Rate of Death Gratuity</u>
i) Less than one year :	2 (two) times of the amount reckonable.
ii) One year or more but less than 5 years :	6 (six) times of the amount reckonable.
iii) 5 years or more but less than 20 years :	12 (twelve) times of the amount reckonable.
iv) 20 years or more :	2 (two) times of the amount calculated as per existing procedure towards finding out Retirement Gratuity on the amount reckonable provided that the amount of Death Gratuity shall, in no case, exceed Rs. 2,50,000/- only. The period of qualifying service in excess of 33 years, if any, shall be ignored.

There will be no ceiling on the amount reckonable for Death Gratuity.

[– Substituted vide O.O. No. 4373 dtd. 9.1.1989
and O. O. No, 5730 dtd. 9.9.1999]

- (c) When an employee who has become eligible for pension and retiring gratuity as shown under Regulation 7 dies within five years from the date of retirement and the sum actually received or payable to the members of his family on account of pension and retiring gratuity is less than the amount which would have been admissible as death gratuity had he died on the date of retirement, the difference between these two sums shall be paid as gratuity to the person or persons on whom the right to receive the gratuity is conferred under Regulation 15, or if there be no such person, to the members of his family.

The benefit shall not be admissible if the employee had commuted a portion of his pension.

Nomination

15. (1) Any employee to whom this Regulation applies may make a nomination in writing in the prescribed form conferring one or more persons the right to receive the death gratuity that may be sanctioned under Regulation 14(b).

Provided that if, at the time of making nomination the employee has a family the nomination shall not be in favour of any person or persons other than the members of his family.

- (2) If an employee nominates more than one person under sub-para-(1) he shall specify in the nomination the amount of shares payable to each of the nominees in such manner as to cover the whole amount of gratuity.
- (3) **An employee may provide in a nomination-**
 - (a) that in respect of any specified nominee, in the event of his predeceasing 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, and
 - (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) 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 Regulation.

6) Immediately on the death of 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 clause-(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.

7) Every nomination made and every notice of cancellation given by an employee under this paragraph shall be sent to the pension sanctioning authority who shall, immediately on receipt of a nomination, countersign it indicating the date of receipt and get the same pasted in the Service Book/Service Record.

8) 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-(7).

15-A. (1) **Application :**

This regulation shall apply to the Board-Pensioners who are in receipt of or shall here-after be in receipt of Pension from the Board under provisions of West Bengal

State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985.

2) **Nomination of Pensioner to receive arrears of Pension :**

Any pensioner to whom any Pension is payable by the Board may nominate any other person (here-in-after referred to as the Nominee) in accordance with the provisions of Sub-regulation (3) of this Regulation who will receive, after the death of the Pensioner, all moneys payable to the Pensioner on account of such Pension on, before or after the date of such Nomination and which remain unpaid immediately before the death of the Pensioner.

3) **Nomination :**

- (i) Every Pensioner who retires on or before adoption for these Regulations shall nominate any person for the purpose of Sub-Regulation-(2) of this Regulation in Form-A and submit it in triplicate to the Pension Sanctioning Authority.
- (ii) After getting the particulars of the Pensioner, as may be mentioned in the Nomination in Form-A submitted in terms of clause-(i) above, duly verified with reference to the available records by the Pension Sanctioning Authority, the duplicate copy of the Nomination in Form-A duly attested by him shall be returned to the Pensioner. The triplicate copy shall be sent to the Drawing and Disbursing Officer of the Unit from where the Pensioner retires, while the original copy of the Nomination shall be kept in record at the Pension Cell.
- (iii) A Notice of modification of Nomination including cases where a Nominee pre-deceases the Pensioner shall be submitted in triplicate in Form-B to the Pension Sanctioning Authority in the manner specified in clause-(i) above and thereafter the provisions of clause-(ii) above shall apply mutatis-mutandis with modifications as if it were made under clause-(i) above.
- (iv) A Nomination, a fresh Nomination or a notice of modification of Nomination shall be signed by the Pensioner or, if he/she is illeterate, shall bear his/her thumb impression given in the presence of two witnesses who shall also sign a declaration to that effect in the Nomination, fresh Nomination or notice of modification of Nomination, as the case may be.
- (v) Nomination, fresh Nomination or notice of modification of Nomination shall take effect from the date of receipt there-of by the Pension Sanctioning Authority.

4) **Accepted Nomination to be conclusive proof :**

A Nomination made under Sub-regulation (3) of this Regulation and duly accepted by the Pension Sanctioning Authority shall be a conclusive proof with regard to the person nominated to receive arrears on account of Pension of the Pensioner under these Regulations.

5) **Mode of payment of arrears :**

The arrears on account of Pension payable under these Regulations shall be paid in lump-sum as one-time payment to the Nominee, on happening of the contingency, by Account Payee Cheque or Account Payee Draft, at the choice, drawn in his/her name on a Branch of a Public Sector Bank as may be indicated by the payee, the Bank Commission Charge for purchasing Draft, where applicable, being borne by the Payee.

6) In case where no Nomination exists in terms of Sub-regulation (3) of this Regulation amount of arrears on account of Pension, if any, becoming due payable to a Pensioner and remaining unpaid immediately before the death of the Pensioner, shall be paid in equal shares to the surviving members of the Pensioner's family as defined in Sub-regulation -(j) (1) of Regulation-6, the payment of the sum being effected in terms of Sub-regulation -(5) of this Regulation.

(i) Provided, however, that in cases where a Pensioner, at the time of death, does not leave behind even a family, such amount of arrears on account of Pension shall be paid to his/her legal heir(s) in accordance with Law of Succession governing the said Pensioner.

(ii) Provided further that in cases where such amount of arrears on account of Pension does not exceed Rs. 500/- (Rupees five hundred) only, the payment may be made to the legal heir(s) of the Pensioner on execution of Indemnity Bond by the claimant(s) with proper stamp duty, the identity of the claimant(s) being duly certified by at least two Board employees in service at the time of such execution.

7) **Disposal of balance amount of Pension outstanding in the Pensioner's individual Bank Account :**

(i) A Nomination made under Sub-regulation (3) of this Regulation shall not hold good for drawal of the balance of Pension outstanding in the Pensioner's individual Account with the Branch of a Public Sector Bank in the event of the Pensioner's demise during currency of a month. Payment of such outstanding balance of Pension shall be made by the concerned Branch of the Public Sector Bank as per Banking rules and practice.

(ii) A Pensioner may, however, avail himself/herself of the Nomination facility, if available with the respective Branch of the Public Sector Bank, while opening the individual

Account with the Bank for drawal of monthly Pension, so as to avoid in due course any hardship being faced by the Nominee survivor of the deceased in getting the payment of balance amount of Pension, if any, standing in the Account of the deceased Pensioner.

[– Inserted vide O. O. No. 4486 dtd. 7.3.1990]

Family Pension

16. (1) Family Pension is admissible to the members of the family of an employee who has rendered at least one year's service and who dies while in service.

[– Substituted vide O. O. No. 5071 dtd. 28.2.1994]

(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 super-annuation pension of gratuity.

Rate of Family Pension

17. Family pension shall be admissible to the members of the family of an employee @ 30% of 'pay' last drawn under WBSEB ROPA-1999. The minimum amount of family pension shall be Rs. 1300/- per month and the maximum ceiling of family pension shall be Rs. 6135/- per month at normal rate.

[– Amended vide O. O. No. 5730 dtd. 9.9.1999]

Note : Pay for the purpose of calculation of family pension means the pay as defined in Regulation 6(a) which the employee was drawing on the date of his death while in service or immediately before retirement. If on the date of his death while in service or immediately before his retirement, an employee has been absent from duty on leave, other than extraordinary leave, pay means the pay which the employee would have drawn had he not proceeded on such leave. The amount of family pension shall not be increased on account of increase in pay not actually drawn but only increments falling due within the admissible period of leave upto the date of death or retirement, as the case may be, shall be taken into account. If, however, on the date of death or retirement an employee is under suspension, pay on the date of death or retirement shall be taken to be the pay he would have drawn he had been on duty subject to the condition that the period of suspension is treated as on duty.

Rate of Family Pension in case of Death of an Employee while in Service

18. (a) For a period of seven years from the date of death or upto the date on which the deceased employee would have attained the age of 65 years had he survived, whichever period is less, the pension payable will be at fifty percent of the pay last drawn. Provided that the said benefit will not be admissible if the employee had put in less than seven years continuous service prior to his death. Pension payable thereafter will be at rates prescribed under Regulation-17.

- (b) In the event of death of an employee after retirement, the family pension at the enhanced rate as admissible under the above paragraph shall also be payable upto the date on which the deceased employee would have attained the age of 65 years had he survived or for seven years, whichever period is less, but in no case the amount of family pension shall exceed the pension sanctioned to the employee at the time of retirement. However in case when the amount of normal family pension as admissible under Regulation-17 exceeds the pension sanctioned at the time of retirement, the amount of enhanced family pension sanctioned under this Regulation shall not be less than the amount admissible under Regulation 17. 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.

Note : The method of determining the amount of family pension payable in case of death of an employee while in service shall be calculated as follows :

Pension payable at the rates of family pension should first be calculated by applying the minimum and maximum limits. The resultant amount or 50 percent of the pay last drawn, whichever is more, is the amount of family pension admissible at enhanced rate in case of death of an employee while in service.

Period during which Pension is admissible

19. Subject to the provision made in respect of pension payable to one member of the family, the pension shall be admissible :-
- (a) in the case of widow/widower upto the date of death or re-marriage, whichever is earlier;
 - (b) in case of son until he attains the age of 25 years;
 - (c) in case of unmarried daughter until she attains the age of 25 years or marriage, whichever is earlier ;
 - (d) in the case of dependent parents upto the date of their death 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. On the death of a 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.

- (e) if the son or daughter of an employee is suffering from disease or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of 25 years, the family-pension shall be payable to such son or daughter for life subject to the following conditions, namely :
- i) If such son or daughter is one among two or more children of the employee, the family pension shall be initially payable to the children in the order set out in clause-(b) and (c) or regulation-19. Of these Regulations until the last son or daughter attains the age of 25 years. Thereafter the family-pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life.
 - ii) If there are more than one such son or daughter suffering from disorder and disability of mind or physically crippled and disabled, the family-pension shall be payable in order of their birth and the younger shall get the family-pension only after the elder next above him/her ceases to be eligible. Where the family-pension is payable to twin children, it shall be paid to such twin children in equal shares, Provided when one such child ceases to be eligible, his/her share shall revert to the other and when both of them cease to be eligible, the family-pension shall be payable to the next eligible single child/twin children. (This shall apply to children of the employees dying/retiring on or after the date of issue of order).
 - (iii) The family-pension shall be paid to such son or daughter through the guardian as if he or she were a minor.
 - (iv) Before allowing the family-pension for life to any such son or daughter, the sanctioning authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of Civil Surgeon setting out, as far as possible, the exact mental or physical condition of the child.
 - (v) The person receiving the family-pension as guardian of such son or daughter shall produce every three years a certificate from a medical officer not below the rank of Civil Surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled.

[– Inserted vide O. O. No. 5071 dtd, 28.02.1994]

Date of effect of Family Pension

20. A family pension shall take effect from the day following the death of an employee.

Pension payable to one Member of the Family

21. Subject to the provisions contained in the note under Regulation-19, the pension awarded under this Regulation 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 minor children and thereafter to mother and lastly to father. In the event of re-marriage or death of the widow/widower the pension shall be granted to the minor children through their natural guardian. In disputed cases, however, payments shall be made through a legal guardian.

Note : Payment of family pension will not be any bar if at the time of entitlement the widow or widows or unmarried daughter or son happens to be employed anywhere.

21A. Claim for family pensions should be preferred in the manner as laid down in Annexure IV and V.

Commutation of Pension

22. (a) An employee who is eligible to the benefit of any class of pension under this Regulation including provisional pension and pro-rata pension shall be entitled to commute for a lump-sum payment any portion of his pension, subject to maximum 40% of the pension on application by the employee within one year from the date of retirement without appearing for the medical examination. The employees applying for such commutation after one year of retirement and the employees entitled to invalid pension shall have to appear for medical examination.

Provided that an employee against whom a judicial or a department proceedings has been instituted shall not be permitted to commute any portion of his pension during the pendency of such proceeding.

22 (b) A pensioner, who has commuted a portion of his pension may have his commuted portion of pension restored after completion of 15 years from the date of retirement.

22 (c) No pensioner shall be entitled to commute his pension again on the ground that the commuted portion has been restored to him.

[– Inserted vide O. O. No. 4286 dtd. 22.4.1988]

22 (d) Each Pensioner, who is eligible as in 22(6) of above or his/her legal heir(s) after his/her death, is required to apply in the prescribed form (Annexure-XII of Office Order No.: 4286 dated 22.4.1988) duly filled in, to the Pension Disbursing Authority. Each case of restoration of the commuted portion of pension shall be settled in consultation with the Head of the Corporate Finance Department and an order in this respect shall be issued in each case by the Pension Sanctioning Authority with a copy to the Pension Disbursing Authority and the Pensioner.

[– Inserted vide O. O. No. 5744 dtd, 19.11.1999]

22(e) : Commutation of pension to become absolute :

The Commutation of pension shall become absolute in the case of an applicant

- (i) Who retired from the Board's service first and thereafter desires through application in prescribed form to commute a fraction (subject to a maximum 1/3rd) of Pension any time after the date following the date of his retirement from service but before expiry of one year from the date of his retirement, on the date on which the application is received by the Pension Cell of the Board, accordingly reduction in the amount of Pension on account of commutation shall be operative from the month following the month in which the commutation becomes absolute;
- (ii) Who is due to retire from service of the Board and desires payment of the commuted value of Pension being authorised at the time of issue of the Pension payment order and applies through prescribed form for commutation of a fraction of pension along with pension papers prior to the date of his retirement, on the date following the date of his retirement subject to eligibility of his pension, accordingly reduction in the amount of pension on account of commutation shall be operative from the inception;
- (iii) Who has to undergo medical examination for availing himself of the benefit of such commutation of pension, on the date on which the medical report is signed by the Medical Authority/Medical Board in Part-II/Part-III of Form Pen/8, accordingly reduction in the amount of pension on account of commutation shall be operative from the month following the month in which the commutation becomes absolute.

Provided that in the case of an applicant when payment of commuted value of pension if any, of the above three cases is not in a position to be made effective in the month in which it is otherwise due for any reason beyond the control of the Pension Sanctioning/Disbursing Authority and also for any reason not being on the part of the applicant himself/herself, payment of pension shall be payable in full (i.e. gross pension) upto the month preceding the month in which Commutation Value of Pension is remitted to the individual through the single name account being maintained with Bank for the purpose, or otherwise, and the Reduction in the amount of pension on account of commutation shall be made operative from the month in which the Commutation Value of Pension is paid.

[–Inserted vide O. O. No. 4559 dtd. 3.9.1990]

Sanctioning Authority

23. The Sanctioning Authority means the authority competent to make appointment to the post held by the retiring employee.

Rate of Commuted Value of Pension

24. The rates of commuted value of pension payable under this Regulation are shown below :

Commutation values for pension of Re. 1 per annum

Age on next birth day	Commutation value expressed as number of years' purchase	Age on next birth day	Commutation value expressed as number of years' purchase
17	19.28	39	16.09
18	19.20	40	15.87
19	19.11	41	15.64
20	19.01	42	15.40
21	18.91	43	15.15
22	18.81	44	14.90
23	18.70	45	14.64
24	18.59	46	14.37
25	18.47	47	14.10
26	18.34	48	13.82
27	18.21	49	13.54
28	18.07	50	13.25
29	17.93	51	12.95
30	17.78	52	12.66
31	17.62	53	12.35
32	17.46	54	12.05
33	17.29	55	11.73
34	17.11	56	11.42
35	16.92	57	11.10
36	16.72	58	10.78
37	16.52	59	10.46
38	16.31	60	10.13

Age on next birth day	Commutation value expressed as number of years' purchase	Age on next birth day	Commutation value expressed as number of years' purchase
61	9.81 x 12 = 117 = 72	74	5.72
62	9.48	75	5.44
63	9.15	76	5.17
64	8.82	77	4.90
65	8.50	78	4.65
66	8.17	79	4.40
67	7.85	80	4.17
68	7.53	81	3.94
69	7.22	82	3.72
70	6.91	83	3.52
71	6.60	84	3.32
72	6.30	85	3.13
73	6.01		

Application for Commutation

25. An application for commutation of pension submitted by an employee within one year of the date of his retirement will not be subject to medical examination for the purpose of payment of commuted value. Employees applying for commutation of pension after one year of the date of retirement and/or the employees applying for and entitled to invalid pension shall not be exempted from medical examination; they shall require to appear before the Chief Medical Officer of the Board or Medical Officer of equivalent status nominated or authorised by the Pension Sanctioning Authority for medical examination and shall submit certificate to that effect.

[– Inserted vide O. O. No. 4638 dtd. 20.12.1991]

An employee applying for commutation of pension will have no option to withdraw his application.

Procedure relating to application for and sanction of pension

26. Every Head of Office shall have a list prepared every six months, i.e. on the 1st January and the 1st July each year of their employees who would retire within the next 12 to 18 months of that date. They shall give a notice to the retiring employee about the date of his retirement and on receipt of the notice, the employee who is eligible for pension under this regulation shall submit a formal application for pension in the prescribed form

(Annexure-VII) at least one year in advance of the date of his anticipated retirement to the Head of Office. In case of employees whose date of retirement cannot be foreseen one year in advance (or who have already retired before these regulations come into effect) the application may be submitted immediately after the date of retirement (or by the date notified by the Board in this regard, as the case may be).

- 26A. i) The Head of Office shall go through the service book of the employee concerned and satisfy himself as to the verification of entire service.
- ii) The unverified portion or portions of service of an employee may be verified with reference to pay bills, acquittance rolls or other relevant records and a certificate to that effect may be obtained from the respect controlling officers.
- iii) If any portion of service rendered by an employee is not capable of being verified in the manner specified in clause-(ii) above of this regulation, the employee concerned shall be asked to file a written statement of plain paper stating that he had in fact rendered that period of service (without any break or interruption). He shall also state therein whether he had participated in any illegal strike during that period and/or availed of any leave without pay other than on medical certificate and if so, total number of days spent as such shall be disclosed. He shall at the foot of the statement make and subscribe a declaration as to the truth of that statement and shall in support of such declaration produce all documentary evidence and furnish all information which is in his power to produce or furnish.
- iv) The authority competent to sanction pension shall after taking into consideration the facts in written statement and the evidence produced and information furnished by the employee concerned in support of the said period of service, if satisfied, admit that portion of service as having been rendered for the purpose of calculation of pension of that employee.
- v) Every effort shall be made to complete the verification of service as above and to make good omission, imperfection or deficiency if any, which has a direct bearing on the determination of emoluments and/or the service qualifying for pension.
- vi) Any omission, imperfection or deficiencies including the portion of service shown as unverified in the service book of which it has not been possible to verify in accordance with the procedure laid down in clause-(i) to (iv) above of this regulation shall be ignored and service qualifying for pension shall be determined on the basis of entries in the service book.

[–Inserted vide O. O. No.6032 dtd. 28.02.2003]

No Demand Certificate

27. In order to avoid withholding of pension to meet any sum due to the Board, every application for pension must be supported by a "No Demand Certificate" from the Head of Office to which the applicant is last attached indicating that no sum is due to the Board.

Provided that in respect of class-I and class-II employees and also in respect of class-III employees holding the designations Cashier, Store-keeper and Station-in-Charge (under any nomenclature) such certificate will be required for the last five years of their services.

Miscellaneous

28. In respect of matters for which provision has not been made in these Regulations, the relevant provisions in the West Bengal Service (Death-Cum-Retirement Benefit) Rules, 1971 shall apply mutatis mutandis subject to the approval of the Board.
29. The employees who by regulation-5A or by regulation - 5B will come under the Pension-cum-Gratuity (including Family Pension) Scheme shall be guided by the General Provident Fund Rules framed separately.

OPTION FORM

(TO BE SUBMITTED IN TRIPLICATE)

TO GET THE BENEFIT OF WBSEB EMPLOYEES' (DEATH-CUM-RETIREMENT BENEFIT)
REGULATIONS, 1985

To
The Secretary
West Bengal State Electircity Board

**PHOTOGRAPH
TO BE
ATTESTED BY
CONTROLLING
OFFICER**

(Through the Controlling Officer)

Sir,

I do hereby opt to get the benefit of the WBSEB Employees' (Death-cum-Retirement) Benefits Regulations, 1985 under such terms and conditions as may be applicable under the rules of the Board.

My particulars are furnished below.

1. Name (in Block letters) :
2. Father's/Husband's name :
3. Designation :
4. Office to which presently attached :
5. Date of Birth :
6. Date of joining at Board's service :
7. Provident Fund Account No. :

ACKNOWLEDGED

(SIGNATURE IN FULL) / (L.T.I)

Signature of Controlling Officer (not below the rank
of Divisional Engineer) with office seal and date.

(FOR OFFICE USE ONLY)

1. Provident Fund Account No. :
2. Provident Fund Distinctive No. for last one year :
3. Date of Superannuation :

(Signature of Controlling Officer)

ANNEXURE II

(Vide Regulation 10)

FORM OF MEDICAL CERTIFICATE

Certified that I (We) have carefully examined Shri/Smt.
son/daughter/wife of in the
His age is by his own statement years, and by appearance about
..... years. I (We) consider to be completely and
permanently incapacitated for further service of any kind in the West Bengal State Electricity
Board to which he belongs in consequence

(here state the disease or cause)

..... His incapacity does not appear to me (us) to have
been caused by irregular or intemperate habits.

Note-1. If the incapacity is the result of irregular or intemperate habits the following will be
substituted for the above sentence -

In my (our) opinion his incapacity is directly due to
and has been accelerated or aggravated by such irregular or intemperate habits.

Note-2. If the incapacity does not appear to be complete and permanent the certificate should be
modified accordingly and the following addition should be made-

I am/we are of the opinion thatis fit for futher service of a less
laborious character than that which he has been doing (or may after resting for
months be fit for further service or less laborious character than that which he has been doing).

Note-3. The mere fact that an employee has suffered from syphillis taken by itself is not suffi-
cient to bring him under the operation of this Regulation.

Note-4. Unsoundness of mind casued by any habits is a sufficient ground for invalidating an
employee.

Date : Signature of the
Medical Officer

.....

Date : Signature of the Members
of the Medical Board

.....

Signature of the employee

(Attested by the Medical Officer/Board)

ANNEXURE III

Form No. - Pen/3

(Vide Regulation 15)

FORM - A

**FORM OF NOMINATION FOR DEATH GRATUITY
(When the employee has a family and wishes to nominate one member
or more than one member thereof)**

I.....hereby nominate the person/persons mentioned below who is/are member(s) of my family, and confer on him/them the right to receive, the extent specified below, any gratuity that may be sanctioned by the West Bengal State Electricity Board in the event of my death while in service and the right to receive on my death, to the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death :-

Names and address of nominee/nominees	Relationship with the employee	Age	Amount or share of gratuity payable to each	Contingencies on the happening of which the nomination shall become invalid	Name, address, relationship and age of the person or persons, if any, to whom the right conferred on the nominee shall pass in the event of the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of gratuity	Amount or share of gratuity payable to each
1	2	3	4	5	6	7

Witnesses : -

1.

Signature of the employee.....

2.

Designation

(Contd.)

ANNEXURE III (Contd.)

Form No. - Pen/4

FORM - B

**FORM OF NOMINATION FOR DEATH GRATUITY
(When the employee has no family and wishes to nominate one Person
or more than one Person**

I..... having no family hereby nominate the person/persons mentioned below and confer on him/them the right to receive, to the extent specified below, any gratuity that may be sanctioned by the West Bengal State Electricity Board in the event of my death while in service and the right receive on my death, the extent specified below, any gratuity which having become admissible to me on retirement may remain unpaid at my death.

Names and address of nominee/nominees	Relationship with the employee	Age	Amount or share of gratuity payable to each	Contingencies on the happening of which the nomination shall become invalid	Name, address, relationship and age of the person or persons, if any, to whom the right conferred on the nominee predeceasing the employee or the nominee dying after the death of the employee but before receiving payment of gratuity	Amount or share of gratuity payable to each
1	2	3	4	5	6	7

Witnesses : -

1.

Signature of the employee.....

2.

Designation

ANNEXURE III (Contd.)

- Note :-**
1. Column 4 should be filled in so as to cover the whole amount of the gratuity.
 2. The amount/share of the gratuity shown in column 7 should cover the whole amount/ share payable to the original nominee(s).
 3. The employee shall draw lines across the blank space below the last entry to prevent insertion of any name after he has signed.

This nomination supersedes the nomination made by me earlier on which stands cancelled,

Dated this day of 20 at.....

**Proforma for acknowledging the receipt of the nomination by the
Head of the Office**

To
.....
.....
.....

Sir,
I acknowledging the receipt of your nomination, dated the cancellation, dated the of the nomination made earlier in respect of gratuity in Form..... I am to state that it has been duly placed on record.

Place

Dated

Signature of Head of Office
(Designation)

Note : The employee is advised that it would be in the interest of his nominees if copies of the nominations and the related notices and acknowledgement are kept in safe custody so that they may come into the possession of the beneficiaries in the event of his death.

WEST BENGAL STATE ELECTRICITY BOARD Form No. Pen/10

ANNEXURE IV

"VIDYUT BHAWAN" PENSION CELL (6TH FLOOR)

BIDHANNAGAR, KOLKATA-700 091

Employees' (Death-cum-Retirement) Benefit Regulations, 1985

FORM OF FAMILY PENSION

(Vide Regulation 21)

Memo No. FP/PEN -

Dated :

Smt.
.....
.....

Sub : FAMILY PENSION

Madam,

The undersigned has learnt with regret the death of Sri.....
..... Ex
and is directed to inform you that under provisions of the Regulations above you are entitled to get family pension for life/till attaining the date of majority.

I am, accordingly, to suggest that formal claim for grant of family pension may be submitted by you in the enclosed Form of Application for family pension (PEN-11) along with the following documents, namely ('√') marked :-

- 1) Death Certificate.
- 2) Two copies of passport-size recent photograph duly attested (in the enclosed form).
- 3) Guardianship Certificate where pension is admissible to the minor children.
- 4) Life Certificate/Non-employment/Marriage/Re-marriage Certificate (in the enclosed form).
- 5) Descriptive Roll (in the enclosed form).
- 6) Declaration of drawal of HBL etc. by the applicant (in the enclosed form).
- 7) Heirship Certificate (in the enclosed form).
- 8) Indemnity Bond on Non-Judicial Stamp paper worth Rs. 50/- **
(Format enclosed).
- 9) Application for payment of pension through Bank. (in the enclosed form).
- 10) Birth certificate/Age proof certificate (in case of the minor).
- 11)

Yours faithfully,

Enclo. :Nos.

Jr. Manager / Sr, Manager (F & A)
(PENSION CELL)

* * Where family pension is admissible to the minor children

WBSEB /
Form No. Pen/11

WEST BENGAL STATE ELECTRICITY BOARD

ANNEXURE V

Employees' (Death-cum-Retirement) Benefit Regulations, 1985 FORM OF APPLICATION FOR FAMILY PENSION (*Vide Regulation 21A*)

Part-I

Application for a family pension for the family of late Sri/Sm.....
(Designation)

lastly attached to

1. a) Name of the Applicant (in Block letters)

b) Address (in full)

2. Relationship to the deceased
Board Employee/Pensioner

3. Date of death of the Board
Employee/Pensioner

4. Date of retirement if the
deceased was pensioner

5. Name and age of surviving kindred of the deceased

Widow/widower's name Date of birth

Son's Name Date of birth

Unmarried daughter's Name Date of birth

Parent's Name (1) Date of birth

(2) Date of birth

6. Name of the Bank (with branch)
from where payment is desired

7. Signature or left hand thumb
impression (in the cases of those who
are not literate enough to sign their names)

8. Descriptive roll ofwidow/widower/
guardian of the minor children/parents
of late

Enclosed/Not enclosed

Attested by :

(1)

(2)

Witnesses :

(1)

(2)

Note : The descriptive roll (columns) and signature or left hand thumb and finger impressions accompanying application for family pension should be attested by a gazetted officer or person of respectability in the town, village or paragana in which the applicant resides.

(Contd.)

FORM FOR SANCTIONING FAMILY PENSION
Part-II

(For Office use only)

1. Name of the employee
2. Father's name (and also Husband's name in the case of a married female Board employee)
3. Religion and Nationality
4. Last appointment held including name of establishment
5. Date of beginning service
6. Date of end of service
7. Substantive appointment held
8. Pension Regulations opted/eligible
9. Length of continuous qualifying service prior to death/ retirement
10. Pay as per Regulation Rs.
11. Amount of family pension admissible
Enhanced limit Rs. Normal limit Rs.
12. Date from which pension is to commence
13. Family pension is payable to : Name
Relation
14. Place of payment

The undersigned having satisfied himself of the above particulars of late Shri/ Smt. hereby orders the grant of a family pension of Rs. (in words) per month from to and thereafter @ Rs. (in words) per month till the date of his/her remarriage, marriage or attaining the age of or death whichever is earlier which may be accepted by the Audit Of- ficer as admissible under the Regulations.

Signature of the Pension Sanctioning Authority

Form No. - 10A

ANNEXURE - VI
(Vide Regulation 25)
FORM OF APPLICATION FOR COMMUTATION
Part - I

I,desire to commute a portion of my pension of Rs. a month. I certify that I have correctly answered each and all of the questions below :-

Dated, the

Signature

Designation

Place

Address

1. How much of your pension do you wish to commute ?
2. Have you a wife ?
How many members are there in your family with age and sex?
.....
3. What was your monthly income from sources during all the past years ?
.....
Give particulars.....
4. Do you suffer from any complaint likely to shorten your life ?
If so, state its nature
5. What is the class of your pension-Superannuation, Retiring or Invalid ?
.....
6. What is the date and year of your birth ?
7. From where do you draw your pension ?
8. What is the number of your present Pension Payment Order issued by the authority of the Board?
.....
9. Have you commuted any portion of your pension previously ?
If So, please give details
10. What portions of the above pension represent your original pension, if any?

(Contd.)

**ANNEXURE - VI (Contd.)
Part - II**

Forwarded

(here enter designation and address of the sanctioning authority)

2. Subject to the medical authority's recommending commutation the lump sum payable will be as stated below :-

Sum payable, if the commutation becomes absolute before the applicant's next birthday which falls on.....

		On the basis of normal age, i.e.,	
	years	Rs.
		-do-	-do-
		plus	
1.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	
2.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	
3.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	
4.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	
5.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	

Sum payable, if the commutation becomes absolute after the applicant's next birthday before his next birthday but one.

		On the basis of normal age, i.e.,	
	years	Rs.
		-do-	-do-
		plus	
1.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	
2.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	
3.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	
4.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	
5.	Years, i.e.	years	Rs.
		-do-	-do-
		plus	

3. The sum will be charged on.....

Station

Dated

Signature of Accounts Officer
and designation

ANNEXURE - VII **WBSEB/Form No. - Pen/2**
Employees' (Death-cum-Retirement Benefit) Regulations, 1985
FORMAL APPLICATION FOR PENSION
(Vide Regulation 26)

From :
.....
.....
.....

To :
.....
.....
.....

Sub : Application for sanction of pension

Sir,
I beg to say that I am due to retire/have already retired from service with effect from the my date of birth being

I, therefore, request that steps may kindly be taken with a view to the pension and gratuity admissible to me being sanctioned by the date of my retirement. I desire to draw my pension and gratuity from (Name of Bank and its branch)

I, hereby declare that I have neither applied for nor received any pension or gratuity in respect of any portion of the service qualifying for this pension and in respect of which pension and/or gratuity is claimed herein nor shall I submit an application hereafter.

I enclose herewith :

- (i) two specimen signatures of mine, duly attested (ANNEXURE-I),
- (ii) three copies of joint photograph of self and wife/husband, duly attested (ANNEXURE-II),
- (iii) my left thumb and finger impression (ANNEXURE-III),
- (iv) particulars of height and identification marks-(DO-).

My present address is
and my address later (for communication) will be
.....

Dated :
Full Signature/Thumb Impression
.....
Designation

- Note : i) Any subsequent change of address should be notified immediately to the pension Payment Officer.
ii) Thumb impression where applicable, must be attested by competent authority under office seal.

ANNEXURE - VIII **Form No. - Pen/8**
(Vide Regulation 25)
MEDICAL EXAMINATION FOR COMMUTATION

Medical examination by the(here enter the medical authority)

PART - I

Statement by the applicant for commutation of a portion of his pension.

The applicant must complete this statement prior to his examination by the.....
 (here enter the medical authority) and must sign thedeclaration
 appended hereto in the presence of that authority.

Questions	Answers
1. State your name in full (in block letters)
2. State place of birth
3. State your age and date of birth
4. Furnish the following particulars concerning your family

Father's age, if living and state of health	Father's age at death and cause of death	Number of borthers living, their ages and state of health	Number of brothers dead, their ages at death and cause of death
---	--	--	---

Mother's age, if living and state of health	Mother's age at death and cause of death	Number of sisters living, their ages and state of health	Number of sisters dead, their ages at death and cause of death
---	--	---	--

5. Has any of your near relations suffered from tuberculosis
 (consumption, scrofula,) cancer, asthma, fits, epilepsy,
 insanity or any other nervous disease ?

ANNEXURE - VIII (Contd.)
Part - I (Contd.)

6. Have you ever :-
- (a) Bad small pox, intermitent or any other fever, enlargement or suppuration of glands, spitting of blood, asthma, inflammation of lungs, pleurisy, heart disease, fainting attacks rheumatism, appendicitis, epilepsy, insanity or other nervous disease, discharge from or other disease of the ear, syphilis, gonorrhoea,
or
 - (b) Had any other disease or injury which required confinement to bed or medical or surgical treatment,
or
 - (c) undergone any surgical operation ?
7. Have you rupture ?
8. Have you varicocele, varicose veins or piles ?
9. Is your vision in each eye good ?
10. Is your hearing in each ear good ?
11. Have you any congenial or acquired malformation, defect or deformity ?
12. When were you last vaccinated ?
13. Is there any further matter concerning your health not covered by the above questions which should be communicated to the medical authority ?
14. Have you ever been granted leave on medical certificate ? If so, state periods of leave and nature of illness.
15. Has any application for insurance on your life ever been declined or accepted at an increased permium ?

(Contd.)

ANNEXURE - VIII (Contd.)
Part - I (Contd.)

- 16. a) Have you ever been told that you had albumen or sugar in the urine ?
 - b) Do you rise at night to urinate ?
 - c) Are you now or have you ever been on special diet for your health ?
 - (d) Has there been any marked increase or decrease in your weight within the past three years ? If so, how much?
17. Have you been under the treatment of any doctor within the last three months ? if so, for what illness ?

DECLARATION OF APPLICANT

(To be signed in presence of the medical authority)

I declare all the above answers to be, to the best of my belief, true and correct.

I will fully reveal to the medical authority all circumstances within my knowledge that concern my health and fitness.

I am fully aware that by wilfully making a false statment or concealing a relevant fact I shall incur the risk of losing the commutation I have applied for and or having my pension withheld or withdrawn under Regulaion.....

Signed in presence of the

.....
(Applicant's signature)

.....
(Signature and designation of medical authority)

ANNEXURE - VIII (Contd.)

Part - II

(To be filled in by the examining Medical Authority)

1. Apparent Age
2. Height
3. Weight
4. Girth of abdomen at level of umbilicus
5. Pulse rate
 - a) Sitting
 - b) Standing
 - c) What is character of pulse ?
6. What is condition of arteries ?
7. Blood pressure
 - a) Systolic
 - b) Diastolic
8. Is there any evidence of disease of the main organs ?
 - a) Heart
 - b) Lungs
 - c) Liver
 - d) Spleen
9. Does chemical examination of urine show (i) albumen, (ii) suger? State specific gravity
10. Has the applicant a rupture ? If so, state the kind and if reducible
11. Describe any scars or identifying marks
12. Any additional information

I have carefully examined
and am of opinion that :-

Either he is/is not in good bodily health and has the prospect of an average duration of life/is not fit subject for commutation (or in the case of impaired life which is yet considered a fit subject for commutation) 'as.....is suffering from..... his age for the purpose of commutation, i.e. his age next birthday should be taken to be..... years more than actual age'.

(Signature and designation of
Examining Medical Authority)

(Signature of the applicant)

.....
(Thumb and finger impressions of the left hand of the applicant)

Station

Dated

(Contd.)

ANNEXURE - VIII (Contd.)

Part - III

(To be filled in by the examining Medical Authority)

We have carefully examined
and are of opinion that :

Either he is/ is not in good bodily health and has the prospect of an average duration of life/is not a fit subject for commutation or (in the case of impaired life which is yet considered a fit subject for commutation) "as is suffering from
..... . His age for the purpose of commutation, i.e. his age next birthday should be taken to be years more than his actual age."

(Signature of members of the
Examining Medical Board)

Station

Dated

.....
(Signature of the applicant)

(Thumb and finger impressions of the left hand of the applicant)

ANNEXURE - IX
(Vide Regulation 25)

Form No. - Pen/6

Part - I

FORM OF APPLICATION FOR COMMUTATION OF PENSION WITHOUT MEDICAL EXAMINATION

I furnish below the relevant particulars and request that I may be permitted to commute a portion of my pension as indicated below :-

1. Name (in Block letters) :
2. Date of birth :
3. Date of superannuation on attaining the age 58 years or 60 years as the case may be. :
4. Designation of the post held at the time of superannuation and the name of the Office :
5. Amount of pension sanctioned and whether it is provisional or final. :
6. Class of pension as defined in the West Bengal Services (Death-cum-Retirement Benefit) Rules, 1985 :
7. Name of Office or Bank and Account Number from which pension is being drawn :
8. Name of Office or Bank through which the commuted value is desired to be paid, if payment is not desired through the Accounts Officer who authorised the pension :
9. Designation of the Accounts Officer and the Number and date of the Pension Payment Order, if issued :
10. Amount (in whole rupees) of pension and portion of Pension proposed to be commuted :
11. Particulars of any application for commutation of pension made previously and whether appeared before any Medical Authority or not :

Date

(Signature)

Full address

PART - II

No.

Forwarded to the.....for authorising the payment of the Commuted
(Accounts Officer)

Value, The receipt of Part I of Annexure IX has been acknowledged in Part III which has been forwarded separately to the applicant on.....

Date.....

(Signature of the Competent Authority)

PART - III

(Acknowledgement)

Received from Shri..... retired.....
an application for commutation of pension without medical examination. (Designation)

Date.....

(Signature of the Competent Authority)

Note : This acknowledgement is to be signed, stamped and dated and is to be detached from the form and handed over to the applicant. If the form is received by post, it has to be acknowledged on the same day and sent under registered cover to the applicant.

WEST BENGAL STATE ELECTRICITY BOARDPENSION FORM - I (*For Office Use Only*)**Report of the Head of the Office for Pension and Gratuity**

1. Name of the Employee _____
2. (a) Office _____ (b) Designation _____
(c)Emp. Code No. _____ (d) Permanent GPF A/C. No. _____
3. Father's Name (and also husband's Name,
in case of married Female Employee). :
4. Religion and Nationality :
5. Permanent Residential Address :
6. Present Address :
7. Mailing Address (after Retirement) :
8. Date of Birth :
9. Date of Appointment :
10. Date of termination of appointment :
11. Cause of termination of appointment :
12. Date of commencement of Pension/Family-Pension :
13. In case of death whether death certificate from
proper authority has been produced :
14. Has the applicant submitted three/two
(in case of Family-Pension) copies of recent photographs
of self or self and wife/husband duly attested?
(Annexure-II Form) :
(on each photograph name of the applicant or names of
the applicant and his/her wife/husband is to be written)
15. Has the applicant submitted the Annexure-I
Form bearing the applicant's specimen
signature duly attested ? :
(in case of illiterate and a person who cannot sign,
left thumb and finger impressions duly attested)
16. Has the applicant submitted the Annexure-III
Form stating particulars of height and mark/s
or identification? :
17. Whether the Service Book has been written
upto date or not. :
18. Total Period of service qualifying for
Pension in Years, Months and days :
19. Rate of pay at the time of
termination of appointment : Pay Rs. DA Rs.
20. Whether full Pension and Gratuity is/
are recommended or any deduction thereof
is/are proposed under Regulation 11 (d) of
WBSEB E(DCRB) Regulations, 1985, If so, the
amount or rate of reduction with grounds therefor. :
21. In case of invalid Pension whether necessary
medical certificate from proper authority has
been produced :

22. (a) Whether Family Pension is payable :
 (b) If payable, to whom (with Name) :
23. The Name/s of the family member/s as defined in Regulation 6(j) of WBSEB E(DCRB) Regulations, 1985, relationship with the employee with sex and respective date of birth.

<u>NAME</u>	<u>RELATIONSHIP</u>	<u>SEX</u>	<u>DATE OF BIRTH</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			

24. Place of payment of Pension (Bank's Name with A/C No.) :
25. Has the employee made nomination for death Gratuity ? :
26. Is there any Board's claim against the employee on A/c. of
 i) House Building Advance :
 ii) Interest on House Building Advance :
 iii) T. A. Advance :
 iv) Advance from Co-opp. Theft Fund :
 v) Occupation of Board's Quarter :
 vi) Departmental Advance :
 vii) Overdrawn Pay & Allowances. :
 viii) Tools and Plant :
 ix) Audit objections :
 x) :
27. Has the applicant vacated Board's quarters if allotted/occupied ? (Date of vacation to be stated) :
28. Whether the employee is a Military Pension holder, if 'yes' P. P. O. No. and amount of Pension shall be stated. :
29. Remarks, if any :

OFFICER _____ Date _____ SIGNATURE OF CONTROLLING & DESIGNATION

Report of the Local-finance Unit

The pay structure in the Service Book is verified. His/her Last rate of pay is/was Rs.....
 The Office report on the basis of papers and documents as produced have been verified. The following recovery/recoveries is/are to be made on A/c. of : -

Date

SIGNATURE OF THE OFFICER OF LOCAL FINANCE & DESIGNATION

WEST BENGAL STATE ELECTRICITY BOARD

Finance & Accounts Department
Pension Cell

Certificate and report on Pension and/or Gratuity

Name of Pension recipient(.....)
(Relation)

Name of Employee

Designation.....

Parmanent G.P.F. A/c. No. Emp.

Code No.....

Office/Department.....

Date of birth by Christian Era

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--	--

--	--	--	--

D D M M Y Y Y Y

Date of entry in service

--	--

--	--

--	--	--	--

D D M M Y Y Y Y

Age at entry.....

Date of termination of service

--	--

--	--

--	--	--	--

D D M M Y Y Y Y

Casue of termination

Nature of pension

Pension Regulation applicable

Whether family pension applicable

Total service viz. from to

DEDUCT :

1. Service before attaining the age of 18 years.
2. Period of break in service, if any.
3. Non-qualifying service.
4. Absence without leave.
5. Period of suspension treated as such.

Years	Months	Days

Net Qualifying Service for pension/gratuity.....

(Contd.)

(2)

**Calculation of Emolument for Pension and Death-cum-Retirement
Gratuity and Family Pension**

Emolument for the purpose of Pension

Last Grade Pay	Rs.
D. A.	Rs.
Total	Rs.
Personal Pay	Rs.
Special Pay	Rs.
N.P.A (For Doctors only)	Rs.
Others	Rs.
	<hr/>
Total	Rs. <hr/>

Pension Admissible :

50% of Rs.	Rs.	
Monthly Basic Pension admissible	Rs.	W.E.F.....
Less : Others Commuted amount desired	Rs.	
	Rs.	
Others	Rs.	

Amount of Net Pension admissible per month	<hr/> Rs. <hr/>	W.E.F.....
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Emolument for DCR-Gratuity

Last Grade Pay	Rs.
D. A.	Rs.
Personal Pay	Rs.
Special Pay	Rs.
Others	Rs.
	<hr/>
Total	<hr/>

Amount of D.C.R. Gratuity admissible Rs.

(Contd.)

(3)

Family Pension admissible :

Normal limit Rs.

Enhanced limit @ Rs.upto.....from the date following the date of death of the Pensioner/Employee payable to
(relation only)

1. Certified that (subject to the remarks recorded below) qualifying service of Shri/Smt./Late

Ex.....has been duly proved foryears.....months and that a Pension of Rs. (Rupees.....) only per mensem and Death-cum-Retiring Gratuity of Rs. (Rupees.....) only in lump sum respectively are admissible under regulations and respectively of D.C.R.B. Regulations 1985 as amended from time to time.

2. In the event of his/her death, in terms of regulaitons 16-18 of DCRB Regulaions 1985, his/her wife/husband/son/daughter/mother/father or other entitled member Smt/Sri..... will be eligible for family pension @Rs..... (Rupees.....) only uptoand thereafter @ Rs..... (Rupees.....) only per month from the date following the date of his/her death till her/his death or marriage/re-marriage/attaining the age ofyears or.....whichever event occurs earlier.

3. The Death-cum-Retirement Gratuity is payable to the following members of the family/nominee(s).

	Name of the Beneficiary	Adult/Minor	Relationship with the deceased	Amount or share of Gratuityi)
i)				
ii)				
iii)				
iv)				
v)				
vi)				
vii)				
viii)				

4. The share of the minors is payable through(Guardian).

5. The Calculations have been duly verified and found correct.

6. The pension/Family Pension is due to commence from the 20.....

(Contd.)

(4)

7. A sum of Rupees.....
on account ofis to be held over from
D.C.R. Gratuity till the out-standing Board dues are assessed and adjusted (if the Board employee has
not made a cash deposit or furnished a surety of a permanent employee).

The application of Shri/Smt.
along with Office report and the particulars thereon duly verified are placed before the Pension Sanc-
tioning Authority for sanction of Pension/Family Pension and also for sanction or Rs.
(Rupees.....) only being the Commuted Value of Pension (where appli-
cable) for Rs. (Rupees.....) only taking his/her age on next
birthday as years

.....
Prepared By Checked by Jr. Manager (F & A)/Asstt. Manager (F & A)
.....
(Desgn)

Sanctioned

under P. P. O./F.P.P.O. No. Dated.....

.....
Pension Sanctioning Authority

WEST BENGAL STATE ELECTRICITY BOARD

Form of application for restoration of Commuted portion of Pension after 15 years

To
The Sr. Manager (F & A) (Pension)
(Pension Disbursing Authority)
West Bengal State Electricity Board
"Vidyut Bhaban" (6th floor)
Bidhannagar, Kolkata-91.

Sub : Restoration of Commuted portion of Pension

Sir,
Kindly restore my Commuted portion of pension in terms of Regulation-22(d) of the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985.
Requisite particulars are given below.

1. Name (In Block Letters) : _____
2. Date of Retirement : _____
3. Pension Payment Order No. : _____
4. Amount of original Pension : Rs. _____
5. Amount of pension Commuted : Rs. _____

Date : _____

L. T. I./ Signature of Pensioner

Present Address of the Pensioner

N. B. : L. T. I. must be attested by the competent person under office seal.

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 3896

DATED : 6-12-1985

The West Bengal State Electricity Board, hereby, makes the following amendment to Regulation-13 of the West Bengal State Electricity Board Employees' (Death-cum-retirement Benefit) Regulations, 1985, namely :

Regulation-13 be modified as follows :

Determination of Pension during Re-employment

- 13 (1) 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.

Pension during the period of Commercial employment after retirement

- 13 (2) **Acceptance of Commercial Employment–**
No pension shall be payable to a pensioner who accepts a commercial employment before the expiry of two years from the date of his retirement without the sanction of the competent authority.

Provided that a Board employee permitted by such authority to take up a particular form of Commercial employment during his leave preparatory to retirement shall not be required to obtain subsequent permission for his continuance in such employment after retirement.

Explanation–In this rule,-

- (a) The expression "comercial employment" means employment in any capacity including that of an agent, under a company, co-operative society, or individual engaged in trading, commercial, industrial, financial, or professional business, and includes also a Directorship of such company and a partnership of such firm but shall not include employment under a body corporate owned or controlled by Government.

- (b) The expression "date of his retirement" in relation to a Board employee re-employed after retirement without any break either in the same or in any other post under WBSEB means the date on which such Board employee finally ceases to be re-employed in Board service.

Note-1 - Employment under a Co-operative Society shall include the holding of any office whether elective or otherwise such as that of President, Chairman, Manager, Secretary, Treasurer and like, whatever name called in such society.

Note-2 . Requests from Board employees for the sanction referred to in this rule are to be decided by applying the following criteria, namely :

- i) has the employee while in service had any such dealings with the proposed employer as might provoke the suspicion that he had shown favour to the latter ?
- ii) will his commercial duties be such that his official knowledge and experience could be used to give the employer an unfair advantage ?
- iii) will his duties be such as might bring him into conflict with the WBSEB ?
- iv) is the proposed employment of a thoroughly reputable kind ?
- v) are there any exceptional circumstances which would make the refusal of consent a real hardship ?

(Employment in work maintaining liaison or contract with the WBSEB cannot be described as employment of a throughly reputable kind)."

This has reference to Board Resulation No. 6 dated 30-10-85.

Swapan Chakrabarti
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. P/108
DATED : 24.6.1986

Consequent upon amendment of the Payment of Gratuity Act, 1972 (Central Act 39 of 1972) with effect from 1.7.84 extending coverage to employees on monthly wages upto Rs. 1600/- only employed for period of not less than five years, save and except in the cases of the termination of employment due to death or disablement, where the completion of continuous service of five years shall not be necessary, the Board has been pleased to make the following further amendments to the Board's "Gratuity Regulations for Employees in the Cadre of Officers", approved in Board Resolution No.11 dated 13.12.1971 and as amended from time to time.

1. The Regulations shall be renamed as "Gratuity Regulations for employees drawing pay exceeding Rs. 1,600/- per month."
2. "Employee" means a person (other than an Apprentice) in the whole time employ of the Board borne on regular, temporary or permanent establishment, but excludes those employees drawing pay upto Rs. 1600/- per month, who for purposes of Gratuity, are governed by the payment of Gratuity Act, 1972 as adopted by the Board.
3. The minimum period of qualifying service for gratuity under these Regulations shall be 5 years.
4. The amount of Gratuity admissible to an employee shall be half months's pay for each completed year of qualifying service subject to maximum of 16.5 month's pay or Rs. 36,000/-, whichever is less. Fraction of a year equal to three months and above shall be treated as a completed six monthly period of service and reckoned as qualifying service for determining retirement benefit and the period of service below three months will be ignored.
5. In case of permanent employees of the Ex-Electricity Development Directorate on regular establishment who were transferred to and absorbed in the Board, if the total amount of gratuity payable under these Regulations, plus the gratuity due from the Govt. exceeds Rs. 36,000/- the amount payable by the Board shall be reduced by such excess amount.
6. The above amendments shall be deemed to have had effect from 1.7.1984.
7. The Board has further been pleased to raise the maximum limit of Gratuity in para-4 above to Rs. 50,000/- in the case of those employees who retire on or after 31st March, 1985.

Swapan Chakrabarti
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4232

DATED :23.11.1987

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act, 1948, the West Bengal State Electricity Board is, hereby, pleased to make the following amendments in the West Bengal State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

In the said Regulaions -

The following provisions be inserted as Regulation-11A after Regulation-11 :

11A : (1) The pension of an officer may be withheld in whole or in part under an order of the Board passed not later than three years after the date of retirement to meet any sum due under the liability incurred by such officer to the Board.

(2) Right of the Board to withhold pension in certain cases :

The Board reserves to itself the right of withholding or withdrawing the pension or any part of it whether permanently or for specified period and the right of ordering the recovery from a pension of the whole or part of any pecuniary loss caused to the Board, if the pensioner is found in a departmental or judicial proceeding to have been guilty of grave misconduct or negligence during the period of his service, including service rendered on re-employment after the retirement :

Provided that -

- (a) Such departmental proceeding if instituted while the officer was in service whether before his retirement or during his re-employment shall after the final retirement of the officer be deemed to be a proceeding under this Regulation and shall be continued and concluded by the authority by which it was commenced in the same manner as if the officer had continued in service.
- (b) Such departmental proceeding, if not instituted while the officer was in service before his retirement or during his re-employment -

- (i) Shall not be instituted save with the sanction of the Board ;
- ii) Shall not be in respect of any event which took place more than four years before such institution; and
- (iii) Shall be conducted by such authority and in such place as the Board may direct and in accordance with the procedure applicable to the departmental proceedings in which an order of dismissal from service could be made in relation to the officer during his service;
- (c) No such judicial proceeding, if not instituted while the officer was in service whether before his retirement or during his re-employment shall be instituted in respect of the cause of action which arose or an event which took place more than four years before such institution.

EXAPLANATION :

For the purpose of this Regulation :

- (a) A departmental proceeding shall be deemed to have been instituted on the date on which the statement of charges is issued to the officer or pensioner or if the officer is placed under suspension from an earlier date, of such date, and
- (b) A judicial proceeding shall be deemed to have been instituted :
 - (i) In the case of criminal proceeding on the date on which the complaint or report of Police Officer, on which the Magistrate takes cognizance is made; and
 - (ii) In the case of a civil proceeding on the date on which the plaint is presented or, as the case may be, an application is made to a Civil Court.
- (c) Where any judicial proceeding is instituted under clause-(b) (i) or (b) (ii) of above Explanation or where a departmental proceeding is continued under clause-(a) of the proviso thereto against an officer 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 service upto the date of his retirement or if he was under suspension on the date of retirement upto the date immediately preceding the date on which he was placed under suspension; but no gratuity or death-cum-gratuity shall be paid to him until the conclusion of such proceeding

and the issue of final orders thereon.

- (d) Payment of provisional pension made under Clause-(c) above shall be adjusted against the final retirement benefits sanctioned to such officer upon conclusion of the aforesaid proceeding.

No recovery shall be made where the pension finally sanctioned is less than the provisional sanction or the pension is reduced or withheld either permanently or for specified period.

Note :

The grant of pension under this Regulation shall not prejudice the operation of Regulation-11 when final pension is sanctioned upon conclusion of the proceeding.

This has reference to Board Resolution No. 2(v) dated 31.10.87.

Swapan Chakrabarti
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4248

DATED : 3.2.1988

In exercise of the powers conferred by section-79(c) of the Electricity (Supply) Act, 1948, the West Bengal State Electricity Board, hereby makes the following amendments in West Bengal State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

In the said Regulations-

A. The existing Regulations be read and substituted as follows :

7 (j) "For the purpose of these Regulations, previous continuous service rendered in a post in the regular establishment under the Ex-Electricity Development Directorate or Messanjore Hydel Power Station, Govt. of West Bengal, followed without break by absorption in a regular post in the Board shall be treated as qualifying service."

11(d) (i) "A full pension admissible is not to be given as a matter of course unless the service rendered has really been approved by the Pension Sanctioning Authority. In case of a permanent employee of the Ex-Electricity Development Directorate or Messanjore Hydel Power Station, Govt. of West Bengal, in receipt of pension from the State Govt. and having been transferred to and absorbed in Board, the pension or the gratuity admissible for his service under the Board shall be subject to the limitation that the gratuity or the capital value of pension shall not be greater than the difference between the value of pension that would be admissible at the time of his final retirement, if the two periods of service were combined, and the value of the pension already granted for his previous service."

B. In Regulation 12 - B - II providing for Gratuity

In Regulation 12 - B -II for the words -

"In case of permanent employee of the Ex-Electricity Development Directorate in regular establishment, the total amount of gratuity payable under this scheme shall be reduced by the amount of gratuity due from the State Government." substitute the following :

"In case of permanent employee of the Ex-Electricity Development Directorate or Messanjore Hydel Power Station, Govt. of West Bengal, in regular establishment, the total amount of Gratuity payable under this scheme shall be reduced by the amount of gratuity due form the State Govt.

Sd/-
Swapan Chakrabarti
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4373

DATED : 9.1.1989

Liberalisation of the rules regarding grant of the benefits of pension, gratuity, family pension and also determination of amount reckonable therefor.

The Board has been pleased to approve adoption of the liberalised provisions on grant of the benefits of pension, death/retirement gratuity, family pension to its employees and also determination of the amount reckonable for pension, death/retirement gratuity, family pension etc. as detailed below, with effect from 1st January, 1986 :

1. Pension

Where a Board employee, who is otherwise eligible for Pension, retires or will retire from Board service on or after 1.1.1986, the amount of Pension per month shall be calculated at fifty per cent of the amount reckonable for the purpose as per para-5 below, instead of under the slab system as at prevalent subject to a minimum of Rs. 375/- and a maximum of Rs. 2675/- [Rs. 3365/- vide O/O No. 4587 dtd. 9.11.90] per month. The amount of Pension per month arrived at on the above basis will be related to the maximum qualifying service for 33 years.

For those of such Board employees who at the time of retirement have rendered qualifying service for 10 (ten) years or more but less than 33 (thirty three) years, the amount of their Pension per month will be such proportion of the maximum admissible amount of Pension as the qualifying service rendered by them bears to the maximum qualifying service of 33 years. There will be no ceiling on the amount reckonable for pension.

Where Pension has already been sanctioned in cases occurring on or after 1.1.86 in accordance with the prevalent slab system, the same shall have to be revised accordingly on adoption of the above liberalised procedure. In cases where such Pensions, sanctioned earlier under the slab system in force, as aforesaid, before introduction of the liberalised system, happen to be more beneficial than the Pensions becoming due under the liberalised system, the Pensions already sanctioned shall not be revised to the disadvantage of the Pensioners.

2. Retirement Gratuity

Where a Board employee retires or will retire from Board's service on or after 1.1.86 after rendering qualifying service for 10 (ten) years or more, the maximum limit of Retirement Gratuity, calculated as per existing procedure on the amount reckonable for the purpose as per para-5 below shall be 75,000/- [Rs. 85,000/- vide O/O No. 4587 dtd. 9.11.90] The period of qualifying service in excess of 33 (thirty three) years, in any, shall be ignored. There will be no ceiling on the amount reckonable for Retirement Gratuity.

3. Death Gratuity

Where a Board employee dies or will die in harness on or after 1.1.86, the Death Gratuity shall be admissible at the following rates :

<u>Length of Qualifying Service</u>	<u>Rate of Death Gratuity</u>
a) Less than one year	: 2 (two) times of the amount reckonable for the purpose as per para-5 below.
b) One year or more but less than 5 years	: 6 (Six) times of the amount reckonable for the purpose as per para-5 below.
c) 5 years or more but less than 20 years	: 12 (twelve) times of the amount reckonable for the purpose as per para-5 below.
d) 20 years or more	: 2 (Two) times of the amount calculated as per existing procedure towards finding out Retirement Gratuity on the amount reckonable of the purpose as per para-5 below provided that the amount of Death Gratuity shall, in no case, exceed Rs. 75,000/- [Rs. 85,000/- vide O/O No. 4587 dtd. 9.11.90] only. The period of qualifying service in excess of 33 years, if any, shall be ignored.

There will be no ceiling on the amount reckonable for Death Gratuity.

4. Family Pension

Where occasion for grant of Family Pension in respect of a Board employee, since deceased, first arises or will first arise on or after 1.1.86, the Family Pension shall be admissible at the following rates :

<u>Amount reckonable for Family Pension as per para-5 below.</u>	<u>Rate of Family Pension per month</u>
a) Not exceeding Rs. 1,500/-	Thirty percent of the reckonable amount subject to a minimum of Rs. 375/-.
b) Exceeding Rs. 1,500/- but not exceeding Rs. 3,000/-	Twenty percent of the reckonable amount subject to a minimum of Rs. 450/-.
c) Exceeding Rs. 3,000/-	Fifteen percent of the reckonable amount subject to a minimum of Rs. 600/- and a maximum of Rs. 800 [Rs. 1000/- vide O/O No. 4587 dt. 9.11.90].

Subject to fulfilment of the condition that a Board employee had put in continuous service for a period of not less than 7 (seven) years prior to his death, Family Pension shall be admissible at enhanced rate at 2 (two) times of the amount of normal Family Pension as admissible as per above table for a period of 7 (seven) years from the date following the date of death or upto the date on which the deceased Board employee would have attained the age of 65 years had he survived, whichever period is earlier. In no case the amount of enhanced Family Pension in the event of death of a Board employee while in service shall exceed fifty percent of the amount reckonable for Family Pension as per Para-5 below 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 concerned employee.

Provided, however, in case when the amount of normal Family Pension as admissible as per above table exceeds the amount of the original Pension (before commutation) sanctioned to the concerned employee at the time of retirement, the amount of enhanced Family Pension shall not be less than the amount of normal Family Pension as admissible as per above table.

5. Amount reckonable for Pension, death/retirement Gratuity and Family Pension

Where a Board employee retires or will retire from Board service or dies in harness on or after 1.1.86 and where occasion for grant of Family Pension first arises or will first arise on or after 1.1.86, the amount reckonable for Pension, Retirement Gratuity, Death Gratuity and Family Pension will be equal to :

a) Pay, as defined in Regulation-16(27) of the West Bengal State Electricity Board Employees' Service Regulations, Last Drawn

Plus

b) Dearness Allowance including Fixed Dearness Allowance, if any, last drawn. [Maximum Rs. 428.85 equivalent to D.A. as on 31.12.89 after merging Rs. 163.50 with pay as per ROPA' 90]

This order issues in partial modification of the relevant provisions in the West Bengal State Electricity Board Employees' (Death-cum-retirement Benefit) Regulations, 1985.

This has reference to Board Resolution No. 10 dated. 1.12.1988.

Swapan Chakrabarti
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4398

DATED : 31.3.1989

Counting of Services rendered under Central and/or State Govt./Autonomous Body/Statutory Body/Undertaking before absorption/joining in WBSEB's employ as qualifying for the purpose of pensionary benefits.

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act. 1948, the West Bengal State Electricity Board is, hereby, pleased to make the following amendments in the W.B.S.E.B. Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

In the said Regulations-

Insert the following provisions as Regulation-7(1) after Regulation-7 :

"7 (1) For the purpose of these Regulations, previous continuous service rendered by an employee in a post in Regular establishment under State : Govt./Autonomous Body/Statutory Body/Undertaking as well as under Central : Govt./Autonomous Body/Statutory Body/Undertaking followed with or without break by absorption in a post in Regular establishment in the Board shall be treated as qualifying service subject to fulfilment of the following conditions .

- (i) Previous employment will be counted for pensionary benefit only when the incumbents concerned apply through proper channel and with permission from the Competent Authority of the previous employer.
- (ii) The pensionary liability shall be shared on service share basis between the Ex-employer and the Board, that is to say, the liability shall be shared on the basis of length of qualifying service rendered under each of the Employers (the Ex-employer and the Board).
- (iii) The liability of the Ex-employer shall have to be shared in manner as prescribed below :
 - (a) Where the Ex-employer is governed by Contributory Provident Fund/Gratuity Scheme, the amounts of the Employer's share of C. P. Fund Contribution (together with interest accrued thereon upto the date of eventual deposit to the Board) and Gratuity, becoming due payable to the concerned employee in accordance with the Rules in force of the Ex-employer by virtue of the qualifying service for the purpose rendered there, shall have to be deposited by the Ex-employer to the Board.
Provided, however, that where the due amounts as aforementioned have already been paid to the concerned employee by the Ex-employer the related amounts shall have to be refunded by the employee to the Board together with simple interest @ 6% per annum, calculated from the date of receipt of the same upto the end of the month preceding the same in which the amount is deposited with the Board.

b) Where the Ex-employer is governed by Pension/Death-cum-Retirement Gratuity Scheme, the amounts of prorata Pension/Service-Gratuity and Death-cum-Retirement Gratuity, becoming due payable to the concerned employee in accordance with the Rules in force of the Ex-employer by virtue of the qualifying service for the purpose rendered there, shall have to be deposited by the Ex-employer to the Board.

Provided, however, that where the due amounts as aforementioned have already been paid to the concerned employee by the Ex-employer the related amounts shall have to be refunded by the employee to the Board together with simple interest @ 6% per annum, calculated from the date of receipt upto the end of the month preceding the same in which the amount is deposited with the Board.

(iv) These Regulations shall apply to the following categories of such employees referred to above :

(a) Those who are still in service of the Board.

(b) Those who have retired from service of the Board but are still alive and are receiving Pension on the basis of the service rendered under the Board only.

(c) Those who have retired from service of the Board and are still alive but did not receive any Pension due to noncounting of the service rendered under the Ex-employer prior to their joining the service under the Board.

(d) Those who will join the service under the Board from time to time here-after.

Provided, however, that the employee falling under Categories (b) and (c) shall have to exercise option, to the effect that they intend to come under purview of these Regulations, within a period of one year from the date of adoption of the same, while those falling under Category (a) or (d) shall have to exercise such option on any date but before the respective date of retirement/death in-harness of the individuals. Option once exercised shall be treated as final.

[Modified vide O. O. No. 5549 dtd. 29.9.1997]

Note 1 : Those who join the Board on deputation with lien from any of the Organisations as aforementioned may subsequently, on being absorbed in the service of the Board in Regular Establishment at their volition, come under purview of these Regulations subject to the following conditions, namely,

(a) Option shall have to be exercised for the purpose within a period of one year from the date of absorption in Board's service as noted above or within a year of introduction of these Regulations. Option once exercised shall be treated as final.

[Modified vide O. O. No. 5549 dtd. 29.9.1997]

(b) The pensionary liability as referred to in Sub-Regulations-(iii) (a) or-(iii) (b), as the case may be, shall have to be borne by the Ex-employer for a period till absorption in Board's service and the same be deposited with the Board in due course.

Note - 2 : In all cases covered by these Regulations the pensionary liability shall have to be borne by the concerned Ex-employer in accordance with the Rules in force there. The

benefit may, however be allowed where the Ex-employer is unwilling to pay, or is not in a position to pay up the dues in this regard, provided the pensionary contribution for the period of service in question is paid by the employee concerned. Each case shall be taken up individually.

[Modified vide O.O. No. 5071 dtd. 28.02.1994]

- Note-3 : Where the Pensionary Liability is due to be refunded in terms of proviso to Sub-Regulation (iii) (a) or proviso to Sub-Regulation (iii) (b), as the case may be, the entire refund may be made in monthly instalments not exceeding thirty six in number, if prayed for by the concerned employee, the first instalment beginning from the month following that the entire recovery in instalments does not go beyond the actual date of retirement. The right to count the previous service as qualifying service for the purpose shall not revive until the whole amount has been refunded.
- Note-4 : The period of break referred to in terms Regulations may be condoned by the Chairman of the Board on the merit of individual case on being approached by the concerned employee with sufficient grounds for such break.
- Note-5 : In case such an employee does not exercise option within the time as stipulated in proviso to Sub-Regulation (IV) & Note-(1) (a) above, he shall not be considered to come under purview of the Regulation.
- Note-6 : The Board may also agree to extend similar benefit to its employees, coming under purview of Board's Pension Scheme, who may join with proper permission from the Board Authority, other organisations as referred to in these regulations, subject to condition that the amounts payable on account of Pensionary Liability for the service rendered under the Board will become disbursable on the date of their permanent absorption under the new employer or the date on which they would have retired voluntarily under Regulations of the Board, whichever is later".

This has reference to Board Resolution No. 6 dated 27.2.1989.

Swapan Chakrabarti
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4401

DATED : 12.4.1989

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act. 1948, the West Bengal State Electricity Board, hereby, makes the following amendments in the West Bengal State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

In the said Regulations

- A. Delete the words "Or Messanjore Hydel Power Station" as appearing in Regulation-11 (d) (i) of the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985.

- B. Add the following after Regulaion-11(d) (i) of the WBSEB Employees' (Death-cum-Retirement Befenit) Regulations, 1985 :

"Provided that in case of permanent employees of the erstwhile Messanjore Hydel Power Station, Govt. of West Bengal, pension and other retirement benefits shall be granted by the Board, as may be admissible under these Regulations at the time of final retirement on taking into consideration also the service qualifying for Pension as per Regulation- 7 (j) in addition to the qualifying service rendered under the Board subject to deposition to the Board by the State Govt. of the amount admissible for the period of service rendered under the State Govt. before being transferred to and absorbed in the Board".

Swapan Chakrabarti
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4486
DATED : 7.3.1990

Execution of "Nomination" by a Pensioner in favour of a person to receive, after the death of the Pensioner, all money payable to the Pensioner on account of Pension on, before or after the date of execution of such "Nomination".

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act. 1948, the West Bengal State Electricity Board has been pleased to make the following amendments in the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely

Amendments :

In the said Regulations

Insert the following provisions as Regulation-15A after Regulation-15

"15A"

1. Application

This regulation shall apply to the Board-Pensioners who are in receipt of or shall here-after be in receipt of Pension from the Board under provisions of West Bengal State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985.

2. Nomination of Pensioner to receive arrears of Pension :

Any pensioner to whom any Pension is payable by the Board may nominate any other person (here-in-after referred to as the Nominee) in accordance with the provisions of Sub-regulation-(3) of this Regulation who will receive, after the death of the Pensioner, all money payable to the Pensioner on account of such Pension on, before or after the date of such Nomination and which remain unpaid immediately before the death of the Pensioner.

3. Nomination :

- (i) Every Pensioner who retires on or before adoption of this Regulation shall nominate any person for the purpose of Sub-Regulation-(2) of this Regulation in Form-A and submit it in triplicate to the Pension Sacntioning Authority.

- (ii) After getting the particulars of the Pensioner, as may be mentioned in the Nomination in Form-A submitted in terms of Clause-(i) above, duly verified with reference to the available records by the Pension Sanctioning Authority, the duplicate copy of the Nomination in Form-A duly attested by him shall be returned to the Pensioner. The triplicate copy shall be sent to the Drawing and Disbursing Officer of the Unit from where the Pensioner retires, while the original copy of the Nomination shall be kept in record at the Pension Cell.
- (iii) A Notice of modification of Nomination including cases where a Nominee pre-deceases the Pensioner shall be submitted in triplicate in Form-B to the Pension Sanctioning Authority in the manner specified in Clause-(i) above and thereafter the provisions of Clause-(ii) above shall apply mutatis-mutandis with modifications as if it were made under Clause -(i) above.
- (iv) A Nomination, a fresh Nomination or a notice of modification of Nomination shall be signed by the Pensioner or, if he/she is illeterate, shall bear his/her thumb impression given in the presence of two witnesses who shall also sign a declaration to that effect in the Nomination, fresh Nomination or notice of modification of Nomination, as the case may be.
- (v) Nomination, fresh Nomination or notice of modification of Nomination shall take effect from the date of receipt there-of by the Pension Sanctioning Authority.

4. Accepted Nomination to be conclusive proof :

A Nomination made under Sub-regulation-(3) of this Regulation and duly accepted by the Pension Sanctioning Authority shall be a conclusive proof with regard to the person nominated to receive arrears on account of Pension of the Pensioner under these Regulations.

5. Mode of payment of arrears :

The arrears on account of Pension payable under these Regulations shall be paid in lump-sum as one-time payment to the Nominee, on happening of the contingency, by Account Payee Cheque or Account Payee Draft, at the choice, drawn in his/her name on a Branch of a Public Sector Bank as may be indicated by the payee, the Bank Commission Charge for purchasing Draft, where applicable, being borne by the Payee.

- 6. In case where no Nomination exists in terms of Sub-regulation-(3) of this Regulation amount of arrears on account of Pension, if any, becoming due payable to a Pensioner and remaining unpaid immediately before the death of the Pensioner, shall be paid in equal shares to the surviving members of the Pensioner's family as defined in Sub-regulation -(j) (1) of Regulation-6, the payment of the sum being effected in terms of Sub-regulaion-(5) of this Regulation.

- (i) Provided, however, that in cases where a Pensioner, at the time of death, does not

leave behind even a family, such amount of arrears on account of Pension shall be paid to his/her legal heir(s) in accordance with Law of Succession governing the said Pensioner.

- (ii) Provided further that in cases where such amount of arrears on account of Pension does not exceed Rs. 500/- (Rupees five hundred) only, the payment may be made to the legal heir(s) of the Pensioner on execution of Indemnity Bond by the claimant(s) with proper stamp duty, the idemnity of the claimant(s) being duly certified by at least two Board employees in service at the time of such execution.

7. **Disposal of balance amount of Pension outstanding in the Pensioner's individual Bank Account :**

- (i) A Nomination made under Sub-regulation-(3) of this Regulation shall not hold good for drawal of the balance of Pension outstanding in the Pensioner's individual Account with the Branch of a Public Sector Bank in the event of the Pensioner's demise during currency of a month. Payment of such outstanding balance of Pension shall be made by the concerned Branch of the Public Sector Bank as per Banking rules and practice.
- (ii) A Pensioner may, however, avail himself/herself of the Nomination facility, if available with the respective Branch of the Public Sector Bank, while opening the individual Account with the Bank for drawal of monthly Pension, so as to avoid in due course any hardship being faced by the Nominee survivor of the deceased in getting the payment of balance amount of Pension, if any, standing in the Account of the deceased Pensioner."

This has reference to Board Resolution NO. 10 dated. 29.1.1990.

R. K. Prasannan
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

FORM - A

Employees' (Death-cum-Retirement Benefit) Regulations, 1985 FORM OF NOMINATION FOR ARREARS OF PENSION [Vide Regulation 15A]

(To be submitted triplicate)

To :
Pension Sanctioning Authority
W.B.S.B. Board, "Vidyut Bhaban"
Block-DJ, Sector-II
Bidhannagar, Kolkata-91

I _____ do hereby nominate the person(s)

(Name of Pensioner in Block Capital Letters)

named below under clause-(i) of Sub-Rule-(3) of Regulation-15A.

Name and address of the Nominee	Relationship with the Pensioner	Date of birth of Nominee	If the nominee is minor	Name and address of other (Please see the Documents) Nominee(s)	Relationship with the Pensioner	Date of birth of other Nominee	Name and address of Person who may receive the said pension during the other nominee's minority	Contingency on happening of which nomination shall become invalid
			Name and address of Person who may receive the said pension during the nominee's minority					
1	2	3	4	5	6	7	8	9

[08]

Address :

Date :

Witness :

1) Signature :
Name and Address

2) Signature :
Name and Address

Signature (or Thumb impression, if not literate) of the Pensioner

P. P. O. No. : _____ Date

Certified that Nomination in Form-A has been received from

Sri/Smt. _____

and duly accepted.

Signature of Pension Sanctioning Authority
& Office Seal

Date :

N. B. Thumb impression must be attested by the competent person with office seal

WEST BENGAL STATE ELECTRICITY BOARD

FORM - B

Employees' (Death-cum-Retirement Benefit) Regulations, 1985
FORM OF NOMINATION [IN CANCELLATION OF FORM - A] FOR ARREARS OF PENSION
[Vide Regulatin 15A]
(To be submitted triplicate)

Pension Sanctioning Authority
W.B.S.B. Board, "Vidyut Bhaban"
Block-DJ, Sector-II
Bidhannagar, Kolkata-91

I _____ do hereby make the following
(Name of Pensioner in Block Capital Letters)
alternative nomination under clause-(ii) of Sub-Rule-(3) of Regulation-15A in cancellation of the previous nomination made in Form-A.

Name and address of the Nominee	Relationship with the Pensioner	If nominee is minor		Name and address of other nominee in case the nominee under Column (1) predeceases the Pensioner.	Relationship with the Pensioner	If the other nominee is minor		Contingency on happening of which nomination shall become invalid
		Date of birth of Nominee	Name and address of Person who may receive the said pension during the nominee's minority			Date of birth of Nominee	Name and address of Person who may receive the said pension during the other nominee's minority	
1	2	3	4	5	6	7	8	9

[18]

Place with Address :

Date :

Witness :

1) Signature :
Name and Address

2) Signature :
Name and Address

Signature (or Thumb impression, if not literate) of the Pensioner

P. P. O. No. : _____ Date

Certified that Nomination in Form-B has been received from

Sri/Smt. _____

and duly accepted. Form-A earlier received and accepted is now cancelled.

Signature of Pension Sanctioning Authority
& Office Seal

Date :

N. B. Thumb impression must be attested by the competent person with office seal

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4544

Dated : 23.7.1990

PROVISIONAL PENSION AND GRATUITY

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act, 1948, the West Bengal State Electricity Board is, hereby, pleased to make the following amendments in the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

In the said Regulations -

Insert the following provisions as Regulation-11(B) after Regulation - 11(A)

11 (B) : Provisional Pension and Gratuity.

- (a) Where finalisation of pension is detained for some reasons other than for no fault on the part of retiring Board employees, provisional pension at the rate of 100% of Pension calculated on the basis of available information and provisional gratuity, after withholding of 10% or Rs. 1,000/- of the Gratuity, whichever is less and also deducting dues to the Board, if any, shall be sanctioned and payable for a period of maximum 12 months to the retired Board employee subject to furnishing a written undertaking by him to the effect that the amount of pension and/or gratuity so sanctioned is subject to revision and is refundable any amount so paid in excess of what he may be eventually found entitled.
- (b) In no case the provisional pension shall continue beyond twelve months. If the pension is not finalised by that time, the provisional pension shall be deemed to be final. But the amount of gratuity so withheld shall be released only after issuance of final order(s) thereon.

Note : Regulation-11(B) shall not prejudice the operation of Regulation-11 and Regulation-11A of the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985.

This has reference to Board Resolution No. : 19 (i) dated. 27.6.1990.

R. K. Prasannan
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4559

DATED : 3.9.1990

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act. 1948, the West Bengal State Electricity Board is pleased, hereby, to make the following provisions regulating the commutation of pension of Board employees in the West Bengal State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985 :

22 (e) : Commutation of pension to become absolute.

The commutation of pension shall become absolute in the case of an applicant -

- (i) Who retired from the Board's service first and thereafter desires through application in prescribed Form to commute a fraction (subject to a maximum 1/3rd) of Pension any time after the date following the date of his retirement from service but before expiry of one year from the date of his retirement, on the date on which the application is received by the Pension Cell of the Board, accordingly reduction in the amount of Pension on account of commutation shall be operative from the month following the month in which the commutation becomes absolute ;
- (ii) Who is due to retire from service of the Board and desires payment of the commuted value of Pension being authorised at the time of issue of the Pension Payment Order and applies through prescribed Form for commutation of a fraction of pension along with pension papers prior to the date of his retirement, on the date following the date of his retirement, subject to eligibility of his pension, accordingly reduction in the amount of pension on account of commutation shall be operative from the inception;
- (iii) Who has to undergo medical examination for availing himself of the benefit of such commutation of pension, on the date on which the medical report is signed by the Medical Authority/Medical Board in Part-II/Part-III of Form Pen/8, accordingly reduction in the amount of pension on account of commutation shall be operative from the month following the month in which the commutation becomes absolute.

Provided that in the case of an applicant when payment of commuted value of pension if any, of the above three cases is not in a position to be made effective in the month in which it

is otherwise due for any reason beyond the control of the Pension Sanctioning/Disbursing Authority and also for any reason not being on the part of the applicant himself/herself, payment of pension shall be payable in full (i.e. gross pension) upto the month preceding the month in which Commutation Value of Pension is remitted to the individual through the single name account being maintained with Bank for the purpose, or otherwise, and the reduction in the amount of pension on account of commutation shall be made operative from the month in which the Commutation Value of Pension is paid.

This Regulation shall take effect with retrospective date from 1.8.1986.

This has reference to Board Resolution No. 3 dated 25.7.1990.

R. K. Prasannan
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4638

DATED : 20.02.1991

Commutation of pension - Amendments in the W.B.S.E.B. Employees' (Death-cum-Retirement Benefit) Regulations, 1985

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act. 1948, the West Bengal State Electricity Board is, hereby, pleased to make the following amendments in the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

In the said Regulations -

For Regulation-22(a), substitute the following regulation :

An employee who is eligible to the benefit of any class of pension under these Regulations including provisional pension and pro-rata pension shall be entitled to commute for a lump-sum payment any portion of his pension, subject to a maximum of 1/3rd of the pension on application by the employee within one year from the date of his retirement without appearing for the medical examination. The employees applying for such commutation after one year of retirement and the employees entitled to Invalid Pension shall have to appear for medical examination.

Provided further that an employee against whom a judicial or departmental proceedings has been instituted shall not be permitted to commute any portion of his pension during pendency of such proceeding.

For Regulation - 25, substitute the following regulation :

An application for commutation of pension submitted by an employee within one year of the date of his retirement will not be subject to any medical examination for the purpose of payment of commuted value. Employees applying for commutation after one year of the date of retirement and/or the employees applying for and entitled to Invalid Pension shall not be exempted from medical examination; they shall require to appear before the Chief Medical Officer of the Board or Medical Officer of equivalent status nominated or authorised by the Pension Sanctioning Authority for medical examination and shall submit certificate to that effect.

An employee applying for commutation of pension will have no option to withdraw his application.

This has reference to Board Resolution No. 4 dated 29.12.1990.

R. K. Prasannan
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4751

DATED : 26.9.1991

Amendment in the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act. 1948, the West Bengal State Electricity Board is, hereby, pleased to make the following amendment in the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendment :

In the said Regulations -

Add the following in regulation-11 (d) (i) :

"Provided further that in the case of permanent employees of Ex-Electricity Development Directorate pension and other retirement benefits shall be granted by the Board, as may be admissible under these Regulations at the time of final retirement, on taking into account the service qualifying for pension as per regulation-7(j) in addition to qualifying service rendered under the Board subject to exercise of option to that effect after foregoing the Govt. Share of pensionary benefits".

This has reference to Board Resolution No. 16 dated 30.8.1991.

R. K. Prasannan
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 4976

DATED : 6.5.1993

Recognition of Service in contingency establishment of the Board for the purpose of Pension

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act. 1948, the West Bengal State Electricity Board is, hereby, pleased to make the following amendments in the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

In the said Regulations -

Insert the following provisions as Regulation-11(e) under the head 'Amount of Pension'.

"11(e) - For the purpose of these Regulations, in respect of a Board employee who has rendered continuous service in contingency/work-charged establishments followed by absorption without break in a post in regular establishment or whose service has been declared as service with permanent or temporary status in a regular establishment, the pensionary benefits shall be calculated either -

i) at the rate that would be admissible had the continuous service (including the portions rendered in the contingency / work-charged establishment) been qualifying for pension less 12½% of such amount.

Or,

ii) on the basis of actual qualifying service in regular establishment, whichever is more favourable.

Note : Such benefit shall be extended to an employee subject to fulfilment of the following conditions :-

- a) Service paid from contingencies should have been a type of work or job for which regular posts could have been sanctioned e.g. Malis, Chowkidars, Khalasis, Mazdoors etc.
- b) Service should have been one for which the payment was made either on monthly, or on daily rates computed and paid on monthly basis and which though not analogous to the regular scale of pay, should bear some relation in the matter of pay, to those being paid for similar jobs being performed by staff in regular establishments.
- c) Service paid from contingencies should have been continuous and followed without interruption, by absorption in regular establishment in the Board.

- d) Subject to above conditions being fulfilled, counting of such service would be limited to the period for which authentic records are available."

This regulation shall take effect with retrospective date from 01.04.1981. Cases settled in the past, however, shall not be re-opened.

This has reference to Board Resolution No. 10 dated 21.12.1992.

S. P. Ghosh
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 5026
DATED : 21.10.1993

Sanction is, hereby accorded towards treatment of the "Non-Practising Allowance" admissible to the Medical Officers of the Board, as "Pay" for all service matters, inclusive of computing Daily Allowance of T. A./Daily Allowance, sanctioning advance for House Building Laons, Dearness Allowance, House Rent Allowance and Retiring Benefits, with effect from 1.9.1993.

This has reference to the Board Resolution No. 8 dated 27.8.1993.

S. P. Ghosh
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 5071

DATED : 28.2.1994

Further liberalisation of the rules for grant of Pension, Family-pension and DCR-Gratuity-amendment of relevant provisions in the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985.

In exercise of the powers conferred by Section-79(c) of the Electricity (Supply) Act. 1948, the West Bengal State Electricity Board is, hereby, pleased to make the following amendments in the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

In the said Regulations -

A. For Item No. (iii) and Item no. (iv) of Sub-Clause-2 of regulation-6 (j) and 'Note' thereunder, substitute the following :-

"6. (j) (2) - (iii). Sons (including step-sons/adopted sons)
upto the age of 25 years,

(iv) Unmarried daughters (including step-daughters/adopted daughters)
upto the age of 25 years.

Note : 1) Adoption after retirement will not be recognised for the purpose of family pension.

2) Post-retired spouses will, however, be eligible for family-pension."

B. For 'Note-2' under regulation-7(1), substitute the following :

"Note-2 : In all cases covered by these Regulations the pensionary liability shall have to be borne by the concerned Ex-employer in accordance with the Rules in force there. The benefit may, however, be allowed where the Ex-employer is unwilling to pay or is not in a position to pay up the dues in this regard provided that pensionary contribution for the period of service in question is paid by the employee concerned. Each case shall be taken up individually."

C. For regulation-14(a), substitute the following :

"14(a). When an employee dies while in service (or after retirement but before receiving the amount of retirement-gratuity), a death-gratuity (or retirement-gratuity),

as prescribed, shall be paid to nominee or nominees of the deceased employee or in equal shares to the surviving members of his/her family as defined in sub-regulation-(j) (1) of regulation-6 of these Regulations, if there be no nominee.

Provided, however, that in the cases where an employee, at the time of death, does not leave behind even a 'family', the amount of gratuity shall be paid to his/her legal heirs on receipt of application for such, in accordance with Law of Succession governing the said employee."

- D. Replace the words "3 years" in regulation-16(i) by the words "one year's".
- E. Replace the words "Rupees 375/-" against item No. 3 in the column "Amount of monthly pension admissible" in regulation-17 by the words "Rupees 400/-". This shall be effective from 01.05.1992.
- F. i) Replace the words "18 Years" in clause- (b) and '21 years' in clause-(c) of regulation-19 by the words "25 years".
- (ii) Delete the word 'minor' from the said clause-(b) of regulation-19.
- G. Insert the following provisions as regulation-19(e) after regulation-19 (d) :
- "19(e). If the son or daughter of an employee is suffering from disease or disability of mind or is physically crippled or disabled so as to render him or her unable to earn a living even after attaining the age of 25 years, the family-pension shall be payable to such son or daughter for life subject to the following conditions, namely :
- i) If such son or daughter is one among two or more children of the employee, the family-pension shall be initially payable to the children in the order set out in clause-(b) and (c) of regulation-19 of these Regulations until the last son or daughter attains the age of 25 years. Thereafter the family-pension shall be resumed in favour of the son or daughter suffering from disorder or disability of mind or who is physically crippled or disabled and shall be payable to him/her for life.
- ii) If there are more than one such son or daughter suffering from disorder and disability of mind or physically crippled and disabled, the family-pension shall be payable in order of their birth and the younger shall get the family-pension only after the elder next above him/her ceases to be eligible. Where the family-pension is payable to twin children, it shall be paid to such twin children in equal shares, provided when one such child ceases to be eligible, his/her share shall revert to the other and when both of them cease to be eligible, the family-pension shall be payable to the next eligible single child/twin children. (This shall apply to children of the employees dying/retiring on or after the date of issue of order).
- (iii) The family-pension shall be paid to such son or daughter through the guardian as if he or she were a minor.

- (iv) Before allowing the family-pension for life to any such son or daughter, the sanctioning authority shall satisfy that the handicap is of such a nature as to prevent him or her from earning his or her livelihood and the same shall be evidenced by a certificate obtained from a medical officer not below the rank of Civil Surgeon setting out, as far as possible, the exact mental or physical condition of the child.
- v) The person receiving the family-pension as guardian of such son or daughter shall produce every three years a certificate from a medical officer not below the rank of Civil Surgeon to the effect that he or she continues to suffer from disorder or disability of mind or continues to be physically crippled or disabled."

These have references to Board's Resolution No. 12 dtd. 30.12.1993.

D. Som
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 5549

DATED : 29.09.1997

Sub : Extension of time for exercise of Option with regard to counting of service rendered under Central and/or State Govt./Autonomus Body/Statutory Body/Undertaking before absorption/joining in WBSEB's employ as qualifying for the purpose of pensionary befenits.

In partial modification of Office Order No. 4398 dtd. 31.3.89 the Board is pleased to make the following amendments in the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985 namely,

Amendment :

In the said Regulations -

A) Subsitute the following provisions after sub-clause-(d) of regulation-7 (1) (iv) :

"Provided, however, that the employees shall have to exercise option in order to avail themselves of the benefit awarded under the said regulation at their convenient time but before the respective date of retirement/death in-harness of the individuals. Option once excersied shall be final."

B) For clause-(a) of 'Note-1' under regulation-7(1), subsitute the following :

"a) Option shall have to be exercised for the purpose at any convenient time after the date of absorption in Board's service as noted above but before the respective date of retirement/death in-harness of the indivudials. Option once exercised shall be final."

This has reference to Board's Resolution No. 23 dtd. 19.6.97.

D. Som
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 5676

DATED : 21.1.1999

Sub : Amendment of WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985 : Insertion of Second Proviso in Regulation 11(A).

In exercise of the powers conferred by Section 79(c) of the Electricity (Supply) Act 1948, the West Bengal State Electricity Board is, hereby, pleased to make the following Amendment in the West Bengal State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985.

Insertion of Second Proviso in Regulation-11(A) namely :

Provided further that the pension of an employee may be released in rarest of the rare cases by the Chairman of the Board even during pendency of the criminal proceedings against the employee where the Chairman of the Board is interalia satisfied that the following conditions are fulfilled :-

- a) There is reasonable possibility of acquittal from all charges levelled against the employee in the pending criminal proceedings.
- b) The conduct of the employee during his tenure in service was otherwise satisfactory in all respects.
- c) The criminal proceeding arises out of due discharge of the official duties by the employee.

The Office Order No. 4232 dated 23.11.1987 is modified to the above extent only.

The order is issued in accordance with the Board Resolution No. 34 dated 29.10.1998.

Rajeev Dube
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 5730

DATED : 09.9.1999

Sub : Revision of Pensionary Benefits of WBSEB employees consequent on the revision of pay under WBSEB ROPA-1999.

Consequent upon revision of Pay & Allowances under the WBSEB ROPA-1999 and in pursuance of Order No. 578-Power/IV/2E-15/99 dated 11.6.99 of Power Department, Govt. of West Bengal the pensionary benefits in respect of the Board employees covered under DCRB Regulations, 1985 and who retired/died after coming into force of the WBSEB ROPA-1999 and whose pay has been fixed under the said rules actually or in whose favour such revised pay has been allowed notionally shall be determined as follows :

- I) Pension shall be calculated at the rate of 50% of the 'emolument', which shall comprise of 'pay' only as defined in Regulation-16(27) of the WBSEBESR last drawn with proportionate reduction for less than 33 years of qualifying service as at present.
- II) The minimum amount of pension/family-pension shall be Rs. 1,300/- (Rupees one thousand three hundred) only per month.
- III) The maximum amount of pension shall be Rs. 10,225/- (Rupees ten thousand two hundred twenty five) only per month.
- IV) Family pension shall be calculated @ 30% of 'pay' drawn last actually or notionally under WBSEB ROPA-1999. The maximum ceiling of family-pension shall be Rs.6,135/- (Rupees six thousand one hundred thirty five) only per month at normal rate.
- V) The maximum amount of Death/Retiring Gratuity shall be Rs. 2,50,000/- (Rupees two lakhs fifty thousand) only. While calculating the amount of death/retiring gratuity, Dearness Allowance drawn/admissible at revised rates immediately before death/retirement shall be taken into account in addition to 'emoluments' as defined in para-I above. There will be no change in the system of calculation of death/retiring gratuity.
- VI) The maximum amount of pension that can be commuted shall be 40% of the amount of pension. The time limit of 15 years from date of retirement for restoration of commuted portion of pension will remain unchanged.
- VII) The pensioners who have already commuted a portion of their pension not exceeding one-third of pension without medical examination are also entitled to commute, if they so desire, the difference between 40% of revised pension and the amount of pension already commuted without medical examination provided they did not mention specific amount in the application for commutation of pension submitted

previously. They shall be required to submit within one year from the date of sanction of revised pension an application in plain paper for further commutation of pension.

The commutation in such cases shall become absolute on the date from which pension has been revised. In other cases, where the pensioner mentioned the specific amount in the application for commutation of pension submitted previously, he/she shall have to apply in the prescribed form for commutation of pension with medical examination and in his/her case commutation of pension shall become absolute as per provision of the existing rules.

- VIII) Employees who retired between 01.01.1996 and 31.03.1997 shall not get any arrears representing the difference between revised pension and existing pension for the period upto 31.03.1997. Payment of gratuity and further commutation (where applicable), in their cases shall, however, be paid as a special case.
- IX) Arrears arising out of revision of pension in respect of the period from 01.04.1997 to 31.7.1999 shall be paid in 8 (eight) monthly instalments beginning with monthly pension/family-pension from November, 1999 and other payment(s) as may be due shall be made in one lump. If any pensioner/family-pensioner dies during this period, the balance of arrear may be paid to his/her nominee(s) or in case if there is no nomination, to his/her legal heir(s).

The relevant regulations in the WBSEB Employees' (Death cum-Retirement Benefit) Regulations, 1985 and Office Order Nos. 5071 dated 28.02.1994, 4587 dated 09.11.1990 and 4373 dated 09.01.1989 shall be deemed to have been amended to the extent of the provisions contained in this order while other terms and conditions of the said Regulations/Orders remain unaltered.

This has reference to Govt. approval communicated vide letter no. 840-Power/IV dated 08.09.1999.

This order is issued in cancellation of Office Order No. 5715 dated. 10/12.07.1999.

Rajeev Dube
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

OFFICE ORDER NO. 5795

DATED : 22.5.2000

Sub : Weightage towards qualifying service on voluntary retirement of Board's employees on completion of 20 years qualifying service.

In exercise of the powers conferred by Sub-Section-(e) of Section-79 of the Electricity (Supply) Act. 1948, the West Bengal State Electricity Board is pleased to make, hereby, the following amendment in Regulation-9 (ii) of the West Bengal State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985 namely :

Amendment :

Insert the following provisions in the Regulations-9(ii) of W.B.S.E.B. Employees' (Death-cum-Retirement Benefit) Regulations, 1985 :

"Weightage upto 5 (five) years would be given towards qualifying service in addition to the qualifying service actually rendered by the concerned employee subject to the condition that the total qualifying service after allowing the weightage should not in any event exceed 30 (thirty) years qualifying service".

The other conditions are :-

1. An employee seeking voluntary retirement shall have to put not less than 20 years qualifying service and apply to the appointing authority by giving at least 3 (three) months notice in writing.
2. Weightage of 5 (five) years under the rule shall not be admissible in case of those WBSEB employees who are prematurely retired by the WBSEB in the interest of the WBSEB.
3. While granting pension to a Board employee retiring voluntarily under this scheme the grant of weightage of upto 5 (five) 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 (thirty) 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 Regulation-9 (ii) of the W.B.S.E.B. Employees' (D.C.R.B.) Regulations, 1985.
- (i) If a Board employee belonging to Class-I or Class-II 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 of service, the weightage in pension would be limited only upto 3 (three) years.

- (ii) If a Board employee belonging to Class-III or Class-IV 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 upto 4 (four) years.
4. The weightage will be only an addition to the qualifying service for the purpose of pension and gratuity. It will entitle the Board's employees retiring voluntarily to any notional fixation of pay for the purpose of calculating the pension and gratuity which will be based on the actual emoluments calculated with reference to the date of retirement.

This amendment will take effect from the date of issue of the office order.

This has reference to Board Resolution No. 13 date 23.02.2000.

Rajeev Dube
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

Circular NO. 34/2001

DATED : 14.12.2001

Sub : Reopening of the scope for exercise of option for Pension Scheme.

The Board implemented the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985 with effect from 04.05.1985. This scheme is compulsorily applicable for those Board employees who joined at Board's service on or after 4.5.85. Again, Board employees who have joined at Board's service till 3.5.85 and also those who retired on or after 1.4.81 were given scope to exercise option time to time till 3.12.95 i.e. last date of exercising option vide Circular No. 93/325 dated 4.12.93, for coming over to the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985 on certain terms and conditions.

2. Pursuant to the order of Calcutta High Court dated 20.12.99 against Writ Petition No. 2153 of 1999 in the subject of WBSEB Workmen's Union and others vs. Union of India and others, the matter of scope for reopening to exercise option for coming over to the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985, i.e. Board's Pension Scheme was examined by the Board and it has been decided that those employees who joined at Board's service between 1.3.71 and 3.5.85 shall be given an opportunity to exercise option for coming over to the WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985.

3. The benefit of exercising option for coming over to WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985 is also extended to the employees who joined at Board's service before 1.3.71 and are at present governed by the WBSEB ECPF Regulations, 1965 (framed under the E.P.F. & M.P. Act, 1952).

4. The benefit of such opportunity of exercising option for coming over to WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985 shall be extended to retired employees/legal heir(s) of the deceased employees who joined at Board's service between 1.3.1971 and 3.5.1985 i.e. governed by the Employees' Pension Scheme, 1995 and do not want to take the benefit of Employees' Pension Scheme '95. But for the employees whose provident fund final payment claims have already been settled before the issue of this order, this opportunity of exercising option for Board's Pension Scheme shall not be available to them.

5. The option form shall have to be submitted within 30.6.2002.

6. All employees who are willing to avail of the benefit of WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985, shall submit option to the respective Controlling Officer (not below the rank of Divisional Engineer).

7. The ex-military pensioners subsequently joined in the Board shall not be allowed to exercise option for Board's Pension Scheme irrespective of their entry in Board's service. All Controlling Officers are hereby directed not to acknowledge the option if given by such employees.

8. A booklet of comparative analysis of different benefits between Board's Pension Scheme and Employees' Pension Scheme'95 is enclosed. All Controlling Officers are directed to bring the circular and the booklet to the notice of all employees working under their control by making out such number of copies as may be necessary from their end. The options may be obtained from the employees in triplicate in the enclosed format and the proper scrutiny should be exercised by the Controlling Officer whether the option form is correctly filled in up. All copies of option form may be acknowledged by the Controlling Officer and shall be sent to the Sr. Manager (F&A) (Pension Cell) for acceptance. A comprehensive list of employees giving option in favour of Board's Pension Scheme may be prepared by all accounting units and to be displayed in the Notice Board of all establishments under that accounting unit, which should be reconciled with the list of accepted optees prepared by Board's Pension Cell. The Board's Pension Cell shall send one copy of accepted option form to the respective accounting unit for pasting in Service Book of the concerned employee, a noting in red ink may be kept in Service Book whose accepted option form has been pasted in Service Book. One copy of accepted option form shall be sent to Corporate Provident Fund Section by the Board's Pension Cell.

9. This Option Scheme is available to retired/legal heir(s) of deceased employees, who joined at Board's service between 01.3.1971 and 03.05.1985 and the provident fund final payment claims of whom have not been settled till the date of issue of this Circular. They shall submit such option in triplicate to the Sr. Manager(F&A) (Pension Cell) within 30.06.2002 for scrutiny by Corporate Provident Fund Section and subsequent acceptance by Board's Pension Cell. One copy shall be kept at Pension Cell, one copy may be pasted in the service book of retired/deceased employee and the last copy to be sent to Corporate Provident Fund Section.

All Controlling Officers may be directed that the Circular and the Booklet must be reached to all employees under their control in time, so that, the employees may get the opportunity for exercising option within the period stipulated in this Circular.

All concerned should extend all sorts of co-operation in this regard. Please note that last date for submission of option is 30.6.2002.

A. R. Bardhan
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

Circular NO. 02/2003

DATED : 04.02.2003

Sub : Terminal benefits in respect of the Board employees.

It has been brought to the notice of the undersigned that provisions contained in Memorandum no. Nil dated 27.07.1990 of the undersigned are not followed properly while forwarding the proposal/documents for sanction of terminal benefits viz. Pension/Gratuity under DCRB Regulations, 1985 (Pension Scheme) as well as those under Gratuity Act' 72 (CPF/EPS/FPS) by the unit authorities to the Sr. Manager (F&A)-Pension/Assistant Manager (F&A)-G&GI resulting in delay in settlement of the claims.

In order to expedite settlement of terminal claims, it is directed that all Controlling Officers/Drawing & Disbursing Officers should ensure observance of formalities as incorporated in Memorandum no. Nil dated 27.07.1990 in every case togetherwith some of the important features as indicated below :-

- (i) Retirement Notices/death intimations must contain the name of father/husband, (as the case may be) of the employees. Retirement notice should also contain the PF A/c. number and Pension Option number, when-ever possible to avoid difficulty in issuance of pension claim forms in the case of identical names.
- (ii) 'Pension' means pension-cum-gratuity, if not otherwise specifically mentioned. As such, 'History of service', 'Proposal for sanction of gratuity' and such other forms which are required for sanction of gratuity under Gratuity Act, 1972 in the cases of employees holding CPF/FPS/EPS only, need not be forwarded in the cases of pension optees.
- (iii) While submitting the claim forms for sanction of terminal benefits, utmost care should be taken so that service books are complete in all respects, especially in the matter of verification of service of the employees which should always be upto the date of retirement or death as the case may be.
- (iv) No Demand Certificate and Last Pay Certificate should be very specific with all information viz. date of last increment, date of vacation of quarter, payment of leave encashment, amount to be recovered, if any etc.
- (v) Copy of Last Increment Order in respect of the Class-I & Class-II employees should invariably be sent for sanction of terminal claims.
- (vi) All documents should be forwarded at a time and alongwith the claim - forms and not in piecemeal manner.

S. K. Gupta
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

Office Order No. : 6032

DATED : 28.02.2003

Procedure relating to sanction of pension - Amendment in WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985

In exercise of the power conferred by Section-79(c) of the Electricity (Supply) Act, 1948, The West Bengal State Electricity Board is pleased to make, hereby, the following amendments in the West Bengal State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

Insert the following provisions as regulation - 26A after regulation-26 :

- "26A. i) The Head of Office shall go through the service book of the employee concerned and satisfy himself as to the verification of entire service.
- (ii) The unverified portion or portions of service of an employee may be verified with reference to pay bills, acquittance rolls or other relevant records and a certificate to that effect may be obtained from the respective controlling officers.
- (iii) If any portion of service rendered by an employee is not capable of being verified in the manner specified in clause-(ii) above of this regulation, the employee concerned shall be asked to file a written statement on plain paper stating that he had in fact rendered that period of service (without any break or interruption). He shall also state therein whether he had participated in any illegal strike during that period and/or availed of any leave without pay other than on medical certificate and if so, total number of days spent as such shall be disclosed. He shall at the foot of the statement make and subscribe a declaration as to the truth of that statement and shall in support of such declaration produce all documentary evidences and furnish all information which is in his power to produce or furnish.
- (iv) The authority competent to sanction pension shall after taking into consideration the facts in written statement and the evidence produced and information furnished by the employee concerned in support of the said period of service, if satisfied, admit that portion of service as having been rendered for the purpose of calculation of pension of that employee.

- (v) Every effort shall be made to complete the verification of service as above and to make good omission, imperfection or deficiency if any, which has a direct bearing on the determination of emoluments and/or the service qualifying for pension.
- (vi) Any omissions, imperfections or deficiencies including the portion of service shown as unverified in the service book of which it has not been possible to verify in accordance with the procedure laid down in clause-(i) to (iv) above of this regulation shall be ignored and service qualifying for pension shall be determined on the basis of entries in the service book."

This has reference to Board's Resolution No. 13 dtd. 13.02.2003.

S. K. Gupta
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

Office Order No. : 6033

DATED : 28.02.2003

Non-entitlement of Board's Pension to the re-employed Ex-Servicemen pension holders - Amendment in WBSEB Employees' (Death-cum-Retirement Benefit) Regulations, 1985

In exercise of the power conferred by Section-79 (c) of the Electricity (Supply) Act, 1948, the West Bengal State Electricity Board is pleased to make, hereby, the following amendments in the West Bengal State Electricity Board Employees' (Death-cum-Retirement Benefit) Regulations, 1985, namely :

Amendments :

In the said Regulations -

- i) re-number the existing Regulation-2 as Regulation-2A, and
- ii) after Regulation - 2A as re-numbered, insert the following provisions as Regulation - 2 B :

"2B. These Regulations shall not, however, apply to the Military Pensioners re-employed in Board's service, even if appointed after publication of these Regulations (04 May 1985)."

This has reference to Board's Resolution No. 15 dated 13.02.2003.

S. K. Gupta
Secretary

WEST BENGAL STATE ELECTRICITY BOARD

Employees' (Death-Cum-Retirement Benefit) Regulation, 1985

Amended Utp 31.7.2004



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