

DEATH GRATUITY

👉👉👉 আজকের আলোচনা Death Gratuity নিয়ে।

👉👉👉 DCRB 1981 তে Death Gratuity এর উল্লেখ আছে। সেই নিয়ম অনুযায়ী আমরা দেখে নেবো Death Gratuity কাব্রা Claim করতে পারবেন।

👉👉👉 কোনো কর্মচারী ১ দিন চাকুরি করে বা চাকুরিতে যোগদান করার দিনই যদি মারা যান তাহলে তাঁর পরিবার Death Gratuity Claim করতে পারবে।

👉👉👉 কোনো কর্মচারী চাকুরির নিয়মানুসারে ৬০ বছর বয়সে অবসরের আগে যদি মারা যান তাহলে তাঁর পরিবার Death Gratuity Claim করতে পারবে।

👉👉👉 কোনো কর্মচারী ৬০ বছর বয়সে অবসর গ্রহণ করলেন ও উনি উন্নার Basic Pension Commute করলেন না, তাহলে উনি উন্নার ৬৫ বছর বয়সের মধ্যে যদি মারা যান তাহলে তাঁর পরিবার Death Gratuity Claim করতে পারবে।

👉👉👉 এবার Death Gratuity এর Nominee বিষয়ক সমস্যাগুলো বিস্তারিত জেনে নেবো।

👉👉👉 কোনো কর্মচারীর Minimum Qualifying Service ৫ বছর হলেই তিনি লিখিতভাবে Nominee করে যেতে পারবেন, তবে ওই Nominee যেন Family Member দের মধ্যে হয়, নাহলে Nominee Cancel হতে পারে।

👉👉👉 কোনো কর্মচারী তাঁর পরিবারের একাধিক সদস্যকেও Nominee করতে পারেন, তবে এক্ষেত্রে পুরো Death Gratuity এর Share উল্লেখ করতে হবে।

👉👉👉 কর্মচারী যেকোনো সময় চাইলে Nominee Change করতে পারেন।

👉👉👉 কোনো কর্মচারী যদি পরিবারের নির্দিষ্ট কাউকে Nominee করে থাকেন, তাহলে অন্য সদস্যদের No Objection লাগবে, No Objection না পেলে Nominee Cancel ও হতে পারে।

👉👉👉 কোনো কর্মচারী যদি Nominee না করেই মারা যান তাহলে উনার Death Gratuity Claim করার জন্য Employee এর Legal Heir Certificate বের করতে হবে, এর জন্য প্রথমে কোনো Court থেকে Affidavit করে সেটি পৌরসভা বা পঞ্চায়েতে জমা দিয়ে পৌরসভার Chairman বা পঞ্চায়েত প্রধানের কাছ থেকে Legal Heir Certificate নিতে হবে।

Indemnity Bond বানাতে হবে ও সেখানে উল্লেখ করা থাকবে ওই employee এর পরিবারের কে নেবেন ও সেখানে দুজন সাক্ষী দিয়ে সই করাতে হবে। একাধিক সদস্য পরিবারে থাকলে ১০ টাকার Stamp Paper এ যিনি নেবেন তিনি ছাড়া বাকি সদস্যদের No Objection দিতে হবে।

👉👉👉 আর যদি কোনো কর্মচারী Nominee করে রেখে মারা যান তাহলে উনার Legal Heir Certificate বের করতে হবে, পরিবারে একাধিক সদস্য হলে ১০ টাকার Stamp Paper এ No Objection নিতে হবে বাকি সদস্যদের, এক্ষেত্রে Indemnity Bond লাগবে না।

👉👉👉 বিভিন্ন সময়ে বিভিন্ন Pay Commission অনুযায়ী Death Gratuity এর সর্বোচ্চ Amount Change হয়েছে, 157-Edn(B) dt. 13.06.1990 অনুযায়ী Death Gratuity ছিল 115000 টাকা, 227-SE(B) dt. 06.09.1999 অনুযায়ী Death Gratuity বেড়ে হলো 250000 টাকা, 201-F(Pen) dt. 25.02.2009 অনুযায়ী বেড়ে হলো 600000 টাকা, একদম Latest ROPA 2019 এর 536-F(Pen) dt. 01.10.2019 অনুযায়ী বেড়ে হলো 1200000 টাকা।

👉👉👉 এবার দেখে নেবো ROPA 2019 অনুযায়ী Death Gratuity এর Calculation কিভাবে করবো👉👉👉👉👉👉👉👉

👉👉👉 ১ বছরের কম চাকুরি করে মারা গেলে Death Gratuity হবে = (Last Basic Pay + DA) × ২

👉👉👉 ১ বছর বা তার বেশি কিন্তু ৫ বছরের কম হলে Death Gratuity= Last Basic Pay+ DA × ৬

👉👉👉 ৫ বছর বা তার বেশি কিন্তু ১১ বছরের কম হলে Death Gratuity= Last Basic Pay + DA × ১২

👉👉👉 ১১ বছর বা তার বেশি কিন্তু ২০ বছরের কম হলে Death Gratuity= Last Basic Pay + DA × ২০

👉👉👉 ২০ বছর বা তার বেশি হলে Death Gratuity = Last Basic Pay + DA × Qualifying Service

👉👉👉 একটি কথা মাথায় রাখুন Death Gratuity এর ক্ষেত্রেও Maximum Qualifying Service ধরতে হবে ৩৩ বছর সে আপনি যত বছরই চাকুরি করুন না কেনো, যেমনটা Retiring Gratuity এর ক্ষেত্রে আমরা দেখেছি। Death Gratuity এর হিসেব Qualifying Service দিয়ে করলেই ভালো আমার মতে।

👉👉👉 ২০ বছরের বেশি চাকুরি করে যখন কোনো কর্মচারী মারা যাবেন তখন উনার Last Basic Pay + DA মিলিয়ে যা হবে তাকে Qualifying Service দিয়ে গণ করতে হবে, ধরুন কোনো কর্মচারী ২৫ বছর ১০ মাস চাকুরি করে মারা গেলেন ও তাঁর Last Basic Pay ও DA মিলিয়ে হলো ৪০০০০ টাকা, তাহলে উনার Qualifying Service হবে ২৬ বছর(কারুন ৯ মাস পেরিয়ে গেছে তাই Qualifying Service এর ক্ষেত্রে ১ ইউনিট ধরেছি, এগুলো আমরা আগে জেনেছি) অর্থাৎ উনার Death Gratuity হবে= $40000 \times 26 = 1080000$ টাকা। আবার কোনো কর্মচারী ৩৪ বছর চাকুরি করে মারা গেলেন যার last basic pay আর DA মিলিয়ে ছিল ৫০০০০ টাকা, এক্ষেত্রে তাঁর Death Gratuity Calculation এর সময় কিন্তু

৩৩ দিয়ে ওণ কৰতে হবে ৩৪ দিয়ে নয় অৰ্থাৎ এক্ষেত্ৰে উনি Death Gratuity সৰ্বোচ্চ পাৰেন অৰ্থাৎ ১২০০০০০ টাকা।

👉👉👉 N.B- কোনো কৰ্মচাৰী যদি Pension Commute কৰেন তাহলে তাৰ পৰিবাৰ Death Gratuity Claim কৰতে পাৰেনা।

👉👉👉 নীচে সমস্ত Order ওলো দেওয়া হলো দেখুন।

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...covering on one or more
under paragraph 21 and also the gratuity that may be sanctioned
same paragraph.

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 persons under sub-paragraph
(1), he shall specify in the nomination the amount of share payable to
each of the nominees in such manner as to cover the whole amount of
the gratuity.
- (3) An employee may provide in a nomination—
(a) That in respect of any specified nominee, in the event of his/her
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) Every nomination shall be in such one of the Forms A to D in Appendix
II as may be approved in the circumstances of the case.
- (6) An employee may at any time cancel a nomination by sending a notice
in writing and the employee shall along with such notice send a fresh
nomination made in accordance with this Scheme.
- (7) Immediately on the death of a nominee in respect of whom no special
provision has been made in the nomination under clause (a) of sub-
paragraph (3) or on the occurrence of any event by reason of which
the nomination becomes invalid in pursuance of clause (b) of that sub-
paragraph (4), the employee shall send a notice in writing formally
cancelling the nomination, together with a fresh nomination made in
accordance with this paragraph.
- (8) Every nomination made, and every notice of cancellation given, by an
employee under this paragraph shall be sent, to the appointing authority
or Head of the Institution/Organisation as the case may be who
shall ; immediately on receipt a nomination, countersign in indicating
the date of receipt and get the same pasted in the service Book.
- (9) Every nomination made, and every notice of cancellation given by an
employee, shall, to the extent that it is valid, take effect on the date on
which it is received by the authority mentioned in Sub-paragraph (8).

under paragraph 20 dies within five years from the date of retirement and the same actually received or payable to the members of his/her family on account of retiring gratuity, is less than the amount that would have been admissible as death gratuity under paragraph 21, had he died on the date of retirement, this balance shall be paid as gratuity to the person on whom the right to receive the gratuity is conformed under paragraph 22 or if there is no such person to the members of his family.

Nomination—

- (1) Any employee to whom this scheme applies may, provided he has completed five years' qualifying service, make a nomination in writing

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date of retirement up to the date immediately preceding the date on which he was placed on suspension, but no gratuity or death-cum-retirement gratuity shall be paid to him until the conclusion of such proceeding and the issue of final orders thereon.

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

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

CHAPTER VI

Gratuity

20. (a) For service of 10 years or more the rate of gratuity is 1/4th of the amount reckonable for pension for each six monthly period of service, subject to a maximum of 16½ months' emoluments. The maximum amount is, however, Rs. 36,000/-.

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

CHAPTER VII

Death Gratuity and Family Pension

21. Death gratuity—when an employee who has completed five years' qualifying service dies while in service, a death gratuity shall be paid to the nominee or nominees of the deceased employee or to the surviving members of his family as defined in paragraphs 5 S(2) of Chapter II in equal shares, if there be no nominee, subject to a minimum of 12 times of the amount reckonable for pension and a maximum of 16½ times of the amount reckonable for pension.

The death gratuity will be admissible at the rate of 1/4th of the emoluments last drawn for each six monthly period of service.

When an employee who has become eligible for pension and retiring gratuity under paragraph 20 dies within five years from the date of retirement and the same actually received or payable to the members of his/her family on account of retiring gratuity, is less than the amount that would have been admissible as death gratuity under paragraph 21, had he died on the date of retirement, this balance shall be paid as gratuity to the person on whom the right to receive the gratuity is conformed under paragraph 22 or if there is no such person to the members of his family.

22. Nomination—(1) Any employee to whom this scheme applies may, provided he has completed five years' qualifying service, make a nomination in writing in the prescribed form shown in Appendix II conferring on one or more persons the right to receive the death gratuity that may be sanctioned under paragraph 21 and also the gratuity that may be payable under the same paragraph.

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-paragraph (1), he shall specify in the nomination the amount of share payable to each of the nominees in such manner as to cover the whole amount of the gratuity.

(3) An employee may provide in a nomination—

(4) That in respect of any specified nominee, in the event of his/her 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

(5) 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.

CHAPTER III

Gratuity.

22. Gratuity.— (1) For a service of 10 years or more, an employee is entitled to retiring gratuity at the rate of one-fourth of his for each completed six monthly period of satisfactory qualifying service, subject to a maximum of 16½ months emoluments as fixed by the Government. For service of less than 10 years but more than at least 1 year, the rate of gratuity is $\frac{1}{2}$ month's emoluments reckonable for pension for every completed six monthly period of service. The maximum amount is however Rs.2, 50, 000/- :

Provided that the period of satisfactory qualifying exceeding 33 years shall not be counted.

(2) No gratuity shall be paid to an employee against whom a departmental or judicial proceeding is instituted or pending, until the conclusion of such proceeding and the issue of final order.

(3) While calculating the amount of death or retirement Gratuity, Dearness pay and Dearness Allowances drawn immediately before death or retirement shall be taken into account in addition to Basic Pay last drawn.

23. Provisional gratuity.— An employee whose gratuity is not sanctioned for the reasons as stated in sub-rule (2) of rule 22, provisional gratuity, after withholding of 10 per cent or Rs.10, 000/- of the provisional gratuity, whichever is less should be sanctioned to the retiring employee by Pension Sanctioning Authority concerned subject to the furnishing a written undertaking by the pensioner concerned.

CHAPTER IV

Provisions relating to death gratuity and family pension.

24. Death gratuity.— (1) In the event of death in harness, the death gratuity shall be admissible at such rates as mentioned in table below:—

Table

Length of qualifying service	Rate of death gratuity
(a) Less than one year	2 times of the amount reckonable as Gratuity
(b) One year or more but less than 5	6 times of the amount reckonable as Gratuity
(c) 5 years or more but less than 20 years	12 times of the amount reckonable as Gratuity
(d) 20 years or more	Half of the amount reckonable for Gratuity for every completed 6 monthly period of qualifying service, subject to maximum of 33 times of the amount reckonable for Gratuity.

In no case the amount shall exceed Rs.2, 50,000/-

25. Nomination.— (1) Any employee to whom these rules apply shall make a nomination in writing in the appropriate form conferring on one or more persons the right to receive the retiring gratuity or death gratuity that may be sanctioned under these rules.

(2) The concerned employee as well as the heads of offices shall follow the following nomination procedure:—

- every whole time and regular West Bengal Recognized Non-Government Educational Institution Employees and teachers shall execute nomination in the proper form as prescribed under these rules just after his joining the service or as soon as his or her services are made whole time and regular;
- it shall be the duty of every head of office to supply necessary Form of nomination for West Bengal Primary Teachers' Death Cum Retirement Benefit Rules to every whole time and regular employee on the very date of his joining service or on the date in which the employee is brought under whole time and regular service;
- on receiving the nomination Form from the employee concerned, the same should be pasted in the service Book after it is duly countersigned by the head of the office as required under these rules;
- the statement of family should be obtained just after the employee completes one year's service and the

years	pension
100 years or more	100% of the basic family pension

C. Gratuity

The maximum amount of Death / Retiring Gratuity of Rs. 2.5 lakh (Rupees two lakh fifty thousand) only as laid down in Memo. No. 1127-F(Pen) dated 27.10.1998 shall be raised to Rs. 6.0 lakh (Rupees six lakh) only.

D. Regulation of the cases of pensioners/family pensioners during the period from 01.01.2006 to 31.03.2008

- (i) State Government employees who retired during the period from 01.01.2006 to 31.03.2008 are also entitled to have their pensionary benefits revised notionally in terms of the West Bengal Services (Revision of Pay and Allowance) Rules, 2009 for the period prior to 01.04.2008. They shall not get any arrears representing the difference between revised pension and existing pension for the period upto 31.03.2008. They shall continue to draw the existing amount of pension which was fixed without taking into account the benefit of notional fixation of pay upto 31.03.2008. They shall get actual payment of revised pensionary benefits, i.e., pension, death / retiring gratuity and family pension arrived at on the basis of emolument allowed notionally as a special case. In their cases pensionary benefits shall be calculated on the basis of notional pay fixed under West Bengal Services (Revision of Pay and Allowance) Rules, 2009 and also on the basis of certificate of notional emoluments (in lieu of Pay Certificate) to be issued by the respective Pension Sanctioning Authority on the date of retirement/ death based on initial notional pay, as a special case and in relaxation of normal rules.
- (ii) The Accountant General (A&E), West Bengal will issue authority for payment of revised pensionary benefits with effect from 01.04.2008

C. Gratuity

The maximum amount of Death / Retiring Gratuity of Rs.6.0 lakh (Rupees six lakh) only as laid down in Memo. No.201-F(Pen), dated 25.02.2009 shall be raised to Rs. 12.0 lakh (Rupees twelve lakhs) only.

The rates for payment of death gratuity shall be revised as under:

Length of Qualifying Service	Rate of Death Gratuity
Less than 1 (one) year	2 times of last drawn monthly emoluments
1 (one) year or more but less than 5 (five) years	6 times of last drawn monthly emoluments
5 (five) years or more but less than 11 (eleven) years	12 times of last drawn monthly emoluments
11 (eleven) years or more but less than 20 (twenty) years	20 times of last drawn monthly emoluments
20 (twenty) years or more	Half of the last drawn monthly emoluments for every completed six monthly period of qualifying service subject to a maximum of 33 times of last drawn monthly emoluments

D. Regulation of the cases of pensioners/family pensioners during the period from 01.01.2016 to 31.12.2019

- (i) In case of State Government employees who retired on or after 01.01.2016 and in whose cases Pension Payment Orders have already been issued by the A.G (A&E), West Bengal till the date of issue of this memorandum, their cases for revision of pensionary benefits may be processed by the Pension Sanctioning Authority on receiving an application in this respect in the form as given at Annexure I. Such Government employees are entitled to have their pensionary benefits revised notionally in terms of the West Bengal Services (Revision of Pay and Allowance) Rules, 2019 from 01.01.2016 with actual effect from 01.01.2020. They shall not get any arrears representing the difference between revised pension and existing pension for the period from 01.01.2016 to 31.12.2019. They shall continue to draw the existing amount of pension which was fixed without taking into account the benefit of notional fixation of pay up to 31.12.2019. They shall get death / retiring gratuity on the basis of emolument allowed notionally as a special case. They shall be entitled to commute 40% of the revised pension. Due to entitlement of revised amount of death / retiring gratuity and commuted value of pension, the payment of balance amount of death / retiring gratuity and commuted value of pension will be continued to be paid by the Pension Sanctioning Authority through the DDO. The Pension Sanctioning Authority will sanction revised pension/family pension, balance amount of death / retiring gratuity and commuted value of pension, if any in the form as given at Annexure II and III (as applicable) and the copies of the sanction order shall be sent to the AG.(A&E), West Bengal as well as to the concerned Treasury Officer, the concerned bank and the concerned pensioner/family pensioner. All the Treasury Officers and Public Sector Banks in Kolkata disbursing pension/family pension to the State Government pensioners are authorized to pay pension/family pension at the revised rate without further authorization from the AG.(A&E) , W.B which had authorized pension/family pension originally.

Death Gratuity

একজন সরকারি কর্মচারী মৃত্যুতম এক দিন চাকরি করে মারা গেলে তার পরিবার Death Gratuity পাবে।

চাকরিজীবন => 1 বছরের কম

Death Gratuity = (Last Basic+D.A.) × 2

চাকরিজীবন => 1 বছর বা তার বেশি কিন্তু 5 বছরের কম

Death Gratuity = (Last Basic+D.A.) × 6

চাকরিজীবন => 5 বছর বা তার বেশি কিন্তু 11 বছরের কম

Death Gratuity = (Last Basic+D.A.) × 12

চাকরিজীবন => 11 বছর বা তার বেশি কিন্তু 20 বছরের কম

Death Gratuity = (Last Basic+D.A.) × 20

চাকরিজীবন => 20 বছর বা তার বেশি

Death Gratuity = {((Last Basic+D.A.) × Units of Service) ÷ 2}

Units of Service = যোগ্য চাকরিজীবন × 2

প্রতি 6 মাসের চাকরিজীবন = 1 ইউনিট হয়।

তৃতীয় থেকে অষ্টম মাস পর্যন্ত = 1 ইউনিট

নবম থেকে পরবর্তী বছরের দ্বিতীয় মাস পর্যন্ত = 2 ইউনিট

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✓ Death Gratuity তে সর্বোচ্চ 66 ইউনিট ধরে হিসাব করা যায়। কর্মচারী চাকরিজীবনের 33 বছরের বেশি চাকরি করে মারা গেলেও 33 বছর বা 66 ইউনিট হিসাবেই পরিবার Death Gratuity পাবে।

✓ Ropan 2019 অনুযায়ী সর্বোচ্চ Death Gratuity এর পরিমাণ 12 লাখ টাকা।