

The West Bengal Disability Pension Scheme

2010



**Govt. of West Bengal
Department of Women & Child
Development and Social Welfare
Writers' Buildings,
Kolkata – 700001**

GOVERNMENT OF WEST BENGAL
Department of Women & Child Development
and Social Welfare
Writers' Buildings, Kolkata – 1

NOTIFICATION

No. 1682 – SW/O/2M-16/09 Dated, 1/6/11 The Governor is pleased hereby to introduce the **West Bengal Disability Pension Scheme, 2010**, in supersession of all previous Government Orders relating to introduction and amendments of the West Bengal Disability Pension Rules, 1990, with a view to extending financial assistance to the disabled persons of the State of West Bengal as follows:-

Scheme

1. **Short title and commencement** – (1) This scheme may be called the West Bengal Disability Pension Scheme, 2010. (2) It shall come into force on such date, as the State Government may, by notification in the Official Gazette, appoint.

2. **Application of the scheme** – (1) This scheme shall apply to a disabled person entitled to receive pension under this scheme, if the disabled person satisfies the following conditions:-

- (a) The Disabled person is a citizen of India and resident of the state namely West Bengal;
- (b) The Disabled person's family income, if any, does not exceed Rs. 1000.00 (one thousand) per month;
- (c) The Disabled person is declared unsuitable for physical work by the respective Medical Officer;
- (d) The Disabled person has been a resident of the state namely West Bengal for not less than 10 years on the date of making application for Pension.

Provided that in case of the disabled person whose age is below 10 years, the period of residence shall be limited to the period covered by the date of birth and date of submission of the application.

(2) The State Government, however, reserves the right to relax the condition regarding residence mentioned in paragraph (d) of sub-clause (1) of clause 2, where the condition causes undue hardship.

Note 1. – Professional beggars and mendicants shall not be eligible for pension

under this scheme. But persons who are not actually beggars by profession but receive occasional assistance from some one shall be entitled to pension, if otherwise eligible.

Note 2. – The Disabled person who is a recipient of “Widow Pension”, “Old Age Pension” “Farmers Pension” or pension under “Family Pension Scheme” of the State Government / the Central Government / other concerns, shall not be entitled to the Pension under this scheme.

(3) **Definition** – In this scheme, unless there is anything repugnant in the subject or context –

- (a) “Application” means an application for Pension;
- (b) “Form” means a form as prescribed by the State Government in this behalf;
- (c) “District Officer” means the District Magistrate or the Deputy Commissioner of the District;
- (d) “The Disabled person” means and includes both male or female person who is deaf and dumb or blind or orthopaedically handicapped or mentally retarded and permanently incapacitated to earn a living and declared as such by the medical officer as the case may be, and satisfies the conditions provided in sub-clauses (1) and (2) of clause 2 of the scheme;
- (e) “Medical Officer” means a Medical Officer in charge of Public Health Centre, in case of rural areas, in case of municipal areas (not fallen under Kolkata Municipal Corporation) / notified areas, a Medical Officer in charge of the sub-divisional hospital. They shall issue disability certificate. In case of the areas fallen under Kolkata Municipal Corporation, a Medical Officer appointed by the Controller of Vagrancy, West Bengal, for this purpose shall issue necessary certificate. No pension will be admissible to a disabled person with degree of disability of less than 40 per cent;
- (f) “Pension” means Disability Pension under this scheme;
- (g) “Pensioner” means the Disabled person who has been allotted Disability Pension under this scheme;
- (h) “Secretary” means and includes the Secretary or the Principal Secretary to the Government of West Bengal, Department of Women & Child Development and Social Welfare;
- (i) “State Government” means the State Government in the Department of Women and Child Development and Social Welfare;
- (j) “State” means the State of West Bengal.

4. **Method of Applying for Disability Pension – (1)**

Application Form (**Appendix-A**) for Pension may be obtained free of cost from following offices namely:-

- (a) office of the Block Development Officer or the Executive Officer of the concerned Panchayat Samity in case of the applicant resides in the rural areas under the said Panchayat Samity;
- (b) office of the Sub-Divisional Officer in case of the applicant resides in Municipal / Notified areas outside the areas of Kolkata Municipal Corporation, and
- (c) office of the Controller of Vagrancy, West Bengal situated at Purta Bhawan, Bidhan Nagar, Kolkata 700091, in case of the applicant resides within the areas under Kolkata Municipal Corporation.

(2) Application Form for Pension shall be addressed to:-

- (a) the District Magistrate of the concerned District and shall be submitted to the Block Development Officer or the Executive Officer of the Panchayat Samity in case of the applicant residing in the rural areas under a Panchayat Samity;
- (b) the District Magistrate of the concerned District and shall be submitted to the Sub-Divisional Officer in case of the applicant residing in Municipal / Notified areas outside the areas of Kolkata Municipal Corporation; and
- (c) the Controller of Vagrancy, West Bengal and shall be submitted to the Controller of Vagrancy, West Bengal in case of the applicant residing within the areas under Kolkata Municipal Corporation.

5. **Verification of Application** – (1) All applications received shall be serially numbered and verified as follows:-

(a) in case of the applicant residing in the rural areas under a Panchayat Samity, or under a Municipal / Notified areas outside the areas of Kolkata Municipal Corporation and if the application is found in order, the concerned Sub-Divisional Officer or the Block Development Officer, as the case may be, shall cause an enquiry maintaining the serial number through the Block Welfare Officer / the Welfare Officer or through any other Officer authorized in this behalf within a period of one month.

(b) After the enquiry the concerned Block Development Officer or the Sub-Divisional Officer, as the case may be, shall send the application along with the enquiry report and comments of the Panchayat Samity (in case of Rural areas) or comments of the Local Authority to the District Officer for decision.

(c) In case of the areas falling within the jurisdiction of Kolkata Municipal Corporation, the Controller of Vagrancy, West Bengal shall dispose of the application after causing necessary enquiries through any Officer authorized in this behalf within a period of one month.

(2) The Disabled person, applying for the Pension is suffering from terminal diseases like cancer and AIDS, shall be given priority in enquiry and sanction.

Note – While verifying the eligibility of the Disabled person applying for the Pension, the certificate of the respective Medical Officer may be treated as a valid document for proof of his/her physical disability and handicappedness.

6. **Sanction of Pension** – (1) The District Officer of the concerned District shall be the sanctioning authority of Pension in respect of cases for that District and the Controller of Vagrancy, West Bengal shall be the sanctioning authority in respect of cases within Kolkata Municipal Corporation.

(2) Notwithstanding anything contained in clauses 4 and 5, the State Government may *suo moto* consider an application after getting necessary enquiry report from the District Officer, Sub-Divisional Officer, the Block Divisional Officer or the Controller of Vagrancy, West Bengal, as the case may be, and if the State Government thinks fit and proper, may sanction pension at the rate mentioned in sub-clause (3) of clause 2 or may ask the concerned District Officer, Sub-Divisional Officer, Block Divisional Officer or the Controller of Vagrancy, West Bengal, to consider the application for sanctioning the Pension.

(3) The number of the beneficiaries for Kolkata Municipal Corporation and for each district shall be determined by the State Government and the decision of the State Government in all matters shall be final. All such Pension is to be sanctioned within availability of fund.

7. **Provision of Funds and its allotment** – (1) Necessary funds for Disability Pension shall be met out of the budget provision for the Department of Women and Child Development and Social Welfare. Funds shall be allotted, under intimation to the concerned treasury / Kolkata Pay and Accounts Officer, to the District Officers and the Controller of Vagrancy, West Bengal for expenditure in this connection.

(2) (a) The District Officers shall sub-allot a necessary amounts of funds to the Block Development Officers who shall be the drawing and disbursing officers in respect of the Pension cases of the areas within the jurisdiction of the Panchayat Samities.

(b) The District Officers shall sub-allot a necessary amount of funds to the Sub-Divisional Officers in respect of the Pension cases of the areas within the jurisdiction of the Municipal / Notified areas outside the Kolkata Municipal Corporation.

(c) In respect of Pension cases of the areas within the jurisdiction of the Kolkata Municipal Corporation, the Controller of Vagrancy, West Bengal or an Officer authorized by him in this behalf shall be the drawing and disbursing officer.

8. **Payment of Pension** – (1) In the areas outside the jurisdiction of the Kolkata Municipal Corporation, the District officer, the Sub-Divisional Officer, the Block Development Officer as the case may be, shall arrange for the disbursement of the Pension by postal money order / or through transfer to the Bank account / postal saving account of the pensioner with effect from the first day of the month following the date of order of the sanctioning authority as indicated in the order of the District officer. The remittance charge will be borne by the State Government.

(2) Pensions, sanctioned under this scheme in the areas within the jurisdiction of the Kolkata Municipal Corporation, shall be paid by postal money order or through transfer to Bank account / postal savings account of the pensioner with effect from the first day of the month following the date of order of the sanctioning authority as indicated in the order of the Controller of Vagrancy, West Bengal. The remittance charge will be borne by the State Government.

9. **Stopping or withholding of Pension** – The State Government and also the sanctioning authorities may, after giving the pensioner an opportunity of being heard, stop or withhold pension if –

- (1) the pension has been sanctioned on mistaken grounds; or
- (2) the condition for the granting of pension no longer exists.

10. **Information about change of address** – A pensioner shall notify within a month to the District Magistrate, the Sub-Divisional Officer, the Block Development Officer or the Executive Officer of the Panchayat Samity or the Controller of Vagrancy, West Bengal, as the case may be, any change of his residential address. Pension shall be remitted to the above pensioner by postal money order / or through transfer of the Bank account / postal saving account of the said pensioner by the erstwhile drawing and disbursing officer as before to his / her new address on receiving eligibility report. There is no necessity to transfer the case to the district where the pensioner has migrated.

11. **Information about Death of the Pensioner** – The District Officer, the Sub-Divisional Officer, the Block Development Officer or the Executive Officer of the Panchayat Samity or the Controller of Vagrancy, West Bengal, as the case may be, on receipt of information of the death of a pensioner and after proper verification of such information, shall take steps to have necessary entries made in their own records and inform the Account General, West Bengal and also the treasury / Sub-treasury officer concerned. In case of death of a pensioner, the amount due to the deceased pensioner till the date of his / her death shall be paid to her son or daughter, provided the son or daughter produces a certificate from the Sabhapati of Panchayat Samity (in the case of rural areas) or a representative of a corporation or municipality (in case of urban areas) to the effect that he or she was the son or daughter to the deceased pensioner.

12. **Commutation** – Pension under this scheme shall not be commutable.

13. **Officers to visit the areas** – (1) The Controller of Vagrancy, West Bengal / the District Officer / the Sub-Divisional Officer or the Executive Officer of the Panchayat

Samity may depute one or more officers to visit, as often as may be possible but not less than once in six months to the areas in which the pensioner is recorded to live so as to be satisfied that the pensioner is alive and continues to be eligible for pension.

(2) In case of transfer of pension to another State, periodical check may be arranged through the State government of that State where the pensioner resettles with previous sanction of the State Government.

14. **Registers to be maintained** – (1) Panchayat Samities and the office of the Sub-Divisional Officer shall maintain a complete record of payment of Disability Pension in a separate bound register which contains page numbers. This register and other relevant records shall be opened for inspection by any officer of the State Government as may be nominated by the District Officer or the controlling Department for the purpose.

(2) A bound register with pages numbered shall also be maintained in the office of the Controller of Vagrancy, West Bengal / District Officer containing particulars as the name, address and age of the applicant, name of the recommending authority and his recommendation, number and date of order, amount of pension sanctioned, name of the treasury / sub-treasury and name of the office where from the Disability Pension is payable and such other relevant information as it considered necessary.

15. **Yearly Production of the Life Certificate of the Pensioner** – (1) A pensioner shall receive the Disability Pension after production of a life certificate signed by the functionaries mentioned in the sub-rule (2) of rule 4.171 of the West Bengal Treasury Rules, 2005 in Form prescribed below. Life Certificate must be submitted to the sanctioning authority once in a year by the first week of November each year.

(2) The disbursing officer shall at least once in a year require proof of continued existence of pensioner independent of that furnished life certificate.

(3) The disbursing officer shall be personally responsible for any payment wrongly made.

16. **Saving** – Notwithstanding any thing contained in any other provisions of this scheme, any thing done or any action taken or any action required to be taken under the West Bengal Disability Pension Rules, 1990 shall be deemed to have been done, or taken or required to be taken under the corresponding provisions of this scheme.

FORM

Life Certificate

Certified that I have seen Shri / Shrimati _____

Son / daughter of _____

residing at _____

holder of Disability Pension sanctioned by _____

and that he / she is alive on the date. He / she has signed / put his / her left thumb impression in my presence.

Signature or L.T.I. of the pensioner

Name _____

Designation _____

Seal _____

Place _____

Date _____

By order of the Governor,

Principal secretary to the
Government of West Bengal