

MEMORANDUM

TO THE

SIXTH PAY COMMISSION

WEST BENGAL

by

**ASSOCIATION OF LAND AND LAND
REFORMS OFFICERS, WEST BENGAL**

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MAY, 2016

PART - I

— ASSOCIATION OF LAND AND LAND REFORMS OFFICERS, WEST BENGAL —

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CHAPTER-I

Introduction

- 1.1 The Fifth Pay Commission has submitted its reports in February, 2009, in October, 2009 and in October 2010 consisting of its recommendations on Pay Structures, Allowances, Retirement Benefits of State Govt. Employees (Vol-I Part-I); Promotion Policy, Special Allowances/Other Allowances and other Benefits of State Govt. Employees; Pay Structures and Major Allowances of the Employees of Boards, Corporations and Undertakings under the control of State Government (Vol-I, Part-II) and its recommendations vis-a-vis report of Amitava Chatterjee Committee on the anomalies of the technical employees of some Engineering & other Departments. It made major changes in the Structure of Pay Scales in introducing the concept of Pay Band and Grade Pay. The recommendations of Pay Structure and major allowances like DA, HRA, MA etc. were implemented with effect from 01.01.2006 notionally and with effect from 01.04.2008 actually. The recommendations on Promotion Policy, Other Allowances and other benefits of State Govt. Employees (Vol-I Part-II) were not yet implemented. Despite repeated reminders and several Memorandums to the Govt. plethora of anomalies were not removed.
- 1.2 Over the years, it has almost been a long-standing practice for the State Governments to follow the recommendations of the Central Pay Commissions to set up Pay Commissions/Pay Committees for its employees to implement those recommendations that have been accepted by the Central Government. Thus, it has been generally acknowledged that there should be almost parity of Pay, Dearness Allowances & Other benefits including the pension & pensionary benefits between the State and Central Government Employees. But the Govt. refused to discuss these demands while the 7th Central Pay Commission was working either bilaterally or multilaterally. As a result, a section of the employees went on a day's strike action along with other related demands. Climate of confrontation emerged. Taking note of these developments, Govt. in September, 2015 announced the setting up of the 6th State Pay Commission (S.P.C.) Finally, Govt. passed the Resolution on 27.11.2015 and constituted the 6th S.P.C. Another resolution was also passed by the Govt. on that day and Terms of Reference on the 6th S.P.C. have been notified.

- 1.3 The Fifth Pay Commission in its recommendations in the Second Part explicitly dealt the enlargement of the scope of promotion (functional) Cadre wise/Post wise along with the concepts of efficiencies, people-orientation and social accountability, but any of these recommendations is yet to be implemented. The recommendations for some of the employees belonging to technical cadre as envisaged by the 5th S.P.C. more known as Amitava Chatterjee Committee Report (Third Part) were also not implemented. We would like the Commission to treat those recommendations as implemented and suggest enhancement of promotional scope/pay scale on that presumption.
- 1.4 The percentage of D.A. entitlement crossed over 100% on 01.01.2014. Since the erosion of the value of wages that time had become enormous, the demand for merger of D.A. was raised by the employees. Since then the demand for setting up of 6th S.P.C. has been burning. Demands have also been raised by the employees on the plea that the residency period of any wage structure must not exceed 5 years, especially in the background that pay revision in most of the PSUs takes place at the interval of 5 years. On the other hand, the payment of D.A. has been made by the Govt. in an arbitrary manner. The outstanding amount of D.A. is 50% on 01.01.2016. The 5th S.P.C. has specifically recommended that the Govt. should fall in line with the Central Govt. Pattern of sanctioning two installments of D.A. in each year. Even at the material time of their term the 5th S.P.C. opined that the Govt. should made some extra effort to clear the backlog of one installment of D.A. (Page 10, Para-10.6, Vol I Part-I) as was pending then. Accordingly the then Govt. made extra effort and cleared the backlog. The present Government has been consistently ignoring the demand despite fully knowing that the inflation and abnormal price rise of food and other essential commodities had reduced the purchasing capacity of the State Govt. Employees significantly. We would therefore like the Commission to recommend the course of action so that the Govt. sanction 7(seven) (7% + 8% + 10% + 7% + 6% + 6% + 6%) installments of pending D.A. within the term of the Commission to mitigate the long standing grievances of almost all the employees.
- 1.5 The 5th State Pay Commission in their recommendations has broadly spelt out a series of suggestions for improvement of people-orientation, social accountability and efficiency of the administration. The issue was also taken up by the Fourth S.P.C. The 4th S.P.C.

had also recommended for cadre assessment of each of the Department to assess their relative position in the Administrative hierarchy and standardization of their pay scales, duties and responsibilities, recruitment rules and promotional avenues. The 5th S.P.C. had also suggested that each job is to be clearly identified and thoroughly analyzed and so as to clearly identify the tasks that go to constitute the job. But nothing substantial has been made in this regard. We would like the Commission to recommend the Govt. to set up appropriate Committees. Mechanism for implementation of the considered and positive suggestions and doing necessary cadre assessment and job evaluation to carry forward the aspirations of the employees as well as the growing social and economic aspirations of the people.

- 1.6 Discontented employees cannot run an efficient and responsible administration. Sincere and careful efforts should be made to remove all the legitimate discontents of all categories of employees pertaining to pay, allowances and other benefits of them. The 7th c.P.C. has pointed out that the States should play role model for the services. Significantly, the Commission has quoted the observations of the Apex Court in the case of *Bhupendra Natli Hazarika & Another VS. State of Assam & Others* (reported in 2013 (2) Scc 516) which are as follows :-

"It should always be borne in mind that legitimate aspirations of the employees are not guillotined and a situation is not created where hopes end in despair. Hope for everyone is gloriously precious and that a model employer should not convert it to be deceitful and treacherous by playing a game of Chess with their seniority. A sense of calm sensibility and concerned sincerity should be reflected in every step. An atmosphere of trust has to prevail and when the employees are absolutely sure that their trust shall not be betrayed and they shall be treated with dignified fairness then only the concept of good governance can be concretized. We say no more."

- 1.7 In our memorandum we have dealt the basic and fundamental issues concerning the interests of the employees in general IN Part I. We have given our considered opinions and suggestions on structure of pay, major allowances, fringe benefits including pension & pensionary benefits. In the Second Part of the Memorandum we have dealt with issues of our cadre and will suggest pay scale for the cadres/posts within the broad parameter formulated by us.

CHAPTER - II

Principles of Pay Determination

- 2.1 Successive Pay Commissions adopted different principles elaborating the details on determination of pay and pay structure both in central level and in state level. Pay structure constituted without any well established sound logic and without factoring some of the principles considered by earlier pay Commission is bound to be whimsical and arbitrary giving rise to widespread discontent among the employees, workers. In the absence of any National Wage Policy, the pay structure obtaining in our Country has anarchic character; we would like the commission to evolve a well laid coherent policy in the construction of pay structure so that rationality and judgment may be established.
- 2.2 The closing part of the Second World War was looked upon a watershed between the traditional attitude of Government in the matter of enunciation of principles for determination of wages of its employees and the gradual realisation of the need to adopt a policy in line with the prevailing economic conditions in the Country.

The Bengal Administration Enquiry Committee (known as Rowlands Committee) in 1944-45 undertook an exercise of studying the pay structure of its employees which was completed in 1950. The focal thing of the study was the need for compensating the government employees for erosion of their real income due to persistent price rises. Government came out with a general revision of pay scales to bring them in line with the prevailing economic conditions (Memorandum to the WBS(ROP A) Rules, 1950).

In revising pay scales, the lowest scales were, "allowed the maximum percentage increases." Pay scales were drastically reduced of their number from 500 to 78.

- 2.3 After the first five year plan, prices of essential commodities were seen substantially high. In formulating the pay scales, the Pay Committee constituted in 1959 granted a 23% increase to the employees at the lower level while some reductions were recommended in the emoluments of the employees at the higher levels in the backdrop of 10% rise in the cost of living index over 1950. The No. of pay scales was again reduced from 143 to 39. The ratio of average emoluments between the lowest paid and the highest paid Govt. servant which stood 1: 192 in 1939 and

1:44 in 1950 was further reduced to 1:33. The Committee did not deliberate on the norms of the 15th Indian Labour Conference (ILC) held in April, 1957, though the issue was hotly debated at the time and Second Central Pay Commission considered the subject at length. For the first time, there was an attempt on the part of the Pay Committee to relate the pay scales to a cost of living Index for lower categories of Govt. employees and to market considerations for higher category of Govt. employees.

2.4 In 1967, the State Government appointed a Pay Commission headed by Shri K.K. Hazra (known as First Pay Commission of State Govt. employees) to undertake a fresh study of pay structures. The Government for the first time included non-government employees in the fields of education and local Self. Government within the purview of the terms of reference of the Commission in order to ameliorate worse conditions of pay and allowances of the State Govt. employees. The observations of the Commission can be summarized as hereunder -

- (1) Question of need-based minimum wage was studied for the first time and decision of minimum wage should be Rs.260 according to 15th ILC norms;
- (2) Linked the Pay Scale with a price Index, presumably AICPI (1949=100) for the six months preceding December, 1968; (3) Pay scales were reduced to 34 from 81;
- (4) Disparity ratio was further reduced to 1: 13 (pre-tax);
- (5) D.A. should be revised in every six months, if the average price was "about 5 Points".

2.5 The Second Pay Commission (1977-1980) in their review of all earlier Pay Commission/Pay Committee/revision of pay and allowances summarized the followings:

"The survey of the successive revision of pay and allowances of the State Govt. employees over the last thirty-five years indicate certain trends. Important amongst them are reduction of inequality of income pursued as a deliberate policy and to protect the real incomes of the government employees in the face of rising prices, the percentage of neutralization being the highest for the lowest paid employees and the disparity ratio between lowest paid employees and the highest paid employees which was 1: 192 in 1939 was

successively reduced in course of the revisions to 1: 13 by 1970."

The Second Pay Commission had to take into consideration the factor amongst others Article 43 of the Constitution which directs the State that-

"The State shall endeavour to secure to all workers, work, a living wage and a condition of work ensuring a decent standard of living life and full enjoyment of leisure and Social and Cultural opportunities."

The Commission examined various contentions raised before them viz. equal pay for equal work, parity between emolument paid to the State Govt. employees & Central Govt. employees etc. and finally took the view that as far as possible standardization with the Centre not only in terms of pay scale but also in terms of structure of emoluments along with relativities should be attempted. The Commission decided to adopt, as the base of the pay scales, the price level corresponding to Index No.200 of All India Consumer Price Index, Industrial working Class, base 1960= 100.

The Second Pay Commission dealt in detail the concept and calculation of need-based minimum, recognition of the changing character of the need-based minimum particularly, (a) movement from the minimum through fair to living wage & (b) the movement of the need-based minimum self. The conclusions of the Commission became the hall mark for all future Pay Commissions.

By determination of the pay & pay structure corresponding to the current price level the pay & pay structure of the State Govt. employees for the first time in the history of Pay Commission got a weightage over the pay and pay structure of the Central Govt. employees. This edge has been followed since then.

As a part of the recommendations of the Second Pay Commission a promotion policy statement was also formulated by the State Government covering functional and non-functional scope of promotion which opened a new horizon in the prospects of State Govt. employees. The concern of the 1961 Pay Committee was translated into reality.

- 2.6 The Third Pay Commission (1987) took upon itself to effect a reappraisal of the principles enunciated earlier. They observed that (I) the determination of the pay structure is to be judgmental, (II) pay should be sufficient and satisfactory, (III) salary structure

should be coherent and (IV) emoluments will not erode by increase in the cost of living. The pay and structure of pay was determined corresponding to the price level 608. Index point AICPI (IW, 1960= 100).

- 2.7 The Fourth 'Pay Commission (1995-1997) discussed amongst others the characteristics of sound pay structure, adequacy of equal pay for equal work, intrinsic value of job assigned to each cadre, assessment of cadre etc. They also dealt the efficacy of fair comparison. The pay and structure of pay was based taking into account of the price level AI CPI index 1510 (IW, 1960= 100). For the first time 40% of the last pay as a part of compensation was introduced.
- 2.8 The Fifth Pay Commission dealt the issue of determination of minimum pay. The Commission observed that "Determination of minimum pay of the lowest category of Govt. employees at entry is the foremost task of a Pay Commission, as the entire pay structure which is to cover all employees working in different levels is built up on the foundation of minimum pay." The Commission examined the logic of the demand of Joint Consultative Machinery (Staff Side) pertaining to need based minimum wage. The Commission found its own logic and formulated the pay & structure of pay slightly higher than the Central Govt. employees at the lower and intermediate level.
- 2.9 In fine we may state that the successive State Pay Commissions had to work within the framework of the recommendations of Central Pay Commission and its acceptance and implementation. It could not resolve the many points logically that it raised. It would also reveal that the successive State Pay Commissions had to adopt more pro-employee and democratic approach in the given circumstances due to ascendancy of a Government having a working class attitude.
- 2.10 In the formulation of pay structure, determination of minimum pay is most vital. It cannot be determined on any single principle but has to be based upon on a combination of all the enunciated principles or those" principles are to be factored into the process of quantification. On the foundation of the minimum pay, higher pay structure is to be constructed keeping respective relativities of the post and grade in mind. We enumerate the factors hereunder to be taken into account -

- (1) The need-based minimum wage concept to compute pay at the minimum level,
- (2) Pending evaluation of job by an expert bpd maintain the existing vertical and horizontal relativities,
- (3) Maintain a pre-determined ratio between the minimum and maximum 1:7 (Group-D to Special Secretary).

2.11 The Joint Consultative Machinery (Staff Side) made an extensive study and computed the minimum wage as Rs.26,000/- strictly adhering to the norms prescribed by the 15th Indian Labour Conference (I.L.C) Though the 3-Units norm for the family prescribed by Dr. Aykroyd is far below the present requirement. The family consists of not only husband & wife and two children but invariably includes the parents of the head of the family. It is assessed that if they factor two more units for the family concept, the minimum wage so worked out will increase by two-third.

In the last meeting of the Empower Committee of Secretaries under the chairmanship of Cabinet Secretary, the representatives of the J.C.M. (Staff Side) raised the point of upward revision of minimum wage as suggested by the 7th CPC .

We do not agree with the contentions of 7th C.P.C. which has distortedly estimated the minimum pay as Rs.18,000/- on the basis of the norms laid down by 15th I.L.C. (1957).

Wonderfully the 7th C.P.C. in their calculation used the rate of prices of the ingredients far below than the standard price of the components (food, clothing, detergents products). As a result, the cost of housing (7.5%), Miscellaneous (20% charges towards fuel, electricity, water charges etc.) has gone down. Not only the Additional expenditure at the rate of 25% (education, marriage, recreation, festivals) towards social obligations as decided by the Supreme Court in 1991) has been moderated to 15%. The 7th C.P.C. while arriving at the minimum Salary of Rs.18000/- attributed the same to the Group-C employees which is actually meant for Group-D employees. Assuming the said minimum wage as Rs.26,000/- as impeccably calculated by the JCM (Staff side) which is 3.71 times of present basic pay (pay in pay Band Rs.5,200/- + Grade Pay Rs.1800/- = Rs.7000/-; $\text{Rs. } 26,000 \div 7,000 = 3.71$) of lowest functionary of Central Government, We, therefore, suggest the minimum wage of lowest functionary of Govt. of West Bengal as Rs. 24,500/- which is 3.71 times of present basic pay of a Group-D employee ($\text{Rs. } 4,900 + 1,700 = \text{Rs. } 6,600$; $\text{Rs. } 6,600 \times 3.71 = \text{Rs. } 24,486$, rounded off to 100 = Rs. 24,500/-).

2.12 In the terms of references, the Commission is asked to take into consideration the recommendations of the 7th C.P.C. and the Government of India's decision thereon while constructing pay structure and determining service conditions and other benefits. Keeping in view all the relevant factors, we are pragmatic to agree pay parity with Central Govt. employees retaining the full weightage which the State Govt. employees enjoy over their counterparts in the Central Government.

On the question of ratio between minimum and maximum pay, we are of the views of reducing the gap. The recommendations of the successive Pay Commissions had changed the scenario of the ratio over the years.

1939	1: 192	Pay Ratio, Bengal Govt. Employees
1951	1:44	WBS (ROP A) Rules
1961	1:33	WBS (ROPA) Rules
1970	1:13	1st Pay Commission
1981	1:12.5	2nd Pay Commission
1998	1:8.61	3rd Pay Commission
2009	1:7.81	4th Pay Commission

In view of the existing position we demand ratio amongst employees covered by the State Pay Commission shall further be reduced to 1:7.

CHAPTER - III

Construction of Pay Scale

- 3.1 In the preceding chapters, we have elaborately dealt with the various principles of pay determination as was enunciated by the successive Pay Committees/Commissions. The 5th. S.P.c. introduced the new concept of Pay Band and Grade Pay with the notion that it would do away the existing pay anomalies and future anomalies to a large extent and could avoid stagnation at the end of Pay Scale. It yields different results.
- 3.2 The manner in which the Grade Pay was devised is not beyond question. At the lower level Grade Pay progresses @ 100/- i.e. 1700, 1800, 1900, 2100 etc. The Pay in Pay Band + Grade Pay at the entry level is 4900+ 1700 = 6,600. An employee is entitled to 3% increment every year. He gets a financial benefit of Rs. 200/- every year on account of an increment, whereas on promotion the

Grade Pay get increased by Rs. 100/- only. The Grade Pay was devised at 40% of the maximum of the pre-revised time Scale of Pay. The ratio between the minimum and the maximum of all Pay Scales was not uniform. Normally the fitment benefits represent the gap between the pre-revised minimum and the revised minimum. Having been expressed in absolute quantum amount it gave varied benefit in different Pay Bands as also at different Stages in the same Pay Bands.

- 3.3 Though the Grade Pay System brought about varied benefit, we have constructed the Pay Scales maintaining the relativities with the time Scale of Pay as suggested by J.C.M. (Staff Side). While constructing the Pay Scales, we have taken the rate of increment at 5% instead of 3% presently available on the ground that most of the PSUs including the Banking Industries provide the incremental rate of 5% and over a period of time it raises the Salary level of the personnel.

We, therefore, request that the 6th S.P.C. may recommend the rate of annual increment at 5%.

We have also felt that a further reduction in the number of Pay Scales is needed.

- 3.4 Like the recommendations of 7th C.P.C., we have constructed open-ended Pay Scales. This is to ensure that no employee is stagnated without increment. As we have Group-D functionary at the lowest rank in Pay Band-I, we suggest the multiplication factor 3.71 ($\text{Rs. } 26,000 \div 7,000 = 3.71$). In constructing the other Pay Scales in Pay Band 2, 3 & 4 up to Scale No.14, to which we represent, we have maintained the relativities with time Scale of Pay.

- 3.5 Thus our propositions of open-ended Pay Scale stand as hereunder-Proposed

Revised Pay Scale

Sl. No.	Pre-revised Scale No.	Present Pay Band under ROPA 2006	Pay Band N	Grade Pa	Proposed minimum of the Pay Scale
1	Scale 14	Rs. 9,000-40,500/-	P.B. 4	4,700/-	61,800/-
2	Scale 15	Rs. 9,000-40,500/-	P.B. 4	4,800/-	74,000/-
3	Scale 16	Rs. 9,000-40,500/-	P.B. 4A	5,400/-	88,000/-
4	Scale 17	Rs. 9,000-40,500/-	P.B. 4A	6,600/-	1,02,000/-
5	Scale 18	Rs. 9,000-40,500/-	P.B. 4A	7,600/-	1,20,000/-
6	Scale 19	Rs. 37,400-60,000/-	P.B. 4A	8,700/-	1,39,000/-

Our suggestions are restricted to only six scales of pay, because of the fact in the Part - II of our Memorandum we have suggested for forwarding these pay scales for the existing cadre belonging to WBSLRS Gr-I and one proposed new cadre SRO/Special Revenue Officer.

Fitment of Cadres/Posts/Categories in the proposed Scale of Pay.

- 3.6 We would urge upon the Pay Commission to generally recommend Scales of Pay corresponding to the present one for the existing Category/Post/Cadre, to avoid administrative inconveniences & litigations amongst the employees.

CHAPTER-IV

Fixation of Pay in the Revised Scales of Pay and Allied Matters

4.1 Fixation of Pay:

We propose that the fixation of pay in the proposed level pay should be done in the same manner as prescribed by the 7th C.P.C. for Central Govt.employees. The starting point now proposed is 3.71 times of what was prevailing on 01.01.2006. This fitment factor of 3.71 is being proposed to be applied uniformly for employees then be rounded off to next multiple of 100.

4.2 Fixation Benefit on Promotion in Revised Pay Bands:

We suggest that the financial benefit on promotion must not be an insignificant amount. In the case of employees the promotions are made very many years after the stipulated residency period in the feeder cadre due to the non-availability of vacancy of higher grades. In the Regional level or State level Cadre the promotions are accompanied by transfer from one place to another. The financial benefit he received on account of promotion often gets washed away in finding new accommodation, shifting, school admission of children etc. We therefore suggest that the benefit on promotion should be two increments in the feeder cadre and then fitting in the higher level of promotion level grade of pay.

4.3 Date of Effect:

Since the onset of neo-liberal economic regime, Indian economy experienced a heavy thrust of inflation. The prices of essential commodities, food, milk products, other consumer durables, medicines registered enormous increases. Govt. of India as well as the Govt. of West Bengal failed to curb the spiraling rises in prices. This hurt the fixed Salary earners and devastated the middle class employees, who were/ are to maintain a certain standard of living and status in the Society. We like to quote observation of the 3rd & 4th C.P.C. in this regard to bring home the necessity of periodical wage revision.

"A dispirited public servant can never be expected to function satisfactorily and rise to the occasion, when a crisis occurred. It should not be forgotten, as pointedly referred to again by the Priestley Commission, that the process of deterioration arising from a sense of grievance on the part of the Staff may be slow one, particularly in a service with high traditions. By the time tendency manifests itself, irreparable damage may have been done."

The Pay Structure has therefore to be satisfactory all through and has to be formulated on a consideration of all the relevant factors. We therefore request the Pay Commission to make the following recommendations to the Government to implement their recommendations with effect from 01.01.2014 to compensate the real value of erosion on cent percent neutralization of Dearness Allowances.

4.5 Incremental Benefits:

We request the Sixth Pay Commission to recommend the rate of annual increment at 5% as most of the PSU s including the banking Sector provides the incremental growth rate at 5% over a period of time. At the same time we strongly oppose the suggestion of the 7th C.P.c. to introduce variable percentage of increment on the basis of performance.

4.6 Annual Increment :

Introduction of uniform date of increment as prescribed by the 5th C.P.C. has encountered certain problems and anomalies. We, therefore, suggest that the 6th S.P.C. may recommend for administrative expediency, two specific dates of increments

viz. 1st January and 1st July. Those recruited/appointed/promoted during the period between 1st January and 30th June will have their increment date on 1st January and those recruited/appointed/promoted between 1st July and 31st December will have it on 1st July next year. This apart we request the Commission to specifically recommend that those who retire on 30th June or 31st December are granted one increment on the last dates of their service.

4.7 Stagnation Increment:

The Central Government earlier accepted the recommendations of the 6th c.P.c. and allowed an employee stagnating at the maximum of any Pay Band for more than one year shall be placed in the next immediate higher Pay Band without change the Grade with the benefit of one increment at the time of such placement.

We like to request the Commission to accommodate the same provision straightway in their recommendations.

CHAPTER-V

Anomalies in Scale of Pay

- 5.1 In the given framework of the Scales of Pay, we are suggesting higher Scale of Pay for the promotional post where feeder post and promotional post carry the same Scale of Pay. In that cases, we would request the Commission to prescribe higher initial/ special pay / extra remuneration for the promotional post. It is worth mentioning here that the recommendations in these cases shall be uniform.
- 5.2 In some Cadres/Posts having different nature of duty require some kind of professional training of different nature. Our Association/has identified our cases and place in details in Part - II of our Memorandum before the Commission. We like to suggest awarding a higher initial at an appropriate higher stage and two incremental benefits for the existing employees with no change in the scale of pay.
- 5.3 In cases of anomalies accrued due to the orders of the Hon'ble High Court in some posts/Cadres, we would urge upon the Commission to look into such anomalies in depth in order to arrive at a corrected position. Let no Pay Scale be recommended by the Commission only on the ground of Hon'ble Court's Order. Other prevailing factors may be taken into consideration with due weightage while suggesting the Scales of Pay in the instant case.

CHAPTER-VI

Higher initial and Special Pay

- 6.1 Provision of Higher Initial Start in respect of the Scales of Pay of some Cadres. Posts/is mainly to demarcate the said cadres/ post as higher than the others borne in those Scales of Pay without any higher initial start. Such provision has been set in mainly, inter alia, for two reasons. One for both the feeder post and promotional post are borne in the same Scale of pay and other for compulsion to maintain historical coherence. We are of opinion that there should not be any higher initial as that would jeopardize the main object of reduction of total No. of Scales of Pay. The Commission may study the matter in detail and evolve appropriate solution of the problem.
- 6.2 We do not think 'the problem can be resolved at one stroke. In order to overcome the problem, we would like to suggest specifically in the light of the recommendation of the previous Pay Commission, that the revised- higher initial in the corresponding new level of Pay may be specified by multiplying the existing initial in the unrevised Scale of Pay by a factor of 3.71 to be rounded off to next multiple of 100.

6.3 Special Pay:

Earlier Successive Pay Commission recommended abolition of Special Pay in principle. But even after that the Government could not stick to their decision. We are generally not in favour of granting any Special Pay. However, it may be considered necessary in some cases for some reasonable administrative ground.

- 6.4 In the given circumstances, our suggestions is to retain Special Pay where separate or higher scale is not justified or cannot be granted to maintain relative hierarchy. The 'existing rate should be multiplied by a factor of 3.71 under the, distinct condition that the existing Special Pay should not be reckoned for fixation of pay in the revised Scale.

6.5 Grant of Interim Relief

In our memorandum submitted to the Pay Commission we have demanded 25% of the basic pay (pay in the Pay Band + Grade Pay) subject to a minimum of Rs. 2000/- as Interim Relief for the serving employees to provide immediate relief from the erosion in the value of wages. This shall be granted with effect from 01.09.2015, when the Govt. announced the setting up of the 6th SPC.

CHAPTER - VII

Promotion Policy

7.1 Functional Promotion:

Functional and non-functional are the two type of promotional scope in the State Administration. Now, regarding the functional promotion, we shall discuss in details in Part - II of our memorandum.

7.2 Non-functional Promotion:

In fact, enhancement of the scope of non-functional promotion is an achievement of the prolonged struggle of the employees under the leadership of State Co-ordination Committee and the pro-employee attitude of the Left Front Government resulting the implementation of the promotion policy statement. Prior to introduction of the facility, maximum No. of employees had to rot in the same Scale of Pay since their initial appointment to the Post. In addition to the scope of Non-functional grade promotion there is another type of advancement benefit known as Career Advancement Scheme (CAS, 1990) which has been further developed and now known as Modified Career Advancement Scheme (MCAS, 2001). This facility appears to be better than the facility now being enjoyed by the Central Govt. employees.

7.3 The Third Pay Commission evolved the Career Advancement Scheme for financial upgradation with a residency period of 10 years and 20 years of service, considering the scanty scope of promotion of the State Govt. employees. The 4th S.P.C. modified the said Scheme and extended the Career Advancement Scheme for the third upgradation i.e. 8, 16 and 25 years benefits. Taking cue from the system of 4 time bound promotion available to Group-A officers, we propose that there should be 4(four) financial upgradation in service career of an employee, on completion of 8, 7, 6, 5 years' of service (i.e. first after 8 years of Induction, Second after completion of 15 years' of service, Third after completion of 21 years' of service and Fourth after completion of 26 years' of service).

7.4 We also intend to draw the attention of the Commission on some lacuna of the existing system of non-functional promotional grade benefits where the ratio of 5:4: 1 exists and in some cases the ratio is 6 : 3 : 1. The Commission should look into this disparity.

7.5 There appears to have some disparities as to fixation of pay when both the facilities of non-functional grade promotion and CAS/MCAS are made available to the employees. It is expected that the commission would suggest corrective measures to remove the disparities ensuring full promotional fixation benefit in the same scale of pay.

7.6 In fine, it is our submission to the commission to recommend a procedure through which present disparities and discrimination are removed and employees could enjoy the full promotional fixation benefit consistent to the spirit of non functional promotional benefits.

CHAPTER - VIII

Dearness Allowance

- 8.1 Having no formula for its own for payment of Dearness Allowance (DA) all the State Govt. follow the Central Govt's pattern and the rate for paying Dearness Allowances to their employees.
- 8.2 Since the installation of the Left Front Govt. in our State employees are getting DA at Central rate. The 5th State Pay Commission in no uncertain terms also recommended that the State should follow the pattern of Sanctioning two installments of Dearness Allowances each year. Regarding delays, the commission viewed that there could not be no difference of opinion regarding the need to avoid the delays. The commission arrived this conclusion taking into account of the prevailing economic condition of the country, the pattern of Allocation of Revenues to the States, resources of the State Govt. and demands thereon on account of the commitment of the State Govt to various developmental activities. But the role of the present State Govt. in payment of Dearness Allowances (DA) to the State Govt. employees is very much retrograde and disappointing. Due to non-payment of DA as a compensation for the real erosion of wage as defined by the Apex COURT, the State Govt. employees suffered enormous loss and maintenance of decent standard of living gets jeopardized.
- 8.3 The neutralization envisaged under the present computation of dearness compensation is supposed to be cent per cent, but in reality it is not the case. Actual Consumer Price Index is much higher than the level at which DA is calculated on the basis of 12 monthly average. The average is always lower than the actual cost of living.
- 8.4 The Calculation of Consumer Price Index, its basis, the basket of goods on which it is based are questionable and has become a matter of dispute. Since the Pay Commission is not the forum at which these issues could be taken, we do not propose to go into details of these aspects.
- 8.5 With all our criticism and reservations we are in favour of following the Central Govt. pattern and rate of Dearness Allowances introduced for the employees of the Central Govt.

CHAPTER-IX

Other Allowances

House Rent Allowance

9.1 We have been enjoying for a long period an uniform rate of 15% House Rent Allowance throughout the State subject to a ceiling. Therefore any variation of rate alike the Govt. of India would cause dissatisfaction among the employees as well as a sense of discrimination. In view of this, we are not in favour of introducing different rates of HRA. Rather, we suggest for a uniform rate. We are fully aware of the acute problem caused due to lack of adequate Govt. Housing and by the inadequacy of the existing rate of Allowances. On an actual assessment of the prevailing levels of rent in different cities & town in W.B, the assessed rent would be higher. However, considering all the relevant factors & related aspects of issue, we urge upon the 6th SPC to recommend the increase of present rate of 15% HRA to 20% to uniformly subject to a maximum of Rs. 18000/- per month.

9.1.1 Other conditions for drawal of HRA should remain unchanged.

9.1.2 The amount of HRA to be drawn by an employee with his/her spouse should not exceed the maximum amount of Rs. 18,000/-

Recovery of House Rent from the Occupants in Rental Housing

9.1.3 At present, there are two systems of realising House Rent viz. (a) Standard Rent and (b) Assessed Rent. In the prevailing system, some allottees enjoy House Rent Allowance equal to the fixed assessed rent paid by them. On the other hand some allottees do not enjoy any house rent allowance and in addition they have to pay rent on percentage basis determined on the pay drawn by him in pre '90 pay scale. The 3rd Pay Commission discussed the issue elaborately and recommended a specific pattern of licence fee to be realised from the occupants. Hence, we do not like to discuss the matter de novo. We would rather suggest that the Commission recommend in the same line with necessary modification in the recoverable amount in keeping with the present AICPI (IW).

9.1.4 So far as the drawal of HRA by the spouse while residing in same accommodation provided by the Government, the present system should continue.

Regulation of HRA for the Occupants of Government Quarters / Barracks

- 9.1.5 The Government employees living in habitable family Quarters / Barracks with their family should pay a certain amount of money alike the occupants of flats under RHS and will not be entitled to any HRA.
- 9.1.6 Seat rent on pro-rata basis be realised from the employees living in a shared accommodation in Barracks / Mess and they may be allowed to draw HRA.
- 9.1.7 No seat rent should be realised from the employees who are compelled to live in Barracks or similar other accommodations alone.

Medical Allowance and Benefits

- 9.2 At present the State Government employees and pensioners are getting Rs. 300.00 p.m. as Medical allowance. Further, the employees are also entitled to the re-imbursment of the cost of listed medicines to the extent of Rs.2500/- on each occasion as an indoor patient in any Government Hospital. There is also a provision for free treatment of the employees / pensioners and their dependents in Government Hospitals. In cases of costly treatment full re-imbursment is not available. The Govt. meanwhile has decided that they are not in favour of sanctioning re-imbursment of medical expenses as a special case in relaxation of the W.B. Services (Medical Benefits for the State Govt. Pensioners) Rules, 1998 as amended with effect from 01.11.2009. Thus free medical treatment in Government Hospitals is not full proof.
- 9.2.1 Previously Government introduced a new scheme viz. West Bengal Health Scheme, 2008 which has been operative w.e.f 01.06.2009. In the new scheme, the employees / pensioners and their dependents will be entitled to get full reimbursement of the cost of the treatment in any Government Hospital and some listed private hospitals to be specified by the Government. The Govt. has also came out with a list of Diagnostic investigation Centres. The scheme has however been kept optional. Those who will opt for the new scheme, have to surrender their monthly medical allowance. Otherwise they will get medical facilities as usual. Meanwhile the Govt. has introduced another scheme namely W. B. Health for All Employees and Pensioners Cashless Medical Treatment Scheme, 2014. The scheme is to provide cashless medical attendance & treatment

benefit upto Rs. 1.00 lakh, This scheme is: in continuation of the existing scheme W.B.H.S 2008. The cashless scheme is made mandatory to all employees & pensioners. Though the Govt. formally published & made upto date the list of Cashless providing HCO, but the listed HCOs are not providing the required cashless medical attendance & treatment benefit. This creates tremendous discontent among the employees & pensioners. Besides, the list of diseases provided for QPD treatment in a Hospital/HCO is not adequate. The most common problems like Maternity, Orthopaedic, Dental, Ophthalmology were not covered in the list of OPD treatment.

- 9.2.2 In view of the present predicaments we suggest that the commission should explore the modalities for ensuring cashless benefits to the extent of Rs. 1.00 lakh to the beneficiaries. We also suggest that more cases may be included in the OPD list. We also propose that the existing rate of Medical Allowance, should be Rs. 1,000/- p.m for those who may not like to swichecker to the new scheme as it cannot be made mandatory.

Travelling and Daily allowance

- 9.3 Travelling and daily allowance for State Government employees also generally are admissible at par with rate and pattern of the Central Government. But, while in Central Government, entitlement of daily allowance is based on the different classification of localities; in our State there are only two categories. A higher rate for Kolkata and Darjeeling Districts (except Siliguri Sub-Division) and a lower rate for the other areas termed as ordinary localities.

- 9.3.1 We, therefore suggest necessary revision of the benefit, similar to that of Central Government employees keeping the existing classification of localities unchanged.

Hill Compensatory Allowance

- 9.4 Hill allowance is presently allowed @ 15% of the Basic Pay with upper limit of Rs. 1500.00 p.m. In view of enhancement of Basic Pay due to revision of pay and proposal for counting proposed level pay for the purpose of granting allowances where applicable, it is suggested to revise the allowance @ 15% of level pay, upto a maximum of Rs. 5000/-.

- 9.4.1 We would also like that the Commission will consider our submission to include the employees under the purview of the Hill Allowance who are posted in other areas of similar or higher altitude like three sub-divisions of the Darjeeling District.

Winter Allowance

- 9.5 As we view that all allowances those are not paid on percentage basis should be doubled, present rate of Winter Allowance should be Rs. 9000.00 per annum in place of existing Rs.2500.00 with a reasonable maximum limit of entitlement. Extension of the coverage should also be considered as proposed by us in case of Hill Allowance.

Fixed TA / Conveyance / Cycle Allowance

- 9.6 The above allowances are paid to an employee who requires to travel extensively for their official duties at least 200 K.M. on an average per month within a radius of 8 kms. from his headquarter. But there is no uniformity in rate or quantum and as well as coverage of the employees similarly circumstanced. Both Third and Fourth Pay Commissions pointed out the anomalies in the matter. As all the aforesaid allowances are more or less of same nature and purpose, we suggest that all these three categories should be termed with a common nomenclature and all the employees of different Departments should be brought under the purview of the benefit and be remunerated at uniform rate leaving no scope of disparity.

Conveyance Allowance for Handicapped Employees

- 9.7 The Conveyance allowance admissible to visually and orthopaedically handicapped employees may be fixed at par with the central employees.

Deputation Allowance

- 9.8 Deputation allowance is usually paid at par with rate and pattern of the Central Government. Prevailing percentage rates of the allowance has been kept unchanged by the 6th CPC. We also do not suggest any change in rates. 5th CPC's recommendation for withdrawal of upper ceiling was not accepted by the Central Government. We however are not in favour of removal of the upper limit.

Sundarban Allowance

- 9.9 In respect of Sundarban allowance, in conformity with our earlier submissions to earlier Pay Commissions, we still hold that the Sundarban Allowance should be discontinued forthwith. In its place really inaccessible area, if any, should be identified and all the employees, may be paid Difficult Area Allowance without any discrimination.

Risk and Hazard Allowance

- 9.10 There also remains discrimination in respect of Risk and Hazard Allowance either in rate or recipients. However, are in favour of introduction of suitable Insurance scheme for all such employees.

Rural Allowance

- 9.11 Before the 3rd as well as 4th Pay Commission we pleaded for abolition of discriminatory rural allowance only for a sectional employees particularly when city employees do not enjoy any extra benefit. We again strongly reiterate our earlier views for abolition of the allowance providing protection to the existing beneficiaries as personal to them till they are promoted or transferred to other area.

Education Allowance

- 9.12 The State Government has abolished tuition fees for and upto class XII. Text Books are also being supplied free of cost upto a certain level. But the State employees working outside the state viz. Delhi, Massanjore etc. where the education has not been free, are to pay tuition fees for their wards. Such employees should have the benefit at reasonable rates.
- 9.13 Some employees are posted in extremely secluded and inaccessible areas without having suitable educational facility. Under the circumstances they have to admit their wards elsewhere and with expensive Hostel facility. The Government should meet at least a part of such expenses. We request the commission to suggest reasonable amount in this regard in the form of reimbursement.

Cash Allowance

- 9.14 There are different positions in respect of paying cash allowance to the employees who are to handle cash in course of their normal duties or otherwise. Demand for rationalization of the system

in order to remove disparities and to establish logical norms in the matter is long pending. The 3rd and 4th State Pay Commission recommended for removal of inequality in the matter, though their suggestions were not common in all respect. The Government, however, as appears, not exercised on this issue and as a result disparities still persist and discontents among the concerned employees are continuing. There are mainly three types of differentiations. These are :-

- a) In some offices Cashiers are remunerated in the form of Cash Allowance or Special pay. but rates are not uniform and at the same time all such employees are not getting the benefit;
- b) In some offices where there is no sanctioned post of Cashier, some other employees other than designation of Cashier have to perform the duties and responsibilities of cash transaction, usually without any additional remuneration;
- c) In some offices there are posts having joint nomenclature including Cashier cum-Clerk, Cashier-cum-Storekeeper etc, such employees either do not get at all any additional remuneration or there is no uniformity in the matter.

- 9.15 In the matter, our main demands are (1) for introduction of Cash allowance for all such employees following Central pattern, (2) to create separate post of Cashier where it justifies and (3) where such justification is absent, there should be a uniform policy of paying suitable extra remuneration.

Other Allowances

- 9.16 There are some other allowances not mentioned in our Memorandum. viz. Washing Allowance, Ration Allowance, Uniform Allowance, ESI Allowance, Special/Daily allowance for Drivers etc. Instead of dealing with each of those allowances separately we like to place our common views that generally rate/ quantum of all such allowances should be increased by the proposed matrix i.e 3.7 times higher. As per recommendations of the 7th CPC. Different Associations and Unions affiliated to us will mention those issues concerning them. We expect that the Commission will give proper attention to their submissions and make suitable recommendation removing all sorts of anomalies, disparities, if any, raised by them.

Change of rate of allowances

- 9.17 The Government of India's decision to increase rates of those allowances by 25% every time the Dearness Allowance Payable on revised Pay Scales goes up by 50% may also be implemented in case of State employees.

CHAPTER X

Other Benefits

Earned Leave:

- 10.1 We do suggest 'change' of the existing pattern to the extent that the accumulated earned leave be raised to 450 (+15) days from the existing 300 (+15) days.

Maternity Leave

- 10.2 We do not suggest any change of the existing system.
- 10.3 Limit of any kind of leave, due and admissible, in continuation to maternity leave may also be raised to two years from one year on the same analogy.

Leave Travel Concession

- 10.4 Leave Travel Concession is a well-established incentive to the employees. Keeping parity with the central employees the 2nd State Pay Commission recommended for granting LTC once in a block of every 4 years. 3rd State Pay Commission recommended for granting the same only once in entire service life after completion of 10 years' service. Thereafter State employees were allowed the same once in service life, during the period of last 2 years of their service. 4th Pay Commission in their recommendation extended the benefit to the extent from once to twice in service life, first after 10 years and the other after 20 years. But that also has not been implemented. Off late the State Government has introduced some new modalities like Home Travel Concession in five years and one LTC once in ten years. We suggest for facilitist like that of the Central Govt. employees retaining our edge in this regard.

Leave Encashment

- 10.5 Presently State Government employees are enjoying the facility at par with their counterparts in Central Government i.e. encashment of maximum 300 days earned leave at the time of retirement.
- 10.6 It is suggested that the accumulated earned leave can be raised reasonably to 450. The Govt. employees may be permitted to encash part of such accumulated leave say 50% to meet certain financial exigencies if he has put in 20 years of service or more.

Group Insurance

- 10.7 Present rate of subscription and insurance coverage may suitably be enhanced in conformity with the pay revision. Employees, however, should have the liberty to remain in the existing slab, in case they feel hardship due to enhancement of the rate of the subscription.

General Provident Fund

- 10.8 Like New contributory Pension Scheme introduced by the Central Government, we strongly oppose the recommendation of the 6th CPC towards making GPF optional from present form of compulsory.

Chapter-XI

Advances

House Building Advance

- 11.1 Due to financial constraint the State Government has already discontinued payment of this advance from its own fund. The Government through negotiations and agreements has now tied it up with some specified Nationalized Banks. While, in the new system, employees have been benefited in much respect, on the other hand they are to bear higher rate of Bank's interest than what was charged by the Government in old system. We, therefore, suggest that the Government should reduce the rate of interest to not more than 5%.
- 11.2 The existing maximum limit of House Building Advance, for Additions and Alterations/Renovations and for Repairs should suitably be revised as per Central Government.

Gratuity Advance

- 11.3 This advance is available for meeting the expenses in connection with the marriage of the employee himself / herself, daughter and dependent sister and in connection with the medical treatment of the employee and his/her family members. Popularly this advance is known as Gratuity Advance. Presently it is available with maximum limit of Rs. 7500.00 only to employees drawing pay up to Rs.8000.00 only. Both the quantum and admissibility criteria is very inadequate to serve the purpose for which it has been introduced.

We, therefore suggest suitable upward revision of both counts.

Motor Cycles / Scooters / Moped / 4-wheeler Advances

- 11.4 The existing amount of such advances and the eligibility limit should be raised to pay due regard to its purpose.

CHAPTER-XII

Pension and Other Benefits

- 12.1 The Principles that should govern the structure of pension & other benefits have to be evolved taking into account the relevant constitutional provisions as well as judicial pronouncements by the Supreme Court of India in this regard.
- 12.2 The Article 366(17) of the constitution of the country defines pension as "Pension means a pension whether contributory or not any kind whatsoever payable to or in respect of any person and includes retired pay so payable; a gratuity so payable and any sum or sums so payable by way of the return, with or without interest thereon or any other addition thereto, of subscription to a Provident Fund." From this it is to be inferred that gratuity as well as commutation are also part of the pension as a whole. These are also to be treated as pensionary benefits.
- 12.3 The IV CPC went into the conceptual question of pension in detail. Some of their observations reproduced which are relevant in understanding the purport.

"Para 2.13 Part-II: The concept of "Pension" however old in its origin had the latent and real desire to provide for an eventuality - known and unknown. The known eventuality was old age and probable reduction in earning power, while the unknown eventuality was disability by disease or accident. Its real purpose was security .. . The problem in such cases, has been tackled as a social obligation, including insurance for citizen generally."

"Para 2.17 ... The concept of pension therefore carries within it the germ of certainly, periodicity and "adequacy" ... Ours is a Socialist State and the fundamental aim of Social Security is to give individuals and families the confidence that there level of living and quality of life, will not, in so far as, be greatly eroded by any social or economic eventuality, including the age of superannuation or oncoming disability."

- 12.4 The Supreme Court in their landmark judgement (which has been approvingly quoted by the 5th CPC in D.S. Nakara & Others Vs Union of India (AIR,1983SC 130) held that pension is neither a bounty nor a matter of grace depending upon the sweat will of the employer. It is not an ex-gratia payment but payment for past services rendered ... The 5th CPC in their observation has stated that the pension is the statutory, inalienable, legally enforceable right of employees which has been earned by the sweat of their brow.
- 12.5 As such the pension should be fixed, revised, modified and changed in ways not entirely dissimilar to the salaries granted to the serving employees.
- 12.6 While examining the goals that a pension scheme should seek to sub serve, the Apex Court held that "a pension scheme consistent with available resources must provide that the pensioner would be able to live:
- I) free from want, with decency, independence and self respect and
 - II) at a standard equivalent at the pre-retirement level"
- The court observed that we owe it to the pensioners that they live, not merely exist.
- 12.7 From the above observations it is clear that pension is payable by the employer i.e by the State Govt. to its retired employees which is their statutory and legally enforceable right from which they cannot be deprived, and the amount of pension must be enough to enable a pensioner to live free from want with decency, independence and self respect and a standard equivalent at the pre retirement level.
- 12.8 Keeping in view of the above observations, principles and judicial pronouncements we submit our suggestions below :
- 12.9 The Central Govt has introduced the New Pension Scheme for its employees who have entered on a before 01.01.2004 which has been renamed now as PFRDA Act. This is an illegal Act in as much as the Supreme Court of India had held that pension is an inalienable, enforceable fundamental right. This has discriminated between the old and new employees. This is illegal and ultra vires of Article 14 of the constitution. It should therefore be scrapped. We have all along opposed to this draconian act.

The State Govt. used to continue with the statutory pension.

- 12.10 As the State Govt. employees have been enjoying parity of pension and other retiring benefits with the Central Govt. in general, we like to make our submissions only in respect those issues where we want commision to consider improvements in the existing provisions. While one of our affiliate organisation viz. Paschimbanga Rajiya Sarkari Pensioners Samity will deal in the matters in details. We only submit our suggestions on some major points:

Superannuating or Retiring Pension

- 12.11 Presently, a minimum of 10 years continous service is the requirement for entitlement of pension. In view of the present features of employees joining service at a later stage, the above pre-condition needs revision. Particularly, a large no. of daily-ratedi Casuall Muster roll and similar other employees were regularised in service at an extremly later stage.
- 12.12 We therefore suggest that the employees on completion of 5 (five) years continuous service should be eligible to get pension.

Quantum of Pension

- 12.13 Keeping the observations of the Apex Court in view to enable an employee free from want, with decency, independence and self-respect and to maintain a standard equivalents to the pre-retirement level, the rate of pension should be 60% of the Last Pay Drawn. We therefore suggest that full pension should be at the rate of 60% of Last Pay Drawn. (LPD)

Additional Pension

- 12.14 It has been recognised that a the age after superannuation further advances, not only the pensioner becomes weak in limbs but also becomes susceptible to various geriatric disease. As a result, he is to incur additional expenses to unkeep. Apart from it there are also the social obligations and increased expenses on medical treatment etc.
- 12.15 The Govt. of WB has accepted and implemented the 5th SPC recommendation of age-related additional pension beyond the age of 80. However the 6th CPC did not recommend any addition to the pension for a period of 20 years after superannuation at the age of 60.

12.16 In our opinion this needs certain revision. According to SSO survey (2007-2008) 7.5% population only is above the age of 60. This may be reflected naturally amongst the pensioners also. Life expectancy at 60 is only 17.9% and at 70 it is only 11.8% (Source: Sample Registration System). This means a Govt. Servant is receiving pension for 18 to 22 years.

12.17 We therefore seek additional pension after granting 60% of Last Pay Drawn (LPD). The rate may be as follows

On attaining Age	Pension Admissible
65 years	70%
70 years	75%
75 years	80%
80 years	85%
85 years	90%
90 years	100%

Minimum Pension

12.18 Though the concept of minimum pension and the method of computing it have not been explained by the Pay Commission or the Govt. it is clear that the minimum pension is 50% of the Minimum Wage. The rationale behind the percentage has nowhere been explained. We however think that in order to ensure that it is adequate, 100% of the minimum wage should be the minimum pension, as because that is a level of wage below which a worker's family cannot subsist/survive and remain capable to perform.

Dearness Compensation

12.19 Pensioners may be paid the same rate of Dearness Compensation as it is being paid to serving employees. It should periodically be merged with the basic pension so that deficiency in the 100% neutralisation in the cost of living is partially compensated.

Merger of Dearness Relief with Basic Pension

12.20 We demand automatic merger of DA/DR as and when the Index Crosses the 50% mark and before setting up another Pay Commission entire DA should be merged with pension.

Grant of Interim Relief

- 12.21 In our memorandum submitted to the Pay Commission we have demanded 25% of basic pension subject to a minimum of Rs. 1000/- as Interim Relief for pensioners. The commission may give an interim report with effect from 01.09.2015 when the Govt. announced the setting up of the SPC.

CHAPTER - XIII

Gratuity

- 13.1 Our association demands that the existing provision of calculating gratuity to be continued, but the upper limit of gratuity to be enhanced to 20 lakh.

CHAPTER - XIV

Downsizing/Outsourcing/Contractorisation

- 14.1 In order to ensure that the people do get a better and efficient service from the Govt. Deptt. and to raise the image of the Govt. employees in the eyes of the common people it is necessary that scheme of outsourcing and contractorisation of essential functions of the Govt. must be abandoned. The practice of outsourcing and contractorisation is nothing but a cruel exploitation of the alarming situation of unemployment. Practically this emanates from the total ban on recruitment and creation of posts impacted by the neo-liberal outlook of the GOVL We therefore request the Pay Commission to recommend for scrapping of downsizing/outsourcing/contractorisation of State Govt. functions.
- 14.2 In fine, regularisation of service and or the benefits including the social securities like regular employees pending regularisation of such employees shall be explored by the commission seriously. The Commission should also remove the existing disparities in the matter of pay and allowances amongst such, employees and bring an uniformity in the matter.

CHAPTER-XV

Economic condition and Resource Position

15.1 The 7th CPC in their report on the Financial Resources of the State Govt. (Chapter 2.2) entrusted the IIM Calcutta to undertake a study to ascertain the fiscal impact of the previous Commission's awards on the States.

15.2 The study indicated that the states on the whole were able to manage their finances and absorb the fiscal shock caused by the VI CPC better, principally because of the implementation of the FRBM Act by the state. (The Govt. of India enacted the FRBM Act in 2003 to control and manage the finances of the union as well as states)

It is clear from the study that a significant no. of States follow the recommendations of the 6th CPC & subsequent Govt. of India award in their own way.

15.3 The Fourteenth Finance Commission has increased the ratio of States Share in the divisible pool of receipts to 42% from the 32% that obtained in the Thirteenth Finance Commission.

15.4 The 7th CPC in their findings have shown that the General Category States (GCS) to which the State of W.B belongs were able to stabilise & return to revenue surplus within a reasonable period of time. It is expected that the States that are currently structurally fiscally prudent can be able to cope with the consequent increases in pay and allowances & pension.

Table-1

Revenue Deficit (As % GSDP)

West Bengal

2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
2.7	4.3	5.4	3.7	2.8	2.3	2.7	1.3

Source: State Finances - A study of Budget 2015-16
R.B.I, The numbers for 2014-15 & 2015-16 are from State Budget Documents 0.0

15.5 The State Economic growth no doubt got reflected in its revenue resources mobilisation. The revenue receipt of the Govt. of W.B. rose Rs. 24938.16 crores in 2011-12 to Rs. 50,219.33 crores (BE) in 2016-17. The State share of union taxes and duties have been increased from Rs. 18587.81 crores in 2011-12 to 42313.73 crores (BE) in 2016-17. Not only that the amount of Grants-in-aid from Central Govt. has been enhanced from Rs. 12342.84 crores in 2012-13 to whopping amount of Rs. 32756.90 crores (BE). There has been a phenomenal growth of receipt both as a State share of the divisive pool and the grants-in-aid from Central Govt.

Table-2
Year-wise States own Tax Revenue

Financial Year	States own Tax Revenue (in crores)
2011-12	24938.6
2012-13	32808.9
2013-14	35830.6
2014-15	39411.6
2015-16 (BE)	42919.6
2016-17	50219.3

15.6 There has been an orchestrated campaign that the State Govt. employees eat up the major share of Development expenditure. The Table 3 clearly depicts the figure otherwise and Allowances & Pension) to GSDP ratio over the years, for instance, may be duly indicative of the purposive trends towards achievement of the fiscal target of the Govt. in the given period.

15.7 In the report on comparative Public Administration (Report No. 50, July 24, 2002) the World Bank observed:

In order to deliver quality public services governments will need to spend on goods and services as well as wages and salaries."

We therefore hasten to add that there is no justification for the apprehension that wage revision might have an adverse impact on

the availability of resources either for developmental expenses or welfare measures. Thus the question of wage revision based on the need based minimum wage concept cannot be denied with any sense of justification on the specious pleas of the available resources or capacity of the Govt. to pay.

CHAPTER-XVI

CONCLUSION

We are indeed thankful to the Commission for affording us an opportunity to place our views and suggestions on the Terms of Reference of the 5th State Pay Commission for consideration of the Commission. As an organisation closely associated with the administration of State for over six decades, we have no hesitation to affirm that no other organisation can claim more representative character in the matter of employees' and workers' problems, needs and aspirations than ours.

We can assert that while placing our views and suggestions on various issues, we

have never been unmindful to the prevalent socio-economic conditions of the Country, particularly of the State and the genuine demands and aspirations of the workers and employees. We have tried our utmost to strike a balance between the two. We only hope that the Commission will find our views and suggestions quite in conformity with the Government's resource positions and the employees' and workers' urgent and unavoidable demands.

The Commission is aware that there was very little time at our command for the preparation of the Memorandum. May be some of the issues of the Terms of Reference might have escaped our notice, or our submissions may be required to be modified to some extent as those have been formulated in a hurry, particularly without having Central Government's specific decision on some recommendations of the 7th CPC. We therefore seek leave of the Commission to place an addendum or corrigendum, if necessary.

CHAPTER-XVII

ANNEXURE

Synopsis

Introduction : General Views (Para 1.1 to 1.8)

Principles of Pay Determination: Minimum Pay of Rs. 24500/- calculated on the some norms as adopted by the Joint Consultative Machinery, Staff side and accepted by the 7th CPC (Para 2.1 to 2.12)

Construction of Pay Scales: (a) Following the principles of need based minimum wage, determining the common Matrix minimum pay is constructed at Rs. 24500/- (Rs.26000/- \div 7 (5200+1800) = 3.71; 6600x3.71 =Rs. 24,486, i.e. Rs. 24500, rounded off 100) open-ended level pay to be constructed as per 7th CPC (Para-3.1 to 3.4)

(b) For existing Group 'D', 'C', 'B' and 'A' (partly) posts upto Scale No 14, that we represent open-ended level pay has been proposed respectively (Para 3.5)

Fixation of Pay in Revised Scales and Allied Matters

Fixation of Pay: In the same manner as was prescribed by the JCM, Staff Side & recommended by the 7th CPe. Basic pay as on 01.01.2014 to be multiplied by 3.71 matix then rounded off to next multiple of 100 taking into account of relativities of the scale (Para 4.1).

Fixation Benefit on Promotion: Two increments in the feeder cadre in the higher level of promotion (Para 4.2)

Date of Effect: From January, 2014. (Para 4.3)

Incremental Benefit: Rate of Annual Increment is 5% instead of presently 3% (Para 4.5)

Annual Increment: Two specific dates. (I) 1st January (those who recruited/appointed/ promoted between 1st January to 30th June); (II) 1st July those recruited/appointed/ promoted between 1st July to 31st December. (Pare 4.6)

Stagnation Increment: Same provision as prescribed by the 7th CPe. Automatic movement to next level of pay with the increment at the time of such Only in exceptional case with justifiable reasons, corcerned Associations & Unions will specifically point those out (Para 5.1 to 5.5)

Higher Initial & Special Pay: Retention demanded (Para 6.1 to 6.2.1)

Promotion Policy: Financial Promotion to be specified (Para 7.1)

Non functional Promotion: Disparities should be

Dearness Allowances: Same as Central Govt. employees

Other Allowances

House Rent Allowances: 20% at uniform rate

Medical Allowances & Benefits: Should be Rs. 1000/- p.m pensioners. Cashless Health Scheme should be implemented 9.2 to 9.2.2)

TA & DA : Should be revised at par with Central Govt. employee (Para 9.3 to 9.3.1)

Other Benefits

Earned Leave: Maximum 450 (+15) Days (Para10.1)

Maternity Leave : No change (Para 10.2 to 10.2.1)

LTC: Once in block of every 4 years like Central Govt. Employees (Para 10.3)

Leave Encashment : Extension of the faulty upto 450 days with the encash 50% of the accumulated leave in case of financial exigencies (para 10. - :0 :0. -.1)

Group Insurance: Present coverage shall be suitable enhanced with remain in the existing slab (Para 10.6)

GPF : Opposition to contributory Provident Fund (Para10.7) Advances:

HB : Govt. should bear an interest subsidy as demanded by JCM, Staff 11.1 to 11.1.1)

Gratuity Advance, Motor Cycle Advance/4-wheeler Advance etc. : Both eligibility and quantum should be raised (Para 11.2 to 11.3)

Pension & Other Benefits

Pension: Concepts (Para 12.1 to 12.1.17).

Opposition to New Pension Scheme (Para 12.2 to 12.3).

60% of the last pay (level pay) (Para 12.5).

Additional Pension (Para 12.6 to 12.6.3). Minimum Pension (Para 12.7) Dearness Compensation (Para 12.8) Merger to Dearness Relief (12.9) Grant of Interim Relief (12.10)

On 3-tier Panchayat and Board & Corporation Employees: To be treated at par with State Govt. employees (Para 13.1 to 13.4)

Regularisation of casual/Muster-roll/Daily

rated Workers: (Para 14.1 to 14.1.1)

On Contractual Appointments: Proposed statutory benefits pending regularization (Para 14.1.2 to 14.1.5)

Downsizing/Outsourcing/Contractorisation : Opposition to such adoption (Para 14.1.16 to 14.1.7)

Economic Condition & Resource Position: State's overall position of Economy, its buoyancy, need for better allocation of fund for wages & salaries (Para 15.1 to 15.8)

Accountability & Efficiency : Steps for increasing efficiency & the role of the employees in the changed scenario (Para 16.1 to 16.5)

Conclusion: Request for addenda, if necessary & Hearing