

GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
AUDIT BRANCH

No.3161-F(P).

Dated Howrah, the 17th day of June, 2014

RESOLUTION

WHEREAS, it has been made to appear to the Governor that there are several entities, namely, Companies, Corporations, Undertakings, Statutory Bodies, Boards, etc., wholly or partially owned or controlled by the Government of West Bengal or by any Body which is funded wholly or partially by the Government of West Bengal and such Companies, Corporations, Undertakings, Statutory Bodies, Boards, etc., that need to be restructured with a view to ensure the optimal use of public funds and the most productive and effective usage of available manpower;

AND WHEREAS, it also appears that the most effective and productive use of such manpower is through deployment or detailment in Government offices or in any other similar entities and productively and fully use their services through re-training and re-skilling;

AND WHEREAS, it has been further made to appear to the Governor that the terms and conditions of service for deployment or detailment of person employed under the local fund, whether administered by the Government of West Bengal or not, in Government offices or in any other local fund authority, are required to be specified separately since employees of the local fund are not Government employees as mentioned in the West Bengal Service Rules, Part I:

NOW, THEREFORE, the Governor is hereby pleased to specify the following Scheme for utilization of persons employed in any Local Fund administered or not administered by Government of West Bengal or in a Company, Corporation, Undertaking, Statutory Body, Board etc. wholly or partially owned or controlled by the Government of West Bengal or by any Body which is funded wholly or partially by the Government of West Bengal in the event of restructuring by way of deployment or detailment in any Government offices or in any other local fund authority or any such entity:-

Scheme

1. **Short title and commencement.**— (1) This Scheme may be called The Scheme for Utilization of Persons Employed under Local Fund administered or not administered by Government of West Bengal or in any Company, Corporation, Undertaking, Statutory Body, Board etc., which is wholly or partially owned or controlled by the Government of West Bengal or by any Body which is funded wholly or partially by the Government of West Bengal for deployment or detailment in any Government Offices or in any Other Local Fund Authority or any such entity.

(2) This Scheme shall come into force on the date of its publication in the *Official Gazette*.

2. **Deployment or detailment of person employed under local fund administered by Government.**— (1) A person employed under local fund administered by the Government of West Bengal and who is not a Government employee, may, if the State Government deems fit and proper to do so with or without express consent, utilize his/her service, by way of deployment or detailment in any Government offices or under any such other local fund authority and during such deployment or detailment all the terms and conditions of service shall remain with such local fund authority.

(2) The power to draw pay and allowances, to report on performance and to sanction of leave, shall be exercised by the concerned Head of Government office or the local fund authority to which the person has been deployed or detailed, subject to the condition that no service condition shall be in any way altered to the disadvantage of such person.

3. Deployment or detailment of person employed under local fund not administered by Government.— (1) A person employed under local fund not administered by Government of West Bengal and who is not a Government employee, may, if the State Government in consultation with the concerned authority of such local fund, deems fit and proper to do so, utilize his/her service, by way of deployment or detailment in any Government offices or in any such other local fund authority and during such deployment or detailment, all the terms and conditions of service shall remain with such local fund authority.

(2) The power to draw pay and allowances, to report on performance and to sanction of leave, shall be exercised by the concerned head of Government office or the local fund authority to which the person has been deployed or detailed subject to condition that no service condition shall be in any way altered to the disadvantage of such person.

4. Abolition and cessation of functions of the local fund authority.— In case of abolition or cessation of functioning of such local fund authority covered under the Clauses 2 and 3, the State Government may appoint an authority to continue the service matters of such persons till cessation of their services on retirement or otherwise:

Provided that in case of abolition or cessation of functioning, such persons shall continue to enjoy all the benefits as were enjoyed by them in their parent local fund authority excepting promotion.

Provided further that when a person is detailed or deployed under any other local fund authority either administered by the Government of West Bengal or not as covered under the Clauses 2 and 3, salary and other financial benefits may be paid from the fund of such local fund authority, where the concerned person is deployed or detailed or the Government of West Bengal may place fund at its disposal for the said purpose as may be decided by the Government of West Bengal.

5. Detailment or deployment of person employed in Company, Corporation, Undertaking etc.— (1) A person employed in any Company, Corporation, Undertaking, Statutory Body, Board etc., wholly or partially owned or controlled by the Government of West Bengal or by any Body which is funded wholly or partially by the Government of West Bengal, may, if the Government of West Bengal in consultation with the concerned authority of such entity, deems fit and proper to do so, utilize his/her service, by way of deployment or detailment in any Government offices or in any other Company, Corporation, Undertaking, Statutory Body, Board etc. and during such deployment or detailment all the terms and conditions of service shall remain with such entity.

(2) The power to draw pay and allowances, to report on performance and to sanction of leave shall be exercised by the concerned head of Government office or the entity where he is deployed or detailed provided no service condition shall be any way altered to the disadvantage of such person:

Provided that in case of winding up or cessation of functioning of such entity, the Government of West Bengal may appoint an authority to continue the service matters of such persons till cessation of their services on retirement or otherwise:

Provided further that in case of winding up or cessation of functioning, such persons shall continue to enjoy all the benefits as were enjoyed by them in their parent entity excepting promotion.

6. **Salary and other financial benefits.**— In the case of a deployed or detailed person covered under Clause 5, the concerned entity shall pay salary and other financial benefits for such deployed or detailed person from its own fund or the Government of West Bengal may place necessary fund at the disposal of such entity for the said purpose as may be decided by the Government of West Bengal.

7. **Interpretation.**— If any question arises relating to the interpretation of this Scheme, it shall be referred to the Government of West Bengal in the Finance Department whose decision thereon shall be final.

This Resolution is issued with the approval dated 14th June, 2014 of the Hon'ble Chief Minister as a Cabinet Mention case.

By order of the Governor,

Sd/- **H.K. Dwivedi**

*Principal Secretary to the Govt. of West Bengal,
Finance Department.*

ORDER

Ordered that a copy of this resolution be communicated to all Departments.

Ordered also that the Resolution be published in the *Kolkata Gazette, Extraordinary*, for general information.

By order of the Governor,

Sd/- **H.K. Dwivedi**

*Principal Secretary to the Govt. of West Bengal,
Finance Department.*

No.3161/1(200)-F(P) dated 17th June, 2014.

Copy forwarded to :

- 1) The Principal Accountant General (A&E) West Bengal, Treasury Buildings, Kolkata- 700 001.
- 2) The Addl. Chief Secretary/ Principal Secretary/ Secretary, _____
Department, Government of West Bengal.
- 3) The Divisional Commissioner, _____
Division.