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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Department of Labour

1, K. S. Roy Road, Kolkata-700 001

NOTIFICATION

No. Labr-58/2025/(LC-LW/MW)

Dated : 15.05.2025

The Governor is pleased to introduce the following scheme to provide limited livelihood support and social security, on humanitarian grounds and on purely temporary basis subject to consequential orders of any competent Court, to the distressed families of non-teaching staff in Group C and Group D categories, who were recruited through the 2016 selection process conducted by the West Bengal Central School Service Commission, and who have lost their jobs and whose salaries have been discontinued for reasons beyond their control, as a consequence of court proceedings which are yet to attain finality as on date and where review petitions are pending before the Hon'ble Supreme Court of India;

WHEREAS, the State Government, along with the West Bengal Central School Service Commission, have already filed respective review petitions before the Hon'ble Supreme Court seeking review of inter alia, the Judgment and Order dated 3rd April, 2025 passed in Civil Appeal No. 4800 of 2025 (State of West Bengal v. Baisakhi Bhattacharyya & Ors.) [‘said Judgment’] vide which the appointments of Group C and Group D staff made pursuant to the 2016 recruitment process were set aside;

AND WHEREAS by reason of the said Judgment several thousand persons have been rendered jobless overnight affecting their right to life and livelihood.

AND WHEREAS the Constitution envisages the State to be a welfare State where preservation of life of every person, especially where it has been jeopardized due to reasons beyond their control, is essential for the welfare of society.

AND WHEREAS Article 21 of the Constitution of India enshrines right to life as a fundamental right, the obligation to protect which squarely rests with the State, especially in case of matters of public employment and Article 41 of the Constitution of India also enjoins upon the State, within the limits of its economic capacity and development, to, inter alia, provide public assistance in cases of unemployment or old age or sickness and disablement or in other cases of undeserved want.

AND WHEREAS it is a matter of record that the Group C and D staff were employed under the State and whose employment has now been terminated by an order of Court where the State was a party.

AND WHEREAS it is also the duty of the State to take appropriate measures to ensure that such persons are not deprived of their right to preservation of life overnight and that such persons have a minimal amount of time to make suitable alternative arrangements to ensure their livelihood.

AND WHEREAS as has been done by the State in the past, on a temporary basis and subject to any consequential order as may be passed by a competent court of law, the State has formed an opinion to provide support to enable such persons to apply for alternative means of livelihood within a minimal amount of time and therefore the scheme hereinbelow has been framed.

AND WHEREAS this scheme aims to provide interim relief, by way of livelihood support and social security on humanitarian grounds, to the aforesaid distressed families of non-teaching staff in Group C and Group D categories, until the final adjudication of the review petition or appropriate application filed before the Hon'ble Supreme Court or any further petition as may be filed in accordance with law and till the proceedings attain finality;

NOW THEREFORE in exercise of powers conferred by, inter alia, Article 162 of the Constitution of India, the Governor is pleased to frame this Scheme as hereinbelow:

Scheme

1. Short title and commencement:– (1) This scheme may be called the West Bengal Livelihood and Social Security Interim Scheme, 2025.

(2) The Scheme shall be deemed to have come into force and from 01.04.2025.

2. Definitions:– For the purpose of this scheme, unless there is anything repugnant in the subject or context,–

(a) “Distressed Family” means the immediate family of any non-teaching staff in Group C or Group D category, who was recruited through the 2016 selection process conducted by the West Bengal Central School Service Commission, constituted under the School Education Department, Government of West Bengal, and who has lost his/her job due to the said Judgment and whose salary has been discontinued for reasons beyond his/her control, as a consequence of such court orders.

(b) “State Government” means Government of West Bengal in the School Education Department.

(c) “West Bengal Central School Service Commission” means the Commission constituted under the School Education Department, Government of West Bengal, for the purpose of recruitment of teaching and non-teaching staff in government-aided and government-sponsored schools, which are under the administrative control of the School Education Department.

(d) “Nodal Department” means the Labour Department, Government of West Bengal, for the implementation of this Scheme.

(e) “Labour Commissioner” means the Labour Commissioner, Government of West Bengal, under the administrative control of the Labour Department.

(f) “Screening Committee” means the Screening Committee formed for the purpose of determining the eligibility of the distressed families under this Scheme.

(g) “Appellate Authority” means the Authority who will dispose of any grievance raised against the decision taken by the Screening Committee.

3. Screening Committee:– A Screening Committee is hereby constituted with the following members for the purpose of determining the eligibility of the distressed families under this Scheme:–

i) Labour Commissioner, West Bengal – Chairman

ii) One Officer not below the rank of Joint Secretary of the Department where the employee has lost his/her job temporarily – Member

iii) One Additional Labour Commissioner, West Bengal – Member Secretary

The Screening Committee shall exercise its powers and carry out its functions in the manner as may be laid down by the State Government through appropriate government orders or notifications.

4. Registration:- To avail benefits under this Scheme, an eligible non-teaching staff in Group C or Group D category, belonging to a distressed family, must:

- i) Submit an application in the prescribed format attached herewith as *Annexure-A* along with necessary supporting documents to the Additional Chief Secretary or Principal Secretary, or Secretary of the School Education Department (i.e., Head of the Department), through the concerned District Inspector of Schools of the district under which his/her school is situated and where he/she was last employed. The School Education Department will forward the same to the Labour Department.
- ii) Ensure that his/her name was reflected in the payroll of the Department and its Directorate or Board, against a permanent vacancy, at the time of pronouncement of the said Judgment.
- iii) Not have crossed the age of superannuation on the date of submission of the application.
- iv) Not be gainfully employed in any manner whatsoever in any other organisation at the time of application.

Provided that the non-teaching staff in Group C or Group D category who have lost their jobs or are facing a stoppage of salary due to any disciplinary proceedings or other penal action by the State Government shall not be eligible for any benefit or livelihood support under this Scheme.

5. Appellate Authority:- Additional Chief Secretary/ Principal Secretary/Secretary of the Labour Department will act as the Appellate Authority in the Scheme. The Appellate Authority shall exercise its powers and carry out its functions in the manner as may be laid down by the State Government through appropriate government orders or notifications.

6. Benefits of the Scheme:- An eligible non-teaching staff in Group C and Group D category, belonging to a distressed family, shall be entitled to receive cash assistance of ₹25,000/- (Rupees Twenty-Five Thousand only) per month and ₹20,000/- (Rupees Twenty Thousand only) per month, respectively, as livelihood support for his/her distressed family, due to sudden unemployment and/or on humanitarian grounds, with effect from 1st April, 2025 and whose salary has been discontinued.

The benefit shall be discontinued upon occurrence of any of the following events:-

- i) On the death of the applicant;
- ii) On the date on which the applicant attains the age of superannuation;
- iii) Upon the proceedings before the Hon'ble Supreme Court arising out of Civil Appeal No. 4800 of 2025 (State of West Bengal v. Baisakhi Bhattacharyya & Ors.) attaining finality through final disposal of the review petitions or any other further petitions (as may be filed in accordance with law) by the Supreme Court of India, whichever is earlier;
- iv) Due to any other provision laid down in the Scheme by the State Government time to time;
- v) On the applicant securing other means of livelihood; or
- vi) At the discretion of the State Government;

whichever is applicable or occurs earlier.

7. Mode of Payment:- The payment will be made every month by the Labour Commissioner, West Bengal through the electronic direct benefit transfer method.

8. Limitation of the application of the scheme:- This scheme is subject to any consequential order as may be passed by any competent court of law and shall abide by any such order or direction of such competent court;

No applicant eligible under this scheme shall be entitled claim any right, equitable or otherwise, or other special equities by virtue of any provision of this scheme and this scheme shall not create any vested or any right of any nature in any such member of any Distressed Family to which the applicant belongs and shall be subject to any relevant order as may be passed by a competent court of law in this regard.

It is clarified that in the event of any consequential order being passed by the Supreme Court of India in relation to proceedings arising out of Civil Appeal No. 4800 of 2025 (State of West Bengal v. Baisakhi Bhattacharyya & Ors.), the consequences flowing from such order or direction shall prevail over this scheme.

This is issued with the concurrence of the Finance Department vide their U.O. Nos Group P2, 2025-2026/0151 dated 10.05.2025, Group L/2025-2026/0002 dated 10.05.2025.

This Scheme is approved at the 72nd Meeting of the Cabinet held on 14.05.2025 vide Cabinet Sectt. U/O No. CAB(D)-1258 dt.: 15.05.2025.

By order of the Governor,

AVANINDRA SINGH, IAS
Secretary
to the Government of West Bengal

Annexure-A

Form of Application for Special Assistance under the West Bengal Livelihood and Social Security Interim Scheme, 2025.

To
The Secretary/Principal Secretary/Additional Chief Secretary,
School Education Department,
Government of West Bengal.

(Through District Inspector of School of the District under which his/her school situated)

Sir/Madam,

I do hereby apply for special Assistance under the West Bengal Livelihood and Social Security Interim Scheme, 2025.

My details are given hereunder:

Photo

(1)	Full Name	:	
(2)	Son/Daughter of	:	
(3)	Gender	:	
(4)	Nationality	:	
(5)	Date of Birth	:	
(6)	Mobile Number	:	
(7)	E-mail	:	
(8)	Residential address	:	

(9)	Correspondence (if different from above)	:		
(10)	Govt. ID Number	:		
(11)	Aadhar Number	:		
(12)	Designation	:		
(13)	Employer (Name, Address, Email, Telephone Number)	:		
(14)	Place of posting	:	Period of posting	
			From	To
(15)	Date of Appointment	:		
(16)	Scale of pay(details)	:		
(17)	Last salary (gross)	:		
(18)	Date of loss of job/ stoppage of salary/termination	:		
(19)	Reason of termination/ stoppage of salary/job loss	:		
(20)	Temporary or Permanent	:		
(21)	Whether in any gainful employment after job loss? (Yes/No)	:		
(22)	If yes in (21) duration and nature of work)	:		
(23)	Details of disciplinary proceedings, if any	:		
(24)	Bank details	:	A/C Number	IFSC
(25)	PAN Number	:		

I, Shri/Smt. _____ hereby declare that:

- 1) The particulars contained in this form are true and correct to the best of my knowledge and belief;
- 2) I undertake that I shall abide by the decision of the “Screening Committee” specifically constituted for this Scheme;

- 3) I shall claim no right, equitable or otherwise, or other special equities by virtue of any provision of the Scheme and that all provisions of the Scheme including any benefit received thereunder shall be subject to any relevant order as may be passed by a competent court of law in this regard;
- 4) I accept that the Scheme shall not create any vested or any right of any nature in any member of my family and that all provisions of the Scheme including any benefit received there under shall be subject to any relevant order as may be passed by a competent court of law in this regard;
- 5) In the event of any consequential order being passed by the Hon'ble Supreme Court of India in relation to any proceedings arising out of Civil Appeal No. 4800 of 2025 (State of West Bengal v. Baisakhi Bhattacharyya & Ors.), the consequences flowing from such order or direction shall be binding on me and the members of my family in supersession of all provisions of the Scheme including any benefit received thereunder;

Place

Date

Signature of applicant

This is to certify that Shri/Smt. _____ had been permanent employee under _____ Department and his/her application is recommended for consideration by the "Screening Committee" specifically constituted for the West Bengal Livelihood and Social Security Interim Scheme, 2025.

Signature/stamp
Head of the Department