

D. Chakraborty
P. Chakraborty
15/11/07

HRA
beyond 250kms →

Government of West Bengal
School Education Department
(Budget Branch)
Bikash Bhavan, Salt Lake, Kolkata 700091

No. 538-SE(B)/LM-67/03

Dated, the 24th October, 2007.

M E M O R A N D U M

The question of extending the benefit of full admissible House Rent Allowance to both husband and wife in case where both the husband and wife are teaching/non-teaching employees or one of them is a teaching/non-teaching employees of an approved non-Govt./approved educational institutions including libraries and employees of District Primary Educational Council and other spouse is an employee of a State Govt./Central Govt./Public Undertakings/Local Bodies etc. and in case where they live in separate establishments at their respective working stations at a distance of more than 250 kms. (two hundred and fifty kilometers) from one another has been under active considerations of the Govt. for sometime.

2. Governor, after careful consideration, is pleased to decide that where both the husband and wife are teaching/non-teaching employees or one of them is a teaching/non-teaching employee of an approved non-Govt./approved educational institutions including libraries and employees of Dist. Primary Educational Council and other spouse is an employee of a State Govt./Central Govt./Public Undertakings/Local Bodies etc. and in case where they live in separate establishments at their respective working stations at a distance of more than 250 kms. (two hundred and fifty kilometers) from each other, the benefit of full admissible HRA to both husband and wife will be allowed subject to a maximum of Rs. 2,000/- per month subject to the following conditions:-

- 1) That they would give full address of their working places mentioning the nearest railway station/bus terminus and the actual distance of the working place from the railway station or main bus terminus.
- 2) That they should produce the original rent receipt/certificate of Prodhans of Gram Panchayat/tax receipts etc. in their individual names.
- 3) They will be liable to intimate any change of their place of work within 15 days of joining in new place/(s) to the authority allowing such benefit and also to the D.D.O.; The operation of G.O. sanctioning this benefit will automatically cease to exist from the date of change of place of posting of ~~the~~ either of the spouse and D.D.O. will allow after change of working place such amount as HRA to the incumbent as will be admissible as per normal rules.
- 4) After being satisfied, the concerned Managing Committee of the institution will recommended the case of the State Govt. in the School Education Department through proper channel for allowing the full admissible HRA to the incumbent.

3. This has the concurrence of the Finance Department Group-P (Service) vide their U.O. No.3675 dated 28.09.2007.

sd/- S. Mahapatra
Joint Secretary to the Govt. of West Bengal

No. 532/1(6)-SE(B)

Dated, the 24th October, 2007.

Copy forwarded for information and necessary action to:

- 1) D.I. of Schools (S.E)
- 2) D.I. of Schools (PE)
- 3) The Director of School Education, West Bengal.
- 4) The Dy. Director of School Education (G.A), West Bengal.
- 5) Finance Department, Group-P (Service), Writers' Bldgs., Kolkata 700001
- 6) Assistant Secretary, Budget Branch/Secondary Branch/ Primary Branch, School Education Department.

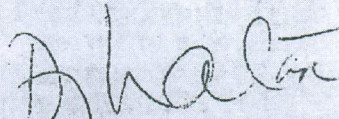
sd/- S. Mahapatra
Joint Secretary to the Govt. of West Bengal

No. 2495(20)-GA

Kolkata, the 6th November, 2007.

Copy forwarded for information and necessary action to:

The Dist. Inspector of Schools (S.E), -----


for Director of School Education
West Bengal

Government of West Bengal
School Education Department, Law Branch
Bikash Bhawan, Salt Lake City, Kolkata- 700091

No. 955-SE (Law)/SL/55-1221/09

Dated 27.07.2011

By an order dated 30.07.2010, the Hon'ble High Court at Calcutta in WP No. 17501 (W) of 2009 in the matter of Smt. Shukla Das (Saha) -Vs.- State of West Bengal & Ors. directed the Secretary, School Education Department, Government of West Bengal to revisit its policy decision as crystallized in the memorandum no.538-SE(B) dated 24.10.2007 as to consider and revisit the matter of the writ petitioner in the light of the observation made by the Hon'ble High Court at Calcutta the observation of the said order of the Hon'ble High Court at Calcutta is set out below:-

The essence of the memorandum date 24th October, 2007 in my opinion is to remove financial hardship of those married working employees, as specified in the said memorandum, who had to set up separate living establishments in their respective work place due to distance, which would not allow them to live together under one roof. The question is, whether the object of bringing into force the memorandum dated 24th October, 2007, is frustrated, if there happens to be two employees who stayed apart for a distance of 250 kilometers or slightly less, since it is obviously not possible for a spouse to commute, in the present Indian travel condition and the available transport infrastructure around 400 kilometers a day just to stay under one roof.

2. After careful consideration of the above, the Governor has been pleased to decide that:-

- a) Full HRA as per rules will be admissible to only 1 (one) of the married working employees, if the husband and wife stay together irrespective of the distance. But the said amount of full HRA (one quantum) may be divided in such proportions as opted by the said employees.
- b) If the employees stays in the residence as provided by the employer, no amount of HRA shall admissible. But his or her working spouse may be entitled to full HRA if he or she fulfils conditions as stated in clause (c), (d) and (e) below.
- c) In case the distance is less than 150 KMs but not less than 50 KMs and the said distance is not commutable daily by availing general available transport, full HRA as per rule with the approval of this Department may be admissible to the both working spouses if they live separately.
- d) In case the distance is 150 KMs and above full HRA as per rule with the approval of this Department may be admissible to the both working spouses they live separately.
- e) The benefit of the full admissible HRA to the both working spouses as per conditions as mentioned in clause (C) and (d) above may be allowed subject to the following conditions:

3. The concerned employees shall have to produce the following documents before the concerned Managing Committee of the School or the Sub-Inspector of Schools as the case may be only after being satisfied the concerned Managing Committee or the School or the Sub-Inspector of Schools as the case may be, shall forwarded the case with all documents to the office of the concerned District Inspector of Schools.

- a) Full address of working stations of the both spouses mentioning the nearest Railway stand and the actual distance of the working place from the Railway Station/Bus Stand.
- b) The original rent receipt/residential house property tax receipt (xerox duly authenticated) on the both residences of the spouses.

- 26 -
- c) Original certificate from the concerned proddhan, in case of Gram Panchayat or from the concerned Councillor, in case of Municipality or Corporation/Notified area for proof of their separate living because of the attending of the daily schools or office.
 - d) The distance shall always be counted from the respective working stations of the working husband and wife.
 - e) Drawal of full HRA by both spouses can be allowed only when posting of both of them is down with interest of public service and not on their own seeking.

4.

The District Inspector of Schools upon receipt of the case with all relevant papers as mentioned above shall verify the matter and forward the same to the office of the Director of School Education, West Bengal if the distance is really non-commutable daily by availing the general transport system. A certificate to that effect shall be issue by the concerned District Inspector of Schools with full details and annexed to the prayer.

5. Then the Director of School Education, West Bengal with his views forward to the same to the school Education Department, Government of West Bengal for consideration issuance of order in respect of full HRA, Drawal of such Full HRA shall be effective from the first day for the next month after issue of this memorandum in respect of the incumbent.
6. The concerned Head of the Institution shall be responsible to scrutinize the factual matters of the employee in respect the payment of HRA if any change occurs, the incumbant shall have to obtain further order in respect of HRA as per above procedure.
7. Each and every employees shall submit HRA declaration to the Head OF THE Institution with all supporting documents twice in the year in the month of January and in the month of July of the year.
8. The order issues with the concurrence of the Finance (Audit) Department, Government of West Bengal with their U.O. No. 2585 dated 14.07.2011.
9. This cancels G.O. No. 538-SE(B) dated 24.10.2007

By order of the Governor,
Sd/-
Secy. to the Govt. of West Bengal

**Government of west Bengal
Finance Department
Audit Branch
Writers' Buildings, Kolkata – 700001**

No. : 5839-F(P)

Kolkata, the 9th July, 2012

MEMORANDUM

In the matter of drawal of HRA by both husband and wife, a question has arisen if the same drawn by the spouse of a State Government employee in the employment of a private organization will be taken into account for deciding the ceiling as per Para 11 of Finance Department Memo No. 1691-F dt. 23.02.2009. The matter has been examined with reference to Rule 6(a)(i) of Appendix 20 of WBSR Part-II which read as "In a case where husband of wife is a State Government employee and the other spouse is an employee either of the State Government or of Central Government or any other State Government or of an educational institution or a local body etc. the allowance at usual rate will be admissible to both of them without reference to rent certificate". The amount as mentioned therein must be within the prescribed ceiling as prescribed by the Government from time to time. Presently it is as per Para 11 of Finance Department Memo No. referred to above. The term 'etc,' used in the said Rule has wider application and is not restricted to employees of Central or State Government or educational institutions or local bodies but includes others also.

Now, with a view to removing the confusion persisting in the matter the undersigned is directed by order of the Governor to say that Governor is pleased to clarify that as the spirit of the existing provision of the rules goes, in the matter of granting HRA to a State Government employee whose spouse is working in a private organization, where HRA is allowed as a separate element, the HRA of the spouse shall be taken into account as done in the case where spouse is the employee of any Government or semi-Government organization.

This will take immediate effect.

Sd/- A. K. Das

OSD & Ex-Officio Joint Secretary to the
Government of West Bengal

**GOVERNMENT OF WEST BENGAL
FINANCE (AUDIT) DEPARTMENT
NABANNA, MANDIRTALA, HOWRAH-711 102**

No. 8012-F(P₂)/FA/O/2M/206/17(N.B.).

Dated, Howrah, the 27th December, 2018.

C O R R I G E N D U M

In this Department's Memorandum No.5839-F(P), dated 09.07.2012, for the **words** 'Now, with a view to removing the confusion persisting in the matter the undersigned is directed by order of the Governor to say that Governor is pleased to clarify that as the spirit of the existing provision of the rules goes, in the matter of granting HRA to a State Government employee whose spouse is working in a private organization, where HRA is allowed as a separate element, the HRA of the spouse shall be taken into account as done in the case where spouse is the employee of any Government or semi-Government organization' **please read** 'Now, with a view to clarifying the doubt persisting in the matter, the undersigned is directed by order of the Governor to say that Governor is pleased to clarify that as the spirit of the existing provision of the rules goes in the matter of granting HRA to an employee of State Government / a sponsored / aided Educational Institution / Board / Corporation / Statutory Body / Autonomous Body and / other agencies or other instrumentalities of the State which is / are wholly or substantially owned and / or controlled by the Government, whose spouse is working in a private organization, where HRA is allowed as a separate element, the HRA of the spouse shall be taken into account as done in the case where spouse is the employee of any Government or semi-Government organization'.

By order of the Governor,

Sd/- H. K. Dwivedi.

**Additional Chief Secretary to the
Government of West Bengal.**

No. 8012/1(70)-F(P₂)/FA/O/2M/206/17(N.B.).


Dated, Howrah, the 27th December, 2018.

Copy forwarded for information and necessary action to :-

- 1) The Principal Accountant General (A & E), West Bengal,
Treasury Buildings, Kolkata-700 001.
- 2) The Director, Treasuries and Accounts, West Bengal,
New India Assurance Buildings (2nd and 3rd Floor),
8, Lyons Range, Kolkata-700 001.
- 3) The Additional Chief Secretary / Principal Secretary / Secretary,
----- Department.

It is requested to circulate this Corrigendum to the Offices / Organisation(s) under the control of his / her Department.

- 4) The Network Administrator, Finance Department.
He is requested to upload this Corrigendum in the Web-Site of Finance Department.


**O.S.D. & E.O. Special Secretary
to the Government of West Bengal.**