

University of Delhi

Proceedings before the 1st Appellate Authority under the Right to Information Act, 2005

Coram: Shri R.K. Sinha, IAS, Registrar & Appellate Authority

Date : 12-03-2012

Appellant

Dr. (Mrs.) Lipi Mukhopadhyay

Respondent

Central Public Information Officer (CPIO), University of Delhi

Original Application (OA) No.

18 of 2012 dated 05.01.2012

Appeal No.

43 of 2012 dated 09.02.2012

Facts:-

1. The Appellant, Dr. (Mrs.) Lipi Mukhopadhyay has filed an Appeal against the reply of the Original Application (OA) No. 18 of 2012 before the Registrar & 1st Appellate Authority of the University under the Right to Information Act, 2005 (hereafter the Act). The Appellant states that she is not satisfied with the reply of the CPIO.
2. The Appellant, Dr. (Mrs.) Lipi Mukhopadhyay had filed OA No. 18 of 2012 dated 21.12.2011 received by the CPIO, University of Delhi on 05.01.2012 seeking information regarding medical reimbursement facility to the Appellant as widow of some faculty of SGTB Khalsa College and other related matters. The CPIO replied to the OA on 12.01.2012
3. On perusal of the reply of the CPIO, it appears that the CPIO has provided information to the Appellant on the basis of the input received from the Deputy Registrar (Colleges), who is the deemed PIO under Section 5(4) and 5(5) of the Act. The CPIO had also transferred the original application to the PIO, SGTB Khalsa College under section 6(3) of the Act.

Decision:-

1. After considering the Appeal, it is noticed that the CPIO has forwarded information to the Appellant as per input received from the deemed PIOs in this matter. Further, on perusal of the OA and First Appeal it appears that some of the request of the Appellant are not request for the information as defined under section 2(f) of the Act, rather it in the nature of a complaint/grievance on some personal matter which is required to be address administratively. The CPIO had also transferred the original application to the PIO, SGTB Khalsa College under section 6(3) of the Act, which has also been reiterated by the Deputy Registrar (Colleges), the deemed PIO. Therefore, the decision of the CPIO is upheld.
2. Therefore, a copy Appeal is required to be transferred to the Principal, SGTB Khalsa College for further necessary action, if any, in this regard.
3. The appeal is decided accordingly.

Certified True Copy

S. S. Rana

REG. OFF. SGTB / S. S. RANA
Sr. Section Officer
(Right to Information Section)
SGTB Khalsa College
University of Delhi
Phone-110007/02031-110007

Rus
12.3.12

Registrar & Appellate Authority

भारतीय लोक प्रशासन संस्थान

इन्द्रप्रस्थ एस्टेट, रिंग रोड, नई दिल्ली-110 002



INDIAN INSTITUTE OF PUBLIC ADMINISTRATION

I.P. ESTATE, RING ROAD, NEW DELHI-110 002 (INDIA)

Dr.(Mrs.) Lipi Mukhopadhyay
Professor of Behavioural Science

December 21, 2011

Sri R.K. Sinha
Registrar
Delhi University.
Delhi.

Sir,

Information Section Diary	
Date	5/1/12
OA	18
Appeal	
CIC	
General	

With reference to my application for issuing me a medical health card of WUS Health Centre of Delhi University employees/dependents as widow of Late Durgadas Mukhopadhyay, Reader in Economics, Khalsa College, who was a beneficiary of the same facility.

I hereby received no communication till date from Khalsa College after three years of his demise. Although I am eligible to get the Delhi University health facility for employees family. Thereby, I raise the following questions under the RTI Act.

1. Why I am denied to get medical reimbursement facility as widow of Durgadas Mukhopadhyay, a permanent faculty of Khalsa College?
2. Under which law the principal, Khalsa College may deny the health facility card for availing the said facility?
3. Till date despite all evidences provided I am denied my late husband's P.F. Group Insurance and medical bills for reimbursement, why?.
4. What are the implications of such erratic unlawful behaviour of the head of the educational Institution and possible eradication of such irregularity?
5. what role the Delhi University can play in this matter to heal the painful suffering in the hands of corrupt administrative procedure?

I need to have urgent reply of all above queries.

Thanking you,

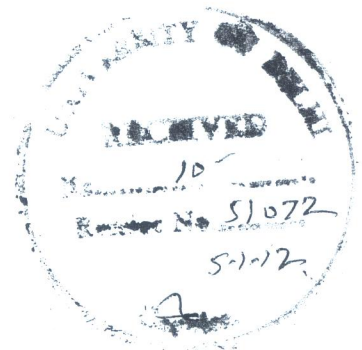
मुख्यालय शाखा	
उपरी स. विभाग	
उप-1	
उप-2	
उप-3	
नि.स.	
अन्य	TR-05

Yours sincerely

Lipi Mukhopadhyay
(Lipi Mukhopadhyay)

Copy to:
Shri Jay Chandra,
Asst. Registrar and PIO,
Delhi University,
Delhi.

✓ DR(CPIO)



Mukhopadhyay as nominee (my husband) in my family declaration form based on that only the pension was released.

In this connection may I ask the respectable authority that as a widow of Durgadas Mukhopadhyay then why cannot I be provided other essential benefits such as medical reimbursement claim which is urgent at this hour. Over three years I have got no medical support although I am entitled under the rule of the law of WUS Health Centre. It is also submitted here for your kind reference that in the absence of the nominee made by my late husband Durgadas Mukhopadhyay in the College record he had nominated me in the Khalsa college Bank through which his salary was drawn as valid proof of my identity as his widow. In addition, the college has his personal file for LTC and medical reimbursement claim made by my late husband with detail family members.

The applicant has already applied for succession certificate and the concerned authority is very much aware of that. Till the succession certificate is pending in the court the urgent medical support may be extended based on authentic legal documents submitted as widow of late Durgadas Mukhopadhyay to the college, i.e. copy of the passport, election card and my official declaration of nominee as my late husband Durgadas Mukhopadhyay.

Yours sincerely


(Lipi Mukhopadhyay)

Encl: As above.

भारतीय लोक प्रशासन संस्थान

इन्द्रप्रस्थ एस्टेट, रिंग रोड, नई दिल्ली-110 002



INDIAN INSTITUTE OF PUBLIC ADMINISTRATION

I.P. ESTATE, RING ROAD, NEW DELHI-110 002 (INDIA)

Dr.(Mrs.) Lipi Mukhopadhyay
Professor of Behavioural Science

December 21, 2011

Sri R.K. Sinha
Registrar
Delhi University.
Delhi.

Sir,

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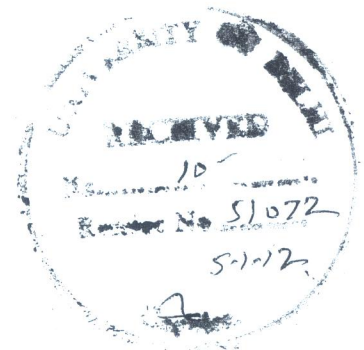
मुख्यालय शाखा	
उपरी स. वि.क	
क.स. I	
क.स. II	
क.स. III	
वि.स.	
अन्य	TR-05

Yours sincerely

Lipi Mukhopadhyay
(Lipi Mukhopadhyay)

Copy to:
Shri Jay Chandra,
Asst. Registrar and PIO,
Delhi University,
Delhi.

✓ DR(CPIO)





Phone: 27667469. 27666220 (fax)

khalsadu@gmail.com

SRI GURU TEGH BAHADUR KHALSA COLLEGE
UNIVERSITY OF DELHI
DELHI-110007

Ref. No: **RTI/3487 - 3488**

Dated: **12.03.2012**

19

The Deputy Registrar (Colleges)
University of Delhi,
Delhi - 110007

Dear Sir,

This has reference to letter no., Info/OA/18/2012/1997 dated 12 March 2012 addressed to Dr.(Mrs.) Lipi Mukhopadhyay, IIPA, New Delhi-110002 in response to her application seeking information under Right to Information Act 2005 from Deputy Registrar (Information), University of Delhi. Copy of the letter has also been delivered at the College.

As informed to the applicant, the College is following the directions of the University with regard to release of dues after the death of Sh. Durgadas Mukhopadhyay, Associate Professor in Economics, who had expired on 29.01.2009. As per the directions of the University, the family pension is being paid to the Mrs. Lipi Mukhopadhyay every month. The arrears of pay on revision of pay scale in terms of VI CPC and arrears of pension have also been released to her. Since she has not yet submitted the succession certificate, the Provident fund and GIS claims have not been paid to her.

It is mandatory for pensioners and family pensioners to have the WUS Health Centre membership to avail the medical reimbursement facility from the employers. Mrs. Lipi Mukhopadhyay has not yet submitted the copy of the WUS Health Centre membership card with the College and in the absence of which, she has not been permitted to avail the medical reimbursement facility from the College.

The College ~~would~~ requests the University for any new directions, if permissible, to release Provident Fund, GIS claims and other dues to Mrs. Lipi Mukhopadhyay without submission of required succession certificate.

Yours sincerely,

(Jaswinder Singh)
Principal

Copy to:
The Deputy Registrar (Information)
University of Delhi,



Phone: 27667469, 27666220 (fax) khalsadu@gmail.com
SRI GURU TEGH BAHADUR KHALSA COLLEGE
UNIVERSITY OF DELHI
DELHI-110007

Ref. No. *RTI/2736-2737*

Dated : *17.01.2012*
19

Mrs. Lipi Mukhopadhyay,
Indian Institute of Public Administration,
I.P. Estate, New Delhi – 110002.

This has reference to your application dated December 21, 2011 addressed to 'The Registrar, University of Delhi' seeking information under RTI Act. The point wise replies to your queries are being provided hereunder:


1. Sh. Durgadas Mukhopadhyay, Associate Professor in Economics had expired on 29.01.2009 without nomination in favour of any beneficiary in the College records. The matter was referred to University of Delhi for valued opinion. The University vide letter no. CB-II/Misc./2009/34502 dated 10/12.09.2009 advised to release the benefits but left it to the College to verify the family of the late Sh. Durgadas Mukhopadhyay. In view of the difficulty in identifying the family of Mr. D.D. Mukhopadhyay, the College again approached the University seeking legal opinion in the matter and directions to release the dues. The University of Delhi vide letter no. CB.II/2010/Misc./Med./573 dated 16.03.2010/05.04.2010 directed that Mrs. Mukhopadhyay be asked to submit a certificate from her employer to the effect that she had declared (Late) Sh. Durgadas Mukhopadhyay as her husband in her family declaration form at the time of joining the IIPA and it was also directed that the College should obtain a certified copy of her family declaration from her employer and if the certificate discloses that she is the widow of the College employee, the family pension may be released to her and *for other benefits* she be asked to submit a Succession Certificate and accordingly benefits be released to her. Mrs. Lipi Mukhopadhyay was informed about the same vide letter no. P/731 dated 08.07.2010 and P/67 dated 08/12.04.2010. The submission of required succession certificate is still awaited. Further it is also mandatory for the pensioners/family pensioners to be a member of WUS Health Centre to be eligible to avail medical reimbursement. The claimant has also not yet submitted the copy of WUS Health Centre membership card with the institution

2. & 3

The benefits to the deceased have been released in accordance with directions of the University. Remaining dues such as Provident Fund, Group Insurance and medical reimbursement shall be released to the deceased on submission of required certificate and WUS Health Card, which have not been submitted by the claimant. It is not permissible for the institution to release remaining dues to deceased without following due process of law i.e without submission of 'Succession Certificate'. Violation of University of Delhi directions and releasing these dues to the deceased is not permissible in law.

4. & 5

The matter pertains to University of Delhi


(H.V. Jhamb)

Public Information Officer

CC: The Deputy Registrar (Information) & CPIO, University of Delhi in response to letter no. Info./OA/18/2012/7187 dated 06 January 2012

Phone: 27667469, 27666220 (fax) khalsasgtb@vsnl.com, sgtbkdel@del3.vsnl.net.in
SRI GURU TEGH BAHADUR KHALSA COLLEGE
UNIVERSITY OF DELHI
DELHI-110007



DDM

Ref. No... *P/67 To 68*

Dated : **08.04.2010**
12

Dear Mrs. Mukhopadhyay,

This has reference to your requests for release of dues after the unfortunate demise of Mr. Durgadas Mukhopadhyay, Reader in Economics at the College.

This is to inform that the late colleague had failed to submit a nomination in College office for grant of retirement benefits to his family and in the absence of documents, clarification was sought from the University with regard to release of dues to the family of the deceased. The University of Delhi vide letter no. CB.II/2010/Misc./Med./573 dated 16.03.2010/05.04.2010 has communicated that you should submit a certificate from your employer i.e. I.I.P.A that you have declared Late Sh. Durgadas Mukhopadhyaya as your husband in family declaration at the time of joining the service or whenever you got married while in service, as the case may be. If the required documents support late Mr. Durgadas Mukhopadhyay as your husband, the family pension shall be released to you. You are required to submit a succession certificate to claim other benefits.

The required document/s be submitted at the earliest so that dues are released.

Yours sincerely,

Jaswinder Singh
(Jaswinder Singh)
Principal

Mrs. Lipi Mukhopadhyay,
Professor,
Indian Institute of Public Administration,
I.P. Estate, Ring Road,
New Delhi - 110002.

Copy to:

The Director, Indian Institute of Public Administration, New Delhi-110002
Mrs. Lipi Mukhopadhyay, A-21, Sector-21, NOIDA