

Time Bound/RTI Matter

**No. Q/Pen/551/16/2016  
Ministry of External Affairs  
Administration Division  
(Pension Section)**

**Date: 17<sup>th</sup> August, 2016.**

To,

**Mrs. Vijaya Mallik,  
House No. 99,  
Ratnakar Bag, Lane-1,  
Tankapani Road,  
Bhubaneswar – 751018,  
Dist – Khurda, Odisha.**

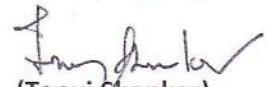
**Sub: Information sought under RTI Act, 2005.**

**Madam,**

Please refer to your RTI application dated 15.07.2016, received in the Ministry on 20.07.2016, seeking the latest position regarding release of the gratuity, GPF and Group Insurance payment in respect of your son, Late Biraja Prasad, former Ambassador to Tajikistan.

2. The payments mentioned above are being processed in the Ministry.
3. If you are aggrieved with this reply, you may file an appeal with Ms. Apoorva Srivastava, Director(ADP) & Appellate Authority, Ministry of External Affairs, Room No. 4095, 'B' Wing, Jawaharlal Nehru Bhavan, 23-D, Janpath, New Delhi – 110011 within 30 days of receipt of this letter.

Yours faithfully,

  
(Tanuj Shankar)

**Under Secretary (Pension) & CPIO**

**Copy to:**

1. Ms. Apoorva Srivastava, Director (ADP), Room No. 4095, 'B' Wing, Jawaharlal Nehru Bhavan, 23-D, Janpath, New Delhi – 110011.
2. Shri Sandip Kumar Kujur, Under Secretary (RTI), Room No. 2019, 'A' Wing, Jawaharlal Nehru Bhavan, 23-D, Janpath, New Delhi – 110011.

Most Immediate- 1304/2016

From

Mrs. Bijaya Mallik  
House no. 99,  
Ratnakar Bag, Lane-1,  
Tankapani Road,  
Bhubaneswar-751018  
Dist.-Khurda, Odisha

4788/16  
29/07

4175

20/07/16

Date-15.07.2016

To

The Under Secretary (RTI),  
RTI cell, Ministry of External Affairs,  
Govt. Of India

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Subject (I) Request for supply of information regarding the latest position in respect of the release of the gratuity, GPF and Group Insurance money to Mrs. Bijaya Malik, mother of late Biraja Prasad, Ex-Ambassador to Tajikistan.

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(ii) Supply of information under RTI Act.

Dear Sir,

I am the unfortunate mother of late Biraja Prasad, Ex-Ambassador to the republic of Tajikistan, who passed away on 13.02.2016 in mysterious circumstances, while in service in Dushanbe, capital city of Tajikistan.

2. My son Biraja Prasad made me nominee for gratuity, GPF and group Insurance. This was informed to us on 11.03.2016, when my husband met Sri Sibi Gorge, Joint Secretary(AD). As instructed by him, Sri B.K Sharma, an officer of MEA came to our residence in Dwarka as I was not able to go to Ministry, because of my acute health problem and got necessary forms filled up by me and signed by me. I also handed over to him by photographs.

3. For the last four months , I have been continuously sending my request to MEA to get the case processed and release GPF, Gratuity and Insurance to me. I have also made oral requests to the officers concerned. But now they are not taking my call and responding to me properly. But neither the same has been released to me, nor I am

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being informed as to what are the constraints they are facing in this regard.

4. My letters dated 11.03.2016, 11.04.2016, 06.06.2016 and 27.06.2016, which I have sent to them are enclosed. The concerned officers are not listening to me. These letters have been sent by registered posts.

5. I am therefore requesting you to collect the latest position with regard to release of GPF, Gratuity, and Insurance money and to inform me under RTI Act. I am enclosing a postal order for Rs.10/- no. 449202 dated 14.07.2016 as required under the procedure and rule.

6. I am requesting you to do the needful most urgently, as I apprehend that the Ministry may be manipulating to deprive me of the benefit after the death of my son.

With regards  
Yours faithfully

*Bijaya Malik*  
(Mrs. Bijaya Malik)  
Mob no.-9337060601

Most Immediate/Confidential

By registered post with AD

From

Mrs. Bijaya Mallik,  
House No. 99  
Ratnakar Bag, lane-1,  
Tankapani Road, Bhubaneswar,  
Dist - Khordha, Odisha  
Pin - 751018

To

Sri Sibi Gorge,  
Joint Secretary (Admn.)  
Ministry of External Affairs,  
South Block, New Delhi.

Date - 27.6.2016

Sub. : Claim for release of GPF, Gratuity and Central Govt. Group Insurance to Mrs. Bijaya Mallik, mother of late Biraja Prasad, Ex-Ambassador to the Republic of Tajikistan.

Respected Sir,

With due regard, I submit to refer to my letters dated 11.03.2016 , 11.04.2016 and 06.06.2016 to you sent by registered post with AD copy to Ms. Apoorva Srivastava, Director, and Mrs. Poulemi Tripathy, Director on the subject mentioned above. I may refer to my comprehensive representation dated 14.04.2016 wherein I have accused Pooja Mishra, widow of my late son Biraja Prasad for abetting my son's unnatural and mysterious death. We have made also innumerable representations to Hon'ble Foreign Secretary, Hon'ble Foreign Minister and Hon'ble Prime Minister in this regard. While we have received communication from PMO acknowledging to our representation, we are sorry to mention that MEA has sent no letter of acknowledgement to our representation. This is not expected of MEA, who are supposed to be courteous and action oriented Ministry. We have every reason to believe that MEA has been trying to suppress our demand for CBI investigation and shield the culprit, who has made our son to die in torturous manner.

2. Regarding the payment of Gratuity, GPF and Central Govt. Group Insurance, I may refer to my previous letters (copies enclosed) wherein I have mentioned and I have been informed by your office that my late son Biraja Prasad has made me nominee in these regards While we were in



Delhi after the death of my son, my husband met you in your office and I could not meet you, because of my health problem and my old age. As per your instruction, your officer Sri B. K. Sharma was kind enough to come to our flat no. B. 204, Saheta Apartment, Plot No. 30, Sector -4, Dwarka and got various forms filled up with my photographs and signature. This was in March, 2016. I have not received any information from your office in this regard.

3. I may mention to you that I am old lady and always sick living with medicines and help of doctors. I am almost invalid and require money for my continuous and uninterrupted medical attention. Huge expenditure is being incurred on my treatment. I am a chronic patient of high blood pressure, high diabetes, huge orthopedic problems especially tremendous knee problem. Doctor has advised for replacement of both of my knees. My husband, who is an aged person and Govt. pensioner is not able to sustain our living and unable to met expenditure on my treatment. His income is very meager and slender, which is hand to mouth. Added to our financial problems, our son, who was our only help and support has died leaving us shaken and shattered. Our widow daughter-in-law has also abandoned us to lead her independent life.
4. Our son late Biraja Prasad had perhaps foreseen the future and had premonition that he would not live long and we, his old parents would be in difficulty and his wife would not support us. Perhaps anticipating this, he made me nominee so that I would get some financial support in the form of gratuity, GPF and Group Insurance from Government. This should be allowed to me as the nominee.
5. In the mean time, our widow daughter-in-law has obtained a legal heir certificate wherein the local Tahasildar has mentioned three class I legal heirs to my son i.e. his widow wife, his 17 months old son and myself being mother of my late son Biraja Prasad. Although my husband is a legal heir being his father, he has been excluded because of her manipulation through political pressure. How can the father of Biraja Prasad be excluded, although being class II legal successor is not understood.
6. She must have produced this legal heir certificate to your office to swindle away the entire money in Gratuity, GPF and Group Insurance. I must not be excluded as I am class I legal heir and my husband must not be excluded as legal heir to my son, also class-II legal heir.



7. I have already informed you in my previous letter dated 06.06.2016 that a situation has occurred which need to be examined and considered. In another case my late son Biraja had made his father Sri Bhramarabar Mallik as his nominee in respect of his bank account in Syndicate Bank, South Block, New Delhi in which he has a deposit of Rs. 35,00,000/- (Rupees thirty five lakhs). Sri Mallik could have withdrawn that money had he known earlier. Pooja Mishra approached the bank for withdrawing that money, which was not allowed by the bank stating that they would allow that only to the nominee made by his late son. In order to forestall this, she has approached the local court and got an ex-parte status quo order. Saying that my husband is not entitled. Only the legal heirs i.e myself, Pooja Mishra, his widow wife and son, who is minor shall be entitled.
8. She has prayed in her petition to the court that three class I legal heirs namely I, myself (Mrs. Bijaya Mallik), mother, the widow wife Pooja Mishra and his 17 months old son, shall be entitled to get that money in equal proportion. She has prayed that plaintiff and her son being class-I legal heirs of late Biraja Prasad should be entitled to  $\frac{2}{3}$ <sup>rd</sup> share of the suit money under section 8 of Hindu succession Act, 1956 and the mother of late Biraja Prasad is entitled to  $\frac{1}{3}$ <sup>rd</sup> of the suit money. In other words, the amount of Rs. 35,00,000/- in the bank should be divided equally among the mother, wife and son. Of late Biraja Prasad However, the case is sub-judice and the decision shall be accorded by the court in due course.
9. On the same analogy, logically and legally, the gratuity, GPF and Group Insurance money should be divided and apportioned among the above legal heirs. The father should not be excluded, as he is definitely the legal heir to his son late Biraja Prasad In the final analysis, justice and equity shall be imparted if the GPF, Gratuity and Group Insurance money is apportioned among four legal heirs to late Biraja Prasad – Mrs. Bijaya Mallik, myself being mother, Mr. Bhramarabar Mallik being his father, Pooja Mishra, being his widow wife, and Prathamesh Mallik, being his son. I think that this is appropriate solution to the issue. Moreover I being mother and class-I legal heir to Biraja Prasad am the nominee made my late son. This can not be lost sight of.
10. Unless a judicious decision is taken by MEA, this will certainly lead to complication and legal problem. If our case is not taken into account, we will be compelled to knock at the door of judiciary for their intervention,

because our rights can not be overlooked. Pooja Mishra can not be rewarded, as she has abetted the death of our son and he died at a result of well planned conspiracy.

11. Soliciting you help and due justice, I remain.

With regards,

Yours faithfully,

*Bijaya Mallik*

*NB - Legal heir certificate  
is enclosed.*

(Mrs. Bijaya Mallik)  
Mob. : 9337060602  
9337060601

*copy to*

- 1. Mrs. Apoorva Srivastav  
D/o (Amm), MEA*
- 2. Mrs. Souleni Tripathy,  
D/o (Amm), MEA*



From Bhramarabar Mallik

Smt. <sup>2</sup> Bijaya Mallik  
House no. 99, Ratnakar Bag,  
Lane-1, Tankapani Road,  
Bhubaneswar - 751018  
Gt - Icharga, Odisha.

Date - 11.03.2016

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To  
Sri Sibi George,  
Joint Secretary  
Ministry of External Affairs,  
Govt. of India, South Block  
New Delhi

Subject - Claim GPF and Group Insurance  
Scheme money by Sri Bhramarabar  
Mallik and Mrs. Bijaya Mallik  
parents of former Ambassador to  
Tajikistan

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Sir, Re Sri Bhramarabar Mallik and  
Mrs Bijaya Mallik, parents of our son  
Bijaya Prasad, former Ambassador to the Republic



- 2 -

of Tajikistan, who unfortunately expired on 13th February, 2016 leaving us bereaved and helpless.

We both inform Ministry that so far as his GPF and Central Govt. Group Insurance Scheme are concerned, my son has made both of us his nominees in the both the schemes. Since he has expired, our claims may be considered for payment of total money contributed by him to both schemes.

We are old parents of Late-Bijaya Prasad, and hence the total money contributed by him may be paid to us by the Ministry. No other person except us is entitled and has right and claim to the same in any manner, whatsoever.

An early action is requested in this regard.

Yours faithfully  
1) Bhramarabai Mallik  
— Father

2) Bijaya Mallik  
— Mother

Copy to Director (Admin)

MEA

From:

Bhramarabar Mallik  
Ex-JS & JRGI, Ministry of Home Affairs,  
House no.99, Ratnakar Bag, Lane-1,  
Tankapani Road, Bhubaneswar,  
Dist: Khurda, Odisha

Most Immediate

Date: 11.04.2016

To,

Sri Sibi Gorge,  
Joint Secretary (Admn.)  
Ministry of External Affairs  
South Block, New Delhi

Subject : Request for issue of death certificate and legal heir certificate in respect  
of Biraja Prasad, Ex-Ambassador to The Republic of Tajikistan

Sir,

Kindly refer to my meeting with you on 21.03.2016 when I handed over a letter dated 21.03.2016. I received from you a copy of the final postmortem report in connection with the death of my son Biraja Prasad, who died on 13.02.2016 in Dashanbe in his house in mysterious circumstances. We are writing back soon to you with further facts and evidences.

2. As I have already mentioned earlier, she left my house in Bhubaneswar fourteen days after the death of my son.
3. I will inform you that she is staying somewhere in Delhi and we donot know her whereabouts. She has taken away my grand son. I am sure that she must have met you and other officers in the Ministry and given her address and telephone number. I request you to kindly intimate us her address and telephone number, so that we will be able to contact her.
4. Staying at Delhi, she has applied for legal heir certificate to the local revenue officer (Tahsildar) in Bhubaneswar perhaps to claim benefit from Government because of the death of late Biraja Prasad (Mallik). I have checked up from Tahsil Office that she has mentioned her name and the name of my grand son only. She has not mentioned our names as parents of Biraja Prasad and we are very much alive. Rather we are natural legal heirs of Biraja Prasad.



5. As procedure usually followed in such cases, Tahsildar sent his Revenue Inspector and another official to my house. On this field visit, they included our names Bhramarabar Mallik and Mrs. Bijaya Mallik, as father and mother respectively of Biraja Prasad. This can not be changed. In case legal heir certificate is issued by Tahsildar, this should contain our names as father and mother along with Pooja Mishra, the widow of Biraja Prasad and his son Prathamesh Mallik. Thus there will be four legal heirs of late Biraja Prasad namely:
- a) Bhramarabar Mallik, Father
  - b) Mrs. Bijaya Mallik, Mother
  - c) Pooja Mishra, widow wife of Biraja Prasad
  - d) Prathamesh Mallik, his son
6. I have come to know that her father is trying putting political pressure and through other means to delete our names knowing very well that we are father and mother of late Biraja Prasad and hence we are natural heirs of Biraja Prasad Mallik. The revenue officer is being prevailed upon not to come under his pressure and issue an illegal and wrong legal heir certificate.
7. I am bringing to your kind notice the above facts on immediate basis, as a conspiracy is being hatched against us the old parents of Biraja. In case a legal heir certificate is produced by her in which our names donot figure, the same may not be entertained and the Revenue Officer may be asked why this illegal and wrong legal heir certificate has been issued by him.
8. Regarding issue of death certificate it may be mentioned that both interim and final postmortem report mention that the death of Biraja Prasad, Indian Ambassador occurred at home in Dushanbe city-1, Somani District, Republic of Tajikistan. Permanent address has been mentioned as Republic of India. In the above circumstance, I request that a formal death certificate in respect of late Biraja may be obtained and sent to me, which is legal requirement for all purpose. The death certificate should mention the permanent address as given in Para - 10 below:
9. We have been told that Biraja made his mother Mrs. Bijaya Mallik a nominee with regard to GPF, gratuity and Central Government Group Insurance. While we

were in Delhi, as advised by you she filled up the necessary forms and documents duly signed by her with help and assistance of your officer Sri B.K. Sharma and submitted to your Department. This may kindly be expedited.

10. Late Biraja Prasad for all purposes had mentioned his permanent address as mentioned below:-

C/o Bhramarabar Mallik,  
House No.99, Ratnakar Bag, Lane-1,  
Tankapani Road, Bhubaneswar- 751018,  
Dist: Khorda, Odisha, India.

11. The above address may kindly be noted. I would like to know what decision has been taken by the Ministry to bring the household effects of my son Biraja Prasad lying in Dasanble, Tajikistan.
12. If any other information is necessary and required by Ministry, I may kindly be contacted.

With regards

Yours faithfully

*Bhramarabar Mallik*

(BHRAMARABAR MALLIK)

Mob.09337060601



*By registered post*

MOST IMMEDIATE  
CONFIDENTIAL

From:-

Mrs. Bijaya Mallik,  
Mother of Late Biraja Prasad,  
Ex-Ambassador to the Republic of Tajikistan  
Resident of House Number 99,  
Ratnakar Bagh, Lane I,  
Tankapani Road,  
Bhubaneswar,  
Distt. - Khurda,  
Odisha - 751018

Date: 06.06.2016

To,

Sri Sibi Gorge,  
Joint Secretary (Admin),  
Ministry of External Affairs,  
South Block,  
New Delhi - 110001

Subject: Processing and sanctioning of payment of gratuity, GPF and Central Government Group Insurance money in favour of Mrs. Bijaya Mallik, mother of Late Biraja Prasad, ex-Ambassador to Tajikistan.

Respected Sir,

1. Kindly refer to the letter dated 11.04.2016 vide Para 9 therein on the subject mentioned above. In this regard, I would like to mention that I have been made nominee by my late son Biraja Prasad in respect of GPF, Gratuity and Central Government Group Insurance. As instructed by your good self in the month of March, 2016, when my husband Sri Bhramarabar Mallik met you in your chamber, Sri B.K. Sharma, an officer of your Ministry, came to our residence, Flat number B-204, Saheta Apartments, Plot - 30, Sector - 4.

Dwarka, New Delhi-110075, and as I am not physically able because of my health problem to appear before you and got all forms and documents filled up and duly signed by me. Till now, I have not received any response from your office.

2. In the meantime, I have got the legal heir certificate from Tehsil, Bhubaneswar and a copy of the certified copy thereof is enclosed. It will be seen that I am not only the nominee made by my late son, but I am the Class-I legal heir to him. I am therefore fully entitled to get the money in his GPF account, Gratuity and Central Government Group Insurance. This may kindly be allowed to me.
3. I am an old lady and continuously sick and living with medicines and help of the doctors in Apollo Hospital, Bhubaneswar. I am almost invalid and require money for my treatment, for which huge expenditure is being required. I am a chronic patient of high blood pressure, high diabetic, orthopedic problem especially tremendous knee problem. Both knees shall be replaced as advised doctor in Apollo Hospital, Bhubaneswar. My husband, who is a central government pensioner, is not able to sustain our living and meet the expenditure on my treatment. His income is meagre and we are living hand-to-mouth. We are in difficult financial situation and hence the payment of the above money may be made to me. Biraja Prasad, who was only support to us is no more and left us totally broken and shattered. Our daughter-in-law, Pooja Misra, has left us and lives independently. She has deserted us.
4. It may be appropriate to mention that my son, Late Biraja Prasad, has made my husband Bhramarabar Mallik, nominee in respect of his bank account in the Syndicate Bank, South Block, New Delhi. He could have got that money being nominee. This has been forestalled by Pooja Misra, our widow daughter-in-law by approaching the local court and got a status quo order saying that my husband is not entitled. She has prayed before the local court



that the said bank deposit money may be apportioned among the three Class-I legal heirs to late Biraja Prasad, that is, Pooja Misra, his wife, Prathmesh Mallik, his son, and myself Mrs. Bijaya Mallik, his mother. She has invoked the Hindu Succession Act. The matter is now sub-judice. On the same analogy, I am also entitled to the GPF, Gratuity and Group Insurance of my late son. This may be kept in mind.

5. I would request you to kindly consider my case and make payment to me. In case the legal position as well as the rules regarding GPF, Gratuity and Group Insurance are not taken into account and my case is not considered, This may lead to unnecessary litigation. I reiterate that being the nominee of my son and Class-I legal heir to my late son, I am fully entitled to the money under GPF, Gratuity and Group Insurance.  
Soliciting your immediate action in the matter.

Yours faithfully,

*etc.*

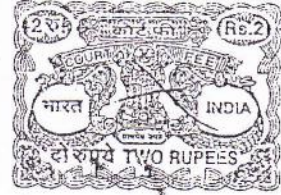
*Bijaya Mallik*

(MRS. BIJAYA MALLIK)  
Mobile: +91- 9337060602

*copy to*

① *Ms. Apoorva Srivastava*  
*Dir (ADP)*

② *Ms. Poulomi Tripathy*  
*Dir (ADP)*



GOVERNMENT OF ODISHA  
FORM No. IV  
[See Rule 3]

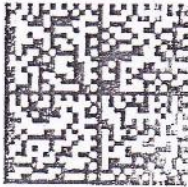
Office of the Tahasildar, Bhubaneswar. Miscellaneous Certificate Case No: 6 LHC/164 of 2016  
**LEGAL HEIR CERTIFICATE**

This is to certify that the Persons specified below are the Legal heirs of Late BIRAJA PRASAD Spouse of Smt POOJA MISHRA of Village/ Town PLOT NO-E, GAUTAM NAGAR P.S BADAGADA Tahasil Bhubaneswar in the district of Khordha in the State of Odisha.

2. This Certificate is being granted only for the purpose of GOVT DUES.

Name of Person(s) in Relationship with the Deceased

Sl No.	Name	Age	Relationship with the deceased	Marital Status
1	POOJA MISHRA	33	WIFE	Married
2	PRATHAMESH MALLIK	1	SON	UnMarried
3	BIJAYA MALLIK	61	MOTHER	Married



Signature of the Applicant

ROUT  
ITISHREE

Digitally signed by ROUT  
ITISHREE  
Date: 2016.04.30 16:17:54  
+0530  
Reason: e-District Orissa Portal  
Location: Orissa

Signature of the Revenue Officer  
Date : 30-04-2016

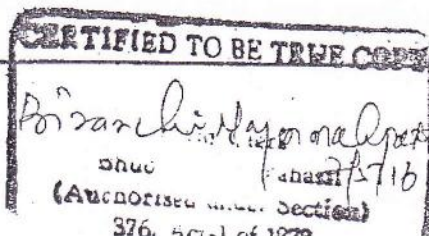
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- It is a digitally signed electronically generated certificate and therefore needs no ink-signed signature.
- This certificate is issued as per section 4, 5&6 of Information Technology Act 2000, and its subsequent amendments in 2008 and as per Revenue & Disaster Management Department notification numbers IMU-13/10-42518/R&DM dated 21.10.2010, RDM-IMU-EGOV-0001-12/41244 dated 10.09.2012 and RDM-IMU-EGOV-0001-2012/35042 dated 12.09.2013.
- For any query or verification, Agency/Department/Office may visit <http://www.edistrictodisha.gov.in>.
- Tampering of this certificate will attract penal action.

Copied by  
Compared by



02/05/16





Date of Application 02.5.16  
 Date of Notification 02.5.16  
 Date of Supply 02.5.16  
 Date of Ready 02.5.16  
 Date of Delivery 02.5.16

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