



303/1c
भारतीय वन्यजीव संस्थान
Wildlife Institute of India

No. A/2-1/2007-WII (Vol. IX: 2015-16)

Dated 15th July 2015

To,

Sh. Krishna Singh Thapa
529-A, Tapkeshwar Road
Garhi Cantt.
Dehradun - 248003

Sub.: Information under Right to Information Act, 2005- reg.

Ref.: Your RTI Application dated 01.06.2015.

Sir,

Please refer to your RTI application cited above regarding the information asked by you under RTI Act, 2005. In this connection, the required parawise information as asked under your above RTI application has been collected from the concerned officer of the Institute and is attached herewith in 7 pages.


In case you are not satisfied with this reply and want to appeal as per the provisions of RTI Act, 2005, the address of Appellate Authority is being given as follows:

Dr. V.B. Mathur, Director & Appellate Authority, Wildlife Institute of India,
Chandrabani, Dehradun – 248 001, Ph.: 0135-2640910.

Thanking you,

Yours faithfully,


15/7/15


(Aseem Shrivastava)
CPIO

Encl.: As above (7 pages).

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WILDLIFE INSTITUTE OF INDIA
DEHRADUN

No.: A/3-2/2000-WII

Dated: 15th July, 2015

Sub : CPIO Note dated 2nd June, 2015 – regarding RTI Application of Shri K.S. Thapa, Ex-Contractual Employee of WII – reg.

Sl. No.	Information sought by Shri K.S. Thapa	Replies by the Wildlife Institute of India, Dehradun
1.	Definition and grounds on which Gratuity is granted	The information may be perused by Shri Thapa from the Gratuity Act.
2.	Date and month of the year in which decision taken by the competent authority	Application of Shri K.S. Thapa is under process and decision will be taken in due course.
3.	A recorded copy of the file notings related to decision taken	A copy of the note sheets of the relevant file No. A/3-2/2000-WII on this subject are attached (six pages)
4.	Extract copy of the Rules & Regulations, Orders, Acts, Legal opinions etc. which debar me from getting the grant of gratuity even after rendering more than 22 years contractual service with the WII	In view of Answer to Sl.No. 2 above, the question is not relevant.

[Signature]
AO

~~Registrar~~
CPIO

please put up.

[Signature]
15.7.15

[Signature]
15/07/15

PA(RTI)

(30)

Shri K.S. Thapa, an ex-contract employee of W.I.I. has requested under R.T.I. for his eligibility of gratuity during his contract engagement in this Instt. P-13610

A copy of R.T.I. application of Shri K.S. Thapa was sent to Advocate - Shri Ripon K. Mohan for seeking legal opinion on the matter, vide letter dated 28.01.2015

Advocate Shri R.K. Mohan has sent reply vide letter dated 2.2.15. It has been intimated by advocate that gratuity is payable to a contract employee under Payment of Gratuity Act, 1972.

Gratuity will be calculated on the basis of last drawn basic pay plus DA multiplied by the number of years of service multiplied by 15 and the sum divided by 26 (by virtue of section 4 of the Payment of gratuity Act 1972).

Giving 1 or 2 days break in between, will not constitute a break in service for the purpose of computation, calculation and payment of gratuity.

Shri K.S. Thapa was getting consolidated amount Rs. 24089/- at the time of leaving Instt. Calculation of gratuity will be as under:

$$\text{Rs. } 24089 \times \frac{22 \text{ (Yrs. of Service)}}{15} = \frac{79,49,370}{26} = 3,05,745/-$$



(Contd. from page)

As per records available Shri Thapa has served from 1992 to 2014 (22 yrs) this Institute. Accordingly calculation has been made. Gratuity Payable to Shri K.S. Thapa will be Rs. 3,05,745=00 For making payment of this amount to Shri K.S. Thapa, approval is solicited please.

5.2.2015

~~A.O.~~

140
06/02

In view of above proposal and advice of WJ Legal Retainer, Gratuity is payable to the contractual employee (Shri K.S. Thapa) who has put in more than the minimum qualifying period of service of 05 years. Total payable Gratuity to Shri Thapa works out to Rs. 3,05,745/- for the contractual services rendered in WJ from 1992 to 2014 (22 Years).

For approval please.

Approved -
5/2/15

Sanj
06/02/15

~~Regis~~

~~D.WJ~~

The advice of WJ Legal Retainer has wider implications. As per up a meety on 11/02/15 afternoon with him in full time in which San, Regis, A 2 & Aushy moved participate

For n/a H.

M
9.2.15

Registrar / Registrar
Dept. of Dispatch No. 2254
Institute 6/24/15



Regis

From Page B/N-

300

Pl. Note for the meeting on 11.2.15.

Approved -
9/2/15

DEAN OFFICE	
DIARY:	2171
DATE:	10/2/15

Dean's Note
10/2/2015

Admin. Officer

ll. note

Approved -
10.2.15

Sh. A.K. Dubeey,
S.D.

Noted
10.2.15

F-0

Approved
10.2.15



B-70

Dated 13th February 2015

The above matter regarding grant of gratuity to Shri K.S. Thapa who served in the Institute on contract basis was discussed in a meeting on 11.02.2015 where Shri A.K. Dubey, Section Officer, AO, Registrar, Dean and Director were present. After discussions, it was decided that Shri Rippon Mohan, WII legal retainer may be invited for discussions on 27.02.2015 or 28.02.2015 in WII. In the mean time, RTI Applicant may be informed that his request for grant of gratuity is under consideration.

[Signature]
AO

~~Smt. Bajfeet~~

on the above lines, note for CPIO has been prepared so as to inform Shri K.S. Thapa RTI applicant.

B
13.2.15

A.O.

P. Issue

[Signature]
AO

NKA

R.T.I. matter

Shri K. S. Thapa, an ex-contract employee has requested information under R.T.I. vide his letter dated 01-06-2015, which has been forwarded by CPIO note dated 02-06-2015.

His earlier R.T.I. application dated 12-01-2015 is at page 136/c. on the same subject of payment of gratuity, and



(contd. from prepage)

the reply sent to him is at page 143/c, on the basis of matter discussed between Shri AK Dubey, S.O., A.O., Registrar, Dean, Director at per page 10/n.

It is also submitted that legal opinion of Shri Rippon Mohan was also obtained regarding payment of gratuity to contractual employees, and reply received vide last para of advocate's letter at page 141/c.

In this connection, detail note vide page 7/n to 10/n may please be perused.

Now, Shri K.S. Thapa has requested ^{recorded copy of} decision taken, a copy of the file notings, extract of copy of rules and regulations and copy of legal opinion, which debar him from grant of gratuity.

Submitted for order please to send the reply to Shri K.S. Thapa.

③
05/06/15
~~A.O.~~

please advise on the above issue.

[Signature]
9/6/15
A.O.

Pl. Spn.

[Signature]
12/06/15

P.T.O



Dated: 15th June, 2015

The issue of admissibility of payment of gratuity to ex-contractual engagees was discussed with DWII wherein it was held that the opinion of Shri Rippon Mohan, WII Legal Retainer is an opinion of private advocate. That payment of gratuity involve heavy financial implications for future for the Institute and therefore, it will be appropriate to seek legal opinion into the matter from Assistant Solicitor General at Uttarakhand High Court, Nainital. A letter addressed to ASG requesting for opinion into the matter is placed opposite for approval and signature please.

~~Registrar~~

~~DWII~~

~~[Signature]~~

~~WII~~
15/6

Regdha

~~ASG~~

~~ASG~~
AO

200
15/06/15

Advan. Mohan may hand
carry this

