

OFFICE OF THE DEPUTY LABOUR COMMISSIONER

DISTT. NORTH: NIMRI COLONY: ASHOK VIHAR:

PHASE-IV: DELHI-52

File No. WCD/17/ND/08/1376

DATED: 5/2/14

CIRCULAR

Hon'ble High Court of Delhi vide its order dated 06.01.14 passed in FAO No. 205/2013 between DTC v/s Smt. Shimla Devi has directed that pursuant to the final order passed by Commissioner Workmen Compensation the compensation amount deposited by any party/management/respondent with the Commissioner Workmen Compensation be kept in a fixed deposit, in case stay is granted by any court against the operation of the order of the Commissioner Workmen Compensation, so as to earn maximum rate of interest.

In case the amounts so deposited are not kept in a fixed deposit by the official/employee responsible for the same, then strict action against such an employee would be taken including of the interest being paid out of the pocket of the concerned employee/official.

In view of above all concerned employees of district (North) of this department are hereby directed to comply with the order of Hon'ble High Court of Delhi as narrated above in letter and spirit.


(D.P. ARORA)

DY. LABOUR COMMISSIONER
DISTT. NORTH

Copy forwarded for information and necessary action to:-

1. Addl. Labour Commissioner, Labour Department, 5, Sham Nath Marg, Delhi-54
2. JLC, (Admin.), Labour Department, 5, Sham Nath Marg, Delhi-54
3. All the Employees' Compensation Commissioner of concerned district.
4. Programmer to Labour Commissioner, Labour Department, 5, Sham Nath Marg, Delhi-54 to upload this circular on website of the department as per direction of the court.
5. PA to Labour Commissioner, Labour Department, 5, Sham Nath Marg, Delhi-54

Encls:- Copy of Hon'ble High Court of Delhi order dated 06-1-14 passed in FAO No. 205/2013.


6/2/14
DY. LABOUR COMMISSIONER
DISTT. NORTH

IN THE HIGH COURT OF DELHI AT NEW DELHI

FAO 205/2013

DELHI TRANSPORT CORP. Appellant

Through: Ms. Avnish Ahlawat, Advocate.

versus

SIMLA DEVI W/O LATE SH. SATISH KUMAR Respondent

Through

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

O R D E R

06.01.2014

1. Admit.

2. List in due course in the category of 'Regular Matters' as per the year of its seniority.

C.M. No.6913/2013 (stay)

3. Counsel for the appellant states that the entire amount awarded by the Commissioner acting under the Employees' Compensation Act, 1923 has been deposited before him. There shall be stay of operation of the order of the Commissioner dated 24.1.2013. Let the amount deposited with the Commissioner be kept in a fixed deposit so as to earn maximum rate of interest.

FAO No.205/2013 page 1 of 3

4. I may note that in many cases when the appeal comes up for hearing, and same after many years of the deposit of the amount, it transpires that the said amount was not kept in a fixed deposit and the result is that valuable interest is lost to either of the parties. This order is therefore passed as a general order that Commissioner of Workmen Compensation and his office will in any case come under the Employees? Compensation Act, 1923 where amounts are deposited by any of the parties pursuant to the final order passed by the Commissioner of Employees? Compensation, within a period of four weeks of deposit of the amount, the same shall be kept by the office of the Commissioner of Employees? Compensation in a fixed deposit so as to earn maximum rate of interest. Let the Commissioner issue appropriate circulars in which it be also noted that in case the amounts deposited before the Commissioner are not kept in a fixed deposit by the official/employee responsible for the same, then strict action against such an employee would be taken including of the interest being paid out of the pocket of the concerned employee/official.

5. Counsel for the appellant will serve a copy of this order personally to the Commissioner under the Employees? Compensation Act,

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1923 and the Commissioner will through the highest official in its office will file an affidavit that this order will be complied with and also that the necessary circulars in this regard have been issued within a period of four weeks from today. A copy of the circular be pasted on the notice board in the office of the Commissioner continuously for the next six months, and be also shown on the website of the office of the Commissioner of Employees? Compensation.

6. List for further orders limited to the aspect of putting the amounts in fixed deposit by the office of the Commissioner on 26th February, 2014. Dasti to counsel for the appellant.

VALMIKI J. MEHTA, J

JANUARY 06, 2014

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