

PUBLIC GRIEVANCES COMMISSION

(Govt. of NCT of Delhi)

M-Block, Vikas Bhawan, IP Estate, New Delhi – 110110

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Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 9th February, 2018

Complainant : **Sh. Rajiv Kumar Goswami,**
Flat No. 13, Savarkar Apartment,
Plot No. 39, I.P. Estension,
Delhi - 110092

Respondent : **Deputy Commissioner,**
Shahadara South Zone,
East Delhi Municipal Corporation,
Zonal Office Building, Karkardooma, Delhi -110032

Grievance No. : PGC/2016/MCD/112
Grievance filed on : 11.08.2016
First hearing in the PGC, : 25.10.2016
Scheduled on

1. Brief facts of the complaint

Shri Rajiv Kumar Goswami filed a complaint in PGC on 11.08.2016 regarding non-release of terminal benefits.

2. Proceedings in the Public Grievances Commission

The PGC has convened seven hearing viz. six in the Board of Chairman and one in the Board of Member, PGC on 9th February, 2018. At the hearing held on 9th February, 2018 the following were present :

Complainant : Present

Respondent : Sh. R.K.Singh, EE/EMS/Sh. South
Sh. Ashok Kumar Tyagi, ASO, CED/ EDMC
Sh. Tony Mathew, AAO,

3. Relevant facts emerging during the hearing

During the hearing held on 03.10.2017 the directions of the PGC were as under :

3.1 *Shri R.K.Singh, Executive engineer (EMS), Shahadara North Zone, EDMC is directed to re-examine the matter and confirm whether the first ACP benefit has been granted to Sh. Rajiv*

Kumar Goswami, w.e.f. 1990 or not, which was due to him in 1990 and file a status report in the next hearing.

3.2 During the hearing on 09.02.2018 a status report from AAO (EMS) was submitted stating that in reference to the complaint of Sh. Rajiv Kumar Goswami and later by Smt. Manju Goswami w/o late Sh. Rajiv Goswami, AE who expired on 12.09.2017, the status / reply is as under.

Sh. Rajiv Kumar Goswami was initially appointed as Junior Engineer on 10.03.1978 and has been promoted as AE on 20.09.1995 and retired on 31.07.2014.

The benefit of ACP scheme was implemented w.e.f. 09.08.99 for those employees who has not got promotion in their cadre. As the official has been promoted as AE before 09.08.99, he is not entitled for further benefit of 1st ACP. After 24 years of service the official is entitled for 2nd ACP benefit. As per service record, the benefit is to be given w.e.f. 10.03.02 but the officer was placed under suspension w.e.f. 09.05.2001 to 17.05.2005. Competent authority decided that suspension period may be treated as dies-non. Hence, the benefit of 2nd ACP could not be made.

After completion of two penalties vide No. 1/49/2006/vig/P/SM/06/693 dt. 13.04.06 & 1/182/2003/vig/P/SM/06/897 dt. 16.05.06, the employee was under the currency of punishment.

The ACP scheme was in operation upto 31.08.2008, thereafter the existing ACP scheme was replaced by MACP scheme w.e.f. 01.09.08.

The file was processed for MACP & after obtaining the approval of competent authority, the benefit of 2nd MACP has been given to late Sh. Rajiv Kumar Goswami in the scale of 9300-34800 & G.P. of 4800 w.e.f. 01.07.2011.

As per the application of Smt. Manju Goswami, Sh. Rajiv Kumar Goswami was expired on 12.09.2017. After receiving the death certificate and other documents, the file will be processed for making family pension & other benefits, if any.

4. Directions of the PGC

4.1 The instructions given in the previous order have already been complied with. The complainant is directed to meet the EDMC officials to take up the matter and try to reach out to

a logical end. The complainant is further directed to submit the death certificate to the MCD authorities to process the case of family pension.

4.2 EDMC officers are directed to cooperate with the complainant.

With the above directions, the matter stands closed at the level of PGC.

ofr

[Signature]
(SUDHIR YADAV)
Member (PGC)

Copy to: 32278-284

19/2/18

- 1 Commissioner, East DMC, Udyog Sadan, Plot No. 419, F.I.E., Patparganj Industrial Area, Delhi- 110092.
- 2 Deputy Commissioner (Shahadara South Zone), Zonal Office Building, Karkardoomna, Delhi – 110032.
- 3 Assistant Commissioner (Shahadara South Zone) EDMC Zonal Office Building, Karkardooma, Delhi - 110032
- 4 Shri R.K.Singh, Executive Engineer (EMS), Shahadara North Zone, EDMC, Udyog Sadan, Plot No. 419, F.I.E., Patparganj Industrial Area, Delhi – 110092
- 5 AAO (EMS), EDMC, Udyog Sadan, Plot No. 419, F.I.E. Patparganj Industrial Area, Delhi – 110092
- 6 Sh. Ashok Kumar Tyagi, ASO, CED, EDMC, Udyog Sadan, Plot No. 419, F.I.E., Patparganj Industrial Area, Delhi – 110092
- 7 Smt. Manju Goswami, Flat No. 13, Savarkar Apartment, Plot No. 39, IP Extension, Delhi - 110092