

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
M-Block , I.P.Estate (near ITO) Vikas Bhawan: New Delhi-2
Order under Para 2(B) of the PGC Resolution No. F.4/14/94-AR/dt. 25.9.97

Date of hearing: 16.5.2018

Complainant : Shri Dinesh Gupta
Respondent : DSIIDC
Grievance No. : PGC/2017/DSIIDC/01
Grievance filed on : 26.7.2017
First hearing in the PGC : 11.10.2017
Scheduled on

1. Brief facts of the complaint

The complainant has been received from Sh. Dinesh Gupta regarding harassment victimization and exploitation by M/s ICSIL. He has alleged that M/s ICSIL has not released the payment to him on account of services delivered to M/s ICSIL.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing on 12.9.2017, 11.10.2017, 31.10.2017, 28.11.2017, 6.2.2018, 20.3.2018, 11.4.2018 and 16.5.2018 when the following were present:-

Complainant : Present

Respondent : Ms. Deepti Gupta, Manager (HR & Legal), ICSIL

An ATR has been filed by the Manager (HR), M/s. ICSIL, stating therein that “....*issue of non-release of payment being beyond the power and function of the Commission, the Commission can only with a view to resolve the issue of non-payment may ask ICSIL to pursue the said course and such advice though not binding on ICSIL, but ICSIL may pursue the same to put an end to the controversy.*”

The opinion of the Standing Counsel is very vague and instead of giving very clear opinion whether money can be released or not, they are commenting on the powers of PGC which is not what the Commission wanted to know. When the circumstances are very clearly mentioned, the Standing Counsel should given a very clear cut opinion, like what the Standing Counsel gave in a similar matter in Delhi Jal Board.

The Commission finds that the Standing Counsel's opinion is absolutely irrelevant. He should have only mentioned whether he agrees with the opinion of the Commission or not in release of the money to the complainant as far as salaries are concerned on humanitarian grounds. Instead, the entire thesis ended with beating around the bush. The Commission, however, maintains its stand that salary component can be separated and it can be given to the contractual employees who are financially suffering.

3. Directions of PGC

With these observations, the case of the complainant is closed in the Commission with the advice that if he so wishes, can approach any other court of law for redressal of his grievances.

**(N. DILIP KUMAR)
MEMBER**

Copy to:

- The MD, DSIIDC, N-36, Bombay Life Building, Connaught Place, New Delhi.
- The Commissioner (Industries), 419,Udyog Sadan, FIE, Patparganj, Delhi-92.
- The M.D., ICSIL, 1st floor, above post office, Okhla Industrial Estate, Phase-III, New Delhi-110 020
- Shri Dinesh Gupta
- PS to Member.