

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903

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

Date of hearing: 14.01.2019

Complainant : Shri Baljit Singh, Present
Respondent : The Commissioner,
Department of Food Safety, GNCTD.
Through Sh. Gurpreet Singh,
Administrative Officer, Present.
Grievance No. : PGC/2015/PFA/03

1. Brief facts of the case:

1.1 The complainant filed a complaint in PGC on 7.4.2015 stating that he retired as Designated Officer, Food Safety on 30.4.2013. The Department has not sanctioned 1st, 2nd ACP and MACP to him and was deliberately delaying the decision with a view to harass him. He had been making requests to the Department time and again but to no avail. He requested the Commission to direct the department to sanction ACPs and MACP at the earliest.

1.2 The Commission held several hearings in the case starting from 08.6.2015.

2. Facts emerged during the proceedings.

2.1 Shri Gurpreet Singh, Administrative Officer, of the respondent informed that necessary orders granting ACPs and MACP had been issued on 26.12.2018 wherein the officer was required to exercise his option under FR22(1)(a)(i) within one month of issuance of the said order. Shri Baljit Singh vide letter dated 7.1.2019 has requested to refix his pay in the revised pay

scale in view of Govt.of NCT of Delhi notification dated 27.8.1999 and DOPT, Govt.of India's instructions dated 19.5.2009. However, Shri Baljit Singh has not given his option under FR.22(1)(a)(i), as per Clause 7 of Annexure to OM dated 19.5.2009, issued by DOPT.

The officer is being requested to submit his option for fixation of pay under FR.22(1)(a)(i). After obtaining his option within the stipulated period, pay will be fixed and all the financial benefits due to him will be released thereafter.

2.2 The complainant stated that on receipt of the certified true copies of the minutes of the meeting of the Screening Committee dated 29.7.2015 and the agenda note of the department dated 24.7.2015, a detailed representation dated 26.12.2017 was submitted to the Commissioner, Food Safety raising grounds therein for the entitlement of MACP w.e.f. 01.09.2008 which needs to be considered by the department in terms of directions of the Hon'ble PGC dated 13.9.2017. However, the same was not followed by the department.

2.3 Now that a decision has been taken by the department without taking into consideration his representation dated 26.12.2017, the dispute persists with respect to the date of eligibility for MACP. Hence, he has requested to take a decision on his representation dated 26.12.2017 with regard to date of eligibility for MACP.

2.4 It was further informed, during the proceedings, by the complainant that option under FR 22(1)(a)(i) for refixation of his pay has already been given to the department. Shri Gurpreet Singh, Administrative Officer, representing the respondent department confirmed the same and requested to close the matter and assured to take needful action in a time-bound manner.

3. Directions

3.1 Commissioner, Food Safety, GNCT of Delhi, is advised to have the complainant's representation dated 26.12.2017 examined to decide the date

of eligibility for MACP of the complainant, within two (2) months from the date of receipt of this order, and a decision arrived in the matter be communicated to the complainant under intimation to this Office.

3.2 With the above observations, the case is closed in PGC.

(SUDHIR YADAV)
MEMBER(PGC)

No. PGC/2015/PFA/03

Dated:

Copy to:-

1. The Pr.Secretary(H&FW), Govt.of NCT of Delhi, Health & Family Welfare Department, R.No.907, 9th Level, A-Wing, Delhi Secretariat, I.P. Estate, New Delhi.
2. The Commissioner, Deptt. of Food Safety, GNCTD, 8th Floor, Mayur Bhawan, Connaught Place, Delhi-110001.
3. Dy. Secretary (H&FW), GNCTD, Delhi Secretariat, I.P. Estate, New Delhi.
4. Superintendent (Admn), Department of Food Safety, GNCTD, 8th Floor, Mayur Bhawan, Connaught Place, Delhi-110001.
5. Administrative Officer, Department of Food Safety , 8th Floor, Mayur Bhawan, Connaught Place, Delhi-110001.
6. Shri Baljit Singh.