

PUBLIC GRIEVANCES COMMISSION

GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 30.7.1998

PUBLIC GRIEVANCES COMMISSION

GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI

I.P. Estate (near ITO), Vikas Bhawan, M-Block, 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: 11.02.2019

Complainant : Smt. Pinki - Present.
Respondent : The Transport Commissioner,
GNCT of Delhi,
Through Ms. Anju Kalra,
Sr. Assisnat - Present.
Grievance No. : PGC/2019/A.II/Tpt/01

1. Brief facts of the case.

1.1 Smt. Pinki W/o Late Shri Raj Pal, filed a complaint in PGC on 08.1.2019 against non-disbursal of dues after the death of her husband Shri Raj Pal, on 12.2.2018, who was working as Wiremen at Inter State Bus Terminal, Kashmere Gate, under the Transport Department, Govt. of NCT of Delhi.

2. Facts emerged during the proceedings.

2.1 Ms. Anju Kalra, Sr.Assistant(Admn.) Hqrs, , present on behalf of the Transport Department stated that as per service record of Sh. Raj Pal, Wiremen(Grade-I) (expired on 12.2.2018), a nomination was made on 3rd September, 2013 and the same was accepted by the Executive Engineer, DTIDC on 11.9.2013.

As far as GPF contribution is concerred, the same was released in favour of following nominees of Late Sh. Rajpal, Wiremen, as per nomination details with the Department ;

(a) Sh. Vinay Kumar, Son : 50%

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(b) Sh. Manish Kumar, Son : 50%

(c) The wife, Smt. Pinki, the complainant, has been mentioned as a nominee in the event of pre-deceasing of the nominees as mentioned herein.

It is not clear from the nomination made by the deceased official whether the same nomination is valid for release of death gratuity, leave encashment and UTGEIS etc.

On receipt of the complaint of Smt. Pinki, 2nd Wife of the deceased, the department has kept in abeyance the case of Compassionate appointment till the dues are cleared from DTIDC & Department arising out of nomination dispute in this case. The main file regarding Family Pension, Death Gratuity, Leave Encashment and UTGEIS case has been sent to the Services Department, GNCTD on 31.1.2019 for seeking opinion in the matter, request of the complainant.

The representative of the Transport Department stated that while GPF contribution of deceased has been released, all other financial benefits have been put on hold. It was further informed by Shri Anil, ADO (Transport Department), GNCT of Delhi, present on behalf of the department that a Notice has been received from the Hon'ble Court of Ms. Dhanshree Deka, Civil Judge, District Center, Tis Hazari Courts, Delhi in the said matter. The date of hearing in the case has been fixed for 18.4.2019.

Smt. Pinki, the complainant has requested for closing her case in the Commission stating that she has made a petition in the Court. The next date of hearing in her matter has been fixed for 18.4.2019 in Tis Hazari Court.

3. Directions

As per the mandate of the Commission, any case which is sub-judice cannot be taken up by the Commission for hearings. Accordingly, the Commission has decided to close grievance of Ms. Pinki in the PGC with the advice to the complainant to pursue her case in the concerned court.

**(SUDHIR YADAV)
MEMBER(PGC)**

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No. PGC/2019/A.II/Tpt/01

Dated:

Copy to:-

1. The Transport Commissioner, Govt.of NCT of Delhi, 5/9, Underhill Road, Rajpur Road, Delhi-110054.
2. Deputy Secretary(Admn.), Transport Department, Govt.of NCT of Delhi, 5/9, Underhill Road, Rajpur Road, Delhi-110054.
3. Smt. Pinki