

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
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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: 26.11.2019

Complainant : Ms. Sharda Rani
Shri Tilak Raj Tandon,
For the complainant – present.

Respondent : The Director,
Dte.of Education, GNCTD.
Through Rakesh Kohli,
AAO, O/o.DDW(SW-A)
Ms. Raj Lakshmi,
Principal, Air Force SS School, Palam,
Dr. Parkashi Chiller,
DDE Zone-20 (Link Officer) – Present.

Grievance No. : PGC/2019/Annx-II/Edn./17

1. Brief facts of the complaint

1.1 Ms.Sharda Rani has filed a grievance petition before Public Grievances Commission with regard to pay fixation. It is stated in the complaint that she was drawing pension and thereafter Notional Pay was fixed as pre-2016 pensioner w.e.f. 1st Jan. 2016. She superannuated on 28.2.2001. After superannuation, Selection Grade order dated 29.10.2007 was issued by Dy.Director of Education (SW-A), Vasant Vihar, and thereafter pay fixation order dated 9.11.2016 reducing her substantive pay w.e.f. 24.12.1985/1.1.1986 was issued on the basis of anomaly created, as pointed out by Pay & Accounts Office with regard to **stagnation increment** as per Revised Pay Rule 1986 (4th CPC). The Pay & Accounts Office could not find order for protection of substantive pay with **stagnation increments**. Thereafter, PAO requested the Deptt. to refer the matter to Govt.of India for necessary clarification/advice. It is stated that reduction of substantive pay (of pensioners) order is arbitrary and discriminatory and not based on Govt. rules and regulations. Further, Govt.of India (National Anomaly Committee), Ministry of Finance, vide order dated 3.8.1990 resolved all the anomalies of **Stagnation increment** of 4th CPC, 1986.

Furthermore, her pay was earlier fixed by Dy. Director of Education(West), stagnation increment allowed, as per recommendations of 4th CPC, 1986 – as per pay fixation proforma order no.4320 dated 25.10.1991 fixing pay at Rs.1750/- w.e.f. 1.1.1986, entries recorded in Service Book. She requested for Commission's intervention for direction to the respondent department to take needful action promptly.

2. Facts emerged during the proceedings.

2.1 An Action Taken Report has been filed by Dy. Director of Education, Zone-20 of the respondent department stating that *"the case has been examined by AAO, District SW-A and submitted that Ms. Sharda Rani Tandon, Ex-PGT is not eligible for stagnation increment or two increment in lieu of stagnation increment at the time of pay fixation on 01.01.1986 as per 4th CPC. It is true that, in previous scale, her pay was stagnated on the maximum of the scale (w.e.f. 01.01.1984) for more than a year till 23.12.1985 but on 24.12.1985, new scale in the Selection Grade was granted and her pay was fixed at Rs.570/- and w.e.f. 01.01.1986, the pay was fixed at Rs.1700/- as per 4th CPC, which is in order.*

Further, Commission issued an order on 12.3.2014, wherein the Commission is of the view that the complainant is not entitled to any relief in this complaint case. Accordingly, the complainant closed the case of the complainant."

2.2. The representative of the complainant present is apprised of the status of the case by the AAO, O/o. DDW(SW-A) stating that the complainant is not eligible for stagnation increment or two increment in lieu of stagnation increment at the time of pay fixation on 01.01.1986 as per 4th CPC. The Commission also advised the representative of the complainant to get the same calculated/checked by some accounts functionaries if he is not satisfied with the same. The complainant stated that other employees in similar circumstances are getting the benefits. The complainant is also advised by AAO that if some junior employee is getting higher benefit than her in the same situation, she may file an appropriate representation giving specific details of that

beneficiary so that her case could be considered for stepping up of pay as per rules.

2.3 Shri Rakesh Kohli, AAO, assured to extend all cooperation to the complainant for resolving her grievances.

3. Directions :

3.1 In view of the fact that the case of the complainant has been thoroughly examined by the respondent department as per rules and, further the case was heard and closed on 12.3.2014 by the then Member, PGC after observing that the complainant is not entitled to any relief in this complaint, the case of the complainant is disposed of in the Commission. She is advised to file a representation with the respondent department with regard to stepping up of pay, if any, to enable them to examine her case and decide accordingly.

3.2 With the above observations, the case of the complainant is disposed of in the Commission.

(MRS. MADHU SHARAN)
MEMBER (PGC)

PGC/2019/Annx-II/Edn./17

Dated:

Copy to :-

1. The Director, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110054.
2. The Dy. Director of Education, Distt. South West-A, Govt. of NCT of Delhi, C-4 Lane, Vasant Vihar, New Delhi.
3. The Dy. Director of Education, Zone-20, Distt. South West-A, Govt. of NCT of Delhi, C-4 Lane, Vasant Vihar, New Delhi-110057.
4. Mrs. Sharda Rani Tandon.