

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

Grievance No. PGC/2018/Annex-II/Edn./12 Date of hearing: 11th December,2018

Complainant : Sh.G.S. Jadwani, Absent.

Respondent : The Director,
Dte.of Education,
Govt.of NCT of Delhi,
Through Ms. Uma Devi,
HOS/Vice Principal, GGSS School,
Jama Masjid, Delhi, Present.

1. Brief facts of the complaint.

1.1 Sh. G.S. Jadwani filed a complaint in PGC on 01.06.2018 regarding revision of PPO under Vth, VIth & VIIth CPC and granting of 2nd financial upgradation in Grade-II DASS w.e.f. 6.11.89 under MACP Scheme and transfer of PPO from Bank of Baroda, New Delhi to SBI, Valsad/Gandhi Nagar (Gujarat).

1.2 The Commission held several hearings in the case starting from 03.7.2018.

2. Facts emerged during the proceedings.

2.1 Ms. Uma Devi, HOS/Vice Principal filed an ATR stating that regarding ACP/MACP, with reference to OM dated 9.8.1999, the ACP Scheme shall be granted from the date of completion of the eligibility period prescribed under the ACP Scheme or from the date of issue of these instruction which is later. The official was promoted to the post of Grade-II (DASS), Head Clerk on 20.7.1993 (initially promoted as LDC). As such, he is not eligible to avail benefit of 02nd ACP.

Grade Pay of Rs.4600/- cannot be granted as the official retired on 30.11.2004. The Grade Pay System for pay fixation started after 6th Pay Commission as after 2006 & applicant retired on 30.11.2004. Hence, applicant is not entitled for Grade Pay at Rs.4600 w.e.f. 1/1/2006.

The rule position in this regard is very clear that an incumbent is paid salary & allowance as per his actual post. Mr. G.S. Jadwani was promoted on 8.8.2002 but physically joined his promotion to post of Grade (I) DASS, Supdt. On 30/10/2002 and he was eligible for pay in new pay scale of Grade-I w.e.f. 31.10.2003. Monetary benefits on this account for the period 8.8.2002 to 30.10.2003 are inadmissible. He would only get notional benefit of pay-fixation for this period. He has already been paid arrear of Rs.6167/- w.e.f. 30.10.2003 to 30.11.2004 was wrongly paid to applicant is recoverable.

Payments of arrear of gratuity and leave encashment are admissible and being processed.

Pension Calculation Sheet in original has been submitted to PAO 15 by revision of pay and pension and request for original pension calculation sheet from PAO-15 is submitted to PAO 15

Request for transfer of PPO from Bank of Baroda to SBI Valsad is submitted to PAO 15

Nor any application neither medical certificate regarding physical disability received from Mrs. G.S. Jadwani. No entries previously exist in Service Book of the official for being physically disabled – hearing impairment – disabled.

The matter is also forwarded to GOC, Dte.of Education, being the official retired as Superintendent.

1.2 Ms. Uma Devi, Vice-Principal, further informed that despite numerous requests, the complainant has not provided certain documents viz. PAN No, Aadhar No., Date of birth of nominee, telephone no. etc. required for the purpose.

1.3 It is noted that complainant never attended any of the hearings (03) in the Commission despite service of notice and advice to remain in person in the Commission if he is interested in pursuing his case and to have a clear cut view about his complaint so that his grievances can be disposed by the department. He was also advised to provide the requisite documents to the respondent department at the earliest to enable them to take appropriate action. But he has chosen not to appear in the Commission nor give any counter reply to the ATR filed by the respondent except writing repeated representations to the respondent to redress his grievances. It is also seen that the respondent department has categorically justified the reasons quoting rules in the ATR with regard to the grievances of the complainant.

2. Directions:

2.1 In view of the fact that the respondent department has filed a very specific ATR and the complainant is not cooperating with the respondent department in providing certain documents as requested by the Department to finalise his case and also not appearing before the Commission despite service of notice and directions, the case of the complainant is disposed in PGC due to non-prosecution of his complaint and with the advise to cooperate with the respondent department and provide the requisite documents for expeditious disposal of his grievances.

**(MRS. MADHU SHARAN)
MEMBER(PGC)**

Copy to:

1. The Director, Dte. of Education, Govt.of NCT of Delhi, Old Secretariat, Delhi-110054.
2. The DDE (HQ)/ Nodal Officer, Dte. of Education, Govt.of NCT of Delhi, Old Secretariat, Delhi-110054.
3. Ms. Uma Devi, Head of School, Govt. Girls Sr.Secondary School, Panama Building, Jama Masjid, Delhi-110006.
4. Sh.G.S. Jadwani.