

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/A.II/Labour/03

Date of hearing: 02.01.2019

Complainant : Shri Raj Nangia.

Respondent : The Commissioner,
Labour Department, GNCTD,
Through Shri U.K Sinha,
Dy.Labour Commissioner(Central District)
GNCTD – Present.

1. Brief facts of the case:

1.1 Shri Raj Nangia filed a complaint in PGC on 8.10.2018 for non-payment of 08 months salary from Shri Ashutosh Kumar, Director, M/s. Shubh Labh Infrabuild Pvt. Ltd. Rajendra Place, Pusa Road, New Delhi. He further stated that despite following up the case with the Labour Department, no action has yet been taken by them and he withdrew the case on 10.8.2018 from the O/o. Deputy Commissioner, Labour Department with no hope of justice. He requested PGC to intervene in the matter in getting his outstanding dues from the Company.

2. Facts emerged during the proceedings

2.1 Shri U.K. Sinha, Dy.Labour Commissioner (Central), GNCTD filed an ATR stating that on the basis of complaint, notice dated 5.6.2018 was issued to the Management of M/s. Shubh Labh Infra Build Pvt. Ltd., 1204, Vikrant Tower, Rajendra Place with the direction to appear on 12.6.2018. On the next date i.e. 20.6.2018 both parties were present. On the subsequent date of hearing i.e. 5.7.2018, it was revealed by the Management of the Company that they are dealing in sale/purchase of properties and management admitted to the extent that the complainant was given some job/work

on commission basis from time to time as per requirement which was also confirmed from the complainant during proceedings that he used to bring client for the management for sale of properties. The Management further informed that no dues of any kind as claimed by the complainant is pending with the management and complaint has been filed by Sh. M. Raj Nangia to harass and blackmail. The Management further informed that the complainant was never a regular employee of the establishment therefore no provisions of Labour laws are applicable in this case. The complainant was advised to file relevant documents in support of his claim but he failed to do so. However, the complainant preferred withdrawing his complaint from the Labour Department vide his letter dated 10.8.2018 received in the Department on 14.8.2018 on the basis of which, the complaint/matter was closed. A letter by the Company stating that the complainant was never ever an employee of their establishment is also submitted by the respondent department.

2.2 The complainant is not present during the proceedings today in the Commission to counter the reply of the department.

3. Directions

3.1 In view of the proper action taken by the Labour Department, GNCT of Delhi, by examining the case, the case is disposed of in the Commission, being devoid of merit.

(MRS. MADHU SHARAN)
MEMBER(PGC)

Copy to:

- 1 The Commissioner, Labour Department, GNCT of Delhi, 5, Sham Nath Marg, Delhi-10054.
- 2, Shri M. Raj Nangia.