

**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: 23.09.2020

Complainant : Shri Ashok Kumar Pasi

Respondent : The Commissioner,  
Labour Department,  
through  
Sh. Raman Garg, A.S.O. – Present.

Grievance No. : PGC/2017/Labour/01 (**Re-opened**)

**1. Brief facts of the complaint**

- 1.1 Shri Ashok Kumar Pasi has filed a grievance petition before Public Grievance Commission, aggrieved by non-payment of interest on delayed payment of Leave Encashment paid on 5.3.2016, Commutation and Gratuity paid on 07.5.2018. He requested the Commission to intervene in the matter and direct the Dte.of Education to take needful action promptly.
- 1.2 The grievance case was closed in the Commission on 11.4.2018 with the direction to respondent department to get the matter of interest examined through a Standing Counsel and send a report to the Commission.

**2. Facts emerged during the proceedings**

- 2.1 Sh. Raman Garg, A.S.O., Labour Department was present in the hearing and has filed an Action Taken Report dated 17.09.2020, wherein Smt. Avnish Ahlawat, Standing Counsel for GNCT of Delhi vide her letter dated 28.08.2020, provided legal opinion regarding payment of interest on late payment of pensionary dues in the instant matter. As per the Standing

Counsel, the complainant retired from service in February 2012 and was acquitted in the year 2013 in respect of a criminal case. The delay is not attributable to the department as at the time of retirement, the complainant was involved in a criminal case and was exonerated in 2013. Therefore, he is not entitled for any interest on delayed payment. Further, for the period 2013 to 2018, again the complainant was not entitled for any interest as he had not cleared his outstanding dues of HBA and Scooter advance. After he cleared all his outstanding dues on 12.03.2018, his pension papers were processed and forwarded to PAO on 01.05.2018 and thereafter, he received all his dues on 07.05.2018. In view of above facts, the complainant is not entitled for any interest as there was no lapse on the part of the department on delayed payment of dues.

- 2.2 The complainant was present in the hearing and stated that all his pending dues are given to him by the department. However, he demanded interest on delayed payment of dues.

Sh. Raman Garg, A.S.O., Labour Department present in the hearing stated that the complainant's demand of interest on delayed payment of dues was wrong as there was no lapse on the part of the department regarding the same. He further stated that the complainant was exonerated in 2013. However, as he only cleared his outstanding dues of HBA and Scooter advance on 12.03.2018, the delay in payment of interest is clearly on the part of the complainant and the department cannot be blamed for the same.

- 2.3 The complainant further stated that another officer of their department who is similarly placed in terms of joining and salary drawn etc. has been drawing more pension than him and therefore, he may be given pension at par with the said officer.
- 2.4 The Commission noted that the complainant's grievance regarding disparity between his pension and that of the said officer is only verbally conveyed by him. The complainant needs to prove with documents regarding similarity

between himself and the said officer in terms of joining of office, salary drawn and grade pay etc. and then file separate grievance regarding this matter.

**3. Directions**

- 3.1 The case stands disposed of in the Commission as all pending dues of the complainant have been given to him by the respondent department. Further, the complainant's demand for interest on delayed payment of dues was misplaced as he cleared his outstanding dues of HBA and Scooter advance only on 12.03.2018 and his pension papers were processed and forwarded to PAO on 01.05.2018 and he received all his dues on 07.05.2018. Therefore, no case is made against the department for the above stated delay. Further, the complainant is at liberty to approach Labour Department as well as the Commission in case he has any further grievance with regard to his present complaint.

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

No. PGC/2017/Labour/01 (*Re-opened*)

Dated: .09.2020

Copy to:

1. The Principal Secretary, Finance Department, 4<sup>th</sup> floor A Wing, Delhi Sachivalya , I.P. Estate, New Delhi-110 002.
2. The Commissioner, Labour Department, Govt. of NCT of Delhi, 5- Sham Nath Marg, New Delhi-110054.
3. The Dy. Labour Commissioner(Admn.)/HOO, Labour Department, Govt. of NCT of Delhi, 5- Sham Nath Marg, New Delhi-110054.
4. The Pay and Accounts Officer, PAO-IX, Old Secretariat, Delhi-110 054.
5. Shri Ashok Kumar Pasi