

“No carelessness until there is a cure. Wear Mask, follow physical distancing & maintain hand hygiene.”

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: 27.10.2020

Complainant : Sh. Narender Kumar.
Respondent : The Controller,
Principal Accounts Office, GNCTD
Through Shri V.K. Rao,
Dy.Controller of Accounts(A) - Present.
Grievance No. : PGC/2018/A.II/PAO/01

1. Brief facts of the complaint

1.1 Sh. Narender Kumar has filed a grievance petition before Public Grievances Commission, aggrieved by non-release of balance 50% amount on account of leave encashment due after retirement. He requested the Commission to intervene for direction to the respondent department to take needful action promptly.

2. Facts emerged during the proceedings:

2.1 Shri V.K. Rao, Dy.Controller of Accounts(A) representing Principal Accounts Office, GNCTD, filed an action taken report. It is stated that “*There are four prosecution sanctions issued in offences committed by Sh. Narender Kumar, UDC(Retired) while working in the Office of Registrar, Cooperative Societies.*

The Assistant Director(Vigilance), Directorate of Vigilance, GNCT of Delhi vide letter dated 11.03.2020 in connection with the case of Ruchika Apartment CGHS Ltd. has stated that each case has its own merit and remaining cases have not been decided so far and are still at the stage of trial. Sh.Narender Kumar, UDC(Retired) was already convicted by the Hon’ble Court of Sh.Vinod Kumar, Special Judge, CBI, Rohini vide judgment dated 01.05.2013.

That Sr.Superintendent of Police, CBI vide letter dated 28.12.2011 had stated that there is no pecuniary loss involved in the case of Ruchika Apartment CGHS Ltd.. However, any loss which may be found to be recoverable on the cases

registered against accused Sh.Narender Kumar would arise on the outcome of verdict in the referred case.

In view of the above, payment of balance amount of leave encashment of remaining part of Sh.Narender Kumar, UDC(Retd.) would be released only after the conclusion of the cases.”

2.2 The complainant is not present.

3. Directions:

3.1 The case was rigorously followed by the Commission for more than one year. Numerous directions and reminders were given to the respondent department explaining the legal position along with the judgment of Hon'ble Supreme Court of India but the Department seems adamant and is not willing to pay the legitimate dues of the complainant in the garb of some infructuous rules.

3.2 The complainant is advised to take a legal course of action along with the directions of the Commission.

3.3 In view of the above, case of the complainant stands closed in the Commission.

(SMT. MADHU SHARAN)
MEMBER

No.PGC/2018/A.II/PAO/01

Dated:

1. The Controller, Principal Accounts Office, GNCT of Delhi, A-Block, Vikas Bhawan, I.P.Estate, New Delhi-110002.
2. The Dy.Controller of Accounts (Admn.), Principal Accounts Office, GNCT of Delhi, A-Block, Vikas Bhawan, I.P.Estate, New Delhi-110002.
3. Shri Narender Kumar.