

"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
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110110
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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: 08.02.2021

Complainant : Sh.Dalvir Singh.

Respondent : The Director,
Directorate of Education,
Govt. of NCT of Delhi.
Through Dr.Rajbir Singh Yadav,
DDE, Zone-20 Distt.South-West

Ms.Anju Puri,
Principal, DAV Public School,
Vasant Kunj - Present.

Grievance No. : PGC/2020/A.II/Edn./25

1. Brief facts of the complaint

1.1 Sh.Dalvir Singh filed a grievance petition before Public Grievances Commission, aggrieved by non-disbursement of salary for the month of April (50%), May (50%), June (50%), July (100%) & August (100%) of teaching and non-teaching staff of D.A.V. Public School, Vasant Kunj, New Delhi.

2. Relevant facts emerging during the hearing

2.1 An action taken report has been received from Dy.Director of Education(South West-A), GNCT of Delhi. It is stated in the report that the Principal of the said School has forwarded the reply along with supporting documents wherein it is mentioned that :-

i) 50% salary is being paid to all teaching and non-teaching staff from April, 2020.

ii) There is no salary cut but the rest of the payment is deferred which shall be paid as and when the school will start receiving the increased fee.

iii) In spite of constraints, the School has tried its best to pay the staff at least 50% of the salary every month. The above payments made are indicator that the School has been paying whatever it gets from parents.

iv) Besides that, School has to pay for electricity, telephone bills, property tax etc. Moreover, how can the school pay the entire salary as the total income received is Rs.55,69,610/- and expenditure on establishment is Rs.10558363/-.

The reply forwarded by the School Authority was found not satisfactory as the salary issues of staff are still pending.

Therefore, on the reply of the school authority, Dte.of Education issued a show cause notice under section 10(1) DSEAR 1973 to the School on 14.12.2020 for initiating action against the School.

After Show Cause Notice, the School Authority has forwarded their reply wherein it has mentioned the same situation which was mentioned in the previous reply i.e. salary matter was not settled at any ways and the reply of the school was found not satisfactory.

In view of the reply of the School on Show Cause Notice, O/o.DDE(SW-A) issued the notice under rule 24(3) of DSEA&R-1973 for compliance of DOE orders/directions vide No.F.DE/DDE/SW-A/Z-20/2020/617-619 dated 18.12.2020. After issue of the notice under rule 24(3) the School Authorities submitted their reply on 18.12.2020 wherein it has been mentioned that "The School is collecting only tuition fee as per the order of competent authority which is insufficient to pay the full salary to the entire staff of the school. There is no cut in the salary of any employee, it is deferred only for some period. That the School Tuition Fee is very low. The School is left with no reserve fund as on date. Many parents are not paying the Tuition Fee due to financial crisis (Covid-19 Pandemic). The School Authority have already paid the salary from April-2020 to September-2020 (50%) and 50% salary for the month of October & November, 2020 will be released shortly. Finally, the School Authority has requested to give us 5-6 months time to resolve the matter completely."

2.2. The representative of the respondent department stated that with regard to shortage/deficit of funds, the School Authorities has also informed the Education Department. He also stated that there is no other complaint from any teaching staff against the School Authorities with regard to salary cut.

2.3 The complainant is not present. However, a e-mail dated Feb.03, 2021 has been received from him stating therein that it is not possible for him to attend the proceedings on 08th Feb.2021 due to commencement of pre-board exams. He requested for adjournment of the proceedings.

2.4 The Commission do not accept the submissions made by the Principal of the School that due to paucity of funds, they are not in a position to pay the salary. Further, the Commission is also of the view that teaching staff are also facing hardships in running their lives smoothly in the absence of salaries/unemployment. Moreover, no such complaints of salary cuts has been received from any other schools having same fee structure and infrastructure. Furthermore, guidelines were announced by Delhi Government not to cut wages of any staff working in Govt. & Semi Govt. agencies during lockdown period. The excuse is not accepted as the School has not reduced the tuition fees charged from the students.

3. Directions of the PGC

3.1 Director (Education), GNCT of Delhi is requested to look into the matter to resolve the grievances of the complainant and take appropriate decision for release of salaries/outstanding dues in respect of the teaching staff of the Schools.

3.2 Deputy Director of Education, District South West-A, Zone-20, GNCTD is directed to ensure and coordinate with the HOS of the concerned school for release of outstanding dues of the complainant. Moreover, if necessary, audit of accounts of the School be conducted to assess the situation. A detailed report shall be filed by him within 15 days in the Commission.

3.3 Principal of DAV Public School, Vasant Kunj, is directed to reconsider the claim of the complainant for release of his outstanding dues

in a time-bound manner. She shall file a specific report within 15 days time in the Commission.

3.4 The complainant is advised to approach Deputy Director of Education, District South West-A, Zone-20, GNCTD with regard to release of his outstanding dues.

3.5 With the above observations, the case of the complainant stands disposed of.

(MRS. MADHU SHARAN)
MEMBER

No.PGC/2020/A.II/Edn./25

Dated:

1. The Director, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110054.
2. All. Director of Education/Nodal Officer, Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110054.
3. Dy.Director(HQ), Directorate of Education, Govt. of NCT of Delhi, Old Secretariat, Delhi-110054
4. Dy.Director of Education, District South West-A, GNCT of Delhi, Z-20, C-4 Lane, Vasant Vihar, New Delhi.
5. Principal, DAV Public School (ID-1720148), Vasant Kunj, New Delhi-110070.
6. Sh.Dalvir Singh.