

**PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-
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 Order :8.2.2021

*Complainant : Dr. Avnish Goel
Respondent : Director General of Prison,
Govt. of NCT of Delhi*

Grievance No. : PGC/2018/Delhi Prisons/01

1. Brief facts of the case

Dr. Avnish Goel filed a complaint in PGC on 08/01/2018 regarding non-payment of his salary for the month of June to August, 2014 as well as encashment of Earned Leave and Conveyance Allowance by the Prison Department.

2. Facts emerged during the proceedings:

The complainant had filed complaints aggrieved by non-payment of salary for the months of June, July & August, 2014. He contended that encashment of earned leave and conveyance allowance was also due and not paid.

At the initial hearings, Central Jail, Tihar vide its reports informed that the complainant had worked in Central Jail Hospital w.e.f. 25.8.2010 to 31.8.2014, as Junior Specialist on contract basis. With regard to issue of non-payment of salary for the months of June, July & August, 2014, it was informed that based on compiled duty hours of the complainant, the duty performed by him was inadequate to render him eligible for full month salary and therefore, release of salary for these three months was not recommended. The leave encashment amounting to Rs. 1,19,502/- was paid to him vide cheque no. 486109, copy of receipt of the same was appended. Regarding conveyance allowance, it was informed that claim certificate for the same was not verified by the

Controlling Authority i.e. RMO , Tihar Jail. These were returned to the complainant on 28.2.2018 with the request to re-submit the same , after removal of deficiency.

The complainant contended that his duty hours were calculated on the basis of in and out from different jails, whereas he had worked in all the jails from CJ-3, CJ-5 & DJR. Also he was Chairman/ Incharge/Member of several committees and he had to perform duty related to these committees. As such, he was eligible for full months salary and calculation of duty hours, only on the basis of in & out was not correct.

The Commission observed that as there were no recorded complaints against the complainant, regarding absence, no warning on the issue, withholding of salary was intriguing and needed further examination.

As the matter was not getting resolved, an enquiry committee was constituted by Central Jail Authorities, to look into the issues. The Committee submitted a report dated 24.5.2019, considering all issues, the Committee recommended that the complainant performed duties for inadequate hours per day and did not attend office for many days in an unauthorised manner. As such, he was not entitled for salary. The recommendation of the Committee was informed by Central Jail Authorities to the Commission vide letter dated 27.5.2019. Vide letter dated 26.7.2019, it was informed that the enquiry report was accepted by DG, Prisons.

The copy of enquiry report alongwith letter dated 26.7.2019 was forwarded to the complainant. The complainant is still contenting that he was entitled for salary.

3. **Directions**

Given the above, it is evident that the matter has been regularly pursued with Central Jail Authorities. Due to intervention of this Commission, an enquiry committee was also constituted to look into the issues pertaining to the grievance of the complainant. The enquiry committee recommended that the complainant performed duties for inadequate hours per day and did not attend office for many days in an unauthorised manner. As such, he was not entitled for salary. The enquiry report has been accepted by the Head of the Department, i.e. Director General, Prisons.

Given the above, there cannot be any further intervention on the part of this Commission, in the matter. Accordingly, the grievance case is ordered to be **closed** in the Commission.

(SUDHIR YADAV)

MEMBER (PGC)

PGC/2018/A.II/Prison/.01/

Dated:

1. The Director General of Prisons, Govt. of NCT of Delhi, Prison Headquarters, near Lajwanti Garden Chowk, Tihar, New Delhi-110064
2. Dr. Sanjay A.Lakra, Resident Medical Office, GNCT of Delhi, Central Jail Hospital, Tihar, New Delhi-110064
3. The Superintendent, Central Jail No. 3, Tihar, near Lajwanti Garden Chowk, Tihar, New Delhi-110064.
4. The Section Officer (Medical), O/o the Resident Medical Officer, Central Jail Hospital, Tihar, near Lajwanti Garden Chowk, Tihar, New Delhi-110064.
5. Dr. Avnish Goel