

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
E mail: pgcdelhi@nic.in

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 18.08.2021

Complainant : Sh. Binod Mishra

Respondent : District Magistrate (South),
Revenue Deptt. GNCTD
Through Shri Dalbir Singh, Jr. Asstt.

Grievance No.: PGC/2021/A.II/Rev./07

1. Brief facts of the case

Shri Binod Mishra filed a complaint stating that recovery of Rs. 1,31,538/- plus 10% simple interest w.e.f. 24.8.2017 till date of recovery, from the Management of M/s. Prominent Pest Control, was ordered by Controlling Authority under the Payment of Gratuity Act, 1972, vide order dated 01/08/2019. A letter dated 01/10/2019 was forwarded to District Collection Officer, District South, Revenue Department, for execution of recovery. But the recovery has not been executed till date.

2. Facts emerged during the proceeding:

2.1 Shri Dalbir Singh, Jr. Asstt. from the office of SDM (Hauz Khas) was present. He filed a status report dated 18.8.2021 alongwith copy of relevant documents. A copy of the same was handed over to the complainant, at today's hearing. The status report mentions that subsequent to issue of warrant of arrest dated 14.7.2021, SHO/Malviya Nagar reported that the basement of the impugned property was found locked. One of the resident of the same premises informed that the basement is locked since long. As such an attachment order dated 11.8.2021 was issued with direction to attach the property on 13.8.2021. The property was attached on 13.8.2021 in the

presence of Tehsildar (Hauz Khas), other revenue staff and Delhi Police personnel.

3. **Directions**

3.1 As per order dated 1.8.2019, of Controlling Authority under Payment of Gratuity Act, 1972, an amount of Rs. 1,31,538/- was to be recovered from M/s. Prominent Pest Control, J-3/42B Basement, Khirki Extension, New Delhi-110017. The warrant of arrest issued by Revenue authorities could not be executed as the premises was found locked. Thereafter, warrant of attachment of property dated 11.8.2021 was issued and the property was attached on 13.8.2021.

3.2 In view of above, all requisite steps have been ensured by the Revenue Department. In future, if the Judgement Debtor or someone else approaches for de-attachement of the property , the recovery certificate shall be executed before de-attachement of the property.

3.3 The complainant is advised to approach the Controlling Authority under Payment of Gratuity Act, 1972/Deputy Labour Commissioner, District South, Labour Department, Govt. of NCT of Delhi and provide them any other address of the Judgement Debtor, if available with him, for issue of fresh recovery order.

3.4 Presently, the Commission regrets its inability to intervene any further in the matter.

Accordingly, the case is disposed of in the Commission.

(SUDHIR YADAV)
MEMBER (PGC)

PGC/2021/A.II/Rev./07/

Dated:

1. District Magistrate (South), Revenue Department, Govt. of NCT of Delhi, M.B.Road, Saket, New Delhi-110068.
2. SDM (Hauz Khas), Revenue Department, Govt. of NCT of Delhi, M.B. Road, Saket, New Delhi – 110068
3. SHO/PS Malviya Nagar, Police Station Malviya Nagar, New Delhi
4. Shri Binod Mishra

