

PUBLIC GRIEVANCES COMMISSION
(Govt. of NCT of Delhi)
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Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.1997

Date of hearing: 22nd Sept., 2021

Complainant : Ms. Kiran Dewan

Respondent : Principal Secretary,
H&FW Department,
Govt. of NCT of Delhi
Through :-
Shri Mahesh, Sr. Asstt.,
Lok Nayak Hospital

Grievance No. : PGC/2020/A-II/H&FW/05

1. Brief Facts of the Case

The complainant has filed her grievance regarding non-grant of benefits of 3rd MACP despite repeated requests made by her in this regard. The complainant has also requested the Commission to direct the respondent department to revise her pension and other benefits after granting 3rd MACP and to pay the arrears alongwith the interest at the earliest.

2. Facts emerged during the hearing

2.1 Shri Kanhaya Pandit, Senior Assistant from H.R. Para-Medical , H&FW is present and submitted action taken report under the signature of Shri Pawan chopra, Dy. Secretary (HR/PARA), stating the following :-

“ Vide letter no. F.57-MACP/E-1/LNH/2010/Part-I/1861, dated 28.8.2021 issued by AMS (Admn.), E-1 Branch, Lok Nayak Hospital, had also submitted a status report in the matter for grant of 3rd MACP.

Vide office letter no. F.1 (904)/HR-PARA/H&FW/2021/1162 dated 10.8.2021, it was informed to hospital authorities that despite of all the possible efforts, ACR folder for the period 2008-2009, 2009-10 and 2010-11 in r/o Smt. Kiran Dewan, Ex-Senior Dietician is not traceable in this branch. Accordingly, it was advised to hospital authorities to use attested copies of the ACRs, if available, for the said period for granting MACP.

Vide letter No. F.57-MACP/E-1/LNH/2010/Part-1/1861, dated 28.08.2021 issued by AMS (Admn.), E-1 Branch, Lok Nayak Hospital, appeal of Smt. Kiran Dewan, Ex. Senior Dietician before the PGC, Govt. of NCT of Delhi has also been enclosed. In her appeal, Smt. Kiran Dewan, Ex-Senior Dietician has stated at Senior No. 08 as follows :-

“ I came to know that my relevant ACRs were not complete as they had not been reviewed by the concerned Reviewing officer. So, on 21.8.2020, I wrote a letter to the Addl. Medical Superintendent, LNH, with request to review my ACRs for the period 2010-15 as the same were required for the grant of 3rd upgradation under the MACP scheme. However, nothing was done in the matter”.

Further, as per statement of Smt. Kiran Dewan, it seems that till 21.8.2020, hospital authorities have not reviewed the ACRs of Smt. Kiran Dewan. However, vide letter dated 19.3.2021 issued by SO (Admn.), LNH has stated that ACRs were sent to H&FW Deptt., as per the details mentioned below :-

- a. For the year 2008-09 vide letter No.F.PA/Addl.MS(A)/LNH/2010/774, dated 8.10.2010.*
- b. For the year 2009-10 vide letter No.PA/Addl. MS(A)/ACR(NMG)LNH/2010/1890, dated 15.10.2010.*
- c. For the year 2009-10 vide letter no.F.PA/Addl.MS(A)/ACR (NMG)LNH/2010/1854 dated 9.8.2011.*

vide letter no.F.1(904)/HR-PARA/H&FW/2021/645 dated 20.9.2021, clarification from the hospital authorities have been sought in reference to above statement of Smt. Kiran Dewan, Ex. Senior Dietician and it has also been requested to provide certified copy of peon book/receiving which shows that ACRs folder the period of 2008-2009 and 2009-10 were submitted to Para Medical Branch alongwith purpose of sending ACRs folder for the said period.

Also, vide office letter No. 1664 dated 20.9.2021, Lok Nayak Hospital authorities have been directed to process the case of grant of 3rd MACP in r/o Smt. Kiran Dewan. A check list has also been provided with this letter.

Shri Devender Kumar, Section Officer, LNH is present and submitted action taken report under the signature of Dr. Sunil Austin Francis, Addl. Medical Superintendent (A). The same has been taken on record. The report stated the following :-

“The Deputy Secretary (Para-Medical), H&FW Department, GNCTD has informed that “*despite all the possible efforts to search out the ACR folder in r/o of Smt. Kiran Diwan is not traceable and to use attested copies of ACRs, if available, for the said period for granting MACP.*”

Now, the matter is sub-judice at Hon’ble CAT, New Delhi vide OA No./2021 which was received through E-Mail (copy enclosed).”

3. Directions of PGC

3.1 Principal Secretary (H&FW) may look into reasons of non availability of the ACRs duly sent by the hospital authorities.

3.2 Medical Director, Lok Nayak Hospital is requested to look into the reasons as to why the ACRs of Ms. Kiran Dewan were not reviewed by the Reviewing officer. He is also requested to ensure that the ex-employee does not suffer any further since there is no deficiency on the part of the official in the matter. The hospital shall comply with the directions of Hon’ble CAT, in the matter.

3.3 Taking into account the fact that the complainant has filed O.A. in the Hon’ble CAT, New Delhi in the same matter, the Commission therefore can not pursue the case further as per the mandate of the Commission.

With the above advice, the Commission has decided to close the case in PGC.

**(SUDHIR YADAV)
MEMBER(PGC)**

PGC/2020/A-II/H&FW/05/

Dated :

- 1 The Principal Secretary, H&FW Department, Govt. of NCT of Delhi, 9th Floor, Delhi Secretariat, New Delhi.
- 2 The Medical Director, Office of the Medical Director, Lok Nayak Hospital, New Delhi-110002.
- 3 The Addl. Medical Superintendent (A), Office of the Medical Director, Lok Nayak Hospital, New Delhi-110002.
- 4 The Deputy Secretary (Nursing/Para Medical), Health & Family Welfare Department, Govt. of NCT of Delhi, Delhi Secretariat, New Delhi.
- 5 The Administrative Officer, Lok Nayak Hospital, Govt. of NCT of Delhi, New Delhi-110002.
- 6 Ms. Kiran Dewan

