

“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
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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: 13.04.2022

Complainant : Sh. Rakesh Kumar Sharma - Present.

Respondent : The Director,
Directorate of Social Welfare,
Govt. of NCT of Delhi
Through Sh. Prem Chand Gupta, ASO,
Department of Social Welfare.

Sh. R.K. Dhanwaria, DDO/HOO,
Govt. Secondary School for the Deaf,
PWD Barracks, B-Block, Kalkaji – Present.

Grievance No. : PGC/2022/A.II/DSW/02

1. Brief facts of the complaint

1.1 Sh. Rakesh Kumar Sharma has filed a grievance petition before Public Grievances Commission aggrieved by non-release of post retirement benefits i.e. Gratuity, leave encashment, commutation of pension and pension till date by the Department of Social Welfare. He had retired as Section Officer from Govt. Secondary School for the Deaf, PWD Barracks, B-Block, Kalkaji, Delhi on 31.10.2020.

2. Relevant facts emerging during the hearing

2.1 Sh. Prem Chand Gupta, ASO, Department of Social Welfare filed an ATR dated 16.03.2022. It is stated in the ATR that:-

“In pursuance of promotion of Grade-II (DASS) Officials to the post of Grade-I (DASS) vide Order No. 649 dated 27/12/2019 in the Pay Matrix Level-8 of Rs.47600-151100/- (Pre. Revised PB-2: Rs.9300-34800 plus Grade Pay of Rs.4800/-) & Transfer/Posting Order No.653 dated 30/12/2019 of Services Department, GNCT of Delhi & subsequently relieving w.e.f. 27/10/2020 (A/N) from the Office of the District Magistrate (Central), G.N.C.T. of Delhi vide Order No.F.10(32)/DC/C/Admn./09/Part

File/3044-3053 dated 26/10/2020 and consequent upon his joining w.e.f. 27/10/2020 (A/N), Sh. Rakesh Kumar Sharma was taken on strength of Department of Social Welfare, GNCTD w.e.f. 28/10/2020 (F/N) as Section Officer (Gr.-I DASS) on Adhoc basis vide Order No.F.10(481)/2020/A-1/DSW/Estt./11821-11823 dated 26/11/2020 only for pay purposes as the Officer had already retired on 31/10/2021(Annexure-I).

Accordingly, the pay of Sh. Rakesh Kumar Sharma, ex-section Officer (Grade-I DASS) on adhoc basis was fixed w.e.f. 28/10/2020(F/N) to 31/10/2020(A/N) vide order F.No. 10(481)/2020/A-1/DSW/Estt./13477-13485 dated 18/12/2020 (Annexure-II).

Further, it is stated that Sh. Rakesh Kumar Sharma, Section Officer (Grade-I DASS) on adhoc basis retired from Govt. service on 31/10/2020 (A/N).

The Retirement Order in respect of Sh. Rakesh Kumar Sharma, Section Officer was issued by the DM (Central) vide Order dated 20/07/2020. Accordingly, a letter was issued to the Office of the DM (Central) for forwarding original Vigilance Clearance Report in respect of Sh. Rakesh Kumar Sharma, the then Naib Tehsildar vide letter dated 28/12/2020 (Annexure-III).

In response to this Office letter dated 28/12/2020, the original Vigilance Clearance Report at the level of Revenue Department (HQ) in respect of Sh. Rakesh Kumar Sharma, the then NT (retired on 31/10/2020 as Section Officer on adhoc basis) was received vide letter dated 31/12/2020 (Annexure-IV). After that, a letter dated 11/01/2021 was issued to Services Department for seeking Vigilance Status Report at the level of Directorate of Vigilance, GNCTD in respect of Sh. Rakesh Kumar Sharma, ex-section Officer (Grade-I DASS) on adhoc basis for retirement purposes (Annexure-V).

In response to this Office letter dated 11/01/2021, Vigilance Status Report at the level of Directorate of Vigilance, GNCTD vide letter dated 10/02/2021, was received on 18.02.2021 in respect of Sh. Rakesh Kumar Sharma, ex-Section Officer (Grade-I DASS) on adhoc basis, wherein, it is stated that as per available record, as on date, no vigilance case is pending or contemplated against the 'Officer' (Annexure-VI).

In the meanwhile, Services Department (ACP Cell) issued an Order No.140 endorsed vide No.5(5)/2017/MACP/Services/162-169 dated 01/02/2021 for recommendation of 3rd MACP in the Level 08 under 7th CPC Pay Matrix w.e.f. 22/07/2015 and appointed as Section Officer on regular basis w.e.f. 27/12/2019 vide Services Department Order dated 17/02/2021 in respect of Sh. Rakesh Kumar Sharma, ex-Section Officer (Gr.-I DASS) on regular basis (DOB: 01/11/1960) (Annexure-VII). Accordingly, after completion of all the codal formalities, the pay of Sh. Rakesh Kumar Sharma; ex-Section Officer (Gr.-I DASS) was fixed vide Order dated 06/04/2021(Annexure-VIII).

As Sh. Rakesh Kumar Sharma who joined in this department on 27/10/2020 (A/N) as Section Officer and retired from Govt. Service on 31/10/2020 (A/N), he was taken on strength of this department only for pay purposes w.e.f. 28/10/2020 (F/N) to 31/10/2020 (A/N) vide Order dated 26/11/2020, accordingly, Original Vigilance Status Report at the level of Revenue Department and Directorate of Vigilance, GNCTD (Annexure-IX) was forwarded to DDO/HOO of GSSD Kalkaji, Department of Social Welfare, GNCTD vide letter dated 08/04/2021 for processing pension case of Sh. Rakesh Kumar Sharma, ex-Section Officer (retired on 31/10/2020) (Annexure-X).

After that, a letter dated 25/11/2021 received in this branch on 30/11/2021 vide diary no.3499 dated 26/11/2021 alongwith performa for Vigilance Status Report received on 02/12/2021 vide diary no.3610 dated 02/12/2021 from the DDO/HOO of GSSD, Kalkaji regarding vigilance clearance report of DSW in respect of Sh. Rakesh Kumar Sharma (retired Section Officer) wherein it is stated that DSW(HQ) issued retirement order in respect of the said Officer. But his Vigilance Clearance was not issued/send by the HQ which is required by the PAO-23 for further processing of his pension case (Annexure-XI).

In response to this Office Letter No.F.10(481)/2020/Admn.-I/DSW/Estt./PF-I/1867 dated 09/12/2021 to Vigilance Branch(SW) regarding issuance of Departmental Vigilance Status Report in respect of Sh. Rakesh Kumar Sharma, ex-Section Officer retired on 31/10/2020 (A/N) (Annexure-XII), Vigilance Branch (SW) issued the Departmental Vigilance Status Report vide letter No.F.3(349)/VC/Geztt./vig./DSW/2018/Pt.-1/926 dated 31/12/2021 (Annexure-XIII) and accordingly forwarded to DDO/HOO of GSSD, Kalkaji for further necessary action at their end (Annexure-XIV)."

2.2 The complainant confirmed that all his pending post retirement benefits has been released by the department and his grievances have been redressed to his satisfaction.

3. Directions of the PGC

3.1 Keeping in view the submissions made in the action taken report by the respondent department and the satisfaction expressed by the complainant, the case stands disposed of in the Commission.

3.2 The Commission appreciates the efforts put in by the respondent department in processing the case as well as for release of outstanding legitimate dues in respect of the complainant.

(MADHU SHARAN)
MEMBER

No. PGC/2022/A.II/DSW/02

Dated:

1. The Secretary, Deptt.of Social Welfare, Govt.of NCT of Delhi, GLNS Building, Behind Delhi Gate, New Delhi-110001.
2. The Director, Dte.of Social Welfare, Govt.of NCT of Delhi, GLNS Building, Behind Delhi Gate, New Delhi-110001.
3. The Dy.Director / Nodal Officer, Dte.of Social Welfare, Govt.of NCT of Delhi, GLNS Building, Behind Delhi Gate,

New Delhi-110001.

4. Shri R.K. Dhanwaria, DDO/HOO, Govt. Secondary School for the Deaf,
PWD Barracks, B-Block, Kalkaji, Delhi-110019.
5. Sh. Rakesh Kumar Sharma