

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 20th February, 2018

Complainant : Sh. S.P Dua,
R/o. 11/239, Geeta colony,
Delhi-110031.

Respondent : The Director,
Dte.of Education,
Govt.of NCT of Delhi,
Old Secretariat, Delhi-110054

Grievance No. : PGC/2017/Annexure.II/Edn./05

Grievance filed on : 08/3/2017
First hearing in the PGC : 9/5/2017
Scheduled on

1. Brief facts of the complaint

Sh. S.P. Dua filed a complaint in PGC on 8/3/2017 regarding non-release of his regular pension payable since 27.4.2004.

2. Proceedings in the Public Grievances Commission

The PGC convened its hearings in the case 09.5.2017, 01.8.2017, 26.9.2017, 29.11.2017, 03.1.2018 and the latest on 20.02.2018 wherein the following were present:-

Complainant : Present

Respondent : Sh. M.S. Sangwan, Principal on behalf of Smt. Alka Sehrawat, DDE,
Zone-17, Dte.of Education, GNCTD.
Sh. R.M. Meena, Principal, Govt. Sarvodaya Bal Vidyalaya, Nangloi.

3. Relevant facts emerging during the hearing

An ATR has been filed on behalf of Dy.Director of Education, West-B, GNCTD, stating that *"an inquiry team comprising of two Principals headed by ADE (Vig.), Distt West-B examined the representation given by Sh S.P. Dua to RDE(West) and submitted the report on 07.2.2018. The findings of the examination of the representation are that*

Sh. S.P. Dua met the Principal, Sh Rood Mal Meena, SBV Nangloi in the presence of another Principal of Zone-17, MS Sangwan on 5.12.2013 and discussed his pension case is wrong as both the Principals have given in writing that he did not meet them on 05.12.2013.

He claims that he met the officers of Dte.of Education on 22 dates from 28.2.2005 to 8.3.2007 for payment of his pension whereas he was in hibernation from 8.2.2008 to 20.10.2016 i.e. for 08 years 08 months and 12 days during which he did not given any representation in writing anywhere nor did he meet the Principal of SBV Nangloi from where he was given compulsory retirement.

His pension pay order also got lost at PAO/CPAO is also not true as the PPO was sent to his pension paying Dena Bank. Not only this but then Head of School, Dr. M.P. Singh got a copy of his PPO received to him on 27.02.2008.

He himself is responsible for late payment of his pension as he claimed three dates of his retirement at different times i.e. 26.4.2004, 28.2.2005 and 26.7.2006. Moreover, his service of previous department and suspension period was not verified at the time of his retirement and he himself gave in writing that his service record was totally incomplete.

He refused to submit mandatory medical fitness certificate required by PAO on submission of his pension papers. He denied deduction of loan recovery of Jawala Coop.Society from his pensionary benefits which was in contravention to Rule 52 of Cooperative Societies. He also denied the recovery of rent and damage of land & building department from his pensionary benefits.....

Hence, based on the findings of inquiry into the matter of payment of interest on late payment of pensionary benefits to Sh S.P. Dua and also based on the findings of the examination of his representation given to RDE (West), it is cystal clear that Sh.S.P. Dua himself is responsible for delayed payment for the arrears of his pension and no one else. Consequently, Dte.of Education, GNCT of Delhi, is not even an iota responsible for the delayed payment and therefore question does not arise in any way of the payment of interest on late payment of his arrears of pension."

The complainant has come out with a detailed account and the reason as to why he is entitled for interest of about Rs.10.00 lacs for the period for which pension was not paid whereas the Department has conducted a detailed enquiry into the matter and has stated that the fault does not lie with the Department since he had not completed the formalities required for the payment of cooperative loan of the Society. The PPO of the complainant was sent to the concerned Bank but the complainant did not fulfil the formalities of submitting certain mandatory documents required under Pension Rules to the Bank viz. Life Certificate, No Employment Certificate, Undertaking etc. for release of pension and whatever correspondence submitted to him by the Department has also not been acknowledged. Further, when the complainant, as he claims, was the sufferer and he is claiming interest for this reason, Commission has sought from him information about why he did not approach the Commission or the Court for eight years after his retirement, his answer is simply that he was pursuing with several authorities.

The Commission is not convinced with his answer and does not want to waste any more time of the Commission. Any genuine sufferer would have approached the Commission immediately or within a reasonable time, which he did not do.

4. Directions by PGC

In view of the above observations, the Commission closes the case of the Complainant being devoid of merits.


(N. DILIP KUMAR)
MEMBER

Copy to:

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1. The Director, Dte. of Education, Govt.of NCT of Delhi, Old Secretariat, Delhi-110054.
2. The DDE (HQ)/ Nodal Officer, Dte. of Education, Govt.of NCT of Delhi, Old Secretariat, Delhi-110054.
3. Smt. Alka Sehrawat, Dy.Director of Education, Zone-17, District West-B, GNCT of Delhi, "G" Block, Vikaspuri, New Delhi.
4. The Pay & Accounts Officer, PAO-XXV, GNCTD, Peera Garhi DTC Depot Complex, New Delhi.
5. The Sr.Accounts Officer, Central Pension Accounting Office, Govt.of India, Trikoot-II, Bhikaji Cama Place, New Delhi-110066.

6. Sh. R.M. Meena, Principal, Govt. Sarvodaya Bal Vidyalaya (Code 1617002), Nangloi, Delhi-110041.
7. Sh. S.P Dua, R/o. 11/239, Geeta colony, Delhi-110031.
8. PS to Member, PGC, GNCT of Delhi.