

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

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

Date of hearing: 12.02.2020

Complainant : Smt. Mithlesh Gupta – Present.

Respondent : Secretary, Power / TPDDL.

Head Customer Care, TPDDL
Through Sh. Sanjeev Kaushik,
DGM(HR).

Sh. Narayanan P., Consultant(PT)
Sh. B.K. Paliwal, Manager.
Sh. Alam Singh, ASO - Present.

Grievance No. : PGC/2015/Power/662

1. Brief facts of the case

1.1 The present grievance petition was filed before Public Grievances Commission on 02.3.2016 by the complainant, aggrieved by non-grant of family pension in respect of her deceased unmarried son for which she had requested the PGC to do the needful.

1.2 It has been observed during the proceedings, which were also attended by Officers of Pension Trust apart from TPDDL, that the Pension Trust is very keen and had taken very positive stand that they are ready to pay the family pension as an extraordinary circumstance subject to the condition that the only documentation required to release/grant of family pension to the complainant is that the deceased son of the complainant was an ex-employee of TPDDL. However, TPDDL maintained their stand during the hearings that since the deceased employee retired in 2002 and did not work for a single day in TPDDL, it is not possible to show him as their ex-employee.

1.3 During the proceedings on 04.10.2018, the Commission persuaded and briefed the issue to Shri S.K.Srivastava, Chief (HR/Admn.), TPDDL to consider this case as an exceptional case in the light of the judgment of the Hon'ble Supreme Court in Civil Appeal NO.4269 of 2006 titled NDPL Vs.GNCTD & Ors. dated May 3, 2010 and also with reference to the letter dated 21/22 January, 2004 which was a reference from Delhi Transco Ltd. seeking clarification from the Government with respect to the competent authority/new entity to deal with vigilance/disciplinary/court cases in relation to the employees of erstwhile DJB who could not become part of the companies on 1.7.2002 in terms of Delhi

Electricity Reform (Transfer Scheme) Rules, 2001 due to retirement/dismissal/removal/compulsorily retirement by the then DVB. Shri S.K.Srivastava, Chief (HR/Admn.), TPDDL, also assured the Commission to examine the matter in a positive way to ensure that the complainant gets justice. Shri Subhash Chander, Manager, Pension Trust, who was present during the proceedings, again conveyed in clear terms that they are willing to disburse the family pension to the complainant subject to the condition that TPDDL acknowledges the deceased son of the complainant as their employee.

1.4 During the hearing held on 27.11.2018, TPDDL acknowledged and confirmed that late Shri Sudeep Gupta was an ex-employee of TPDDL vide their letter dated 25.10.2018. It was further conveyed that as per records and as per the GIS subscribers register maintained during the Delhi Vidyut Board (DVB), the last place of posting of late Shri Sudeep Gupta, E.No.35650, Jr.Clerk(TO) was Z-508, Pitampura which falls in the geographical location of TPDDL, post unbundling. The Commission advised Chief (HR/Admn.), TPDDL to coordinate with Pension Trust in providing all necessary documents/clarifications in this respect and forward the case to Pension Trust for release of pension. Secretary, Pension Trust, was also advised to take necessary steps, without any further delay and release the pension to the complainant w.e.f. January, 2018.

1.5 During the hearing held on 15.1.2019, Shri Subhash Chander, Manager, Pension Trust, stated that in order to calculate the pension payable, the employer of late Shri Sudeep Gupta has been requested to provide the details of the late employee, Sh Sudeep Gupta viz. date of joining, basic pay last drawn, scale of pay, designation etc. without which the case of processing of family pension in this case may not be possible because these are the basic information / material required in settlement of the family pension. Hence, the complainant and TPDDL authorities were requested to provide earnest efforts in providing the documents to the Pension Trust in order to release family pension.

2. Facts emerged during the proceedings.

2.1 An action taken report has been filed by the representative of the Pension Trust. It is stated that *"the officers visited the residence of the complainant, Smt. Mithlesh Gupta and reported that the complainant has confirmed that she has received the arrears and getting monthly pension regularly. That the daughter of Smt. Mithlesh Gupta, was also present at home during the visit of officers at the residence of Smt. Mithlesh Gupta on 04.02.2020. Smt. Mithlesh Gupta, also handed over a written declaration that she is receiving pension of her deceased son, Sh. Sudeep Gupta, E.No.35650 and got Rs.2,74,488/- as arrears in the month of January, 2020 and, as on today there stands no issues with Pension Trust."*

2.2 Smt. Mithlesh Gupta, the complainant, present thanked the Commission in writing for resolution of her long pending grievance. She further stated that the

pension in its totality being Rs.2,74,488/- has duly been credited in her bank account in the first week of January, 2020. Further, as on today, there stands no issue with DVB ETBF-2002(Pension Trust).

3. Directions

3.1 In view of the above observations and the fact that the complainant present has confirmed that due action has been taken by the respondent departments in releasing the pension and arrears, the case of the complainant stands disposed in the Commission.

3.2 ***The Commission place on record its appreciation for the officers of Pension Trust and TPDDL for their hard work and dedication. They have scrupulously complied with each and every directions passed by the Commission and worked tirelessly which has really helped the Commission in prompt redressal of the grievances of the complainant with regard to release of pension and payment of arrears. Their cooperation throughout the entire proceedings was commendable.***

(MRS. MADHU SHARAN)
MEMBER(PGC)

No. PGC/2015/Power/662

Dated:

Copy to:

1. The Principal Secretary, Department of Power, 8th Level, Delhi Sachivalya, I.P. Estate, New Delhi.
2. The Secretary, DVB ETBF-2002 (Pension Trust) Pre-Fabricated Building, Rajghat Power House , New Delhi-110 002.
3. Chief (HR & Admn.), Tata Power Delhi Distribution Ltd. , NDPL House, Hudson Lines, Kingsway Camp, Delhi-1100 09.
4. Head Customer Care, TPDDL, Cencare opposite C-2, Block Lawrence Road, Keshavpuram-110 035.
5. Smt. Mithlesh Gupta.