

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: 27.02.2020

Complainant : Sh. Ramadhar Ram – Present.
Respondent : District Magistrate (South East)
Revenue Department, GNCT of Delhi,
Ms. Lalvarmoy, Tehsildar(Kalkaji) – Present.
Grievance No. : PGC/2019/A.II/Rev./10

1. Brief facts of the complaint:

1.1 Shri Ramadhar Ram, the complainant, has filed a grievance before the Public Grievances Commission aggrieved by non-recovery of Rs.60,000/- on account of interest of the principle amount of Rs.1,81,730/- of Gratuity w.e.f. 18.9.2014 from the management of M/s.NQAQSR Certification Private Limited, through its Director, Mr. Randhiv Mehra as per orders dated 17.7.2017 of the Controlling Authority under the Payment of Gratuity Act, 1972(South).

2. Facts emerged during the proceedings.

2.1 On the last date of hearing, Sub-Divisional Magistrate(Kalkaji), GNCT of Delhi, was directed to confirm from the Controlling Authority under the Payment of Gratuity(South) whether the said Draft of Rs.59,364/- has been received by Sh. Ramadhar Ram. Further, the complainant who was not present on the last date of hearing was advised to inform the Commission in writing about receipt of the said draft of Rs.59,364/- by him with regard to interest of the principle amount of his Gratuity.

2.2 The complainant present confirmed it in writing that he has received the Demand Draft No. 799224 for an amount of Rs.59,364/- towards the interest of the principle amount of his Gratuity. He expressed his satisfaction over the action taken by the respondent department and also thanked the Commission for prompt redressal of his grievances.

3. Directions:

3.1 In view of the fact that the complainant has received his outstanding dues as mentioned in his grievance petition and expressed his satisfaction, the case stands disposed of in the Commission.

(SUDHIR YADAV)
MEMBER(PGC)

No. PGC/2019/Rev./10

Dated:

Copy to:

1. The District Magistrate (South East), Revenue Department, Govt. of NCT of Delhi, South East District, Old Gargi College, Lajpat Nagar-IV, New Delhi-110024.
2. Sub-Divisional Magistrate (Kalkaji), Revenue Department, Govt. of NCT of Delhi, 37, Tugalakabad Institutional Area, New Delhi-110019.
3. Controlling Authority under the Payment of Gratuity(South), A-Wing, 1st Floor, Room No.116-123, Pushp Bhawan, Pushp Vihar, Madangir Road, New Delhi-110062.
4. Shri Ramadhar Ram.

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Website : www.pgc.delhigovt.nic.in E-mail :pgcdelhi@nic.in

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.1997

Date of hearing: 22.02.2020

Complainant : Sh. Rajender Prasad – Present.

Respondent : District Magistrate (North),
Revenue Department, GNCTD
Through Sh. Shyam Prakash,
BDO(North).
Sh. Ravinder Singh, AD/UTCS
Sh. Manoj Ambasta, the then
Tehsildar - Present.

Grievance No. : PGC/2018/Annex.II/Rev./19

1. Brief Facts of the case

1.1. The complainant has filed a grievance petition before this Commission on 21.12.2018, aggrieved by non allotment of plot No.422 in Village Dariyapur Kalan which was allotted under 20 Point Programme of the Government.

2. Facts emerged during the proceedings

2.1 An action taken report dated 11.9.2019 filed by Shri Shyam Prakash, Block Development Officer(North), GNCT of Delhi, is on record. It is mentioned in the report that *"The site of premises of Dada Maldev Mandir Village Dariyanpur Kalan has been inspected on 09.09.2019 by Panchayat Secretary, BDO(North) and Sh. Harender Mohan, Field Kanungo from Office of SDM(Narela). It was found that a park has been developed by Irrigation & Flood Control Department on the request of the then MLA, Shri Chand Ram, as told by the villagers who were present there. They also told that the park was developed on the land of residential plots, given by the then Gram Pradhan but they do not know that whose plots are in the premises of Dada Maldev Mandir or whether they have left their plots voluntarily. It was also stated that when the park was developed, no plot/boundary wall was constructed there.*

It was further mentioned in the report that *"the matter of allotment is of Plot No.422 to the applicant under 20 Point Programme in Village*

*Dariyanpur Kalan. While the papers produced by him do not prove anything, it is noteworthy that the father of the complainant i.e. Sh. Ram Narayan was also allotted a plot No.311 in Village Dariyanpur Kalan under 20 Point Programme vide LR 37 No.7490 dated 06.03.1987 and entered in the Resolution Register at Sr.No.287 on 26.03.1987. As per the statement of Shri Rajender Prasad, he was unmarried till the year 1996. **Since as per policy, only one plot could have been allotted to a person in one family, he was not even eligible for allotment. Thus neither he was eligible for allotment as per policy nor there is any allotment mentioned in the Resolution Register.***

Furthermore, "that the grievance of Shri Rajender Prasad for providing physical possession of residential plot which was allotted to him has been considered many times earlier. The matter was first perused by the then Divisional Commissioner in 2016 and reply was accordingly sent to Sh. Rajender Prasad on 30.03.2016. Then, the matter was again examined by the then DM(North) in 2017 and reply sent on 27.04.2017. Then again, the action taken report in this regard was sent for kind perusal of the Hon'ble Chief Minister of Delhi and the file was returned to the Office of BDO(North) on 26.07.2017, as no action was required in this matter at the level of the BDO Office."

2.2 The complainant present presented copy of the reply received under RTI Act, 2005 in support of his contention. He contended that the then Hon'ble Lt.Governor in his note dated 22.1.1983 addressed to Vice-Chairman, had directed the VC(DDA) to ensure that land allotted under 20 Point-Programme or any other scheme of the Delhi Administration or Central Government was not to be taken over by the DDA. In cases where such land had been acquired, DDA was to return it to the Development Department for proper allotment to the eligible harijans/allottees.

2.3 The matter was discussed in depth again with the concerned officers of the Revenue Department. During the deliberations, it transpired that Section 74(4) of DLR Act refers to weaker section and not to homeless/landless. However, the same needs to be confirmed further. It further transpired during the proceedings that in the year 2009, there was a cabinet note on the subject and accordingly, directions were issued to District Magistrates, Revenue Department, that people who are not in possession of land will not be considered for allotment of Gram Sabha land.

3. Directions:

3.1 District Magistrate (North), GNCTD, is requested to look into the grievance personally and have the matter examined and appropriate directions be issued to the concerned revenue officials to trace out the copy of the above mentioned cabinet note/directions given to the District Magistrates so that a comprehensive view in the instant grievance petition could be taken.

3.2 Shri T.N. Meena, Sub-Divisional Magistrate(Narela) and Block Development Officer (North), GNCT of Delhi are directed to remain present on the next date of hearing to apprise the Commission with the progress made in the case along with Action Taken Report, **in duplicate**. Any other officer, other than stated above, shall not be allowed to represent them in the proceeding on the next date of hearing, as they can not contribute in the proceedings and take/inform decision.

3.3 The next date of hearing in this case is scheduled for **Thursday, 2019 at 2.30 p.m**

(SUDHIR YADAV)
MEMBER(PGC)

No. PGC/2018/Annex.II/Rev./19

Dated

Copy to:

1. District Magistrate(North), Revenue Department, Govt. of NCT of Delhi, DM Office Complex, BDO Block, Alipur, Delhi-110 036.
2. The Director(Panchayat), GNCT of Delhi, 1, Kripa Narain Marg, Civil Line, Delhi-110054.
3. Shri T.N. Meena, SDM(Narela), Revenue Department, GNCT of Delhi, MPCC Building, Naya Bans, Delhi.
4. Shri Shyam Prakash, Block Development Officer (North), Revenue Department, Govt.of NCT of Delhi, DM Office Complex, BDO Block, Alipur, Delhi-110036.
5. Shri Anil Misra, Section Officer(P), GNCT of Delhi, Office of Director(Panchayat), 1, Kripa Narain Marg, Delhi-110054.
6. Shri Rajender Prasad R/o. H.No.120, Near Brahman Chaupal, Village Dariyapur Kalan, Delhi-110039.