

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

Grievance No.PGC/2019/A.II/Power/31

Date of hearing: 08.07.2020

Complainant : Sh. Gurbaksh Singh

Respondent : Principal Secretary (Power),
Govt. of NCT of Delhi.
through
Ms. Payal Mahajan,
Nodal Officer (PGMS),
BSES Yamuna Power Ltd. - Present.

1. Brief facts of the case.

- 1.1 Sh. Gurbaksh Singh, ex-employee of D.E.S.U. has filed a grievance in PGC on 06.12.2019 regarding non payment of conveyance for the period w.e.f. 1976 to 1992, non payment of salary from 1982 to 1992 and non payment of revised pay scale for the period w.e.f. 1985 to 1992 by the erstwhile D.E.S.U

2. Facts emerged during the proceedings

- 2.1 Ms. Payal Mahajan, Nodal Officer (PGMS), BSES Yamuna Power Ltd. is present in the hearing and has filed an Action Taken Report dated 22.01.2020 and the same is taken on record stating therein that *"In reference to the letter vide No.PGC/2019/Anx.II/Power/31/19431 dated 06.01.2020 on the subject cited. In this regard, we would like to inform you that a letter vide Ref.No.: BYPL/CC/2019-20/46688 dated 09.01.2020 has already been sent. Copy of the letter is annexed for reference."*
- 2.2 Ms. Payal Mahajan, Nodal Officer (PGMS), BSES Yamuna Power Ltd. present in the hearing stated that a letter vide Ref.No.: BYPL/CC/2019-20/46688 dated 09.01.2020 has already been sent by them to the complainant. Further, the BSES Yamuna Power Ltd., vide letters dated 23.01.2014, 01.11.2017, 18.01.2018, 05.04.2018, 08.07.2019, 06.08.2019 and 12.12.2019, on multiple occasions, reiterated the stand taken by them

vide letter No. Sr.Mgr.(HR)/2013-14/300 dated 11.12.2013, which is reproduced below:-

“1. As regards the payment of conveyance for the period w.e.f. 1976 to 1992, it may be stated that the claim after 01.03.1983 i.e. the date from which he remained on unauthorized absence till the date of his acceptance of his resignation i.e. 01.03.1988 is not admissible under the rules. The demand for the payment of conveyance after the acceptance of his resignation till 1992 is quite illegal and unjustified. The company has come into existence w.e.f. 01.07.2002. Sh. Gurbaksh Singh has never been the employee of this company. He should have made the representation regarding the payment of conveyance to the concerned authorities in the erstwhile DESU. At this belated stage, after a lapse of more than 30 years, it is hardly possible to accede to his request on the doctrine of delay and latches.

2. The benefit of revised pay scale was already allowed to him &

3. Since he remained on unauthorized absence w.e.f. 01.03.1983 to 01.03.1988 i.e. the date on which his resignation was accepted and the entire period of his unauthorized absence be treated as Dies-Non, the payment of salary is not admissible to him.

In view of the position explained above, the request made by Sh. Gurbaksh Singh being not covered under the rules cannot be acceded to.”

3. Directions

- 3.1 The case stands disposed of in the Commission as the BSES Yamuna Power Ltd. reiterated their stand vide Action Taken Report dated 22.01.2020 that except for benefit of revised pay scale (which was already allowed to the complainant), the other demands of the complainant i.e. payment of conveyance for the period w.e.f. 1976 to 1992 and payment of salary from 1982 to 1992 cannot be acceded to as the same is not covered under their relevant rules/acts. Further, the complainant is at liberty to approach BYPL as well as the Commission in case he has any further grievance with regard to his present complaint.

(SMT. MADHU SHARAN)

MEMBER (PGC)

No.PGC/2019/A.II/Power/31

Dated:

Copy to:

1. The Principal Secretary (Power), Deptt.of Power, GNCT of Delhi,
8th Floor, B-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002.
2. The Head Customer Care, BYPL, Corporate Annexe - 1st floor, CBD-III, Aggarwal Fun
City Mall, Karkardooma, Delhi.
3. Sh. Gurbaksh Singh