

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: 02.09.2020

Complainant : Shri Arun Kumar

Respondent : The Commissioner,
Labour Department, GNCTD
through
Sh. Shashi Bhushan,
Labour Officer – Present

Grievance No. : PGC/2020/Labour/03

1. Brief facts of the case:

- 1.1 Shri Arun Kumar filed a grievance petition before Public Grievances Commission on 12.02.2020, aggrieved by non-payment of final Provident Fund amount by M/s. IAP Company Pvt. Ltd., Palam Vihar, Gurugram.

2. Facts emerged during the proceedings

- 2.1 Sh. Shashi Bhushan, Labour Officer (East & North East) was present in the hearing and has submitted copy of letter addressed to the Regional Provident Fund Commissioner, Govt. of India dated 04.08.2020, stating therein that *"This is in continuation of even letter no. DLC/E&NE/Lab/2020/1492 dated 19.03.2020 on the subject mentioned above forwarded to your good office. The above said representation is addressed to the Hon'ble Public Grievances Commission, GNCT of Delhi. Matter was heard by Hon'ble Member PGC on 20.07.2020 and advised the Labour Deptt. official to coordinate and follow up with Provident Fund department (copy enclosed). The matter is listed before Hon'ble Member PGC on 02.09.2020 at 10:30 AM. You are, therefore, requested to expedite the process of release of Provident Fund of Sh. Arun Kumar, S/o Sh. Ramphool and necessary steps may be taken to redress the grievance of Sh. Arun Kumar. The Action Taken Report may be sent directly to Hon'ble Public Grievances Commission and copy may be endorsed to this office."*

- 2.2 Sh. Shashi Bhushan, Labour Officer present in the hearing stated that a Reminder was sent to the Regional Provident Fund Commissioner, Govt. of India dated 04.08.2020, wherein, the Provident Fund department was requested to expedite the process of release of Provident Fund of the complainant Sh. Arun Kumar. Further, an Action Taken Report was requested to be sent directly to Public Grievances Commission along with a copy endorsed to their department.
- 2.3 The Labour Officer further stated that the complainant's grievance is regarding non-payment of final Provident Fund amount against M/s. IAP Company Pvt. Ltd., Palam Vihar, Gurugram, where he worked from 01.04.2016 to 31.10.2017 as MTS. The said company is located at Gurugram, Haryana and does not come under the jurisdiction of Labour Department of Delhi Government. Therefore, the Labour Department is not in a position take any action against the company.

3. Directions

- 3.1 The complainant's ex-employer M/s. IAP Company Pvt. Ltd. is located at Gurugram. Since the said company is operating outside the territory of Delhi State, therefore, its working does not come under the jurisdiction of Labour Department of Delhi Government. The Labour Department, GNCT of Delhi is directed to transfer the above mentioned grievance of the complainant Sh. Arun Kumar to the Labour Department of Government of Haryana.
- 3.2 With the above directions, the case stands closed in the Commission.

(SMT. MADHU SHARAN)
MEMBER (PGC)

No. PGC/2020/Labour/03

Dated: .09.2020

Copy to:

1. The Commissioner, Labour Department, GNCT of Delhi, 5, Sham Nath Marg, Delhi - 110054.
2. The Central Provident Fund Commissioner, 14, Bhavishya Nidhi Bhawan, Bhikaji Cama Place, R.K.Puram Marg, New Delhi-110 066
3. Shri Arun Kumar