

**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: 18.08.2020

PGC/2019/A-II/DTC/04

Complainant : Shri Sushil Kumar Sharma

Respondent : Chairman-cum-Mng.Director
Delhi Transport Corporation
Through :-
Shri Anoop Kumar,
DM (Rohini-I)
Shri J.P. Joshi, SBPLD
Shri B.S. Chauhan,
Senior Manager (Admn.)

1. Brief facts of the complaint

The complainant, Shri Sushil Kumar Sharma, has filed a grievance in the Commission on 8.11.2019 stating that he has received less than entitled amount of gratuity i.e. Rs. 8,12,410/- instead of Rs. 13,25,262/- on account of willful negligence and casual approach of the Depot Manager. He further stated that said action of Shri A.K. Gupta, Depot Manager, DTC, Subhash Place Depot of deduction/withholding the amount of Rs. 5,12,852/- was without any prior notice/information to him. The complainant has prayed that orders passed by DM, Subhash Place Depot dated 28.3.2019 and 29.3.2019 may be quashed and set aside and issue directions to DTC for making refund of entire withheld amount of gratuity with compound interest @ 12% per annum. He further requested to impose penalty upon the said Depot Manager.

2. Facts emerged during the proceedings

Shri B.S. Chauhan, Shri J.P. Joshi, Depot Manager, Subhash Place Depot and Shri Anoop Kumar, Depot Manager (Rohini) are present and filed a status report in the matter. The same has been taken on record.

Shri B.S. Chauhan, Sr. Manager (DTC) representing the Corporation stated that the appeal of the complainant Shri Sushil Kumar Sharma has been considered by R.M. (North).

Accordingly, DM, SBPLD (DDO) has been directed to release the balance amount of gratuity. It has also been informed by the DTC authorities that the complainant was not aware about the maximum limit of gratuity in the Corporation is Rs. 10 lakhs. Therefore, the complainant is being paid remaining balance of gratuity amounting Rs. 1,87,590/-, instead of Rs. 5,12,852/- as claimed by the complainant. In this regard, a copy of the office order No. 3, dated 29.11.2010 under the signature of Shri Manohar Lal, Manager (Admn.) HQtr., DTC was presented by Shri B.S. Chauhan, Senior Manager (Admn.), DTC. The Office Order states the following :-

“It is notified for the information and necessary action by all concerned that DTC Board vide its Resolution No. 114/10 (Item 107/10) dated 10.11.2010 has enhanced the existing limit of maximum amount of Gratuity from Rs. 3.50 lakhs to Rs. 10.00 lakhs w.e.f. 24.5.2010 i.e. the date of Gazette Notification to all employees of DTC-either covered under CCS (Pension) Rules or covered under the Payment of Gratuity Act, 1972.”

3. Directions

In view of the above submissions made by the DTC authorities, the Commission has decided to close the case in PGC with the direction to Shri B.S. Chauhan, Senior Manager (Admn.) to intimate the Commission as and when the remaining amount of gratuity i.e. Rs. 1,87,590/- is credited in the account of the complainant.

**(SUDHIR YADAV)
MEMBER(PGC)**

No.PGC/2019/A-II/DTC/04/

Dated :

- 1 The Chairman-cum-Managing Director, Delhi Transport Corporation, I.P. Estate, New Delhi-110002.
- 2 Shri B.S. Chauhan, Senior Manager (Admn.), Delhi Transport Corporation (Headquarters), I.P. Estate, New Delhi-110002.
- 3 Shri L.K. Singh, Depot Manager (Subhash Place Depot), DTC, Subhash Place, Delhi-110035
- 4 Shri A.K. Gupta, Depot Manager (Rohini Depot-I), New Delhi-110085.
- 5 Shri Sushil Kumar Sharma