

*“No carelessness until there is a cure Wear mask,
follow physical distancing & maintain hand hygiene”.*

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: 16.12.2020

Complainant : Sh. Parshu Ram Thakur

Respondent : The Commissioner,
Labour Department
Through
Sh. Rahul Kumar, Labour Inspector.

Grievance date : 05.11.2019

1. Brief facts of the complaint

- 1.1 Sh. Parshu Ram Thakur has filed a complaint in PGC regarding non-receipt of salary from the owner of the company. Sh. Prashu Ram Thakur has worked in a company at Rajdhani Enclave Pitampura but he has not received the salary from the owner of the company whereas the owner of the company states that he has already paid the salary.

2. Facts emerged during the proceedings

- 2.1 Sh. Rahul Kumar, Labour Inspector was present in the hearing and filed an Action Taken Report dated 15.12.2020 and the same is taken on record stating that *“The department has already filed ATR dated 15.07.2020 and 04.11.2020 in the Commission. The PGC has already advised the complainant to file his claim before the Authority under the Delhi Shops & Establishments Act, vide their order dated 21.09.2020. The complainant has not yet filed his claim till date before the Authority. The complainant is also not physically appearing in the Labour Office for any clarification or assistance, but filing representation before*

PGC on 12.10.2020 alleging corruption charges against officials of Labour Deptt. without any proof/evidence. During the proceeding held before the Labour Inspector on various dates, the management did not produce statutory records and also not make any payment to the complainant. The Labour Inspector could not file prosecution challan in the Court of MM as the Courts are not attending/promoting physical appearance due to restriction imposed by the Hon'ble High Court during Covid 19 pandemic. Once the Court assumes normal functioning, the prosecution challan will be filed as soon as possible.

It is humbly suggested that in case the complainant appears before PGC on NDOH i.e. 16.12.2020, he may be advised to file his claim before the Authority, else relief cannot be granted to him."

- 2.2 The complainant present in the hearing stated that he had worked as a carpenter in the furniture company w.e.f. 25.11.2017 to 31.01.2018. The owner of company has not paid him the wages for the said period. He stated that he has copy of attendance sheet with him to prove that he had worked for the company. However, he has nothing to prove that wages amounting to Rs.500/- per day was paid to him during the said period. Thus, the complainant has nothing concrete to show that outstanding dues pertaining to him is withheld by the company.

3. Directions

- 3.1 The Commissioner, Labour Department, Govt. of NCT of Delhi is advised to direct the concerned officers to guide the complainant and provide him proper legal counsel to enable him to file his claim before the Authority under the Delhi Shops & Establishments Act, 1954, F-Block, Karampura, New Delhi – 110015.
- 3.2 With these directions, the case stands closed in the Commission. Further, the complainant is at liberty to approach the Labour Department 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/Labour/06/

Dated:

1. The Commissioner, Labour Department, Govt. of NCT of Delhi,
5- Sham Nath Marg, New Delhi-110054.
2. Sh. Parshu Ram Thakur