

*“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: 22.07.2021

Complainant : Sh. Lal Singh

Respondent : The Commissioner,
Labour Department
Through Sh. Ashish Aggarwal,
Labour Officer – present.

Grievance No. : PGC/2020/Labour/19

1. Brief facts of the case

- 1.1 Sh. Lal Singh has filed a grievance in PGC regarding non release of gratuity by M/s ICSIL, Okhla. He has stated that he was worked at CBPACS, Kheda Dabar as Data Entry Operator w.e.f. 02.09.2013 to 08.06.2019. Now, 18 months have passed by but gratuity has not been released by the company till date.

2. Facts emerged during the proceedings

- 2.1 Sh. Ashish Aggarwal, Labour Officer, Labour Department was present in the hearing and filed an Action Taken Report dated 20.07.21 stating therein that:
“The complainant has filed his specific claim under the Payment of Gratuity Act, 1972, before the Controlling Authority and in this regard, notices were issued to the employer/management. Next date in the matter is fixed for 29.07.2021, the complainant did not appear on the last date of hearing i.e. 09.07.2021. The complainant is hereby again advised to attend the proceeding on the next date i.e. 29.07.2021.

The claim under the above mentioned Act has been filed by the complainant and is under process. The proceeding under the above mentioned Act is quasi-judicial in the nature and order will be passed by the authority on merit by following the Principal of Natural Justice, after affording due opportunity

of being heard to the parties. It is requested to exempt the presence of officers of the Labour Department in future as the matters will be heard and will be decided on merit and on priority."

2.2 The complainant was not present in the hearing.

3. Directions

3.1 Sh. Ashish Aggarwal, Labour Officer categorically stated during the hearing that the claim under the Payment of Gratuity Act, 1972 has been filed by the complainant before the Controlling Authority and is under process. The matter will take its own due course. The Commission is satisfied with the action taken by the department and **the matter is disposed of in the Commission.** However, the complainant is free 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/2020/Labour/19

Dated:

Copy to:

1. The Commissioner, Labour Department, Govt. of NCT of Delhi,
5- Sham Nath Marg, New Delhi-110054.
2. The Controlling Authority under the Payment of Gratuity Act, 1972,
Office of the Joint Labour Commissioner, District South West, Labour Department, DTC
Colony, Pratap Nagar, Hari Nagar, New Delhi – 110064.
3. Sh. Lal Singh

