PUBLIC GRIEVANCES COMMISSION
(Govt. of NCT of Delhi)
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Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.1997

Date of hearing: 27th October, 2026

Complainant	:	Sh. Brij Bhushan Gupta
Respondent	:	Labour Deptt., GNCT of Delhi
Grievance No.	:	PGC/2026/A-II/Labour/636

1. Brief Facts of the Complaint

Sh. Brij Bhushan Gupta has filed a grievance petition in PGC aggrieved by non receipt of gratuity from Delhi Building and Other Construction Workers Welfare Board (DBOCWWB) of the Labour Department of Delhi Government.

The complainant submitted in his petition that he was removed from the position of "Manager (Operation)" in District South, Madangir Office, Delhi, on 31.10.2023 by the DBOCWWB under Labour Department of Delhi Government. He was appointed through an outsourced Third Party ICSIL (Intelligent Communication System India Limited) and worked from 24.06.2016 till 31.10.2023.

In this service tenure, his transfer/posting orders to various districts were issued by the DBOCWWB. ICSIL stated that they are only a medium for his employment and as he was an employee of the DBOCWWB and worked there, therefore, his gratuity will be paid by them. The complainant has also stated that ICSIL has paid gratuity to outsourced staff working in various departments of the Delhi Government and a letter in this regard was sent by ICSIL to the DBOCWWB.

The complainant further stated that he has written letters to ICSIL, DBOCWWB and Labour Department etc. for release of his gratuity amount. However, no action has been taken till date on his complaint. Therefore, the complainant has requested for intervention of PGC for release of his pending gratuity.

2. Relevant facts that emerged during the hearing

2.1 The complainant is present.

2.2 Neither any representative from Delhi Building and Other Construction Workers Welfare Board is present in the hearing nor any status report is furnished on their behalf.

2.3 Ms. Deepti Gupta, Manager (Legal), ICSIL and Sh. Jitender Sharma, Executive (Legal), ICSIL filed a voluminuous Action Taken Report dated 27.10.2026. The ICSIL representatives admitted that the complainant is entitled for gratuity for the services rendered by him as Manager (Operation) from 24.06.2016 to 31.10.2023. However, the ICSIL will only be able to pay this amount if the Principal Employer/ DBOCWWB releases gratuity to them.

2.4 The ICSIL representatives have raised specific points in support of their claim that the gratuity amount is to be first released by the Principal Employer/concerned department to them which will then be transferred to the concerned ex-outsourced employees. These points are as follows:-

(i) Nomination-based award: The work was awarded to ICSIL on a nomination basis by Delhi Building and Other Construction Workers Welfare Board under the applicable departmental framework for deployment of manpower to Delhi Government departments and therefore, the ICSIL is bound by the terms & conditions mentioned in Circular dated 29.03.2016 issued by the Department of Industries, GNCT of Delhi which categorically states that gratuity amount will be paid by the Principal Employer to ICSIL which will then be transferred to ex-outsourced employee.

(ii) Raising of Proforma Invoice: The ICSIL representatives submitted during the hearing that they have already raised Proforma Invoice dated 21.02.2024 for release of gratuity amount in respect of complainant/ex-outsourced employee Sh. Brij Bhushan Gupta by Delhi Building and Other Construction Workers Welfare Board to them, which will then be transferred to the concerned ex-outsourced employee Sh. Brij Bhushan Gupta.

(iii) Point No.10 of the Circular dated 29.03.2016 issued by Department of Industries, GNCT of Delhi: The ICSIL relies upon the circular issued by the Department of Industries, Government of NCT of Delhi, particularly Point No. 10, concerning the release of gratuity by the Principal Employer through the ICSIL. The said Point No. 10 is reproduced below:-

"Department will make payment of the Salary/Wages of the outsourced manpower alongwith service charges of ICSIL, PF, ESI, Bonus, Gratuity, Service Tax, etc. or any other Govt. levies as applicable, based on the attendance certificate to ICSIL every month."

(iv) The ICSIL representatives furnished the documents in respect of those departments who have released the gratuity to them for onward transmission to the former outsourced employees of ICSIL. These departments are as follows:-

S.No.	Name of the Department	Date of Sanction Order for release of gratuity
1.	Principal Accounts Office	23.08.2024
2.	Women & Child Development	22.05.2025
3.	Food, Supplies & Consumer Affairs	04.07.2025
4.	Information Technology Department	20.02.2025
5.	Delhi State Industrial & Infrastructure Development Corporation Ltd. (DSIIDC)	23.02.2026

3. Recommendations of the PGC

3.1 **Secretary, Delhi Building and Other Construction Workers Welfare Board**, Govt. of NCT of Delhi is directed to file a detailed and point wise reply to the specific points raised by the Intelligent Communication Systems India Limited (ICSIL) representatives, **as mentioned in para 2.4 above, for expeditious settlement of pending gratutity amount of the complainant.**

3.2 **Managing Director, Intelligent Communication Systems India Limited (ICSIL)** to coordinate with **Secretary, Delhi Building and Other Construction Workers Welfare Board** for prompt redressal of the complainant's grievance.

3.3 (i) **Secretary, Delhi Building and Other Construction Workers Welfare Board and (ii) Managing Director, Intelligent Communication Systems India Limited (ICSIL)** are directed to ensure that a senior officer of their respective departments, well conversant with the matter, shall be deputed along with Action Taken Report in the next hearing.

3.4 The next date of hearing is scheduled for **25.11.2026 at 11.00 A.M.**

3/11/26

(DHARMENDRA)
CHAIRMAN (PGC)

F.No. PGC/2026/A-II/Labour/636 11867-869 Dated : 3/11/26

1. Managing Director, Intelligent Communication Systems India Limited (ICSIL), Administrative Building, Above Post Office, Okhla Industrial Estate, Phase – III, New Delhi -110020. (e-mail: queriesrc@icsil.in)
2. Secretary, Delhi Building and Other Construction Workers Welfare Board, Govt. of NCT of Delhi, A-Wing, 7th Floor, Vikas Bhawan-II, Civil Lines, Delhi – 110054.
3. Sh. Brij Bhushan Gupta, R/o: G 27/1A, near Sanjay Park, Shakarpur, Delhi – 110092.

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