

ANNUAL REPORT

2018-19

PUBLIC GRIEVANCES COMMISSION

GOVT. OF NCT OF DELHI

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INDEX

| Contents | Page No. |
|--|----------|
| Introduction | 3-4 |
| Composition of the Commission | 5-7 |
| Jurisdiction | 8 |
| Cases which are not taken up by the Commission | 9 |
| How does the complainant access the Commission | 9-11 |
| Delhi Right to Information Act, 2001 | 12 |
| Single Window Authority | 13 |
| A brief on Grievances and Appeals handled in 2018-19 | 14-17 |
| Meetings with senior representatives of various Deptts. during 2018-19 | 18-25 |
| Photographs of meetings and interactions of PGC with Officers of various departments during 2018-19 | 26-29 |
| Budget of Public Grievances Commission 2018-19 | 30 |
| Some examples of Appeal Cases converted into Grievance cases during 2018-19 | 31-32 |
| Some examples of Grievance cases / Success stories during 2018-19 | 33-70 |
| Receipt and Disposal of Grievances : 2018-19 (<i>Annexure-I</i>) | 71 |
| List of Members and Officers appointed/posted in the Commission during the period 2018-19 (<i>Annexure-II</i>) | 72 |
| Police Complaints Authority | 73-75 |

INTRODUCTION

1. The Public Grievances Commission (PGC) was set up with prior approval of the Union Ministry of Home Affairs conveyed vide their D.O. No. 14011/40/95-Delhi – II dated 26th June, 1997. The PGC came into being under a Resolution No. F.4 /14 / 94-AR dated 25th September, 1997 issued by the Government of NCT of Delhi.

2. The Public Grievances Commission administers a comprehensive mechanism for the effective redressal of grievances received from members of the public directed against the different departments under the jurisdiction of the Government of National Capital Territory (NCT) of Delhi, its local bodies, undertakings and other organizations, owned or substantially financed by the Government of Delhi. In the exercise of its functions, the PGC has the same measure of functional autonomy and independence as the UPSC. The jurisdiction of the Public Grievances Commission was extended to cover the Delhi Police as well, vide Resolution dated 30th July, 1998, issued by the Government of NCT of Delhi. The Delhi Development Authority (DDA) is beyond the purview of the Public Grievances Commission. However, when the resolution of a grievance requires the cooperation of more than one agency, and the DDA is one of them, the participation and cooperation of the latter is requested by the PGC, and this has always been extended for grievances redressal.

3. In 2001, the Public Grievances Commission was designated as the Appellate Authority under the Delhi Right to Information Act, 2001. The functions of the PGC, hitherto limited to being a grievance redressal mechanism, now acquired an entirely new aspect. The Public Grievances Commission was assigned a statutory function, as the Appellate Authority, under the Delhi RTI Act, 2001. This additional feature gave to the PGC an added dimension, in that it also became a single window facility.

4. Under the Delhi RTI Act, 2001, an appellant files an appeal with the Appellate Authority/Public Grievances Commission and eventually receives information from the concerned Competent Authority, authentic and complete information that has been sought for long. However, this may not always resolve the grievance underlying the appeal, filed with the Appellate Authority since it has been observed that in majority of the cases, information sought flows from a grievance of an individual, pending with a department for long. At this point, the PGC at its

discretion intervenes in deserving cases and seamlessly converts the appeal under the Delhi Right to Information Act, 2001 into a grievance to be redressed through the platform for grievance redressal. This provides immense relief to the appellant.

5. During the year 2018-19, the PGC persevered with its efforts, to improve its working with a view to streamline its procedures, in redressing public grievances more effectively, and in expeditiously dealing with appeals under the Delhi Right to Information Act, 2001. This was achieved through regular consultations among the Chairman and Members of the Public Grievances Commission on one hand, and close interaction with the Commission's officers and officials processing the grievances in the PGC on the other.

6. During the year, review meetings were also held with the Nodal Officers of various departments of the Govt. of NCT of Delhi, to convey to them the experience of the Commission in the course of hearing petitions. Also, there were frequent deliberations among Commission Members and officials at different levels. These efforts gave useful inputs in improving the grievances redressal mechanism within the PGC, as also with the departments of the Govt. of NCT of Delhi.

7. The Commission received good response from the departments of the Govt. of NCT of Delhi, Municipal Corporation of Delhi, New Delhi Municipal Council and the Delhi Police in resolving grievances and appeals referred to them. Also, as already mentioned earlier, the cooperation of the DDA, whenever sought, was invariably forthcoming.

COMPOSITION OF THE COMMISSION

The Delhi Government Resolution of 25th September, 1997 provides that:-

“The Commission shall comprise of a Chairman and three Members (including two part - time Members) who shall be appointed by the Lt. Governor of the National Capital Territory of Delhi.

The Chairman of the Commission shall be a person who has in the opinion of the Government of NCT of Delhi, distinguished himself in the field of public administration and was holding prior to his appointment in the Commission, a post in the rank of Secretary to the Government of India.

The whole-time Member shall be a person who has been a Director General of Police of a State or has held an office of comparable status and responsibility.

The two part-time Members shall be persons of public eminence having special knowledge or practical experience in the field of education or science or law or literature or social service or human rights. Of these two part-time Members, at least one shall be a lady."

During 2018-19, the incumbents were:

(i) Shri Ashok Kumar, I.P.S. (Retd.), Chairman, PGC



Shri Ashok Kumar is Chairman of the Public Grievances Commission, Government of NCT of Delhi since 27th July, 2018.

A 1982 batch Indian Police Service Officer of Tamil Nadu Cadre, he has over three decades of experience with Indian Police and Central Bureau of Investigation.

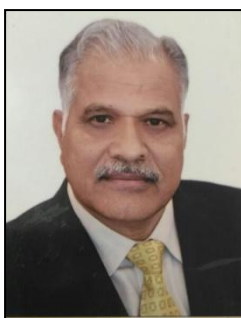
Prior to assuming the office of Chairman, Public Grievances Commission, he had handled several important assignments across various locations of the country which included Director General of Police and Head of Police Force (HOPF), Tamil Nadu (2014-2016), Director General of Police and Chief of Intelligence, Additional Director General of Police and Chief of Economic Offences Wing of Tamil Nadu, Joint Director and Inspector General of Police, DIG of Police, Supdt. of Police In Anti-Corruption Branch, Special Crime Branch and Economic Offences Wing of CBI for about 19 years.

During his stint in CBI, he was associated with investigation of Nationally important cases like Rajiv Gandhi Assassination Case by S.I.T., Indian Space Research Organisation (ISRO) Espionage Case, Terrorist Funding case of Jammu & Kashmir, Urea Scam case of National Fertilizers Limited (Government of India Undertaking), Letter of Credit Scam cases of Assam and other important cases handled by CBI.

Prior to joining Civil Services, he served in Delhi University as Lecturer in Commerce for 5 years (1976-1981) after doing his M.Com and M.Phil. from Delhi School of Economics, University of Delhi.

Shri Ashok Kumar visited Canada, Japan, Thailand, Brazil, Austria (Vienna), U.S.A. etc. to participate in International Conferences/Seminars as a Member of Indian Delegation on behalf of the Government of India and also attended Conferences organized by United Nations. He was also deputed to USA and Maldives for execution of Letter Rogatories in cases handled by CBI.

(ii) Shri Sudhir Yadav, IPS (Retd.) Member (Whole Time)



Shri Sudhir Yadav served as Director General (Prisons), Govt. of National Capital Territory of Delhi before joining the Commission as Whole Time Member on December 13, 2017. A 1985 batch Indian Police Service officer of the AGMUT Cadre,

he has rich and varied experience in working with Civil Society and associating with NGO's in areas such as women safety, Juvenile Justice and Child Protection, senior citizens security & care, education etc.

Prior to assuming the office of Member, Public Grievances Commission, he has served across a wide spectrum of responsibilities in the country and abroad covering assignments like Director General of Police, Andaman & Nicobar Islands, Special Commissioner of Police – Traffic, Vigilance and Provisioning & Logistics, Managing Director, Delhi Police Housing Corporation, Joint Commissioner of Police - Northern Range, Joint Commissioner, Administration & Special Unit for Women & Children and UN assignment in Mozambique.

(iii) Smt. Madhu Sharan, Member (Part-time)



Mrs. Madhu Sharan is a part-time member of the Public Grievance Commission, Government of Delhi since 30th July 2018. Prior to her appointment, Mrs. Sharan practiced as an advocate for over 20 years in the Supreme Court and the Delhi High Court. As a public-spirited and meticulous lawyer, Mrs. Sharan handled several cases for the Delhi Jal Board, the MCD and other departments of the Government of Delhi. A number of her cases also involved pro bono work for victims of human rights violations and discrimination. She is passionate about children's rights, women's rights and the rights of the underprivileged.

JURISDICTION

The Public Grievances Commission (PGC) is somewhat unique in terms of its mandate. It is a platform for the speedy redressal of complaints received from the public in respect of alleged acts of omission and commission by public officials working in Departments and Organisations funded by the Government of NCT of Delhi. The PGC must recommend such action as considered necessary for redressal of these grievances. Simultaneously, the PGC is the Appellate Authority under the Delhi Right to Information Act, 2001 to decide appeals under the Act. This arrangement makes the PGC a unique "single window" authority which facilitates access to information, and when required, provides a platform for redressing the grievance underlying the appeal.

The Commission can also take "suo-moto" action for initiating grievance redressal on the basis of information contained in media reports or otherwise.

The Commission is authorized to conduct research into systemic causes of complaints on a regular basis and to provide reports that can form the basis for introducing administrative reforms in areas needing improvements.

CASES WHICH ARE NOT TAKEN UP BY THE COMMISSION

In terms of the Resolution setting up the Public Grievances Commission, the Commission views the following complaints as not eligible for further processing :

- (i) Vague complaints of general nature;
- (ii) Anonymous complaints which fail to make out a specific case for intervention;
- (iii) Matters which are sub-judice in any court of law, or before any judicial or a quasi-judicial authority;
- (iv) Where the complainant has not exhausted the departmental remedies available to him;
- (v) Complaints pertaining to service matters from serving Government employees. The Commission, however, takes cognizance of complaints relating to the grant of terminal benefits like Pension/GPF/Gratuity, in respect of retired Government employees.
- (vi) Against Departments / Ministries of Government of India, including DDA.

HOW DOES THE COMPLAINANT ACCESS THE COMMISSION ?

Several options are available to the complainant to reach out to the Public Grievances Commission. A member of the public, aggrieved by the action, or even inaction on the part of any department/local body within the jurisdiction of the Government of the NCT of Delhi may file a written complaint/grievance with the PGC, on a simple sheet of paper, with name, address, and telephone number. This petition should contain some details in respect of the specific grievance, and should indicate precisely what relief is being sought. There is no prescribed form for filing a complaint. There are no fees levied by the Public Grievances Commission for handling/processing a grievance filed in the PGC. A grievance can be filed on any working day between 10.00 am and 5.30 pm at the reception counter (on the Ground Floor) of the Public Grievances Commission in Vikas Bhawan, M-Block, I.P. Estate, New Delhi.

A complainant can alternately reach out to the Public Grievances Commission

and file a grievance through e-mail address of the Commission i.e. pgcdelhi@nic.in. Complaints are also received online by using the website of the Commission viz. www.pgc.delhigovt.nic.in.

The Public Grievances Commission also receives complaints from the Offices of Lt. Governor, Delhi, and Chief Minister, Delhi, pertaining to the Government of National Capital Territory of Delhi, and also from the Department of Administrative Reforms and Public Grievances (DARPG), Government of India.

All complaints and appeals received in the Commission are diarised and registered with a unique ID No., and duly forwarded to the concerned Head of Department of the local body for comments and for an action taken report.

In order to ensure rapid monitoring and processing of complaints being received in the Public Grievances Commission, each Department in the GNCT of Delhi has appointed a Nodal Officer who regularly follows up on progress in this respect. If no comments are received from the concerned Department, or the comments received are deemed unsatisfactory, the grievance is scheduled for regular hearing before the Chairman PGC, and/or before the Member concerned on merits.

On receipt of a complaint, and if satisfied that the matter needs to be looked into, the Commission is empowered to call for such records and summon such officials as considered necessary, hear both parties, the complainant as well as the officials in respect of the grievance and come to a decision as to whether there is any dereliction on the part of the officials concerned.

During the course of hearing a grievance petition, the complainant as well as representatives of the concerned Department or local body are present. Also during the hearing, the status of the action taken is reviewed, further submissions of the complainant are heard, and interim orders are issued recording observations of the Commission at the hearings. The specific directions given determine the action required to be completed by all concerned, prior to the next hearing. Each grievance taken up for hearing is heard till the matter is brought to closure and the final orders are in the form of a Speaking Order.

On conclusion of the hearing of the complaint, the Commission passes an appropriate "speaking order", and where it is held that the allegations made against an official, are prima facie established, the Commission can recommend action to be taken against the official. The recommendations made by the Commission shall be given due consideration by the appropriate administrative authority for its speedy implementation.

DELHI RIGHT TO INFORMATION ACT, 2001

The Government of the NCT of Delhi enacted the Delhi Right to Information Act, 2001, enforced from 2nd October, 2001 onwards. Under Section 7 of this Act, the Public Grievances Commission functions as the Appellate Authority and hears appeals against the orders of the Competent Authority (so designated), in each department or local body of the Government of the NCT of Delhi.

Any citizen has the option of pursuing his right to information under the Delhi Right to Information Act, 2001, vis-a-vis public authorities under the jurisdiction of the Government of Delhi and local bodies except Delhi Police and DDA. In the event that any person is aggrieved by an order of the Competent Authority under the Delhi RTI Act, 2001, or has not received any order from the said Competent Authority within 30 working days after filing an application (with the Competent Authority in the concerned Department), under Section 5 of the Delhi Right to Information Act, 2001, an appeal may be filed with the Public Grievances Commission, National Capital Territory of Delhi, which is the Appellate Authority under the Delhi Right to Information Act, 2001.

The Delhi Right to Information Act, 2001, prescribes a fee and any person filing an appeal with the Public Grievances Commission is required to pay Rs. 50/- per appeal. As per DRTI Act, 2001, the appeal can be filed by a person, who fails to get a response from the Competent Authority within 30 days of submission of his application in Form-A prescribed under the relevant Rules. However, no appeal shall be admissible after 60 days of submission of application in Form-A. No appeal shall be admissible after 30 days of the response, sought to be appealed against.

SINGLE WINDOW AUTHORITY

The Second Administrative Reforms Commission set up by the Government of India while reviewing the working of RTI Act, 2005 has made the following observations regarding the working of the Delhi Right to Information Act, 2001 as a Single Window Authority for achieving its objective :

“A successful example of this mechanism is the Public Grievances Commission (PGC) set up by the Delhi Government in 1997. When the Delhi Right to Information Act came into force in 2001, the PGC was made the appellate authority to decide appeals under the Act. Because of this arrangement, the PGC has become an effective "Single Window Authority" which facilitates access to information and when required provides a platform for redressing the citizen's grievances as well. The PGC has also effectively used its statutory status and authority under Delhi RTI Act combined with its non-statutory grievances redressal powers to foster systemic reforms.”

A BRIEF ON GRIEVANCES AND APPEALS UNDER DELHI RTI ACT, 2001 HANDLED IN 2018-19

During the period 1st April, 2018 to 31st March, 2019, the Public Grievances Commission received and processed 7979 grievances and 1475 appeals i.e. a total of 9454 petitions in all against different departments, undertakings and local bodies under the jurisdiction of the Government of the National Capital Territory (NCT) of Delhi. As many as 8940 cases (including 1205 appeals) were disposed of during the period under report.

Annexure-I reflects a department-wise break-up of grievances received and attended to during 2018-19. It may be noted that a majority of the complaints received were against the Revenue Department, Power Department, DJB, Municipal Corporations, Delhi Police and Directorate of Education.

The Chart below shows the precise share of grievances received against the major Departments and Local Bodies of the GNCT of Delhi, during the year 2018-19.

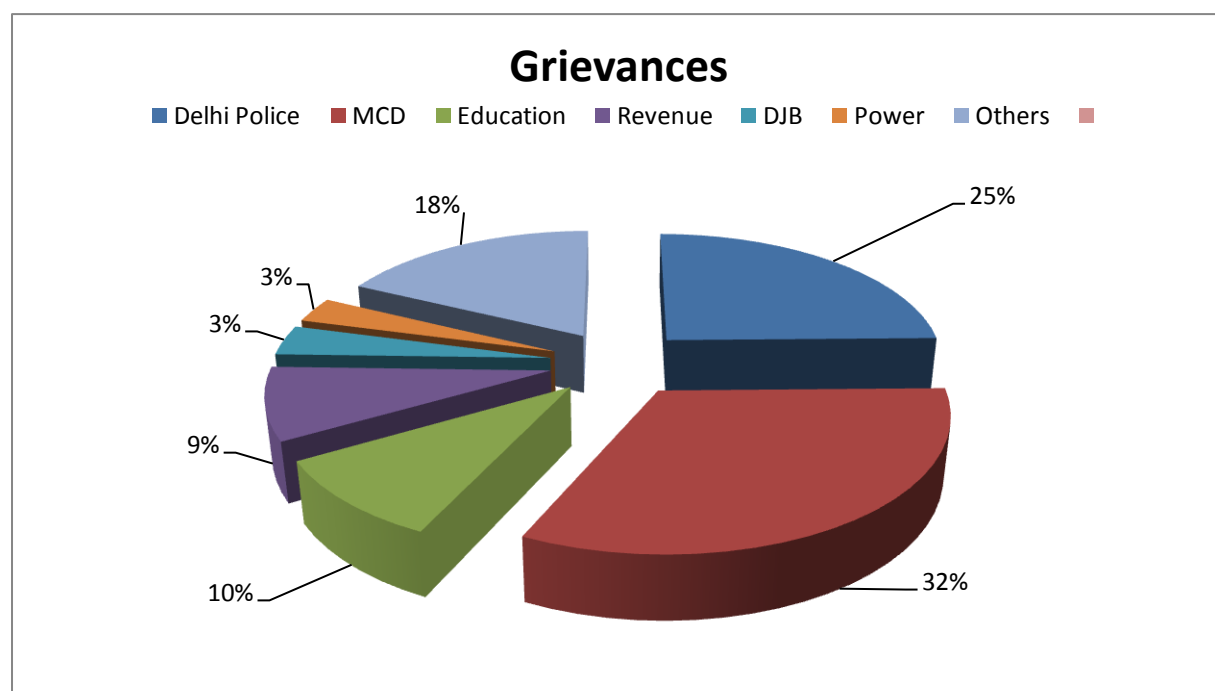
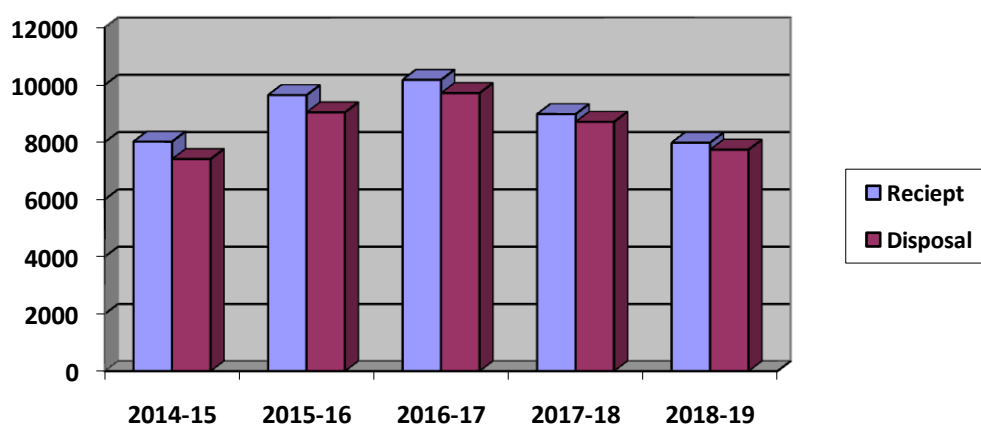


Table-1 reflects the grievances handled by the PGC over the last five years.

Table-1
GRIEVANCES RECEIVED DURING THE LAST FIVE YEARS
(FROM 2014-15 UP TO 2018-19)

| | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
|-------------------------------|---------------|---------------|---------------|-------------|----------------|
| Opening Balance | 723 | 610 | 603 | 462 | 270 |
| Institution/Receipt | 7293 | 9030 | 9570 | 8514 | 7709 |
| Total | 8016 | 9640 | 10173 | 8976 | 7979 |
| Disposal | 7406 | 9037 | 9711 | 8706 | 7735 |
| Pending | 610 | 603 | 462 | 270 | 244 |
| Percentage of Disposal | 92.39% | 93.74% | 95.45% | 97% | 96.94 % |

RECEIPT & DISPOSAL OF GRIEVANCES RECEIVED DURING THE LAST
FIVE YEARS (2014-15 TO 2018-19)



APPEALS UNDER THE DELHI RIGHT TO INFORMATION ACT, 2001

Details of Appeals received and disposed in the Public Grievances Commission under the Delhi RTI Act, 2001 during the last five years are given in Table 2 below.

Building upon these figures, a Pie Chart below indicates the Appeals received in respect of major Departments and Local Bodies of the GNCT of Delhi, during 2018-19.

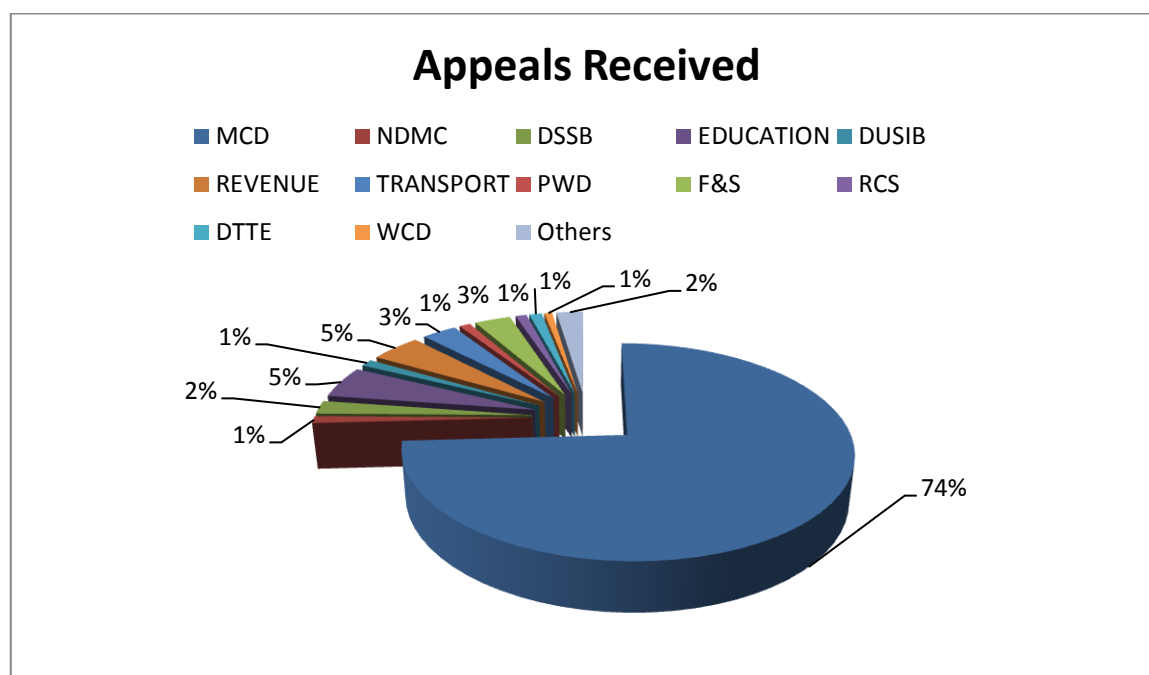
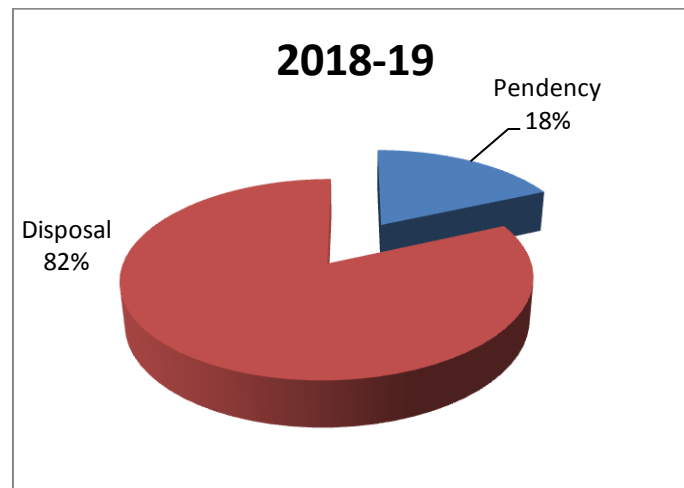


Table - 2

APPEALS RECEIVED UNDER THE DELHI RTI ACT, 2001 DURING THE LAST FIVE YEARS (FROM 2014-15 UP TO 2018-19)

| Year | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
|------------------------|------------|------------|---------------|---------------|----------------|
| Opening Balance | 115 | 189 | 327 | 229 | 748 |
| Receipt | 653 | 749 | 577 | 1036 | 727 |
| Total | 768 | 938 | 904 | 1265 | 1475 |
| Disposal | 579 | 611 | 675 | 517 | 1205 |
| Pending | 189 | 327 | 229 | 748 | 270 |
| Percentage of Disposal | 76% | 75% | 74.66% | 46.47% | 81.69 % |

PENDENCY & DISPOSAL OF APPEALS UNDER DELHI RTI ACT, 2001
DURING 2018-19



The Public Grievances Commission does not take cognizance of the following complaints:

- (i) Wherever the complaint is against any public authority, beyond the jurisdiction of the PGC.
- (ii) Wherever the complaint pertains to a service related matter. The PGC takes cognizance only of those service related complaints which pertain to failure in timely release of post retirement benefits like pension, gratuity, GPF, and other terminal benefits.
- (iii) Wherever the complaint is anonymous.
- (iv) Wherever the complaint is sub-judice before a Court of Law, or any Arbitration Authority.

However, when the resolution of a grievance requires the cooperation of other agencies which are not covered for response under the jurisdiction of GNCT of Delhi like DDA, CPWD, Delhi Cantonment Board, Indian Railways and Kendriya Vidyalya Sanghathan, the participation and cooperation of these Departments is requested by the PGC, and this has always been extended.

In all cases where the complaint/ grievance appears to be eligible for hearing, as a first step, a Status Report is obtained from the respective departments and if the grievance still remains unresolved, the case is fixed for regular hearing before the Member concerned or the Chairman, as the case may be, on merits.

MINUTES OF THE MEETING HELD ON 22.02.2019 AT 11.00 A.M. UNDER THE CHAIRMANSHIP OF CHAIRMAN, PGC WITH THE OFFICERS / REPRESENTATIVES OF DIFFERENT GOVERNMENT DEPARTMENTS, TO REVIEW THE DISPOSAL OF PENDING GRIEVANCES.

An Annual Review Meeting was held under the Chairmanship of Chairman, Public Grievances Commission with the Officers of different Departments, mentioned below, on 22.02.2019 at 11.00 A.M. in the Conference Hall of PGC with regard to existing grievances redressal mechanism and its efficacy:

1. Delhi Jal Board.
2. Directorate of Education.
3. Transport Department.
4. Delhi Transport Corporation (DTC).
5. Directorate of General of Health Services.
6. Irrigation & Flood Control Department.
7. Department of Women & Child Development.
8. Directorate of Vigilance.
9. Registrar Co-operative Societies.
10. Delhi Commission for Women.
11. Department of Forests & Wildlife.
12. Labour Department.
13. Delhi State Industrial & Infrastructure Development Corpn. Ltd.

Some of the agenda items, discussed in the meeting are as under :

- (a) Effective disposal of grievances received through CPGRAMS portal.
- (b) Proper disposal of DRTI applications and their Appeals.
- (c) Appointment of Nodal Officers in HQ & Zonal Offices.
- (d) Measures for speedy disposal and monitoring of grievances.
- (e) Proper representation from the Departments before the Commission.
- (f) Co-ordination between Branches / Zones and branches of Zones for speedy disposal.

1. Shri Sanjay Kr. Ambasta, (Deputy Secretary) welcomed all the officers for attending the Annual Review Meeting of the PGC and explained the role and mandate of PGC for resolving the grievances of public with the cooperation of the concerned departments. He further stated that they should utilize this opportunity to know the problems faced by the concerned Departments and our experience

throughout the year in dealing with the Grievances. He also explained about the difference between the Annexure I/II cases.

2. Ms. Jyoti Seth, (Deputy Secretary) emphasized that department's effective monitoring and response system with respect to Commission's Annexure-I references could prevent the Commission from registering more of such references for regular hearing as Annexure-II cases, saving the precious time on both sides. She also gave a PowerPoint presentation on the pending / disposed of cases under Annexure-I/CPGRAMS with a hard copy to the representatives. She further elaborated and briefed the representatives present that grievances in CPGRAMS are received online from the Govt. of India and forwarded to PGC by the Govt. of NCT Delhi. These cases, in turn, are forwarded by the PGC to the concerned departments for quick disposal of the grievances. It was informed that after the cases are disposed of under CPGRAMS, the decision taken / reply should be uploaded online on the website positively. PGC, being the Nodal Agency, is supposed to ensure that the grievances are settled well in time. Hence, departments / organizations should relook into the issue of long pending grievances and dispose them of promptly as disposal of these grievances is monitored by the Department of Administrative Reforms and Public Grievances, Govt. of India, through review meetings at Niti Ayog. It was also advised that the reply in respect of each and every grievance should be given and uploaded at the level of Nodal Officer of the Department after obtaining the approval of Head of Department. For the disposal of CPGRAMS, the Nodal Officers should run a special drive from time to time to dispose of / reduce the pendency of CPGRAMS cases and complete it on priority positively.

3. Shri Sumanta Chakraborty, (Deputy Secretary) through a PowerPoint presentation pointed out that there is a confusion on the part of the Departments while handling the applications under the RTI Act, 2005 and DRTI Act, 2001 and non-furnishing of information by the designated Competent Authority in each department under DRTI Act, 2001, leads to further increase in filing of appeals in PGC, being the Appellate Authority. He further urged the officers of the Departments that information under the DRTI Act, 2001 should be provided to the applicants under the Act within the stipulated time as envisaged under the Act by the Competent Authority and also directed that the orders of the Appellate Authority (PGC), once issued consensually after hearing both the parties, should be implemented in letter and

spirit. The Department should also file a speaking Status Report during the hearing in DRTI Act, 2001 in the Commission.

It was also desired to prominently display in the complex of the Department, the name of the Nodal Officer / Telephone Nos. and the function of Public Grievances Commission so that the public are aware of the role of the PGC in redressing their grievances and the same may be intimated to the Commission.

4. Mrs. Mamta Gaur, (Deputy Secretary) put forth her views and experiences with the departments. She pointed out that the Officers from some of the Departments, who attend the hearings, are mere representatives who come just to mark their presence. She advised that departments must send senior officers for hearing in cases who are well aware about the facts and status of the issue. She further pointed out that the departments do not submit the ATR well in time and some of them are vague. She advised that ATR should be submitted at least two days before the hearing and it should be very specific so that the complainant is able to comprehend.

The officers should come prepared with the proper and specific details of the case and Action Taken Report supported by relevant rules under Annexure-II cases which are listed for regular hearings. Hearings without effective ATR would be infructuous and sheer waste of time.

5. Mrs. Madhu Sharan, (Member) addressed the gathering and pointed out that response from some of the departments is very slow and lukewarm. Commission has to write at least three to four times to get a reply. She also pointed out that the representatives from some of the Departments come very late in the hearings and are reluctant to resolve the grievances.

She advised for a pro-active role of the Nodal Officers. She further applauded DTC Department for their effective and efficient work. She appreciated the concern they show in resolving the grievances of common man.

6. Shri Sudhir Yadav, (Member) welcomed the gathering and invited them to put forth their views, suggestions and problems that they face while redressing the grievances of people. He further stated that, Nodal Officers should run a Special Drive from time to time to dispose of / reduce the pendency of grievances and complete it on priority positively. A detailed quarterly report mentioning the complainant's name / grievance no. etc. in respect of grievances disposed of be sent to the Commission by the Nodal Officer regularly. In this regard, review meetings at

regular intervals should be held at the level of Head of Department under intimation to the Commission. If Nodal Officer is not appointed for Annexure-I/II cases, they should be appointed to monitor these cases immediately.

7. Chairman (PGC) emphasized on the need to maintain proper intra-departmental coordination and for a dedicated Nodal Officer within the department to ensure timely monitoring and disposal of public grievances. It was further advised that no grievance should be rejected without having been independently examined. A senior officer should examine the complaint as well as the reply, intended to be sent to the complainant. Each grievance should be dealt with in a fair, objective and just manner and a reasoned and speaking reply should be given for every grievance rejected, quoting rules / regulations. Many a times, Departments are found to avoid taking appropriate decisions by resorting to rejection without application of mind and emphasize on disposal and not on the quality disposal. He further advised that Head of Departments should personally ensure that these complaints are monitored by their Nodal Officers on a regular basis and disposed of in a time-bound manner.

8. The Deputy Secretary (Grievances), PGC and Assistant Programmer (PGC) are advised to provide the details of the complaint and technical assistance, wherever necessary, to the Departments for prompt disposal of cases.

The meeting ended with a vote of thanks to the Chair.

MEETINGS WITH SENIOR REPRESENTATIVES OF VARIOUS DEPARTMENTS DURING 2018-19

MINUTES OF THE MEETING HELD ON 22.02.2019 AT 3.00 P.M. UNDER THE CHAIRMANSHIP OF CHAIRMAN, PGC WITH THE OFFICERS / REPRESENTATIVES OF DIFFERENT GOVERNMENT DEPARTMENTS, TO REVIEW THE DISPOSAL OF PENDING GRIEVANCES.

An Annual Review Meeting was held under the Chairmanship of Chairman, Public Grievances Commission with the Officers of different Departments, mentioned below, on 22.02.2019 at 3.00 P.M. in the Conference Hall of PGC with regard to existing grievances redressal mechanism and its efficacy :

1. Delhi Urban Shelter Improvement Board (DUSIB).
2. Delhi Waqf Board.
3. Department of General Administration (GAD).
4. Guru Gobind Singh Govt. Hospital.
5. Delhi Minorities Commission.
6. Dr. Baba Saheb Ambedkar Hospital.
7. Delhi Tourism and Transportation Development Corporation.
8. Department of Archaeology.
9. Delhi Institute of Pharmaceutical Sciences and Research.
10. Sanjay Gandhi Hospital.
11. State Commission (Consumer Affairs).
12. Directorate of Training and Technical Education.
13. Guru Gobind Singh Indraprastha University.
14. Delhi Fire Service

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- (b) Proper disposal of DRTI applications and their Appeals.
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- (d) Measures for speedy disposal and monitoring of grievances.
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- (f) Co-ordination between Branches / Zones and branches of Zones for speedy disposal.

1. Shri Sanjay Kr. Ambasta, (Deputy Secretary) welcomed all the officers for attending the Annual Review Meeting of the PGC and explained the role and mandate of PGC for resolving the grievances of public with the cooperation of the

concerned departments. He further stated that they should utilize this opportunity to know the problems faced by the concerned Departments and our experience throughout the year in dealing with the Grievances. He also explained about the difference between the Annexure I/II cases.

2. Ms. Jyoti Seth, (Deputy Secretary) emphasized that department's effective monitoring and response system with respect to Commission's Annexure-I references could prevent the Commission from registering more of such references for regular hearing as Annexure-II cases, saving the precious time on both sides. She also gave a PowerPoint presentation on the pending / disposed of cases under Annexure-I/CPGRAMS. She further elaborated and briefed the representatives present that grievances in CPGRAMS are received online from the Govt. of India and forwarded to PGC by the Govt. of NCT Delhi. These cases, in turn, are forwarded by the PGC to the concerned departments for quick disposal of the grievances. It was informed that after the cases are disposed of under CPGRAMS, the decision taken / reply should be uploaded online on the website positively. PGC, being the Nodal Agency, is supposed to ensure that the grievances are settled well in time. Hence, departments / organizations should relook into the issue of long pending grievances and dispose them of promptly as disposal of these grievances is monitored by the Department of Administrative Reforms and Public Grievances, Govt. of India, through review meetings at Niti Ayog. It was also advised that the reply in respect of each and every grievance should be given and uploaded at the level of Nodal Officer of the Department after obtaining the approval of Head of Department. For the disposal of CPGRAMS, the Nodal Officers should run a special drive from time to time to dispose of / reduce the pendency of CPGRAMS cases and complete it on priority positively.

It was further highlighted by one of the representatives during the PowerPoint presentation that he is not able to see the exact number of pending grievances, which turned out to be problem of many of the representatives from the different Departments. The representatives were further advised to discuss this problem with the technical officer of the Commission after the meeting. The needful was done after the meeting.

3. Sh. Sanjay Kr. Ambasta, (Deputy Secretary) also gave the Power Point presentation of DRTI due to absence of the concerned officer because of some unavoidable reasons. He pointed out a common confusion on the part of the

Departments while handling the applications under RTI Act, 2005, and DRTI Act, 2001, and non-furnishing of information by the designated Competent Authority in each department under DRTI Act, 2001, which leads to further increase in filing of appeals in PGC, being the Appellate Authority. It was also desired to prominently display in the complex of the Department, the name of the Nodal Officer / Telephone Nos. and the functions of Public Grievances Commission so that the public are aware of the role of the PGC in redressing their grievances and the same may be intimated to the Commission.

4. Mrs. Mamta Gaur, (Deputy Secretary) put forth her views and experiences with the departments. She pointed out that the Officers from some of the Departments who attend the hearings, are mere representatives who come just to mark their presence. She advised that departments must send senior officers for hearing in cases who are well aware about the facts and status of the issue. She further pointed out that the departments do not submit the ATR well in time and some of them are vague. She advised that ATR should be submitted at least two days before the hearing and it should be very specific so that the complainant is able to comprehend.

The officers should come prepared with the proper and specific details of the case and Action Taken Report supported by relevant rules under Annexure-II cases which are listed for regular hearings. Hearings without effective ATR would be infructuous and sheer waste of time.

5. Mrs. Madhu Sharan, (Member) PGC, pointed out the need for appropriate representation of the Departments in the rank of a Gazetted Officer during hearing and also that the representatives attending the hearings in the Commission should be well-conversant with the subject matter of hearing which will go a long way in responding to Commission's queries and ensure time-bound action to the complainant. An effective hearing to the complainant should be given in the department itself and a proper and satisfactory reply provided to him. She also pointed out that the replies filed by the Officers are sometimes frivolous. Hence, the officers should come prepared with the proper and specific details of the cases and Action Taken Report supported by relevant rules under Annexure-II cases which are listed for regular hearing. Hearings without effective ATR would be infructuous and sheer waste of time.

6. Shri Sudhir Yadav (Member) welcomed the gathering and invited them to put forth their views, suggestions and problems that they face while redressing the grievances of people. He further stated that, Nodal Officers should run a Special Drive from time to time to dispose of / reduce the pendency of grievances and complete it on priority positively. A detailed quarterly report mentioning the complainant's name / grievance no. etc. in respect of grievances disposed of be sent to the Commission by the Nodal Officer regularly. In this regard, review meetings at regular intervals should be held at the level of Head of Department under intimation to the Commission. If Nodal Officer is not appointed for Annexure-I/II cases, they should be appointed to monitor these cases immediately.

7. Chairman (PGC) emphasized on the need to maintain proper intra-departmental coordination and for a dedicated Nodal Officer within the department to ensure timely monitoring and disposal of public grievances. It was further advised that no grievance should be rejected without having been independently examined. A senior officer should examine the complaint as well as the reply, intended to be sent to the complainant. Each grievance should be dealt with in a fair, objective and just manner and a reasoned and speaking reply should be given for every grievance rejected, quoting rules / regulations. Many a times, Departments are found to avoid taking appropriate decisions by resorting to rejection without application of mind and emphasize on disposal and not on the quality disposal. He further advised that Heads of Departments should personally ensure that these complaints are monitored by their Nodal Officers on a regular basis and disposed of in a time-bound manner.

He further advised the representatives from the departments to resolve the problems that they face in CPGRAMS, and give some time after the meeting so that the pendency can be reduced.

8. The Deputy Secretary (Grievances), PGC and Assistant Programmer (PGC) are advised to provide the details of the complaint and technical assistance, wherever necessary, to the Departments for prompt disposal of cases.

The meeting ended with a vote of thanks to the Chair.

Photographs of Meetings and interactions of PGC with officers of Various Departments during 2018-19

39. Meetings and interaction of the PGC with officers of various departments of Govt. of NCT of Delhi held during the year 2018-19.









BUDGET OF THE PUBLIC GRIEVANCES COMMISSION

40. There had been a budget allocation of Rs. 5,00,00,000.00 during the year 2018-19. A total expenditure of Rs. 3,36,53,837.00 was incurred on various heads. The details of allocation and expenditure incurred during the year 2018-19 are depicted in table below:-

| HEAD WISE EXPENDITURE INCURRED DURING 2018-19 | Budget Estimate | Revised Estimate | Expenditure |
|--|-----------------|------------------|-----------------|
| Major Head 2070, Other Administrative Services, 00.105 Special commission of Enquiry 39 Public Grievances Commission under Demand No. 2 | | | Rs. |
| Salaries (39 00 01) | 34000000 | 26400000 | 22250318 |
| Wages (39 00 02) | 1400000 | 1800000 | 1628105 |
| OTA (39 00 03) | 20000 | 20000 | 0 |
| Medical Treatment (39 00 06) | 1500000 | 1600000 | 1551364 |
| Travel Expenses (39 00 11) | 700000 | 700000 | 293467 |
| Office Expenses (39 00 13) | 12180000 | 9880000 | 7930583 |
| Publicity & Media Campaign (39 00 26) | 200000 | 200000 | 0 |
| | | | |
| TOTAL | 50000000 | 40600000 | 33653837 |

SOME SUCCESS STORIES OF APPEAL CASES UNDER DELHI RTI ACT, 2001 (2018-19)

Ms. Amita Kumari Dabas vs. Directorate of Education
Appeal No. 302/2018/PGC/DRI/Edn.

Regarding appointment as PGT (History) in
Directorate of Education, Govt. of NCT of

Ms. Amita Kumari Dabas, the appellant vide her DRTI application dated 31.05.2018 had sought information from the Deputy Director of Education (HQ) / Competent Authority notified under the DRTI Act, 2001, on total 5 counts.

The appellant received the information from the Competent Authority i.e. Deputy Director of Education (HQ), but she was not satisfied with the information provided by the department. Aggrieved by the same, she filed an appeal before the Appellate Authority, Public Grievances Commission under Section 7 of DRTI Act, 2001.

On the first date of hearing in the Commission i.e. 03/10/2018, the reply of the department was perused and the Appellate Authority / PGC noted that the information provided by the department was not clear as regards the number of vacancies which were kept pending by the department for the post of PGT (History) (Post Code 139/12). The department was asked to re-examine and clarify the matter, in consultation with DSSSB. The matter was again fixed for hearing on 27.11.2018.

On 27/11/2018, the officers of the department informed that the case of Ms. Amita Kumari Dabas has been re-considered in consultation with DSSSB and her dossier has been sent to the E-II Branch of the Directorate of Education. The E-II Branch has sent an offer of appointment for the post of PGT (History) to Ms. Amita Kumari Dabas. A copy of the offer of appointment dated 22/11/2018 was handed to the appellant in the hearing.

Thus, through the intervention of PGC, a candidate was issued an offer of appointment by Education Department, which had initially been denied to her.

Shri Vijendra Kasana vs. Directorate of Education
Appeal No. 185/2018/PGC/DRI/Edn.

Regarding irregularities of various nature in the
Aided Schools run by the D.A.V. Management

Shri Vijendra Kasana had sought some information from the Directorate of Education in respect of Aided Schools run by the D.A.V. Trust and Management. The basic premise for seeking the information was to highlight various mal-practices being committed by the Management of various D.A.V. Schools. Aggrieved by non-receipt of any information from the department, Shri Vijendra Kasana filed an appeal u/s 7 of the DRTI Act, 2001.

The appeal was heard in the Commission on 16/08/2018, 06/09/2018 and 08/10/2018. On 08/10/2018, the Commission was informed that an Inquiry Committee headed by the Deputy Director of Education (District South) has found that around 12 number of shops have been constructed and rented out to shopkeepers and thus, a large area of the aided school is being used for commercial purposes, which is against the provisions of Rule 50 of DSEAR, 1973. The matter has been brought to the knowledge of the Competent Authority.

Again in the hearing on 17/01/2019, the Deputy Director of Education (District South) informed that with regard to functioning of a public school viz. D.A.V. Model Secondary School, Yusuf Sarai, from the same premises as a government aided school viz. M.B.D.A.V. Senior Secondary School, a decision has been taken by the Competent Authority to close it from the next academic session i.e. 2019-2020. As an interim measure, the school has been directed to stop any admission for the academic year i.e. 2019-2020 forthwith.

Thus, a serious mal-practice which was being perpetrated by the Management of D.A.V. Schools was curtailed through the DRTI Act, 2001.

**SOME SUCCESS STORIES OF
GRIEVANCES/COMPLAINT CASES HELD IN THE
COMMISSION**

MUNICIPAL CORPORATION OF DELHI

**Ms Pushpa VS. North DMC & DUSIB
PGC/2014/MCD/1706**

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| REGARDING AVAILABILITY OF BASIC AMENITIES IN BHALASWA RESETTLEMENT COLONY |
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Ms Pushpa, C/o Bhalswa Lok Shakti Manch had filed an appeal under Delhi Right to Information Act, 2001. The queries posed by her were related to various complaints filed by her and the action taken by the Civil Lines Zone, North Delhi Municipal Corporation. The complaints pertained to insanitary conditions in Bhalaswa Resettlement Colony. During hearing of the appeal case, vide Appeal No. 209, it was observed by the Appellate Authority/PGC that queries were posed by the applicant / appellant due to inherent grievance of insanitary conditions in Bhalaswa Resettlement Colony. Also, during hearing of the appeal case under Delhi Right to Information Act, 2001, the representatives of Civil Lines Zone, North Delhi Municipal Corporation, submitted that the Bhalaswa Resettlement Colony had been set up by DUSIB, in which there was no system for outfall of drains, as they had not been connected to any sewerage system or storm water drains. In the absence of any outfall, it becomes difficult to clean the drain and they remain choked.

It was decided that the appeal case may be closed and the primary issue of insanitary conditions in Bhalaswa Resettlement Colony was taken up by Public Grievances Commission in the form of a grievance case in which DUSIB and Civil Lines Zone, North Delhi Municipal Corporation were made respondents.

During hearings in the Commission, various other issues like construction of Underground Water Reservoir, construction of school building, compensation of land so acquired for construction of school building alongwith insanitary conditions in the area were heard.

The matter was heard in the Commission in twenty hearings on various dates and officers from various departments i.e. North DMC, DUSIB, PWD, Education, DJB, Land & Building were called along with Action Taken Report.

The complainant expressed her satisfaction for the various works completed and ongoing by different govt. agencies for development of Bhalaswa Resettlement Colony. The matter was closed with directions to the various govt. agencies involved in the development work of the area to continue the leftover work, in a time bound manner.

Thus, with the intervention of the Commission, through various hearings, a number of issues raised by the complainant in the Bhalaswa Resettlement Colony have been resolved.

MUNICIPAL CORPORATION OF DELHI
ARUNA BHOWMICK & R.N.Bhagi Vs SDMC & DJB
PGC/2013/SDMC/1272

REGARDING DE-SILTING OF GAUTAM NAGAR DRAIN

Ms. Aruna Bhowmick and Shri R.N. Bhagi had filed a complaint in PGC on 12/09/2013 stating that Gautam Nagar drain was covered but prior to covering the drain, malba, garbage etc. were not cleared from the drain, as a result the flow of storm water in this drain got restricted. As the drain had been covered, the work pertaining to clearing of the drain / de-silting, had become difficult and also, it could not be inspected as to how much drain has been cleared, particularly, for the entire covered portion of the drain. As the flow of storm water had been restricted, there was backflow of water, causing water to flood into the houses of the residents of the colony and resulting in water logged roads. Apart from this, a sewerage line was laid along the bed of drain to cater to the sewage of Green Park and Green Park Extension. This sewerage line had not been able to cope up with the sewerage flow generated from the aforementioned colonies and due to inadequacy of sewerage line; there was backflow of sewerage water from the toilets in the houses on the Ground Floor of the colony. Despite several representations submitted by various RWAs to SDMC, there had been no remedial action and request was made to resolve the issues on priority.

The Commission convened 27 hearings in the matter and involved various agencies to redress the grievance i.e. SDMC, DJB, PWD and AIIMS.

Through consistent efforts of the complainants and persuasion of the Commission, the condition of the area has improved remarkably and the complainants have also expressed their gratitude to the Commission.

The matter was closed in the Commission on 31.01.2019 with the expectation from the civic agencies to remain in touch with the residents / RWA of these colonies and take immediate measures to resolve their routine grievances as and when they approach them.

MUNICIPAL CORPORATION OF DELHI
RAMPAT VS NORTH DMC
PGC/2017/MCD/303

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| REGARDING DEMARCATION OF PHIRNI ROAD IN VILLAGE AUCHANDI |
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Shri Rampat had filed a grievance in PGC on 03.08.2017 regarding encroachment on Phirni Road in Khasra No.47/13, 16 & 17, Village Auchandi and logging of water flowing through the drain in his field. His complaint was listed for regular hearing.

The first hearing in the matter was scheduled on 10.10.2017 where officers from BDO Office, Alipur and Irrigation & Flood Control Department were present and informed that demarcation of phirni road had been completed . It was directed to look into the matter of logging of water in the field of the complainant and take suitable action to stop this. During hearings, it was informed by the officers from Irrigation & Flood Control Department that the demarcation report is non- conclusive and the department was not able to identify the land boundary of the phirni to take up the work. During the hearing on 11.01.2018, it was ordered that the drain be built along with the built up area and attach the same to the drainage to avoid flow of water in the field of the complainant. Again in the hearing on 05.03.2018 it was informed by the officers of Irrigation & Flood Control Department that the matter for demarcation was pending with the Revenue Department and the levels in the area did not permit for construction of drain. However, the same might be carried out after raising the level of the existing road after demarcation by the Revenue Department. Hence, it was recommended that District Magistrate (North), Revenue Department to personally look into the matter and direct the SDM to get the demarcation done preferably within 2-3 weeks. The matter was also taken up with the District Magistrate (North) through D.O. letter to get the work done. The work of the demarcation was started. During the hearing on 12.06.2018 it was emphasized that the primary grievance of the complainant was regarding water logging in his field and Asstt. Engineer (I & FC) agreed and assured that the same could be resolved by laying road on the 150 meters stretch of the phirni. Accordingly, he was directed to start the work of laying of road in addition to all other proposed activities already underway.

This Commission had convened eleven hearings in the matter on different dates where officers from Narela Zone, North DMC, Revenue Department and Irrigation & Flood Control Department were called and advised to take necessary action in the matter to resolve the grievance of an aged farmer, who was running from pillar to post to get his work done. The Irrigation & Flood Control Department, with many efforts, constructed the road to the satisfaction of the complainant.

Thus, with the intervention of the Commission, the grievance of the complainant was resolved.

**MUNICIPAL CORPORATION OF DELHI
MS MUKTI JASWANI VS SOUTH DMC
PGC/2018/MCD/53**

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| REGARDING ENCROACHMENT AND ILLEGAL UNLICENCED KABARI SHOP IN LAJPAT NAGAR |
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Ms Mukti Jaswani had filed a grievance in PGC on 22.10.2018 against an illegal, unlicensed kabari shop located at the ground floor of House No. A-9, double Storey, Lajpat Nagar, where all the kabari goods and articles were being stored. Further, the said kabariwala had erected a shed in front of the shop and was running his business from there and had also encroached the common shaft.

The matter was listed for regular hearing on 12.12.2018. During the first hearing on 12.12.2018, Licensing Department submitted a report stating that the department had taken two temporary encroachment removal actions on the kabari wala and his belongings were confiscated and deposited in Municipal Store. Vide hearing order dated 12.12.2018, Deputy Commissioner, Central Zone was advised to direct the officers of Maintenance & Building Division to look into the matter, inspect the site and take action to remove the encroachment expeditiously.

In the next hearing on 16.01.2019, Licensing Inspector informed that three actions were taken by the department for removal of temporary encroachment. Executive Engineer (B) informed that in compliance of the directions from the Monitoring Committee, the said Kabari shop was sealed and the seal was lying intact. The encroachment in the shape of shed and in the shaft area is required to be taken care of by the Maintenance Division.

During next hearing on 20.02.2019, Asstt. Engineer (M) submitted a report stating that a joint encroachment removal action was carried out and during the encroachment removal action, the temporary shed erected by the owner / occupier of the property was removed and the shaft area / common toilet portion was got vacated and the entry to the same was closed by fixing the steel wire fabric / iron grill.

The complainant acknowledged the work done by the department and conveyed her thanks and the matter was closed in the Commission.

MUNICIPAL CORPORATION OF DELHI
Sh. Shripal Vs North MCD

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| REGARDING PAYMENT OF TERMINAL BENEFITS FROM NORTH DMC |
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Sh. Shripal filed a grievance on 30/07/2018 in the Commission stating that he retired from the service as Beldar from the (CSP) department of North DMC on 31/12/17 but till date his pensionary benefits had not been released by the Department. Initially, his case was forwarded to the North DMC with the direction to look into the matter, redress the Grievance and file an Action Taken Report within three (03) weeks of receipt of the letter. When no Action Taken Report was received, the matter was taken up for regular hearing in the Commission on 23.10.2018.

Three hearings were held in the Commission and on the first date of the hearing, Accounts Officer (AO) informed the Commission that bills of pensionary benefits such as DCRG of Rs. 6,89,535/- and Commutation of Rs. 7,82,691/- had been passed and sent to DCA/HQ for release of the same. The payment of Leave Encashment of Rs. 4,17,900/- had already been made to DDO concerned on 25/01/2018.

On hearing dated 29/01/2019, the departmental representative informed that DCRG & Commutation amounting to Rs. 6,89,535/- & Rs. 7,82,691/- respectively, were paid to the complainant and only an amount of Rs. 59,000/- on account of arrears of increment was pending. The matter was then closed with the direction to release the remaining amount of Rs. 59,000/-.

Thus, with the intervention of the Commission, the retirement dues of the Complainant were released and the grievance was redressed.

MUNICIPAL CORPORATION OF DELHI**Kirti Prakash Gupta****REGARDING ILLEGAL CONSTRUCTION
IN VASANT KUNJ**

A grievance was filed by Sh. Kirti Prakash Gupta against illegal construction at Flat No. 9196, C-9, Vasant Kunj, New Delhi-110070. The case was taken up for regular hearing on 10/10/18. Five (05) hearings were held in the Commission. During the hearing, it was informed by the respondent department that inspection of Flat No. 9196, C-9, Vasant Kunj, New Delhi-110070 was carried out and it was noticed that one room was constructed after getting the Building Plan sanctioned from DDA. There was also an unauthorized construction in the shape of deviation / excess coverage against Sanctioned Building Plan in the shape of temporary shed and toilet at the roof top. The same was booked u/s 344(1) and 343 of the DMC Act on 10/01/2019. The complainant informed during the hearing that he was receiving indirect threats from the party, complained against.

During the hearing on 18/02/2019, it was informed that the Building Department of SDMC with the help of local police had taken demolition action on the unauthorized construction. The Sub Inspector present in the hearing from PS-Vasant Kunj also informed the Commission that the party, complained against had been advised to refrain from making threats and harassment to the complainant. As the grievance was redressed, the matter was closed in the Commission.

MUNICIPAL CORPORATION OF DELHI
Sh. J. Pathak Vs North DMC

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| REGARDING ENCROACHMENT ON PUBLIC LAND IN ROHINI |
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Shri J. Pathak filed a grievance in the Commission stating that Sh. Dinesh Yadav, a building material supplier, had encroached on public land by constructing tin / plastic shed and was running a cement godown at the Ground Floor of H. No. 54 & 55, Pocket G-26, Sector – 03, Rohini, Delhi. The case was registered for regular hearing on 28/08/2018. On the first date of hearing, it was informed by the respondent department that the encroachment on public land in front of H. No. 54 & 55, Pocket G-26, Sector – 03, Rohini, Delhi by constructing tin / plastic shed had been removed on 25/08/2018. The complainant was not present in the hearing but he informed in writing that his grievance had been redressed.

Thus, with the intervention of the Commission, the grievance of the complainant was redressed.

MUNICIPAL CORPORATION OF DELHI
Smt. Kiran Anand

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| REGARDING UNAUTHORISED CONSTRUCTION IN MALKA GANJ |
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Smt. Kiran Anand filed a grievance in PGC regarding unauthorized construction in Property No. C-1/33-34, Malka Ganj, Delhi. The case was taken up for regular hearing on 11/12/2017. The departmental representative present in the hearing informed that the property got booked by the Department for unauthorized construction in the shape of deviations from the Sanctioned Building Plan at all floors from Basement, Stilt, Ground Floor, First Floor, Second Floor and Third Floor and one room and one toilet at Fourth Floor. The department had also taken demolition action on the property on 09/10/2017. The complainant, however, pointed that a kitchen was running in the Stilt Floor and the owner had not constructed kitchen on any floor and was using the building as P.G. for girls. The AE (B) was then directed by the Commission to ensure that the owner of the impugned building would stop using the Stilt Floor as Kitchen and he should be warned that if the kitchen was found functioning then the entire floor would be sealed for misuse. On hearing held on 13/02/2018, the Exe. Engineer (B) submitted a report stating that the directions passed by the Commission had been complied with by the Department. Relevant photographs were also submitted in proof of the claim. From the discussion during the hearing, it was observed by the Commission that the complaints were against the building / its owner on account of its usage for P.G. Accommodation.

As the action on the original complaint of unauthorized construction was taken by the MCD and the property had been regularized under Self Assessment Scheme by depositing an amount of Rs. 82,000/- as compounding charge and unauthorized construction was demolished, the matter was closed by the Commission.

Thus, with the intervention of the Commission the grievance of complainant of unauthorized construction was redressed.

MUNICIPAL CORPORATION OF DELHI
Sh. Gyan Chand Gautam Vs SDMC

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| REGARDING UNAUTHORISED CONSTRUCTION AND ENCROACHMENT IN GAUTAM NAGAR |
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Shri Gyan Chand Gautam filed a grievance on 14/07/2017 against unauthorized construction and encroachment on public land by residents of H. No. 130/1, Sudarshan Road, Gautam Nagar, Delhi. The case was taken up for regular hearing on 13/09/2017. Six hearings were held in the Commission and the matter was also brought to the notice of Chief Vigilance Officer (CVO), SDMC to look into the connivance between the violators and the MCD Engineers. The departmental representative submitted a report on 07/03/2018 stating that action had been initiated against the unauthorized construction under Section 343 & 344 of the DMC Act. The department further submitted a report on 30/05/2018 stating that further action of demolition on the unauthorized construction from First Floor to Fourth Floor had been taken with the help of the local police. The complainant, though not present in the hearing, sent a letter requesting for closure of complaint as the SDMC had taken action on the complaint.

Thus, with the intervention of the Commission, the grievance of the complainant was redressed.

MUNICIPAL CORPORATION OF DELHI
Sh. Vijay Kumar Vs SDMC

REGARDING ILLEGAL CONSTRUCTION AND
UNAUTHORISED COMMERCIAL USE OF
GARAGE AT SOUTH EXTENSION

Shri Vijay Kumar filed a grievance on 24/10/2017 regarding illegal construction and unauthorized commercial use of garage by owner of C-7, Ground Floor, South Extension, Part-II, New Delhi. The case was registered for regular hearing on 27/12/2017 and five hearings were held in the matter. On the first date of hearing, it was informed to the Commission by the respondent department that notice under Section 343 & 344 (1) of the DMC Act had already been initiated against the property in the shape of room at roof top of Third Floor of property and demolition order was also passed after due process of law.

On 23/05/2018, the department informed that the action on the unauthorized construction had been taken and the owner himself removed the unauthorized construction at the shaft. The part demolition action was taken on 20/04/2018 and the shop was found to be vacated. The complainant present in the hearing informed that the action had been completed and he was satisfied with the action taken by the department.

As the grievance was redressed, the matter was closed in the Commission. Thus, with the intervention of the Commission, the grievance of the complainant was redressed.

Sh. Ziauddin Vs SDMC**REGARDING RELEASE OF TERMINAL BENEFITS**

Shri Ziauddin submitted a grievance in the Commission on 19/08/2018 stating that he retired from the SDMC in the year 1999 but till date his pensionary dues amounting to Rs. 30,231/- have not been released by the Department. The case was taken up for regular hearing. On 14/11/2018, the representative of the department informed that the DCA (Final Payments) SDMC had requested the EE(W), Div-IV, South Zone, Manager, PNB - Chandni Chowk, PNB Branch, Hindu Rao and AO (Pension), South Zone to submit the due and drawn statement. He further informed that on receipt of the due and drawn statement from these agencies, the amount could be released on 23/01/2019. The pensioner was also requested to submit the final claim bill. The representative of SDMC on the last date of hearing informed that the outstanding dues amounting to Rs. 30,321/- was released and the grievance was redressed.

Thus, with the intervention of the Commission, the long pending dues of the Complainant were released and the grievance was redressed.

Ms. Anita Gupta vs Delhi Jal Board
PGC/2018/DJB/44

A grievance petition was received in PGC from Ms. Anita Gupta, aggrieved by non-supply of potable water for days together at her house located in L Block, Prem Nagar, Delhi.

The above complaint was registered in the Commission on 18.10.2018 for regular hearing. Hearings were held in the Commission on 12.11.2018 and 5.12.2018.

During the hearing held on 12.11.2018, none appeared on behalf of the respondent department. The matter was discussed telephonically with the Nodal Officer, DJB and he was directed to do the needful in the matter so that the complainant gets sufficient water to cater to her daily needs.

In the hearing held on 5.12.2018, Zonal Engineer-III, Delhi Jal Board, appeared and informed that the house of the complainant is at the tail end and the pocket being at a high altitude, water supply is not available. However, to meet the requirements of the complainant, a tanker point was fixed for every Saturday on Water Tanker No.DL1LW0134. The complainant present requested the Commission to close the case since due action has been taken by Delhi Jal Board in providing her water and she is now getting regular water supply through tankers provided by the DJB once a week.

The complainant expressed satisfaction and requested to close the case in the Commission.

Sh. Rajive Kaushik vs Delhi Jal Board
PGC/2018/DJB/43

A grievance petition was received in PGC from Sh. Rajive Kaushik regarding non-generation of appropriate water bill of his house No. E-115, East of Kailash, New Delhi.

The above complaint was registered in the Commission on 17.10.2018 for regular hearing. Hearings were held in the Commission on 12.11.2018 and 5.12.2018. Notices of hearing were sent to the concerned department.

The matter was discussed with the Nodal Officer, DJB and he was directed to get the meter checked in the matter so that the complainant gets an appropriate bill in respect of his meter.

In the hearing held on 5.12.2018, Zonal Revenue Officer (S-III) appeared and informed that the water charges bill w.e.f. 0 KL on 20.8.2016 to 126 KL on 02.11.2018 has been generated on actual meter reading basis for Rs. NIL. ZRO further assured the complainant that regular and correct bills would be issued in future. The complainant present during the proceedings confirmed that the bills have been generated on actual meter reading basis. He expressed his satisfaction and requested to close the case in the Commission.

Shri Zarina Siddique Vs. Delhi Jal Board
PGC/2018/DJB/37

Public Grievances Commission, Delhi received a grievance petition from Ms. Zarina Siddique regarding non-replacement of water meter installed in the Indian Airlines C.G.H. Society, Mayur Vihar, which stopped functioning in July/August, 2016 due to which water billing had become abnormal.

The above complaint was registered in the Commission on 22.03.2018. 09 hearings were held in the matter. ZRO (W) East-I was advised to ensure that water bill is rectified on the average of previous consumption before the meter had stopped.

In the hearing held on 8.5.2018, ZRO stated that water bill was revised on actual average basis. ZRO was directed to install proper meter in the society.

In the hearing held on 31.10.2018, it has been informed by ZRO that the bill K.No. 1607310000 in the name of Indian Airlines CGHS Ltd. has been adjusted/deleted in RMS referring bills raised on 15.9.2018 and 18.10.2018 LPSC accordingly. The complainant expressed satisfaction over action taken by the respondent department and also thanked the Commission.

Sh. Deepak Rana vs Delhi Jal Board
PGC/2018/DJB/40

A grievance petition was received in PGC from Sh Deepak Rana, aggrieved by non-receipt of compensation for damage to his property located at B-150, Gali No.9, Gokulpur Village, due to interceptor sewer work of DJB below their dwelling units.

The above complaint was registered in the Commission on 08.8.2018 for regular hearing. Hearings were held in the Commission on 4.9.2018, 3.10.2018, 30.10.2018, 5.12.2018, 7.12.2018, 9.1.2019 and 16.1.2019.

During the hearing held on 04.9.2018, the complainant requested either for suitable compensation as per market value of their property or their houses be constructed by the contractor. In the hearing held on 3.10.2018, the Commission directed DGM, M/s EIL to take up the issue of increasing of compensation of Rs.1300/- per Sq.ft on sympathetic and humanitarian ground as it appears to be much lesser keeping in view the losses and mental agony affected parties have gone through. It was further directed to ensure that the compensation amount is paid within scheduled timeframe. In the hearing held on 30.10.2018, DGM M/s. EIL offered a compensation of Rs.25.00 lacs to Shri Deepak Rana as was done in a similar case of Sh.Mahesh Kumar where they have settled the case and accepted the compensation of Rs.18.00 lacs. DGM, M/s. EIL was also advised to obtain a third party opinion regarding the evaluation of the property and have a measurement done of the building of the complainant. The complainant was advised either to accept the amount of compensation i.e. Rs.25.00 lacs as offered by M/s. EIL or the compensation @ Rs.1300/- Sq.ft (as recommended by the Committee) by measuring the size of the property by M/s. EIL.

In the hearing held on 7.12.2018, M/s. EIL informed that the compensation @ Rs.1300/- Sq.ft., as recommended by the Committee could not be enhanced as it has been fixed by the Committee by taking all the factors into consideration. In the hearing held on 9.1.2019, complainant agreed for compensation @

Rs.1300/- per Sq.ft. on total 2005 Sq.ft (ground floor + partially constructed first floor) in respect of his property.

In the hearing held on 16.1.2019, the complainant was paid a Demand Draft amounting to Rs.26,06,500/- by DGM, M/s. EIL towards compensation for his damaged property which was accepted and received by the complainant.

Thus, with the intervention of the Commission, the grievance of the complainant was redressed.

Sh.Surinder Sapra Vs. DJB**PGC/2018/A.II/DJB/45**

Sh.Surinder Sapra aggrieved by incorrect water bills in respect of two water connections in his premises (K.No.6755481000 in the name of the complainant and K.No.1745481000 in the name of his father, Sh. Nand Lal filed a grievance petition before Public Grievances Commission.

His complaint was received on 4.12.2018 and hearings held in the Commission on 30.01.2019 and 19.2.2019.

In the hearing held on 30.01.2019, ZRO(West)-II, DJB informed that the water charges bill has been rectified on 09.1.2019 in respect of Meter No.6755481000.

In the hearing held on 19.02.2019, ZRO West-II stated that water charges bill of water connections K.No.6755481000 & 1745481000 have been rectified on 09.1.2019 & 12.01.2019. Copies of the bills were also forwarded to the applicant on 10.2.2019. The complainant confirmed receiving the bills and expressed satisfaction over the action taken by the respondent department in redressing his grievances.

Thus, with the intervention of the Commission, the grievance regarding incorrect water bills was resolved to the satisfaction of the complainant.

Smt. Munni Tayal Vs. DJB**PGC/2019/A.II/DJB/50**

Smt. Munni Tayal aggrieved by non-refund of Rs.9,450/- extra charged against K.No.0370580000 installed at A-1/225, Keshav Puram, Delhi-35 by Delhi Jal Board, filed a grievance petition before Public Grievances Commission.

Her complaint was registered on 16.10.2019 and hearings held in the Commission on 04.12.2019, 17.12.2019 and 04.2.2020.

In the hearing held on 04.02.2020, Sr. Asstt. on behalf of ZRO (NW)-III of Delhi Jal Board stated that the file has been approved by the higher authority for refund of a sum of Rs.9,150/- and it has been forwarded to the Accounts Section for making the payment to the applicant.

Thus, with the intervention of the Commission, the grievance regarding refund of excess amount paid to DJB was resolved to the satisfaction of the complainant.

Sh. Ashok Kumar Passi vs Education
PGC/2017/Labour/01

A grievance petition was received in PGC from Shri Ashok Kumar Passi, aggrieved by non-receipt of Gratuity & Commutation.

The above complaint was registered in the Commission on 7.11.2017 for regular hearing. Hearings were held in the Commission on 19.12.2017, 17.1.2018, 7.3.2018 and 11.4.2018.

During the hearing held on 19.12.2017, the Commission observed that there was a purposeful delay on the part of PAO-VII and PAO-VIII, GNCTD in not responding to the letters of the Labour Department for NOC in the case of the complainant. The complainant also stated that inspite of meeting these officers a number of times, they are indifferent. PAO-VII and PAO-VIII were directed to take needful action on priority.

In the hearing held on 7.3.2018, it was informed that NOC regarding HBA and Scooter Advance has been cleared and the NOC will be issued subject to payment of the dues of Rs.20,310/- in total by the complainant. Commission directed Commissioner, Labour, and Sr.Accounts Officer, Labour Department to do the needful.

In the hearing held on 11.4.2018, Sr. AO, Labour Deptt. informed that his pension calculation sheet along with pension papers were submitted to PAO-11 on 9.4.2018 for further necessary action. The process for recovery of advance along with interest and process of calculation and sanction of pension have already been done. The Commission opined that the complainant should also be paid interest for the entire period from the date of his retirement.

Thus, with the intervention of the Commission, complainant's grievance for payment of benefits (Gratuity & Commutation) for want of NOC was resolved to his satisfaction.

Shri Gajendra P Sharma Vs. Education
(Non-payment of Earned Leave Encashment)

PGC/2018/Edn./02

A grievance petition was filed before PGC by Shri Gajendra P Sharma, aggrieved by non-payment of Earned Leave Encashment by Rani Dutta Arya Vidyalaya, 1488, Pataudi House, Daryaganj.

The above complaint was registered in the Commission on 06/ 02/ 2018 for regular hearing. Hearings were held in the Commission on 27.03.2018 and on 25.4.2018. In the hearing held on 27.3.2018, the complainant stated that the Manager of the School withheld his Leave Encashment on the ground that the ACRs were not submitted. The Commission expressed displeasure and found it weird that the Manager of the School is ignorant about the procedures and is linking up the ACRs to the issue of Leave Encashment. ACRs are meant for promotion and career related matters. Principal of the School was directed to clear the leave encashment of the complainant and also reprimand the Manager for his action of withholding the Leave Encashment of the complainant. The Principal of the School was further directed that the interest be paid to the complainant from the date of his retirement i.e. 21.12.2016.

In the hearing held on 25.4.2018, Principal of Rani Dutta Arya Vidyalaya informed that a total of Rs.9,90,614/- has been deposited in the account of Sh. G.P. Sharma (A/C No.8240100013036) via Cheque No.00371 dated 16.4.2018 from the School's Staff Salary A/C with interest.

Thus, with the intervention of the Commission, the complainant's grievance regarding non-receipt of Earned Leave Encashment was resolved to his satisfaction.

Shri Manoj Kumar Sharma Vs. Education
(Non-payment of TA/Conveyance Charges)

PGC/2018/Edn./01

Sh. Manoj Kumar Sharma, aggrieved by non-payment of T.A/Conveyance Charges, on account of acting as Defence Assistant in D&AR case, by the Management of C.L. Bhalla D.A.V. Sr. Sec. (Govt. Aided) School, Jhandewalan, New Delhi, approached the Public Grievances Commission, Delhi.

The complaint was registered on 29/01/2018 and hearings held in the Commission on 27.03.2018 and on 25.4.2018, wherein it emerged that School Authorities have already recommended the Transport Allowance to Dy. Director of Education for according sanction. Accordingly, this Commission advised the respondent department to expedite the matter.

The Commission further advised the Principal to ensure that the Management releases the Travelling Allowance of the Defence Assistant for the inquiry without any further delay. Further, in view of the similar such cases in which the payments are not released to the persons by the Management of Aided Schools, the Commission advised the Director (Education), GNCT of Delhi that instead of passing such amount to the Management of the School, it should be passed on to the account of individual directly and directions be given to the Management Committee to release the remaining 5% amount as soon as possible.

Thus, with the intervention of the Commission, the grievance regarding non-receipt of TA/Conveyance charges as applicable to Defence Assistant in D&AR case, was resolved to the satisfaction of the complainant.

Shri Prakash Chandra Garg Vs. Education

(Incorrect sanction of pension /family pension and other retirement benefits)
PGC/2018/Edn./07

A grievance petition was filed before PGC by Shri Prakash Chandra Garg, aggrieved by incorrect sanction of pension/family pension and other retirement benefits.

The above complaint was registered in the Commission on 16.3.2018 for regular hearing. 02 hearings were held in the Commission on 3.4.2018, and 5.6.2018. In the hearing held on 3.4.2018, an ATR has been filed by the Department that the last revision of pension entry has been made w.e.f. 2001 and further revision w.e.f. 2006 has been done at PAO/Pension Cell. His revision of pension w.e.f. 2016 (7th CPC) was sent to PAO-IX on 14.12.2017 and has been cleared. The department indicated that the revision letter has been sent to concerned employee and bank.

Thus, with the intervention of the Commission, the complainant's grievance regarding incorrect sanction of pension / family pension and other retirement benefits was resolved to his satisfaction.

Smt. N. Sarlamma Vs. Education

(Non-revision of her pension from 01/01/2016 as per Govt. orders by the Principal, Rajkiya Sarvodaya Kanya Vidyalaya, Gulabi Bagh, Delhi -110007)

PGC/2018/Edn./04

Smt. N. Sarlamma, aggrieved by non-revision of her pension from 01/01/2016 as per Govt. orders by the Principal, Rajkiya Sarvodaya Kanya Vidyalaya, Gulabi Bagh, Delhi-110007, filed a grievance petition in the Public Grievances Commission.

The complaint was registered on 01.02. 2018 and hearings were held in the Commission on 27.03.2018 and on 24.4.2018. As per submissions of Dy. Director of Education, North District, PAO IX has processed and forwarded the matter to CPAO, Ministry of Finance, Govt. of India, for needful action, after clearance from all levels.

Smt. N. Sarlamman, through letter dated 13.4.2018 informed the Commission that her grievance has been resolved and thanked the Commission for extending help to a senior and physically challenged citizen.

Ms.Rita Arora Vs. Dte.of Education**No.PGC/2018/Ann.II/Edn./18**

Ms. Rita Arora, aggrieved by delay in payment of arrears viz. non-functional arrear bills, Leave Encashment, difference of arrear of Gratuity and Commutation from 2015, pay revision from 31.8.2015 and pay fixation as per 7th CPC, filed a grievance in PGC.

Her complaint was registered on 29.10.2018 and hearings held in the Commission on 19.11.2018 and 15.01.2019.

In the hearing held on 15.01.2019, Ms.Lalita Sethi, HOS, GGS School, Idgah Road informed that NFSG arrears to the tune of Rs.2,20,886/- have been released to the complainant. Regarding updation of leave records in Service Book, Shri Manoj Kumar, HOS, GBSS Rohtak Road informed that leave record of Ms. Rita Arora for the period 1985 to 1987 has been entered in the Service Book. The complainant confirmed that she has received the arrears of NFSG to the tune of Rs. 2,20,886/-. She requested to close the matter as her grievances have been redressed by the department to her satisfaction.

Thus, with the intervention of the Commission, the grievances regarding payment of arrears of Leave Encashment, Gratuity, Commutation, pay revision etc. were resolved to the satisfaction of the complainant.

Sh. Satya Narain Vs. Dte.of Education**No.PGC/2018/Ann.II/Edn./14**

Sh. Satya Narain, aggrieved by non revision of pension of pre-2016 pensioners/family pensioners filed a grievance in PGC.

His complaint was registered on 17.09.2018 and hearings held in the Commission on 25.10.2018 and 08.11.2018.

In the hearing held on 08.11.2018, Head of School, Sarvodaya Bal Vidyalaya, Radhey Shyam Park stated that retirement benefits viz. DCRG, Commutation, Leave Encashment, Group Insurance, Diff.of E/Leave and Stepping of Pay has been paid to the complianant. It was further stated that pension of Sh.Satya Narain has been revised on 26.9.2016. The complainant himself admitted that now there is no grievance pending in the School.

Thus, with the intervention of the Commission, the grievance regarding payment of retiral benefits/revision of pension was resolved to the satisfaction of the complainant.

**Ms. Urmilla Gupta vs Chief Electoral Officer
PGC/2018/Election/02**

Public Grievances Commission, Delhi, received a grievance from Ms. Urmila Gupta, regarding non-revision of her pension in accordance with 7th Pay Commission recommendations despite submission of application form in April, 2018, to the Office District Election Officer/DM, New Delhi District.

The said complaint was registered in the Commission on 06.09.2018 and hearings were held in the Commission between October, 2018 to December, 2018 during which respondent Election Department, New Delhi, informed that the case has been forwarded to DEO/DM, New Delhi for approval, after due vetting by Accounts Officer.

After protracted deliberations, the respondent District Magistrate, New Delhi approved the pension of aggrieved, Ms.Urmilla Gupta and the papers forwarded to Pay & Accounts Office-X, GNCT of Delhi, for needful action including payment of outstanding dues.

The complainant expressed her satisfaction on resolution of her grievances.

**Shri Ashok Kumar Handa vs Health & Family Welfare Department
PGC/2018/Health/02**

A grievance petition was received in PGC from Shri Ashok Kumar Handa, aggrieved by non-payment of Gratuity and Leave Encashment due on his superannuation on 30.11.2017.

The above complaint was registered in the Commission on 27.02.2018 for regular hearing. Hearings were held in the Commission on 10.04.2018, 09.5.2018, 5.6.2018, 10.7.2018 and 21.8.2018.

After protracted correspondence and a number of hearings, during the hearing held on 21.8.2018, A.O. of the Deptt.of Health & Family Welfare Department, GNCTD, informed that the competent authority has released leave encashment amounting to Rs.6,93,000/-. The representative of the complainant expressed satisfaction on the action taken by the respondent department in resolving his grievance.

Smt. Rekha Pahade vs Higher Education**PGC/2019/A.II/HE/01**

Smt. Rekha Pahade, aggrieved by non-receipt of dues (GPF, Gratuity, family pension) of her late husband, Sh. Unmesh Pahade, Section Officer at ITI, Jail Road, filed a grievance petition in PGC.

The above complaint was registered in the Commission on 08.04.2019 for regular hearing. Hearings were held in the Commission on 15.05.2019, 17.7.2019 and 04.9.2019.

During the hearing held on 15.05.2019, it is stated on behalf of the Principal ITI, Jail Road, GNCTD that the Service Book of the officer was incomplete in many respects from the ends of the various departments in which the officer was posted and it was got completed from 10 -11 departments.

The complainant, through an e-mail dated 03.9.2019, confirmed receipt of all the dues of her late husband, except starting of family pension. The case is with CPAO for further orders for revival of her pension. She also thanked the Commission for expeditious redressal of her grievances.

Thus, with the intervention of the Commission, complainant's grievances was resolved to her satisfaction.

Sh. Rajendar vs Commission for Other Backward Classes**PGC/2018/COBC/01**

Sh Rajendar, Office Superintendent (retd.), aggrieved by non-receipt of arrears and revised Last Pay Certificate, approached this Commission with his grievance against the Commission for Other Backward Classes (OBC).

The complaint was registered in the Commission on 31.8.2018 and hearing was held in the matter on 30.10.2018 during which Section Officer cum Drawing & Disbursing Officer of the respondent department informed that pay arrears amounting to Rs.25,083/-, resulting from pay fixation, have already been released vide cheque No.008609 in March, 2013. Further, pay arrears amounting to Rs.2,03,085/-, resulting from pay fixation orders, have also been paid to Shri Rajendar vide cheque No.169793 dated 25.9.2018. The complainant confirmed the receipt of all his outstanding dues.

The complainant was satisfied with the prompt resolving of his grievance

Shri Champat Rai Vs. Power

(Regarding refund of unutilized amount deposited for grant of two connections of 40 KW each in favour of Sri Sankat Mochan Hanuman Temple in Sector VI, R.K. Puram New Delhi)

PGC/2017/Power/01

A grievance petition was received in PGC from Shri Champat Rai, aggrieved by non-refund of unutilized amount deposited for grant of two connections of 40 KW each in favour of Sri Sankat Mochan Hanuman Temple in Sector VI, R.K. Puram New Delhi.

The above complaint was registered in the Commission on 5.12.2017 for regular hearing. 03 hearings were held in the Commission on 27.3.2018, 24.4.2018 and 9.5.2018. In the hearing held on 27.3.2018, it transpired that the complainant had deposited the amount in 2001 as a share cost for installing a transformer of 40 KW. However, no transformer was provided by the Power Department till date, although the power connections were given from other transformer. The matter was very clear that amount deposited by him was not required for providing separate power connection to him. The Head Customer Care, BRPL, BSES was advised to refund the amount deposited by the complainant in 2001 with simple interest. In the hearing held on 9.5.2018, BRPL informed that a refund cheque dated 24.4.2018 in favour of Vishva Hindu Parishad for an amount of Rs.5,80,855/- against the refund amount deposited in 2001 with simple interest has been handed over to Shri Anand Singh. The complainant has confirmed the same.

Thus, with the intervention of the Commission, the complainant's grievance regarding refund of unutilized amount was resolved to his satisfaction.

Shri Ram Narayan Shah vs Revenue**PGC/2018/Rev/10**

Public Grievances Commission, Delhi received a complaint from Sh. Ram Narayan Shah, retired Bailiff, regarding non-payment of his pensionary benefits.

The above complaint was registered in the Commission on 18.10.2018 and hearing was held in the matter on 29.11.2018, during which, Shri Neeraj Kumar, Accounts Officer and Shri R.K. Sharma, Naib Tehsildar, District Central, Revenue informed that all payments relating to terminal benefits in respect of the complainant have been made by the department. The Pension Payment Order (PPO) of the complainant was handed over to him during the hearing.

The complainant was satisfied with the prompt resolving of his grievances.

**Ms. Suman/Neha Nautiyal vs Revenue
PGC/2018/Rev/12**

A grievance petition was received in PGC from Ms. Suman/Neha Nautiyal, aggrieved by non-payment of remuneration amounting to Rs.13,500/- and Rs.9,000/- respectively by SDM Office, Rampura, Delhi, for the past six years in lieu of Survey Work done in respect of Social Economic Caste Certificate 2011-12.

The complaint was registered in the Commission on 20.06.2018 and hearings held on 06.12.2018 and 27.12.2018.

During the hearing held on 06.12.2018, DEO, Grade 'A' informed that EB details of the work done by the applicant have not been reflected on the NIC Portal/Website due to which claim could not be processed and two payments have already been released in respect of both the complainants. The complainant handed over the copies of the relevant documents duly verified by the Supervisor again to the representative of the department in support of their contention.

The matter was telephonically discussed with Shri Sanjeev Yadav, Tehsildar (North West) who assured to get a revised report from the said Company who had hired the complainants for enumeration work and after getting the clarification/revised report, payments will be released to both the complainants.

During the hearing held on 27.12.2018, Tehsildar/Executive Magistrate, Saraswati Vihar stated that a sanction order No.4055 dated 24.12.2018 has been issued to transfer the remuneration of Rs.22,500/- with regard to payments of Ms. Suman and Ms. Neha Nautiyal. The complainants also expressed their satisfaction over action taken by the respondent department.

Sh. Deen Bandhu Prasad vs Revenue**PGC/2018/Rev/13**

Shri Deen Bandhu Prasad, retired from Office of Deputy Commissioner (South West), aggrieved by non-payment of 100% Leave Encashment approached the Public Grievances Commission, Delhi.

His complaint was registered on 16.11.2018 and hearings held in the Commission on 27.12.2018, 31.1.2019 and 28.2.2019.

Shri Nitin Jindal, SDM(Admn.) informed that Rule 39(3) of CCS (Leave Rules) states that the Authority competent to grant leave may withhold whole or part of cash equivalent of Earned Leave in the case of a Government servant who retires from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such authority there is possibility of some money becoming recoverable from him on conclusion of the proceedings against him. On conclusion of the proceedings, he will become eligible for the amount so withheld after adjustment of Govt. dues, if any.

The complainant cited two judgments of Hon'ble CAT vide which the Hon'ble Tribunal has ordered release of 100% of leave Encashment. He also cited few cases of PGC vide which orders were issued to the Competent Authority to release 100% Leave Encashment amount.

The Commission directed District Magistrate (South West) to consider giving the benefit of Leave Encashment to the complainant.

During the hearing held on 28.3.2019, Section Officer (Admn.), Office of DM (South West) filed a sanction order dated 27.3.2019 for releasing an amount of Rs.3,34,880/- for unutilized 298 days Earned Leave and 02 days HPL in respect of Sh. Deen Bandhu, LDC. The complainant confirmed the same and expressed satisfaction over action taken by the department in releasing 100% Earned Leave Encashment.

Smt. Kamlesh Devi vs WCD
PGC/2019/WCD/02

Smt. Kamlesh Devi, aggrieved by non-release of her widow pension by the Deptt.of Women & Child Development, filed a grievance petition in PGC.

The above complaint was received in the Commission on 30.09.2019 for regular hearing. Hearings were held in the Commission on 04.12.2019, 17.12.2019 and 05.02.2020.

In the hearing held on 05.02.2020, representative of the department informed that since the complainant has uploaded the requisite documents, her case was sanctioned. The money has been credited in the account at the level of headquarter.

Thus, with the intervention of the Commission, the complainant's grievance with regard to release/commencement of widow pension was resolved to her satisfaction.

Misri Devi vs WCD**PGC/2019/WCD/01**

Smt. Misri Devi, aggrieved by non-release of her widow pension by the Women & Child Development Department, GNCT of Delhi, had filed a grievance petition in PGC.

The above complaint was received in the Commission on 30.09.2019 for regular hearing. Hearings were held in the Commission on 04.12.2019, 17.12.2019 and 05.02.2020.

In the hearing held on 04.12.2019, Shri S.K. Srivastava, Distt. Officer (NW-1) informed that the applicant was asked to submit bank statement for the last one year so as to assess her economic status as the income of the applicant should be less than Rs.1.00 lac per annum. The complainant was advised to provide copy of the bank statement. District Officer was advised to ensure that widow pension is released immediately after fulfilment of all formalities and providing of necessary documents.

In the hearing held on 05.02.2020, the complainant confirmed that she has received the pension and expressed her satisfaction. She also thanked the Commission for prompt redressal of her grievance.

Thus, with the intervention of the Commission, complainant's grievance with regard to release of widow pension was resolved to her satisfaction.

**Suo Moto Vs Deptt.of Women & Child Development
PGC/2018/WCD/01**

The Commission took suo moto cognizance of press clippings of the media reports published in the “Hindu, Indian Express and Navbharat Times” on 06.3.2018 & 07.3.2018 respectively highlighting dereliction of duty on the part of the officials of Department of Women & Child Development, GNCT of Delhi, regarding payment of minimum wages to the contractual workers.

The complaint was registered in the Commission and several hearings were held between 10.4.2018 and 06.2.2019.

On 18.12.2018, the Commission advised Secretary (Finance), GNCTD to clear the proposal for payment of minimum wages as per rules so that benefits would be disbursed to the contractual workers. On 6.2.2019, Programmer Manager(SCPS), WCD informed that minimum wages have been approved by the Finance Department, GNCTD for final disbursement of minimum wages to the staff working under ICPS Scheme w.e.f. January, 2017 and the wages will be disbursed within one week.

Thus, with the intervention of the Commission, the beneficiaries/contractual workers got benefit of payment of enhanced minimum wages.

ANNEXURE-I**DETAILS OF RECEIPT AND DISPOSAL OF THE GRIEVANCES TAKEN UP FOR HEARING DURING 2018-19**

| S. No. | Name of Deptt. | OB as on 01/04/18 | Receipt during 01/04/18/ to 31/03/19 | Total | No. of grievances disposed during 01/04/18 to 31/03/19 | Total no. of grievances pending as on 31/03/19 |
|--------|--------------------------------|----------------------|--|-------|--|---|
| 1. | F&S | 01 | 01 | 02 | 01 | 01 |
| 2. | DJB | 07 | 13 | 20 | 17 | 03 |
| 3. | REVENUE | 28 | 20 | 48 | 30 | 18 |
| 4. | RCS | 08 | 08 | 16 | 05 | 11 |
| 5. | PWD | 05 | 03 | 08 | 06 | 02 |
| 6. | DELHI POLICE | 80 | 55 | 135 | 135 | 00 |
| 7. | LAND & BUILDING | 04 | 02 | 06 | 05 | 01 |
| 8. | CEO | 03 | 01 | 04 | 02 | 02 |
| 9. | TRANSPORT | 01 | 03 | 04 | 04 | 00 |
| 10. | DTC | 00 | 05 | 05 | 01 | 04 |
| 11. | TRADE & TAXES | 00 | 01 | 01 | 01 | 00 |
| 12. | H&F/DHS | 02 | 03 | 05 | 03 | 02 |
| 13. | HIGHER EDU. | 02 | 00 | 02 | 00 | 02 |
| 14. | DFC | 00 | 00 | 00 | 00 | 00 |
| 15. | SERVICES | 00 | 01 | 01 | 00 | 01 |
| 16. | Excise | 00 | 01 | 01 | 00 | 01 |
| 17. | DELHI PRISON (CENTRAL ZONE) | 01 | 00 | 01 | 00 | 01 |
| 18. | MCD | 83 | 93 | 176 | 98 | 78 |
| 19. | PAO | 00 | 02 | 02 | 00 | 02 |
| 20. | DSIIDC | 02 | 01 | 03 | 01 | 02 |
| 21. | LABOUR | 02 | 03 | 05 | 02 | 03 |
| 22. | EMPLOYMENT | 01 | 00 | 01 | 01 | 00 |
| 23. | POWER | 08 | 09 | 17 | 12 | 05 |
| 24. | INDUSTRIES | 01 | 01 | 02 | 01 | 01 |
| 25. | GAD | 00 | 01 | 01 | 00 | 01 |
| 26. | EDUCATION | 18 | 35 | 53 | 21 | 32 |
| 27. | DSSSB | 03 | 02 | 05 | 01 | 04 |
| 28. | DSW | 00 | 02 | 02 | 00 | 02 |
| 29. | TTE | 01 | 01 | 02 | 01 | 01 |
| 30. | I&FC | 02 | 01 | 03 | 01 | 02 |
| 31. | NDMC | 02 | 05 | 07 | 05 | 02 |
| 32. | UD | 01 | 00 | 01 | 00 | 01 |
| 33. | W&CD | 03 | 00 | 03 | 02 | 01 |
| 34. | PFA | 01 | 00 | 01 | 00 | 01 |
| 37. | Finance | 00 | 01 | 01 | 01 | 00 |
| 38. | GBPEC | 00 | 01 | 01 | 01 | 00 |
| 39. | Commission for OBC | 00 | 01 | 01 | 01 | 00 |
| | Total | 270 | 276 | 546 | 359 | 187 |

ANNEXURE-II**LIST OF OFFICERS REMAINED POSTED IN THE COMMISSION
DURING THE YEAR 2018-19**

| S.No. | Name | Designation |
|--------------|-------------------------|--------------------|
| 1 | Shri Ashok Kumar | Chairman |
| 2 | Shri Sudhir Yadav | Member (Full-time) |
| 3 | Smt. Madhu Sharan | Member (Part-time) |
| 4 | Shri S Chakraborty | Deputy Secretary |
| 5 | Smt. Jyoti Seth | Deputy Secretary |
| 6 | Shri Sanjay Kr. Ambasta | Deputy Secretary |
| 7 | Shri R.K.Meena | Deputy Secretary |
| 8 | Smt. Mamta Gaur | Deputy Secretary |
| 9 | Shri Kishore Chander | AAO |
| 10 | Shri B. Chandwani | Sr. PA |
| 11 | Shri Balwant Singh | Sr. PA |

POLICE COMPLAINTS AUTHORITY

POLICE COMPLAINTS AUTHORITY

Police Complaints Authority (PCA) was created vide Resolution No.F.12/04/2011/AR/1630-1789/C dated 27th February, 2012, in order to implement the directions of the Hon'ble Supreme Court in W.P.(C) No. 310/1996 titled "Prakash Singh & others vs. Union of India & Others". The Ministry of Home Affairs conveyed the approval of the Government of India vide letter No. 14040/127/2010-UTP dated 17th November, 2011 to extend the role and responsibility of the Public Grievances Commission to also function as the Police Complaints Authority and hear complaints against officers/officials of the Delhi Police after suitable amendment in the Resolution No. 4/14/94-AR dated 25th September, 1997, establishing the Public Grievances Commission. This arrangement is to be in force till the Delhi Police Act, 1978 is replaced with a new Police Act.

The mandate of the Police Complaints Authority provides for inquiry into allegations of serious misconduct against police personnel on a complaint or to act suo-moto on the basis of a complaint or reference from any of the following:-

- (a) A victim or any one on his/her behalf
- (b) The National or the State Human Rights Commission
- (c) The Police or
- (d) Any other source

The term "serious misconduct" means any act of commission or omission of a police officer which leads to:-

- (a) Death in police custody
- (b) Grievous hurt
- (c) Rape or attempt to commit rape
- (d) Arrest or detention without due-process of law
- (e) Extortion
- (f) Land / House grabbing
- (g) Any serious abuse of authority

COMPOSITION OF POLICE COMPLAINTS AUTHORITY TILL ITS CREATION AS SEPARATE INDEPENDENT AUTHORITY

| | | |
|-------------------|---|--------------|
| Shri Ashok Kumar | : | Chairman |
| Shri Sudhir Yadav | : | Member (W/T) |
| Smt.Madhu Sharan | : | Member (P/T) |

List of officers remained posted in Police Complaints Authority during 2018-19

| | |
|----------------|------------------|
| Shri R.K.Meena | Deputy Secretary |
| Shri S K Punj | Section Officer |

Till recently, the Chairman of PGC was also looking after the charge of Chairman (PCA). However, the Police Complaint Authority has now been constituted as a separate independent authority under the Chairmanship of a retired High Court Judge vide Notification F.No.28/1/2017/HP-I/Estt./Pt.file-635-641 dated 29.01.2018, and consists of one Chairman and three Members. Consequent upon appointment to these posts, PCA has now started functioning independently.