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HC pained to see plight of MCD employees not getting salaries, pensions

New Delhi, Jul 8 (PTI) The municipal corporations' job is not only to pay salaries to employees but also to make the city world class, said the Delhi High Court on Thursday while expressing pain that people have to approach court for their salaries.

The high court said it was pained and shocked at the entire state of affairs and the callousness of the authorities and asked the three corporations—North Delhi Municipal Corporation (NrDMC), South Delhi Municipal Corporation (SDMC) and East Delhi Municipal Corporation (SDMC) to take steps to augment their resources and file affidavits in this regard.

A bench of Justices Vipin Sanghi and Jasmeet Singh observed that the corporations are not only to pay salaries to employees but also to make the city a world class and to manage issues like dengue, chinkungunya and malaria.

“When people have to come to us asking to get their salaries paid, it pains us, Just imagine their plight. We are pained at the entire state of affairs and the callousness of the authorities. When we do something then there will be a knee jerk reaction by you. It is shocking,” the bench said.

The court also noted that NrDMC has taken steps to augment resources and that its revenue generation even in the pandemic has gone up and expressed hope that it will generate substantial funds by auction or tender of properties either for sale or lease.

The court, which asked the NrDMC to continue its efforts for generating higher revenue and to file a report on steps taken to augment the resources with facts and figures, however, said the employees cannot be asked to wait for salaries and pensions till the funds are generated as survival is at stake.

The court directed the Delhi government to pay within 10 days Rs 293 crore to the NrDMC towards second and third quarter of GIA and basic tax assignment (BTA) so that the corporation is able to bridge a gap and make upto date payment of salaries and pensions.

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Delhi government is liable to adjust this amount in the remaining amount of payment of GIA and BTA for the second and third quarter.

bench noted that while salaries and pensions have been paid to employees and retired staff by the NrDMC, still a substantial amount of money is left.

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done by NrDMC, and file their respective affidavits detailing the steps taken.

Advocate Divya Prakash Pande, representing NrDMC, said the outstanding amount of salaries and pensions is around Rs 600 crore and while the second and third instalment of GIA and BTA is paid in September-October, if the Delhi government could pay some amount early as an exception for this year, it will help the corporation in catching up on payment of arrears.

However, this was opposed by senior advocate Rahul Mehra, appearing for the Delhi government, saying NrDMC cannot keep on coming to the court asking government to provide funds and it should generate its own funds to meet the obligations.

Regarding the Delhi government's claim that the NrDMC had been advocating that its six hospitals be handed over to the Central government to reduce the annual expenditure incurred by the civic body which is facing financial constraints, the corporation's counsel said the proposal was rejected by the House due to which it was never sent to the Centre for consideration.

The court said whether the hospitals have to be handed over for management to the Centre or the Delhi government, is a decision of the NrDMC, however, the decision has to be based on financial aspects.

The bench said "We cannot have a situation when on one hand NrDMC is not able to meet primary obligation of paying salaries and pensions of employees and on the other hand, it is insisting on retaining and running corporation's hospitals which could not generate any revenue but are source of expenditure for it."

"It is, therefore, imperative for NrDMC to revisit this aspect and take a financially good policy decision and if it is still of the view that the six hospitals are to be retained and run by it, it should also apply its mind as to how and from where it has to generate revenue to run the institutions," it said.

The court said it would be necessary for the NrDMC to consider how it would upgrade its hospitals in terms of technology in the medical field as it would be unfair to the citizens of the city of the corporation do not give facilities at par with other hospitals in Delhi.

The bench directed the NrDMC to examine this aspect and file an affidavit disclosing its expenditures incurred on each of the municipal corporators towards their salaries and perks and other expenses and observed that the plight of employees and pensioners have fallen on deaf ears when it comes to addressing the issues of staff.

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of salaries and pensions of employees and it may be necessary that the financial burden on account of lack of resources is borne by the elected representatives of the corporation," the bench said, directing the NrDMC commissioner to file an affidavit within two weeks making all the disclosures.

The court was hearing various other petitions relating to non-payment of salaries and pensions to teachers, hospital staff, sanitation workers, engineers are also pending in the court. PTI SKV SKV RKS RKS

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