

BEFORE THE HON'BLE LOKAYUKTA
Justice Manmohan Sarin
Complaint No. C-1356/Lok/2012/

In the matter of:-

Sh. Rajesh Garg,

Complainant.

Vs.

Sh. Vijender Gupta, Ex. Councillor

Respondent

Present:

1. Sh. Rajesh Garg, Complainant, in person.
2. Sh. Anil Soni, Counsel for Respondent.
3. Sh. Vijay Kumar Aggarwal, Counsel for NDMC
4. Sh. S.K. Upadhyaya, Jt. CIT, Range 36.
5. Sh. Ram Nath Ram, EE (C), M-312, PWD.

Ram Nath Ram, EE M-312, PWD is present. He states that no permission had been granted by the PWD for putting up the hoardings, posters, banners etc in question.

Sh. V.K. Aggarwal, Advocate on behalf of North DMC has filed Outdoor Policy for Advertisements, together with attachments, copies thereof provided to the Complainant and Amicus Curiae. He further submits that Asstt. Commissioner of each Zone of North DMC has been appointed as Nodal Officer of their respective Zones and at the headquarters, a Commercial Officer has been appointed as Nodal office. He has also supplied copies of the reports regarding removal of hoardings, banners and posters of different Zones from North DMC.

One of the grievances of the Complainant is that action for removal is mostly taken when the event is over and the hoarding is of no use. Therefore, a mechanism has to be put in place whereby there is a consensus between different political parties regarding putting up of these hoardings etc on the sites which do not effect the right of way.

Mr. Aggarwal says that outdoor policy for advertisements may be perused by the forum as well Amicus Curiae and Complainant and thereafter the Counsel can address this forum on the same.

At this stage Mr. Soni, Counsel for Respondent Sh. Vijender Gupta states that he has to bring to the notice of the forum that he has also been appointed Standing Counsel of the North DMC. There is already a Counsel representing North DMC and in any

case based on the proceedings in the case so far I have not seen any conflict of interest arising for Mr. Soni to seek recusal. Mr. Rajesh Garg who is present says that he has no objection to Mr. Soni representing Mr. Vijender Gupta while being the standing Counsel for North DMC. There is another Counsel appearing for North DMC.

Mr. S.K. Upadhyaya, Jt. CIT says that the board of Income Tax office, Range 35-36 has been removed from the pavement. Complainant says that the pavement after the removal of board is in state of disrepair. Mr. Upadhyaya states that he would have it attended to within a week. Notice is discharged.

It is considered expedient and in the interest of justice to issue notice to the Delhi State Presidents of all the Political Parties registered as National Parties in Delhi, since mostly it is their Legislators, Councillors and other leaders from these parties whose hoarding and posters are found, returnable on 10.1.2013 at 2.30 PM. Along with notice copy of the Outdoor Advertisement Policy as submitted by the North DMC be also sent inviting suggestions so that the menace of having hoardings, boards and advertisement on pavements, crossings and other obstructive places is curtailed and uniform guidelines are developed in his regard.

Notice may also be issue in this regard to the Chief Electoral Officer, Delhi, returnable on 10.1.2013 at 2.30 PM.

In the meantime, let the North, South and East Delhi Municipal Corporations take concerted action to ensure that there are no hoardings on the pavements, crossings and other obstructive hoardings.

Re-notify on **10th January, 2013 at 2.30 PM.**


Justice Manmohan Sarin

Lokayukta

Dated : 26.11.2012

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