

BEFORE THE HON'BLE LOKAYUKTA  
Justice Manmohan Sarin  
Complaint No. C-1754/Lok/2012

In Re:-

Complaint of sh. Rajesh Garg  
Against Sh. Raj Kumar Chauhan,  
Minister and Sh. Vijender Gupta  
MCD Councilor.

Present

1. Sh. Rajesh Garg Complainant in person.
2. Sh. Praduman Kumar Aggarwal, Advocate for DDA
3. Sh. V.K. Tondon Advocate for R-1.
4. Sh. Tapan Jha, Dy. Dir. Institutional Land  
DDA.
5. Ms. Mansi Gupta, Advocate for NDMC.

ORDER

Mr. Tapan Jha, Deputy Director, Institutional Land, DDA informs that pursuant to the orders of this forum dated 03.05.2013, the matter has been processed and the file has been put up before the Vice Chairman DDA today, since he was abroad and returned only yesterday. Directions from him are expected shortly.

During the course of hearing today, the Complainant sh. Rajesh Garg drew my attention to the Status Report dated 06.02.2013 filed by DDA supported by an affidavit sworn by shri Devesh Singh, Director (CL) of DDA. In sub para (g) of the said Status Report while commenting on R-11 and R-12, it has been stated

*"on perusal of the copies of the documents sent by Executive Engineer, ND-10, it revealed that the aforesaid copy of letter have never been issued by this office and there is no such type of records*

available in the file. Moreover, it has been found that both the Assistant Director and UDC who signed the lease deed were never posted in Industrial Branch during the period. In this regard letter dated 28.7.2010 and 18.7.2011 were also issued to Punjab Kesri to stop the illegal construction on the plot."

Though it is stated before me that the illegal construction and encroachment by the Media House "Punjab Kesri" had been removed, however what emerges from the Status Report apart from the then unauthorized construction by the Media House is the aspect of forged documents being used for the purpose of deception and cheating as is prima facie evident from the reply of the DDA itself referred to above.

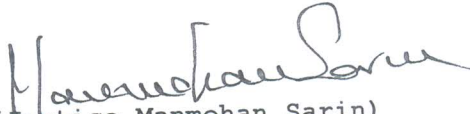
The Complainant submits that the 'Media House' has been perpetuating illegalities of encroachment and unauthorized occupation on account of the support it received from the 'public functionaries' who have been arrayed as respondents. Encroachment on the PWD Road, has since been removed by PWD following the observations made and the orders passed by this forum seeking action plans and status.

As regard the pending encroachment on DDA land, the decision of the vice Chairman DDA is expected shortly.

Let the question of use of forged documents to somehow justify the illegal construction and encroachment carried out on plot Nos. 3 and 4 as per the reply of DDA which prima facie discloses commission of cognizable offences under section 463

and 468 IPC, be also placed before the Vice Chairman,  
DDA for taking further action as warranted in law,  
including departmental action against the delinquent  
officials concerned, as necessary.

Relist the matter on 21<sup>st</sup> May, 2013 at 2.30 PM.

  
(Justice Manmohan Sarin)  
Lokayukta, Delhi

Dated 16<sup>th</sup> May, 2013

Pks