

**BEFORE THE HON'BLE LOKAYUKTA
Justice Manmohan Sarin**

Complaint No. C-1755/Lok/2012

In the matter of - Inquiry under Section 2 (b) (i) read with Section 7 of the Delhi Lokayukta and Upalokayukta Act, 1995.

Complaint received from one Sh. S.C. Bansal & Ors.

Informant

AND

In the matter of - Unauthorized construction being carried out in Rohini Section – 11, 16 & 17 with involvement and protection of Sh. Parvesh wahi, Councillor and Chairman, Rohini Zone.

AND

In the matter of - Inquiry under Section 2 (b) (i) read with Section 7 of the Delhi Lokayukta and Upalokayukta Act, 1995.

Present :-

1. Sh. S.K. Chauhan, EE (B) – II, Rohini Zone, North MCD.
2. Sh. Mohan Chandra, AE (B) Rohini Zone, North MCD.
3. Sh. Ramesh Chand Meena, JE (B) Rohini Zone, North MCD

A status report has been filed by Sh. S.K. Chauhan, EE (B) – II, Rohini Zone, North MCD, giving the details of the sanctioned area, existing area, compoundable and non compoundable areas. As per the complaint received in this office, these were cases of “on going construction”. This would make these constructions subsequent to 2007. Hence, it would appear benefit of provisions of Delhi Laws (Special Provision) Act, 2011, would not be available.

It is not possible for this forum to monitor cases of unauthorized construction. It is sufficient that if the attention of this statutory body i.e MCD is drawn to these unauthorized constructions.

Mr. Chauhan assures that he will take action in accordance with law in respect of the unauthorized constructions, which have been brought to his notice and would take the matter to its logical conclusion. On this statement, it is not necessary for this forum to devote any further time on this controversy.

In addition, similar action as required, would be taken in respect of unauthorized construction reported in property No. A2/134-135, A3/25-26 & F1/63-64, Sector – 11.

A significant question which arises for consideration is the role and obligation of the Municipal Councillor when large scale unauthorized construction takes place in his constituency. The Municipal Councillor is normally expected to be aware of happenings in his constituency. Is he to turn a blind eye to the on going unauthorized construction to oblige the constituents or he has a moral and legal obligation to prevent and stop such constructions. In the instant case, there has been on going construction in more than 50 properties.

Let notice issued to Sh. Pravesh Wahi, formerly Chairman of Rohini Zone, for his response on the above question, as to whether he has been fulfilling his responsibilities and duties as a Municipal Councillor and observing the norms of integrity and conduct expected of a Municipal Councillor, returnable on **02.08.2013 at 2.30 P.M.**

The Registry shall send to Mr. Wahi, copy of the complaint received, status report and final report filed by the EE (B) – II, Rohini Zone, North MCD together with a copy of this order.

Renotify the matter on **02.08.2013 at 2.30 P.M.**


(Justice Manmohan Sarin)
Lokayukta

Dated : 15.07.2013

r.a.