

BEFORE THE HON'BLE LOKAYUKTA
JUSTICE REVA KHETRAPAL
COMPLAINT NO. C-1706/LOK/2012

IN THE MATTER OF:

SHRI SAT PRAKSH RANA, MLA

.... COMPLAINANT

VERSUS

SHRI BHUPINDER GUPTA, COUNCILLOR

.... RESPONDENT

PRESENT:

1. Mr. Chetan Lokur, Advocate, Amicus Curiae.
2. Mr. Neeraj Aggarwal, Advocate for Urban Development Department, GNCTD.
3. Mr. Praduman Kumar Aggarwal, Advocate for Delhi Development Authority.

ORDER

1. By a communication dated 24-08-2012, a complaint on the letterhead of Shri Sat Prakash Rana, MLA, bearing File No. S. No.SPR-36-DLU/599/12, was received by this Forum, alleging that large scale unauthorized construction was being carried out of flats in respect of which he had also lodged report with the Delhi Municipal Corporation.

2. The grievance made was that while these flats were being built without any hindrance, ordinary members of the public who had built small residences here and there were being made to suffer the wrath of the Corporation. It was alleged that this was on account of the fact that these flats were being constructed with the connivance of the local Municipal Councillor, Shri Bhupender Gupta and the MCD officials. It was asserted that the roads were not wide and there was a scarcity of water, which would get further aggravated with the construction of the aforesaid flats. The local Corporator (the respondent herein) was alleged to be taking a bribe of ₹ 15 to 20 lakhs for each of the flats. Particulars of fourteen of these flats were set out in the complaint.
3. On receipt of the aforesaid communication purported to have been signed by the MLA, Shri Sat Prakash Rana, notice was issued to Shri Sat Prakash Rana, directing his presence in respect of the complaint and on his failure to enter appearance, bailable warrants were directed to be issued, pursuant to which Shri Sat Prakash Rana appeared in person on 03-10-2012, on which date his statement was recorded on oath before this Forum.
4. The complainant MLA in his statement on oath before this Forum stated that his letterheads were found missing

sometime back as also the seals of his office. He had duly lodged report with the police, but there was no breakthrough in the matter.

5. Since this was a case where the complaint was received on the letterhead of the MLA, Shri Sat Prakash Rana and the MLA categorically stated that he had not lodged any complaint and was not the author of the communication in question, the complaint against the respondent was not proceeded with by my learned predecessor. However, in view of the fact that the communication gave credible information which would require to be verified after inspection, my learned predecessor directed the Municipal Corporation of Delhi to submit a detailed status report and subsequently issued notices to the owners/occupiers of the properties mentioned in the complaint. It was furthermore directed that action be taken on the regularization applications submitted by some of the property owners/Residents Welfare Associations since regularization of unauthorized construction would lead to benefit of all concerned even when the protection under the Act was not available, more so, as these constructions were in an unauthorized colony entitled for regularization.
6. On 07-10-2016, an affidavit was filed of Shri S.P. Pathak, Commissioner (Planning), Delhi Development Authority, in

