

PUBLIC GRIEVANCES COMMISSION
(Govt. of NCT of Delhi)
M-Block, Vikas Bhawan, IP Estate, New Delhi – 110110
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Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 6th February, 2018

Complainant : **Sh. Lokesh Kumar,**
95, E-1, Sector-16,
Rohini, Delhi 110089

Respondent : **Deputy Commissioner (Rohini Zone),**
North DMC, Near Rajiv Gandhi Cancer Hospital,
Sector-5, Rohini, Delhi

Grievance No. : PGC/2017/MCD/324
Grievance filed on : 28.09.2017
First hearing in the PGC, : 14.11.2017
Scheduled on

1. Brief facts of the complaint

Sh. Lokesh Kumar filed a grievance in PGC on 28.09.2017 against a shop in Sector-17 Market, Rohini, Delhi named Sumit Handlooms, who has occupied 10 feet extra road space for his commodity to display, causing heavy traffic jam. Further, he alleged that the owner sell his items without any bill.

2. Proceedings in the Public Grievances Commission

The PGC has convened two hearings viz. one in the Board of Chairman, PGC on 14th Nov., 2017 and one in the Board of Member, PGC on 6th February, 2018. At the hearing held on 6th February, 2018 the following were present:

Complainant : Absent
Respondent : Shri Dinesh Kumar Sharma, ACP/PG/RB
ASI Kasa Ram, P.S. K.N.K.
Sh. Sushil Kumar, S.O., Rohini Zone
Sh. T.D.Joshi, Licensing Inspector, Rohini Zone

3. Relevant facts emerging during the hearing

3.1 At the last hearing held on 14th Nov. 2017, the directions of PGC were as follows :

The Commissioner, Department of Trade & Taxes is directed to take action against M/s Sumit Handloom Emporium, as per law and file an Action Taken Report before the Commission in the next hearing.

Smt. Raj Rani, Addl. Deputy Commissioner, Rohini Zone, North DMC is directed to conduct a survey of the market under reference and shall continue to take regular encroachment removal action.

The SHO, PS, K.N.Katju Marg shall ensure that there is no recurrence of encroachment once the area gets cleaned from encroachment by the Municipal Corporation.

3.2 During the hearing on 6th Feb., 2018 a report was submitted by SI Jitender Kumar, P.S. K.N.Katju Marg stating that the complainant Sh. Lokesh Kumar S/o Sh. Mohinder Singh, R/o 95, E-1, Sector-16 Rohini, Delhi filed a complaint alleging that in the market of Sector-17, Rohini the owner of Sumit Handlooms has occupied 10 feet extra road space for his commodity to display.

A case FIR No. 244/17 U/s 283 IPC Dt. 12/06/17 has been registered against the owner of Sumit Handloom namely Ram Sagar S/o Sh. Ram Bhajan R/o A-3/93, Sector-17, Rohini, Delhi.

As action against the alleged has already been taken under appropriate section of law, Beat staff has been briefed not to allow any encroachment. Accordingly, there is no encroachment. Besides it is assured that as and when any encroachment removal programme is fixed due police assistance will be provided to the land owning agency, no further action is required at this stage.

3.3 A Status / Action Taken Report was also submitted from Smt. Raj Rani, Addl. Dy. Commissioner, Rohini Zone, North DMC stating that it is constant process to remove the temporary encroachment from the footpath / public land of Sector-17, Rohini and also M/s Sumit Handloom, Sector-17, Rohini by the Licensing Department, Rohini Zone on regular basis in the every month along with Engineering & Health Department in the presence of Police Force provided by the concerned Police Station. Subsequently letters were also sent to the Station House Officer, K.N.Katju Marg Police Station with the request to kindly issue instructions to their beat officials accordingly, and to keep a strict vigil of the areas so cleared and not to allow re-encroachment.

***Sh. Sushil Kumar, S.O., Rohini Zone, North DMC** present during the hearing submitted a report stating that the said shop owner has been prosecuted for encroaching upon the govt. land besides the other shop keepers and it is a regular feature and encroachments drives are initiated from time to time.*

3.4 Neither any official was present from the Trade & Taxes Department nor was any status report submitted.

4. **Directions of the PGC**

4.1 The D.C., Rohini Zone is directed to consider prosecuting the shop keepers under shops & establishments Act who have been habitually encroaching upon the govt. land. ~~Such cases~~ ~~permissible such cases~~ be referred to the Court.

4.2 As informed by Police the criminal cases under appropriate acts have been registered but the shop keepers are in the habit of encroaching upon the govt. land. It is advised that all possible actions be initiated against the encroachers and staff be directed to ensure that no encroachment is allowed.

4.3 The case is closed at the level of PGC.

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19/2/18
(SUDHIR YADAV)
Member (PGC)

Copy to: 32297-302

1. Commissioner, North DMC, Dr. Shyama Prasad Mukherjee Civil Centre, Minto Road, New Delhi
2. Commissioner, Trade & Taxes Department, govt. of NCT of Delhi, Vyapaar Bhawan, IP Estate, New Delhi
3. Deputy Commissioner (Rohini Zone), North DMC, Near Rajiv Gandhi Cancer Hospital, Sector-5, Rohini, Delhi
4. DCP (Outer District), Delhi Police, Old Police Post, Pushpanjali Enclave, Road No. 43, Pitam Pura, Delhi – 110034
5. SHO, P.S., K.N.Katju Marg, Delhi
6. Sh. Lokesh Kumar, 95, E-1, Sector-16, Rohini, Delhi