

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: 8th January, 2018

Complainant : **Sh. Jalaluddin Ansari,**
E-49/J-88, Janta Colony, Near Subhash Park,
Gali No. 8, Delhi-110032

Respondent : **Deputy Commissioner,**
Shahadara North Zone,
East Delhi Municipal Corporation,
Near Shyam Lal College, Shahadara, Delhi -110032

Grievance No. : PGC/2017/MCD/317
Grievance filed on : 11.09.2017
First hearing in the PGC, : 30.10.2017
Scheduled on

1. Brief facts of the complaint

Sh. Jalaluddin Ansari filed a grievance in PGC on 11.09.2017 regarding unauthorized construction in property No. 1/11532, Gali No. 9, Subhash Park Extension, Shahadara, Delhi-32.

2. Proceedings in the Public Grievances Commission

The PGC has convened two hearings viz. one in the Board of Chairman, PGC on 30th Oct., 2017 and one in the Board of Member, PGC on 8th January, 2018. At the hearing held on 8th January, 2018 the following were present:

Complainant : Absent

Respondent : Sh. S.K.Katara, A.E. (B),
Shahadara North, East DMC

3. Relevant facts emerging during the hearing

3.1 At the last hearing held on 6th Nov.2017, the directions of PGC were as follows :

Shri S.D.Tomar, Executive Engineer (B) – II, Shahadara North Zone, East DMC is advised that all the illegal projections and the construction beyond the prescribed limit of 15

mtrs. in the property under reference are demolished, as per DMC Act, 1957, and submit an Action Taken Report (in duplicate) along with photographs to the Commission in the next hearing.

3.2 During the hearing on 08.01.2018 a status report from Sh. S.D. Tomar, was filed vide which it has been informed that the construction at the impugned site had been erected without the sanctioned building plan, therefore, the unauthorized construction had been booked vide file no. 243/UC/B-II/SH-N/2017 dated 24.07.2017. Show Cause Notice vide No. 243/UC/B-II/SH-N/2017 dated 24.07.2017, u/s 343 & 344 (1) of the DMC Act-1957, had been sent to Sh. Santosh Kumar, 1/11532, Gali No. 9, Subhash Park Extension, Shahadara, Delhi. As the owner / occupier had failed to comply with the directions of the show cause notice therefore, demolition orders had been passed by the area Assistant Engineer(Bldg.) on 31.08.2017.

That Work Stop Notice was also served to Sh. Santosh Kumar vide letter No. AE(B)-II/SH-N/2017/D-364 dated 18.07.2017 to stop the unauthorized construction work at impugned property. The copy of the work stop notice was also endorsed to SHO, PS-Welcome with request to get the unauthorized construction activity stopped and to remove construction material including tools and machinery from the site.

That demolition action on the impugned property was fixed on 15.11.2017 with the help of Police force. During demolition action, roof of top floor including chajja, wall and door had been demolished. Further demolition action will be taken as per the policy of the department.

4. Directions of the PGC

As informed by Mr. S.D.Tomar, Executive Engineer (B) – II, Shahadra North Zone that action as per the policy of the department is being taken. The complainant be informed about specific action taken in the matter by the MCD authorities and ATR be submitted to the Commission by 25.03.2018. Thereafter. the matter stands closed at the level of PGC.

S/D

19/2/18

Sudhir Yadav
(SUDHIR YADAV)
Member (PGC)

Copy to: 32315-318

- 1 Commissioner, East DMC, Udyog Sadan, Plot No. 419, F.I.E., Patparganj Industrial Area, Delhi- 110092.

- 2 Deputy Commissioner (Shahadara North Zone), Nigam Bhawan, Keshav Chowk, Near Shyam Lal College, Shahadara, Delhi – 110032.
- 3 Shri S.D.Tomar, Executive Engineer (B) - II, Shahadara North Zone, East DMC, Nigam Bhawan, Keshav Chowk, Near Shyam Lal College, Shahadara, Delhi - 110032
- 4 Sh. Jalaluddin Ansari, E-49/J-88, Janta Colony, Near Subhash Park, Gali No. 8, Delhi - 110032