

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: 17th May, 2018

Complainant : Sh. Ved Prakash
Respondent : District Magistrate (South West),
Grievance No. : PGC/2016/Rev./SW/55
Grievance filed on : 03.08.2016
First hearing in the PGC, : 14.09.2016
Scheduled on

1. Brief facts of the complaint

Sh. Ved Prakash filed a grievance in PGC on 03.08.2016 regarding unauthorized construction after encroaching upon the land on Road No. 126 in Village Jhatikara, Delhi.

2. Proceedings in the Public Grievances Commission

The PGC has convened 14 hearings since 14.09.2016 and during the last hearing held on 17th May, 2018 the following were present:

Complainant : Present
Respondent : Mahesh Dutt, Tehsildar (kapashera)

3. Relevant facts emerging during the hearing

3.1 In the last hearing held on 12th April, 2018, the directions of PGC were as follows :

SDM (Kapashera) is advised to take action in the matter as per the order of the Commission dated 06.03.2018 and submit an Action Taken Report on the next date of hearing.

3.2 Shri Mahesh Dutt, Patwari (Kapashera) is present in the hearing and he submitted a ATR signed by Ms Bhanu Prabha, SDM (Kapashera) stating that :

(i) Most respectfully, it is submitted before the Hon'ble Commission that the encroachments / illegal possession from Ph. No. 126 (Gram Sabha Rasta), situated in the extended abadi of Village Jhatikara, New Delhi were removed on 11.01.2018.

(ii) In this regard, it is pertinent to draw kind of the Hon'ble Commission that since very beginning the complainant is constantly raising issue of encroachment, falling in the old abadi area of the village which does not come within the jurisdiction of Revenue Department and there are also no land / revenue records such as dimensions (width-length etc.) pertaining to that area available with the department, so that the Revenue Department is not in position to remove the encroachments therefrom.

(iii) The extent of encroachment can be verified, only on the basis of the approved map/drawings etc. of the structures within the old Abadi area, of the village. In the absence of any certified public document / Govt. records clarifying the precise dimensions / size of the public rasta / street, in the old abadi area, the Revenue Deptt. (Kapashera Sub-Division) is unable to identify the encroachment and is hence, unable to demolish it.

(iv) In this regard, it is humbly submitted before the Hon'ble Commission that if Sh. Ved Prakash, complainant have any authorized records with regard to the width & length etc. of road, issued from any competent authority, whereon he states encroachment, the Hon'ble Commission is requested that he may be directed to provide the same to the Revenue Authority, so that the same will immediately be removed on the directions of the Hon'ble Commission.

4. Directions of the PGC

As per the directions of the Commission the ATR has been submitted by SDM (Kapashera) as stated in para 3.2 above.

Complainant is advised to submit the authorized records with regard to the width & length etc. of road, issued from any competent authority, whereon he states encroachment to the SDM (Kapashera), if any to proceed in the matter.

With the above directions the matter stands closed at the level of PGC.

(SUDHIR YADAV)
Member (PGC)

Copy to:

1. District Magistrate(South West), Revenue Department, Govt. of NCT of Delhi, Old Terminal Tax Building, Kapashera, New Delhi - 110037
2. Ms Bhanu Prabha, SDM (Kapashera), Revenue Department, Govt. of NCT of Delhi, Old Terminal Tax Building, Kapashera, New Delhi – 110037
3. Tehsildar (Kapashera), Revenue Department, Govt. of NCT of Delhi, Old Terminal Tax Building, Kapashera, New Delhi - 110037
4. Sh. Ved Prakash