

PUBLIC GRIEVANCES COMMISSION
(Govt. of NCT of Delhi)
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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: 29th May, 2018

Complainant : Dr. Vinay Bhasin
Respondent : Deputy Commissioner, Karol Bagh Zone, North DMC,
Grievance No. : PGC/2016/MCD/123
Grievance filed on : 05.09.2016
First hearing in the PGC, : 21.11.2016
Scheduled on

1. Brief facts of the complaint

Dr. Vinay Bhasin filed a complaint in PGC on 05.09.2016 stating that the builder has raised 05 storied illegal, unauthorized, dangerous RCC, RBC structure at Plot No. 1796, Wazir Singh Street, Chuna Mandi, Pahar Ganj, New Delhi. He has requested PGC to do the needful.

2. Proceedings in the Public Grievances Commission

The PGC has convened ten hearings since 21.11.2016 and in the last hearing held on 15th May, 2018 the following were present:

Complainant : Present
Respondent : Sh. S.K.Singhal, AE (B), Karol Bagh Zone

3. Relevant facts emerging during the hearing

3.1 At the last hearing held on 15th May 2018, the directions of PGC were as follows :

The Commission takes note of the submissions made by the complainant vide his representation dated 15.05.2018 (copy enclosed) and advises Sh. R.A.Goel, Asstt. Engineer present on behalf of respondent to examine the same and submit a report about the structural stability and safety of the building containing the norms / standard practice being followed for construction / renovation of such type of buildings as per DMC Act.

3.2 Sh. S.K.Singhal, AE (B) is present in the hearing and submitted a status report stating that in compliance of the orders of the Commission dated 22.05.2018 the shutters at the ground

floor, of the impugned property was got opened and the premises i.e. ground floor were inspected henceforth on 28.05.2018.

As per visual inspection, M.S. Columns at the ground floor were seen to have been erected over which M.S. Beams have been connected. The foundation has not been checked. A cursory perusal of the columns erected over the ground floor reveal that the same are centrally erected over the ground floor columns via which the loads of the structure get transferred to the foundation / soil.

Chapter – 2 of the UBBL-2016 envisages the procedure and documentation for sanction / completion of building plan. A copy of the same is enclosed herewith for ready reference please. The segment of the UBBL-2016 must also be read conjointly with section 333-345-A of the DMC Act, 1957.

After having given thoughtful consideration towards the structural safety of the structure, it is proposed that the IIT Delhi or any other institution be empanelled to assess the structural safety / stability of the existing structure. The cost for the same be borne by the complainant / occupiers.

4. Directions of the PGC

4.1 The complainant informed that despite of so many complaints against this property at the time of construction the cognizance of the same could not be taken..

4.2 A.E.(B) has informed that some portion of the building was booked for unauthorized construction. Demolition action may be taken against such violations as per DMC Act & Action Taken Report be submitted.

4.3 CVO, North DMC to enquire into the reason / circumstances, why no action was taken by the concerned Building Department staff of MCD and the building was allowed to be constructed and completed, when complaint has been lodged at the time when building construction started. On the complaint of Dr. Vinay Bhasin, the adjacent building was booked, as alleged, for unauthorized construction ignoring the construction being carried out at 1796, Wazir Singh Street. Not only this fact is indicative of dereliction in discharge of duties but is also willful negligence on part of MCD officers. It would be appropriate if an enquiry is conducted by the Vigilance and action is taken

against the erring officials posted in the area, at that time and a report be submitted to this Commission for information / record.

With the above directions in the matter the case stands closed at the level of PGC

**(SUDHIR YADAV)
Member (PGC)**

Copy to:

1. Commissioner, North DMC, Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi
2. CVO), North DMC, Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi
3. Deputy Commissioner (Karol Bagh Zone), North DMC, Near Khalsa College, Anand Parvat, Delhi
4. Executive Engineer (Building)-I, Karol Bagh Zone, North DMC, Near Khalsa College, Anand Parvat, Delhi
5. AE (B), Karol Bagh Zone, North DMC, Near Khalsa College, Anand Parvat, Delhi
6. Dr. Vinay Bhasin