

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: 29th Aug., 2018

Complainant : Sh. Daya Ram Sori,
Respondent : Deputy Commissioner (West
Zone), SDMC,
Grievance No. : PGC/2017/MCD/184

1. Brief facts of the complaint

Sh. Daya Ram Sori has filed a grievance in PGC on 27.02.2017 against officials of West Zone, SDMC for not taking action on his complaint regarding encroachment on public land.

2. Proceedings in the Public Grievances Commission

The PGC has convened eleven hearings since 12.04.2017 and at the last hearing held on 29.08.2018 the following were present:

Complainant : Present
Respondent : Sh. A.K.Gupta, AE (B),

3. Relevant facts emerging during the hearing

3.1 Shri A.K.Gupta, Asstt. Engineer (B), West Zone, SDMC is present in the hearing and submitted a report stating that the demolition squad and police force reached at site on 30.07.2018. A lock breaking notice was also served upon the owner / occupier to enable the SDMC to take action of demolition if the property is found locked. The property was locked and the lock was broken, which was resulted into strong opposition / protest by the owner. Finally, the owner agreed to demolish the unauthorized construction by himself, therefore, the demolition squad and police force returned to the office.

Again a demolition programme was fixed for 14.08.2018. AE himself alongwith demolition squad and police officials reached at site to take demolition action but the owners of the flat Nos. AG-1/120B, AG-1/120C & AG-1/120D, Vikas Puri gave undertakings that they will remove the extended portion / RCC projection by themselves within 30-45 days, so the action could not be executed.

The owner of flat No. AG-1/120A, Vikas Puri has himself removed the encroachment which was existing in the shape of almirah / cup board.

3.2 The complainant Sh. Daya Ram Sori submitted a copy of information furnished in RTI by Executive Engineer (B)-II, West Zone, SDMC stating that 11 properties were booked for illegal construction between 01.01.12 to 16.07.12 in AG-1 Block, Vikas Puri. He further stated that only action has been taken against his flat i.e. AG-1/121B, leaving all other properties untouched. It was selective action with a malafide intention. Considering the allegations of selective / bias action, it may be appropriate to examine and to enquire into the facts and circumstances and based on the outcome of the enquiry, action against the concerned officials be initiated.

3.3 Pursuant to the complaint / grievance of the complainant MCD has taken action against some of the properties, numbering AG-1/122, A,B,C,D. Further on the directions of the MCD authorities the owner / occupants of AG-1/120A has removed the unauthorized encroachment and remaining 3 have submitted an undertaking stating that they will remove the unauthorized encroachment / construction within a period of one month. From the photograph made available to the Commission by the complainant Sh. Daya Ram Sori it is evident that the unauthorized constructions are spread in full AG-1 block, Vikas Puri. Since there cannot be selective action / preferential treatment, it would

be appropriate for the Deputy Commissioner (West Zone) to get the area surveyed for unauthorized construction / encroachment on public land and action against the properties which has violated the DMC Act be taken up so that there is fair treatment to all the residents and to put a stop on unauthorized construction / encroachment on public land.

4. Directions of the PGC :

Dr. Puneet Goel, Commissioner, SDMC is advised to take note of the para 3.2 and 3.3 above and issue necessary directions to the concerned i.e. CVO, SDMC and Deputy Commissioner, West Zone, SDMC for taking necessary action in the matter as well as survey of the entire area and take action accordingly.

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

(SUDHIR YADAV)
Member (PGC)

Copy to:

1. Dr. Puneet Goel, Commissioner, South Delhi Municipal Corporation, 9th Floor, Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi-110002
2. Sh. Mangesh Kashyap, CVO, SDMC, Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi – 110002
3. Sh. Aman Gupta, Deputy Commissioner (West Zone), SDMC, Community Centre, Vishal Enclave, Near Rajouri Garden Police Station. Delhi-110027
4. Sh. A.K.Gupta, AE(Building-II), West Zone, SDMC, Community Centre, Vishal Enclave, Near Rajouri Garden Police Station, New Delhi – 110027
6. Shri Daya Ram Sori