

**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:** 29<sup>th</sup> January, 2018

Complainant : **Sh. Nikhil Bhardwaj**,  
R/o 70-B, Street No. 5, Rashid Market,  
Delhi - 110051

Respondent : **Deputy Commissioner (Shahadara South Zone)**,  
EDMC, Zonal Office Building,  
Karkardooma, Delhi - 110032

Grievance No. : PGC/2017/MCD/321

Grievance filed on : 27.09.2017

First hearing in the PGC,  
Scheduled on : 20.11.2017

**1. Brief facts of the complaint**

Sh. Nikhil Bhardwaj has filed a complaint in PGC regarding illegal construction done by the owner by constructing BACHA FLAT at parking space whereas in the sanctioned MAP by EDMC there is no flat at parking area, and not even this, he is using the flat for commercial activity by selling plastic bags / polythene (Ban items). The complainant has requested for necessary action in the matter.

**2. Proceedings in the Public Grievances Commission**

The PGC has convened two hearings viz. one in the Board of Chairman, PGC on 20<sup>th</sup> Nov., 2017 and one in the Board of Member, PGC on 29<sup>th</sup> January, 2018. At the hearing held on 29<sup>th</sup> January, 2018 the following were present:

Complainant : present

Respondent : Sh. Sanjeev Bhatuja, Shahadara South Zone

**3. Relevant facts emerging during the hearing**

3.1 At the last hearing held on 20<sup>th</sup> Nov.2017, the directions of PGC were as follows :

*Deputy Commissioner (Shahadara South) is advised to get the illegal construction in the form of flat demolished as per law. He shall also ensure the presence of the concerned representative from the office of EDMC with an Action Taken Report on the next date of hearing.*

3.2 During the hearing on 29.01.2018, as no action has been taken by the EDMC till date it was directed that the AE concerned should make a site visit and see the physical position about encroachment and give a factual report on the next date of hearing i.e. 01.02.2018. Deputy Commissioner (Shahadara South) is directed to ensure that the officers well conversant with the factual position of the case should be present personally with detailed report during the course of hearings at PGC.

3.3 Keeping in view the slow action by the EDMC a short date was given to comply with the orders i.e. 01.02.2018. During the hearing on 01.02.2018 an Action Taken Report was submitted by AE (B)-I stating that the concerned property has been inspected by the area JE(B) on 31.01.2018 and found that this property consists of stilt, ground floor, first floor, second floor & third floor constructed after getting a building plan sanctioned vide file no. 129/B/Shah(S) dated 28.05.2012.

*That, unauthorized construction in the shape of room at Stilt floor has been carried out in the stilt floor. The same is actionable as per provision of DMC Act, since use of the stilt is meant for the parking only.*

*That the property regarding unauthorized construction has been booked vide booking file no. 44/B/UC/SS/18 dated 31.01.2018 and action will be taken accordingly.*

**4. Directions of the PGC**

As directed the AE(B) has booked the property under the provisions of DMC Act. Sh. Sanjeev Bhatuja, AE (B) – I is directed to take further action in the matter and an action taken report be submitted to the Commission. The case is closed at the level of PGC.

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(SUDHIR YADAV)  
Member (PGC)

062-18

**Copy to:**

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2. Deputy Commissioner (Shahadara South Zone), EDMC, Zonal Office Building, Karkardooma, Delhi – 110032
3. A.E. (B)-I, Shahadara South Zone, EDMC, Zonal Office Building, Karkardooma, Delhi - 110032
4. Shri Nikhil Bhardwaj, 70-B, Street No. 5, Rashid Market, Delhi - 110051