

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 21st June , 2018

Complainant : Sh. Shekhar Bhandari
Respondent : District Magistrate (North)
Grievance No. : PGC/2015/Rev./NH/634
Grievance filed on : 09.09.2015
First hearing in the PGC, : 26.10.2015
Scheduled on

1. Brief facts of the complaint

Sh. Shekhar Bhandari filed a grievance case in PGC on 09.09.2015 stating that a water part with name "Just chill" adjacent to Motel Sydney Grand, on main GT Road has come up in agricultural land of Village Singhola under jurisdiction of District North, Revenue Department. The complainant has alleged that the aforementioned construction is in some of his land. Despite several visits to the office of SDM (Alipur), there has been no action. The complainant apprehended that this is because the revenue and Municipal officials are in connivance with the accused party. In this regard, his representative filed a complaint with SHO, Alipur, who addressed a letter to SDM (Alipur), seeking report on encroachment of his land, by water park and motel, after having a joint inspection by police and Revenue Department. For reasons best known to SDM, the request from Police is pending in his office for more than 6 months and no action has been taken despite requests and visits by the representative of complainant to the office of SDM (Alipur). He has requested for action, as per law u/s 81 of DLR Act, 1954 and under DMC Act, 1957 for unauthorized borewells in the water park. The SDM is required to respond to the letter from Delhi Police, under intimation to complainant.

2. Proceedings in the Public Grievances Commission

The PGC has convened 16 hearings in the case and the latest hearing was held on 21.6.2018 wherein the following were present:

Complainant : Absent
Respondent : Sh. Manoj Kumar Ambasta, C.O.(Alipur)
O/o. DM North, Revenue Deptt. GNCTD.
Shri Krishan Kumar, Kanoongo
O/o SDM, Alipur.

3. Relevant facts emerging during the hearing :

3.1 On the last hearing held on 17.5.2018, the Commission advised DM(North), GNCTD to look into the matter at his level and apprise the Commission of the outcome of the meeting.

3.2 The complainant has not attended the last two hearings in the Commission.

3.3. An ATR has been filed by Consolidation Officer (Alipur), O/o. DM (North), Revenue Department, GNCT of Delhi stating that *“representative of the “Just Chill” water park has submitted the approval of MCD layout plan of the water park, copy of previous demarcation done on 5.11.2008 and copy of approval of DJB for borewell.*

This Department has previously intimated vide its letter dated 4.7.2017 and 26.5.2017 that the matter has already been taken up with Higher Authorities and as per direction, this Office had sought clarification/legal opinion from the Ld.Advocate on Record (AOR) vide this office letter dated 4.5.2017 regarding carrying out demarcation / earmarking of private holding / Govt. holding as per consolidation scheme of the Village Singhola during pendency of an SLP by which a status of scheme is being contested by the two parties of village and in order to avoid any contempt proceedings by the Hon’ble Court.

In view of the above, the demarcation of the said land can only be done after direction of any Competent Authority to avoid any contempt proceedings by the Hon'ble High Court."

3.3 Consolidation Officer (Alipur), Revenue Department, informed that demarcation has already been done in 2008. The owners of water park "Just Chill" claims that this land belongs to them and if the complainant, Shri Shekhar Bhandari has any dispute in this regard, fresh demarcation can be conducted by the complainant at his own cost. A request can be made to the Land Authorities in this regard.

3.4 Correction at para 3.5 of the hearing order dated 17.5.2018 of the Commission be made since Shri Shekhar Bhandari and Water Park are two different entities and they are party to the dispute.

4. Directions of the PGC

4.1 In view of the observations made in the Action Taken Report by the Consolidation Officer (Alipur), Revenue Department and submissions of CO (Alipur), the case of the complainant is closed in PGC.

(SUDHIR YADAV)
Member (PGC)

Copy to:

1. Divisional Commissioner, Revenue Department, Govt. of NCT of Delhi, 5- Sham Nath Marg, Delhi – 110054.
2. District Magistrate (North), Revenue Department, Govt. of NCT of Delhi, GT Karnal Road, Alipur, Delhi – 110036.
3. LAC (North), Revenue Department, Govt. of NCT of Delhi, GT Karnal Road, Alipur, Delhi – 110036.

4. Dy. Secretary, Land & Building Department, Govt. of NCT of Delhi, A-Block, Vikas Bhawan, New Delhi.
5. SDM (Alipur), Revenue Department, Govt. of NCT of Delhi, GT Karnal Road, Alipur, Delhi – 110036.
6. Tehsildar (Alipur), Revenue Department, Govt. of NCT of Delhi, GT Karnal Road, Alipur, Delhi – 110036.
7. Sh. Shekhar Bhandari