

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: 20th Mar., 2019

Complainant : Col. G.S.Gujral
Respondent : Deputy Commissioner (South
Zone), SDMC
Grievance No. : PGC/2013/MCD/1189

1. Brief facts of the complaint :

Col. G.S.Gujral (Retd.) had filed a grievance in this Commission regarding illegal construction / encroachment on ground floor and terrace of H.No. A-421, Defence Colony, New Delhi in 2013 which was reopened in 2016 and orders were passed to the concerned civic agency. After satisfactory action in the matter by the civic agency, the matter was closed again in 2016 with the directions to SHO, P.S. Defence Colony to take action against persons who are causing obstruction to the complainant in repair of the gate which is within his legal rights. Again on 14th Jan., 2019 the complainant approached this Commission and informed that no action is found taken on the PGC order dated 20.05.2016

2. Proceedings in the Public Grievances Commission :

After reopening the case, PGC has convened first hearing in the matter on 20.03.2019 and the following are present:

Complainant : Present
Respondent : Sh. M.Idrees Khan, A.E.

3. Relevant facts emerging during the hearing :

Shri M.Idress Khan, Asstt. Engineer(B) is present in the hearing and submitted a status report stating that :

(i) There is long standing dispute between petitioner and other owner of the property. As per previous reports, the

complainant Col. G.S.Gujral (Retd.) is claimant of first and second floor, whereas Smt. Manoramaa Khanduja is claimant of ground and third floor. Both are senior citizens. It has been given to understand that Smt. Manorama Khanduja has since expired.

(ii) The building plan in respect of the said property was sanctioned only for ground floor. Both the above named noticees were not able to present any sanctioned plan in respect of the additional structure i.e. first, second and third floor. Since above named persons failed to get their dispute settled, the respondent / SDMC was left with no option but to initiate demolition proceedings u/s 343 of the DMC Act on 03.02.2014 for deviations against the sanctioned plan at ground floor and unauthorized construction on first, second and third floor.

(iii) The demolition order stands passed. The execution of demolition order would harm the above named petitioner more than the owner of ground floor since his floors i.e. first and second are absolutely unauthorized.

4. Directions of the PGC

Sh. M.Idrees Khan, Asstt. Engineer (B), Central Zone, SDMC is directed to take necessary action in the matter as per the provisions of the DMC Act and govt.'s instructions on the subject, within one month's time. An Action Taken Report in the matter be submitted to this Commission by 30th April, 2019.

With the above directions, the matter stands closed at the level of this Commission.

(ASHOK KUMAR)
CHAIRMAN

No. PGC/2018/MCD/61/

Dated:

Copy to:

1. Sh. M.Idrees Khan, A.E. (B), Central Zone, SDMC, Near Jal Sadan, Shiv Mandir Marg, Lajpat Nagar, New Delhi -24
2. Col. G.S.Gujral(Retd.)