

**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: 18 Feb., 2019

Complainant : Sh. Shamim  
Respondent : Deputy Commissioner (South  
Zone), SDMC  
Grievance No. : PGC/2017/MCD/195

**1. Brief facts of the complaint :**

Sh. Shamim filed a grievance in this Commission on 08.03.2017 regarding unauthorized construction and encroachment at plot No. 197, Hauz Rani, Malviya Nagar, New Delhi. In the hearing on 02.05.2018 directions were issued to Ex. Engineer(M-II), South Zone, SDMC and SDM (Hauz Khas) and the case was kept in abeyance. Vide his application dated 19.06.2018 the complainant again approached the Commission and requested to continue the hearing as the directions of the PGC are not complied with by the departments.

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

The PGC has convened fourteen hearings in the matter so far and in the hearing held on 18.02.2019, the following are present:

Complainant : Present

Respondent : Sh. Lokesh Yadav, JE (B)

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

3.1 Shri Lokesh Kumar Yadav, Jr. Engineer (B), South zone is present in the hearing and submitted a status report stating that in order to execute demolition order, action was planned and fixed for 13.02.2019 and after obtaining police force the officials of South Zone reached at impugned site. There was a huge gathering of agitated mob, comprising a large portion of ladies, to

oppose the move. The available police force failed to cope with the situation. Thereafter, the Addl. SHO reached at site and tried to pacify the agitating mob but all in vain. Ultimately, the police authority had suggested that the action, without any hindrance can only be materialized upon availability of outer force and thus the action was called off.

3.2 In the meantime complainant approached the Hon'ble High Court of Delhi for implementation of this Commission's orders for demolition of unauthorized construction and the Court after perusal of the records has ordered that correct course of action in this matter would be to dispose of the writ petition of Sh. Mohd. Shamim giving him the liberty to approach the STF with his grievance in accordance with policies and orders laid down in the writ petition made.

3.3 The owners / occupiers of the properties in the area also gathered in this Commission at the time of hearing and requested to take a sympathetic view in the matter as they also made allegations against the complainant saying that he has made their life miserable by making complaints here and there.

#### **4. Directions of the PGC**

4.1 Complainant is directed to take up the matter with STF, as directed by Hon'ble High Court of Delhi, for further necessary action in the matter.

4.2 Shri Manish Huria, Asstt. Engineer (B), South Zone is directed to take action on the unauthorized construction side by side, as per DMC Act and submit a report to this Commission.

4.3 SHO, P.S. Malviya Nagar is advised to provide all necessary help to the officers of SDMC, in the instant matter.

(ASHOK KUMAR)  
CHAIRMAN

No. PGC/2017/MCD/195/

Dated:

Copy to:

- 1 Sh. Sunil Gehlot, Executive Engineer(M)-II, South Zone, SDMC, Gulmohar Park, New Delhi – 110049, Opp. C-7, Gulmohar Park (ph. No. 9717787740)
- 2 Sh. Manish Huria, Asstt. Engineer (B), South Zone, SDMC, Zonal Office Building, Aurobindo Marg, Green park, Near Uphar Cinema, New Delhi – 110017 (ph. No. 9717788197)
- 3 Sh. Rajesh Dalal, SHO, P.S. Malviya Nagar, New Delhi - 110017
- 4 Sh. Shamim