

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: 14th May, 2019

Complainant : Sh. Sanjay Dayal
Respondent : Deputy Commissioner
(CSP Zone), North DMC,
Grievance No. : PGC/2019/MCD/26

1. Brief facts of the complaint

Sh. Sanjay Dayal vide DRTI application dated 05.09.2018 has sought information on total 4 counts. He did not receive any information from the Competent Authority i.e. Deputy Commissioner (City SP Zone), North DMC. Aggrieved by the same, he filed an appeal before the Appellate Authority, Public Grievances Commission under Section 7 of DRTI Act – 2001. During the hearing on 04.04.2019 of appeal in this Commission the following decision was passed:

“It appears that the Competent Authority has provided satisfactory information in respect of the queries of the appellant. Therefore, the present appeal case is ordered to be closed before the Appellate Authority / PGC.

However, from the photographs submitted by the appellant vide his representation dated 02.04.2019; it appears that the shopkeeper has encroached upon public land and this issue requires further investigation. It is, therefore, ordered that this case may be transferred to the grievance Branch for taking up this case as a grievance matter. The earlier complaint file mentioned above may also be clubbed alongwith this file.”

Hence this case is fixed for regular hearing as a grievance case.

2. Proceedings in the Public Grievances Commission

The PGC has convened first hearing in the matter on 14.05.2019 and the following are present:

Complainant : Absent
Respondent : Sh. Nitesh Gupta, AE(M)
City SP Zone

3. Relevant facts emerging during the hearing

3.1 Sh. Nitesh Gupta, AE(M), City SP Zone is present in the hearing and submitted a Status Report stating that

“the grievance of the complainant is mainly regarding license issued by the Health Department to Property Nos. 829 GF, Pan Mandi, Sadar Bazar and 2733, Sadar Thana Road. The Health Department, CSP Zone has already replied vide letter dated 03.04.2019 that both the shops have valid license. However, the issue of encroachment in Shop No. 2733, Sadar Thana Road was also raised by the appellant. The representative of Health Department submitted that the issue pertains to Maintenance Branch. However, it was also informed that this case has already been heard in the Commission vide Case No. PGC/2017/MCD/223 filed by one Sh. Rinku and the grievance case was closed in the Commission vide order dated 14.11.2017.

Now, this issue has been again raised by Sh. Sanjay Dayal in present case. The Commission has directed for a detailed and comprehensive Action Taken Report indicating whether the subject of grievance has been resolved or any reasons why it has remained unresolved.

In this regard, it is stated that the department had earlier submitted a detailed report vide which it was reported that as per site inspection the property under reference was found in line with the properties along Sadar Thana Road and there was no encroachment. Accordingly, the grievance case was closed by

the Commission. Copy of order dated 22.11.2017 by the PGC is also enclosed with the Status Report.”

3.2 The complainant marked his attendance in the file but owing to some personal reasons could not attend the today's proceedings.

4. Directions of the PGC

Action as deemed fit, in the matter has already been taken by the department on the earlier orders of this Commission and the Health Licenses issued by the department to two shops, are valid.

The matter stands closed at the level of this Commission.

(ASHOK KUMAR)
CHAIRMAN

No. PGC/2019/MCD/26

Dated:

Copy to:

1. Sh. A.Gopikrishnan, Deputy Commissioner, City SP Zone, North DMC, Old Hindu College Building, Kashmere Gate, Delhi – 110006
2. Sh. Sanjay Dayal