

**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**

Grievance No.PGC/2016/Rev./SW/21      Date of hearing:11.07.2019

Complainant                   :   Sh. Kuldeep & Sh. Mange Ram, Present.

Respondent                    :   District Magistrate (South West), GNCTD  
Through Sh. Rakesh Kumar,  
Kanungo,  
Sh. Narendra Singh, EA(A)  
O/o. BDO(SW).

Shri S.C. Rohilla,A.E., I&FC, CD-XIII

Shri Shivjee Ram J.E. - Present.

1.       **Brief facts of the case.**

1.1       Shri Kuldeep and Shri Mange Ram has filed a grievance in PGC on 10.2.2016 against illegal cultivation in gram sabha land bearing Khasra no.105/19/2 and 10/21, 22, 23 and for non-action by the respondent department to retrieve gram sabha land.

2.       **Facts emerged during the proceedings.**

2.1       Shri Rakesh Kumar, Kanungo, present today on behalf of Sub-Divisional Magistrate(Najafgarh) filed an action taken report and the same is taken on record. He stated that construction of boundary wall of Khasra No.105//22, 23 has been started by the Irrigation & Flood Control Department and shall be completed soon.

2.2       Shri S.C. Rohilla, Assistant Engineer, representing Irrigation and Flood Control Department stated that work of construction of boundary wall

on the above Khasras is almost complete and only the finishing work remains which would be completed shortly. The complainant also confirmed it and expressed his satisfaction over the action taken by the Irrigation & Control Department with regard to construction of boundary wall in the said Khasras.

2.3 With regard to directions of this Commission to take necessary legal action for using Khasra No.105/23 for cultivation purpose without permission, Shri Rakesh Kumar, Kanungo, stated that SHO, Jaffarpur Kalan has been requested to verify the same. A report is awaited from the SHO in the matter.

2.4 The Commission opines that it is the responsibility of the Revenue Department, being the custodian of the Gram Sabha Land, to take initiative to identify such violators/verify the facts. The police can only provide the necessary assistance including protection to the Revenue officials in carrying out such exercise.

### **3. Directions:**

3.1 In view of the action taken by the Irrigation & Flood control Department by constructing a boundary wall on Khasra No.105//22,23 the case of the complainant stands closed in this Commission.

However, Shri Rahul Singh, District Magistrate (SW), GNCTD, is advised to look into the matter personally and direct Sub-Divisional Magistrate (Najafgarh) to verify as to who has cultivated Gram Sabha Land or used Khasra No.105/23 for cultivation purpose without permission of the Revenue Department. Necessary legal action should be taken including lodging of an FIR after the concerned person(s) are identified and prima facie, the cultivation or use of land for private purposes is established.

A status report be sent to the Commission within two weeks from the date of issue of this order.

3.2 SHO, P.S. Jaffarpur Kalan, is advised to provide necessary police assistance to SDM(Najafgarh) in this particular matter as and when required. However, police should confine its role to protection to Revenue staff or to prevent any law & order or any other untoward situation.

( SUDHIR YADAV )  
MEMBER (PGC)

No.PGC/2016/Rev./SW/21

Dated:

1. Sh. Rahul Singh, District Magistrate (South West), Revenue Department, Govt. of NCT of Delhi, Old Terminal Tax Building, Kapashera, New Delhi.
2. Shri S.K. Gupta, SDM (Najafgarh), Revenue Department, Govt. of NCT of Delhi, SDM Office complex, Tura Mandi, Najafgarh, New Delhi.
3. Sh. Nagendra Pratap Maurya, Executive Engineer, CD-XIII, Irrigation & Flood Control Department, GNCT of Delhi, Basai Dara Pur, Opp. ESI Hospital, New Delhi-110027.
4. SHO, Police Station Jaffarpur Kalan, Najafgarh, Delhi.
5. Sh. Kuldeep,
6. Sh. Mange Ram