

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: 01st & 5th Aug., 2019

Complainant : Sh. Kamal Kishore,
Respondent : Deputy Commissioner (Karol
Bagh Zone),
North DMC
Grievance No. : PGC/2018/MCD/23

1. Brief facts of the complaint

Shri Kamal Kishore had filed a grievance in PGC regarding encroachment and unauthorized / illegal construction on public land by land mafia/property dealers between House No. 11018 & 11021 and House No. 11028 to 11031 at WEA, Sat Nagar, Karol Bagh, which was meant for a park as several iron grills and pillars were there on the land.

2. Proceedings in the Public Grievances Commission

The PGC has convened thirteen hearings in the matter so far and in the hearing held on 01.08.2019, the following are present:

Complainant : Present
Respondent : Sh. Suraj Prakash, AE (B)
Sh. Chaman Lal, AE (M)-II
Ms Shakuntla, S.O., L & DO

And on 05.08.2019 Sh. Chaman Lal Asstt. Engineer (M), Karol Bagh Zone was present.

3. Relevant facts emerging during the hearing :

3.1 During the last hearing in the Commission i.e. on 18.07.2019 it was recommended that :

“Sh. Chaman Lal, Asstt. Engineer (M) & Sh. Suraj Prakash, Asstt. Engineer (B), Karol Bagh Zone, present in the today’s hearing in the Commission are advised to give a personal hearing to the affected parties, scrutinize the documents of ownership, if any, in possession of the affected parties and give a report to the Commission by 25.07.2019. After that the affected parties will be heard in the Commission on 01.08.2019. Both the Asstt. Engineers should be present in the Commission on 01.08.2019.

Sh. Rajeev Kumar, Dy. L & DO is also advised to be present on 01.08.2019 in the Commission alongwith a report about the status of land in question as PGC is hearing the matter as per the directions of the Hon’ble High Court of Delhi and your presence is necessary to know the correct position.”

3.2 Sh. Chaman Lal, Asstt. Engineer (M), Karol Bagh Zone submitted his report dated 25.07.2019 stating that

“A notice dated 22.07.2019 was sent to the following occupiers of land in 5A, WEA Sat Nagar between properties No. 11018 & 11020 and 11028 & 11031

Smt. Meera Devi & jai Shree – R/o H.No.11030

Smt. Tulsia

Smt. Vidhya Devi-R/o H.No. 11030

Sh. Sunil Kumar & lekh Raj- R/o H.No.11029

Sh. Sonu Kumar

Devendra Kumar-R/o H.No.11032

Ganpat Lal-R/o 11019

Chetan Anand

Jagdish Occupier of locked property

Gaurav-R/o 11020

Tirath Ram- R/o 11033 & Tara Devi- R/o 11032

Jyoti

to submit the ownership documents in the form of any allotment letter from L&DO or DDA & any registry of land in question kindly submit the same on 24.07.2019 upto 03.00 P.M. in the office of EE(M-I)/KBZ, North Delhi Municipal Corporation Office, Road No.34, Opp. Fire Station, Moti Nagar, Karol Bagh Zone, New Delhi

- 110015 so that the matter of encroachment of Govt. land in block 5A, WEA Sat Nagar, may be sorted out as early as possible. But till today nobody has turned up and no document of ownership submitted to the office of the undersigned.

In view of the above it is clear that they don't have any ownership documents in the form of any allotment letter from L &DO or DDA & any registry of Govt. land in 5A, WEA, Sat Nagar between properties No. 11018 & 11020 and 11028 to 11031. It means they have illegally encroached by unauthorized construction on this Govt. land in question.”

3.3 In compliance of the directions of Hon'ble High Court of Delhi in Writ Petition No. 6860/2019 bearing title Lekh Raj & Ors. Vs Union of India wherein it was directed that the party complained against should be given a chance to make a representation before the Public Grievances Commission against the proposed demolition, the main petitioner in the High Court case i.e. Sh. Lekh Raj was contacted telephonically to provide a list of aggrieved persons who need to be heard. He submitted a list and accordingly, notices were issued to the persons mentioned in the list to appear before the Commission on 01.08.2019 at 2 p.m. along with the ownership proof of the documents, if any in their possession.

Sh. Rajender
Smt. Rekha, W/o Late Sh. Chetan
Sh. Udhya Chand / Uday Chand
Ms Padma Devi
Sh. Lila Ram
Sh. Daulat Ram
Ms Kamla Devi
Ms Maya Devi
Ms Meera Devi
Ms Tulsia Devi
Ms Bhagwati
Ms Vidhya Devi
Sh. Ganpat Lal
Sh. Lekh Raj

In response to the notices, following individuals attended the Commission whose statements were recorded in the presence of Sh. Chaman Lal, AE (W), Sh. Suraj Prakash, AE(B), Karol Bagh Zone and Ms Shakuntala, Superintendent, L&DO, Govt. of India.

Sh. Kuldeep Kumar, S/o Sh. Uday Chand
Sh. Ganpat Lal
Smt. Maya Devi
Sh. Lekh Raj
Smt. Vidya Devi
Sh. Leela Ram
Smt. Tulsia Devi & Smt. Jaishree d/o Smt. Meera

Some of them had produced certain documents like Aadhar Card, House Tax receipts and some of them were not having even any of such documents and requested for another date. Their request was acceded to and they were asked to produce the same on 05.08.2019 at 04.00 p.m.

Asstt. Engineer Sh. Chaman Lal had also submitted a report on 25.07.2019 wherein 12 persons were given notices to submit the ownership proof. The lists provided by Sh. Chaman Lal & Sh. Lekh Raj were not tallying with the names provided by the L&DO in their inspection report, who have occupied the land in question.

It was decided that we should send further notices to the names left out from the list of L&DO. Accordingly, notices were sent to the following to appear before the Commission on 05.08.2019 at 04.00 p.m. along with the ownership documents of property.

Sh. Chetan Anand
Sh. Jagdish
Sh. Sunil Kumar

Smt. Bhagwati r/o 5A 11020, Gali No. 9, Sat Nagar, Karol Bagh was served a notice to appear before the Commission on 01.08.2019 but she did not appear. Another notice was issued to her to appear before the Commission on 05.08.2019 at 4 p.m.

3.4 On 05.08.2019 the following individuals appeared before the Commission and their statements were recorded :

1. Ms Padma Devi
2. Ms Kamla
3. Ms Maya
4. Sh. Kuldeep Kumar
5. Sh. Ganpat Lal
6. Sh. Lekh Raj
7. Ms Rekha Anand

Some of them submitted a few documents like Aadhar Card, Pan Card or Property Tax records etc. but none of them could produce any document which could prove their ownership / lease rights on the piece of land in their possession.

3.5 It is evident that during the proceedings held in the Commission on 01.08.2019 & 05.08.2019 all the occupants of land in between plot Nos. 11018 to 11021 (in between property No. 158 & 159 as per L & DO numbers) and 11028 to 11031 (in between property No. 118 & 119 as per L & DO numbers), 5 A Sat Nagar, listed below, as per the details provided by the L & DO vide their survey report dated 10.06.2019 were given an opportunity to be heard **except Sh. Jagdish owner of locked property occupying land in between plot No. 118 & 119 (L&DO's Numbers).**

- (i) Sh. Ganpat, occupying land in between plot No. 158 & 159 (L&DO's Numbers)
- (ii) Sh. Chetan Anand, occupying land in between plot No. 158 & 159 (L&DO's Numbers)
- (iii) Smt. Meera, occupying land in between plot No. 118 & 119 (L&DO's Numbers)
- (iv) Smt. Tulsaa, occupying land in between plot No. 118 & 119 (L&DO's Numbers)
- (v) Smt. Vidhya, occupying land in between plot No. 118 & 119 (L&DO's Numbers)
- (vi) Sh. Sunil Kumar & Sh. Lekh Raj, occupying land in between plot No. 118 & 119 (L&DO's Numbers)

None of them could produce any ownership document in support of their claim of owning the property.

3.6 Rest of the persons, who were also heard in the Commission as per list provided by Sh. Lekh Raj, are not a subject matter of this Complaint and Deputy Commissioner, Karol Bagh Zone may decide their cases on merits.

4. Recommendations of the PGC

4.1 Sh. Tejvir Singh, Ex. Engineer (M) & Sh. Kumar Mahendroo, Ex. Engineer (B), Karol Bagh Zone are advised to take note of para 3 above and initiate necessary action on the grievance of the complainant, in consultation with L & DO, as per DMC Act.

4.2 Ms Ankita Anand, Deputy Commissioner, Karol Bagh Zone is advised to take note of the instant case and ensure that action as advised by the Commission is taken by her officers.

4.3 Sh. Rajeev Kumar, Dy. L & DO is also advised to coordinate with the officers of Karol Bagh Zone for taking necessary action in the matter.

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

(ASHOK KUMAR)
CHAIRMAN

No. PGC/2018/MCD/23/

Dated :

Copy to:

1. Ms Ankita Anand, Deputy Commissioner, Karol Bagh Zone, North DMC, Zonal Office Building, Near Khalsa College, Anand Parvat, New Delhi – 110005
2. Shri Kumar Mahendroo, Ex. Engineer (B), Karol Bagh Zone, North DMC, Near Khalsa College, Anand Parvat, New Delhi – 110005

3. Sh. Tejvir Singh, Ex. Engineer (M), Karol Bagh Zone, North DMC, Road No.34, Opp. Fire Station, Moti Nagar, New Delhi – 110015
4. Sh. Rajeev Kumar, Dy. Land and Development Officer, Ministry of Urban Development, Govt. of India, Land and Development Office, 629-A, Gate No. 4, Sixth Floor, Nirman Bhawan, New Delhi-110011
5. Sh. Kamal Kishore