

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 25.9.1997

Date of hearing: 24th October, 2019

Complainant : Smt. Asha Ajmani-Present

Respondent : District Magistrate (Central)
Through-
Ms. Sonalika Bhargav, Legal
Consultant, Central District
Shri Jasvinder Kumar,
SVI/Vigilance Deptt., NDMC
Shri Tarun Gupta, SO, DOV
Shri N.K. Gupta, AE (B), CSP
Zone
Sh. Vijender Kumar, SO/L&E,

Grievance No. : PGC/2018/Annex.II/Rev./11

1. Brief Facts of the Case

1.1 Smt. Asha Ajmani has filed a grievance in this Commission alleging corrupt practices followed by Sub-Registrar-I, Kashmere Gate, Delhi and others in executing forged/illegal Gift Deed of Government/MCD Shop No. 787 in Old Lajpat Rai Market, Delhi.

2. Facts emerged during the hearing

Shri Vijender Kumar, Section Officer, Land & Estate, North DMC is present and submitted a report stating that :

“ the allotment of shop No. 787, Old Lajpat Rai Market, opposite Red Fort, Delhi has been cancelled by the North DMC vide Order dated 02.07.2019. The allottee/legal heirs filed a Civil Writ before Hon’ble High Court of Delhi which was listed vide WP © NO. 7661/2019. The Hon’ble Judge/Delhi High Court vide order dated 17.7.2019 has granted status quo. The matter was listed on 17.10.2019. No order have been passed and matter is listed now for 14.4.2020”.

Shri N.K. Gupta, Asstt. Engineer (Building)/CSPZ submitted a report, in person, stating that :

“shop No. 787, Old Lajpat Rai Market, Chandni Chowk, Delhi has been booked vide file No. 40/UC/84-N/EE(B)-II/CSPZ/2019 dated 5.3.2019 for unauthorized construction of Basement , First Floor & Second floor (Ground Floor allotted by L&DO i.e. single story). After due process of law the then AE had passed speaking order dated 7.10.2019 stating that unauthorized construction exists but same is protected under Special Provision Act, Delhi”.

Shri Tarun Gupta, Section Officer, DoV is present and submitted a report under the signatures of Shri Bishamber Nath, Assistant Director (Vig), stating that :

“the Directorate is pursuing the matter with the Revenue Department and the status report was again requested from the Secretary (Revenue) vide letters dated 16.9.2019, 4.10.2019 & 16.10.2019. The report is still awaited from Revenue Deptt”.

Shri Jasvinder Kumar, SVI, Vigilance Deptt, is present and filed a copy of notesheet stating that :

“the property was booked vide unauthorized construction file No. 30/UC/84-N/EE(B)-II/CSPZ/2019 dated 5.3.2019 and show cause notice was also issued to owner. Owner/Occupant/Shri Lokesh Ajmani in his reply to said Show Cause Notice requested for personal hearing. After observing the process laid down under the MCD Act & affording personal hearing in the matter, the department has ordered that with reference to Show Cause Notice dated 5.3.2019, the Basement, First Floor & Second Floor is unauthorized, without any sanctioned building plan, and is liable to be demolished. However, since the same existed prior to 8.2.2007, it is presently protected in view of provision of “the National Capital Territory of Delhi Laws (Special Provision) Second Act 2017” till the expiry of said act”.

3. Directions of the PGC

Director (Vigilance), GNCT of Delhi is advised to direct the concerned officer to expedite/coordinate status report from the Secretary (Revenue) and take necessary action accordingly on receipt of the same from the Revenue Department.

The Commission feels that continuance of the instant matter in the Commission may not serve any meaningful purpose as it is now pending in the Hon'ble High Court. The matter earlier listed

for 17.10.2019 is now slated for hearing on 14.4.2020 as reported by Section Officer/L&E, North DMC.

Since the matter is sub-judice, instant complaint stands closed in the Commission.

(SUDHIR YADAV)
MEMBER(PGC)

No.PGC/2018/Annex.II/Rev./11/

Dated :

1. Chief Vigilance Officer, North DMC, Dr. Shyama Prasad Civic Centre, Minto Road, New Delhi-110002.
2. Director, Dte. of Vigilance, GNCT of Delhi, 4th Floor, C-Wing, Delhi Secretariat, I.P. Estate, New Delhi-110002.
3. Shri Sandeep J. Jacques, District Magistrate (Central), Revenue Department, Govt. of NCT of Delhi, 14, Darya Ganj, New Delhi – 110002.
4. Addl. Dy. Commissioner, Land & Estate, North DMC, Dr. Shyama Prasad Civic Centre, 7th Floor, Minto Road, New Delhi-110002.
5. Shri S.C. Meena, Executive Engineer (Bldg.)-II, City S.P. Zone, North Delhi Municipal Corporation, Old Hindu College, Kashmere gate, Delhi.
6. Shri S.K. Malhotra, Admn Officer (L&E), North Delhi Municipal Corporation, Land & Estate Department, 7th Floor, civic Centre, Minto Road, New Delhi-110002.
7. Ms. Asha Ajmani