

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: 18th Dec., 2019

Complainant : Sh. Kamal Singh
Respondent : Deputy Commissioner
Shahadara South Zone
Grievance No. : PGC/2017/MCD/300
Reopened

1. Brief facts of the complaint

Sh. Kamal Singh filed a grievance in PGC on 01.08.2017 against unauthorized constructions carried out in the area of School Block, Shakarpur, Delhi – 110092 in various properties in connivance with the engineers of Building Department, Shahadara South Zone, East DMC.

Vide hearing of this Commission dated 05 March, 2018 the matter was closed with the following directions :

“It was reported to the Commission that the buildings are unauthorizedly built and the matter has been brought to the notice of the Commission in the month of July, 17 when the construction was in progress. Now after 6 months it is learnt that the building has been completed and has been sold out thereby making the proceedings in the Commission infructuous. At no point of time the officials of MCD attended the hearing which shows their disregard to the Commission and confirms presence of a nexus between the MCD officials and builders who have carried out illegal construction with impunity.

Chief Vigilance Officer, EDMC is requested to personally look into the matter and get it enquired, investigated to fix the responsibility of the MCD officials for initiating disciplinary proceedings against each

of them for dereliction in discharge of duties and misuse of their official position and submit a report to this Commission.

With the above directions the case is closed at the level of PGC.”

The complainant again approached this Commission through various representations which were forwarded to EDMC but no satisfactory reply was received. Hence, it was decided to reopen the case.

2. Proceedings in the Public Grievances Commission

After reopening the case, PGC has convened six hearings in the matter so far and in the hearing held on 18.12.2019, the following are present:

Complainant : Present

Respondent : Sh. P.K. Tiwari, A.E (B)
Sh. Raju, A.E.(B)
Sh. Agam Kumar,
Asstt. Director (Vigilance),

3. Relevant facts that emerged during the hearing

3.1 Sh. P.K. Tiwari, A.E (B), Shahdara South Zone is present in the hearing and submitted a Status Report stating that

1. “in compliance of directions of this Hon'ble Commission during the hearing held on 11th November 2019 as per para no. 3.3 of the direction of the Commission action taken report regarding sealing action executed by Building Department Shahdara South Zone date wise are summarized as under:-

Sr. No.	Property No.	Date of sealing action taken	Action Taken Report
1	S-489, School Block, Shakarpur,	04.12.2019	Sealing action has been executed at ground floor main entry gate and the property was sealed at one point.
2	S-418, School Block, Shakarpur,	04.12.2019	Sealing action has been taken at ground floor at one point at main entry point.

3	S-472, School Block, Shakarpur,	04.12.2019	Sealing action has been executed at ground floor at one point at main entry point.
4	S-487, School Block, Shakarpur,	04.12.2019	Sealing action has been executed at ground floor at single entry point at main entry.
5	S-31, School Block, Shakarpur,	05.12.2019	Sealing action has been executed at fourth floor at one entry point. Besides this demolition action has also been taken on dated 21.08.2019 wherein two RCC slab have been demolished of two rooms.
6	S-78, School Block, Shakarpur,	17.09.2019	Demolition action was taken at fourth floor & demolished the brick walls of the rooms at fourth floor.
		05.12.2019	Sealing action has been taken at ground floor at one point.
7	S-53, School Block, Shakarpur,	22.08.2019	Demolition action was taken at third floor wherein, brick walls of two rooms were demolished & this portion made in unusable condition and still lying abounded and nobody is occupied the same.
		05.12.2019	Sealing action could not be executed as the staff was already occupied for sealing of two properties as mentioned above and time was not available to sealing this property.
8	S-562, School Block, Shakarpur	----	This property is not traceable. It has also been mentioned in the previous reports.

Photographs taken during sealing action executed on 04.12.2019 & 05.12.2019 are annexed herewith as **Annexure-A Colly.**"

3.2 Sh. Agam Kumar, Asstt. Director (Vigilance), EDMC is present in the hearing and submitted a Status Report stating that “the investigation has been concluded and accordingly, approval of the Commissioner, EDMC is also received on 16.12.2019.

It is informed that departmental action for Major Penalty has been initiated against J.E. responsible for not performing the duties for prevention/action of the unauthorized construction at the alleged sites.”

4. Recommendations of the PGC

4.1 Sh. P.K.Tiwari, Asstt. Engineer (B), Shahadara South Zone is advised to take further follow up action in the matter as per provisions of the DMC Act.

4.2 Sh. A. Nedunchezhiyan, Deputy Commissioner, Shahadara South Zone is advised to ensure that necessary action in the matter is taken by the concerned officers.

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

(ASHOK KUMAR)
CHAIRMAN

No. PGC/2017/MCD/300/Reopened/

Dated :

Copy to:

1. Sh. A. Nedunchechiyan, Deputy Commissioner (Shahadara South Zone), EDMC, Zonal Office Building, Vishwas Nagar Institutional Area, Behind Karkardooma Court, Delhi – 110032
2. Sh. P.K. Tiwari, Asstt. Engineer (B), Shahadara South zone, Zonal Office Building, Vishwas Nagar Institutional Area, Behind Karkardooma Court, Delhi – 110032.
3. Sh. Kamal Singh