

PUBLIC GRIEVANCES COMMISSION
(Govt. of NCT of Delhi)
M-Block, VikasBhawan, IP Estate, New Delhi – 110110
Tel. No. 011-23379900, 23379901, Fax No. 011-23370903
Website : www.pgc.delhigovt.nic.in E-mail :pgcdelhi@nic.in

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR
dated 25.9.97

Date of hearing: 15th Jan., 2020

Complainant : Sh. Wahid Khan
Respondent : Deputy Commissioner
(Shahdara North Zone),
Grievance No. : PGC/2017/MCD/306 (Reopened)

1. Brief facts of the complaint

Shri Wahid Khan had filed a grievance in PGC on 14.8.2017 against unauthorized construction in Building No.12-A/107-D (old No.R-19, Kh.No.317-318), Main Road Maujpur, Opposite DMRC Pillar No.197(Ward No.40E).

The case was ordered to be closed on 13.11.2017 in the Commission in which an ATR had been filed by Sh. Ajay Kumar, AE(Building)-II, Shahdara North Zone, EDMC informing that *“after having noticed unauthorized construction at the impugned property, a Show Cause Notice was issued to the owner/occupier on 2.6.2017. However, no reply was received and therefore, demolition order was passed on 23.6.2017. The sealing Show Cause Notice was issued to the owner/occupier on 31.7.2017. Subsequently, sealing order was passed on 17.8.2017 by the Competent Authority i.e Dy.Commissioner (Shahdara North) Zone, East DMC. The property No.12-A/107-D, Main Maujpur Road was sealed on 18.8.2017. However, Sh. Rakesh Kumar, JE, inspected the impugned property again on 25.9.2017 and found that the seal has been tampered by the owner/occupier. After noticing the tampering of the seal, the impugned property was re-sealed on 27.9.2017 in the presence of local police force.*

A letter was also issued to the SHO concerned on 18.8.2017 to keep a strict vigil on the aforesaid property so that the owner/builder/occupier cannot tamper the seal. “

It was further ordered that in case the complainant notices further construction activity in the impugned property, he may re-approach the Public Grievances Commission for reopening of his grievance case and his case will again be taken up for hearing.

Now, the complainant vide his complaint dated 30.4.2019 has stated that there have been casualties in the year 2015 due to collapse of Building No.12-A/107-D, Main Road, Maujpur. However, this building was re-constructed and presently commercial activities viz. running of showroom, Gym and factory are going on from this impugned property whereas orders for disconnection of electricity and water had been given in the year 2017. In support of his contention, the complainant has also annexed photographs with regard to running of commercial activities from this impugned property. He has requested for immediate action against the said property owner for tampering with the Government seal and for running commercial activities. Hence the matter was reopened in the Commission on 29.05.2019.

2. Proceedings in the Public Grievances Commission

After reopening of the case, the PGC has convened seven hearings in the matter so far and in the hearing held on 15.01.2020, the following are present:

Complainant : Present

Respondent : Sh. P.V. Singh, E.E. (Building)/SH-N

3. Relevant facts that emerged during the hearing

3.1 Sh. P.V. Singh, E.E. (Building)/Shahdara North Zone is present in the hearing and submitted a Status Report stating that

“1. In furtherance to already filed Action Taken Report on 04.12.19, a demolition program was fixed on 26.12.2019 with Police Station-Jafrabad but the action could not be taken due to non availability of police force on 26.12.2019.

2. That further special demolition action program was fixed for 13.01.2020 with Police Station-Jafrabad vide letter No. EE(B)-II/SH-N/2020/D-04 dated 07.01.2020 and the police force was made available at 2:45 PM from police station. During the program, one partition wall at First floor and two partition walls at Ground floor were demolished (the photographs are attached as Annexure 'A') after temporarily de-sealing the property. The same was re-sealed after taking demolition action. Further action will be taken in due course of time as per DMC Act.”

E.E. present in the hearing further informed that the maximum action has been taken by the department against the building and it has been made totally inhabitable.

3.2 The complainant present in the hearing was satisfied with the action taken by the department.

4. Recommendations of the PGC

4.1 Sh. P.V.Singh, Ex. Engineer (B), Shahadara North Zone is advised to take further necessary action in the matter, if any, as per provisions of the DMC Act.

4.2 Sh. Ranen Kumar, Deputy Commissioner, Shahadara North Zone is advised to ensure that remaining action, if any, 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/306 (Reopened)/ Dated:

To:

1. Sh. Ranen Kumar, Dy. Commissioner, Shahdara North Zone, EDMC, Zonal Office Building, Keshav Chowk, Near Welcome Metro Station, Shahdara, Delhi-110032.
2. Sh. P.V. Singh, Ex. Engineer (B), Shahdara North zone, EDMC, Keshav Chowk. Near Welcome Metro Station, Shahdara, Delhi - 110032

Copy for information to :

Sh. Wahid Khan