

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: 26th Feb., 2020

Complainant : Sh. P. K. Sethi
Respondent : Deputy Commissioner
(Karol Bagh Zone), North DMC
Grievance No. : PGC/2019/MCD/82

1. Brief facts of the complaint

Sh. P. K. Sethi has filed a grievance in PGC regarding illegal construction in the form of an additional floor completely covering the entire terrace portion by Mr. S.K. Tripathi, owner of Flat number H-95, Naraina Vihar, New Delhi – 110028.

2. Proceedings in the Public Grievances Commission

The PGC has convened four hearings in the matter so far and in the hearing held on 26.02.2020, the following are present:

Complainant : Present
Respondent : Sh. B. Srinivas,
JE (B), Karol Bagh Zone

3. Relevant facts that emerged during the hearing

3.1 Sh. B. Srinivas, J.E (Bldg.), Karol Bagh Zone, North DMC is present in the hearing and submitted a Status Report stating that

“the property under reference i.e. H-95, LIG Flats, Naraina Vihar, New Delhi is on the third floor just above the flat of the complainant Sh.P.K. Sethi, H-83, LIG Flats, Naraina Vihar, New Delhi. The report is as under:-

“H-95, LIG Flats, Naraina Vihar, New Delhi

That the property bearing No. H-95, LIG Flat, Naraina Vihar, New Delhi was inspected by the undersigned. The property No. H-95, LIG Flats, Naraina Vihar, New Delhi is third floor only as allotted by DDA. The owner of the said flat has unauthorizedly constructed two rooms at the fourth floor. Since the said construction is without any sanctioned building plan or there is no prior permission from the Corporation, action has been initiated against the unauthorized construction in the shape of two rooms at third floor under section 343 & 344 of the DMC Act 1957 vide file No. B/UC/KBZ/2019/491 dated 01.11.2019. The reply was submitted by the owner on 11.11.2019 which was found unsatisfactory. The demolition notice was served on 14.11.2019 with the direction to demolish the unauthorized construction within six days failing which further action shall be taken without any further notice at his risk and cost. The demolition order in respect of the aforesaid unauthorized construction was passed vide No. B/UC/KBZ/2019/491 dated 22.11.2019. The impugned property i.e. H-95, LIG Flat was scheduled for demolition action on 10.01.2020. But, due to non availability of police force, the demolition could not take place. Further demolition action taken with help of Police force P.S. Naraina and one room demolished on terrace of H-95, i.e. one panel of roof slab demolished. Door and wall removed on 28.01.2020.

H-96, LIG Flats, Naraina Vihar, New Delhi

That the property bearing No. H-96, LIG Flats, Naraina Vihar, New Delhi was inspected by the undersigned. The property No. H-96, LIG Flats, Naraina Vihar, New Delhi is third floor only as allotted by DDA. The owner of the said flat has unauthorizedly constructed rooms at the fourth floor. Since the said construction is without sanctioned building plan or without prior permission from the Corporation, action has been initiated against the unauthorized construction in the shape of rooms at third floor under section 343 & 344 of the DMC Act 1957 vide file No. B/UC/KBZ/2019/492 dated 01.11.2019. The demolition notice was served on 14.11.2019 with the directions to demolish the

unauthorized construction within six days failing which further action shall be taken without any further notice at his risk and cost. The demolition order in respect of the aforesaid unauthorized construction was passed vide No. B/UC/KBZ/2019/491 dated 22.11.2019. The impugned property i.e. H-96, LIG Flat was scheduled for demolition action on 10.01.2020. But, due to non availability of police force, the demolition could not take place. Further demolition action taken with help of Police force P.S. Naraina and two walls demolished above the roof of H-96, Naraina Vihar, New Delhi on 12.02.2020.”

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

4. Recommendations of the PGC

Sh. Kumar Mahendra, Ex. Engineer (B), Karol Bagh Zone is advised to ensure that no further unauthorized construction is allowed to take place in the building.

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

(ASHOK KUMAR)
CHAIRMAN

No. PGC/2019/MCD/82/

Dated:

To:

Sh. Kumar Mahendra, Ex. Engineer (B), Karol Bagh Zone,
North DMC, Anand Parvat, Near Khalsa College, Karol
Bagh, New Delhi – 110005.

Copy for information to :

Sh. P.K. Sethi