

**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: 30<sup>th</sup> Sept., 2020

Complainant : Sh. Chander Shekhar,  
Respondent : Deputy Commissioner  
Rohini Zone, North DMC  
Grievance No. : PGC/2020/MCD/07

**1. Brief facts of the complaint**

Sh. Chander Shekhar has filed a grievance in PGC regarding unauthorized construction on Property No. E-19/34-35, Sector-3, Rohini, Delhi - 110085.

**2. Proceedings in the Public Grievances Commission**

The PGC has convened two hearings in the matter so far and in the hearing held on 30.09.2020, the following are present:

Complainant : Present  
Respondent : Sh. S.K.Gupta,  
A.E (B), Rohini Zone,

**3. Relevant facts that emerged during the hearing**

Sh. S.K.Gupta, A.E (B), Rohini Zone, North DMC is present in the hearing and submitted an Action Taken Report stating that:

“ In compliance of the directions / orders of the Hon'ble PGC, the property bearing No.E-19/34-35, Sec-3, rohini, Delhi has been inspected by the field staff and unauthorized construction in the shape of ground floor to third floor with mumty in P.No.E-19/34-35, Sec-3, Rohini, Delhi already stands booked u/s 343/344 of the DMC Act vide u/c file No. 99/UC/C-45/B-II/RZ/17 dated 5.6.2017. After following due process of law, demolition order was passed on 24.06.2017. On 3.8.2018 demolition action was taken with the help of police force of PS Rohini South and during demolition

action chajja at third floor was demolished. Further, sealing action u/s 345-A of the DMC Act, 1957 was initiated and after following due procedure of law, sealing action was taken at TF, stairs along with terrace was sealed along with stair case on 21.08.2017. Sealing action on remaining floor could not be taken as the same were found occupied.

It is further submitted that, Appeal Nos. 766/2017 & 905/2017 are pending before the Hon'ble ATMCD in case titled as "Shri Omkar & Anr. V/s North DMC" in respect of impugned property. The NDOH in this case is fixed for 10.12.2020."

3.2 Shri S.K.Gupta, AE stated that the building has been constructed after getting building plan sanctioned. However, the owners have made certain deviations and same have been booked under the provisions of the DMC Act. In pursuance to the directions of the Commission the sealing and demolition action has been initiated. Further necessary action is pending as the building is occupied and requires to be vacated. It is further informed that 02 Appeal cases are pending before the ATMCD. In one case the next date of hearing is fixed as 10.12.2020.

#### **4. Recommendations of the PGC**

As the partial action in the matter has been taken by the officers of Rohini Zone as per provisions of the DMC Act and now the matter is pending in ATMCD, the case stands closed at the level of the Commission.

(SUDHIR YADAV)  
MEMBER

No. PGC/2020/MCD/07

Dated:

**To:**

Shri S.K.Gupta, Asstt. Engineer (B)-II, Rohini Zone, North DMC, Zonal Building, Near Rajiv Gandhi Cancer Institute, Sector – 5, Rohini, Delhi – 110085

**Copy for information to :**

Sh. Chander Shekhar