

PUBLIC GRIEVANCES COMMISSION

(Govt. of NCT of Delhi)

M-Block, Vikas Bhawan, 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: 29th Sept., 2020

Complainant : Smt. Renu Bala Mittal,
Respondent : Deputy Commissioner, Shah.
North Zone, EDMC
Grievance No. : PGC/2020/MCD/21

1. Brief facts of the complaint

Smt. Renu Bala Mittal has filed a grievance in PGC regarding unauthorized construction in H.No.1/7076B, Gali No.4, Shivaji Park, Shahadara, Delhi-32, which has been booked by the EDMC in 2017 but no demolition action has been taken by them.

2. Proceedings in the Public Grievances Commission

The PGC has convened first hearing in the matter on 29.09.2020 and the following are present :

Complainant : Present through her son
Respondent : Sh. Kaptan Singh, AE (B),

3. Relevant facts that emerged during the hearing

Sh. Kaptan Singh, Asstt. Engineer (B), Shahadara North Zone is present in the hearing and submitted a status report stating that

“1. That the property No. 1/7076-B, Govind Gali, shivaji Park, Shahadara, Delhi has been constructed after getting sanctioned building plan No. 267/B/SH-N/2010 dated 20.12.2020 and

unauthorized construction in the shape of 4th floor was booked vide file No. 369/B-II/UC/SH-N/2017 dated 20.09.2017, Ground Floor to 3rd Floor old and occupied.

2. That show cause notice vide No. 10086 was issued to the owner / occupier and on non-receipt of satisfactory reply demolition order was passed on 20.10.2017. Vacation notice under section 349 was issued to make the property vacated for taking demolition action. Accordingly, demolition action was taken on 27.08.2018 on the roof where a toilet and a wall was constructed below a tin shade so we demolished the wall but the shade was not cut because gas cutter was not working and rest of the action could not be taken due to heavy resistance done by the owner/S.C.Kashyap and his wife.

3. That in regard to this property two cases are also pending before the Hon'ble District Court, Karkardooma having CS No. 33/2020 and 1521/2019 and titled as Smt. Poonam Rani Kashyap Vs EDMC & Ors. And Smt. Poonam Rani Kashyap Vs Ajay Kumar Sinha & Anr. Further action will be taken as per directions of Hon'ble Court."

3.2 The complainant present in the hearing informed that in the sale deed it has been clearly mentioned that no construction is allowed on the terrace above the 3rd floor and their water tanks are placed on the terrace. The party complained against is not allowing them access to the terrace for cleaning of water tank.

4. Recommendations of the PGC

Sh. Kaptan Singh, Asstt. Engineer (B), Shahadara North Zone is advised to take further necessary action in the matter as per

orders of the Hon'ble Court, in consonance with grievances of the complainant and as per provisions of the DMC Act.

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

(SUDHIR YADAV)
MEMBER

No.PGC/2020/MCD/21/

Dated :

To:

Shri Kaptan Singh, Asstt. Engineer (B)-II, Shahadara North
Zone, EDMC, Keshav Chowk, Shahadara, Delhi - 110032

Copy for information to :

Smt. Renu Bala Mittal