

**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](http://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: 5<sup>th</sup> Oct., 2020

Complainant : Ms Sarita Singh,  
Respondent : Deputy Commissioner,  
C.S.P.Zone, North DMC  
Grievance No. : PGC/2017/MCD/159

**1. Brief facts of the complaint**

Ms Sarita Singh had filed a grievance in PGC on 09.01.2017 stating that a person named Jitender Kaushal (Goga) has illegally occupied the vacant plot of her father – in – law Ch. Harpal Singh i.e. Property No. 11146, Gali Swarn Wali, Khasra No. 169/5/3, Min. Mauza Qadam Sharif, Motia Khan, Delhi – 110055 and has started unauthorized construction in it. She requested for demolition of the unauthorized construction.

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

The PGC has convened sixteen hearings in the matter so far and in the hearing held on 05.10.2020, the following are present:

Complainant : Absent  
Respondent : Sh. G.S.Brijwasi,  
A.E (B), C.S.P.Zone,

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

Sh. G.S. Brijwasi, A.E (B), City SP Zone is present in the hearing and submitted a status report stating that:

“The above mentioned property was booked u/s 343 & 344 of DMC Act vide file No. 387/B/UC/SPZ/16 dated 22.11.2016 in the shape of ground floor, loft in ground floor, first floor and second

floor. After following due process of law demolition order was passed on 16.12.2016.

It is pertinent to mention here that at ongoing stage demolition action was taken on 27.11.2015 wherein brick wall raised at ground floor was demolished. Further action was also taken at ongoing stage on 27.10.2016. During the action, roof of second floor was demolished.

An action u/s 345-A of DMC Act was also initiated vide file No. 01/S/B/SPZ/17 dated 19.01.2017 and after following due process of law, sealing order was passed on 06.02.2017. Sealing action was taken on 09.02.2017 and the property was sealed at one point at second floor in the presence of local police force.

The owner / Builder filed appeals No. 99/17 & 66/17 before the Hon'ble ATMCD against the demolition and sealing order. The Hon'ble ATMCD granted stay against demolition order on 14.02.2017. Further stay was granted on sealing order on 20.02.2017 but inadvertently in the order wrong property was mentioned. The counsel for owner / builder filed an application for amendment in the property number. This amendment application was allowed on 23.02.2017 since then stay is in operation. These two appeals are still pending which is now fixed for 01.04.2021. Further action will be taken by the department as per outcome of the appeals.”

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

Sh. G.S.Brijwasi, Asstt. Engineer, City SP Zone is advised to take further necessary action in the matter as per the orders of the ATMCD and provisions of the DMC Act, under intimation to the Commission.

As the matter is pending in the ATMCD the same stands closed at the level of the Commission.

(SUDHIR YADAV)  
MEMBER

No. PGC/2017/MCD/159/

Dated :

**To:**

Sh. G.S.Brijwasi, Asstt. Engineer (B), City SP Zone, North  
DMC, Old Hindu College Building, Kashmere Gate, Delhi –  
110006

**Copy for information to :**

Ms Sarita Singh