

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: 5th Oct., 2020

Complainant : Sh. Kulbir Sahi,
Respondent : Deputy Commissioner, Karol
Bagh Zone, North DMC
Grievance No. : PGC/2019/MCD/19

1. Brief facts of the complaint

A DRTI Appeal was filed by Sh. Kulbir Sahi in this Commission as he was not satisfied with the information provided by the department and he was not allowed to inspect the booking file of property No. 2089/3, Street No. 19, Prem Nagar, New Delhi. He has been repeatedly complaining against the said property since 2016, when the 2nd floor of the property was under construction and presently, even the 3rd and 4th floors have been constructed with projections on municipal land. This has endangered the adjacent buildings also. In spite of repeated complaints, no effective action has been taken by the MCD.

From the information furnished by the department in DRTI appeal, it was observed that the property has been booked on 26.09.2016 but it appears that no action, consequent upon the booking, has been taken by the department even after a lapse of nearly two and a half years.

Since the allegations leveled by the appellant were serious in nature and beyond the scope of the DRTI Act, 2001, it was ordered that the appeal case may be closed before the Appellate Authority and the matter may be transferred to the Grievance Branch for listing before the appropriate Board.

2. Proceedings in the Public Grievances Commission

After transfer from DRTI to Grievance, the PGC has convened twelve hearings in the matter so far and in the hearing held on 05.10.2020, the following are present:

Complainant : Present

Respondent : Sh. Rishi Raj, AE (B)

3. Relevant facts that emerged during the hearing

Sh. Rishi Raj, AE (B), Karol Bagh Zone is present in the hearing and submitted a Status Report stating that

“In compliance of the directions of the PGC dt. 31.08.2020 a detailed report in continuation of the earlier reports is as under :

1. Action against unauthorized construction in the shape of entire ground floor, first floor and second floor in respect of property No. 2089/3, Gali No. 19, Prem Nagar had been initiated vide file No. B/UC/KBZ/2016/286 dated 26.09.2016 under section 343 & 344 of the DMC, 1957 (Amended as on date).
2. An application for regularization of the property had been filed by Smt. Shakuntala Devi on 15.07.2019. As the discrepancies / shortcomings made in I/N dated 06.02.2019 had not been complied, the case for regularization was rejected.
3. The owner of the property under reference had applied again for regularization on 24.01.2020 and the same had been rejected on 05.08.2020 due to non compliance of I/N issued to her intimating discrepancies / shortcomings.
4. The department had planned demolition action on various dates viz. 13.07.2018, 10.08.2018, 13.08.2018, 11.03.2019, 08.04.2019, 29.05.2019, 19.06.2019, 30.07.2019, 20.08.2019 and 27.08.2019 but could not be materialized due to non availability of police force or labour etc.
5. Demolition action had been taken on 30.08.2018 with the help of police force from P.S. Anand Parvat alongwith demolition

squad and demolished 4th floor roof and walls at 4th floor. In another demolition action 18.03.2019 roof slab of third floor demolished by demolishing one panel with cutting the reinforcement bars. On 24.06.2019 demolition action had been taken and demolished wall, removed windows at first floor, second floor and third floor. Also demolished / removed staircase at ground floor.

6. In demolition action on 12.04.2019, one toilet and staircase which was encroached area of street had been demolished with the help of demolition squad and works department staff.

7. On 24.09.2019 demolition action had been taken with the help of police force from P.S. Anand Parbat and labour squad. The demolition of one panel at first floor roof and one panel at second floor roof was done by cutting reinforcement with gas cutter.

8. It is worth to apprise that Smt. Shakuntala Devi had filed an appeal before the Appellate Tribunal MCD against the action initiated by North DMC which is being adjudicated vide Appeal No. 240/2019. The matter has been posted for further hearing on 08.10.2020.”

4. Recommendations of the PGC

4.1 Sh. Kumar Mahendra, Ex. Engineer (B), Karol Bagh Zone is advised to take further necessary action in the matter as per orders of the ATMCD and as per provisions of the DMC Act.

4.2 Sh. Rajesh Goel, Deputy Commissioner, Karol Bagh Zone is advised to ensure that necessary action in the matter is taken by the concerned officers as per orders of the ATMCD and provisions of the DMC Act.

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

(SUDHIR YADAV)
MEMBER

No. PGC/2019/MCD/19/

Dated:

To:

1. Sh. Rajesh Goel, Deputy Commissioner, Karol Bagh Zone, North DMC, Near Khalsa College, Anand Parvat, New Delhi – 110005
2. Shri Kumar Mahendroo, Ex.. Engineer (B), Karol Bagh Zone, North DMC, Near Khalsa College, Anand Parvat, New Delhi- 110005

Copy for information to :

Sh. Kulbir Sahi