

***No carelessness until there is a cure. Wear Mask, follow physical distancing & maintain hand hygiene.”***

**PUBLIC GRIEVANCES COMMISSION**  
(Govt. of NCT of Delhi)  
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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: 27.10.2020

Complainant : Sh. Baldev Raj Seth.  
Respondent : Deputy Commissioner (Karol Bagh Zone), North DMC  
Grievance No. : PGC/2019/Annex.II/MCD/31

**1. Brief facts of the complaint**

Shri Baldev Raj Seth has filed a grievance petition before PGC on 18.04.2019 against the owner of Ground Floor, C-043, Mansarovar Garden, Delhi for using the residential building for commercial purposes in gross violation of building bye-laws thereby causing grievous threat to safety of structure and members living in it.

Briefly put, the complainant stated that since the new owners have taken over, their entrance from main door has been blocked. The owner has installed girder and pillars shabbily without proper assessment and without his consent. As the structure is very weak and there is lot of air and noise pollution because of which he (complainant) has been forced to vacate the premises on 1<sup>st</sup> floor due to safety concerns. Further, a big veranda on ground floor has now been illegally covered to accommodate more storage space and thus do more business by the ground floor occupant in gross violation of norms which is not approved in the MCD's layout plan. He further stated that no action has yet been taken by the MCD despite making several complaints in this regard.

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

The PGC has convened twelve hearings in the matter so far and in the hearing held on 27.10.2020, the following are present:

Complainant : Absent.  
Respondent : Sh.Ashish Sharma, A.E(B), KBZ

### **3. Relevant facts emerging during the hearing**

3.1 Sh. Ashish Sharma, A.E (B), Karol Bagh Zone, North DMC is present in the hearing and submitted a status report as under:

*“The property under reference i.e. C-43, Mansarover Garden, New Delhi comprises of ground floor and first only. The same had been erected in pursuance of sanctioned building plan No. 335/B/WZ/05 dated 21.06.2005.*

*The ground floor of the property under reference is lying sealed on account of misuse and the approval of temporarily de-sealing was taken from the Competent Authority to assess the excess coverage/deviations from sanctioned building plan at ground floor of the property and demolition of the same.*

*Post approval from the Competent Authority, the property was de-sealed temporarily on 15.10.2020 in the presence of police force from P.S. Kirti Nagar to take demolition action on the excess coverage/deviations from sanctioned building plan at ground floor of the property and thereafter demolished the excess coverage/deviations from sanctioned building plan in the rear set back at ground floor and also demolished the ceiling, including cutting of angles/T-iron, at front set back and left side set back at ground floor. The property was re-sealed on the same day i.e. 15.10.2020 in the presence of police force.*

*In furtherance to that, special demolition programme was fixed for 22.10.2020 and the property was again de-sealed temporarily on 22.10.2020 in the presence of police force from P.S. Kirti Nagar. The demolition squad demolished the partition walls from left side set back at ground floor. The property was re-sealed on the same day i.e. 22.10.2020 evening in the presence of police force from PS Kirti Nagar.”*

3.2 Shri Ashish Sharma, AE(B) stated that there is no encroachment either on the public land or any unauthorized construction beyond the sanctioned plan on the Ground Floor. However, minor unauthorized construction in the shape of coverage of shaft area on the first floor is remaining and the same will also be removed on the next demolition programme. Further, the complainant was present on both occasions when demolition exercise was undertaken. He assured to take remaining action as per DMC Act within 15 days time and file a report.

3.3 The complainant was contacted telephonically and he was satisfied with the action taken by the MCD Officials.

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

4.1 Sh. Ashish Sharma, Asstt. Engineer (B), Karol Bagh Zone is advised to take further necessary action as per DMC Act, as assured by him.

4.2 Ms Ira Singhal, Deputy Commissioner, Karol Bagh Zone is advised to ensure that necessary action in the matter is taken by the concerned officer.

4.3 With the above advise, the case of the complainant stands closed in the Commission.

(SUDHIR YADAV)  
MEMBER

No. PGC/2019/Annex.II/MCD/31/

Dated:

**To:**

1. Ms Ira Singhal, Deputy Commissioner, Karol Bagh Zone, North DMC, Zonal Office, Anand Parvat, Near Khalsa College, New Delhi – 110005
2. Sh. Ashish Sharma, Asstt. Engineer (B), Karol Bagh Zone, North DMC, Zonal Office, Anand Parvat, Near Khalsa College, New Delhi – 110005

**Copy for information to :**

Sh. Baldev Raj Seth