

**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: 10<sup>th</sup> Nov., 2020

Complainant : Ms. Anita Joon  
Respondent : Deputy Commissioner  
(Keshav Puram Zone), North DMC  
Grievance No. : PGC/2020/MCD/04

**1. Brief facts of the complaint**

Ms. Anita Joon had filed a grievance in PGC regarding unauthorized construction at Flat No. RU-476, Pitampura, Delhi – 110034.

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

The PGC has convened five hearings in the matter so far and in the hearing held on 10.11.2020, the following are present:

Complainant : Absent  
Respondent : Sh. Ashwani Rana, A.E.(B)

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

3.1 Sh. Ashwani Rana, Asstt. Engineer (B), KP Zone is present in the hearing and submitted a status report stating that :  
*“In respect of flat No. RU-476, FF, DDA Flats, Pitampura, Delhi sealing action u/s 345-A of DMC Act against the unauthorized construction which was carried out in the shape of one room in common court yard has already been taken and the same has*

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follow physical distancing & maintain hand hygiene.”***

*been submitted to the Hon'ble Member, PGC on previous date of hearing 14.10.2020. Besides, this unauthorized construction (i.e. one room in common court yard) the remaining construction is old and residentially occupied and the same is protected under Delhi Special Laws Act. Therefore, no action is pending at the end of Building Department against the unauthorized construction, existing in impugned flat No. RU-476, FF, DDA Flat, Pitampura, Delhi. Demolition action in respect of the room, first floor is not feasible as there is a construction of a room above it on the second floor.*

*Whereas, in respect of flat No.RU-475, GF, DDA Flat, Pitampura, Delhi the unauthorized construction which is existing in the impugned flat is booked vide file No. 293/B/UC/RZ/07 dated 17.08.07 is old and residentially occupied and the same is protected under Delhi Special Laws Act. Therefore, no action is pending at the end of Building Department against the unauthorized construction.”*

3.2 The complainant was also contacted telephonically who has conveyed her satisfaction with the action taken by the department.

3.3 On being enquired as to how it was determined that the flat No RU-475, GF, DDA Flats, Pitampura is protected under Delhi Special Laws Act, Sh. Ashwani Rana, AE(B) submitted copy of House Tax Assessment Order of 2004 which shows that there is addition of one room in the property. This proves that the additional room was constructed in/before 2004.

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

At the last hearing there were directions for appropriate action in respect of unauthorized construction in the flat complained against and also, the flat of the complainant. The unauthorized construction in the flat of the complainant is protected under Delhi

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Special Laws Act. The unauthorized construction in the flat complained against has been sealed by Keshav Puram Zone, North DMC. The complainant expressed her satisfaction with the action taken by the North DMC.

In view of the above, the matter stands closed at the level of the Commission.

(SUDHIR YADAV)  
MEMBER

No. PGC/2020/MCD/05/

Date:

**To:**

1. Sh. Vikram Singh Malik, Deputy Commissioner, Keshav Puram Zone, North DMC, A-1 Block, Keshav Puram, Delhi – 110035.
2. Shri Ashwani Rana, Asstt. Engineer (Building)-1, Keshav Puram Zone, North DMC, A-1 Block, Keshav Puram, Delhi-110035

**Copy for information to:**

Ms. Anita Joon

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