

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: 11th Nov. 2020

Complainant : Sh. Suyash Verma.
Respondent : Deputy Commissioner
(Kagh Bagh Zone),
Grievance No. : PGC/2019/MCD/36

1. Brief facts of the complaint

Sh. Suyash Verma has filed a grievance in PGC regarding unauthorized construction in property No. 1525, Nai Sarak, Delhi – 110006 in utter contravention of building bye laws causing danger to the lives of the passers-by and the residents of the area.

2. Proceedings in the Public Grievances Commission

The PGC has convened thirteen hearings in the matter so far and in the hearing held on 11.12.2020, the following are present:

Complainant : Absent.
Respondent : S I Pradeep Singh
DIU (North), Civil Lines, Delhi.
Sh. N.K.Gupta, AE (B), CSP Zone

3. Relevant facts emerging during the hearing

3.1 Sh. N.K.Gupta, AE(B), CSPZ is present in the hearing and submitted a status report which states as under :

“In the matter ATMCD has granted stay on 17.09.2020. The next date of hearing is 02.03.2020 for final arguments for P.No. 1525, Nai Sarak, Ch. Chowk. No action is required to be taken by North DMC till 02.03.2021 being stay order by ATMCD.”

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

3.2 SI Pradeep Singh from DIU (North) is present in the hearing and submitted a status report stating that :

“The complainant Sh. Suyash Verma has alleged that the property bearing No. 1525-27 (Adjacent to his house) has been constructed upto 4th floor without any permission from concerned authorities. The building is very old and in very dilapidated condition and without laying any proper foundation causing grave danger to the life of passerby / residents of area. He further requested to stop this unauthorized construction. He further alleged that FIR No. 236/19 dated 01.07.2019 u/s 308 IPC, Kotwali has been registered falsely against him and complainant was arrested and sent to Judicial Custody. However, complainant was released on bail on 15.07.2019.

An inquiry conducted through ACP/PG Cell has revealed that a complaint on behalf of Sh. Suyash Verma was made regarding on going unauthorized construction at property No. 1525-27, Nai Sarak, Delhi. As per statements, perusal of record and enquiry conducted into the matter so far it is revealed that a complaint on behalf of Sh. Suyash Verma (present complainant) was made regarding ongoing unauthorized construction at property No. 1525/27, Nai Sarak, Delhi. The said complaint was marked to SI Sh. Chand of PS Kotwali. During enquiry it was revealed that constructions at property No. 1525 was found and on asking by SI Shri Chand the owner / builder of alleged property could not produce any building plan / permission sanctioned by MCD. So intimation regarding ongoing construction in the alleged property along with photograph was sent to North MCD through Beat Staff on 01.01.2019 vide letter No. 992-99/SHO Kotwali dated 01.04.2019. It is pertinent to mention here that the matter regarding unauthorized constructions at property No. 1525/27 Nai Sarak, Delhi is pending before Public Grievances Commission. From the enquiry conducted into the allegations of unauthorized construction, it is revealed that police has taken action as per law

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(regarding authorized construction) as defined in DMC Act and no negligence found on the part of local police.

During further enquiry it is revealed that the PCR Call was entrusted to SI Shri Chand regarding quarrel. The same PCR call was kept pending due to the complainant Bhram Pal did not provide his statement on same day. The next day 01.07.2019 SI Shri Chand had gone to attend the bail matter in the Court of Ms Kamini Law ASJ, Tis Hazari Court so the same pending PCR call an MLC of complainant Bhrampal handed over to SI Daya Nand who was present in day emergency duty in police station Kotwali. SI Daya Nand recorded the statement of Bhrampal and endorsed for registration of above FIR U/S 308 IPC on 01.07.2019. The same day the accused person Suyash Verma had arrested and sent to judicial custody.

Further, the case FIR No. 236/19 U/S 308 of IPC, PS Kotwali has been transferred to DIU / North on 08.08.2019 after inquiry conducted by PG Cell / North. However, during the investigation conducted by DIU/North the call details of complainant (Bhrampal) and some concerned persons have been obtained which are analyzed. Some witnesses in this case have been examined. Some other material witnesses are yet to be examined. During investigation the call detail of public witnesses is also obtained.

During inquiry, the JE Sh. Anurag Sharma was contacted for MCD Web based call centre. He told that he was COVID-19 positive and concerned officer will attend the Hon'ble Commission in above matter with reply.

During investigation the subsequent opinion / expert opinion of Doctor regarding sustained injury of Bhram Pal (complainant) was obtained yesterday. An enquiry is being conducted from the Bhram Pal. So it is being required a short time to finalize the above serious matter on merit.

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So it is humbly requested to provide short time to finalize the above matter on merit. We will abide by the direction which passed by the Hon'ble Commission."

4. Recommendations of the PGC

4.1 Shri N.K.Gupta, Asstt. Engineer (B)-II, City SP Zone is advised to take necessary action in the matter as per orders of the ATMCD and provisions of the DMC Act.

He is further advised to provide a copy of Appeal, filed by the party complained against, in the ATMCD to the Commission within 04 weeks positively.

4.2 Sh. Harpal Singh, ACP, DIU, North is advised to finalize the case, in a time bound manner and submit a final report to the Commission within 04 weeks.

In view of the above the matter stands closed in the Commission.

(SUDHIR YADAV)
MEMBER

No. PGC/2019/MCD/36/

Dated :

To:

1. Sh. Harpal Singh, Asstt. Commissioner of Police, DIU North, Old Police Station Building, Timar Pur, Lucknow Road, Delhi-110054.
2. Sh. N.K.Gupta, Asstt. Engineer (B-II), City SP Zone, North DMC, 2nd Floor, Nigam Bhawan, Old Hindu College, Kashmere Gate, Delhi – 110006.

Copy for information to :

Sh. Suyash Verma

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