

PUBLIC GRIEVANCES COMMISSION
(Govt. of NCT of Delhi)
M-Block, VikasBhawan, 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: 29th Dec., 2020

Complainant : Sh. Parmanand Singh
Respondent : Deputy Commissioner,
Keshav Puram Zone
Grievance No : PGC/2019/MCD/93

1. Brief facts of the complaint

Sh. Parmanand Singh had filed a grievance in PGC on 16/10/2019 regarding illegal extension of residential property by acquiring MCD road and common area by the owners of 53-B, 63-B and 66-A. The complainant has previously sent complaints to MCD and Deputy Commissioner but no action was taken on his complaints.

2. Proceedings in the Public Grievances Commission

The PGC has convened nine hearings in the matter so far and in the hearing held on 29.12.2020, the following are present:

Complainant : Present
Respondent : Sh. Sunil Kumar, AE(B),
Keshav Puram Zone

3. Relevant facts that emerged during the hearing

3.1 Sh. Sunil Kumar, Asstt. Engineer (B), KP Zone is present in the hearing and submitted a report stating that :

“In continuation to earlier report dated 2.12.2020 in the above case, it is submitted that the sealing show cause notices dated

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24.12.2020 u/s 345-A of the DMC Act, 1957 have been issued to the owners / occupiers of all the four properties / flats No. 53-B, 63-B, 66-A & 68-B, EWS DDA Janta Flats, Pitam Pura Village, Delhi. It is further submitted that the demolition action in these flats is not feasible at present for structural safety of the adjacent properties because the impugned properties have been constructed monolithically with the original allotted structure and are situated on different floors above, below and adjoining to other properties.

Further action will be taken in due course of time after passing of sealing orders following due process of law.”

3.2 It has been informed by the Asstt. Engineer (B) that there is unauthorized construction and encroachment on public land in almost all the flats in the area. The Commission fails to understand that what prevents the MCD authorities to act upon the same, even if they are not under complaint.

4. **Recommendations of the PGC**

4.1 A self contained note be prepared in the matter by the concerned Ex. Engineer (B) in consultation with the Deputy Commissioner of the zone highlighting issue of unauthorized construction and encroachment on public land by the residents of the area, to formulate a policy in this regard.

It also needs to be ensured that unauthorized construction / encroachment once removed should not be reconstructed and if the case be, necessary legal action against the owners of the flats be taken by the officers of the North DMC.

Sh. Vikram Singh Malik, Deputy Commissioner, Keshav Puram Zone in all fairness will ensure that the alleged properties be acted upon immediately. The Commission observes that the action against the similarly placed other properties in the area is

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equally important. It would be appreciated if a notice is issued to the owners of all the properties under relevant provisions of the DMC Act for removal of encroachment on public land in first instance followed by notice of unauthorized construction, if any. An Action Taken Report stating the action taken in respect of the alleged properties and other similarly placed properties be submitted to the Commission within a period of 06 weeks under the signatures of the Deputy Commissioner of the Zone.

4.2 Sh. Sunil Kumar, Asstt. Engineer (B), Keshav Puram Zone is advised to take necessary action of sealing or demolition as per provisions of the DMC Act, on the unauthorized construction and encroachment on public land on the properties under complaint and submit an Action Taken Report to the Commission within 03 weeks.

(SUDHIR YADAV)
MEMBER

No. PGC/2019/MCD/93

Dated:

To:

1. Sh. Vikram Singh Malik, Deputy Commissioner, KP Zone, North DMC, A-1 Block, Keshav Puram, Delhi – 110035
2. Sh. Sunil Kumar, Asstt. Engineer (B), Keshav Puram Zone, North DMC, A-1 Block, Keshav Puram, Delhi – 110035

Copy for information to :

Sh. Parmanand Singh

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