

**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: 11<sup>th</sup> Aug., 2021

Complainant : Sh. Jaswinder Pal Singh &  
Surinder Pal Singh

Respondent : Deputy Commissioner  
(Karol Bagh Zone),  
North DMC

Grievance No. : PGC/2020/MCD/29

**1. Brief facts of the complaint**

Sh. Surinder Pal Singh & Sh. Jaswinder Singh have filed a grievance in this Commission regarding unauthorized construction of 3<sup>rd</sup> and 4<sup>th</sup> floor of R 641, New Rajinder Nagar, New Delhi and also the height of the building exceeds 15m. They have requested for appropriate action in the matter.

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

2.1 The PGC has convened two hearings in the matter and in the second hearing held on 03.02.2021 Shri S.K.Sharma, AE (B), Karol Bagh Zone was advised to physically inspect the property again to verify the contention of the complainant and submit a factual report to the Commission within 04 weeks.

A report dated 05.04.2021 was submitted by the Asstt. Engineer (B) in compliance of the orders of the Commission stating that :

“The building has been inspected on 02.02.2021 and again re-inspected on 30.03.3021. As per records, the building plan was sanctioned vide No.202/B/KBZ/05/210 dated 05.09.2005 for

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basement, ground floor, first floor and second floor. At present the building comprises of basement, ground floor, first floor, second floor, third floor and one room and toilet at the roof of third floor and mumty, lift machine room (mumty, life machine room are not counted and free from FAR) old and fully occupied. Previously at the time of inspection the ground floor and the terrace of the third floor were found locked, due to which accommodation at terrace and basement could not be detected, as the entry for the basement was from the inside of the ground floor and basement is within the permissible limit and not visible from the out of the property.”

Again it was desired by the Commission that photographs of the property from two different angles may also be provided. The same was complied with by the Asstt. Engineer and photographs were submitted.

A perusal of the report and photographs of the property provided by the department revealed that there is construction at the roof of the third floor, which is not as per SBP.

It was advised by the Commission that immediate necessary action as per provisions of the DMC Act be taken against the unauthorized construction in the property.

A report dated 29.07.2021 in the matter is submitted by the Asstt. Engineer (B) stating that :

“1. The impugned property had been inspected by the Building Department, KBZ on 26.07.2021. The property comprises of ground floor, first floor, second floor, third floor and fourth floor. The construction / structure was found to be old and occupied at all floors. No ongoing construction had been seen in the premises during the inspection on 26.07.2021.

2. As per office record the property was found booked for unauthorized construction at ground floor and first floor vide file No. B/UC/KBZ/05/654 dated 28.11.2005 and the second floor of

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the property was booked vide file No. B/UC/KBZ/06/09 dated 02.01.2006. Recently, the property is again booked for unauthorized construction at third and fourth floor vide file No. B/UC/KBZ/2021/152 dated 26.07.2021.

3. Further action shall be taken, post consideration of reply, if any furnished by the owners / occupiers of the property.”

2.2 In the earlier ATR it was informed by the department that the property is booked upto second floor but action for demolition cannot be initiated as the same was protected under the Delhi Special Law. Department has now initiated action on the remaining floors also by booking the third and fourth floor on 26.07.2021.

### **3. Recommendations of the PGC**

3.1 Shri Kumar Mahendra, Ex. Engineer (B), Karol Bagh Zone is advised to initiate further necessary action in the matter, as per provisions of the DMC Act.

3.2 Deputy Commissioner, Karol Bagh Zone, North DMC is advised to ensure that necessary action as per provisions of the DMC Act is taken in the matter by the concerned officers.

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

(SUDHIR YADAV)  
MEMBER

No. PGC/2020/MCD/29

Dated :

**To:**

1. Deputy Commissioner, Karol Bagh Zone, North DMC, Zonal Office, Anand Parvat, Near Khalsa College, New Delhi - 110005

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2. Sh. Kumar Mahendra, Ex. Engineer (B), Karol Bagh Zone,  
North DMC, Zonal Office, Anand Parvat, Near Khalsa College,  
New Delhi – 110005

**Copy for information to :**

1. Shri Jaswinder Pal Singh
2. Shri Surinder Pal Singh

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