

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: 09th Aug., 2021

Complainant : Sh. Rajesh Gupta
Respondent : Deputy Commissioner
(Rohini Zone), North DMC
Grievance No. : PGC/2021/MCD/23

1. Brief facts of the complaint

Sh. Rajesh Gupta had filed a grievance in PGC regarding encroachment by his neighbors i.e. the residents of property No. F-23/103 and F-23/102, Sector-3, Rohini and requested to direct the North DMC to take necessary action in the matter.

2. Proceedings in the Public Grievances Commission

The PGC has convened two hearings in the matter and in the hearing held on 09.08.2021 the following are present :

Complainant : Absent
Respondent : Sh. S.K.Gupta,
A.E.(B), Rohini Zone

3. Relevant facts that emerged during the hearing

Sh. S.K.Gupta, Asstt. Engineer (B) is present in the hearing and submitted a status report stating that :

“It is submitted that P.No. F-23/102, Sec-3, Rohini, Delhi has already been booked u/s 343/344 of the DMC Act vide U/c File

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

No.103/UC/C-53/B-1/RZ/2021 dated 22.07.2021 in the shape of deviation / excess coverage against standard building plan and projection on Mpl. land. A Show Cause Notice No. 5138 dated 22.07.2021 has been issued to the owner / occupier. Thereafter, demolition order has been passed by the competent authority on 30.07.2021. A Special Demolition Action programme was fixed for 06.08.2021 with PS Rohini South but the same could not be taken due to non availability of police force.

Similarly, P.No. F-23/103, Sec.3, Rohini, Delhi has already been booked u/s 343/344 of the DMC Act vide U/c File No. 104/UC/C-53/B-1/RZ/2021 dated 22.07.2021 in the shape of deviation/excess coverage against standard building plan and projection on Mpl. land. A Show Cause Notice No. 5139 dated 22.07.2021 has been issued to the owner / occupier. In response to the said Show Cause Notice, the owner/occupier has submitted a reply alongwith photocopy of House Tax paid receipts for the year 2004 onwards and claimed that construction exists in the property is prior to 2007. Further action in the matter shall be taken after verification from House Tax Department.

It is pertinent to mention here that property of complainant Shri Rajesh Gupta i.e. F-23/104, Sec-3, Rohini, Delhi has already been booked u/s 343/344 of the DMC Act vide u/c file No. 233/UC/C-53/B-1/RZ/2020 dated 10.11.2020 in the shape of one room and tin shed covering on the roof top of above flat against the standard building plan of DDA. After following due process of law, demolition orders have been passed on 28.12.2020.

In order to take demolition action against the impugned properties, a Special Demolition Programme has been fixed for 18.08.2021 with PS Rohini South.”

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3.2 On perusal of report it is seen that the property under complaint has been booked by the officers of Rohini Zone, as per provisions of the DMC Act.

4. Recommendations of the PGC

4.1 Shri S.K.Gupta, Asstt. Engineer (B)-I, Rohini Zone is advised to take further necessary action in the matter as per provisions of the DMC Act. He is further advised that such actions on unauthorized construction should also be taken on the similarly situated properties in the surroundings.

4.2 Sh. Vivek Prakash, Deputy Commissioner, Rohini Zone is advised to ensure that necessary action, as deemed fit, as per provisions of the DMC Act is taken.

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

(SUDHIR YADAV)
MEMBER

No. PGC/2021/MCD/23/

Dated:

To:

1. Sh. Vivek Prakash, Deputy Commissioner, Rohini Zone, North DMC, Zonal Building, Near Rajiv Gandhi Cancer Institute, Sector-5, Rohini, Delhi – 110085

2. Shri S.C.Meena, Ex. Engineer (M)-I, Rohini Zone, North DMC, Maintenance Division – I, Road No.-44, Pitam Pura Village, Delhi - 110083

Copy for information to :

Sh. Rajesh Gupta

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