

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 30.7.1998

Date of Order: 11th Oct., 2021

Complainant : Shri Deepak
Respondent : District Magistrate (South West)
Grievance No. : PGC/2014/Rev./516

1. Brief Facts of the Case

Shri Deepak filed a grievance before the Public Grievances Commission on 02.12.2014, aggrieved by alleged encroachment over Gram Sabha land bearing Khasra No. 240/1/2 and Gram Sabha Passage, bearing Khasra Nos. 94, 96 and 103, Village Kangan Heri. This encroachment has been brought to the notice of BDO, SDM and Deputy Commissioner vide several letters since 2012 but no action has been taken to remove the encroachment.

2. Facts emerged during the hearings

The last hearing in this grievance was held on 5.3.2020. First hearing in this grievance case was held on 17.2.2015. During the course of hearings, it was informed that demarcation was done on 3.9.2015, 21.10.2016 and 3.5.2017. However, the TSM service provider informed the revenue department that there was mis-match in massavi and field book, for which correction in revenue record was required. The demarcation dated 3.5.2017 was ordered to be defective by District Magistrate /South West, vide his order dated 6.3.2019. He directed for a fresh demarcation. But, before fresh demarcation, correction in revenue record was required for which hearing is to be accorded to all concerned.

To ascertain the status of the case, SDM/Kapashera alongwith officers under his jurisdiction were called for meetings on 23.10.2020, 5.7.2021, and 7.10.2021. At the meeting on 23.10.2020, it was informed that due to outbreak of Covid -19 , hearings could not be held. At the meeting on 5.7.2021, it was informed that hearings were fixed on 3.2.2021 and 16.4.2021, which could not be held due to covid related duties. At the hearing scheduled on

28.6.2021, despite issue of notices, no one attended the hearing before Tehsildar/Kapashera.

At the meeting on 7.10.2021, the status report was filed by Shri Naveen Gulia, NT/Kapashera. The status report informed that though notices was served for hearing on 15.6.2021, 12.7.2021 and 12.8.2021 upon the concerned bhumidhars and pasting of notice through concerned Halka Patwari at the prominent places in the village, with the advice to appear in the office for hearing, with relevant documents, none appeared for the hearing. As the matter relates to correction in revenue record, the matter can only be decided by hearing each concerned bhumidar, to protect interest of all concerned and to avoid future litigation. Copy of hearing notices dated 15.6.2021, 12.7.2021 and 12.8.2021 were also submitted alongwith copy of noting showing adjournment and re-schedule of the hearings. Copy of notices submitted shows that the notices were also addressed to the complainant, who did not respond to the notices.

3. Directions of PGC

3.1 In view of above, when the complainant himself is not responding to the notices issued by the revenue department, no purpose will be served in continuing with this case in the Commission. The complainant is advised to join the proceedings, in pursuance of hearing notices issued by the revenue department.

3.2 SDM/Kapashera and the concerned Revenue Officers shall ensure that the process of hearings is completed expeditiously. If the land owners/concerned bhumidhars are not responding to the hearing notices, issued by the revenue department, the feasibility of ex-parte may be looked into and take action as per applicable Revenue Acts.

With the above advice, the Commission has decided to close the case in PGC.

**(SUDHIR YADAV)
MEMBER(PGC)**

No.PGC/2014/Rev./516/

Dated :-

Copy to :-

1. District Magistrate (South-West), Revenue Department, Govt. of NCT of Delhi, Old Terminal Tax Building, Kapashera, New Delhi.
2. SDM (Kapashera), Revenue Department, Govt. of NCT of Delhi, SDM Office Complex,

Old Terminal Tax Building, Kapashera, New Delhi.

3. Shri Deepak