



PUBLIC GRIEVANCES COMMISSION

(Govt. of NCT of Delhi)

M-Block, Vikas Bhawan, IP Estate, New Delhi – 110110

Tel. No. 011-23379900, 23379901, Fax No. 011-23370903

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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: 28th April, 2022

Complainant : Dr. Anil Kumar Gaur
Respondent : Dy. Commissioner
(Keshav Puram Zone),
North DMC
Grievance No. : PGC/2022/MCD/01

1. Brief facts of the complaint

Dr. Anil Kumar Gaur has filed a grievance in PGC regarding de-sealing of his property bearing No. WZ-2, Yadav Market Village Shakurpur, Delhi - 110034.

2. Proceedings in the Public Grievances Commission

The PGC has convened first hearing in the matter on 28.04.2022 wherein the following are present :

Complainant : Present
Respondent : Sh.Pradeep Ahlawat, L.I.

3. Relevant facts emerging during the hearing

3.1 Shri Pradeep Ahlawat, Licensing Inspector, KP Zone was present in the hearing and submitted a copy of the status report dated 1.02.2022, already submitted in the Commission, stating that

“the status in respect of the properties mentioned in the application of Sh. Anil Kumar Gaur is as under :

1. Property No. WZ-2, Shakurpur Village, Delhi has been sealed in Step – II under the directions of the Monitoring

Committee on 18.11.2018. This property is mentioned at S.No.60 in the list with the name of M/s KK Engg. Works and DSIIDC application No. 52458.

2. Property No.2A, Yadav Market, Shakurpur Village, Delhi has been sealed in Step-I under the directions of Monitoring Committee on 29.10.2018. This property is mentioned at S.No. 8 in the list with the name of M/s Megha Lites and DSIIDC application No. 41608.”

3.2 The complainant present in the hearing informed the Commission that his property was wrongly sealed by the MCD as its name was not in the list of Monitoring Committee. Presence of Asstt. Commissioner (Licensing) was desired by the Commission to clarify the issue on 04.05.2022.

3.3 On 04.05.2022 Sh. P.K.Singh, Asstt. Commissioner, Licensing was present in the hearing alongwith Licensing Inspector. He again reiterated the stand of the department and informed the Commission that the property was sealed under the directions of the Monitoring Committee and can only be de-sealed with the orders of the Hon'ble Supreme Court of India. He has also furnished a copy of Standard Operating Procedure (SOP) to deal with the sealing / de-sealing of properties under various provisions of the DMC Act, 1957 dated 17.11.2021 wherein it has been mentioned that :

“D. Monitoring Committee

(i) -----

(ii) In cases where the properties had been sealed for misuse in compliance of the directions dated 11.10.2018 of the Hon'ble Supreme Court in WP(C) No.4677/1985 titled as MC Mehta Vs U.O.I. and form an integral part of the list containing properties operating as industrial units in residential and non conforming areas as submitted before the Supreme Court, the same shall be de-sealed only under the directions of the Hon'ble Supreme Court of India.”

4. Directions of the PGC

Keeping in view the stand of the department in the matter, the complainant is advised to approach Monitoring Committee / Hon'ble Supreme Court of India.

The complainant has also submitted a representation in the Commission during the hearing. A copy of the same is enclosed with this order with the advice to the Asstt. Commissioner (Licensing) to take action on the same, as per provisions of the DMC Act.

With the above advice the matter is closed in the Commission.

(SUDHIR YADAV)
MEMBER

No. PGC/2022/MCD/01

Date:

Copy to:

Asstt. Commissioner, Licensing, Keshav Puram Zone, North
DMC, A-1 Block, Keshav Puram, Delhi – 110035

Copy for information to :

Dr. Anil Kumar Gaur