

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: 8th January, 2018

Complainant : **Sh. Surjeet Singh,**
E-8, Gali No. 1, East Vinod Nagar,
Delhi-110091

Respondent : **Deputy Commissioner,**
Shahadara South Zone,
East Delhi Municipal Corporation,
Near Shyam Lal College, Shahadara, Delhi -110032

Grievance No. : PGC/2017/MCD/167

Grievance filed on : 13.02.2017

First hearing in the PGC, : 30.03.2017
Scheduled on

1. Brief facts of the complaint

Sh. Surjeet Singh filed a grievance in PGC on 13.02.2017 regarding unauthorized construction at C-16, Acharya Niketan, Mayur Vihar, Phase-I, Delhi - 110091

2. Proceedings in the Public Grievances Commission

The PGC has convened five hearings viz. four in the Board of Chairman, PGC on 30th March, 2017, 17th July, 2017, 4th September, 2017 and 6th November, 2017 and one in the Board of Member, PGC on 8th January, 2018. At the hearing held on 8th January, 2018 the following were present:

Complainant : Absent

Respondent : Sh. P.R. Meena, E.E. (B)-II,
Shahadara South, East DMC

3. Relevant facts emerging during the hearing

3.1 At the last hearing held on 6th Nov.2017, the directions of PGC were as follows :

Shri P.R.Meena, Executive Engineer (B) – II, Shahadara South Zone, East DMC
shall take note of the absence of any representative / non submission of any action taken

report, in compliance of directions given at its last hearing held on 4th Sep. 2017 viz. "Shri P.R. Meena, Executive Engineer (B) – II, Shahadara South Zone, East DMC is directed to get the stay vacated from the Appellate Tribunal, MCD by pleading the case properly by bringing all the facts before the court and after vacation of stay, necessary action against the unauthorized construction shall be initiated immediately, as per DMC Act, 1957."

3.2 During the hearing on 08.01.2018 a status report was filed by Sh. P.R. Meena, Ex. Engineer (B)-II vide which it has been informed that the Hon'ble Appellate Tribunal, MCD vide its order dated 12.09.2017 and subsequent order dated 21.11.2017 has restrained the EDMC to take demolition action. Record of sealing & demolition file has also been submitted in Appellate Tribunal, MCD. The matter is still sub-judice and adjourned for 06.03.2018.

Further it was submitted that order's of the Hon'ble Commission can only be complied in terms of outcome of final decision of Hon'ble Appellate Tribunal, MCD.

4. Directions of the PGC

4.1 As informed by Mr. P.R. Meena, Executive Engineer (B) – II the sealing action was ~~also~~ initiated against this property and sealing order was passed on 18.01.2017. The entire property was sealed on 21.02.2017 in compliance of sealing order dated 18.01.2017.

4.2 Further, **Sh. P.R. Meena, Ex. Engineer** is directed to suitably present the case of the department, through a Govt. Counsel, if any, before the ATMCD and ensure that the stay is vacated on the next date of hearing. Thereafter, further action should be initiated against the building / owner, as per the provisions of DMC Act.

4.3 The matter is sub-judice before the ATMCD, hence this Commission shall not intervene at this stage.

4.4 Hence the present complaint case stands disposed off before this Commission.



(SUDHIR YADAV)
Member (PGC)

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19/2/18

- 1 Commissioner, East DMC, Udyog Sadan, Plot No. 419, F.I.E., Patparganj Industrial Area, Delhi- 110092.

- 2 Deputy Commissioner (Shahadara South Zone), Zonal Office Building, Karkardooma, Delhi – 110092.
- 3 Shri P.R. Meena, Ex. Engineer (B)-II, shahadara south, East DMC, Zonal Office Building, Karkardooma, Delhi
- 4 Sh. Surjeet Singh, E-8, Gali No. 1, East Vinod Nagar, Delhi - 110091