

**PUBLIC GRIEVANCES COMMISSION**  
(Govt. of NCT of Delhi)  
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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> April, 2018

Complainant : Sh. P.Birla

Respondent : Deputy Commissioner (Central Zone),  
South DMC, Near Jal Sadan,  
Shiv Mandir Marg, Lajpat Nagar,  
New Delhi - 110024

Grievance No. : PGC/2017/MCD/355  
Grievance filed on : 28.11.2017  
First hearing in the PGC, : 24.01.2018  
Scheduled on

**1. Brief facts of the complaint**

Sh. P.Birla, Kalkaji Welfare Association filed a grievance in PGC on 28.11.2017 for removal of encroachment by Reta, Badarpur, Rodi, Bricks Wala and by Denting Painting Walas from the vicinity of Kalkaji Park.

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

The PGC has convened three hearings in the case and at the hearing held on 11<sup>th</sup> April, 2018 the following were present :

Complainant : Absent

Respondent : Sh. V.D.Vashisht, AE (M)-I,  
Sh. S.P.Singh, L.I, SDMC  
H.C. Jitendra, P.S. Kalkaji

**3. Relevant facts emerging during the hearing**

3.1 At the hearing held on 28.02.2018 the directions of the PGC were as under :

Executive Engineer (Maintenance), Central zone, SDMC is directed to remove the encroachment and also immediately remove the malba from the site so that the same do not occur and submit an Action Taken Report on the next date of hearing.

SHO, Kalkaji is directed to keep a proper vigil through Beat Constable so that the same do not reoccur once it is removed.

3.2 During the hearing on 11.04.2018 a status report from Admn. Officer, Central Zone is submitted stating that in this regard, it is submitted that an action for removal of temporary encroachments was conducted by this department on 12.02.1028 and recently on 10.04.2018 with the help of police force. The photographs has taken during the course of action are enclosed herewith and the site is question is free from encroachment. During the action three cars of denting painting were confiscated along with other materials of denter / painters. Seizer memo is enclosed herewith for kind perusal.

A letter has been sent to police authorities with request to direct the concerned SHO to ensure that the above areas where temporary encroachments have been removed are not re-occupied by the mechanics etc.

Further Sh. Rajender Mandal has also filed court case before the Court of Senior Civil Judge, Saket Distt. (SE) titled as Rajender Mandal Vs DC SDMC & Ors. In this regard..

3.3 An action taken report from E.E.(M-II), CNZ is also submitted stating this office had planned & fixed an encroachment removal action for 05.04.2018 and a request letter for police assistance was sent to SHO, PS Kalkaji vide letter bearing No. D/EE(M)-II/CNZ/2017-18/946 dt. 12.03.2018. The copy of letter is enclosed for reference as Annexure A.

This office has removed encroachment in the shape of building material supplier, denting / painting mechanics etc. with the help of police assistance on 05.04.2018. The photographs of action taken are enclosed herewith.

A letter vide No. D/AE(M)-II/CNZ/2018-19/03 dated 06.04.2018 was sent to SHO, PS Kalkaji to keep strict watch and ward, so that the area could not be re-encroached. A copy of letter is enclosed for reference.

3.4 An Action Taken Report has also been submitted by the ATO/Kalkaji during the hearing on 11.04.2018 stating that :

In this regard, it is submitted that the SDMC officials carried out encroachment removal action in front of Aggarwal Dharamshala, Kalkaji on 05.04.2018 and 10.04.2018. During this exerciser, the SDMC officials had only demolished the structure but not removed the malba and articles found lying there. There was clear direction of the Hon'ble Member of PGC in the order dated

24.02.2018 that SDMC will take over the possession of the land under reference by putting the MCD board and will also demolish and remove the pucca structure, if any on the said land. The photographs of the before and after encroachment removal action by the SDMC official dated 10.04.2018 are enclosed herewith for your kind perusal. As soon as the land under reference is cleared from all kind of encroachment and boards displayed there, no encroachment will be reoccurred.

#### **4. Directions of the PGC**

4.1 As per report submitted by AO (Central Zone), SDMC the temporary encroachment has been cleared by the concerned agency and the photographs submitted suggests the same. Since the complainant is not present the same could not be verified. The submissions of the department are accepted in the light of action taken report submitted and photographs. The department further informed that police authorities have been informed to intimate the department as and when any re-encroachment is noticed and action will be taken as per the DMC Act in coordination with the concerned agencies.

4.2 Police authorities are advised to have a strict vigil on the site and if any re-encroachment is noticed the same be informed to the officers of Central Zone, SDMC.

4.3 With the above directions in the matter the same stands closed at the level of PGC.

(SUDHIR YADAV)  
Member (PGC)

Copy to:

1. Commissioner, South DMC, Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi
2. Deputy Commissioner (Central Zone), South DMC, Near Jal Sadan, Shiv Mandir Marg, Lajpat Nagar, New Delhi – 110024
3. A.C. (Central Zone), South DMC, Near Jal Sadan, Shiv Mandir Marg, Lajpat Nagar, New Delhi – 110024
4. Executive Engineer (Maintenance), Central Zone, South DMC, Shiv Mandir Marg, Lajpat Nagar, New Delhi – 110024
5. SHO, PS Kalkaji, New Delhi
6. Sh. P.Birla