

PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.97

Date of hearing: 16.5.2018

Complainant : Smt. Manno

Respondent : Pr. Secretary, Department of L&B,
Grievance No. : PGC/2018/L&B/01
Grievance filed on : 17.2.2018
First hearing in the PGC : 10.4.2018
Scheduled on

1. Brief facts of the complaint

The complainant has filed a complaint regarding allotment of alternative plot in lieu of acquired land. The file seniority no. is 5392.

2. Proceedings in the Public Grievances Commission

The PGC convened its first hearing on 10.4.2017 and latest on 16.5.2018 wherein the following were present:-

Complainant : Shri Kuldeep Son of the complainant.

Respondent : Shri Rajesh Kumar, Junior Assistant, L&B
Deptt.GNCTD.

An ATR has been filed on behalf of Dy.Secretary (Alt.), L&B Department, GNCT of Delhi stating that “...*This Department provided various opportunities to the applicant to furnish the deficient documents. The case was placed before the Committee and it was observed that the applicant submitted the document in view of the letter dated 07.6.2016, 22.3.2017 and 17.7.2017 and further in view of public notice published in the newspaper on 29.7.2017 in Hindustan Times and Nav Bharat Times. However, the Committee observed that despite two or more opportunities provided, the applicant did not submit Indemnity Bond in original in favour of President of India through Pr.Secretary (L&B) duly registered*

with Sub-Registrar. The Committee, therefore, decided that her case may be recommended for rejection and the same was rejected with the approval of the Competent Authority. The rejection of the case was conveyed to the applicant vide letter dated 10.11.2017.”

It was conveyed to the representative of the Complainant that in the case of Smt. Nimmi Baweja Vs. L&B, the Commission vide its order dated 8.5.2018 had observed the following:-

“The matter is standstill since the L&B department is maintaining its own stand which was not agreed in the past by the Commission. The Principal Secretary, L&B himself agreed that this requires a second thought since there are a number of deserving cases where the Govt. should have a say in reopening the matter. Therefore at that time the Commission had advised Principal Secretary, L&B to take up the matter with the Hon’ble LG so that an appropriate decision would be taken about the authority who would be authorized to re-open such cases. PGC made it amply clear that directions of the Hon’ble High Court were to prevent discrimination and to stop the hanky panky that was happening routinely in the L&B department. While giving due respect and weightage to the orders of the Hon’ble High Court, the Commission only mentioned that in exceptional cases where it is found that discrimination was shown to the individual by the officials of L&B deptt. there should be a provision for reopening such cases. It is for the Hon’ble LG to decide which authority would decide the issue of reopening of such cases. PGC had also mentioned that it will not be possible for every complainant to go to the Hon’ble High Court because the legal process is very expensive. The Commission still maintains that having a specific authority in the senior formations who would process the matter in such special cases of injustice already meted out and would take the final approval of the Hon’ble LG would not amount to any contempt of Court.

The perpetuation of the present situation by the L&B is only promoting and perpetuating injustice to those who are already wrong.”

3. Directions of PGC

In view of the above, the case of the complainant is closed in PGC with the advise that if she so wishes, can approach any other court of law for redressal of her grievances.

**(N. DILIP KUMAR)
MEMBER**

Copy to:

- Pr. Secretary (L &B), GNCTD, B-Block, Vikas Bhawan, I.P. Estate, New Delhi.
- Deputy Secretary (ALT), L&B Department, GNCTD, B-Block, Vikas Bhawan,
I.P. Estate, New Delhi.
- 3. Smt. Manno