

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: 21st Sept., 2020

Complainant : Sh. Vijender Kumar
Respondent : Deputy Commissioner
(Narela Zone),
Grievance No. : PGC/2015/MCD/2073

1. Brief facts of the complaint

Sh. Vijender Kumar has filed a grievance in PGC on 12.10.2015 alleging that illegal godowns are being constructed in Village Khera Kalan, New Delhi. He has requested PGC to do the needful.

2. Proceedings in the Public Grievances Commission

The PGC has convened twenty eight hearings in the matter so far and in the hearing held on 21.09.2020, the following are present:

Complainant : Absent
Respondent : Sh. R.K. Verma, AE(B)/NZ

3. Relevant facts that emerged during the hearing

Sh. R.K.Verma, Asstt. Engineer (B), Narela Zone is present in the hearing and submitted a status report stating that :

“The undersigned has physically inspected the sites as mentioned in para 3.2 & 3.3 of the previous order alongwith the area JE on 22.06.2020 to verify the allegation of the complainant. During the course of action, it was found that neither any unauthorized construction was found in progress nor any building material was found stacked at the sites complained. However, the records maintained in the Building Department, Narela Zone were checked and it was noticed that during

the year 2018 and 2019, the department has booked the unauthorized construction of godowns against the 5 properties within the vicinity, as per the list, under section 343 & 344(1) of DMC Act, 1957 and passed the demolition orders.

It is pertinent to mention here that the Hon'ble Commission vide report dated 21.10.2019 has already been apprised that, as per DDA, Master Plan Section (Public Notice) dated 17.07.2019 para 6.4.1.1 V. "owners of standalone godowns needs to get the plans approved by 31.12.2020. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m will have to shift to the other conforming areas / godown clusters by 31.12.2020. Such godowns functioning in non-conforming areas shall have to close down within the above said time period". Consequently, the preliminary surveys have been carried out, which is reflected in para 3.1 of the order dated 06.03.2020 and the matter is still under consideration of the town Planning Department of the North DMC. Further action is under contemplation and shall be taken uniformly in accordance with law."

3.2 The Commission observes that this matter is in the Commission since 2016. Some partial demolition actions have been taken from time to time on the directions of the Commission. Every time when the hearing has been conducted the respondent department i.e. MCD has been represented by a different set of officers. More often the officers representing the department are not aware of the issue and clueless about the action to be taken by the department to take the matter to a logical end. During the course of action the resources of authorities including MCD and police have been utilized but the unauthorized godowns have emerged again despite the matter being in the knowledge of the authorities concerned.

The Commission further feels that the demolition is not only wastage of man power resources but also of building material and other resources, since the demolished material cannot be put to any use again, which is sheer wastage of national resources. This could have been avoided if the enforcement agencies acted at the time of constructions.

Commissioner, North DMC and D.C., Narela Zone are advised to look into it at their personal level, initiate disciplinary action against the officers who have been negligent and irresponsible & have allowed the unauthorized construction of godowns for their ulterior motives.

4. Recommendations of the Commission :

4.1 Sh. Gyanesh Bharti, Commissioner, North DMC is advised to take note of para 3.2 above, direct the concerned officers to take suitable action i.e initiation of inquiry against the officers who are responsible for unauthorized construction as advised earlier vide orders of the Commission dated 04.03.2020. He is further advised to ensure that necessary action as per provisions of the DMC Act is taken in the matter.

4.2 Ms Sangeeta Bansal, Deputy Commissioner, Narela Zone is advised to take note of para 3.2 above and ensure that further necessary action in the matter is taken by the concerned officers as per provisions of the DMC Act.

4.3 With the above directions the matter stands closed at the level of the Commission.

(SUDHIR YADAV)
MEMBER

No. PGC/2015/MCD/2073/

Dated :

To:

1. Sh. Gyanesh Bharti, Commissioner, North DMC, Dr. Shyama Prasad Mukherjee Civic Centre, JLN Marg, New Delhi – 110001
2. Ms Sangeeta Bansal, Deputy Commissioner, Narela Zone, North DMC, Primary Health Centre, Near Alipur, Narela - 110081

Copy for information to :

Sh. Vijender Kumar