

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: 30th Dec., 2020

Complainant : Sh. Sanjiv Zutshi
Respondent : Deputy Commissioner,
Central Zone, SDMC
Grievance No. : PGC/2019/MCD/86

1. Brief facts of the complaint

Sh. Sanjiv Zutshi has filed a complaint regarding no action from SDMC against illegal de sealing & illegal regularization of property No. R-39, South Extension, Part-2 and ongoing SDMC vigilance enquiry in the matter.

2. Proceedings in the Public Grievances Commission

The PGC has convened nine hearings in the matter so far and in the hearing held on 30.12.2020, the following are present:

Complainant : Absent
Respondent : Mr. Lalit Sharma,
A.E. (B)-I, Central Zone

3. Relevant facts that emerged during the hearing

3.1 Sh. Lalit Sharma, AE (B), Central Zone is present in the hearing and submitted a status report stating that :

“Present status report is being filed in accordance with the directions issued by this Commission from time to time during hearing proceedings in present complaint :

*“No carelessness until there is a cure.
Wear Mask, follow physical distancing & maintain hand hygiene.”*

1. That, the details of the compliance made by the department in accordance with the directions of this Commission, in respect of subject property are as under :

a. Sealing action against this property was taken by the department on 27.05.2019. During the action, entire property was sealed.

b. That, regularization plan issued in respect of subject property vide file No. 08/B/UCR/CZ/2018 dated 17.04.2018 was revoked by the department vide order No. D/1120/DC/EE(B)-I/CNZ/2020 dated 03.03.2020.

c. That, the Architect by whom the aforesaid regularization application was filed has been debarred for a period of 01 year for concealment / misrepresentation of facts vide order No D/677/DC/Cent. Zone/EE(B)-I/SDMC/2020 dt. 07.12.2020.

d. That, on request of the owner, property has been de-sealed temporarily for a period of one month for rectification. At present rectification work is in progress.

e. That the department has processed the case for revocation of Building Plan issued vide ID No. 10035795 dated 17.06.2016 and revised building plan issued on 20.02.2017 and for debarring the concerned Architect, who applied for the sanction of building plan in respect of subject property.

4. Recommendations of the PGC :

The subject property has been de-sealed by the Building Department for carrying out rectification in the building in terms of unauthorized construction and encroachment on public land, if any.

Since the department has acted upon against the Architect and he has been debarred from signing / submission of building plan applications, Completion Certificate applications as well as Layout Plan Applications with the three Municipal Corporations namely

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South Delhi Municipal Corporation, North Delhi Municipal Corporation, East Delhi Municipal Corporation for a period of one year and also the action is being contemplated against the officials concerned by the Vigilance Department for negligence / lack of due diligence in performance of duties. The Commission feels no further action is warranted at this stage.

The SDMC authorities including the Vigilance Department & Building Department are advised to ensure that further construction in the building is carried out in accordance with the DMC Act and Building Bye Laws and suitable action against the delinquent officers is taken by the Vigilance Department.

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

(SUDHIR YADAV)
MEMBER

No. PGC/2019/MCD/86/

Dated:

To:

1. Sh. Mangesh Kashyap, Chief Vigilance Officer, South Delhi Municipal Corporation, 26th Floor, Dr. Shyama Prasad Mukherjee Civic Centre, JLN Marg, New Delhi – 110002
2. Sh. Avneesh Kumar, Dy. Commissioner (Central Zone) MCD, Near Jal Sadan, Shiv Mandir Marg, Lajpat Nagar-I, New Delhi – 110024
3. Sh. Lalit Sharma, Asstt. Engineer (B)-I, Central Zone, SDMC, Jal Sadan, Shiv Mandir marg, Lajpat Nagar, New Delhi – 110024

Copy for information to :

Sh. Sanjiv Zutshi

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