PUBLIC GRIEVANCES COMMISSION
(Govt. of NCT of Delhi)
M-Block, Vikas Bhawan, IP Estate, New Delhi – 110110
Tel. No. 011-23379900, 23379901, Fax No. 011-23370903
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Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.9.1997

Date of hearing: 19th October, 2026

Complainant	:	Shri Afsar Ali
Respondent	:	The Commissioner Municipal Corporation of Delhi Through : Shri Shailender Singh, Assistant Engineer (B), SSZ,MCD
Grievance No.	:	PGC/2026/A-II/MCD/621

1. Brief Facts of the Case

The complainant has filed a grievance in the Commission, regarding a highly dangerous and unauthorized building located in Durga Gali, Gandhi Nargar Market, Delhi. He stated that this building consists of a basement+Ground+5floors (total 7 levels). There is no fire exist provision in the building, even though a very large number of people and customers visit there daily. He further stated that his shop No. 7123 is located on the ground floor of this building. On a daily basis, stones, plaster and iron roads keep falling down from this building, posing a serious threat to the lives of himself, neighbouring shopkeepers, and visiting customers. A major accident can happen at any time. The complainant has requested the Commission for necessary action in the matter.

2. Facts emerged during the hearing

2.1 The complainant is present.

2.2 Shri Shailender Singh, Assistant Engineer (B), SSZ, MCD is present and submitted action taken report, stating the following :-

i. In reference of above said grievance submitted in PGC by Sh. Afsar Ali R/o Shop No.7123 (Indian Jeans), Durg Gali, National Market, Gandhi Nagar, Delhi-110031 listed for hearing on 19.10.2026, in this connection, it is informed that hearing notice for dated 3.09.2026 was received in the office of PIO/EE(Bldg.)-1, Shahdra South Zone on 9.09.2026 vide diary no.3226 for submitting further status report and therefore status report could not be submitted in

the office of Hon'ble PGC on 03.09.2026. Further, date of hearing fixed for 19.10.2026 by Hon'ble PGC.

ii. Therefore, the official/staff of this department tender the unconditional apology for not attending the hearing before Worthy Public Grievances Commission. Though, the mistake in submitting the reply/explanation is noted for future. All efforts will be made henceforth to ensure to provide precise/specific/point-wise information (s) to the applicant (s) as well as all compliances in terms of order (s) of Public Grievances Commission.

iii. Now, in the compliance of above said order dated 22.09.2026, present status report regarding illegal construction of Property No.IX/7123, Mahavir Gali, Gandhi Nagar, Delhi-110031. as per record is as under:-

a Property was booked for unauthorized construction at Basement, GF, FF, SF, TF& Fourth Floor, Fifth Floor (Various shops and godowns) vide Booking FIR no.47/B/UC/SS/2024 dated 30.04.2024

b Show Cause Notice u/s 343 & 344(1) was issued vide file no.47/B/UC/SS/2024 dated 30.04.2024

c . Order for demolition u/s 343 of DMC Act issued vide no.47/B/UC/SS/2024 dated 18.07.2024 issued only for third floor, Fourth Floor and Fifth Floor whereas construction of Basement to Second floor is protected under the National Capital Territory of Delhi Laws (Special Provision) till the act is in force.

d. Demolition action taken on 06.09.2024 by demolishing panel of (6.5' x 6') approx at fifth floor with the help of police force Gandhi Nagar and demolition squad and made the same unusable (Photograph annexed as annexure-A).

e. Demolition action could not be taken on 16.01.2025 due to model code of conduct of Delhi General Assembly Election-2025 (Programme list annexed as annexure-B).

f. Demolition action could not be taken on 17.11.2025 in light of invocation of GRAP-III vide order no.120017/27/GRAP/2021/CAQM/1444 dated 11.11.2025 (order annexed as annexure-C).

g. Demolition action could not be taken on 12.10.2026 due to no force by P.S. Gandhi Nagar (Letter annexed as annexure-D).

h. Vacation notice under section 349 was issued vide no.EE(B)-1/Shah(S)/2026/D-2093 dated 13.10.2026.

i. Demolition action taken on 15.10.2026 in the shape of demolition section of size approx 5' x 5' on the roof of fifth floor with the help of police force and demolition squad (Photograph annexed as annexure-E).

Photographs taken during the demolition action on various dates with GPS location are enclosed herewith for your ready reference.

Further, complainant Sh. Afsar Ali is a tenant who is occupiying a shop on the ground floor in question. He had earlier filed a case against the unauthorized construction in this property in Hon'ble High Court vide no. WP(C) 16901/2025. Hon'ble High court clearly mentioned that it is an arm-twisting attempt to in order to settle his personal score for eviction petition.

Accordinlgy, Hon'ble High Court dismissed the writ petiotion no. WP(C) 16901/2025 with a cost of Rs.30000/- payable by the petitioner i.e. Sh. Afsar Ali (Copy enclosed).

Further, demolition prpgramme is fixed on 28.10.2026 for taking action".

3. Directions of PGC

3.1 In view of the action taken report filed by MCD, the Commission has decided to close the case in PGC. As per action taken report," *the Hon'ble High Court dismissed the writ petition No. WP(C) 16901/2025 with a cost of Rs. 30,000/- payable by the petitioner i.e. Shri Afsar Ali. The ATR further stated that, demolition programme is fixed on 29.10.2026.*

However, the complainant came in the Commission on 22.10.2026 and submitted a representation alongwith pen drive requesting the Commission not to close the case as the MCD furnished incomplete information

A copy of the representation given by the complainant is being sent to the Assistant Engineer (B)-1/EZ for information and taking necessary action.

PRATYUSH KANTH
MEMBER
Public Grievances Commission
Govt. of NCT of Delhi
M-Block, Vikas Bhawan,
New Delhi-110002

3.2 An ATR shall be filed in the Commission in the next hearing fixed for 10th December, 2026 at 2.30 p.m.

PRATYUSH KANTH
MEMBER
Public Grievances Commission
Govt. of NCT of Delhi
M-Block, Vikas Bhawan,
New Delhi-110002

29/10

(PRATYUSH KANTH)
MEMBER(PGC)

F.No. PGC/2026/A-II/MCD/621/ 11952-955 d/c Dated : 3/11/26

1. The Commissioner, Municipal Corporation of Delhi, Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi-110002.
2. The Assistant Engineer (B)-1/EZ, , Municipal Corporation of Delhi, Office of the Executive Engineer (Bldg.)-1, East Zone, 419, Patparganj Industrial Area, Delhi-110092 **(Copy of the representation filed by the complainant is enclosed.)**
3. The Technical Officer, PGC with the direction to upload the same on the web-site of PGC.
4. Shri Afsar Ali, Shop No. 7123 (INDIAN JEANS), Durg Gali, National Market, Gandhi Nagar, Delhi-110031(Mob. No. 997103783, Email : afsarali03783@gmail.com).