PUBLIC GRIEVANCES COMMISSION
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
I.P. Estate (near ITO), Vikas Bhawan, M-Block, New Delhi-110110
Tel Nos. 011-23379900-01 Fax No.011-23370903
E mail: pgcdelhi@nic.in

Order under Para 2(B) of the PGC Resolution No F.4/14/94-AR dated 25.09.1997

Date of Hearing: 27.10.2026

Complainant	:	Rudrakshi Warikoo (Dairy No.4087/9/26)
Respondent	:	The Commissioner, Municipal Corporation of Delhi, Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi – 110002.
Grievance No.	:	PGC/2026/A-II/MCD/658

1. Brief facts of the complaint

The complainant has filed the present grievance against alleged inaction by the MCD pertaining to unauthorised construction in Flats Nos. 198, 199 and 192 to 195, Pocket G, DDA Flats, Sarita Vihar, New Delhi. The alleged unauthorised construction includes extension and enclosure of balconies, encroachment on the foyer near the staircase, and extension of kitchens in the said flats. The complainant states that Flat No. 198 was booked by the MCD under Sections 343/344 of the DMC Act on 17.01.2024, but no follow-up action was taken thereafter.

2. Proceedings in the Public Grievance Commission

The PGC convened the first hearing in the matter on 27.10.2026.

3. Facts emerged during the proceedings

The complainant is present in person. Shri Abdul Quadir, AE, MCD, represents the respondent department. The respondent officer produced certain records relating to Flat No. 198 and stated that the property had previously been booked by the MCD. He submitted that the MCD had issued a notice dated 25.08.2023 as well as demolition order dated 28.08.2025. He further stated that the owner of the said flat claimed to have purchased the property with the existing alterations and relied upon payment of property tax and the age of the construction to claim protection under a Special Act pertaining to certain pre-existing

unauthorised constructions in Delhi, namely, the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011.

The representative of the department submitted that the owner of Flat no. 198 claimed that the construction was protected from demolition under the said Special Act. However, he was unable to produce the relevant statutory provisions or supporting records during the hearing. With regard to the remaining properties mentioned in the complaint, the respondent officer stated that he had recently taken charge of the area and required time to examine the relevant records and verify their present status.

4. Observations of the Commission

The officer of the respondent department stated that since he has received the charge of the area last week, he requires time to go through the relevant records and to visit the area for reviewing the construction that has taken place, and sought time for doing so. The Commission observes that the claim of protection under the Special Act, as raised in respect of Flat No. 198, requires examination under the statutory provisions and the official records. It would therefore be appropriate for the MCD to examine each of the properties separately and verify whether any unauthorised construction exists, whether the MCD has initiated any enforcement proceedings, and if so, the present status of the proceedings.

5. Directions

The respondent department is directed to inspect Flat Nos. 198, 199, 192, 193, 194 and 195, Pocket G, DDA Flats, Sarita Vihar, New Delhi, examine the relevant official records pertaining thereto and submit separate property-wise Action Taken Reports, indicating the following:

1) Whether any unauthorised construction is found at the property and, if so, the nature and extent of the same.
2) In the event that any unauthorised construction is found and the respondent department has already initiated proceedings, the respondent department is to furnish details of any booking, notices, demolition orders, sealing orders or other proceedings, along with their present status.
3) If the department is of the view that there is unauthorised construction in any of the properties which is protected from demolition by law, it shall identify the applicable statutory provisions, the grounds on which such protection is claimed by the flat owner, and furnish copies of the official records supporting the said protection.

4) In the event any unauthorised construction is found at any of the properties for which there is no statutory protection, the department is to initiate appropriate action under the DMC Act.

The ATRs are to be submitted before the next date of hearing, and an officer conversant with the facts of the case is to represent the department before the Commission. The next date of hearing is fixed for 07.12.2026 at 11.30 am.

(Ms. Shefali Sewak)
Part-Time MEMBER (PGC)

No.F.PGC/2026/A.II/MCD/658 11865 **Dated:** 3/11/26

To,

1. The Commissioner, Municipal Corporation of Delhi, Dr. Shyama Prasad Mukherjee Civic Centre, Minto Road, New Delhi – 110002.
2. The Technical Officer (PGC) to upload this order on the website of the PGC.

Copy for information to:

3. Ms. Rudrakshi Warikoo, Flat No. 197, Pocket G, Sarita Vihar, New Delhi110076. M. no. 9845546940

(Ms. Shefali Sewak)
Part-Time MEMBER (PGC)