

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: 14.09.2026

Complainant : Dr. Sangeetha Patro
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/539

1. Brief facts of the complaint

The Complainant has filed the present grievance requesting urgent intervention in a matter concerning unauthorized and potentially hazardous construction being undertaken at F-10C, First Floor, DDA Flats, Munirka, New Delhi – 110067, which is located directly above the flat of the complainant, who resides in F-10A, Ground Floor, DDA Flats, Munirka, New Delhi - 110067. The complainant states that the occupants of the said property have carried out an extension of the rear balcony over their courtyard area, without their consent, or any sanctioned building plan or requisite approvals from the government authorities. The structure, which includes a metal framework without viable structural support, raises serious concerns regarding safety, stability, and compliance with applicable building norms, posing a potential risk to life and property due to structural instability. The Complainant further submits that the said construction/renovation adversely affects natural light and ventilation in her flat on the ground floor, as well as restricted access to her water tank and basic maintenance needs. The Complainant has previously attempted to seek redressal through appropriate channels, including MCD 311 Complaint No. 250630162142233435 (dated 30.06.2025), written submission at MCD Dak Office (July 2025), representation through CPGRAMS (Registration No. GNCTD/E/2026/0006292) as well as a complaint lodged at Kishangarh Police Station; however, despite these efforts, the issue remains unresolved. In light of the above, the Complainant has approached the Commission with the request to intervene

in the matter so that necessary steps may be taken for removal of any unauthorized or unsafe structure in accordance with applicable rules.

2. Proceedings in the Public Grievance Commission

The PGC has convened the 3rd hearing in the matter on 14.09.2026.

3. Facts emerged during the proceedings

The complainant appeared before the Commission and reiterated her grievance regarding the unauthorized construction carried out in the first floor flat situated above her residence. The respondent department is represented by Shri Manoj Kumar, Assistant Engineer, who has filed an Action Taken Report in compliance with the directions of this Commission. The relevant portion of the ATR is reproduced below:

"In furtherance to report, as placed before this Hon'ble Commission on 03/08/2026, it is submitted that based upon the cardinal principle of natural justice, the submissions of the owner/ occupier of flat, in question were heard by way of granting opportunity of personal hearing. Accordingly, on examining the matter and finding the submissions made not sustainable, vide No. D/1134/AE(B)-I/SZ/2026 dated 28/08/2026, a reasoned speaking order has been passed; whereby the owner/ occupier of flat, in question has been directed to demolish/ remove/ rectify the extent of unauthorized construction, in the shape of extension of rear balcony/ chajja at rear side, first floor level within fifteen days from the receipt of the said order dated 28/08/2026. Copy of the letter is annexed herewith, as Annexure-A.

It is submitted that the respondent/ MCD will proceed with further course of action, as per law/ DMC Act, on the scheduled date of action i.e. 23/09/2026"

The respondent department has also placed on record a copy of the demolition order dated 28.08.2026. The order records that an opportunity of personal hearing was afforded to the owner/occupier of Flat No. F-10C. During the proceedings, the owner/occupier disputed the allegation of unauthorized construction and contended, *inter alia*, that the unauthorized construction was in fact in the flat below, in respect of which a complaint had been lodged on the CM Jan Sunwai portal.

The respondent department, however, did not accept the submissions made on behalf of the owner/occupier and, upon consideration of the site position and the reply to the Show Cause Notice, declared the extension of the rear balcony/chajja at the first-floor level to be

unauthorized. By order dated 28.08.2026, the owner/occupier has been directed to demolish/remove/rectify the unauthorized construction within fifteen days of receipt of the order, failing which the same is liable to be demolished by the MCD at the risk and cost of the owner/occupier. The departmental representative informed the Commission that demolition action at the subject property has been scheduled for 23.09.2026. The relevant portion of the demolition order dated 28.08.2026 is reproduced below for ready reference:

“AND WHEREAS, taking note of the submissions made by the Noticee and adhering with the cardinal principle of natural justice, an opportunity of personal hearing was granted for 12/08/2026. On the scheduled date of hearing, Shri Shubham Sharma (On behalf of Shri Amulya Kumar Sahoo) had attended the hearing proceedings and stated that the submissions of the Noticee are already on record. It is stated that Noticee has only provided MS Sheet just to fence the area with no masonry work, on the extended portion of the flat beneath, which is in the shape of concrete structure. It is requested that action be also initiated against unauthorized construction at flat beneath against which complaint has already been made with CM Jan Sunwai. Since he had nothing else to put forth the hearing proceedings were accordingly concluded.

AND THEREFORE, the matter has been examined in the light of site position found and recorded by Jr. Engineer (Bldg.) concerned, reply to the show cause notice received on the part of Noticee herein and his reluctance, which prevent him from taking corrective/ reformatory measures of his own. Hence, under the given circumstances, the undersigned is left with no alternative but to declare the construction under notice, in the shape of extension of rear balcony/ chajja at rear side, first floor level, as "Unauthorized" or liable to be demolished/ removed/rectified for which the present demolition order is being passed.

In view of above, I, Manoj Kumar, Asstt. Engineer (Bldg.), South Zone vested with the powers of the Commissioner, MCD U/s 343 (1) read with Section 491 of DMC Act hereby pass this demolition order against the unauthorized construction, in the shape of extension of rear balcony/ chajja at rear side, first floor level with the direction to demolish/remove/ rectify the same within fifteen days from the receipt of this order. failing which it will be demolished by the MCD at your risk and cost.”

4. Observations of the Commission

The Commission notes that the grievance relates to alleged inaction by the respondent department against the unauthorized construction in Flat No. F-10C. During these proceedings, the MCD has initiated action under the DMC Act, afforded an opportunity of hearing to the owner/occupier, considered the objections raised by them and passed a reasoned demolition order dated 28.08.2026 in respect of the unauthorized extension of the rear balcony/chajja at the first-floor level.

The Commission notes that the owner/occupier of Flat No. F-10C has been afforded fifteen days to remove/rectify the unauthorized construction and, in the event of non-compliance, the respondent department has scheduled demolition action for 23.09.2026. The grievance regarding departmental inaction has, therefore, been addressed and no further monitoring by the Commission is considered necessary at this stage.

5. Directions

In view of the above, the respondent department is directed to proceed further in terms of the demolition order dated 28.08.2026 and take consequential action in accordance with the DMC Act, 1957. Since the respondent department has initiated proceedings, passed a demolition order and scheduled further action at the subject property for 23.09.2026, no further intervention of the Commission is called for at this stage. The complainant may follow up with the concerned MCD authorities regarding implementation of the demolition order.

With the above observations and directions, the grievance stands disposed of.

No.F.PGC/2026/A.II/MCD/539 9409

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. Dr. Sangeetha Patro, Dr. P. Srinivas Rao, F-10A, DDA Flats, Munirka, New Delhi-110067. Mobile. No. 9873947629 email ID


(Ms. Shefali Sewak)
Part-Time MEMBER (PGC)
Dated: 16/9/26


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