



MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE DEPUTY COMMISSIONER
KESHAV PURAM ZONE : DELHI

No. D/14 79/DC/Bldg./KPZ/2022

Dated: 8/12/22

ORDER UNDER SECTION 338 OF DMC ACT, 1957

Whereas, online Sanction Building Plan under Saral Scheme as per chapter 4 & 7 of UBBL-2016 under Clause 336 of DMC Act was granted by Architect Sh. Yash Harit (CA/2019/115632) in favour of Sh. Baldev Singh Sobti, Sh. Gajinder Singh Sobti and Jagvinder Singh Sobti vide online ID No. 10095620 for Plot No. 16, Block-C, situated at Model Town, Delhi-110009 as per clause 3.1.1.2 (i) and (ii) of UBBL and office order No. 078/COM/MCD/2022 dated 21.06.2022.

Whereas, on scrutiny of the documents submitted by the owner/architect at the time of sanction on ID No. 10095620, it is revealed that Plot No. 16, Block-C, situated at Model Town, Delhi-110009 measuring 203.90 sqm was in the name of Sh. Gauri Shankar Bashishta C/o M/s Bashishta Bros. 1053, Bazar Sita Ram, Delhi by virtue of sale deed registered as document No. 151 in additional book no. 1, volume No. 2 on page No. 75-82 on dated 10.01.1956. Thereafter, Smt. Swaran Kaur W/o of Sh. Hardev Singh Sobti Purchased the said plot measuring 243.86 sq. yards from Sh. Gauri Shankar Bashishta C/o M/s Bashishta Bros. 1053, Bazar Sita Ram, Delhi by way of sale deed registered as document No. 3648 in additional book No. 1, volume No. 288 on page 205-210 on dated 16.07.1956. Thereafter Smt. Swaran Kaur W/o of Sh. Hardev Singh Sobti had executed a WILL on 02.04.1979 wherein she declared that Sh. Baldev Singh Sobti, Sh. Gajinder Singh Sobti and Jagvinder Singh Sobti will be the equal share-holders in the same property after her death. Smt. Swaran Kaur W/o of Sh. Hardev Singh Sobti expired on 08.05.1981.

Whereas, on further scrutiny, it is revealed that as per the approved layout plan of the area Model Town the property bearing No. Plot No. 16, Block-C, situated at Model Town, Delhi is a Shop Plot. The circular No. South DMC/Addl. Cm.(RG)/2019/217 dated 15.10.2019 notified the "Development of online module for sanction of plan upto 500 sqm by the professionals (Architect/Engineer) as per competence given in UBBL-2016 wherein it was notified that ".....through this module fresh building plans of the residential properties upto 500sqm (except the properties situated on notified commercial/MLU/PSS roads and the areas in which NOC from any external agency like DUAC, DMRC, AAI, ASI, Railway, HCC, Forest , etc.) may be sanctioned by the architect/engineer in accordance with their qualification and competence specified in UBBL-2016 with the clear stipulation that consequences /responsibility, if any, on account of erroneous sanction shall be exclusory borne by Architect/Engineer."

It will be the responsibility of the architect/engineer to ensure that the plot/property concerned meets the requirements of UBBL, Master Plan, Zonal Development Plan, LOP and the relevant circulars issued from time to time before sanctioning of plans. It shall be ensured that there is no sub-division in the property in violation of the provisions of MPD-2021."

From the above property documents it was noticed that Sh. Baldev Singh Sobti, Sh. Gajinder Singh Sobti and Jagvinder Singh Sobti (owner) and architect Sh. Yash Harit (CA/2019/115632) got plan sanctioned by misrepresentation and in violation of the provisions of circular No. South DMC/Addl. Cm.(RG)/2019/217 dated 15.10.2019. Further, the building plan was got sanctioned as per the provisions/norms of residential plot whereas the said plot has been earmarked as shop plot in the approved layout plan of the area.

WHEREAS, a show cause notice bearing No. 1430/DC/KPZ/2022 dated 26.10.2022 was served upon you as well as the Architect to show cause within Seven days of the receipt of the said notice as to why the sanction/permission accorded to you vide online ID No.10095620 be not revoked U/S 338/430 of the DMC Act and why the action against the architect Sh. Yash Harit (CA/2019/115632) be not initiated as per law/DMC Act.

WHEREAS, the owner/occupier has failed to file any reply to the said show cause notice, However, the Architect, Sh. Yash Harit submitted a reply in this office on 14.11.2022 stating therein that there is no mentioned of commercial plot or mix land property in the sale deed.

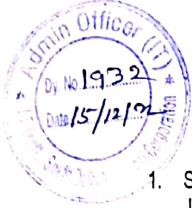
The file and the record has been perused. The department has placed a copy of part layout plan of the area wherein the said plot has been earmarked as shop plot. Accordingly, the architect Sh. Yash Harit has violated the

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Conditions of the circular No. South DMC/Addl. Cm.(RG)/2019/217 dated 15.10.2019 wherein it is clearly mentioned that ".....It will be the responsibility of the architect/engineer to ensure that the plot/property concerned meets the requirements of UBBL, Master Plan, Zonal Development Plan, LOP and the relevant circulars issued from time to time before sanctioning of plans. It shall be ensured that there is no sub-division in the property in violation of the provisions of MPD-2021."

Now in exercise of power vested in me under section 338 of DMC Act, 1957, I, Dr. Naveen Aggarwal, Deputy Commissioner, Keshav Puram Zone hereby order for revocation of sanctioned building plan of property No. Plot No. 16, Block-C, situated at Model Town, Delhi-110009 issued/ released vide online ID No. 10095620 dated 22.12.2021. The charges deposited by you at the time of getting sanction building plan is also hereby forfeited and all the construction carried by you in response to building plan issued vide online ID No. 10095620 dated 22.12.2021 is hereby declared as unauthorized. The architect, Sh. Yash Harit (CA/2019/115632) is hereby debarred from signing/submission any application for consideration/approval of Layout plan/site Plan/Building Plan, completion certificates/C-1 certificate, regularization etc. as Architect in respect of the properties situated in the areas under the jurisdiction of the MCD for a period of one year from the date of issuance of this order.



sd/-

(Dr. NAVEEN AGGARWAL (IAS)
Deputy Commissioner
Keshav Puram Zone

1. Sh. Baldev Singh Sobti, Sh. Gajinder Singh Sobti,
Jagvinder Singh Sobti,
Plot No. 16, Block-C,
Situated at Model Town, Delhi-110009
Spassociate98@gmail.com
2. Sh. Yash Harit (CA/2019/115632)
Office address : IX/1827, Street No.2,
Kailash Nagar, Mahavir Swami Park,
Delhi-110031.
yashharit22@gmail.com

Copy to:-

1. Secretary, Council of Architecture, India Habitat Center , Lodhi Road, New Delhi with the request to initiate necessary action against the above named Architect please.
2. All Zonal DCs MCD for kind information.
3. SE's (Bldg.) HQ/MCD for necessary action.
4. SE-II/KPZ for necessary action.
5. All Zone EE(Bldg.)/MCD -for necessary action.
6. Director, (IT) with request to upload the same on MCD Website/Portal.
7. Office copy

HO (KPZ-5)
15/12/21
Indrakant (DBA)

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5.12.21
Deputy Commissioner
Keshav Puram Zone

