

MUNICIPAL CORPORATION OF DELHI  
OFFICE OF THE EXECUTIVE ENGINEER(BLDG)-II, KESHAV PURAM ZONE  
A-1, BLOCK, MCD PRIMAR SCHOOL, KESHAV PURAM, DELHI-11035

No. DC/KPZ/2023/ 1878

Date: 28/04/2023

ORDER U/S 338 OF THE DMC, 1957

(DEBARRING OF ARCHITECT)

WHEREAS, Mr. Harbhajan Singh Chandhok, Mr. Gaurav Sachdeva and Mr. Gurtej Singh Chhabra, through their architect Mr. Mohd. Bilal Ansari, Regn. No. CA/2017/82343, obtained a sanction of building plan on the sub-divided portion (rear side portion of 150 sq. yards) in property No. E-206, Ashok Vihar, Phase-I, New Delhi vide online ID No. 10107192 dated 28.09.2022.

WHEREAS, it was observed that the above said applicants through their architect have obtained an erroneous sanction under Saral Scheme (upto 500 sqm) on sub-divided property in violation of the provision of circular No. South DMC/Addl. Com.(RG)/2019/217 dated 15.10.2019.

WHEREAS, the sanction plan so obtained by the architect/professional at his end, was scrutinized and it was noticed that the entire plot bearing E-206, Ashok Vihar, Phase-I, New Delhi admeasures 300 sq. yards (250.84 sqm) with a plot size of 36'-0" x 75'-0", as per the approved layout plan of the area. The conveyance deed, for entire plot, was registered vide No. 6058 dated 28.10.2002 in favour of Smt. Indrawati W/o Sh. Amar Nath. Later on Smt. Indrawati had sold the front half portion admeasuring 150sq. yards (36'-0" x 37'-6") of the said property to some other persons while rear half portion of 150 sq. yards (36'-0" x 37'-6") to Sh. Sham Sunder Arora S/o Late Sh. Amar Nath vide registered sale deed No. 28700 dated 05.12.2003. Subsequently Sh. Sham Sunder Arora, vide registered sale deed No. 17380 dated 29.11.2018, sold the entire back side built up portion to the applicants i.e. Mr. Harbhajan Singh Chandhok, Mr. Gaurav Sachdeva and Mr. Gurtej Singh Chhabra.

WHEREAS, during the scrutiny of the online building plan ID no. 10107192 dated 28.09.2022, it was also observed that the applicants and the architect/professional have erroneously obtained the said sanction in violation of the circular No. 15.10.2019. The said circular dated 15.10.2019, though, empowers the architects/engineers /professionals to issue online building permits, at their end, for residential buildings categorized under Low Risk, as per clause No. 3.1.1.2 (ii) of the UBBL-2016 (upto 500sqm) yet it clearly stipulates as under:-

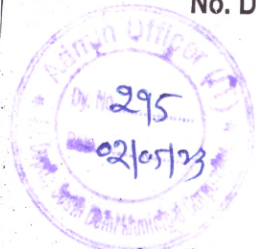
*"It will be the responsibility of the architect/engineer to ensure that the plot/property concerned meets the requirements of UBBL, Master Plan, Zonal Development Plan, LOP and the relevant circulars issued from time to time before sanctioning of plans. It shall be ensured that there is no sub-division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

WHEREAS, from the above provision of the circular dated 15.10.2019, it is evident that the architect/professional was not empowered to sanction the building plan on the sub-divided portion of the property under the EoDB on the online portal and thus the sanction was erroneous and in contravention to the extant rules and regulations /guidelines/circulars. Moreover, there is no amendment /incorporation of the sub-division in the approved layout plan of the area.

WHEREAS, the circular dated 15.10.2019 also clearly stipulates that the consequences/responsibility, if any, on account of erroneous sanction shall be exclusively borne by the Architect/Engineer.

WHEREAS, based on the aforesaid, a show cause notice bearing No. DC/KPZ/2023/1633 dated 03.03.2023 was issued and served upon the applicants Mr. Harbhajan Singh Chandhok, Mr. Gaurav Sachdeva, Mr. Gurtej Singh Chhabra and Mr. Mohd. Bilal Ansari, to show cause within three days of the receipt of the same as to why the sanction obtained vide online ID No.10107192 dt. 28.09.2022 be not revoked on the grounds as contained therein.

WHEREAS, in response to the show cause notice, Sh. Harbhajan Singh Chandhok, Sh. Gaurav Sachdeva and Sh. Gurtej Singh Chhabra submitted their reply in this office vide diary No. 517 dated 23.03.2023 and requested for revocation of the said sanction.



28/05/23

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(owners) and Sh. Mohd. Bilal Ansari (Architect) attended the personal hearing on 17.04.2023 and they stated that they have already submitted their written reply and have got the sanction on proportionate FAR basis in consonance with various court orders, as mentioned in the reply. Nothing more was added beyond their reply. The architect, Sh. Mohd. Bilal Ansari stated that he was not aware of the said circular dated 15.10.2019 and the sanction was done inadvertently. He also submitted his written reply dated 17.04.20213 and the same was taken on record. The hearing was closed.

Whereas, the matter has been examined and it is evident that there is violation of the policy as circulated vide circulars No. South DMC/Addl. Com.(RG)/2019/217 dated 15.10.2019. It is also evident that the architect Sh. Mohd. Bilal Ansari, Regn. No. CA/2017/82343, who is required to be well acquainted with the prevailing building bye laws and the circulars/notifications/guidelines/rules issued from time to time, has willfully misrepresented the facts and had erroneously sanctioned the said building plan.

Now therefore, based on the aforementioned facts and in pursuance of the provisions of UBBL-2016 (Amended upto date), in exercise of the powers vested in me under section 338 read with section 491 of the DMC Act, 1957, I Dr. Naveen Aggarwal, Deputy Commissioner, Keshave Puram Zone, MCD hereby debar Sh. Mohd. Bilal Ansari having Regn. No. CA/2017/82343, from signing/submission of building plan applications, regularization applications, completion certificate applications, layout plan applications and other allied applications in the Municipal Corporation of Delhi for a period of one year.

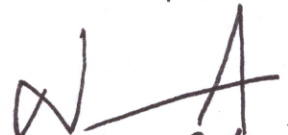
Sd/-

(Dr. Naveen Aggarwal), IAS  
Deputy Commissioner  
Keshav Puram Zone, MCD

Mr. Mohd. Bilal Ansari,  
(Regn. No. CA/2017/82343)  
[bilalansari2010@gmail.com](mailto:bilalansari2010@gmail.com)  
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Welcome Seelampur-3,  
North East Delhi,  
Delhi-110053.

Copy to:-

1. Chief Town Planner, MCD- with the request to endorse a copy of the above order to the Town Planning Department for necessary action
2. SE(Bldg.)/HQ, MCD-with the request to endorse a copy of the above order to all the Zonal Building Departments and Head Quarter for further necessary action.
3. Secretary, Council of Architecture, India Habitat Centre, Lodhi Road, New Delhi-for kind information and necessary action please
4. AO (IT) Department, MCD- for necessary action regarding uploading the above order on the municipal website
5. SE-II/KPZ for kind information please.
6. EE(B)-II/KPZ for kind information please
7. Office copy.

  
28.4.23  
(Dr. Naveen Aggarwal), IAS  
Deputy Commissioner  
Keshav Puram Zone, MCD