



MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE DEPUTY COMMISSIONER
SOUTH ZONE
GREEN PARK : NEW DELHI

NO.D/ 51 /DC/Bldg.-I /SZ/MCD /2026

Dated : 17/04/2026

ORDER

{Under Section 338 of the DMC Act-1957 for Revocation of Sanction of Building Plans in respect of Property No. T-265-C, Khasra No.740/496, Village Chirag Delhi New Delhi}

Name of Applicant	Smt. Kanta Devi through its SPA Shri Sumit Kumar Sherawat
Name of Supervisor, who sanctioned / issued the building plans	Ms. Nidhi Nidhi
Online ID No.	20024633 under Saral Scheme
Area of Plot	99 sq.yds. as per Will

Whereas an application for sanction of building plans of above property was submitted by **the above named applicant** with the **Professional** for construction of a residential building through online mode vide online referred quoted above.

Whereas the **Professional** named above exercised her powers as per Circular No. No. D-304/COM/SDMC/2022 dated 22.08.2022 (earlier Circular No. South DMC/Addl.Cmr. (RG)/2019/217 dated 15.10.2019 as well as Office Order No. D-95/Addl.Cm.(Engg)/SDMC/2016/SE(B)HQ dated 29.07.2016 - to be read with relevant amendments / policy etc., applicable for Saral Scheme (for the properties situated in Residential Plotted Development / Village Abadi / Unauthorized Regularized Colony) also contains certain regulations / rules / guidelines. The 'Saral Scheme' was devised in the light of provisions notified in Chapter-4 (to be read with relevant provisions of Chapter-3) notified Unified Building Bye-Laws-2016, which contains the procedure to be adopted for such cases. The aforesaid Circular mandates that:

1. In addition to the Undertaking mentioned in 'Saral Form-I as per Chapter-4 of Unified Building Bye-Laws-2016, an Indemnity Bond on the issues contained in the Undertaking shall also be submitted by the applicant.
2. The applicant shall adhere to the guidelines / regulations of concerned Departments / Stakeholders in terms of requisite mandatory NOC requirements such as Delhi Metro Rail Corporation (DMRC), Archaeological Survey of India (ASI), National Monuments Authority (NMA), Airport Authority of India (AAI) etc. wherever applicable.

Whereas significantly, the **Supervisor**, while sanctioning the building plan application, is required to inspect the site and ensure that the building plans are as per existing site conditions including existing construction, if any".

And Whereas it has been reported that being a case of property situated in a Village, the case is governed by the Notification dated 17.01.2011 / Master Plan-2021, to be read with relevant subsequent policy framed by the Town Planning

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Subscribed
20/04/26

Department. Thus, upon examination of the case, it was noticed that the case does not qualify for sanction of building plans under the aforesaid Notification / policy, with violations committed by the applicant and **Supervisor** in the following manner:

1. The complete chain of ownership documents has not been uploaded by the Professional / Supervisor. The ownership documents submitted by the applicant are
 - (c) Will dated 15.10.2025 executed by Smt. Kanta Devi in favour of Shri Sumit Kumar Sherawat with area of plot as 99 sq.yds.
 - (d) Special Power of Attorney executed by Smt. Kanta Devi in favour of Shri Sumit Kumar Sherawat with area of plot as 99 sq.yds.
2. It is pre-requisite to be eligible for getting the building plans sanctioned in terms of cut-off date for sub-division, single entity of plot, road width etc. as per Notification dated 17.01.2011 / policy of the Department and these issues are not specifically clear from the drawings and documents uploaded and the case approved by the Professional. In the above quoted documents, apart from property under reference, there is also mention of other sub-divided portions with same address but with plot sizes as 50 sq.yds., 125 sq.yds., 50 sq.yds. reflecting different surroundings.
3. There is also a Conditional Order No. F.22/SDM/HK/152 BNSS/2025 dated 20.09.2025 passed by the S.D.M.-Hauz Khas, Government of NCT of Delhi on record regarding potential danger to the building of the applicant in the said self-explanatory Order.

Whereas as far as professional responsibilities and liabilities of the **Supervisor** are concerned, she already stands debarred vide Order No. D/1008/DC/Bldg.-I/SZ/MCD/2025 dated 12.09.2025 in a separate case of building plans of P.No. 210-B, Khasra No.548/135, Village Savitri Nagar, Sheikh Sarai, New Delhi (online ID No. 20020621), from practicing in the Municipal Corporation of Delhi for a period of one year. She received the said application from the applicant on 04.11.2025 i.e. after the date when she was debarred from the M.C.D., and on the said date, she was not entitled or empowered to entertain or sanction the instant application in such a manner. Further, as a Professional, she was also required to ensure at her level that the case qualifies for sanction of building plans in terms of status of colony, applicability of prevalent regulations notified in the Master Plan-2021, Unified Building Bye-Laws-2016 and DMC Act, 1957. The sanction of building plans has been accorded by the **Professional** at her level and obtained by the applicant, without ensuring that the case qualifies for sanction of building plans. Thus, she has failed to do so in the instant case and sanctioned the building plans at her level beyond her defined / assigned competency in violation of the laid down provisions and policy, thereby granting benefit to the applicant by sanctioning of building plans in an unlawful manner.

Whereas it appears that sanction of building plans was obtained by the applicant and accorded by the **Supervisor** by suppression, concealment and mis-representation of material facts. The onus for genuineness and correctness of the ownership and other allied documents / information etc submitted by the applicant at the time of sanction of building plans and ensuring that the case qualifies for sanction of building plans in terms of prevalent regulations notified in the Master Plan-2021, Unified Building Bye-Laws-2016 and DMC Act, 1957 jointly lies with the applicant as well as Supervisor only.

PROVISIONS FOR REVOCATION OF SANCTIONED BUILDING PLANS:

Whereas according to the Section 338 of DMC Act-1957, it has been mandated that sanction of building plans is liable to be revoked on the ground of mis-representation / concealment of facts. The Provision No. 2.9 – Penal Action – 2.9.1-

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Revocation of Building Permit of Unified Building Bye-Laws-2016 mandates as under:

"The sanctioning authority shall revoke any building permit including sanction of building plan and / or occupancy-cum-completion certificate and take action as per law, if there has been any false statement or any mis-representation of material facts in the application on which the building permit was based."

Whereas based on the above grounds, a Show-Cause-Notice No. D/1930/DC/Bldg.I/SZ/MCD/2026 dated 06.02.2026 under Section 338 was issued to the applicant Smt. Kanta Devi as well as Professional Ms. Nidhi Nidhi. In response, a reply dated 16.02.2026 from Smt. Kanta Devi was received, with various contentions and pleas, as brief hereinunder:

1. No suppression, concealment or mis-representation of any material fact on the part of the applicant has been done;
2. Regarding ownership, the applicant has stated to have submitted the Will dated 15.10.2025 executed by Smt. Kanta Devi in favour of Shri Sumit Kumar Sherawat for the area as 99 sq.yds; with Special Power of Attorney; Non-submission of any particular document is purely procedural; She further stated that the ownership documents from erstwhile owners has been lost and qua the same, they have filed an LR with the Police Authorities on 13.02.2026.
3. The property is an identifiable single defined unit measuring 99 sq.yds. There is no sub-division of property in violation of the cut-off date;
4. The property falls within Village Abadi area and is governed by the provisions of Master Plan and relevant Notification;
5. The sanction of building plans was granted under Saral Scheme after due online scrutiny acceptance by the Professional. The application was processed through official online portal and sanction was generated through the online system.
6. She quoted the conditional order dated 20.09.2025 passed by the S.D.M.-Hauz Khas, and the case was disposed-off vide order dated 08.04.2025, quoting the report of M.C.D.
7. Regarding debarring of Professional, the applicant has contended that the Department was required to regulate and restrict access to the online portal, and for the same, the applicant cannot be penalized, for the lapse on the part of Professional.

Whereas in the light of reply of the applicant, it was considered appropriate to grant an opportunity of personal hearing to the applicant, which was fixed for 25.03.2026 and informed to her vide letter dated 18.03.2026. On the said hearing and subsequent hearing held on 06.04.2026, the applicant contended that she has already submitted the written contentions and she has nothing else to say in the matter. Thus, the hearing proceedings were concluded by the undersigned.

Whereas the matter has been got examined in the light of contentions taken by the applicant during hearing proceedings and in her reply. It has been reported that:

1. The ownership documents submitted by the applicant do not establish her owner of the property, since complete chain of ownership documents has not been submitted, rights from its origin, to its subsequent change of hands and sub-divisions.
2. It is pre-requisite to be eligible for getting the building plans sanctioned in terms of cut-off date for sub-division, single entity of plot, road width etc. as per Notification dated 17.01.2011 / policy of the Department and these issues are not specifically clear from the drawings and documents uploaded and the case approved by the Professional. The applicant has not submitted any such documents.
3. The other contentions have not been found sustainable for the said reasons.

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TAKING ACTION AGAINST THE PROFESSIONAL:

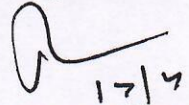
Whereas the issue of debarring of Ms. Nidhi Nidhi from practicing in the M.C.D. vide Order No. D/1008/DC/Bldg.-I/SZ/MCD/2025 dated 12.09.2025 in a separate case of building plans of P.No. 210-B, Khasra No.548/135, Village Savitri Nagar, Sheikh Sarai, New Delhi (online ID No. 20020621), for a period of one year, has already been addressed. The violations noticed in the instant case are analogous, implying that she can resume practicing only after 11.09.2026. During the debarred-period, she cannot render her professional services as Supervisor to anyone in terms of sanction of building plans or allied issues. While her practicing-status stands debarred as per said order dated 12.09.2025 on the date of sanction of building plans in the instant case and she was not empowered or entitled to sanction the building plans, but she has transcended her defined competency and misused her powers by sanctioning the building plans, and granted benefit to the applicant in an illegal manner, for the aforesaid reasons and already explicated in the said Show-Cause-Notice dated 06.02.2026. Regarding action against Supervisor Ms. Nidhi Nidhi, it has been reported that

1. In the instant case also, she has not submitted any reply to the Show Cause Notice No. D/1930/DC/Bldg.I/SZ/MCD/2026 dated 06.02.2026 despite passage of considerable time.
2. She already stands debarred vide Order No. D/1008/DC/Bldg.-I/SZ/MCD/2025 dated 12.09.2025, as quoted above.
3. There is also further another building plan case of Property No.59, Village Mohammadpur, R.K.Puram (Online ID No. 20021820 dated 09.07.2025) wherein the applicant is Smt. Bala Devi through its GPA Shri Vijay Kumar), wherein she committed analogous violations, and similar proceedings are already on in the said case for revocation of sanctioned building plans.

This has led to professional mis-conduct on her part in the above manner. Keeping in view the above grounds with concomitant facts and circumstances narrated above, the period of debarring is further extended for a period of two years from the date of her earlier-debarring-orders dated 12.09.2025.

Whereas the present proceedings are concluded that the sanction of building plans granted by the professional during debarred-period is invalid due to aforesaid violations, and is liable to be revoked under the aforesaid Section and Provisions of law.

Now, therefore, I, Deputy Commissioner-South Zone -Municipal Corporation of Delhi, for the above mentioned reasons, hereby revoke the sanction of building plans accorded in respect of aforesaid **Property No. T-265-C, Khasra No.740/496, Village Chirag Delhi New Delhi, Delhi vide online ID No. under 'SaraI' Scheme' vide online ID No. 20024633** Sanctioned by the **Supervisor Ms. Nidhi Nidhi**. The work, if carried out at site in pursuance of said sanction of building plans, shall now be treated as unauthorized / illegal and is actionable as per DMC Act-1957 / law.




Deputy Commissioner
South Zone

Smt. Kanta Devi
Through its GPA Shri Sumit Kumar Sherawat
T-265-C, Khasra No.740/496
Village Chirag Delhi
NEW DELHI

Ms. Nidhi Nidhi
Supervisor
(Licence No.S/00298)
B-881, Lajpat Nagar
NEW DELHI

Copy to:

1. Chief Engineer(Bldg)HQ – for necessary action please.
2. Chief Town Planner – for necessary action please.
3. Suptg. Engineer(Bldg)HQ – for necessary action please.
4. A.O. (IT) – for uploading the information on the website of M.C.D.



Deputy Commissioner
South Zone

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