



MUNICIPAL CORPORATION OF DELHI
Office of the Deputy Commissioner, Civil Lines Zone
3rd Floor, 16-Rajpur Road, Civil Lines, Delhi-54



No. 296/EE(B)II/CLZ/2025

Dated 08/9/25

ORDER

(Debarring of Architect)

Under Section 338 of the DMC Act -1957 for Revocation of Sanctioned Building Plans in respect of property bearing no. 9, Khasra No. 23, Kewal Park, Delhi-110033

Name of Applicant	Sh. Mahesh Chand
Name of Architect, who sanctioned Building Plan	Sh. Surender Singh Yadav (License no. S/00395)
Online ID No.	20013199 dt. 05.08.2024
Area of Plot	125.418 sq mtr

Whereas owner/builder of the property bearing no. 9, Khasra No. 23, Kewal Park, Delhi-110033 had got sanctioned building plan vide ID no. 20013199 dt. 05.08.2024 through his architect Sh. Surender Singh Yadav (License no. S/00395) in the shape of stilt, ground floor, first floor, second floor & third for plot measuring 125.418 sq mtr in size.

As per record, unauthorized construction in property in question has already been booked vide file no. 156/C-14/B-II/UC/CLZ/2024 dt. 19.07.2024, in the shape of entire ground floor. After following due process of law, demolition order was passed on 30.07.2024. The demolition order was served through speed post as well as pasted at the site on 01.08.2024. Further unauthorized construction raised at first floor & second floor which was booked vide file no. 204/C-14/B-II/UC/CLZ/2024 dt. 11.11.2024. A show cause notice was issued. In reply to the show cause notice on 18.11.2024 which was received from Sh. Ankush Garg on behalf of Sh. Mahesh Chand wherein he submitted that there is approved sanction building plan. After receiving the reply, sanction building was scrutinized and found owner/builder through his architect obtained the sanction building plan online, after construction of ground floor which is a misconduct /misrepresentation on the part of the owner as well as architect.

A show cause notice u/s 338 of DMC Act was issued to Sh. Mahesh Chand (owner) as well as Sh. Surender Singh Yadav architect vide no. 10/EE(B)-II/CLZ/2025 dt. 04.04.2025. No reply of show cause notice was received from Sh. Surender Singh Yadav (Architect).

Upon scrutiny of the documents uploaded by the Owner/Architect/Engineer along with ID No 20013199 dt. 05.08.2024, on online portal of MCD, it has been observed that architect/owner has shown vacant plot. Though the demolition order was passed on 30.07.2024 served and pasted at the site on 01.08.2024, at that time unauthorized construction of entire ground floor was in existence. Moreover, further construction at first and second floor was raised. There is no intimation given to the department, when this construction was demolished as sanction building plan was obtained on 05.08.2024 i.e. after 3 days when the demolition notice was pasted at the ground floor. It is clear that the owner has obtained the sanction building plan online without demolition of construction at ground floor which is a misconduct /misrepresentation on the part of the owner as well as architect.

And whereas, as per Clause 3.1.1.2 of UBBLs-2016 & read with circular no. South DMC/Addl.Cmr.(RG)/2019/217 dated 15.10.2019, the Architect/engineer are empowered to

sanction building plan for residential building on plots up to 500 Square meters size after submitting the plan along with requisite documents and fees to the sanctioning authority in accordance with their qualification and competence specified in UBBL-2021 with the clear stipulation that consequences/responsibility, if any, on account of erroneous sanction shall be exclusory borne by Architect/Engineer. Under SARAL SCHEME, absolute reliance is made on the submissions of Owner(s) and his/her Architect/Engineer regarding compliance of relevant provisions of Building Bye Laws-2016/Master Plan/Zonal Plan in the submitted proposal. Therefore, Owner, Architect/Engineer is to remain responsible.

I have gone through the record, on perusal of record it is established that owner and architect/engineer have suppressed the material fact and obtained sanctioned building plan for the property where construction was already in existence at ground floor. There is sufficient material on record, establishing gross misrepresentation of fact and for which architect/engineer is responsible.

And whereas the undersigned, therefore, based on the report of Department and in pursuance of provision of Unified Building Bye-Laws-2016 and for committing the violations of provisions of DMC Act 1957, Master Plan 2021 as well as policy of the department, architect/engineer has trespassed his assigned competency, thereby granting unlawful benefit to the applicant. The sanctioned building plan of the property under reference has already been revoked under section 338 of DMC Act, 1957.

Based on the aforementioned facts and in pursuance of provision of Unified Building Bye Laws 2016 and for committing the violation of provisions of DMC Act, 1957, Master Plan 2021 as well policy of the Department, the Architect/Engineer Sh. Surender Singh Yadav (License no. S/00395) is hereby debarred from signing/submission of building plan applications, application for regularization of properties, Completion Certificate applications as well as Layout Plan Applications with the Municipal Corporation of Delhi for a period of one year.

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| 1. Sh. Ankush Garg
Sh. Akhil Garg
Smt. Indro Kumar
Owner/Builder's
Plot No. 9, Khayra No 23
Keewal Park Delhi-33 | 2. Sh. Surender Singh Yadav
(License no. S/00395)
RZ-15, Sayed Mangloi,
Paschim vihar
Delhi 110087 |
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Copy to :-

1. Additional Commissioner (Engg.) MCD for information.
2. Chief Engineer (Bldg.) HQ for information.
3. Director (IT)/MCD for necessary action regarding uploading the Order in the instant case on the website.
4. SE-II/CLZ for kind information.
5. EE(B)-II/CLZ for kind information.
6. AO-IT Department-for necessary action regarding uploading the Order in the instant case on the website.
7. Office Copy.


(Anshul Sirohi)
Deputy Commissioner
Civil Lines Zone
ANSHUL SIROHI, IOFS
Deputy Commissioner
Civil Lines Zone, M.C.D.


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