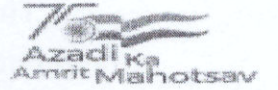


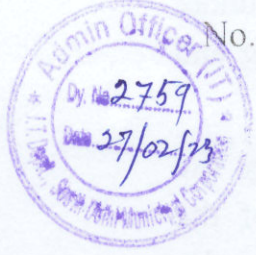


MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE DEPUTY COMMISSIONER
SHAHDARA SOUTH ZONE, ZONAL OFFICE BUILDING
PATPARGANJ INDUSTRIAL AREA, DELHI-96.



No. EEB-II/SH/S/D-1596

Dated 20/2/2023



ORDER UNDER SECTION 338 OF THE DMC ACT, 1957
(REVOCAION OF COMPLETION CUM OCCUPANCY CERTIFICATE
ISSUED UNDER SARAL SCHEME)

Sh. Mohit Yadav, Architect, CA/2021/128382 issued Completion Cum-Occupancy Certificate vide request I.D No. 10111353 to the property bearing No. 1/2251, Khasra No. 147, Gali No. 12 & 13, Ram Nagar, Mandoli Road, Shahdara, Delhi-110032 in gross contravention of Unified Building Bye-Laws, 2016. Moreover, the property under reference falls under the jurisdiction of Shahdara North Zone and completion certificate issued in Shahdara South Zone.

The CCs cum Occupancy Certificates are based on undertaking/certificate/ownership documents etc. and the onus of the correctness of the same lies with the Architect/Owner. As per Clause 2.29.1 (b) of UBBL-2016, in case, it is found that Completion/Occupancy Certificate was obtained on mis-representation, the same shall be revoked and action will be taken in accordance with law.

As per Clause 2.29.2 (a) of UBBL-2016, If the Authority/concerned local body notice that any owner/professional (s) has made false statements or concealed material facts and mis-represented for obtaining building permit/ CC cum Occupancy Certificate in contravention of the respective laws/bye-laws/rules & regulations, the professional (s) shall be delisted from all the Authority and concerned local bodies, by the Authority/concerned local bodies for a specified time period.

Accordingly, Show Cause Notice was served upon the Architect & Owners vide letter bearing No EE (B)-II/SH/S/D-1413 dated 31.01.2023 to show cause within 07 days from the receipt of the notice as to why the order of debarring against Mr. Mohit Yadav, Architect, CA/2021/128382 and revocation of the issued Completion-cum-Occupancy Certificates.

In response to the Show Cause Notice, the Architect as well as Owners preferred not to reply and thus showing their ignorance of law and acceptance of commitment of mistake.

Thus acceptance of guilt/deed towards wrongfully obtaining of Completion Cum Pre-Occupancy Certificates cannot be excuse for ignorance of law. Hence, any material misrepresentation or fraudulent statement by the owner(s)/ Builder/Architect/ Engineer contained in this intimation under SARAL SCHEME shall lead to automatic cancellation of the undertaking and forfeiture of the building permit fee besides other penal actions.

Considering the facts placed before me and averments made by the official of the Building Department-II, Shahdara South Zone. I am of the considered opinion that Completion-Cum-Occupancy Certificate issued under Saral Scheme vide file no. 10111353 are not sustainable in law as the same was issued/released in violation of laid down norms.

Now, I, Vandana Rao, IAS, Deputy Commissioner, Shahdara South Zone, MCD, in exercise of powers vested in me U/s 338 read with section 491 of DMC Act 1957 and taking into consideration all facts and circumstances of the case in consonance with the relevant provisions of Unified Building Bye-Laws-2016, hereby order to revoke/cancel the Completion-Cum-Occupancy Certificate.

Given on this 16th day of Feb, 2023 under my hand and authority.

[Vandana Rao, IAS]
Deputy Commissioner
Shahdara (South) Zone, MCD

1. Mr. Ghanshyam Dass
1/2251, Kh.No. 147, Gali No. 12 & 13,
Ram Nagar, Mandoli Road, Shahdara,
Delhi-110032.

Copy to:-

1. Additional Commissioner (Building) for kind information please.
2. SEs (Building),HQ,MCD
3. All EEs (Building), MCD
4. AO (IT) with request to delete the said CC from MCD website/portal.
5. O.I (Building) SSZ For record
6. Office Copy

Vandana Rao
[Vandana Rao, IAS] 16.02.23
Deputy Commissioner
Shahdara (South) Zone, MCD

Handwritten notes in blue ink:
1/2251
01/02/23
2101