

LOKPAL OF INDIA

**Plot No. 6, Institutional Area, Phase- II
Vasant Kunj
New Delhi - 110070**

Complaint No. : 204/2023

Date : 21st December, 2023

Coram : **Justice Pradip Kumar Mohanty**
Acting Chairperson

Justice Abhilasha Kumari
Judicial Member

Shri Dinesh Kumar Jain
Member

Smt. Archana Ramasundaram
Member

Shri Mahender Singh
Member

ORDER

The complaint is against alleged corruption in the implementation of redevelopment scheme of Ganesh Bhuvan Registered Co-operative Housing Society Ltd., plot bearing C.T.S. Nos.208(pt.), 208/64 to 81 along with 208/56, 208/59 to 63, Mumbai.

2. The complainant has levelled allegations against (i) former Chief Executive Officer, Slum Rehabilitation Authority (SRA), Mumbai (ii) former Deputy Registrar, Cooperative Department, SRA, Mumbai (iii) former Deputy Collector (Encroachment/Eviction) and competent authority, Bhandup, Mumbai (iv) former Assistant Registrar, Co-operative Society, 'S' Ward, Mumbai.



3. The complainant has alleged that the said CEO of SRA, Mumbai has, in violation of the new redevelopment rules, sanctioned Letter of Intimation (LOI) dated 30.12.2016 to M/s Shree Swami Samarth Developers in the name of the proposed society under the Slum Act. The SRA should have accepted the same as per the new redevelopment rules under section 79(A) of The Maharashtra Co-operative Societies Act 1960 in accordance with Circular 144 in compliance with the judgement of Hon'ble High Court of Bombay and the order of the High Power Committee of SRA, for the said plots at Mumbai.

4. The complainant has stated that the said redevelopment proposal of the co-operative housing society submitted by the committee which was dissolved by the Deputy Registrar of the Co-operative Department of SRA should not have been accepted. He has alleged that the mandatory 'No Objection Certificate' of the land owning authority was not submitted by the Developer. Despite a pending litigation regarding the said property of the society in Civil Court of which the Deputy Collector, (Encroachment/ Eviction), Bhandup, Mumbai was one of the respondents, SRA has allegedly approved the redevelopment proposal based on an indemnity bond fraudulently submitted by the Developer and the Secretary of the society. It has further been alleged that the Deputy Collector overlooked these issues.

5. The complainant has stated that he had filed his complaint with the Office of the DCP, Mumbai, CEO, SRA and with various other authorities, including the public grievance portals but no action was taken. The complainant has informed that an appeal was filed with the Apex Grievance Redressal Committee (AGRC) of SRA which was rejected. The Hon'ble High Court of Judicature at Bombay was also approached in the matter. As per the version of the complainant, the Hon'ble High Court directed the AGRC to address all the related issues. But the complainant has alleged that the issues were not taken up,



except for a single hearing held in December 2019 by the AGRC. Furthermore, the application filed in the matter was dismissed by the AGRC in June, 2020.

6. From the perusal of the complaint and the documents enclosed, it is evident that the complaint is against certain officials working under the State Government of Maharashtra. Hence, it does not appear to fall under the jurisdiction of the Lokpal. Moreover, the matter has already been looked into by the Apex Grievance Redressal Committee of SRA and the Hon'ble High Court of Judicature at Bombay. Hence, we are not inclined to intervene.

7. Accordingly, the complaint is disposed of. The complainant is at liberty to pursue the matter with the authorities concerned, if he so desires.


COURT MASTER
LOKPAL OF INDIA