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OFFICE OF THE DIR (Plg.)
AFR/TC, D.D.A. N. DELHI-2
No. L-368
dated 28/1/13

430
24/1/13

Hemant Kumar
Director

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NOTE

Sub:- Suggestions for Master Plan Review / Amendments as per DDA Public Notice dated 04.10.2011.

Ref:- Plot of "Birla Textiles" located in Zone C-9 at Old Subzi Mandi, G.T.Road, Delhi-110 007.

In response to the above scheme. Birla Textiles, Delhi-110 007 (Prop. Texmaco Infrastructure & Holdings Limited) has sought review of Landuse for the area in the above plot to be retained by Birla Textiles from " Industrial" to " Residential" as shown in the Landuse Map attached to the Zonal Plan of Zone-C and MDP-2021. In this regard, our submissions are as under:-

A). Provisions of MPD-2021:-

i). As per Clause 7.6.1.1 Industrial activity shall be conducted at the location in the Industrial Use Zone - the locations from Zone A to H are specified therein. Birla Mills' site does not appear in the list of locations where industrial activity is permitted.

B). Zonal Development Plan for ZONE -C:-

Under clause 2.3 "Work Centre", the list of locations for development of existing plot Industrial Area is given. In this list also the name of Birla Textiles does not appear.

C). Map attached to the Zonal Plan:-

In the Landuse map attached to the Zonal Plan MPD-2021 the "LEGEND" used for Birla Mills' Site is indicated as "Industrial" - M 1 - Manufacturing in purple colour.

The above mismatch between MPD-2021 /Zonal Plan for Zone "C" , the Landuse map clearly indicates that the Landuse Map has been prepared without giving due consideration to the provisions of MPD-2021 and that of Zonal Plan for Zone-C. It is apparently a case of oversight at the time of preparation of the Landuse Map which needs to be rectified without any change whatsoever in the MPD-2021 and /or Zonal Plan for Zone 'C'.

ALP(S)II
EM spoke about this when he was here last time.
oc (MTR)
Dir (MTR)
Sub 24/1/2013
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24/1/13

7.6 INDUSTRIAL AREA REDEVELOPMENT SCHEMES

The redevelopment schemes cover the following aspects:

- i) Modernization and upgradation of existing planned industrial areas; and,
- ii) Redevelopment of areas, which have become industrialized over the period of the two Master Plans even though not designated as such.

7.6.1 EXISTING PLANNED INDUSTRIAL AREAS

These industrialized areas were developed in the 70's and over the years, have deteriorated considerably in terms of physical infrastructure and, in some cases deficiencies on this score have persisted in an overall sense. Besides, there have been changes in the nature of activities in some of the areas and there have also been demands for using part of the plots for activities, which could be classified as commercial. There may also be a need to see whether further densification is possible in terms of creating smaller plots by sub-divisions to accommodate a larger number of industries / units. Guidelines for redevelopment of existing industrial areas shall be framed within 2 years by DDA in consultation with GNCTD and the local body. Till such time, the existing sub divisions may continue.

There is, therefore, a need for modernization and up-gradation of the existing industrial areas with due regard to environmental considerations. Since most of the Industrial areas are located along the Mass Public Transport Corridors, there is also a need for optimizing the use around these areas through the process of redevelopment.

This process of upgradation and redevelopment will need to be carried out in a planned manner, and in a public-private partnership framework, in which the entrepreneurs contribute to the betterment and subsequent maintenance through suitable Operation and Maintenance arrangements.

7.6.1.1 Industrial activity shall be conducted at the following locations in the Industrial Use Zone, as indicated in the Land Use Plan:

ZONES A to H:

Naraina Indl. Area, Jhandewallan Flatted Factory, Motia Khan Scheme, DCM Flatted Factory Complex, Shahzada Bagh Indl. Area, Gulabi Bagh Indl. Area, Rajasthan Udyog Nagar G.T. Road near Jahangirpuri, SMA Co-op. Indl. Estate G.T. Road near Jahangirpuri, SISI Indl. Area G.T. road near Jahangirpuri, G.T. Karnal Road Indl. Area near Rana Pratap Bagh, Hindustan Prefab Ltd., Indl. Area near Shivaji Rly Stn. (Minto Road), Okhla Indl. Area Ph.I, II & III, Mohan Co-op Indl. Area, SISI Complex Okhla near Modi Flour Mills, Najafgarh Road Indl. Area near Zakhira, Kirti Nagar Indl. Area, Mayapuri Ph. I & II, Udyog Nagar Rohtak Road, Keshav Pur Leather Tannery Scheme (part of Service Centre) near Vikaspuri, Wazirpur Industrial Area, Lawrence Road Indl. Area, Mangolpuri Indl. Area Ph.I & II, Jhilmil Indl. Area, Patparganj Indl. Area, Friends Colony Indl. Area, Narela Indl. Estate, Bawana Indl. Estate, Khanjhwala Indl. Estate, PVC Bazar Tikri Kalan.

- a) Additional Industrial Areas will be indicated while preparing plans for Urban Extension Areas.
- b) The approved Work-cum-Industries Centres, Service Centres etc., where development has been undertaken in accordance with the land use / earlier Master Plans, shall continue to be industrial subject to conformity with provisions stipulated.

7.6.2 REDEVELOPMENT OF UNPLANNED INDUSTRIAL AREAS

Besides the planned Industrial Areas, the Govt. of Delhi has notified following non-conforming clusters of industrial concentration having more than 70% plots in the cluster with industrial activities for redevelopment.

1. Anand Parbat
2. Shahdara
3. Samai Pur Badli
4. Jawahar Nagar
5. Sultanpur Mazra
6. Hastal Pocket - A
7. Naresh Park Extension.
8. Libaspur
9. Peeragarhi Village
10. Khyala
11. Hastal Pocket - D
12. Shalamar Village
13. New Mandoli
14. Nawada
15. Rithala
16. Swarn Park Mundka
17. Haiderpur
18. Karawal Nagar
19. Dabri
20. Basai Darapur

The redevelopment process involves preparation of redevelopment plans for widening of roads, laying of services, development of open space and parking etc.

In practical terms, these areas are deficient in terms of services and endanger the environment. The redevelopment of such areas needs to be based on clearly defined parameters in terms of the types of industries which may be permitted, spatial planning norms and environment related conditionalities regarding the provision of essential infrastructure with the participation of the owners / entrepreneur in a systematic manner.



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21.01.2013

The Commissioner –Planning,
Delhi Development Authority.
Vikas Minar,
New Delhi- 110002.

Dea Sir,

Sub:- Surrender of Land by Birla Textiles (Prop.Texmaco Infrastructure & Holdings Limited)- Delhi-110007 to DDA in terms of the Orders dated 10.05.1996 and 25.03.2010 of the Hon'ble Supreme Court of India.

DDA has filed the following documents on 20.12.2012 in the Court of Distt Judge-Delhi who is the Executing Authority for the orders of the Hon'ble Supreme Court of India in regard to the above matter:-

- i). Draft Agenda of the Screening Committee Meeting held on October 29, 2012.
- ii). Decision of the Screening Committee; and
- iii). Map of the Sub-Division Plan approved by the Screening Committee in its Meeting held on October 29, 2012.

Copy of the above was given to Birla Textiles.

In terms of the above documents, the following decisions have been taken by DDA:-

- a). As per the Ownership documents, the total area of the plot is 98665.96 sq.mtrs. and according to the formula prescribed in the Hon'ble Supreme Court , an area of 39673.09 sq.mtrs. will be retained by Birla Textiles and the area of 58992.87 sq.mtrs. will be surrendered to DDA.
- b). 1 – Akhara and 2 – Temples occupying an area of 990.36 sq.mtrs. fall in the area to be surrendered to DDA. Birla Textiles will surrender an equivalent area of 990.36 sq.mtrs. from its allocation of 39673.09 sq.mtrs and will be allowed to retain the Akhara and 2- Temples.
- c). 9 Nos. Quarters have not yet been vacated and demolished by Birla Textiles. These Quarters are occupying an area of 2168 sq.mtrs. For the time being , DDA will retain an equivalent area of 2168 sq.mtrs. and will return the same to Birla Textiles when vacant possession of this area is given to DDA.
- d). As per physical survey carried out by DDA, it has been found that actual area in possession of Birla Textiles is 102256 sq.mtrs. which is excess by 3590.04 sq.mtrs as compared with the Ownership documents. It has been proposed that total excess area of 3590.04 sq.mtrs. will need to be surrendered to DDA.

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: 2 :

We submit that the decisions at serial No. (a), (b) and (c) above are quite acceptable. However, we have objection in regard to the decision as per (d) above wherein it has been proposed that the total excess area of 3590.04 sq.mtrs. as computed by DDA over and above the area as per the Ownership documents will be retained by DDA. In this regard, we submit as under:-

- i). The area as surveyed by DDA has always been in possession of Birla Textiles. The explanation for the excess area is that most of the land was purchased more than 90 years back when measuring methods and tools were not very accurate and variation is possible when measured with present day modern tools.

The excess 3590.04 sq.mtrs of land is not outside the land as per title documents, which recorded at 98665.16 sq.mtrs and on actual measurements DDA has computed the same as 102256 sq.mtrs.

- ii). The Hon'ble Supreme Court vide orders dtd 08.05.1996 and dtd. 25.03.2010, while giving the chart of percentage of the area to be surrendered to DDA and that to be retained has directed as under:-

Quote:-

" We, therefore, order and direct that the land which would become available on account of shifting /relocation of hazardous/noxious/heavy and large industries from city to Delhi shall be used in the following manner:-

-----"

The phrase " the land which would become available" clearly means the land in possession.

On the above premise, it is quite evident that the total area in possession needs to be sub-divided and shared between Birla Textiles and DDA.

We submit that it would be just and equitable and in accordance with the orders of Hon'ble Supreme Court of India to sub-divide the excess area of 3590.04 sq.mtrs. between DDA and ourselves as per the prescribed formula. On this basis, the total area of 102256 sq.mtrs. will need to be sub-divided as under:-

Total Area = 102256 sq.mtrs.

Sl.No	Description	Land to be surrendered	Land to be retained
1.	Upto 2000 sq.mtrs.	Nil	2000 sq.mtrs. (100%)
2.	From 0.2 Ha to 5 Ha	27630 sq.mtrs. (57%)	20640 sq.mtrs. (43%)
3.	From 5 Ha to 10 Ha	32500 sq.mtrs. (65%)	17500 sq.mtrs (35%)
4.	Above 10 Ha	1534.08 sq.mtrs (68%)	721.92 sq.mtrs. (32%)
	Total	61394.08	40861.92 sq.mtrs.

: 3 :

From the above, it will be observed that out of the excess area of 3590.05 sq.mtrs. 2401.21 sq.mtrs. (66.89%) goes to DDA and merely 1188.83 sq.mtrs. (33.11%) is to be retained by us. Thus, in any case more than 2/3rd of the excess area needs to be surrendered to DDA.

We further submit that we should be allowed to retain area measuring 40861.92 sq.mtrs. and the balance may kindly be taken by DDA.

We hope our submissions will receive your due consideration for just and fair decision.

Thanking you,

Yours faithfully,
For Texmaco infrastructure &
Holdings Limited;


[Hemant Kumar]
Executive Director