

सं. ७७७ (वीजगा) इम. वी. आर.
दफ्तरी नं. २२८२
दिनांक १४/१२/१२

१-९-७५
१२/१२/२०१२
MOST IMMEDIATE

No. K-12011/4/2011-DD-I
भारत सरकार/Government of India

शहरी विकास मंत्रालय /Ministry of Urban Development

OFFICE OF THE DIB (Plg.)
MPR/TC, D.D.A. N. DELHI-2
Dy.No. २८६
Date १२/१२/१२

निर्माण भवन/Nirman Bhavan

नई दिल्ली/New Delhi

Dated, the 6th December, 2012

To

1. The Vice Chairman,
Delhi Development Authority,
Vikas Sadan, INA, New Delhi.

2. The Director
National Institute of Urban Affairs
I & II floor, Core 4-B India Habitat Centre,
Lodhi Road, New Delhi-110003

Subject: Review of Delhi MPD 2021, J-Zone

Sir,

I am directed to forward herewith a copy of representation dated 26/11/2012 received from Western Avenue Maidangarh Residents Welfare Association, New Delhi on the subject cited above.

It is requested that the issue raised therein may please be looked into an appropriate reply may be furnished the Association under intimation to this Ministry. The suggestions may kindly be taken into consideration.

Yours faithfully,

(Sunil Kumar)

Under Secretary (DDIB)

Tel.No.23061681

Encl.: As above

This issue has been sent to Director Zone I and no observations have been received till date.

Dir.(Plg)MPR/TC

Original of the same has been sent to Director Zone I. Keep this in record in concerned file for future reference.

A.D.(Plg)MPR III

CO pl. keep it in concerned file.

१९/१२/१२
२०/१२/१२

WESTERN AVENUE MAIDANGARHI
RESIDENTS WELFARE ASSOCIATION

Comprised of members of
Sainik Farms Western Avenue Bldg. Welfare Association

To,
The Honorable Union Minister
Urban Development Ministry
New Delhi

OFFICE OF UDM
Dy. No. 5772
Date 3/12/12

26.11.2012

Sub: Review of Delhi MPD 2021, J- Zone

Dear Sir,

We are located in the DDA Master Plan 2021 in J-Zone and more particularly within the natural boundaries of Sainik Farms, namely between M. B Road to the North, Sangam Vihar to the East, Indira Gandhi National Open University to the West and the natural boundary of Asola Bird Sanctuary to the South.

It will be observed that in the MPD 2021, green zone has been marked in a zig-zag manner adjoining the Asola Bird Sanctuary running through the land of villages Maidangarhi and Deoli which is totally unreasonable and has no basis. We, (the society and residents independently) had filed objections in 2008 regarding the proposed green area in land of village Maidangarhi which falls within the natural boundaries of Sainik Farms. (few copies attached).

Even the DDA in its own Master Plan as per the narration on page 95 has agreed and states that this green zone shown is incorrect till the forest department verifies and demarcates the same and that forest land should be the boundary of the green area and the rest be marked as residential as has been done all around.

It will not be out of place to mention here that the same has been brought to the knowledge of the honorable Lt. Governor vide letter dated 14.02.2012 (copy enclosed). The honorable Lt. Governor had called a meeting on 20.03.2012 and had clearly instructed Mr. Shukla (Chief Forest Conservator) in the presence of Mr. Rajesh Prasad (the then Land Commissioner, DDA) to have the forest khasra numbers as per the gazette enclosed demarcated and the same be effectively shown in the MPD 2021 by the Delhi Development Authority.

Sir, it has now been over eight months and no result seems to be in the offing.

3/12/09
4/12/12
US I

WESTERN AVENUE MAIDANGARHI
RESIDENTS WELFARE ASSOCIATION

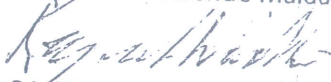
Copy to: Lt. Governor
New Delhi, Western Avenue, Maidangarhi, New Delhi

We request that since the J-Zone of MPD 2021 is under review, please ensure and give suitable instructions that our land of village Maidangarhi is demarcated as residential and only the khasra numbers in the gazette showing as forest land be marked in green, failing which we, who are residents and owners of land in the area, will be subjected to great loss and hardship.

Sir, we request immediate action in the matter mentioned above.

Thanking You
Yours faithfully

for Western Avenue Maidangarhi Residents Welfare Association


RAJESH WADHWA
(PRESIDENT)


A.N. SHERWANI
(GENERAL SECRETARY)

- Enclosed:
1. Plan of J- Zone showing area in question
 2. Copy of letter to Hon. Lt. Governor dated: 14.02.2012 & 16.05.2012
 3. Copy of gazette showing forest khasra numbers and respective area
 4. Page 95 of DDA Zonal Plan
 5. Copy of some objections filed against proposed J- Zone green area in 2008

(2)

WESTERN AVENUE MAIDANGARHI RESIDENTS WELFARE ASSOCIATION

Comprised of members of
Sainik Farms Western Avenue Maidangarhi Welfare Association

The Hon'ble Lt. Governor
Raj Niwas
New Delhi-110054

14.02.2012

Sub: Re: Demarcation and Return of Compensation of Maidangarhi land
(as per the Delhi High Court Order no: CWP 1639 of 1985
dt. 18/11/1988 and Supreme Court orders) within the boundaries of
unauthorized colony Sainik Farms Western Avenue Residents
Welfare Association awaiting regularization regd. Under no: 1295 (in
proposed Tilpath Valley Bio Diversity Park)

Your Excellency,

We have taken the liberty of writing to you on many occasions in the past three years and also visited your excellency regarding our issues pertaining mainly to Delhi Development Authority (D.D.A.) and their unwarranted action in our area since December 2008.

In the past you were kind enough to stop D.D.A. from carrying out demolition and had asked for the demarcation to be carried out which till date has not been done.

We have also approached the Honourable Minister of Urban Development who was kind enough to order the demarcation of the area alongwith the D.D.A., revenue and forest departments.

The same was also confirmed by the Vice Chairman D.D.A., but inspite of various reminders, no such survey or demarcation has taken place on the ground.

Sir, the D.D.A. is intending to create Tilpath Valley Biodiversity Park in the Gram Sabha & Forest Land in village Maidangarhi and also on private land which D.D.A. "claims" as theirs. This falls within the boundaries of the unauthorized colony awaiting regularization namely Sainik Farms Western Avenue Residents Welfare Association (Registration no: 1295 of December 2007). The above fact has

WESTERN AVENUE MAIDANGARHI RESIDENTS WELFARE ASSOCIATION

Comprised of members of

been clearly stated by the Delhi Government that Maidangarhi area in question is part of an unauthorized colony.

The mere fact that the D.D.A. has written to the Urban Development Ministry (Ref: letter of D.D.A. to Principal Secretary, Delhi Govt.) to delete certain khasra numbers goes on to prove that we are part of an unauthorized colony awaiting regularization. (Copy enclosed) The DDA can do whatever they wish on the Gram Sabha & Forest Land as mentioned in their letter but first a proper demarcation should be carried out by all parties concerned including the Revenue & Forest departments.

1. Demarcation of Forest and Gram Sabha Lands

Sir, we wish to inform you that until and unless demarcation is carried out by the Forest department physically on the ground the correct picture cannot emerge. Even the DDA in their MPD 2021 (on page 95) have clearly written themselves that till such demarcation is done the green area marked is incorrect (Copy enclosed).

2. Status of land being claimed by DDA as their land

The area being claimed by DDA as theirs as per letter enclosed is factually incorrect as a number of khasras which are under ownership as per High court & Supreme Court orders are being claimed as "DDA land". (Copy enclosed)

- (a) The fact is that there is land where the compensation has been returned as per the above mentioned court orders (which is considered private land)
- (b) Certain lands should also be considered private lands where no compensation was taken, (this is also stated in a internal notification by the Hon'ble Lt. Governor of Delhi as per the High Court orders).
- (c) Another category of land is where the compensation was returned and was duly receipted by the Land Acquisition Collector (L.A.C).

WESTERN AVENUE MAIDANGARHI RESIDENTS WELFARE ASSOCIATION

Comprised of members of
Maidangarhi Western Avenue Residents Welfare Association

However it was not encashed and the cheques still remain with the Land Acquisition Collector (L.A.C) after all these years.

(d) Sir, we request that the Land Acquisition Collector (L.A.C) be asked to take fresh cheques/payments against the cheques already lying with them but not encashed due to the time limit of the cheques.

3. As the land in question of Maidangarhi falls within the boundaries of an unauthorized colony, Land Acquisition Collector be asked to clear the status of the land in question and they be requested to take back the compensation in respect of the khasra numbers in this area with 12% interest.

4. Sir, as we are awaiting regularization and the open land in question is far less than the permissible limit of 50%, the DDA be asked not to disturb status quo till 31st December 2014 as per the new government notification.

5. Sir, it would not be out of place to mention that the above mentioned unauthorized colony when regularized will need land for various public facilities such as

- (a) Water Treatment Plant
- (b) Sewage Disposal Plant
- (c) Electric sub-station
- (d) Barat Ghar/Community Centre
- (e) Schools
- (f) Primary Health Centre/Hospital
- (g) Banks
- (h) Fire Service
- (i) Public Park

Even the Delhi government's Urban Development Ministry has advertised for open land to create infrastructure. In fact the open Gram Sabha land available in the area should be used for this purpose as we already have the Asola Bird Sanctuary and the Bio Diversity Park should be made therein.

WESTERN AVENUE MAIDANGARHI RESIDENTS WELFARE ASSOCIATION

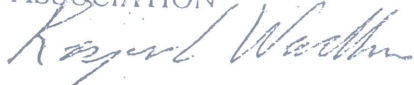
Comprised of members of
Special Farming Western Avenue Residents Welfare Association

In the end Sir, we can only request that immediate and appropriate action be taken at the earliest so that the interest of the landowners is preserved and the DDA be restrained from taking unnecessary harsh measures.

Thanking You,

Your Faithfully

For WESTERN AVENUE MAIDAN GARHI RESIDENTS WELFARE
ASSOCIATION



RAJESH WADHWA
President



A.N. SHERWANI
General Secretary

Enclosures as above :-

1. Letter of DDA VC to Mr. P.K. Tripathi dated 12.8.2011
2. Page 95 from Delhi Master Plan 2021
3. Copy of Letter From L.A.C. to Tehsildar dt. 03.4.1992
4. Copy of Letter From L.A.C. to Tehsildar dt. 30.4.1992
5. Copy of Gazette No.K-12016/2/2006-DDIB (Vol. VII)
dt. 19-12-2011

WESTERN AVENUE MAIDANGARHI RESIDENTS WELFARE ASSOCIATION

Comprised of members of
Sainik Farms Western Avenue Residents Welfare Association

To,

Dated : 16.05.2012

The Honorable Lt. Governor of Delhi
Raj Niwas
Civil Lines
Delhi-110054

Subject : Demolition on land of village Maidangarhi within the boundaries
of unauthorized colony Sainik Farms Western Avenue Residents
Welfare Association awaiting regularization under Registration
No: 1295 (in Proposed Tilpat Valley Biodiversity Park)

Your Excellency,

We have written to you on a number of occasions regarding the demolition
in our area. You were kind enough to have ordered that no demolition be
undertaken by the DDA of the built up houses at the edge of the proposed Tilpat
Valley Bio diversity Park and copy of the same is enclosed (duly obtained under
R.T.I.).

1. We are also enclosing a copy of our letter dated 14th February 2012
which is self explanatory regarding the boundaries to be fixed by the
Forest department.
2. We also enclose the copy of the Special Provisions Second Bill 2011
stating that "no punitive action shall be taken till the 31st day of
December 2014".
3. We are pleased to enclose a letter of the Govt. of N.C.T. of Delhi, Urban
Development Ministry (Unauthorized Colonies Cell) confirming that the
land of Maidangarhi is part of Sainik Farms Western Avenue Residents
Welfare Association but D.D.A. refuses to accept this fact inspite of us
providing proof (enclosed) through R.T.I. consisting of the Application

Office : - R-22/9, Western Avenue, Maidan Garhi, New Delhi - 110062 Tel No: 09818094447

WESTERN AVENUE MAIDANGARHI RESIDENTS WELFARE ASSOCIATION

Comprised of members of
Sainik Farms Western Avenue Residents Welfare Association

Form, List of Members and Plan of Sainik Farms Western Avenue Residents Welfare Association as submitted to the govt. of NCT of Delhi for regularization in December 2008. However, the boundaries have yet not been finalized.

Sir, you were extremely kind to give us a patient hearing on 20th March 2012 in the presence of the Chief Conservator of Forests, Mr. Shukla and Mr. Rajesh Prasad, Commissioner, LM, DDA and Mr. S.N. Mishra and Your Excellency was kind enough to

- 1.) instruct Mr. Shukla to immediately demarcate the khasra numbers of the Forest and Gram Sabha land in Village Maidangarhi falling in Sainik Farms.,
- 2.) instruct Mr. Mishra to please inform Mr. Vijay Dev, Divisional Commissioner Delhi to look into the compensation matter (where no compensation has been taken and where compensation has been returned) so that the ownership of the land be resolved in our area.
- 3.) The Commissioner, LM, DDA, had also raised the matter for permission to demolish construction. However, Your Excellency had verbally informed him that the earlier order for no demolition stands.

NOW, WE APPROACH YOUR EXCELLENCY AS we understand that after an inspection by Member, Engineering, D.D.A., a report has been made by the DDA and the Vice Chairman, Mr. G. S. Patnaik has directed that demolition should take place immediately without taking into consideration the abovementioned facts of the case, completely over looking your direction of 20th March 2012 that no demolition should take place.

We understand that an early date is being fixed and if your Excellency does not intervene and give the appropriate order in writing stopping this demolition then the people living in this area will be left homeless and a loss that they cannot afford to bear.

Office: - W-220, Western Avenue, Maidan Gadh, New Delhi - 110062 Tel No: 09818094447

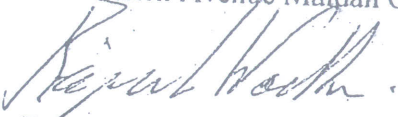
WESTERN AVENUE MAIDANGARHI RESIDENTS WELFARE ASSOCIATION

Comprised of members of
Sainik Farms Western Avenue Residents Welfare Association

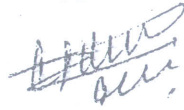
We pray that an immediate order be given directing the DDA not to carry out any demolition considering the abovementioned facts.

Thanking you,
Yours faithfully,

For Western Avenue Maidan Garhi Residents Welfare Association



(RAJESH WADHWA)
President



(MANDEEP MALIK)

Enclosures:

1. Copy of letter from the Lt. Governor's office.
2. Copy of our letter dated 14th Feb. 2012
3. Copy of letter from Urban Development Ministry (Unauthorized colonies cell) Delhi Government.
4. RTI obtained copies of our Application form, Members List and Plan submitted in December 2008 to Delhi Government for Regularization.

DELHI GAZETTE, NATIONAL CAPITAL TERRITORY GOVT. : APRIL 6, 1996/CHAITRA-15, 1918 PART IV.

Khasra No.	Area	Khasra No.	Area
1275	4-17	646	11-11
1276	4-16	648	14-6
1280	5-17	650	1-5
146	6-04	630	55-7
147	4-16	631	285-5
148	4-16	632	61-5
149	4-16	633	160-5
150	4-16	634	58-7
151	5-08	635	281-4
		637	34-15
	225-10	641	9-13
		653	5-3
		654	7-13
		655	7-10
		656	180-5
		657	23-2
		658	215-2
		659	295-13
		660	159-1
		661	300-0
		662	92-14
		663	3-13
		664	181-5
		665	21-7
		666	323-7
		667	300-0
		668	224-0
		669	15-7
		670	234-19
		671	171-19
		672	53-11
		Total	4263-2

ANNEXURE - 'C'

GRAM SABHA LAND UNDER NOTIFIED
RIDGE VILLAGE MAIDANGARHI

Khasra No.	Area	Khasra No.	Area
1	52-10	661	300-0
2	25-6	662	92-14
3	10-6	663	3-13
15	8-7	664	181-5
491	31-14	665	21-7
522	9-7	666	323-7
523	12-2	667	300-0
528	7-0	668	224-0
529	5-15	669	15-7
531	4-5	670	234-19
532	21-8	671	171-19
533	10-19	672	53-11
536	3-6	Total	4263-2
538	31-12		
541	10-0		
908/547	11-8		
548	2-11		
550	4-15		
551	5-17		
552	3-5		
553	11-15		
687/570	198-12		
569 Min.	18-0		
688/570	19-17		
1005/598	11-14		
1004/598	1-14		
599	35-4		
601	3-6		
927/602	3-3		
604	7-9		
615	20-12		
622	26-7		
624	57-17		
628	15-7		
642	57-17		

ANNEXURE - 'D', (1 to 11 Pages)

GRAM SABHA LAND UNDER NOTIFIED
RIDGE VILLAGE DERA MANDI

Khasra No.	Area
1	2
3	91-00
4	56-00
6/1	5-00
2	5-12
3	4-16
4	3-12
5	1-10
6	4-15
7	4-15
8	4-16
9	4-16
10	4-16
11	4-16
12	4-16

Subject to verification, the area of Regional Park is 7777 hectares. Part of this has been notified as Reserve Forest under the Indian Forest Act, 1927 vide Notification dated 24.5.94 and 02.04.96. There are discrepancies between the area notified and the physical boundaries of the total area owned by various agencies - DDA, CPWD, NDMC, MCD, Forest Department and the Ministry of Defence. Till the exact boundaries are identified by the Forest Department, the boundary indicated in the Master Plan for Delhi (land use plan) as Regional Park shall continue.

9.3 GREEN / RECREATIONAL AREAS

Delhi has a much larger green cover than any of the other metropolitan city in the country, and could well be called a "Green City". The green / recreational use constitutes 8,722 ha of land as per MPD 2001, which is around 19% of the total urban land area of 44,777 ha. This includes 1577 ha. under the Northern, Central and South Central Ridge (the remaining area of the Ridge is in the rural area). The balance area under recreational / green use i.e. 7145 ha. is in the form of District Parks, City Parks, Community Parks etc. comprising around 15% of the total urban land area. In addition to this, a large chunk of green area is provided in the form of Neighborhood Parks / Tot lots in the gross residential use zones, plantations / greens in large campuses like President's Estate, JNU, IARI, Delhi University, plantations along drains and roadside plantations. In addition to above, two Bio-diversity parks are under development by the DDA.

In the Urban Extension, the green cover is to be provided at the rate of 15% of the total land, excluding the Ridge / Regional Park. Out of this, some area shall be developed in the form of formal parks for the community and the rest shall be developed as woodlands and incidental greens for balancing the environment. This will be in addition to the development of specialized parks like Bio-Diversity Parks, plantation along the roads, drains, riverbank, etc.

Further, Sports Complexes, which were included in the green / recreational use category under the MPD-2001 will be seen under a separate category of sports. One of the main reasons for this modification is that, Delhi is emerging as an important centre for National and International sports events. Sports facilities are being developed by various agencies besides DDA in Delhi, mostly as a part of recreational activity / facility. As a result there is still a need for planned and structured sports infrastructure which can take care of training needs of sportsmen and also act as integrated sports complexes for national and international events. This will not disturb the green areas, which are meant for recreational purposes. Keeping this in mind, sports facilities have been included as a part of social infrastructure, which in turn may help to develop better sports infrastructure for training needs, related logistics and sports medicine etc. This will also facilitate private participation. Integrated sports complexes are envisaged under one roof to accommodate variety of sports and related functions, by way of facilitating wide range of permissibility, ground coverage and FAR.

DELHI DEVELOPMENT AUTHORITY
(Receipt & Despatch Cell)

Acknowledgement

Receipt Number : REC / M / 08 / 4,674 Date: 13/06/2008 3:14:57PM
Letter Date : 13/06/20
Subject : OBJECTION/SUJESTION
DDA file Number : ZONE-J
Received From : DAMINI WADHWA
Addressed To : M PRICIPAL COMM.R.-CUM SECY

Received By : ISHWAR CHANDER

4,674

3

To

Date 13th June, 2008

The Pr. Commissioner - Cum-Secretary
Delhi Development Authority
Vikas Sadan, INA
New Delhi-110023.

For the kind attention of Mr. V.M. Bansal.

Dear Sir,

In response to your advertisement no. F4 (1) 98-MP-Pt, dated 15.03.2008. notice under section 10(1) of the Delhi Development Act 1957 (No. 61 of 1957) read with rule 5 of the Development (Master Plan & Zonal Development Plan) Rules, 1959, of the preparation & publication of the draft of the Zonal Development Plan for Zone J (South Delhi-II) which has been prepared under the provisions of MPD 2021.

I have been residing at the present address and I am a member of the SF Western Avenue Residents Welfare Association.

I am staying in the land of village Maidan Garhi and I understand the area in question has been shown as Regional Park.

I wish to list here below my objections and suggestions in respect of the above plan, if you notice it is surrounded by IGNOU in the west, making a natural boundary alongwith the 100 Mtr road in the south and across the road is the Asola Wildlife Sanctuary.

1. Since the entire area is residential we wonder how and on what basis has this been marked in green as Regional Park. There is no rationale contained in your public notice and it appears that the marking of the green area is malafide and without any basis. We strongly object to the same, as the entire zig-zag disorderly manner in which it has been marked seems to have no reasonable explanation especially since it is a residential area. Over 300 houses are members of the SF Western Avenue Residents Welfare Association and they are going to be affected by this arbitrary marking of Regional Park in this area.

2. The area in question is mostly built up and part of the regularization plan of Sainik Farms Western Avenue Residential Welfare Association bearing the following numbers :

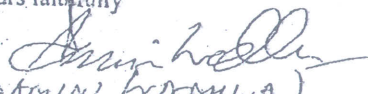
Serial No.	67
SL. No.	As per GNCTD List - 793
Registration No.	As per GNCTD List - 1295

(recorded on page 20 of the Draft Zonal Development Plan for 'J' Zone) as mentioned in this very Draft Zonal Development Plan of 'J' Zone vide item no. 101/2007 dated 19/10/2007.

3. Since, the area in question is part of the residential plan awaiting regularization we suggest that this area should also be declared residential as it is bound by the natural boundaries of IGNOU on one side and 100 mtr. road on the other side.
4. Your public notice dated 15.03.2008, is on the face of it totally vague in as much as no khasra numbers are mentioned (which is mandatory requirement of law), it is not possible to ascertain, the exact boundaries but it is obvious that there will be many houses which will fall half in residential & half in regional park.
5. There are 200 plots of various sizes (un built) belonging to 200 different owners/members who are awaiting regularization of the area so as to enable them to legally construct and thereafter reside herein.
6. My suggestion is that the area east of IGNOU University & north of 100 mtr. road (called Maa Anandmai Marg) should be made residential. As you yourself will observe that it makes no sense having a green area in such a shape & size especially when it is all residential already, and on the other side of the road is already the Asola Wildlife Sanctuary providing a sufficient green corner & a green lung.
7. I further suggest that to keep the area green houses in a minimum of 1 Bigha should be maintained and high rise buildings be discouraged in future.
8. I also request that I be given an opportunity to personally meet and present my case before any further decisions are taken in this matter.

Thanking you.

Yours faithfully


(DAMINI WADHWA)

Khasra No: 613
Village/ Maidangahi
H. No: 27
Lane W-22
Western Avenue
M. B. Road, New Delhi

- P.S. 1. The land is my private ownership
& free from any acquisition or
notice
2. Paying Property Tax since 1999.
 3. Have government BSES electrical
Connection.