

AC (PLG) MPPR

Dairy No. 1345

Date 18/09/12

230
OFFICE OF THE CHIEF MINISTER : DELHI
(PUBLIC GRIEVANCES CELL)
DELHI SECRETARIAT, NEW DELHI-110002

5382
17/09/12

No : CMO/PGC(E)/2012/219710

Dated : 11-09-2012

To

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

उपाध्यक्ष कार्यालय
अप्री सं. 2363-DA
दिनांक 14/9/12

14/9/12

Com/019/12

Subject: Reg. renewaql of master plan Delhi-2021.

Dear Sir,

I am directed to forward herewith a representation in original recieved from Shri./Smt./Ms. Shayam Prakash and others, dated 11/09/2012, on the subject cited above for further necessary action.

By D.D.A. (Plg.) MPPR-2021
D.D.A. Vikas Minar N. Delhi
Dy. No.
Dt.

OFFICE OF THE DIR (Plg.)
MPR/TO, D.D.A. N. DELHI-2
Dy.No. 2-130
Dated 19/9/12

Yours sincerely,

(Varun Kapoor)

Consultant (Public Welfare)

Email : osdcmpg@hub.nic.in

Dated : 11-09-2012

No : CMO/PGC(E)/2012/219710

Copy to Shri./Smt./Ms. Shayam Prakash and others, WZ-I Basaidarapur road Near Moti Nagar Delhi dated 11/09/2012. With the request to contact the above department for redressal of his/her grievances/requests.

(Varun Kapoor)

Consultant (Public Welfare)

Email : osdcmpg@hub.nic.in

From

SHYAM PRAKASH (WZ-2), D.L KATARIA (WZ-3), J.K KHURANA (WZ-1)

WZ-1, WZ-2, WZ-3 BASAIDARAPUR ROAD, NEAR MOTI NAGAR

NEW DELHI – 110015

MOBILE- 9818455229, 9810032052

E-MAIL: mrajiv440@yahoo.com

To Sh. S. P. Bansal

The Commissioner Planning -II

DELHI DEVELOPMENT authority

Vikas Minar New Delhi

Dear Sir,

We are again submitting the documents for your ready reference which we have already submitted in renewal of master plan Delhi-2021 and also in your respective office dated – 31/03/2011.

Kindly consider the favourable action immediately to avoid unnecessary harassment from concerned departments.

The documents are attached accordingly.

Thanking you sir,
Yours Sincerely


(Shyam Prakash)


(D.L Kataria)


(J.K Khurana)

C.C – H'ble Chief Minister of Delhi for favour of kind information

**INDEX – DETAILS OF DOCUMENTS SUBMITTED IN RESPECT OF
PROPERTY NO WZ-1, WZ-2, WZ-3, BASAI DARAPUR ROAD, NEAR
MOTI NAGAR, NEW DLEHI – 110 015**

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To

The Director

Master Plan DDA

Vikas Minar Delhi

Subject:-Review of master plan Delhi 2021

Sir,

We submit the following facts for your kind information/perusal and ready reference. In MPD 2021 for zone G subzone G-3.

1. We the owner of the factories are running our factories since 1949 at plot no WZ-1, WZ-2, WZ-3, WZ-4 in Moti Nagar Industrial Area near Natraj cinemas.
2. We were issued necessary certificates from all the departments which are necessary to run the factories.
3. The pocket is freehold area (private land) and is never acquired by DDA or any other department.
4. DDA & MCD has already declared it as industrial area.
5. In MPD 1962 this pocket is already declared it as service industry.
6. In DDA letter 4/01/2006 Director DDA clearly declared that MPD 2001 has no documentary proof or any reason for the change of land use status.
7. In this letter DDA Director also mentioned in MPD 2021 the pocket under reference has been shown under the category of manufacturing which include light and service industry and service centre in same category.
8. Due to oversight by DDA this pocket was shown as community centre. One of the resident colony Kailash Park shown as industrial.
9. This is finally appealed that our pocket clearly falls under light and service industry (manufacturing) from WZ-1 to WZ-4 the rest area may come under community centre. The station survey is attached for your ready reference.
10. The Honorable High Court Delhi had already passed the order on 20/02/1981 that no authorities can change the land use of any premises working/using before MPD 1962.
11. We are enclosing herewith all the documents for your record. They are self explanatory to prove the above facts.

Thanking you sir,



Shyam Prakash(WZ-2)



D.L. Kataria(WZ-3)



J.K. Khurana(WZ-1)

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(2)

From
SHYAM PRAKASH(WZ-2),D.L.KATARIA(WZ-3),J.K.KHURANA(WZ-1).
WZ-1,WZ-2,WZ-3, BASAI DARAPUR ROAD.NEAR MOTI NAGAR.
NEW DELHI 110 015.
Mobile : +919818455229, +919810032052.
Email : shyamprakash@gmail.com

To,
The Director (Plg) MPR, DDA
6TH FLOOR VIKAS MINAR,
I.P. ESTATE, New Delhi 110002.

[Signature]
J.A. Viras Minar N. DELHI-2
Recd.
Dated.

Sub : Review of Master Plan for Delhi 2021.

Dear sir,

In reference to your advertisement dated 04.10.2011 in various national dailies on the above mentioned subject we the undersigned request you to give due consideration for the review of status of the area where we are working since 1949 and is falling in Zone "G" (sub zone G-3) of the MPD 2021.

The undersigned are owners of part of the property in Zone 'G' at sub Zone G-3 of the master plan / Zonal Plan MPD 2021. The entire portion in question as per the copy of the part of Zonal plan has been mentioned as Community Centre in Red. Also the portions on the other side of the Basai Darapur Road have been shown in Purple and have been shown as M-1 Manufacturing , Service & Repair Industry.

We have got the accurate Station Survey of our and the adjoining areas from a registered/recognized surveyor and the plans of the area as on today clearly indicate that the entire area in purple colour is confirmed as industry / Manufacturing. This portion is occupying an area of 12986.83 Sq Mtrs. Adjoining this is the area marked in red colour which is as on today housing a Multiplex and various commercial activities . The total area under this is 20899.65 Sq Mtrs. Since most of the area under Red colour is either in possession of DDA or vacant or with unauthorized persons.

We as well as the owners and all other occupiers of Plot nos WZ-1 , WZ-2 , WZ-3, and adjoining premises upto the Nallah have been operating industrial activity since the year 1949 and were recognized as industry and they were all granted sanction/approvals and all these documents were regularly renewed from various State and Central Govt. authorities right upto today. All these industrial units numbering approximately more than 40(forty) are running in this piece of land marked in purple. They are employing hundreds of people directly and are source of livelihood to thousands more indirectly. All these are in the category of Service Industry as per your Master Plan 1962 (copy of the same is also

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enclosed duly marked at our location) and they are continuing in the same manner up to today.

At various times and stages the objections were filled with your office and it was committed by the concerned by the concerned officials at all times that the mistake in the planning shall be rectified at the forthcoming stage but there was no such rectification done due to some oversight . We are once again requesting your office to kindly rectify the error in the designated Land use for our area from Community Centre to Light & Service Industry. The same has been the view of various committees set up for corrections in the Master Plans from time to time (copy of the minutes of meeting enclosed)

Also this status of Industry/Manufacturing has been existing without any change since the year 1949 and was so marked in the MPD 1962, also no plans/intimation of any change have been made public before this MPD 2021, wherein the change has seemingly happened due to an oversight which is kindly requested to be rectified/ modified at your end.

The Basai Darapur Village is not connected to our area in any way hence the orders of the H'nble Supreme Court dated 07.05.2004 for shifting of industry from non-conforming/ residential areas , are not pertaining to our area which is part of Moti Nagar Industrial Area as per DDA letter dated 04.01.2006. There has been no change of Land Use on our area only rectification in the MPD2021 is requested to give actual situation as on today and also as it has been existing since 1949/MPD1962. Also as per the orders of the H'nble High Court of Delhi (copy attached) that no action or change in the status is to be done by DDA in case of parties occupying an area prior to MPD 1962, where the same status of land use be maintained by DDA and that is service industry in our case.

It is requested on behalf of all the users of this area to kindly modify the use of this area to the actual and rightful type of activity being conducted there, i.e. Light & Service Industry/ Manufacturing.

Thanking you,
Yours sincerely,


(SHYAM PRAKASH)


(D.L.KATARIA)


(J.K.KHURANA)

Encl:as above

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(3)

From

Dated: 28.03.2011

SHYAM PRAKASH (WZ-2), D.L. KATARIA(WZ-3), J.K. KHURANA(WZ-1)
WZ-1, WZ-2, WZ-3, BASAIDARAPUR ROAD, NEAR MOTI NAGAR,
NEW DELHI 1100-15
Mobile: +919818455229, +919810032052
Email: mrjiv440@yahoo.com

To, The Commissioner Planning,
DELHI DEVELOPMENT AUTHORITY,
Vikas Minar, New Delhi.

Dear sir,

The undersigned are owners of part of the property in Zone 'G' at sub Zone G-3 of the Master Plan/ Zonal Plan MPD 2021. The entire portion in question in copy of the part of zonal plan has been mentioned as Community Centre in Red. Also the portions on the other side of the Basai Darapur Road have been shown in Purple and have been shown as M-1 Manufacturing, Service & Repair Industry.

We have got the accurate Station Survey of our and the adjoining areas from a registered/recognized surveyor and the plans of the area as on today clearly indicate that the entire area in Purple colour is confirmed as Industry / Manufacturing. This portion is occupying an area of 12986.83 Sq Mtrs. Adjoining this is the area marked in Red colour which is as on today housing a Multiplex and various commercial activities. The total area under this is 20899.65 Sq. Mtrs. Since most of the area under Red colour is either in possession of DDA or vacant or with unauthorized persons.

We as well as the owners and all other occupiers of Plot nos WZ-1, WZ-2, WZ-3, and adjoining premises upto the Nallah have been operating Industrial activity since the year 1949 and were recognized as industry and they were all granted sanction/ approvals and all these documents were regularly renewed from various State and Central Govt. authorities right up to today. All these industrial units numbering approximately more than 40 (forty) are running in this piece of land marked in Purple. They are employing hundreds of people directly and are the source of livelihood to thousands more indirectly. All these are in the category of Service Industry as per your Master Plan 1962 and they are continuing in the same manner up to today.

At various times and stages the objections were filled with your office and it was committed by the concerned officials at all times that the mistake in the planning shall be rectified at the forthcoming stage but there was no such rectification done due to some oversight. We are once again requesting your office to kindly rectify the error in the designated Land use for our area from Community Center to Light & Service Industry. The same has been the view of the various committees set up for corrections in the Master Plans from time to time (copy of the minutes of meeting enclosed)


Also this status of Industry/Manufacturing has been existing without any change since the year 1949 and was so marked in the MPD 1962 also no plans of any change have been made public before this MPD 2021, wherein the change has seemingly happened due to an oversight which is kindly requested to be rectified/ modified at your end .

The Basai Darapur Village is not connected to our area in any way hence the orders of the H'nble Supreme Court dated 07.05.2004 for shifting of Industry from non-confirming/ residential areas , are not pertaining to our area which is part of Moti Nagar Industrial Area as per DDA letter dated 04.01.2006. There has been no change of Land Use on our area only rectification in the MPD2021 is requested to give the actual situation as on today and also as it has been existing since 1949/MPD 1962.

It is requested on behalf of all the users of this area to kindly modify the use of this area to the actual and rightful type of activity being conducted there, i.e. Light & Service Industry/ Manufacturing.

Thanking you,

Yours sincerely,


(SHYAM PRAKASH)


(D.L. KATARIA)


(J.K. KHURANA)

Enclosed: Copy of various documents and plans.

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DELHI DEVELOPMENT AUTHORITY

विकास मीनार
VIKAS MINAR
आई.पी. इस्टेट
I.P. ESTATE
नई दिल्ली-2
New Delhi-2

n. 15

No. PA/Dir.(AP) 1/05/468 D-4

From: R.K.Jain
Director (AP) I

दिनांक
Dated... 4.1.06... 200 -

To,
Sh.D.L.Kataria
National Glass Factory
WZ-3, Basai Darapur Road
Behind Natraj Cinema, Moti Nagar
New Delhi

Sub: Application I.D.no.843 under RTI regarding Moti Nagar Industrial area.

Sir,

This has reference to your application bearing I.D.no.843 submitted under the RTI seeking the clarification with respect to land use and other points as mentioned in the application. The point-wise clarification is as under:


1. MPD-62 was notified for its enforcement on 1st Sept.62 wherein the pocket under reference was shown under the land use category of Light and Service Industry (Manufacturing).
2. In MPD-62 text, it has been stated that allocation of the area under Light and Service industry shall be 1583 acres and 13 acres area was proposed near Moti Nagar
3. The Zonal plan of zone G-3 was being processed under relevant section of the Delhi Development Act 1957 and the Zonal plan was approved by the Authority and was published for inviting objection/suggestions on 11.11.67. In the draft Zonal plan reference of the industrial area for Light and Service Industry had been mentioned. In this report it was mentioned that report is "not to be used for any legal matter".
4. The objection/suggestion received in respect to MPD-2001 and the text of the Master Plan for Delhi-2001 does not give any reason or documentary proof for the change of land use of pocket from Light and Service Industry to the Service Centre.

In MPD-2021 (draft) which was notified for obj./sugg. on 16.3.05 vide Notification no.F.20(4)05/MP/D-103 the pocket under reference has been shown under the category of Manufacturing which includes Light and Service Industry and Service centre in the same category.

This plan is being processed under provision of DD.Act 1957. The plan also give the list of the industries which shall be permitted and prohibited in the category of the manufacturing land use. Copy of the land use plan which was displayed as part of the Gaz. Notification for inviting obj./sugg. maybe referred in the office of Dir., MPPR, Vasant Kunj having telephone no.26125474 or alternatively on the website of the DDA as ddadelhi.com.

Thanking you,

Yours faithfully,


(R.K.Jain)

parts of Delhi. Other factories which may be established for the manufacture of building components required for development of land or for building construction or for seasoning of timber may also be allowed to be established in Delhi.

Unit Space Standards:

The optimum use of the space will be possible if an employment density of 30 to 50 per gross acre and a building efficiency of 80% is achieved and not more than 25 per cent of the area is kept under streets and 10% is kept in common facilities.

The plot area should not be less than 400 sq. yds. with a maximum of 2 acres. In special cases, larger plots upto 7 acres may be allowed. The floor area ratio and coverage is given in the Zoning Regulations.

Proposals:

The following allocation is made for light industry and service industry:

Location	Acres
Hindustan Housing Factory	54
Okhla Industrial area (two sites)	164
Kalkaji (two sites)	8
On Mathura Road (three sites)	169
*West of Pusa Institute	279
Delhi Milk Supply	20
Site near Anand Parbat	60
*Roshanara Road	11
Sarai Rohilla	32
*North-West of Wazirpur	27

*Service industries.

Location	Acres
Lawrence Road—Nangal Sub-Station area	279
Area south of Ring Road and G.T. Road in north-west	333
Shahdara between G.T. Road and Railway	113
*Near Moti Nagar	13
*Near Tilak Nagar	5
Najafgarh Road	16
TOTAL	1,583

The area to be developed near Anand Parbat, off New Rohtak Road, should be reserved for the industries to be re-located from the area to be cleared on New Rohtak Road. If this area is insufficient, some of the industries may be accommodated in the industrial areas in Sarai Rohilla and on Lawrence Road.

Industries which have to be re-located, either because they are non-conforming in their present sites or for some other reason, should be allowed to establish themselves in any area meant for "light" and "extensive" industries, provided they are not obnoxious. The latter will have to be located in areas specifically designated for the purpose.

E—Extensive Industries:

As a matter of general policy, large scale and heavy industries should not be encouraged in urban Delhi. This matter has been fully discussed in the Chapter on Industry and Manufacturing in the work studies. All the noxious industries which are now located in the residential areas should be re-located in areas meant for extensive industries.

It has already been recommended that the trades ancillary to the slaughter house now located in the Old City should be shifted to a new site on Rohtak Road beyond the oil store depot, adjacent to Multan Nagar. The alternatives of either

(d) Light Industries.

Minimum plot area 400 sq. yards
Minimum frontage 40 feet
Maximum plot area two acres

(May be relaxed in special cases upto 7 acres).

The following sliding scale of coverages and floor area ratios is prescribed. A basement will be allowed as in the case of a flattened factory.

Plot area in acres	Maximum plot coverage	F.A.R.
(1) 400 square yards to 1.00 acre.	50%	60
(2) Above 1.00 acre to 3.00 acres	45%	60
(3) Above 3.00 acres to 7.00 acres	40%	50

Minimum set backs

	For plots below 0.25 acre.	For plots 0.25 acre and above upto 1 acre.	For plots above one acre.
Front	15 feet	20 feet	50 feet.
Rear	15 feet	15 feet	50 feet
Sides	Optional	15 feet on one side and 10 feet on the other.	20 feet

(e) Service Industries;

Same regulations as for light industries.

(f) Extensive Industries.

The following sliding scale of coverages and floor area ratios is prescribed.

Plot area in acres	Maximum plot coverage	F.A.R.
(1) 0.25 to 1.00	50%	50
(2) Above 1.00 to 3.00	45%	45
(3) Above 3.00 to 7.00	40%	40
(4) Above 7.00	30%	30

A basement will be allowed as in the case of a flattened factory.

Minimum set backs :

	For plot size upto one acre	For plot size above one acre
Front	20 feet	50 feet
Rear	15 feet	50 feet
Sides	15 feet on one side and 10 feet on the other.	20 feet

VIII. Institutional Uses*:

For plot size upto 2 acres	For plot size above 2 acres
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Maximum coverage including covered parking 33-1/3 % 25 %

*F.A.R. will be determined on the merits of each individual case depending upon the location and the nature of use.

VICE CHAIRMAN.

D.O.No.F.3(142)/68-MP

February 7, 1972.

Dear Shri Shashi Bhushan

I am writing to you with reference to our discussions regarding the land use of the existing factories behind Natraj Cinema (Moti Nagar area).

2. The correct position is that the land in question falls in Zone G-3 (Moti Nagar Area) and in the draft zonal plan, the land use is earmarked for community centre. These factory owners filled their objections on this draft zonal plan. It is true that in the Master Plan, the land use of this area is earmarked for Service Industries for which necessary corrections will be made in the draft zonal plan at the time of finalizing this plan. However, before considering regularisation of the existing factories, it would be necessary to prepare a comprehensive development plan with the proposed road pattern.

3. It may, therefore, be advisable that the owners of the existing factories may wait till a comprehensive development plan is prepared.

With regards.

Sd/- (Jagmohan).

Shri Shashi Bhushan
Member of Parliament
7 North Avenue,
New Delhi.

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Minutes of the meeting of the sub-committee
held on 26-4-72 held at 3.30 PM conducted
by the D.D.A for the consideration of suggestion
(B) Land Use: to draft Zonal plan for zone G-3.

(1) The area in the rear of Natraj Cinema is shown as a community centre. This has been done to make the cinema a part of community centre. The Master Plan had proposed industry on this side with existing land use. But the recommendation of the Master Plan has been ignored. There are about 20 full fledged industries in this area. The change in the land use will cause the shifting of these industries at a heavy compensation. The provision of flatted factories/ service industries has been made in the adjoining land which is unjustified. The approved colony of Kailash Park and Lakshmi Garden have totally been erased and the Master Plan residential area has been given the service industries land use.

Recommendation:

(B) (1) The land use as shown in the Master Plan should not be changed and the location of the area earmarked for service industries should be corrected.

A. P. 6

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(7)

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DELHI DEVELOPMENT AUTHORITY

NO: F.3(142)/68-M.P.

New Delhi 14-1-1975

To:

The Town Planner,
Municipal Corporation of Delhi,
Kashmere Gate,
Delhi-6

Sub: Regarding the land use of the existing factories
behind Natraj Cinema (Moti Nagar Area)-Preparation
of Re-development Plan.

I am directed to enclose a copy of representation made by some factory owners of the Najafgarh Road area falling in zone G-3 (Moti Nagar area). In the Master Plan of Delhi the area is shown as Service Industry. The Authority while preparing the draft zonal plan for this area has shown a community centre on this site. The owners of these factories and the parties affected have made the representations on the draft zonal plan. The Screening Board of the Authority has to take a final decision in the matter and when these objections are considered. The Authority has not yet processed the case of change of land use from industrial to community centre and legally the land use as it stands today is for service industries. The present layout of this pocket, being used under various factories is not based on any comprehensive scheme.

I would request that a comprehensive plan of this area earmarked for service industries may kindly be prepared so as the same could be considered by the Authority while making the recommendations on the objections/suggestions received on the draft zonal plan.



दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY
दिल्ली विकास भवन,
DELHI VIKAS BHAWAN,
एनएच रोड
INDERAPRASTHA ESTATE

क्रमांक : F.3(143)/68-N.P.
No.

दिनांक : 13/1/75
New Delhi-1.

सेवा :
From The Additional Secretary,
Delhi Development Authority.

सेवा :
To M/S Indian Traders (P) Ltd. and others,
3391/2751/734, WZ,
Behind Natraj Cinema,
Moti Nagar,
New Delhi-15

Subject: Corrections in zonal plan G-3 (Moti Nagar).

Sir,

With reference to your letter dated the 19th September, 1974 on the subject noted above, I am directed to inform you that reference has been made to the Town Planner, Municipal Corporation of Delhi, Karama Gate, Delhi to prepare a comprehensive redevelopment plan of the area shown for industrial use in the Master Plan. As soon as the plan is received, you will be informed accordingly.

Yours faithfully,

(J.O.G. Rusooli)
Additional Secretary,

M. K. Singh

(17)



सत्यमेव जयते

STATE OF DELHI/ALMER

REGISTRATION AND LICENSE TO WORK A FACTORY

Registration No. F.D-685

Serial No. D.F.L. 466

Licence is hereby granted to Shri. Om Parkash
valid only for the premises described below for use as a factory employing not
more than 100 persons on any one day during the year and using
motive power not exceeding 300 H.P.
subject to the provisions of the Factories Act, 1948, and the Rules made there
under.

This license shall remain in force till the 31st day of December 1952.

CHIEF INSPECTOR OF FACTORIES.

The 16th April, 1952

Description of the licensed premises. Indian Traders (P)

The licensed premises shown on Plan No. 21F
dated 17/1/54 are situated in Industrial Area, Delhi
and consist of Industrial Area, Delhi

Date of Renewal	Date of expiry	Signature of Licensing authority	Date of Renewal	Date of expiry	Signature of Licensing authority
19	31-12-53	<u>[Signature]</u>	19	31-12-58	<u>[Signature]</u>
8-1-1954	31-12-54	<u>[Signature]</u>	19	31-12-59	<u>[Signature]</u>
19	10	<u>[Signature]</u>	19	31-12-60	<u>[Signature]</u>
19	31-12-56	<u>[Signature]</u>	19	31-12-61	<u>[Signature]</u>
19	31-12-57	<u>[Signature]</u>	19	31-12-62	<u>[Signature]</u>

31-12-64

31-12-63

31-12-65

31-12-66

31-12-67

31-12-68

مکتبہ قدیم 36 درجہ 13 صفحہ 49
 بعد از آنکه در کتبخانه قدیمه در
 درجہ اول کتبخانه در کتبخانه قدیمه در
 فیکر کا اندازد و کتبخانه قدیمه در

No 283/125

12/9/49

باجای کتبخانه قدیمه در کتبخانه قدیمه در

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دکتر کرب و دکتر کرب
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Received two copies of same titled Plans
 in the name of Shri Vijay Krishna oil
 and general mill.

14.9.49

دکتر کرب و دکتر کرب
 14/9/49

دکتر کرب و دکتر کرب
 14/9/49

HEALTH DEPARTMENT.

WEST DELHI MUNICIPAL COMMITTEE, RAJOURI GARDEN, DELHI.

From

The Secretary, M.O.H.
West Delhi Municipal Committee,
K-3, Rajouri Garden, Delhi.

To

Sh. Gur Sahai Lal prop.
Indran Desai's d/o,
Industrial Area, Delhi.

No. 12378/H.

Dated, the 12th 10 1957

MEMORANDUM.

The undersigned has the honour to inform you that your application dated 28th Sept 1957 for grant/renewal of a license for Electric meter has been sanctioned. Please remit within 3 days from receipt of this letter a sum of Rs. 15/- only on account of a license fee for the period ending 31st March, 1957.

Unless a license has been secured, any sale or exposure for sale will constitute a breach of the by-laws, involving a heavy penalty.

W.D.M.C.
SECRETARY, M.O.H.
W.D.M.C.,
82

4.2.0
File
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OFFICE OF THE COMMISSIONER OF INDUSTRIES: DELHI ADMINISTRATION
CPO BUILDING: KASHMERE GATE: DELHI

No. ZO (West) / (-1 (14) / PMT.SSI/87/CI/ 11369 Dated:- 14/3/88

This is to certify that Venus Industries

Office Address WZ-1, Basai, Najafgarh Road, New Delhi-110015

a Proprietorship/~~partnership~~/~~Public Ltd~~/~~Private Ltd~~ concern is a Small Scale Industrial Unit registered with this Department and is allotted below mentioned registration number subject to the conditions overleaf:-

55	55	PMT.SSI	114	West	14	03	1988
----	----	---------	-----	------	----	----	------

For the factory located at WZ-1, Basai, Najafgarh Road, N. Delhi.

for the following manufacturing/~~processing~~ activity:-

"Stainless Steel cutlery" -----



K.C. Malik

(K.C. Malik)

Place
Delhi

Deputy ~~xxxxx~~ Director of Industries (West)
for Commissioner (Industries), Delhi

Endt. No. ZO (West) / (-1 (14) / PMT.SSI/87/CI/

Dated:-

Copy forwarded for information to:-

1. Registration Branch.
2. Survey Cell, alongwith Inspection Report.

(K.C. Malik)

Deputy ~~xxxxx~~ Director of Industries (West)
for Commissioner (Industries), Delhi.

- 213
1. This registration certificate is valid for the factory locations, projects and the constitution of the unit at the time of issue of this certificate.
 2. This certificate shall not confer upon the unit any right or claim for allotment of any controlled/imported raw material or for any other assistance rendered by the Department of Small Scale Units which however, shall be governed by the Departmental Policy in force and also merits of the applicant.
 3. Whenever Commissioner of Industries his officer or Field Staff visits to the Unit all facilities for inspection shall be extended and information if any asked for will be supplied.
 4. The Registration shall stand cancelled without prejudice to any other action that may be deemed fit in the event of:-
 - i) Value of the installed machinery and equipment at any time exceed Rs. 35 Lakhs.
 - ii) Miss-representation of any material fact on the basis of which certificate or registration has been issued.
 - iii) Mis-utilisation of controlled raw material allotted or assistance rendered.
 - iv) Closure of this unit.
 - v) Non-submission of the information asked for or refusal to extend inspection facilities to any officer or official on duties.
 5. This Registration Certificate should be prominently exhibited on the factory premises of the industry/unit.

Permit Licence No. 75/R/15/MS

दिल्ली नगर निगम
(अंतर्राष्ट्रीय विमान)
पुलना विमान क्षेत्र, दिल्ली-110019

Subject to Subordinate to
MOC from within six months

प्रमाणित साक्ष्य

स्थानीय प्रशासक



पत्र सं. C 15414

1. 1. 1998 onwards is for
and is subject to the decision of the
Planning Commission/Ministry of
1975-2000 period. New

Let Substituting

दिल्ली नगर निगम अधिनियम, 1957 की धारा 416/417(1) के तहत जारी
Shree Rajesh Goswami s/o Sh. B. C. Goswami
की निवेदन पर 31 मार्च 1998 को दिल्ली नगर निगम की बैठक में
निम्नलिखित निर्णय लिया गया है -
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and is subject to the decision of the
Planning Commission/Ministry of
1975-2000 period. New

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and is subject to the decision of the
Planning Commission/Ministry of
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1. 1. 1998 onwards is for
and is subject to the decision of the
Planning Commission/Ministry of
1975-2000 period. New

पत्र सं. 15/11/96

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4			41/10/10	

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महानगर टेलिफोन निगम लिमिटेड दिल्ली.
MAHANAGAR TELEPHONE NIGAM LIMITED DELHI

आपका एम.टी.एन.एल बिल / YOUR MTNL BILL



Regd. office: Jeevan Bharti Tower - 1, 12th Floor, 124, Connaught Circus, New Delhi - 110011

दूरभाष क्रमांक Telephonic No.	उपभोक्ता क्रमांक Consumer No.	बिल क्रमांक Bill No.	बिल तारीख Bill Date	देय तिथि Pay By Date	देय राशि Amount Payable	देय राशि Amount payable after due date
25105415	2091105415	2094626948	09/09/2009	30/09/2009	164.00	

Name & Address: 491

NATIONAL GLASS FACTORY
WZ-3,
BASAI DARA PUR ROAD,
MOTI NAGAR
NEW DELHI 110015

नाम एवम पता
नेशनल गिलास फेक्ट्री
डब्ल्यूजेड-3,
बस धारा पुर रोड,
मोती नगर
नई दिल्ली 110015

श्रेणी
Category: NON-OYT GENERAL

शुल्क योजना
Tariff Plan: PLAN 250

पिछली मीटर रीडिंग व तिथि Previous meter reading & Date.	वर्तमान मीटर रीडिंग व तिथि Current meter reading & Date.	मीटर की गई कॉल Metered call.	मुफ्त कॉल Free calls.	निवल कॉल Net calls chargeable.
45762 01/08/2009	45778 31/08/2009	16	10	30

Call Duration: 01/08/2009 To 31/08/2009
Rent Duration: 01/08/2009 To 31/08/2009

Other Credit Details:
Charge desc. From dt. Amount
CHARGES-REBATE-NON-WORKING 20/07/2009 30/07/2009 125.00
EDUCATION CESS-REBATE 10/08/2009 31/08/2009 0.38
SERVICE TAX-REBATE 10/08/2009 31/08/2009 12.50

Details of Paid Bill (01-Aug-2009 to 09-Sep-2009)
Payments, if made by Credit Card, subject to Realization
Bill No. Bill Date Paid Amnt Paid On
2094545557 09/08/2009 74.00 29/08/2009

कॉल प्रभार / CALL CHARGES	24.00
मासिक सेवा प्रभार / MONTHLY SERVICE CHARGE	250.00
विविध उपसाधन प्रभार / VARIOUS FACILITIES CHARGE	0.00
सेवा कर / SERVICE TAX	28.22
अन्य मांग / OTHER DUES	0.00
अन्य जमा / OTHER DEBTS	137.88
देय राशि / AMOUNT TO BE PAID	164.00
देय तारीख के बाद भुगतान की राशि / AMOUNT PAYABLE AFTER DUE DATE	174.00

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PROTECT YOUR PHONE FROM PHISHING
PLEASE POLIO (B) 01/09/2009

Usage Calculation
Calls 30 Rate 0.80 Amount 24.00

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- * Cheque must be drawn in favour of MTNL, DELHI
- * Please mention CA No., Telephone No. and Bill Date on overleaf.
- * For Payment Locations/Grievance Redresses, Please see overleaf.

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F20 F

SERVICE TAX - EDUCATION CESS @ 3% (Regd. Office: Connaught Place, New Delhi)

216(22) 16
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THE NATIONAL GLASS FACTORY

MANUFACTURERS OF ALL TYPES OF GLASS BOTTLES

NAJAFGARH ROAD,
NEW DELHI

Ref. No. _____

Dated 3. 7. 85.

To,
The Secretary,
Delhi Development Authority,
Vikas Minar,
New Delhi.

Reg:- Objections to the change of Land Use for G-2
Industrial Area, Basai Dara Pur Road, Moti Nagar
behind Natraz Cinema on behalf of Our Factory.

Sir,

We enclose herewith our objections in regards of A
Public notice inviting objections to the proposed amendment
for the Master Plan of Delhi was published in Gazette Extraord-
inary dated 6.4.84 S.O.No.289E.

Kindly acknowledge the same and oblige.

Thanking You.

Yours faithfully,
The National Glass Factory

Encl:-

Three sheets of
objections.



From,
Smt Ramesh Kumari &
Darbari Lal Owner of
W-2-3 Industrial Area,
Basai Darapur Road, Behind
Natrax Cinema, Moti Nagar,
New Delhi.

To,
The Secretary,
Delhi Development Authority,
Vikas Minar,
New Delhi.

Reg:- Objections to the change of Land Use for W-2
Industrial Area, Basai Darapur, behind Natrax Cinema
on behalf of Smt Ramesh Kumari and Darbari Lal Owner
of M/s National Glass Factory.

Dear Sirs,

In the Land Use plan displayed in the office of the
D.D.A. at Vikas Bhawan, the use of about 17 acrer of lane in Basai
Darapur Industrial Area behind Natrax Cinema has been marked in
the Land use plan as commercial envisaging a change from the ex
isting Master Plan of Industrial to residential. Our Factory was
constructed with the approval of the competent authority in 1950
and is more than 34 year old. A factory Licence was granted by
the Delhi Administration for running the factory on 31.12.51.
The Necessary Licence required by the Central Excise as well as
licence required by the Municipal Corporation of Delhi has also
been obtained, and the Unit is also registered by Delhi Administ
ration as a small scale industry.

That Our factory is located in an approved location
since 1950 and the Master Plan of Delhi which has made necessary
surveys and analysis demarcated the use of this land for Industrial
especially as the surrounding areas had also had similarly small
Industrial Units. The Text of the proposed amendments do not mention
any change of the land use of the area nor there are any reasons
given in the text for changing in land use to commercial. Whereever
such big changes are contemplated in the text of the plan usually
giving reasons for necessary change. There being no mention of this
change in the text of the Master Plan published there is a conflict
in the land use plan and the text. The rules provide that in case
of such conflict the text shall prevail.

The change of land-use, however is not warranted
for the reasons mentioned below:-

1. That the Industry is located in an organised sector meant for
Industrial use in the Master Plan and has existed since 1950

much before most of the other industries were developed.

That the Master Plan of Delhi recognised its location after surveys and analysis and earmarked the location for Industries.

That the text of the proposed modification did not contain any recommendation to change of the land-use to commercial.

That the planning Authorities have to take into view all factors while proposing shifting of existing industries. In the present case there has been no individual survey or analysis which has been made known to public.

That the land use of non confirming industries located in residential use zone on G.T. Road Shahadara has, in the proposed modification been changed to industrial. It will be a great anomaly if the confirming use of our factory which existed much before the Master Plan is made non-confirming.

That the zoning regulations could not be retro-active measure and should not prohibit the use of land and building lawfully established before coming into force of such regulations.

That our Industry sub.serve the needs of Delhi and as being in the category of light industry, its shifting is not in accordance with any planning principle.

That for the reasons above mentioned and further submissions which will be made at the time of hearing, change of land-use if at all contemplated in the proposed modification will be waived.

New Delhi 3rd July 1985.

For Smt Ramesh Kumari

Darbari Lala.

WZ-3 Basai Darapur , behind
Natraj Cinema, Moti Nagar
New Delhi.



RefNo: Misc/24605

Date: 24 June 2005

To,

Commissioner Cum Secretary
Delhi Development Authority
B-Block, Vikas Sadan
New Delhi.

Sub:- Filing of Objection against Zonal Plan G-3 of Master Plan Delhi- 2001 to 2021

Respected Sir,

For the last few years we are representing to the DDA for carrying out necessary rectification in the Zonal plan of zone 'G' which is yet to be notified by Govt. of India. The zonal plan of zone 'G' is pending with the Govt. of India for notification which was processed under the relevant section of DDA Act-1957.

One of the pockets measuring about 13 acres near Moti Nagar in zone 'G' identified in the MPD - 1962 for light & service Industries area. Manufacturing units were functioning in this pocket even prior to the enforcement of MPD - 1962.

1.0 Land use of the pocket:

In MPD - 1962, which was notified and enforced on 1st September, 1962. Land Use for the pocket has been shown as light & service Industrial area (Copy annex A). Also in the Master Plan for Delhi-1962 at page -20, the proposal for allocation of land for light & Service Industry had been kept in 13 Acres of Land. This area was identified near Moti Nagar under the light & Service Industry category (Refer Annex B : & MAPB).

2.0 Objection on MPD- 1962 (draft) :

The owner of the manufacturing units functioning in this pocket had filed Objection no.436,439,446 to the draft Master Plan processed for inviting objections/Suggestions in the year 1960.

3.0 The Draft Zonal Plan of Zone G

In the zonal development plan report of zone 'G' - 3 it was that about 13 acre area of Najafgarh Road is reserved for factories adjoining to the Natraj Cinema. It has been slightly shifted towards West from its original position to accommodate community Center. In this report nowhere it was mentioned that service industries have been shifted and changed to community center. On page -6 of his report industrial area has been indicated as 13 acre. (Refer Annex) -C

Based on the draft zonal plan prepared it was conveyed by the VC-DDA Letter no. F3 (142) 68/mp, dt. 08.02.1962 to Sh. Shashi Bhushan, the then member Parliament Para from letter states as in annexed -D

"The Screening Board of the authority considered for processing Objection/Suggestions with the recommendation that a comprehensive redevelopment plan of the area for industrial use for Master Plan is prepared by MCD. Addl. Secy. Vide no. F3 (142) 68/mp dt. 13.02.1975 intimated above to us (Copy annexed)" -E

4.0 Intimation by MCD:

MCD vide their letter no. TP/E/5465 dt. 07th June 1976 had intimated that the area is part of development area of DDA. Therefore action is to be taken in policy of the regularization by DDA.

5.0 Land Status :

The area of the manufacturing unit in above process was notified Under Section 6 vide notification no. F-4 (35)/65 - L & H (iii), dt. 14.11.1968, but has been acquired. This notification is no more valid.

6.0 MPD-2001: - Provision & Objection /Suggestions on draft Plan:

Objection / Suggestions were invited by DDA in 1985 and the petitioner had filed objections/ suggestions and even a letter was received to appear before the committee constituted by DDA for processing of the objection/suggestions, but the reason known to the DDA, the applicant was not given an opportunity of hearing on the fixed date of draft plan, the use of the land has been indicated as part of the community center and not part as the service center.

Service Center is also part of the category of Light & Service Industries in MPD- 2000. In the land use plan of MPD - 2001, there is no clear categorization of the land. In the MPD - 2001 at pg. 12, Mori Nagar has a

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Recognized as Light Industrial Estate where all type of units falling in category A are permitted.

7.0 Decision By M.C.D.

M.C.D. has already cleared the status of this area as Light & Service Industries vide letter no. 1P/G/ 4086/02 dated 06.09.2002 copy enclosed as Annexure - K

8.0 Division of land in community Center and Service Center:

Since 1990 when it has been noted that part of the land which was meant for service industry, has been shown as service center and part as community center, we representing to the DDA but are unable to get confirmation that such industries covered Under Light & Service Industry Category. We request for favorable justice

Thanking you,

For Venus Industries


Proprietor.

14. I, therefore, accept the appeal setting aside the order of the Controller and the Tribunal passing an order of eviction against the appellant. The eviction application filed against the appellant is herewith dismissed with costs. Counsel fee Rs. 300/-.

10 (1981) DELHI LAW TIMES 124

DELHI HIGH COURT

Present: R.N. Aggarwal, J., D.R. Khanna, J.

DELHI DEVELOPMENT AUTHORITY—Appellant

Versus

SHRI H.S. KALRA AND OTHERS—Respondents

Criminal Appeal No. 107 of 1976—Decided on 20.2.1981.

Delhi Development Act, Section 14(2), Proviso—Applicability of—Expression, "for the purpose and to the extent for"—Interpretation and scope of—Charge under section 29(4) for contravention of S. 14 relating to change in the nature of one commercial user to another commercial user—Before coming into force of the Master Plan in the area, a portion of premises being used as 'Cooperative Society Store converted into a Scooter Repair Workshop—Charge if cannot be sustained?

Held that where after coming into force of the Master Plan the premises used as a Cooperative Society Store were converted into a Scooter Repair Workshop subsequently then the charge under S. 29(4) for contravention of Section 14 of the Act cannot be sustained on the ground that before the coming into force of the master plan, the premises was being used as Cooperative Society Store and subsequently they were converted for being used as a Scooter Repair Workshop.

Once a premises is shown to have been used for commercial purpose from before coming into force of the master plan i.e. 1962, simply because the nature of that purpose was charged into another one, though retaining the commercial character would not amount to deviation from the purpose. It may be that on a narrow interpretation placed upon the words, "for the purpose and to the extent for", violation of Section 14 of the Act can be detected even where there occurs a change in the nature of one commercial user to another commercial user. In this case, the Court preferred to adopt the former interpretation on the ground that when criminal or quasi commercial liability is sought to be imposed on the basis of the provisions of law which are capable of two reasonable interpretations, the favourable to the accused must prevail.

Mr. Anshu Dayal with Mr. Anshu Dayal for the Petitioner.

Mr. Anshu Dayal for the Respondent.

JUDGMENT

D.R. Khanna, J.—The facts giving rise to this appeal were as follows:

Appellant

Respondent

Shri

Shri

1981

Applicability
Interpretation of S.
14 of the Act
Master Plan
Co-operative Society
if cannot

Plan the pre-
into a Scooter
for contravention
that before the
was used as Co-
op. Socy. used

Commercial purpose
simply because
though retaining
on the purpose.
words. "for the
the Act can be
the commercial
used to adapt
the conditions of law
applied to the

proved by the

1. The Delhi Development Authority against the acquittal by Shri Gulab Talsiani, Additional Magistrate of H.S. Kalra charged under Section 29(2) of the Delhi Development Act hereinafter referred to as "the Act" and in a case which was not much disputed. The premises being No. 806, Azad Nagar, New Delhi falls within the residential zone as per Master Plan of Delhi, brought into vogue from 1962. A part thereof was being used as a store of a cooperative society. The same being not for residential purpose, had to be treated as non-conforming use under the Master Plan. Before the trial court, a certificate from the Assistant Special Registrar of the Co-operative Society Delhi was tendered which showed that the premises was being used for commercial purpose from 1949.

2. That apart, a portion of that premises which was being so used, for commercial purpose, was given over to the respondent, H.S. Kalra, in the year 1968, and he started running a scooter repair shop there.

3. The Delhi Development Authority; therefore, commenced prosecution against H.S. Kalra by filing a complaint under Section 29(2) of the Act. It was alleged that he had in contravention of the provisions of Section 14 of the Act, started using the premises for commercial purpose while it could be put to residential use only. The trial Court, however, vide its judgment 4.6.1975, acquitted the respondent holding that the premises was being used for commercial purpose, from 1949.

4. Section 14 of the Act which was stated to have been violated by the respondent is to the following effect :—

"14. After the coming into operation of any of the Plans in a zone no person shall use or permit to be used any land or building in that zone otherwise than in conformity with such plan :

Provided that it shall be lawful to continue to use upon such terms and conditions as may be prescribed by regulations made in this behalf any land or building for the purpose and to the extent for and to which it is being used upon the date on which such plan comes into force."

5. It is not disputed that so far as the main provision in this Section is concerned, the respondent had committed a breach thereof, and he could be punished under Section 29(2) of the Act. From his side, however, shelter is taken under the proviso to this Section and it is asserted that when it has been established on record that the premises was being used for commercial purpose from 1949, which was much before the commencement of the Master Plan, no offence could be treated to have been committed. It has been urged that this proviso which operates as an exception to the main provision contained in Section 14 of the Act, renders it lawful to use, upon such terms and conditions as may be prescribed, any building for the purpose and to the extent for and to which it is being used on the date on which the Master Plan came into force. The words "the purpose and to the extent for" in this proviso, it is pleaded, have reference to non-conforming purpose, viz. residential or commercial, as case may be, and the word "extent" has implication of the area which was earlier being used for that purpose. Now that it has been established on the present record that since, 1949 the premises was being used for commercial purpose simply because in a portion thereof a scooter repair workshop was commenced from 1968, would not render the user at different from the one carried on earlier.

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6. The Delhi Development Authority, on the other hand, is a body created by the subject of introduction of the Delhi Development Act, 1956, which had been existing from before the coming into force of the Master Plan, and thus to that extent status quo subject to the regular Master Plan was allowed to be maintained. In the present case, however, it is pointed out that from 1968, a different purpose and user was introduced when a portion of the premises was converted into a scooter repair workshop from that of cooperative society store. The words "for the purpose and to the extent for", it is pleaded, necessarily postulate that the non-conforming use which existed prior to 1962 must continue for the same purpose, and in the present case that was the running of the cooperative store. The introduction of the scooter repair workshop changed that purpose and extent of use, and since this took place in 1969, much after the coming into force of the Master Plan, the proviso was not attracted, and the user could not be treated as permissible or legal.

7. We have heard the parties and given our due consideration to all the circumstances. So far as the applicability of the proviso to Section 14 of the Act, it has been held by a Division Bench of this Court in Criminal Appeal No. 275 of 1976 (Delhi Development Authority v. Sardar Ganga Singh) decided on 11.7.1980, that there was no pre-requisite to its applicability that regulations as mentioned in the proviso should have been framed. A person is, therefore, entitled to seek its protection by simply showing that before 1962 the premises was being put to non-conforming use. Adverting therefore, to the implications of the words "for the purpose and to the extent for" we are of opinion that the broader construction sought to be placed by the respondent, cannot be said to be an interpretation not permissible of this proviso. "The purpose" can be treated a residential or commercial, and the word "extent" can have reference to the area, size or volume of the user. In this view of the matter, once a premises is shown to have been used for commercial purpose from before 1962, simply because the nature of that purpose was changed into another one, though retaining the commercial character, would not amount to deviation from the purpose. The basic commercial use remains. It may be that on a narrow interpretation placed upon the words "for the purpose and to the extent for", violation of Section 14 of the Act can be deduced even where there occurs a change in the nature of one commercial user to another commercial user. We would, however, prefer to adopt the former interpretation. In any case, when criminal or quasi-commercial liability is sought to be imputed on the basis of provisions of law which are capable of two reasonable interpretations, the one favourable to the accused must prevail.

8. We are therefore unable to interfere in this acquittal. The appeal is rejected. Before concluding, we must adversely comment upon the judgment of the trial court. The judgment of the trial court has been written in a very cursory manner and certain sentences do not make much sense. The learned judge should have duly looked into the facts and law before him after typing, and made appropriate observations thereon.

Appeal rejected