



OFFICE OF THE DIR (Plg.)  
MPR/TC, D.D.A. N. DELHI-2  
Dy.No. 3086  
Dated 14/5/12

स्मृद्ध राष्ट्र

स्मृद्ध उद्योग

# SHAHDARA (NORTH OF G.T. ROAD), DILSHAD GARDEN INDUSTRIAL WELFARE ASSOCIATION (REGD.)

(Registered under Society Registration Act 1860 - Registration No. S/60416)

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Ref. No. 07/MPR/Review/2012-13  
To

Dated 10/5/2012

**Director (Plg), MPR**

6<sup>th</sup> Floor, Vikas Minar, I.P. Estate, N. Delhi

Sub: **Review of Master Plan for Delhi 2021-A Participative Approach (East Zone).**

Ref: **Representation in the case of Shahdara (North of G.T Road ) Dilshad Garden Industrial Area-East Zone**

1. That the applicant is an Association of plot owners of Industrial Area known as Shahdara (North of GT Road), Dilshad Garden Industrial Area or Dilshad Garden Industrial Area. The factory owners of the said area had been running their factories under the confirming licenses issued by erstwhile Municipal Committee of Shahdara, Delhi. The industries in the said area are in existence prior to the year 1962.

2. That the applicant submits that the area Dilshad Garden has a history of its own. The said colony was initially founded by Sir Walter George, a well known Architect of

this time in the year 1935. Thereafter the said colony was taken over by Delhi Housing and General Finance.

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3. That the erstwhile Delhi Development Provisional Authority had in fact approved and a part of the eastern portion of Dilshad Garden and consequently sanction was also granted by Shahdara Municipal Committee.
4. That in the year 1953, all the streets and roads of Dilshad Garden city were taken over by the Municipal Committee, Shahdara, Delhi. Since then the area was included within the limits of the municipality.
5. That during the said period of time, the industries were set up on the land and licenses were issued by the Municipal Committee.
6. That in the year 1957, the Delhi Development Act was promulgated by the Parliament of India and as such the respondent No. 2 was created. The object for which the DDA was created, is enumerated in Section 6 of the Delhi Development Act. The object for creating the authority was to promote and secure the development of Delhi in accordance with the plan and for the said purpose the Authority has been empowered to acquire, hold, manage and dispose of the land/ property.
7. That in terms of the provisions of the Delhi Development Act, the DDA with the prior approval of the Central Government prepared the Master Plan of Delhi-1962 (MPD-1962). The said MPD-1962 contained a concept of spot zoning of industries which permitted continuance of industries, subject to considerations of

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environment hazard, noise and similar factors. Thus, in terms of the provisions of the MPD-1962 the area in question in the land use plan was shown as 'industrial cum work centre' and the same was also referred to **in the text of MPD-1962 as the area of industrial cum work centre has the industries in the area, were in existence prior to MPD-1962.**

- 8. That under the said plan, the authority was to prepare the Zonal Development Plan of the various zones including E Zone wherein the property of the applicant association was situated. The draft Zonal Development Plan of Zone 'E' was prepared which was subsequently approved by the Central Government. **In the plan so approved and the area in question has been shown as light and service centres. On the basis of the said Zonal Development Plan, the licenses were issued to the industrial units in the area as being confirming units.**
  
- 9. That thereafter the MPD-1962 was sought to be amended and the MPD-2001 was promulgated. **In the MPD-2001 the area in question was shown as light industrial area in the land use plan and was also described as a light industrial area in the text of MPD-2001.**
  
- 10. That under the **MPD-2021**, the Zonal Development of the Zone 'E', were prepared and the area in question **has been shown as Light and Service Industry.**

*(Signature)*  
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11. That in order to fix the **boundaries of the industrial area** of the applicant association which consists of Pockets 1, 2 and 3, a Technical Committee of DDA was formulated and the said Committee in its meeting held on 15.03.2001 gave it report and the plan in respect of the said pockets, **were also approved by the Technical Committee.**
12. That the members of the applicant association had continued to use the aforesaid land for industrial purposes as confirming land use and were being granted licenses by the MCD with 'No Objection' from DPCC. The DPCC had in fact been giving letters of consent.
13. That the MPD-2001 was again sought to be amended and the MPD-2021 was promulgated. **The MPD-2021 was notified on 7.2.2007** and in the said plan, in terms of Clause 7.6.2, the 20 areas were described as non confirming cluster of industrial concentration for redevelopment. The norms for redevelopment was laid down in Clause 7.6.2.1. However, in the land use plan annexed to the MPD-2021, the areas of **the applicant association was shown as an industrial area.** Thus, the area was a confirming area in terms of the MPD-2021 also.
14. **That the Delhi Development Authority had clubbed the area of the applicants association in the text under the heading of redevelopment of unplanned industrial areas.** In terms of clause 7.6.2.1 norms for redevelopment of clusters of industrial concentration in non conforming area were required to be formulated. It was only after the norms were fulfilled, the redevelopment work was to be undertaken. Thereafter the requisite charges for

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the change of land use, enhanced FAR and land were required to be paid to the concerned authorities. In terms of clause there under, no new licenses were to be used in non conforming areas without obtaining land use clearance.

- 15. That on 5.2.2008 the members of the applicant association made an application to DDA under The Right to Information Act, to know as to the status of the land under the MPD-2021. In reply to the same, vide letter dated 11.02.2008 it was informed that the land use of Pockets 1, 2 and 3 is 'manufacturing' as per MPD-2001 and in terms of MPD-2021 it is 'industrial'.
- 16. That in the meantime in terms of the provisions of MPD-2021, the Zonal Development Plan of Zone 'E' were to be approved by the Authority and accordingly the draft Zonal Development Plan of Zone 'E' was prepared by the DDA and notified for inviting objections, vide Public Notice dated 10.04.2008. In the Draft Zonal Development Plan also the Area of the Applicant Association was shown under the head of Industrial Clusters of non conforming Area.
- 17. **That pursuant to the said publication notice, the applicant association also filed the Objections/Suggestions on 13.08.2008.**
- 18. That the applicant association submits that the Zonal Development Plan of Zone 'E' was approved by the Central Government on 8.6.2010 and in the approved Zonal Development Plan of Zone 'E', the area in question was shown as 'industrial'. However, in the body of the text, the area was still shown under the head of the Industrial Cluster of non Confirming Areas. Thus, in terms of the land

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use plan under MPD-2021 as also under the land use Zonal Development Plan prepared there under, **the area was an industrial area but in the text it was continued to be shown as a non conforming Area of Industrial concentration.**

19. That despite the fact that the area of the applicants association is a conforming area i.e industrial area under the land use plan of Master Plan of Delhi, the area of the applicants association has been placed and clubbed with other areas which are unplanned and are non conforming areas. It is the submission of the applicant that the other areas are not identical to the areas of the applicants association as the said areas are unplanned and in the land use plan, the use of the area has not been shown as industrial. Admittedly, in the case of the industrial area of the applicants association, the same have been shown as industrial in the land use plan of Master Plan of Delhi – 1962. In the subsequent plans also the land use has been shown as industrial. Even in the Zonal Development Plan prepared under Master Plan of Delhi-2021, the land use has been shown as industrial. Thus, the area of the applicants association could not have been clubbed along with other industrial concentration which was required to be redeveloped and for which the norms have been laid down in the Master Plan of Delhi-2021.
20. It is the submission of the applicant that the area of the applicants association had been wrongly clubbed with 20 other areas for redevelopment and for change of land use when the area of the applicant was a pre existing Industrial Area under the Master Plan of Delhi – 1962 and the land use of the area was industrial

  
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prior to the promulgation of Master Plan of Delhi – 1962. **The Delhi Development Authority has wrongly placed the area of the applicants association in the category of 7.6.2 whereas it ought to have been placed under the head of the other industrial areas which included the areas like New Friends Industrial Area, Shahjada Bagh Industrial Area, Hindustan Prefab Ltd. Industrial Area and Najafgarh Road Industrial Area. The area of the applicants association is identical to the aforesaid areas and ought to have been placed in the existing planned industrial area and not in the unplanned industrial areas. It is the submission of the applicant that the clubbing can take place of similarly situated areas and not of the dissimilar areas. As has been stated herein, the area of the applicants association was not and is not similar to the other areas given under the head of redevelopment of unplanned industrial areas. The area of the applicants association ought to have been placed under the head of Clause 7.6.1 of the existing planned industrial areas.**

21. That it is also the submission of the applicant association that the DDA, vide letter dated 11.03.2008, had categorically stated that the land use of the land in question as per the MPD-2021 is 'industrial'. The Zonal Development Plan also shows the area as 'industrial'. The MPD-1962, MPD-2001 and the Zonal Development Plans prepared therein also show the area as 'industrial'. It is also illegal on the part of DDA to continue to club the area of the applicants association along with the non conforming areas.

  
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22. That the applicant association submits that the review of the MPD-2021 is being undertaken and the anomaly which has crept in the text is required to be corrected. Accordingly, it is requested that based upon the facts enumerated above, the anomaly be corrected.

The aforesaid representation is without prejudice to the rights and submissions made by the applicant association in the writ petition filed by it before the Hon'ble High Court of Delhi.

**For Shadara (North of G.T Road), Dilshad Garden Industrial welfare Association (Regd.)**

President

( Hans Raj Goel)

Vice President

(Rajender Bansal)

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