

Commr (Plg.)-I's Office

Diary No A-286

Date 22/1/12

C.C.S.

A&D CELL
VIKAS SADAN
Dy. No.
Date.

56

From: Amar Singh

S-171/79, Rangpuri Pahar Malakpur Kohi, New Delhi 110037

To: The Vice Chairman, DDA

Sub: Master Plan review -- request for due consideration of suggestion

Ref: My letter dt.20/01/12 on the above subject

Sir,

Copy of my letter under reference, which I had deposited at Vikas Sadan against receipt no.REC/M/12/366 Date: 20-01-2012 2:14:41P, is enclosed (2 pages, without its enclosures) for ready reference.

2. Copy is also enclosed (1 page) of copy that I received thereafter of DDA letter dt.17/01/12 No.CE(SZ)/15(11)10/1010/RTI/162 of SE(HQ)SZ on the subject "Non-compliance of MPD stipulations for LIG/FWS provisions in/around Vasant Kunj", addressed to Commissioner (Plg)-1 and also endorsed to Chief Architect and Director (Works) for necessary action. As may be seen, the DDA letter dt.17/01/12:

- forwards the representation that I made vide letter dt.04/10/11 to Commissioner-cum-Secretary (enclosed at no.3 / with para 2(d) in my letter u/r for para-2, 3, 4(iii) & 5(c) of my letter dt.22/09/10 (at P.2-5 of my letter enclosed at no.1 in my letter u/r) to be forwarded for the Board for enquiry and hearing;
- does not indicate reason for rejecting my request for reference to the Board for enquiry and hearing;
- does not indicate any reason for forwarding to Chief Architect and Director (Works); and
- indicates for forwarding to Commissioner(Plg) a reason -- i.e. that "the subject matter pertains to Planning Wing" -- that contradicts the Planning Wing stand taken in correspondence including affidavit of the then Commissioner (Plg) in RTI matter of 2008-09 to the effect that Planning Wing is concerned only with preparing and modifying Master / Zonal Plans as policy documents and not with plan implementation / violations at locality levels.

3. Although I appreciate that SE(HQ)SZ has taken action on my letter, on account of the above I also apprehend that the officers to whom it has been forwarded may find the issues not pertaining to them. As such, I reiterate the requests made in my letter u/r and also again request intimation of procedure for consideration.

Thanking you,

Yours faithfully

Amar Singh
(Amar Singh)

Enclosed: As above : 3 pages

Copy for kind information to:

1. Commissioner-Cum-Secretary, DDA -- in continuation of copy of my letter u/r
2. Commissioner (Plg)-1, DDA, Vikas Minar, N.D. 110002
3. Chief Architect, DDA, Vikas Minar, N.D. 110002
4. Director (Works), DDA, Vikas Sadan, N.D. 110023
5. SE(HQ)SZ / C.E.(SZ), DDA, AGVC, Shapur Jat, N.D. 110049

w.r.t. the letter
dt.17/01/12 of
SE(HQ)SZ.

22/1/12

By Director (Plg) p.c. 22/1/12
AD 16/3/12 (2 copies)
Sh. K. Singh, RA

20/01/12

From: Amar Singh

S-171/79, Rangpuri Pahari Malakpur Kohi, New Delhi 110037

To: **The Vice Chairman, DDA****Sub: Master Plan review -- request for due consideration of suggestion**Ref: My letter dt.11/04/11 to you about response to public notice of 10/09/10 for objections / suggestions about 805 flats (copy enclosed).

Sir,

In my letter u/r I requested restoring 805 flats upgraded for CWG to LIG for Master Plan compliance. The flats have perhaps been allotted. **I now request due consideration -- in ongoing Master Plan review -- of issues about Master Plan LIG/EWS provisions raised in my response to public notice of 10/09/10** because:

- a) The issues raised were admittedly not seen by competent offices in course of that public notice process (as highlighted in para-2 of my letter u/r), and
- b) 2 letters in response to my request vide letter dt.06/02/11 to Secretary (enclosed at P.20 in my letter u/r) for information of provisions / procedure for consideration -- viz., dt.14/09/11 of EE(HQ)CC15 forwarded by SE(HQ)SZ and dt.19/10/11 of CE(SZ) -- reveal that the public notice was perhaps not *bona fide*. The said letters are enclosed. As may be seen, letter dt.14/09/10 advised me to refer to Para No.XI Part B of clearance letter dt.30/04/10, i.e.:

(xi) An appeal against this Environmental Clearance shall lie with the National Environment Appellate Authority, if preferred, within a period of 30 days as prescribed under Section 11 of the National Environment Appellate Act, 1997.

However, sub-section (1) of the Section 11 mentioned therein states:

11(1) Any person aggrieved by an order granting environmental clearancemay, within thirty days from the date of such order, prefer an appeal to the Authority in such form as may be prescribed:

Provided that the Authority may entertain any appeal after the expiry of the said period of thirty days but not after ninety days from the date aforesaid if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

Obviously, Para XI Part B of clearance dt.30/04/10 bears no relation to public notice of 10/09/10, issued after the 90 days for which it was open to competent authority to entertain appeal against the clearance. The letter dt.19/0/11 of CE(SZ) refers to Para IX Part B of the clearance letter, i.e:

(xi) The project proponent should prominently advertise in at least two local newspapers circulated in the region, indicating that the project has been accorded environmental clearance... ..advertisement should be made within 10 days from the date of receipt of the clearance letter.

Obviously, Para IX also bears no relation to public notice of 10/09/10 that did not advertise within 10 days of date receipt (i.e, 05/05/10 as per stamp on the clearance letter copy enclosed with letter of CE(SZ)).

2. **I also request -- especially in case, for any reason, your officers are unable to duly consider submissions such as mine -- that please be advised, in terms of Article 338(9) of the Constitution of India, by the National Commission for Scheduled Castes on the issues about Master Plan LIG/EWS provisions raised in my response to public notice of 10/09/10** because:

Contd/- 2

-- 2 --

- a) I had requested the same in letter dt.23/10/10 to Commissioner Cum Secretary (enclosed at P.6-7, with English translation at P.8-9, of my letter u/r) in the background set out therein;
- b) The reply that I got in this regard, vide letter dt.27/01/11 of EE SWD-4/ DDA (enclosed at P.19 of my letter u/r) was only that his office is not competent to forward to the National Commission for Scheduled Castes;
- c) I received no reply to my request vide letter dt.07/02/11 to EE SWD-4 (enclosed at P.22 of my letter u/r) to forward to competent office;
- d) After the aforesaid enclosed letter of SE(HQ)SZ, in letter dt.04/10/11 to Commissioner cum Secretary (copy enclosed) I requested forwarding to the Board for Enquiry & Hearing that is set up for the objections / suggestions received from public. My said letter was forwarded to SE(HQ)SZ vide DDA letter No.F.11(3847)06/RTI/DDA/3881 dt.15/10/11. However, I have received thereafter only the aforesaid enclosed letter of CE(SZ) in the matter.

3. I also request acknowledgement and intimation of procedure for consideration of public suggestions in ongoing Master Plan review.

Thanking you,

Yours faithfully,

Sd/-

(Amar Singh)

Enclosed: (Total 34 pages)

1. My letter dt.11/04/11 -- DDA R & D Cell Receipt No.REC / M / 11 / 1,846 Date: 11-04-2011 11:23:03A -- with its 22 pages enclosures: --23 pages
2. DDA letter dt.22/09/11 No.CE(SZ)15(10)11/1010/RTI/4238 of SE(HQ)SZ with the letter dt.14/09/11 No.F7(2)09/CC-15/DDA/3741-42B of EE(HQ)CC-15 enclosed therewith: -- 2 pages
3. My letter dt.04/10/11 to Commissioner cum Secretary -- DDA Receipt No. REC / M / 11 / 5,578 Date: 04-10-2011 11:05:01A -- 2 pages
4. DDA letter dt.19/10/11 No.CE(SZ)15(10)11/1010/RTI/4766 of CE(SZ) with its 5 pages enclosure -- 7 pages

Copy for kind information to: Commissioner Cum Secretary, DDA

SPEEDPOST

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE CHIEF ENGINEER (SOUTH ZONE)
AGVC, Shahpur Jat, New Delhi- 110 049

No. CE (SZ)/ 15 (10)10/1010/RTI/ 162

Dated : 17-1-12

To

The Commissioner (Plg.)-1,
DDA, Vikas Minar,
New Delhi.

Sub : Non-compliance of MPD stipulations for LIG/EWS provisions in/
around Vasant Kunj.

Please find enclosed a representation of Shri Amar Singh, S-171/79, Rangpuri Pahari, New Delhi-37 addressed to Commr.-cum-Secy., DDA. The representation is regarding non-compliance of MPD stipulations for LIG/EWS provisions in/around Vasant Kunj and objections/suggestions made by the applicant vide para-2, 3, 4 (iii) & 5(c) of his letter dated 22.9.2010 to the Board for S.11A of DD Act for its enquiry and hearing process. As the subject matter pertains to Planning Wing, it is requested that the representation may be looked into for further necessary action in the matter, as deem fit.

Encl : As above.

(V.K. Gossain)
SE(HQ)SZ.

Copy to :

1. Commr.-cum-Secy., DDA, Vikas Sadan, New Delhi alongwith copy of said representation for kind information.
2. Chief Engineer (SZ), DDA for kind information.
3. Chief Architect, DDA, Vikas Minar, New Delhi alongwith copy of said Representation for information and necessary action please.
4. Director (Works), DDA, Vikas Sadan, New Delhi alongwith copy of said representation for information and necessary action please.
5. Sr.R.O.(RTI), DDA, Vikas Sadan, New Delhi for information w.r.t. her letter No.F.11(3847)06/RTI/DDA/3881 dated 13.10.2011. Please note that the enclosure sent alongwith the letter is not a RTI matter.
- ✓ 6. Shri Amar Singh, S-171/79, Rangpuri Pahari, New Delhi-110037.

16/1/12
SE(HQ)SZ.

Commr. (Plg) - II
Despatch 350-A
Date 24-1-12

R&D CELL
VIKAS SADAN
Dy. No. 414
Date 23/1/12

उपाध्यक्ष कार्यालय
289-40
24/1/12
24/01/12

56

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SPEED/10-84

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SE(HQ)SZ. 15/1/12