

CHATTARPUR FARMS WELFARE SOCIETY (REGD.)

DLF, Chattarpur Farms, New Delhi-110074. Tel. : 26800108

Mr. H.S. Gupta
Chairman

Mr. Rohit Kochhar
President

Mr. Gulshan Khurana
Executive Director

Mr. Tejwant Singh
Senior Vice President

Mr. Harish Juneja
Treasurer

Mr. G.S. Bedi
Vice President

Mr. Gajinder Nagar
Vice President

Ms. Aruna Reena Singh
Vice President

Ms. Nirupam K Anand
Joint Secretary

Ms. Haripriya Mann
Joint Secretary

Mr. Sanjeev Jain
Director Communications

Governing Council
Members:

Mr. Arun Pathak
Mr. K.A. Sethi
Ms. Jyoti Bose
Mr. Anil Gupta

08-05-2012

To,
✓ The Director (Plg.) MPR
6th Floor, Vikas Minar,
I P Estate,
New Delhi-110002.

Director (Plg.) MPR/TC,
D.D.A. V/1, N. DELHI-2
Dy.No. 27/11
Dated 9/5/12
Head Control Dy. No. 20
R&D Section, Vikas Minar
Delhi Development Authority
Seating Area

Subject: Representation on behalf of Chattarpur Farms Welfare Society (Regd.) for taking Policy decision regarding de-notification and release of lands of 13 South Delhi Villages namely Chattarpur, Satbari, Sahyampur, Rajpur Khurd, Maidan Garhi, Khanpur, Devali, Siad-ula-jab, Neb Sarai, Tughlakabad, Khrikhi, Hauz Rani and Tegiri, Tehsil Mehrauli, New Delhi.

Sir,

The Land of 13 villages namely Chattarpur, Satbari, Rajpur, Maidan Garhi, Said-ul-ajab, Khirki, Nebsarai, Khanpur, Devli, Shayoorpur, Tigri, Tughlakabad and Hauz Rani were notified for acquisition in 1980. The acquisition proceedings were challenged at various stages such as at the time of Sec. 4 notification and at the time of Sec. 6 notification by a large number of land owners.

A large number of lands were also de-notified u/s 48 of the Land Acquisition Act, 1894 on account of their being built-up at the time of notification. There have been a host of judgments by Hon'ble High Court & the Hon'ble Supreme Court over the years from 1988 up to 2005 whereby Land Acquisition of these 13 villages have been quashed in over 500 cases, following the judgment of CWP 1639/1985 Balak Ram Gupta Vs. UOI. Most notable is the case of Balbir Singh versus UOI & Ors reported as 39 (1989) DLT 233 (with respect to same acquisition notification) where the Hon'ble High Court had directed the Government to restore possession of land to various land owners even in those cases where land

Recd
9/5

AD(PG)I

CHATTARPUR FARMS WELFARE SOCIETY (REGD.)

DLF, Chattarpur Farms, New Delhi-110074. Tel. : 26800108

Continuation Sheet No.

owners had already taken compensation. This was upheld by the Hon'ble Supreme Court in the case of Sudan Singh and Balbir Singh versus DDA & UOI reported as (1997) 5 SCC 431. Thus land owners who had taken compensation and possession was taken over by the L&B/DDA paid back compensation with interest and the lands were restored to them.

Due to the passage of time, (over 30 years) a majority of these lands have been built-up in the form of:

- a) Numerous Unauthorized colonies (**list annexed as Annexure-1**)
- b) Sainik Farms which alone has consumed, in the form of unauthorized development, land of 5 villages namely Khirkee, Khanpur, Devli, Saidulajab, Neb Sarai of these 13 villages itself.
- c) In the form of farm houses duly sanctioned and built-up.

Therefore almost 95% of the land of these 13 villages, proposed to be acquired, for the Planned Development of Delhi, now stands fully built-up in the manner as described above. (**Google Map annexed as Annexure-2**)

By its own admission in a document filed in the Hon'ble High Court & Hon'ble Supreme Court, the Land and Building/DDA has managed to take possession of a very small percentage of the total land proposed to be acquired. And in the very same document the DDA/L&B accepts that they have not taken possession of even one acre of land of village Chattarpur either in papers or physically. The land more specially in village Chattarpur is now available in only very very small patches of 2 or 3 or 4 acres. No purpose would be served by acquisition of these small and scattered patches as no development let alone the Planned Development can be possible on these lands.

Land acquisition was initiated for Planned Development of Delhi in the year 1980. In June 1984 MPD 2001 was notified and all the area under acquisition was continued to be shown as agricultural green (rural), up to the year 2007. Planned Development has to be a large contiguous block of land which means to say if 13000 acres of land were proposed to be acquired at least 8000- 10000 acres of land should be available for Planned Development.

Even in the judgment of Balak Ram Gupta Vs. UOI, the Hon'ble High Court clearly states in para 27 that *"It is common knowledge that in Delhi, as well as many other capital cities, vast extents are being acquired for 'planned development' or public projects. The acquisition is generally part of an integrated scheme or plan and, though, technically speaking, there can be no objection to individual plots being processed under Sections 5A, 6, 9, 12, etc., particularly after the amendment of 1967, the purpose of acquisition demands that at least substantial blocks of land should be dealt with together at least up to the stage of the declaration under Section 6. To give an example, if a large extent of land is to be acquired for the excavation of a canal, the*

CHATTARPUR FARMS WELFARE SOCIETY (REGD.)

DLF, Chattarpur Farms, New Delhi-110074. Tel. : 26800108

Continuation Sheet No.

scheme itself cannot be put into operations unless the whole land can be eventually made available. If even one of the land owners anywhere along the line applies to Court and gets a stay of the operation of the notification under Section 4, in practical terms, the whole scheme of acquisition will fall through.

For 35 years from the date of notification there was no scheme and no planning for utilization of these lands whatsoever.

The Master Plan of Delhi 2021 notified on 07-02-2007. The MPD 2021 provides for alternative options for development and for involvement of the private sector in the assembly and development of land/infrastructure services. It states that the land policy would be based on the optimum utilization of available resources, both public and private in land assembly, development/re development and housing and also envisages the ***“review of the scheme of large scale development and acquisition and its relevance in the present context.”*** (Copy annexed as Annexure- 3)

Subsequent to the MPD 2021 the Govt. also issued a policy of Land assembly based on the land pooling and owners participation as an alternative to Large Scale Land Acquisition in Delhi.

This policy highlights the inability of the Govt. to successfully acquire land as per its requirements and states ***“in view of the unsatisfactory position on this account over a long period of time it is necessary to review and reconsider the current scheme of large scale acquisition, development and disposal by DDA.”*** (Copy annexed as Annexure-4)

Further clause no. 5.2 of the Land pooling policy states ***that the DDA may consider releasing its land, which is under acquisition but not physically taken into possession for assembly of land in this manner, after due identification of such land.*** (Copy annexed as Annexure-5)

A draft farmhouse policy is also being prepared under which the DDA/ Hon'ble LG is proposing to declare cluster of farmhouses as Low Density Residential Housing. Zone J where these lands are situated is largely built up in the form of Farm Houses. An environment impact study has shown that the Mehrauli basin where these lands are located cannot take very high densification due to meager water resources. Therefore these areas are to be built up with much lower FAR than other urban areas.

The new draft “National Land Acquisition Bill 2011” is likely to replace the archaic land acquisition act of 1894. The bill is likely to change entirely the scope and manner of land acquisition in this country. The changes to be brought in envisage:

“Public purpose to be defined and cannot be changed and if the land is not used for the purpose for which it is acquired within 5 years then the land shall be returned to its original owner.”

CHATTARPUR FARMS WELFARE SOCIETY (REGD.)

DLF, Chattarpur Farms, New Delhi-110074. Tel. : 26800108

Continuation Sheet No.

The current situation is now as follows:

1. DDA has no plan or scheme for utilization of these lands.
2. Land was proposed to be acquired for the Planned Development of Delhi, which is now a totally failed concept in view of the current situation. 95%-98% of the lands are fully built up in the form of numerous unauthorized colonies and sanctioned and duly built up farmhouses.
3. The balance available land is in the form of very small and scattered patches of 2 or 3 or 4 acres only, where no planned development is possible.

That the DDA is now threatening to take possession of these notified and built up or otherwise. That the entire thought process of the DDA is a contradiction in terms where on one hand unauthorized development is regularized and policy for de-notification is being planned and on the other hand physical possession is being taken where no purpose can be served at all.

Further it would be a travesty of justice where land owners, who had taken compensation after acquisition and possession of their lands had been taken by the Govt. have been restored by court orders to their original owners who are continuing to enjoy the benefits thereof and whereas the land owners who have been waiting for a comprehensive and just policy are being victimized and are under threat of losing their lands

Thanking you in anticipation,

Yours truly,

For Chattarpur Farms Welfare Society (Regd)



(Anil Gupta)

Encl: As above

| LIST OF COLONIES IN 13 VILLAGES | | | |
|---------------------------------|---------------|-------------------|--|
| S.NO. | VILLAGE | S.NO. AS PER LIST | COLONY NAME |
| 1 | CHATTARPUR | 40 | D-BLOCK, PHASE-1, CHATTARPUR ENCLAVE |
| 2 | CHATTARPUR | 157 | CHATTARPUR PAHAR |
| 3 | CHATTARPUR | 414 | CHATTARPUR EXTENSION, BLOCK-1. |
| 4 | CHATTARPUR | 307 | CHATTARPUR ENCLAVE |
| 5 | CHATTARPUR | 1108 | CHATTARPUR ENCLAVE, PH-I, BLOCK-A |
| 6 | CHATTARPUR | 1130 | DR. AMBEDKAR COLONY, ANDHERIA MORE, CHATTARPUR |
| 7 | CHATTARPUR | 1174 | DR. AMBEDKAR COLONY, CHATTARPUR |
| 8 | CHATTARPUR | 1415 | CHATTARPUR MINI FARMS |
| 9 | CHATTARPUR | 1416 | CHATTARPUR EXTENSION |
| 10 | DEVLI | 185 | C-2, RAJU PARK |
| 11 | DEVLI | 278 | JAWAHAR PARK, BLOCK A,B,C,D,E |
| 12 | DEVLI | 768 | KRISHNA PARK D2-3 & D-299 |
| 13 | DEVLI | 769 | KRISHNA PARK EXTENSION- D BLOCK |
| 14 | DEVLI | 907 | RAJU PARK C BLOCK, DEVLI ROAD |
| 15 | DEVLI | 1423 | DURGA VIHAR - DEVLI EXTENSION |
| 16 | KHIRKI | 63 | KHIRKI EXTENSION COLONY, CARRIAPPA MARG, NEW DELHI |
| 17 | KHANPUR/DEVLI | 193 | C-75, DUGGAL COLONY, DEVALI ROAD, KHANPUR EXT. |
| 18 | KHANPUR/DEVLI | 384 | DEFENCE SERVICES ENCLAVE, KHANPUR, DELHI-62 |
| 19 | KHANPUR/DEVLI | 968 | DUGGAL HOUSING COMPLEX SCHOOL ROAD, KHANPUR |
| 20 | MAIDAN GARHI | 296 | MAIDAN GARHI- RAJPUR KHURD, B-3 M |
| 21 | MAIDAN GARHI | 1341 | MAIDAN GARHI EXTENSION |
| 22 | RAJPUR KHURD | 410 | RAJPURKHURD EXTENSION, SOUTH COLONY. |
| 23 | RAJPUR KHURD | 740 | HARGOBIND ENCLAVE |
| 24 | RAJPUR KHURD | 913 | RAJPUR KHURD EXTENSION |
| 25 | RAJPUR KHURD | 974 | RAJPUR KHURD EXTN. COLONY |
| 26 | RAJPUR KHURD | 1343 | MAHAVIR CAMPUS, RAJPUR KHURD EXTN. |
| 27 | RAJPUR KHURD | 1354 | RAJPUR VIHAR EXTENSION |
| 28 | SAHURPUR | 1119 | SAHURPUR EXTN, SATBARI |
| 29 | NEB SARAI | 434 | FREEDOM FIGHTERS ENCLAVE, NEB SARAI |
| 30 | NEB SARAI | 657 | INDIRA ENCLAVE, NEB SARAI |
| 31 | NEB SARAI | 698 | NEB SARAI EXT., PH-II, IGNOU ROAD |
| 32 | NEB SARAI | 702 | HARIJAN COLONY, NEB SARAI |
| 33 | NEB SARAI | 739 | NEB VALLEY IGNOU ROAD |
| 34 | NEB SARAI | 752 | NEB SARAI ROAD |
| 35 | NEB SARAI | 1149 | FREEDOM FIGHTER ENCLAVE, NEB SARAI |
| 36 | NEB SARAI | 1226 | FREEDOM FIGHTER ENCLAVE, IGNOU ROAD, NEB SARAI |
| 37 | NEB SARAI | 1239 | FREEDOM FIGHTER VIHAR, NEB SARAI |
| 38 | NEB SARAI | 1426 | FREEDOM FIGHTER EXTN. |
| 39 | SATBARI | 1379 | DR. AMBEDKAR COLONY, AMRAI ROAD, SATBARI |
| 40 | SATBARI | 1408 | GREEN MEADOWS, SATBARI |
| 41 | SAIDULAJAB | 81/88 | SAIDULAJAB EXT. |
| 42 | SAIDULAJAB | 424 | SULTAN APT., GALI NO. 2 OF VILLAGE SAIDULAJAB |
| 43 | SAIDULAJAB | 890 | J- BLOCK SAIDULAJAB EXTENSION |
| 44 | SAIDULAJAB | 931 | SAIDULAJAB EXTN, NEAR M.B. ROAD |
| 45 | SAIDULAJAB | 977 | VILL. SAIDULLAHJAB, IGNOU ROAD, SAIDULAJAB |
| 46 | SAIDULAJAB | 1308 | SAIDULAJAB EXTN, |
| 47 | SAIDULAJAB | 1387 | SAIDULAJAB EXTN, PARYAVARAN COMPLEX |

| | | | |
|----|-------------|------|--------------------------------------|
| 48 | TIGRI | 1015 | TIKRI EXTENSION, PH. II |
| 49 | TIGP' | 1334 | TIGRI EXTENSION, AMBEDKAR NAGAR |
| 50 | TUGHL/DEVLI | 14 | B-BLOCK SANGAM VIHAR |
| 51 | TUGHL/DEVLI | 15 | C-BLOCK SANGAM VIHAR |
| 52 | TUGHL/DEVLI | 68 | J 1ST SANGAM VIHAR |
| 53 | TUGHL/DEVLI | 81 | BLOCK C-1, PART 1 SANGAM VIHAR |
| 54 | TUGHL/DEVLI | 138 | SANGAM VIHAR, L-BLOCK |
| 55 | TUGHL/DEVLI | 167 | 1-2, SANGAM VIHAR |
| 56 | TUGHL/DEVLI | 172 | L-BLOCK, SANGAM VIHAR |
| 57 | TUGHL/DEVLI | 182 | B-I BLOCK SANGAM VIHAR |
| 58 | TUGHL/DEVLI | 189 | I- BLOCK, SANGAM VIHAR |
| 59 | TUGHL/DEVLI | 280 | BLOCK J-2, SANGAM VIHAR |
| 60 | TUGHL/DEVLI | 293 | 1-2 BLOCK SANGAM VIHAR |
| 61 | TUGHL/DEVLI | 316 | AVASIYA SUDHAR SAMITI, SANGAM VIHAR |
| 62 | TUGHL/DEVLI | 352 | SANGAM VIHAR BLOCK H |
| 63 | TUGHL/DEVLI | 355 | SANGAM VIHAR BLOCK L-IA |
| 64 | TUGHL/DEVLI | 392 | SANGAM VIHAR BLOCK J-IIB |
| 65 | TUGHL/DEVLI | 393 | SANGAM VIHAR BLOCK G-1 |
| 66 | TUGHL/DEVLI | 396 | SANGAM VIHAR BLOCK -D |
| 67 | TUGHL/DEVLI | 417 | SANGAM VIHAR BLOCK-M-II |
| 68 | TUGHL/DEVLI | 426 | SANGAM VIHAR, POCKET L I ST |
| 69 | TUGHL/DEVLI | 497 | SANGAM VIHAR, POCKET L I C |
| 70 | TUGHL/DEVLI | 509 | CHARCH COLONY, L-BLOCK, SANGAM VIHAR |
| 71 | TUGHL/DEVLI | 510 | J/3, GYAN BUDH VIHAR, SANGAM VIHAR |
| 72 | TUGHL/DEVLI | 574 | J-2, SANGAM VIHAR |
| 73 | TUGHL/DEVLI | 627 | J-1, SANGAM VIHAR |
| 74 | TUGHL/DEVLI | 775 | F-2 BLOCK, SANGAM VIHAR |
| 75 | TUGHL/DEVLI | 915 | E-BLOCK SANGAM VIHAR |
| 76 | TUGHL/DEVLI | 916 | L-I BLOCK, SANGAM VIHAR |
| 77 | TUGHL/DEVLI | 950 | J-3 SANGAM VIHAR |
| 78 | TUGHL/DEVLI | 971 | A-BLOCK SANGAM VIHAR |
| 79 | TUGHL/DEVLI | 995 | SANGAM VIHAR F-1 BLOCK |
| 80 | TUGHL/DEVLI | 999 | SANGAM VIHAR H BLOCK |
| 81 | TUGHL/DEVLI | 1004 | SANGAM VIHAR K-BLOCK |
| 82 | TUGHL/DEVLI | 1006 | G BLOCK SANGAM VIHAR |
| 83 | TUGHL/DEVLI | 1011 | SANGAM VIHAR BLOCK C, PART-II |
| 84 | TUGHL/DEVLI | 1035 | SANGAM VIHAR I BLOCK |
| 85 | TUGHL/DEVLI | 1064 | SANGAM PARK-F-3 BLOCK |
| 86 | TUGHL/DEVLI | 1083 | F-1-SANGAM VIHAR |
| 87 | TUGHL/DEVLI | 1089 | SANGAM VIHAR -BLOCK K- 1 |
| 88 | TUGHL/DEVLI | 1155 | SANGAM VIHAR - A BLOCK |
| 89 | TUGHL/DEVLI | 1241 | SANGAM VIHAR 1-2, BLOCK |
| 90 | TUGHL/DEVLI | 1285 | SANGAM VIHAR K-11 |
| 91 | TUGHL/DEVLI | 1294 | G BLOCK-SANGAM VIHAR |
| 92 | TUGHL/DEVLI | 1313 | SANGAM VIHARBLOCK M-1 |

5. The MPD-62 set out the broad vision for the development of Delhi and, with a view to realizing the development plan underlying this vision, a scheme of Large Scale Acquisition and Development of Land was also formulated. The aim of the latter was to ensure that the spatial pattern of development and use of land could conform to the development plan and infrastructure and services could be laid out to match the same. At that early stage, the process of planned development was envisaged as a public sector led process with very little private participation in terms of development of both, shelter and infrastructure services. The philosophy of public sector led growth and development process continued in general till the process of economic reforms was initiated in the early nineties. Therefore, the Master Plan for Delhi 2001 (MPD-2001) also substantially reiterated the planning process, which had been outlined in MPD-62. These plans could be seen mainly as land use plans with a three level hierarchy i.e. Master Plan, Zonal Plans and Layout Plans for specific development schemes within each zone.

6. The population of Delhi in 2001 was 138 lakh as against the MPD-2001 projection of 128 lakh. This has had its inevitable implications and impact in terms of shelter, including squatter settlements, and other infrastructure facilities.

Some issues that arise for consideration and are also directions for policy include:

- (i) Review of the scheme of large scale development and acquisition and its relevance in the present context;
- (ii) Alternative options for development of areas identified for urbanization in MPD-2021;
- (iii) Evolving a system under which planning for, and provision of basic infrastructure could take place simultaneously with reference to (i) and (ii) above; and
- (iv) Involving the private sector in the assembly and development of land and provision of infrastructure services.

7. One of the most important aspects of planned development pertains to the provision of adequate well-planned shelter and housing for the different categories of inhabitants of the city. The quantitative and qualitative shortages and deficiencies in this regard have been observed while formulating the MPD-2021. In turn, this should also be seen in concert with the involvement of the private sector in land assembly and development.

8. Two major challenges which have emerged in the wake of the developments outlined above relate to the phenomenon of unauthorized colonies and squatter / jhuggi jhopri settlements. This reality will have to be dealt with not only in its present manifestation, but also in terms of future growth and proliferation.

9. The exercises done for the MPD-2021 show that there is a need for redevelopment and densification of the existing urban areas and city improvement. This aspect is a major component of the new Master Plan. It calls for a comprehensive redevelopment strategy for accommodating a larger population, strengthening of infrastructure facilities accompanied by creation of more open spaces at the local level by undertaking measures for redevelopment of congested areas.

10. Another important development observed during the period of the last Master Plan is the phenomenal growth of automobiles in Delhi. This has resulted in a variety of problems pertaining to congestion, pollution, safety of travel and parking etc., which need to be addressed.

11. The NCT of Delhi has been divided into 15 Zones from A to H and J to P, of which 8 Zones are in the urban area, one in Riverbed and remaining 6 in the rural area. So far, Zonal Plans in respect of 11 zones (including sub cities of Dwaraka, Rohini and Narela) have been notified with the approval of the Government of India. It is pertinent to finalise the Zonal Plans for all the planning zones within a year from the date of notification of the MPD-2021.

12. The experience of the past two Master Plans shows that projections regarding various basic infrastructure services have been made with reference to the population growth projections and the increased urbanization requirements. However, the infrastructure provisions especially those related to water and power have not matched the pace of development.

METHODOLOGY ADOPTED FOR PLAN PREPARATION

13. Keeping in view the democratic procedure and statutory obligations, the Draft Plan was prepared after obtaining the views of the public. It also included extensive consultations at the pre-planning stage by involving local bodies, Government of NCT of Delhi, public sector agencies, professional groups, resident welfare associations, elected representatives, etc.

DELHI DEVELOPMENT AUTHORITY
Master Plan Section
6th Floor, Vikas Minar

No.F.3 (53)2003/MP

A draft policy on "Land Assembly based on Land Pooling and Owners Participation as an alternative to Large Scale Land Acquisition in Delhi" has been received from MoUD vide D.O.No.J-13036/11/2007-DDVA dated 16th February, 2009 for consultation with major stakeholders. Such a consultation will assist the Ministry in understanding the likely problems in the policy for possible improvements as well as to ensure that at the implementation stage, the policy do not face major hurdles.

Dy.Chief Electoral Office Delhi vide his letter No.CEO/EL.G/102(14)/2009/25795 dated 11.4.09 has given approval for placing the draft policy on DDA Website.

Accordingly, it is requested that stakeholders may send their views on the following draft policy within 30 days from the date of its placing on the DDA's website.

The observations may be addressed to the Jt.Director. (MP) on the following address:

Address: Jt.Director (MP), DDA
6th Floor, Vikas Minar,
I.P.Estate, New Delhi-110002

5611

Land Assembly based on Land Pooling and Owners Participation as an alternative to Large Scale Land Acquisition in Delhi.

1. Introduction

The process of planned development of the National Capital began with the enactment of the Delhi Development Act, 1957 and was followed by notification of the Master Plan of Delhi (MPD) in 1962.

The MPD-1962 set out the broad vision for the development of Delhi and, with a view to realizing the development plan underlying this vision, a scheme of Large Scale Acquisition and Development of Land was also formulated. The aim of the latter was to ensure that the spatial pattern of development and use of land could conform to the development plan and infrastructure and services could be laid out to match the same. At that early stage, the philosophy of public sector led growth and development process formed the backbone of planned development, with very little private participation in terms of development of both, shelter and infrastructure services. This position continued in the Master Plan for Delhi 2001 till the process of economic reforms was initiated in the early nineties.

The unprecedented growth in the population of Delhi continued with 138 lakh in 2001 as against the MPD-2001 projection of 128 lakh, with inevitable implications and impact in terms of shelter, including squatter settlements, and other infrastructure facilities. The shortage is particularly acute in the housing sector. Based on the projected population of 230 lakh by 2021, the estimated additional housing stock required will be around 24 lakh dwelling units. This includes an estimated housing requirement of 20 lakh dwelling units for additional population and backlog of about 4 lakh units comprising of 1 lakh net shortage and the rest by dilapidated and kutcha structures requiring replacement. Even if the assumptions regarding the extent of housing that could be met by redevelopment of the existing areas actually materialize, there would still be a need for the development of housing to the extent of at least 75,000 DUs per annum in different categories. The shortage of non - residential, especially commercial space, in the city has also been a major concern. It is a well-known fact that the widespread commercial use of residential premises (not in compliance with the Master Plan provisions prevailing at that time) has been the root-cause of the problem of the sealing drive, which has been undertaken pursuant to the directions of the Supreme Court and High Court of Delhi. Similarly, the requirements of the growing population, in terms of physical and social infrastructure

(such as schools, hospitals etc) have to be met concurrently with creation of housing stock to provide the necessary quality of life for the citizens.

MPD 2021 acknowledges that with the necessity for creation of infrastructure to support growth of the city at this scale, the present policy of large scale development and acquisition and its relevance in the present context needs a thorough relook. There is a need to explore alternative options for development of areas identified for urbanization in MPD-2021; to evolve a system under which planning for, and provision of basic infrastructure could take place simultaneously; and also to involve the private sector in the assembly and development of land and provision of infrastructure services.

However, at the same time, for a fast growing and large city like Delhi, there is a need to put in place a sustainable land policy, which is backed by effective implementation and affordability of land/houses for common citizens. Simultaneously, the implications on the environment due to the already existing strain on infrastructure also need to be kept in view. Another important dimension of any land policy for a city like Delhi is the issue of adequate and just compensation to those persons who are displaced by land acquisition for urban habitation.

2. The Scheme of Large Scale Land Acquisition, Development and Disposal

In 1961, the Scheme of Large Scale Land Acquisition, Development and Disposal Policy was approved by the MHA and is in operation till date.

However, the pace of development of land has not been satisfactory right from the MPD-1962. As against an annual target of 1372 ha, only an average of 777 ha of land was annually acquired in the period 1962-1981. As against 24,000 ha, only 9507 ha were acquired between 1981-2001, a mere 39.6% of the target. Against a target of about 14,479 ha to be developed in 1961-1981, only 7316 ha were developed by 1984. Under MPD-2001, the target achieved for serviced land to be provided in the various sub-cities was only 48%. In view of the unsatisfactory position on this account over a long period of time, it is necessary to review and reconsider the current scheme of Large Scale Land Acquisition, Development and Disposal by DDA.

Annexure-5

DELHI DEVELOPMENT AUTHORITY
Master Plan Section
6th Floor, Vikas Minar

No.F.3 (53)2003/MP

A draft policy on "Land Assembly based on Land Pooling and Owners Participation as an alternative to Large Scale Land Acquisition in Delhi" has been received from MoUD vide D.O.No.J-13036/11/2007-DDVA dated 16th February, 2009 for consultation with major stakeholders. Such a consultation will assist the Ministry in understanding the likely problems in the policy for possible improvements as well as to ensure that at the implementation stage, the policy do not face major hurdles.

Dy.Chief Electoral Office Delhi vide his letter No.CEO/EL.G/102(14)/2009/25795 dated 11.4.09 has given approval for placing the draft policy on DDA Website.

Accordingly, it is requested that stakeholders may send their views on the following draft policy within 30 days from the date of its placing on the DDA's website.

The observations may be addressed to the Jt.Director. (MP) on the following address:

Address: Jt.Director (MP), DDA
6th Floor, Vikas Minar,
I.P.Estate, New Delhi-110002

5511

At various occasions, the issue of private sector participation in the land assembly has been deliberated upon. In 1998, an alternative policy on a limited scale for Land Assembly and Development with the involvement of private developers in housing activities was launched by DDA, whereby private developers were allowed to take up assembly and development of land for housing in a minimum area of 30 acres, further reduced to 10 acres in 1999. However, this measure was not successful in achieving the desired objective.

3. Provisions in MPD-2021

On 7.2.2007, the Master Plan for Delhi 2021 notified by the Government of India, provides for alternative options for development and for involvement of the private sector in the assembly and development of land/infrastructure services. It states that the land policy would be based on the optimum utilization of available resources, both public and private in land assembly, development/redevelopment and housing.

4. Guiding Principles

- 4.1 Govt. / DDA to act as a facilitator with minimum intervention to facilitate integrated planned development.
- 4.2 A land owner, or a group of land owners (who have grouped together of their own volition/will for this purpose) or a developer, hereinafter referred to as the "developer entity", shall be permitted to pool the land in an identified area or otherwise for unified planning, servicing and subdivision/share of the land for development as per prescribed norms and guidelines.
- 4.3 Each of the landowners to get an equitable return irrespective of land uses assigned to their land in the Zonal Development Plan (ZDP).
- 4.4 To ensure availability of land for Master Plan Roads, Master Plan level Physical Infrastructure and Greens and participation of owner(s) in development.

5. Role of DDA/Government

- 5.1 To facilitate the assembly of land falling under Master Plan roads, physical Infrastructure (water supply, power, Sewage Treatment Plant, Water Treatment Plant, storm

5^{vi}

water drainage, peripheral solid waste management) as well as Master Plan Greens. In case the land for above cannot be assembled by the Developer Entity (DE) itself, then DDA may acquire such land. The DE shall be responsible for creation of infrastructure, including EWS housing within the module which it is developing.

- 5.2 DDA may also consider releasing its land which is under acquisition but not physically taken into possession for assembly of land in this manner, after due identification of all such land. It may also be considered whether except for land required for public projects, rest of land may be made available for land assembly and pooling in this manner.
- 5.3 To prepare detailed Local Area Plan/Sub Zone Plan based on the MPD and the ZDP in order to identify the parcels of land where land pooling and private land assembly is to be allowed. To start with, land in a regular and contiguous manner within the pockets earmarked by DDA on Local Area Plan/Sub Zone Plan where infrastructure is readily available could be released under the scheme. However, if the DE assembles the land outside the area(s) thus identified may also be considered for approval by the Authority subject to NOC from the Service Providing Agencies like DJB, BSES, NDPL etc. In such cases, DDA is to be indemnified for the disputes/court cases arising out of non availability of services, including that of roads.
- 5.4 The DE to assemble more than 70% of the land for applying for the development license. In such case DDA to facilitate availability of balance 30% land by way of acquisition.
- 5.5 Immediately after entering in to the agreement with DDA for land pooling as per the agreed Local Area Plan/Sub Zone Plan, the development of roads and identification of Master Plan Greens and Utilities to commence. Assembly of 40 ha of land to also start simultaneously.
- 5.6 DDA/Govt. to put in place the required legal framework /rules and regulations for assembly/ land pooling before the Local Area Plan/ Sub Zone Plan is put in the public domain for participation.
- 5.7 DDA/Govt. to evolve and put in place the mechanism to facilitate interaction with the stakeholders, so that impediments are removed and issues are resolved quickly and amicably.