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दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY

मुख्य योजना - 2021 की समीक्षा
Master Plan Review-2021

पंजीकरण फार्म
REGISTRATION FORM

ZONE - F

"ओपन हाउस मीट्स"

"OPEN HOUSE MEETS"

फार्म प्रतिभागी द्वारा भरा जाए
Form to be filled by Participant

नाम Name	Kalkaji Transit Camp Residents w/A
प्रतिनिधि : Representing : सरकारी विभाग / फेडरेशन / संघ (एसोसिएशन) / आर डब्लू ए / व्यक्तिगत Government Department/ Federation/Association/RWA/ Individual	RWA OFFICE OF THE DIR (Pig.) MPR/TC, D.D.A. N-DELHI-2 Dy.No. 2790 Dated
वर्तमान स्थिति Present Position	
फोन : कार्यालय Phone : Office आवास Residence मोबाइल Mobile	A-1 Transit Camp Govindpuri Kalkaji 26237685
फैक्स : Fax :	
ई-मेल E-mail	
पता : Address :	A-1 Transit Camp Govindpuri Kalkaji
हस्ताक्षर : Signature :	<u>Janak</u>
तिथि : Date :	

"अपने पंजीकरण फार्म ओपन हाउस मीट्स के स्थल पर जमा कराएं"
"Submit your registration form at the venue of Open House meets."

KALKAJI TRANSIT CAMP RESIDENTS WELFARE ASSOCIATION (Regd.)

A-1, Transit Camp, Govindpuri, Kalkaji, New Delhi-110019

Ref No. K.t.c.R.w.A./N.D./..... /

Date :

Chairman

Sh Ashok Kumar
26092370

President

Sh. Avadh Bihari Shukla
9810698106

Vice President

M. Asgar Sabri
9350285060

Gen. Secretary

Sh. Bhuvnesh Maheshwari
9313320154

Cashier

Sh. R. S. Gupta
9350552003

Secretary

Sh. Narayan Pandey
9810680330

Joint Secretary

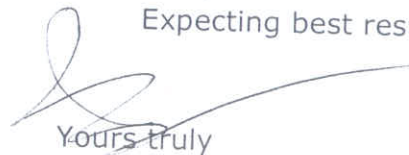
Sh. Kashi Ram
9868240445

Agenda Secretary

Sh. Mohd. Phurkan
55670448

4. connections, approximately twenty parks, school, dispensary etc are also provided with. Moreover one underground water tank, 10. No. of tube wells for water supply, new sewer line by MCD has also been provided. It is neither in the interest of the residents nor in the government to demolish such a big infrastructural development. It would cause a great monetary loss.
5. The residents are living in the said colony for more than 25 years now it is not possible for them to rehabilitate themselves again elsewhere; moreover there is no alternative in the adjoining area for their resettlement.
6. There are many examples wherein DDA has already changed the land use before. (ANNEXURE A)
7. Resident welfare Association and Several political leaders who are connected with this area and acquainted with the conditions of the residents has so many times made the representations in this regard to the concerned authorities.
8. It is not possible for the people who are now well settled in the said colony to relocate and settle down again. It is pertinent to mention that the residents living in the said colony are very indigent and belong to E.W.S./B.P.L family. Therefore, if the abovementioned suggestion/mercy appeal is not allowed, it would amount to grave injustice with the residents of above said colony.

Expecting best result in this regard.



Yours truly

RESIDENT WELFARE ASSOCIATION
RANJIV GANDHI COLONY (TRANSIT CAMP)
Govindpuri, Kalkaji, New Delhi- 19

KALKAJI TRANSIT CAMP RESIDENTS WELFARE ASSOCIATION (Regd.)

A-1, Transit Camp, Govindpuri, Kalkaji, New Delhi-110019

Ref No. K.t.c.R.w.A./N.D./..... /

5. At present approximately 35000 people are residing in the aforesaid colony and most of them are either working in the adjoining areas for their livelihood or carrying on their business within the said colony.

Date:

6. Children are studying in the schools located in the said camp.

7. It is also pertinent to mention that the residents were not only provided with constructed residential flats but were also issued upon ration cards and voter IDs at the said address. Basic amenities like electricity and telephone connections, school, dispensary etc are also provided with.

8. In 1998 the then chief Minister of Delhi Sh. Sahib Sing Verma announced to confer free hold rights to the slum dwellers and in 1999 Slum and JJ Department Published an advertisement that GOVERNMENT OF INDIA HAS DECIDED TO CONFER FREEHOLD RIGHTS IN ESPECT OF ALL THE FLATS OF SLUM AND JJR SCHEME ALLOCATED AT FOLLOWING COLONIES. In this advertisement Transit Camp was mentioned at No. 19, however no such plan or policy has ever been executed so far.

9. In September 2003, RWA of Pocket A-14 Kalkaji extension filed W.P.(C) No. 6324 Of 2003 in Hon'ble Court seeking mandamus against the action of MCD in setting up of some tents in District Park for the purpose of housing a school.

10. On 22.9.2004, the aforesaid writ Petition was allowed/ disposed of by a learned Single Judge and by this Judgment and order a mandamus was issued to the respondent MCD not to use the site in question as a school and to restore it as a green area. It was further directed that the aforesaid direction would continue till DDA clear the encroachments from the land at Kalkaji.

Basis behind the suggestion:

1. At present approximately 35000 people are residing in the aforesaid colony and most of them are either working in the adjoining areas for their livelihood or earning their livelihood within the said colony.
2. Children are studying in the schools located in the said colony.
3. The residents were provided with constructed residential flats and also issued upon ration cards and voter IDs at the said address. Basic amenities like electricity and telephone

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KALKAJI TRANSIT CAMP RESIDENTS WELFARE ASSOCIATION (Regd.)

A-1, Transit Camp, Govindpuri, Kalkaji, New Delhi-110019

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Ref No. K.t.c.R.w.A./N.D./..... /

Date : 8/5/12

To

Nodal officer

Delhi Development Authority (Zone F & H)

4th Floor, Vikas Meenar, New Delhi.

SUGGESTIONS/MERCY APPEAL IN RESPECT OF CHANGE OF LAND
USE OF RAJEEV GANDHI COLONEY (FORMERLY 'TRANSIT
CAMP')GOVINDPURI, KALKAJI, NEW DELHI.

Dear Sir,

As per advertisement published in various newspapers on
behalf of Ministry of Urban Development, Government of India, I
hereby submit my suggestions and the basis thereof as follows:

Suggestion:

TO CONVERT THE LAND USE OF RAJEEV GANDHI COLONY (FORMERLY 'TRANSIT CAMP')GOVINDPURI, KALKAJI, NEW DELHI FROM GREEN AREA/DISTRICT PARK TO RESIDENTIAL AREA.

BRIEF SUMMERY:

1. During the year 1984-85, upon demolition of various camps /slums & JJ Clusters a resettlement camp was set up and established by DDA at Govindpuri and was named as Transit Camp. The same was set up by DDA as part of its policy for resettlement/rehabilitation of Jhuggi dwellers and the same was approved by the Lt. Governor of Delhi (Chairman) of DDA in 1984.
2. The residents of aforesaid camp/slums, JJ Clusters and Punjabi migrants were provided 30 Sq. Yards
3. single storey constructed flats/residence by DDA in the said camp.
4. Total 2100 families were resettled during 1984-85 upon aforementioned area/camp which was earmarked in the Zonal Development plan as Green Area/ District park.

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26092370

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KALKAJI TRANSIT CAMP RESIDENTS WELFARE ASSOCIATION (Regd.)

A-1, Transit Camp, Govindpuri, Kalkaji, New Delhi-110019

Ref No. K.t.c.R.w.A./N.D./..... /

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SUGGESTIONS/MERCY APPEAL IN RESPECT OF CHANGE OF LAND
USE OF RAJEEV GANDHI COLONEY (FORMERLY 'TRANSIT CAMP')
GOVINDPURI, KALKAJI, NEW DELHI.

ANNEXURE-A

(some instances wherein DDA has proposed and Central Government has approved the change of Master plan I zonal development plans from one category to another)

1. Item No. 27/2004- Change change of land use of 2700 sq. mtr. Of land from "Public facilities" to Govt. Use" (Courts) F. No. 20 (4) 2004 (M.P.).
2. Item No. 29/2004 - Change of land use approximately 31,707 Sq. Mtr. (3.1 Ha) land from Transportation and recreational to Public, semi-public facilities (Motor driving training centre) - F.5 (3) 97/ M.P.
3. Item No. 30/2004- Change of land use of 252.4 acres of land at Savda Ghevra for relocation of slum / JJ quarters - F.20(1)2004 (M.P.)
4. Item No. 31/2004- Change of land use for an area of 3.36 Ha from Recreational to commercial in Tri Nagar for DMRC Project - F.20(2)2000 (M.P.) pt.II.
5. Item No.32/2004- Change of land use from public and semi public (FC-53) to commercial area measuring 2.84 Hac. At Wazirpur DMRC project.
6. Item No. 33/2004_ Change of land use for DMRC Project in Viswavidyalaya area from public and semi public facility to Resident (3.05 Hac.) and Resident to Commercial (0.77 Hac.)
7. Item No. 73/ 2004 - Change of land use of land measuring about 12 acres from recreational (Distt. Park) to Residential for the CRRI Campus on Mathura Road in zone F.F.3 (67) 2003/ M.P.

70

To

Nodal officer

Delhi Development Authority (Zone F & H)

4th Floor, Vikas Meenar, New Delhi.

MERCY APPEAL IN RESPECT OF CHANGE OF LAND USE OF RAJEEV GANDHI COLONEY (FORMERLY 'TRANSIT CAMP')GOVINDPURI, KALKAJI, NEW DELHI-19.

Dear Sir,

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Suggestion:

TO CONVERT THE LAND USE OF RAJEEV GANDHI COLONY (FORMERLY 'TRANSIT CAMP')GOVINDPURI, KALKAJI, NEW DELHI FROM GREEN AREA/DISTRICT PARK TO RESIDENTIAL AREA.

Basis behind the suggestion:

1. At present approximately 35000 people are residing in the aforesaid colony and most of them are either working in the adjoining areas for their livelihood or earning their livelihood within the said colony.
2. Children are studying in the schools located in the said colony.
3. The residents were provided with constructed residential flats and also issued upon ration cards and voter IDs at the said address. Basic amenities like electricity and telephone connections, approximately twenty parks, school, dispensary etc are also provided with. Moreover one underground water tank, 10. No. of tube wells for water supply, new sewer line by MCD has also been provided. It is neither in the interest of the residents nor in the government to demolish such a big infrastructural development. It would cause a great monetary loss.
4. The residents are living in the said colony for more than 25 years now it is not possible for them to rehabilitate themselves again elsewhere; moreover there is no alternative in the adjoining area for their resettlement.
5. There are many examples wherein DDA has already changed the land use before. (ANNEXURE A)
6. Resident welfare Association and Several political leaders who are connected with this area and acquainted with the conditions of the residents have so


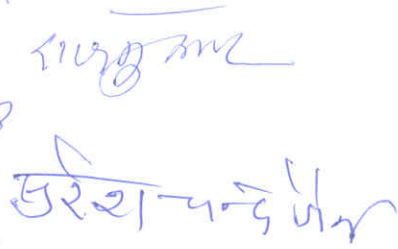



many times made the representations in this regard to the concerned authorities.

7. It is not possible for we people to get settled in the said colony to relocate and settle down again. It is pertinent to mention that the residents living in the said colony are very indigent and belong to E.W.S./B.P.L family. Therefore, If the abovementioned mercy appeal is not allowed, it would amount to grave injustice with the residents of above said colony.

EXPECTING BEST POSSIBLE HELP

Sincerely yours

REDSIDENTS OF RAJEEV GANDHI COLONY
Govindpuri, Kalkaji , New delhi-19

Sr. No.	Name & Address	Signature
1-	Shri A. V. Shukla A-1	
2-	" R. S. Gupta - B-44	
3-	" Raj Kumar Maheshwari - A-379	
4-	" Kashi Ram B-1228	
5-	" Suresh Chand Jain B-73	
6-	" Furkhan Ahmed B-338	
7-	" Hagi Tubair Ahmed B-458	
8-	Smt Sitara Begum. B-1039	
9-	Shri N. Pandey B-66	
10-	" Sanjay A 326	
11-	" Vikram Singh A. 197	
12-	" Kishan Singh A. 339	
13-	" Sanjay Guptam B-1095	
14-	" Seeha Dev. Raj B-506	

KALKAJI TRANSIT CAMP RESIDENTS WELFARE ASSOCIATION (Regd.)

A-1, Transit Camp, Govindpuri, Kalkaji, New Delhi-110019

(70)

Ref No. K.t.c.R.w.A./N.D./.../2012...

Date : 8/5/12

To

Nodal officer

Delhi Development Authority (Zone F & H)

4th Floor, Vikas Meenar, New Delhi.

SUGGESTIONS/MERCY APPEAL IN RESPECT OF CHANGE OF LAND USE OF RAJEEV GANDHI COLONEY (FORMERLY 'TRANSIT CAMP')GOVINDPURI, KALKAJI, NEW DELHI.

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BRIEF SUMMERY:

1. During the year 1984-85, upon demolition of various camps /slums & JJ Clusters a resettlement camp was set up and established by DDA at Govindpuri and was named as Transit Camp. The same was set up by DDA as part of its policy for resettlement/rehabilitation of Jhuggi dwellers and the same was approved by the Lt. Governor of Delhi (Chairman) of DDA in 1984.
2. The residents of aforesaid camp/slums, JJ Clusters and Punjabi migrants were provided 30 Sq. Yards
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KALKAJI TRANSIT CAMP RESIDENTS WELFARE ASSOCIATION (Regd.)

A-1, Transit Camp, Govindpuri, Kalkaji, New Delhi-110019

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5. The residents are living in the said colony for more than 25 years now it is not possible for them to rehabilitate themselves again elsewhere; moreover there is no alternative in the adjoining area for their resettlement.
6. There are many examples wherein DDA has already changed the land use before. (ANNEXURE A)
7. Resident welfare Association and Several political leaders who are connected with this area and acquainted with the conditions of the residents has so many times made the representations in this regard to the concerned authorities.
8. It is not possible for the people who are now well settled in the said colony to relocate and settle down again. It is pertinent to mention that the residents living in the said colony are very indigent and belong to E.W.S./B.P.L family. Therefore, if the abovementioned suggestion/mercy appeal is not allowed, it would amount to grave injustice with the residents of above said colony.

Expecting best result in this regard.



Yours truly

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RANJIV GANDHI COLONY (TRANSIT CAMP)
Govindpuri, Kalkaji, New Delhi- 19

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6. Children are studying in the schools located in the said camp.

7. It is also pertinent to mention that the residents were not only provided with constructed residential flats but were also issued upon ration cards and voter IDs at the said address. Basic amenities like electricity and telephone connections, school, dispensary etc are also provided with.

8. In 1998 the then chief Minister of Delhi Sh. Sahib Sing Verma announced to confer free hold rights to the slum dwellers and in 1999 Slum and JJ Department Published an advertisement that GOVERNMENT OF INDIA HAS DECIDED TO CONFER FREEHOLD RIGHTS IN ESPECT OF ALL THE FLATS OF SLUM AND JJR SCHEME ALLOCATED AT FOLLOWING COLONIES. In this advertisement Transit Camp was mentioned at No. 19, however no such plan or policy has ever been executed so for.

9. In September 2003, RWA of Pocket A-14 Kalkaji extension filed W.P.(C) No. 6324 Of 2003 in Hon'ble Court seeking mandamus against the action of MCD in setting up of some tents in District Park for the purpose of housing a school.

10. On 22.9.2004, the aforesaid writ Petition was allowed/ disposed of by a learned Single Judge and by this Judgment and order a mandamus was issued to the respondent MCD not to use the site in question as a school and to restore it as a green area. It was further directed that the aforesaid direction would continue till DDA clear the encroachments from the land at Kalkaji.

Basis behind the suggestion:

1. At present approximately 35000 people are residing in the aforesaid colony and most of them are either working in the adjoining areas for their livelihood or earning their livelihood within the said colony.

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SUGGESTIONS/MERCY APPEAL IN RESPECT OF CHANGE OF LAND
USE OF RAJEEV GANDHI COLONEY (FORMERLY 'TRANSIT CAMP')
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Narinder Kaur Captain
Municipal Councillor



Res. : K-61/A, G.F. Kalkaji,
New Delhi-110019

Phone : 26447861

No. :

Dated : 8-5-2012

To

Nodal officer

Delhi Development Authority (Zone F & H)

4th Floor, Vikas Meenar, New Delhi.

SUGGESTIONS/MERCY APPEAL IN RESPECT OF CHANGE
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7. It is also pertinent to mention that the residents were not only provided with constructed residential flats but were also issued upon ration cards and voter IDs at the said address. Basic amenities like electricity and telephone connections, school, dispensary etc are also provided with.
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Narinder Kaur Captain

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Phone : 26447861

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Dated :

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Narinder Kaur Captain

Municipal Councillor



Res. : K-61/A, G.F. Kalkaji,
New Delhi-110019

Phone : 26447861

No. :

Dated :

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3. The residents were provided with constructed residential flats and also issued upon ration cards and voter IDs at the said address. Basic amenities like electricity and telephone connections, approximately twenty parks, school, dispensary etc are also provided with. Moreover one underground water tank, 10. No. of tube wells for water supply, new sewer line by MCD has also been provided. It is neither in the interest of the residents nor in the government to demolish such a big infrastructural development. It would cause a great monetary loss.
4. The residents are living in the said colony for more than 25 years now it is not possible for them to rehabilitate themselves again elsewhere; moreover there is no alternative in the adjoining area for their resettlement.
5. There are many examples wherein DDA has already changed the land use before. (ANNEXURE A)
6. Resident welfare Association and Several political leaders who are connected with this area and acquainted with the conditions of the residents has so many times made the representations in this regard to the concerned authorities.

Narinder Kaur Captain
Municipal Councillor



Res. : K-61/A, G.F. Kalkaji,
New Delhi-110019

Phone : 26447861

No. :

Dated :

7. It is not possible for the people who are now well settled in the said colony to relocate and settle down again. It is pertinent to mention that the residents living in the said colony are very indigent and belong to E.W.S./B.P.L family. Therefore, if the abovementioned suggestion/mercy appeal is not allowed, it would amount to grave injustice with the residents of above said colony.

Expecting best result in this regard.

Yours truly

Narinder kaur Captain

Narinder Kaur Captain

Municipal Councillor



Res. : K-61/A, G.F. Kalkaji,
New Delhi-110019

Phone : 26447861

No. :

Dated :

SUGGESTIONS/MERCY APPEAL IN RESPECT OF CHANGE
OF LAND USE OF RAJEEV GANDHI COLONEY (FORMERLY
'TRANSIT CAMP') GOVINDPURI, KALKAJI, NEW DELHI.

ANNEXURE-A

(some instances wherein DDA has proposed and Central Government has approved the change of Master plan I zonal development plans from one category to another)

1. Item No. 27/2004- Change change of land use of 2700 sq. mtr. Of land from "Public facilities" to Govt. Use" (Courts) F. No. 20 (4) 2004 (M.P.).
2. Item No. 29/2004 - Change of land use approximately 31,707 Sq. Mtr. (3.1 Ha) land from Transportation and recreational to Public, semi-public facilities (Motor driving training centre) - F.5 (3) 97/ M.P.
3. Item No. 30/2004- Change of land use of 252.4 acres of land at Savda Ghevra for relocation of slum / JJ quarters - F.20(1)2004 (M.P.)
4. Item No. 31/2004- Change of land use for an area of 3.36 Ha from Recreational to commercial in Tri Nagar for DMRC Project - F.20(2)2000 (M.P.) pt.II.
5. Item No.32/2004- Change of land use from public and semi public (FC-53) to commercial area measuring 2.84 Hac. At Wazirpur DMRC project.

Narinder Kaur Captain

Municipal Councillor



Res. : K-61/A, G.F. Kalkaji,
New Delhi-110019

Phone : 26447861

No.

Dated :

6. Item No. 33/2004_ Change of land use for DMRC Project in Viswavidyalaya area from public and semi public facility to Resident (3.05 Hac.) and Resident to Commercial (0.77 Hac.)
7. Item No. 73/ 2004 – Change of land use of land measuring about 12 acres from recreational (Distt. Park) to Residential for the CRRI Campus on Mathura Road in zone F.F.3 (67) 2003/ M.P.

.....



To

Nodal officer

Delhi Development Authority (Zone F & H)

4th Floor, Vikas Meenar, New Delhi.

SUGGESTIONS/MERCY APPEAL IN RESPECT OF CHANGE OF LAND USE OF RAJEEV GANDHI COLONEY (FORMERLY 'TRANSIT CAMP')GOVINDPURI, KALKAJI, NEW DELHI.

Dear Sir,

As per advertisement published in various newspapers on behalf of Ministry of Urban Development, Government of India, I hereby submit my suggestions and the basis thereof as follows:

Suggestion:

TO CONVERT THE LAND USE OF RAJEEV GANDHI COLONY (FORMERLY 'TRANSIT CAMP')GOVINDPURI, KALKAJI, NEW DELHI FROM GREEN AREA/DISTRICT PARK TO RESIDENTIAL AREA.

BRIEF SUMMERY:

1. During the year 1984-85, upon demolition of various camps /slums & JJ Clusters a resettlement camp was set up and established by DDA at Govindpuri and was named as Transit Camp. The same was set up by DDA as part of its policy for resettlement/rehabilitation of Jhuggi dwellers and the same was approved by the Lt. Governor of Delhi (Chairman) of DDA in 1984.
2. The residents of aforesaid camp/slums, JJ Clusters and Punjabi migrants were provided 30 Sq. Yards single storey constructed flats/residence by DDA in the said camp.
3. Total 2100 families were resettled during 1984-85 upon aforementioned area/camp which was earmarked in the Zonal Development plan as Green Area/ District park.
4. At present approximately 35000 people are residing in the aforesaid colony and most of them are either working in the adjoining areas for their livelihood or carrying on their business within the said colony.
5. Children are studying in the schools located in the said colony.
6. It is also pertinent to mention that the residents were not only provided with constructed residential flats but were also issued upon ration cards and voter



7. IDs at the said address. Basic amenities like electricity and telephone connections, school, dispensary etc are also provided with.
8. In 1998 the then chief Minister of Delhi Sh. Sahib Sing Verma announced to confer free hold rights to the slum dwellers and in 1999 Slum and JJ Department Published an advertisement that GOVERNMENT OF INDIA HAS DECIDED TO CONFER FREEHOLD RIGHTS IN ESPECT OF ALL THE FLATS OF SLUM AND JJR SCHEME ALLOCATED AT FOLLOWING COLONIES. In this advertisement Transit Camp was mentioned at No. 19, however no such plan or policy has ever been executed so for.
9. In September 2003, RWA of Pocket A-14 Kalkaji extension filed W.P.(C) No. 6324 Of 2003 in Hon'ble Court seeking mandamus against the action of MCD in setting up of some tents in District Park for the purpose of housing a school.
10. On 22.9.2004, the aforesaid writ Petition was allowed/ disposed of by a learned Single Judge and by this Judgment and order a mandamus was issued to the respondent MCD not to use the site in question as a school and to restore it as a green area. It was further directed that the aforesaid direction would continue till DDA clear the encroachments from the land at Kalkaji.

Basis behind the suggestion:

1. At present approximately 35000 people are residing in the aforesaid colony and most of them are either working in the adjoining areas for their livelihood or earning their livelihood within the said colony.
2. Children are studying in the schools located in the said colony.
3. The residents were provided with constructed residential flats and also issued upon ration cards and voter IDs at the said address. Basic amenities like electricity and telephone connections, approximately twenty parks, school, dispensary etc are also provided with. Moreover one underground water tank, 10. No. of tube wells for water supply, new sewer line by MCD has also been provided. It is neither in the interest of the residents nor in the government to demolish such a big infrastructural development. It would cause a great monetary loss.
4. The residents are living in the said colony for more than 25 years now it is not possible for them to rehabilitate themselves again elsewhere; moreover there is no alternative in the adjoining area for their resettlement.
5. There are many examples wherein DDA has already changed the land use before. (ANNEXURE A)



6. Resident welfare Association and Several political leaders who are connected with this area and acquainted with the conditions of the residents has so many times made the representations in this regard to the concerned authorities.
7. It is not possible for the people who are now well settled in the said colony to relocate and settle down again. It is pertinent to mention that the residents living in the said colony are very indigent and belong to E.W.S./B.P.L family. Therefore, if the abovementioned suggestion/mercy appeal is not allowed, it would amount to grave injustice with the residents of above said colony.

Expecting best result in this regard.

Yours truly


SUBHASH CHOPRA

SUGGESTIONS/MERCY APPEAL IN RESPECT OF CHANGE OF LAND USE OF RAJEEV GANDHI COLONEY (FORMERLY 'TRANSIT CAMP') GOVINDPURI, KALKAJI, NEW DELHI.

ANNEXURE-A

(some instances wherein DDA has proposed and Central Government has approved the change of Master plan I zonal development plans from one category to another)

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5. Item No.32/2004- Change of land use from public and semi public (FC-53) to commercial area measuring 2.84 Hac. At Wazirpur DMRC project.
6. Item No. 33/2004_ Change of land use for DMRC Project in Viswavidyalaya area from public and semi public facility to Resident (3.05 Hac.) and Resident to Commercial (0.77 Hac.)
7. Item No. 73/ 2004 - Change of land use of land measuring about 12 acres from recreational (Distt. Park) to Residential for the CRRI Campus on Mathura Road in zone F.F.3 (67) 2003/ M.P.

KALKAJI TRANSIT CAMP RESIDENTS WELFARE ASSOCIATION (Regd.)

A-1, Transit Camp, Govindpuri, Kalkaji, New Delhi-110019

Ref No. K.t.c.R.w.A./N.D./..... /

Date : 13/04/06

Chairman

Sh. Avlesh Kumar
9873003422

Vice Chairman

Sh. Ashok Kumar
26092370

President

Sh. Avadh Bihari Shukla
9810698106

Vice President

M. Asgar Sabri
9350285060

Gen. Secretary

Sh. Bhuvnesh Maheshwari
9313320154

Cashier

Sh. R. S. Gupta
9350552003

Secretary

Sh. Narayan Pandey
9810680330

Joint Secretary

Sh. Kashi Ram
9868240445

Agenda Secretary

Sh. Modh. Phurkan
55670448

To

Shri Subhash Chopra Ji
Member of Legislative Assembly
Kalkaji
New Delhi.

**SUB: PRAYER FOR INTERIM RELIEF OF RESIDENCE OF
TRANSIT CAMP, GOVINDPURI, NEW DELHI.**

Respected Sir,

We would like to inform you that we are resident of Transit Camp, Govindpuri, Kalkaji, New Delhi – 110019. A re-settled colony about 2100 families are residing in said colony.

That during the year 1985-86, upon demolition of various camps/ slum and JJ Clusters, a re-settlement camp was set up and established by the DDA at Govindpuri which was named as the Transit Camp.

The residents of the following camps / slum & JJ Clusters and Punjab Migrants were provided 30 Sq.yds. single storey constructed Flats/ Residences by DDA in the said camp, being:-

- (i) Lalji Nagar (Tekhand Area)
- (ii) Race Course (Arjun Camp)
- (iii) Chanakyapuri (Nehru Camp)
- (iv) Laxmi Bai Nagar
- (v) Kidwai Nagar
- (vi) Govindpuri (Bhoomihin Camp)
- (vii) Okhla Phase-I
- (viii) C.R. Park

- b. The aforesaid residents were re-settled by DDA in 2100 Flats / constructions at the said Transit Camp. It may be mentioned that out of the said constructions only 330 were allotted in favour of Punjabi Migrants and the rest in favour of the persons resettled upon demolition of the other camps.
- c. As was subsequently learnt, the said camp was initially established as a short term measure by the DDA on the area earmarked in the Zonal Development Plan as Green Area / District Park.
- d. **It is pertinent to mention that the said resettlement colony / Transit Camp at Kalkaji was set up by the DDA as part of its policy for settlement / rehabilitation of Jhuggi dwellers, which policy was approved by the Lt. Governor of Delhi (Chairman of DDA) in 1984.**

The Transit Camp at Kalkaji was established on a total area of 11.9 hectares, of which Pocket A was set on the land earmarked as District Park and Pocket B on land earmarked partly for district park and partly for residential use. **It is pertaining to mention that DDA also develop 12 neighbourhood parks in green area in Transit Camp.**

It is pertinent to mention that at present, there are approximately 25,000 to 30,000 persons residing at the said Transit Camp established at Kalkaji.

- e. By DDA its Resolution No. 99/93, passed on 27.7.1993, decided to change the land use of the area upon which the Transit Camp was established and convert the same from recreational (green area/ district park) to residential. The proposal submitted by DDA was approved by the Central Government on 9.6.1999 and thereafter, DDA published a draft notice calling for suggestions / objections to the change of land use. After consideration to the Central Government, Ministry of Urban Development, in terms of Resolution No. 78/2000 on 29.3.2001.

In view of the resolution adopted by DDA as approved by the Central Government, the Transit Camp, which was set up only as a short term measure to house the residents of various slum / JJ Clusters, pending their being provided residential accommodation in a resettlement colony, was, in fact, converted into a resettlement colony itself and has continued as such for approximately 20 years, till today.

It may be mentioned that DDA has subsequently withdrawn the aforesaid proposal in view of the directions passed by Hon'ble Court in the impugned judgement dated 22.9.2004 (passed copy enclosed) in WP (C) No. 6324 of 2003 and the Ministry of Urban Development, by its letter dated 28.10.2004 has permitted the withdrawal of the change of land use.

- f. **It is pertinent to mention here that the residents, who were resettled at the Transit Camp at Kalkaji, were not only provided with constructed residential flats, but were also issued upon ration cards and voter IDs at the said address. Thereafter, basic amenities just like electricity and telephone connections, schools, suhalb sauchalaya, dispensary, one underground water tank, and digging 10 Nos. of tube wells for water supply in Transit Camp Residence and newly connected sewer line by MCD were also provided. The residents were / are required to pay licence fee Rs. 15/- per month to DDA for the premises allotted to them.**
- g. Subsequently, in September 2003, the Residents Welfare Association of Pocket A-14, Kalkaji Extension filed W.P. (C) No. 6324 of 2003 in Hon'ble Court, directed against the action of MCD in the setting up of some tents in the District Park adjoining, "B" Block of the Transit Camp at Kalkaji Extension, for the purpose of housing a school.

Certain vague averments were also made in the aforesaid Writ Petition regarding the Transit Camp at Kalkaji, however, the Petition was primarily directed against the setting up of Primary School by the MCD in the District Park and seeking restrain in respect of the same. It is pertinent to mention that the residents or association was not impleaded or arrayed as a party to the said petition since no relief was sought in respect of the Transit Camp at Kalkaji.

- h. On 22.9.2004, the aforesaid Writ Petition was allowed / disposed of by a learned Single Judge of this Court by the said judgement and order, a mandamus was issued to the Respondent MCD not to use the site in question as a school and to restore it as a green area. It is further directed that the aforesaid direction would continue till the DDA cleared the encroachments from the land at Kalkaji, where neighbourhood parks had to be developed and upon such encroachments being

removed and restoration of the said land as neighbourhood parks, the MCD would be relieved of its directions not to use the site in question as a school

DDA already removed the school in encroachments and restored the neighbourhood park after the court order dated 4.4.2005.

Further mandamus was issued to the DDA that on the Transit Camp being removed from the site of the District Park, the said land would be put to use a District Park and to no other use and the DDA would withdraw the proposal pending with the Central Government to convert the land use the District Park, where the Transit Camp was set up by the DDA. The restoration of the District park was directed to be carried out within a period of eight weeks.

- i. On learning of the said judgement, from the offers of the DDA, who were carrying out a survey at the Transit Camp, the Appellants approached this Hon'ble Court on 4.4.2005, when the LPA No. 1063 of 2004 filed by the MCD against the impugned judgement was listed before the Hon'ble Court and orally sought impleadment, which was declined three categories of Survey (1) 330 Punjab Migrants, (2) 690 original allottee & (3) 1072 Transferee.
- j. In these circumstances, the DDA has now requested for police force to carry out demolition of the Transit Camp on 13.4.2005.

It may be mentioned that no notice whatsoever has been given to the approximately 25,000 to 30,000 residents of the Transit Camp, who are sought to be rendered homeless by the said demolition.

- k. That in these circumstances, that the residents are knowledge to demolition of houses by DDA then approach the Hon'ble Court seeking that the impugned judgement be set aside to the extent that a direction has been issued for removal of the Transit Camp at Kalkaji and further to the extent that DDA has been directed to withdraw the proposal for conversion of land use in respect of the said land.

I. That the impugned judgement and order dated 22.9.2004 deserves to be quashed and set aside on the following amongst other.

- a) Because the learned Single Judge failed to appreciate that Respondent No. 3 had filed WP (C) No. 6324 of 2004 challenging the action of Respondent No. 2 herein in setting up a school in July 2003 in the District Park adjoining Pocket A-14, Kalkaji Extension, and seeking that the said Respondent be restrained from converting the said land use of the said land. In the aforesaid Petition, only some vague and incorrect averments were made regarding the Transit Camp at Kalkaji but no relief was sought in respect thereof.

Despite this, I lower, the learned Single judge issued the impugned directions in the judgement dated 22.9.2004, which are entirely outside the scope and pleading of the aforesaid Writ Petition and were in any case, issued upon incomplete and incorrect facts being placed before the Hon'ble Court.

As such, the impugned judgement and order suffers from errors, not only of law, but also of fact.

- b) Because the learned Single Judge failed to consider and appreciate that no directions could have been issued regarding the Transit Camp at Kalkaji without the Appellants or the residents of the Transit Camp being impleaded as a party and being permitted to place the correct facts and their stand before the Hon'ble Court.

The Ld. Single judge failed to consider that the residents of the Transit Camp being Licensees cannot be dispossessed summarily without the process being followed.

On this ground alone, the impugned judgement deserves to be set aside, particularly in view of the judgement of the Hon'ble Supreme Court reported as 22004 (8) SCC 630.

- c) Because the learned Single Judge failed to consider and appreciate the true and factual position pertaining to the Transit Camp at Kalkaji and proceeded on the

assumption that the Transit Camp was only a temporary camp for Punjab migrants and / or that the residents of the Transit Camp are same slum dwellers / encroachers.

It is submitted that the learned Single Judge entirely failed to appreciate the correct factual position that the residents of Transit Camp were **resettled there by the DDA itself way back in 1985/ 1986 and were licensees of the DDA, having been provided telephone and also electricity connections at the site and given no objection certificate by DDA.**

- d) The learned Single Judge further failed to appreciate that the Transit Camp consisted of 2100 constructed flats, measuring 12'x8', where approximately 25000 to 30000 persons are residing at present and instead proceeded on the assumption that the said camp consisted of merely some encroachers and slum dwellers. The learned Single Judge failed to appreciate that the residents of Transit Camp being licensees of DDA for the past approximately 20 years had inviolable rights in the property allotted/ licensed to them and could not be dispossessed by a demolition carried out in a summary manner / fashion.
- e) Because the learned Single Judge gravely erred in directing the demolition of the Transit Camp without appreciating the correct facts / legal position. The learned Single Judge failed to appreciate that the Transit Camp, which had been set up in 1985 as a short term measure had, in fact, been converted to a resettlement colony by the Resolutions adopted by the DDA and subsequently approved by the Central Government.

That being so, the direction for demolition of the same is contrary to the policy decision of the Government and DDA itself and the well settled principle that Courts would not lightly interfere with the executive policy.

- m. Because the learned Single Judge was neither appraised of nor considered the correct factual matrix of the case, which is ex-facie evident, besides the other factual inconsistencies and inaccuracies in the judgement, from the fact that by

the impugned judgement the MCD has been restrained from setting up a school in the District Park (Green Area) until the Transit Camp is removed.

The learned Single Judge failed to consider and appreciate that the MCD was setting a Primary School in tents in the land adjoining 'B' Block of the Transit Camp at the request of the residents and Association of the Transit Camp and only for the benefit of the children residing in the Transit Camp.

It is submitted that in case the impugned judgement is given effect to and the Transit Camp is demolished, there would be no necessity or requirement for a school at all.

It is submitted that the singular fact reveals total non-consideration of relevant facts and material by the learned Single Judge and establishes that the directions issued are flawed and unsustainable.

- n. **Because the Hon'ble Minister to consider or appreciate that in terms of the policy of the Respondent DDA as also in terms of the protection awarded to citizens in a civilized and democratic society, no demolition or dispossession can be carried out without provision of alternate accommodation to the affected persons and sufficient notice being given.**

It is submitted that the land in question is adjoining the Tuglakabad Area, which falls within the same zone i.e. F-18 and is primarily rocky / hilly area with very little vegetation. It was apparently for this reason that the DDA re-settled the persons dispossessed from various other Slum & JJ Clusters and set up a Transit Camp here and thereafter sought change of land use of the area.

- o. Because the learned Single judge entirely failed to appreciate and consider that in several cases, the Respondent DDA has proposed and the Central Government has approved the change of Master Plan / Zonal Development Plans from one category to another including change from recreational / ridge area/ District Park.

The copies of certain notifications regarding change of land use as set out in the Master Plan 2001.

- p. Because the learned Single Judge entirely failed to appreciate and consider that as recently as in July and November, 2004 the DDA has approved change of land use in several circumstances, some of which are as follows: -
- (i) **Item No. 27/2004** – Change of land use of 2700 Sq. Mtr. of land from "Public & Semi Public facilities" to "Govt. use" (Courts) F.No. 20(4)2004(MP).
 - (ii) **Item No. 29 /2004** - Change of land use approximately 31,707 Sq.m. (3.1 Ha) land from 'Transportation and Recreational' to 'Public, Semi-Public Facilities (Motor Driving Training Centre), - F.5(3)97/MP.
 - (iii) **Item No. 30/2004** – Change of land use of 252.4 acres of land at Savda Ghevra for relocation of Slum / JJ Squatters – F.20(1)2004/MP.
 - (iv) **Item No. 31/2004** - Change of land use for an area of 3.36 Ha from 'Recreational' to 'Commercial' in Tri Nagar for DMRC Project : F.20(2)2000/MP/Pt II.
 - (v) **Item No. 32/2004**- Change of land use from 'Public and Semi Public' (FC-53) to 'Commercial' area measuring 2.84 Hac. at Wazirpur DMRC Project.
 - (vi) **Item No. 33/2004** – Change of land use for the DMRC Project in Vishwavidyalaya area from 'Pubic and Semi Public facility to 'Resident' (3.05 Hac.) and 'Resident' to 'Commercial (0.77) Hac.).
 - (vii) **Item No. 73/2004** - Change of land use of land measuring about 12 acres from Recreational (Dist. Park) to Residential for the CRRl Campus on Mathura Road in Zone F-F.3(67)2003/MP.

It is submitted that as such, change of land use in resorted to in circumstances such as those obtaining in the present case and the directions of the learned

Single Judge to withdraw the proposal for change of land use, submitted by the DDA and in principle approved by the Central Government, is not only without any basis, but is completely the unwarranted and unsustainable in the facts as set out in the present Appeal.

- q. Because the Hon'ble authority to appreciate that change of land use (ridge area) in the case unauthorized construction in Todapur Dasghar and Islam Nagar, Mehrauli was approved by the Supreme Court in the order dated 25.1.1996 in the case of W.P. (C) No. 4677 of 1985 titled M.C. Mehta Vs. UOI & Ors.

In the said case, the DDA had proposed regularization of unauthorized constructions and encroachments in the ridge area at Todapur and Islam Nagar on the ground that the unauthorized constructions had come up over 20 years; the population residing there was about 20000; a serious law and order problem would be faced in case of demolition and it would be inhuman to evict the residents without the proposal for regularization, directly that the area adjacent to the land in question be taken up for compensatory afforestation.

In the present case, the residents of Transit Camp are even better placed than the residents of Todapur and Islam Nagar since they are licensees of DDA and not encroachers or unauthorized occupants and as such cannot be denied the same relief as was granted to the residents of Todapur and Islam Nagar in the aforesaid case.

- r. Because the authority entirely failed to consider and appreciate that Transit Camps/ resettlement colonies were set up in Delhi by either the DDA or the MCD. Besides seven (7) resettlement colonies / transit camps set up by the DDA, all other camps / colonies set up by MCD (32). In respect of all the resettlement camps / colonies set up by MCD, the Government of India has decided to confer freehold / ownership rights to the allottees / occupants, **whereas the same relief is sought to be denied by the residents of Transit Camp at Kalkaji and instead they are sought to be evicted without relocation or consideration of their rights established over twenty years.**

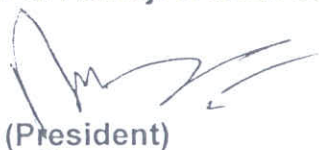
- s. Because the appreciate that the Kalkaji Transit Camp Resident Welfare Association and residents had in fact been actively seeking grant of ownership rights in the land allotted to them as have been granted in the case of other Transit Camp/ re-settlement colonies and the issue of grant of ownership rights was under process before the DDA. Despite this, Transit Camp as encroachers without any right and the Respondent DDA failed to bring the correct facts to the notice of the Hon'ble Single Judge.
- t. Because the impugned judgement insofar as the eviction of the residents of Transit Camp is concerned would be inhuman in its application inasmuch as the families and persons residing over 20 years sought to be thrown out on the road, without any care or concern for their well being.

It is, therefore, most respectfully prayed Hon'ble Minister Urban State Development pleased to save to peoples and our colony so kindly instruct the concerned authority please change the land use in this colony and regularized to them.

Thanking you,

Yours Sincerely,

For Kalkaji Transit Camp Residents Welfare Association



(President)

(A. B. Chaudhary)

Enclosures :

- 1) Copy of Public Notice
- 2) Proof of Allotment / Licence Fee Receipt.
- 3) Decision of Court Order.
- 4) Para (D) Annexure Policy of 1984 for rehabilitation of DDA.

**KALKAJI TRANSIT CAMP RESIDENTS
WELFARE ASSOCIATION (Regd.)**

A-1, Transit Camp, Govindpuri, Kalkaji, New Delhi -110019

Delhi
Dt. /08/2007

To,
The Hon'ble Lt. Governor of Delhi,
Raj Niwas Delhi.

**SUB: Mercy appeal on behalf of Residents of Transit Camp, Govindpuri,
Kalkaji, New Delhi.**

Respected Sir,

At this stage, we are putting before you this representation on behalf of 2100 families who are resident of transit camp, Govindpuri from last 25 years and are living with their families, educating their children and any how maintaining their livelihood from their mere earnings on daily wages.

In the year 1985-86, re-settlement colony was setup and 30 Sq.yds, Single Storey built-up flats established/provided by the DDA at Govindpuri who were displaced due to demolition of various camps/slums /J.J. Clusters of Delhi and for Punjab Migrants after approval by the Lt.Governor of Delhi(Chairman of DDA)

It is pertinent to mention here that as per clause 29(ii) of Under Slum Clearance schemes order No K-17011/71/03-DDIA, Ministry of Work and Housing (Nirman Aur Awas Mantrayalya), Government of India "The Lease Hold right will be granted either to the authorised allottee or to the unauthorised occupant except trespasser. Unauthorised occupant for the purpose of understanding is "who is presently occupying the slum tenement duly allotted by the competent authority to some entitled person and the unauthorised occupant has taken the premises on rent from the original allottee or a subsequent purchaser or has purchased the premises.

The Transit Camp at Kalkaji was established on a total area of 11.9 hectares of which Pocket A was set on the land earmarked as District Park and Pocket B on land earmarked partly for District Park and partly for residential use. It is also in notice of the authorities that DDA had also developed 12 neighbourhood parks in green area in Transit Camp and the same are in use of the local residents of the nearby areas.

DDA vide its Resolution No. 99/93, passed on 27.7.1993, decided to change the land use of the area upon which the Transit Camp was established and converted the same from recreational (green area / district park) to residential use. The proposal submitted by DDA was approved by the Central Government on 9.6.1999 and thereafter, DDA published a draft notice calling for suggestions / objections for the change of land use after consideration to the Central Government, Ministry of Urban Development in terms of Resolution No. 78/2000 on 29.3.2001.

In view of the resolution adopted by DDA as approved by the Central Government, Transit Camp, which was set up only as a short term measure to house the residents of various slum / J.J Clusters were provided residential accommodation in a resettlement colony, was, in fact converted into a resettlement colony itself for approximately 25 years and they are in possession till today.

Latter on DDA has subsequently withdrawn the aforesaid proposal in view of the directions passed by Hon'ble High Court vide impugned judgement dated 22.9.2004 passed in WP (C) No. 6324 of 2003(copy enclosed) and Ministry of Urban Development, by its letter dated 28.10.2004 has permitted the withdrawal of the change of land use.

Residents, who were resettled at the Transit Camp at Govindpuri, Kalkaji, were also issued ration cards and voter IDs in their names as well as basic amenities such as electricity, telephone connections, schools, subalb sauchalaya, dispensary, underground water tank, tube wells (10 in total) for water supply to residents and sewer line constructed/connected by MCD were also provided in the areas of transit camp and the residents are regularly paying the licence fee Rs. 15/- per month to DDA in this regard.

In September 2003, Residents Welfare Association of Pocket A-14, Kalkaji Extension filed W.P. (C) No. 6324 of 2003 in Hon'ble High Court against the action of MCD for setting up some tents in the District Park adjoining, "B" Block of the Transit Camp at Kalkaji Extension, for the purpose of housing a school.

On 22.9.2004, the aforesaid Writ Petition was allowed I disposed off by a learned Single Judge of Hon'ble High Court and direction of mandamus was issued to the MCD not to use the site in question as a school and to restore the same as green area and the said order will continue till the DDA clears the encroachments from the land at Kalkaji

DDA removed the school / encroachments and restored the same as green area i.e neighbourhood park and further mandamus was issued to the DDA that the Transit Camp will be removed from the site of the District Park, the said land would be put to use a District Park and to no other use and the DDA would withdraw the proposal pending with the Central Government to convert the land use as District Park where the Transit Camp was set up by the DDA and the restoration of the District park was directed to be carried out within a period of eight weeks.

As per information from the officers of the DDA, who were carrying out the survey at the Transit Camp, the Appellants approached this Hon'ble Court on 4.4.2005, through LPA No. 1063 of 2004 filed by the MCD against the impugned judgement was listed before the Hon'ble Court and orally sought impleadment as party, which was declined in three categories of Survey (1) 330 Punjab Migrants, (2) 632 original allottee & (3) 1130 Transferee.

In these circumstances, the DDA has now requested for police force to carry out demolition of the Transit Camp on 13.4.2005. It may be mentioned that no notice whatsoever has been given to the approximately 25,000 to 30,000 residents of the Transit Camp, who are sought to be rendered homeless by the said demolition.

That in these circumstances, that the residents were have no knowledge of demolition of houses by DDA and therefore they approached to the Hon'ble High Court seeking that the impugned judgement be set aside to the extent that a direction has been issued for removal of the Transit Camp at Kalkaji and further to the extent that DDA has been directed to withdraw the proposal for conversion of land use in respect of the said land.

That the impugned judgement and order dated 22.9.2004 deserves to be quashed and set aside on the following amongst other.

(1) Because the learned Single Judge failed to appreciate that Respondent NO.3 had filed WP (C) No. 6324 of 2004 challenging the action of Respondent No. 2 herein in setting up a school in July 2003 in the District Park adjoining- Pocket A14, kalkaji Extension, and seeking that the said Respondent be restrained from converting the said land use of the said land. In the aforesaid Petition, only some vague and incorrect averments were made regarding the Transit Camp at Kalkaji but no relief was sought in respect thereof.

Despite this, However, the learned Single judge issued the impugned directions in the judgement dated 22.9.2004, which are entirely outside the scope and pleading of the aforesaid Writ Petition and were in any case, issued upon incomplete and incorrect facts being placed before the Hon'ble Court as such, the impugned judgement and order suffers from errors, not only of law but also on facts.

(2.) Because the learned Single Judge failed to consider and appreciate that no

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directions could have been issued regarding the Transit Camp at Kalkaji without the Appellants or the residents of the Transit Camp being impleaded as a party and being permitted to place the correct facts and their stand before the Hon'ble Court.

The Ld. Single Judge failed to consider that the residents of the Transit Camp being Licensees cannot be dispossessed summarily without the process being followed.

On this ground alone, the impugned judgement deserves to be set aside, particularly in view of the judgement of the Hon'ble Supreme Court reported as 22004 (8) SCC 630.

(3) Because the learned Single Judge failed to consider and appreciate the true and factual position pertaining to the Transit Camp at Kalkaji and proceeded on the assumption that the Transit Camp was only a temporary camp for Punjab migrants and the residents of the Transit Camp are same slum dwellers / encroachers.

It is submitted that the learned Single Judge entirely failed to appreciate the correct factual position that the residents, of Transit Camp were resettled there by the DDA itself way back in 1985/1986 and were licensees of the DDA, having been provided telephone and also electricity connections at the site and given no objection certificate by DDA.

(4) The learned Single Judge further failed to appreciate that the Transit Camp consisted of 2100 constructed flats, measuring 12'x8', where approximately 25000 to 30000 persons are residing at present and instead proceeded on the assumption that the said camp consisted of merely some encroachers and slum dwellers. The learned Single Judge failed to appreciate that the residents of Transit Camp being licensees of DDA for the past approximately 20 years had inviolable rights in the property allotted/ licensed to them and could not be dispossessed by a demolition carried out in a summary manner / fashion.

(5) Because the learned Single Judge gravely erred in directing the demolition of the Transit Camp without appreciating the correct facts & legal position. The learned Single Judge failed to appreciate that the Transit Camp, which had been set up in 1985 as a short term measure had, in fact, been converted to a resettlement colony by the Resolutions adopted by the DDA and subsequently approved by the Central Government.

That being so, the direction for demolition of the same is contrary to the policy decision of the Government and DDA itself and the well settled principle that Courts would not lightly interfere with the executive policy.

(6) Because the learned Single Judge was neither appraised of nor considered the correct factual matrix of the case, which is ex-facie evident, besides the other factual inconsistencies and inaccuracies in the judgement, from the fact that by the impugned judgement the MCD has been restrained from setting up a school in the District Park (Green Area) until the Transit Camp is removed.

The learned Single Judge failed to consider and appreciate that the MCD was setting a Primary School in tents in the land adjoining 'B' Block of the Transit Camp at the request of the residents and Association of the Transit Camp and only for the benefit of the children residing in the Transit Camp.

It is submitted that in case the impugned judgment is given effect to and the Transit Camp is demolished, there would be no necessity or requirement for a school at all. It is submitted that the singular fact reveals total non-consideration of relevant facts and material by the learned Single Judge and establishes that the directions issued are flawed and unsustainable.

(7) Because the Hon'ble Minister to consider or appreciate that in terms of the policy of the Respondent DDA as also in terms of the protection awarded to citizens in a civilized and democratic society, no demolition or dispossession can be carried out without provision of alternate accommodation to the affect persons and sufficient notice being given.

It is submitted that the land in question is adjoining the Tuglakabad Area, which falls within the same zone i.e. F-18 and is primarily rocky & hilly area with very little vegetation. It was apparently for this reason that the DDA re-settled the persons dispossessed from various other Slum & JJ Clusters and set up a Transit Camp here and thereafter sought change of land use of the area.

(8) Because the learned Single Judge entirely failed to appreciate and consider that in several cases, the Respondent DDA has proposed and the Central Government has approved the change of Master Plan & Zonal Development Plans from one category to another including change from recreational & ridge area District Park. The copies of certain notifications regarding change of land use as set out in the Master Plan 2001.

(9) Because the learned Single Judge entirely failed to appreciate and consider that as recently as in July and November, 2004, the DDA has approved change of land use in several circumstances, some of which are as follows: -

Item No. 27/2004 - Change of land use of 2700 Sq. Mtr. of land from "Public & Semi Public facilities" to "Govt. use" (Courts) F.No. 20(4)2004(MP).

Item No. 29/2004 - Change of land use approximately 31,707 Sq.m. (3.1 Ha) land from Transportation and Recreational' to 'Public, Semi-Public Facilities (Motor Driving Training Centre)' - F.5(3)97/MP.

Item No. 30/2004 - Change of land use of 252.4 acres of land at Savda Ghevra for relocation of Slum / JJ Squatters - F.20(1)2004/MP.

Item No. 31/2004 - Change of land use for an area of 3.36 Ha from 'Recreational' to 'Commercial' in Tri Nagar for DMRC Project : F.20(2)2000/MP/Pt.II.

Item No. 32/2004- Change of land use from 'Public and Semi Public' (FC- 53) to 'Commercial' area measuring 2.84 Hac. at Wazirpur DMRC Project.

Item No. 33/2004 - Change of land use for the DMRC Project in Vishwavidyalaya area from 'Public and Semi Public facility to 'Resident' (3.05 Hac.) and 'Resident' to 'Commercial (0.77) Hac.).

Item No. 73/2004 - Change of land use of land measuring about 12 acres from Recreational (Dist. Park) to Residential for the CRRI Campus on Mathura Road in Zone F-F.3(67)2003/MP.

It is submitted that as such, change of land use is resorted to in circumstances such as those obtaining in the present case and the directions of the learned Single Judge to withdraw the proposal for change of land use, submitted by the DDA and in principle approved by the Central Government, is not only without any basis, but is completely the unwarranted and unsustainable in the facts as set out in the present Appeal.

(10) Because the Hon'ble authority failed to appreciate that change of land use (ridge area) in the case unauthorized construction in Todapur Dasghar and Islam Nagar, Mehrauli was approved by the Supreme Court in the order dated 25.1.1996 in the case of W.P. (C) No. 4677 of 1985 titled M.C. Mehta Vs. UOI & Ors.

In the said case, the DDA had proposed regularization of unauthorized constructions and encroachments in the ridge area at Todapur and Islam Nagar on the ground that the unauthorized constructions had come up over 20 years; the population residing there was about 20000; a serious law and order problem would be faced in case of demolition and it would be inhuman to evict the residents without the proposal for regularization, directly that the area adjacent to the land in question be taken up for compensatory afforestation.

In the present case, the residents of Transit Camp are even better placed than the residents of Todapur and Islam Nagar since they are licensees of DDA and not encroachers or

In the present case, the residents of Transit Camp are even better placed than the residents of Todapur and Islam Nagar since they are licensees of DDA and not encroachers or unauthorized occupants and as such cannot be denied the same relief as was granted to the residents of Todapur and Islam Nagar in the aforesaid case.

(11) Because the authority entirely failed to consider and appreciate that Transit Camps / resettlement colonies were set up in Delhi by either the DDA or the MCD. Besides seven (7) resettlement colonies / transit camps set up by the DDA, all other camps / colonies set up by MCD (32). In respect of all the resettlement camps / colonies set up by MCD, the Government of India has decided to confer freehold / ownership rights to the allottees / occupants, whereas the same relief is sought to be denied by the residents of Transit Camp at Kalkaji and instead they are sought to be evicted without relocation or consideration of their rights established over twenty years.

(12) Because the authority failed to appreciate that the Kalkaji Transit Camp Resident Welfare Association and residents had in fact been actively seeking grant of ownership rights in the land allotted to them as have been granted in the case of other Transit Camp resettlement colonies and the issue of grant of ownership rights was under process before the DDA. Despite this, Transit Camp as encroachers without any right and the Respondent DDA failed to bring the correct facts to the notice of the Hon'ble Single Judge.

(13) Because the impugned judgment insofar as the eviction of the residents of Transit Camp is concerned would be inhuman in its application inasmuch as the families and persons residing over 20 years sought to be thrown out on the road, without any care or concern for their well being.

After going through all the facts and circumstances, it is crystal clear that the residents of transit camp relocation will not effect the livelihood of the local residents but they will be totally ruined and their children will come on road without their fault but only due to fault of the policy makers of DDA officials. Moreover this situation has arisen many times earlier also and the Govt. had taken appropriate steps to protect the interest of the larger section of the society, hence thereof the applicants are praying before yourself that kindly look into the matter on urgent basis and do the needful as earliest as possible and direct the authority concerned to keep the situation as and where basis till further orders because Vacation Notice dt 7/08/2007 has been issued to the residents of transit camp and the same will commence from 20/08/2007.

Thanking You.

Yours Sincerely,

For KALKAJI TRANSIT CAMP RESIDENTS WELFARE ASSOCIATION.

(AVADH BIHAR SHUKLA)
President
Ph. 9810698106

Enclosed:

- 1- Letter of Policy - 1984
- 2- Photocopy of News cutting - 1998
- 3- Photocopy of Notice JJ/Slum - 1999
- 4- Copy of Notice to Public for sealing programme dt. 07.08.2007

SUBHASH CHOPRA
M.L.A.
Delhi Legislative Assembly



OFF. : 17, KRISHNA MARKET, KALKAJI,
NEW DELHI - 110 019
TEL. : 26225655

RES. : S-64, GREATER KAILASH II
NEW DELHI - 110 048
TEL. : 29210628

Dated: 9.12.2006

Dear Shri Ajay Makan Ji,

**Sub: Regarding change of Land use of Transit Camp at Kalkaji,
New Delhi as proposed by DDA vide letter No.
F20(7)91MP/Pt./ 30 dated 24.04.2006**

I draw your kind attention to your last meeting was held at your office with Vice Chairman DDA dated 12.04.2006 regarding above matter in which you had graciously agreed to look into for changing the land use in New Master Plan 2021 and submit the proposal of land use by DDA to the concerned authority vide letter No. F20(7)91MP/Pt./ 30 dated 24.04.2006

I request to you kindly take the necessary action earliest.

Thanking you,

Yours Sincerely,

(SUBHASH CHOPRA)

Shri Ajay Makan Ji
Hon'ble Minister of State
Urban Development Authority
Govt. of India
New Delhi.

[illegible]

DIRECTOR (HOUSING)



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दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY

मुख्य योजना - 2021 की समीक्षा
Master Plan Review-2021

पंजीकरण फार्म
REGISTRATION FORM

ZONE- F

“ओपन हाउस मीट्स”
“OPEN HOUSE MEETS”

फार्म प्रतिभागी द्वारा भरा जाए
Form to be filled by Participant

नाम Name	Kalkaji Transit Camp Residents w/A
प्रतिनिधि : Representing : सरकारी विभाग / फेडरेशन / संघ (एसोसिएशन) / आर डब्लू ए / व्यक्तिगत Government Department/ Federation/Association/RWA/ Individual	RWA OFFICE OF THE DIR (PIB.) MPR/TC, D.D.A. N. DELHI-2 Dy.No. 2790 Dated.
वर्तमान स्थिति Present Position	
फोन : कार्यालय Phone : Office आवास Residence मोबाइल Mobile	A-1 Transit Camp Govindpuri Kalkaji 26237685
फैक्स : Fax :	
ई-मेल E-mail	
पता : Address :	A-1 Transit Camp Govindpuri Kalkaji
हस्ताक्षर : Signature :	<i>[Signature]</i>
तिथि : Date :	

“अपने पंजीकरण फार्म ओपन हाउस मीट्स के स्थल पर जमा कराएं

“Submit your registration form at the venue of Open House meets.”