



123

दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY

मुख्य योजना - 2021 की समीक्षा
Master Plan Review-2021

पंजीकरण फार्म
REGISTRATION FORM

Zone - J

"ओपन हाउस मीट्स"
"OPEN HOUSE MEETS"

फार्म प्रतिभागी द्वारा भरा जाए
Form to be filled by Participant

नाम Name	ATUL GARG.
प्रतिनिधि : Representing : सरकारी विभाग / फेडरेशन / संघ (एसोसिएशन) / आर डब्लू ए / व्यक्तिगत Government Department/ Federation/Association/RWA/ Individual	INDIVIDUAL
वर्तमान स्थिति Present Position	BUSINESS.
फोन : कार्यालय Phone : Office आवास Residence मोबाइल Mobile	9811155156 2577778 9811155156
फैक्स : Fax :	
ई-मेल E-mail	atulgarg100@hotmail.com
पता : Address :	A-10 NARAINA VIHAR N. DELHI
हस्ताक्षर : Signature :	
तिथि : Date :	08-05-2012

OFFICE OF THE DIR (PIS)
MPR/TC, P.D.A. II, DELHI-2
Dy. No. 2843
Dated 11/5

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

To

Vice Chairman

08-05-2012

Delhi Development Authority

B-Block, Vikas Sadan

New Delhi

Subject: Incorporate Petrol Pump site existing since 1972 in the layout plan of Sector D Vasant Kunj, Zone "J"

Respected Sir,

Immediately after the notification of Master Plan Delhi 2021, we had submitted a representation to your good office i.e. on 04.04.2007 for regularization of our Fuel station (Indian Oil Petrol Pump) located on khasra No. 386/76 village Masoodpur, Vasant Kunj (Zone "J") vide receipt No. REC/M/07/1,593 copy at flag "A".

It may not be out of place to state that this Fuel Station (Petrol Pump) was established in the year 1972. When this Petrol Pump was installed, there were no major urban development in this area and there was no petrol pump within the radius of 07 Km. However the applicant ventured to render this public service in a jungle like surrounding.

On 9th June, 1972 the applicant applied for seeking permission to install a petrol filling station on the land bearing Khasra No. 386/76 from the Delhi Government (competent authority). The said permission was granted on 7th October, 1972 by the District Magistrate who was the competent authority on behalf of Government of Delhi vide letter No. AC/III(15)/72-Pet(Arms)/5356 to the applicant and accordingly new filling station was established under the dealership of Indian Oil Corporation Ltd. it may not be out of place to say that the applicant took numerous licenses from various Govt. Department/Agencies namely Chief Collector of Explosive in the year 1972, the Director of Industries etc. which was necessary to run the Petrol Pump then.



In the year 1965 a notification under section 4 of the land Acquisition Act 1894 was issued vide notification No. F-4(98)/64-L&H with regards to land situated in Revenue Estate of Village Masoodpur. Subsequently section 6 notification was issued vide notification No F-4(98)/64-L&H-I on 26.12.1968. The land of the applicant i.e. Khasra No. 386/76 were also covered under the said notifications. The final award of the land was issued vide award no. 90/80-81 for the area covering 829 Bigha and 4 Biswa. Despite the final award the applicant did not neither surrender the possession of the land nor took compensation, as the NOC for the establishment of petrol pump was issued by the competent authority i.e. Govt. Of Delhi.

The applicant made a representation to the DDA for inclusion of the land in question under the Zonal Development Plan as a petrol pump. While the representation of the applicant was pending consideration, the official from land department of the DDA came to the site and threatened to demolish the Petrol Pump, which is running uninterruptedly since 1972. in view of the harsh treatment by DDA the applicant was constrained to file a writ petition before the Hon'ble High Court. WP (C) No. 2660/2007.

Now the Zonal Development Plan of Zone "J" has been notified by the Govt of India, however there is no mention of Petrol Pump site, existing or proposed. In Master Plan 2021 there is a reference under redevelopment of existing urban area. "The scope for development of urban extensions on a large scale is restricted due to limitations of buildable/ urbanizable land in Delhi. Therefore, the option of redevelopment through a process of reorganization and utilization of the land already developed will be a major element of the overall city development plan"

The site of the applicant falls on Pocket D of Vasant Kunj scheme for which the Architecture Department of DDA has already prepared the layout. It is the duty of the concerned department of DDA to incorporate such facilities approved by the competent authority in the layout plan.

In the Master Plan Delhi 2021 under Permission of use premises in use zones, Petrol Pump is permitted activity in all use zones. Therefore the incorporation of this existing petrol pump do not entail and change of land use. However, any conversion charged levied, the applicant is willing to pay.

Further it has been brought to the notice of the undersigned that a CNG filling station is also proposed adjacent to this Petrol Pump Site on DDA land. It is therefore further more important to incorporate this existing Petrol Pump for the integrated development of entire area.

In view of the above it is requested to kindly direct the concerned department to incorporate this Petrol Pump site which is in existence since 1972 in the layout plan of Pocket D of Vasant Kunj scheme Zone "J".

Thanking You

Neelam

Neelam Srivastav
A-10, Ring Road,
Naraina Vihar,
New Delhi-110028
Ph: 09811155156

608



GOVIND SAHAI ANIL KUMAR

DEALER : INDIAN OIL CORPORATION LTD.
VASANT KUNJ, NEW DELHI-37.

Ref. No.....

Dated 04-04-07

To

✓ The Hon'ble Lt. Governor
National Capital Territory of Delhi,
Raj Niwas, Raj Niwas Marg,
Delhi - 110054.



SUB: REPRESENTATION ON BEHALF OF M/S.GOVIND SAHAI ANIL KUMAR AUTHORIZED DEALER OF INDIAN OIL CORPORATION LIMITED PETROL PUMP SITUATED ON KHASRA NO.386/76, ADM MEASURING 3 BIGHAS AND 12 BISWAS ONLY OF VILLAGE MASOOD PUR, (OPP. B-1 VASANT KUNJ) FOR DENOTIFICATION AND WITHDRAWAL OF ALL THE ACQUISITION NOTIFICATIONS AND PROCEEDINGS IN RESPECT OF LAND UNDER PETROL PUMP I.E. KHASRA NO.386/76 AREA 3-12 ONLY OF VILLAGE MASOODPUR, TEHSIL MEHRAULI DISTRICT DELHI.

Hon'ble Sir,

The applicant is the owner of Khasra No.386/76, admeasuring 3 bighas 12 biswas, forming part of Revenue Estate of Village Masood Pur, Tehsil & District, Delhi and is in possession thereof for last four decades. The applicant is running Indian Oil Petrol Pump, with due permission from all the pre-requisite concerned government authorities and departments since June, 1972.

*Copy Received by
Hon'ble Lt Governor office
on 04-04-07*

On 23.01.1965, a notification under Sec.4 of Land Acquisition Act, 1894, bearing No.F-4 (98)/64-L&H was issued in regard to acres of land situated in Revenue Estate of Village Masood Pur. It was followed by Section 6 Notification bearing No.F-4 (98)/64-L&H-I dated 26.12.1968 under the said Act in regard to the said Land. The applicant's land bearing Khasra No.75 (4-12) and 386/76 (3-12) were also covered under the said notifications.

On 9th June, 1972 the applicant applied for seeking permission to install petrol filling station on land bearing Khasra No.386/76 from the Delhi Government. The said permission was granted on 7th October, 1972 by the District Magistrate who was the competent authority of Delhi Government through its letter bearing No.AC/III (15)/72-Pet (Arms)/5356 to the applicant and accordingly new filling station was installed under the dealership with Indian Oil Corporation Ltd. When the said petrol pump was installed there was no petrol pump within the radius of 07 k.mtrs. to fulfill the basic and civil amenities of the public residing in that area.

After giving the permission to the applicant to use the land bearing Khasra No.386/76 for petrol pump, an award

bearing No. 90/80-81 was passed by the Land Acquisition Collector under Sec-11 of the Land acquisition Act covering an area of 829 bighas and 4 biswas. Pursuant to the said award the applicant did not surrender the possession of the land in question and was never taken by the Government as the petrol pump, a public utility service is situated on the said land. Actual physical possession continued to be with the applicant and the applicant continued to run the Petrol Pump on the land in question.

The applicant took numerous licenses from various governmental department/agencies such as the Chief Controller of Explosive in the year 1972, the Director of Industries etc., which is necessary to run a petrol pump. The applicant continued to run the Petrol Pump uninterruptedly on the said land in accordance with law.

The applicant made a representation to the DDA for inclusion of the land in question under the Zonal Development Plan as a Petrol Pump. While the representation of the applicant was pending consideration, the officials of the DDA came to the site and threatened to demolish the petrol pump in question, which was running uninterruptedly since 1972, almost for 35 years. Thus, the applicant was constrained to file a writ petition before the Hon'ble High Court, being W.P. (C) No. 9954/2007.

It is submitted by the applicant that the land was notified originally for the purpose of planned development of Delhi and due to subsequent development, the land in question cannot be developed for the said purpose. It is further submitted that as per the Master Plan and the Zonal Development Plan, the existing petrol pumps are to be retained and there is a shortage of the petrol pumps in the Zone. It is submitted that the applicant's petrol pump is a public utility service and has been in existence since 1972. Thus, no fruitful purpose will be served by proceeding further with the actuation and allotting the site to somebody else for the same purpose.

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In view thereof, no development can be carried out by the D.D.A. and no scheme concerning development can be implemented by using the said land. Even otherwise, it is not out of place to mention that area of land, the possession thereof was taken over pursuant to the award in question, is lying vacant and has not been used for any constructive purpose i.e. planned development of Delhi. Rather few jhuggies dwellers have constructed their jhuggies on the said land and are using the same against the purpose for which it was acquired.

It is submitted with great respect that it is the consistent policy of the Government/DDA not to acquire built up area and that is the reason the applicant's land and others were left and possession was not taken over.

Since the Petrol Pump is serving public purpose at large to the inhabitants staying nearby and is not coming into way of development of Delhi in any way, therefore acquiring it belatedly would serve no purpose, whatsoever. Moreover, the Petrol Pump exists as on date on main road

connecting to International Airport and State of Harayana, therefore convenient and serving their purposes too.

Under similar facts and circumstances as in the present case the Government has already de-notified various lands, which are found built-up from all acquisition proceedings and notification.

- a) Lands belonging to Hamdard Public School managed by Hamdard Dhawkhana (Wakf) situated at Village Tuglakabad, Delhi, falling in Sangam Vihar (unauthorised colony) comprising of Khasra No.1032, 1061, 1062 etc. total measuring 19 bighas of Village Tuglakabad was notified for acquisition under Section 4 dated 5.11.1980 and under Section 6 vide Notification No.F.9 (21)/85-L&B dated 6.6.1985 and Award No.18/87-88 dated 6.5.1987 of Village Tuglakabad covering aforesaid land of Hamdard Dhawakhana (Wakf) but possession was not taken due to built up School, i.e. Hamdard Public School. This School was built up after the date of Section 4 Notification.

- b) 24 Bighas of land of village Tuglakabad belongings to one Ram Chand & Ors. falling in Sangam Vihar Colony was also left out from acquisition due to built up on the recommendation of the Vice-Chairman of DDA vide their letter No.14(1212)/69/ CRC/DDA/Pt-1 dated 27.9.1955.
- c) The Delhi Development Authority has also recommended vide its letter dated 8.4.1996 and 22.4.1996 of withdrawal of notification issued under Section 4, 6, and 17 of the Land Acquisition Act in respect of land of Village Shahbad Daulatpur, which were notified for acquisition for Rohini Phase-IV Residential Scheme. The Joint Survey Team of built up in the shape of tin shed with boundary wall of Sr. Xavier School Society. The total area recommended for denotification by DDA was 176 Bighas 7 Biswas. Thereafter denotification u/s. 48 was issued vide denotification No.F11(17)/91/L&B/LA dated 6.9.1996.
- d) Land measuring 147 bighas of Khasra No.433 of village Arakpur Bagh Mochi situated on Rign. Road (Sarojini Nagar) Delhi was notified for acquisition for a public

purpose namely for Planned Development of Delhi vide notification No.F.7(58)/62-L & B issued under Section 4 of the Land Acquisition Act vide Notification No.F.7(58)/62-L & B dated 5.12.1968 by the Respondents. The owner of the above land M/s. Scindia Potteries Pvt. Ltd. (owned by Scindia family now known as Scindia, Potteries and Services Ltd. owned by Rajmata Vijaya Raje Scindia, Ms. Vasundhara Raje Scindia and Ms. Yashodhara Raje Scindia and others) challenged the above mentioned acquisition notification in the Delhi High Court and the full Bench of the Delhi High Court has upheld the acquisition in LPA No.16/1978 alongwith present Petitioners case i.e. CW No.568/81 vide Common Judgement reported as 61 (1996) DLT 206 Smt. Roshanara Begum - Vs - Union of India & Ors. A Special Leave Petition (C) No.4243 of 1996 M/s. Scindia Potteries & Services Ltd. - Vs. - Union of India & Ors was filed by Scindia's in the Hon'ble Supreme Court. The Hon'ble Supreme Court. The Hon'ble Supreme Court also upheld the aforesaid acquisition notification alongwith present Petitioners case vide common judgement dated 1.11.1996 reported as 1997

(1) SCC 15. Murari & Ors – Vs – Union of India & Ors. After Supreme Court judgements, the Award No.2/97-98/SW was made and announced by the Land Acquisition Collector on 12.12.1997 in respect of aforesaid 147 bighas of land Village Arakpur Bagh Mochi belonging to Scindia's. After upholding the acquisition right up to the Hon'ble Supreme Court and after the announcement of the Award, the Scindia's made a representation dated 19.12.1997, 28.5.1998 and 16.1.1999 to the Lt. Governor of Delhi as well as the Central Government for de-notification and release of their above lands from aforesaid acquisition Notifications, Award and proceedings, as provided u/s. 48 of Land Acquisition Act. Even, after upholding the acquisition by the Apex Court in respect of aforesaid lands belonging to the Scindia's the Central Government and the Lt. Governor of Delhi have been pleased to withdraw all above acquisition notification and award in respect of entire 147 bighas of land vide De-notification issued and published in the Official Delhi Gazette Extra-Ordinary Part-IV No.18 dated 5th March, 1999, vide file/Notification No.F.9 (106)/97/L&B/LA/15387 Dated 5.2.1999.

- e) Similarly land bearing Khasra No.94 measuring 6 bighas 5 biswas of Village Madanpur Khadar now falling in the area of Sarita Vihar, (Mathura Road), New Delhi was also notified u/s. 4 and 6 of the Land Acquisition Act for a public purpose namely for planned Development of Delhi vide Notification and Declaration No.4(9)/64-L&B dated 4.4.1964 and 7.12.1966 and thereafter Award No.87/80-81 was made on 29.11.1980 by the Land Acquisition Collector and thereafter out of 6 bighas 6 biswas of land physical possession was taken over of 6 bighas and 15 biswas of land of Khasra No.94 min of Village Madanpur Khadar, Delhi by land Acquisition Collector on 18.12.1980 and thereafter handed over to DDA u/s 22 of the Delhi Development Act vide Notification No.F.9 (2)/78-L&B dated 3.2.1981. Thereafter the land owners Shri Narain Singh & Ors - Vs - Union of India & Ors in the Hon'ble High Court. The said Writ Petition was dismissed by the Full Bench of the Hon'ble High Court vide common judgment dated 14.12.1995 upholding the aforesaid notification and acquisition proceedings alongwith present petitioners case

reported as 61/(1996) DLT 206 Roshanara Begum - Vs - Union of India and Ors. Thereafter Narain Singh made a representation to the Lt. Governor of Delhi for de-notification of his entire land measuring 6 bighas 5 biswas even of which possession has been admittedly taken by the Respondents / DDA. Narain Singh also filed thereafter another Civil Writ Petition No.1559 of 1996. Narain Singh & Ors - Vs - Union of India & Ors in the Hon'ble High Court challenging the action of the Respondents for not de-notifying their lands u/s. 48 of the Land Acquisition Act. The show cause notice was issued and stay was also granted in the above CWP No.1559/96 by the Hon'ble High Court. It is submitted with great respect that during the pendency of the aforesaid writ petition the respondents acceded to the request of Narain Singh for release of his entire land from all above notification award and acquisition proceedings and issued the necessary de-notification u/s. 48 of the Land Acquisition Act on 12.3.1998 and withdraw all acquisition and Notification No.4(9)/64-L&B dated 6.4.64 and 7.12.66 issued under section 4 and 5 of the Land Acquisition Act vide de-notification No.9(23)/95/L&B/24790 dated 12.3.1998 duly

published the Delhi Gazette, Extra Ordinary, Part-IV No.37 on 12.3.1998.

- f) Similarly land measuring 65 bighas, 17 biswas belonging to St. Xavier School Society on which a small school was running situated in Village Shahbad Daulatpur, Delhi has been de-notified u/s. 48 of the Land Acquisition Act vide de-notification issued and published by the respondents in Delhi Gazette on 6.9.1996 vide de-notification No.F.11 (17)/69/L&B/LA dated 6.9.1996. This land was also notified for public purpose namely for Planned Development of Delhi for Rohini Residential Scheme Phase-IV.
- g) Similarly, recently on 4.4.2002 Government have de-notified and released land measuring 67 Bighas 14 Biswas of Village Sahora Khurd (Anand Parbat, New Delhi belonging to Ramjas Foundation School from all acquisition notifications and award vide Gazette de-notification No.7(19)/ 89/L&B/LA/259 issued under Section 48 of the Land Acquisition Act which has been published in Delhi Gazette on the same date. It is submitted that on the above land an Education

Institution known as Ramjas Foundation School at Anand Parbat, New Delhi are being run by Ramjas Foundation Society. This land was also notified under Section 4 of the Land Acquisition Act vide Notification dated 13.11.1959 and under Section 5 vide Notification dated 14.1.1969 and 18.1.1969. These notifications were challenged by Ramjas Foundation Society in 1978 in the Hon'ble High Court and also in appeal in the Hon'ble Supreme Court. The acquisition was upheld by the Hon'ble Supreme Court in the case reported as 1993 Supp (2) SCC 20 Ramjas Foundation - Vs - Union of India & Ors. Thereafter, Award were made in the year 1994, which were again challenged in the Hon'ble Court and after dismissal of writ petition by this Court SLP (Civil) No.15097/2000 Ramjas Foundation - Vs - Union of India was dismissed on 4.2.2002. Thereafter on the representations of Ramjas Foundation School vide above de-notification on 4.4.2002. It is submitted that admittedly in the case of Ramjas Foundation Schools possession was also taken by the Government on papers only even then above de-notification have been issued under section 48 of the Land Acquisition Act in public interest. That the

Government of NCT, Delhi in November, 1998 framed a policy guidelines for denotification of land notified for acquisition under the Land Acquisition Act, 1894, u/s 48 of the Land Acquisition Act vide File No.7 (18)/97/L&B/I-12092 - 12106 dated 2.12.1998. The said guidelines were notified and circulated by Sh. D. S. Negi, the then Secretary, Land & Building Department, Govt. of NCT of Delhi it is submitted that the case of the applicant is fully covered under the aforesaid Policy Guidelines for de-notification of the land.


The applicant fulfills both the conditions, as the possession is still with him and no compensation has been received by the same against the acquisition, for denotification of his land bearing Khasra No.386/76 of Revenue Estate of Village Masood Pur, out of Land Acquisition Proceedings. Besides, the applicant is using the said land for petrol filling station, which serves the social and civic purpose to the society.

The Applicant humbly submits that the case of the applicants may be considered for de-notification and

withdrawal under Section 48 (1) of the Land Acquisition Act.
I shall be highly obliged.

Thanking you,

Yours faithfully


Anil Kumar
S/o Late Sh. Shyam Sunder Dass,
Petrol Pump at : Mehrauli Mahipalpur Road,
Opposite B-1, Vasant Kunj,
New Delhi.

Copy to:

1. Vice-Chairman, Delhi Development Authority, Vikas Sadan, INA, Delhi.
2. Land Acquisition Collector-cum-ADM (South West District), Revenue Estate Village Masoodpur, Delhi
3. Secretary, Land & Building, B Block, Vikas Bhawan, New Delhi-110002

08-05-2012.

To
Vice Chairman
Delhi Development Authority
B-Block, Vikas Sadan
New Delhi

Subject: Incorporate Petrol Pump site existing since 1972 in the layout plan of Sector D Vasant Kunj, Zone "J" M/S GOVIND SAHAI ANIL KUMAR

Respected Sir,

Immediately after the notification of Master Plan Delhi 2021, we had submitted a representation to your good office i.e. on 04.04.2007 for regularization of our Fuel station (Indian Oil Petrol Pump) located on khasra No. 386/76 village Masoodpur, Vasant Kunj (Zone "J") vide receipt No. REC/M/07/1,593 copy at flag "A".

It may not be out of place to state that this Fuel Station (Petrol Pump) was established in the year 1972. When this Petrol Pump was installed, there were no major urban development in this area and there was no petrol pump within the radius of 07 Km. However the applicant ventured to render this public service in a jungle like surrounding.

On 9th June, 1972 the applicant applied for seeking permission to install a petrol filling station on the land bearing Khasra No. 386/76 from the Delhi Government (competent authority). The said permission was granted on 7th October, 1972 by the District Magistrate who was the competent authority on behalf of Government of Delhi vide letter No. AC/III(15)/72-Pet(Arms)/5356 to the applicant and accordingly new filling station was established under the dealership of Indian Oil Corporation Ltd. it may not be out of place to say that the applicant took numerous licenses from various Govt. Department/Agencies namely Chief Collector of Explosive in the year 1972, the Director of Industries etc. which was necessary to run the Petrol Pump then.

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Now the Zonal Development Plan of Zone "J" has been notified by the Govt of India, however there is no mention of Petrol Pump site, existing or proposed. In Master Plan 2021 there is a reference under redevelopment of existing urban area. "The scope for development of urban extensions on a large scale is restricted due to limitations of buildable/ urbanizable land in Delhi. Therefore, the option of redevelopment through a process of reorganization and utilization of the land already developed will be a major element of the overall city development plan"

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Further it has been brought to the notice of the undersigned that a CNG filling station is also proposed adjacent to this Petrol Pump Site on DDA land. It is therefore further more important to incorporate this existing Petrol Pump for the integrated development of entire area.

In view of the above it is requested to kindly direct the concerned department to incorporate this Petrol Pump site which is in existence since 1972 in the layout plan of Pocket D of Vasant Kunj scheme Zone "J".

Thanking You

FOR GOVIND SAHAI ANIL KUMAR

Neelam

Neelam Srivastav
A-10, Ring Road,
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