

From: S.K.Tyagi, wz 684/4-H, Street no 20 Indira Park, Palam Colony, Delhi 45

OFFICE OF THE DIR (Pig) 18.11.2011

MPR/TC, D.D.A. N. DELHI-2

Dy.No.....1851.....

Dated.....25/11/11.....

The Director (Planning) MPR
Delhi Development Authority
Sixth Floor, Vikas Minar, I.P.Estate, New Delhi - 110002

Subject: Advertisement for 'Inviting Public Suggestions for Mid-Term Review for MPD 2021', dated 04/10/2011

Ref. Letter from Ms Gita Dewan Verma on the subject 'MPD -2021 review' dated 11/11/11

1. This is in continuation of the letter under reference. We had filed a response to the draft MPD 2021 in continuation of the response filed by Sh. Badri . His detailed objections/suggestions mentioned in para 5b(i) of the said letter were on norms for "Commercial provisions particularly for informal sector" in MPD 2021 Chapter 5 "Trade and Commerce". His response was one of the (7000-611= 6389) responses for which hearing was not duly arranged. It is pertinent that ^{the} main contention of these objections was that commercial provisions were based not on requirement of the demand by the citizens but were investment driven. The removal of provisions for low turnover units and informal units was contrary to DD Act, directions of 1988-89 of Supreme court and National Policy. The basis of five tier hierarchy of commercial provisions has been removed and the land for low turnover shops has been freed from local requirements to make 'world class' commercial centres.
The suggestion was to provide clarifications in the MPD 2021 about removal of these provisions in the context of court matters WP(C) 6980/2002 related to MPD 2001 provisions, public notices etc and observations of the expert groups on the same.
2. MPD 2001 had also envisaged MPD monitoring and review, However, the required monitoring was not carried out and the MPD 2021 was prepared also without proper surveys of ground reality. Further, although the MPD 2001 had not precluded public inputs in monitoring, submissions like mine that were based on Local Area assessments of MPD 2001 implementation status were not duly considered in course of finalizing the MPD 2021. In the information provided in a group of matters including mine before CIC (assisted by Er. Sarbajit Roy and Dr. Poonam Prakash) disclosed that for the objections/suggestions received on the draft MPD 2021 only the 'summaries', prepared and classified chapter wise by the MPPR office, were put up to the Board.

In our case, action is still pending on

- a. Commisioner (Planning) reply to PMO dated 19/10/2001 on references from 'Vasant Kunj Rehri Patri Vyapari Ekta Manch' asking the Chief Architect DDA to identify the land for such informal sector ...'
- b. the decision of the Board on Sultangarhi Public notice that DDA has already initiated a scheme for informal sector / hawkers in the Vasant Kunj Area After evaluating / judging the success, the scheme can be replicated was not part of the finalisation of MPD 2021 process.
- c. Refrence of the Central Vigilance Commission forwarded to the DDA by Under Secretary (UD) dated 25.10.04

Shant
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DDMPR
AD(11/11)

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The Director (Planning) MPR
Delhi Development Authority
Sixth Floor, Vikas Minar, I.P.Estate, New Delhi - 110002

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d. the Board's decision dt.16/01/06 - i.e, "(vi) In response to obj/sugg regarding the provision for hawkers and related issues, the Board decided that a presentation could be made before the Commissioner MCD, where DDA may be invited'

3. MPD 2021 has clear provisions for how the monitoring based review is to be carried out in which there appears to be no role for public monitoring. Since 2007, the required mechanism for monitoring, as per the stipulated provisions in the MPD 2021 for management action groups, monitoring unit and high level committee for monitoring and review, have already been implemented and the relevant monitoring and review data is expected to be available with them. As my objections/suggestions for draft MPD 2021 were not duly considered, I would like to recast and resubmit the same for the ongoing review process for which the following information be provided to me:

- iii) data related to review and monitoring so far available for the Chapter 5 on 'Trade and Commerce'
- iv) documents/information/minutes/decisions of the management action group on Enforcement and Plan Monitoring Group, Local Level Participatory Planning Group, Spatial data Infrastructure Group

(S.K.Tyagi)

S.K.Tyagi

- Encl: i) Letter by Ms Gita Dewan Verma dated 11/11/2011
ii) Typed copy of the Reply sent by Commissioner (Planning) dt. 19/10/2001
iii) Typed copy of the CVC letter to Chief Secretary dt. 10/09/2004
iv) Typed copy of Under Secretary' (UD) to Vice chairman, DDA dt. 25.10.2004

Cc:

Mrs Gita Dewan Verma and others as in the endorsement of the letter dt. 11/11/11

204

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203

11/11/11

From: Gita Dewan Verma

1356, D-I Vasant Kunj, ND 110070; Ph 26895840, 26132921

To: Director (Plg) MPR, DDA, 6th Floor, Vikas Minar, IP Estate, ND 110002

Sub: MPD-2021 review

Ref: i. DDA advertisement dt.04/10/11 [copy enclosed]

ii. Indian Express news item dt.12/10/11 [copy enclosed]

ii. HT news item dt.11/11/11 [copy enclosed]

Sir,

The "advertisement" u/r requests [members of the] public "to send their valuable suggestions / views in writing on specific aspects of the plan for consideration during the Mid-Term Review exercise to Director (Plg.)MPR". The news dt.12/10/11 u/r quotes, "Committees will be formed to look into feasibility of these suggestions before they are included or rejected". The news dt.11/11/11 u/r conveys post-review MPD modifications will be effected next year. The "advertisement" -- saying MPD-2021 "emphasizes on public participation and Periodic / Mid-Term Review" -- gives the impression that MPD-2021 envisages it. However, **in my view such solicitation runs contrary to MPD-2021 & DDA Act [para 2 & 3 herein], and suggestions are neither feasible nor amenable to action by Dir.(Plg) [para 4& 5 herein].**

2. GOI notification No.S.O.141(E) dt.07/02/07 of MPD-2021 refers to public / community participation only at the 'local area planning' level proposed in it.¹ On the other hand, MPD monitoring & review is envisaged as a technical task "through indicators of physical and socio-economic changes" [Para 18.2] to be done by a "high-level committee" [Para-18.3] with help of [Para-18.5] a "dedicated Monitoring Unit" [Para-18.3] and 10 "Management Action Groups" [Para-18.4] -- and not of public suggestions / views.

3. DD Act has no provision for MPD 'monitoring' or 'review' *per se*, but 'monitoring' is implicit / pre-requisite to powers vested in GOI under S.42 ['Returns and inspection'] to "call for reports, returns, and other information ... in regard to the implementation of the master plan" etc. The MPD review mechanism proposed in MPD-2021 is within ambit of DD Act, subject to the provisions of S.5A ['Constitution of Committees'] for constituting the 'High-Level Committee' of S.4 ['Staff of the Authority'] for setting up the 'Monitoring

¹ In 'INTRODUCTION' itself, distinctions are made between *public-private* and *community* participation ["vision" stated in Para-3], between "a co-ordinated and integrated approach..." and "a participatory planning process at local levels" [Para-2], and between "Performance oriented planning" and "Decentralised local area planning by participatory approach" [Para-20 (b)]. Chapters on various uses mention public / community participation only for specified 'local area' aspects -- e.g: redevelopment of slum & JJ clusters, resettlement colonies and unauthorized colonies "by ensuring participation of the inhabitants" [Para-3.3.1.3A], redevelopment of unplanned industrial areas "with the participation of the owners / entrepreneur in a systematic manner" [Para-7.6.2], "more community participation and decentralised management" for performance improvements in physical infrastructure [Para-14.0], etc -- and final chapter "18.PLAN REVIEW AND MONITORING" enumerates "Major Issues" [Para-18.2] in 3 sets -- planning, implementation and monitoring & review -- mentioning participation in relation to 'local area' level implementation only..

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- i. **Public notice dt.08/04/05** (draft MPD-2021): MPD-2021 notification says that "about 7000" responses were received and for "about 611" hearing was arranged. I was invited for hearing although I had not sent any objections / suggestions. Others (including S/Sh Ajit Singh, Badri Prasad, Hoti Lal, Harpal Singh, Sant Lal, Samay Singh & Rajinder Singh) who had consulted me and sent detailed / specific responses were denied hearing and later came to know (in RTI process) that their responses had either gone missing or were otherwise not duly considered. Er.Sarbajit Roy, who was invited for hearing, was denied the information including access to record of all the responses that he had requested in advance.
 - ii. **Public notice dt.31/08/05** (CLU at Tehkhand): My response was mixed up with MPD-2021 responses and misplaced in MPR office and I was later given special hearing by court order;
 - iii. **Public notice dt.28/07/06** (CLU at Vasant Kunj): My response was misplaced, perhaps in same way;
 - iv. **Public notices dt.20/04/08 & 16/05/08** (mixed use provisions): My responses marked "STRICTLY CONFIDENTIAL -- TO BE OPENED ONLY IF I GIVE CONSENT IN WRITING AFTER RECEIVING INFORMATION RELATING TO PROCEDURE ..." were opened by MPR office without my consent;
 - v. **Public notice dt.09/06/08** (controls for hotels): My response was misplaced and I was otherwise issued on 17/07/08 (when I visited MPR office and the copies enclosed with para-4 herein were provided to me) invitation for the hearing on 18/07/08;
 - vi. **Public notice dt.11/01/09** (EWS reservation in housing): S/Sh Indrajit Singh, Navin & Rajinder Singh who had sent detailed responses after consulting me did not receive intimation for hearing. Sh Indrajit Singh later came to know in RTI process that their responses were on file along with those of several others' all of whom had sent copy of same response.
 - vii. **Public notices of July-September 2011**: At the hearings held on 02/11/11 for one recent and two earlier public notices (whereat I was present for the earlier notices) the Board, after Dr.Poonam Prakash brought to notice of the Board that since July the public notices u/S.11A were not even being uploaded in Public Notice section of DDA website, cancelled the hearing in the recent matter and directed re-publishing the notice and enquiry into the lapse in dissemination.
- c. On DDA website is found -- besides the Link "Review of MPD2021" on which responses may be posted -- a link "Login for View Suggestion", i.e, suggestions received from public are being viewed by persons having privileged access to the website, identities of whom are not disclosed to public. This is exceptionable, especially considering that in the matter of Er.Sarbajit Roy cited in sub-para (i) above, access to others' responses was denied for reason of risks from touts / vested interests.

Yours sincerely,

Gita

[Gita Dewan Verma]

Copy to:

Er.Sarbajit Roy, S/Sh Ajit Singh, Badri Prasad, Hoti Lal, Harpal Singh, Indrajit Singh, Navin s/o Sant Ram, Samay Singh & Rajinder Singh and Dr Poonam Prakash -- for information of the references to their matters under para-5(b) above

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Government of India
Delhi Development Authority
Commissioner Planning's Office
Ministry of Urban Development

No.Commr.(Plg.)/2001/89

Dated: 19/10/2001

Ref: Your reference numbers 5228, 5231, 5268, 5269 dated 4th & 5th October 2001

This is with reference to representations from Vasant Kunj Rehari Patri Vyapari Ekta Manch. They have raised the issue about non-implementation of the Master Plan and non-provision of the land for informal sector.

As per the Master Plan there is a provision for informal sector in all the commercial sectors such as local shopping center, community shopping center and district shopping center. In many of the places DDA has allotted the land for such informal sectors in our various schemes. As far as the Vasant Kunj is concerned I have requested the Chief Architect, DDA who is incharge of designing the shopping sector to identify the land for such informal sector and forward the same to Lands Disposal Department for further necessary action.

Sd/-

(Vijay Risbud)
Commissioner (Planning)

OSD to PMO

Copy to:

1. Chief Architect, DDA -- to take and demarcate the space for informal sectors in the shopping centers in Vasant Kunj as well as in other areas.
2. Ms Geeta Dewan Verma, C/o 1356 D-I, Vasant Kunj, New Delhi-110070

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Ms Geeta Dewan Verma, C/o 1356 D-I, Vasant Kunj, New Delhi-110070

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SUJIT BANERJEE, I.A.S

D.O.No. Confidential/Most immediate
001/W&H(DDA)121/5957

सचिव केन्द्रीय सतर्कता आयोग

भारत सरकार

SECRETARY

GOVERNMENT OF INDIA

CENTRAL VIGILANCE

COMMISSION

Satarkta Bhawan, G.P.O.Complex,

Block A, INA, New Delhi 110023

Tel. : 011-24618891

Dated:.....10 SEP 2004

Dear

The problems faced by the street hawkers in Delhi have been brought to the attention of the Commission, especially with regard to non-implementation of the statutory Master Plan provisions of the DDA for allotting planned space for hawkers in Delhi. Even though space has been set aside for hawkers, it has been pointed out by some concerned responsible citizens that in reality the hawking space provided in the Master Plan is being diverted to other uses. Profiteering on public land leads to extortion by junior officials of police and civic agencies leading to organised corruption.

A reference has also been received from the Prime Minister's Office with regard to the extortion being faced by petty vendors and rickshaw pullers in Delhi. The former CVC has written to the Chief Minister of Delhi in 2001 on the subject which led to the then PM's advice to the Lt.Governor of Delhi to address the task of policy reform in the present licensing system for hawkers and cycle rickshaws. It is understood that with regard to PM's policy initiative for hawkers in Delhi, a Committee has been constituted under the chairmanship of Minister of State for Urban Development to prepare a national policy for street vendors to save these marginalized sections of society from exploitation by junior officials of police and civic agencies.

I shall be grateful if you can personally intervene and take the initiative in conceptualising an action plan with regard to Delhi.

With regards,

Yours sincerely,

Sd/-
(Sujit Banerjee)

Shri S.Regunathan,
Chief Secretary, Govt. of NCT Delhi,
Secretariat Building, R.No.702B, C-Wing
I.P.Estate,
New Delhi

Copy to: 1. Ms. V.Vidyavathi, Dy.Secretary, Prime Minister's Office, New Delhi
2. Ms. Gita Dewan Verma, Planner, 1356 D-I, Vasant Kunj, New Delhi – 110070
3. Ms. Ameeta Saini, CVO, DDA, Vikas Sadan, New Delhi

Sd/-
(Sujit Banerjee)

207
SUJIT BANERJEE, I.A.S

Confidential/Most immediate
D.O.No. 001/W&H(DDA)121/5957

सचिव केन्द्रीय सतर्कता आयोग

भारत सरकार

SECRETARY

GOVERNMENT OF INDIA

CENTRAL VIGILANCE

COMMISSION

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With regards,

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S.Regunathan,
Secretary, Govt. of NCT Delhi,
Secretariat Building, R.No.702B, C-Wing
state,
Delhi

- to: 1. Ms. V.Vidyavathi, Dy.Secretary, Prime Minister's Office, New Delhi
2. Ms. Gita Dewan Verma, Planner, 1356 D-I, Vasant Kunj, New Delhi - 110070
3. Ms. Ameeta Saini, CVO, DDA, Vikas Sadan, New Delhi

Sd/-

(Sujit Banerjee)

199
GOVT. OF N.C.T. OF DELHI
URBAN DEVELOPMENT DEPARTMENT
10th LEVEL: DELHI SECTT: NEW DELHI

No.F.22/15/2001/UD/PF/10971

Dated: 25.10.04

To

1. The Commissioner,
MCD, Town Hall,
Delhi
2. The Chairperson,
NDMC, Palika Kendra,
New Delhi
3. The Chief Executive Officer,
Delhi Cantonment Board
Delhi.
4. The Vice-Chairman.
D.D.A., Vikas Sadan,
New Delhi

SUB: Providing space for Hawkers

Sir,

I am directed to enclose herewith a copy of letter dated 2/10/04 of Ms. Geeta Dewan, Planner/ r/o 1356-D, Vasant Kunj, New Delhi in which the Police Deptt. has been urged to consider the request of DDA w.r. to non-implementation of Mandatory DMP provisions for informal sector. In this regard the ref. Of CVC dated 10/9/04 endorsed by the representation has already been forwarded to you for comments/ATR. However the requisite information has not been furnished so far. You are therefore requested to furnish the ATR/comments to the representationist under intimation to this deptt.

Sd/-

(P.P.SINGH)

Under Secretary (UD)

Copy to:

Ms Geeta Dewan, Planner/ r/o 1356-D, Vasant Kunj, New Delhi - w.r. to her letter dated 2/10/04

Sd/-

(P.P.SINGH)

Under Secretary (UD)