

773/OSD/MPPR
24.1.12

R&D CELL
VIKAS SADAN
Dy. No. 366
Date 20/1/12

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DT. No. 31-1-12
Dt. 20/01/12

From: Amar Singh
S-171/79, Rangpuri Pahari Malakpur Kohi, New Delhi 110037

To: The Vice Chairman, DDA

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

Ref: My letter dt.11/04/11 to you about response to public notice of 10/09/10 for objections / suggestions about 805 flats (copy enclosed).

Commr. (Plg) - II

Despatch 336

Date 20-1-12

Sir,

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

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

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

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

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

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

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

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

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

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

Contd/- 2

OFFICE OF THE OIR (Plg.)
MPPR/C, D.D.A. N. DELHI-2
Dy. No. 1707
20/1/12

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30/1/12
(P.S.) I mra

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

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

Thanking you,

Yours faithfully,

Amar Singh

(Amar Singh)

Enclosed: (Total 32 pages)

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

Copy for kind information to: Commissioner Cum Secretary, DDA

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11/04/11

To: The Vice Chairman, D.D.A

Sub: DDA Housing Scheme 2010: Request to withdraw the 805 flats at D-6 Vasant Kunj for which DDA public notice was published on 10/09/10

Ref: 'DDA to allot VK flats but taps will remain dry', TOI, 07/04/11 (encl.P.1)

Sir,

The above-mentioned 805 flats are among the 1285 one-bedroom flats shown, with disposal cost of Rs.34-37 lakhs, at S.No.1 in group A "Furnished Flats with Lifts at (Vasant Kunj D-6)" in Housing Scheme 2010 brochure. Earlier, on 10/09/10 Commissioner-Cum-Secretary's public notice in matter of said 805 flats was published. Copies of following are enclosed herewith:

- a) My response dated 22/09/10 to the public notice, with the notice reproduced on its first page – without its enclosures (encl.P.2-5);
- b) My letter dated 23/10/10 to the Commissioner-Cum-Secretary in Hindi along with its English translation (encl.P.6-9);
- c) My letter dated 30/11/10 to the Commissioner-Cum-Secretary in Hindi along with its English translation (encl.P.10-11);
- d) Letter dated 24/01/11 of the Executive Engineer, SWD4/DDA giving a para-wise reply to my response dated 22/09/10 (encl.P.12-18);
- e) Letter dated 27/01/11 of the Executive Engineer, SWD4/DDA giving comments on my letters dated 23/10/10 & 30/11/10 (encl.P.19);
- f) My Rejoinder to the reply dated 24/01/11, sent to Commissioner-Cum-Secretary & Executive Engineer vide letter dated 06/02/11 (encl.P.20-21);
- g) My letter dated 07/02/11 regarding the letter dated 27/01/11 (encl.P.22).

2. As may be seen, in para-3 of my response dated 22/09/10 I have shown in detail how *these 805 flats cannot be in accordance with the Master Plan and Delhi Development Act unless they are LIG* – which they cannot be at 34-37 lakhs price. In his letter dated 24/01/11 Executive Engineer SWD4 evaded reply to my para-3 by saying, "The same does not fall under the purview of this office". In para (b) of his letter dated 27/01/10 he said, "This office is not competent to decide that 805 DU,s are to be kept in the category of LIG flats. The applicant is advised to approach the competent authority". He has not responded to my request vide my letter dated 07/02/10 for forwarding to the unspecified competent authority.

3. Now, because the news under reference also highlights water constraint to further development to achieve the mandatory LIG provision in the area, I request withdrawing the 805 flats from the present scheme and restoring them to LIG category before disposal.

Yours faithfully,

Enclosed: As above: 22 pages

Amar Singh

AMAR SINGH

S-171/79, Rangpuri Pahari, ND 110037

DDA to allot VK flats but taps will remain dry

DJB Says VK Colonies Already Short Of Water; Clueless DDA Cites Recycling, Harvesting

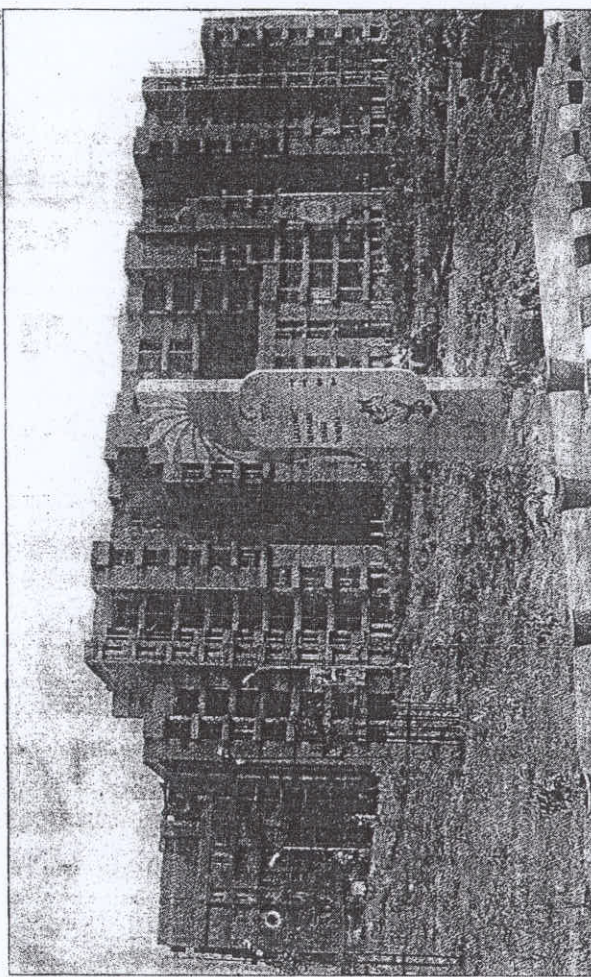
Rohi Bhasin & Neha Lachandani | TNN

New Delhi: Delhi Development Authority (DDA) will soon start the allotment of 2,000-odd flats in Vasant Kunj but is yet to make arrangements for any water supply to the area. Delhi Jal Board (DJB) denies even hearing from DDA on the matter and has said that there is no water to supply to these flats, at least during this summer.

The flats were built especially to house tourists during the Commonwealth Games but even then DJB had told DDA that it would not be possible to supply any water to these unless it curtailed supply to the already parched Vasant Kunj colonies. Despite these objections, DDA put in a water distribution network at a cost of about Rs 2 crore and the water utility finally agreed to give them a supply but only for the duration of the Games.

Interestingly, DDA has so far only 'considered' some remedial measures like rainwater harvesting and recycling of waste water. While these steps may take care of some demand, there is still no plan in place for provision of potable water.

DJB officials further stated that like in many other parts of the city, DDA did not take into consideration their objection citing that the Vasant



SERIES OF BLUNDERS: The flats were built to house tourists during Commonwealth Games but the project proved to be a fiasco

Kunj area did not have water to spare. "They have projected a demand of 1.5 million gallons per day of water. However, there is no water for us to supply here and even for the period of the Games, we had to divert water

meant for regular supply in the area," said a senior official. DDA officials, however, claim that DJB has always been part of the planning and they were well aware of construction plans.

The land agency claimed that, on its part, it is going to augment the water supply in this area by treating wastewater and carrying out water harvesting here. "All new colonies have initial bottlenecks and this is just one

of them. We are in talks with DJB for ensuring adequate water supply in this area and will help augment the supply through water harvesting and by supplying treated water," said spokesperson DDA, Neemo Dhar.

"Water to the flats will be supplied from the Sonia Vihar water treatment plant and as of now, there are no plans to enhance its capacity or increase supply. There is a limited amount of water at our disposal and we have stretched ourselves beyond capacity to accommodate planned and unplanned development of the city. It especially becomes impossible to meet supply when there is such an exponential growth like this," said DJB sources.

The buildings were made to specially house tourists and guests who were visiting the city during the Games and construction work is still on there. "The flats will be ready by the time possession takes place towards the end of the year," said a DDA official. According to the Shunglu committee report, these Vasant Kunj flats also violate height clearances by as much as four metres - almost an entire floor - despite being in the landing path of aircraft using the third runway of the city airport at Palam. This extra portion is supposed to be demolished by the land agency.

DDA Receipt No. REC / M / 10 / 6,089 Date: 22/09/2010 3:03:52 P

22/09/2010

FROM: AMAR SINGH

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

TO: SH. D SARKAR, Commissioner Cum Secretary, DDA

SUB: PUBLIC NOTICE No.14/FO/SZ/2010-11 published on 10/09/10

Sir,

Your above-mentioned Public Notice dated NIL, published on DDA website on 10/09/10, is for objections / suggestions in matter of Environmental Clearance of 805 flats already built to East of D6 Vasant Kunj. A relative has given me copy taken from DDA website that is placed on the side. I have following **3 objections** and **1 suggestion** in the matter. They are PRELIMINARY as explained in request at the end.



1. I have OBJECTION to the PUBLIC NOTICE itself because:

- It **WRONGLY** states DPCC / Delhi Govt accorded "necessary Environmental Clearance" for already constructed flats. DPCC / Delhi Govt is not even empowered for this and even Central Government's State-level Environmental Impact Assessment Authority is empowered only for **PRIOR** clearance.
- It suppresses the fact that these 805 flats are being treated **COMMONWELATH GAMES PROJECT**.
- It does not tell the provisions under which you can call and receive objections/suggestions in this matter in this manner.
- It is not published in accordance with the provisions of section 44 of Delhi Development Act for making Public Notice known.

2. I have OBJECTION to the instruction that objections/suggestions should be addressed to you within 30 days because the site is part of 56 Ha whose Master Plan rural use was changed by Notification dt.29/01/04 under section 11A for which then Commissioner Cum Secretary invited objections/suggestions vide Public Notice dt.10/09/02. 1740 local families filed objections. A 'Screening Board' under Engineer Member considered them and made 6 recommendations. The Notification dt.29/01/04 was pursuant to last. Many including me have been asking under RTI Act about details / basis of and action taken further to the second recommendation, i.e:

(b) Though there is a broader mix of various income groups in the provision of housing in and around the Vasant Kunj area adequate care should be taken while finalizing the plan for Zone-J.

DDA has not given information within 30 days time limits of RTI Act in any case. My requests, vide letters endorsed to you w.r.t this Public Notice, for the overdue replies of Dy. Director (LIG) Housing/PIO in ID Nos. 3281 & 3283 dt. 21/07/09, Chief Engineer (SZ)/AA in ID No. 3282 dt. 21/07/09, Dy. Director (LAB) Housing/PIO in ID No. 3481 dt. 01/06/10 and Addl. Chief Architect/AA in ID dt. 04/06/10 are enclosed.

3. I have **OBJECTION** to claim of any other 'necessary' clearance for these 805 flats because it seems they cannot have necessary clearance under Delhi Development Act. In 30 Appeals for information about above quoted recommendation, Commissioner (Plg) Sh Vijay D Risbud who was himself on 'Screening Board' filed Affidavit dt. 13/04/09 before C.I.C informing following provision while also stating that zonal plan "is a policy document and it is not any area specific or locality specific":

"Regarding no. of houses in EWS/LIG category in and around Vasant Kunj and allotment status, the information has been received from the office of Chief Architect, Chief Engineer (South) and Dy. Director (LIG)-II. The following picture emerges:

1.	Sec.B-9	324	LIG	Existing / Allotted
2.	Near Sultan Garhi	340	LIG	Newly constructed (floated under DDA housing scheme 2008)
3.	Near D-6 2 Room + Lounge	805	2 Rooms + Lounge	Under construction
4.	Housing near Sultan Garhi Behind CNG station	221	LIG	Yet to be constructed work to be awarded
5.	Mega Housing behind D-6 Vasant Kunj	480	LIG	Under construction

Obviously, 'Screening Board' had made false claims to sail the 56 Ha scheme around the objections to violation in Vasant Kunj of Master Plan 2001 'community module' requirement of 45% EWS/LIG. Affidavit did not give full facts, so I filed above-cited and other further applications to Engineering, Architecture and Housing PIOs. How Vasant Kunj got approved with just 324 LIG is secret, as PIO has told "approvals are not available in the records". The zonal plan - come in operation on 17/06/10 - also does not tell "policy" for 'regularizing' it. Information provided so far indicates about 4800 total flats in the 56 Ha scheme for which Affidavit told 1041 LIG and 805 '2 Rooms + Lounge' at Nos. 2-5. Even if all 4800 flats in 56 Ha scheme were LIG Master Plan 2021 requirement of 35% EWS/LIG in Group Housing would not be met in Vasant Kunj area. Within the 56 Ha LIG percentage without the 805 '2 Rooms + Lounge' units is only 22% and with them it is 39%.

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		LIG	Tot	LIG%	Tot figure from:
2.	Near Sulttan Garhi	340	850	40	Press Tenders
4.	Housing near Sultan Garhi Behind CNG stn	221	1214	18	Item no.170:2004 of 235 th meeting
5.	Mega Housing behind D-6 Vasant Kunj	480	1904	25	Item No.3:2002 of 218 th meeting
	Sub Total	1041	3968	26	
3.	Near D-6... If not LIG:	0	805	0	Item no.86:2006 of 249 th meeting
	Total	1041	4773	22	
3.	Near D-6... If LIG:	805	805	100	
	Total	1846	4773	39	

LIG% may be less, as other letters / copies mention lower figures and no information has come yet about how allotment of LIG flats was targeted to LIG families.. On the other hand, information come so far – viz, Item No.86:2006 of 249th Screening Committee Meeting on subject of revised layout plan – indicates that the 805 flats were not meant as LIG. It states:

1.2 A layout plan of this pocket accommodating 720 DUs was prepared by adopting G+4 storeyed Group Housing Typology which was approved by the Vice Chairman on 19.02.2002 in the File No.SA(SZ)HUPW/F-5/2002. After the feasibility was received the no.of DUs were reduced to 700. The FAR achieved was 28952 sqm and a Density of 211 DUs per Ha was achieved.

1.3 However during the various Housing Plan Approval Committee meetings held under the chairmanship of EM/FM which was attended by the Chief Architect, it was decided that five storeyed housing on cluster pattern be designed wherein one staircase feeds many units and accordingly a L.O.P with new typology was approved in the 232nd SCM with 830 DUs with the following observations:

- The title of the housing for marketing / disposal be termed as “(two Room + Lounge) Apartments” instead of housing.

In absence of the complete information that is overdue to me in RTI it is also not clear how layout of these 805 flats was approved and revised before even land use change etc and no reference either to ‘Screening Board’ recommendation or otherwise to EWS/LIG mandated by Master Plan is found in any Screening Committee approval copies given so far. The approvals for use for Commonwealth Games have also not come forth. The 805 flats, mentioned without income group in the Public Notice of post-facto environmental clearance, cannot be in accordance with the Master Plan and Delhi Development Act unless they are LIG.

4. I have following **SUGGESTIONS** in context of above:

- Re-publish Public Notice with correct facts and make it duly known
- Instruct officers to reply within 30-days in related RTI matters
- Properly consider the objection that ‘Screening Board’ skirted with false claim and, meanwhile, DO NOT SELL THESE 805 FLATS that need to be LIG if the 56 ha scheme is to be legal under your Act.

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5. I REQUEST in view of foregoing ACKNOWLEDGEMENT of my response mentioning:

- a. The provisions for consideration under which the objections/ suggestions have been called;
- b. The PIO and Appellate Authority for information relating to this Public Notice and action taken on the responses; and
- c. The information, if any, that can be immediately provided in my pending RTI matters. In this regard, I specifically request the information of approvals for use for Commonwealth Games that could come forth in my RTI cases pending in Architecture and Engineering Dept. Meanwhile, my response is PRELIMINARY.

Thanking you,

Yours faithfully

Sd/-

[Amar Singh]

Enclosed – letters mentioned in Objection-2 (total 8 pages)

1. Dt.21/09/10 to DD(LIG)H/PIO in ID 3281 & 3283 dt.21/07/09 -1p
2. Dt.21/09/10 to CE(SZ)/AA ID 3282 dt.21/07/09 -3p
3. Dt.22/09/10 to DD(LAB)H/PIO & DD(LIG)H in ID 3481 dt.01/06/10 -1p
4. Dt.21/09/10 to Addl.Chief Architect/AA in ID dt.04/06/10 -3p

DDA Receipt No. REC / M / 10 / 6,784 Date: 27/10/2010 2:44:37P

23-10-10

प्रेषक - अमर सिंह, S-171/79, रंगपुरी पहाड़ी, नई दिल्ली 110037
 सेवा में - श्री डी सरकार, प्रधान आयुक्त एवं सचिव, डीडीए
 विषय - वसंत कुंज में कॉमन्वेल्थ गेम्स फ्लैटों के मामले में पब्लिक नोटिस व समाचार
 संदर्भ - पब्लिक नोटिस सं 1/FO/SZ/2009 जवाब दिनांक 08-03-10 - संलग्नक-1, 5 पेज
 पब्लिक नोटिस सं 14/FO/SZ/2010 जवाब दिनांक 22-09-10 - संलग्नक-2, 4 पेज
 'दिवाली धमाका करेगा डीडीए', 20-10-10 - संलग्नक-3, 1 पेज

महोदय,

वसंत कुंज में करीब 3000 फ्लैट कॉमन्वेल्थ गेम्स के लिए बने हैं। इन में 1904 व 805 की पर्यावरणीय अनुमति के मामले में आपत्ति सुझाव नोटिस फरवरी व सितंबर में छपे थे, जिन पर जवाब दिनांक 08-03-10 सभी रंगपुरी पहाड़ी निवासियों की ओर से और दिनांक 22-09-10 मुझ से आप को प्राप्त हैं। 20-10-10 का समाचार है अधिकारियों को इन फ्लैटों का 'कीमती सामान' खराब होने की चिंता है, अतः इन्हें दिवाली स्कीम में बेचेंगे, और अनुसूचित जाति आरक्षण में 2008 जैसे घोटाले से बचाव के लिए 'कुछ एहतियाती कदम' उठाए हैं। अन्य 'कीमती सामान' की हाथ तोबा में अधिकारी भूल रहे हैं रंगपुरी पहाड़ी में अनुसूचित जाति समुदाय बसा है और हमारे जवाब हमारे अधिकारों व इन फ्लैटों के निम्न इतिहास में एहतियात की लगातार कमी से ही संबंधित है। यदि आप को हमारे जवाबों का सही उपयोग नहीं करना तो संविधान के अनुच्छेद 338(9) अनुसार एहतियात में मार्गदर्शन हेतु मामला राष्ट्रीय अनुसूचित जाति आयोग को भेज दें:

- a) ये 3000 फ्लैट जिस 56 हैक्टर में करीब 5000 फ्लैटों की स्कीम में हैं उस स्कीम को कोर्ट ने 2002 में आपत्ति सुझाव कार्यवाही व पूर्व पर्यावरणीय अनुमति के बिना शुरू होने की वजह से अवैध व जाँच योग्य पा कर रोका था। फिर से बिना पूर्व पर्यावरणीय अनुमति के शुरू फ्लैटों को बाद में प्राप्त इस अनुमति के मामले में आप के पब्लिक नोटिस स्वतः सिद्ध करते हैं एहतियात की कमी बरकरार है।
- b) 2002 में छपे पब्लिक नोटिस पर 1740 स्थानीय आपत्तियों में प्रमुख थी कि 20000 फ्लैटों की वसंत कुंज स्कीम में अनिवार्य 45% LIG/EWS / अल्प आय प्रावधान नहीं है। एहतियात की वजाए आपत्ति रफादफा करने के इच्छुक अफसरों ने झूठ कहा स्कीमों में प्रावधान है, वाकि जे-जोन प्लान में एहतियात कर लेंगे। 2006 में जे-जोन प्लान बिना एहतियात बना और इधर वसंत कुंज की LIG/EWS स्कीम बनाने के कोर्ट आदेश हुए तो अफसरों ने अपील कर ली। 2008 में जे जोन प्लान दोबारा बिना एहतियात बना तो हम ने 2003 में तय एहतियात का पता सूचना अधिकार में लिया। 2009 में, केन्द्रीय सूचना आयोग में 30 अपीलों में, 2003 के झूठ का खुलासा हुआ। बाद में माँगी मिली सूचना से एहम बात यह साफ हुई कि 805 '2 रुम लाउंज' बताए गेम्स फ्लैटों के बिना 56 हैक्टर स्कीम का LIG/EWS प्रावधान पूरा नहीं होता। अतः मेरे जवाब दिनांक 22-09-10 के अनुच्छेद 4 में मेरा सुझाव है कि "इन 805 फ्लैटों को ना बेचें क्योंकि आप के कानून के अंतर्गत आप की 56 हैक्टर योजना के वैध होने के लिए इनका LIG होना जरूरी है"। LIG फ्लैटों में गेम्स के बहाने लगे 'कीमती सामान' के बहाने इन्हें जल्दबाजी में बेचने में जरूरी एहतियात अनुसूचित जाति आरक्षण के मामले में ही नहीं बल्कि इन फ्लैटों को LIG के लिए आरक्षित करने के मामले में भी है।

- c) 2002 की 1740 आपत्तियों में एक मुख्य आपत्ति यह भी थी कि वसंत कुंज स्कीमें प्लान से पहले, यानि पब्लिक सूचना व आपत्ति सुझाव विना, अफसर बनाए जा रहे हैं और माँगने पर दिखाने भी नहीं। 2003 में अफसरों ने जताया था कि आपत्ति के मुद्दे स्कीम स्तरीय एह्तियात के हैं ही नहीं। 2009 में जोनल प्लान के मामले में 30 अपीलों में पल्टी खा कर अफसरों ने कहा यह एह्तियात जोनल प्लान में नहीं स्कीमों में होती है। फिर 56 हैक्टर स्कीम यह कह कर दवाई कि रंगपुरी पहाड़ी की स्कीम अलग है। आयोग ने उसे दिखाने का आदेश दे दिया, तो 2010 में पल्टी खा कर अफसर बोले यह जगह तो अब रिज लग रही है, अतः अब स्कीम नहीं है। इन व ऐसी बातों के परिपेक्ष में रंगपुरी पहाड़ी निवासियों की ओर से जवाब दिनांक 08-03-10 में पूरे इलाके की स्कीम का प्रदर्शन व पर्यावरणीय प्रभाव आंकलन, रिज स्पष्टीकरण, पूर्व कोर्ट आदेशों व आश्वासनों का अनुपालन, आदि के सुझाव हैं। ये सब जरूरी एह्तियाती कदम हैं पर्यावरणीय प्रयासों को अनुसूचित जाति समुदायों की बेदखली का बहाना बनने से बचाने कि। और यहाँ, जहाँ विकास का आधार सिर्फ अवैध व गैर-जिम्मेवार अफसरी स्कीमें ही हैं, ये कदम विशेष जरूरी हैं क्योंकि जो अफसर ये स्कीमें बनाते हैं वही बाद में प्लानों में अपनी स्कीमों को सही और हम जैसों का गलत दिखा देते हैं। उपरोक्त जवाब के अनुच्छेद 7 में डीडीए से पुराने रंगपुरी पहाड़ी समुदाय पर अब उठे रिज सवाल के डीडीए स्कीमों के इतिहास के साथ वसंतकुंज से पुराने लालखेत अनुसूचित जाति समुदाय का उदाहरण है, जिसे 2004 में पास में मॉल निर्माण शुरू होने पर मास्टर प्लान आवासीय उपयोग से उजाड़ कर उस जगह पर वाद में 2007 में जा कर प्लान में रिज उपयोग बना।
- d) 2002 में 56 हैक्टर स्कीम पर सवाल तब उठा था जब मेन रोड से रंगपुरी पहाड़ी की सब पुरानी आबादियों के अब 55 साल पुराने रास्ते पर अब 35 साल पुराने निगम प्राइमरी स्कूल के सामने की जगह में कुछ फ्लैट शुरू हुए थे। उसी जगह में जून 2010 से दौबारा, हमारा रास्ता बंद करने की अफसरों की पुरानी स्कीम से, काम शुरू है। पूर्व पर्यावरणीय अनुमति के प्रावधान के दुरुपयोग से 56 हैक्टर स्कीम में 3000 बनते या बन चुके गैस फ्लैटों की पर्यावरणीय अनुमति के बाद इनसे पहले बन के विक चुके 750 फ्लैटों की पर्यावरणीय अनुमति विवाराधीन है, लेकिन स्कूल के सामने बाकि 1214 फ्लैट बिना अनुमति, और बिना बोर्ड, ही चालू हैं। वैसे 2003 में अफसरों को एहसास हुआ था कि रास्ता नहीं रोक सकते और उन्होंने रख रखाव की बात कही थी। शायद वह याद भी आ जाती अगर पूर्व पर्यावरणीय अनुमति के प्रावधान का सही उपयोग करते क्योंकि उसके फार्म में अनुच्छेद 1-3 व 7-3 में स्थानीय सुविधाओं व समुदायों पर प्रभाव बताना होता है। एह्तियात की कमी का प्रमाण ही है कि एक ओर इन 3000 गैस फ्लैटों समेत आपकी दिवाली स्कीम में अनुसूचित जाति आरक्षण में एतिहात की भली घोषणा हो रही है और दूसरी ओर इन 3000 फ्लैटों समेत आपकी 56 हैक्टर स्कीम में बाकी 1214 फ्लैटों में हमारा व हमारे बच्चों के स्कूल का रास्ता बंद करने का दंडनीय अपराध हो रहा है। उचित समझें तो दीवाली स्कीम के एह्तियाती कदमों के साथ साथ इन 1214 फ्लैटों का काम रुकवा कर यह निगमती दूर करें।

Sd/-

अमर सिंह

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Translated text of letter dated 23/10/10 to Commissioner Cum Secretary

From: Amar Singh

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

To: Mr D.Sarkar, Pr Commissioner-Cum-Secretary, DDA

Sub: Public Notice and news in matter of CWG flats at Vasant Kunj

Ref: 1. Public Notice no.1/FO/SZ/2009 reply dt.08/03/10 – encl.1, 5 p
2. Public Notice no.14/FO/SZ/2010 reply dt.22/09/10 – encl.2, 4 p
3. "Diwali dhamaka karega DDA", 22/10/10 – encl.3, 1 p

Sir,

In Vasant Kunj approx.3000 flats are ready for CWG. Public Notices for objections/suggestions in matter of EC of 1904 and 805 of these were published in February and September, to which replies dated 08/03/10 on behalf of all in Rangpuri Pahari and dated 22/09/10 from me have been received by you. News of 20/10/10 is that officers are worried about the "valuable things" added in these flats getting spoilt and so they will be sold in DDA's Diwali scheme and "some precautionary steps" have been taken for avoiding the SC quota scam that happened in 2008. In the panic about other "valuable things" officers are forgetting that SC community inhabits Rangpuri Pahari and our replies relate to persisent lack of precaution in the matter of our rights and these flats that is disclosed in the following history. If you do not wish to properly utilize our replies then, for guidance for necessary precautions, send the matter to National Commission for Scheduled Castes for its advice under Article 338(9) of the Constitution of India:

- a) The 56 Ha scheme of approx.5000 flats of which these 3000 flats are part was found illegal and fit for enquiry and stopped by Delhi High Court in 2002 for the reason of having been started with prior processes for public objections / suggestions and environmental clearance.
- b) In the 1740 local area objections in reply to the public notice of 2002 the main was that the Vasant Kunj scheme of about 20000 flats does not have the madatory 45% LIG/EWS provision. Instead of exercising any precaution the officers wanting to bypass that objection made *false* assertions that there is already broad mix and care would also be taken while finalizing J zone plan. In 2006 DDA prepared a J zone plan without any precaution and filed appeal against a High Court judgment directing scheme for LIG/EWS provision in Vasant Kunj. In 2008 a J zone plan was again prepared without precaution and we enquired in RTI about the precaution decided in 2003. In 2009, in CIC proceedings in batch of 30 appeals, the *false* assertions of 2003 were exposed. A key fact revealed in further information accessed in RTI processes about the 56 Ha scheme is that its LIG/EWS provision cannot be achieved without the 805 '2 rooms lounge' flats. As such, in my reply dated 22/09/10 I have suggested, "DO NOT SELL THESE 805 FLATS that need to be LIG if the 56 ha scheme is to be legal under your Act". The precaution required in the hurried sale of these flats on excuse of "valuable things" added on excuse of CWG is not only in matter of their SC reservation but also in matter of reserving them as LIG.
- c) Another main objection in the 1740 objections of 2002 was also that officers are going on making Vasant Kunj schemes before the plan, i.e. without public objections and suggestions and do not even disclose the schemes on request. In 2003 officers had claimed that the issues raised in the objections required

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precaution at zonal plan level, not scheme-level. In 2009, in the matter of 30 appeals for information relating to zonal plans, they did a volte-face to claim that the precaution is required at scheme level, not at zonal plan level. The scheme was suppressed by claiming that scheme for Rangpuri Pahari is separate. CIC directed them to show that scheme. Then they did volte-face to claim the area seems ridge now so there is no scheme. In context of these and such assertions, displaying the scheme for whole area, EIA for whole area, ridge clarification, implementation of prior court orders and assurances, etc were suggested in reply dt.08/03/10 on behalf of Rangpuri Pahari residents. All these are necessary precautionary steps for ensuring that environmental initiatives do not become excuse for displacing SC communities. They are especially necessary here, where basis of development is only officers' schemes, because the same officers who make the schemes later make the plans showing their schemes right and citizens like us wrong. In para-7 of said reply example from history of DDA schemes here is also given, besides of the ridge question now raised on the Rangpuri Pahari community that is older than DDA, of the Lalkhet site from which SC SC community older than Vasant Kunj was displaced in 2004 when construction of malls started and land use was changed from residential to ridge later, in 2007.

d) The 56 Ha scheme was questioned in 2002 when construction of few flats was started in front of the now 35 years old MCD primary school on the 55 year old access to Rangpuri Pahari from main road. In 2010 construction has again started there of the same old officers' scheme obstructing our customary passage. After obtaining, by abuse of the prior EC provision, EC for the under construction and built-up 3000 flats in the 56 Ha scheme EC of 750 flats already built and sold is under consideration. But these 1214 flats are being built without EC, and also without any board. It is pertinent that in 2003 officers had realized right of way cannot be closed and had spoken of maintenance. They may have recalled this if they had made proper use of the EC provision because in Para 1.3 and 7.8 of the Form local facilities and impacts on local communities have to be told. It is proof of lack of precaution that on one hand announcements are being made of precaution for SC in scheme to sell flats including these 3000 CWG flats and, on the other hand, in the construction of the remaining 1214 flats in the 56 Ha scheme having these 3000 flats, punishable offence of obstructing our customary right of way is being committed. If you consider it fit, remove this anomaly by stopping the work of the 1214 flats along side the other precautionary steps for the Diwali Scheme.

Yours faithfully,

Sd/-

Amar Singh

Enclosed: 10 pages

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DDA Receipt No. REC / M / 10 / 7,489 Date: 02/12/2010 12:27:33P

30-11-10

- प्रपक - अमर सिंह, S-171/79, रंगपुरी पहाड़ी, नई दिल्ली 110037
सेवा में - श्री डी सरकार, प्रधान आयुक्त एवं सचिव, डीडीए
विषय - वसंत कुंज में कॉमन्वेल्थ गेम्स फ्लैटों के मामले में पब्लिक नोटिस व समाचार
संदर्भ - मेरा पत्र दिनांक 23-10-10 - प्रति संलग्न - 2 पेज

महोदय,

कृपया मेरे संलग्न पत्र का संदर्भ ग्रहण करें।

उपरोक्त फ्लैटों को बेचने की स्कीम गत सप्ताह में खुल गई है। दिल्ली में जगह जगह कुल 16000 फ्लैटों की स्कीम में इन फ्लैटों की कीमत समाचारों में सबसे ज्यादा रखी बताई है।

इधर इन फ्लैटों के मामले में फरवरी व सितंबर 2010 के पब्लिक नोटिसों पर प्राप्त आपत्ति सुझावों पर आगे कार्यवाही की कोई सूचना प्राप्त नहीं हुई है। बाकी स्थिति भी पहले जैसे ही है।

निर्वल वर्गीय नागरिकों के प्रति डीडीए की वेपरवाही का प्रत्यक्ष प्रमाण है कि डीडीए ने इन फ्लैटों को बेचने की स्कीम खोलने से पहले मामले में स्थानीय निर्वल वर्गीय नागरिकों से आप को प्राप्त आपत्तियों पर कार्यवाही की खानापूर्ती तक आवश्यक नहीं समझी। अतः पुनः निवेदन है कि मामला केन्द्रीय अनुसूचित जाति आयोग को उनके परामर्श हेतु भेज दें।

भवदीय

Sd/-

अमर सिंह

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OFFICE OF THE EXECUTIVE ENGINEER
SWD-4/DDA/ NELSON MANDELA ROAD
VASANT KUNJ, NEW DELHI-70

No. F36(25) AEC SWD-4/DDA 178

Date: 24/11/14

To

Sh. Amar Singh
S-171/79, Rangpuri Pahari
New Delhi-110037

Sub.: Environment Clearance for 805 DU's , east of D-6, Vasant Kunj.

This is in continuation to your objection filed in respect of Public Notice No. 14/FO/SZ/2010-11. The parawise reply is as under:-

1. (a) The photocopy of the approval accorded vide letter no. 61/DPCC/SEIAA-SEAC/10/1038 dt. 30-04-10 is enclosed. Kind attention is drawn to Para-2 of the approval letter which stated that "SEIAA hereby accords necessary Environment Clearance for the above project as per provisions of Environment Impact Assessment Notification, 2006".
(b) The Environment clearance has been obtained as for other projects and as the use of these flats does not come to an end with the CWG-2010 but that these flats are to be ultimately allotted to the general public. Hence furnishing the information in Public Notice that these 805 flats are to be used for CWG is not required. This is however informed that these flats ^{were} used for housing of NTO's for a brief period of Common Wealth Games.
(c) The objections and suggestions were called under Para No. 8, Part 'B' GENERAL CONDITIONS.
(d) The advertisement has been made in two important newspapers circulated widely in the ^{region} as per direction contained in Para No. 9, Part 'B' GENERAL CONDITIONS.
2. The environment clearance is not to be clubbed with the change of the land use under section 11 A as this is an independent course of action to be taken for any upcoming project.
3. The same does not fall under the purview of this office however regarding your query as admitted by yourself the reply has been furnished vide letter no. CE(SZ)15(10)10/475/RTI/2254 dt. 29-06-10.
4. (i) The same is not required as the copy of the approval letter has been enclosed and the same is available on the DDA website also. The Public notice also contains the information regarding the website where the environment clearance be assessed.
(ii) No further action in the matter is required as reply to the RTI has been submitted to you.
(iii) The 805 flats have been released for allotment after completing all mandatory formalities.

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5. (a) Kindly refer to the reply submitted under para 1(C).
(b) Kindly refer to Para No. 11 of Part 'B' GENERAL CONDITIONS of the environment of the clearance enclosed.
(c) As stated in earlier paras that environment clearance has not been granted on the pretext that these flats are to be used for Common Wealth Games.



Executive Engineer
SWD-4/DDA

Copy to :-

SE/CC-15 for information please.

Executive Engineer
SWD-4/DDA