

KANJHAWALA INDUSTRIAL WELFARE ASSOCIATION (Regd.)

(Registered Under Society Act 1860 Registration No. S-57719)

Plot No. 143/269, Industrial Area Kanjhawala, Opposite Police Station, Delhi-110081

Office : 098-59109700

President

Dr. Balbir Singh Dabas

99-680-93895

General Secretary

Ranbir Singh Dabas

99-990-05407

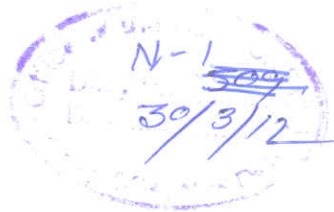
Treasurer

Mukesh Gupta

98-110-84290

Ref. No

Dated : 30/3/2012



To,

The Director Planning

(Zone N)

Delhi Development Authority,

Sector-3, Rohini, New Delhi

Director (Plg.) MPR/TC,
J.D.A. Vikas Minar N. DELHI-2
Dy.No. 2038
Dated 13.4.12

Sub : Inclusion of Industrial Plots in Mustil No. 143 and residential plots in the mustil No. 142 and 144 in the Extended Lal Dora Abadi of Village Kanjhawala Distt. North West, New Delhi-110081 vide Delhi Gazatte Notification No.: 1470/50. dated: 08.09.1993 and Rules notified vide no.: 92 dated: 12th June, 1996.

Sir,

It is humbly submitted as under :-

That we had submitted our objection vide our letter dated 4/2/2008 (copy enclosed) in response to DDA's advertisement inviting objections to the Zonal Plan 'N' and we had visited personally to the concerned officer and in spite of the assurance given to us the necessary modification in the Zonal Plan were not incorporated.

Now DDA has again invited objections and we again request to consider our long pending representation for modifying the Zonal plan and show the same into Residential and Industrial area (i.e. extended Lal Dora) may kindly be considered and needful be done. The layout plan of the area as per the plots allotted by the Delhi Govt. and approved by the Govt. and scheme approved by L.G. are enclosed herewith. It is not understood what problem is being faced in according our legitimate request. The Govt.

Vinod
30/3/2012
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Should have taken up this matter at their own long back. The scheme approved by one department is always by all other departments of the government. This is causing a lot of tension in mind of allottees of the area who were allotted these plots on surrendering their double land under the scheme of consolidation of village Kanjhawala vide notification no.:1470/50/92/93 dated:08.09.1993 to extend the Lal Dora ABADI of village kanjhawala with the view to give the villagers Residential Plots and Industrial Plots.

That the villagers have also started construction in these plots and are awaiting for providing amenities in the area by the local bodies so that they can live in healthy environment

In the view of above it is again requested that necessary changes as per the scheme of Lt. Governor of Delhi Published in the Delhi Gazette notifications as stated above and give justice to the villagers of the village Kanjhawala, Distt. North West, New delhi-110081.

Thank you,

Yours sincerely


Sushil Kr. Mittal
For KANJHAWALA INDL. WEL. ASS.(Regd.)
Mobile No. 9311084123
9811684123

Enclosed:-

- 1) Copy of last objection filled by Kanjhawala ind. wel. Ass.
- 2) Copy of notification of L.G. of Delhi regarding extended ABADI of village Kanjhawala.
- 3) Copy of scheme of consolidation of village Kanjhawala.
- 4) Land consolidation scheme(no. 114) of village Kanjhawala(Delhi-81)
- 5) Order of Delhi high court for basic facility in extended ABADI Lal Dora of village Kanjhawala.
- 6) Lay and plan of ext. ABADI Lal Dora of village Kanjhawala by revenue Dept.

(NOTE:)-Further more details with documents will be submitted shortly.

From :

KANJHAWALA INDUSTRIAL WELFARE ASSOCIATION (REGD.)

Regd. No.: S-57719

Plot No. 143/269, Industrial Area Kanjhawala,

Opposite Police Station, Delhi - 110081

Office : 093-501-09738

To,

Date : 05/02/2008

The Commissioner Planning

(Zone N)

Delhi Development Authority,

Vikas Minar, I.T.O., Delhi.

Sub: Inclusion of Industrial Plots in Mustil No. 143 and residential plot in the Mustil No. 142 and 144 in the Extended Lal Dora Abadi of Village Kanjhawala Distt. North West, New Delhi - 110081 vide Delhi Gazette Notification No.: 1470/50, dated: 08.09.1993 and Rules notified vide no.: 92 dated : 12th June, 1996

Sir,

It is humbly submitted as under :

1. That L.G. of Delhi had notified the Scheme of consolidation of Village Kanjhawala vide notification no.: 1470/50/92/93 dated : 08.09.1993 to extend the Lal Dora Abadi of Village Kanjhawala with the view to give the Villagers 2 Bighas 2 Biswas Residential Plot and 06 Biswaas as Industrial Plot (copy of the notification is attached herewith).
2. That the L.G. of Delhi was pleased to frame the rules in the extended Lal Dora Abadi of Village Kanjhawala with shows that the villagers are entitled to get the above said plots vide Delhi Gazette Notification no.: 92 dated: 12th June 1996 (copy of the notification is attached herewith).
3. The consolidation officer Saraswati Vihar, DC Office, North-West Kanjhawala, had framed the Scheme of consolidation of Village Kanjhawala and allotted industrial and residential plot to the villagers of village Kanjhawala. The copy of the plots allotted to the villagers at attached herewith.

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4. That the villagers of village Kanjhawala had started construction in their respective residential plot for their living and also started doing the small scale industry business in the industrial plots allotted to them for their livelihood.
5. That the New Zonal Plan (Zone N) of 2021 had been published in the newspaper. The DDA had called for objections and suggestion to be included in the Zonal Plan. The Zonal Plan (N) does not shows the extended Lal Dora Abadi of Village Kanjhawala in the Plans Published by the authority.
6. It is requested to your goodself that kindly make the necessary changes as per the scheme of L.G. Delhi published in the Delhi Gazette notifications as stated above and give justices to the villagers of the village Kanjhawala, Distt. North-West, New Delhi - 110081.

Thanking you,

Yours sincerely

For **KANJHAWALA INDL. WEL. ASS. (Regd.)**

Balbir Singh

**President
(Dr. Balbir Singh Dabas)**

Chaukeish Gupta

(CHAUKEISH GUPTA)

(TREASURER)

Id No - 84270

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14/2/08

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INDUSTRIAL WELFARE ASSOCIATION (Regd.)

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No. 143/269, Industrial Area Kanjhawala, Opposite Police Station, Delhi-110081
Office : 093-501-09738

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Dr. Balbir Singh Dabas
99-680-93895

General Secretary

Ranbir Singh Dabas
99-990-05407

Treasurer

Mukesh Gupta
98-110-84290

Ref. No

Dated... 04/2/08

To,

The Director Planning
(Zone N)
Delhi Development Authority,
Sector - 3, Rohini New Delhi.

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Ranbir Singh Dabas
99-990-05407

Treasurer

Mukesh Gupta
98-110-84290

Ref. No

Dated 04-03-2022

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6. It is requested to your goodself that kindly make the necessary changes as per the scheme of L.G. Delhi published in the Delhi Gazette notifications as stated above and give justices to the villagers of the village Kanjhawala, Distt. North-West, New Delhi - 110081.

Thanking you,

Yours Sincerely

For KANJHAWALA INDL. WEL. ASS. (Regd.)

President

(Dr. Balbir Singh Dabas)

Mukesh Gupta

(MUKESH GUPTA)

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24 (1) 26/4

From :
KANJHAWALA INDUSTRIAL WELFARE ASSOCIATION (REGD.)
Regd. No.: S-57719
Plot No. 143/269, Industrial Area Kanjhawala,
Opposite Police Station, Delhi - 110081
Office : 093-501-09738

To,

The Hon'ble L.G.
Chairman Delhi Development Authority,
Governor House,
Delhi.



Date : 05/02/2008

Sub: Inclusion of Industrial Plots in Mustil No. 143 and residential plots in the Mustil No. 142 and 144 in the Extended Lal Dora Abadi of Village Kanjhawala Distt. North West, New Delhi - 110081 vide Delhi Gazette Notification No.: 1470/50, dated: 08.09.1993 and Rules notified vide no.: 92 dated : 12th June, 1996

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Yours sincerely

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Balbir Singh

**President
(Dr. Balbir Singh Dabas)**

Mukesh Gupta

(MUKESH GUPTA)

(TREASURER)

98-110-84290

दिल्ली राजपत्र Delhi Gazette

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

असाधारण
EXTRAORDINARY

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No. 92]

दिल्ली, बुधवार, जून, 12 1996/ज्येष्ठ 22, 1918
DELHI, WEDNESDAY, JUNE, 12 1996/JYAISTHA 22, 1918

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[P. R. D. No. 161]

भाग IV PART IV

राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार
GOVERNMENT OF THE NATIONAL CAPITAL TERRITORY OF DELHI

राजस्व विभाग

अधिसूचना

दिल्ली, 12 जून, 1996

सं. फा. 22 (01)/चक्रवर्ती/95/210:—राष्ट्रीय राजधानी क्षेत्र दिल्ली के उपराज्यपाल दिल्ली में यथाप्रवृत्त पूर्वी पंजाब जोत (चक्रवर्ती तथा विखण्डन रोकथाम) अधिनियम, 1948 (पूर्वी पंजाब अधिनियम, 1948 का 50.) की धारा 46 के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए तथा सभी पूर्ववर्ती प्रकाशन व तदोपरान्त आपत्तियां एवं सुझावों पर विचार करने के पश्चात् दिल्ली जोत (चक्रवर्ती तथा विखण्डन रोकथाम) नियमावली, 1959 में पुनः संशोधन कर निम्न नियम बनाते हैं:—

नियमावली

संक्षिप्त शीर्षक तथा प्रारम्भ 1. (1) इन नियमों को दिल्ली जोत (चक्रवर्ती तथा विखण्डन रोकथाम) - संशोधन नियमावली, 1996 कहा जाये।

(2) ये सरकारी राजपत्र में प्रकाशन की तारीख से प्रभावी होंगे।

1455 DG/96

(1)

नियम 2 का संशोधन :—दिल्ली जोत (चक्रवर्ती तथा विखण्डन रोकथाम नियमावली, 1959) (यहां बाद में "प्रमुख नियमावली" के रूप में उल्लेखित) के नियम 2, (1) में उपनियम (1) के पश्चात् नये उपनियम (2), (3) और (4) जोड़े जाएंगे, और वर्तमान उपनियम (2) को पुनः क्रमांक, उपनियम 5 पढ़ा जायेगा, अर्थात्।

(2) "औद्योगिक भूखण्ड" का अर्थ है कि, अधिकतम 5 किलोवाट बिजली कनेक्शन सहित ग्रामीण एवम् कुटीर उद्योग के लिए प्रयुक्त भूखण्ड।

(3) "कायमी" का अर्थ है भूमि के विशेष भाग का आरक्षण जिस पर अधिनियम के धारा 14 के अधीन अधिसूचना की तिथि से पूर्व कोई ढांचा बना हो तथा ऐसे मामलों को जिनका चक्रवर्ती कार्यवाही, जिसका उल्लेख इस अधिसूचना के बाद में किया है के भाग के रूप में "कायमी" स्कीम के अन्तर्गत विनियमित करने का विचार किया जाएगा। जिसका उल्लेख नियम 6 के खण्ड "एल" के अन्तर्गत किया जाएगा।

(4) "मुजरई" का अर्थ है चक्रवर्ती योजना में यथा निर्धारित भूधारण अधिकार वाले भूमिधर, आसामी

Attested

सहायक निरीक्षक (प्रशासन)
भारत सरकार, प्रकाशन विभाग
सेविल लाइन्स, दिल्ली-54

11 किसी अन्य व्यक्ति तथा निकाय द्वारा का अनिवार्य रूप से अंशदान और (ii) उपनियम 5 के पश्चात् पुनः क्रमांक किये गये हैं इस प्रकार नया उपनियम-6 प्रविष्टि किये जायेगा।

(5) "ग्राम सलाहकार समिति" का अर्थ है, ग्राम समिति जहाँ भी यह नियमों में आता है।

नियम 4 का संशोधन (1) प्रमुख नियमावली के नियम 4 में वर्तमान उपनियम (2) के स्थात पर निम्नलिखित उपनियम प्रतिस्थापित किया जाएगा :—

(2) (क) ग्राम समिति में ऐसे सदस्यों की संख्या चकबन्दी अधिकारी द्वारा यथा निर्धारित 15 से कम और 25 से अधिक नहीं होगी तथा उनका चयन इसके मालिकों में से ही किया जाएगा।

(1) जिसकी आयु 21 वर्ष से कम न हो तथा,

(2) अनुसूचित जाति/जन जाति को पर्याप्त प्रतिनिधित्व देते हुए भूमि पर खेती करने वाले गीव के स्थाई निवासी हों तथा

(3) राष्ट्रीय राजधानी क्षेत्र दिल्ली के विभाग जैसे "टाऊन प्लानिंग", "विकास", "शिक्षा", "उद्योग", "जल आपूर्ति", "लोक निर्माण विभाग", "स्वास्थ्य", "दिल्ली नगर निगम", और "दिल्ली विद्युत प्रदाय संस्थान" के प्रतिनिधि।

(ख) खण्ड (क) के उपखण्ड 4 में संदर्भित सदस्यों से रूपरेखा की योजना तैयार करते समय उपयुक्त रूप से परामर्श किया जायेगा।

नियम 6 का संशोधन प्रमुख नियमावली के नियम 6 में (क) विद्यमान खण्ड (जे) को निम्न प्रकार से प्रतिस्थापित किया जायेगा :—

(जे) (1) जिस भूमिधर की भूमि विस्तारित आबादी में सम्मिलित की गयी है, उसे समर्पित की गयी भूमि के दो गुना मूल्य के बराबर कृषि भूमि दी जायेगी।

(2) जिस भूमिधर में विस्तारित आबादी क्षेत्र में भूखण्ड के आबंटन के लिए आवेदन किया है वह चकबन्दी के समय उसके बदले में भूखण्ड के आकार और अपनी पात्रता के अनुसार कृषि भूमि का दो गुना देगा।

(3) ग्राम के वैध निवासी को दिये जाने वाले आवासीय भूखण्ड का अधिकतम आकार 2 बीघा 8 बिस्वा होगा जिसमें "भूमिधर" अधिकतम 6 बिस्वा माफ का औद्योगिक भूखण्ड ले सकता है। ऐसे भूखण्डों का आबंटन लॉटरी द्वारा किया जाएगा।

(4) आवश्यकतानुसार अधिकतम सुजरई 2 बिस्वा प्रति बीघा की दर से काटी जाएगी (जिन गांवों में सामुदायिक सुविधायें प्रदान करने के लिए गांव सभा की पर्याप्त भूमि नहीं होगी)।

(5) औद्योगिक प्लॉटों के आबंटन न तो प्लॉटों का किसी प्रकार से स्थानान्तरण/बेच सकेंगे और न ही ऐसे प्लॉटों का किसी और प्रकार की भूमि के साथ समावेश करेंगे।

(ख) विद्यमान खण्ड (के) निरस्त किया जाएगा।

(ग) विद्यमान खण्ड (1) को पुनः क्रमांक खण्ड को (के) पढ़ा जायेगा।

(घ) इस प्रकार पुनः क्रमांकित खण्ड (के) के पश्चात् नवीन खण्ड (1) जोड़ा जायेगा अर्थात :—

(1) (क) कायमों के अन्तर्गत विनियमित करने के लिए उपयुक्त मामले निम्न प्रकार से होंगे :—

(1) आवासीय इकाइयां जिनका निर्माण अपने निजी उपयोग हेतु, ऐसे व्यक्ति विशेष द्वारा अपनी जोत पर किया गया है जो कि कम से कम 20 वर्ष से गांव में रह रहा हों, बशर्ते प्लॉट का आकार 1/2 एकड़ (2 बीघा तथा 8 बिस्वा) से अधिक न हों।

(2) दिल्ली नगर नियम द्वारा मान्यताप्राप्त आवासीय इकाइयां, जैसे फार्म हाउस जिनका निर्माण मान्यताप्राप्त बिल्डिंग प्लान के अनुसार किया गया है। मान्यताप्राप्त बिल्डिंग प्लान द्वारा किये गये निर्माण कार्य जिन्हें मालिक द्वारा, सक्षम अधिकारी द्वारा प्रदान किये जाने वाले वैध सम्पत्ति प्रमाण-पत्र के आधार पर स्थापित किये जायें।

(3) सरकार द्वारा अनुमोदित सुविधायें जैसे कि सड़कें, रेलवे लाइनें, विद्युत सब-स्टेशन, टेलीफोन एक्सचेंजों, बस स्टाप व स्कूल आदि तथा इसको ढांचे।

(4) वे ढांचे जो कि या तो सरकार द्वारा एलॉट की गयी भूमि अथवा अनुमोदित भूमि पर किसी स्कीम के अन्तर्गत जैसा कि 20 सूचीय कार्यक्रम के अन्तर्गत आबंटन अथवा किसी संस्थागत उद्देश्य के लिए आवंटित हों बशर्ते वह भूमि अथवा ढांचा उसी कार्य के लिए प्रयोग किया जा रहा हो जिस कार्य के लिए आवंटित किया गया था/अनुमोदित किया गया था और बशर्ते वह ढांचा संबंधित स्थानीय निकाय द्वारा अनुमोदित बिल्डिंग प्लान के अनुरूप हों।

(5) कोई अन्य ढांचा अथवा कामकलाप जैसे कि तल्लकूप निगरानी करने वाले स्टाफ और "कृषि" से संबंधित पशु जानवरों हेतु गौड़ जो कि दिल्ली भूमि सुधार अधिनियम 1954 (1954 का 8) परिभाषित हैं।

(6) दिल्ली भूमि सुधार अधिनियम (1954 का 2) धारा 3 की उपधारा 12 और 13 में परिभाषित तथा यथाव्यवस्थित के अनुसार व्यक्तिगत जोत में किये गये सुधार।

(7) व्यक्तिगत जोतों पर निर्मित ऐसी चार-दिवारी तथा वे बुनियादी ढांचे जो जन सुविधाओं के किसी प्रावधान या आधारभूत सुविधाओं में हस्तक्षेप न करें तथा बशर्ते

Attested

सहायक नियंत्रक (प्रशासन)

भारत सरकार, प्रकाशन विभाग

मिनिस्टर ऑफ़ हौसिंग, दिल्ली-54

कि चार दिवारी की उंचाई अपनी पूरी माप तक एक मीटर बाईस से मी. से ऊंची न हो।

(8) व्यक्तिगत जोतों पर मूर्तियां अथवा पूर्वजों के स्मारक जो कि नगण्य भूमि घेरते हैं तथा जो कि किसी अन्य व्यक्ति के मार्ग अधिकार एवं प्रयोग तथा अधिकार और शीर्षक में हस्तक्षेप न करते हों और इस संदर्भ में "नगण्य" का अर्थ होगा ऐसा क्षेत्रफल जो 41.8 वर्ग मीटर से अधिक न हो, यदि ऐसा है तो "कायमी" केवल 41.8 वर्ग क्षेत्रफल तक ही की जायेगी।

निम्न प्रकार के कसों को "कायमी" योग्य नहीं माना जाएगा:—

(1) (क) जो कि दिल्ली भूमि सुधार अधिनियम, 1954 (1954 का 8) के उपबन्धों का उल्लंघन करते हों।

(ख) जो कि लागू मास्टर प्लान का उल्लंघन करते हों।

(ग) जो कि सरकारी और गांव सभा की भूमि पर बतौर नाजायज रूप से हथियारे गये हों और अवैध कब्जे में हों।

(घ) जो कि विद्युत या जल जैसी सेवाओं पर अवांछनीय दबाव डालते हों।

(ङ) संबद्ध विधियों में परिभाषित तथा उपबन्धित पर्यावरणीय ह्रास या वायु, भूमि तथा जल प्रदूषण के निवारण की आवश्यकता के अनुरूप न हों।

(च) जो कि समुचित सरकारी, विभागा, (राजस्व) उद्योग आदि, अथवा स्थायी निकायों आदि की अनुमति के बिना अथवा लाइसेंस के हों।

(2) आवासीय इकाइयां जो सक्षम अधिकारी द्वारा अनुमोदित न हों अथवा ऐसे व्यक्ति द्वारा निर्मित हों जो कि न्यूनतम 20 वर्ष से गांव में निवास की शर्त पूरी न करता हो।

(3) ऐसे निर्माण कार्य जिन पर सिविल और फौजदारी तथा राजस्व अदालतों में कार्यवाही चल रही हो सिवाय वे रिहायशी इकाइयां जिनमें कि दिल्ली भूमि सुधार अधिनियम, 1954 (1954 का 8) तथा इसके अन्तर्गत बनाये गये नियमों के अनुसार "गैर कृषि" उपयोग न होता हो, "अदालती कार्यवाही" का अर्थ उस कार्यवाही से मान जायेगा जो कि सांविधिक निकायों जैसे दिल्ली विकास प्राधिकरण, दिल्ली नगर निगम, दिल्ली विद्युत प्रदाय संस्थान, एवं प्रदूषण नियंत्रण बोर्ड आदि निकायों की पहल पर चल रही हो।

(4) ऐसी अनाधिकृत कॉलोनियां जिसमें कि सरकारी निर्णय की प्रतीक्षा हो।

जबकि, एक निर्मित-ढांचा "कायमी" घोषित कर दिया गया है ऐसी "कायमी" निम्न शर्तों के अधीन की जायेगी।

1. "कायमी" घोषणा द्वारा लाभान्वित व्यक्ति सामान्य सुविधा व्यवस्थाओं के लिये योगदान देगा।

2. यह योगदान भूमि अथवा वित्तीय सहयोग के रूप में होगा।

3. भूमि सीमा निर्धारण व्यक्ति विशेष की वैयक्तिक जोत एवं उसका पारिवारिक जोत में हिस्सा आंक कर किया जाएगा।

4. जिस व्यक्ति के पास अभ्यर्पण हेतु डेढ़ गुना भूमि है वह उसे अभ्यर्पण करना होगा।

5. जहां कि डेढ़ गुना भूमि से कम हो ऐसे में उसे उपलब्ध भूमि का अभ्यर्पण तथा कायमी घोषित भूमि के मूल्य का दस प्रतिशत विकास-प्रभार के तौर पर देने होंगे।

6. जहां कोई भूमि उपलब्ध नहीं है वहां उसे कायमी घोषित की गयी भूमि के मूल्य का 20 प्रतिशत विकास-प्रभार के तौर पर देना होगा।

7. अभ्यर्पण के ऐसे मामले जिसमें व्यक्ति विशेष के पास न तो अभ्यर्पण के लिए भूमि है और न ही धन, ऐसे मामलों को चकबन्दी अधिकारी सचिव (राजस्व) के समक्ष प्रस्तुत करेगा जो कि मामले की परिस्थितियों को मद्देनजर रखते हुए सरकार से सिफारिश कर सकता है कि:—

(क) व्यक्ति विशेष को वित्तीय देयता से छूट दे दी जाये, अथवा

(ख) व्यक्ति विशेष को वित्तीय दायित्वों से आंशिक छूट दे दी जाये (यह छूट देय सीमा से 50 प्रतिशत से अधिक नहीं दी जायेगी, अथवा

(ग) व्यक्ति विशेष को अपने वित्तीय दायित्वों के उपमोचन के लिए युक्तियुक्त समय एवं युक्ति-संगत किशतों द्वारा भुगतान की अनुमति दे सकता है इन किशतों पर उसे भारतीय स्टेट बैंक की विद्यमान एक वर्ष से अधिक सीमा वाली जमा पूंजी योजना पर अधिसूचित लागू दर से व्याज का वहन करना होगा तथा जिसकी वसूली भू-राजस्व वकाया के रूप में की जायेगी।

राष्ट्रीय राजधानी क्षेत्र दिल्ली के उप-राज्यपाल के आदेश से तथा उनके नाम पर

मि. शं. पट्टनयक, सचिव (राजस्व)

Attested

सहायक नियंत्रक (राजस्व)

भरत सरकार, प्रकाशन विभाग

सिविल लाइन्स, दिल्ली-54

REVENUE DEPARTMENT

NOTIFICATION

Delhi, dated the 12th June, 1996

No. F. 22(01)|Consolidation|95|210.—In exercise of the powers conferred by section 46 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 (East Punjab Act 50 of 1948) as in force within the National Capital Territory of Delhi, the Lieutenant Governor of the National Capital Territory of Delhi, after previous publication and considering the objections and suggestions received thereon, hereby makes the following rules, further to amend the Delhi Holdings (Consolidation and Prevention of Fragmentation) Rules, 1959, namely :—

RULES

1. Short title and commencement.—(1) These rules may be called the Delhi Holdings (Consolidation and Prevention of Fragmentation) (Amendment) Rules, 1996.

(2) They shall come into force with effect from the date of their publication in the Official Gazette.

2. Amendment of rule.—In the Delhi Holdings (Consolidation and Prevention of Fragmentation) Rules, 1959 (hereinafter referred to as “the Principal Rules”), in rule 2, (i) after sub-rule (1) the following new sub-rules (2), (3) and (4) shall be inserted, and the existing sub-rule (2) shall be re-numbered as sub-rule (5), namely :—

(2) “industrial plot” means a plot used for village and cottage industry with power connection upto a maximum of 5 KW. ;

(3) “Kayami” means reservation of particular place of land on which some kind of structure exists prior to the date of notification under section 14 of the Act and the cases which should be considered for regularisation under the Scheme of ‘Kayami’ as a part of consolidation proceedings as enumerated in clause (1) of rule 6 ;

(4) “Muzarai” means essential contribution of land by the bhumidhar/assami or any other person or body having the tenancy right as provided in the Consolidation Scheme ; and (ii) after sub-rule (5) so re-numbered, The following new sub-rule (6) shall be inserted, namely :—

(5) “Village Advisory Committee” means village committee, wherever it occurs in the rules.”

3. Amendment of rule 4.—In rule 4 of the Principal Rules, for sub rule (2), the following sub-rules shall be substituted, namely :—

“(2) (a) The village committee shall consist of such number of members not less than fifteen and not more than twenty five as the

Consolidation Officer may determine and such members shall be chosen from amongst the owners who are—

(i) not less than twenty-one years of age ;

(ii) the permanent residents of the village carrying on cultivation therein, giving adequate representation to Scheduled Castes ;

(iii) representatives of Departments of the Government of the National Capital Territory of Delhi such as ‘Town Planning’, ‘Development’, ‘Education’, ‘Industries’, ‘Water Supply’, ‘Public Works Department’, ‘Health’, ‘Municipal Corporation of Delhi’ and ‘Delhi Electric Supply Undertaking ;

(b) The members referred to in sub-clause (iii) of clause (a) shall be suitably consulted while preparing the lay-out plan.”

4. Amendment of rule 6.—In rule 6 of the Principal Rules (a) for clause (j) the following clause shall be substituted, namely :—

“(j) (i) Bhumidhar whose land has been included in the extension of the village abadi may be given agricultural land worth two times the value of land surrendered.

(ii) Bhumidhar who has applied for allotment of plot in the extension of the village abadi shall surrender in exchange during consolidation two times the size of agricultural land subject to the size of plot and his eligibility.

(iii) The maximum size of a residential plot to be provided in the extension of the village abadi to a bonafide resident of the village shall be two bighas and eight biswas out of which the “bumidhar” can take industrial plot upto a maximum size of six biswas. Allotment of such plot shall be done through draw of lots.

(iv) Wherever necessary, the maximum “Muzarai” that may be deducted shall be two biswas per bigha only (when adequate gaon Sabha land is not available in the village for common purpose).

(v) The allottee of industrial plot shall neither transfer or sell the same in any manner nor shall amalgamate it with other land.”

Attested

सहायक नियंत्रक (प्रशासन)

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(b) Clause (k) shall be omitted;

(c) Clause (1) shall be re-lettered as clause (k);

(d) after clause (k) as so re-lettered the following clause (1) shall be inserted, namely:—

“(1) (A) cases fit for regularisation as ‘Kayami’ shall be as under :—

- (1) Residential units constructed for self-occupation, on the individual's own holding, by a person who has resided in the village for a period of at least twenty years, and subject to the condition that the size of the plot does not exceed the area of half an acre (2 bighas and 8 biswas).
- (2) Residential units approved by the Municipal Corporation of Delhi, such as farm houses, which have been constructed according to the approved building plan would, prima facie, be established by the owner having a valid completion certificate from the competent authority.
- (3) Facilities such as roads, railway lines, electric sub-stations, telephone exchanges, bus stops, schools, etc, approved by the Government and structures thereof.
- (4) Structures erected on land allotted by Government or approved by Government under any scheme such as the allotments under 20 point programme or for any institutional purposes :

Provided the land and/or structures are being used for the purposes for which allotment was made and/or approved granted :

Provided further that the structure is as per building plan approved by the concerned local body.

- (5) Any structure or activity (such as tube-well, sheds for watch and ward, staff or for domestic animal) related to ‘agriculture’ as defined in the Delhi Land Reforms Act 1954 (8 of 1954).
- (6) Improvements on the holdings of an individual as provided for, and defined, in sub-section (12) and (13) of section 3 of the Delhi Land Reforms Act 1954 (8 of 1954).
- (7) Boundary walls constructed on an individual's own holding which do not interfere in the provisions of any civic amenities or infrastructural facilities :

Provided that the height of the boundary wall does not exceed 1.22 metres throughout its length and breadth.

(8) Status or memorials of ancestors created in the holding or an individual which occupy a negligible area of land and do not interfere with the right of way, use or right and title of any other individual,

Note :—The expression ‘negligible’ used in this sub-clause shall mean an area not exceeding 41.8 Sq. metres and, if it does, Kayami shall be restricted to 41.8 Sq. metres.

(B) The following cases shall not be considered fit for “Kayami” :—

(1) Commercial structures in general and, particularly, the following :—

- (a) violations of provisions of the Delhi Land Reforms Act, 1954 (8 of 1954) ;
- (b) violation of Master Plan in force ;
- (c) encroachment and/or illegal occupation of government and gaon sabha lands ;
- (d) that impose unacceptable demands and pressures on services such as electricity or water ;
- (e) not conforming to the need to prevent environmental degradation, or pollution of air, land and water as defined and provided for in the relevant laws ; and
- (f) not in possession of a licence or permission from the appropriate Government Departments (Revenue, Industries etc.) or local bodies etc.

(2) Residential units not approved by the competent authority or constructed by an individual not fulfilling the condition of at least twenty years residence in the village.

(3) Constructions which are subject matter of proceedings in a civil, criminal or revenue court except residential units which, as per provisions of the Delhi Land Reforms Act, 1954 (8 of 1954) and the Rules framed thereunder itself do not constitute non-agricultural use of land and ‘proceedings in court’ include any ‘proceedings initiated by a statutory local or autonomous body such as the Delhi Development Authority, the Municipal Corporation of Delhi, the Delhi Electric Supply Undertaking, Pollution Control Board, etc.

(4) Unauthorised colonies which are subject to a decision of the Government.

(c) When a built up structure is declared as ‘Kayami’ such ‘Kayami’ shall be made subject to the following conditions :—

(i) An individual benefitting from a declaration of Kayami shall contribute to the provision of facilities for common purpose.

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 सहायक नियंत्रक (प्रशासन)
 भू रत सहायक, प्रकाशन विभाग
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- (ii) This contribution shall either be in the form of land surrendered by him or a financial contribution.
- (iii) To determine the extent of land an individual has, both his personal holdings and his share in the family holding may be taken into account.
- (iv) Where the individual has land available for surrender upto one and half times, he shall surrender the same.
- (v) Where land available is less than one and half times, he shall surrender the available land and ten percent of the value of the land declared Kayami, as development charges.
- (vi) Where no land is available he shall contribute twenty percent of the value of the land declared Kayami as development charges.
- (vii) Cases of exceptions i.e. individual who neither has land to surrender nor the ability to pay, shall be submitted by the Consolidation Officer to Secretary (Revenue), who, thereafter, keeping in mind the circumstances of the case, shall make

recommendation to the Government of the National Capital Territory of Delhi to :—

- (a) exempt the individual from any financial liability; or
- (b) partially exempt the individual from any financial liability (which exemption shall not exceed fifty percent of the financial liabilities other-wise due); or
- (c) permit the individual to discharge the unexempted financial liabilities over a reasonable period of time and in as many instalments as may be deemed fit. The instalments shall bear interest at the prevalent rate as notified by the State Bank of India for fixed deposit scheme exceeding one year and shall be recoverable as arrears of land revenue.

By order and in the name of the Lieutenant Governor of the National Capital Territory of Delhi.

G. S. PATNAYAK, Secy. (Revenue)

Attested

राहायक नियंत्रक (प्रशासन)

भरत सरकार, प्रकाशन विभाग
(सिविल लाइन्स, दिल्ली-54)

यक बन्दी का
नोटिफिकेशन

66 (3) 18/1-46

TO BE PUBLISHED IN PART IV OF DELHI GAZETTE EXTRAORDINARY
GOVT. OF THE NATIONAL CAPITAL TERRITORY OF DELHI
(REVENUE DEPARTMENT)

NOTIFICATION

No. 1470/50 92/93

Dated: 8/9/93

No. E.22(1)/Consolidation/85, with the subject of consolidating holdings in the under mentioned estates for the purpose of better cultivation of Lands therein and in exercise of the powers conferred by Sub-Section (1) of Section-14 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, (East Punjab Act No. 50 of 1948) as extended to the Union Territory of Delhi, the Lt. Governor of the National Capital Territory of Delhi is pleased to declare his intention to make a scheme for the Consolidation of the holdings On such as under:-

Sl.No.	Name of the Estate	Headband No.	Area in Acres	Tehsil	District
1.	Albar Pur Majra	03	743	Delhi	Delhi
2.	Buraidoli	157	779	Mehrauli	do.
3.	Qudai Pura	35	773	Mehrauli	do.
4.	Harevali	47	347	Delhi	do.
5.	Rachin Pura	96	741	Delhi	do.
6.	Bhargola	101	1524	Delhi	do.
7.	Kayliwala	115	2296	Hajafgarh	do.
8.	Dadpur	110	1545	Hajafgarh	do.
9.	Rasidheri	152	350	Mehrauli	do.
10.	Qulak Pura	01	525	Delhi	do.
11.	Raghupur	153	745	Mehrauli	do.
12.	Sultan Pur Dabai	34	1570	Delhi	do.

BY ORDER AND TO THE NAME OF
THE LT. GOVERNOR OF THE NATIONAL
CAPITAL TERRITORY OF DELHI

SD/-
(G.G. BARAPATRE)
UNDER SECRETARY (REVENUE)

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English Translation

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LAND CONSOLIDATION SCHEME (NO. 114) OF VILLAGE

KANJHAWALA (DELHI-81)

Scheme for Consolidation of Land Holdings of Village Kanjhawala was published under Notification No. 14/F-22/Consolidation/95/1470/SDM/93 dated 8.9.1993. The Village people were informed of it vide resolution letter No.1 and publicity made in the Village on 24.6.96 (copy of the same is enclosed). Notification No. 14(2)/Consolidation Act 1948 F-22(1)/Consolidation Act 1470/SDM/93 was Issued on 8.9.1993. The villagers were informed of it vide resolution letter No.2 and publicity made in the Village on 24.6.1996. (A copy of the same is enclosed). Shri Gian Chand Sharma, the land Consolidation Officer, came in the Village today (on 14.11.1996) and held a meeting at 11.30 a.m. in Campowali Chaupal which was attended by both the land-holders as well as the landless villagers. He outlined the scheme of land consolidation as following.

APPOINTMENT OF ADVISORY COMMITTEE:

A meeting of the villagers, vide resolution letter No.4 was held in the Campowali Chaupal on 6.7.1996. It was attended by one and all, the land-holders, the landless villagers and others also. An Advisory Committee was set up in the said meeting (a copy of the same is enclosed).

APPOINTMENT OF GUARDIAN VALIYAN SARPASTI/MINORS ETC.

The number of such cases as stated above is nil in this village, hence a resolution to the same effect was made at Sr. No.6 dated 13.7.1996 (a copy of the same effect is enclosed).

CONSOLIDATION SCHEM:

The total land area of Village Kanjhawala amounts to 10599 bighas 2 biswas. The land consolidation of this village was done far ago in the year 1951-

52 but at that time no demarcation of Phirni was made for the ever expanding population since then. No residential plots were allotted or distributed nor any provision was made for minor canals for the purpose of irrigating the agriculture land. Since then the Village population has increased manifold. A lot of land area has been acquired by the Government besides it, several departmental offices have come to function. Roads and drains etc. have been expanded and extended. For these reasons the surface of the land has substantially changed. At present the land distribution of the Village in various units, is as stated hereafter.

Delhi police Department 5-17, Delhi Electricity Board 59-14, Village ponds 233-18, unused water wells 2-3, Drains for rain water 58-19, minor canals for irrigation 21-2, extended Abadi of the village 203-17, Toilet (Gram Sabha) 1-12, Delhi Vakf Board Daryaganj (unused barrial ground) 0-10, Gair Mumkin cremation ground 13-15, for Hadwari (cattle crops enclosure) 2- 3, Roads under P.W.D. 193-10, Hospital under MCD 23-0, Irrigation Department 49-5, Drains for rain water 87-16, Haryana Shakti Sr. Sec. School 100-2, Other places of public utility 70-3, M.C.D. Primary School 10-18, Animal Husbandry Department 9-12, the total area thus covered under the above stated Departments and Institutions comes to 1146 bighas 6 biswas. The remaining area i.e. 9452-16, has to brought under the Consolidation operation.

VALUE-ASSESSMENT OF LAND !

After prolonged discussions and to the general agreement of all concerned, the land-holders, the landless villagers and the members of the Advisory Committee, decided to price the different categories of land of the value 16 annas, 14 annas and 12 annas. The land covered under the ponds has been assessed of

15/12
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151 160
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road measuring two to four gatha, beginning from Laadpur Village road and alongwith the village boundary, joining the Ghevra-Bawana road near the D.T.C Depot will be provided.

Provision for primary Schools both for boys and girls will be made by land allotting close to the Village in Khasra No. 67/19(2-7), 23/2(4-17) and 24/1(4-05). The Village pond, which lies alongwith the road on the eastern side of the Village, will be measured. Thereafter, part of it will be retained as pond and the rest will be tuned into a park. Burrial ground for the dead cattle will be shifted adjacent to the Village cremation ground. It will measure five blswas.

A bye-pass road of ten gatha width, will be built from Delhi Electricity Board Office to the B.D.O. Office. A piece of land measuring 6-01 in Khasra No. 33/11 is provided for the Village temple. The location of the Burrial ground (Kabristan) will be kept as it is.

A place of worship, having religious recognition lies on the Western side of the Village. It is known by the name Dandyar. A piece of land measuring 10 blswa will be allotted for its further development and a road of one gatha width leading to this place of worship will be provided for.

The two roads from Village kanjhawala, one leading to Village Madanpur and the other leading to Village Savada, are of two gatha width. It has been decided to increase their width to three gatha. The village Phirni will be of 6 gatha dimension.

THE GOVERNMENT LAND :

At present the area of the Central Government is

KAYAMI :

14/c
8/c
152
288
361
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62

Kayaml (Reservation) will be made as per the provisions of Rule 3 of Delhi Holdings (Consolidation and Prevention of Fragmentation)(Amendment) Rules, 1996 for Consolidation of Holdings in Village Kanjhawala Notification under Rule 17 of The East Punjab Holdings (Consolidation & Prevention of Fragmentation) Act, 1948 has already been Issued. From now onwards the rights of Bhumldhars shall cease. After allocating and for the use of Public Utility, the remaining land of the Gram Sabha will be used for the common roads and Path ways, and all the roads and Path ways shall belong to Gaon Sabha. The Villagers have been informed of it by way of beat of drum and copy has been affixed on Village Chopal. (A copy of the same is enclosed).

REPARTITION OF ROADS AND PHIRNI:

According to Rule-6 (1-V) of Delhi Holdings (Consolidation and Prevention of Fragmentation)(Amendment) Rules, 1996, a Bhumidhar shall be entitled to allotment of plot measuring 2 bighas and 8 biswas inside Phirni, which includes 6 biswas of land for industrial plot. If any person desires to get residential plot as well as industrial plot, he shall get a residential plot of 2 bighas and 2 biswas and industrial plot of 6 biswas. If any owner/right holder does not want to have industrial plot, he shall get residential plot of 2 bighas and 8 biswas. The land inside Phirni shall be assessed at 32 annas.

After discussions with Villagers, it was unanimously resolved that if the land of any Bhumidhar comes within Phirni, efforts will be made to exchange his irrigated land with the same kind of land.

DISTRIBUTION OF RESIDENTIAL PLOTS

On demand and desired by the land-holders, priority of allotting a residential plot, will be made to allot in the land where he holds/held his land within the Internal Phirni. If for any reason, it is not possible to allot a residential plot at the desired site, then as far as possible he will be allotted a plot within the internal Phirni as and where it is convenient and desirable for him. If a person has illegally built a house on Gram Sabha land or has made encroachment on it, then the aforesaid area of the house built/encroachment will be deducted from his demanded/allotted plot. If some plots are left after the whole distribution of all the plots, then such plots will be left to those who were the original land-holders of that land. If the plots are not distributed to the general agreement and mutual satisfaction of all concerned, then the plots will be distributed by draw of lotteries. Priority will be exercised, if possible, to allot all the plots close to each other, to members of the same family.

If it so happens that someone's tube-well falls in the plot allotted within the Internal Phirni, then he (the original owner) will continue to be its owner, and price adjusted/deducted from his share of plot. If someone's tube-well falls in another person's allotted land, then a path of one gatha leading to his tubewell will be provided for. The Gram Sabha will be the sole owner of the land area of such paths provided. If some trees/tree falls within the allotted land of consolidation, then the new owner will have to pay its price or else the previous owner will cut off it after the consolidation work is over.

The Village Phirni will be demarcated as according to the demand of the land holders. Main roads in the internal Phirni area will be of 3 gatha and the sub-roads of 2 gatha. All residential plots will be two-side open. On the front side these plots will have a road of 3 gatha and on back side 2 gatha.

DISTRIBUTION OF LAND OUTSIDE THE PHIRNI OF THE VILLAGE.

Consolidation of land in this village was made long ago in 1950-51. At that time no passages were provided from Chak to Chak. In the present consolidation operation, main passages from Chak to Chak will be of 2 gatha width and the sub-passages of 1 gatha width. After the consolidation of land if someone's tube-well is found possessed by some new land-holder, then the settlement of the same will be made between the old and new owners. Just boring of a tube-well will not qualify for an installed tube-well. The policy matter made with regard to tube-wells will equally hold good in case of trees also. In case of an unsettled dispute, the old owner, 15 days after the consolidation is over, will cut off his tree.

Chak to the tenure holder shall be allotted at first point. Efforts will be made to provide land at one point only. Variation of 5 Annas in repartition shall be meaningless.

GENERAL AND TRANSFERRED LAND:

Some of the land-holders have sold their land and new Colonies have settled over there. Such colonies will remain as it is, and whosoever occupies a piece of land there, will have the right of ownership of his purchased piece of land. However, in accordance with the revenue record, land sold for the settlement of colonies, will be deducted from his share of land elsewhere.

PARTITION OF JOINT LAND-HOLDINGS :

Those who hold till now joint land-holdings as in the revenue record, can with their mutual consent, get their joint holdings partitioned under different heads. A copy of the list of those who want their joint holdings is enclosed.

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LAND REVENUE:

It will continue as it is. There will be made no alteration in it.

EXCHANGE OF POSSESSION :

Immediately after consolidation proceedings, the possession of the land shall be exchanged. If, tenure holders and members of Advisory Committee agree that possession shall be exchanged after the proceedings under Section 21(1) of the Act, then a resolution will be passed in that regard to exchange the possession with their consent.

(GIAN CHAND SHARMA)
CONSOLIDATION OFFICER

Jan 1962
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Present : Mr. Anand Yadav, Adv., for petitioner
Mr. Rajesh Mahajan, Adv., for respondent/DJB
Ms. Avnish Ahlawat, Ms. Latika Choudhary, Advs.
for Respondents No. 1 to 3 & 5
Ms. Anuradha Thakur, Adv. for
Dr. Sarbjit Sharma, Adv. for MCD

+WP(C) 9410-13/2004

1. On 8.3.1993 consolidation proceedings were commenced in Village Kanjhawala. Scheme of consolidation was prepared. The village abadi was extended.
2. Grievance in the writ petition is that post consolidation no development work has been carried out. Roads, pathways and other passages which had to be maintained after construction/laying as per the scheme of consolidation were not laid or constructed. Street lights were not installed. Water supply was not augmented. In brief what the petitioner states is that no development whatsoever has been carried out. It is asserted that civic amenities have not been extended to the extent abadi and the existing facilities in the old abadi have gone for a toss due to non-maintenance.
2. The usual replies have come from the respondents.

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Counter affidavit filed by the Municipal Corporation of Delhi states that electrification, sewage and water supply does not pertain to MCD. Pertaining to roads, it is stated that a request has been sent to the Deputy Commissioner, North West to supply the details of roads/public passage/firni so that work can be carried out.

3. Response of the DJB is that the Revenue Authorities have not provided the Lal Dora extension certificates. In absence thereof DJB has not conducted a technical feasibility for laying water supply line. It is asserted that no villager has applied for a water connection.

4. Delhi has to be developed in terms of the provisios of the Delhi Development Act 1957 and the master plan framed thereunder. As a result of consolidation in a village, if the village abadi is extended as per the approved layout (masavi) development work has to be carried out.

5. Response of the respondents show that each one of them is passing the buck.

6. The various authorities providing civic amenities i.e. MCD, DJB and the company supplying electricity in the area have to sit together and coordinate their work. Since the various

8/4 56
departments are unable to coordinate and as a consequence development has not taken place in the village abadi of village Kanjhawala, a nodal officer needs to be appointed to monitor development.

7. Petition stands disposed of with a direction to the Chief Secretary, Government of NCT of Delhi to nominate an officer not below the rank of a Joint Secretary. The said officer would function as a Nodal Officer. He would coordinate the development work with all agencies i.e. MCD, DJB and company supplying electricity in the village Kanjhawale. Action plan would be chalked out by the Nodal Officer. Action plan would ensure that development work is completed within 18 months from today.

8. The Nodal Officer would receive, if any representations made to him by the villagers pertaining to the present order and it would be his duty and obligation to ensure that civic amenities are extended to the abadi of village Kanjhawala within the period of 18 months as afore-directed.

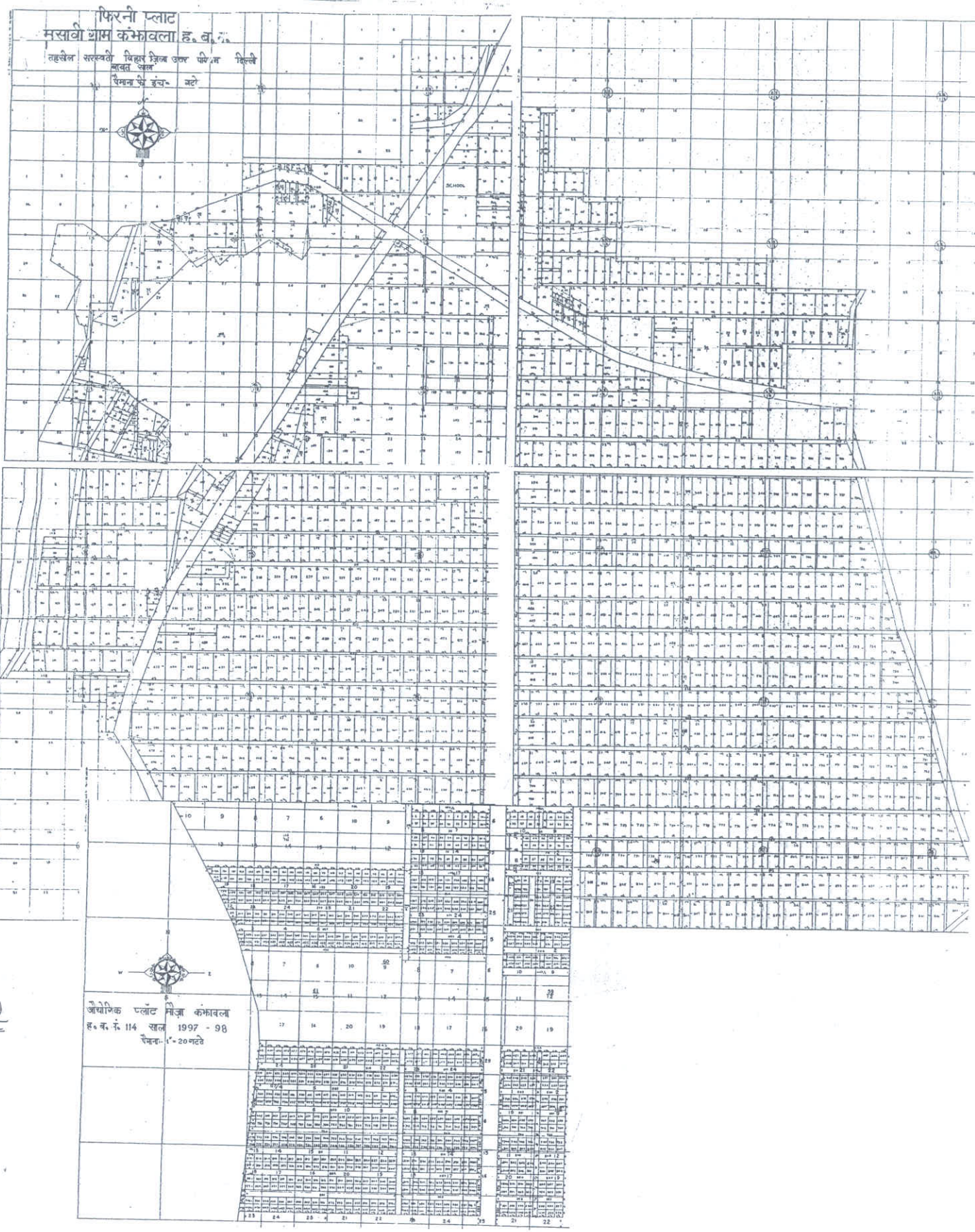
9. No costs. Dasti.

November 18, 2005
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Sd/-
Pradeep Nandrajog, J

TRUE COPY
EXAMINED





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