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Sent: 07 May 2012 19:13
To: dirap1@dda.org.in; dirplgmpr_tc@dda.org.in; Dydirplguc@Dda. In
Subject: Suggestions for Amendments in Master Plan for Delhi 2021

DERA MANDI GREENS WELFARE ASSOCIATION
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Date :7th May 2012

To:
 Lt. Governor of Delhi
 Delhi

Director (Plg.) MPR/TC,
 D.D.A. Vikas Minar N. DELHI-2
 Dy.No. 3306
 Dated 21/5/12

Subject : Suggestions for Amendments in Master Plan 2012 for Zone J, South Delhi

Removing arbitrary limitations on activities permitted in Regional Park para 9.6

Dear Sir,

In the detailed draft **Zonal Development Plan for Zone J (South Delhi II)** proposed land use plan, we find that the Village Mandi and Village Dera Mandi areas have been included in the Regional Park. The activities permitted in the Regional Park Table 9.4 under Para 9.6

GREEN BELT of the Draft Master Plan for Delhi 2021 is as under : "APPROVED FARM HOUSES SANCTIONED PRIOR TO 01.08.90 MAY CONTINUE".

SUGGESTION POINT 1: ALLOW ALL SANCTIONED PLAN FARMHOUSES TO BE REGULARIZED

1. The above stipulation in Table 9.4, par 9.6 of permitted activities to include only approved farmhouses sanctioned prior to 1st August 1990 is arbitrary and unjustified.
2. Many farmhouses have been duly approved and sanctioned by the Municipal Authorities after 1st August 1990 in areas which are now constituted by the Regional Park.
3. The Regularization Scheme of the MCD in 1999-2000 also included farmhouses, and approved farmhouses in the Regional Park which have been duly regularized by the MCD, by taking substantial charges on account of levy for additional FAR, compounding fee etc.
4. It is, therefore, completely unjustified and arbitrary to stipulate the date of 1st August 1990 as the cut-off date for regularization of approved farmhouses.
5. Therefore, the arbitrarily notified date restricting permitted activity in the Regional Park area even though there is approval of sanctioned plans should be removed entirely since plans have been sanctioned through a proper process and any farmhouses built which have approved plans should be regularized.
6. Activities permitted in Regional Park must include farmhouses - approved and sanctioned prior to the notification of the Master Plan for Delhi 2021. MCD cannot disown responsibility for Farmhouses or any other Construction sanctioned and approved by it.

SUGGESTION POINT 2: RATIONALIZE THE DEFINITION OF REGIONAL PARK ACCORDING TO PRIVATE AND PUBLIC OWNERSHIP USAGE AND INTENDED USAGE

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1. The definition of REGIONAL PARK appears to be arbitrary and meaningless. Other than "APPROVED FARM HOUSES SANCTIONED

PRIOR TO 01.08.90 MAY CONTINUE" the activities allowed under this head, as laid out in Table 9.4 are ---

Residential Flat (for watch & ward), Picnic Hut, Shooting Range, Zoological Garden, Bird Sanctuary, Botanical Garden, Local Government office, (Maintenance), Open Air Theatre, Police Post, Fire Post, Orchard, Plant Nursery and Forest.

2. All of these above listed activities are intended governmental activities or restricted activities and not meant for private land-owners for residence or agriculture. The Supreme Court has specifically disallowed in an earlier Judgment demarcating of Private Land for Public use without expressly acquiring the same. According to this Table 9.4, lands in Dera Mandi and Bhatti cannot be used for these purposes without the government acquiring these lands.

3. Is it the intention of the government to acquire private property falling under the Regional Park area under the guise of an arbitrary land-use of 'Regional Park'?

4. The Master Plan should be revised to include Dera Mandi and other areas covered in REGIONAL PARK to be amended to either:

- (a) GREEN BELT as it was under earlier Master Plan thereby allowing farmhouses on private farmlands, OR--
- (b) The area be completely merged with other Urbanization Schemes for the rest of the Agricultural Land in this area.
- (c) The definition of Regional Park as it stands should be abolished.

SUGGESTION POINT 3: REGULARIZE ALL EXISTING FARMHOUSES IN THE REGIONAL PARK AREA, & PROVIDE FACILITIES ON EQUITABLE BASIS OF TAX COLLECTION/REVENUE

1. The Dera Mandi area, the residents of which pay full property taxes and other dues on same lines as the rest of Agricultural areas of Delhi, has been totally ignored for the purposes of providing any facilities by PWD/ DDA/ MCD. Over the years there has been no progress in providing roads as provided for in the Master Plan no drainage, no Sewerage and no piped Water. Property owners here are paying taxes of A grade colonies and getting facilities of Z Grade colonies.

2. The Master plan must be revised to include specific Dates by when specific facilities should be provided for. In last 40 years not a single new road / drainage / sewage work has been done.

3. The implementation plan agreed to by implementing agencies must be included in Master Plan and these then held accountable in every way.

4. Regularize all existing farmhouses in the Regional Park area, Dera Mandi, Bhatti and other adjacent areas, whether sanctioned or not, and define specific covered areas allowed to be built on a farm in the MASTER PLAN. Many farmhouses are built in Agricultural Land beyond the Sanctioned area or built without Sanction. The government has, at various times thought of introducing an amnesty Scheme to regularize these. The Government bought out one such Amnesty Scheme in 1998 to regularize built areas upto 500 square meters. Many farmhouses could not apply for this scheme as the scheme was abruptly withdrawn and many more unsanctioned farmhouses have come up since then.

5. Our suggestion is that Master Plan should allow specific amount of Construction on each acre of Agricultural Land. This should be clearly stated and all future sanctions should be within these limits. All existing farmhouses should be allowed to get sanction for the same covered areas by paying a compounding fee / penalty. No separate Amnesty schemes would be needed.

6. The covered area to be allowed per acre should be maximum of 10% of Ground (land) area and 3 floors (ground plus 2), and basement as is normal. This will still leave 90% of the area green. The local authorities may then decide the rate of compounding fees for regularizing this on the basis of a notified schedule.

Thanking you,

Yours Truly,



Nalin K. Nirula

President, Dera Mandi Greens Welfare Association

Copy to:

Delhi Development Authority

Urban Development Ministry