



DELHI LOHA VYAPAR ASSOCIATION (REGD.)

A-68, Rajouri Garden, New Delhi - 110027

President
RAM KUMAR GUPTA
9313514141, 9310211444

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SATISH GARG
9811168980

Organising Secretary
RAJINDER GARG
9312914881, 9891407215

Treasurer
SUNIL KUMAR MITTAL
9810236575, 9310236575

The Director (Planning)
DDA, 5th Floor, Vikas Minar
I P Estate, New Delhi-02

Recd Central Dy. No 6
Dated 16/11/11
R&D Section, Vikas Minar
Delhi Development Authority
Denting Ass't

DATED :15-11-2011

OFFICE OF THE DIR (Plg.)
MPR/TC, D.D.A. N. DELHI-2
Dy.No. 781
Dated 16-11-11

Sub: Review of MPD-2021

Dear Sir,

With reference to your advertisement published in Times of India 4th Oct., 2011 on the subject stated above. In this regard our suggestions are as under for your kind consideration & necessary action:-

- In MPD-2021 under clause 15.6.2 it is stated as "Retail Shops of building materials timber, timber products (excluding furniture), marble, iron an steel, (gravel, cement and sand), firewood, coal and any fire hazardous and other bulky materials." (Copy Each)
- In addition to above in MPD-2021 under clause 18.1 under title "Trade & Commerce" the minimum period for completion the period of monitoring phase-1 year that is upto February 2008. (Copy Each)
- The Delhi Loha Vyapar Association had filed a Writ petition in the Hon'ble Supreme Court in response to the petition on behalf of DDA Mr. A. K. Jain the then commissioner of planning Vikas Minar, ITO, New Delhi-02 had accepted before the Hon'ble court that the business of Iron & Steel has been consider at the preparation of Master plan. However, still nothing seemed to have been done by the DDA & Government to fulfill their promises. The time provided for developing the Markets was 1 year from formal notification of MPD-2021 that is up to 7 February 2008. The commissioner planning of DDA also its affidavit before the Hon'ble Supreme Court had assured that such market would be developed in each zone of Delhi. (Copy Each)

In view of above it is suggested that provision of allocation of shops & space to the Iron & Steel traders should be taken up in priority basis, if it is not possible the traders should not be harassed & traders should be allowed to continue the work in their specific premises until the new arrangements of giving them shops & space promises would not be fulfill & their sealing shops should be de-seal at the earliest so that they can earn their livelihood for family.)

We shall be grateful if you kindly consider our suggestion & take necessary steps for benefit of Delhi Traders.

Thanking you
Truly Yours
(O.P.BAHL)
OFFICE SECY, DELHI LOHA VYAPAR ASSOCIATION (REGD)
ENCL: AS ABOVE

Signature of O.P. Bahl
15/11/2011

Signature of Jant
17/11
Signature of D.D.MPR
18/11
A.D. II MPR

provided for by local bodies, then, the mixed use premises should be approached from such service road and not directly from the main carriageway.

- iv. In plotted development, front setback should not have boundary wall, so that it can be used for additional parking.
- v. Parking @ 2.0 ECS per 100 sqm built up area shall be provided within the premises. Where this is not available, cost of development of parking, shall be payable by the plot allottee/owner to the local body concerned. This condition shall apply even if residential premises are used only for professional activity.
- vi. Common parking areas would be earmarked on notified mixed use streets taking into account the additional load on traffic and parking consequent upon notification of the street under Mixed Use Policy. If no parking space is available, land/plot on the said street may be made available by Traders association, wherever possible, or acquired for construction of parking facilities, preferably, multi level parking. Development of such parking facilities shall be done by either the traders Association or by local bodies and may include public-private partnership as model for implementation.

15.5 PERMISSIBLE AND NON-PERMISSIBLE USES

- ✓ Any trade or activity involving any kind of obnoxious, hazardous, inflammable, non-compatible and polluting substance or process shall not be permitted.

15.6 RETAIL SHOPS

15.6.1 i. Retail shops shall be permitted on plots abutting streets notified for mixed use only on the ground floor up to the maximum permissible ground floor coverage.

- ii. Shops operating from basement on such streets may continue, subject to relevant provisions of building bye laws, structural safety and fire safety clearance. However, if such use of basement leads to exceeding the permissible FAR on the plot, such FAR in excess shall be used, subject to payment of appropriate charges prescribed with the approval of Government.

15.6.2 The following activities shall not be allowed under Mixed Use:

- ✓ a) Retail shops of building materials timber, timber products (excluding furniture), marble, iron and steel, (gravel, cement and sand), firewood, coal and any fire hazardous and other bulky materials.
- b) Repair shops/workshops of automobiles, tyre resoling and re-treading, and battery charging
- c) Storage, go-down and warehousing.
- d) Junk shop (except paper and glass waste)
- e) Liquor shop
- f) Printing, dyeing and varnishing

iv) District office and battalion	No.	1 year	1 for each administrative Zone			
v) Police training institute/ college	City level	5 years	As per demand			
vi) Police firing range	City level	5 years	As per demand			
vii) Traffic and police control room	City level	5 years	As per demand			
e. Safety- Fire						
i) Fire station	No.	1 year	As per demand			
ii) Disaster Management Centre	No.	1 year	1 in each administrative Zone			
iii) Fire Training Institute	No.	1 year	City level (One site in Urban Extension)			
f. Socio-cultural facilities						
i) Multipurpose community hall	No.	5 years	As per residential development phase			
ii) Community Recreational Club	No.	5 years				
iii) Recreational Club	No.	5 years	9	3	6	18
iv) Socio Cultural Activities Centre	No.	5 years	43	17	30	90
v) Exhibition sites	No.	5 years	2 sites in Urban Extension			
g. Other community facilities						
i) Old Age Home	No.	5 years	9	3	6	18
ii) Working women hostels	No.	5 years	9	3	6	18
iii) Night Shelters	No.	5 years	9	3	6	18
iv) Care centre for mentally and physically challenged	No.	5 years	9	3	6	18
v) Adult Educational centres	No.	5 years	9	3	6	18
vi) Orphanage	No.	5 years	9	3	6	18
vii) Science Centre	No.		4	2	3	9
viii) Religious Premises						
At sub city level in urban extension	No.	10 years	5	2	2	9
i. Cremation grounds	No.	10 years	9	3	6	18
• Cemetery/burial grounds	No.	10 years	4	2	3	9
V. TRADE AND COMMERCE						
a. Metropolitan City Centre						
i.) Preparation of integrated schemes & specific projects	No.	5 years	1	-	1	2

PLAN REVIEW AND MONITORING

534

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

I.A. NO. 2066 OF 2007

IN

WRIT PETITION (C) NO. 4677 OF 1985

IN THE MATTER OF :

M.C. Mehta Petitioner

- Versus -

Union of India & Ors Respondent

IN THE MATTER OF :

Delhi Loha Vyapar Association (Regd.) Applicant

RESPONSE ON BEHALF OF DELHI DEVELOPMENT AUTHORITY:

I, A.K. Jain, Commissioner(Planning) Delhi Development Authority, Vikas Minar, ITO, New Delhi, do hereby solemnly affirm and state as under:-




1. That I am the Commissioner(Planning) Delhi Development Authority and am competent to sign and swear affidavits on behalf of Delhi Development Authority hereinafter referred to as 'the Authority in the matters concerning Development of Delhi according to Plan. I am conversant with the facts and circumstances in the above referred public interest matter filed on behalf of Delhi Loha Vyapar Association (Regd.).
2. That in the above petition no. I.A. 2066 the applicant association is alleging that the new Master Plan is totally silent about the spaces/land to be provided in Delhi for business of Iron and Steel. The allegation of the association are unfounded and erroneous.

3. That in reply to contention of the applicants about future needs of the traders of Iron & Steel and to developed markets for trade of Iron Steel, Building Materials in MPD-2021, it is respectfully submitted, that MPD-2021 has provided for the same in chapter 6 under the heading 'Wholesale Trade', for setting up of wholesale enterprises in Delhi. The MPD-2021 in chapter 6 has provided for various city level and wholesale markets in sub para 6.1.1, 6.1.2 and sub para 6.2. An extract of the chapter 6 of the MPD 2021 is annexure R/D/1 hereto.
4. The answering authority craves leave of the Hon'ble Court to refer to the provisions of MPD-2021. It is respectfully submitted that the MPD-2021 has taken into account the existing planned markets and warehousing developed earlier and has also stated about wholesale markets to be developed in Delhi. In the urban extensions, about 8-10 hectare of land for about 1 million populations should be provided for sub-city level markets. The different commodities to be provided at various locations should be decided at the time of preparation of schemes *by the implementing agency*. These markets shall have adequate parking, repair and servicing facilities. Land should be identified in each zone accordingly.
5. That it is respectfully submitted that the policies given in MPD-2021 are the broad frame work for future growth and development of the city which could be modified during the plan period depending on the changing needs of the society. The implementation of the Master Plan also depends on the various socio-economic and administrative factors which may change during the period of the Plan.
6. That the MPD-2021 has also provided for monitoring the frame work for the development as per proposal of MPD-2021 in the table 18.1 in the MPD-2021.
7. The applicant assertions regarding violation of their fundamental right is wrong and denied. The answering authority has not violated



fundamental right of the applicants in any manner. On the contrary their business of Steel & Iron has been considered at the preparation of the Master Plan. The MPD-2021 has specifically provided for applicants business under the chapter No. 6 'Wholesale Trade'. The business or commercial activity in the residential areas which is contrary to the provision of Master Plan MPD-2021 can not be permitted. It is wrong to allege that the person whose business, which is prohibited under Law, may be permitted to function from the present location.

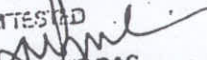
- 8. That the answering Authority is a statutory authority created under the act of Parliament, known as Delhi Development Act and is duty bound to act in accordance with law and enforce the proposals under MPD-2021. It is duty bound to act and implement in directions issued by this Hon'ble Court. In view of the provisions already made in MPD-2021 in chapter 6, the applicants are not entitled to any relief on the petition from this Hon'ble Court.


 DEPONENT
 Commissioner
 Delhi Development Authority

VERIFICATION

I, the abovenamed deponent do hereby solemnly affirm and verify that the contents of my above affidavit are true and correct within my information derived by me from the record of the Authority. Nothing material has been willfully concealed.

NOTARY
 REGD. NO. 915
 GOVT. OF INDIA
 SUPREME COURT

ATTESTED

 ADVOCATE
 NOTARY PUBLIC
 REGD. NO. 915
 GOVT. OF INDIA
 14, LAWYERS' CHAMBERS
 SUPREME COURT OF INDIA
 NEW DELHI

- 4 OCT 2007

Signed on this 4th day of October, 2007 at New Delhi



DEPONENT

Commissioner
 Delhi Development Authority

7
 who has Signed In my Presence

- 4 OCT 2007