

G-25 1876/10/5/2012
283

**LOK SABHA SECRETARIAT
COMMITTEE ON PETITIONS BRANCH**

Telegrams : LOKSABHA, NEW DELHI
FAX : 23010756

PARLIAMENT HOUSE ANNEXE
NEW DELHI-110001

No. 11/CPB/2012/R-223

Dated: 27 March 2012

OFFICE MEMORANDUM

Subject: Representation from Shri Pankaj Bhatnagar regarding modification in the Master Plan of Delhi in respect to Pardahbagh, Daryaganj, New Delhi.

The undersigned is directed to forward herewith a copy of the representation as received from Shri Pankaj Bhanagar dated 22 February 2012 on the above subject.

2. The Ministry of Urban Development is therefore requested to furnish their comments on the representation(both in Hindi & English versions) by **10 April 2012** to this Secretariat for consideration of Committee on Petitions, Lok Sabha.

Encl: As above.


**(MD. AFTAB ALAM)
DEPUTY SECRETARY
Tel: 23035337**

**Ministry of Urban Development,
(Dr. Sudhir Krishna- Secretary)
Government of India
Nirman Bhawan
New Delhi**

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A(UD)*

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21/4/12
18
24/3*

IB

PARDA BAGH (RESD.) WELFARE ASSOCIATION (REGD)
H.NO. 53 PARDA BAGH DARYA GANJ NEW DELHI-2

Dated: 22.2.2012

To,

Shri Anant Gangaram Geete
Chairman,
Committee on Petition
Lok Sabha, Parliament
New Delhi

SUBJECT MATTER OF THE PETITION

After 64 Years of Independence of India rights of the properties have not been conferred to the families who came from Pakistan after partition in 1948. A such colony established by the Ministry of Rehabilitation Govt of India in the area Parda Bagh in Darya Ganj in 1950 has not been shown in the Master Plan of Delhi as well as Zonal Plan of Zone A Walled City

In 1999 Ministry of Urban Development and DDA have issued directions in this regard to the MCD to make redevelopment plan of the area and confer ownership rights to the residents on the basis of one of the provision that is Minimum Displacement of Present Function and land use and direction was clear that all built up structure will be accommodated.

Ministry of urban Development has given so many reminders to the MCD on this matter, but MCD and DDA both are just sending letters to each others. There is no compliance to the directions of Ministry of Urban Development and Ministry of urban Development has not taken any action against MCD. Both DDA and MCD have done land use violations in the area Parda Bagh in Darya Ganj Delhi which is a cognizable offence as per section 29,34 of Delhi Development Act 1957.

The undersigned Petitioner filed objection to the DDA in regard to modification of the plan but that has not been considered/accepted.

As directed by chairman
forwarded to Dis (P 2080) under me
RS
28.2.12
93
28/2/12
23/2/12
Sh. Jai Singh Roy

FACTS OF THE CASE

1. PARDA BAGH REHABILITATION COLONY WAS established by Ministry of Rehabilitation Government of India in 1950. In this colony there are 50 houses. Copy of the allotment letter is enclosed as **Annexure-1 (pageNo. 10)**
2. In 1959 Ministry of Rehabilitation Government of India reduced the amount of the rent of the accommodations of Rehabilitation Colony because the residents were in very poor conditions. **Annexure- 2 (Page No. 11)**
3. In 1961 when 1st Master Plan of Delhi was prepared the land use of this colony was declared as green.
4. This colony was handed over to MCD for maintenance in 1964 by Ministry of Rehabilitation..
5. In 1979 MCD passed resolution allowing the residents to construct there own houses at the same place where this colony exists and same resolution was forwarded to DDA for changing the land use from green to residential. But DDA did not made any change in the plan. **(Annexure-3) Page No. 12-13**
6. In 1999 1st Zonal Development Plan of this area was passed by the DDA showing this whole area as a green (land use).
7. Residents of this area met the then Urban Development Minister Sh. Jagmohan and apprised him about the error. The Additional Commissioner (Engineering) MCD also sent a letter to DDA enclosing the copy of the resolution passed in 1979 demanding change of land use. The Minister gave directions to the Vice Chairman of the DDA to visit the site.

8. In the month of June the area was visited by the Vice Chairman of the DDA with the officers of Planning Department.
9. Documents were issued by the Ministry of Urban Development and DDA directing MCD to make redevelopment plan of this area accommodating existing residential structures. DDA in its report clearly stated that residential structures are in unorganized manner. MCD was also directed to make the vacant area green. **(Annexure 4 to 6) Page No. 14 to 16**
10. Urban Development Ministry Public Hearing was also issued directing MCD to make redevelopment plan of this area on the basis of Minimum Displacement of Present function of this area. **(Annexure 7) Page No. 17**
11. The Urban Development Minister in his letter has also stated that all built up structures will be accommodated in the redevelopment plan and matter has been resolved with the DDA. **Annexure-8 Page No. 18**

Both DDA and MCD have done land use violations in the area Parada Bagh in Darya Ganj New Delhi which is a cognizable offence

12. That in the 1975 Municipal Corporation of Delhi declared southern side of the Parada Bagh as a Mahavir Vatika and later on constructed one community centre over there. No approval was taken by the Municipal Corporation of Delhi from the Delhi Development Authority under section 13 of Delhi Development Act 1957. It is a clear violation of section 53 A of Delhi Development Act 1957. There is restriction of power of local authority as per

Delhi Development Act 1957. At the time of construction of community centre land was acquired from ladies restricted park. The Municipal Corporation Delhi has violated section 12 & section 14 of Delhi Development Act 1957.

13. That in the year 1976 The Delhi Development Authority allotted land to M/s Hem Gas Agency for commercial use. But when the land use is District Park how can land be allotted to Hem gas agency.
14. That after few years slum department of DDA has declared this area as a slum area without following the procedures and constructed one Slum community Centre here named as Parda Bagh community Centre. As per section 3 -of chapter -II of THE SLUM AREA (IMPROVEMENTAND, CLEARANCE) ACT 1956 declaration of slum area "(t) where the competent authority upon report from any of its officers or other information in its possession is satisfied as respects any area that the building in that area (a) are in any respect unfit for human habitation or (b) are by reason of dilapidation over crowding faulty arrangement of street lack of ventilation light of sanitation facilities or any combination of these factors are detrimental to safety-health or morals, it may be by notification in the official gazette declare such area to be a slum area." As a matter of fact there is no slum area here. DDA has not declared this area as a slum in official gazette. Delhi Development Authority transferred this community centre of slum department of Municipal Corporation of Delhi. The Petitioner is surprised that Delhi Development Authority has constructed one slum community centre in this area, but neither slum nor slum community centre is reflecting in the Zonal Development plan of the area. The slum department of Delhi Development Authority has not taken any approval before constructing slum community centre from it own planning department. Slum Department of Delhi Development Authority without

checking the status of Parda bagh Rehabilitation colony considered it as a slum and constructed slum community centre. Most of the displaced families are from West Pakistan and are of Punjabi Community. DDA slum wing has constructed one Punjabi Library here. Now no body knows Punjabi language. The library is use less and no body uses this library.

15. That in 1964 when this colony was handed over to the MCD for maintenance purpose then MCD illegally grabbed the land which was earlier a park for the children of Parda bagh rehabilitation colony. MCD has constructed offices, god owns, stores, and allowed the families of MCD employees to reside there. The most. Astonishing, negligent, corrupt, conduct of MCD proves - here that the employees living here have constructed temples for themselves.
16. That the Ministry of Personnel and Public Grievance has order Ministry of Home affair for vigilance enquiry against MCD for "illegal encroachment and unauthorized construction on Government land by MCD" Copy enclosed as **Annexure- 9 Page No. 19 to 20**
17. Ministry of Urban Development (Public Grievance) has send four reminders to the MCD on this issue but MCD has not taken any action. **Annexure-10 Page No. 21**.
18. DDA under RTI on 1.12.2005 replied to the undersigned petitioner that "Minimum Displacement of present function and land uses in the area". **Annexure-11 Page NO. 22**
19. DDA on 20.1.2006 replied under RTI appeal that land use of the area is green and the change of land use in the area can only be initiated on the basis of an approved scheme which is to be prepared by the MCD. **Annexure-12 Page No. 23**

20. That the Delhi Development Authority has not followed the basic procedure at the time of making of Zonal development plan of this area.

- (I) It is the requirement of Section 7 of Delhi Development Act 1957 that before preparing a master Plan and Zonal Development Plan a civic survey is required to be conducted by the DDA. DDA has not done any survey of this area so why a colony established in 1950 by Ministry of Rehabilitation has not been incorporated in the plan.
- (II) As per section 8 of Delhi Development Act 1957 the Zonal development Plan must have detailed information of the particular area. The whole area has been shown as district park on the contrary fact is this that in parda Bagh area there is one rehabilitation colony with 50 houses and a market with 46 shops. Delhi Development Authority has constructed one slum community centre by its slum department. Mahavir Vatika Community Centre. Hem gas agency whom allotment was made by the Delhi Development Authority. MCD has constructed illegal offices in this area.
- (III) As per section 4 of Delhi Development (Master Plan and Zonal Development Plan) Rules 1959 the draft master plan shall subject to the provisions of subsection (2) of section 7 of the Act consist of such maps, diagrams, charts, reports and other written matter of an explanatory or descriptive nature as pertain to the development of the whole or any part of Delhi. It is the legal requirement of section 7 of Master Plan Rule 1959 that a notice to and representation from local authority must be given. Here in this area local authority is Municipal Corporation Delhi. It is the legal requirement of Delhi Development Authority (Procedure for reference to the Central Government) Rules 1960 that before making any reference to the Central Government the Authority shall in respect of that area prepare a statement which shall contain information on the following matters:

(a) Description of the area.....

to

Terms and condition and the Authority shall consider the reply, if any of the local authority and make such modifications.

- (IV) As per section 10 (2) the Authority shall also give reasonable opportunities to every local authority within whole local limits any land touched by the plan is situated to make any representation with respect to the plan.

DDA has not followed the above mentioned provisions, and submitted wrong facts before the Central (Ministry of Urban Development). The Zonal Development Plan of Zone A approved declaring Parda Bagh as a whole district park with petrol pump only, but actual position is totally different.

21. That section 14 of Delhi Development Act 1957 states that: "After coming into operation of any of the plans, in a zone no person shall use or permit to be used any land or building in that zone otherwise than in conformity with such plan. (Provided that it shall be lawful to continue to use upon such terms and conditions as may be prescribed by regulations made in this behalf any land & building for the purpose and to the extent for and which it being used upon the date on which such plan comes into force."

The Parda Bagh Rehabilitation colony and 46 shops are existing In Parda Bagh area before coming into operation of 1st Master Plan in 1962. The colony and shops were established in this area in the year 1950.

The prohibition of user of land or building otherwise than in conformity with any of the plans in force is subject to the exception provided in proviso of section 14 of the Act. Misuse of land or building if continuing since before the coming into operation or any of the plan is

provided to be lawful upon such terms and conditions as may be prescribed by regulations and/or regulations as such have not been made by the Delhi Development Authority exercise of its power it cannot complaint against continuance of user of any land or building which is not in conformity with any of the plans even after coming into force. In M/s White Hill Vs. DDA & ors 30 (1986)DLT234, it was held that the respondent (DDA) itself is responsible for creating chaotic conditions for continued user of such buildings as envisaged in the proviso to section 14 of the Act. In this Parada Bagh no rule and regulations prescribed by the Delhi Development Authority in regard to this Parada Bagh Rehabilitation colony. When rights of the properties were conferred to the other rehabilitation colonies in Delhi then matter of Parada Bagh colony was not decided.

22. That when the DDA approved the draft of Zonal Development plan of Zone A Walled City vide Item No.95/2007 dated 30.10.2007 and in this draft zonal development plan whole area has again been shown as green. DDA has not considered the directions issued by its own office in 1999 about the land use of Parada Bagh. The Petitioner is surprised and hopeless in front of the adamant, illegal, unjustified attitude of the DDA that when DDA has already done modification to its earlier Zonal Development Plan of Zone A by issuing documents mentioned as per Annexure NO 4 to 8, then DDA has no reason to not to change the land use of Parada Bagh Rehabilitation colony. That the Petitioner has already filed objections to the draft Zonal development plan of ZONE A Walled City on 3.4.2008.
23. That the Zonal Development Plan of Walled City Zone A has now been approved by the Ministry of Urban Development by its notification No.K-12011/3/Zone-A/Walled City/ 2010/ DDIB/ dated 1.6.2010. In this plan whole Parada Bagh area has been shown as District Park. The objections filed by the Petitioner have not been considered.

24. That on 11.5.2010 the MCD has sent Plan to the DDA on the basis of directions issued by the Ministry of urban Development and DDA regarding change of land use of Parda Bagh Rehabilitation colony from green to residential and of Lehana Singh market from green to commercial. **Annexure-13 Page No. 24 to 27**

25. That the DDA on 30.5.2010 issued letter to MCD to give clarification of MCD stores, godowns. Mahavir Vatika Community center and schools. MCD has not given reply till date to the queries raised by the DDA. Then it has already been mentioned that DDA itself has illegally declared this area as slum area and constructed one slum community center in this area. DDA has also allotted land to Hem gas agency without making change of land use. Copy of the letter is annexed as **Annexure-14 Page No. 28 to 29**

DDA has also passed an order Under RTI Act 2005 on 22.11.2011 which indicates that MCD has not sent an reply to the DDA. Copy of the order is enclosed as **Annexure- 15 Page No. 30**

26. That the matter of conferring of ownership rights to the residents of Parda Bagh colony are pending because both DDA and MCD themselves have done land use violations in the area Parda bagh in Darya Ganj.

In the above facts and circumstances, you are humbly prayed to please direct the :

1. Ministry of Urban Development and DDA to make change of land use of Parda Bagh Rehabilitation colony in Darya Ganj from green to residential.
2. Direct MCD to confer ownership rights to the residents of Parda bagh colony in the sizes in which they are residing.

3. Direct Commissioner of MCD and Vice Chairman of the DDA to accord sanction of prosecution against the official of their own department who have done landuse violations in the area Parda bagh in Darya Ganj New Delhi.

Thanking you,

Yours faithfully,



(PANKAJ BHATNAGAR)

53.

1/0.

HOUSE BLDG. CONTROLLER, DELHI,

WAVELL CANTEN,

DELHI.

No. REC/283/60/50 Dt. 27.10.50

The Accommodation Officer,

Sub. Allotment of quarter at Parada Canton No. 53

Sh. Dina Nath son of _____
is a bonafide resident of E. Park Camp Colony.
He has paid advance rent for a tenement vide
receipt No. 283/60. Please allot one tenement
to the above mentioned person. Allottee is
required to present himself for taking possession
of the quarter within one week from the date
of receipt of this allotment order.

Sd. S. Trikha,

House Building Controller

Sd. Initialed.

Delhi

No.7(25)/58-HI
Government of India
Ministry of Rehabilitation

From

Shri H.S. Nair,
Under Secretary to the Govt. of India.

To

The Settlement Commissioner,
Government Building Property,
Jamnagar House, New Delhi.

New Delhi - 2, the 21 Jan. 59.

Subject:- Fixation of rent of tenements in Anguri Magha,
1880 Bagh, Pardah Bagh and Kotla Ferozshah.

Sir,

With reference to the correspondence resting with your U.O. No.SC/SP/ST/152 dated 5-9-58 on the subject noted above, I am directed to say that it has been decided to revise the rent of the tenements in the following colonies as shown against each.

<u>Name of Colony-</u>	<u>Present Rent</u>	<u>Rent now revised.</u>
1. Anguri Bagh	Rs.10/-	Rs.6.50 p.m. plus House R.
2. Pardah Bagh	Rs.10/-	Rs.7.50 p.m. -do-
3. Kotla Ferozshah	Rs.10/-	Rs.5.00 p.m. -do-

2. The revised rent will come into effect from 1st February, 1959 but the rent as now reduced should apply retrospectively from the date of occupation and the benefit of reduction given for recovery of arrears. In cases where adjustment has already been made at a higher rate from the compensation due to an occupant, such cases will not be re-opened; not will any refund be allowed.

Sd/- H.S. Nair,
Under Secretary to the Govt. of India
Office of the Regional Settlement Commissioner

JAMNAGAR HOUSE, NEW DELHI.

OF RESOLUTION NO. 863 (Item No. 621) dated 18.1.1978
the Standing Committee.

Item No. 621 :- Reconstruction of Quarters behind Red Fort
and near Pardah Bagh.

Commissioner's letter No. 6394/C&C dated 21.12.78

The Standing Committee vide its resolution No. 197 dated 5.10.77 referred the following resolution moved by Parkash Chand Jain to the Commissioner for a report:

"Whereas some residential quarters known as Gatta Orts. were constructed behind Red Fort by the Ministry of Rehabilitation.

Whereas a face similar Orts. were also constructed near Pardah Bagh by the aforesaid Ministry which are known as Pardah Bagh Orts.

Whereas now the quarters are under the control of the M.C.D. and their rent is being realized by the Lands & Estate Deptt. of the Corporation.

Whereas these quarters are not in good condition.

This meeting of the Stg. Committee therefore, resolves that double storeyed houses and single storeyed houses be constructed respectively behind Red Fort and near Pardah Bagh at the same places for the occupants of these quarters to make them live in healthier condition and good houses".

These quarters behind Red Fort and near Pardah Bagh were constructed by the Department of Rehabilitation, Govt. of India and were transferred to the M.C.D. in 1965. Since then license fee is being realized by the M.C.D. from the occupants. The land use of the land under these quarters as per Master Plan & Zonal Plan is green. The families are in the process of shifting. Some of them have already been shifted to Sun light colony.

The Hon'ble Rehabilitation Minister also paid visit alongwith the staff of the Ministry and the D.D.A. & desired a survey report from the Corporation. The same has already been sent to them vide letter No. CC/78/L&E-1712 dt. 14.3.78. As such the matter to provide good accommodation to the residents of the area in question is under the consideration of the Ministry of Rehabilitation and the D.D.A.

The matter may be placed before the Stg. Committee for information please.

Item No. 621

Resolved that the information contained in Commissioner's letter No. 6394/C&C dt. 21.12.78 regarding ~~reconstruction~~ re-construction of Orts. behind Red Fort and near Pardah Bagh be recorded.

Minutes of the Special Meeting of the Municipal Corpn. of Delhi held on Friday, the 19th. May, 1972 at 4.30P.M. in the Meeting Hall, T.H. Delhi.

Thereafter the resolution, as amended (reproduced below) was carried :-

Resolution No.52 "Whereas the Delhi Development Authority, has recently taken a commendable decision by excluding the Jhuggi Jhonpri area at "Majnu-Ka-Tila" from the 'Green Belt' of the Master Plan and declaring the same as a 'residential area;

Whereas a similar decision has also been taken in respect of the displaced persons colony near Kotla Feroze Shah; and

Whereas no such decision has so far been taken with regard to the rehabilitation colonies and the shops established at Angoori Bagh and Purdah Bagh since 1947 by changing land use thereof;

This Special Meeting of the Municipal Corporation of Delhi therefore recommends to the Delhi Development Authority that the residents of Angoori Bagh and Purdah Bagh Rehabilitation Colonies be also allowed the facilities of permanent settlement and build their own houses there by changing the land use in respect of these rehabilitation colonies and the shops as envisaged in the Master Plan so as to relieve them from the constant fear of uncertainty, for the last 25 years.

Resolved further that it be also recommended to the Delhi Development Authority that the residents of all other colonies including Bajit Nagar near Patel Nagar, Shanti Nagar, in Tri Nagar area Major Bhupinder Singh Nagar, Vishnu Garden Sham Nagar, Palam Colony etc. situated in the green belt be also allowed to build their houses on their respective plots by changing their land use from green to residential in the Master Plan.

Sd/-
Mpl. Secretary.

Mayor



GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT
DELHI DEVELOPMENT AUTHORITY
PLANNING WING, MONITORING UNIT
4TH FLOOR VIKAS MINAR
I.P. ESTATE, NEW DELHI
TELEPHONE NO: 3317951

No.: PJI (90)99 / Mont. /

Dated: 08-12-99

To:

Sh. HARDAYAL MEHENDRU,

PRESIDENT,

PARDA BAGH YOUTH WING,

M.N. 43, DARYA GANJ,

NEW DELHI - 110002

Subject: Request for conferring of ownership right, to the residents/shopkeepers of Parada Bagh, Darya Ganj, New Delhi - 110002.

Reference: Representation to the Minister of Urban Development in the Public hearing held on 26/11/99 at Sl. no. 61.

I am directed to forward herewith copies of letters indicating action taken so far by Planning Department, DDA on your representation. A copy of the same has already been forwarded to Minister of Urban Development through Director (PR), DDA. This is for your information and record please.

Encl. as above

Agarwal
8/12/99
(S. Agarwal)

Asst. Director (Monitoring)

Copy for information and necessary action to:

1. P.S. to Minister of Urban Development (without enclosure)
2. Director (PR), DDA

(S. Agarwal)



DELHI DEVELOPMENT AUTHORITY

VIKAS SADAN

विकास भवन

I. N. A.

NO.F.20(7)/99-MP/ 12

FROM : R.K.JAIN
JOINT DIRECTOR(MP)
TO

31 AUG 1999
NEW DELHI-110023

The Chairman,
Standing Committee of the Corporation,
MCD, Town Hall,
Delhi - 6

Sub.: Reg. land use of Pardah Bagh, Delhi.

Sir,

This is in continuation of this office letter of even no. dated 15.7.99 addressed to Additional Commissioner(Engg.), MCD, on the above cited subject. I am directed to enclose copy of the note regarding the Pardah Bagh in Walled City Area. As per provisions of the MCD-2001 and approved Zonal Development Plan of Zone 'A' no specific land use has been assigned for Walled City Shahajshahabad. Also in the policy of conservation and restoration, Pardah Bagh is not included. However, as part of the provisions of the Zonal Plan, one of the recommendations is to have minimum displacement of present functions and land use in the area. Based on this MCD may take up a Re-development Plan of Pardah Bagh Area in which the small and large vacant pockets could be retained as green.

Thanking You, .

Yours faithfully,

(R.K.JAIN)
JOINT DIRECTOR(MP)

Encl.: as above.

Copy to :

Commissioner, MCD, Town Hall, Delhi.

Adcl. Commr. (Engg.), MCD

Town Planner, MCD, Shahajshahabad, Delhi.

CCD to VC, DDA, with a request to consider the same for approval.

PS to MCD for information.

16


NOTE ON PARDAH BAGH IN WALLED CITY

Pardah Bagh, as the name implies, would have been a park/garden in the original plan of the Walled City of Shahjahanabad. In the approved sub-zonal plan of 'A-20', the area was designated as 'District Park' with a petrol pump on New Daryagunj Road.

In the month of June, 99, the area was visited by Vice-Chairman with officers of Planning Department. It was observed that presently on a street there are automobile repair and spareparts shops. In the Eastern side of these shops, there are some residential structures in an unorganised manner and also there are some small pockets of vacant areas/open spaces. A view was taken that the existing shops and residential structures may be allowed to continue with development of green pockets in Pardah Bagh area.

- In the Landuse Plan of Master Plan for Delhi-2001 (Special Area Plan), no specific landuses have been assigned in Walled City-Shahjahanabad. In the approved Zonal Plan of Zone 'A' (Walled City), as a follow-up of the Master Plan, no landuses have been assigned for entire Walled City. In the policy for conservation and restoration as part of the approved Zonal Plan, Pardah Bagh is not included in this category. As part of the provisions of Zonal Plan, one of the recommendations is 'Minimum displacement of present functions and landuses in the area'.

Based on the above, it can be suggested that MCD may take up a Redevelopment Plan of Pardah Bagh area within the overall framework of its 'City Area Policy'. The small and large vacant pockets could be retained as Green. In a meeting /discussion with Hon'ble Minister for Urban Affairs on Friday, 6.8.99 where Vice-Chairman, DDA was also present, it was desired by Hon'ble Minister that on the basis of a background note, he would ask Chairman, Standing Committee of MCD to adopt an appropriate Resolution on the subject with follow-up actions.


(SURENDRA SRIVASTAVA)
DIRECTOR (PLANNING) DDA

UNION'S PUBLIC HEARING & DATED 26-11-99

Sl. No. File No. Name of Applicant

Brief Complaint

Sent to

Remarks of the Minister

Status

1. 2. 3. 4. 5. 6. 7.

61 St. Fardayal Mahendru, Resident.

Letter No. P. A. V. W. 99/ dt. 26-11-99.

Request for conferring of ownership right to the Resident's Sookkeepers of Parda Bagh, Darya Ganj, New Delhi-62

Vice-Chairman, KDI DDA

As per provisions of the MPD-2001 and approved Zonal Development Plan of zone 'A', no specific land use has been assigned for walled city Soakjara-bad. Also in the policy of conservation and restoration, Parda Bagh is not included. However, as part of the provisions of the Zonal Plan, one of the recommendations is to have minimum displacement of present functions and land use in the area. The above facts have been conveyed by Master Plan Section to MCD vide letter dt. 31-8-89 (copy enclosed). Further action is to be taken by M.C.D.

ASST. DIRECTOR (C.P.)

JD. DIRECTOR (C.P.)

DIRECTOR (D.C.)

A.C. (P&S)

JAGMOHAN



18
The Minister
Urban Development
New Delhi - 110011

MINISTER
URBAN DEVELOPMENT
GOVERNMENT OF INDIA

DELHI - 110011
Dr. No. U.D.M./99/105/1

August 14, 1999

Dear Shri Shanti Desaiji,

Kindly refer to the correspondence resting with my letter of April 29, 1999 and subsequent discussion with you and the Delhi Development Authority regarding the position of Parda Bagh.

So far as the Delhi Development Authority is concerned, the problem has been resolved and Parda Bagh, which falls in the Walled City of Delhi, has been treated as an area where 'minimum displacement of present functions and land-uses has to occur'. Only open area will be used as green. Now the Corporation can draw proper layout/redevelopment plan under which the built up property can be accommodated. You may advise your Town Planner/Architect to take further necessary action in the matter at the earliest.

With kind regards,

Yours sincerely,

(JAGMOHAN)

Shri Shanti Desai
Chairman
Standing Committee
Municipal Corporation of Delhi
Town Hall
Delhi 110006

VIGILANCE MATTER
URGENT

No.350/5/2007-AVD.III
Government of India,
Ministry of Personnel, PG, and Pensions,
(Department of Personnel & Training)

North Block, New Delhi
Dated the 9th February, 2007.

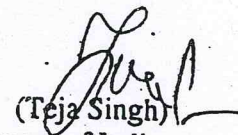
OFFICE MEMORANDUM 13 FEB 2007

Subject:- Illegal Encroachment and unauthorized construction on
Government land in Park by MCD.

The undersigned is directed to forward herewith a copy of the
letter dated 18.1.2007 received from Shri Pankaj Bhatnagar, H.No.53,
Parda Bagh, Darya Ganj, New Delhi, on the above subject.

2. The Ministry of Home Affairs is requested to take necessary
action in the matter.

Encl. As above.


(Teja Singh)
Under Secretary to the Government of India.

The Secretary,
Ministry of Home Affairs,
North Block,
New Delhi.

Copy to:-

✓ Shri Pankaj Bhatnagar, H.No. 53 Parda Bagh, Darya Ganj, New
Delhi for information.

SUBJECT MATTER OF THE GRIEVANCE

**ILLEGAL ENCROACHMENT AND UNAUTHORISED
CONSTRUCTION ON GOVT. LAND IN PARK BY MCD.**

CHIEF VIGILANCE OFFICER OF MCD IS NOT TAKING REQUIRED ACTION ON THE COMPLAINT FILED BY THE UNDERSIGNED BEFORE THE CENTRAL VIGILANCE COMMISSION AND SAME WAS FROWARDED TO MCD BY CVC. MCD ITSELF HAS DONE ILLEGAL ENCROCHMENT ON GOVT. LAND BY CONSTRUCTING OFFICES STORES GODOWN ON A LAND WHICH IS A PARK AS PER MASTER PLAN MEANS LAND USE IS GREEN. THE MCD PVT CONTRACTORS WITHOUT ANY APPROVED PLAN HAVE DONE CONSTRUCTIONS. THE LIFE OF SMALL CHILDREN IS IN DANGER BECAUSE HEAVY TRUCS OF MCD COMES IN RESIDENTIAL AREA FOR THROWING OF WASTE MATERIAL AND PARKING PURPOSE. THE MONEY, WHICH WAS TO BE USED FOR PUBLIC PRUPOSE, HAS BEEN MISUSED HERE FOR CONSTRUCTION OF STORES AND OFFICES. MCD HAS NO RECORD THAT WHO HAS SANCTIONED THE CONSTRUCTION PLAN AND WHOES MONEY WAS USED IN CONSTRUCTIONS. BOTH MCD PVT AND REGULAR EMPLOYEES ARE USING THIS LAND FOR STORE PUROSES. MCD HAS DONE COGNIZABLE OFFENCE AS PER SECTION 29 OF DELHI DEVELOPMENT ACT 1957. THE COMPLAINT MADE TO CENTRAL VIGILANCE COMMISSIONER WAS FORWARDED TO CVO MCD TO TAKE ACTION WITH THE REAMRKS THAT CENTRAL VIGILANCE COMMISSION DOES NOT EXPECT ANY REPLY FROM THE CVO MCD. IN THIS CASE CHAIRMAN PUBLIC GRIEVANCE COMMISSION MS. SHAILJA CHANDRA HAS ALREADY PASSED ORDER AGAINST MCD. THE UNDERSIGNED USED RTI-2005 AND FILED APPEAL BEFORE THE COMMISSIONER MCD AND APPRISED HIM ABOUT THE MAL ADMINISTRATION OF MCD BUT THE COMMISSIONER REFUSED TO TAKE ACTION ON THE GORUND THAT THROUGH RIGHT TO INFORMATION ACT 2005 VIGILANCE ENQUIRY CANNOT BE SOUGHT.

2

REMINDER
P.G. Case/ Immediate

No. A 46017/07/04-PG
Government of India
Ministry of Urban Development
(Shahari Vikas Mantralaya)
(Public Grievance Cell)

Nirman Bhavan, New Delhi - 110011
Dated: 26th June 2006

To

The Commissioner,
MCD,
Town Hall, New Delhi.

Subject: - Public Grievance case of Shri Pankaj Bhatnagar regarding
Redevelopment plan of Parada Bagh, Daryaganj.

Sir,

.. I am directed to refer to this Ministry's D.O. letter of even number dated 16/07/04 and subsequent reminders dated 19/08/04 and 28/10/04 regarding public grievance petition of Shri Pankaj Bhatnagar for redevelopment plan of Parada Bagh Colony and grant of ownership rights to residents/shopkeepers.

2. An interim reply was received from MCD vide letter No. TP/G/4155/04 dated 17/08/04 informing that the redevelopment plan of the area is in active consideration of MCD but the redevelopment plan of the area has not been finalized so far.

3. One more letter from the Directorate of Public Grievances with a copy of reminder from the aggrieved has been received in the Ministry (Copy enclosed). It may be noted that DPG has always been emphasizing the disposal of PG cases within a period of 2 months. This period of 2 months can understandably extend upto 3 or 4 months and not for years. Keeping this in view action in this regard may be taken at the earliest and a report be sent to the Ministry.

4. This issues with the approval of Deputy Secretary (PG).

Yours faithfully,

(R. K. Ahluwalia)

Section Officer (P. G.)

Ph: 23062010

Encl: As above

Encl: As above
26/6/06



No. PA/Dir.(AP) 1/05/P-550/0-436

From: R.K. Jain
Director (AP) I
PIO

दिनांक
Dated: 1-12-05.....200.....

To:
Sh. Pankaj Bhatnagar
H.No. 53 Parda Bagh
Darya Ganj, V
New Delhi

Sub: Regarding information of Parda Bagh I.D. no. 1424 dt. 14.11.05

Sir,

This has reference to your application received under RTI about status of Parda Bagh in the Zonal plan of zone A. The MPD-2001 stipulates that already approved sub-zonal (earlier named zonal plans) in conformity with the Master Plan shall continue to be operative. The zonal Plan for Walled city now proposed would supercede earlier prepared zonal plans.

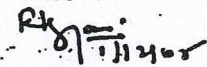
Further the sub-zonal plan recommendations as per para 3.2 are to be retained.

- Minimum displacement of present functions and land uses in the area.
- Weed out the noxious and nuisance industries and village like trades.
- Utilization of land occupied by evacuee properties.
- Development of different vehicular modes on identified routes with proper traffic Management.

Zonal plan of zone A document is available at the sale counter of DDA at Vikas Sadan.

Thanking you.

Yours faithfully,


(R.K. Jain)
Director (AP) I
PIO

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DELHI DEVELOPMENT AUTHORITY
AREA PLG. WING I

No. PA/DIR.(AP)/05/D- 8

20th
Dated: 18th January, 2006

From: I.P. PARATE
JT. DIRECTOR(PLG.)

To:

Sh. Pankaj Bhatnagar
House no.53, Parda Bagh
Darya Ganj
New Delhi

Subject: Regarding Appeal under I.D. no.1424 about the clarification for Parda Bagh area.

Sir,

This has reference to the appeal filed by you against application bearing I.D. no.1424 for which a reply was sent on 1.12.05. On behalf of Appellate Authority I am directed to inform you that provisions of the Zonal Plan of Zone 'A' have already been communicated to you. In the Zonal Plan of Zone A-20, Parda Bagh has been shown as '*District Park*' (Green). The change of land use in the area can only be initiated on the basis of an approved scheme which is to be prepared by the MCD.

Thanking you,

Yours faithfully, ...


(I.P. PARATE)

JT. DIRECTOR(PLG.)
For Appellate Authority

24

MUNICIPAL CORPORATION OF DELHI
(Architecture Department)

Tel: 23970020

No. D/ARCH/RTI/ 730

✓ Sh. Pankaj Bhatnagar
House no. 53, Parda Bagh,
Daryaganj, Delhi

Nigam Bhawan
Kashmere Gate
Delhi

Dated 17-9-10

Sub: I.D No. 160/ARCH dated 14/09/10 information under RTI Act 2005.

This office has received the above on dated 14/09/10.

Information required is: - Regarding redevelopment plan of Parda Bagh in
Daryaganj.

In this regard it is stated that this case is under process with CTP, and as soon as
the case is finalized the same will be conveyed to you. Copy of the same is enclosed
herewith for ready reference.

Chief Architect is the First Appellate Authority to whom an appeal can be made
within 30 days from the issue of this letter at 2nd floor Nigam Bhawan, Kashmere Gate,
Delhi-110006.

Encl.: As above

Copy to:-

Dy. T.P. (G)/PIO:

For information and necessary action.
(Reference I.D. No. 77 DTP (G))

APIO 17/9/10

NOTE ON REDEVELOPMENT PLAN OF PARDA BAGH IN DARYA GANJ

A Redevelopment plan of Parda bagh in Darya Ganj was sent by the office of DC (City Zone) MCD to DDA for change of land use vide dated 26.11.2009.

On dated 21.1.2010 Director (Plg.) AP-III has replied raising certain queries/clarification to facilitate the DDA to prepare the agenda for placing before the Technical Committee. Copy of the letter is placed at 1/C.

DC City Zone has sent a letter dated 07/04/10 that modify the plan by taking care of observation of ministry of Urban development. DC City Zone has also enclosed document issued by DDA and ministry of Urban development in regard to redevelopment plan of Parda bagh Dariganj. (Copy placed at 2/C).

Fact of the case are produced hereunder:-

M.C.D.

In the year 1999 the officers of Planning Department of DDA visited the area and issued certain directions to MCD in regard to making of redevelopment plan. There is one note prepared by the Director Planning DDA enclosed with the main letter. Copy placed at 3/C.

Contents of the note prepared by Director Planning DDA are reproduce hereunder:-

"In the month of June 99 the area was visited by the Vice Chairman with officers of Planning Department. It was observed that presently on a street there are automobile repair and spare parts shops. In the eastern side of these shops there are some residential structures in an unorganized manner a view was taken that the existing shops and residential structures may be allowed to continue with development of green pockets in Parda bagh area. In the land use plan of Master Plan for Delhi 2001 (special area Plan) no specific land use have been assigned in Walled City Shahajhanabad. In the approved Zonal Plan of Zone A (Walled City) as follow up of the Master plan no land uses have been assigned for entire walled city. In the policy for conservation and restoration as part of the approved Zonal Plan Parda bagh is not included in this category. As part of the provisions of Zonal Plan one of the recommendations is "MINIMUM DISPLACEMENT OF PRESENT FUNCTIONAL LAND USE". Based on the above it can be suggested that MCD may take up redevelopment plan of Parda bagh area within the overall framework of its City Area Policy. The small and large vacant pockets could be retained as green. In a meeting/discussion with the Hon.ble Minister of urban Affair on Friday 6.8.19 where Vice Chairman of the DA was also present, it was desired by Hon.ble Minister that on the basis of a

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background note he would ask chairman standing committee of MCD to adopt an appropriate resolution on the subject with follow up actions."

There is one Urban Development Ministry Public Hearing in which it has been stated that As per provisions of the MPD 2001 and approved Zonal Development Plan of Zone A no specific land use has been assigned for walled city shahjhanabad. Also in the policy of conservation and restoration Parada Bagh is not included. However as part of the provisions of the Zonal Plan one of the recommendations is to have minimum displacement of present function and land use in the area. The above facts have been conveyed by Master Plan section to MCD vide letter dated 31.8.1999 (Copy enclosed. Further action is to be taken by the MCD. (Copy placed at 4/C).

M.C.D.

The then Urban Development Minister in his letter dated August 14, 1999 has said that " so far the Delhi development Authority is concerned the problem has been resolved and Parada bagh which falls in the Walled City of Delhi has been treated as an area where Minimum displacement of present functions and land uses has to occur. Only open area will be used as green Now the corporation can draw proper layout/redevelopment plan under which the built up property can be accommodated. You may advise your town planner/Architect to taken further necessary action in the matter at the earliest. (Copy placed at 5/C).

In the above facts and circumstances a Plan table survey of area Parada bagh has been done by the Town Planning Department of MCD and a map was prepared in the year 2004.

In the Plan there are 46 shops which is known as Lehna singh Market and there are 50 houses which is a Rehabilitation colony named Parada Bagh Rehabilitation colony. The land use of Parada bagh Rehabilitation colony is required to be changed from green to Residential and Land use of Lehna Singh Market is required to be changed from Residential to Commercial as required by DC City Zone.

Facts for change of land use are produced in a tabular form:

Name of the area	Size of the area	Present land use	Land use required to be changed
Parada bagh Rehabilitation colony	Shown as red in attached plan.	Green	Residential
Lehna Singh Market	1 to 46 shops = 815.58 Square Yard	Green	Commercial

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Parda bagh Rehabilitation colony and Lehana Singh market are on Plan table survey map prepared by the Town Planning Department of MCD.

All the documents issued by the Ministry of Urban Development and DDA are placed in the file.

In the light of above facts and circumstances the file may please be sent to DDA for placing the case in DDA's technical committee for approval/change of land use.

Madan Anand
Architect

~~Chief Architect~~

Ref. above forwarding. Consent of Town Ship Dept may be taken as this is part of controlled area 1/8 and for which about 7/100 is carrying out survey/repair/redevelopment plan.

Sh
12/4

E.M.C

M.C.D.

Aditya (S.P.)

ert.

DIARCH/AN/90/1 27/
Dated: 13-4-90

RTI MATTER
SPEED POST

DELHI DEVELOPMENT AUTHORITY
AREA PLANNING UNIT II
4TH FLOOR, VIKAS MINAR, N.D.

NO: AP-II/RTI/DDA/10/59/D-121

Date: 6.7.2010

Sh. Parraj Bhafagar,
H.No. 53, Parca Bagh, Daryaganj,
NEW DELHI

Sub: Information under RTI Act, 2005.
Ref: Application I.D. No. 207/RTI/VN/DDA,
dt. 11.6.2010.

Sir,

This is with reference to your RTI application received in this office on 14.6.10.
In this regard it is to inform that the issue of Redevelopment of Parca Bagh was examined in the unit and it was observed that there were certain deficiencies/sheetteconings in the Scheme sent by MCD to DDA, for change of land use. Consequently a letter in this regard has been sent by Director(PLG.) AP-II on 31.5.2010 to MCD (copy of letter enclosed), requesting MCD to furnish the desired information/data so that the action could be taken in the matter. The reply from MCD is awaited.

Encl: As above.
161C

Yours faithfully,

n. h. h.
06/07/10
(K.A. MARIAN)
BY. DIRECTOR(PLG.) AP-II/PLO

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1814 291

DELHI DEVELOPMENT AUTHORITY
OFFICE OF DIR. (PLG.)AP-II
4TH FLOOR, VIKAS MINAR, NEW DELHI

F.3(02)2006/MP/D - 49

Dt. 31st May, 2010.

To

Chief Town Planner
Municipal Corpn. of Delhi
Town Hall
Delhi

Sub: Re-development plan of Parda Bagh : change of land use

This is in reference to your communication dated 11.5.2010 vide file no. 3787/DTP (s)/10/MCD regarding the above matter for consideration of change of land use. In this regard, I would like to draw your attention to our earlier communication F.3(02)2006/MP/d-8 dated 21.01.10 seeking certain information / clarifications on the quantum of land as well as extent of area required for conversion of land use.

As per the proposal shown in the plan, two pockets of area are demarcated indicating use under residential (i.e. rehabilitation colony) in one, while commercial (i.e. Lehna Singh Market) on the other. However, the plan also articulates certain other areas shown under MCD stores / godown, schools, Mahavir Vatika etc., which appears to be existing and not forming part of the present scheme. As far as MPD-2021 and Zonal Development Plan are concerned, all activities are in conflict with the land use i.e. "recreational".

The area u/r being a part of special area, the redevelopment scheme is required to be undertaken for the entire area of Parda Bagh as a part of Local Area Plan by the MCD within the framework of Master Plan. It is, therefore, suggested that a detailed layout / re-development scheme be prepared for the entire Parda Bagh area showing all existing use / structures duly superimposed on the survey plan, so that the requirement of change of land use can be ascertained in totality for the entire area. It is considered appropriate that the proposal for change of land use be pursued for the entire Parda Bagh area in one go, so to avoid any further reference on the said issue in future.

A copy of draft zonal plan of zone "A" (walled city) is enclosed, for the purpose of showing the proposed land use on the same with extent of area and quantum of land indicated therein.

Encl: as above

clerk
Director (Plg.)AP-II

Copy to:-

- 1) Commr. (MCD) for his kind information.
- 2) P.S. to Commr. (Plg.) for information of latter.

L.R.
Director (Plg.)AP-II

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RTI APPEAL
SPEED POST

DELHI DEVELOPMENT AUTHORITY
AREA PLANNING-II 4TH FLOOR,
VIKAS MINAR, NEW DELHI-110002.

No. PA/AR/II-RTI/2011/1011/D-57

Dt: 18.11.11
22.11.11

To

Sh. Pankaj Bhatnagar,
H.No.53, Parda Bagh,
Darya Ganj,
New Delhi.

Sub:- Appeal under RTI Act-2005.

This is with reference to your appeal as received on 8.11.11 with respect to the land-use of "Parda Bagh" from "Recreational" (District Park) to "Residential". In this regard PIO (Dy. Director, AP-II) vide his letter dt. 20.9.11 had furnished to you the desired information on the area under reference i.e. "Parda Bagh" based on the land-use prescribed in the MPD-62, MPD-2001 and MPD-2021.

It was clarified that the area under reference is under the jurisdiction of MCD. Thus the re-development scheme of the entire area of "Parda Bagh" is required to be undertaken by MCD.

Earlier a proposal (Plan) was received from MCD indicating only 2 pockets (1; Rehabilitation Colony (Residential) & (2) Lehna Singh Market (Commercial) for consideration of change of land-use. However, certain areas were not considered while those are shown existing. It was, therefore, clarified to MCD that a detailed layout plan/re-development scheme for the entire "Parda Bagh" area showing all the existing uses/structures based on latest survey be sent for consideration. However, till date no reply nor any revised plan has been received. Copy of this letter is enclosed for your reference and record.

With regards to the aspect of allotment of gas godown, the undersigned is not in a position to respond as allotment matters pertain to land branch. However, the copy of appeal is forwarded to Director(CL) to arrange to look into the issue.

Encl:- As above

(PARTHA DHAR)
Director (AP-II),
Appellate Authority.

Copy to:-

1. Director (Commercial Branch), Lands Department, A-Block, Vikas Sadan, INA, Delhi-110002 with the request to arrange to provide the information sought directly to the applicant.