

33

Screening Committee... 324
Item No. 88/2014

Subject: Minor Modification in the Lay Out Plan of WHS, Kirti Nagar.
File No: F.3(58)05/MP

Synopsis: This is regarding modification of the part lay out plan of WHS, Kirti Nagar in respect of Plot no. 1 and 57 at Block No. 1, which is required to be done as per allotment of Plots done by Lands Branch with different sizes.

1. **BACKGROUND:**

There have been two references from North Delhi Municipal Corporation asking for a modified lay out plan in respect of plot no. 1 & plot no. 57 in Block 1 WHS Kirti Nagar, respectively. As reported, NDMC was not able to sanction the building plan in respect of these plots as the plot size are not in accordance with the lay out plan supplied by the DDA.

1.1 **Plot no. 1:**

1.1.1 In this case, North Delhi Municipal Corporation vide its letter dated 5.3.12 has requested to furnish a copy of the modified Lay Out Plan in respect of Plot No. 1 which is reportedly not in conformity with the dimensions shown in the present available Plan sent by the DDA.

1.1.2 Further correspondence with the MCD reveals that the Lands Branch of DDA has disposed off this plot with different sizes than that of in the Lay Out Plan. Accordingly, the matter was taken up with the Lands Department vide this office letter of even no. dated 28.12.12 with the request to furnish all the details/files in respect of Plot no. 1 in order to examine as to whether the lay out plan requires any modification or not. However, no such details/files were sent by the Lands Branch in response to this office letter dated 28.12.12.

1.1.3 The Hon'ble High Court, under whom a Petition no. LPA 1099/2011 filed by the Metal Forgings Pvt. Ltd., the owner of the plot, was under consideration with regard to issue of composition fee, vide its order dated 30.4.14, directed DDA to also carry out necessary modification in the lay out plan and submit the same to North Delhi Municipal Corporation within four months.

1.1.4 The Lands Department has forwarded the relevant file along with copy of the Court Order for taking necessary action.

1.2 **Plot no. 57:**

1.2.1 In this case, North Delhi Municipal Corporation vide its letter dated 18.3.13 has brought to the notice of Planning Department about some discrepancies with regard to sub-division of plot no. 57 and with the request to clarify the same with reference to the Lay Out Plan. In response, the North Delhi Municipal Corporation was informed that as per the Lay Out Plan available in DDA, the plot consists of only one plot vide this office letter of even no. dated 29.5.13 with a copy to Dy. Director (LSB)-I for taking necessary action.

1.2.3 The Lahore Timbers Traders & Others, One of the sub-divided plot owner has filed an Execution Petition on 16th August, 2013 in the Hon'ble High Court of Sh. M.K. Gupta, ADJ, Tis Hazari, which was forwarded by the DD(IL) vide its letter dated 26.8.13 to this office for taking necessary action in this matter. In response, the Industrial Department, DDA was informed vide this office letter of even no. dated 24.9.13 that there is no information of any sub division of the plot no. 57 available in this office and requested to depute a responsible officer to attend the Court to explain as to how this plot was sub-divided. Lands Branch, however, sent entire set of files in respect of all the sub-divided plots bearing no. 57 on 23.5.14.

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1.2.4 The Hon'ble ADJ-V, Tis Hazari Court vide its order dated 19.7.2014 in case Ex. No. 34/13 has directed DDA to get modified Lay Out Plan approved from the Screening Committee and furnish a copy of the same to the MCD and the Hon'ble Court had adjourned the matter further to be heard on 31.10.2014.

2. EXAMINATION:

For Plot no. 1:

In the present lay out Plan, two plots were shown under plot no. 1, one numbered 1, and other numbered 1/A. As these two plots, as per the dimensions given in the plan were not available at site, these two plots have been converted into one which was taken by the M/s Meta Forging Pvt. Ltd in an Auction programme held by the Lands Department. As per the survey conducted by the land department in the year 1974 as well as the dimensions shown in lease agreement, this plot admeasures 2039.56 sq. yards.

In view of above, the modification required is to convert these two plots into one.

For Plot no. 57:

In the lay out plan, initially plot no. 57 admeasures 300 sq. yards. Subsequently, certain number of more plots were carved out by re-adjusting size of various plots. Resultantly, the plot no. 57 was available with more area, which was further sub-divided into 3 plots with the plot numbers 1/57, 1/57A, 1/57B measuring 329.68 sq yards, 300.60 sq yards and 300.19 sq yards respectively by Lands Branch, without effecting necessary changes in the Lay Out Plan.

Therefore, the modification involves to carve out 3 plots as per the dimensions given in the lease agreement in plot no. 57.

3. PROPOSAL:

In view of above, the part lay out plan in respect of plot no. 1 and 57 have been modified to the extent of making only one plot out of two plots in the first case which is numbered as plot no. 1 (Annexure : A) and making 3 plots out of one plot, which are numbered as 1/57, 1/57A & 1/57B (Annexure : B)

4. RECOMMENDATION:

The Modified part Lay Out Plan as referred to in para 3 above is placed before the Screening Committee for its consideration.

5. FOLLOW UP ACTION:

Copy of the approved Plan will be sent to the following for necessary action with the request to bring the matter before the Planning Department in case of any discrepancies with regard to lease agreement, the area available on the site ~~noticed~~, if noticed:

1. Lands Department, DDA.
2. The Architect, North Delhi Municipal Corporation.
3. Panel Lawyer for perusal of the Hon'ble Court.

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(Signature)
(A.k.Manna)
Director (P.L.) Zone C&G

(Signature)
(Rita Grover)
Asstt. Director (P.L.) Zone C&G

(Signature)
(Prem k. Bharti)
Asstt. Director (P.L.) Zone-G

HUPW-CO-ORDINATION UNIT

Approved in..... 324 Screening

Committee Meeting Dt. 2.9.14

Case no. 88:2014

(Signature) 2014