PROCEEDINGS

Panel Discussion - Local Area Plan and Housing Provision (Case Study of Ward 144), in the context of DDA housing Scheme 2010

20th December, 2010
Preface

In the fifth semester, third year, B.Planning programme, the studio is designed with a purpose for the students to understand the relationship between different levels of plans as well as preparation of area level plan.

The term ‘Local Area Plan’ (LAP) is introduced in the MPD 2021 as the plan of a Ward/SubZone to be prepared and approved by the concerned local body. The MCD has already initiated efforts for the preparation of the Local Area Plans as a pilot stage for thirty three wards as a pilot project. The pilot study is expected to provide feedback for LAPs to be prepared for all wards in Delhi. The context, contents and process of LAP preparation is still not completely defined. It therefore provided us an opportunity as an academic exercise to explore the concept of local area plan and examine implications of higher order plan at local level ‘ground realities’ with one of the objective to systematically examine the concept. This studio explored the question of expected outcomes from a Local Area Plan and process of preparation of LAP with the help of a case study.

Coincidentally, at the time students finished the studio, the Delhi Development Authority announced a Housing Scheme 2010 in November, which also included flats located in the case study ward. The details of these flats given in the brochure were at complete variance with the findings of the studio exercise related to housing. For housing, with the framework provided in the Master Plan and information available from the surveys, interviews and documents, the students concluded that there was no planned provision for EWS and LIG. This sharply contrasted with the DDA housing Scheme which was announced in November 2010. This was therefore seen as an opportunity for the students to explore this further.

It was therefore discussed and decided that a series of discussions be organised on the various aspects of the Local Area Plan with the first such discussion focussing on housing provision. Students through their presentation argued the mandatory provision of 35 percent EWS/LIG housing in group housing would be difficult to implement in their case study and posed this as a question for Panel Discussion.

The presentation and discussion was organised in three parts covering Master Plan level to the scheme level. The first part was to discuss master plan provisions for housing and Local Area Plan, second part intended to focus on the housing provisions in Zone F and Zone J as that was the context of the Ward 144 and finally to discuss the housing scheme of DDA for 2010 which included residential units which are part of the scheme falling in the case study ward. The discussion on housing scheme was to focus on the target group and environment clearances to the scheme in the context of earlier court case. The discussion on Zonal Plan provisions and specific environmental clearances for the flats which are part of the scheme could not happen as the concerned officials from the Delhi Development Authority and Delhi Pollution Control Committee were unable to attend the discussion.

I take this opportunity to thank all those who participated in the discussion, contributed to our learning through the field work, and hope the following document would be of use to the officials, local area residents and professionals. I appreciate the initiative students undertook in organising this discussion. I hope they would continue to pursue their questions till they find the answers and continue with such efforts in the future.

I would like to thank the Head of the Department and faculty of Department of Physical Planning for their encouragement in organising this discussion at a short notice. I would also like to thank the Director and Dean of Studies, School of Planning and Architecture for providing the support enabling us to present the work of the students.

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1.0 Introduction

The panel discussion started with Dr. Poonam Prakash introducing the panelists Sh. V.K. Bugga, Chief Town Planner, Municipal Corporation of Delhi who has been involved in Local Area Plan preparation efforts of 2005 and 2010, Sh. Sunil Mehra, Director, Delhi Urban Shelter Improvement Board, which was earlier slum wing DDA, for their views on Local Area Plan and EWS and LIG housing provision in MPD 2021, Ms. Gita Dewan Verma, planner, with a decade of intense professional involvement in and around the case study area, to talk in the context of DDA housing scheme, 2010. Dr. Prakash also introduced the faculty present, Dr. Mayank Mathur, Head of the Department, Dr. Mahavir, Professor of Planning Dr.R.Biswas, Associate Professor of Physical Planning, Sh. N.K.aggarwal, visiting faculty, Ms Sanjukta Bhaduri, Head of the Department of Urban Planning and Ms Chidamabra, Lecturer in Physical Planning.

In her introductory remarks she shared her increasing discomfort with the disconnect between reality of planning which is mostly post-facto regularisation and expectations and requirements of teaching planning. In doing this exercise of Local Area Plan, this discomfort surfaced sharply at the stage of proposals. This discussion is part of series to start a dialogue and explore some of these discomforts and address the questions raised by students.

Dr. Mayank Mathur, welcomed the students and guests. Interaction with professionals is an important part of learning process and this attempt to share the studio work on Local Area Plan is part of that process. The first such discussion would focus on housing provision.

2.0 Introduction to the Studio Exercise

Presentation of the students (enclosed as Annexure I) was initiated by Ms Harshita Jaypati who introduced the structure of the presentation, objectives and methodology of the studio and literature survey findings from the Town Planning Acts from different states. Continuing on the theme, Mr. Aaditya Ajith stated that in most of the Acts lower order plans were required to show details at the level of use premise. In Karnataka Town Planning Act and draft Bill for Kerala Town Planning Act, the term Local Area Plan is defined but it is of the level larger than a city including different municipalities and is different from the ward/subzone as a Local Area Plan mentioned in the MPD 2021. The students were unable to get any previously documented experience available on LAP at ward level in the Indian context.

In addition to understanding the definitions and planning process of lower order plans in different Acts, different aspects of Master Plan 2021 and their implications on preparation of local area plan were examined for the purpose of developing the contents of the Local Area Plan. The implications was studied for a) assessment of infrastructure because of enhancement of FAR, b) availability of land due to reduction in plot sizes of different types c) components of Delhi Master Plan that require detailing at LAP.
A comparison was also made of the scope of local area plans by studying Manual for Local Area Plan preparation prepared by the Delhi Development Authority, documents prepared for award of work for Local Area Plan by the Municipal Corporation of Delhi in 2005 and 2010 to help identify the contents of LAP. In addition a study was also conducted of the Master Plan and all the approved zonal plans to list all the components which are stated in these documents to be departed in Local Area Plans. The studio report provides a detail list of contents identified from these. Some of the areas for which no clear answers emerged from the documents were a) would LAP be a deficiencies mapping in the ward or planning proposal based on some perspective year and projected population b) How would the boundaries be delineated (eg metro influence zone, villages etc.) without the availability of detailed plot level data.

3.0 Case Study Area – Master Plan, Zonal Plan and Existing Situation

(Refer enclosed presentation)

The ward 144 lies in two zones; Zone F and Zone J. There are a mix of different typologies in the ward, unauthorized colonies, old settlements, planned settlements and farmhouses. There was some familiarity with the ward as in 2006 students had done some previous work in the context of the Arjun Camp court judgement and mix land use provisions.

In MPD 1962 this area was conceived as an highly eco-sensitive area and no development activity was permitted in the area but in MPD 2001 and MPD 2021 this area has been treated as just another area, where any development can take place and the environment aspect seems to have been disregarded. So, we can clearly see that this entire area has been left vacant there is no land use colour or development process in the area. A comparasion of the Master Plan Delhi -2021, the ZDP and the existing land use of the area shows a) most of the land is Government land (use undetermined) in Zone F, but in the existing situation this area is Mahipalpur area where high residential and with thick vegetation and the other part in Zone F in our Ward is Vasant Kunj residential pocket C8 and C9. In the lower part i.e. in zone J which is given as residential use in Zonal Development Plan, this is the area of thick vegetation and predominantly vacant land where DDA construction is going on right now and the part which is shown as the ridge area in the Zonal Plan, there exists ridge alongwith some of the Rangpuri villages which are pre-plan settlements. There is a small part of facility corridor porposed in Zonal Plan for Zone J that comes in the ward which is already an area of high commercial use.

Some of the basic issues in the ward include; highly commercial activity due to close proximity of NH-8. Ward boundary is difficult to determine on ground, it is not bound by any roads or anything, they have just drawn a line over there so we could not delineate the ward. A 30m road is proposed in the Zonal Plan of Zone J which crosses the existing developments and the ridge area. Pre-plan settlements are existing in the area shown as ridge. There are restrictions on development in the protected monument influence
zone, i.e., Sulatnagarhi Tomb in the area but development activities are going on around it.

When we tried to combine both the Zonal Development Plans of Zone F and Zone J we found that both of them do not match. We can see that the Mahipalpur-Mehrauli road bounding Zone F does not coincide with the same road shown in Zone J. There are also many data gaps in preparation of Local Area Plans. The main problem was availability of data on the population in the area. Data available from different sources, village residents, and electric connections and given survey showed large variations. There were non-conformities of land uses which can be seen. The SWOT analysis—Strength, Weakness, Opportunity and Threats of the area showed that, this area in close proximity to the airport acts as a weakness as ward comes under the funnel zone of airport and there is a high noise pollution in the area. Ridge acts as lung space which can be taken as strength of the area. High density development for future expansion is pulling pressure on the ridge. Sulatnagarhi Tomb has high tourism and recreational potential. Except for Vasant Kunj adequate facilities are unavailable in the case study ward. Poor water supply, residential character is hampered by presence of warehouses and other commercial infringement were some of the weakness. There are 63 ha of vacant land (including 40 ha of farmhouses which the MPD 2021 proposes for high density residential development) in the area which can cater to the existing inadequacies. There are two water bodies present in the area which can act as recreational spaces.

4.0 Housing analysis in Ward 144

i) Housing Provisions - MPD 2021

Mr. Rahul Sharma started with policy framework for shelter in the MPD 2021. The main goal of the Master Plan 2021 was “Shelter for All” by harnessing the potential of public private, corporate and household sector. Chapter 4 on Shelter also has an aim to ensure effective housing and shelter options for all the citizens “especially for vulnerable groups and the poor by creation of adequate housing stock in rental and ownership basis.” The policy for development of housing could act as a major tool in influencing the equity and efficiency in urban areas. This was the main provisions of MPD 2021 for housing development with respect to EWS/LIG’s allocation. It says that 25% of housing has to be EWS. In group housing there is mandatory provision of 35% of total DUs to be 2 rooms or less.

ii) Housing situation in Zone F with respect to ZDP 2001:

The zonal plan of Zone F - 2001 proposed an additional population of around 1 lakh therefore an estimated increase in housing of 5 lakhs. A community module has followed as given in MPD 2001 which says 25% to be EWS, 20% to be LIG and 55% to MIG & HIG. Housing provision was taken from the studio report of 2006 which is based on affidavit filed by DDA in court. It shows that there has been a 50% deficit in housing provision out of which 62% is in terms of EWS and LIG housing.
iii) Housing situation in Zone F according to ZDP 2021:

The existing population as taken from 2001 data is 17.17 lakh which has around 3.5 lakh households approximately. The housing situation given in the zonal plan states 40000 are EWS and Janta flats that in the existing housing stock as per the approved Zonal Development Plan of 2021. The EWS and Janta flats constitute only 11.6% of this total of 3.5 lakh of housing stock.

iv) Housing provision of Zone J as per approved ZDP-2021

The area of zone J is predominantly occupied by farmhouses. The development of residential areas is expected to provide dwellings for 4.5 lakh families of all income groups. The village abadi area and unauthorized colonies like sainik farms, sangam vihar, etc. would be dealt as per the statutory provisions and policy decisions. The urban renewal areas are to be identified for upgradation in the local area plan.

From the above, it can be seen that zonal plan for zone F and J provide very little additional details in terms of housing which could be carried forward while doing the preparation of local area plan.

v) Housing Schemes

Vasant Kunj Scheme

Approved housing layouts of the Vasant Kunj housing development scheme and Sultangarhi scheme were studied. The Vasant Kunj housing development was initially initiated with approximately 1 lakh of population, it was to follow division of HIG, MIG, and LIG on the basis of 2001 master plan i.e. 55%, 20% and 25% respectively. It was observed that there was surplus of HIG and MIG while LIG and EWS were in deficit in the Vasant Kunj scheme.

Sultangarhi Scheme

The Sultangarhi scheme is of 56ha of total land to be developed out of which 28 ha of land is around sultangarhi monument and out of this 28 ha, 11 ha is to be developed as residential. The land adjoining spinal injury hospital is 5 ha and while of the 5 ha is residential and land behind sector D6 of Vasant Kunj is 23 ha out of which 23 ha is residential. The flats in pocket D6 which is adjacent to our ward as a part of current housing scheme 2010, discussed later, cannot be seen as EWS/LIG provision. The construction of the flats in on-going area of the ward which is around 28 ha for which no details were available.

vi) Existing Housing Characteristics of Ward 144

Residential Land Use as shown in MPD and ZDP

Mr. Anurag Anand presented the existing residential characteristics of the Ward 144. In the ward 144, land use proposals in the MPD 2021 and Zonal Development Plan 2021 for residential are compared. In the Master Plan 2021 and the zonal plan the residential
densities have been given as 450 pph for only residential pocket. For the rest of the area the MPD does not state any residential density making it difficult to undertake a population and housing analysis of the area.

The residential land use shown in Zonal Plan is different from the residential use shown in the MDP 2021 for the area. Configuration of the residential use has also changed from the MPD to the ZDP. Also on one pocket of residential use shown in MPD 2021 for ward 144 is developed for recreational areas, education and research activities.

Existing residential characteristics

Existing estimated population of the area is 74000 persons, existing dwelling units are about 14000 and estimated residential area is 195ha. Five different Housing typologies found in the area are unauthorised colonies, villages, planned areas, farmhouses and old settlements. Estimated percentage of these are 37% dus in village, 39% in unauthorised colonies, 20% in planned DDA housing, 4% are pre-plan settlements and 40 dus are in farmhouses.

In response to a query regarding difference between plan and pre-plan settlements, the students explained that settlements which were before the 1962 plan are termed as pre-plan settlements. These settlements have not been included in the Plan. Continuing further with existing characteristics, Mr. Anurag Anand stated that there is no planned development for EWS and LIG in the ward. Unauthorised development also did not cater to EWS and LIG as the average plot size from the survey was 75 to 100 sq.m.

vii) Requirement for EWS and LIG housing for our ward

Total dwelling units in the ward at present are estimated to be around 14000 which would, if in order to maintain 45% of EWS and LIG need 18000 additional DUs for EWS and LIG. Total land available is 62 ha which includes farm houses and vacant areas. Assuming 60 percent of this to be developed as residential development (shown as residential in the ZDP), we could develop more houses for EWS and LIG. In this situation we can see that if all the land is developed for EWS and LIG houses only then provision of 45% EWS and LIG be met.

Under the DDA housing 2010, approximately 16000 new houses have been constructed for allotment in different parts of the city. In order to cater to all sections the units sizes range from 20-25 m to 160 sq.m. Table shows the distribution of housing all over Delhi. In Vassant Kunj area the mix of housing that is provided is one bed furnished houses room, two bed room, three bedroom houses. Pricing of three bed room flat is approximately similar to one room furnished apartment. With this the target group has been changed. Poor would unable to afford even the one room apartment. The table shows the typology wise requirement as per the Master Plan and the typology in the Scheme. It can be seen that there actually are no EWS and LIG present in Vasant Kunj as per the brochure.

From this certain conclusions can be drawn and questions which arise are,
5.0 Discussion

Sh. V.K. Bugga initiated the discussion by explaining the basic objective of Local Area Plan (LAP). The Master plan provides broad policies which are detailed out in the Zonal Development Plan but still it does not give a detailed enough programming which can be taken up at ground level. Earlier, the Master plan and ZDP proposals were difficult to implement on ground and hence a more detailed plan, i.e. a local area plan came into the master plan.

The pilot run of the LAP in 2005 was done to mainly see the reactions of the public. Those were LAPs taken in existing developed area where number of contradictions had come up from the Master Plans as well as the Zonal Plans. The idea was to highlight all those deficiencies and contradictions which the public staying there knows and is willing to come forward for some kind of compromise and improvements. We saw that people were willing for reforms.

Now that the area that you have chosen is partly built up and partly vacant and all along the National Highway it is the development of unauthorised colonies. You must have seen chain of hotels all along NH8 and guest houses, these are running there without any licenses but these have protection under the special laws. Hotels exist there due to the proximity of international airport. Similarly in unauthorised colonies and urban villages there are unsatisfactory living conditions. The residents are thriving on construction, reconstruction and all sorts of unauthorised construction in order to let out their properties and get the maximum out of it. Generally this is the trend all over Delhi.

In this particular area to the south of Mahipalpur and Rangpuri there are all farmhouses. The farmhouses there are in the form of colonies. It is a development which is difficult to change through a zonal plan or a Master Plan when it comes down to local area plan then we need to see whether the people who are already there, they are settled, in the form of farm house colonies, will let you change the character or not. Your proposal is to develop this into high density area so that you can adjust remaining population. There is a need to develop, whether we can actually do that is a big question mark. In the proposal as you are saying right from Brijwasan to NH2 crossing across NH8 the road shown in the Zonal Plan is only conceptual. Actual roads will be constructed after detailed surveys, whether one can really have these roads, its cost, and amount of land to be acquired and whether the people living there are willing.
People, who are staying in unauthorised colonies, already are availing the facilities. Nobody is coming forward for regularisation. We need to learn from what can not be done in future inspite of recommendations; though regularization is a compromise with the situation. Actually things happen because we are not the decision makers, we can only propose for certain things; decisions are most of the time not according to proposals of the planner.

Mr. Bugga further pointed out that today when we say urban what is urban. Are they really urban areas or are people staying like in rural areas. There is a contrast between people staying in south very close to DDA colonies and then you go to these unauthorised colonies. There is a great contrast.

Ms Verma responded that the unauthorised colonies are unplanned and they are allowed to come up in violation. She pointed out that in 1962, MPD did not identify this area as an eco-sensitive zone. It specifically designated it as an inviolable greenbelt. In the southward direction, they had clearly stated it was the water constraint. Those were not fuzzy environment terms of present like eco-sensitive but hard core water constraint. There is a big difference. These days environmental clearance is given on showing rain water harvesting structures, or STPs etc. We could not have got EC for this because the prohibition in the southward direction was because of the ridge river triangle. Mahipalpur is at the apex of the triangle and water comes up from the river and we are at the tail end. The same issue applies to Gurgaon, which was mentioned in the first NCR plan because they are on the tail end like wise, because this is on the high ground. We are looking at a very serious ground water issue here. If one is not getting river water, ground water will be tapped. The South Delhi’s ground water is replenished from the Ghitorni bowl. Let us bear in mind that there is no water.

Vasant Kunj started in 1986 in inviolable green is a fact that needed to be brought in the presentation. It was the first unauthorised colony of the area. The whole of sector D of Vasant Kunj becomes yellow later in the land use plan of MPD 2001. Before asking about other unauthorised colonies, we should ask the DDA, how did Vasant Kunj came up. There is no prior land use change, it was an illegal colony. If there were no Vasant Kunj, there would be no unauthorised colonies too. Let us get these facts very very clear, because there was no road, there was no development. It was a trigger. While we are looking at the prices of 2010 scheme, we need to look at the prices of first scheme, the Vasant Kunj scheme. That is the first trigger which opened up the market and opened up the ridge.

The first scheme in the area is not Vasant Kunj Scheme. The Land Acquisition for Airport Rehabilitation in 1986 with urgency clause used under section 17 was in1986. This advance acquisition was made in the name of rehabilitation twenty years before, for the requirement actually needed in while the whole of Vasant Kunj was developed. Acquisition was done in the name of rehabilitation for Nangal and whole of Vasant Kunj was developed till Andheria More.
That is where the story starts. The implications of such developments can be seen in CWGA notification. In 1998 the first CGWA notification nation wide, which is for normal stress, included Vasant Kunj. CGWA identified critical ground water areas in the national list of 1998 and 99. There were salinity and contamination issues. There are only three areas which are of normal stress, Gurgaon, South Delhi and South-West Delhi i.e. Vasant Kunj. DDA starts Vasant Kunj, it triggers all these developments and there is a ground water crisis. We are looking at an environmental catastrophe. Hence, it is not in public interest to take the plea to develop the so called ‘bechare’ unauthorized colonies. It is dangerous to take this plea in this critical ground water area. She cautioned that any plan that does not start with the breach of carrying capacity that has already occurred is failing any planning objective and any planning ethic.

Problem is that there is no water and Ghittorni has dried up which is going to have an impact all over. This scheme in which prices are between 34 and 35 lakh will not benefit DDA so much because they have very few flats but it has pegged the market rate. Tomorrow the whole market would be at this rate. That is where the real danger is. We are now playing a fraudulent market and creating an environment catastrophe. We all need to understand what we are doing.

When we talk development, land is defined along with the resource underneath it. The ground water is part of your land resource. The Delhi Development Act is not for our notions of what level of plan it should be. It is for equitable development. Higher order plans are allocational as per Section 7 and 8 of the Act. Section 7 of the Act is the Master Plan, it is purely an allocational mandate. You are allocating between use zones and between users. This has to be the framework for the zonal plan. So zonal plan has a limited task. You have to detail out within the framework of the Master Plan. So you keep doing it. If it did not happen in zonal plan, it has to happen in lower order plan.

But we are looking at allocation and allocation of land and water both. So if one has depleted the water then one has to understand what you do with the land. In other places planning approach is based on the premise of shortage of land but in this area there is no shortage of land but there is shortage of water so the planning approach has to be different. In this area therefore talking of tight layouts small plot sizes, small unit sizes, you are doing a gross error in planning. Because all those solutions are coming to you from areas in Delhi which are short of land.

About the problem of area and population mentioned by students, she suggested that, if it is taken back a step backward to zonal plans, add all the areas and population of the zonal plans, these do not match with the master plan area and population for Delhi. One can actually do away with two zonal plans because the population has exceeded. Master Plan has said 230 lakh and all these zonal plans which are out except Zone D are already 10 lakh over. This means that one does not have to propose any development in Zone J. taking this argument one step further and could say because
there is a water constraint why do we not declare this zone a no development zone altogether.

Mr. Bugga informed that DDA is going to do that. To which Ms Verma responds that this would be done after they have regularised the big people. This is called stealing. The students have raised a housing issue. I am saying that EWS housing provision in the Local Area Plan cannot be solved in this manner. The justification for not doing low income housing in Vasant Kunj was because it was an undulating terrain as per their affidavit in court and the costs were high. Had there been no Vasant Kunj then there was to be no high costs. But that has become a justification for doing an illegal development and then illegally not doing an EWS. At that time we were to do a 25% of the community module which was of one lakh. 5000 units should have been made at that time for EWS and LIG which were not made.

For the very pretext of undulating terrain the area was a no development zone in 1962. But Vasant Kunj was developed and then farmhouses came up and then the committee for unauthorized colonies of affluent farmhouses is set up. Imagine a committee that sits for the unauthorised farmhouses and unauthorised colonies for the affluent only and have decided various things for the benefit of these people. Once those benefits have accrued under the special laws and all after that it would be again said that it is no development and can not be given to the poor. This is cheating and fraud repeatedly.

We must therefore not lose sight of the facts. There is the Master Plan under section 10 in 1962, which states a clearly inviolable green and Government Use (use undetermined). There were only these two uses under section 10. Section 10 uses are based on the surveys. That was in 1962. Now J Zone plan has come out in section 10 in 2010 and there was a draft plan in 2008. Between that there is nothing under section 10 there is nothing which has been planned.

For 40 years this whole area has grown unplanned, so you are doing a retro-plan. That retro-plan should have but has not happened in the zonal plan. So now you want to take it up at the so called local area plan but we do not even know what that is. She stated that she will not talk about local area plan because as far as I am concerned there is nothing like a local area plan. It seems a big drama. However, all this do not lose sight of the histroy because the EWS problem is here. The settlements that you are talking pre-plan, the very fact that they continue to be called that is a proof that they are older than the DDA. The ridge painting has happened over them. One of us has painted ridge over an existing habitation. These are all mistakes that we have to rectify.

Dr. Prakash added that one of the Major problems faced were the variations between the MPD and ZDP and also between the ZDP and the existing scenario. Mahipalpur is not mentioned in the list of villages in ZDP. Also it is shown as Government Use undetermined.

| Presence of unauthorised colonies, guest houses, commercialisation in the area can be traced back to development of Vasant Kunj (without any change of land |
use in the Master Plan) which acted as a trigger for further development leading to the acute water crisis.

MPD Provision of EWS/LIG was not made in the area with the justification of undulating terrain and high costs however, it is used as justification for further illegal development. There have been mistakes requiring rectification which shows ridge over the pre-plan settlements but the same ridge seems to end abruptly where the DDA flats are constructed.

Zonal plans were prepared for the purpose of housing provision. She further posed a question that - How can housing provision be translated at LAP level if all the schemes are already being built, these are city wide schemes, how can local residents needs be built into LAP in a planned manner.

Mr. Bugga informed that J Zone is going to have sector plans. In a court case the DDA filed an affidavit in a case where an individual owning a land in J zone has asked permission for residential development, since in Zone J his area is shown as yellow i.e. residential.

On clarification about sector plans and LAPs, Mr. Bugga said that after preparation, sector plans would come to the MCD. Ms. Verma further clarified that they have the zonal plans state that development is not automatically opening anything out. And as of now there is no provision of the third plan in the law. The law has to be amended first. There is only Master Plan and Zonal Plan. Then it moves out of chapter 3 of the DD Act. If the VC wants to do it at his own responsibility he can do it through committees but as of today there is no third plan in the law. Mr. Bugga agreed that, it is not in the law as of now.

Ms. Verma then stated that a big discourse has been opened about something that is not a law. There is constant undermining of the Master Plan. It appears that we are using this LAP and sector plan to push some hidden agenda of not doing master plan and zonal plan. There has been no discourse on this and serious debate. She said that she is openly prepared to debate alone that framework based planning of DD Act is very sound.

Mr. Mehra lamented that the Master Plan is not coming in the right form that we actually require. If the form is so good by the DDA section 3 or so why are the unauthorised developments happening. Nothing is getting implemented. There is so much happening over which planners have no control. There is so much corruption.

Ms Verma responded that is because section 34 and 31 of the DD Act are not being implemented. There is a planning chapter which the planners have to deal with. That is a very robust chapter. What happens in violation of the plan has to be dealt with the implementing mechanism. One has to take action against unplanned development and one has to take action against violations. Why do you punish people in classroom who are mischievous. Let us not do it. Let us start participatory planning from here.
Mr. Bugga also affirmed that Section 29 of the DD Act does not permit any unauthorised development. There are many such provisions. The court said to implement section 29 in case of unauthorised colonies. Ms Verma agreed that there are many good provisos but even the MCD does not have 34A officers designated. This was brought out in case of TVB School.

The court reads the law and tells us. Till the time penal provisions are there, we are doing proactive planning. Can we say, pro active planning will not be done because penal provisions are not being implemented? Because the nation is corrupt? There is a law which is working and till we do not have an alternative we should concentrate on this and see what we can do and be part of the solution rather than whining about the problem which actually does not exist. When we as professionals start participating in such a discourse, only then it becomes reality. If only the politicians were saying that let us regularise then it could not have happened. We are the ones who have given technical support to them that they have been able to do this. When they are able to get us to say it that reforms are needed and the DD Act needs to be thrown out then they win.

There are enforcement and penal provisions which need to be implemented like section 29, 24 nd 31 of the DD Act. The non-implementation of the plan due to non-implementation of enforcement can not be justification to abandon planning.

Continuing on the topic of Local Area Plan Mr. Sunil Mehra commented that Local Area Plan, is like constructing a building, first get the building plan approved and then do construction. On the other hand, 90 percent of the people just do construction without getting any approvals. This LAP is like getting a sanction for the building plan which has already been built. If not for the building plan atleast for the local area. We are talking that LAP does not have any possibilities or options but there are certain options and opportunities that we really need to look at. For example, in one of the meetings of special area redevelopment plan, which is like a local area plan, people were able to state their requirements of facilities in the presence of local area representative. Most of the times provisions of certain facilities like socio-cultural which are to be provided as per the Master Plan are forgotten at the time of layout plan. LAP can help in better addressing such needs. LAP has to be an implementation plan and can not remain a policy plan like MPD and ZDP. The CDP is such a success because a plan is prepared in a short time and executed. That is why we need local area plans to be sharper, to be precise.

You could divide the LAP into different areas, the areas for example where there are already unauthorised colonies, which would be taken care of by certain set of policies. Then apart from that there are areas that get left out for which detailed layout plans are not available. The areas in the ward where nothing has been conceived except for broad land use which can be further detailed out at LAP. Some of the facilities can be shown there at the time of preparation. Maybe that area is with some agency; DDA, CPWD or whosoever is owning the land, they can show those facilities over there. It will be a legal document the moment it is available and it will have to be implemented.
The only advantage is that it should have schemes. You should be in a position to prepare schemes and identify priorities, list of priorities or projects and some sort of constraints so that the Ward councillor will be in a position to pick up the project over there which can be implemented unlike the LAPs prepared in 2005 which did not get implemented. Dr. Prakash commented that implementation can not happen till the Act is amended.

Mr. Mehra stated that Master Plan has specified a time period for preparation of plans but nothing is emerging. He stressed that we need to expedite the process lest everything becomes unauthorised as Gita has pointed out. Ms Verma said that framework of law needs to be respected and at present unauthorised Colonies, CDPs and LAPs are equally illegal.

There was no agreement on what the LAP was supposed to do. LAP was seen as a plan where residents can come forward and identify deficiencies of the area and contradictions with the Master Plan and Zonal Plan. Second panelist saw it as something through which facilities could be provided and which would provide approvals to the already built up areas. It was seen as an attempt to undermine the master plan and zonal plan process which have allocational mandate.

Mr. Mehra shared his frustration at non-implementation and stressed on doing things quickly. Commenting on housing which is the main discussion for today, he summarised that according to the students the DDA is not making provision for EWS and the scheme that has emerged is not taking in account the poor.

Dr. Prakash clarified that it is not just DDA but all of us. We are connecting housing provision to the Local Area Plan. Housing is one of the reasons local are plans were being prepared. That's also because we are saying that population has to be accomodated through redevlopment. The question is how are we going to do that? The point is that from the case study it emerges that when certain provisions are given, by the time you reach the scheme either that scheme is outside that framework with which you started and that it is no longer fitting in with the provision. So it is neither making the provisions, nor fitting in the framework then how would these provisions get implemented. Ms Verma further added that 35 percent of the group housing provision of the MPD has to be implemented. Basically that is the core question. Because in the zonal plan the detailing has not happened except to say that all income groups will come.

Mr. Mehra said that those schemes which have been done, you have to just show them in the layout plan/ your local area plan. You can only show them as accepted entities, you can not challenge them, He suggested to concentrate on those areas which are left out in a meaningful ways so that we can utilise those for facilities and housing to the maximum. Apart from having policies for unauthorised colonies, this type of development, environment, services one needs to seriously consider such pockets of land in a more meaningful way.
The discussion then moved on to availability and adequacy of land in the Ward and whether farm house land can be considered as available land. Dr. Prakash mentioned that in this ward the situation is that whatever is the vacant land even if all of that was to be given to EWS/LIG even then perhaps there will be a shortfall to which Mr. Mehra agreed. On a query from Ms Verma on available land the students informed about the farmhouse land on the south side of the Rangpuri village. Mr. Bugga said but though the land policy is yet to come but as an academic exercise you could take it.

Ms Verma suggested that students should get a list of DDA acquired land. Since that land is clearly available it can be blocked for EWS/LIG. In response to possibility of land acquisition and associated litigation in such matters she further elaborated that there are three schemes that are approved. One is 149 acres, 1986 notification urgency clause acquired for the purpose of rehabilitation out of which only 63ha has been used for rehabilitation purposes, 86 acres is still left. This is Nangal. In which some is given to PUSA and Defence which were all temporary allotments. Because land was acquired under urgency clause and it was not required till 2006. So various government agencies have used that land so equivalence of that can be claimed even if it has been used for other purposes. There is a very compelling case to ask for acquisition on those grounds. It is section 17 acquisition. Rangpuri, Malakpurkohi is in your ward and that area is in Malakpurkoh revenue land. Then Vasant Kunj was developed and then the 56ha scheme in between. The 56ha scheme was stopped by the court in 2002.

Mr. Bugga too observed that this is the area where 13 villages were acquired and remain acquired. Ms Verma said that Malakpur Kohi is the acquired villages. On the Malakpur Kohi land in the 56ha scheme, as per the court affidavit, the central government nazul lands have been transferred to the DDA, including the Rangpuri lands. The 56ha is the scheme which was sailed under sectio 11A notification. It was stopped by court because they had not changed land use and they had started construction. The other issue before the court was that the CGWA clearance was not given. Environmental clearance that was the issue. And that is where the low income and the environmental issues came together. 56ha scheme was unplanned since it was in violation of the Master Plan without even a change of land use. And it was without a zonal plan so it was completely unplanned. Challenge to the scheme was for reasons of ground water criticality and lack of provision of low income housing. This is exactly the criticality that continues till date.

It was agreed that land must be carefully identified for the provision of housing and facilities in the LAP. The land availability shown by the students included farmhouses land which is dependent on the land policy. However, the list of already acquired lands by the DDA should be examined and those areas like lands available from lands acquired for rehabilitation must be blocked.
Compensatory acquisition can be sought for land used for other purposes than rehabilitation. The requirement of EWS/LIG in the ward can only be met if all the land available is used for provision of EWS/LIG in the area.

After the stopping of the scheme, 1700 local area objections were filed in the statutory process of public participation. We are not for stakeholder participation but for the process where everybody can participate. In response to that there was a Board which made the recommendation that in the zonal plan low income housing provision and the water issue will be taken care of. Both of them have not been taken care of in the zonal plan. This D-6 part being discussed today is part of that 56ha scheme. The people I was working with in Rangpuri settlements have submitted to the DDA in response to the EC public notices the point that poonam was also just making that if the entire 56ha housing now is used for EWS and LIG that is insufficient. At a time of passing the scheme they had said there is already a broad mix of income groups in Vasant Kunj but later through RTI enquiries it turns out there is not any. There was a false premise in getting the 56ha scheme approved. There was an inaccuracy in the premise that may not have been deliberately false. But it was stated wrongly that there is an EWS and LIG provision in Vasant Kunj. This was proved in case of Arjun Camp. A detailed judgement of ninety pages in 2006 stated that EWS/LIG housing provision was not there. There are all kinds of anti-master plan cases but in these two-three cases that I have advised, we are saying that this the master plan provision and to implement this provision which is our statutory entitlement instead of demanding changes in the law or the nation. Consequentially, in that 56ha scheme on the basis of the court order, there was a public notice, Board recommendations, screening committee recommendations, technical committee approvals and the Authority approval and the Ministry notified it. So it is repeatedly approved and all it said was that at the time of the zonal plan low income housing and water issue has to be dealt with. The zonal plan has not dealt with it.

There are other issues which people like me have raised. There are defects in the zonal plan. In the EC response filed it has been said by her that till one has dealt with the pending issues how can one proceed with these flats. Even if nothing else water depletion continues. Then we would be told that since there is no water the EWS houses can not be provided. This is shifting goalposts everytime. So if the DDA is now group housing flats in D-6, there has to be 35 percent mandatory provision in it which needs to be provided. If that is not done then the scheme must be pulled down.

For students it is thus important to understand that despite recommendations and approvals for housing provision, how has this happened. To put as planners a factual matrix, one must understand the approvals by which these flats are being sold at this price. The per sq.m. rates for one bedroom are higher than per sq.m. rate for three bedroom flat. If the reason is that it was used for Common Wealth Games then there has to be an approval. Because last year in two central government press releases one from the tourism minister and the hundred days agenda of the Ministry of Urban Development, these flats were shown as LIG. One year later these are included in the brochure with this price of 34 lakh. So this brochure is belying the central government
defining them as LIG. Not only these flats, there are other flats in this whole scheme which are not LIG. There was the whole list of 16000 flats for EWS and LIG in the agenda, they are all in this scheme but they are not shown in Janta category. They are all in one bedroom category which is different from Janta Category.

Mr. Mehra mentioned about increased density norms in the MPR 2021 which can be used for providing housing stock.

Opening the discussion to the faculty and students, Dr. Mahavir agreed with Ms Verma that as of now if Local Area Plan it does not have a backing of the law, which is true for the CDPs too.

It is important to understand that by what process despite MPD provisions, recommendations and approvals for implementing those provisions, shown in the list of Ministry of Urban Development and Tourism Minister as LIG flats, the D-6 one room flats were converted into flats for commonwealth games and are now priced higher than three bed room flats.

There was a consensus that so far there is no provision of Local Area Plan preparation in the DD Act or the DMC Act.

He then asked the students about their findings related to the ward being in two zones since that was one of the stated criteria. Whether it really made a difference that it was part of two zones or was it immaterial. If there are serious implications then it becomes a case for suggesting LAP to fit in with the zonal boundaries. Students and Dr. Prakash explained that this was not fully explored in the studio. One of the problems identified was that of different zonal boundaries for Zone F of Zone J which did not match when overlaid.

Mr. Bugga explained about the decision for Ward boundaries that initially it was thought that LAP boundaries will not be ward boundaries but contiguous nature of the areas should be taken in consideration. Later on the primary reason for taking the ward was that it is easily manageable because the funds allocated are as per wards. Since it is expected councillors would be involved in LAP and if you get local areas with two different wards then administrative problems would be there. So boundary was taken as wards for local area plans. Mr. Aggarwal then mentioned about the non-availability of the ward map in the Census Office.

Ms Verma then commented that in case of subzonal plans in 1962, when the boundaries were delineated the MDP 62 stated that wards that ward boundaries would be taken only to the extent possible and not otherwise. We are back to what were the zonal plans in 1962. The significant difference however, is that what was to be made in section 8 in DD Act will now be made by MCD under Local Area Plan.

Mr. Mehra mentioned that now the boundaries would be wards. Mr. Aggarwal further added that even in MPD 2021 it is stated as ward/subzone boundary and not just as
Ward boundary. Mr. Bugga too agreed that in case of special areas which is like a LAP ward boundaries are not there because that area is defined in the Master Plan.

Ms. Verma then suggested that we are saying the same thing. MPD 2021 says ward/subzone and reading it with the 1962 together and take it from there for the boundaries. People who looked at the 1962 plan will remember this. And if you understand the importance of it, then while you can make it a ward boundary, it can not be thrust on you. Because if it is not meeting the planning parameter and you can find another option and have the flexibility to consider it. Dr. Mahavir said that on one hand there are MPLAD and MLA fund.

Ms. Verma commented that we should see that as the operational part. It can be ward boundary but to the extent possible. They can not be a priority. How much funding are they doing in whole development. Politically they have a lot of say but in actual money terms, how much are they giving? They have a high say which needs to be managed. With management courses may be a course on councillor management can also be considered.

While the implication of ward being in two planning zones require further exploration, it was agreed that LAPs boundaries are not required to be restricted to ward boundaries alone and planning parameters should take priority over operational requirements.

Dr. Prakash coming back to the housing question asked Mr. Bugga that as a chief planner how in his view would this housing would get translated and how would the 35% provision in group housing implemented? Mr. Bugga said that deficiencies have to be worked out and what is permissible under the norms only that can be provided. Mr. Aggarwal said that the spirit of plan is different and the working on ground is different. Now we have constructed one bedroom flats in Vasant kunj which are good number and they have been furnished.

Mr. Mehra suggested that increas in density, increase in ground coverage and highrise development should be considered as an option. In the Improvement Board we are ready to make ten story flats. Dr. Prakash said that in this ward that option is not feasible since it is in the air funnel.

Mr. Mehra then reiterated that land needs to be identified more carefully at LAP. You have to look at two things, facilities and housing. If there is potential, one can ask for relaxation of norms as per the MPD norms which is a statutory document. In F and J Zonal plan you need to ask where will it be given. Lieutenant Governor can give relaxation. It has been given to the DDA. Ms. Verma disagreed that as a planner it would be wrong to recommend high density in J Zone. There is air funnel and CGWA notification which is also a legal. It has to be location specific. This can perhaps happen in Zone D but in Zone J it is not be possible. Mr. Mehra agreed that it should not be done wherever it is not possible. Mr. Anurag Anand added that infrastructure provision would be difficult, even if one was to consider high rise and increased density since environment is already such a concern. Mr. Mehra stressed that we have to
provide for 55% of the EWS and LIG and land has to identified. You have to examine and analyse the ecology. You can look for some land may be Nazul Land. That too is under air funnel, commented Ms Verma.

Ms Verma said that the area is water critical. Suggestions of high density and high rise development can be dangerous. If the water gets saline we will be dead.

There was an agreement that land must be identified for mandatory provision of EWS/LIG housing. There was disagreement on the nature of housing development. It was however agreed that while high density, high rise development and increase in ground coverage might be possible options for some of the areas in Delhi, but in this ward because of air funnel and water criticality these options are not feasible.

On the issue of locational aspects of EWS and LIG housing Ms Verma pointed out that the level of integration when we are taking it at about one lakh, is possible. When you say it at a level of city then we are becoming exclusionary. The level of integration has to be appropriate. So for one lakh population it was absolutely correct. Because even in the Arjun Camp, they were themselves saying that we want to stay in certain places. When the lall khet was evicted, the 35ha yellow was made green, then we had said either you give us that 35ha or give us compensatory 35ha at Rangpuri. The argument was that both of them were on the side. Anurag said that we can not give 5 lakh housing in one corner.

Ms Verma said that it is of the range of 5000 dus. In Vasant Kunj stretch which is of about 4Km., if you did EWS/LIG on one side it will not be a problem. Visualise the scale. If you tell the builder to do it on 100 flats he won't do it. If you do a Madanpur khadar then it is a problem but at one lakh is in comfort zone. In case of DDA when they have 10-20000 flats being built then they can be persuaded to do it. Mr. Bugga commented that for private builders, EWS housing has been made mandatory and they have been given additional FAR for provision of EWS housing. Ms Verma said that the situation would be like Haryana where EWS housing has all turned over. Moreover, the FAR is increased and now the provision will become 29 percent instead of 35 percent. Anurag commented that as per their calculations 18000 flats would have to be given which is 90000 people of EWS/LIG group

Ms Verma said that it needs to be done at one lakh level. At lower levels of integration they will not be able to compete. In the 1904 flats of present scheme the 480 one room flats will not remain LIG flats. In HUDA provisions with 20% low income no profit no loss all of them have turned over. If one integrates less than that, the market takes over and outprices the poor. If you create a critical mass pocket it is likely to survive. I have talked to many people and they seem to think that one lakh is a workable figure. At lower levels people won’t agree and on higher levels there are moral issues.

Mr. Mehra then intervened and agreed with previous speakers that one has to see the scale, there have been flats built in Savda ghevra and Bhalswa. It is 250 acres. Imagine on 250 acres we have 12.5 and 18 sq.m. plots layout. Now we are making
group housing too in that. There are problems because Savda ghevra is located far away. People who have been shifted from Delhi jhuggis have a problem of travel. Distance is a problem. Secondly the women who work, their social ties are broken. These things you know you have read and we have actually seen this on site. We have seen schemes being implemented, but not many people are willing to go and stay there because there is a problem of security. Your points are valid but the issue is housing has to be provided. You see people have been going to as far as Manesar. Time will come when these areas will be accepted with passage of time. But your endeavour must be to create housing stock. We have to find a solution in every zone.

integration at the level of individual plots of private builders will not work because the poor are likely to be priced out. Integration at the level of city like Savda ghevra and Bhalswa becomes exclusionary. Integration at the level of one lakh population is likely to be workable.

Mr. Bugga added that as a mission objective we have to asses the needs of the public. Dr. Prakash said that while there is no disagreement on that but the kind of responses that you get is that of lack of water, roads, electricity etc. Nobody is going to say that the problem is because of the kind of activities that are situated there. Technical solution has to be seen. Ms Verma said that she is doing participatory planning for last ten years. After making the problem intractable to ask the people to participate is problematic. Dr Prakash further added that like now everyone is demanding regularisation then are we going to do that? Mr Bugga said there is already a policy. Ms Verma said that it is a policy and not there statutory entitlement. In this area with water constraint there is conflict with the policy. We have been saying this for last ten years. Mr. Bugga concurred that there is a conflict and gave an example of Dwarka where water problems were to be solved with Sonai Vihar but nothing has happened.

Ms Verma said that in this ward, the students need to look at the Mahipalpur case because the factual information on that is not complete. There were these eight-ten strategic defence locations in Delhi. It is part of that Map so it is continuing to be called Government Use (Use undetermined). This abadi area is 400 years old. The larger issue is, what is being said is, when in 2002, 1700 people filed objections/suggestions these were primarily Mahipalpur and pre-plan settlements from Rangpuri and about 20 people from the flats. From Mahipalpur, the court case was a continuation matter that this judgement has come and the problem is not yet solved. You should look at those cases because that is local area participation in the ambit of the plan. It is a demnd for plan implementation. They are not talking, change this or that. This is what one would call responsible participation. And they are using front doors. They do not go to LG. When there is public notice, they respond to public notice. And if public notice is not issued then they ask for public notice. This other form of participation which is stakeholder participation through LG’s doors, provides unequal access right from the beginning. So it is important to seek out as a study method for your work, please seek out all the public notices for your area. All the land use change that has happened,
inspect those files and look at the responses. Someone must privilege those who come from the front door. Why must we talk to the LG or the Minister to get things done.

Though discussion on the Environment Clearance notices did not take place, Ms Verma suggested that she mentioned that students should look at the EC responses, There were two public notices one in February and one in September for 804 and 1904 flats respectively This was the last round of public notice round. These are proxy ways of public participation. These are people who have made the effort that whenever, the front door opened they have timely responded to it. You must see those. Everytime we are looking for new stakeholders. These are good study methods.

in the presence of water criticality and non implementation of statutory entitlements, to implement regularisation policy for the unauthorised colonies in the ward is not feasible. In the event of conflict between regularisation policy and statutory requirements like CGWA notification and housing provision, the later should be given greater priority.

It was recognised that participation can not be sought after making the problems intractable. Due consideration need to be given to citizens responsibly participating through statutory processes seeking implementation. Such participation should be privileged over unequal forms of participation like stakeholder participation.

The discussion ended with thanks, to the panelists and all present for spending their time in discussing this work in such detail, by the Head of the Department.