

PLACED ON TABLE

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Item No. (.....) 43:2015  
Screening Committee No. (.....) 329

**Title of Agenda:** Layout Plan of OCF Pockets-3&4 in Alternative Plots of Sector-20, Pocket-16 Rohini Phase-III.

**File No. - PP/R/3020/Pt./2003**

**Synopsis**

Layout Plan of OCF Pockets-3&4 in Alternative Plots of Sector-20, Pocket-16 Rohini Phase-III is placed before Screening Committee for consideration and approval.

**1. BACKGROUND**

- i. A representation has been received in DDA to provide the access to the occupant of Khasra No.50/6 which is part of regularized unauthorized colony namely ELD-97 Pooth Kalan Extension Rohini, Sector-20, based on Hon'ble High Court order Dt:26.08.2014 with respect to WP (C) No. 8053/2013 titled as Amarjeet and other v/s DDA and Anr. The applicant has approached to the Hon'ble court because of non-access to their plots due to construction of Boundary Wall by DDA for protecting of vacant land earmarked for OCF pocket-3&4 in Sector-20, Rohini. Hon'ble High Court while disposing the case following order has been issued. which is re-produced below:  
**"Learned counsel for respondent No.1 (DDA) states that the petitioner, by way of the present petition, is essentially seeking a right of easement. He submits that appropriate remedy for establishing his right would be way of a suit and not by way of approaching this Court under Article 226 of the Constitution of India.**  
**Learned Counsel for petitioner submits that the colony in question has been regularized and the respondents are obliged to provide access to the said colony. This is disputed by the respondents. At this stage, learned counsel for the petitioner seeks to withdraw the present petition with liberty to approach the respondents by making a representation. It is directed that if such representation is made, respondent No. 1 shall consider it in accordance with law and dispose of the representation within a period of six weeks from the date of receiving such representation."**
- ii. Based on the above order of Hon'ble High Court, petitioner has made his representation submitted to DDA on 09.10.2014 which was subsequently forwarded to P.C (LD), DDA. Further same was sent to Planning Department as issue is related to Planning Department and necessary action needs to be taken up by Planning Department.
- iii. Accordingly, Planning Department has sent the file to Legal Department for their opinion on the representation made by petitioner. Legal department has examined the case and opinioned that "the representation is required to be disposed off administratively by the Department. In case of any decision, the same please be supported by reasons".
- iv. For further examination, the concerned file has been forwarded to IL Branch, DDA as the DDA vacant land has been proposed for the Maternity Home and Veterinary Hospital as a part of other community facility site No. 3 & 4 of Sector-20, Rohini. **IL Branch has further stated that as per their record no such allotment found in Sector-20, Rohini for Maternity Home and Veterinary Hospital.**

**2. EXAMINATION**

- I. The Site under reference is part of Layout Plan of alternative plots in sector-20 pocket-16. In which OCF-3&4 is integral part of this layout plan there is no separate/approved Layout plan of OCF pocket-3&4 sector-20, Rohini.
- II. As per ZDP of Zone-M. The land use of this pocket is residential.
- III. As per the P.T. Survey supplied by Dy. Director (Survey) Rohini on DT: 11.02.2015, the land under reference i.e. Kh. No.50/6 is not approachable due to construction of boundary wall of vacant land meant for other community facility pocket namely OCF-3& OCF-4 of Sector-20, Rohini measuring 1600 Sqm of land and 2000 Sqm. (approx.) land reserved/ proposed for Maternity Home and Veterinary Hospital.



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- IV. As per the IL Branch report these facilities are un allotted and lying vacant as per P.T. Survey also.
- V. During the site visit, it was observed that the applicant land i.e. Kh. No.50/6 is bounded by other built-up properties on East, West & North side. Only access is from South side which is DDA's vacant Land bounded by boundary wall and there is no other access to their plot other than giving any way to the plot from DDA's land.
- VI. Since the applicant are also ready and willing to provide equivalent single land to DDA from their lands in lieu of the land to be used in providing passage, hence DDA may consider their request of providing access to their land if the competent authority agreed for exchange of land subject to condition that transfer of land by applicant and taken over by LM Branch or Engineering Wing Rohini. Applicant is also agreed for passage in linear form in between the two plots or in any other manner as deemed fit and proper.
- VII. **Based on the above examination a draft proposal for providing passage to the resident of Khasra NO.50/6 Village Pooth Kalan Delhi-86 was approved in Principal by VC DDA on 16.05.2015 for suggested proposal & follow-up action.**
- VIII. As per approval of VC, DDA Land Disposal wing of DDA was requested to withhold the allotment of OCF -3&4 Pockets till the issue is resolved by this office letter No. PP/R/3020/PT/2008/142 Dated: 24.03.2015.
- IX. Regarding the concenses of exchange of land with the applicant a note has already been sent to LM Branch vide file No. F.10 (49)05/LM/RT/part and also in Legal file No. HC/LM (15460/Legal vide Dated: 31.03.2015 & 27.03.2015 respectively. Reply from LM /Rohini has stated that mater to be taken up with Engineering Wing Rohini as the land is already in possession with Engineering Wing and file sent to Engineering Division, RPD-12.Engineering Wing has stated that the decision of Screening Committee shall be followed/adhered.
- X. As per above examination & in principle approval of VC, DDA the proposal is placed before the Screening Committee for its consideration.

### 3. PROPOSAL

The proposal for Modification in OCF Pockets-3&4 Alternative Plots in Sector-20, Pocket-16 Rohini Phase-III for providing 9 m wide approach road is a public road to the Khasra No50/6 in between Maternity Home and Veterinary Hospital i.e. OCF Pocket-3&4 is placed for consideration & approval by the Screening Committee DDA.

### 4. AREA STATEMENT

- Area of Maternity Home OCF-3 -1634.78 Sqm
- Area of Veterinary Hospital OCF-4 -2087.27.
- Area under proposed 9 m wide Road – 421.76 Sqm.
- Area to be taken from owner of Khasra No.50/6 & merged with Maternity Home is equal to the area under proposed Road i.e. 421.76 Sqm.

### 5. FINANCIAL LIABILITY / SOCIAL GAIN

- With the current Proposal there will be utilization of DDA Vacant Land earmarked for OCF-3,4 i.e Maternity Home/Veterinary Hospital area of both plot shall remain same and have three side / 2 side open plot and shall have advantage when they are put up for auction/ any other disposal mechanism.

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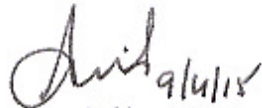
6. FOLLOW UP ACTION

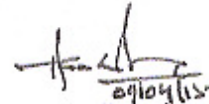
- Land Management/NL,Wing, DDA -
- Engineering Wing, Rohini, DDA -
- Lands Disposal, Wing DDA-

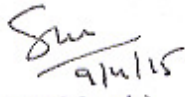
Lands Branch to take over the equivalent Area (421.76 Sqm.) of land from khasra No.50/6,Pooth Kalan and merged with DDA Land (OCF-3&4, Sector-20 Rohini.

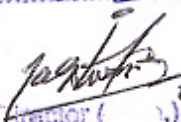
Engineering Wing to take over the land of Kh No.50/6 from LM/NL/applicant and construction of boundary wall and passage between OCF pocket- 3& 4 sector-20 Rohini.

For auction/ allotment based on Demarcation by Engineering Wing, Rohini.

  
(N.R.Aravind)  
Director(Plg.)Rohini

  
(A.K. Malhotra)  
Dy.Dir(Plg.)Rohini

  
(Savita Mangla)  
Asstt.Dir(Plg.)Rohini

BELHI DEVELOPMENT AUTHORITY  
HUPV-CO-ORDINATION UNIT  
Approved in... 329 ...Screening  
Committee Meeting Dated... 10.4.15  
Vide Item No... 43: 2015  
  
Dy. Director ( ) Co-ordn.