

## Govt places blame at DDA door

Legal Correspondent

New Delhi

THE DELHI government has blamed the Delhi Development Authority (DDA) and Delhi Urban Arts Commission for the delay in the implementation of the Supreme Court orders regarding the relocation of the polluting industries.

Counsel for the Delhi government K K Venugopal on Friday tried to assuage the Supreme Court and said that the Chief Secretary P S Bhatnagar had taken over only in March and had done his best to comply with the series of orders passed by the apex court for the closure of polluting industries in the Capital.

The Supreme Court had issued contempt notice to Bhatnagar on November 14 on his failure to relocate the polluting industries from the Capital.

Mr Venugopal said quarterly reports of progress were being submitted, which were being closely monitored by the court with no dissatisfaction being expressed on the steps taken by the government.

Mr Venugopal elaborated the problems being faced by the Delhi government in the implementation of orders passed by different courts. He said that relocation was a socio-economic problem which could not be dealt with summarily.

"City was paralysed by lakhs of workers who feared they would lose the means of their livelihood," he said.

Mr Venugopal blamed the agencies of the Union Government -- the DDA and Delhi Urban Arts Commission -- for their non-cooperation in ensuring the relocation of industries.

The bench headed by Justice B N Kirpal and comprising Justice D Raju and Justice Brajesh Kumar were, however, not impressed and said, "We know the lethargy of the Delhi government and are prepared to give some latitude. But we must know what steps are being taken."

The hearing was adjourned to early January.

# Govt. blames Centre for relocation muddle

By Our Legal Correspondent

*The Hindu*  
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NEW DELHI, DEC. 1. The Delhi Government today made a spirited defence in the Supreme Court that there was no "wilful disobedience" of the court's earlier orders regarding relocation of industries from the non-conforming areas.

Pleading before a Bench comprising Mr. Justice B.N. Kirpal, Mr. Justice Doraiswamy Raju and Mr. Justice Brijesh Kumar, the senior counsel for the Delhi Government, Mr. K.K. Venugopal blamed the Centre and its agencies like the Delhi Development Authority for the present situation.

The counsel said shifting of nearly a lakh of industries which had developed over the years was a huge exercise which needed coordinated efforts from the Centre, including financial aid and support from other agencies. This prompted the Bench to quip, "this is not development, but undevelopment". When the counsel pointed out that "this has happened in the last 50 years", the Bench said in lighter vein "yes, 50 years of lawlessness".

The Bench observed "we know the lethargy of the government and are ready to give some latitude in that regard. But we want to know what steps were taken in the last four years in implementing various orders". The counsel explained through various progress reports submitted to the court that the government did the maximum possible, which no other State could have done in the given circumstances.

Referring to the figures submitted by the counsel in the proposed action plan, the Bench said it covered only about 50,000 industries and asked "what the government proposed to do with the 47,000-odd

industries in the residential and non-conforming areas which showed no inclination to shift." The counsel said the government had no other option but to close these industries in a phased manner without any loss of life or property. While reiterating that no contempt of court orders was committed by the Chief Secretary, the counsel pleaded with the court to take into consideration the constraints faced by the government in implementing the orders.

He urged the court to look forward to the future and grant time to the government till 2002 for completing the massive exercise of relocating the industries from the non-conforming areas. Mr. Venugopal also pleaded with the court to give consent for the government's proposal to regularise industries located in non-conforming areas with the concentration of more than 70 per cent.

When the counsel said that it was a huge problem involving the livelihood of 20 lakh workers and neither the DDA nor the Urban Development Ministry was coming forward with solutions to this problem, the Bench observed "who allowed the situation to develop into a socio-economic problem".

While making it clear to the court that the Delhi Government was alive to the problem, the counsel asked the court to give directions to the Centre, its agencies and the Delhi government assigning specific work to each of them to be completed within a time frame. He suggested that the court could monitor the progress of work assigned to each agency.

The arguments remained inconclusive when the court rose for the day. The Bench while adjourning the proceedings without specifying the date indicated that it might continue in January next.

# DDA engineers support Jagmohan

**HT Correspondent**

New Delhi, December 1

THE ENGINEERS of the Delhi Development Authority have come out in full support of the Union Urban Development Minister and have demanded implementation of the Master Plan in toto so that industries exist only in conforming areas and not residential areas.

The All DDA Engineers Association has said that the Master Plan for Delhi, formulated with painstaking effort over a period of six to seven years, has been allowed to be violated flagrantly due to unchecked haphazard growth of the city. Only regulated development should be allowed and government should not get pressurised and succumb to unorganised settlement, the association general secretary Param Yadav said.

He added that growth of non-conforming industries was depriving the common citizens of their

share of electricity, water and other civic amenities.

In this context it was pointed out that the project to develop the areas of Anand Parvat, Samaypur Badli and GT Shahdara Road into industrial areas had not taken off for 10 years as it involved massive demolitions to widen roads and develop other facilities.

Engineers said that the colonies which had become predominantly industrialised should also not be regularised as they had narrow lanes and did not have space for provision of basic facilities like fire station, creation of 8 per cent green area, provision of effluent treatment plants, electric stations etc as prescribed under the Master plan.

New areas should be developed in the NCR region and urban extension areas where all these requirements and facilities for workers are fulfilled, the engineers said while supporting Mr Jagmohan's stance on the Master Plan.

# Delhi Govt puts blame on DDA for delay in relocation

**HT Correspondent**  
New Delhi, December 1

**T**HE DELHI Government today blamed the Union Ministry of Urban Development for the delay in carrying out the Supreme Court's orders for relocation of polluting industries operating out of the Capital's residential areas.

Defending the Delhi chief secretary, who is facing contempt charges, senior counsel K K Venugopal told the court that the administration had not violated orders on closure and shifting of polluting units. He said the DDA hardly extended any assistance to the government to carry out the huge task. On its part, the government made all possible efforts to find out a solution to the problem, the counsel said.

But a Bench comprising Justice B.N. Kirpal, Justice Doraiswamy Raju and Justice Brijesh Kumar asked the administration to explain what it intended to do with industries that did not qualify for alternative sites or have simply shown no inclination to move out.

## VP for lenient view

FORMER PM VP Singh has sought a lenient view in relocation of industries to prevent widespread unemployment.

Mr Singh today said the government itself was a violator of the Master Plan. "How does the DDA justify building of clubs in green areas near the Asian Games Village? How is it that the illegal constructions of Raddison Hotel, regularisation of Anant Ram Dairy Colony and inaction in Sainik Farms is condoned," he questioned. He pointed out that these violators are elites while bulldozers are set against the poor.

Mr Singh was also critical of the Delhi Government for neglecting development of infrastructure at sites where industries are to be relocated.

HTC, New Delhi

The government had said that it was in a position to relocate only 50,000 units out of the total of 1,26,218 located in the Capital.

But the counsel failed to say what plans the administration had for the remaining 70,000 units. The counsel argued that courts could ask the government to do certain things in public interest, but when the executive faced constraints, it should not be blamed for contempt of court.

"We know the lethargy of the government," the Bench noted referring to the government's failure to act on its orders between 1996 and 2000.

Mr Venugopal, however, pointed out that the DDA took almost six months to clear a plan for relocation of 16,000 units on an 800-acre plot in Bawana. The plan was now awaiting clearance from the Delhi Urban Arts Commission (DUAC).

He said the DDA, financially backed by the Ministry of Urban Development, did not come up with any plan to solve the problem.

When the Bench asked as to how many industries were closed, besides the 1343 shut down over the past four years, he pleaded that it was not possible to complete the task within a short period without the assistance of the Central Government agencies.

# Centre to blame for relocation muddle, Delhi govt tells SC

PRESS TRUST OF INDIA

*The Statesman*  
2/12/12

NEW DELHI, Dec. 1. — The Delhi government today threw up its hands in despair before the Supreme Court on the issue of relocation of industries saying its well-meaning efforts have been stonewalled by the Delhi Development Authority which comes under the Union Urban Development Ministry.

Defending the Delhi Chief Secretary, to whom contempt notices had been issued by the court for non-compliance of repeated orders on relocation, senior advocate K K Venugopal said: "The government has done the maximum possible under the circumstances while taking steps to solve this huge problem."

However, a Bench comprising Mr Justice B N Kirpal, Mr Justice Doraiswamy Raju and Mr Justice Brijesh Kumar questioned the efforts of the government saying "it has not taken into account a large number of industries in the residential and non-conforming areas which showed no inclination to shift".

"We know the lethargy of the government and are ready to give some latitude in that regard. But we want to know what steps were taken in the last four years," the Bench said.

With the arguments remaining inconclusive, the Bench, which had also issued contempt notices to the Commissioner of Municipal Corporation of Delhi, adjourned the matter and indicated that it might come up in January next year.

Mr Venugopal said the DDA took almost six months to clear a plan for relocation of 16,000 industries at Bawana and the same plan was awaiting clearance from Delhi Urban Arts Commission and added both these bodies came under the control of the Centre.

# Delhi Govt blames Centre for failure to relocate industries

By Our Legal Correspondent

**N E W DELHI:** Finding itself isolated in taking the entire blame for not complying with the

Supreme Court's directives to relocate industries, Delhi government counsel K K Venugopal on Friday urged the court to call the Union Urban Development ministry which controls the DDA and Delhi Urban Arts Commission among others which have a vital role to play in implementing the orders.

Venugopal blamed the Union Urban Development ministry in particular for stonewalling the state government's well-meaning efforts to relocate the industries.

However, a Bench comprising Justice B N Kirpal, Justice Doraiswamy Raju and Justice Brijesh Kumar expressed its doubt whether the Delhi government had indeed worked for relocation of the industries. The Bench told the counsel "The government has not taken into account a large number of industries in the residential and non-conforming areas which showed no inclination to shift."

"We know the lethargy of the government and are ready to give some latitude in that regard. But we want to know what steps were taken in the last four years," the Bench said. Defending Delhi chief secretary P S Bhatnagar, who took over

in March last, Venugopal said, "The government has done the maximum possible under the circumstances while taking steps to solve this huge problem." Venugopal said DDA took almost six months to clear a plan for relocation of 16,000 industries at Bawana and the same plan was awaiting clearance from the Delhi Urban Arts Commission (DUAC). Both these bodies came under the control of the Central government, counsel added.

Reiterating a request for more time to relocate the industries, the government also sought court's consent to regularise industries in areas where their concentration was more than 70 per cent. "The courts can issue directives keeping in view the public interest to the government to do some thing. But when the executive faces certain constraints and there is a delay without any wilful disobedience, it cannot be construed as contempt of court," counsel said.

The government had never said it would not obey the orders of the court, Venugopal said, adding DDA was not coming forward to explain why the delay occurred and the ministry of Urban Development was not explaining as to what plans it had in hand to solve this massive socio-economic problem involving the livelihood of more than 20 lakh workers. When the Bench asked as to "Who allowed the situation to develop into such a huge socio-economic problem?" Venugopal implied this could have been so as the state has failed to provide them the livelihood they came seeking from far-flung places.

# DDA engineers back Jagmohan

By A Staff Reporter

**NEW DELHI:** Engineers of the Delhi Development Authority have come out strongly in favour of Union urban development minister Jagmohan and the Supreme Court for not changing the Master Plan, because such a move is likely to be detrimental to the workers of the industrial units.

Explaining their stand at a press conference on Friday, the All-DDA Engineers' Association said the Master Plan was formulated to check the haphazard growth of the Capital and for its planned development.

DDA engineers said industrial areas needed specific requirements to ensure that the units work efficiently and that the health and safety of the workers were not compromised.

They also pointed out that an industrial area needed roads with 25 metres width, a health centre and a

fire station.

Other facilities included green areas and effluent treatment plants (ETPs). On the contrary, areas which were being proposed for regularisation had only 10-foot wide roads, no greens, no ETPs, no fire stations, and there was no space to accommodate such facilities, the said.

Citing an example, general secretary of the association, Param Yadav, said, "In 1990, the government tried to regularise three non-conforming areas — Anand Parbat, Samaipur Badli and GT Shahdara Road. But it could not be done as it involved massive demolitions, widening of roads and development of various infrastructural facilities and there was no land." Despite best efforts, the government could not provide for dispensaries or for waste disposal systems.

The engineers felt that the Supreme Court's directives that industries be shifted, after creating proper infrastructure and development, made sense. "Regularising non-conforming areas will only add to chaos and unplanned development of the city," Yadav warned.

## Association polls

**NEW DELHI:** The DDA Junior Engineer's Association, which held its elections this week, has chosen the following candidates as office bearers: DS Rana as president, Ramzan Khan and KK Verma as vice-presidents, VK Vats as general secretary and MS Mawai and Udham Singh Yadav as joint secretaries. Junior engineers from electrical and civil departments and section officers of the horticulture department participated in the election.

## DESERTION FROM ARMY

NR-20152H Lieut Shanta Sinha, Nursing Officer of 158 Base Hospital resident of F-581, Sarita Vihar, New Delhi-110 044 is a deserter from Army Service w.e.f. 15 May 1998. Any person knowing whereabouts of her may please inform Commandant 158 Base Hospital C/o 99 APO or nearest Police Station.