

# Cost of being on the right side of the law

By Rahul Gupta

23 Nov, 2000



NEW DELHI: Never ever has a government taken so many people for a ride. And rarely has there been an organised ripoff by the government on such a scale. What the Capital saw in the past four days

was an encore of what had happened in January-April this year. Some of the those units sealed over the weekend and early this week had actually been sealed in the earlier four-month drive also. What happened after that was nothing short of a farce. The government "de-sealed" them. And now these have been "sealed" again. In between these two "actions" of the government lies a story of incompetence, greed and plain inefficiency. Here's a step-by-step guide to the uninitiated:

- Pursuing an earlier Supreme Court order on Yamuna pollution, the Delhi government sealed around 2,800 units in January-April this year. Of these, nearly 2,250 were in non-conforming areas and 400 in the conforming ones. But they had one thing in common, all were water polluting.
- Then the pressures mounted — from factory owners, workers, and of course, politicians. Bowing to the pressure, the government set up a review committee headed by senior environ-

ment engineer B Kumar of the Delhi Pollution Control Committee (DPCC) with members drawn from the Central Pollution Control Board (CPCB) and other agencies. In retrospect, it seems the entire objective of setting up the review committee was to see how these units could be "de-sealed".

● Mauzpur Chowk, where the protests were the most violent in the past few days, had a denim dyeing unit owned by English Bhan

**SEAL DEALS**

- Thousands of units sealed last week and this week had been sealed earlier this year also
- Then pressures mounted to "de-seal" them
- The government crafted an elaborate process to "de-seal" them
- It cost a lot of money to the factory owners

Singh. It was sealed on March 31. He approached the review committee.

● The government asked them to install effluent treatment plants (ETPs). Singh installed one at a cost of Rs 1.5 lakh. Then the review committee asked him for a consultant's report on the efficacy of the ETP. The DPCC had an approved panel of a handful of consulting companies for the purpose. Singh dutifully trotted off to one such consultant and spent a

small fortune. The consultant inspected the unit and gave a favourable report. The review committee then asked Singh for a laboratory test of the treated effluents. He again went off to a DPCC approved laboratory, which tested the effluent and gave a report, which he passed on to the review committee.

● His woes were not over yet. The review committee asked him for a Rs 50,000 bank guarantee which he furnished. But there were many others who could not furnish the guarantee and virtually gave up chasing the government. But if you think Singh was lucky, well, he was not. After complying with all requirements, his unit was not "de-sealed". For all the trouble he took, the net result was: he had shelled out as much as Rs 1.66 lakh plus the Rs 50,000 bank guarantee. Now consider this sum multiplied by the number of units which, like Singh, wanted to stay on the right side of the law. The total money that the government and the consultants pocketed is anybody's guess.

Whose fault was it? The government, for all its "good" intentions to reopen units closed under supreme court orders, did not realise one thing — that industries closed by the Supreme Court could only be re-opened by the same court. The review committee, the consultants, the bank guarantees — all were of no consequence, except to those who suffered.



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NOVEMBER 23, 2000

## Masterplan change only to help non-polluting industries

Hindu  
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By Our Special Correspondent

**NEW DELHI, NOV. 22.** The Centre today ruled out amending Delhi's masterplan providing concession to polluting industries operating in non-conforming areas. The only ground the Urban Development Minister, Mr. Jagmohan, conceded was the offer to redefine household industries benefitting only the non-polluting units and seek time from the Supreme Court for relocation of the rest.

A dissatisfied Opposition, whose insistence led to a short-duration discussion on the subject in the Rajya Sabha, reacted by staging a walkout stating that the concerns of the affected workforce were not addressed.

The protest came at the end of nearly day-long discussion that followed the statement of Mr. Jagmohan, on the issue of closure of industries in residential areas resulting in its owners and workers staging violent demonstrations in the Capital since Sunday.

However, the Government would amend the Plan, if required, to acquire more lands for relocation of industries in industrial areas and

also request the Supreme Court to give "little more time" for relocation, Mr. Jagmohan said.

Disagreeing with the statistics of a survey of such industries in Delhi, Mr. Jagmohan also ruled out any amendment to declare a residential area as industrial one even if it has 70 per cent factories. While stating the Government was prepared to look into the hardships of relocation, he emphasised the workforce would benefit on account of better working conditions.

Pleading for amending the Master Plan, the Opposition led by the Congress charged the Centre with not acting in the interests of the poor and sought to apportion blame on it for the current misery of people due to its inaction despite warnings from the city government. Most members suggested that a balance should be struck between practical requirement and environmental concerns.

Mr. Jagmohan said he was firm on implementing the rules under the masterplan approved by Parliament. He said if the Government amended the plan to accommodate those who have violated, then the city

could end up looking like a junkyard.

The Centre agreed in principle to redefine household industries, subject to observance of safeguards in respect of pollution norms and on terms of the recommendations of the Jagdish Sagar Committee. The norms pertain to the number of persons who can work in household industries, the power that can be sanctioned and the area that can be used.

### BJP joins chorus in LS

If in the Rajya Sabha, it was the Opposition which demanded amendment of the Master Plan, in the Lok Sabha BJP MPs too joined the chorus led by former Delhi Chief Minister Mr Madan Lal Khurana.

Sympathising with the agitated workers, Mr. Khurana in an indirect reference to the court's observation said the workers were not hooligans but had come to the city for employment.

However, in both the Houses the BJP and the Congress members traded charges holding the other responsible for the current situation.

# Assembly disapproves Jagmohan stance

By Our Staff Reporter

11 IN DP  
23 Nov

**NEW DELHI, NOV. 22.** The Delhi Assembly today passed a resolution unanimously disapproving strongly the announcement of the Union Urban Development Minister, Mr. Jagmohan, in Parliament with regard to the possible amendment to the Master Plan of Delhi for allowing operation of industries in residential areas and relocation of other industrial units.

As soon as the statement of Mr. Jagmohan was read out in the House by the Industry Minister, Dr. Narendra Nath, ruling party members were on their feet shouting slogans and demanding that the matter be taken up urgently.

After consultations between the Chief Minister, Ms. Sheila Dixit, the DPCC(I) chief, Mr. Subhash Chopra, Parliamentary Secretary, Mr. Ajay Maken and MLA, Mr. Mukesh Sharma, it was decided that a resolution to disapprove Mr. Jagmohan's announcement should be moved.

The Speaker, Chaudhary Prem Singh, asked Mr. Chopra to move the resolution which said: "The House strongly disapproves the statement of Mr. Jagmohan regarding amendment to the Master Plan of Delhi which would deprive lakhs of industrial workers of their right to livelihood and may lead to more violence and unrest in the Capital". It was seconded by Mr. Mukesh Sharma.

Earlier, making a statement on the closure of industries and the violence Dr. Narendra Nath, said the announcement of Mr. Jagmohan was a farce and it would only give relief for only 6,000-odd industries which consumed 5 kv of power and employed up to nine persons.

"The Urban Development Minister will have to change his rigid stand. He will have to change the decision regarding amendment to the Master Plan. The Delhi Government is ready to shift the polluting units," he asserted.

Dr. Nath blamed the Centre and its agencies, including the Delhi Urban Arts Commission and the National Capital Region Planning Board for not approving the functional plans of the Bawana Industrial area.

The plans have been hanging fire and despite repeated reminders, they have failed to gauge the urgency of the situation which has stalled developmental work, he added.

Similarly, he pointed out that the Nodal Agency set under the chairmanship of Mr. Jagmohan to relocate industries had held two meetings which he and the Urban Development Minister, Dr. A. K. Walia attended.

However, despite writing several times, he had failed to supply the minutes of the meetings to the Delhi Government.

The State Government, he said, had identified 15 areas which had more than 70 per cent industry and 11 more such areas had been taken up for survey. The DDA had approved these 15 sites and sent the recommendations to the Centre.

But Mr. Jagmohan sabotaged the plan and refused either to change the Master Plan or expand the scope of services which could operate in residential areas.

Dr. Nath wondered why the BJP Government did not think of amending the Master Plan when it went ahead and filed an affidavit in the Supreme Court in 1996.

They requested the Apex Court to allow them to acquire land for relocation but did not talk about changes in the Master Plan which could have prevented the present situation. The BJP, while acquiring 5,000 acres in Bawana, also gave no thought to where the workers who would be employed in these industries live. No effort was made to earmark space for their accommodation.

## Masterplan change only to help non-polluting industries

By Our Special Correspondent

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The protest came at the end of nearly day-long discussion that followed the statement of Mr. Jagmohan, on the issue of closure of industries in residential areas resulting in its owners and workers staging violent demonstrations in the Capital since Sunday.

However, the Government would amend the Plan, if required, to acquire more lands for relocation of industries in industrial areas and also request the Supreme Court to give "little more time" for relocation, Mr. Jagmohan said.

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Pleading for amending the Master Plan, the Opposition led by the Congress charged the Centre with not acting in the interests of the poor and sought to apportion blame on it for the current misery of people due to its inaction despite warnings from the city government. Most members suggested that a balance should be struck between practical requirement and environmental concerns.

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☐ The Hindu 23/Nov/2020

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# THE HINDU

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## Giving in to vandalism

THE WAY IN which the Central Government, the Government of Delhi and political organisations of different hues have responded to the agitation in the Delhi pollution case has shown in the best possible fashion that street vandalism can so easily bring the Government at all levels to its knees and have rules and regulations changed - no matter what the merits of the issue are. The Prime Minister, Mr. Atal Behari Vajpayee, considered finding ways to get round a Supreme Court order so important that he has intervened to have the Master Plan for the Capital changed so that most of the industrial units that have violated it can keep polluting the environment. Mr. Vajpayee has not been helped by the spectacle of the Chief Minister of Delhi, Ms. Sheila Dixit, taking to the streets in support of the violent protestors while members of his party, the BJP, not to be left behind lost no time in also arguing the case of the demonstrators. There can often be a tension between livelihood concerns and the need to protect the environment. But in this particular instance the issue is more of lethargy and the incompetence of successive Governments in Delhi. Further, while there have been judicial interventions that appear to aim at environmental protection by immediate fiat, the Supreme Court in the Delhi pollution case gave the authorities more than four years to relocate polluting units and factories away from the city. The Supreme Court has been hearing cases relating to pollution in Delhi since 1985 and the orders in this particular case were passed in 1996. It is also scandalous that after the 1996 order, the State Government has issued as many as 15,000 new licences for industrial units in residential areas. Organising large-scale relocation is no simple task and the biggest sufferers are not the owners of the polluting/non-conforming units but the employees. The plight of labour was highlighted by the suicide in 1996 in front of Parliament of one worker who had lost his job after a hazardous unit was shut down. However, the Court had laid down fairly detailed guidelines for worker compensation, housing as also sale of new land for the affected units. Yet, the State Government, under the BJP and then the Congress, did little for more than four years while the Court overlooked one deadline after another. The Government claims that as many as 120,000 units will be affected though only 40,000 of them have violated the Master Plan. But the dislocation caused by the closure has to be contrasted with the damage being caused to the health of the more than 10 million residents of Delhi. Air pollution from the factories (in addition to vehicular emissions) and effluent discharges into the water bodies are rapidly taking New Delhi to the position of being the most polluted city in the world. One estimate places the annual financial cost of treating pollution-related illnesses in Delhi at as much as Rs. 5,000 crores while another estimates that close to two-thirds of Delhi's population suffers from respiratory problems.

What the Central and State Governments have in effect decided is to aid the continuing pollution of Delhi since after the planned modification of the Master Plan more than three-fourths of the industrial units will be allowed to continue as before. By no means is this an issue that allows for simple resolution. But the manner in which successive Governments first turned a blind eye to the establishment of polluting units, then chose to ignore the Court's orders and finally buckled

*The Hindu*

23 Nov. 2000.

under when faced with arson on the streets does not say much about our ability to find a way to bring about economic growth that does not cause injury to people's health and the environment.

HT 27/11/2000

# Delhi Assembly passes censure motion against Jagmohan

HT Correspondent  
New Delhi, November 22

27 Nov  
2000

IN AN unprecedented move, the Delhi Assembly today passed a censure motion against Union Urban Development minister Jagmohan, expressing 'strong disapproval' over the statement made by him in Parliament regarding the amendment of the Master Plan.

The resolution was moved by Congress MLA Subhash Chopra after Industries minister Narender Nath placed the contents of Jagmohan's statement in the Rajya Sabha before the Assembly. Nath said that Jagmohan's proposal will exempt only 3,306 industries from closure or relocation while 1,25,000 industries will have to go. "Jagmohan has just given a lollipop. He is misleading everyone," the minister stated.

Soon after this, the Congress MLAs demanded that a resolution be passed against Jagmohan in the House and that he should resign.

The four BJP MLAs who were still present in the House walked out and the resolution was passed unanimously in their absence.

Assembly Speaker Chaudhary Prem Singh stated that he did not think that the resolution could be allowed but since the House want-

ed it, he was placing it before the members.

The resolution stated: "This House strongly disapproved the proposal contained in the statement made by Mr. Jagmohan relating to the amendment of the Master Plan 2001 as it will deprive millions of industrial workers and owners of small industries of their basic right to work and to earn a livelihood. The pronouncement made by Mr. Jagmohan will not at all solve the present problem of industrial workers and factory owners and in turn may lead to more unrest in the national capital."

Earlier in the discussion, Nath placed the chronology of events pertaining to the crisis before the House. He sought to prove that the BJP Government had not been able to do more than acquire just 1,063 acres of land to relocate 51,851 industries during its tenure. Whereas the Congress Government, in one year, had not only acquired 800 acres but had also taken possession of the land and submitted maps for the development of the industrial park to the Delhi Urban Arts Commission.

"The Urban Arts Commission has not got back to us on the matter and so we have been unable to

pursue the development work. They are asking us to acquire more land but we are not given permission to develop the 2,000 acres of land already acquired," he lamented.

The final word of Nath was that the non-polluting industries in Delhi will remain where they are and that only the polluting industries will be moved.

Congress MLA Mukesh Sharma blamed the bureaucrats for the unrest saying that they had misinterpreted the court order. "The SC did not pass any new order on Nov 14. The SC had asked the Chief Secretary and the Municipal Commissioner to be present in court for their inaction with regard to the earlier orders of the Supreme Court," he said.

Leader of the opposition Jagdish Mukhi demanded the resignation of the Chief Minister and the removal of the Chief Secretary.

"I discussed this with the Chief Minister and she agreed that there had been some confusion over the Supreme Court order. This confusion has led to three deaths. Who is responsible for this? I do not believe that the Chief Secretary could have acted the way he did without the chief minister's consent," Mukhi stated.



# Delhi Master Plan to stay: Jagmohan

## Tumult in RS

## 2,245 units to be shut

HT Correspondent

New Delhi, November 22

Neeta Sharma

New Delhi, November 22

**O**PPPOSITION MEMBERS in the Rajya Sabha walked out in protest as Urban Development Minister Jagmohan ruled out any major amendment to Delhi's Master Plan to regularise industrial units which have come up in the city's residential areas.

While reaffirming his resolve to enforce "urban discipline," the Minister agreed, however, to redefine "house-hold industries" as per the proposals of the Jagdish Sagar Committee. In other words, it would mean allowing a larger number of non-polluting units in the city's residential enclaves by recognising them as "house-hold" enterprises.

Replying to a Short Duration discussion on shifting "non-conforming" industries away from residential colonies, Mr Jagmohan said master plans were devised with the objective of a planned growth providing healthy habitation and economic activity to the people. But virtually all cities have been taken over by the land mafia with no proper sewerage, roads and water supply.

This "urban indiscipline" caused 40,000 deaths every year and nearly 1.2 billion activity days were lost due to ill health with 17 million people suffering from respiratory diseases, the Minister said, quoting a WHO report. Pointing at the Congress and Left Members, he remarked: "we are not anti people or anti poor."

Re-locating industries in proper industrial areas like Delhi's Narela and Bawana, where environmental and health guidelines were followed, would give better working conditions and housing facilities to the workers. The Minister also referred to *The Hindustan Times* report this morning on the danger posed by unsafe factories in residential areas.

ONLY 2,245 industries of the over a lakh polluting and hazardous units will be targeted in the first phase of the Delhi Government's plan to implement the Master Plan of Delhi, 2001 (MPD).

As a result of their closure, a large number of ancillary units will also be affected. According to a Delhi Police estimate, over 10 lakh workers will directly or indirectly bear the brunt because of the closure of these units.

The garment factories in Okhla are fed by several ancillary units in Govindpuri. If the garment industry, which is non-conforming, is shut down, then the units located in Govindpuri too will crumple, said a police officer.

"If the garment factories are closed, then not only will the workers employed in these units lose their livelihood, but also those workers who are indirectly involved in the running of the garments industry, such as people who supply zippers, buttons and even the material to them," said a worker.

A list prepared by the Delhi Pollution Control Committee and forwarded to the police indicates that the maximum number of units that face closure are in trans-Yamuna.

"We received this list only yesterday and we have already started sealing the offending units," a senior police officer said. Sources said nearly 40 industries were sealed today.

According to the norms laid down by the Delhi Government, water polluting units will be closed down in the first phase followed by units which cause air and noise pollution.

Delhi Assembly passes censure motion against Jagmohan — Page 5

| TARGETED   |       |
|--|-------|
| District-wise breakup of polluting units to be sealed in first phase |       |
| CENTRAL  | 114   |
| NORTH  | 268   |
| NORTH WEST   | 228   |
| EAST   | 418   |
| NORTH EAST   | 570   |
| NEW DELHI  | 8     |
| SOUTH  | 217   |
| SOUTH WEST   | 151   |
| WEST   | 271   |
| TOTAL  | 2,245 |

Graphic by VINEY

# Jagmohan unrelenting: Polluting units must go

**EXPRESS NEWS SERVICE**

**NEW DELHI, NOVEMBER 22**

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**BOWING** to the pressure from Delhi BJP MPs, Urban Affairs Minister Jagmohan today agreed to redefine the norms of a household industry. The move will save at least 70 per cent of the 1.25 lakh industrial units in Delhi.

But, the minister refused to amend the Masterplan of the Capital unless "necessary". BJP spokesman Vijay Kumar Malhotra, had yesterday announced that Jagmohan agreed to amend the Masterplan following Prime Minister Atal Bihari Vajpayee's intervention.

Jagmohan's statement today has bought out in the open his differences with his own party MPs. All the six MPs from the Capital had approached Vajpayee yesterday and extracted an assurance that Jagmohan will be told to amend the Masterplan so as not to dislocate non-polluting industries from the Capital.

Of the 1.25 lakh industrial units functioning in the Capital, only 4,000 had been classified by the Delhi Government as polluting units. But, the chief secretary had ordered all industrial units functioning in areas marked as "residential" in Delhi's Masterplan, to be sealed last week sparking off massive

**CONTINUED ON PAGE 9**

# Polluting industries

Express  
23/11/2010

unrest. Following Jagmohan's announcement, all units employing less than 10 workers and consuming less than 5 kilo watts of power will now be considered a household industry.

Interestingly, in his statement delivered in Rajya Sabha, Jagmohan questioned BJP MPs' demand for amending the Masterplan now, though Supreme Court has been passing orders directing State Governments in Delhi from February 1996 to December 1999, to relocate industries outside the Capital. He did not mention though that S.S. Verma, BJP MP, who was Chief Minister from 1996 to 1998.

He, however, refused to accede to the demand that 26 residential localities having over 70 percent industrial dwelling, to be designated as industrial units. Industries from residential areas would be shifted to the demarcated industrial areas for which land has also been earmarked, the Minister said after which the entire Opposition staged a walkout saying job security of thousands of workers employed by these units had not been addressed.

The minister said if all the industries could not be accommo-

dated in the demarcated areas, the master plan would be amended, if necessary, to acquire more area. He said the Supreme Court had been requested to give more time for relocating of industries closed under the apex court orders.

He, however, rejected the Opposition demand of wholesale amendments to the Masterplan saying it would amount to rewarding the wrong-doers and punishing the law-abiding citizen. But, M.L. Khurana, announced later that Jagmohan had agreed to change the Masterplan to let 4,000 licensed shops stay in residential colonies, to regularise various slums besides honouring the Jagdish Sagar Committee report.

Jagmohan too referred to the Sagar committee but only about its redefinition of household industry. The Government has agreed, in principle, he said, to redefine household industries in terms of recommendations made by Jagdish Sagar Committee, subject to observance of safeguards in respect of pollution norms. The owner of the industry should stay in the allotted industrial plot and the number of workers in such household industries would be prescribed.

23 Nov 2001

# JAGMOHAN GIVES INCH, REFUSES MILE

MINISTER BLAMES DELHI GOVT FOR UNREST; 'MORE RELOCATION TIME MAY BE SOUGHT FROM SC'



Pioneer News Service

New Delhi

## WHAT THE SAGAR REPORT SAYS

- Maximum number of workers permissible in a household industry should continue to be five
- Power load restriction should be raised from 5 KW to 5 KW
- Household industry be limited to 25% of floor space of residential units or 30 square metre, whichever is less.
- No household industry should be permitted if it violates any statutory norm regarding pollution

(Details on Page 3)

faced by the industries functioning in the residential areas.

Assuring the Elders that the Government was keen to find a solution which would be just and fair to all concerned, Mr Jagmohan said the Government had agreed, in principle, subject to observance of safeguards in respect of pollution norms, to redefine household industries as per the recommendations made by the Jagdish Sagar Committee.

The norms of the Committee pertained to the number of persons who could work in household industries, the electricity that could be sanctioned and the area that could be used, the minister clarified.

Holding the Delhi government responsible for the prevailing unrest, Mr Jagmohan said the State Government had failed to develop plots for relocation of industries in Bawana and other such areas.

Reacting to the Opposition demand for amending the Master Plan, the minister said it was passed by Parliament. The issue of amendment, therefore, could not be taken lightly. The amendments had to be based on valid grounds covering all aspects including legal and other such vital issues, Mr Jagmohan said.

Refuting the allegations that the Government was anti-poor and anti-people, Mr Jagmohan said the Master Plan was instituted for giving

Contd on Page 4, Col 6

## Assembly says no to proposal; fears fresh stir

Staff Reporter

New Delhi

REACTING TO Union Urban Development Minister Jagmohan's statement, the Delhi Assembly said on Wednesday that this would not provide a concrete solution to the current crisis in the Capital. Rather, it will add to the confusion regarding any amendment in the Master Plan Delhi (MPD-2001).

The House expressed concern that the statement was likely to add fuel to the fire and escalate the violence in the Capital. The Government has announced its 1 lakh compensation each for the three persons who died in violence during the past four days.

Following Mr Jagmohan's statement regarding relaxation in the Master Plan Delhi, the Assembly witnessed heated arguments on Wednesday. Mr Jagmohan's statement in the Rajya Sabha, allowing some relaxation in the definition of 'household industries' was strongly condemned by the members of the Legislative Assembly as being anti-people.

In a significant move, the House unanimously passed a resolution condemning the Urban Development Minister for his statement, even as the BJP MLAs staged a walk-out.

Moving the resolution in the House, Delhi Pradesh Congress Committee (DPCC) President Subhash Chopra called Mr Jagmohan's statement a 'sad' move. According to the resolution: "This House disapproves the the proposal in Mr

Contd on Page 4, Col 6

# Jagmohan gives inch, refuses mile

## From Page 1

a clean and orderly Delhi to all the citizens. The amendments as demanded by the Opposition would mean that the wrong-doers could get away and law-abiding citizens would suffer, the urban development minister said. Referring to the issue of relocation of closed units, the minister said this matter at present rested with the Supreme Court.

Giving the background leading to the current unrest in Delhi, the urban development minister said after the latest Supreme Court order on November 14, officials of the Delhi Government and MCD had started sealing polluting units as well as other industries in residential areas, which had led to unrest, resulting in road blocks, burning of buses and traffic jams.

He said the Delhi administration,

following an order of the apex court dated February 2, 1996, had set up a high-powered committee on fixing a time schedule for relocation of industries in residential areas.

He said the high-powered committee in its progress report to the court on October 4, 1996, had stated that out of the 45,000 applications received 43,045 had been scrutinised and of these 39,166 did not qualify for grant of licence under the Master Plan. Earlier, the members debated for 15 minutes whether the house should hold a discussion on the issue or seek clarifications from the minister. While the Opposition, led by senior Congress members Pranab Mukherjee and Kapil Sibal pressed for a discussion saying it was necessary because the matter was very important, leader of the House and External Affairs Minister Jaswant

Singh said the normal practice in the House was that members seek clarifications from a minister on his or her statement. The ruling party members claimed the Congress Government in Delhi was responsible for "messing up" the issue by not requesting the Supreme Court to amend the Master Plan. Instead, it had repeatedly assured the court that it would solve the problem.

This was refuted by Congress members who charged that the BJP Government, which had been in power for a longer period, had never attempted to solve the problem of non-conforming industries in residential areas.

Congress members said if the Constitution could be amended many times keeping in view emerging situations, the Government should not be adamant in not amending the Master Plan.

# Jagmohan can save only 3,000 units'

## STATESMAN NEWS SERVICE

NEW DELHI, Nov. 22. — The announcement made by the Union Urban Development Minister, Mr Jagmohan, in the Parliament today will save only 3,000 industrial units in non-conforming areas from closure, the Delhi Industries Minister, Dr Narendra Nath, informed the Delhi Assembly.

Delhi Chief Minister, Mrs Sheila Dikshit, told **The Statesman**, "The Union government has not done enough on this front. The implementation of the Jagdish Sagar Committee recommendation cannot provide a solution to the present crisis."

"I will look into the issue and decide the future course of action," said the chief minister. There is a need for all the agencies involved to sit together and chalk out a viable plan, she said.

Dr Nath blamed the erstwhile Bharatiya Janata party government and the Union government for the present crisis. He said that even if the government extends the maximum limit of power load to 10 kw for industrial units operating in the non-conforming areas, only 7,000 units will benefit.

"What about the rest?," he asked.

He said that it is difficult to develop the 1,865 acre of land acquired for relocation of industries as the National Capital Region Board and the Delhi Urban Arts Commission are yet to grant permission. In this situation it will be even more difficult to develop the 20,000 acres needed to relocate all the units, said Dr Nath.

Earlier, apart from criticising the Union government, the Congress legislators also indi-

cated their dissatisfaction over the Delhi government's stand on the issue, not only inside the House but also outside it. Dr Nath and the Congress chief whip, Mr Mangat Ram Singhal, had to placate its agitated legislators in a meeting of the party MLAs.

The legislators expressed their ire over the "lack of communication" which led to a group of MLAs leaving for the prime minister's house earlier than scheduled.

The MLAs also complained over the "confusion" over today's meeting as many of them were not informed about it in time.

Congress MLA, Mr Mukesh Sharma, said that the Delhi government should immediately direct the sub divisional magistrates not to seal any non-polluting industrial units operating in non-conforming areas.

Demanding that the units sealed during the drive be desealed, Mr Sharma said that the government should prepare a list of officials responsible failing the relocation drive and causing the crisis.

After Dr Nath's statement, the Opposition staged a walk out protesting the chief minister's announcement of compensation of Rs one lakh each for the families of the three persons who died in violence during the last three days.

The BJP MLA and former Delhi Industry minister, Mr Harsharan Singh Balli, demanded that the compensation be increased to Rs 5 lakh. The House passed an unanimous resolution in absence of the Opposition, disapproving Mr Jagmohan's statement today.

Centre to seek more time for relocation

# No amendment in Master Plan, says Jagmohan

STATESMAN NEWS SERVICE

NEW DELHI, Nov. 22. — The Master Plan for Delhi will not be amended to regularise the functioning of unauthorised, polluting industrial units in residential areas of the Capital, the minister for urban development told the Rajya Sabha today.

The Centre would, however, approach the Supreme Court to seek more time for relocating them in areas earmarked for industrial activity.

Mr Jagmohan virtually rejected a regularisation demand from Congress members, also made by some local BJP members in Lok Sabha today. Accusing the minister of being "rigid and anti-poor", the Congress, Left parties and other Opposition groups walked out. The Samajwadi Party didn't join the protest.

The only other immediate concession Mr Jagmohan offered when dealing with the issue that has seen an eruption of violence in the city this week was the government's offer to redefine "household" industries in accordance with the formulation of the Jagdish Sagar Committee, subject to environmental considerations.

But the Delhi Assembly was not satisfied and passed a resolution "disapproving" the Union minister's decision to stick to his stand after the industries minister, Dr Narender Nath, read out excerpts of his speech in the Assembly. He also said the move will not benefit more than 7,000-odd industrial units.

The Chief minister, Mrs Sheila Dikshit, later said Mr Jagmohan's statement "does not address the issues involved. It does not specify the changes contemplated in detail or recognise the urgency of taking

sway at the Old Secretariat in the last few years, blamed each other for failing to create conditions for relocating the units.

Calling for viewing the problem as a "human" one rather than just a legal issue, Opposition members accused Mr Jagmohan of being anti-poor and failing to appreciate the plight of those whose lives would be disrupted by the closure of the small units. Some accused the local authorities of trying to shut down units that were not covered by the Supreme Court order. A few members wished the Supreme Court looked at ground realities before issuing directives.

The Congress specifically demanded amending the Master Plan so that areas where the small units flourished were declared industrial zones. Mr Kapil Sibal said the Supreme Court had indicated it would not object to such amendments but would not tolerate a blind eye to units functioning in areas earmarked for residential purposes alone. Mr Jagmohan did not buy that line. To regularise unauthorised activity would mean rewarding the law-breaker at the cost of the law-abider he said, and proceeded to contend that the Supreme Court had "commended" the urban development ministry for taking that stance and displaying the "will" to enforce the law.

## PEACE RETURNS

NEW DELHI, Nov. 22. — Barring stray incidents of road block and stone-pelting, the Capital today remained relatively peaceful after three days of violent protests by industrial owners and workers that left three dead and about a hundred injured.

Meanwhile, the crackdown on polluting units continued with over 20 such units being sealed today. — SNS

decisions fast."

Mr Jagmohan told the Rajya Sabha that the Master Plan might be amended if more land was required to relocate the units now due for shifting. He regretted that the Delhi Government had not implemented his suggestion to promulgate an Ordinance making the registration of all industrial units mandatory. That would have enabled accurate figures of small units to be ascertained.

During the course of an extensive discussion, political charges were traded about who was responsible for creating the ugly situation in the Capital.

The BJP and Congress members, their parties have held

23 Nov. 2000.

# Altering master plan is the soft option

By Pallavi Mittal



NEW DELHI: Public good was not the main propelling factor behind the several amendments that have been made to

the master plan in the past. Governments, it seems, used the amendments as a "softer option" to "cover up" what was otherwise, their failure to control the situation.

This is what DDA officials had to say about the issue of latest proposed amendment to the master plan, following the factory workers' unrest. In fact some officials admitted that the present situation may have resulted from the government inability to implement what was already specified in the master plan.

The most glaring instance being that the plan specified development of several industrial areas to meet the growing demands. Yet, the government did not implement it in totality, leading to mushrooming of industrial units in residential areas.

Unwilling to be quoted, a DDA official stressed that there should be rationale behind any proposed amendment to a law. DDA commissioner (planning) Vijay Rizbud admitted that the "non-implementation of the Master Plan may be behind some of the problems that Delhi is facing." For instance, the DMP 2001 proposed a unified transport authority to co-ordinate the various transport systems in Delhi. But nothing has been done about it."

And this is not the lone instance. Take the example of the Malhotra Committee recommendations. The government allowed regularisation of a part of constructions because it had no way to justify the blatant violation of law.

And the list goes on. Banquet halls and farmhouses were two other issues that put the government into the dock recently. In fact, the issue of regularisation of banquet halls has been going on since 1991-92. No decision has been reached on

it yet. As for the farmhouses, the government earlier allowed farmhouse owners to use a part of the land area for residential purposes. The decision was revoked when Jagmohan became the urban development minister.

The interesting part is that the authorities are now finding it extremely difficult to demolish the "palaces" constructed there.

The Master Plan, stressed DDA officials is a combined efforts of all the departments like the MCD, the Jal Board etc for the betterment of the city's services. The objective is to bring those responsible for providing the basic services under one umbrella so that their plans are in accordance to the perceived needs of the city.

Most importantly, the Master plan is framed keeping in mind all the needs of the growing population. The government does not seem to realise this. Infact, stressed DDA sources, the process of amendment of the plan has been deliberately made cumbersome so as to prevent people from taking political mileage. For instance, in industrial townships like Noida, the power to change the land use can be exercised by a bureaucrat.

In Delhi, however for any amendment to come into effect, it has to go through a long drawn process, which includes approvals by the DA technical committee, an authority headed by the L-G and the ministry which invites objections and suggestions from the public. The Central government has the final word.

According to DDA officials there are two approaches for bringing about change in the existing MP. One, re-densifying use of existing area and secondly, extending the urban area. While The amendments done under the Malhotra committee report come under the first category, the development of the Dwarka township is an example of the other. The other major changes in landuses were the inclusion of Narela, Rohini Ext to the urban extension area.

## 'Secret' list of dirty units likely soon

By A Staff Reporter

NEW DELHI: After setting the city on fire for two days, because of "non-application of mind" in the closure of industrial units, the Delhi Pollution Control Committee (DPCC) is preparing one more list of units.

The new list which is expected to be finalised by this week-end is unique. It contains those defaulting units which the DPCC shielded from the Supreme Court, the public and more importantly, from action. The list contains all those units which are similar to ones which had been reported by *The Times of India* on Wednesday and against which no action had been taken. In a meeting on Wednesday, Delhi chief secretary P S Bhatnagar called the divisional commissioner and the environment secretary and



*The Times of India 23 Nov. 2000.*

# Relocation problems: Bizarre mix-ups, crazy situations

*Even unit owners who wish to relocate are up in arms. They feel that successive city governments have let them down. Like being allotted an alternative site which turns out to be a buffalo pond. Or having a unit sealed while a nearby one carries on. Their plight is quite bizarre, writes Bhadra Sinha.*

## “Sealed despite permission”

Of the Rs 10 lakh required to relocate his dyeing unit from Nangloi to Narela, Kapil Khandelwal has already paid Rs 3 lakh. He also has a plot of land for it. A letter permitting him to run his unit till March 2001, until his new unit is completed, is with him.

But when he showed it all to the SDM who came to seal his unit three days ago, he was told: “Sorry your industry figures on our list.” When Khandelwal inquired, he figured out the list was prepared in 1996-97.

Khandelwal admits that his unit is polluting. “Therefore I got an effluent treatment plant installed,” he claims. But his plans for relocation had a curious denouement. The land he got in Narela, three years after he applied for it, turned out to be a pond, with buffaloes merrily swimming in it.

## “My unit is in industrial area”

She couldn't come to the court alone, nor could she get her daughters to assist her. Raj Rani, an elderly widow, reached the grievance cell at Tis Hazari with a relative.

Her tale sounds equally bizarre. A service station, which her husband started in 1986, was sealed during the present drive. So what is her problem? “It is located in the industrial area of GT Karnal road,” says Raj Rani, whose inquisitive eyes search for answers.

“The other service stations in the area are still open. I got the effluent treatment plant installed last year in January. And yet they came and sealed the unit on Sunday,” she says.

Raj Rani says the sealing of her unit has given her landlords an opportunity to harass her. “They say I have to vacate the plot or else the unit will not be de-sealed. I have a nine-year-old son and four daughters. How will I look after them,” she pleads. Any answers?

## “Sealing...and re-sealing”

This is another service station tale. Amarjeet Singh paid a price for owning one in 1996-97. For even though he converted to the sale and purchase of cars six months ago, his new office was sealed. He had, in fact, changed his business because his erstwhile service station had already been sealed six months for not installing an effluent treatment plant.

“The pollution officers came and sealed my unit. I didn't protest as I knew it was a polluting unit and I couldn't afford a treatment plant.”

So did he object, when they came to seal his new unit...the second time around? “Sorry, your company's name is in the list given to us,” the SDM told him. Arguments bore no results. The SDM came with the police. “They have disconnected the electricity but have allowed one phase to function. Even the water supply was cut. After several pleadings did they allow that, as I live above the office,” he said.

## “What about the guy next door”

Colonel A G Pereira's workers' reach the Telco service station at Kapashera each morning in anticipation that the work would start. For three days now they have been going back disheartened. Time to get worried? For Pereira, it's the competition next door, which is causing all the headache.

“I started this new service station about two months back in competition with several others. Though mine has been sealed, the others are still functioning. Why?” asks Pereira.

Pereira wasn't exactly expecting the sealing action, specially after he had got an effluent treatment plant installed. But he has a question for the government, which many others like him will need an answer to. “Why did they issue me the license to start a new service station two months back, while the case was still pending in the Supreme Court.”

## “The family ration sealed too”

A resident of Shakurbasti, Manjit Singh, is not earning enough to look after his old parents. Hence, he mooted the idea of putting two flour mills in one room in their house on the ground floor. In the second room, Singh's parents had stored the family rations. They sealed this room as well.

“My father used to look after the unit. He was assisted by one more person. I agree that we are in a non-conforming area but nothing was done to help us to relocate,” complains Singh.

On Sunday when the unit was sealed, they tried their best to explain that their ration was stored there. “They did not hear us,” says Singh.

# Delhi Assembly rejects Jagmohan's plan

*The Times of India* 23 Nov. 2008.

By A Staff Reporter



**NEW DELHI:** The Delhi Assembly passed a resolution "strongly disapproving" the proposal put forward by Jagmohan in the Parliament on Tuesday

regarding amendments in the Master plan. The resolution stated that Jagmohan's proposal "will not solve the problem of industry workers but will lead to more violence."

Industry minister Narendra Nath stated in the House that Jagmohan's proposal will only help 3,306 industries. "The rest of the 1.25 lakh industries will continue to suffer. Jagmohan has to make changes in his proposal. As for shifting the polluting units, we are ready to go ahead with it." The minister expressed that allowing power consumption upto 5KW would not help.

Nath then went to detail the House on earlier government's delays in acquiring land and appointment of architect and consultants for developing the area. Quoting dates, facts and figures, Nath told the House that the amount of land that was in the government's possession was only 1,065 acres, and, not 1,300 acres, as declared earlier.

"Of the 1,065 acres acquired, we will only be left with 600 acres for relocating industrial units after

## *We don't want Delhi's filth: Bawana MLA*

By Smeeta Mishra Pandey

**NEW DELHI:** The Delhi government has to make a choice: Whether it cares more for industrial workers or farmers who will now lose their land in Bawana. Indeed, do the people of Bawana want the polluting industrial units in their backyard? Nobody has sought an answer to that one yet. So Bawana MLA Surinder Kumar is now lobbying to put the Bawana view across.

"We don't want the polluting units in Bawana. Why should we take Delhi's filth?" asked Kumar. "The previous government acquired land in Bawana but it hasn't even given adequate compensation yet. The farmers are sitting on a dharna. The government promised to increase compensation rates by 10 per cent, but implementation is yet to see the light of the day. They acquired land by treachery. They have not given what they promised."

The Bawana farmers apparently believe that their land costs more than what the government rates them at. Now that the government is set to acquire more land, not all's well in Bawana.

Meanwhile, Chief Minister Sheila Dikshit said she was yet to fix the compensation rates, but would make sure that the farmers were given adequate compensation.

But, she added, it would take a long time for the government to dig up all the land records. "The land records are not clear as small plots of land have changed a dozen hands. It will not be easy extracting every detail. We can acquire land only after the records are straight. Compensation will follow." The Chief Minister lamented that "demarcating and fencing the land at Bawana will take some time as a lot of clearances have to be obtained before that."

Industries minister Narendra Nath pointed out that neither the Delhi Urban Arts Commission nor the National Capital Region Planning Board had yet given permission to develop the land. "We have not even received the minutes of meetings held by the nodal agencies on industries to be relocated in Bawana. I have requested Jagmohan for the minutes many times but to no avail."

constructing roads, placing sewer lines, electricity and telephone cables. How do you expect us to accommodate so many industrial units in such a small piece of land? We need 20,000 acres of land," Nath said.

On why the Congress government also failed to develop the Bawana land, chief minister Sheila Dikshit is scheduled to make a statement on the floor of the House on Wednesday.

Criticising Jagmohan's proposal, MLA Mukesh Sharma remarked on the floor of the House, "Jagmohan has only given us a lollypop." And, Ajay Maken criticised the BJP of "politically utilising the issue." The BJP, in turn, accused the Congress of mis-mapollutionnagement even as BJP MLA Harsharan Singh Balli and Congressman Ajay Maken accused each other of owning polluting industrial units. Until, Maken showed DPCC papers to the House certifying that he did not own a polluting unit.

Apart from Jagmohan bashing, the government introduced two bills in the House including the Delhi Electricity Reform Bill and the Delhi Prisons Bill respectively.

The proceedings in the house also witnessed chaos when Janata Dal MLA Shoiab Iqbal tried to kick BJP MLA Sahib Singh Chauhan for making derogatory remarks about his political contacts. Iqbal, on his part, also called Chauhan names, and, both were expelled from the House.

## Jagmohan bends a little, but won't break

The Times of India News Service

NEW DELHI: The Union Government on Wednesday bent only slightly on the question of reworking the Delhi Master Plan and stuck mostly to the stand Urban Development Minister Jagmohan had taken in the past two days when the Capital was brought to its knees by agitating small-scale industry owners and workers. All that Jagmohan conceded in the Rajya Sabha was that the master plan, if necessary, would be amended. At the same time, he stuck to his stand that "industrial colonies" could not be regularised.

Polluting industries, he said, will have to be relocated and non-polluting units in residential areas will be moved to demarcated industrial areas for which land would be earmarked. If all such units cannot be accommodated in the demarcated areas, the Master Plan will be amended, if necessary.

As for household units, he said the government will redefine them in terms of the Jagdish Sagar Committee's recommendations, permitting only units run by a houseowner or a tenant. The government will also request the Supreme Court to "give a little more time" for relocating the units.

The Opposition walked out when he said no residential colony would be converted into an industrial one even if 70 per cent of it was industrial.

A short discussion that followed Jagmohan's statement turned into an ideological debate on priorities - environment or means of livelihood.

Kapil Sibal (Congress) cited various Supreme Court orders to prove that Jagmohan had always opposed altering the Master Plan. He said the earlier BJP government had dragged its feet on the issue, whereas the Congress wanted to change the plan to regularise areas which were largely industrial. Sibal said even the Supreme Court was not averse to amending the master plan to end the impasse.

Jagmohan was seen jumping to his feet, interrupting Sibal. Jagmohan insisted he wanted disciplined and planned cities and said regularisation of these industrial units would only perpetuate illegality. The thrust of his argument was that law-abiding people should not suffer just because of a few law-breakers.

Claiming that these people have created assets worth Rs 5,000 crore, the Opposition said the government should regularise the 15 colonies which the Delhi government wanted to be turned into industrial areas. Sibal noted that only 4,000 of a lakh units are polluting and that it is impossible for a "non-polluting" tailor to cater to his clientele if relocated some 30 km away.

Shabana Azmi made a passionate plea that the people can live with a little more pollution for a little longer till the right to livelihood is assured. TDP member Ramachandraiah urged the Supreme Court to be more pragmatic and to be aware of the ground reality. It cannot usurp the powers of the executive, he said.

# Delhi master plan in for a fudge

TOI

23 Nov, 2004

**The Times of India News Service**  
NEW DELHI: Tuesday saw a flurry of activity as politicians of all hues scrambled to get their act together on the contentious issue of closure of industries, most of them ready to consign the master plan for Delhi's development to the dustbin if it helped score some points and get some potential votes into their pockets.

The Prime Minister had at least two meetings on the issue. Chief minister Sheila Dikshit, whose government has been insistent on amending the master plan, met the PM and the President. The BJP parliamentary party as also the Congress had something to say on the issue. All the politicians wanted to be seen as upholding the cause of Delhi and poor workers.

By the evening, they seemed to have succeeded partially. Union urban development minister Jagmohan, under pressure from even his own partymen, said the government will consider a redefinition of household industries to allow certain units to continue in residential areas. This will not apply to polluting units, which are first on the list of those to be removed. The position should be made clear when Jagmohan makes a statement in Parliament on Wednesday.

How many units will benefit

from this? There is no clear answer. The city government has been maintaining the number is over one lakh but its own scrutiny earlier

had narrowed it to about 24,000. Sceptics say the redefinition will not benefit too many people.

The protests over the past few days have prompted politicians to come out in the open. A

meeting of the BJP parliamentary party earlier in the day had official spokesperson V K Malhotra saying they were recommending the Master Plan be amended on two counts. One, to accommodate household

industries which employ less than 10 persons and use less than 5 kw of power, and two, to permit more industrial areas, if necessary. But units which do not fall in the household industry category should be relocated in a time-bound fashion.

Malhotra took a dig at the Congress-led Delhi government, claiming its chief secretary, fearful of the apex court, panicked and gave a wrong order (on closing industries). The Congress didn't do any better. Its spokesperson Margaret Alva passed the buck to the BJP, saying it had been in power in Delhi when the court case began and it should have moved to amend the Master Plan then. Nor did the party see fit to accept responsibility for the law and order situation, since that is in the hands of the Centre.

## THE WAY OUT

- The Centre, the Congress and the BJP seem to agree on amending the Delhi master plan
- A category of units may be redefined to allow some of them to stay put where they are
- Jagmohan, Union urban development minister, is going along with the move