

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
O.A. NO. 5 OF 2025**

IN THE MATTER OF: -

**KARTAR SINGH
AND ANOTHER**

...APPLICANTS

VERSUS

**GOVT. OF NCT OF DELHI
AND OTHERS**

...RESPONDENTS

NDOH: 14.11.2025

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RESPONDENT No.4/DDA

THROUGH

DEEKSHA L. KAKAR
COUNSEL FOR DDA

B-6/58, LGF, SAFDARJUNG ENCLAVE
NEW DELHI – 110029

Ph. 9313119255 | deeksha.kakar@scladi.com

Enrol.No.D/1154/2008

Place: New Delhi

Dated: 13.11.2025

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A. NO. 5 OF 2025

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AND ANOTHER**

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VERSUS

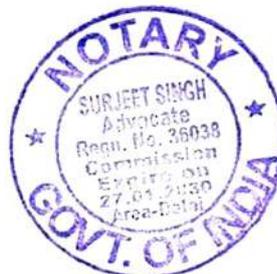
**GOVT. OF NCT OF DELHI
AND OTHERS**

...RESPONDENTS

**AFFIDAVIT ON BEHALF OF RESPONDENT NO. 4,
DELHI DEVELOPMENT AUTHORITY, IN TERMS
OF THE DIRECTIONS UNDER THE ORDER DATED
20.08.2025.**

I, VIDYA BHUSHAN S/o J.B. SINGH, aged about 33 years,
currently posted as DD (IL) of the Delhi
Development Authority, having office at VIKAS SADAN, do
hereby solemnly affirm and declare as under: -

1. That I am duly authorized and competent to affirm the present Affidavit on behalf of Respondent No. 4/Delhi Development Authority ("DDA"), which has been prepared under my instructions. I am fully conversant with the facts and circumstances of the present case on the basis of the records maintained in the office to enable me to file the present Affidavit on behalf of the Respondent.



- 291
2. The present Original Application (“OA”) has been registered on the grievance of the applicant that the Transport Department of Delhi has encroached upon the water body, namely Johar, situated at Khasra Nos. 12/11, 12/12, 12/19, 23/5/1, 23/13/2 and 23/1 and is constructing the DTC terminal and multi-storey commercial building on Khasra Nos. 12/11 and 12/19 without taking a Change of Land Use Certificate and No-Objection Certificate from the forest department.
 3. It is respectfully submitted that by the Affidavit in Reply dated 03.07.2025, the answering Respondent has placed on record the status in respect of the land in question in Village Najafgarh. The present Affidavit is being filed to supplement the submissions made therein and in compliance with the Order dated 20.08.2025, wherein the Hon’ble Bench directed the DDA to clarify whether any part of the water body as reflected in the revenue record has been transferred to the Delhi Transport Corporation (“DTC”) and place on record the full details of the transferred land. The answering Respondent accordingly craves leave to refer to and rely upon the earlier Affidavit filed, along with the submissions herein.
 4. As per the available records, a request for allotment of a site in Najafgarh, Delhi for a bus terminal, was received from the Transport Planner, DTC headquarters, and from the General Secretary, Najafgarh Welfare Association in 1988. The proposal was sent to the Finance Committee for fixation of rates for such allotment. The identified site was at Khasra Nos.12/11, 12/12 and 12/19 comprising of



a pond and gaon sabha land admeasuring 4.01 acres at Village Najafgarh. **Annexure A-1.**

5. The proposed allotment and its feasibility was referred to the Technical Committee, DDA, which, after due inspection and deliberation found the site at Khasra Nos.12/11, 12/12 and 12/19 to be feasible for the allotment and construction of the terminal. A true copy of the Technical Committee's recommendations and approval dated 16.07.1990 is annexed hereto and marked as **Annexure A-2.**
6. Pursuant to the approval of the technical committee on 16.07.1990, site measuring 7851.57 sq.m at Najafgarh was allotted to DTC for a bus terminal vide office letter dated 01.04.1992. However, on the request of the DTC, the allotment was subsequently withdrawn on 02.08.1995 due to unavailability of funds. Pursuant thereto, and on the inability expressed by DDA to develop the site, free of cost, the Transport Department, GNCTD, requested for the allotment of land to be made to them. It may also be relevant to mention here that as per the noting available on file, at the relevant time an assurance was given by the Hon'ble Chief Minister of Delhi, before the Legislative Assembly, that the inauguration of the Bus Terminal at Najafgarh will be held on 02.10.1997. True copies of the allotment letter dated 01.04.1992, withdrawal letter dated 02.08.1995, Letter to Transport department dated 11.09.1997 and the relevant departmental noting evidencing the approval, allotment, and its subsequent withdrawal is annexed hereto and



marked as **Annexure A-3 (Colly)**.

7. Pursuant thereto, it was informed to the Transport Department, GNCTD, that the site was vacant and low-lying and filled with water and was being allotted on *as-is where is* basis. A demand-cum-allotment letter for land measuring 7851.57 sq.m. was accordingly issued to the Transport Department, GNCTD, on 01.04.1998. However, on the request of the Transport Department, and approval of the Competent authority accorded on 21.11.1997, the land was transferred to the Transport Department prior thereto on 27.11.1997, for carrying out works thereon, and pending calculation of the costs, payments and charges in respect thereof. A copy of the noting bearing the approval of the Hon'ble Lt. Governor dated 21.11.1997 granting approval for handing over of the land to the Transport Department is annexed hereto and marked as **Annexure A-4**.
8. The land at Khasra Nos. 12/11, 12/12, 12/19 accordingly stood formally allotted to the Transport Department, GNCTD, on 01.04.1998, for construction of the Bus Terminal. It is respectfully submitted that as borne out from the records, the water body as reflected in the revenue record was transferred to the DTC. True copy of the demand-cum-allotment letter dated 01.04.1998 are annexed hereto and marked as **Annexure A-5**.
9. The above information, documents and present Affidavit are submitted accordingly.




DEPONENT
 उप निदेशक / Deputy Director
 (संस्थागत शाखा) / (Institutional Branch)
 दिल्ली विकास प्रधिकरण / Delhi Development Authority
 आई.एन.ए., विकास सदन, नई दिल्ली-23
 INA, Vikas Sadan, New Delhi-23

VERIFICATION: -

Verified at New Delhi on this _____ day of November, 2025 that the contents of the above affidavit are true and correct to my knowledge based on the records of the Delhi Development Authority. No part of it is false and nothing material has been concealed therefrom.



Identified the deponent/executant who has signed in my presence.


DEPONENT
 उप निदेशक / Deputy Director
 (संस्थागत शाखा) / (Institutional Branch)
 दिल्ली विकास प्रधिकरण / Delhi Development Authority
 आई.एन.ए., विकास सदन, नई दिल्ली-23
 INA, Vikas Sadan, New Delhi-23



CERTIFIED THAT THE DEPONENT
 Shri/Smt/Km ... Vidya Bhushan ...
 S/o, W/o, D/o Sh. J. B. Singh R/o... D.D.A, Vikas Sadan
 identified by Shri/Smt. _____ NID
 was solemnly affirmed before me at Delhi
 on 13-11-2025 at SI Nos 1379
 that the contents of the affidavit which have been
 read over & explained to him/her are true & correct
 to his/me knowledge

Notary P 

13 NOV 2025

18/11

295

No. NWA / DTC / BB dt 16-6-88 from
Gen. Secretary, The Najafgarh Welfare
Association (Regd) 41 No. 1326 Najafgarh
New Delhi

The POC Report opposite may be seen.

In this letter the Gen. Secretary
of Association Najafgarh has requested
to expedite the location of a site for
Bus Terminal in Najafgarh.

In this connection ~~the~~ it is
to intimate that this case was
referred to Finance Deptt for fixation
of Rate to be charged from DTC
for const of Bus Terminal in Najafgarh.

The report of Finance Deptt may
be seen at page in which they
intimate that the rates for Bus Terminal
exclusively should be charged @
Rs 8 lakh per acre provisionally with
the 1/2 to ground rent on premium,
and also intimate to link up the
request made by DTC for allotment
of land for Bus Terminal in Najafgarh.

Keeping in view of the above
we may write to DTC to make a
request or put up the case for
approval of Competent Authority.

Submitted for order pl.

A. [Signature]
12/9/88 6/17/88

of apud, we may ADI [Signature]
ask the welfare association
of their request sponsored
by [Signature]

As discussed
Draft agenda is enclosed.

Approved.

Signature

16/3

For na khar as discussed

DP

Signature

17/3

Dict. P
Shw

This is a case regarding allotment of land for the construction of Bus Terminal in Najaf Garh requested by Najaf Garh Welfare Association. In this connection a letter no. J-13036/1/88-DDIA Dated 15.1.88 forwarding there in a letter of Shri. Dr. Prem Chand Kaushik to Shri Dalbir Singh, Ministry of State for Urban Development Govt. of India has also been received and is placed in the file at flag-A. The case is examined in City Planning Wing and the proposal for locating a Bus Terminal site was in the process of putting up of the case to the Technical Committee of DDA. In the mean time the representatives of the Association have met the Dir(CP) on 11.3.88 and submitted a letter dated 9-10.3.88 on the subject noted above.

In the letter under reference the site no. II bearing Khasera no. 12/11,12,19 on Bahadur Garh Road shown on the copy of the plan at flag-B and ^{which} is Gaon Sabha land, ^{with} waste with DDA and transferred to Hort. Deptt. ^{As per the plan of the area} the land use is local shopping/primary school.

Site no. II near ESS/water tank earlier being requested is not ^{acceptable} acceptable to them being away from the residential area.

In the zonal development plan I-D for Najaf Garh modified as per authority resolution no.66 dated 5.7.82. There is a site measuring 1.76 hec. on Nangloi Road (marked-1), which can be considered for allotment subject to the verification of title of land and approval of competent authority that is Vice-Chairman, DDA. The land would be allotted ^{if} the DDC may kindly see for further n/a.

Dir(CP)
Addl. Comm. (Lands)

Signature
(N.K. Aggarwal)
Jt. Dir(CP-II)
18.3.1988

Signature
25/3/88
DDI
Gang...

Signature
21-3-88
Spoken
P. discuss immediately

Signature
27/3/88

153
11/3

Shown on the Copy of the Zonal development

Jt Dir (CP)

Dy. Dir (CP)
18/2/88

This is regarding allotment of land to DIC for the construction of Bus terminal in village Naja Garh. A number of requests have been received and the case is to be put up to the technical committee for its consideration. DD(NL) is therefore requested to get the title of land verified for the 3 sites marked on the copy of the plan enclosed. This please may be treated as urgent. *M/S* Nawani Plg. Asstt. is being sent to you for this purpose.

Jt. Dir (CP-II)
DD(NL)

[Signature]
21/2/88

[Signature]
(H.S. Sikka)
Dy. Dir (CP)
22.2.1988

Director (CP) may kindly see his observations dt. 17.2.88 at page 1/N. As desired an agenda item for the consideration of the Technical Committee has been prepared. We have already asked for ownership of the proposed site for bus terminal from Lands Section and a person has been deputed to collect the same. The sites under reference have also been inspected by the undersigned alongwith Sh. Sikka, Dy. Director. The site proposed for bus terminal is suitable from planning point of view subject to verification of title of land by Lands Section. If agreed case be referred to Technical Committee for its consideration. In the mean time, it was decided that the title would be available in Planning Cell and can be explained at the time of the meeting. It is also suggested that G.M. West DIC be also called in the meeting of the Technical Committee.

21/3/88
11/3/88

Re. No. 10
Date: 26/3/88
From: 24/2/88

~~Dy. Dir (CP)
Dy. Dir (Plan)~~

[Signature]

[Signature]
20/2/88

[Signature]
20/2/88
P. and A. City of A-20/ I-2 (revised)

[Signature]
(H.S. AGGARWAL)
Dy. Dir (CP)-II
24.2.1988

166
29-2-88

Dy. Dir
2-7-88

As desired a copy of Z.D.P I-2 (CP) is attached herewith

Control of Dir. Hort. DDA
since 29⁶

Site No. 1 measured about 20000 sq. yds. = 4.5 Acres
Site No. 2 measured about 14700 sq. yds. = 3.00 Acres

As stated by me in my note on pre-page, two sites plan, of the following sites were handed over to me by Shri K.C. Tiwari, Project Planner, DDA in the room of Commissioner(Lands) today.

- a) site No. 1: Khatta No. 12, 12 and 12
Area = 20000 sq. yds. = 4.5 Acres
- b) Site No. 2: Khatta No. 294, 295 & 296
Area = 14700 sq. yds. = 3.00 Acres

It was stated by Shri Tiwari that these D.T.C. terminals are to be inaugurated by Hon'ble L.G. on 16.7.88 and as such it was desired by the D.T.C. officials, who came to meet Commissioner(Lands), that these sites may be allotted to them before 16.7.88.

As regards the title of land, according to reports obtained from D.D(NL) at page-3/N and 12/N, both the sites vest/belong to D.D.A. and the same are being maintained by D.D.A's Horticulture deptt. at site. These can be considered for allotment to D.T.C. after these are marked on the Plan by our Planning wing. The file may, therefore, be sent to Director(CP)/Commissioner (Planning) who may kindly do the needful and return the file to us latest by the Friday i.e. by 9.7.88 (evening), so that approval of the V.C. may also be obtained and allotment letters may be issued.

After marking the sites on layout plan, 4 copies of the possession plans may also be provided and placed in file, so that the case need not be referred again to Planning Cell.

Submitted along with...

(O.P. VERMA)
DIRECTOR (INSTL.)
11/7/88

Commissioner(Lands)
Commissioner(Planning)

for details in the Commission's memo

Site No. 2 may be checked at site. "So that paper right of way (min 40 feet) is achieved. One a site for Bus Terminal is adequate as per POP 207 JE (CP) may check a site

3/7/88

Handwritten notes and stamps

Handwritten notes

This file was handed over to me by Shri N.K. Aggarwal, Jt. Director(CP)-II for site inspection, since he has proceeded on leave for some urgent domestic work. The site has been inspected today.

Details of these sites are as under:

Site no. 1 bearing Khasra nos. 12/11, 12/12 and 12/19 with an area of 4.01-acres is located on the right hand side of the road leading to Bahadur Garh off Mangloi Road. It is a big pond and it is a Gaon Sabha land and its ownership rests with DDA and transferred to Horticulture Department as per report of Land Section. Its location is marked in yellow on the Plan.

Land use of the site as per Zonal Development Plan of Najafgarh is residential. The Najaf Garh Welfare Association vide their letter no. NWA/DTC/BB dt. 9.3.88 has also requested for allotment of this site to DTC Depot as its location is very proper and convenient place. The R/W as shown in the Zonal Plan can be achieved.

Site no. 2 bearing Khasra nos. 294, 295 and 296 with an area of 3-acres is located near existing water tank opposite to Electric Sub-station on main Najafgarh Road. It is about 1-KM. away towards Uttam Nagar from the main abadi of Najafgarh town. As per report of Land Section this site is also a Gaon Sabha land and is placed at the disposal of Director (Horticulture). The R/W of this road cannot be achieved due to its encroachments towards Mayapuri Town.

Land use of this site as per Zonal Development Plan is regional park.

Site no. 3 is proposed on Najafgarh-Mangloi Road, but at site no such piece of land is available. The entire area is built-up at site with unauthorised construction/farm houses etc.

J.K. Madhok
(J.K. MADHOK)
JT. DIRECTOR(S)
13.7.88.

DIRECTOR(CP)
COMMISSIONER(P.L.G.)

A - maybe after

In my opinion the site is not suitable for a residential road to East side of the site.
Commissioner
14/7/88

P.T.

F.662
19/7

Item No. 3

Sub:-Allotment of land for D.T.C. Bus Terminal at Najafgarh.

F.24(4)/88-Instl.

BACKGROUND

A request for allotment of site for this terminal was received from the Transport planner DTC head quarters, I.P. Estate, New Delhi and from Najafgarh Welfare Association addressed to Lt. Governor, Delhi. They have mentioned about two sites:-

1. Land in front of vegetable market on Bahadurgarh Road.
2. Land near Watertank and Sain Baba Mandir.

SUBJECT MATTER

- According to ZDP a site measuring about 1.4 hect. was marked for DTC Bus Terminal but the same has been encroached upon and so is presently not possible for the bus terminal. Keeping in view the necessity of Bus Terminal and parking which are presently parked on the main road, thereby causing congestion and traffic obstructions a site measuring about 1.5 hectares marked on the plan (Placed on the table) on main Najafgarh Road near Water Tank/Electric sub-station has been proposed.
2. The transport planner DTC has agreed that this site is feasible as informed vide letter no. IPSD/55.66/88/223 dated 18.4.90 (Appendix) and desired that the land should be got levelled. Presently it is low lying area. The land is allotted on 'as in where is' basis as a practice. In the draft ZDP the site is shown for recreational
 3. The matter is placed before the Technical Committee for its consideration the above said proposal.

DECISION

Technical Committee observed that the proposed sites (2 in Nos.) for DTC Bus Terminals in Najafgarh Township, earlier suggested, are not feasible as these have been squatted upon. Therefore, the site measuring 0.75 h shown on the plan (Laid on the table) was found feasible and approved for the allotment to DTC for construction of a bus terminal. The Technical Committee felt that the remaining land in this pocket which is likely to be affected in the proposed road alignment, may be utilised for providing other facilities as it may not be feasible to construct the road as proposed in the draft plan. The Technical Committee also desired that the Zonal Plan of this area should be taken up for finalisation, taking into consideration all aspects and the decisions taken so far.

From GDS-2200 :

I have examined the case. I feel that proposed Bus Terminal should be located on a 40 mtr ^{off} wide road. As per the survey report given above, the site No. 1 would be suitable for this purpose as it is located on 36.58 meter wide road as per Zonal plan. The plan is placed opposite

G. D. MATHUR
(G. D. MATHUR)
Commissioner (Planning)
14. 7. 1988

Com Land
AFL

OK
15-7-88

~~1/17~~

15/7

20.786

~~1/17~~

in Raj-8m

There is a request for allotment of land from D.T.C for const of Bus Terminal in Majajgarh area. The case was referred to the city planning wing to examine the request of D.T.C & for their comments. Com. (Planning) vide his note dt 14-7-88 at 0/15/N has proposed a site No. 1 measuring Khassa No. 12/11, 12/12 and 12/19 with an area of 4.01 acres located on the right side of the road leading to Bahadur Garh off. Nagloi Road (as per the report of Land Section) Its location is

Contd.

(55)

DELHI DEVELOPMENT AUTHORITY
(ZONAL PLAN SECTION)

No. F. PZ/00(ZP)/00/1481

Dated: 16-7-50

Sub: Allotment of land for DTC Bus Terminal at
Behadurgarh

The Technical Committee in its meeting held on 16-7-50 vide item No. 3 has approved the allotment of land to DTC for the construction of a bus terminal. The proposed site is in front of the vegetable market on Behadurgarh Road. J.D. (Survey) requested to conduct a survey of the area, indicating the broad features, ~~with existing buildings and other~~ related information of the site, so that a plan for handing over the site to DTC can be prepared.

Pl. identify the site w/ area &
be survey on old survey &
map. plan.

Armana 18/7/50
D.O. (ZP) 19/7/50
DIRECTOR (ZP)
D.O. (SURVEY)

Armana
D.O. Director (ZP)

Site marked on the plan. The plan may be sent to J.D. (Survey).

D.O. (ZP)

Armana 20/7/50
20/7

Joshi

A survey was conducted on the site, which may be covered the entire area as shown on the ZP.

JD/S

Armana 20/7/50

P. Shankar 10/7/50
The site is marked on the plan and the area is to be surveyed. The plan is to be sent to J.D. (Survey) for his consideration. The survey is to be completed by 20/7/50.

Armana 20/7/50
In view of the above, taking into consideration all

Ref. DD(IL) Note dt 17-5-91 (Page 48/N), five copies of the handing over plan for DTC Terminal at Najafgarh are placed below in the file. The site approved by the Technical Committee may be processed further for allotment. The demarcation of the site and verification of the dimension may also be taken up by the A.E. (Lands).

(A.E. Jain)
Jt. Director(ZP)
19-6-91

f/999 (Comm/10/6)
20/6

Commissioner (Fls.)
Dy. Director (IL)

J.P. 26/6/91

Comdr. P. 27/6

2075/10/11
26/6/91

20/6
DDK

[Signature]
26/6

W.P.
[Signature]
27/6/91

[Signature]
27/6
[Signature]
28/6

Reference note contained may kindly be seen. If agreed this case may be sent to AE/IL for verification of dimensions.

[Signature]
27/6/91

P. S. S.
[Signature]
27/6/91

[Signature]
[Signature]

1504

DEEHI DEVELOPMENT AUTHORITY
(INSTITUTIONAL BRANCH)

Annexure A-3 (Colly)

Vikas Sadan, INA
NEW DELHI-23.

Dt. 1.4.92

No. F. 244/88 II/243

From: Jt. Director (Instl.)
D.D.A.

To:

The Dy. Chief Clerk (Civil) / C.M. (West)
D.T.C.
Mayapuri Depot
New Delhi

Sub: Allotment of land for Bus Terminal
at Mayapuri

Sir, With reference to your letter dated 25.11.91 on the subject noted above, I am directed to inform you that under the provisions of D.D.A. (Developed Nazul Land) Rules, 1981 it is proposed to allot you on perpetual lease hold basis, a plot of land measuring 7851.57 sq.mtrs. in Mayapuri for the purpose of Bus Terminal on the following conditions as given in the approved format of perpetual lease and the following conditions amongst others:-

- i) That the allottee DTC will be required to pay provisional premium of land measuring 7851.57 sqmtr. @ 15.60 per annum of the total premium. (aggregate of the provisional and final premium). The revision of rates of land is under consideration of the Central Government. The allottee shall have to pay balance premium for the land as per rates determined by the Central Govt. under Rule 5 of DDA (Developed Nazul Land) Rules 1981, and within the time demanded by DDA. The rates of land determined by Central Govt. shall be binding upon the allottee and shall not be called in question by it in any proceedings.
- ii) The allottee shall give an undertaking to the effect that it will pay the balance premium of land, as may be demanded by DDA on the basis of the rates determined by Central Govt.
- iii) The area of the land/plot is also subject to variation in size, due to requirements of layout plan and demarcation of site etc.
- iv) The allotted land shall be used for the purpose of Bus Terminal and no other purpose whatsoever.

Cantd., 2.,

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81-B

- v) The building plans should be got approved from the Lessor/DDA before getting the same sanctioned for the construction on land and construction as per sanctioned plan shall be completed within a period of 2 years from the date of taking over possession of the plot allotted.
- vi) The allottee shall not sell, transfer, assign or otherwise part with possession of the whole or any part of the said land or any building thereon except with the previous consent in writing of the Lessor which he shall be entitled to refuse in his absolute discretion.
- a) PROVIDED that, in the event of the consent being given the Lessor may impose such terms and conditions as he thinks fit and the lessor shall be entitled to claim and recover the whole or a portion (as the Lessor may in his absolute discretion determined) of unearned increase in the value (i.e. the difference between the premium paid and the market value) of the said land at the time of sale, transfer, assignment, or parting with the possession and the decision of the Lessor in the respect of the market value, shall be final and binding.
- b) Notwithstanding any thing contained in clause (vi) above, the Lessee may with the previous consent in writing of the Lt. Governor of Delhi (hereinafter called "the Lt. Governor") mortgage or charge, the said land to such person as may be approved by the Lt. Governor in his absolute discretion.
- vii) The lease deed shall be executed and got registered by the society at its own cost as and when called upon to do so, by the Lessor (President of India), DDA.
- viii) In case, the allottee is being allotted land for clubs, Community Hall, then the Community Hall/Clubs shall also be used by the residents of the colony and officers of the DDA residing in nearby colonies within a radius of 8 K.M. on the same fee/charges as are payable by the members of the Club/Society. The residents/officers of the D.D.A. will be treated at par with the members of Society for using the facilities provided at the clubs/Community Hall, on the payment of same fees/charges etc. as are payable by the members of the Lessee/Allottee.
- viii-A) The trees if any standing on the plot in question shall remain as DDA property and shall not be removed or disposed off without the prior approval of the lessor in writing.
- ix) That all other conditions as contained in the perpetual lease deed to be executed in this behalf and any other terms/conditions imposed from time to time by the Central Govt./Lt. Governor shall be binding upon the allottee. The format of Lease Deed can be purchased from the office of D.D.A.

Contd., 3.,

- x) If the allottee violates any terms and conditions as mentioned above and in the perpetual lease deed, the allotment shall be cancelled and possession of the land/plot with superstructure standing thereon if any, will be taken over by the Lessor (President of India)/DDA without any compensation to the Allottee.
 - xi) If the allotment is cancelled for breaches of any terms/conditions of the allotment, the possession of plot/land with building, if any will be handed over to the DDA by the Allottee on the date given in the cancellation notice.
2. If the above terms/conditions are acceptable to you, the acceptance thereof with Attested undertaking be sent to the undersigned alongwith a Demand Draft for Rs. 31,02,450/- in favour of D.D.A. within 30 days from the date of issue of this letter. The said amount can also be deposited in Central Bank of India, Vikas Sadan, INA, New Delhi, and copy of challan for having deposited the money, may be sent with the acceptance letter alongwith undertaking within 30 days of the issue of this letter.
3. In case the payment and the acceptance letter with undertaking is not received within 30 days from the issue of this letter, it will be presumed that you are not interested in the allotment of the land and the offer will stand withdrawn.

Premium of Land @ 6 = 30,26,780
 @ 15.60 per acre
 C.R. @ 2 1/2% = 75,670

Yours faithfully,
 Jt. Director (Instl.)
 D.D.A. Vikas Sadan,
 NEW DELHI.

Rs. 31,02,450/-

Cy to AO (R)

-: 69/N :-

This case relates to allotment of land to DTC in Najafgarh Area for setting up a bus terminal. The allotment letter to the DTC was issued on 1.4.92 with the request to make payment of Rs.30,26,780/- as premium @ Rs.15.60 lacs per acre and ground rent of Rs.76,670/- (Total Rs.31,02,450/-) which was to be paid within 30 days from the date of issue of letter, payment has not so far not been made by the DTC. A reminder was issued by the Commissioner(L) on 16.12.92. The D.T.C. vide their letter dated 7.12.92 requested the DDA to develop the bus terminal at site in question and hand over to DTC free of cost for operational purposes. The land allotted for bus terminal is low lying and in shape of a pond. The Chief Engineer(WZ) was requested to indicate the cost of filling and it was intimated that the cost of filling the pond and putting up the boundary walls would be approx. Rs.28.61 lacs.

Hon'ble Lt.Governor had visited the site in May,92 and desired that the terminal be made functional by Diwa DTC are, however, insisting that they may be provided developed bus terminal free of cost and vide reference dt. 7.12.92 have reiterated the request.

The L.G. was apprised of the position that DDA is unable to accede to the request of the DTC and the L.G. had been pleased to refer the matter to the Ministry of P-144/c Surface Transport for their comments.

As the payment has not so far been made by the DTC and the organisation is persisting with its stand, it may kindly be directed whether the case may be recommended for cancellation of allotment or clarifications from MOST be awaited.

Comr.(L)

[Signature]
Director(Lands)

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I am very sorry that
page 14 of it was made clear that
they have to pay for dot charges. They are
unwilling to pay even this premium for the
land on the ground that it is the duty of
the local bodies to develop and allot
terminals to DTC free of charge. We

दिल्ली विकास प्राधिकरण
 DELHI DEVELOPMENT AUTHORITY
 विकास सदन
 VIKAS SADAN
 बाई. एन. ए.
 I. N. A.

F24(4)88/IL / 1029
 Director(Lands)

नई दिल्ली
 New Delhi-23... 2-8-95 19...

The Chairman Cum Managing Director,
 Delhi Transport Corporation,
 I.P. Estate,
 New Delhi.

Subj- Allotment of land for Bus Terminal
 at Mayapuri

Sir,
 As per the meeting held with V.C./DDA
 by the Chairman Cum Managing Director of the
 DTC, the offer of allotment of land in Mayapuri-
 Gurgaon, Bus Terminal land measuring 7851.57 sq.mtr.
 has since been treated as withdrawn.

Your faithfully,

Director(Lands)
 D.D.A.

Copy to
 A.O.(IL) for information and necessary action
 please.

Director(Lands)



309
168

परिवहन विभाग
राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार
5/9, अंडर हिल रोड
दिल्ली-110054

No.F. P+C 1(5)/92/TPT/PLG
Dt: 11 Sept 97

MADHU K. GARG
JOINT DIRECTOR(PLANNING)

Dear Ma'am,

Kindly find enclosed a copy of the letter sent by the Hon. Minister of Transport, Delhi Government to Hon. Lt. Governor Delhi.

Assurance has been given in the Delhi Assembly that inauguration of the bus terminal in Najafgarh shall be done on 2/10/1997, it is therefore essential that some developmental work is carried out by the Transport Department earlier than 2/10/1997.

Request of the Hon. Minister may kindly be considered and pending all other formalities, a no objection certificate may be given to the Department of Transport to start developmental work. It shall be in the interest of both the DDA as well as Transport Department to ensure no dispute on area or demarcation occurs later on hence request is for a formal handover of the land on lay out plan by your site engineers to the Transport Department before commencement of departmental work.

Urgency in the matter is requested.

With regards


(MADHU K. GARG)

Ref query pt :- The land up is still vacant + available for allotment.

Ms. Asma Manzar,
Director(Lands),
DDA, Vikas Sadan
INA, New Delhi.



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परिवहन मंत्री
TRANSPORT MINISTER

दिल्ली सरकार
GOVT. OF DELHI

D.O. No .F\PA\MOTE\97\
Dated:

Dear Shri Khanna,

There is an urgent need of bus terminal at Najafgarh. A piece of land was earlier identified for bus terminal and it was at that time informed that the land belonged to Horticulture Department of DDA. It has now come to notice that DDS had allotted 7857.57 Sq. meters of land to DTC in Najafgarh vide their allotment letter dated 1.4.1992. In a meeting between the Vice Chairman, DDA and DTC officers, in 1994, DTC requested for withdrawal of allotment since funds were not available with DTC. DDA cancelled the allotment in 1995.

2. Need for bus Terminal in Najafgarh is now urgent since the area in around area has developed considerably and the transport is one of the essential services. A shuttle service has also been introduced which links surrounding villages to Najafgarh optimising the bus utilisation of DTC. Such a hub and spoke system of routing requires quick transfers in order to be successful and for this a proper terminal is required.
3. This issue of providing a bus terminal at Najafgarh was also taken up by the Legislative Assembly in its last session and assurance was given to the House that a bus terminal will be started soon. Again in this session this matter came up under Rule 259(special mention matters) wherein the Chief Minister has assured in the House that Najafgarh bus terminal shall be inaugurated on the 2nd October, 1997 and within this financial year the bus terminal shall be operational.
4. The land under reference is very low lying and presently resembles a pond. A lot of development work by way of filling of the land shall be required before any kind of construction work is taken upon it.

...contd..

*in
Najafgarh
3/9
Rd/P1*



परिवहन मंत्री
TRANSPORT MINISTER

दिल्ली सरकार
GOVT. OF DELHI

-2-

5. In July, 1997 DDA has been requested to allot the said land to the Transport Department of Govt. of Delhi and to hand over its possession. We believe the allotment of land by DDA shall require payment of about half crore towards land cost. As you are aware that transport is essential service and without the consideration of operational losses to DTC services have to be provided even to areas which are not so developed and the inhibited. The Education department, Govt. of Delhi is also allotted land for schools and colleges by DDA at a token rate of Re.1/-. Considering the essentiality, and also the fact that the services are provided even when these are not commercially viable, it is requested that land may be allotted to the DTC for bus terminal at Najafgarh at a token amount of Re. 1/-. I have indicated earlier that land filling shall be required before inauguration on the 2nd October, 1997, it is once again requested that land may be allotted to us at the earliest. If formal allotment is not possible within a week or so, considering the fact that the said land is also earmarked for bus terminal, DDA may grant permission to the DTC to start developmental work prior to the formal transfer of land.

With kind regards,

Yours sincerely,

Rajendra Gupta
(RAJENDRA GUPTA)

Shri Tejendra Khanna,
Lt. Governor,
Delhi.

w/c

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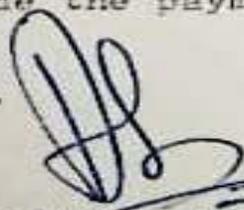
References to the letter received from the Transport Department vide ~~Letter~~ No.P&C/1(5)/92/Tpt/Plg/ dated 11th Sept, 97 enclosing therewith letter written by the Transport Minister, Delhi Government to the Hon' Lt. Governor, Delhi. It is regarding handing over of bus terminal site at Najafgarh to the Transport Department.

There is site measuring 7857.57 sq. mts. in Najafgarh for a bus terminal which was offered to DTC vide out letter No.24(4)/88/243 dated 1.4.1992. Thereafter on the request of DTC, the allotment was withdrawn since funds were not available. Transport Department is now requesting for its allotment to them. It is informed that the site is vacant and is low-lying filled with water. The Transport Department desires to start developmental work including land filling immediately.

An assurance has been given in the Legislative Assembly by the Chief Minister, Delhi that the inauguration shall be held on 2/10/97. ~~The basic~~

The basic issues are that the plot of land under reference is marked for a DTC bus terminal and was earlier offered to DTC also. The land is vacant and shall be allotted to the Transport Department/DTC at the current institutional rates and not Rs.1/- as requested for by the Transport Department since the rates are fixed by the Govt. of India. The area is low-lying and while the formal allotment is being processed, it is proposed that the site may be temporarily handed over to the Transport Department only for land filling and developmental work. Formal allotment shall be made at institutional rates and NOC for construction shall be given only after the Transport Department has made the payment of land.

Submitted for approval please.


(DIRECTOR - LANDS)

FM
V.S.S.
w.d. date 21/10/97
20/10

May have the matter examined please. I would also like to know the arrears outstanding against DTC.

21/10/97

SE-CAO (L1)
21/10/97
6/10

Sr. Asstt.
M. Patel

21/10/97

Annexure A-4

F.No.24(4)88/Instl.

..89/N..

From pre-page....

The matter regarding the allotment of 7851.57 sq. mtrs. of land to DTC at Najafgarh was discussed with VC, DDA in the presence of Transport Minister, GNCTD.

It was decided that the above land should be handed over to the DTC first, and later the cost should be worked out by taking the cost of acquisition, interest, development charges and enhanced payment etc. Demand letter to DTC should be sent after my approval.

Tejendra Khanna
(Tejendra Khanna)
Lt. Governor, Delhi
21.11.97

~~VC, DDA~~

27/11

F.H.

Director (Land) for follow up action on Govt. order above.

W. K. ... 27/11/97

Dir (Land) 5546 20/11/97

Dir (Land)

AE/14

Possession of the plot handed over to D.T.C on 27.11.97.

Sublt & ...

Do (Land)

1.12.97

Annexure A-5

DEVELOPMENT AUTHORITY
INSTITUTIONAL BRANCH IN-4

Block, Vikas Sajan,
INA, New Delhi-23.

Dated.

11/4/88

24(4)SS/IL
Director (IL),
DDA.

To
The Joint Director (Pig.)
- Transport DEPT. / GNCTD
5/9, Under Hill Road
Delhi-110054

Sub : Allotment of land for Bus Terminal at
Najafgarh

Sir,
With reference to your letter dated 9.12.87 on the subject noted above, I am directed to inform you that under the provisions of DDA (Developed Nazul Land) Rules, 1982, it is proposed to allot you on perpetual Lease Hold basis a plot of land measuring 7851.57 sqm. for the purpose of Bus Terminal on the usual terms & conditions as given in the approved format of perpetual lease and the following conditions amongst others :-

(Rs. 33.30 per Acre)

1. That the allottee Transport Dept. be required to pay provisional premium of land measuring 7851.57 sqm. @ Rs. 20/- per sqm. per acre with annual ground rent @ 2.5% per annum of the total premium. (Aggregate of the provisional land final premium. The revision of rates of land is under consideration of the control Govt. The allottee shall have to pay balance premium for the land as per rates determined by the Central Government under Rule 5 of DDA (Developed Nazul Land) Rules 1981, and within the time demanded by DDA. The rates of land determined by Central Government shall be binding upon the allottee shall not be called in question by it in any proceedings.
- ii) The allottee shall give an undertaking to the effect that it will pay the balance premium of land as may be demanded by DDA on the basis of the rates determined by Central Government.
- iii) The area of the land / plot is also subject to variation in size, due to requirement of layout plan and demarcation of site etc.
- iv) The allotted land shall be used for the purpose of Bus Terminal and no other purpose whatsoever.

cont-

The building plans should be got approved from the Lessor/DDA before getting the same sanctioned for the construction on land and construction as per sanctioned plan shall be completed within a period of 2 years from the date of taking over possession of the plot allotted.

vi. The allottee shall not sell, transfer, assign or otherwise part with possession of the whole or any part of the said land or any building thereon except with the provisions consent in writing of the Lessor which he shall be entitled to refuse in his absolute discretion.

a) Provided that, in the event of the consent being given the Lessor may impose such a terms and conditions as he thinks fit and the Lessor shall be entitled to claim and recover the whole or a portion (as the Lessor may in his absolute discretion determined) of un-earned increase in the value (i.e. the difference between the premium paid and the market value) of the said land at the time of sale, transfer assignment, or Lessor in the respect of the market value, shall be final and binding.

b) Notwithstanding any thing contained in clause (vi) above, the Lessee may with the provisions consent in writing of the Lt. Governor of Delhi (hereinafter called the Lt. Governor) mortgage or charge, the said land to such person as may be approved by the Lt. Governor in his absolute discretion.

vii. The lease deed shall be executed and got registered by the society at its own cost and when called upon to do so, by the lessor (President of India), DDA.

viii. In case, the allottee is being allotted land for clubs, community hall, then the Community Hall/clubs shall also be used by the residents of the colony and officers of the DDA residing in nearby, colonies within a radius of 8 KM. on the same fee/ charges as are payable by the members of the Club/society. The residents /officers of the DDA will be treated at par with the members of society for using the facilities provided at the clubs/community hall, on the payment of same fees/charges etc. as are payable by the members of the Lessee's allottee.

viii-1. The trees if any standing on the plot in question shall remain as DDA property and shall not be removed or disposed of without the prior approval of the Lessor in writing.

ix. That all other conditions as contained in the perpetual lease deed to be executed in this behalf and any other terms / conditions imposed from time to time by the Central Government/Lt. Governor shall be binding upon the allottee. The format of lease deed can be purchased from the office of DDA.

x. If the allottee violates any terms and conditions as mentioned above and in the perpetual lease deed, the allotment shall be cancelled and possession of the land/ plot with super structure standing thereon if any, will be taken over by the Lessor (President of India/ DDA without any compensation to the allottee.

-3-

If the allotment is cancelled for breaches of any terms/ conditions of the allotment, the possession of the plot/ land with building, if any will be handed over to the DDA by the allottee on the date and give in the cancellation notice.

If the above terms and conditions are acceptable to you, the acceptance thereof with attested undertaking be sent to the undersigned alongwith the demand draft for Rs. 67,21,464/- (premium Rs. Rs. 65,57,526/- G.R.Rs. 1,63,938/-) in favour of DDA within 60 days from the date of issue of allotment-cum-demand letter. The said amount can also be deposited in the bank counter situated in INA office complex and copy of the same may be sent to this office for having deposit the demand alongwith the acceptance letter, undertaking within 60 days from the date of issue of the demand-cum-allotment letter.

- 3. The payment and the acceptance letter with the required undertaking must to be sent within the 60 days, interest at the rate of 10% shall be chargeable for the delay period upto 6 months of issue of this letter, completion of 6 months from the date of issue, the allotment shall be automatically cancelled. If the society has made the partial payment after 6 months of issue of this letter the society shall have to re-apply for allotment.
- 4. That it is the sole responsibility of the society (allottee) to keep proper watch and ward on the land and protect it against any encroachment.

Yours faithfully,
Dy. Director (IL)

Copy forwarded for information to Sr. A.O. (IL).

[Signature]
Dy. Director (IL) 21/3/98

Details of Payment :

- 1. Premium of the land measuring 7851.57 acres/haat./sqmtrcs. @ Rs. 20/- per sqmtr plus 69% on land Rs. 65,57,526.00 Provisionally
- 2. Ground rent of the plot @ 2.5 % per annum of the total premium. Rs. 1,63,938.00
- 3. Total . 67,21,464.00

(Rs. sixty seven lac twenty one thousand four hundred sixty four only)

CSR.

[Signature]