CHAPTER - 2

LAND ACQUISITION ACT: A HISTORICAL PERSPECTIVE

Historical Evolution of Delhi

Brief History of Delhi

Chronologically, if the legendary 'Indraprastha' of the Vedic times is taken into account, Delhi can rival as the oldest capital city in the world which has been inhabited from time to time since 2500 B.C. However, the permanent occupation of Delhi starts from 933 A.D. when it was formed by Anangapala, Chief of Tomara clan. Delhi acquired an imperial aura since 1192 A.D. with the establishment of capital city and erection of the famous Qutab Minar by the rebel slave king Qutubuddin Aibak. Thereafter the capital moved from place to place within a radius of a few miles to suit the requirements of sovereign who while founding a new dynasty created an alternate city.

Subsequent locations of capital city are SIRI built by Alauddin Khilji about 1303 A.D. the third Tughlakabad by Ghaisasuddin Tughlak between 1320 and 1325, the fourth Jahanpanah by Mohammad Tughlak about 1340, the fifth Firozabad by Firoz Shah about 1542, the seventh the walled city Shahjahanabad by the Mughal Emperor Shah Jahan between 1638 and 1658 A.D.

Delhi was acquired by the East India Company after a military conquest by the British in 1803. The military settlements were established around Red Fort in Kashmiri Gate and Daryaganj. Some of the buildings built by the British up to middle of the 19th century still exist. These are Matcalfe House and Ludlow Castle. The eighth Delhi was built by British between 1912 and 1922. The capital was named New Delhi by a Govt. of India notification of 31st December, 1926. Delhi today is one of the most beautiful metropolises of the world.

(Ref: Delhi Tourist Map: Survey of India).
The present District of Delhi was first constituted in 1819. The two parganas of the north and south were included with the city as its centre. In 1861, Sonepat Tehsil which was hitherto a part of Panipat district was transferred to Delhi district. At that time Delhi district had three Tehsils viz. Delhi, Ballabgarh, and Sonepat. The Sonepat Tehsil was transferred to Rohtak district and a greater part of Ballabgarh Tehsil to Gurgaon district consequent to shifting of capital from Calcutta to Delhi. Thus Delhi District remained to be comprised of the then Delhi Tehsil and the remaining portion of Ballabgarh Tehsil. Shahadara town and some villages across river Yamuna which were till then a part of Ghaziabad Tehsil of Meerut district were merged with Delhi district in 1915. The province of Delhi continued to consist of one District and one Tehsil only.

The province of Delhi acquired the status of part C State after the adoption of the Constitution of India. A Legislative Assembly was set up in 1952 which continued till November 1, 1956 when the Central Administration in Delhi was reintroduced. In 1966 a Metropolitan Council was constituted in Delhi which is still continuing.

The only Tehsil of Delhi was bifurcated into two, Delhi and Mehrauli Tehsils during the decade 1961-71 and since then there has been no change. A third Tehsil of Najafgarh was approved by the Delhi Administration in 1988 but is yet to come in operation. Till this tehsil becomes operative, Delhi comprises one district having two tehsils viz. Delhi and Mehrauli with 144 and 87 villages respectively. So far as the urban areas are concerned, it covers 30 towns viz. Delhi Municipal Corporation (Urban), New Delhi Municipal Committee, Delhi Cantonment and 27 Census Towns. (Ref: Census of India: Delhi Series, p.7).

Physical Features of Delhi

The Union territory of Delhi comprises one district only with an area of 1483 sq. kilometers (148.639 hectares or 3,66990 acres or 17,62,134 bighas). It is situated between the Himalayas and Aravali range in the heart of the Indian sub-continent and lies between 28° 25' and 28° 53' North latitude and 76° 50' and 77° 22' East longitude. On three sides, it is surrounded by Haryana and to the East across the river Yamuna by Uttar Pradesh. The major part of the metropolis lies on the Western side of Yamuna. Only some villages and urban area of Shahadara lie on the Eastern side of the river.
Its greatest breadth is 30 miles (48.5 kms.) and the greatest length is around 33 miles (51.9 kms). Delhi's altitude ranges between 213 and 305 metres above sea level. The general slope of the land is from North to South.

According to physical features, the Delhi Union territory can be divided into three segments or parts --- the Yamuna flood plain, the Ridge and the plain. The Yamuna Flood plains are low-lying and sandy. Recurrent floods are experienced by this area which is also called khadar. During rainy season the flood water inundates this region. After the floods subside the moisture in the soil lasts for quite sometimes making the land more fertile.

The Ridge is the most dominating physiographic feature of this territory. It originates from Aravali Hills of Rajasthan and enters the Union territory from the South. It extends in a North-Eastern direction and encircles the city on the North-West and West. A point near Bhatti is as high as 1045 feet. Tughlakabad Fort is located on one of the highest spurs of the ridge.

The whole space between the river Yamuna and the ridge which has a triangular shape with an apex at Wazirabad and the base extending between Tughlakabad and Mehrauli has been the site of various cities and is known as khandrat (ruins). It is claimed by the historians that within this small triangular piece, at least eight different cities emerged at different times of Indian history. The Southern portion of land near Mehrauli and Tughlakabad is known as 'Kohi' or hilly.

Leaving aside the Yamuna Flood plain (Khadar) and the Ridge, the entire area of Delhi Union Territory is categorized as Bangar or the Plain. The land of the plain is mostly fertile. Delhi, New Delhi and Delhi Cantonment along with a vast stretch of numerous villages are located on this plain which constitutes a major portion of the area of Delhi Union territory. (Ref: Census of India : Delhi Series,p.9).

Major Economic characteristics of the Delhi District

The Union territory of Delhi is spread over an area of 1483 sq. kms. consisting of Delhi Municipal Corporation (Urban), New Delhi Municipal Committee, Delhi Cantonment, 27 Census towns, urban villages and 251 rural villages. It is predominantly a non-agricultural territory. Only 0.82 percent of the total population are engaged in agricultural operation and the rural population
constitutes 7.27 percent of the total population of the territory. The reduction in the percentage of rural population to total population from 10.3% in 1971 to 7.27 in 1981 is an indicator of the rapid urbanization process which is going on in Delhi. This also accounts for a gradual diminution of the land meant for cultivation. As a result the net area sown decreased by 6,869 hectares (16966 acres) during the decade 1961 - 1971. It showed a decrease of 26,434 hectares (65,292 acres) during the period 1970-71 to 1979-80.

There is very little area under forests. It is reported that the total area under forests in 1980-81 was 1434 hectares (3542 acres). The greater portion of the reserved forests of the Union Territory of Delhi is located in New Delhi Ridge which lying in the back of Birla Mandir. The permanent vegetation of this Ridge is mostly thorny tree species and a few shrub species. During monsoon season when both the soil and atmosphere are abundantly moist, some common husks such as lapa, missi, jhojhru etc. are also found.(p.9).

The Economic and Social Cost of Metropolitan Growth

As a National Capital, Delhi influence extends throughout India. In the performance of the capital functions, in addition to housing embassies, foreign missions and trading offices, Delhi has become the centre for a large number of cultural and service activities. Increase in employment in Government offices and expansion and diversification of industry, trade and commerce have brought in their wake massive immigration.

The rapid growth of Delhi is due to the continuing concentration of economic activity abetted by the Delhi orientated transportation system. The population explosion has resulted in shortage of housing, water supply, and other community facilities like schools, hospitals, etc.

To the large number of slum areas in the city have been added numerous of squaller colonies with inhuman conditions of living.

The cost of living in Delhi is the highest among Indian cities reflected in high house rents. The important issue is that even if the housing requirements of the city can be met but at what cost?
The radius of city is expanding fast leading to high cost of distribution of water from the water works as well as drainage and sewrage owing to long distance. The per capita expenditure in Delhi is Rs. 43 compared to Rs. 36 in Bombay, Rs. 24 in Calcutta and Rs. 23 in Madras.

The present transportation system which largely consists of buses is inadequate to meet the demands of commuters. Any further increase in population size would require a rapid transit system. This system may require huge investment which the nation has not been able to build for bigger and more densely built up cities like Calcutta and Bombay due to the high land values, high development and construction costs, partly necessitated by the fact that these have to be at a level appropriate in the National Capital.

The investment required for housing the future population would be a huge amount. The cost of industrial plots is three to four times those in nearby towns. The cost of construction of commercial building and government offices in multi-stories is enormous in Delhi. On the other hand, in medium size cities two to four storey structures can be put up economically. [Ref: Draft Regional Plan, TCPO, 1971, Chapter-1]

The facts enumerated above indicate the economic and social cost of metropolitan growth in Delhi.

**Historical developments in the Land Acquisition Act**

The history of the acquisition of land in India for public purposes may be taken to commence with Regulation I of 1824 of the Bengal Code. That measure, which was declared to operate "throughout the whole of the provinces immediately subject to the Presidency of Fort William" had a two-fold object. It was intended, primarily, to provide rules "for enabling the offices of Government to obtain at a fair valuation land or other immovable property required for roads, canals or other public purposes." These are comprised in the first seven sections of the regulation, while the remaining sections contain the rules for regulating the temporary occupation and use of land for the manufacture of salt, a monopoly which had been established by the Government, principally in the provinces of Bengal, Orissa and Cuttack, since the year 1780. The Preamble of the Regulations ran thus: "Whereas it being necessary occasionally to require the surrender of the property of individuals, for purposes of general convenience to the community, it appears expedient
distinctly to define the course of proceeding to be followed in such cases, in order, that works and arrangements of public utility may not be unduly impeded, and that at the same time, a just and full compensation may be secured to all persons, holding an interest in the property so appropriated." These provisions were specially extended to the town of Calcutta by Act I of 1850, a measure enacted "for confirming the title to lands in Calcutta taken for public purpose". Previous to this Act, the Building Act XXVIII of 1839 was passed for Bombay. It provided machinery for the acquisition of land for the purposes of widening or altering any existing public road, street or other thoroughfare or drain within the inlands of Bombay and Colaba. It also laid down the procedure to be followed in case where the owner refused to accept the compensation offered by Government. These provisions were extended in the year 1950 by Act XVII of that year so as to include the acquisition of land within the same limits, which was required for the railways and other works of public utility. Act XLII of 1850 extended the provisions of Regulation I of 1824 of the Bengal Code so as to meet the requirements of railway construction and other works in Bengal. Act XX of 1852 and the Amending Act I of 1854 were intended "to facilitate the acquisition of land for public purposes in the Presidency of Fort St. George."

The next enactment which was declared to operate throughout the whole of British India and which repealed all the existing laws above mentioned, was Act VI of 1857. The object as stated in the preamble was - "to make provisions for the acquisition of land needed for public purposes within the territories in the possession and determination of amount of compensation to be made for the same. Regarding determination of compensation it provided that "if the persons interested agreed as to the amount of compensation, the Collector might make his award accordingly and also apportion the same. If they were unable to agree, the question was as before to be referred to arbitration with a further provision as to the appointment of such arbitrators.

In the year 1861 it was found necessary to amend the Act of 1857 on two points and this was done by enacting Act II of 1861. This Act provided for the case of an acquisition of land needed for the construction of any road canal or railway. The other enactment provided for the enforcement of the surrender of land in Presidency towns in case of resistance, by the Commissioner of Police. Till 1863, there was no provision for land being taken up for works of public utility by private persons or companies and therefore Act XXII of 1863 was passed providing for land being taken for such purposes and also regulating the construction and use of works on land so taken. A road, railroad, tramroad, canal for irrigation or navigation work for the improvement of a river or
harbour, dockquay, jetty, drainage work or electric telegraph and also all works subsidiary to any such work" and the operation of the Act was limited specially to these purposes. It was open to the Governor-General in Council, however, to extend the scope of the Act by notification so as to include other works of public utility. Before passing of Act X of 1870, the valuation of the lands, which it was found necessary to take up for the execution of public works, was entirely in the hands of arbitrator from whose decision there was no appeal. (This system led to a lamentable waste of the public money, both because the arbitrators were incompetent, and sometimes, it is to be feared, corrupt and also because the law as it then stood, laid down no instructions for their guidance in the performance of their duties). The Act X of 1870, remedied some of these defects. It provided a detailed and effective procedure for the acquisition of land, an improved tribunal for the decision of claims, and a well defined set of rules for the assessment of compensation. It abolished the system under which uncontrolled discretion was entrusted to the arbitration and in view thereof required the Collector when unable to come to terms with the persons interested in land which it was desired to take up to refer the difference for the decision of a Civil Court, usually that of the District Judge. In the disposal of such references the Court was aided by assessors and its finding was final if the Judge and one or more of the assessors agreed and an appeal was allowed which usually lay to the High Court.

In practice, however, Act X of 1870 was found to be unsatisfactory especially as regards the procedure to be followed in matters of reference to Court. The Collector could not after notice make an award ex- parte. The Act further provided that where the Collector was unable to agree with the persons interested as to the amount of compensation to be allowed, the Collector would refer the matter for the determination to a Court which would be presided over by a "selected Judicial Officer" as Judge to be assisted by two qualified assessors, one of whom would be nominated by the Collector and the other by the persons interested. In actual practice, it was found that it was difficult to obtain the services of qualified assessors. It was also often found that the assessors were more partisans. Payment of cost by the Collector meant often a heavy drain on the public purpose. The scheme of the Act encouraged frivolous litigation and tended to protract proceedings. Amendment of the Act became imperative under these circumstances. The Act X of 1870 was, therefore repeated by the enactment of Act of 1894.
The Statement of Objects and Reasons of the Act I of 1894

* For several years past the amendment of the Land Acquisition Act, 1870, has been under consideration by the Government of India in communication with Local Governments.

* Before the passing of the Act, the valuation of the lands, which it was found necessary to take up for execution of public works, was entirely in the hands of Arbitrators, from whose decision there was no appeal. The system led to a lamentable waste of the public money, both because the Arbitrators were incompetent, and sometimes, it is to be feared, corrupt and also because the law, as it then stood, laid down no instructions for their guidance in the performance of their duties. This latter defect, among others, was remedied by the Act of 1870 which it is now proposed, to amend, and which contains detailed instructions as to the matters which are to be considered, and which are to be neglected, in awards of compensation for lands acquired under its provisions. The Act of 1870 also provided for the abolition of the system under which uncontrolled discretion was entrusted to Arbitrators; and, in lieu thereof, required the Collector, when unable to come to terms with the persons interested in land which it was desired to take up, to refer the difference for the decision of a Civil Court, usually that of the District Judge. In the disposal of such references, the Court is aided by Assessors, and its finding is final if the Judge and one or more of the Assessors agree. If, however, the Judge and the Assessors disagree an appeal is allowed, which usually lies to the High Court.

* The Act of 1870 has not, in practice, been found entirely effective for the protection either of the persons interested in lands taken up or of the public purse. The requirement that the Collector shall refer for the decision of the Court every petty difference of opinion as to the value, and every case in which any one of perhaps a large number of persons fails to attend before him, has involved in litigation, with all its trouble and delay and expense, a great number of persons whose interest in the land was extremely insignificant. It has, in fact, frequently been the case that the owners of small pieces of land have had to pay Court costs to an amount far exceeding the value of the land itself.

* On the other hand, the provisions of the Act as to the incidence of costs, the whole of which fall on the Collector if the final award is ever so little in excess of the amount of his tender,
are such as to encourage extravagant and speculative claims. The chance of altogether escaping the payment of costs is so great, that claimants are in the position of risking very little in order to gain very much, and have, therefore, every motive to refuse even liberal offers made by the Collector, and to try their luck by compelling a reference to the Court. Much the same may be said as to the provisions of the existing law regarding the payment of interest. No matter how fair the original offer of the Collector and how groundless the refusal to accept the compensation he has tendered, interest is payable on the amount of the award finally arrived at from the date of the Collector’s taking possession of the land. This may be for a period of two or three years, and as interest continues to run until the litigation is finally completed, it is to the advantage of the land-owner to protract the proceedings to the utmost. All this costs a very heavy and undeserved burden on the public purse.

It is proposed, therefore, to amend the law by making the Collector’s award final, unless altered by the decree in a regular suit. Persons interested in land taken up for public works will thus still have the opportunity, if they desire it, of preferring to an authority quite independent of the Collector for their claims to more substantial compensation than the Collector has awarded; and will in all cases have a further right of appeal to the regular appellate Courts. They will no longer, however, be encouraged, to litigate by the feeling they can hardly lose, but may make a great gain by doing so.

This change in the procedure for determining the valuation of lands taken up for public works will also render it possible to dispense with the services of the Assessors, who are now supposed to assist the Court. Considering the difficulty, almost throughout the country, of obtaining the services of such Assessors as are really qualified to form a sound opinion on the subject of the valuation of land, it is believed that the proposal to dispense with them, and to leave the matter to the sole arbitrament, first of the Collector and then of the Judge, will in no way diminish the efficiency of the Court in enquiries in which the value of lands is in issue. It will certainly tend to shorten litigation and to diminish its expense.
Subsequent amendments of the Act

Act I of 1894 has subsequently been amended by the following Acts:-

- The Decentralization Act, 1914 (IV of 1914).
- The Repealing and Amending Act, 1914 (X of 1914).
- The Land Acquisition (Amendment) Act, 1919 (XVII of 1919).
- The Devolution Act, 1920 (XXXVIII of 1920).
- The Land Acquisition (Amendment) Act, 1921 (XIX of 1921).
- The Land Acquisition (Amendment) Act, 1923 (XXXVIII of 1923).
- The Land Acquisition (Amendment) Act, 1933 (XVI of 1933).
- The Repealing Act, 1938 (I of 1938).
- The State Acquisition of Lands for Union Purposes (Validation) Act, 1954 (XXIII of 1954).
- The Adaption of Laws (No.2) Order, 1956.
- The Land Acquisition (Amendment and Validation) Ordinance, 1967 (1 of 1967).


The Land Acquisition (Amendment) Act, 1984, statements of Objects and Reasons

With the enormous expansion of the State’s role in promoting public welfare and economic development since independence, acquisition of land for public purposes, industrialization, building of institutions, etc., has become far more numerous than ever before. While this is inevitable, promotion of public purpose has to be balanced with the rights of the individual whose land is acquired, thereby often depriving him of his means of livelihood. Again, acquisition of land for private enterprises ought not to be placed on the same footing as acquisition for the State or for an enterprise under it. The individual and institutions who are unavoidably to be deprived of their property rights in land need to be adequately compensated for the loss keeping in view the sacrifice they have to make for the larger interests of the community. The pendency of acquisition proceedings for long periods often causes hardship to the affected parties and renders unrealistic the scale of compensation offered to them.

It is necessary, therefore, to restructure the legislative framework for acquisition of land so that it is more adequately informed by this objective of serving the interests of the community in harmony with the rights of the individual. Keeping the above objects in view and considering the recommendations of the Law Commission, the Land Acquisition Review Committee as well as the State Governments, institutions and individuals, proposals for amendment to the Land Acquisition Act, 1894, were formulated and a Bill for this purpose was introduced in the Lok Sabha on the 30th April, 1982. The same has not been passed by either House of Parliament. Since the introduction of the Bill, various other proposals for amendment of the Act have been received and they have also been considered in consultation with State Governments and other agencies. It is now proposed to include all these proposals in a fresh Bill after withdrawing the pending Bill. The main proposals for amendment are as follows:
The definition of "public purpose" as contained in the Act is proposed to be so amended as to include a longer illustrative list retaining at the same time, the inclusive character of the definition.

Acquisition of land for non-Government companies under the Act will henceforth be made in pursuance of part VII of the Act in all cases.

A time-limit of one year is proposed to be provided for completion of all formalities between the issue of the preliminary notification under Section 4(1) of the Act and the declaration for acquisition of specified land under Section 6(1) of the Act.

It is proposed to provide that the Collector shall, before making his award, obtain the previous approval of the appropriate Government or any officer of that Government authorized in this behalf. Provision has also been included to empower the Collector to make the award without any enquiry if the persons interested in the acquisition agree in writing on the matters to be included in the award of the Collector in the form prescribed by rules made under the Act.

It is proposed to provide for a period of two years from the date of publication of the declaration under Section 6 of the Act within which the Collector should make his award under the Act. If no award is made within that period, the entire proceedings for the acquisition of the land would lapse. He has also been empowered to correct clerical or arithmetical mistakes in the award within a certain period from the date of the award.

The circumstances under which the Collector should take possession of the land before the award is made in urgent cases are being enlarged to include a larger variety of public purposes.

The appropriate Government is being empowered to call for the record of any order passed by the Collector at any time before he makes an award for the purpose of satisfying itself as to the legality or propriety of such order passed.
• Solatium now payable at the rate of fifteen per centum of the market value of the land acquired in consideration of the compulsory nature of the acquisition, is proposed be increased to thirty per centum. Similarly, the rate of interest payable on the excess compensation awarded by the Court and on the compensation in cases where possession of land is taken before payment of compensation, are also proposed to be increased substantially.

• Considering that the right of reference to the Civil Court under Section 18 of the Act is not usually taken advantage of by inarticulate and poor people and is usually exercised only by the comparatively affluent landowners and that this causes considerable inequality in the payment of compensation for the same or similar quality of land to different interested parties, it is proposed to provide an opportunity to all aggrieved parties whose land is covered under the same notification to seek redetermination of compensation, once any one of them has obtained orders for payment of higher compensation from the reference Court under Section 18 of the Act.

• As a large number of cases for the acquisition of land are pending before various authorities for a very long time and payment of the market value of the land obtaining on the date of the preliminary notification under Section 4 of the Act in respect of such land is likely to be unrealistic and iniquitous, it is proposed to provide for payment of simple interest at ten per centum per annum on the amount of compensation for the period commencing from the date of issue of the notification under Section 4 of the Act to the date of tender of payment or deposit of compensation awarded by the Collector in respect of all pending proceedings on the 30th April, 1982, the date when the earlier Bill for the amendment of the Act was introduced in the House of the People.

The Bill seeks to achieve the above objects and to make some other consequential and clarificatory amendments in the Act. [Ref: Compulsory Acquisition of Land in India: Commentary on L.A.Act, Aggarwal O.P, 1990, page 2-9]
Chapter-2

LAND ACQUISITION ACT: A HISTORICAL PERSPECTIVE

The Application of Land Acquisition Act to the Planned Development of Delhi

In Delhi, the above mentioned land Acquisition Act 1894, with its subsequent amendments in 1984 has been applied to the acquisition of land from 1948 to 1989. The large scale acquisition of land for the planned development of Delhi has even been undertaken through this Act. As is clear from the historical development of the Act, it was primarily meant for the small acquisitions of land such as roads, bridges, canals, electric and telegraph lines etc. and was made by an alien Govt. It had overtones of colonial rule and was meant to serve the purpose of the State rather than the welfare of the people whose land used to be acquired. The application of such an Act without suitable modifications to such a large scale acquisition of land was perhaps not proper. For isolated cases the Act might have been suitable but not to such a large scale economic process of urbanization of a metropolis.

Total Compensation Under Pre-Amended Act and Post-Amended Act

The total compensation awarded prior to 1984 comprised of the market value of the land assessed by the LAC, market value of structures, crops, trees if there are any on the land; solatium of 15% of the market value for compulsory acquisition; interest u/s 4(3) @ 6% in cases where the difference between the notification u/s 4 and declaration u/s 6 was of more than 3 years, from 3 years after the date of notification u/s 4 to the date of award.

In 1984, the L.A.Act was amended and so far as per the amended provisions the total compensation comprised of the market value of the land as assessed by the LAC; the market value of the structures, crops, trees as assessed by the LAC if any; 30% solatium as a compensation for compulsory acquisition; interest u/s 34(3) @ 6% from 3 years after the date of notification u/s 4 to the date of award in cases where the difference between the notification u/s 4 and declaration u/s 6 is more than 3 years; interest u/s 34 @ 9% for the first year and @ 15% for the second year onwards from the date of notification u/s 4 to the date of taking over the physical possession of the land or the date of award whichever is earlier; and an additional amount u/s 23(1-A) @ 12% of the market value from the date of notification to the date of award.

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Under the amended provisions any person aggrieved of the award of the LAC could get the benefits of enhanced compensation u/s 28(1-A) in case one could not make a reference u/s 18 of the L.A.Act.

The constitution of the Delhi Development Authority in 1957

"To check the haphazard growth of Delhi following the partition of the country and the phenomenal growth of the city's population with its sprawling residential colonies without proper layouts and without the conveniences of life and to guide the growth of the city, the Central Govt. in November, 1955 set up the Delhi Development(Provisional)Authority. In December, 1955, the Town Planning Organization(T.P.O.) was set up by the Govt.of India, Ministry of Health, and was placed under the administrative control of the Chairman, Delhi Improvement Trust to advise the Authority on all matters relating to planning in the National Capital.

The TPO, in Sept.1956, produced an interim General Plan, which was intended to provide an outline for planned development during a period of two to three years, i.e. until a comprehensive long range plan was prepared.

On the 30th December, 1957, the DDA - an 11 member body with the Administrator of the Union territory of Delhi as the ex-officio Chairman, was constituted by an Act of Parliament, called the Delhi Development Authority Act, 1957, to promote and secure the development of Delhi according to plan. The Act required the Authority to carry out a civic survey of and prepare a Master plan for Delhi.

Accordingly, the Authority, with the help of the TPO, and after having had such surveys conducted as were necessary, drew up a Master plan, consisting of numerous maps and plan embodying the studies and proposals and an explanatory text, for an estimated population of about 50 lakhs in 1981, and after seeking the advice of the Advisory Council of the Authority, released it to the public on the 8th of July, 1960, for the purpose of inviting objections and suggestions. A period of three months was allowed for filing objections etc., and during this period, adequate publicity was given to the draft plan by displaying the maps and charts to the Press, Members of Parliament and to the general public."
Around 600 objections and suggestions were filed by the public, cooperative house-building societies, associations of industrialists, local bodies, Delhi Administration and various Ministries and Departments of Govt. of India.

**Recommendations of the Master Plan**

Given below are a few of the important recommendations made in the Master Plan.

"It was felt that the redevelopment of the Old City by way of large scale clearance and reconstruction was not immediately practicable, and it has therefore, been suggested that after assessing the requirements of schools, dispensaries, parks etc., sites of dilapidated houses or those demolished by the MCD might be acquired at suitable places for the location of the community facilities. Similarly, as it was not practicable to widen all the roads in the Old City, only the major roads should be widened in the first stage to the minimum extent considered necessary.

It has been proposed that the Mata Sundri area should be partly reserved for housing the evacuees from the Delhi Ajmere Gate Extension Scheme and also to take the overspill of population from the Old City.

To meet the problem of settlement of low income group people - about 70,000 in number, who migrate to Delhi from rural areas every year, the Authority has proposed to earmark suitable sites in several zones where these very low income group people may be able to put up cheap houses but the layouts would have to be according to standards. The squatters in bustis are to be relocated in various parts of the urban area so that they are integrated into the neighbourhood community. It is of the utmost importance that physical plans should avoid stratification on income or occupation basis. The residential density patterns have been functionally related to the work centres, recreation areas and community facilities. Hence, a more rational distribution of densities is proposed by gradual thinning of the density in the Old City and by increasing the density in New Delhi and in Civil Lines.

An integral part of the plan is the "Sub-division Regulations" which by laying down standards for streets and community facilities, will guide new development and the "Zoning Regulations" which indicate the land use permissible in the various zones and the density, coverage,
floor area ratio and set-backs for various types of development. They also define the period by which incompatible land uses like obnoxious industries are to be relocated.

To meet the increasing need of commercial space in central areas, it is recommended that the Connaught Place commercial area be extended up to Keeling Road and the proposed overbridge over the railway. It is also proposed to have 15 district shopping centres to decentralize commercial activity and to make each Division of the City self-contained.

New sites for location of Government offices have also been proposed in the various Planning Divisions into which the City has been divided.

Several new areas are proposed for industrial development and the total area of the land earmarked for this purpose is about 5800 acres. This would include flatted factories, which are multi-storeyed structures located near residential areas, for the use of small-scale non-nuisance industries.

In addition to Subzimandi, two wholesale fruit and vegetable markets have been recommended, one near the Okhla Railway Station and the other near the Daya Basti Railway Station near Sarai Rohilla.

Godowns for the storage of foodgrains will be located in areas marked for the purpose, and only the offices of whole salers and retail foodgrains shops would be allowed in the two congested areas of Naya Bazar and G.B. Road.

Similarly, godowns for timber will be located in ware- housing areas and the presently congested areas of Teliwara and Deshbandhu Gupta Road will deal only in retail timber trade. A 15 acre site on the Mehrauli Road near the intersection of this road with the railway line has been proposed for a general market.

Additional land for oil storage depots, which are at present located on Rohtak Road, and will continue there, has been earmarked near Nangloi Railway Station and also near Palam Railway Station, and in Shahdara.

A University centre in the south near the junction of Kitchner Road and Ring Road has been proposed. Twenty-two new colleges, each covering an area of about 15 acres and 5 additional
University centres of about 30 to 40 acres each to serve a group of 4 or 5 colleges, have been earmarked in the Plan. Twenty additional 500-bed hospitals each 15 to 25 acres have also been proposed. An area of about 600 acres has been reserved south-west of the new engineering college, for a new university and for social and cultural institutions.

A 45 acre site in the neighbourhood of Siri village area has been earmarked for an all-India cultural centre. This is in addition to the areas earmarked on the Central Vista east of Janpath, near Sapru House and in the proposed Civic Centre which will serve as social and cultural institutions for Delhi. District parks for recreation, local open spaces for play-grounds and community centres and local shopping areas to serve each neighbourhood have been recommended in the plan.

In view of the large scale development proposed for Shahdara, which is expected to have a population of about seven and a half lakhs in 1981, the plan provides a large commercial area and four road bridges in addition to the existing road-cum-railway bridge. Two more major road links between Old Delhi and New Delhi have been recommended as over passes over the railway line--one connecting Circular Road to Parliament Street and the other connecting Mathura Road to College Road and Ferozeshah Road.

An Inner Ring Road and a Ring Railway have been recommended to avoid traffic congestion and to facilitate quick flow of traffic in the urban core in addition to the Ring Road which has already been constructed.

Reservations for new railway stations on the Ring Railway, expansion of the existing railway stations, widening of major arterial roads, improvement of road intersections and grade separations, arterial cycle tracks separate from the carriageway are some of the recommendations to make a good traffic circulation system.

Bus stations are proposed to be located in different parts of the city. The central bus stations which is at present located at the Delhi main Railway Station would be shifted to a 10 acre site near Kashmiri Gate.

An idle parking area of about 20 acres is earmarked east of Bela Road and north of the sanitary drain, for inter-state buses and trucks. Parking and servicing stations are proposed to be
located near Idgah on Idgah Road and in Shahdara with several idle parking and servicing areas for trucks.

The plan recommends an inviolable green belt approximately one mile in depth around the 1981 urbanizable limits and has proposed the setting up of "urban villages" to strengthen the rural economy.

The plan has also assessed the needs of the Capital in power, water supply and sewerage and has made provisions for location of water works, power houses and sewage treatment plants. (Ref: *Master Plan for Delhi*, 1962).

**Proposed Acquisition and Development of Land under the Master Plan for the Planned Development of Delhi**

Under the Master Plan over 60,000 acres of land was proposed to be acquired in three stages with the details as given below:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Residential</td>
<td>30,000</td>
</tr>
<tr>
<td>2. Commercial</td>
<td>10,000</td>
</tr>
<tr>
<td>3. Parks</td>
<td>20,000</td>
</tr>
</tbody>
</table>

In the first phase 34,000 acres of land was notified u/s 4 of the L.A. Act in 1959. Subsequently land was notified in phase to undertake the planned development of Delhi.