

GOVERNMENT OF INDIA  
MINISTRY OF HOUSING AND URBAN AFFAIRS

LOK SABHA

UNSTARRED QUESTION No. 5118

TO BE ANSWERED ON MARCH 27, 2018

ENCROACHMENT ON PUBLIC LAND

No. 5118

PROF. SAUGATA ROY:

Will the Minister of HOUSING AND URBAN AFFAIRS be pleased to state:

- (a) whether the High Court has expressed its displeasure over lack of action on eviction of unauthorized encroachments in Delhi by the Government agencies;
- (b) if so, the details thereof;
- (c) whether the Government or its agencies has any proposal for amendments in the master Plan Delhi;
- (d) if so, the details thereof; and
- (e) the details of steps taken by the Government so far to evict the encroachment?

ANSWER

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE  
MINISTRY OF HOUSING AND URBAN AFFAIRS  
(SHRI HARDEEP SINGH PURI)

(a) and (b): North Delhi Municipal Corporation (NrDMC) and South Delhi Municipal Corporation (SDMC) have intimated that the Hon'ble High Court of Delhi vide its order dated 10.09.2008 passed in WP (C) No. 4082/2003 titled as Kalyan Sanstha Social Welfare

Organisation Vs Union of India (UOI) & Ors. had formulated a Scheme to curb the menace of unauthorized construction. It is, *inter-alia*, stated in the Scheme that "MCD should not only deal with ongoing unauthorized constructions but also take actions against encroachments on Government lands and against existing/already booked unauthorized constructions under the Act".

The Hon'ble High Court of Delhi vide its order dated 08.08.2017 passed in WP(C) No. 3147/2017 has directed all the Corporations to ensure strict compliance of this Scheme. The Hon'ble High Court vide its order dated 15.11.2017 passed in WP (C) No. 3147/2017, has expressed concern over large scale tress-pass on public land.

Delhi Development Authority (DDA) has intimated that the Hon'ble High Court of Delhi vide its judgment dated 17.11.2017 in the matter of Court on its Own Motion vs. NCT of Delhi, DDA and Delhi Jal Board [WP (C) 7057/2005] has expressed its displeasure over encroachment on land acquired by DDA.

Central Public Works Department has intimated that one PIL WP (C) No. 7323/2016 has been filed for eviction of unauthorized encroachment from Government land named as Sanjay Basti, Timarpur, Delhi.

(c) and (d): DDA has intimated that the Master Plan of Delhi (MPD)-2021 is a policy document, which envisages vision & policy guidelines for the perspective period upto 2021. DDA has further intimated that there is no proposal for amendment in MPD with respect to eviction of unauthorized encroachment. Further, the issue of amending provision of MPD is *sub-judice* in the Hon'ble Supreme Court of India.

(e): DDA has intimated that as and when any encroachment is noticed / reported, prompt action for removal of such encroachment is taken with the help of Delhi police. Further, the following systemic improvements have been introduced by DDA to check unauthorized encroachment and to protect its land:

- (i) Uploading of photographs of vacant land on monthly basis.
- (ii) Construction of boundary walls /fencing on vacant lands and prominent display of signboards.

- (iii) Constitution of Quick Response Team for early detection & removal of encroachments.
- (iv) Development of Mobile App to ensure timely detection / reporting of encroachments.
- (v) Social vigilant teams have been constituted to seek assistance of general public in protection and management of DDA land.

East Delhi Municipal Corporation has intimated that regular encroachment removal drive is undertaken by it with the help of Delhi Police and its Field Officers have been instructed to keep strict vigil to ensure no fresh encroachment or re-encroachment come up.

NrDMC and SDMC have intimated that they maintain road with Right of way (ROW) roads less than 60 feet falling under their jurisdiction. As and when any complaint is received or encroachment is noticed, prompt action is taken by them.

New Delhi Municipal Council has intimated that the unauthorized squatters/ hawkers and encroachments on public land are being removed on day-to-day basis as and when found and their goods are seized and deposited in its Enforcement Store.

Ministry of Railways has intimated that in order to safeguard its land, regular inspections and survey are carried out at various levels and action taken in cases of encroachments. If the encroachments are of a temporary nature (soft encroachments) in the shape of jhuggies, jhopris and squatters, the same are got removed in consultation and with the assistance of Railway Protection Force and local civil authorities. For old encroachments, where party is not amenable to persuasion, action is taken under Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (PPE Act, 1971). To protect railway land, it also takes measures like provision of boundary wall, tree plantation at vulnerable locations.

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