



Illegal Constructions in Delhi: A Socio-Legal perspective

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Abstract- Article 21 of the Constitution of India gives right to shelter to its citizen and Article 19 provides right to reside and settle in any part of the territory of India and to practise any profession, or to carry on any occupation, trade or business. In Delhi, the enormous mass migration of the populace from the rural to the urban regions as too from the littler towns to the bigger metropolis has been driven by a mix of the push and force factors. The focal component has been the open door cost of work in urban casual area, which has developed quickly. This development is in two way process, from one perspective, the relative impoverishment of urban economy has offered a huge space for the casual division, on the other shoddy work showcase has energized the development of preparing and administration industry in the family unit and small part. Subsequently a mind boggling example of urban frame has risen, in which the 'casual' and the 'illegal' have built up a multifaceted and organic association with the 'casual' and the 'legal' framework. Numerous parameters of the improvement design and zoning controls have to a great extent turned out to be unimportant by these parallel developments. The irregularity between the legal and the illegal has frequently been exchanged off by the method of reasoning of development itself which has ended up being irreversible and exasperated by the weights of constituent legislative issues, however no place has it been so open and fundamental than in the advancing talk on the moving of dirtying wanders from the national capital of Delhi, in which the subject of implementation of Supreme Court decision regarding moving of debasing ventures has revealed the delicacy of the formal honest to goodness and orchestrating system as furthermore of the political structure. This paper takes after the development of casual settlements and work centers of Delhi as natural sections of the urban system.

KEYWORDS- *Constitution, Fundamental Rights, legal & illegal Construction, Urbanization, Property, Economy, Development*

I. INTRODUCTION

Illegal construction or building is construction work (or the consequence of such) without a legitimate construction allow. Other than the potential specialized perils on uncontrolled construction locales and in completed structures, illegal building movement can be a noteworthy ecological infringement when the works infringe upon safeguard territories like nature holds. Moreover, illegal building can have genuine political ramifications when it is polished as land snatching or for illegal settling in outside regions [1].

Illegal building can be the outcome of a blend of urbanization, overpopulation, homelessness and neediness in which case extending ghettos, Shanty towns or comparative will come about. Then again, illegal building action might be because of productive hypothesis with and abuse of important genuine property. Interest for mass tourism settlement (lodgings, and so forth.) and additionally its partner, individualistic extravagance withdraws for the exceptionally rich are obvious drivers of such theory. Comparable inspiration may originate from motivating forces associated with the illegal construction of awesome shopping centers or comparative on Greenfield land. Even construction works with evidently substantial licenses jar of cause be a consequence of pay off.



At times it can be watched that legal or endured settlements are later pronounced illegal by legislative establishments keeping in mind the end goal to account for more lucrative investments or essentially for political exhibit purposes in some cases under the appearance of beautification [2].

II. OBJECTIVES OF THE STUDY

- To discover the purposes for the illegal constructions.
- To give the appropriate revision in the process embraced for illegal development
- To give appropriate safeguard to the insurance of genuine representatives.

III. HYPOTHESIS OF THE STUDY

- **H0:** Frail authorization of significant control by the municipal agencies, on account of absence of genuine intent, dishonesty, and political impedance is the fundamental reason of illegal construction
- **H1:** Nexus amongst builder, engineers, police and lawmakers is fundamental reason of illegal construction and it can be disposed of by offering security to genuine open hirelings

IV. ILLEGAL CONSTRUCTION

The greater part of Delhi lives in some sort of casual settlements. The most noticeably awful shape is the ghettos and squatter settlements, generally called JhuggiJhompri groups, which suit around 2.5 million people. Exchange structures are the Resettlement Colonies which came up to reestablish around 1 million ghetto occupants, the Legally Notified Slum Areas, which is basically the walled city, where around 2 million people live in an extraordinarily congested and fragile condition, the Unauthorized Colonies which have come up illegally and without underwriting and the Urban Villages where ghetto like conditions win without game plans for fundamental administrations for sound living. Around seventy thousand individuals live on the asphalts of the city.

A. Jhuggi-Jhompri Clusters

These are the ghetto clusters or squatter settlements, which have come up illegally on open or private lands everywhere throughout the city to suit the poor vagrants from the country territories. The quantities of such squatter settlements have reliably been on the ascent regardless of the endeavors made to devastate as well as resettle them. According to the last review made by the Ghetto and JJ division of Municipal Corporation of Delhi in 1994 there were 4,80,000 family in 1080 ghetto bunches in the capital [3]. The MCD has not driven any review after 1994 to discourage new enrollment of new ghettos, yet casual outlines demonstrate that their numbers have increased around twofold that number in the midst of the latest six years.

Delhi does not have huge ghetto settlements in determined territories as compared to Kolkata or Mumbai. Generally ghetto pockets in Kolkata and Mumbai have created close extensive manufacturing plants and factories amid the provincial period and throughout the years these have additionally expanded and densities, be that as it may, in Delhi these are scattered everywhere throughout the city in little settlements, as a rule along the railroad tracks and streets, stream banks, parks, open places and other empty lands, which make the undertaking of in-situ restoration very troublesome and cost incapable[4] including 75% of the ghetto clusters in Delhi have 500 or less family units and just 10.5% have more than 1000 families.

According to a study directed in 1996, 83.54% ghetto covers are made of mud divider with covered rooftop, 14.40% with block and mud divider with asbestos rooftop and 1.47% with block divider and tin rooftop [5].



B. Resettlement Colonies

46 resettlement colonies have been produced for the most part on the edges of the city to resettle around 2,16,000 squatter families, each furnished with a plot of land measuring 18 sq meter at an financed cost of Rs. 5,000 (US \$ 106). These colonies experience the ill effects of different infrastructural deficiencies like water supply, sewerage, seepage; refuse transfer, power, schools, healing facilities, streets and so forth. A study led by the Council for Social Development show that half of the families do not have singular water associations or can offices and need to rely upon group restrooms and lavatories which are either so deficient or kept up so inadequately that a considerable lot of the occupants poop in the open[6]. The arrangement of strong waste transfer is to a great degree inadmissible also, scarcely 30% of the waste is gathered for transfer.

The experience of restoration of squatter families from the city heartlands to these edge settlements has not been uniform. The vicinity of a portion of the colonies to the new work focuses made them examples of overcoming adversity, however the greater part of these colonies are so far from the spots of work that around thirty to forty percent of the squatters came back to the ghettos for business. 'Work instead of home' was a need for the poor squatters who thought that it was more helpful to offer there plot at a premium and return close to their work environments in new ghetto settlements. In a portion of the resettlement colonies crisp squatter settlements have come up on the open and open land, offering ascend to a marvel that has been depicted as 'ghettos inside slums'.

C. Unapproved Colonies and Harijan Bastis

The unapproved colonies are the private takes, which have come up all around on private land in an improvised path encroaching upon the Master Plan and Zonal Plan bearings [7]. The harijanbastis are those unapproved colonies, which are controlled by the low rank families. The structures in these colonies are strong structures which have been created without supported plans and thusly the orchestrating gauges of land use controls and building guidelines of height and front and back mishaps have not been taken after [8]. Other than road frameworks, waste and sewage system, parks, play territories, bunch centers and other ordinary workplaces have not been made in such colonies. The approach of Government towards such colonies has been extemporaneous. During the time an immense number of such colonies have been regularized, generally on political motivations, on thought of progression correct for redevelopment of such colonies, however either the rate of such charges or the recovery of the same have been extremely inadequate to truly realize such redevelopment plans which have waited far behind the pace of development, making the majority of such colonies just possibly superior to many ghetto resettlement [9].

D. Legitimately Notified Slum Areas

The told ghettos are those, which have been pronounced/informed as ghetto ranges under segment 3 of the Slum Areas (Improvement and Clearances) Act, 1956. Under this Act those ranges of the city where structures are unfit for human home by reason of feebleness, stuffing, defective course of action and outline or where because of flawed courses of action of roads, absence of ventilation, light sanitation offices, or any mix of these elements the living condition are impeding to security, well-being or ethics [10]. The significant extent of such informed ghettos are found in the medieval walled city of Shahjahanabad and its augmentations, which was initially intended to suit 60,000 populace, however where an expected 2 million populace is presently living [11]. Neither the management of Ghetto Areas Act nor of the Master prepare for the walled city have been completed since the city was overpowered by issues of another degree, which were made by the unending surges of new developments and, in this way the old city was left to battle for itself, inciting further rot of its living conditions.



E. Pavement Dwellers

It is assessed that 70,000 individuals live on the asphalts in occupied commercial centers in the city where they act as workers. They are for the most part grown-up male laborers who have left their families back in their villages. They cannot stand to drive from a separation since their employment relies upon the spots where they need to work from the morning till late at night. They are for the most part stack bearers, doormen, shoe-sparkle young men, cloth pickers and different sorts of odd specialists. They are for the most part focused close to the railroad stations, between state transport end, discount markets and transport stops.

F. Urban Villages

There are around 106 villages on the edges of Delhi, which have wind up noticeably urbanized in a random and spontaneous way. These are most certainly not told urban territories and are outside the locale of Municipal Organization. Consequently these territories are without the offices of guaranteed consumable water, surface waste framework and sanitation plan [12]. The provincial character of these villages as far as land utilizes design and word related structure has experienced radical changes. The land theorists have procured vast tract of land in these villages, dislodging their unique habitats, which have either moved to the city or exchanged over to the tertiary occupations, while new pilgrims have begun constructions in a spontaneous way, making the future arranging of these planned urban ranges significantly more difficult.

V. MAJOR CAUSES OF THE ILLEGAL CONSTRUCTION

A. Urbanization – A main thrust

Alongside the high basic development rate of the urban people, the urbanization methodology which has incited the fast development of the Delhi Town is a champion among the most vital measurement ponders that has been learned about the 1990s. The urban masses created from only 27000 (20%) in 1948 to 204,774 (32%) in the midst of 1988 and climbed further to accomplish 391,519 (40%) in 2002. The land master was overwhelmed by the frequently growing number of urban occupants who required land for shield. Consequent to fail to get organized and balanced plots, individuals settled on obtaining bits of urban outskirts alter arrive and making them (COLE 1993) [13]. A significant number of the general population did not by any means try to search for arranged plots as the open option existed. Most of them were set up whereby one could without much of a stretch tell which part of the islands the overwhelming inhabitants originated from.

B. Land Related Issues

Over the most recent four decades there have been various trials concerning spatial arranging and land administration in Delhi [14]. In this manner, as Scholz et al contend, the improvement of the arranging and land residency framework in Delhi is in reality set apart by a few moves that have caused logical inconsistencies in the institutional and legitimate structure and have prompted disarray in land administration and to uncontrolled urban growth.

C. Deficient formal land circulation

All through the historical backdrop of the presence of the IS, one of the real causes has been disappointment or failure of the mindful organization to give private plots to the consistently expanding urban populace. While official applications for private plots in Delhi Town have been consistently expanding, supply of the same is staggeringly lacking, a normal of in the vicinity of 20 and 30 for each penny for every year. There is a general acknowledgment among the urban occupants that there are in every way that really matters no likelihood of getting private plots from the land master. In this manner,

the mushrooming of the IS could be seen as a methodology of "filling the gap" as chose and driven by the basic money related fundamental of premium and supply.

D. Absence of resources

The government has been encountering serious deficiency of monetary resources to repay individuals to gain land for urban improvement. Moreover, the land expert has exceptionally restricted specialized limit as far as qualified urban organizers and surveyors. This issue is aggravated by the appropriation of complex and inflexible arranging and studying strategies. Subsequently, a casual land showcase is in compel offering ascend to the tremendous unconstrained developments [15].



Figure 2: Illegal construction in Delhi

VI. MAJOR EFFECTS OF THE ILLEGAL CONSTRUCTION

The sprawling of deficiently controlled settlement developments has realized various natural and prosperity related issues. Uncontrolled settlement headway is causing physical disarray, uneconomical land utilization, and over the best encroachment of settlements into awesome agricultural land, natural defilement and pollution threats. Furthermore, as illuminated underneath, it has ended up being uncommonly troublesome for the legislature to send social and money related structure/administrations to these regions due to the nonappearance of room and transparency [16]. The most broadly perceived aftereffects of the expanding casual settlements join the going with:

A. Contamination of Water Sources

Development of the casual human settlements has been the huge explanation behind defilement of ground water sources, the greater part of which are arranged on the edges of the Delhi Town. Loss of vegetation around water sources diminishes water stream while poor exchange of liquid and solid misuses causes water sullyng. There have been visit scenes of water considered illnesses like cholera and detachment of the insides, particularly in the midst of high precipitation seasons, in view of spoiling of the drinking water.

B. Deforestation

Natural forests and catchment zones are being assaulted by the broadening human settlements. There is constant shrinkage of the forested areas on the edges of Delhi Town due to the augmentation of settlements. This preparation has reduced the measure of ground water and achieved ecological corruption.



C. Contamination from Solid and Liquid Wastes

One of the major issues looked by the inhabitants of Delhi Town is the absence of an appropriate framework for squander administration. The issue is significantly more extreme in the casual settlement zones. Because of the absence of set up accumulation focuses, heaps of rubbish are scattered in and around neighborhoods which prompts environmental and medical issues.

D. Accessibility

Absence of access is a champion among the most broadly perceived issues caused by and experienced by inhabitants in the casual settlements. Since there are neither the plan outlines nor the regulatory equipment, occupants tend to work to practically 100 for every penny of their plot measure. It has ended up being hard to offer get to lanes to these reaches as there is no space for this [17].

In like way, no zone is left open for social administrations like schools, specialist's offices, youths' play grounds, et cetera. In this manner, people and organization development in these zones is to a great degree constrained and occupants need to walk long division to get administrations like prosperity, instruction, transport etc.

VII. SOCIO - CULTURAL FACTOR

There are as yet numerous urban occupants who feel exceptionally good living in IS and see it as the main place which involves sharing and harmony among neighbors. They consider the very much arranged and adjusted zones like Golf Link, VasantVihar, Shanti Niketan (where occupants construct high fencing dividers) to be spots of individuals of high wage [18]. In the brains of the inhabitants, there is no uncertainty about the "legalness" of their homes. Late studies on IS show that security of residency is by and large not thought to be an issue, as once you manufacture a house nobody can guarantee responsibility for and there is no plausibility of being mightily expelled from the zone [19].

VIII. COURT CASES

One Ram Roop Meena , Executive Engineer of South Delhi Municipal Corporation filed an Original Application bearing no. 293/2018 titled as Ram Roop Meena v South Delhi Municipal Corporation against the arbitrary, malafide and contemptuous action of respondents in transferring the applicant within 45 days of joining as EE (Bldg.-II), CNZ, South DMC merely because instead of acting on the direction of Local Politicians and Senior Officers i.e. Dy. Commissioner, Central Zone and Chief Engineer, the applicant implemented the order of Hon'ble High Court of Delhi passed in PIL registered as WP (C) No. 5751/2014 & WP (C) No. 10006/2017. Considering the aforesaid aspect of the matter, the Hon'ble High Court of Delhi was pleased to list the CM of the Petitioner filed against the contemptuous action on the date of filing of CM and made serious observations about the conduct of respondents. Everything is not good in South DMC and only such officers/Engineers are allowed to complete their normal tenure that follow the order of local politicians and Building Mafia, and kept on ignoring order passed by court of law and mandate of Rule and the applicant's case is live example of the same. On joining as EE (Bldg.-II) on 28.11.2017, the applicant ignored the local politicians and Building Mafia and started cleaning up the area by removing unauthorized constructions as pointed out in PIL and came to his notice during survey.

The said survey was conducted to find out the unauthorized constructions as well as 366 properties which were not traceable in the Corporation record. The said properties were traced and got booked by the applicant apart from taking demolition action against unauthorized construction by ignoring continuous pressure put by Senior Officers as well as Local Politician and threats by Builder Mafia. The sincerity of the applicant is evident from the fact that within short period of less than 45 days he got booked near about 800 properties, apart from carrying out demolition drive on day to day basis.



Unfortunately, the said sincerity and honest functioning of applicant was not liked by the respondents and the applicant was transferred within 45 days and that too by ignoring the order of Hon'ble High Court, what to say about instructions issued by competent authority for governing the transfer of EEs. As the transfer order was issued to frustrate the orders of Hon'ble High Court, therefore, the Petitioner preferred CMP before Hon'ble High Court of Delhi against his transfer order as well as for taking appropriate action against the officers responsible for violating the order of Hon'ble High Court as mentioned herein above.

The Hon'ble High Court was pleased to make observation about the conduct of respondents by permitting urgent listing of CMP of applicant. The Hon'ble High Court has been pleased to keep the said CMP pending for taking appropriate action against the wrongdoers under contempt jurisdiction and considering the limitation imposed by Hon'ble Supreme Court of India in case of L. Chandra Kumar, permitted the Petitioner to approach this Hon'ble Tribunal against transfer order.

In the case of Sarvesh Kumar Awasthi Vs. U.P. Jal Nigam & Ors. (2003) 11 SCC 740, the Hon'ble Supreme Court of India has ruled as under:-

“the power of transferring an officer cannot be wielded arbitrarily, malafide or an exercise against efficient and independent officer or at the instance of politicians whose work is not done by the officer concerned.”

The applicant herein has been transferred out merely because he acted in compliance of court order, instead of following the orders of politicians.

The Hon'ble Central Administrative Tribunal vide its order dated 23.01.2018 has passed following order:-

“The applicant was promoted as Executive Engineer on 27.11.2017 in South Delhi Municipal Corporation (South DMC) where he joined on 28.11.2017. He was posted as Executive Engineer (Building-II), CNZ, South DMC. He was made part of the Joint Task Force Committee constituted under the Chairmanship of Principal Commissioner (LM), DDA. The said Committee was entrusted with the job of demolition/sealing of illegal structures. It is stated that the applicant, being part of the Joint Task Force Committee, sought the police assistance and was engaged in demolition/sealing programme of the unauthorized construction in the area.

It was obstructed by the local MLA, including some Municipal Councilor, as also by the building mafia. The applicant, however, continued to proceed in the matter. He was threatened by some political persons as also the building mafia and now they have managed the impugned transfer of the applicant. He approached the Hon'ble High Court of Delhi under whose directions the demolition / sealing exercise is going on.

The Hon'ble High Court, vide its order dated 19.01.2018, observed that any effort being made to overreach the orders passed by it would be dealt with under Contempt of Courts Act. Insofar as the prayer of the applicant against his transfer is concerned, he is allowed to challenge the same in accordance with law.



Notice

Mr. R K Jain, learned counsel appears and accepts notice on behalf of respondents. Counter reply be filed within two weeks. Rejoinder, if any, within one week thereafter

In the meantime, implementation of the impugned orders dated 17.01.2018 transferring him from the post of Executive Engineer (Building-II), CNZ, South DMC, posting him with SE (E&M) and relieving him on the same date, are hereby stayed. It is further directed that the applicant shall be allowed to continue on the post of Executive Engineer (Building-II), CNZ, South DMC till further orders.”

IX. ACTION PLAN FOR MONITORING AND FIXING OF RESPONSIBILITY IN CASE OF VIOLATIONS

Keeping in see the directions of the Hon'ble Supreme court dated 24.04.2018 on account of M.C. Mehta Vs UOI and Ors. (WP (Civil) 4677/1985) the accompanying Action design is being submitted as intention and commitment to check all progressing/future unauthorized constructions, examination of particular complaints of unauthorized construction before and to make a move consequently and to weed out acts of neglect and debasement in the functioning of developmental and municipal bodies under the general supervision and coordination of the Special Task Force (STF) constituted vide OM dated 25-04-2018, in consistence of request dated 24-04-2018 go by the Hon'ble court

1 Plan of Action to ensure that no further illegal construction/ irregularity takes place in future

Based on regional ward of the statutory authorities/local bodies, similar to Delhi Development Authority, New Delhi Municipal Council, South Delhi Municipal Corporation, North Delhi Municipal Corporation and East Delhi Municipal Corporation, a Grid of officers has been readied. This Grid would incorporate the names, telephone numbers and emails of the concerned Executive Engineer/proportional Officer of individual zones of the different statutory authorities/local bodies, who should be considered responsible for all future unpredictable and unauthorized constructions/infringement of the MPD-2021, the DMC Act, 1957 and the Building Bye-laws.

- i. It should be responsibility of the officers in the grid to check in their territories of locale all future construction exercises, to decide their nature.
- ii. An intuitive site alongwith a PDA Application (App) will be propelled by the STF to encourage open everywhere to enlist their grievances/complaints and transfer photos concerning any progressing sporadic and unauthorized direction movement in any locality of NCT Delhi including the unauthorized colonies.
- iii. Each objection ought to be given interesting Id number
- iv. The information of the considerable number of complaints got on site and App of the STF should be recovered /downloaded for action by the concerned statutory authority
- v. Advanced/manual record of the complaints got and action gone up against the same should be kept up in the workplace of the STF for future reference.



- vi. In the event that any illegal/unauthorized construction action is distinguished by the STF amid consideration of these reports and no or lacking restorative or remedial action has been auspicious started by the officer capable.

Besides the punitive/reformatory action against the workplace in charge of illegal/unauthorized construction, the STF would guide the concerned local body to make the vital consequential punitive move for expulsion/obliteration/fixing and so on against the illegal/unauthorized construction and other remedial and ameliorative action.

2. Plan of action in cases of past instances of illegal/unauthorized constructions

On receipt of a written complaint from any source giving unquestionable and particular points of interest of illegal/unauthorized construction that has effectively occurred in the past the STF will take quick perception of such complaint and choose a three part council containing one part each shape the DDA and concerned statutory authority/local body and an independent part to be designated by director STF to look at and confirm the assertions and identify the officer(s) in charge of illegal/unauthorized construction.

STF will consider every such report with respect to past unauthorized constructions in its fortnightly gatherings and give suitable directions to the statutory authorities for taking remedial measures.

3. Systematic improvements already in place for hassle free approvals of building plans

Keeping in mind the end goal to make the building Bye-laws resident well disposed and to provide 'Simplicity of Doing Business' in Delhi, amended bound together Building Bye-Laws for Delhi, 2016' (UBBL) have been told by DDA on 22.03.2016 after almost 33 long periods of notice of the prior Bye-laws

- i. UBBL go for diminishing the problems looked by the public and makes the procedure less tedious through the accompanying measures:
- ii. Greatest time restrict for conceding building permit has been diminished to 30 days
- iii. No of reports has been decreased
- iv. Consistent online reconciliation of NOC/freedom from all inward/outside Agencies in building authorizing method which will evacuate the requirement for the applicant to go to these agencies for acquiring NOCs for getting the building permit
- v. Hazard based arrangement has been embraced for various kinds of buildings and in like manner forces of issuance of endorse has been assigned to Architects/Engineers for generally safe buildings and order has been given for assisting respectably chance buildings.
- vi. SARAL process for little residential plots upto 105 sq mts i.e., no authorize of building designs is required
- vii. Expenses and charges to be saved through a automated online calculator and single online installment gateway
- viii. Prerequisite to look for permission for initiation of construction has been erased



All permissions identified with building at various stages have been set aside a few minutes bound under Bye-laws i.e., building permission inside 30days, inspection inside 01 days and joint plinth level inspection for inhabitation – cum-finish declaration inside 15 days from the date of on-line application.

There ought to be one official from the office of Delhi's Lieutenant Representative in the STF. It said the task force would meet in any event once every month and give its answer to the LG's office and the Ministry of Housing and Urban Affairs. Nadkarni said that in the Master Plan of Delhi (MPD) 2021, no new road would be announced as business except if parking spot was indicated first. "To be sure, the substantial size of construction of building past reasonable FAR (Floor area proportion), abuse of public land and so forth and other comparative violation must be ceased forthwith and a total no resistance to these illegal exercises must be appeared," he said in the note.

X. CONCLUSION

This exploration discovered significant confirmation that vast scale arrive obtaining, advancement and transfer approaches which oversee general society specialist's conveyance of land for lodging have been real supporters of the production of unapproved arrive improvements and lodging in 280 Delhi. Regardless of the DDA's endeavors to give adequate land to arranged advancement through administrative supply instrument, the formal lodging land conveyance has neglected to adapt to the developing interest. Utilizing interviews with 300 family units living on illicitly created arrive, 106 families living on unlegally exchanged (yet legally created arrive), 28 family units who wrongfully exchanged their plots, and 69 property specialists, this examination got clarifications of their activities which can be connected to the central land administration approaches of the DDA. Their records show that a generous bit of them tried to acquire wrongfully created arrive or too illicitly get arrive in light of the fact that DDA arrangements [20].

This exploration has likewise discovered that the arrangement of regularization of a portion of the unapproved improvements has additionally energized interest in extra illegal advancement [21]. This pulled in little bits of family units who had connected and were holding up and of other people who were at that point gave legal land by DDA. They were enabled by the possible results of wander, and extra wage getting openings, for instance, shop-keeping and business cum-private usage of their space, regardless of the nonappearance of direct legitimate decisions.



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