LAND AND ECOLOGICAL POLITICS:
A STUDY OF THE VASANT KUNJ MALLS

PROPOSAL OUTLINE

Akhilesh Tekchand
Nikita Varma
Nisha Badri
Shruti Sharma
Vivek Chithambaram

Sushant School of Art and Architecture

2011
ABSTRACT

We want to study the land and environmental policies existing in Delhi and to see the politics behind them and how they affect various aspects of urban growth. To study this we will focus specifically on the malls that have recently come up in the Vasant Kunj ridge area. We have found until now that each of the parties concerned with the issue is claiming something different simply to justify their own viewpoints due to their vested interests. We plan to study the site conditions, interview people related to the site and its issues, look at documents and case files that are pertaining to the case. We aim to bring forth the reality behind the situation. Through this study we want to sensitize people about the shortcomings if any in the implementation of these policies. We will identify and analyze the economic and other drivers impacting urban growth and developments in Delhi.
OVERVIEW

We have identified the southern ridge area located in Vasant Kunj, New Delhi as our primary site to study. Our site is located along Nelson Mandela Road, opposite the Jawaharlal Nehru University Campus north of Vasant Vihar. We are looking at our site as consisting of two components. The first is the site on which lie three malls (DLF Emporio, DLF Promenade and Ambience Mall) and the Maruti Udyog Building. The second component is the biodiversity Park located behind the malls.

We plan to study the policies and laws that currently exist. We will look into the various master plans and what it says about this area’s land use, environment, urban design, physical and social infrastructure. We will also look into the laws, regulations and the present status or categorization if any, as spelt out by various government organizations such as Ministry of Environment and Forests, Delhi Forest Department and the Ridge Management Board.

We plan to study the issue from all aspects. We will look into the controversy from the points of view of all parties concerned with the matter. The first is the DDA (Delhi Development Authority) who auctioned the land without considering the fact that the area was deemed protected forest land because it wasn’t notified. The second is the developers and people who bought the land who either weren’t informed or ignored the environment impact of building on that particular site. The third are the NGO’s (Non-Governmental Organizations) and various other organizations who protested against the construction. Finally we also want to look into the legislative procedure, what decisions were taken and why they were taken.

To study these issues we plan to look into all the legal documents available on the case. These include case files from the DDA, the Environmental Impact Assessment submitted by the developers. We also plan to look at all the information available from the Central Ground Water Authority on the changes in the level of the ground water in the area. The newspaper articles and petitions related to the case will also form a part of the study. We will also attempt to talk to the people associated with the issue. These include the NGO’s such as Tapas, CHETNA, Toxic Links, Srishti, etc.

Till now we have seen that all parties related to the controversy have taken different stands on the issue. We will be going in this study with no preconceived notions. We plan to see all sides of the argument in a fair and unbiased manner.

---

1 Uday Gosain < udaygosain.wordpress.com/environment/7_supreme-court-verdit-the-vasant-kunj-mall-case> accessed on 22 January 2011.
Many developers disregard the ecological and social demands of the context while building. This happens despite the government having attempted to put laws and checks to stop this. This research will help shed light on the discrepancies that exist between various organizations and their diverse view towards urban growth.

Right now with the rate of urban growth increasing rapidly, it is important that various agencies, governmental and non-governmental organizations, builders, architects and planners should be sensitized towards the current trend of disregard to the environment only for monetary advantage.

Figure 1: Geological map of Delhi, India

2 Geological survey of India
BACKGROUND AND SIGNIFICANCE

The area was used as a mining site in the 1960's. After 30 years, in 1993-94 the government set up a committee called Loveraj committee. This committee identified this as the ridge area. Then journalist Kuldeep Nair filed a petition with the Supreme Court in 1996 protesting against the international hotel, Grand Hyatt in that area. He supported his protest with the master plan which had the area marked as green. The same year the Supreme Court passed an order restricting DDA (Delhi Development Authority) from carrying on all construction activities going on in the area and constituted the environment impact assessment authority for NCR (National Capital Region).³

![Google Earth image of site](image)

Figure 2: Google Earth image of site

---

³ In the high court of Delhi at New Delhi, ‘Additional affidavit on behalf of respondent No.3 DDA’ < WP© No. 2169 of 2007> 18 February 2007.

⁴ ‘Google Earth Image’ accessed on 23 January 2011.
In 1996, DDA came up with a competition in the ridge area for construction 13 luxury hotels. In the following year, August 1997, M/s Unison Hotel Ltd. filed a petition in Supreme Court which resulted in clarification of the previous order and permission to construct in area outside the 233 hectares i.e. 92 hectares which was called the constraint area. In October 1999 the EPCA (Environmental Pollution Control Authority) submitted its report to the Supreme Court which stated that the entire area of 315 hectares is the part of the ridge and directed that the environment factors are not in favor of urban use of the 233 hectares of land. Then after 4 years i.e. in 2004, CPQLW (Citizens protested for the Protection of Quarries, Lakes and Water bodies) in that area and filed an application before the EPCA. After two months, i.e. March 2004 CEC (Centre Empowered Committee) co-opted Shri Shekhar Singh, a member of the Loveraj Committee to examine the issue and carry out a site visit and prepare a detailed report on the issue raised. The CEC after gaining inputs from his report and from the central ground water authority, ministry of environment and forest and geological survey of India prepared its report and submitted the same to the Supreme Court. It was recommended that the area of 223 ha and area of 315 ha belonging to the army be notified as reserve forest under section 4 of the Indian forest act 192 and recommendation of the Loveraj committee in respect to the Delhi ridge should be made applicable to the area. The Geological Survey of India identified the area as part of the Aravalli Ridge in 1997. The site has been legally quarried since the 1960’s. And since 2004 it has been illegally quarried.

As a result of all of these construction activities happening on the ridge area, the ecology of this area which is a part of the Delhi ridge would be lost forever. We are interested in finding out why certain forest areas have not been demarcated as protected or reserved forest areas under the Forest Act.

The social lives of the economically weaker class have also been greatly affected by the situation. Old communities were forcibly evicted to make way for a bio-diversity park. The water level in this area of Delhi is of great concern and the government has banned boring of land to extract water. We would study the effect of the construction and functioning of the malls on ground water. As per the observations made by the Central Ground Water Authority, this area is the recharge area for the underline aquifers in the vicinity and development activities may adversely affect the groundwater regime in the area. We would like to study whether this claim has any validity.

---

6 In the high court of Delhi at New Delhi, 'Additional affidavit on behalf of respondent No.3 DDA’ < WP© No. 2169 of 2007> 18 February, 2007.
9 'Report of the Central Ground Water Board'
PREPARATION AND WORK THUS FAR

Before we started researching, we were under the assumption that the site under consideration had undergone a change in land use. After preliminary research through newspaper articles and other articles posted by planners etc., we came to understand that there was no violation of planning or land use. However, there were environmental concerns and conflicts between different authorities that had arisen at the time.

We have spoken to Vinod Kumar Jain, founder of the NGO, Tapas who filed cases against various authorities concerned with the environmental and legal issues related to the site. We have accessed some of the legal documents of this case which say that the construction has taken place in a green area and that the coming up of these buildings would adversely affect the water table and add to the water scarcity in the area. Mr. Jain claims that before the construction started, there were water bodies that existed on the site. However, looking at previous Google Earth images, we have been unable to verify this.

We also went to Kusumpur village and having spoken to the residents, we found out that the evicted villagers are not unhappy since they have been relocated to bigger flats and more convenient accommodation. Also a large number of residents of the Kusumpur Pahari are currently working in the malls so the malls have improved employment opportunities in this area.

Other activists and people associated with the Ridge Bachao Andolan all claimed that this was protected area. But as far as we can see, the site is in a relatively barren area. Other articles on the same subject say that villagers around the site were evicted to restore the green cover to the area which was damaged in the mall site.

We have also been able to obtain the Environmental Impact Assessment submitted for Ambi Mall in Vasant Kunj to the Ministry of Environment and Forests. In this document they claim that the operation of the mall would only have minor negative impact on air quality, noise, traffic pattern, etc.; it will have no significant adverse impact on water quality, water usage, soils and ecology and overall positive impact on the socio-economy.

---

10 ‘Google Earth image’ accessed on 23 January 2011
METHODOLOGY AND PLAN OF WORK

Research questions

- **Out of the involved parties i.e. the NGO’s, the DDA, and the developers, who was accurate in their claims and to what extent?**

  Till now, all these parties are making different claims on the legality and environmental status of construction of the site. The claims of depletion of green cover are made by the NGO’s. At the same time other sources claim that there was no greenery in the area. Through this study we need to sort through the facts and figure out what exactly the situation was and is.

- **What were the policies pertaining to construction activities on this site? To what extent were they violated and to what extent were they implemented?**

  There seems to be a lot of confusion regarding the status of the land- whether it was considered a part of the ridge or not, whether it was protected under the forest act, whether construction was allowed in the first place etc. We want to study the policies relating to the site under various agencies and how and if these policies have been violated.

- **What was the eventual environmental, social and ecological impact on the area post the construction of the buildings?**

  The claims of groundwater depletion and depletion of green cover are made by the NGO’s. We want to go through the actual data such as information on the level of the groundwater table, etc. by getting information from agencies such as the CGWA and find out the actual impact. We would also want to speak to the residents of surrounding areas as well as the villagers who were resettled and see the effect on them.

- **What do we feel about the construction of the malls and other buildings on the site and why do we feel so?**

  We are unable to understand whether the malls had an adverse impact on the people and surroundings. Only by understanding the scenario after an in depth study will we be able to take a stand on the moral issues at hand.
Schedule of Activities

Week 1: We will go to the DDA office to get the case files.

Week 2: We will go to the office of the CGWA (Central Ground Water Authority) to get information on ground water levels as relating to our site before and after the construction.

During the first two weeks, we aim to put our hard facts in place so we can go ahead and interview people with a clear idea of the situation. During this week we also will read texts relevant to the topic in order get a better perspective and overview on the situation.

Week 3 & Week 4: We will visit the RTI (Right to Information) office and try to access the Environment Impact Assessment reports of the various buildings in the area. We will get pertinent information from the MOEF (Ministry of Environment and Forest).

Week 5: We plan to meet the villagers and other residents of the surrounding areas. This will be done in order to find out the reaction as well as impact on them. We will also visit the bio-diversity park behind the site which was made to increase the green cover.

Week 6 & Week 7: We will visit the NGO’s who were protesting against the construction in the area. We will also try to talk to all the people associated with Ridge Bachao Andolan and understand their issues with the controversy.

Site Justification

The construction on this site was highly publicized and controversial. As with most situations highlighted by the media, the facts get jumbled. Also there were a large number of agencies and authorities both governmental and non-governmental who were involved in this controversy. As such this case was very politically sensitive with far reaching social, environmental and economic impacts. All these factors make this an interesting as well as important site to study.
BIBLIOGRAPHY

• Gosain, Uday; Supreme Court Verdict on the Vasant Kunj Mall Case <udaygosain.wordpress.com/environment/7_supreme-court-verdit-the-vasant-kunj-mall-case> accessed on 22 January 2011.


• In the high court of Delhi at New Delhi, ‘Additional affidavit on behalf of respondent No.3 DDA’ < WP© No. 2169 of 2007 > 18 February 2007.

• Verma, Gita (2002), Slumming India A Chronicle of Slums and Their Saviors, Penguin Publishers

• Sunderam, Ravi (2010), Pirate Modernity: Delhi's Media Urbanism, Routledge Publishers


• ‘Central Ground Water Board’; List Of Notified Areas For Control And Regulation Of Ground Water <http://cgwb.gov.in/GroundWater/authority_area.htm> accessed on 8 February 2011

• DDA Master Plan Zonal Development of Zone F <http://dda.org.in/planning/docs/ZonalDevelopmentPlanofzoneF.jpg> accessed on 9 February 2011


RESOURCE PERSONS

• Non Government Organizations (NGO’s)
  o TAPAS – Mr. Vinod Jain
  o Citizens for Protection of Quarries, lakes and Wilderness (CPQLW) – Prof. Vikram Soni
  o Kalpvriksh – Prof. Prabhakar/ Mr. Ajay Mahajan
  o Vatavaran – Ms. Iqbal Malik
  o CHETNA

• Delhi Science Forum – Mr. D. Raghunandan

• Shekar Singh - Environmentalist and Right to Information activist

GOVERNMENT BODIES

• Delhi Development Authority (DDA)

• Central Ground Water Authority (CGWA)

• Ministry of Environment and Forest (MoEF)

• Geological Survey of India (GSI)