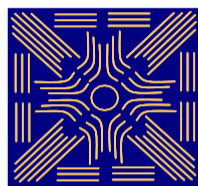


AGENDA NOTES FOR

**38th Meeting of the Board
13.09.19 at 3:30 P.M.**

Venue:

**Hall No. 1, Ground Floor, Vigyan Bhavan,
Maulana Azad Road, New Delhi.**



**National Capital Region Planning Board
Ministry of Housing & Urban Affairs
New Delhi**

Agenda Items for the 38th Meeting of the NCR Planning Board

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AGENDA ITEM NO. 1: CONFIRMATION OF THE MINUTES OF 37TH MEETING OF THE BOARD HELD ON 04.12.2017

- 1.1 The Minutes of the 37th Meeting of the NCR Planning Board held on 04.12.2017 were circulated vide letter No.K-14011/02/2017 (37th)/NCRPB dated 03.01.2018 to the members of the NCR Planning Board. Copy of the Minutes are at **Annexure-1/I**.
- 1.2 Principal Secretary, Town & Country Planning Department, Govt. of Haryana vide letter No.CCP(NCR/1001/2018/617) dated 01.03.2018 (**Annexure-1/II**) has sent their observations w.r.t. the Agenda Item 2 (Confirmation of Minutes of the Special Board meeting of NCRPB held on 20.12.2016), Agenda Item 6.1 (DRRP-2021:Compliance of directions from PMO), and Agenda Item 8.2 (Status update on definition of 'Aravallis' and 'Forest') indicating that the views of the State have not been recorded completely and requested to rectify the Minutes by incorporating their views.
- 1.3 The matter regarding Agenda Item 2 (Confirmation of Minutes of the Special Board meeting has been examined along with the verbatim and it has been observed that with regards to confirmation of minutes, on being informed that there is a separate agenda on the matter, Haryana agreed to confirm the minutes. Accordingly the minutes may be modified to this extent and confirmed.
- 1.4 With regards to the matter regarding Agenda Item 6.1 (DRRP-2021:Compliance of directions from PMO), was examined at the level of MoHUA, in consultation with the NCR participating States, as per the directions of the Board. A meeting was held on 18.12.2018 wherein the decision on the matter has been taken and is being detailed out in at the Agenda Item No. 9.5. Accordingly, the matter was resolved, hence we may accede to the request of Haryana and make the suggested amendments and confirm.
- 1.5 With regards to the matter on Agenda Item 8.2, Govt. of Haryana has already taken necessary action regarding NCZ delineation which is being detailed at Agenda Item

No. 9.5. Accordingly the minutes may be modified to this extent as suggested by Govt. of Haryana and confirmed.

1.6 Accordingly, Addendum to the Minutes are at **Annexure-1/III**.

Proposal:

Minutes of the 37th Meeting of the NCR Planning Board may be modified as suggested by Haryana. Modified Minutes may be approved and confirmed.

**AGENDA ITEM NO. 2: ACTION TAKEN ON THE DECISIONS TAKEN IN 37TH
MEETING OF THE NCR PLANNING BOARD HELD ON
04.12.17.**

Action Taken Report on the decisions taken in the 37th Meeting of the NCR Planning Board are as follows:

Sl.No.	Agenda Item/decisions	Action Taken
1.	Agenda Item No. 3: Action Taken Report on the decisions taken in 36th Meeting of the Board	
	(iii) Sub-Regional Plan for Delhi Sub-Region <i>Board decided that the matter be deliberated at the level of Additional Secretary (D&C), M/oHUA and resolved.</i>	<ul style="list-style-type: none"> Meeting under the chairmanship of Additional Secretary (D&C), M/oHUA was held on 16.08.18 regarding preparation of Sub-Regional Plan for Delhi Sub-Region. Matter is placed separately as Agenda Item No. 6
	(xiii) Finalization of definition of 'Forest' Matter related to filing a rejoinder before the Hon'ble NGT in a matter pertaining to NCZ as requested by Govt. of Rajasthan: <i>Board decided that the matter should be examined at the level</i>	<ul style="list-style-type: none"> Meeting was held at the level of Additional Secretary (D&C), M/oHUA on 22.03.18, wherein Govt. of Rajasthan was requested to expedite the NCZ delineation and submit the replies to NCRPB. Need of filing rejoinder can be assessed as per the NCZ delineation report. Subsequently, the said matter has been disposed of by the Hon'ble NGT vide order dated 07.08.2018 constituting a Committee to examine the

Sl.No.	Agenda Item/decisions	Action Taken
	<i>of Additional Secretary (D&C), MoHUA and resolved soon.</i>	matter. The Committee under Secretary, MoEF&CC has held meetings on the matter and directed NCR States to submit the report giving comparison of NCZ areas in year 1999 and 2012 with reasons/justifications / clarifications for the difference. The submissions are proposed to be filed in NGT by MoEF&CC.
	<p>(xvi) Issues related to implementation of Inter-State Connectivity Roads/ Linkages in NCR</p> <p><i>After deliberation the Board decided that a meeting under the chairmanship of Secretary (HUA), GoI be convened within next two months.</i></p>	<ul style="list-style-type: none"> Meeting was held under the chairmanship of Secretary, HUA on 12.02.2018. Subsequently, a meeting under the chairmanship of Additional Secretary (D&C), HUA was also held on 20.08.18 and 20.12.18 regarding specific road links between Delhi and Haryana. Directions have been given to DDA and NHAI to take necessary action. NCRPB is following up the matter.
2.	Agenda Item No. 4: Action Taken Report on the decisions taken in Special Meeting of the Board	
	(i) Follow-up action on directions of Hon'ble DHC dated 18.11.16 in the matter of "Court on its Own	<ul style="list-style-type: none"> In compliance with the decision of the Board, NCR participating States were requested vide letter dated 22.03.18 for Plan of Action

Sl.No.	Agenda Item/decisions	Action Taken
	<p>Motion (Air Pollution in Delhi) vs. Union of India & Ors.” [WP (C) [regarding Air Pollution in Delhi</p> <p><i>Chairman stated that air pollution in Delhi and NCR is a matter of serious concern and appealed to the concerned Departments/ Agencies of Central & State Govts. to take necessary actions in this regard. He requested all concerned to apprise NCRPB with their Plan of Action.</i></p>	<p>for controlling air pollution in NCR along with directions received from MoEF&CC vide letter dated 25.01.18 through MoH&UA vide letter dated 23.02.18 under Section 5 of EPA Act, 1985 to ensure strict implementation of Comprehensive Action Plan (CAP).</p> <ul style="list-style-type: none"> • NCR participating States have shared the Compliance Report on Plan of Action for controlling air pollution in NCR, as submitted to CPCB. • It may be noted that the CPCB is the nodal agency for CAP matters.
3.	Agenda Item No. 5: Approval of items relating to statutory provisions	
	5.1: Approval of Annual Report and Annual Accounts for the Financial Year 2016-17	The Annual Report and Annual Accounts of the Board for the Financial Year 2016-17 were laid on the table of Lok Sabha on 2.1.2018 and Rajya Sabha on 28.12.2017.
	5.4: Approval of Budget Estimate (BE) 2017-18 and 2018-19	During the Financial Year 2018-19, Board had drawn an amount of Rs.279.16 crore from KfW (German Development Bank. No domestic Borrowing have been made during

Sl.No.	Agenda Item/decisions	Action Taken
		2018-19. Member Secretary has been managing funds of the Board.
4.	Agenda Item No. 6: Draft Revised Regional Plan-2021	
	6.1. Compliance of directions from PMO: DRRP-2021	Matter is placed separately as Agenda Item No. 9.5
	6.2 Matter raised by Govt. of U.P. regarding YEIDA <i>Board decided that Govt. of U.P. may examine the matter and communicate their views to NCRPB. Thereafter, the matter be placed before the Board to take final view in this matter.</i>	Matter is placed separately as Agenda Item No.10
5.	Agenda Item No. 7: Draft SRP-2021 for Haryana Sub-Region: Compliance of Directions from PMO	Matter is placed separately as Agenda Item No.9.5
6.	Agenda Item No. 8: Delineation and Ground Truthing of Natural Conservation Zone (NCZ) in the sub-regions of NCR by the NCR participating States	Matter is placed separately as Agenda Item No.9
7.	Agenda Item No. 9: Plan preparation for Newly Added Districts in NCR	Matter is placed separately as Agenda Item No. 4 & 5

Sl.No.	Agenda Item/decisions	Action Taken
8.	<p>Agenda Item No. 10: Inclusion of Shamli District of Uttar Pradesh in NCR</p> <p><i>After deliberations, Board considered and approved the inclusion of district Shamli of State of Uttar Pradesh in NCR.</i></p>	Gazette Notification dated 16.04.18 of MoHUA, Govt. of India has been issued in this regard.
9.	<p>Agenda Item No. 11: Delineation study for NCR</p> <p><i>After deliberations, Board decided that:</i></p> <p>a) Govt. of U.P. may provide its views/ comments expeditiously.</p> <p>b) Thereafter, the Committee, formed for this purpose, may examine the views/ comments & submit its recommendations to the Board.</p>	Matter is placed separately as Agenda Item No.12.3
10.	<p>Agenda Item No. 16: Continuation of NCR Planning and Monitoring Cells</p> <p><i>Decisions:</i></p> <p>a) Member Secretary, NCRPB is authorized to work out Action plan for the Cells from time to time, as per requirement including sanction of posts and take any administrative/financial decision for smooth functioning</p>	<ul style="list-style-type: none"> Sanction for continuation of NCR Planning and Monitoring Cells in Participating States was conveyed vide Board's Letter No. G-25020(1)/2003-04/NCRPB/ Vol.IV dated 08.01.18. Further as MS, NCRPB was authorised to work out Action plan for Cells, the matter regarding strength of NCR cells

Sl.No.	Agenda Item/decisions	Action Taken
	<p><i>of the Cells within the approved framework after due examination.</i></p> <p><i>b) NCRPB shall continue to reimburse 100% of expenditure on pay & allowances and recurring office expenditure. The upper limit for reimbursement of recurring office expenditure may be increased from Rs. 3,25,000/- p.a. to Rs. 5,00,000/- p.a. for NCR Cells of Haryana, Rajasthan & U.P. and Rs. 75,000/- p.a. to Rs. 1,25,000/- p.a. for NCR Cell of NCT Delhi.</i></p> <p><i>c) NCRPB will also reimburse the taxi hiring charges (maximum upto Rs. 25000/- per month) to NCR Cells of Haryana, Rajasthan and U.P. over and above the recurring office expenditure.</i></p>	<p>was reviewed by MS in State wise review meetings on 14.06.19 for Rajasthan, 17.06.19 for Haryana & UP and 18.06.19 for Delhi subregions.</p> <ul style="list-style-type: none"> • The matter regarding 'Creation of additional posts in NCR Cell, Haryana', was examined in meeting on 17.06.19 and it was informed that out of 30 posts sanctioned, presently 15 posts were vacant. Hence, it was agreed that currently no additional posts were necessary. • NCRPB further took up the aspect of 'Operational Effectiveness of NCR Planning & monitoring Cells ', in the 67th Planning Committee meeting held on 15.07.19 wherein, considering the technological advancements and current requirements of Cells, some posts were re-designated (to Knowledge professional, GIS Expert, Multipurpose Informatics Assistant, and qualifications revised. The recruitment is now to be done by respective States.

Sl.No.	Agenda Item/decisions	Action Taken
11.	Agenda Item No. 18: Amendment in RR for Chief Regional Planner (CRP)	NCRPB Recruitment and Promotion (Amendment) Regulation 2017 are notified in official gazette on 18.01.18. Further, recruitment process for the post of CRP has been initiated again.
12.	Agenda Item No. 20: Proposal for making NCRPB as an instrument for assisting Smart Cities	Decision of the Board was conveyed to Ministry of HUA on 08.01.18 and reminder on 02.05.18 with a request to permit NCRPB for tapping funds for the purpose.
13.	<p>Supp. Agenda Item No. 1: Directions of the Hon'ble High Court of Delhi in the matter titled "Court on its Own Motion vs. Govt. of NCT of Delhi &Ors." [WP (C) 4349 of 2017]</p> <p>After detailed deliberations Board directed the NCR participating States to provide the consolidated sector-wise status of implementation of the policies and proposals of the RP-2021.</p>	<ul style="list-style-type: none"> • NCR participating States have been requested to provide sector-wise consolidated status of implementation of the policies and proposals of RP-2021. The matter was also deliberated in the Review Meeting held on 23.04.2018 in NCRPB. • The Ministry has been apprised in the matter vide letter dated 27.07.2018. • The consolidated sector-wise status of implementation of the policies and proposals of the RP-2021 as directed by the Board is still awaited. However, some information in parts has been received for few sectors from the NCR participating States which

Sl.No.	Agenda Item/decisions	Action Taken												
		is being utilized in the review of RP 2021 as applicable.												
14.	Supp. Agenda Item No. 2: Amendment in Recruitment Rules for the post of Joint Director (Technical) and Deputy Director (Administration) of the NCR Planning Board. Board approved the amendment.	NCRPB Recruitment and Promotion (Amendment) Regulation 2017 were notified in official Gazette on 18.01.2018.												
15.	Supp. Agenda Item No. 3: <i>After detailed deliberations, the Board decided to delegate the powers to the Member Secretary, NCRPB for issuing Notice and taking necessary action under Section 29(2) of NCRPB Act, 1985, to deal with violation of Regional Plan. Action taken may be apprised to the Board.</i>	<ul style="list-style-type: none"> Subsequent to the decision of the Board, MS, NCRPB has requested the NCR participating States to submit their replies in response to the Notices issued u/s 29(2) of the NCRPB Act 1985 for violation of the Regional Plan 2021. <table border="1"> <thead> <tr> <th>Matter</th><th>Date</th><th>To</th></tr> </thead> <tbody> <tr> <td>NCZ matter</td><td>23.06.14</td><td>All NCR States</td></tr> <tr> <td>Density of revised Master plan for Greater Notice regarding Noida 2021</td><td>21.01.16</td><td>GNIDA, UP</td></tr> <tr> <td>Master Plan Density</td><td>22.01.16</td><td>Go Rajasthan</td></tr> </tbody> </table>	Matter	Date	To	NCZ matter	23.06.14	All NCR States	Density of revised Master plan for Greater Notice regarding Noida 2021	21.01.16	GNIDA, UP	Master Plan Density	22.01.16	Go Rajasthan
Matter	Date	To												
NCZ matter	23.06.14	All NCR States												
Density of revised Master plan for Greater Notice regarding Noida 2021	21.01.16	GNIDA, UP												
Master Plan Density	22.01.16	Go Rajasthan												

Sl.No.	Agenda Item/decisions	Action Taken			
			Master Plan Density	25.01.16	Go Haryana
			Zoning Regulation of UP SRP 2021	17.05.17	Go UP
		<p>Further action is being appraised in the concerned separate agenda.</p> <ul style="list-style-type: none"> The Notification of the powers delegated to the Member Secretary, NCRPB has been issued on 19.07.19. 			
16.	<p>Any Other Item with the permission of the Chair:</p> <p><i>Chairman, NCRPB suggested that a compendium of projects financed by NCRPB over the last 35 years be prepared highlighting the achievements of NCRPB.</i></p>	<ul style="list-style-type: none"> A Compendium of projects financed over the last 35 years was prepared and forwarded to the Ministry vide Board's letter dated 26.02.18. In addition NCRPB has initiated the process for preparation of a Coffee Table Book, which could be released in the next Board meeting or earlier as per the convenience of Chairman, NCRPB. 			

AGENDA ITEM NO. 3: MATTERS RAISED BY HON'BLE CHIEF MINISTER, HARYANA IN HIS LETTER DATED 30.08.18

3.1 Hon'ble Chief Minister, Haryana vide D.O. letter 30.08.18 (**Annexure-3/I**) addressed to Chairman, NCRPB has raised six issues. The issues and issue wise matter is placed below:-

- (i) Consideration of Draft Sub Regional Plan for extended Haryana sub region (Matter being dealt separately).
- (ii) Notice issued by NCRPB under section 29(2) of NCRPB Act, 1985 on account of non-conformity of the density of development plans vis-à-vis RP-2021 (Matter being dealt with at Agenda No. 7.1).
- (iii) Notice issued by NCRPB under Section 29(2) of NCRPB Act, 1985 regarding variations in NCZ (Matter being dealt with at Agenda No. 9.2).
- (iv) Exclusion of 'Agriculture' from permissible activities in NCZ
- (v) Harmonizing NCZ Zoning regulation with Eco- friendly State policies.
- (vi) Approval regarding Creation of Additional Posts for strengthening of NCR Cell, Haryana

3.2 The issue-wise matter for, (iv), (v) & (vi) are placed as follows:

3.3 Exclusion of 'agriculture' from permissible activities in NCZ.

3.3.1 Hon'ble Chief Minister, Haryana vide his D.O. letter 30.08.18, addressed to Chairman, NCRPB had requested to resolve the pending issue related to exclusion of 'agriculture' from permissible activities in NCZ.

3.3.2 A brief background with status on the matter is as presented below:

3.3.2.1 The matter was deliberated in the 37th meeting of the Board wherein after detailed deliberation, Board decided the following:

- i) NCR participating States may provide their comments/ observations on the inputs of MoEF&CC, if any, in a month;

- ii) MoEF&CC may reconsider their decision w.r.t exclusion of 'agriculture' from permissible uses/ activities of NCZ; and
- iii) Thereafter, the matter may be deliberated at the level of Secretary (HUA), GoI within two months and resolved. Member Secretary, NCRPB will follow up action accordingly.

3.3.2.2 Comments from NCR Participating States above and views of MoEF&CC w.r.t were received, and a meeting was held under the chairmanship of Secretary (HUA), Govt. of India on 18.12.18. In the meeting, it was recommended that, *'Since 'Agriculture' is a permissible activity under the NCZ zoning regulations of RP-2021 as well as DRRP-2021, the same should be retained.'*

3.3.2.3 Further, the decisions, were conveyed to MoH&UA on 22.05.19 as compliance on PMO issues. MoH&UA vide its letter dated 26.08.19 has suggested that the position of compliance shall be intimated to PMO after final decision of the Board.

3.3.2.4 Accordingly, the matter is placed before the Board for consideration.

Proposal:

The matter regarding 'exclusion of 'agriculture' from permissible activities in NCZ', and decision that 'Agriculture' continues to remain as part of permissible activities in N C Z as per notified RP 2021, is placed before the Board for consideration

3.4 Harmonizing NCZ zoning regulation with eco- friendly state policies

3.4.1 The issue regarding 'Harmonizing NCZ Zoning regulation with Eco- friendly State policies' was raised by CREDAI vide its letter dated 04.04.18 wherein it had submitted that the zoning regulations applicable in NCZ as contained in Chapter 17 of NCR Regional Plan-2021 are too stringent and are required to be revisited for taking into account possibility of eco sensitive development consistent with concept and objective of Natural Conservation Zone. The same

was forwarded to Govt. of Haryana by NCRPB vide letters dated 01.05.18 & 13.06.18 for providing comments and observations.

- 3.4.2 In response, Govt. of Haryana vide letter dated 30.08.2018 has provided a copy of Haryana's Policy dated 30.06.14 w.r.t. 'Policy for Planned Development of Low Density Eco Friendly Colonies' raising the issue of harmonising the NCZ zoning regulations with the eco-friendly State policies.
- 3.4.3 The matter was examined in NCRPB office and during its Review meeting held on 17.06.19, CCP, NCR Haryana stated that aforesaid policy of planned development of low density eco-friendly colonies pertains to "Agriculture Zone of the Developments Plans" and currently the policy is not applicable in NCZ areas of RP-2021. It was agreed that RP-2021 only allows recreational activities as permitted in NCZ area. It may also be noted that the Regional Plan-2021 for NCR was notified in 2005 i.e. prior to notification of the said Eco-Friendly Policy of Haryana which was notified in 2014.
- 3.4.4 In view of above, the matter may be dropped.

Proposal:

Matter is placed before the Board for consideration of Para 3.4.4.

3.5 Approval regarding Creation of Additional Posts for strengthening of NCR Cell, Haryana

- 3.5.1 As discussed at Agenda Item No. 2, s.no. 9, above the matter regarding 'Creation of additional posts in NCR Cell, Haryana', was examined in review meeting with Haryana on 17.06.19 and it was informed that out of 30 posts sanctioned, presently 15 posts were vacant. Hence, it was agreed that currently no additional posts were necessary

Proposal:

Matter is placed before the Board for information.

AGENDA ITEM NO. 4: CONSIDERATION OF REGIONAL PLAN 2021 FOR ADDITIONAL AREAS OF NCR

- 4.1 National Capital Region Planning Board (NCRPB) has prepared Regional Plan-2021 for NCR (RP-2021) under Section 10 of the NCRPB Act, 1985 which was notified on 17th September, 2005.
- 4.2 Subsequent to the notification of RP-2021 on 17.09.05, additional districts namely Bhiwani and Mahendragarh districts of the State of Haryana and Bharatpur district of the State of Rajasthan, were included to NCR vide Government of India, Gazette Notification dated 01.10.13. Further, the districts of Jind & Karnal of the State of Haryana and Muzzaffarnagar district of the State of Uttar Pradesh were included in NCR vide GoI Gazette Notification dated 24.11.15. The district of Shamli, of the State of Uttar Pradesh was included in NCR vide GoI Notification dated 16.04.18. The total additional area of NCR is now about 20939 sqkm.
- 4.3 Subsequent to addition of seven new districts in NCR, the work of preparation of Regional Plan-2021 was initiated. As part of this, the task of creation of Regional Landuse for the additional areas of NCR was entrusted to National Remote Sensing Centre (NRSC), Govt. of India through MoU signed on September 2015 and later in May 2017. Matter was discussed in the 56th meeting of the PSMG-I held on 13.07.18 wherein extension of time till March, 2019 was accorded for 'Study for creation and updation of Regional landuse for newly added districts in NCR (including Shamli)', to NRSC.
- 4.4 The matter was discussed in the 37th meeting of the Board wherein Board noted the status and requested the NCR participating States to provide the required information/ data, in the prescribed format, expeditiously. While certain information were submitted by the NCR participating States in a piecemeal manner, NCRPB prepared a list of data-gaps and shared with the concerned States, requesting for expeditious reply. Despite efforts, including directions in the Review Meeting held at NCRPB on 23.04.18, the requisite data could not be made available. Meanwhile, NCR participating States were required to prepare respective Sub Regional Plans as well.

4.5 It was however felt that Regional Plan for newly added districts was getting delayed due to persistent data gaps and the plan was required to be in place on urgent basis. It was deliberated that covering the RP 2021 for newly added districts through an addendum shall also help in expediting approvals of the SRPs for the newly added areas and inturn open possibilities for NCRPB to consider and provide financial assistance for areas in the new districts. Hence a fresh approach was adopted wherein, instead of the plan being prepared on the lines of DRRP 2021 (which itself was getting delayed), an addendum covering the newly added seven districts to RP 2021 (currently in force) was decided to be prepared, on the lines of the old districts of NCR as dealt with in the Regional Plan 2021 (notified in 2005). NRSC was accordingly directed to expedite the works and it submitted its report in July 2019.

4.6 It may be mentioned that as the notified RP-2021 provides policies and proposals for whole NCR area, these policies and proposals of RP-2021 would also be applicable to the additional area of the NCR. However, under the provisions of Section 14(1) of NCRPB Act, 1985, modifications can be carried out in the RP-2021 and accordingly, an Addendum to RP-2021, has been prepared with respect to the above mentioned 7 additional districts, considering and assessing the available information with NCRPB.

4.7 Section 14(1) of NCRPB Act, 1985 is reproduced below:

“The Board may, subject to the provisions of sub-section (2), make such modifications in the Regional Plan as finally prepared by it, as it may think fit, being modifications which, in its opinion, do not effect important alterations in the character of the Regional Plan and which do not relate to the extent of land-uses or the standards of population density.”

4.8 It may be noted that as per procedure, the Draft Regional plan which in current case was the Addendum to RP 2021, is to be placed before the Board along with the recommendations of the Planning Committee, for approval to invite objections and suggestions. The time to be given for inviting objection and suggestion, u/s 12 of NCRPB Act, 1985 and Chapter 5 of NCRPB Rules, is 30 days.

4.9 The draft Addendum to RP 2021 was placed for consideration of the 67th Planning Committee on 15.07.19 wherein it was decided that in order to expedite the process, the addendum may be made open for objections and suggestions after consideration in the Planning Committee and thereafter addendum incorporating the received 'objections and suggestion' be placed before the Board, in anticipation of post facto concurrence of the Board for inviting 'objections and suggestion'.

4.10 The 'Notice' inviting 'objections and suggestions' was issued as per laid procedures, under section 12 of NCRPB Act read with Rule 23 of the NCRPB Rules 1985, on 19.07.19 with last date of receiving the 'objections and suggestions', being 19.08.19. In this regard 'objections and suggestion' received from private entities and government offices (including NCR states) is 3 and 6 respectively. Comments pertaining to Maps were forwarded to NRSC for updation. Summary of objection & suggestions with NCRPB comments are as placed at **Annexure 4/I**.

4.11 The Final Addendum to RP 2021 after incorporations of 'objections & suggestions' as applicable, is placed for consideration of the Board. (**Annexure 4/II**).

Proposal:

The Board is requested to provide post facto concurrence regarding inviting 'objections and suggestion' on draft Addendum. The Board is further requested for concurrence on the Final Addendum to RP 2021 for publication and notification under Section 13, of NCRPB Act 1985.

AGENDA ITEM NO. 5: CONSIDERATION OF SUB-REGIONAL PLAN-2021 FOR NEWLY ADDED AREAS

The matter was placed before the Board in its 37th meeting wherein Board directed the NCR participating States to expedite the work related to preparation of SRPs and complete the same by March, 2018 for availing reimbursement of 100% consultancy cost. Haryana, Rajasthan and Uttar Pradesh were to prepare the Sub Regional Plan (SRP) for the respective newly added areas. Statewise status is as present below:

5.1 Draft SRP-2021 for Haryana Sub-Region: for newly added areas

5.1.1 The matter was placed before the Board in its 37th meeting wherein Board directed the NCR participating States to expedite the work related to preparation of SRPs and complete the same by March, 2018 for availing reimbursement of 100% consultancy cost.

5.1.2 Govt. of Haryana vide letter dated 30.05.18 has submitted the revised draft SRP-2021 for Extended Haryana Sub-Region and the Compliance Report on the observations of NCRPB on 19.06.18. The revised draft SRP-2021 along with the Compliance Report was examined in NCRPB and the observations which were not incorporated on the amended Draft SRP-2021 for Extended Haryana sub-region, were compiled and forwarded to Govt. of Haryana on 31.7.18. Submissions made by NCR Planning and Monitoring Cell, Haryana vide letter dated 29.10.18 was again discussed with concerned officers, and accordingly, the duly amended SRP based on the issues raised during the discussions, was required to be submitted by Govt. of Haryana.

5.1.3 Matter was also raised by Hon'ble Chief Minister, Haryana vide his D.O. letter 30.08.18, requesting to expedite the requisite approvals to Chairman, NCRPB and to consider the SRP for the new areas, in the Board meeting. The revised draft SRP-2021, observations of NCRPB, and compliance received, were again discussed in the Review meeting with Govt. Haryana officers held under chairpersonship of Member Secretary NCRPB on 17.06.19 in the office of NCR Planning Board. Matter was also discussed in a Video Conferencing meeting

amongst NCRPB and Officers from Govt. of Haryana held on 10.07.2019, wherein Govt. of Haryana assured to expedite necessary action.

5.1.4 The matter was again taken up in the 67th Planning committee & its follow up meetings, held at NCRPB office on 15.07.19/ 29.07.19 under the Chairpersonship of Member Secretary. The observations on the draft report were reduced to 18 from 70, and the revised SRP for extended areas was to be submitted by 15.08.19.

5.1.5 It is learnt that the SRP is revised as agreed and is at an advanced stage before submission.

Proposal

Status regarding submission of Draft Sub Regional Plan 2021 for newly added areas of Haryana is awaited.

5.2 Consideration of Draft Sub - Regional Plan for Extended Rajasthan Sub-Region of NCR-2021

5.2.1 Chief Town Planner (NCR), NCR Planning and Monitoring Cell, Rajasthan has submitted the first draft SRP for Bharatpur district to NCRPB and other concerned departments of Govt. of Rajasthan, for comments and suggestions, vide its letter dated 17.01.19. The draft SRP was examined in NCRPB and broad comments / and suggestions on the draft SRP were provided to Govt. of Rajasthan vide letter dated 28.05.19.

5.2.2 The matter was discussed in Review meeting held on 14.06.19 wherein , it was decided that the reimbursement for SRP 2041 cannot be considered and that draft SRP for Bharatpur District for horizon year 2021 be finalised and submitted by the first week of July,2019. The matter was again taken up in 67th Planning Committee meeting held on 15.07.19 wherein CTP, NCR, Rajasthan updated that the work was underway and they intended to complete the work before 30.08.19.

- 5.2.3 CCP, NCR Cell, Rajasthan submitted the revised draft SRP vide letter dated 19.08.19 for perusal and necessary action. The same has been examined. Three major issues were observed which pertained to Land uses, Forest under green cover and density norms that needed to be modified by the State.
- 5.2.4 Govt. of Rajasthan vide its letter dated 28.08.19 submitted the final Draft SRP 2021 for Extended Rajasthan Sub-Region of NCR-2021 (**Annexure 5/I**) for consideration of the Board wherein necessary observations of NCRPB have been found incorporated. State has also detailed NCZ area.
- 5.2.5 Board may consider Draft Sub - Regional Plan for Extended Rajasthan Sub-Region of NCR-2021.

Proposal:

The Draft Sub - Regional Plan for Extended Rajasthan Sub-Region of NCR-2021 (Appendix 5/I) is placed for consideration of the Board, as per Section 19(2) of the NCRPB Act, 1985. Board may also consider extension of time for reimbursement of SRP preparation expenses, till August end 2019 for Rajasthan.

5.3 Status of Sub-Regional Plan-2021 for Uttar Pradesh Sub Region for Newly Added Areas

- 5.3.1 NCR Cell, U.P. has informed vide letter dated 24.04.2018 that RFP has been prepared for tendering the work related to preparation of SRP-2021 for District Muzaffarnagar. NCRPB vide letter dated 25.07.2018 requested the Govt. of U.P. to also integrate District Shamli in RFP document for preparation of SRP for both newly added districts in U.P. sub-region.
- 5.3.2 The matter was discussed in the Review meeting held for Uttar Pradesh on 17.6.2019, wherein Chief Coordinator Planner, NCR Planning & Monitoring Cell, UP informed that the TOR has been finalized and e-tender will be called within a week. Further, they expected to appoint the Consultant by end of July, 2019. Chairperson stressed that the SRP may be prepared expeditiously.

- 5.3.3 The matter again taken up in 67th Planning Committee meeting held on 15.07.19 wherein CCP, NCR Cell, Uttar Pradesh informed that the bid for the works is opening on 20th July 2019 and work was expected to be awarded by the end of July, 2019.
- 5.3.4 NCRPB has provided editable GIS database (vector data/shapefiles), as received from NRSC, to Govt. of U.P. & NCR Cell pertaining to District Muzaffarnagar in December, 2017 for use in preparation of the draft SRP. Further, vector data/ shapefiles of existing landuse, as received from NRSC w.r.t district Shamli has also been provided to Govt. of U.P. & NCR Cell on 28.08.19 for necessary official use.
- 5.3.5 Govt. of UP has now informed that SRP preparation for newly added areas (Shamli and Muzaffarnagar districts) shall take more time as the work was being retendered and revised bid has been published on 29.08.19 with last date of submission being 05.09.19. It was assured that LoA will be issued on 11.09.19.

Proposal:

Govt. of Uttar Pradesh may apprise about the status and provide time lines in this regard.

AGENDA ITEM NO. 6: STATUS OF SUB-REGIONAL PLAN-2021 FOR DELHI

- 6.1 As per decision of the 33rd Board meeting, the Master Plan for Delhi 2021 prepared under the provisions of Delhi Development Act, 1957 be treated as Sub Regional Plan for NCT Delhi Sub Region. However, the Master Plan must clearly bring out issues of inter-state connectivity.
- 6.2 The matter was discussed again in the 37th Board meeting wherein it was decided that the matter be deliberated at the level of Additional Secretary (D&C), M/oHUA and resolved. Accordingly, a meeting under the chairmanship of AS, M/oHUA was held on 16.08.18. Minutes of the meeting were submitted to Secretary (HUA), M/oHUA for perusal and approval. Thereafter, as per directions of MoH&UA, DDA was informed that as per decision of competent authority, DDA/other agency be involved in creating SRP for Delhi as per provision of NCRPB Act 1985, which may be approved by GNCTD and NCRPB before its adoption as SRP of Delhi. DDA was accordingly requested to take necessary action (DO letter dated 3.12.18 & reminder dated 13.5.19).
- 6.3 The matter was again taken up in the Review Meeting regarding various issues related to Delhi, held at NCRPB office on 18.06.19 under the Chairpersonship of Member Secretary, followed by Video Conferencing with Officers from GNCT of Delhi and DDA held on 10.07.19, and thereafter the 67th Planning Committee meeting held on 15.07.19.
- 6.4 During the meetings, it was agreed that DDA may decide on the details to be given in SRP, within the requirements of NCRPB Act, but the required SRP for Delhi be submitted at the earliest. Regarding hiring of additional manpower for the work, it was informed that NCRPB can consider reimbursement of the expenditure incurred for preparation of SRP to DDA, however, DDA should consider the SRP preparation in-house, as the Master Plan for Delhi was already in place. It is mentioned that NCRPB has later on, also provided editable GIS database (vector data/ shapefiles), as received from NRSC, to GNCT Delhi and DDA for necessary official use.
- 6.5 As the matter was getting delayed, MoH&UA was requested on 01.08.19, to bring the matter to kind notice of DDA with a request to ensure expeditious preparation

of SRP Delhi. MoH&UA vide its letter dated 28.08.19 has again requested DDA to take urgent steps to expedite preparation and finalisation of SRP 2021 for Delhi, without further delay.

Proposal:

- ***DDA/ GNCT of Delhi may apprise about the status***
- ***DDA may be directed to submit the SRP 2021 expeditiously.***

**AGENDA ITEM NO. 7: POPULATION DENSITY OF MASTER PLANS/
DEVELOPMENT PLANS & DENSITY NORMS OF RP-2021
AND NOTICES ISSUED UNDER SECTION 29(2) OF
NCRPB ACT, 1985 IN THE MATTER**

1. RP-2021 for NCR, notified in 2005, in Chapter 17 (Regional Land Use), realizing the fast urbanisation in the region and after a careful examination of the existing density norms, being followed by the constituent States, has proposed following density norms for the settlements:

S. No.	Urban Centres	Persons / hectare
a)	Below 50,000 population	60 to 80
b)	50,000 to 1 lakh population	80 to 100
c)	1 lakh to 5 lakhs population	110 to 125
d)	5 lakhs to 10 lakhs population	125 to 150
e)	10 lakhs to 50 lakhs population	150 to 200
f)	More than 50 lakh population	200 to 250

2. Further, at para 17.4.1 of the RP-2021 it is mentioned that *“Respective State Governments would elaborate the details of land uses, its phasing for development and zoning regulations in the Sub-regional Plans and Master/Development Plans while preparing them. Phasing of land use development would be done for the year 2011 and 2021.”*

3. The Hon'ble High Court of Delhi, in its order dated 30.09.14 had *inter-alia* directed NCRPB to monitor and be vigilant of the developments at site in the NCR and also in preparation of the SRPs and the Master Plans of the towns falling in the NCR; and upon finding any violations thereof, take action under Section 29(1) of the Act.

4. NCRPB had been pursuing with the NCR participating States to prepare the Master/ Development Plans in conformity with the RP-2021 and to modify the Master/ Development Plans wherein density norms were not in conformity with the norms given in the RP-2021. Since modifications had not been carried out, Notices under Section 29(2) of NCRPB Act, 1985 have been issued to the NCR participating States of U.P., Rajasthan and Haryana vide letter dated 21.01.2016, 22.01.2016 and 25.01.2016 respectively for violations of the density norms provided in the RP-2021.

6. Subsequently, the Chief Secretaries of the Govts. of Rajasthan, Haryana and Govt. of U.P. were requested vide letters dated 28.05.18, 31.05.18 and 17.04.18 respectively to issue necessary directions to the concerned Departments of the State to take necessary action expeditiously to comply with the Regional Plan-2021 and submit a detailed Action Report in this regard to NCRPB.

7. State wise status of notices issued Under section 29(2) of NCRPB Act, 1985 regarding density norms, is as presented below:

7.1 NOTICES ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985 HARYANA

7.1.1 Govt. of Haryana vide DO letter dated 12.06.18 from Chief Secretary, Haryana has given the following clarifications with a request to withdraw the notice:

- Most of the Development Plans are in conformity of the density norms as provided either in Regional Plan or the draft revised Regional Plan.
- The Development Plans of towns like Sonipat and Faridabad are at slight variants from the said norms due to special characters of these townships.
- Development Plan of Rewari is being revised to bring the same in conformity with the prescribed density norms.
- New Integrated Licensing Policy (NILP)-2016 and the Transit Oriented Development (TOD) Policy have been notified which would increase the population density in the urban settlements. However, the impact of these policies will be assessed after Census-2021.

7.1.2 The matter was also raised by Hon'ble Chief Minister, Haryana vide his D.O. letter 30.08.18, to Chairman, NCRPB requesting to resolve the matter.

7.1.3 The matter was taken up in the Review meeting with Haryana held on 17.6.19 wherein it was noted that the perspective year of Development Plans for most towns in Haryana sub region (e.g. Gurgaon Manesar 2031; Faridabad-Ballabhgarh 2031; Sonipat-Kundli -2031). Regional Centres Bahadurgarh – 2031); Rohtak-2031); Rewari-2039), are beyond the perspective year of Regional Plan-2021 without phasing for 2021 as target year of the Regional Plan. Most of such Development Plans are still at draft stage.

7.1.4 After detailed deliberation, it was agreed that the Development Plans prepared beyond the perspective year-2021 will have phasing for 2021, conforming to the RP-2021. Thereafter, State Government have to ensure that the population density norms as stipulated 2021 are complied with.

Proposal:

Govt. of Haryana to update on revised phasing as agreed in Review Meeting held on 17.6.19

7.2 NOTICES ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985, : UTTAR PRADESH

7.2.1 Notice dated 21.01.16 was issued to Govt. of UP regarding deviations in population density of revised Master Plan for Greater Noida -2021 which is 54 PPH against suggested density of 150-200 PPH of RP 2021. The matter was deliberated in the Review Meeting held on 17.06.19 under the chairpersonship of Member Secretary, NCRPB, wherein it was directed that a reply indicating the impact of steps taken by GNIDA such as increase in density of group housing pockets from 1650pph to 2100pph and increasing FAR in group housing pots from 2.75 to 3.5, on the overall population density of the town may be provided to the NCRPB.

7.2.2 GNIDA vide its letter dated 30.08.19 (**Annexure 7/I**) has submitted that impact of increased FAR provisions expected to an extent of additional population of about 1.31 lakh. Further, it says that RP recommendation for the city size of 10 lakh population may be largely for normal functional cities where land use distribution are not based on certain prominent activity/ characteristic like industrial townships as in GNIDA. Hence, although Urban Development Plans Formulation and Implementation (UDPFI) guidelines suggest 35-40% residential and 12-14 % industrial use for normal functional city, the GNIDA Master Plan 2021 for Greater Noida has 22.36% residential and 18.88% industrial use. However, considering the steps taken to increase FAR and density in certain pockets, alongwith the population of 52 village abadis in

urbansiable area, Greater Noida is projected by UP to have a population of 29,78,259 person on urbansiable area of 22255 Ha. and hence a density of around 134pph by 2031. Further, at the time of conceptual planning of the town, low density concept had been adopted, it being an industrial town.

Proposal:

The Matter is placed before the Board to take a view.

**7.3 NOTICES ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985, :
RAJASTHAN**

7.3.1 As per the Notice dated 22.01.2016, Master Plans of six towns (Alwar-2031, Greater Bhiwadi-2031, SNB Urban Complex-2041, Kherthal-2021, Kherli-2031 & Rajgarh-2031), land use/ urbanisable area phasing of five towns and amendment w.r.t. population density norms of one town was to be carried out by Govt. of Rajasthan. As the perspective year of the above Plans is beyond the perspective year of RP-2021, Govt. of Rajasthan was requested vide letters dated 06.07.18 to provide the land use/urbanisable area phasing for year 2021 and proposed population for the same.

7.3.2 Govt. of Rajasthan vide letter dated 21.05.18 has submitted that after analyzing the future population growth of three towns, namely, Kherthal, Greater Bhiwadi and Alwar of District Alwar, the perspective year of the Master Plans of the said three towns has been increased as under and Notification for the same has been issued on 04.05.2018:

- Kherthal Master Plan-2021 – perspective year increased up to 2026
- Greater Bhiwadi Master Plan-2031 – perspective year increased up to 2041
- Alwar Master Plan-2031 – perspective year increased up to 2051

7.3.3 As per decision in Review Meeting for Rajasthan Sub region held on 14.06.19, NCR Cell Rajasthan was to take necessary action and provide appropriate phasing for year 2021 in the Master Plans to be in conformity with the Regional

Plan 2021. CTP, NCR Cell assured to revise it accordingly and include phasing and thereafter submit a reply within 15 days in this regard by 30th June, 2019. The same is still awaited.

Proposal:

The matter is placed for kind information and views of the Board.

**AGENDA ITEM NO. 8: OTHER NOTICES ISSUED: NOTICE ISSUED UNDER
SECTION 29(2) OF NCRPB ACT, 1985 FOR NON-
CONFORMITY OF ZONING REGULATIONS OF UP
SRP-2021**

8.1 In the Directions of the Hon'ble High Court of Allahabad in the Matter of Raghuraj Singh vs. State of U.P. & 10 Ors. (Civil Misc. PIL. NO.-29004 of 2016), based on the application submitted by Shri Raghuraj Singh, Notice under Section 29(2) of the NCRPB Act, 1985 was issued on 17.05.17 requesting Govt. of U.P. to ensure that the U.P. SRP-2021 is in conformity with the RP-2021 in accordance with the observations of the Board, and inform the same to the Board within 3 months from the date of issue of the Notice.

8.2 It is observed that the matter w.r.t. Notice was deliberated by the State Level Steering Committee in its 5th meeting held on 28.09.18 wherein it was decided that *NCRPB should be re-informed as per the letter dated 05.09.13 sent by the then Commissioner, NCR Cell, UP and accordingly NCRPB be requested to withdraw the Notice.*

8.3 This matter was deliberated in the review meeting held on 17.06.2019 under the Chairpersonship of Member Secretary of NCRPB wherein, it was directed that the detailed Note on the activities/ uses permitted in the notified Master Plan w.r.t. activities/ uses permitted in the RP-2021 may be submitted by the NCR Cell, so that the matter could be resolved.

8.4 NCR Cell U.P. vide letter dated 21.08.19 has informed that the then Commissioner, NCR Cell, UP had written a letter to NCRPB conveying that the matter was resolved in a meeting with NCRPB. The UP letter of 21.08.19 has also decisions of the State Level Steering Committee and requested to withdraw the Notice issued U/S 29 (2) of the NCRPB Act, 1985 w.r.t. U.P. SRP-2021.

8.5 During a Review meeting for U P issues, held on 29.08.19, the matter was deliberated in detail and examined from the file record. As per the record, it was observed that the matter was deliberated in the NCRPB on 04.09.13 and decisions

communicated by the then Commissioner, NCR Cell was put up in the file to the then Member Secretary through Mr. Barman (then Director (Tech) and then through Mr. Malhotra, the then CRP without any comments and was finally seen by the then Member Secretary, NCRPB and hence it was clearly considered as closed then. It is also discussed that zoning regulation of RP 2021 gives flexibility to States to detail out the RP proposals in their SRPs and Master/Development Plans. It was accordingly decided that the matter may be placed before the Board to take a view.

8.6 It is mentioned that the matter w.r.t. Non-Conformity of UP SRP-2021 and compliance of Master Plans pending before the Hon'ble AHC as Contempt Petition is filed before the Hon'ble Court in the matter by the Petitioner, and the concerned Departments (Department of Housing & Urban Development and Industrial Development Department) are made Respondents. It was observed that the Notice was issued because of Court Case filed by Shri Raghuraj Singh.

Proposal:

Matter placed before the Board to take a view.

AGENDA ITEM NO. 9: DELINEATION AND GROUND TRUTHING OF NATURAL CONSERVATION ZONE (NCZ) AND NOTICES ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985 REGARDING NCZ

1. While considering the Draft Sub-Regional Plan for Haryana Sub-Region of NCR-2021, the Board in its Special Meeting held on 25.04.14 decided the following:
“NCZ in NCR be delineated by each participating State based on detailed ground truthing, along with verification of State revenue records. This exercise should be carried out by a team of Officers consisting of NRSC, participating State Governments and NCRPB within 30 days. Thereafter, the SRPs would stand amended.”
2. Variations in NCZ, as observed by NCRPB in conjunction with NRSC, were conveyed to the NCR participating States requesting reasons for the variations in each case within a stipulated time. Since no response was received, Notice(s) under Section 29(2) of the NCRPB Act, 1985 were issued on 23.06.14 for violation of RP-2021, to the NCR participating States, seeking a detailed reply. Subsequently, Terms of Reference (ToR) for delineation exercise approved by MoHUA, were circulated on 12.08.14 and detailed maps/NRSC satellite imageries (on 1:10,000 scale) superimposing NCZ boundaries were also provided.
3. The matter was also reviewed by the Board in its 37th meeting of held on 04.12.17 wherein the Board directed the NCR participating States to expedite the exercise of NCZ delineation in a time bound manner.
4. The Hon’ble NGT in its order dated 07.08.18 , in the matter OA No.147 /2014, while disposing the matter related to NCZ variation in NCR, directed to constitute a Committee under Secretary, MoEF&CC, which would look into the question whether the SRPs of the states are consistent with the Regional Plan and would give recommendations for further action. A committee in this regard was constituted by MoEF&CC vide its Office Order dtd. 25.10.18. Various meetings of the said Committee have been held till date wherein the matter related to shrinkage in NCZ area was deliberated. The Committee in its second meeting held on 28.3.19 had directed the NCR participating States to submit their reports, clearly indicating

the NCZ area in the year 1999 and 2012 and difference thereof, with reasons/justifications for variations in NCZ areas. The committee under Secretary, MoEF&CC is to submit its report to NGT, based on the replies received from NCR participating States.

5. The matter has been consistently followed up and even D.O. letters from the Secretary, MoHUA, Govt. of India have been sent to the Chief Secretaries of the NCR participating States on 22.03.19 requesting them to expedite the NCZ delineation and submit a detailed reply/ Action Taken Report at the earliest.
6. The matter was thereafter discussed in the Review Meetings held at NCRPB on 14.6.19 for Rajasthan, 17.6.19 for UP and Haryana and 18.6.19 for Delhi, and thereafter in 67th Planning Committee held on 15.07.19.
7. The sub region wise status of NCZ delineation is as under:

9.1 DELINEATION AND GROUND TRUTHING OF NCZ AND NOTICE ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985 REGARDING NCZ FOR GNCT OF DELHI :

9.1.1 Secretary (H&UA) vide his D.O. letter dated 24.09.2018, has clarified that GNCT-Delhi / DDA has to delineate NCZ and this delineation has to be carried-out as per the directions of the Board and ToR approved by the MoUD, Govt. of India. During the Review meeting held for Delhi in NCRPB on 18.6.2019, representatives from DDA had appraised the status and informed that in pursuance of NGT orders and compliance of directions of Secretary, MoEF&CC on the matter, a table top exercise was done to analyse the shrinkage of NCZ. The analysis has been submitted to GNCT of Delhi for requesting all other land owning agencies to validate and cross check with ground truthing as per revenue records. It emerged that even the MPD 2021 did not have its landuse maps on GIS platform.

9.1.2 Department of Urban Development, GNCT of Delhi has recently been convening meetings (e.g 16.07.19 & 31.07.19) on the matter and has written

to all departments including the Municipal Corporations, NDMC, DJB, I&FC Dept., Revenue Dept., PWD, DDA, L&D, Northern Railway etc. for obtaining reports on ground truthing/ validation of same and to expedite the process. As per its letter dated 20.08.19, GNCT Delhi has indicated that NCZ delineation is not possible without identification of landownership of polygons/ pockets of NCZ listed by DDA and accordingly, meetings have been held with Geo-Spatial Delhi Limited, (GSDL) on 02.08.19 and again on 19.08.19 alongwith DDA. Hence, the department is still in process of identification of location and ownership of 156 pockets and thereafter the concerned departments will have to verify the shrinkage/ increase under its jurisdiction.

9.1.3 Urban Development department of Delhi is being pursued to expedite the NCZ delineation work, in Delhi.

Proposal:

GNCT of Delhi / DDA to provide the current status and timelines of NCZ delineation.

9.2 DELINEATION AND GROUND TRUTHING OF NCZ AND NOTICE ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985 REGARDING NCZ FOR HARYANA:

9.2.1 Apart from Notice for NCZ variation issued by NCRPB in 2014, NCZ delineation is also important for compliance of PMO directions that no final decision on SRP 2021 for Haryana was to be taken until issues of MoEF&CC are fully resolved and accordingly Govt. of Haryana was to prepare final report along with maps on the NCZ delineation exercise and amend the SRP 2021 and forward the same to MoEF&CC, for its concurrence. As per directions of 37th Board meeting, regarding PMO directions, a meeting was to be taken by Secretary, MoH&UA to look into the matter regarding exclusion of 'agriculture' from permissible uses/ activities of NCZ. Accordingly, the meeting was held on 18.12.18, as per which 'Agriculture' is a permissible activity under the NCZ zoning regulations of and was proposed to be retained.

9.2.2 Matter regarding the NCZ delineation, which has to be incorporated in the SRP 2021 for Haryana, was discussed with Govt. of Haryana in the staggered meeting of the 67th Planning Committee held on 18.07.19 and again in another meeting held under the chairpersonship of Member Secretary NCRPB on 29.07.19. It was informed by the officers of Govt. of Haryana that interim Ground Truthing Reports on NCZ delineation were prepared by District Level Committees under the respective DCs and sent to MoEF&CC with a copy to NCRPB. They also informed vide their letters dated 12.07.19 and 19.07.19 that issues related to NCZ are likely to be finalized shortly by the State Level Committee (SLC) which will be held shortly under the chairmanship of Principal Secretary, T&CP Department, Govt. of Haryana. Govt. of Haryana had also agreed that NCZ will be delineated on map immediately and report of the State Govt. with final NCZ proposal along with the maps, was to be submitted latest by 15.08.19. However, the SLC meetings have since been postponed twice and is still to be held. Haryana has clearly stated in their letters that these ground truthing are interim reports and will be finalised only after SLC meeting.

9.2.3 Govt. of Haryana vide letter dated 12.07.19 has conveyed that the *area under NCZ was never final in the Regional Plan as the same were shown without any ground truthing or site verification. Therefore, the question regarding variation in the NCZ does not arise. Instead the NCZ area is to be finalised by the SLC, on the basis of the recommendation of the District level Sub-Committees, after conducting the detailed ground truthing.* The NCZ areas are likely to be finalized shortly by the SLC. Further, Govt. of Haryana vide letter dated 19.07.19, has also conveyed that it appears that no significant progress is observed in the other three sub-regions of the NCR and that the provisions of NCZ should be uniformly applicable all over the States in NCR. Copies of letters dated 12.07.19 and 19.07.19 from Govt. of Haryana are at **Annexure-9/I and Annexure-9/II**. Further, a gist of important legal issues raised by Govt. of Haryana in these letters and NCRPB comments thereafter also placed at **Annexure-9/III**. Accordingly, it may be clarified that NCZ provisions and other landuse/conservation related policies of RP 2021, are governed by

NCRPB Act 1985 and are binding from the date of notification of RP 2021 i.e. 2005. Further, these are applicable across all states in NCR.

Proposal:

Govt. of Haryana may apprise the Board with the current status of SLC meeting and NCZ delineation.

9.3 DELINEATION AND GROUND TRUTHING OF NCZ AND NOTICE ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985 REGARDING NCZ FOR UTTAR PRADESH:

9.3.1 The compliance report submitted by MoEF&CC in the Hon'ble NGT on 24.05.19, states that Govt. of U.P. informed that there is no shrinkage in NCZ area with respect to Revenue record and SRP of UP was already approved by NCRPB. However, NCR Cell, UP had apprised the Planning Committee held on 15.07.19 that Govt. of UP had done the delineation of NCZ earlier and incorporated in the SRP which has been published in 2013. It was also mentioned that there is no Aravali in UP Sub-region. However, there is no mention if that earlier delineation was done after detailed ground truthing and if it is as per MoHUA approved TOR which were circulated in 2014.

9.3.2 As per Govt of U.P. letter dated 29.08.19 (**Annexure-9/IV**), in the published SRP-2021, the area falling under forests (56,336 Ha.) and water bodies (26,744 Ha.) is 83,080 ha. which is more than 48,118 Ha i.e the area of NCZ as per 2012. NCR Cell in its latest letter dated 29.08.19 has stated that as per the Sub-Regional Plan-2021 for UP Sub-Region the total area under NCZ was 49,027 Hac. in 1999. However, it was 83080 Hac as in 2012 which indicates that there is no shrinkage in NCZ area. The table given by UP is as under:-

Category	1999	2012
	Area (Ha.)	Area (Ha.)
Forests	39401	56336
Water Bodies	9626	26744
Total	49027	83080

9.3.3 The NCZ figures as indicated in the Notice dated 23.06.14 issued to Govt. of UP is as presented below:-

NCZ	UP Sub Region	
Landuse Classes	2005	2012
1. Forest	39582.36	21372.85
2. Wasteland	21309.06	11459.49
3. Water Bodies	18024.07	8364.92
4. Ground Water Recharge	6823.87	6921.20
Total NCZ Area	85739.36	48118.45
Uttar Pradesh Sub Region	1085200.00	1085200.00

9.3.4 As can be observed as per the Notice dated 23.06.14 issued to Govt of U.P. the total NCZ area is 85739 Ha and Govt. of UP vide letter dated 29.05.19 has sited this total figure of 83080 in 2012 for Water Body and Forest, without commenting on other components of NCZ including wastelands and ground water rechargeable areas.

Proposal:

Matter is placed before the Board to take a view.

9.4 DELINEATION AND GROUND TRUTHING OF NCZ AND NOTICE ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985 REGARDING NCZ FOR RAJASTHAN:

9.4.1 The Board in its 35th meeting held on 09.06.15 had considered (approved) SRP 2021 for Rajasthan Sub Region (district Alwar) with the condition that the SRP will be amended once the NCZ is delineated as submitted by the Govt. of Rajasthan before the Planning Committee in its 64th meeting held on 27.05.15. The matter was discussed in the 67th meeting of the Planning Committee held on 15.7.19 wherein CTP, NCR Cell, Rajasthan apprised that as mentioned in DO letter dated 29.04.19, from their Chief Secretary to MoEF&CC, Govt. of India that checking was carried out and no shrinkage in

NCZ areas was found and variations seemed largely due to interpretation of satellite images, so the State is of the view that carrying out the task of ground truthing at this stage does not appear to be required.

9.4.2 NCZ is demarcated in the published SRP-2021 for Rajasthan Sub-Region (District Alwar) and is geo-referenced. As per the said SRP-2021, NCZ area is shown as 2237 Sq. Km. However, the Govt. of Rajasthan needs to convey its position on the said delineation as required by the Board while considering (approval) of Rajasthan SRP. It is also yet to confirm its said area of 2237 Sq. Km. for which no ground truthing has been done.

9.4.3 Hence, in case Govt. of Rajasthan confirms its NCZ area as 2237 Sq. Km., Board may take a view if the said figures can be considered as NCZ and if no ground truthing is required. Else, the Govt. of Rajasthan need to do the necessary ground truthing as per earlier decision of the Board taken in its Special meeting held on 25.04.14.

Proposal:

Board may take view w.r.t. para 9.2.3 above and give necessary direction.

AGENDA ITEM NO. 9.5: OTHER NCZ RELATED ISSUES

- 9.5.1 As per Section 15 (1) of the NCRPB Act 1985, review of RP-2021 (notified in 2005) was carried out and the revised RP-2021 was prepared with active participation of all the Constituent State Govts., concerned Central Ministries and Subject Experts. The draft revised RP-2021 was deliberated and approved by the Board in its 34th meeting held on 20.01.14 and subsequently in the Special Board meeting held on 25.04.14.
- 9.5.2 However, owing to the subsequent directions of the PMO vide Notes dated 05.03.14 and 23.04.14, the finalization of the draft revised RP-2021 was to be kept on hold till the views/ comments of the then MoEF are obtained and issues raised by the MoEF are fully resolved and a compliance report is sent to the PMO.
- 9.5.3 Further, the status of finalization of the draft revised Regional Plan-2021 for NCR, was discussed during the 35th, 36th and 37th meeting of the Board held on 09.06.15, 15.06.16 and 04.12.17, respectively.
- 9.5.4 Following was decided in the 37th Board:
- a) NCR participating States may provide their comments/ observations on the inputs of MoEF&CC, if any, in a month;*
 - b) MoEF&CC may reconsider their decision w.r.t exclusion of 'agriculture' from permissible uses/ activities of NCZ; and*
 - c) Thereafter, the matter may be deliberated at the level of Secretary (HUA), Gol, within two months and resolved. Member Secretary, NCRPB will follow up action accordingly.*
- 9.5.5 In compliance of above decision of the Board, the MoEF&CC was requested vide letter dated 16.01.18 to provide their views w.r.t exclusion of 'agriculture' from permissible uses/ activities of NCZ. Also, NCR participating States were requested vide letter dated 18.01.18 to provide the requisite comments/ observations on the inputs of MoEF&CC. On receipt of comments from States

and the observations from MoEF&CC, a meeting was held at the level of Secretary (HUA) on 18.12.18 as decided in the 37th Board meeting.

9.5.6 After detailed deliberations and discussion (copy of Minutes at **Annexure-9/IV**), following was recommended:

- a) Since 'Agriculture' is a permissible activity under the NCZ zoning regulations of RP-2021 as well as DRRP-2021, the same should be retained.*
- b) With regard to the notification of Draft Revised Regional Plan-2021 (DRRP-2021), all the NCR participating States were of the opinion that it would not be appropriate to publish the Revised RP-2021, as the perspective year 2021 is nearing. Also that, seven more districts (Jind, Mahendragarh, Bhiwani & Karnal in Haryana Sub-Region; Muzaffarnagar & Shamli in UP Sub-Region and Bharatpur in Rajasthan Sub-Region) have been added in NCR which are not part of this DRRP-2021.*
- c) The matter may accordingly be placed before the Board.*

9.5.7 The matter was thereafter discussed in the Review meeting, held under chairpersonship of Member Secretary NCRPB on 17.06.19 in the office of NCR Planning Board, with officers from Govt. Haryana. As per the decisions, it was noted that the issues have been resolved w.r.t. DRRP-2021 in the meeting chaired by Secretary, MoHUA on 18.12.18 and the compliance of the directions of the PMO have been carried-out by NCRPB.

9.5.8 The decisions, were conveyed to MoH&UA on 22.05.19 as compliance on PMO issues. MoH&UA vide its letter dated 26.08.19 has suggested that the position of compliance shall be intimated to PMO after final decision of the Board.

9.5.9 Accordingly, the matter is placed before the Board for consideration.

Proposal:

- **The following recommendations of the meeting held on 18.12.18 under the Chairmanship of Secretary, MoHUA, Govt. of India are placed before the Board for consideration:**
 - a) Since 'Agriculture' is a permissible activity under the NCZ zoning regulations of RP-2021 as well as DRRP-2021, the same should be retained.**
 - b) With regard to the notification of Draft Revised Regional Plan-2021 (DRRP-2021), all the NCR participating States were of the opinion that it would not be appropriate to publish the Revised RP-2021, as the perspective year 2021 is nearing.**

A view may kindly be taken.

AGENDA ITEM NO. 10: MATTER RELATED TO YEIDA

101 New Township YEIDA was proposed in Sub-Regional Plan-2021 for U.P. sub-region as a Green Field Township. The matter was discussed in 61st Planning Committee meeting held on 04.06.13 wherein it was decided that a note stating *“UP SRP-2021 has proposed a New Township YEIDA under the provision of para 4.3.5 (I) of the RP-2021 as a Green Field Township”* be added in the DRRP-2021. However, the landuse of YEIDA Master Plan was not shown in the landuse of DRRP-2021. The matter was further discussed in the 62nd Planning Committee held year in 2013 wherein the issue of incorporation of YEIDA Master Plan in the proposed landuse map of 2021 of the DRRP-2021 was raised by the Commissioner, NCR Cell, UP. The Planning Committee in 62nd meeting discussed and observed the following:

“as per Section 10 (2) (b), Regional Plan is required to deal with major urban settlements. Accordingly, the DRRP-2021 has proposed population and urbanisable areas of the identified seven Metro Centres (population-10 lakh and above) and eleven Regional Centres (population-3 to 10 lakh). It also noted that in the proposed land use map, urbanisable areas, Controlled /Development/Regulated areas, etc. have been shown for the identified seven Metro Centres and eleven Regional Centres. Sub-Regional Plans are required to give details of the remaining settlements.”

102 Further, the Board in its Special Board Meeting held on 25.04.14 decided that *“the sub-regional landuse proposals of the SRP for U.P. Sub-Region 2021, need not be incorporated in the proposed landuse map-2021 for NCR of revised Regional Plan-2021.”*

103 However, in the 36th Board meeting held on 15.6.16, Minister for Vocational and Skill Development, Govt. of UP stated that YEIDA is part of approved SRP-2021 for UP sub-region. However, the same has been shown as agriculture land in DRRP-2021 thereby leading to a factual error. He further requested that instead of terminology, the background and the context for which terminology has been used may be considered and the proposal of the approved SRP for UP should be

accepted in completeness. Accordingly, the Chairman, NCR Planning Board stated that there is no objection in the concerned raised by Govt. of UP and that more than the terminology, the broader issues should be understood.

104 Subsequently, the matter was examined and placed before the 66th Planning Committee held on 17.11.2017 wherein the Planning Committee observed that decision taken by the Board in its 36th meeting was varying from its earlier decisions. The Committee further noted that based on population of Census, 2011, population of YEIDA (population of five ULBs 81,000) appears to be much below the benchmark of Metro Centre (i.e. 10 lakh and above) and hence, the target to achieve the proposed population by 2021 is unrealistic. Therefore, the Committee was of the view that it may not be feasible to include YEIDA as Metro Centre in the Draft Revised Regional Plan-2021 (DRRP-2021) at this stage.

105 The matter was thereafter discussed by the Board in its 37th meeting held on 04.12.17 wherein Secretary, HUA, Govt. of India suggested that considering the current population of YEIDA view may be taken w.r.t. considering YEIDA as a Regional Centre (i.e. 3 lakh to 10 lakh) instead of a Metro Centre. Upon request of Hon'ble Minister for Urban Development, Govt. of UP Board decided that Govt. of UP may examine the matter and communicate their views to NCRPB. Thereafter, the matter be placed before the Board to take final view in this matter.

106 NCRPB vide letter dated 25.05.18 requested the Govt. of U.P. to communicate their views to NCRPB.

107 Matter was discussed in the State Level Steering Committee meeting held on 28.09.18 under the chairmanship of Chief Secretary, U.P. As per the minutes of the meeting the Govt. of UP will request NCRPB to place the matter before the Board for re-consideration.

- 108 NCR Planning and Monitoring Cell, U.P. vide its letter dated 05.07.19 and 12.07.19 has conveyed that the proposals of the YEIDA Master Plan be incorporated in line with the Sub-Regional Plan for UP and based on the proposed population in the Master Plan, YEIDA area be proposed/ considered as a Metro Centre.
- 109 This matter was placed before the 67th Planning Committee meeting held on 15.07.19, wherein it was decided that the matter will be examined w.r.t. the letter dated 05.07.19 and 12.07.19 as received from NCR Cell, UP and the matter will be placed before the Board. Accordingly, the matter has been examined and observations are as under:
- a) As per Regional Plan-2021, YEIDA falls under the Policy Zone of “Rest of NCR”. In this Zone, it is proposed in the RP-2021 that infrastructure has to be substantially upgraded at local and regional level (both by State and Central Government) in order to induce the growth in these areas.
 - b) In Functional Plan on Transport for NCR-2032 at para 14.2.6 (Air Transport) it is mentioned that *there is a great scope for development of an aerotropolis complex near the Greater Noida Airport at Jewar. A number of air transport related functional complexes could be located in this area and a New Town of reasonable size could be planned and developed.*
 - c) UP SRP-2021 has proposed a New Township YEIDA under the provision of para 4.3.5 (I) of the RP-2021 as a Green Field Township.
 - d) Horizon year of Regional Plan 2021 is approaching and work related to preparation of Regional Plan-2041 has been initiated.
 - e) As per the meeting held under the Chairmanship of Secretary, HUA, Govt. of India on 18.12.2018, based on the opinion of NCR participating States, it was recommended that publication of the revised Regional Plan-2021 i.e. DRRP would not be appropriate, as the perspective year 2021 is nearing.
 - f) YEIDA has requested to incorporate the proposals of YEIDA Master Plan, and consider it as a Metro Centre as the possibilities for industrial development in the investment area of YEIDA is increasing and since

Jewar International Airport proposal has been expedited due to which the proposed population of UP SRP-2021 is achievable by the year 2021.

- g) As per Master Plan-2031 of YEIDA, it is being developed as an Integrated Industrial Township with proposed population of 35 lakh. Population proposed for year 2021 as per published UP SRP-2021 is 20 lakh which is highly unlikely.

10.10 Keeping in view above, as the original request was for incorporation in DRRP 2021 which is not to be published now as the perspective year 2021 is nearing and publication of revised Regional Plan 2021 would not be appropriate, the issue of inclusion of YEIDA area as Regional instead of Metro Centre in Revised Regional Plan 2021 can be dropped. The matter can be looked into in the RP 2041 preparation.

Proposal:

Matter is placed for consideration of the Board.

AGENDA ITEM NO.11: MATTER RELATED TO COUNTER MAGNET AREAS OF NATIONAL CAPITAL REGION

11.1 The NCRPB Act, 1985 empowers the Board under Section 8 (f) to select, in consultation with the State Government concerned, any urban areas, outside the NCR having regard to its location, population and potential for growth, which may be developed in order to achieve the objectives of the Regional Plan.

11.2 The RP-2001 identified five CMAs, namely Hisar, Bareilly, Kota, Gwalior and Patiala. Thereafter, the NCRPB carried out a Study in 2006 and the recommendations of the Study were discussed in the 56th meeting of Planning Committee held on 19.09.2008. Thereafter, Board in its 31st meeting held on 11.11.2009 approved three CMAs, namely, Kanpur, Ambala and Dehradun and decided that the CMAs would not limit to urban area only and development could be proposed in the form of corridors also. Respective State Govts. will notify their respective CMAs, and prepare Development Plan/Master Plan and Plan of Action for its implementation. Thereafter, upon recommendations of the Planning Committee, the Board in its 33rd meeting held on 01.07.2013, also approved Jaipur as CMA. Accordingly, there are now nine CMAs to NCR.

11.4 Planning Committee in its 66th meeting noted that Govt. of U.P. proposes to merge a vast area under four Development Authorities, comprising of many smaller towns, forming Kanpur-Lucknow corridor as CMA. Planning Committee also noted that NCRPB has been requesting the concerned States for providing status/ update w.r.t. preparation of Development Plan/ Master Plan and Plan of Action for the respective CMA.

11.5 In view of the aforementioned decision of the Board, Planning Committee decided the following:

- a) Govt. of U.P. to prepare a Plan of Action considering the horizon year and policies & proposals of the RP-2021 and earmark a specific area for effective development as CMA along the Kanpur-Lucknow corridor.*
- b) Concerned State Govts. to provide the current/ updated area details and status of preparation of Development Plan and Plan of Action for the remaining CMAs in-line with the policies & proposals of the RP-2021.*

11.6 Thereafter, NCRPB has requested the respective State Governments to provide the current/ updated area details, and status of preparation of Development Plans and Plan of Action in line with the policies & proposals of the RP-2021/ DRRP-2021. The status of CMAs is as under:

- i) **Kanpur (U.P.):** The matter was deliberated in the Review Meeting held on 17.06.2019 under the Chairpersonship of Member Secretary, NCRPB wherein it was decided that a working Development Plan and Plan of Action considering all Master Plan of four Development Authorities may be prepared by Govt. of U.P. the said working Development Plan need not necessarily be notified by the State Govt. SWOT analysis may also be carried out for preparation Plan of Action. Response from Govt. of U.P. is awaited.
- ii) **Gwalior (M.P.):** Govt. of M.P. has informed that subsequent to the earlier Notifications vide which the area of SADA, Gwalior was notified as CMA, the State Govt. has further added the Gwalior Planning Area as part of CMA, vide notification dated 03.04.18.
- iii) **Dehradun (Uttarakhand):** Chief Town & Country Planner, Govt. of Uttarakhand vide letter dated 23.11.2017 communicated that the decision regarding notification of Dehradun as CMA is pending with Govt. of Uttarakhand. He has further informed that Dehradun-Haridwar corridor has not been notified as CMA.

NCRPB had requested Govt. of Uttarakhand to earmark a specific area for effective development along the Dehradun-Haridwar corridor as a CMA. Response from Govt. of Uttarakhand is still awaited. There was no representation in 67th Planning Committee, despite notice, so the matter could not be deliberated further.
- iv) **Hisar & Ambala (Haryana):** Govt. of Haryana has informed that Development Plans for the CMAs i.e. Hisar and Ambala have already been notified for 2021 and 2025, respectively. State Govt. has also requested the concerned Department(s)/ Implementing Agencies to take necessary action for preparing the requisite Plan of Action alongwith the implementation of provisions w.r.t. the Development Plan.

The Development Plan of Hisar and Ambala have been received by NCRPB, however, the Plan of Action is still awaited.

v) **Kota & Jaipur (Rajasthan):**

Govt. of Rajasthan has informed that draft Master Plan-2031 for Kota has been prepared and submitted for approval of the State Govt. As regards Jaipur, the Master Development Plan-2025 of Jaipur Region has been approved by the State Govt.

Copies of the Master Plans have been received by NCRPB, however, the Plan of Action is still awaited.

vi) **Patiala (Punjab):** Patiala was identified as CMA in RP-2001. However, based on the recommendations of the Study carried out in 2006, Patiala was considered to be a 'low priority' town for the purpose of funding.

NCRPB has received a proposal from the Govt. of Punjab vide letter dated 15.03.2018 (copy is at **Annexure 11/I**) for selection of the area/ corridor falling under Local Planning Area (LPA) of Patiala and Rajpura towns as Patiala-Rajpura Corridor CMA. The Govt. of Punjab has mentioned that the Patiala-Rajpura Corridor has been proposed as CMA keeping in view the location and potential of urban development of Patiala and Rajpura City and its surrounding areas. LPA of Patiala and Rajpura are contiguous and should be together considered as CMA.

The proposal was deliberated by the Planning Committee in its 67th meeting held on 15.07.2019 and recommended to the Board for consideration for inclusion as CMA (Extract of Minutes of the meeting is at **Annexure 11/II**).

- 11.7 The Planning Committee in its 67th meeting requested all the concerned State Govts. to prepare Development Plan/Master Plan and Plan of Action for its implementation in the identified CMAs.

Proposal:

- **Govt. of U.P., Haryana & Rajasthan to may apprise the status w.r.t. preparation of Plan of Action.**

- **Govt. of Uttarakhand to earmark a specific area for effective development along the Dehradun-Haridwar corridor as a CMA, alternatively Dehradun and this corridor can both be dropped as a CMA.**
- **The proposal of Govt. of Punjab for selection of Patiala-Rajpura Corridor as CMA is placed before the Board for consideration.**

Govt. of U.P., to prepare a working Development Plan and a Plan of Action considering RP policies & proposals and considering all Master Plans of four Development Authorities along the Kanpur-Lucknow corridor.

AGENDA ITEM NO. 12: PREPARATION OF REGIONAL PLAN 2021**AGENDA ITEM NO. 12.1: STATUS OF REVIEW OF NCR REGIONAL PLAN-2021**

12.1.1 As per decision of the Special Board meeting held on 20.12.16, a *Steering Committee, to undertake the review exercise was to be constituted under the Chairmanship of Member Secretary of the Board. Once the review Report is prepared the same shall be placed before the Board for approval and accordingly the work for the preparation of Regional Plan 2041 will be initiated.*

12.1.2 Steering Committee was constituted for the Review of the Regional Plan 2021 under chairmanship of Member Secretary, NCRPB (refer **Annexure 12/I**). Fourteen sub-groups had been constituted to undertake the said review of each sector/chapter of the RP-2021 (refer **Annexure 12/II**). The representatives from NCR participating States, concerned Central Ministries/ Departments, academicians and subject experts are part of the said Study Groups.

12.1.3 The status was reviewed in the 37th Board meeting wherein directions were given to expedite the work.

12.1.4 Fifteen Meetings of the 14 study groups and two meetings of the Steering Committee, were convened. Discussions were also held amongst Member Secretary, NCRPB and study group chairpersons in April, 2019 to review the matter and directions were given to expedite report submission.

12.1.5 The Review Reports of various study groups were received and discussed in the 4th Steering Committee meeting, held under the Chairpersonship of Member Secretary, NCR Planning Board, on 04.06.19. The Steering Committee accepted the Study Group Review Reports. The Final Review Reports along with Compilation of Recommendations were placed before the 67th Planning Committee held on 15.07.19 for consideration.

12.1.6 The Planning committee accepted the reports of the Study Groups and noted the status. Compilation of the Final Review reports of the Study Groups (**Annexure 12/III**) are placed before the Board for consideration. These reports are proposed to be considered as one of the inputs for RP 2041 preparation.

Proposal:

Matter is placed for kind information and consideration of the Board.

AGENDA ITEM NO. 12.2: POPULATION PROJECTIONS FOR NATIONAL CAPITAL REGION FOR REGIONAL PLAN 2041

12.2.1. As Population projections are key inputs for any plan preparation, advance action on the same was initiated and NCRPB had on 13.11.18 assigned the work of population projection for NCR for year 2041 to Dr. D.K. Dey, Former Additional Director, Census of India and Professor & Head, Dept. of Statistics, Indira Gandhi National Tribal University, Amarkantak, M.P.

12.2.2 The Draft report on the subject was presented and deliberated in the 4th meeting of the Steering Committee constituted for review of Regional Plan-2021 held on 04.06.2019 and as per the decisions of the said Committee, the Draft Report on “Population Projections for NCR-2041” was circulated to all NCR participating States for comments /observations on 07.06.2019.

12.2.3 Comments/ observations received from the NCR Planning and Monitoring Cells of U.P., Rajasthan, Haryana, NCT Delhi and DDA were communicated to Dr. D. K. Dey for incorporation in the Final Draft Report. The Final Draft Report received from Dr. D. K. Dey along with compliance report submitted in this regard was placed before the 67th Planning Committee held on 15.07.19. The population projection was proposed to be taken as inputs for preparation of next Regional Plan for NCR. It was suggested that the proposed population figures of already duly notified Master Plans/Development Plans may be incorporated and based on which further population projection be made as deemed proper, for 2041.

12.2.4 The conclusive chapter of the report as amended is placed before the Board **(Annexure 12/IV)**. The population figures as above shall be considered as one of the inputs during preparation of RP 2041.

12.2.5 As per the report, while at NCR level considering the least square method, population of about 9.5 crore could be expected by 2041. Incorporating the suggestions of States to consider populations indicated in notified Plans even for the year 2021 and 2031, the projected population comes to 17.21 crore for NCR in 2041 which is not practical as per the expert. However, considering the urbanisation levels expected in the NCR and adopting the exponential growth rate, the expert has recommended the population projection for 2041 shall be around 11.3 crore. This

could be considered as one of the inputs for the RP 2041 works. The table below provides with a broad snapshot of projected populations for current NCR in 2031 & 2041.

The population of NCR projected through Exponential Growth Rate at NCR level

(in Crores)

S.No.	Area/Region/Subregion	2021	2031	2041
1	National Capital Region	7.18	8.96	11.30
2	Delhi Sub region	2.05	2.50	3.08
3	Uttar Pradesh Sub region	2.33	2.95	3.75
4	Haryana Sub region	2.04	2.58	3.34
5	Rajasthan Sub region	0.76	0.93	1.13

Proposal:

Matter is placed for information and consideration of the Board.

AGENDA ITEM NO.12.3: NCRPB MANPOWER REQUIREMENT AND ADOPTION OF NITI AYOOG GUIDELINES FOR ENGAGEMENT OF TEMPORARY CONSULTANTS IN NCRPB

- 12.3.1 The National Capital Region Planning Board (NCRPB) is committed to organized development of NCR and increasing use of technology to provide critical directional and strategic inputs into the regional development process. NCRPB is also mandated to function as a Planning body, which requires greater flexibility in hiring of personnel. It is essential to have the Consultants/Senior Consultants, who possess the requisite skill set. These Consultants/Senior Consultants will be expected to deliver in such areas, where in-house expertise is not readily available, or is insufficient, within NCRPB. They should be high quality professionals capable of lending their expertise in the fields such as Urban and Regional Planning, Social Infrastructure, Economics, Finance, Public Health, Social Sciences, Engineering, Urban Planning Infrastructure etc. as per the requirements of NCRPB.
- 12.3.2 The process of engagement of Consultants/Senior Consultants also should be transparent. Hence, it is proposed to adopt the NITI Aayog procedure and guidelines for engagement of Consultants/Senior Consultants/Young Professionals in NITI Aayog vide No.A-12013/02/2015-Adm.I(B), dated 01st August, 2018 (placed at **Annexure-12/V**) *mutatis-mutandis*, wherein Member Secretary, NCRPB will exercise the powers w.r.t. NCRPB as quoted for CEO, NITI Aayog.
- 12.3.3 It is also proposed to request Ministry for creation of additional Posts of Joint Director (Finance), Deputy Director (Finance). Hiring of Private Consultant for these posts will not be preferable due to sensitivity of jobs.
- 12.3.4 Member Secretary, NCRPB be authorised to hire Consultants in various sectors depending on the actual requirement upto Rs.40.00 lakhs in each case without any overall annual financial limit as Board has minimum human resources of domain experts in NCRPB and is engaged in preparation of Regional Plan 2041 and further will have to develop functional plans in various sectors.

Proposal:

Matter is placed before the Board for kind approval.

AGENDA ITEM NO. 12.4: PROPOSAL OF NRSC ON 'CREATION OF EXISTING LANDUSE DATABASES FOR NATIONAL CAPITAL REGION FOR PREPARATION OF REGIONAL PLAN-2041 (RP-2041)

12.4.1 The Plan preparation works for the Regional Plan 2001 and thereafter for Regional Plan 2021 was entrusted to National Remote Sensing Centre (NRSC) by NCRPB on earlier occasions. Accordingly, a proposal was sought from NRSC for 'Creation of existing landuse databases for National Capital Region for preparation of Regional Plan-2041 (RP-2041), July 2019.

12.4.2 The objective of the work was basically to have

- ① Updation of existing regional landuse GIS database for NCR at 1:50,000 scale using latest high resolution satellite data (5.8 mtr.)
- ② Updation of regional landuse at 1:10,000 scale for NCR using latest very high resolution satellite data (2.5 mtr. or better)

12.4.3 In response NRSC vide letter dated 08.08.19, indicating the Project cost of **Rs. 43.26 Crores** (plus applicable taxes, if any), based on indicative cost of satellite data at the rate of Rs. 2,000/- per sq. km, and the total time frame shall be given is about 40 months with a segregated delivery of 1:50,000 and 1:10,000 database.

12.4.4 The 1:50,000 scale maps were required as the same has been followed from all previous Regional Plans as well (RP2001 & RP 2021). The 1:10,000 scale fresh mapping using 2.5m or better resolution, latest satellite data (2019) was required, as NCR participating states were facing issues of ground truthing with 1:50,000 scale and states had often suggested the need for the same. Accordingly, NCZ data for entire old NCR region was again made by NRSC on 1:10,000 scale and was shared by NCRPB with states in the last few years since 2016.

12.4.5 The NRSC proposal was examined in NCRPB and following was observed:

- (i) The timeline of 3 years & 4 months is very high which would delay the overall preparation of the Regional Plan-2041.
- (ii) Hon'ble NGT had constituted a Committee under Secretary, MoEF&CC, on an issue related to NCZ, and this Committee, during its assessment of NCZ

variations, has also suggested in its draft report that in future, mapping or delineation should be done on a minimum of 1:10,000 scale in case of physical maps. Since, urban area mapping and planning requires high level accuracy, satellite data having resolution of less than 0.6 m, should be used. This applied to all states.

- (iii) The proposal further indicates that NRSC has also proposed engagement of two Research Scientist for three years which are to be recruited by NCRPB and to be deployed at NRSC.
- (iv) In addition, States have reservation that any plan showing landuses without any ground truthing and ascertaining the present use, create issues later. In case of conservation areas, the RP itself indicates that 'all conservation area boundaries are tentative and subject to verification and detailing by respective state governments in the SRP/Development/Master Plans'. The maps provided by NRSC are also after limited ground truthing and hence cannot be taken as 100% accurate. Therefore showing tentative areas without any detailing creates complications and may lead to unnecessary litigations and thus such details should be at the master plan/development plan level and not at Regional Plan scale.

12.4.6 Therefore, a view needs to be taken whether going in for maps showing tentative details through costly time consuming satellite imagery would be reasonable and whether such details may be left to the States for detailing in their Sub Regional Plan (SRP) maps wherein SRPs may be asked to be prepared at atleast 1:10,000 scale. Regional Plan may have schematic maps presenting the proposals and recommendations and indicative details as is available from various sources other than NRSC images.

Proposal:

Board may kindly like to take a view on the matter.

AGENDA ITEM NO. 12.5: STATUS OF DATA COLLECTION FOR REGIONAL PLAN -2041 (RP-2041) WORKS

12.5.1 As preparatory works for RP 2041, NCRPB has prepared detailed formats for data collection for various sectors that may be covered in the Regional Plan. The formats were circulated to all the NCR participating States in the last week of May, 2019 (both in hard and soft (excel) format). The NCR participating States were requested to provide the data, duly signed by the concerned district ADMs of the respective districts and also provide the duly filled excel sheets for the same, in the circulated format.

12.5.2 NCRPB is continuously following up with the NCR participating States during the review meetings as well as through video conferences, wherein matter is discussed with at district level as well. Two meetings through video conference have been held in July and August, 2019.

12.5.3 Most of the data has been received in print as well as excel format w.r.t. Rajasthan and Haryana. Certain data has also been received in hard copies from Uttar Pradesh and they have been requested to provide the remaining as well as shared data, in the excel format. The remaining data from these states is expected by the end of first week of September, 2019.

12.5.4 No data however has been received in case of NCT Delhi till date despite pursuance.

Proposal:

- **NCR participating States may ensure submission of all required data in the provided excel sheet formats by 20th September 2019.**
- **Govt. of NCT Delhi may look into reasons in delay in providing data and ensure that all required data is provided by 30th September 2019.**

AGENDA ITEM NO. 13: MEDICAL ATTENDANCE SCHEME FOR NCRPB EMPLOYEES, PENSIONER AND FAMILY PENSIONERS

13.1 As per NCRPB Regulation 1986, Central Service (Medical Attendance) Rules, 1944 are applicable for NCRPB employees and pensioners. There is no structured medical scheme for NCRPB serving employees.

13.2 BACKGROUND

- I. After consultation in 26th and 27th Board Meetings held in 2004 and approval from Ministry in 2005, the Medical Attendance Scheme-2005 for the Pensioners / family pensioners of the Board was notified in the Gazette of India on 16.12.2005.
- II. The NCRPB Medical Attendance Scheme for Pensioners 2005 is at **Annexure-13/I** and details of Pensioners/ family pensioners who had opted / enrolled for this scheme are at **Annexure 13/II**,
- III. NCRPB has engaged an Authorized Medical Attendant (AMA) since 2005. Also, the NCRPB employees are authorized to undertake treatment in the NCRPB empanelled private hospitals, diagnostic centers selected from those empanelled by CGHS.
- IV. Transaction Audit for 2017-18 conducted by O/o Pr. Director of Commercial Audit, C&AG has made observation on that there is no formal medical policy for serving employees and there is no provision of contribution from beneficiaries either serving employees or retired pensioners.
- V. NCRPB requested the Central Govt. Health Scheme (CGHS) vide D.O. letter No. A-33012/1/2012-Admn. dated 1.3.2013 for granting permission to join CGHS facilities *mutatis mutandis* by NCRPB employees as well as to the pensioners which was not acceded to. However, NCRPB has again requested CGHS, M/o HFW in month of July, 2019 to extend CGHS medical facility to NCRPB employees/pensioners. The same is being contemplated in Ministry of Health and Family Welfare and is under their active consideration.

13.3 PROPOSAL

Pending approval by Ministry of Health and Family Welfare for CGHS facility to NCRPB employees, pensioners and family pensioners, a new Medical Attendance Scheme is prepared which is largely in accordance with CGHS. The instructions issued vide OM No. S-11011/11/2016-CGHS(F)/EHS dated 5.1.2017 of CGHS as amended from time to time shall be applicable *mutatis mutandis* on NCRPB. The main provision of the proposed NCRPB Medical Attendance Scheme – 2019 are as under:-

- i. This Scheme shall come into effect from 01.10.2019;
- ii. The provisions of this Scheme herein contained shall apply to all the serving employees, pensioners, family pensioners of NCRPB and their dependants. Deputationists/ foreign service officials/ employees will have the option to opt for this scheme.
- iii. Contribution from employees & deputationists would be effective from 01.10.2019 at CGHS subscription rates, as applicable from time to time,
- iv. All the existing pensioners/ family pensioners would be entitled to enrol for the revised Medical Attendance Scheme – 2019. Till the time of their enrolment to new Medical Scheme, they will continue to avail the earlier medical scheme i.e NCRPB Medical Attendance Scheme for Pensioners 2005. All future pensioners/family pensioners, existing pensioners/family pensioners not enrolled for Medical Attendance Scheme-2005, and pensioners, if reengaged by NCRPB in any capacity, have to compulsorily opt for NCRPB Medical Attendance Scheme – 2019.
- v. Contribution to be made by all future pensioners/ family pensioners, and by existing pensioners/ family pensioners in case opting for CGHS scheme, shall be as per CGHS norms as amended from time to time, for enrolment to NCRPB Medical Attendance Scheme – 2019,
- vi. In case any issue not covered under this Scheme, the instructions/ provisions of CGHS/ Central Services (Medical Attendance) Rules, 1944 will be applicable.

13.4 The NCRPB Medical Attendance Scheme – 2019 for NCRPB employees, deputationists/ foreign service, pensioners, family pensioners and their dependants is placed at (**Annexure 13/III**) for approval.

Proposal:

The proposal is placed before the Board for consideration and approval.

AGENDA ITEM NO. 14: PROPOSAL REGARDING DISCONTINUATION OF ASSESSMENT SCHEME FOR TECHNICAL OFFICERS IN NCRPB AND ADOPTION OF MACP SCHEME UNIFORMLY FOR ALL OFFICERS/EMPLOYEES OF NCR PLANNING BOARD.

- 14.1 NCR Planning Board was constituted under an Act of Parliament in 1985. As per NCRPB Regulation, 1986 - The pay and all other allowances of officers and employees of the Board shall be the same as those prescribed by the Central Government for its employees of similar status. Accordingly, Board has been following the pay scales/structure as prescribed by Central Pay Commissions (i.e. 4th to 7th CPCs) as those are applicable to Central Government employees.
- 14.2 As per Notification No. A-12018/1/97-PMC-NCRPB dated 17th June, 1997 an Assessment Scheme for Technical Officers of the Board has been provided based on practice prevailing in scientific organisation, to compensate for non-promotional avenues for technical officers in the RRs 1997. The Assessment Scheme/RRs was operational wef. 15.3.1997 (date of Board Meeting). The Assessment Scheme was further amended in 2001 and 2006. Thereafter, the Technical Officers/officials of the NCRPB have been availing the benefit of the Assessment Scheme and MACP is not available to technical officers of NCRPB.
- 14.3 Assessment Scheme -1997 was adopted with the approval of Board and it is not available in the records that the Assessment Scheme 1997 made applicable to technical officers / officers of Planning Wing of NCRPB has the approval of the line Ministry / Government of India. Also no such scheme is prevailing in similar Government Departments like DDA, TCPO etc. or any other organisations under Ministry of Housing Affairs. After implementation of 6th CPC wef.1.1.1996 now Government has introduced the Modified Assured Career Progression Scheme (MACP) vide DoPT O.M. No. 35034/3/2008- Estt. (D), dated 19.5.2009. The MACP scheme has been extended to the employees of the Board as approved in its 31st meeting held on 11.11.2009 and subsequent approval of line Ministry was granted vide its letter no. K-14019/8/2009-DDVI dated 18.10.2010. Since the NCR Planning Board has adopted the MACP Scheme for its employees without exceptions, the earlier

Assessment Scheme for technical Officers of NCRPB is not needed to run concurrently for a particular cadre of employees in terms of MACP Scheme of DoPT. Also the present RRs-2006 as amended from time to time has the promotional avenues for most of the officers of Planning Wing / Technical Cadre at least upto the level of Joint Director (Tech.).

- 14.4 The NCR Planning Board is facing practical difficulties in the implementation of Assessment Scheme, due to some anomalies in the Scheme / RRs. Subsequent to issue of DoPT Guidelines on framing /amendment of recruitment Rules vide DoPT letter dated 31st December, 2010 a proposal for revision of RRs was earlier sent to MoUD (now MOHUA) vide NCRPB letter dated 21.3.2014 wherein interalia it was proposed to discontinue the Assessment Scheme for Technical Officers and adoption of MACP Scheme for all employees. However, the proposal was called back in Sep., 2015 for further review.
- 14.5 The matter has been revisited in the NCRPB as advised by MoHUA in a certain case vide its letter No.1/17/2016-DDVI dated 20th December, 2016 and considering the extant Govt rules, DoPT orders/guidelines, the Assessment Scheme available for only technical officers of NCRPB need to discontinue and MACP Scheme of DoPT is required to be adopted uniformly for all officers/employees of NCRPB. It also emerges that Assessment Scheme has been implemented with the approval of the Board therefore needs to be placed before Board for discontinuation.
- 14.6 In view of above, it is proposed to get the concurrence of the Board for discontinuation/ withdraw the Assessment Scheme-1997 from prospective date (date of Board Meeting) and adopt the MACP for all the officers/employees of the NCRPB. Thereafter the matter will be sent to MoHUA for amendment in the recruitment regulations.

Proposal:

The matter is placed before the Board for consideration and approval of 14.6

AGENDA ITEM NO. 15: GEO-PORTAL FOR NATIONAL CAPITAL REGION.

- 15.1 The main objective of the project is to create a Geo-referenced Database of spatial and non-spatial data for NCR on permanent basis which can be used for preparation of various plans and policies with integration of various data and web services available.
- 15.2 NCRPB through its GIS Cell have already started working on creating GIS database and want to associate NIC for creation of Geo-Portal and creation of GIS database of physical, social and economic infrastructure details of NCR. NCRPB GIS manpower shall be strengthened. The same will be created by NIC with the help of NCRPB in 04 months at the cost of Rs.9.97 lakhs.
- 15.3 NIC has already developed Bharatmaps Geo Portal <https://bharatmaps.gov.in/> which contains all the Administrative Boundaries/Locations. It is also integrated with base maps containing features like Road/Railway Networks, River/Drainage Networks, Habitations, Forest/Cultivation Boundaries, Habitations, etc. along with Satellite Image, Night Light Data, Street Map and Terrain services. The proposed NCR Geo-Portal will be developed on Bharatmaps platform and all the above contents will be integrated in this. Integration of data of other fields will be done by NIC once data is collected from State Governments, Ministries.
- 15.4 The details of the scope and objective of the project are as follows:
- Framework design and development of NCR Geo Portal with available data at 1:50,000 and 1:00,000 scales
 - To use the spatial database as available in Bharatmaps platform.
 - To use the non-spatial attribute data as available in Census-2011.
 - To use the Points of Interest (POI) as available in NIC with the consent of user departments.
 - To use other spatial and non-spatial database as and when provided by the NCRPB through various States and concerned Ministries.
 - To deploy the application in NIC Cloud Environment.

- 15.5 This will be useful tool for planners to form various policies and proposals for NCR for development of various sectors. It will become a permanent portal of data for NCR which will be regularly updated. The NCR participating States and concerned Ministries are required to support for providing the data which will be integrated/populated on this Geo-Portal.

Proposal:

Matter is placed for information.

AGENDA ITEM NO. 16: PROPOSED STUDY ON TRANSPORT

16.1 As one of the activities of NCRPB, in order to carry out the mandate given for planned development in NCR, the Board can take up studies and surveys that may be considered important from time to time.

16.2 In a recently held 19th Board Meeting of NCTRC chaired by Secretary, MoHUA, held on 15.07.19, it was decided that NCRPB to take up “a comprehensive analysis of all mass and fast transit corridors in and around Delhi especially RRTS, metro, expressways, ring railway with a view to enable smooth inter connectivity and seamless transfer from one corridor to another. Feeder services may also be considered as needed. This will increase comfort in public transport which will encourage switch from private mode to public transport.”

16.3 Accordingly, NCRPB proposes to take up a Study on the subject through Institute of Urban Transport, which is a professional body under the purview of the MoHUA as a premier professional non-profit making organization and registered under the Societies Registration Act. The objective of the Institute is to promote, encourage and coordinate the state of the art of urban transport including planning, development, operation, education, research and management.

16.4 IUT has been requested to submit a proposal in this regard.

Proposal

The Board may consider in-principle approval for carrying out the Transport Study through IUT.

**AGENDA ITEM NO. 17: ORBITAL RAIL PROPOSAL OF HARYANA RAIL
INFRASTRUCTURE DEVELOPMENT CORPORATION
LIMITED**

17.1 Regional Plan 2021(RP-2021) under its section on Transport sector, has suggested an Orbital Rail Corridor at 6.6.2 (iii), connecting radial rail corridor of Indian Railways at Central National Capital Region (CNCR) towns (i.e Ghaziabad-Loni, Noida, Gurgaon-Manesar, Faridabad- Ballabhgarh, Bhadurgarh and Sonipat-Kundli) and directional terminals to bypass the regional traffic around Delhi. This was to be parallel to proposed peripheral expressways.

17.2 Government of Haryana, vide its letter dated 09.08.19 has informed that it is undertaking the development of Haryana Orbital Rail corridor (ORC) for which feasibility study and DPR has been prepared by Haryana Rail Infrastructure Development Corporation Ltd. (HRIDC) in February 2019 and in-principle approval of MoRailways, stands received on 05.03.19. They have further indicated that as alignment conceptualised by HRIDC after detailed Techno- Economic Feasibility study is in slight variance with Orbital Rail corridor indicated in RP-2021, the same may be incorporated in RP 2021 as well as in Regional Plan being prepared for the next perspective year. It has been submitted that the proposed alignment of Haryana, ORC synergises with and follows the KMP Expressway/Western Peripheral Expressway in Haryana State. Further, the proposed alignment shall also facilitate the easing out of the National Capital Territory of Rail Freight and passenger traffic movement and will establish direct rail connectivity for Gurugram, Faridabad, Palwal, Manesar etc. with various rail trunk lines viz. Delhi-Ambala, Delhi – Jaipur and Delhi – Agra etc.

17.3 In this regard, it is submitted that Regional Plan proposals are indicative and actual implementation on ground can always vary, provide it is in consonance with the idea behind the recommendation. Hence, an addendum in this regard may not be required.

However, an addendum in this regard can be issued.

17.4 Further, Regional Plan 2021 proposes a complete ring of the Orbital Rail Corridor. The proposal from Haryana is only covering Haryana subregion while the sections in Uttar Pradesh are yet to be covered. As per Memorandum of Association of HRIDC Ltd., they can “...*build , construct, operate, develop, finance and maintain viable railway projects, and /or projects with viability gap funding in the territory of India...*’, which implies it can work in Haryana and beyond, which can cover the section of Uttar Pradesh as well. Govt. of Uttar Pradesh may also accordingly consider the section in the Uttar Pradesh subregion, so that the Orbital Rail Corridor ring as proposed in the Regional Plan 2021 can be implemented. This section in Uttar Pradesh can also be implemented on lines of the approximately 130km section being taken up in Haryana by HRIDC Ltd. MoH&UA has also been requested to take up the matter with Govt. of Uttar Pradesh for their consideration.

Proposal:

Matter is placed before the Board for consideration.

AGENDA ITEM NO. 19: APPROVAL OF ITEMS RELATING TO STATUTORY PROVISIONS.**AGENDA ITEM NO. 19.1: ANNUAL REPORT AND AUDITED ANNUAL ACCOUNTS****19.1.1 : Annual Report and Audited Annual Accounts for the Financial Year 2017-18**

19.1.1.1 The Annual Accounts of the Board are maintained in the form prescribed by the Government and as laid down under Section 25 of the NCR Planning Board Act, 1985, read with Rule 33 of NCR Planning Board Rules, 1985. The audit of the Accounts and transactions has been conducted by O/o Principal Director of Commercial Audit, New Delhi on behalf of Comptroller and Auditor General of India.

19.1.1.2 The Annual Report and Audited Annual Accounts of the Board for the year 2017-18 duly approved by the Chairman and Hon'ble Union Minister of State (Independent Charge), Ministry of Housing and Urban Affairs was circulated on 23.10.2018 to the Members of the Board for approval by circulation. The majority of the Members have approved the Annual Report and Annual Accounts which have been forwarded to Ministry of Housing and Urban Affairs on 7.12.2018 for laying before both the Houses of Parliament. The same have been laid on the Table of Lok Sabha & Rajya Sabha on 04.01.2019 & 27.12.2018, respectively. A copy of the same is at **Annexure 19.1.1/I.**

19.1.2 : Annual Report and Annual Accounts for the Financial Year 2018-19

19.1.2.1. The Annual Accounts of the Board are maintained in the form prescribed by the Government and as laid down under Section 25 of the NCR Planning Board Act, 1985, read with Rule 33 of NCR Planning Board Rules, 1985. The Annual Accounts for the Financial Year 2018-19 prepared and submitted within stipulated time to O/o Principal Director of Commercial Audit, New Delhi on behalf of Comptroller and Auditor General of India for audit.

19.1.2.2. The Annual Report of the Board for the year 2018-19 has also been prepared and is placed at **Annexure 19.1.2/I.**

Proposal:

- **The matter is placed before the Board for ratification.**
- **Annual report for the Financial Year 2018-19 is placed before the Board for Approval.**

AGENDA ITEM NO.19.2: ANNUAL STATEMENT OF OUTSTANDING LOANS AND ADVANCES DISBURSED BY THE BOARD DURING THE YEAR 2017-18 AS PER RULE 47 (1) OF NCRPB RULES, 1985

19.2.1 Annual Statement of outstanding Loans and Advances disbursed by the Board during the year 2017-18 as per Rule 47 (1) of NCRPB Rules, 1985.

The Annual Statement of outstanding loans / advance for the year 2017-18 is submitted in the prescribed **Form “G”**, proviso to Rule 47(1), NCR Planning Board Rules, 1985. The Form “G” is enclosed at **Annexure – 19.2/I** .

19.2.2 Highlights of Loans & Advances sanctioned by the Board are as under:-

Financial year 2017-18

(Rs. in crores)

Loans/Advances disbursed	Principal repaid	Interest received	Amount of default in repayment of principal / interest *	Outstanding loans / advances (Principal)
1695.43	354.21	213.31	No default in repayment of loan/interest by borrowing agencies.	4233.81

***Note:** An overdue amount of Rs.7.46 lakhs (Principal-Rs.75,000/- and interest-Rs.6,71,437/-) due from **Govt of Madhya Pradesh /SADA**, pertaining to FY. 2014-15 to 2016-17 has been received by the Board on 7.5.2018 along with penal interest (Rs.9.52 lakhs) for delayed period.

19.2.3 Loan released by the Board during the last four years are listed below:-

(Rs. in crores)

Year	1st Qtr. (April-June)	2nd Qtr. (July-Sept.)	3rd Qtr. (Oct.-Dec.)	4th Qtr. (Jan.-March)	Total
2015-16	49.89	38.58	16.38	60.30	165.15
2016-17#	134.62	310.89	812.78	396.19	1654.48

Year	1st Qtr. (April-June)	2nd Qtr. (July-Sept.)	3rd Qtr. (Oct.-Dec.)	4th Qtr. (Jan.-March)	Total
2017-18#	273.00	795.70	338.70	288.03	1695.43
2018-19	192.63	300.59	185.29	314.93	993.44
2019-20**	200.02	77.80	-	-	277.82

** Till August 2019.

Noida Metro Rail Corporation (NMRC) was released loan of Rs.580.00 crores and Rs.550.00 crores in 2016-17 and 2017-18 respectively. Further, balance loan amount of Rs.457 crores was scheduled for release during the year 2018-19. However, the same has still not been sought by NMRC even in the year 2019-20 till date.

Proposal:

The matter is placed before the Board for information as laid down in Para 47(1) of the NCR Planning Board Rules, 1985.

19.2.5 Status of Financing of Projects by NCR Planning Board

19.2.5.1 Subsequent to the decision taken in the 36th Board Meeting, held on 15.06.2016, the Board is providing financial assistance to various sectors at the following interest rates:

Type of Project / Category	Interest Rate*
Priority Infrastructure Projects	7.00% p.a.
Power Sector (transmission, distribution and generation)	7.50% p.a.
Other Infrastructure Projects	8.50% p.a.

* Incentive of 0.25% by reduction in interest rate for timely payment of loan instalments.

19.2.5.2 Comparison in terms of lending rates (per annum) vis-à-vis to other lenders is depicted below:

S.No.	NCRPB	HUDCO	PFC	REC	SBI
1.	7.00% -8.50%	9.45% average	10.61% average	10.54% average	8.40% average

19.2.5.3 Cost of Funds to the Participating States after considering the cost of Bank Guarantees charges and State Govt. Guarantee charges:

States	NCRPB Lending rate	Guarantee Charges.		Effective cost of borrowing from NCRPB		Borrowing cost to States	
		State Guarantees	Commercial Bank Guarantees	State Guarantees	Commercial Bank Guarantees	RBI Window	
						State wise base rate	Final effective rate
U.P	7.00%- 7.50% 8.50%	1%	0.75% Average	8.00%- 8.50% 9.50%	7.75%- 8.25% 9.25%	7.26%*	8.26 to 11.26%
Haryana						7.56% *	8.56 to 11.56%
						7.77%*	9.77 to 11.77%
Rajasthan						*Plus (2%-4% over & above the aforementioned borrowing rates)	

19.2.5.4 As on August 2019, the Board has provided financial assistance to **355** infrastructure development projects with an estimated cost of Rs. **32567** Crore, out of which an amount of Rs. **15953** Crore has been sanctioned as loan. The Board has released a loan amount of about Rs. **11770** Crore till August 2019. Among the **355** projects financed by the Board, **262** projects have been reported completed and **93** are at various stages of implementation. The sub-region wise break up including completed and ongoing projects is as below:-

S.No.	States	Status	No. of projects	Rs. In Cr.		
				Estimated cost	Loan sanctioned	Loan released by NCRPB
1	Rajasthan [including CMA- Jaipur]	Ongoing	54	3437	2427	1987
		Completed	30	1679	631	595
		Sub Total	84	5116	3058	2522
2		Ongoing	6	7005	2549	1962

S.No.	States	Status	No. of projects	Rs. In Cr.		
				Estimated cost	Loan sanctioned	Loan released by NCRPB
	UP [including CMA-Bareilly]	Completed	51	2117	919	681
	Sub Total		57	9122	3468	2643
	Haryana [including CMA- Hissar]	Ongoing	29	1516	1039	488
3		Completed	173	13780	6222	5548
	Sub Total		202	15296	7261	6018
	NCT-Delhi	Ongoing	2	1824	1368	20
4		Completed	2	521	310	310
	Sub Total		4	2345	1678	330
	CMA – Patiala in Punjab	Ongoing	0	0	0	0
5		Completed	2	79	46	46
	Sub Total		2	79	46	46
	CMA – Gwalior in M P	Ongoing	2	475	341	32
6		Completed	4	134	101	101
	Sub Total		6	609	442	133
		Ongoing	93	14257	7724	4489
	Total	Completed	262	18310	8229	7281
	Grand Total		355	32567	15953	11770

Proposal:

The matter is placed before the Board for information.

AGENDA ITEM NO.19.3: ANNUAL STATEMENT OF OUTSTANDING LOANS/ADVANCES RECEIVED BY THE BOARD DURING THE YEAR 2017-18 AS PER RULE 47(2) OF NCRPB RULES, 1985

19.3.1 Annual Statement of Outstanding loans/advances received by the Board during the year 2017-18 are submitted in Form “H”, proviso to Rule 47(2), NCR Planning Board Rules, 1985. The Form “H” is placed at **Annexure 19.3.1/I**

19.3.2 The highlights of Loans/ Advances received by the Board upto the Financial Year 2017-18 are as under:-

- I. All payments due on account of interest/commitment charges have been paid to the investors and external funding agencies on time. There is no default on repayment of any loan on part of the Board;

II. Domestic Borrowing:

- (a). No Outstanding domestic market borrowing i.e. Bonds as on 31.3.2018. During FY 2017-18, the following Bond Issue have been redeemed by exercising Call option as available after 7 years from the date of allotment :-

Sl. No.	Description of Bond Issue	Issue Amount (Rs. In Cr.)	Date of redemption
1	NCRPB Taxable Bonds (2020) Series	500.00	18.8.2017

- (b) The Bonds raised by the Board from the domestic capital market were rated ‘AAA with Stable outlook’ by CRISIL and ICRA agencies which is the highest credit rating provided by these agencies.

III. External Borrowing:

- (a) **Outstanding external borrowing** i.e. loan from Asian Development Bank and KfW (German Development Bank), as on 31st March, 2018 is Rs.816.18 crores;

(b) Asian Development Bank:

- (i) ADB had approved a loan of US \$ 150 million to NCRPB as a Multi-Tranche Financing Facility for financing infrastructure projects in the NCR Region and its Counter Magnet Areas (CMAs). The loan agreement for the 1st tranche of US \$ 78 million was signed between ADB and NCRPB on 17.3.2011. Out of Tranche-1 loan

amount of USD 78 million, USD 18.01 million has been cancelled. Board has already utilized the entire balance loan amount of USD 59.99 million (INR 352.06 crore) by the loan closing date of 31.12.2014 for tranche1. The repayment period is 25 years with 5 years moratorium for repayment of the principal amount. The rate of interest is based on 6 months Libor + Margin as may be determined by ADB based on their cost of funds of the relevant period payable half yearly. The commitment charges were payable up to December, 2014 on the undrawn loan amount @ 0.15% p.a. The Board has extended financial assistance for 9 projects with an estimated cost of Rs.1091.30 Cr.

(ii) **Debt Service:** Board has been making regular payments of its dues to ADB. So far, Board has made payment of Rs.31.07 cr. (\$ 4.67 million) to ADB on account of interest and commitment charges. Further, Board has repaid an amount of Rs. 32.00 cr. (\$4.74 mn) towards principal outstanding to ADB as on August, 2019.

(b) KfW - (German Development Bank):

① Loan agreements of Euro 100 million + Euro 1 million Grant for environment friendly schemes in the water supply, sewerage, drainage, solid waste management and urban transport Sectors to NCRPB were signed between NCRPB & KfW on 09.02.2012 & 30.03.2012. The repayment period is 15 years with 5 years moratorium for repayment of the principal amount. The commitment charges were payable @ 0.25% p.a. up to December, 2016 and subsequently @ 0.40% p.a. w.e.f. January 2017 to December, 2018 on the undrawn loan amount. The loan is at a fixed rate of Interest @ 1.83% p.a. A total amount of Rs. 745.99 Crores (Euro: 100 million) has been claimed and disbursed by KfW to the Board. The Board has extended financial assistance for 12 projects with an estimated cost of Rs.1245.82 Cr.

② **Debt Service:** Board has also been making regular payments of its dues to KfW. Board has made payment of Rs. 40.21 cr. (€ 5.21 million) to KfW on account of interest and commitment charges up to June 2019. Further, Board has repaid an amount of Rs.196.83 cr. (€ 25 mn) towards principal outstanding to KfW as on July 2019.

(ii) Further, KfW has indicated to hold a final review in last quarter of 2019-20. Hence Implementing Agencies have been requested to expedite physical and financial completion of projects as per list mentioned hereunder:

(Rs. Cr.)

Sl.No.	Name of the Project	Project Cost	Loan Sanctioned
U.P Sub-Region			
1.	Raw Water Conveyance Main from Intake at Dehra (Ghaziabad) to WTP Site at Palla (Greater Noida) and Clear Water Main from WTP Site to Master Reservoir (Greater Noida) Under 85 Cusec Ganga Jal Project for Greater Noida – GNIDA	183.19	137.39
2.	Primary Treatment Works at Dehra (Ghaziabad) & 210 Mld Water Treatment Plant At Palla (Greater Noida) & Allied Works Under 85 Cusec Ganga Jal Project For Greater Noida - GNIDA	121.48	87.16
3	15 Mld Sewage Treatment Plant and Pumping Station at Ecotech-II, Greater Noida – GNIDA	21.17	15.87
4	20 Mld Sewage Treatment Plant and Pumping Station At Ecotech-III, Greater Noida – GNIDA	28.15	21.10
5.	Noida to Greater Noida Metro Extension (7 eligible contracts)	448.00	268.66
Rajasthan Sub-Region			
6.	Alwar Water Supply Upgradation Scheme - PHED, Rajasthan	174.86	131.14
7.	Rajgarh Water Supply Upgradation Scheme - PHED, Rajasthan	20.24	15.18
8.	Behror Water Supply Upgradation Scheme - PHED, Rajasthan	26.02	19.51
9.	Tijara Water Supply Upgradation Scheme - PHED, Rajasthan	16.46	12.35
10.	Bhiwadi Water Supply Scheme-PHED, Rajasthan	40.69	30.52

Proposal:

The matter is placed before the Board for information.

AGENDA ITEM NO.19.4: APPROVAL OF REVISED ESTIMATES FOR THE FINANCIAL YEAR 2018-19 AND BUDGET ESTIMATE FOR FINANCIAL YEAR 2019-20 UNDER “REVENUE AND CAPITAL” HEADS AS PER RULE 29 OF THE NCRPB RULES, 1985.

19.4.1 The Budget Estimates for the Financial Year 2018-19 and Budget Estimate 2019-20 were submitted to the Ministry of Housing and Urban Affairs vide letters No.B-20018/11/RE-BE/2018-19/NCRPB dated 17.10.2018. The Statement of Capital and Revenue - Budget Estimates for the year 2018-19 and 2019-20 is at **Annexure 19.4.1/I.**

(Rs. in crore)

Sl. No.	Particulars	BE approved by GOI 2018-19	RE 2018-19	BE 2019-20 (proposed)	BE 2019-20 (approved)
1.	Capital - Head of Account : (2217.02.191.01.00.32) “Contribution” to NCRPB Fund	50.00	50.00	450.00	50.00
2.	Revenue - Heads of Account : (2217.02.191.01.0031) Grant in Aid – Salaries) & (2217.02.191.01.0036) Grant in Aid – General	3.96 1.10	4.46 1.10	4.60 2.00	4.00 1.10

19.4.2 The projected Internal and Extra Budgetary Resources (I&EBR) of NCRPB submitted to M/oHUA referred above, for the F.Y. 2018-19 and F.Y. 2019-20 are as under:

(Rs.in crore)

Sl. No.	Internal & Extra Budgetary Resources	BE 2018-19	BE 2019-20
1.	Internal Resources (Net)	165.00	125.00
2.	Extra Budgetary Resources (Incl. Bonds and External Borrowing)	1150.00	1000.00
Total		1315.00	1125.00

Proposal:

The Revised Estimates for the year 2018-19 and Budget Estimates for the year 2019-20 both under Capital and Revenue heads are placed before the Board for approval. Further, Member Secretary, NCRPB may be authorized for taking decisions regarding resource mobilization programme of NCRPB by raising Bonds, Commercial Paper and/or through borrowing from multilateral & bi-lateral aid agencies. Member Secretary, NCRPB may also be authorised to take necessary decisions in respect of various approvals / formalities required to be taken in this regard.

AGENDA ITEM NO. 19.5: RECRUITMENT REGULATIONS FOR THE POST OF LAW OFFICER, ASSISTANT DIRECTOR (FINANCE), ASST. DIRECTOR (FINANCIAL MANAGEMENT) AND ASST. DIRECTOR (SAFEGUARDS) IN THE NCR PLANNING BOARD.

As per Section-37 under the heading “Powers to make regulation” of NCRPB Act 1985, - ***‘The Board may, with the previous approval of the Central Government, by Notification in the Official Gazette, make regulations’***. Thus Recruitment Regulations approved by the Ministry of Housing & Urban Affairs for following posts in NCRPB are placed before the Board:-

19.5.1 Law Officer: Draft Recruitment Regulations for a newly sanctioned/created post of Law Officer (in GP 7600/-), has been approved by the MoHUA vide its letter No.K-11019/4/2013-DDVI dated 9th January, 2019 a copy of which is enclosed at **Annexure-19.5/I**.

19.5.2 Assistant Director (Finance): Revision of Recruitment Regulations for the post of Assistant Director (Finance) in Grade pay of 4800 (revised to Level-8 of 7th CPC) has been approved by MoHUA vide its letter No.1/18/2017-DDVI dated **12.12.2017** a copy of which is enclosed at **Annexure-19.5/II**.

19.5.3 These regulations 19.5.1 and 19.5.2 may be called Recruitment Regulations/Recruitment Regulations (Amendment) and shall come into force on the date of their publication in the Official Gazette.

2. Assistant Director (Financial Management) and Assistant Director (Safeguards) – Two Posts:

19.5.4 M/o Housing and Urban Affairs, GoI vide letter No. K-11019/11/2010-DDVI dated 28th December, 2018 had conveyed approval for conversion from temporary posts to permanent posts in respect of above two posts in pay level-10 (as per 7th CPC). Draft Recruitment Regulations (RRs) for these posts have been framed in accordance with DoPT guidelines and sent to MoHUA for approval vide Board’s letter

dated 10.7.2019 and further clarifications sent on 29.8.2019. The approval of MoHUA is awaited.

19.5.5 It is proposed to authorise Chairman, NCRPB to grant approval on file on behalf of the Board, to NCRPB to initiate the due process of notification and filling up these two posts after approval of Recruitment Regulations (RRs) by MoHUA.

Proposal:

Matter is placed before the Board for consideration and approval of 19.5.3 and 19.5.5

AGENDA ITEM NO. 20: OTHER ITEMS**AGENDA ITEM NO. 20.1: DRAFT FUNCTIONAL PLAN ON “MICRO AND HOUSEHOLD ENTERPRISES IN NCR”**

20.1.1 Draft of Functional Plan on “*Micro and Household Enterprises in NCR*” was prepared and circulated to NCR participating States for their inputs/observations, as per the decision of 66th Planning Committee meeting held on 17.11.17. The Draft Functional Plan was also circulated to Micro, Small & Medium Enterprises (MSME) Development Institute, Okhla and NISBUD, Noida vide letter dated 20.12.17, for comments if any.

20.1.2 MSME Development Institute, Okhla vide letter dated 18.01.18 intimated that they supported the draft and had no specific comments to offer on it. Inputs/ observations from National Institute for Entrepreneurship and Small Business Development (NIESBUD-related to awareness; training; establishment of livelihood business incubators; mentoring & post training support; and marketing services), were received vide letter dated 27.03.18. Inputs from Govt. of Rajasthan and Uttar Pradesh were received vide letter dated 21.05.18 and 03.04.18 & 07.05.18 respectively. Govts. of NCT Delhi and Haryana had no inputs/ observations/ comments.

20.1.3 After incorporating all inputs as received, the Draft Functional Plan was placed before the 67th Planning Committee meeting held on 15.07.19 for consideration and approval. The Functional Plan was deliberated and approved by the Planning Committee for publication with certain observations.

20.1.4 The Functional Plan on “*Micro and Household Enterprises in NCR*” has been finalised after incorporating the observations of Planning Committee and is proposed to be circulated after release for publication in this meeting.

Proposal:

Matter is placed before the Board for information.

AGENDA ITEM NO. 20.2: STATUS OF RECIPROCAL COMMON TRANSPORT AGREEMENT

20.2.1 In pursuance to the decision of the 29th meeting of the Board held on 24.05.2006, an Empowered Committee under the chairmanship of the Secretary, Ministry of Urban Development was constituted for facilitating decisions relating to critical activities essential for making the NCR a Region of global excellence.

20.2.2 Empowered Committee in its 1st meeting held on 04.04.07 decided to constitute a 'Committee of Transport Secretaries/Commissioners (CoTS)' of U.P., Haryana, Rajasthan & Delhi under the Chairmanship of Member Secretary, NCR Planning Board which will look into all aspects of inter-state movement of vehicles and also deliberate on a common format for multi-lateral agreements for all the constituents of NCR which could be signed by the constituent States to facilitate seamless movement of traffic in NCR.

20.2.3 In the interest of facilitating development of an effective transport system and seamless movement of traffic in National Capital Region (NCR) comprising NCT Delhi and parts of adjoining States to Delhi i.e. Rajasthan, U.P. & Haryana as defined in the Para 2.1 of Regional Plan-2021, there is dire need for unrestricted and seamless movement of interstate traffic in the National Capital Region i.e. among these States under a reciprocal common agreement.

20.2.4 Subsequently, two Reciprocal Common Transport Agreements (RCTAs) were signed amongst the Government of Haryana, NCT Delhi, Rajasthan and Uttar Pradesh as under:

A. Agreement for 'Contract Carriage'

20.2.5 The Agreement for 'Contract Carriage' was signed on 14.10.08, according to which, all the Contract Carriage vehicles using clean fuel (CNG), confirming to prevailing Euro norms in NCR, and registered in NCR, would be allowed to move unrestricted.

Para 5 (ii), General of this agreement mentioned that *"this agreement shall be valid for next ten years or till such time a new Agreement is signed among the constituent States whichever is earlier. The Agreement can be reviewed after five years, if need arises. While other peripheral issues can be sorted out in the*

annual meeting of the Group, a re-notification for the changes within the framework of the Agreement can then be done on annual basis”.

20.2.6 As per the provisions in Para 5 (ii) of Agreement, the Agreement for ‘Contract Carriage’ is valid for next ten years (i.e. upto 13.10.18) or till such time new agreement is signed among the constituent states whichever is earlier. Requests in this regard were made to NCR participating states vide D.O. letter of even number dated 05.10.18 for agreeing to extend the validity period of the prevailing agreement for another ten years. In response vide letters dated 14.9.18, 11.10.18, 12.10.18 from Govt. of Rajasthan, Govt. of Delhi and thereafter Govt. of Haryana and Rajasthan conveyed their agreement for extension till a new agreement is made. Accordingly, a request letter dated 12.10.18 was sent by Chairman, CoTS to all the NCR participating States for the extension of validity of RCTA (Contract Carriage) for further six months beyond 13.10.18, pending signing of new RCTA (Contract Carriage).

20.2.7 Subsequently similar order was issued on 16.10.18 wherein to avoid inconvenience to general public using mode of public transport having NCR permits, it was directed that the terms and conditions of agreement dated 14.10.08 be abided for another six months beyond 13.10.18 (i.e. till 13.4.2019) and status quo be maintained till further order . As the new RCTA (Contract Carriage) was still to be finalised and NCR States had sought for time to get necessary approvals and subsequent notifications as mandated by law, it was decided during the CoTS meeting held on 08.03.19, that, in order to avoid inconvenience to general public using mode of public transport having NCR permits, an order may be issued directing NCR States that the terms and conditions of agreement dated 14.10.08 be abided for another six months beyond 13.04.19 and status quo be maintained till further order. Accordingly, another order was issued on 08.03.19 to extend the agreement dated 14.10.18 for six months beyond 13.04.19 and to maintain status quo till further orders.

20.2.8 The last COTS meeting on the matter was held on 05.08.19 and draft RCTA was circulated to NCR States for comments, if any, along with the Minutes of the Meeting circulated on 06.08.19. No comments have been received so far.

Proposal:

Matter placed for information of the Board

B. Agreement for 'Stage Carriage'

20.2.9 The Agreement for 'Stage Carriage' granting permissions for Stage Carriage vehicles plying on CNG (originating/ terminating within NCR) was signed on 22.04.2010. These agreements have also been notified by all the constituent States of NCR. It was also agreed that all the constituent States and other Stakeholders will endeavor to expedite the availability of CNG in NCR.

20.2.10 The Stage Carriage, Agreement in its para 5 (ii), General mentioned that *"this agreement shall be valid for next ten years or till such time a new Agreement is signed among the constituent States whichever is earlier. The Agreement can be reviewed after five years, if need arises. While other peripheral issues including running of feeder buses for mass transport system, etc. can be sorted out in the meeting of the participating States as and when required. A re-notification for the changes within the framework of the Agreement can then be done accordingly"*.

20.2.11 With regard to the Agreement for 'Stage Carriage', which was signed on 22.04.2010, further decision on extension / amendment will be required till 22.04.2020.

20.2.12 NCRPB is following up on the status of implementation of Reciprocal Common Transport Agreements among Government of Haryana, NCT-Delhi, Rajasthan and Uttar Pradesh for 'Contract Carriage' and 'Stage Carriage' with the NCR Participating States.

Proposal:

Matter is placed before the Board for information.

AGENDA ITEM NO. 20.3: ANY OTHER ITEM WITH THE PERMISSION OF THE CHAIR

AGENDA NOTES

- Addendum to Agenda Item No.5.1
- Agenda Item No.18

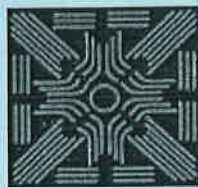
FOR

38th Meeting of the Board

13.09.19 at 3:30 P.M.

Venue:

**Hall No. 1, Ground Floor, VigyanBhavan,
Maulana Azad Road, New Delhi.**



**National Capital Region Planning Board
Ministry of Housing & Urban Affairs
New Delhi**

Addendum to Agenda Item No. 5.1

5.1 Draft SRP-2021 for Haryana Sub-Region: for newly added areas

5.1.6 The Modified Sub Regional Plan (SRP) -2021 for extended area of Haryana, (Annexure 5/II) was submitted by Govt. of Haryana on 04.09.19. The same has been examined in NCRPB and is placed alongwith observations, (Annexure 5/III), for consideration of the Board.

Proposal

- **Draft Sub Regional Plan 2021 for newly added areas of Haryana (Annexure 5/II alongwith the observations and suggestions at Annexure 5/III are placed before the Board for consideration.**
- **Board may also consider extension of time for reimbursement of SRP preparation expenses, till September end 2019 for Haryana**

AGENDA ITEM NO. 18: DELINEATION OF NATIONAL CAPITAL REGION

- 18.1 The Regional Plan-2001 was notified in the year 1989 for the then area of NCR (30,242 sq. km.) as per Schedule II of the NCRPB Act, 1985. Subsequently, certain more areas were included in NCR and the Regional Plan-2021 was notified in 2005 for the new area i.e. 34,144 sq. km. Further, three more districts, namely, Mahendragarh&Bhiwani of State of Haryana and Bharatpur of State of Rajasthan were included in NCR in 2013. Thereafter, while considering and approving the proposal for inclusion of Jind, Karnal&Muzaffarnagar districts in NCR, the matter for study also came up in the 35th Board meeting held on 09.06.2015. Chairman had then stated that there is a school of thought, *which emphasizes linear development along transport corridors such as National Highways, State Highways, Rail Corridors etc. Such corridor centric development is conducive to protect good agricultural land, since it involves minimum fresh land acquisition which implies that farmers may not get affected. He suggested that instead of including a complete district in NCR, such linear areas around transport corridors could be considered. States can develop rest of the district as per their policies. He added that more industries, institutions, infrastructure facilities etc. could be provided within limited resources in such corridors. He further added that a Committee under the chairmanship of Member Secretary, NCRPB could look into this.* Accordingly, the Board decided that a Committee under the Chairmanship of Member Secretary, NCRPB be constituted for undertaking a Delineation Study for NCR.
- 18.2 The Committee constituted for undertaking a Delineation Study for NCR under the Chairmanship of Member Secretary, NCRPB had its first two meetings on 08.09.15 and 29.10.15. During the meetings, it emerged that considering the huge geographical area of NCR (which has been increased from 30,242 sq. km. to 55,084 sq. km.), there is a need to deliberate on well-defined parameters through a detailed Study for inclusion of further area in NCR. It was also opined that the Study could recommend both inclusion as well as exclusion of areas in/ from NCR. The Committee, after detailed deliberation, *inter-alia* recommended the following in its 2nd meeting:

- *Considering the already huge geographical area of NCR, for any new proposal for addition of any area in NCR, a Delineation Study be undertaken considering the future development proposal of that particular area. The broad principles/ criteria/ parameters, as per the Minutes of the first Meeting of the Committee held on 08.09.2015, be considered as a starting point in undertaking the Delineation Study.*
- *The recommendations of the Committee be placed before the Board, before undertaking any such Delineation Study. With respect to the aspect of exclusion of certain areas from NCR, the matter be also placed before the Board, so that the Board may take a view to authorize to examine the exclusion of certain areas from NCR based on the outcomes/recommendations of the aforesaid Delineation Study.*
- *Once the Delineation Study is undertaken, a view may be taken by the Board with respect to the new proposal (s) w.r.t. addition or exclusion of any area in/from NCR.*

18.3 The matter was deliberated by the Board in 37th meeting held on 04.12.17, wherein it was noted that the comments from Govt. of U.P were awaited and accordingly the Board directed the Govt. of UP to provide views/comments expeditiously. Thereafter the Committee, formed for this purpose, was to examine the views/comments and submit its recommendations to the Board.

18.4 Govt. of U.P vide letter dated 03.04.18, submitted a proposal recommending inclusion of five new districts, namely, Saharanpur, Bijnor, Aligarh, Mathura, and Shamli in NCR. It is mentioned that out of these Shamli district has already been included in NCR vide Notification dated 16.04.18 in accordance with the decision taken by Board in its 37th meeting.

18.5 The comments from Govt. of U.P were received on 04.09.18 and accordingly, the 3rd meeting of the Committee constituted for undertaking a Delineation Study for NCR, was held thereafter on 10.10.18. The views/comments of the NCR participating States and recommendations of 3rd meeting are as summarised at **Annexure 18/I**.

18.6 The recommendation of the Review Reports on RP 2021 review, has also cited that Increasing the extent of area of Regional Plan on the demand of participating states without carrying out delineation study will not be advisable because the area of NCR is almost doubled compared to the Regional Plan of NCR prepared by TCPO and this may result into:

- There will be thin spread of limited resources;
- This may occur in sparse development;
- Provision of infrastructure in integrated manner will be costly affair;
- Delhi the capital of country and mother city may lose its primacy; and
- It would be administratively and financially difficult to sustain / deal with growth and development of such huge area.

18.7 Further, density issues are also raised by NCR participating states in cities and towns of NCR. Accordingly, the 4th meeting of the Committee constituted for undertaking a Delineation Study for NCR, was held on 15.07.19 wherein it was decided that, the committee with the help of its expert members may delineate the NCR considering the discussed parameters (extract of decision of the 4th meeting is as placed at **Annexure-18/II**).

18.8 It also emerged that all requests regarding further additions to already existing parts of NCR, should be assessed during Review and revision of the Regional Plan after every five years from the date of coming into operation of the finally prepared Regional Plan as per Section 15 of NCRPB Act.

18.9 With regards to exercise on NCR delineation based on recommendations of the 4th meeting of Committee constituted for undertaking a Delineation Study for NCR, following parameters were given importance. Considering Tehsil as smallest unit, the contiguous area with Delhi as centre upto 100 km, plus tehsils which are more than 25% within the 100km range, shall be part of NCR. Further, considering the linear development along transport corridors such as National Highways, State Highways, Rail Corridors etc, a minimum 1km on either side of such corridors upto the distance of closest town falling on the corridor or 200km, whichever is earlier, can be considered as part of NCR. The urbanisable areas of such urban centres has been considered part of NCR. Villages completely or at least 25% of which are falling within 1km either side of corridor could be

considered part of NCR, although the identification and delineation of exact villages and its boundaries to be included along the corridor, could be taken by respective states once the broader delineate area is considered by the Board. Parameters such as contiguity, proximity to CNCR, population density and rate of urbanization and inputs through night light images of NIC etc. were considered for delineation.

18.10 The recommendations of Committee constituted for Delineation of NCR was also placed before the 67th Planning Committee which agreed and suggested that the Report alongwith resulting Delineated area be placed before the Board for consideration.

18.11 While the experts could not undertake the work as envisaged by the Committee, an in-house exercise was undertaken by NCRPB secretariat, based on the suggested parameters and a Draft Report on Delineation of NCR was prepared. The Draft report on the Delineated NCR, could not be placed again before the Committees due to paucity of time, and as concerned State departments from Haryana and Rajasthan were busy finalising the respective SRP for new areas, however, the draft report is as per the parameters agreed upon and frozen in the Delineation Sub-committee meeting on 15.07.19 and later on in the 67th Planning Committee on 15.07.19.

18.12 Accordingly, the draft report and the resulting area considering the parameters, is as placed at **Annexure 18/III**. The corridor centric development is conducive to protect good agricultural land, since it involves minimum fresh land acquisition which implies that farmers may not get affected.

18.13 The report presents two options of NCR Delineation. Option-I has considered the main corridors emanating from NCT Delhi and covers 30 districts and 58 tehsils. However, as per this option, 6 tehsils of Haryana, 8 tehsils of Alwar and entire Bharatpur District are getting excluded. The approximate area of the re-delineated NCR as per Option-I is about 35,000 sq. km. As this option was leading to exclusion of many tehsils currently part of NCR, the concept of TOD along the corridors was further elaborated and Option II prepared. Option-II

covers 37 districts and 116 tehsils and only Bansur tehsil of Alwar districts is getting excluded. The approximate area of the re-delineated NCR as per Option-II is about 45,500 sq. km.

18.14 It is imperative to mention here that as per the policy of the notified Regional Plan-2021 Highway Corridor Zone (HCZ) was proposed to be developed in order to control the large scale urban development along the important highways in the region, outside the controlled / development / regulated areas, to regulate the zone. Also, green buffer of 100m, 60m, 30m was proposed along the transport networks (expressways, national highways, state highways & railways, respectively) from the either side of ROW. If the TOD policy of MoHUA, Govt. of India is to be followed for undertaking the development along the transport corridors, amendments need to be carried out in the notified Regional Plan-2021, else, the proposal of TOD may be considered for addition in the next Regional Plan.

18.15 It is also proposed that once NCR is finally delineated, all requests regarding further additions to the thus finalized NCR, should be addressed only during the Review and revision of the Regional Plan which is to be carried out only after every five years from the date of coming into operation of the finally prepared Regional Plan as per Section 15 of NCRPB Act.

Proposal:

- **Recommendations of the Committee constituted for undertaking a Delineation Study for NCR as above are placed before the Board for consideration and kind guidance.**

Minutes of the Meeting
38th Meeting of the NCR Planning Board held on 13.09.2019

The 38th Meeting of the NCR Planning Board was held on 13.09.2019 at 3:30 PM in Hall No. 1, Ground Floor, Vigyan Bhavan, New Delhi under the chairmanship of Shri Hardeep Singh Puri, Hon'ble Minister of State (Independent Charge), Housing & Urban Affairs and Chairman, NCRPB. List of participants is at **Annexure-I**.

Member Secretary, NCR Planning Board welcomed the Chairman, NCR Planning Board, Members of the Board and officers from Central Ministries and participating State Governments. She stated that the NCR Planning Board was established in 1985 through an Act of Parliament after resolutions were passed in the Legislatures of participating States, with an objective to facilitate harmonious development and balanced growth in the region. She further added that the NCR poses huge challenges in planning and development owing to its vast area, multi-State region, rapid pace of urbanization, unprecedented population pressure, environmental degradation, scarcity of water etc. and that NCRPB is committed to devise policy directives and resolve the issues in close coordination with the State Governments, in this direction. She stated that the agenda for the 38th Board meeting broadly included addendum to the Regional Plan 2021, Sub regional Plans for newly added areas of Haryana and Rajasthan Sub regions for consideration of the Board along with release of Functional Plan on Micro & Household Enterprises, amongst others.

The speeches of Hon'ble Chief Minister of Haryana and Hon'ble Minister of Khadi & Village Industries, Uttar Pradesh representing Chief Minister of Uttar Pradesh were circulated in the meeting and copy is at **Annexure-II & III** respectively.

The Agenda Items were taken up for discussion thereafter, as below:-

AGENDA ITEM NO. 1: CONFIRMATION OF THE MINUTES OF 37TH MEETING OF THE BOARD HELD ON 04.12.2017

The Board was apprised that Government of Haryana has certain views on the Minutes of the 37th Meeting of the NCR Planning Board and had requested vide its letter dated 01.03.18 that modifications suggested by them may be included so that views of the State are recorded.

Chairman agreed and accordingly Addendum to the Minutes as proposed in the Agenda (at **Annexure-IV**) covering the suggestions of Haryana in its entirety was approved.

[Action: NCRPB]

AGENDA ITEM NO. 2: ACTION TAKEN ON THE DECISIONS TAKEN IN 37TH MEETING OF THE NCR PLANNING BOARD HELD ON 04.12.17

Action taken/status contained in the agenda notes was noted.

AGENDA ITEM NO. 3: MATTERS RAISED BY HON'BLE CHIEF MINISTER, HARYANA IN HIS LETTER DATED 30.08.18

Exclusion of 'agriculture' from permissible activities in NCZ: Information/status contained in the agenda item was noted.



- The Board approved that 'Agriculture' continues to remain as part of permissible activities in NCZ as per notified RP 2021.

Harmonizing NCZ zoning regulation with eco- friendly state policies

Information/status contained in the agenda item was noted. Secretary, HUA clarified that while 'agriculture' was permitted in NCZ, activities allowed in normal agriculture areas can not be allowed for agriculture area falling in NCZ, as it shall be against the spirit of conservation. Secretary, MoHUA further clarified that only minimal activities are permissible in NCZ area and that too only to the extent of 0.5%. In this area only general amenities like tourist facility centre, toilets, rest centres, etc., may be permitted. Secretary, MoHUA further clarified that if the low heights is allowed, as it is allowed in the farm houses, then the whole NCZ area will be converted into farm houses. As such, in view of the sanctity of NCZ, such activities, which are allowed in the normal agricultural areas, cannot be permitted in NCZ area. Secretary, MoHUA further clarified that NCZ area is spread over hundreds of acres and even 0.5% will be a huge area, which is enough for taking care of tourist facilities and other general amenities, like toilets, rest rooms, etc. So the 0.5 % stipulation is sufficient to take care of requirements.

- Board decided that no changes are required in the permissible activities of NCZ as per RP-2021.

Approval regarding Creation of Additional Posts for strengthening of NCR Cell, Haryana: Information contained in the agenda item was noted. Board agreed that currently no additional posts are required.

AGENDA ITEM NO. 4: CONSIDERATION OF REGIONAL PLAN 2021 FOR ADDITIONAL AREAS OF NCR

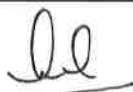
Information contained in the agenda item was considered and noted. Matters regarding Aravali, NCZ and Forests were discussed at length and it was decided that these would be recorded in relevant Agenda Items.

- The Board provided post facto concurrence regarding inviting 'objections and suggestion' on draft Addendum to the Regional Plan 2021 for additional areas of NCR.
- The Board further gave its concurrence and approved the Addendum to RP 2021 for publication and notification under Section 13, of NCRPB Act 1985.

[Action: NCRPB]

AGENDA ITEM NO. 5: CONSIDERATION OF SUB-REGIONAL PLAN-2021 FOR NEWLY ADDED AREAS

Agenda Item No. 5.1: Draft SRP-2021 for Haryana Sub-Region for newly added areas —



The Board noted that the revised SRP for Haryana was received on 4.9.2019 and examined by NCRPB. The draft SRP needs to be considered along with the observations as mentioned at Annexure-5/III of the Agenda Notes.

- i. *The issues of NCZ and Aravali were extensively discussed. Govt. of Haryana was of the view that 1992 Notification was for only Gurgaon and Alwar districts, that it should not be extended to the entire NCR, that RP-2021 has not defined Aravalli anywhere and that instead of 'Aravali' the expression 'Hill' should be used and that ground conditions are different in many places from revenue records. Secretary, MoHUA reiterated that RP-2021 had stipulated in 2005 with the consensus of all the participating states and after due process in para 17.4.3 .NCZ areas have been demarcated in RP-2021 and these areas had to be further detailed out in the SRPs/ Master/ Development Plans by States. He pointed out that RP-2021 stipulates that restrictions of certain activities in "specified areas" of Aravali be extended to Aravali range in NCR. These specified areas of Aravali as per MoEF&CC 1992 Notification have been brought out clearly in para 14.2 (ix) (ii) and it cannot be undone at this stage and for similar reasons the word 'Hills' cannot be used in place of 'Aravalis'. He reiterated that as per decision of 36th Board meeting the then Secretary MoHUA had held two meetings on 16.8.2016 and 16.09.2016 with States and it was decided in the meetings that the component of NCZ, including 'Forest' 'Aravalli' and 'ground water recharging areas' are to be governed by various Statutes/rules/Notifications of MoEF&CC and other Central Govt. /Ministries/Departments and Orders of Supreme Court and High Courts issued from time to time. It was also agreed that 'Specified areas' in the MoEF&CC Notification dt. 07.05.1992 are to be included while identifying/ delineating 'Aravali' in entire NCR. During the Board meeting, it was repeatedly stressed that if there is difference in revenue records and ground conditions, States should do ground truthing and own responsibility for ground status and for existence/ non-existence of Aravali and NCZ in their areas. It was pointed out that the RP-2021 itself states (in NCR proposed Land Use 2021 Map No. 17.2) that the boundaries of these Conservation Zones are tentative and shall be in accordance with the Sub-regional Plans/ Master Plans/ Development Plans/ Notifications of MoEF&CC etc.*
- ii. *The request of Haryana to use ' hill' in place of 'Aravali' and any change from the previous decision of the Board was not agreed and Haryana was requested to do the ground truthing and send its reports for consideration with their comments. Accordingly, it was decided that Haryana will finish its ground truthing and bring before a Committee to be chaired by Secretary, MoHUA in three weeks. This Committee shall examine the matter and SRP shall be amended accordingly.*
- iii. *With regards to the issue raised by representatives from Haryana regarding Green Areas/ Forest, Member Secretary, NCRPB clarified that there is no such term as 'Green Area/ Green Cover' in the landuse category provided in notified RP-2021. Further, Rajasthan Sub regional Plan has used the term 'Forest' in conformity with the RP-2021. Secretary, UDM clarified that Supreme Court has decided the definition of forest and MOEF is going by that definition. Haryana has to inform the actual forest areas based on ground truthing. Hence, the term 'Green Area/ Green Cover' cannot be used to replace 'Forest' in the SRP. Haryana can do ground truthing of NRSC forest*



data and clarify what is forest and what is not, by December, 2019. It was also recalled that Haryana had assured to preserve the Bani in previous meeting.

Jt. Secretary, MoEF&CC drew the attention of Govt. of Haryana to the Supreme Court directions in the matter of T.N. Godavarman Thirumulkpad of 12.12.1996. Board stressed the need for identification of Forest by the States and that the same be apprised accordingly. Jt. Secretary, MoEF&CC elaborated that as per the judgement of Supreme Court (T.N. Godavarman Thirumulkpad of 12.12.1996), Forest has been categorized into three types i.e. (i) 'Notified Forest' (protected forest & reserve forest) as indicated in maps of Forest Department which has clear boundaries, (ii) 'Forest' as per revenue records (jungle-jhadi) and (iii) 'Forest' as per dictionary meaning, with regard to which, the *decision regarding criteria, and then identification is to be done by a State Level Committee, formed for the purpose.* He also shared a copy of the judgement which is at **Annexure-V**.

Accordingly, following were decided:-

- **Sub regional Plan was considered as per Section 19(2) of the NCRPB Act, 1985 subject to detailed NCZ delineation by Haryana and compliance of observations with respect of Karnal and Kaithal (Annexure-5/III of Agenda). Govt. of Haryana after due consideration of the observations will finalize and publish the SRP 2021 for newly added areas accordingly. Delineation of NCZ will be done by Haryana by December 2019 and the SRP will stand amended accordingly.**

[Action: Government of Haryana]

- **Board agreed to the extension of time for reimbursement of SRP preparation expenses till September 2019 for Haryana.**

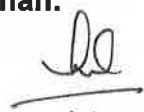
Agenda Item No. 5.2: Consideration of Draft Sub - Regional Plan for Extended Rajasthan Sub-Region of NCR-2021

Member Secretary, NCRPB apprised the Board regarding the efforts made by Government of Rajasthan in expeditious preparation of SRP 2021 by Rajasthan. Chairman appreciated the efforts made by Govt. of Rajasthan regarding preparation of SRP 2021 for the newly added district of Bharatpur. Following was decided:-

- **Draft Sub Regional Plan 2021 for newly added areas of Rajasthan Sub region prepared by Government of Rajasthan, was considered by the Board, as per Section 19(2) of the NCRPB Act, 1985. Govt. of Rajasthan will publish the SRP 2021 for newly added areas accordingly.**

[Action: Government of Rajasthan]

- **Board agreed to the extension of time for reimbursement of SRP preparation expenses till August 2019 for Rajasthan.**



Agenda Item No. 5.3: Status of Sub-Regional Plan-2021 for Uttar Pradesh Sub Region for Newly Added Areas

- Board noted the assurance from Govt. of UP that the SRP for newly added districts in U.P. Sub region will be prepared and submitted by Govt. of Uttar Pradesh within 4 months.

[Action: Government of Uttar Pradesh]

AGENDA ITEM NO. 6: STATUS OF SUB-REGIONAL PLAN-2021 FOR DELHI

VC, DDA informed that the work on SRP 2021 Delhi has been initiated and will be completed by December 2019.

[Action: GNCT Delhi/DDA]

- Chairman stated that all States (Delhi and Uttar Pradesh) are encouraged to submit their pending SRPs with the horizon 2021 within next 3 months by December, 2019.

[Action: NCR Participating States]

AGENDA ITEM NO. 7: POPULATION DENSITY OF MASTER PLANS/ DEVELOPMENT PLANS & DENSITY NORMS OF RP-2021 AND NOTICES ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985 IN THE MATTER to HARYANA, UTTAR PRADESH AND RAJASTHAN

Information contained in the agenda item was noted. The Board was apprised that Notices were issued in 2016 as density given in Master/Development Plans of States were low despite Regional Plan suggesting high density.

Minister of Urban Development, GNCT of Delhi stated that the towns of NCR should have higher density norms even for smaller towns and no new areas should be acquired until the proposed density norms are achieved in the notified areas. This shall help in saving the agriculture land.

CM, Haryana added that Govt. of Haryana had not acquired any new land since 2014 and was making all efforts to achieve high density in its towns.

Chairman stated that despite increasing population of the country, the land area remains the same, hence, the densities should reflect the same. He suggested that NCRPB's overall objective needs to be reviewed as now the perspective should be on activities to be undertaken for the urban India as it is expected that about 600 million citizens of the country shall be residing in towns & cities by 2030. Secretary, HUA stated that as the density norms indicated in the RP-2021 are suggestive, uniform density may not be achievable in different cities of the NCR.

Chairman directed that NCRPB may look into the matter and a forward looking agenda be put in place before holding the next Board meeting. He suggested that informal brain storming sessions need to be organized with Chief Ministers and concerned Ministers of the NCR participating States so that a clear agenda is in place for the future meetings of the Board. NCRPB should therefore start thinking



towards policies & recommendations of Regional Plan 2041 and accordingly have brain storming with Urban & Regional Experts on the matter.

Chairman advised that for density notices already issued, a way out be found by NCRPB wherein States may give appropriate replies keeping in view the Court directions, and stating their efforts / steps taken / being taken, to achieve the density norms suggested in Regional Plan. Accordingly, a graded response with interim milestones at 2021 may also be needed to be given by the States.

Accordingly, Board decided the following:-

- **NCRPB may hold consultation and prepare a forward looking agenda for Regional Plan 2041.**
- **NCRPB may also work closely with States to resolve issues related to the Notices regarding population density.**

[Action: NCR Participating States/NCRPB]

AGENDA ITEM NO. 8: OTHER NOTICES ISSUED: NOTICE ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985 FOR NON-CONFORMITY OF ZONING REGULATIONS OF UP SRP-2021

Information contained in the agenda item was noted. Member Secretary, NCRPB apprised the Board regarding the variations in Zoning Regulations of UP SRP 2021 and RP 2021. Secretary, HUA added that the notice on the matter was issued to U.P. in compliance to the directions of Hon'ble Allahabad High Court. Additional Commissioner, NCR Cell, UP stated that the reply of the contempt had been filed in the Court and the order/decision is reserved.

- **The Board discussed the option of dropping the Notice subject to decision of Court on the matter. However, after deliberations, the Board directed that the concerned officers from Govt. of U.P. to have a meeting with NCRPB so that the matter can be resolved at the earliest.**

[Action: Government of Uttar Pradesh/NCRPB]

AGENDA ITEM NO. 9: DELINEATION AND GROUND TRUTHING OF NATURAL CONSERVATION ZONE (NCZ) AND NOTICES ISSUED UNDER SECTION 29(2) OF NCRPB ACT, 1985 REGARDING NCZ FOR GNCT OF DELHI, GOVTS. OF HARYANA, RAJASTHAN AND UTTAR PRADESH

Information/status as contained in the respective sub agenda items was noted. RP-2021 is binding on the NCR participating States as per Sections 27 and 29(1) of the NCRPB Act and they need to comply with its policies & proposals and take necessary action accordingly.

- i. As regards NCZ status for Delhi Sub region, as SRP 2021 for Delhi was expected within 3 months as stated by VC, DDA, it is expected that it will be with the necessary NCZ delineation details.
- ii. As regards NCZ status for Rajasthan Sub region, Principal Secretary, Urban Development & Housing, Govt. of Rajasthan mentioned that the Ground Truthing work had already been initiated for the Alwar district and the SRP shall be updated with respect to NCZ delineation within 3 months.



iii. As regards NCZ status for UP Sub region, Minister of Khadi & Village Industries, Uttar Pradesh mentioned that the waterbodies mentioned in their SRP were inclusive of the ground water recharge areas as well. Further, as it was stated that wasteland is not part of NCZ definition in SRP UP, the same has not been mentioned exclusively. It was further informed that the landuse demarcations in the Sub regional Plan are based on GIS.

- Accordingly, on the request of the Minister of Khadi & Village Industries, Uttar Pradesh, the figures of NCZ area given in SRP for UP, were considered and accepted by the Board.
- With respect to Haryana, after detailed deliberations as in Agenda Item 5.1 above, the Board decided that Committee be formed under Secretary, HUA which will examine issues of NCZ Haryana within 3 weeks. Chairman reiterated that as had been instructed earlier as well, the Government of Haryana had to carry out the ground truthing of the NCZ with their revenue records and accordingly finalize the NCZ areas. In this respect, Government of Haryana may convene its State Level Committee meeting at the earliest and place the SLC report before the Committee to be chaired by Secretary, HUA for further examination.

[Action: Government of Haryana/NCRPB/MoHUA]

AGENDA ITEM NO. 9.5: OTHER NCZ RELATED ISSUES

Information contained in the agenda item was noted. The recommendations of the meeting held on 18.12.18 under the Chairmanship of Secretary, MoHUA, Govt. of India were considered and approved. Accordingly, Board decided that **DRRP will not be published as the perspective year 2021 was fast approaching.**

[Action: NCRPB]

AGENDA ITEM NO. 10: MATTER RELATED TO YEIDA

The Matter was deferred.

AGENDA ITEM NO.11: MATTER RELATED TO COUNTER MAGNET AREAS OF NATIONAL CAPITAL REGION

Information contained in the agenda item was noted. After deliberations, the Board decided the following:-

- The proposal of Govt. of Punjab for selection of Patiala-Rajpura Corridor as CMA is considered and approved.

[Action: Government of Punjab]

- Plan of Action be prepared for all the CMAs for effective development of the areas.

[Action: State Governments of respective CMAs]



During deliberations, Chief Minister, Haryana mentioned that the existing airport at Hisar which is a Counter Magnet Area of NCR, is functional and State would need an assistance of about Rs. 700 Cr. for its development. It was assured NCRPB shall examine the proposal on priority when received. He further requested that Ministry of Railways should be requested to upgrade the rail link connecting Hisar with Delhi as a fast track. Minister, Urban Development, GNCT Delhi further suggested that all rail links in the NCR henceforth should be fast track only. Chairman appreciated the suggestion of Govt. of Delhi and agreed.

- **NCRPB to take up the matter regarding fast track rail lines/links in NCR and those linking its CMAs with concerned agencies/departments.**

[Action: NCRPB/MoHUA/Ministry of Railways/DMRC/NCRTC/HRIDC]

Matter regarding Dehradun-Haridwar corridor was deferred as there was no participation from Govt. of Uttarakhand.

AGENDA ITEM NO. 12: PREPARATION OF REGIONAL PLAN 2041

Agenda Item No. 12.1: Status of Review of NCR Regional Plan-2021

Information contained in the agenda item was noted and efforts of NCRPB were appreciated by the Board.

- **The Board considered the Final Review Reports of the Study Groups regarding RP-2021 and approved the same to be one of the inputs for RP-2041.**

[Action: NCRPB]

Agenda Item No. 12.2: Population Projections for National Capital Region for Regional Plan 2041

Information contained in the agenda item was noted.

- **The recommendations of the Report on Population Projections for NCR 2041 were approved and it was decided that the projections of the population report will be considered as one of the inputs for RP-2041 preparation.**

[Action: NCRPB]

Agenda Item No. 12.4: Proposal of NRSC on 'Creation of Existing Landuse Databases for National Capital Region for Preparation of Regional Plan-2041 (RP-2041)

Information contained in the agenda item was noted. The Board was apprised that as per the NCRPB Act, 1985, the RP should have a policy in relation to landuse and the allocation of land for different uses. Further, as per Section 10 of NCRPB Act 1985, the Regional Plan shall be a written statement and shall be accompanied by such maps, diagrams, illustrations and descriptive matters as the Board may deem appropriate for the purpose of explaining the proposals contained in the Regional



Plan. Accordingly, NRSC was requested by NCRPB for a proposal regarding updation of existing landuse GIS database for NCR at the scale of 1:50,000 as undertaken earlier and creation of regional landuse at 1:10,000 scale. NRSC submitted the proposal giving a project cost of Rs. 43.26 Cr. (excluding taxes) and a time period of 40 months. Matter was again pursued with NRSC and it emerged that even if only 1:50,000 scale updation work is entrusted to NRSC, the cost will be around Rs. 4 Cr. but the time frame for the reports shall still be minimum 19.5 to 20 months. The current RP-2021 was effective till September 2021 and the new RP-2041 was accordingly required to be duly notified prior to September 2021.

Secretary, HUA stated NCRPB has not been doing the correct thing and informed that mapping at the scale of 1:10,000 should be taken up by the States at their Sub Regional Plan level. For the purpose of Regional Plan, only the broad policies & recommendations thereof, need to be framed. Representatives from the States were also of the opinion that as the detailing of landuses is to be done by the States, so the landuse map preparation may be left to them. Minister for Urban Development & Housing, Rajasthan stated that ground truthing is not done by NRSC/NCRPB and hence this should be done at the State level only. Chief Minister, Haryana added that having two maps will only add to confusion and hence, map should be prepared/done only by the States. UP also supported the views of Haryana.

Board approved the proposal that:

- **Regional Plan need not have satellite imagery based maps with tentative details. It may have schematic maps presenting the broad policies and proposals.**
- **Detailing of the maps at the scale of 1:10,000 and below along with ground truthing and detailed planning may be left to the States through their Sub regional Plans and Master Plans.**

[Action: NCRPB & NRSC]

Agenda Item No. 12.5: Status of Data Collection for Regional Plan-2041 (RP-2041) Works

Information contained in the agenda item was noted and States were directed to take necessary action as suggested in the Agenda.

[Action: NCR Participating States]

AGENDA ITEM NO. 18: DELINEATION OF NATIONAL CAPITAL REGION

Information contained in the agenda item was noted.

- **Action taken by the Committee constituted for Delineation of NCR was appreciated by the Board and first useful discussion was held on the same. Chairman suggested that a workshop be organised inviting experts and stakeholders to discuss the Options suggested in the report. The status be thereafter placed in the next Board meeting.**

[Action: NCRPB and NCR Participating States]



AGENDA ITEM NO. 19: APPROVAL OF ITEMS RELATING TO STATUTORY PROVISIONS

Agenda Item No. 19.1.1: Annual Report and Audited Annual Accounts for the Financial Year 2017-18

- *The Board noted the status and ratified the action taken by the Board's secretariat for submission of Annual Report and Audited Annual Accounts for the Financial Year 2017-18 to both the houses of Parliament.*

Agenda Item No. 19.1.2: Annual Report and Annual Accounts for the Financial Year 2018-19

- *The Board noted the status and approved the Annual Report of the Board for the Financial Year 2018-19.*

Agenda Item No.19.2: Annual Statement of Outstanding Loans and Advances Disbursed by the Board during the year 2017-18 as per Rule 47 (1) of NCRPB Rules, 1985

- *Information contained in the agenda item was noted.*

Agenda Item No.19.3: Annual Statement of Outstanding Loans/Advances Received by the Board during the year 2017-18 as per Rule 47(2) of NCRPB Rules, 1985

- *Information contained in the agenda item was noted.*

Agenda Item No.19.4: Approval of Revised Estimates for the Financial Year 2018-19 and Budget Estimate for Financial Year 2019-20 under "Revenue and Capital" Heads as per Rule 29 of the NCRPB Rules, 1985

- *The Board noted the status and approved the Revised Estimates for the year 2018-19 and Budget Estimates for the year 2019-20 both under Capital and Revenue heads as placed before the Board. Further, Board authorized Member Secretary, NCRPB for taking decisions regarding resource mobilization programme of NCRPB by raising Bonds, Commercial Paper and/or through borrowing from multilateral & bi-lateral aid agencies. Member Secretary, NCRPB is also authorised to take necessary decisions in respect of various approvals / formalities required to be taken in this regard.*

Agenda Item No. 19.5: Recruitment Regulations for the Post of Law Officer, Assistant Director (Finance), Asst. Director (Financial Management) and Asst. Director (Safeguards) in the NCR Planning Board

- *Matter was considered by the Board and proposals as indicated at 19.5.3 and 19.5.5 of the Agenda were approved.*

[Action: NCRPB]



AGENDA ITEM NO. 20: OTHER ITEMS

Agenda Item No. 20.1: Functional Plan on "Micro and Household Enterprises in NCR"

The Board released Functional Plan on "Micro and Household Enterprises in NCR". Chairman requested NCR participating States to benefit from the Functional Plan and take necessary steps with regard to implementation of the same.

[Action: NCR Participating States]

As the Board Meeting is being held after a long time, the list of Agenda Items was long and only the above items could be taken up. The other agenda items could not be taken up due to paucity of time. Chairman, NCRPB however, directed that the next Board meeting will be held in March, 2020. Hon'ble Minister of State (I/C), Ministry of Housing & Urban Affairs thanked all the Members, Special Invitees and Senior Officers for participating in the meeting.

The meeting ended with a vote of thanks to the Chair.

A handwritten signature in black ink, consisting of a stylized 'b' or 'd' shape followed by a horizontal line.

Chairperson	
1.	Shri Hardeep Singh Puri, Hon'ble Minister of State (Independent Charge), Housing and Urban Affairs, Govt. of India & Chairperson, NCR Planning Board
Members	
2.	Shri Manohar Lal, Hon'ble Chief Minister, Haryana
3.	Shri Shanti Dhariwal, Hon'ble Minister of Urban Development, Govt. of Rajasthan
4.	Shri Ashutosh Tandon, Hon'ble Minister of Urban Development, Govt. of U.P.
5.	Shri Siddharth Nath Singh, Hon'ble Minister of Khadi & Village Industries Board, U.P. - Representing Chief Minister, U.P.
6.	Shri Satyender Jain, Hon'ble Minister, PWD, Govt. of NCT Delhi
7.	Shri Durga Shanker Mishra, Secretary, M/o Housing and Urban Affairs, Govt. of India
8.	Shri D.K. Mishra, Director (MTP), Railway Board, Govt. of India - Representing Chairman, Railway Board
9.	Shri S. S. Nahar, Addl. Director General (HAG), M/o Road Transport and Highways, Govt. of India - Representing Secretary, MoRT&H
10.	Smt. Keshni Anand Arora, Chief Secretary, Govt. of Haryana
11.	Smt. Renu Sharma, Chief Secretary (In-charge), Govt. of NCT Delhi
12.	Shri Anand Mohan Sharan, Principal Secretary, Town and Country Planning Department, Govt. of Haryana
13.	Smt. Archana Agrawal, Member Secretary, NCR Planning Board, New Delhi
Co-opted Members	
14.	Shri A. K. Mohanty, Inspector General of Forests, MoEF&CC, Govt. of India - Representing Secretary, MoEF&CC
15.	Shri S. Surendra, Addl. Chief Planner, TCPO, Govt. of India
Other Participants	
Govt. of India	
16.	Shri K. Sanjay Murthy, Additional Secretary (D), MoHUA, Govt. of India
17.	Shri S.K. Valiathan, PS to MOS(I/C), MoHUA, Govt. of India
18.	Shri Shrawan Kumar Verma, DIG, MoEF&CC, Govt. of India
19.	Shri Jiju J.S., Technical Officer, MoEF&CC, Govt. of India
20.	Shri Rajeev Jain, ADG, MoHUA, PIB, Govt. of India

21.	Ms. Punitha S., Deputy Director (M&C), PIB, MoHUA
22.	Shri Rahul Dabas, Principal Corresponding, PIB, Govt. of India
DDA	
23.	Shri Tarun Kapoor, Vice Chairman, Delhi Development Authority, New Delhi
Govt. of NCT Delhi	
24.	Ms. Manisha Saxena, Secretary (UD), Urban Development Deptt., Govt. of NCT Delhi
25.	Shri Rajiv Yaduvanshi, Principal Secretary, PWD, Govt. of NCT Delhi
26.	Shri Sanjeev Khirwar, Principal Secretary, Environment & Forests, Govt. of NCT Delhi
27.	Shri Madhup Vyas, Link Officer to Pr. Secretary (Transport), Govt. of NCT Delhi
28.	Shri Shalabh Kumar, Member (W), Delhi Jal Board, Govt. of NCT Delhi
29.	Shri Anil Banka, Special Commissioner, Transport Deptt., Govt. of NCT Delhi
30.	Shri K.S. Meena, Dy. Commissioner, HQ Revenue Deptt., Govt. of NCT Delhi
31.	Shri P.K. Tomar, S.E. (F5), PWD, Govt. of NCT Delhi
32.	Shri Sanjeev Rastogi, OSD to PWD Minister, PWD, Govt. of NCT Delhi
Govt. of Haryana	
33.	Shri Rajesh Khullar, PS to Hon'ble CM, Haryana
34.	Shri K.MakrandPandurang, Director, Town & Country Planning Deptt., GoH
35.	Shri V. K. Goyal, Chief Coordinator Planner, NCR Cell, Haryana
36.	Shri Vijay Kumar, Deputy Town Planner, NCR Cell, Haryana
Govt. of Uttar Pradesh	
37.	Shri Anil Bajpai, Special Secretary, Urban Development Department, Govt. of U.P.
38.	Shri Prabhat Kumar Sarangi, Commissioner, NCR Cell, Uttar Pradesh
39.	Shri Dinesh Chandra Singh, Municipal Commissioner, Ghaziabad, Uttar Pradesh
40.	Shri Anoop Kumar Srivastava, Chief Town & Country Planner, Town & Country Planning Deptt., Govt. of U.P.
41.	Shri Rajesh Prakash, Addl. Commissioner, NCR Cell, Uttar Pradesh
42.	Shri Rupesh Chaudhary, PRO to the Minister of Khadi & Village Industries Board, U.P.

43.	Shri Dinesh Kumar Gupta, Director, U.P State Information Centre, New Delhi
44.	Shri S.C. Gaur, Chief Coordinator Planner, NCR Planning & Monitoring Cell, U.P.
Govt. of Rajasthan	
45.	Shri Bhaskar Atmaram Sawant, Principal Secretary, Urban Development and Housing, Govt. of Rajasthan
46.	Smt. Indira Chaudhary, Chief Town Planner (NCR), NCR Cell, Rajasthan
47.	Smt. Rinku Bansal, Senior Town Planner, NCR Cell, Rajasthan
Govt. of Punjab	
48.	Smt. Surabhi Malik, IAS, Chief Administrator, Patiala Development Authority, Punjab
NCR Planning Board	
49.	Shri Jagdish Parwani, Director (A&F)
50.	Shri J.N. Barman, Former Director (Tech.), NCRPB & Consultant (Plg.)
51.	Shri P.K. Jain, FAO
52.	Shri Abhijeet Samanta, Dy. Director (Tech.)
53.	Shri Nabil Jafri, Dy. Director (Tech.-GIS)
54.	Shri Ramesh Dev, Dy. Director (Tech.)
55.	Ms. Nilima Majhi, Dy. Director (Tech.)
56.	Shri Naresh Kumar, Asstt. Director (Tech.)
57.	Shri Satyabir Singh, Asstt. Director (Tech.)
58.	Shri Sushil Katariya, DDO/ Asstt. Director (F)
59.	Shri Shireesh Sharma, Asstt. Director (Admn.)
60.	Shri Syed Husain Asghar, Asstt. Director (FM&PMC)
61.	Shri Amit Gupta, Legal Consultant
62.	Shri Gaurav Ghosh, Legal Consultant
63.	Dr. Himadri S. Dey, Consultant
64.	Ms. Shivangi Dubey, Consultant



Speech

of

**SHRI MANOHAR LAL
CHIEF MINISTER, HARYANA**

FOR THE

38th MEETING

of

**NATIONAL CAPITAL REGION
PLANNING BOARD**

HALL NO. 1, GROUND FLOOR, VIGYAN BHAWAN,
MAULANA AZAD ROAD, NEW DELHI
SEPT. 13, 2019

Hon'ble Minister of State (Independent Charge) of the Ministry of Housing and Urban Affairs, Shri Hardeep Singh Puri Ji, Hon'ble Chief Ministers, members of the National Capital Region Planning Board and Senior officers of the Government of India and States!

I am glad to participate in 38th meeting of NCR Planning Board, constituted for the harmonious and balanced development of the National Capital Region. This meeting provides me an opportunity to inform about some significant steps taken by us since the last Board meeting held in the year 2017 for effective implementation of the Regional Plan and for faster development of the Region.

2. We have been able to make the entire length of 135 km KMP Expressway operational, which is playing an important role decongesting traffic in Delhi even as it has improved Haryana's connectivity with other parts of country. In order to harness the development potential of the economic corridor along this Western peripheral Expressway, we are constituting a dedicated statutory Authority for comprehensive urban, industrial and logistics development in the coming decades.

3. **Orbital Rail Corridor (ORC):** The Orbital Rail Corridor envisaged in the Regional Plan 2021 is now likely to see the light of day through the efforts of Haryana Rail Infrastructure Development Corporation (HRIDC). A detailed project report which estimates the total cost of the project at Rs. 4771 Crore has been prepared. The major Stakeholders in this project are Ministry of Railways, Government of Haryana, HRIDC, HSIIDC, GMDA, Maruti Suzuki India Ltd, All Cargo Ltd, etc.

This project will also give a big boost to economic activities in the corridor along the KMP Expressway from Palwal to Sonipat. It will provide direct rail connectivity for Gurugram, Faridabad, Ballabhgarh, Palwal, Manesar & Farukhnagar etc. with the rest of Haryana and Chandigarh. It will also ease pressure on the congested transport network of Delhi and in reduce pollution in Delhi.

4. Implementation of RRTS and Metro Projects: In order to provide fast and smooth connectivity between NCR Towns, we have also taken up projects of Regional Rapid Transit Systems (RRTS) and Metros in a mission mode. The proposal of RRTS between Sarai Kale Khan (SKK), New Delhi to Sahajanpur-Nimrana-Behror (SNB), having 93 km route length in Haryana out of total length of 106.5 km has already approved. Out of the estimated cost of this corridor of Rs. 37,987 crores the share of Government of Haryana will be Rs. 4,180 crores. We have made a provision of Rs. 500 crores in the budget of the current financial year for this project. The DPR of RRTS Project between Sarai Kale Khan New Delhi to Panipat is also under our active consideration.

Metro connectivity between Gurugram and Faridabad, HUDA City Centre to Cyber City, Gurugrm, Gurugram-Bawal and between Narela to Kundli are also under active consideration. The techno feasibility studies of Metro connectivity between Bahadurgarh to Sampla and Dwarka to Badsa (AIIMS-2, NCI) are also being conducted to connect more NCR areas with Metro Rail.

It may not be possible for us to implement these capital intensive projects without financial assistance of Central Government. I, therefore, request the Hon'ble Chairman to take up

the matter for full financing of these projects through Government of India.

5. Finalisation of Sub Regional Plan for extended Haryana Sub Region of NCR: The districts of Bhiwani (including Charkhi Dadri) and Mahendragarh were included in NCR in the year 2013, while Karnal and Jind were included in the year 2015. We have initiated the preparation of SRP for newly added areas without having Regional Plan for the same. Now the said SRP stands prepared and is now proposed for consideration of the Board in today's meeting. I request the Hon'ble Members to accord their consent for the same, alongwith changes proposed by the State, to enable its early publication by the State under section 19 of NCRPB Act, 1985.

6. Delineation of Natural Conservation Zone (NCZ): The Regional Plan provides for conservation of major natural features, for which it is necessary to clearly delineate the NCZ on the ground on the basis of revenue records and detailed ground truthing. The District Level Sub Committees have given their recommendations to include area of 64385 hectare under NCZ, which will be given finality by the State Level Committee shortly. Subsequently, the Geo-referenced maps will be prepared by the HARSAC and the SRP, published in May, 2014, will be modified by incorporating the same and will be sent to MoEF&CC and NCRPB as well.

Before initiating the delineation process of NCZ in the newly added areas, it is requested for early finalization of the definition of 'Forest' so as to avoid any ambiguity and consequent litigations. As far as the criterion for demarcation of 'Aravalli' is concerned,

the notification dated 07.05.1992 should be strictly followed only on the areas specified in the said notification.

7. Development of Counter Magnet Areas (CMAs): The Regional Plan provides for development of certain urban settlements with quality infrastructure, so as to enable the same to act as counter magnet to NCT Delhi. For this purpose, two CMAs namely Hisar and Ambala have been identified in the State. In one of the CMA i.e. Hisar an Airport project is being developed in PPP model. The funding requirement of project is about 700 crores and the same may be provided by Government of India and the NCRPB.

8. Loan Assistance for infrastructure Projects: We have availed loan assistance of Rs. 6221.85 crore upto June, 2019 and till date 173 projects stand completed and another 29 are going on with loan component of Rs. 889 crore thereby totaling to Rs. 7111 crore of loan component and total project cost of Rs. 15097 crore. Subsequent to approval of SRP for extended Haryana Sub Region, more infrastructure projects are likely to be submitted to NCRPB for financial assistance. I also request for expeditious approval of the projects by the NCRPB, which in any case should not be more than six months.

9. Road connectivity between Delhi and National Capital Region (NCR) towns of Haryana: Providing better connectivity in the NCR has been one of the major challenge for coordinated and balanced development of the region. In order to improve the connectivity various meetings have been held at different levels. I think we need more targeted efforts to reduce traffic congestion

and pollution in Delhi as well as NCR Region. Haryana is willing to offer all positive support in this regard.

10. Development of Rural and backward areas: I would like to have this opportunity to impress upon for development of rural as well as backward areas of NCR, instead of concentrating for development of urban areas only. The state has constituted a Haryana Rural Development Authority for development of rural areas. Given the paucity of funds we need grants-in-aid for executing projects in rural areas. Hence, financial assistance to HRDA is solicited.

District Nuh is a backward region and therefore, special efforts are required for upliftment of the same. State Government has decided to construct Mewat Feeder Canal in three phases of 100 Cusecs each, through pipeline off-taking from Gurgaon Water Supply Channel near Badli running along KMP Expressway till it reaches Gurgaon Canal. Tentative cost of this 100 cusecs pipeline off taking from RD KM 50.500 of GWS Channel to RD 75986 of Gurgaon Canal has been estimated at Rs. 433 Crore by IIT Delhi with Rs. 200 Crore for remodeling of GWS channel and, thus, total cost of the project will be Rs. 633 Crore. The above project should be considered by NCRPB for its funding being an important infrastructure for Development of backward region of the NCR.

11. Pollution: In recent past, the pollution in the NCR has gained attention of the environmentalists, professionals and civic society. In order to tackle the emergent situation, we are laying special emphasis on crop residue management. We have provided 50% subsidy to farmers to stop burning of crop remains. An

amount of Rs. 143.30 crore has been granted to farmers as subsidy with the objective of controlling the pollution in NCR area.

12. Smart City: Under the Smart City Mission launched by Ministry of Housing and Urban Affairs (MoHUA), Government of India, Faridabad and Karnal are being developed as Smart Cities.

The proposal of Faridabad Smart City Limited comprises of two components viz. Area Based Development proposals and Pan City Proposals, and an amount of Rs. 390.00 Crore has been released to Faridabad Smart City Limited. There are total 45 projects under the Faridabad Smart City Limited with total cost of Rs. 2597.14 crore. Out of 45 projects, 2 projects have been completed and 13 projects costing Rs 595.11 Crore are under execution with 7 projects of Rs. 190.86 Crore under Tendering Stage.

Similarly an amount of Rs. 110.00 Crore has been released to Karnal Smart City Limited. There are total 57 projects under the Karnal Smart City Limited with total cost of Rs. 1171.83 Crore. Out of approved 57 projects, 4 projects costing Rs. 12.50 Crore executed and 7 projects costing Rs. 20.51 Crore are being executed under convergence with other departments, whereas, 13 projects costing Rs. 348.50 Crore are under finalization.

13. Transport: The NCR agreement (Contract Carriages) among the NCR states i.e. Haryana, Uttar Pradesh, Rajasthan and NCT of Delhi was signed on 14.10.2008 which was valid for 10 years. Haryana Government has agreed to extend this Reciprocal Common Transport Agreement so that the existing agreement may continue for smooth operation of the vehicle in

the NCR region till such time a new agreement is signed. We have requested that the single tax namely Motor Vehicles Tax being levied on all categories of vehicles in the state of Haryana may be incorporated in the Reciprocal Common Transport Agreement and also that the extended area of Haryana state falling in the National Capital Region should also be reflected in the said agreement. However, the National Capital Region Planning Board in its direction issued on 08.03.2019 has further extended only the existing agreement beyond 13.04.2019 and status quo has been maintained till further orders.

In order to avoid inconvenience to general public using mode of public transport having NCR permits issued by the said states, the agreement between the constituent states i.e. Haryana, Uttar Pradesh, Rajasthan and NCT of Delhi is required to be signed immediately.

Besides above, as deliberated in the meeting of the committee of Transport Secretaries/Commissioners held on 05.08.2019, the seamless travel should be promoted in the NCR by giving tax exemption to the vehicles (motor cabs, taxis, auto rickshaws, e-rickshaws) having NCR permits issued by the states as per the current agreement signed on 14.10.2008. The number of such vehicles may be fixed to have the equal distribution of revenue amongst the concerned states.

14. Publication of Addendum to the Regional Plan-2021:

I would like to congratulate the NCRPB for coming up with the addendum for the newly added areas of NCR, which will further pave way for financing of infrastructure project in such areas and to achieve the objective of faster development of peripheral areas

of NCR as well. I would like to draw attention towards the provision of proposed conservation zones and would request it to be left for demarcation by the concerned States instead of showing it tentatively in the proposed land use maps of addendum.

15. Preparation of Regional Plan-2041 AD: I would appreciate the timely action initiated by the NCRPB for preparation of Regional Plan for the perspective year 2041 AD as the target year of present Regional Plan is going to lapse in the year 2021. The Regional Plan should cover only the broad framework. Detailed planning, zoning regulations etc. should be left to be addressed by the Development Plans of the respective States, which is their constitutional domain. The Regional Plan so prepared should be capable of tackling the challenges thrown up by the new developments in the Region.

16. At the end, I extend my warm thanks for granting me the opportunity for sharing my views on this platform. I assure this august house that Haryana will make every effort for achieving the objective of NCR and for development of NCR as a world class Capital City region.

Thanking You,

Jai Hind !

57367—T.&C.P.—H.G.P., Chd.

राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली की दिनांक 13 सितम्बर, 2019 को आयोजित 38वीं बैठक हेतु श्री सिद्धार्थनाथ सिंह जी, माननीय मन्त्री, खादी एवं ग्रामोद्योग, कपड़ा, सूक्ष्म, लघु और मध्यम उद्योग एवं एन.आर.आई. विभाग, उत्तर प्रदेश का सम्बोधन।

यह मेरे लिए अत्यन्त हर्ष का विषय है कि राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड की 38वीं बैठक में मुझे भाग लेने का सुअवसर प्राप्त हुआ है। राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली की अनुमोदित क्षेत्रीय योजना-2021 की नीतियों/प्रस्तावों के क्रियान्वयन हेतु उ0प्र0 प्रभाग की उपक्षेत्रीय योजना-2021 भी पूर्व में ही तैयार कर दी गयी थी, जिसको राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली की 33वीं बोर्ड बैठक में अनुमोदित भी कर दिया गया था। क्षेत्रीय योजना/उपक्षेत्रीय योजना-2021 के प्रस्तावों/नीतियों का क्रियान्वयन प्रदेश में भलीभाँति किया जा रहा है।

2. क्षेत्रीय योजना-2021 के अन्तर्गत दिल्ली क्षेत्र में नियन्त्रित विकास की अवधारणा के स्थान पर संतुलित विकास की अवधारणा को अंगीकृत किया गया है। ऐसी स्थिति में दिल्ली में आर्थिक क्रियाकलापों के केन्द्रीयकरण पर नियन्त्रण सुनिश्चित करने के लिए यह जरूरी है कि राष्ट्रीय राजधानी क्षेत्र में क्षेत्रीय एवं नगरीय अवस्थापना सुविधाओं का विकास तीव्र गति से किया जाए, ताकि उपक्षेत्र के प्राथमिक नगरों का आर्थिक विकास सुनिश्चित हो सके एवं इनमें सृजित होने वाले रोजगार के अवसरों के परिणामस्वरूप दिल्ली पर बढ़ता हुआ जनसंख्या का दबाव कम हो सके।

3. इस सम्बन्ध में मेरा सुझाव है कि दिल्ली से थोक व्यापार से सम्बन्धित क्रियाकलापों को अन्यत्र विस्थापित करने हेतु एक समयबद्ध प्रभावी एक्शन प्लान तैयार किया जाना चाहिए। इस योजना के अन्तर्गत कैमिकल पदार्थ, फल एवं अन्य पदार्थों के व्यवसाय को उत्तर प्रदेश उपक्षेत्र के हापुड़, बुलन्दशहर, बागपत, खुर्जा आदि नगरों में स्थानान्तरित किया जाना चाहिए।

4. क्षेत्रीय योजना-2021 में दिए गए महत्वपूर्ण प्राविधानों को साकार रूप देने के लिए सुदृढ़ क्रियान्वयन ढाँचा तैयार किया जाना परमावश्यक है। अवस्थापना सुविधाओं के क्रियान्वयन हेतु एक एस.पी.वी. (स्पेशल परपज व्हीकल) बनाई जानी चाहिए, जिसमें केन्द्र सरकार एवं राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली के द्वारा सीड कैपिटल अनुदान के रूप में दिया जाए तथा एस.पी.वी. द्वारा केन्द्र एवं राज्य सरकार की सहभागिता प्राप्त कर योजनाएं क्रियान्वित कराई जाए तथा भविष्य में आवश्यकता पड़ने पर एस.पी.वी. द्वारा बाजार से ऋण भी लिया जा सकता है। इस प्रकार की व्यवस्था से अन्तराज्यीय परियोजनाओं के क्रियान्वयन हेतु एक साझा प्लेटफार्म उपलब्ध होगा, जिससे अन्तराज्यीय मुद्दों को सुगमता से हल किया जा सकेगा। प्रस्तावित एस.पी.वी. के माध्यम से उ०प्र० उपक्षेत्र में क्षेत्रीय अवस्थापना सुविधाओं हेतु विकास के प्रस्तावों को प्राथमिकता के आधार पर क्रियान्वित कराया जाना चाहिए।

5. क्षेत्रीय योजना-2021 एवं उ०प्र० उपक्षेत्रीय योजना-2021 में प्रस्तावित इस्टर्न पैरीफेरल एक्सप्रेस-वे का क्रियान्वयन पूर्ण हो चुका है तथा वर्तमान में पूर्ण रूप से संचालित है, जिससे आस-पास के क्षेत्रों को गतिशीलता प्रदान हो रही है तथा दिल्ली के अन्दर वाहनों का अनावश्यक वाहन प्रवेश न होने के साथ-साथ ट्रैफिक कन्जेशन एवं पोल्युशन में कमी हो रही है।

6. इसी प्रकार निर्माणाधीन दिल्ली-मेरठ एक्सप्रेस-वे, जो उ०प्र० उपक्षेत्रीय योजना-2021 में नियोजित किया गया था, को भलिभांति तीव्र गति से एन.एच.ए.आई. द्वारा क्रियान्वित किया जा रहा है, यह एक्सप्रेस-वे दिल्ली से प्रारम्भ होकर मेरठ बाईपास एन.एच.-58 पर मिलेगी तथा उत्तराखण्ड को भी जोड़ने का कार्य करेगी। इससे न केवल उ०प्र० के प्रभाग बल्कि उत्तराखण्ड के विकास को भी तीव्र गति प्रदान करेगा। वर्तमान में दिल्ली-मेरठ एक्सप्रेस-वे का सराय कालेखँ से यू०पी० गेट तक का सेक्शन वर्ष 2018 से यातायात के लिए खुला हुआ है, जिससे गाजियाबाद को अच्छी कनेक्टिविटी प्राप्त हो रही है।

7. इसी प्रकार नौएडा तथा ग्रेटर नौएडा को राष्ट्रीय राजधानी दिल्ली से मेट्रो रेल से जोड़ने का कार्य एन.एम.आर.सी. (नौएडा मेट्रो रेल कॉरपोरेशन) के द्वारा शीर्ष प्राथमिकता के आधार पर क्रियान्वित करते हुये कार्य पूर्ण कर लिया गया है तथा एन.एम.आर.सी. की एक्वा लाईन नौएडा से ग्रेटर नौएडा तक वर्तमान में संचालित है। इसी प्रकार गत एक वर्ष में गाजियाबाद में शहीद स्थल (नया बस अड्डा) से दिलशाद गार्डन तथा नौएडा के सिटी सेन्टर से सेक्टर-62 (इलेक्ट्रॉनिक सिटी) तक डी0एम0आर0सी0 की क्रमशः मजेन्टा एवं ब्लू लाईन का विस्तार उ0प्र0 में हुआ है।

8. आर.आर.टी.एस. (रीजनल रैपिडरेल ट्रान्जिट सिस्टम) परियोजना के अन्तर्गत राष्ट्रीय राजधानी क्षेत्र के उ0प्र0 प्रभाग के दिल्ली- गाजियाबाद-मेरठ कोरीडोर को क्रियान्वित किये जाने हेतु प्राथमिकता के आधार पर कार्य किया जा रहा है, जिस हेतु उ0प्र0 सरकार द्वारा वर्ष 2019-20 हेतु 400 करोड़ का अंशदान आवंटित किया गया है।

9. इसी क्रम में मैं यह भी बताना चाहूँगा कि क्षेत्रीय योजना-2021 एवं उ0प्र0 उपक्षेत्रीय योजना-2021 के अन्तर्गत नियोजित जेवर एयरपोर्ट को यमुना एक्सप्रेस-वे औद्योगिक विकास प्राधिकरण के क्षेत्रान्तर्गत बनाया जा रहा है, जिससे कि आस-पास के क्षेत्र को आर्थिक गतिशीलता प्रदान होने के साथ-साथ वर्तमान में दिल्ली एयरपोर्ट पर बढ़ते दबाव को कम किया जा सके।

10. भारत सरकार द्वारा राष्ट्रीय राजधानी क्षेत्र के अन्तर्गत उ0प्र0 प्रभाग में दो और जिले मुजफ्फरनगर एवं शामली को सम्मिलित किया गया है। जिला मुजफ्फरनगर एवं शामली के राष्ट्रीय राजधानी क्षेत्र में सम्मिलित होने के उपरान्त दोनों जिलों की उपक्षेत्रीय योजना-2021 तैयार किये जाने का कार्य प्रगति पर है, जिसे निकट भविष्य में सम्पूर्ण करा लिया जायेगा।

11. राष्ट्रीय राजधानी क्षेत्र हेतु क्षेत्रीय योजना-2041 राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली द्वारा तैयार की जा रही है, जिसको तैयार कराने में उ0प्र0 प्रभाग के सभी सम्बन्धित जिलों/विकास प्राधिकरणों/औद्योगिक विकास प्राधिकरणों/ विभागों द्वारा आवश्यक सहयोग प्रदान किया जा रहा है तथा भविष्य में अपेक्षित सहयोग के लिए तत्पर हैं।

12. राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली से समय-समय पर कम ब्याज दर पर वित्तीय ऋण लेकर उ0प्र0 प्रभाग के प्राधिकरणों/औद्योगिक विकास प्राधिकरण/अभिकरणों/ विभागों एवं अन्य विभागों द्वारा भौतिक अवस्थापना सुविधाओं को विकसित करने हेतु विभिन्न परियोजनाओं को क्रियान्वित किया गया है। उदाहरण के तौर पर उ0प्र0 प्रभाग में गाजियाबाद विकास प्राधिकरण द्वारा एलीवेटिड रोड एवं नोएडा, ग्रेटर नोएडा द्वारा मेट्रो रेल परियोजनाओं को राष्ट्रीय राजधानी क्षेत्र योजना बोर्ड, नई दिल्ली की वित्तीय ऋण से क्रियान्वित किया गया है। वर्तमान में नोएडा, ग्रेटर नोएडा द्वारा पेयजल तथा सीवरेज से सम्बन्धित परियोजनाओं को भी बोर्ड की वित्तीय सहायता से पूर्ण किया जा रहा है।

13. बोर्ड के समक्ष यहां पर यह तथ्य भी लाना आवश्यक है कि राष्ट्रीय राजधानी क्षेत्र की क्षेत्रीय योजना-2021 की स्वीकृति के उपरान्त उ0प्र0 प्रदेश प्रभाग के अन्तर्गत राज्य/केन्द्र सरकार की अनेक वृहद स्तरीय परियोजना (यथा-हाईटेक टाउनशिप, इन्टीग्रेटेड टाउनशिप, डैडीकेटेड फ्रेट कोरीडोर एवं जेवर में प्रस्तावित अन्तराष्ट्रीय हवाई अड्डा आदि) आ रही है, जिसके कारण इस क्षेत्र में अनेक आर्थिक क्रियाओं के विकसित होने की सम्भावना बढ़ गयी है। ऐसी स्थिति में नये विकास से सम्बन्धित परिवेश एवं धरातलीय वास्तविकता को ध्यान में रखते हुए क्षेत्रीय योजना-2021 की नीतियों एवं प्रस्तावों में नियमानुसार संशोधन किये जाने की परमावश्यकता है, ताकि नियोजन के परिपेक्ष्य में सम्भावित वृहद स्तर की आर्थिक क्रियाओं के विकास को प्रोत्साहित किया जा सके।

14. नगरीय एवं ग्रामीण विकास में सामंजस्य स्थापित करना क्षेत्रीय नियोजन का महत्वपूर्ण अवयव है। लेकिन अभी तक क्षेत्रीय नियोजन के समस्त प्रयास नगरीय क्षेत्रों के विकास पर ही केन्द्रित रहें हैं। ग्रामीण क्षेत्रों में रोजगार के अवसरों की कमी के कारण ही नगरीय क्षेत्रों की ओर जनसंख्या का पलायन हो रहा है। अतः ऐसे आर्थिक कार्यक्रम की संरचना की जानी चाहिए जिससे ग्रामीण क्षेत्रों में रोजगार के अधिक से अधिक अवसर उपलब्ध हो सकें। इसके अतिरिक्त ग्रामीण क्षेत्रों में मूलभूत अवस्थापना सुविधाओं, सामुदायिक सुविधाओं एवं उपयोगिताओं के विकास हेतु विशेष प्रयास किए जाने की आवश्यकता है। इस प्रयास में केन्द्र सरकार का योगदान अपेक्षित है।

अन्त में बोर्ड के संज्ञान में यह तथ्य विशेष रूप से लाना चाहूँगा कि उत्तर प्रदेश राज्य राष्ट्रीय राजधानी क्षेत्र योजना के उद्देश्यों के प्रति वचनबद्ध रहा है तथा भविष्य में भी रहेगा। लेकिन आज आवश्यकता इस बात की है कि क्षेत्रीय योजना-2021 में इंगित प्रस्तावों के क्रियान्वयन में वृहद् स्तर पर धन की आवश्यकता है। अतः धन की उपलब्धता को सुनिश्चित कराने में भारत सरकार का सहयोग अपेक्षित है, ताकि योजनाओं का क्रियान्वयन बिना समय गवाँये साकार रूप ले सके।

जयहिन्द।

Addendum to Minutes of the 37th Meeting of the Board

The Minutes of the 37th Meeting of the NCR Planning Board held on 04.12.2017 were circulated vide letter No.K-14011/02/2017 (37th)/NCRPB dated 03.01.2018 to the members of the NCR Planning Board. The same are partially modified and may be read along with the following:

1. Agenda Item 2 :Confirmation of Minutes of the Special Board meeting of NCRPB held on 20.12.2016):

"The Chief Minister, Haryana in reference to the issue at Sr. No. 2.2 of minutes of Special Board meeting held on 20.12.2016 relating to definition of Forest and Aravali Hills and applying Aravali Notification dated 07.05.1992 in entire NCR for delineating NCZ stated that the observations of State of Haryana on above issue stands conveyed vide a DO letter dated 30.12.2016 to Secretary, MoUD followed by DO letter dated 19.01.2017 & again vide letter dated 29.11.2017.

Accordingly the views of the Govt. of Haryana are already conveyed that the notification of Aravali dated 07. 05.1992 is to be followed completely and in its letter and spirit and thus for inclusion of any area not specified in the notification under NCZ, the same must be part of either the instant Aravali Notification or any other Statute/Rule/Notification etc.

However, the Chairman, NCRPB stated that since the above issue is to be discussed as the separate agenda item 8 and hence, the minutes were confirmed. Accordingly, minutes were confirmed subject to above said views of the Haryana Government."

2. Minutes recorded in para (v) under Agenda Item No. 6.1 may be read as below:

"Principal Secretary, TCPD, Haryana while discussing the revised chapters 14 and 17 of DRRP 2021 AD, as modified by NCRPB on recommendation of MoEF, raised the issue regarding revision in the density norms in the Regional Plan at this stage, when the plan period is to lapse in 2D21 AD only. He pointed out that revision in

the density norms at this stage may cause legal complications in view of the fact that most of the Development Plans which otherwise are complying with the density norms as on date may not be found conforming to amended Regional Plan on the basis of revised density norms and hence change in density norms at this stage may not be appropriate and thus requested for time to examine the amended chapters and conveying of observations by State of Haryana."

3. Minutes recorded in para (v) under Agenda Item No. 8.2 may be read as below:

"The Principal Secretary, TCPD, Haryana raised the issue relating to 'yet to be decided' NCZ sites as there are variations in the revenue record vis-a-vis ground realities. Accordingly, the ground truthing exercise for 'yet to be decided' areas may be carried out again and cases of variations in revenue record vis-a-vis ground conditions may be listed and then the matter may be taken UP in the separate meeting for taking a final view thereon".

PETITIONER:

T.N. GODAVARMAN THIRUMULKPAD

Vs.

RESPONDENT:

UNION OF INDIA & ORS.

DATE OF JUDGMENT: 12/12/1996

BENCH:

J.S. VERMA, B.N. KIRPAL

ACT:

HEADNOTE:

JUDGMENT:

(With W.P. (Civil) No. 171/96)

O R D E R

In view of the great significance of the points involved in these matters, relating to the protection and conservation of the forests throughout the country, it was considered necessary that the Central Government as well as the Governments of all the States are heard. Accordingly, notice was issued to all of them. We have heard the learned Attorney General for the Union of India, learned counsel appearing for the States and the parties/applicants and, in addition, the learned Amicus Curiae, Shri H.N. Salve, assisted by Sarvashri U. U. Lalit, Mahender Das and P.K. Manohar. After hearing all the learned counsel, who have rendered very able assistance to the court, we have formed the opinion that the matters require a further indepth hearing to examine all the aspects relating to the National Forest Policy. For this purpose, several points which emerged during the course of the hearing require further study by the learned counsel and, therefore, we defer the continuation of this hearing for some time to enable the learned counsel to further study these points.

However, we are of the opinion that certain interim directions are necessary at this stage in respect of some aspects. We have heard the learned Attorney General and the other learned counsel on these aspects.

It has emerged at the hearing, that there is a misconception in certain quarters about the true scope of the Forest Conservation Act, 1980 (for short the 'Act') and the meaning of the word "forest" used therein. There is also a resulting misconception about the need of prior approval of the Central Government, as required by Section 2 of the Act, in respect of certain activities in the forest area which are more often of a commercial nature. It is necessary to clarify that position.

The Forest Conservation Act, 1980 was enacted with a view to check further deforestation which ultimately results in ecological imbalance; and therefore, the provisions made therein for the conservation of forests and forest matters connected therewith, must apply to all forests irrespective of the nature of ownership or classification thereof. The

word "forest: must be understood according to its dictionary meaning. This description cover all statutorily recognised forests, whether designated as reserved, protected or otherwise for the purpose of Section 2(i) of the Forest Conservation Act. The term "forest land", occurring in Section 2, will not only include "forest" as understood in the dictionary sense, but also any area recorded as forest in the Government record irrespective of the ownership. This is how it has to be understood for the purpose of Section 2 of the Act. The provisions enacted in the Forest Conservation Act, 1980 for the conservation of forests and the matters connected therewith must apply clearly to all forests so understood irrespective of the ownership or classification thereof. This aspect has been made abundantly clear in the decisions of this Court in *Ambica Quarry Works and ors. versus State of Gujarat and ors.* (1987 (1) SCC 213), *Rura' Litigation and Entitlement Kendra versus State of U.P.* (1989 Suppl. (1) SCC 504), and recently in the order dated 29th November, 1996 in *W.P.(C) No.749/95 (Supreme Court Monitoring Committee vs. Mussoorie Dehradun Development Authority and ors.)*. The earlier decision of this Court in *State of Bihar Vs. BanshiRam Modi and ors.* (1985 (3) SCC 643) has, therefore, to be understood in the light of these subsequent decisions. We consider it necessary to reiterate this settled position emerging from the decisions of this court to dispel the doubt, if any, in the perception of any State Government or authority. This has become necessary also because of the stand taken on behalf of the State of Rajasthan, even at this late stage, relating to permissions granted for mining in such area which is clearly contrary to the decisions of this court. It is reasonable to assume that any State Government which has failed to appreciate the correct position in law so far, will forthwith correct its stance and take the necessary remedial measures without any further delay.

We further direct as under:-

I. General:

1. In view of the meaning of the word "forest" in the Act, it is obvious that prior approval of the Central Government is required for any non-forest activity within the area of any "forest". In accordance with Section 2 of the Act, all on-going activity within any forest in any State throughout the country, without the prior approval of the Central Government, must cease forthwith. It is, therefore, clear that the running of saw mills of any kind including veneer or ply-wood mills, and mining of any mineral are non-forest purposes and are, therefore, not permissible without prior approval of the Central Government. Accordingly, any such activity is prima facie violation of the provisions of the Forest Conservation Act, 1980. Every State Government must promptly ensure total cessation of all such activities forthwith.

2. In addition to the above, in the tropical wet ever-green forests of Tirap and Changlang in the State of Arunachal Pradesh, there would be a complete ban on felling of any kind of trees therein because of their particular significance to maintain ecological balance needed to preserve bio-diversity. All saw mills, veneer mills and ply-wood mills in Tirap and Changlang in Arunachal Pradesh and within a distance of 100 Kms. from its border, in Assam, should also be closed immediately. The State Governments of Arunachal Pradesh and Assam must ensure compliance of this direction.

3. The felling of trees in all forests is to remain suspended except in accordance with the Working Plans of the

State Governments, as approved by the Central Government. In the absence of any Working Plan in any particular State, such as Arunachal Pradesh, where the permit system exists, the felling under the permits can be done only by the Forest Department of the State Government or the State Forest Corporation.

4. There shall be a complete ban on the movement of cut trees and timber from any of the seven North-Eastern States to any other State of the country either by rail, road or water-ways. The Indian Railways and the State Governments are directed to take all measures necessary to ensure strict compliance of this direction. This ban will not apply to the movement of certified timber required for defence or other Government purpose. This ban will also not affect felling in any private plantation comprising of trees planted in any area which is not a forest.

5. Each State Government should constitute within one month an Expert Committee to:

(i) Identify areas which are "forests", irrespective of whether they are so notified, recognised or classified under any law, and irrespective of the ownership of the land of such forest;

(ii) identify areas which were earlier forests but stand degraded, denuded or cleared; and

(iii) identify areas covered by plantation trees belonging to the Government and those belonging to private persons.

6. Each State Government should within two months, file a report regarding:-

(i) the number of saw mills, veneer and plywood mills actually operating within the State, with particulars of their real ownership;

(ii) the licensed and actual capacity of these mills for stock and sawing;

(iii) their proximity to the nearest forest;

(iv) their source of timber.

7. Each State Government should constitute within one month, an Expert Committee to assess :

(i) the sustainable capacity of the forests of the State qua saw mills and timber based industry;

(ii) the number of existing saw mills which can safely be sustained in the State;

(iii) the optimum distance from the forest, qua that State, at which the saw mill should be located.

8. The Expert Committees so constituted should be requested to give its report within one month of being constituted.

9. Each State Government would constitute a Committee comprising of the Principal Chief Conservator of Forests and another Senior Officer to oversee the compliance of this order and file status reports.

II. FOR THE STATE OF JAMMU & KASHMIR:

1. There will be no felling of trees permitted in any

"forest", public or private. This ban will not affect felling in any private plantations comprising of trees planted by private persons or the Social Forestry Department of the State of Jammu & Kashmir and in such plantations, felling will be strictly in accordance with law.

2. In 'forests', the State Government may either departmentally or through the State Forest Corporation remove fallen trees or fell and remove diseased or dry standing timber, and that only from areas other than those notified under the Jammu & Kashmir Wild Life Protection Act, 1978 or any other law banning such felling or removal of trees.

3. For this purpose, the State Government will constitute an Expert Committee comprising of a representative being an IFS Officer posted in the State of Jammu & Kashmir, a representative of the State Government, and two private experts of eminence and the Managing Director of the State Forest Corporation (as Member Secretary) who will fix the qualitative and quantitative norms for the felling of fallen trees, diseased and dry standing trees. The State shall ensure that the trees so felled and removed by it are strictly in accordance with these norms.

4. Any felling of trees in forest or otherwise or any clearance of land for execution of projects, shall be in strict compliance with the Jammu & Kashmir Forest Conservation Act, 1990 and any other laws applying thereto. However, any trees so felled, and the disposal of such trees shall be done exclusively by the State Forest Corporation and no private agency will be permitted to deal with this aspect. This direction will also cover the submerged areas of the THEIN Dam.

5. All timber obtained, as aforesaid or otherwise, shall be utilised within the State, preferably to meet the timber and fuel wood requirements of the local people, the Government and other local institutions.

6. The movement of trees or timber (sawn or otherwise) from the State shall, for the present, stand suspended, except for the use of DGS & D, Railways and Defence. Any such movement for such use will -

- a) be effected after due certification, consignment-wise made by the Managing Director of the State Corporation which will include certification that the timber has come from State Forest Corporation sources; and
- b) be undertaken by either the Corporation itself, the Jammu & Kashmir Forest Department or the receiving agency.

7. The State of Jammu & Kashmir will file, preferably within one month from today, a detailed affidavit specifying the quantity of timber held by private persons purchased from State Forest Corporation Depots for transport outside the State (other than for consumption by the DGS & D, Railways and Defence). Further directions in this regard may be considered after the affidavit is filed.

8. No saw mill, veneer or plywood mill would be permitted to operate in this State at a distance of less than 8 Kms. from the boundary of any demarcated forest areas. Any existing mill falling in this belt should be relocated forthwith.

III. FOR THE STATE OF HIMACHAL PRADESH AND THE HILL REGIONS OF THE STATES OF UTTAR PRADESH AND WEST BENGAL:

1. There will be no felling of trees permitted in any

forest, public or private. This ban will not affect felling in any private plantation comprising of trees planted in any area which is not a 'forest'; and which has not been converted from an earlier "forest". This ban will not apply to permits granted to the right holders for their bonafide personal use in Himachal Pradesh.

2. In a 'forest', the State Government may either departmentally or through the State Forest Corporation remove fallen trees or fell and remove diseased or dry standing timber from areas other than those notified under Section 18 or Section 35 of the Wild Life Protection Act, 1972 or any other Act banning such felling or removal of trees.

3. For this purpose, the State Government is to constitute an expert Committee comprising a representative from MOEF, a representative of the State Government, two private experts of eminence and the MD of the State Forest Corporation (as Member Secretary), who will fix the qualitative and quantitative norms for the felling of fallen trees and diseased and standing timber. The State shall ensure that the trees so felled and removed are in accordance with these norms.

4. Felling of trees in any forest or any clearance of forest land in execution of projects shall be in strict conformity with the Forest Conservation Act, 1980 and any other laws applying thereto. Moreover, any trees so felled, and the disposal of such trees shall be done exclusively by the State Forest Corporation and no private agency is to be involved in any aspect thereof.

IV. FOR THE STATE OF TAMIL NADU:

1. There will be a complete ban on felling of trees in all forest areas'. This will however not apply to:-

- (a) trees which have been planted and grown, and are not of spontaneous growth, and
- (b) are in areas which were not forests earlier, but were cleared for any reason.

2. The State Government, within four weeks from today, is to constitute a committee for identifying all "forests".

3. Those tribals who are part of the social forestry programme in respect of patta lands, other than forests, may continue to grow and cut according to the Government Scheme provided that they grow and cut trees in accordance with the law applicable.

4. In so far as the plantations (tea, coffee, cardamom etc.) are concerned, it is directed as under:

a) The felling of shade trees in these plantations will be -

- i) limited to trees which have been planted, and not those which have grown spontaneously;
- ii) limited to the species identified in the TANTEA report;
- iii) in accordance with the recommendations of (including to the extent recommended by) TANTEA; and
- iv) under the supervision of the statutory committee constituted by the State Government.

b) In so far as the fuel trees planted by the plantations for fuel wood outside the forest area are concerned, the State Government is directed to obtain within four weeks, a report from TANTEA as was done in the case of Shade trees,

and the further action for felling them will be as per that report. Meanwhile, eucalyptus and wattle trees in such area may be felled by them for their own use as permitted by the statutory committee.

c) the State Government is directed to ascertain and identify those areas of the plantation which are a "forest" and are not in active use as a plantation. No felling of any trees is however to be permitted in these areas, and subparas (b) and (c) above will not apply to such areas.

d) There will be no further expansion of the plantations in a manner so as to involve encroachment upon (by way of clearing or otherwise) of "forests".

5. As far as the trees already cut, prior to the interim order of this court dated December 11, 1995 are concerned, the same may be permitted to be removed provided they were not so felled from Janmam land. The State Government would verify these trees and mark them suitably to ensure that this order is duly complied with. For the present, this is being permitted as a one time measure.

6. Insofar as felling of any trees in Janmam lands is concerned (whether in plantations or otherwise), the ban on felling will operate subject to any order made in the Civil Appeal Nos. 367 to 375 of 1977 in C.A. Nos. 1344-45 of 1976. After the order is made in those Civil Appeals on the I.As. pending therein, if necessary, this aspect may be re-examined.

7. This order is to operate and to be implemented, notwithstanding any order at variance, made or which may be made by any Government or any authority, tribunal or court, including the High Court.

The earlier orders made in these matters shall be read, modified wherever necessary to this extent. This order is to continue, until further orders. This order will operate and be complied with by all concerned, notwithstanding any order at variance, made or which may be made hereafter, by any authority, including the Central or any State Government or any court (including High Court) or Tribunal.

We also direct that notwithstanding the closure of any saw mills or other wood-based industry pursuant to this order, the workers employed in such units will continue to be paid their full emoluments due and shall not be retrenched or removed from service for this reason.

We are informed that the Railway authorities are still using wooden sleepers for laying tracks. The Ministry of Railways will file an affidavit giving full particulars in this regard including the extent of wood consumed by them, the source of supply of wood, and the steps taken by them to find alternatives to the use of wood.

I.A. Nos. 7,9,10,11,12,13 and 14 in Writ Petition (Civil) No. 202 of 1995 and I.A. Nos. 1,3,4,5,6,7,8 & 10 in Writ Petition (Civil) No. 171 of 1996 are disposed of, accordingly.

List the matter on February 25, 1997 as part-heard for further hearing.