

DELHI DEVELOPMENT AUTHORITY
(E.M.'s Sectt.)

No : EM 1(10)2013/Cir./DDA/ 1622

Date 15/10/2015

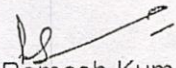
OFFICE ORDER

This office has issued circulars/instructions from time to time regarding availability of basic services like water supply, sewerage, drainage and electricity before the flats are offered for allotment/possession. In this regard circular No. 6 dt. 4.5.1983 and No. 545 dated 23.11.2001 may be referred. In case of multi storey flats NOC from Fire Deptt. and lift inspector shall also be obtained before handing over possession of the flats.

Recently Hon'ble High Court of Delhi has taken a serious view in one of the case in Lok Nayak Puram area, where flats have been handed over without sufficient availability of water. The Hon'ble Court also observed that DDA or DJB and/or both are responsible for lack of supply of potable water which discloses a gross violation of an individual's basic rights.

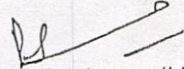
It is, therefore, once again enjoined upon all concerned that without provision of basic civic amenities, the flats shall not be offered for allotment/possession.

This issues with the approval of E.M., DDA.


(Ramesh Kumar)
Chief Engineer (H.Q.)

Copy to:

1. PS to VC/EM/FM, DDA for kind information of the latter.
2. Principal Commissioner (Housing),
3. All Chief Engineers including Chief Engineer (Elect.).
4. Commissioner (Housing).


Chief Engineer (H.Q.)

S-22

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 7768/2013

DWARKADHISH RESIDENTS WELFARE ASSOCIATION

Through: Mr. Sunil Jain, Adv.

..... Petitioner

versus

GOVT. OF NCT, DELHI & ORS

..... Respondents

Through: Mr. Peeyosh Kalra, ASC, GNCTD

with Ms. Sona Babbar, Adv. for R-1

Mr. Rajiv Bansal with Ms. Arpita and Mr.

Siddhant Gupta, Adv. for DDA/R-2

Mr. Kapil Dutta, Adv. for Mr. Ajay Arora, Adv.

for R-3/NDMC.

Mr. Manish Srivastava, Adv. for R-4

Mr. Siddhartha Nagpal, Adv. with Mr. D.P.

Semwal, AE for DJB/R-5

Date of Decision : 10th December, 2015

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

JUDGMENTMANMOHAN, J: (Oral)

1. In pursuance to the order dated 09th September, 2015, the Vice-Chairman, DDA convened a meeting of various civic agencies and Discoms. The minutes of meeting dated 24th September, 2015 have been placed on record on 04th December, 2015 wherein a standard operating procedure to provide basic civic amenities like electricity, water, sewage connection and approach road has been agreed upon between various civic agencies and Discoms with regard to plots allotted by DDA.

2. The standard operating procedure as mentioned in the said minutes of meeting dated 24th September, 2015 is reproduced hereinbelow:-

- i. It was decided that before approval of the layout, consent of DISCOM should be taken by the planning wing with respect to location and size of the land for construction of electric sub-station and Grid.
- ii. The working permission should be given simultaneously to the GNCTD along with the letter of offer of the plot so that the construction of sub-station and gridwork may progress in pace with the other development work. DISCOM shall inform DDA the financial implication and the DDA should make payment as per the DERC norms as well as in line with the orders placed by DISCOMs on the equipment suppliers. It was decided that the DDA should match the tender conditions of Discoms regarding equipment supply by having budget allocation and approval in advance.
- iii. At the time of sending schemes to DJB for approval, the estimated water requirement of each sector will be clearly specified. Also the estimated sewerage generated in the proposed sector, shall be intimated. DDA will assure DJB that the area will not be populated before the approval is accorded by DJB during which they can provide the water & sewerage facilities. The infrastructure funds will be paid at the time of approval of these development schemes as per existing practice. DJB will ensure that water & sewerage services will be made available after the schemes are approved and before the possession is handed over by DDA to its allottees.
- iv. It was observed by VC, DDA that the development of parks and greenery is purely DDA's job in the area under its jurisdiction. Boundary wall/tree plantation in the inner boundary walls of parks is to be done by DDA before the payment of final instalment by allottees.

v. *The work of storm water drain is to be taken up only after completion of water supply and sewerage scheme besides fifty percent completion of building activities by the resident/s/allottees as the storm water drain may get dismantled/damaged during construction/building activities by its residents/allottees."*

3. Learned counsel for the civic agencies and Discoms have no objection to the aforesaid standard operating procedure.
4. This Court is also of the opinion that the standard operating procedure as agreed upon by the various civic agencies and Discoms is reasonable and would ensure that allottees of DDA get basic civic amenities in time.
5. Consequently, the standard operating procedure is accepted by this Court and all the civic agencies are held bound by the same.
6. In future, if the standard operating procedure is to be deviated from, the civic agencies are at liberty to hold a joint meeting and make changes.
7. As far as the issue of electrification of Dwarkadhish area is concerned, this Court directs DDA to transfer land to the Government of NCT of Delhi as well as grant working permission in accordance with the aforesaid minutes of meeting and pay electrification charges, if any, payable to the Discom, within a period of three weeks.
8. The officials of DDA are directed to hand over a copy of the layout plan of Pocket B, Sector 26, Rohini to respondent No. 4 within a period of two weeks.
9. If any further information is required by respondent No. 4, the same shall be intimated to the Chief Engineer, Rohini zone, DDA within a period of three weeks.

10. Response, if any, shall be tendered within a further period of two weeks.
11. With the aforesaid observations and directions, the present writ petition is disposed of.

DECEMBER 10, 2015
NG

MANMOHAN, J