

निदेशक (प्रशासकी) दिल्ली  
जायरी नं. 4493  
दिनांक 08/09/25



दिल्ली विकास प्राधिकरण  
आवास (समन्वय) शाखा  
द्वितीय तल, ब्लॉक - डी, विकास सदन, नई दिल्ली

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**CIRCULAR**

**Sub: Policy Guidelines regarding recovery of Overstay Charges for Unauthorized Retention of Flats after Allotment of Plots in Lieu of demolished house in Arjun Nagar under Clearance Program.**

During emergency of 1975, houses were demolished by DDA in Arjun Nagar under Clearance Program and thereafter DDA allotted them flats in lieu of their demolished houses under resettlement scheme.

2. Thereafter, Central Government decided to resettle the persons whose houses were demolished during emergency by way of allotment of plots, accordingly applications were invited from the affected persons of Arjun Nagar for allotment of plots with the condition that the evictees to whom the flats have been allotted by DDA would be required to surrender the flats to DDA after clearing outstanding dues.

3. During the processing of such cases, it has been observed in few instances that the allottees who subsequently were allotted plots did not surrender the earlier allotted flat to DDA in time and overstayed/enjoyed the benefits of both the properties (Plot and Flat) which is an unauthorized occupation by the allottee on the said Flat resulting in loss of revenue to DDA and hence making them liable to pay penalties for overstay/unauthorized occupation of said Flat.

4. During the course of examination of requests for freehold of plot by such allottees, it was noticed that few of these allottees had not surrendered the flats allotted to them by DDA resulting in unauthorized occupation of flats allotted to them earlier by DDA and subsequently surrendered the same to DDA after lapse of many years. Due to absence of a policy, Finance could not be able to calculate their penalties / damages. To suitably address such matters, it is imperative that clear cut, objective and transparent policy guidelines need to be delineated for calculating penalty charges. These guidelines for calculating penalties to be recovered from such allottees are enumerated in the succeeding paragraphs:

4.1.1 The penalty is to be calculated from the allotment of such flat till the date of their handover to DDA.

4.1.2 Such overstayal charges would be in the nature of notional rent on such properties for the period of overstay.

4.1.3 Penalty is to be calculated @5% disposal price of the flat at which these were allotted to the allottees. This rate of 5% is adopted from the approved policy on DDA's in-situ Rehabilitation Policy adopted vide agenda no. 52/2018 wherein a provision of rent @ 5% of price of the flat is provided.

4.1.4 The penalty in the nature of notional rent on the flat calculated as per 4.1.3 above will be indexed every year by 10% till the actual surrender of the flat by the allottee to the DDA.

4.1.5 Simple Interest @7% per annum will also be levied on the penalty as calculated above at 4.1.3 & 4.1.4 till the date allowed for payment in the demand notice. This rate of interest is adopted from the extant policy on simplification and rationalization of interest dated 26.09.2018.

4.1.6 The amount paid towards cost of flat, if any, will be adjusted along with interest thereon calculated @ 5% p.a. from the date of deposit till the date allowed for payment in the demand notice. This rate is as per the extant policy on interest payment contained in circular dated 16.08.2004.

4.1.7 The allottee will also be required to clear all the statutory dues such as house tax, electricity, water charges etc. arising during the unauthorized possession of flat.

4.1.8 If the allottee has received any rent during a particular period of which documentary evidence is available, then for that particular period, that amount would be taken into reckoning instead of the notional damage charges as computed above at 4.1.3 and 4.1.4 if the actual rents received are more than the calculated notional damage as at 4.1.3 and 4.1.4 and thereafter interest @7% would be levied.

4.1.9 If the actual rents received are less than the notional damage calculated as at 4.1.3 and 4.1.4, then the notional damage would be taken into reckoning and thereafter interest @7% would be levied.

4.1.9.1 In case, the penalty /damage amount is not paid / deposited within the period prescribed under the demand notice, then interest @14% (on total quantum of penalty + interest thereon calculated up to the date of handing over of possession of the flat to DDA) till the date of actual payment will be charged following the extant policy on interest payment contained in circular dated 26.9.2018.

4.1.9.2 In those cases, where flat has not been handed over to DDA, then in such cases, notice for evacuation of the property along with the demand notice will be communicated to / served on the allottee. In these cases also quantum of penalty

along with interest thereon @7% will be calculated with a notice of 1 month for evacuation of the flat.

4.1.9.2 All pending cases where demand has not been raised and payment is still outstanding or the flat is yet to be handed over to DDA will be covered under the ambit of this policy.

This issues with the approval of Vice Chairman DDA.

(चिन्मयी चक्रवर्ती)

उप निदेशक, आवास (समन्वय)

Copy to:

1. PS to VC for kind information of the latter.
2. PS to Pr. Commissioner (H)
3. Commissioner (H)
4. Commissioner LD
5. CAO
6. FA(H)
7. Director(Housing)-I/II
8. All Dy. Directors(H)
- ✓ 9. DD (Systems) for uploading the same on Housing portal of DDA's website.

चिन्मयी चक्रवर्ती  
02/09/25  
उप निदेशक, आवास (समन्वय)

Yoshi  
9.9.25

AD(S) Sh. Ramani

Sh. Dev, Website Engineer  
9.9.25.