

DELHI DEVELOPMENT AUTHORITY
CO-ORDINATION (LAND DISPOSAL) BRANCH

Mr. Director/Gen. Secy. DDA
707
5/8/2015

F. No. F1(1)2014-Coord. (LD)/DDA/197

Dated: 24/08/15

CIRCULAR

The revised policy on misuse charges has been approved by the Authority vide Resolution No. 85/2015 dated 16.06.2015. The approved policy is as follows:

(A) Removal of misuse may not be insisted upon before allowing conversion, as Govt. of India's policy for conversion stipulates that *misuse is not a ground for refusing conversion. However, in cases where allotment has been cancelled or lease has been determined on account of breaches of terms & conditions of lease deed, in such cases, before restoration of lease, removal of breaches of terms and conditions should be ensured.*

(B) For the activities which were considered misuse earlier but have been regularized later on and incorporated in the subsequent Master Plans, the rebate of 75% may be allowed and the misuse charges may be levied @ 25% of the misuse computed in the normal course. The misuse would be computed upto the date on which the activities were regularized in the Master Plans/Regulations.

(C) (i) Where property was rented out by the owner for commercial purposes or tenant misused the property with the connivance and consent of the owner, tenant/owner is liable to pay misuse charges as per laid policy;

(ii) If property was rented out in accordance with the lease conditions and the tenant misused the property without connivance and consent of the owner and the owner approached proper forum or court of law for initiating eviction proceedings against the tenant, in such cases, the owner will be liable to pay only 25% misuse charges from the date of initiating eviction proceedings against the tenant.

(D) Misuse of Commercial and Industrial properties as residential, industrial and commercial, etc.: where the premises was used for lighter activity, in such cases, rebate of 75% may be allowed on the misuse charges. This will apply in the following cases:

- (i) Commercial property: Used for industrial or residential purpose;
- (ii) Industrial property: Used for residential purpose.

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(E) Misuse charges will be recovered as per the slab rate system given below:

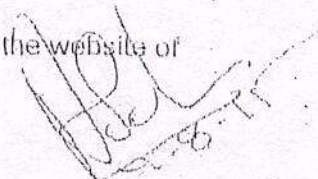
Period of Misuse (years)	Discount or Relief on the misuse charges (%)
05 years	50%
10 yrs. or less	50% for last 5 yrs. and 40% for preceding period.
15 yrs. or less	50% for last 5 yrs., 40% for preceding 5 yrs., 30% for balance period.
20 yrs. or more	50, 40, 30% for each 5 yr. periods to be counted as above, and 20% for the balance period.

(F) In respect of applicants whose conversion applications are already pending with DDA, details of these applicants will be put on the website of DDA for the information of such applicants. Further, a proper record will be maintained of the conversion applications received during the period of the scheme and thereafter so as to co-relate conversions to the reduced rates of the amnesty scheme.

(ASMA MANZAR)
COMMISSIONER (LA)

Copy to:

1. OSD to VC;
2. Engineer Member, DDA;
3. Finance Member;
4. Principal Commissioner (LD &H)
5. Commissioner (LD);
6. Commissioner Cum Secretary for information.
7. All Directors of LD Department (M.A.M.)
8. Director (LC);
9. Director (Systems) with the request to upload on the website of DDA.


COMMISSIONER (LA)