

DELHI DEVELOPMENT AUTHORITY
(Office of the Commissioner-cum-Secretary)


No. F.2(2)2019/MC/DDA/122

Dated: the 12th, September, 2019

Sub: Agenda for the meeting of Delhi Development Authority.

Kindly find enclosed agenda for the meeting of Delhi Development Authority fixed for Tuesday, the 17th September, 2019 at 3.00 p.m. under the Chairmanship of Hon'ble Lt. Governor/Chairman, DDA at Raj Niwas, Delhi.

You are requested to kindly attend.


(D. Sarkar)
Commissioner-cum-Secretary
Phone No. 24623598

Encl: As above

CHAIRMAN

1. Shri Anil Baijal
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri Tarun Kapoor

MEMBERS

3. Shri K. Vinayak Rao
Finance Member, DDA
4. Shri Shailendra Sharma
Engineer Member, DDA
5. Shri K. Sanjay Murthy
Addl. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
6. Smt. Archana Agrawal
Member Secretary, NCR Planning Board
7. Shri Vijender Gupta, MLA &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
8. Shri Somnath Bharti, MLA
9. Shri S.K. Bugga, MLA
10. Shri C.P. Sharma, MLA
11. Shri Manish Aggarwal
Municipal Councillor, South Delhi Municipal Corporation

SPECIAL INVITEES

1. Shri Vijay Kumar Dev
Chief Secretary, GNCTD
2. Smt. Renu Sharma
Addl. Chief Secretary (Finance), GNCTD
3. Dr. G. Narendra Kumar
Principal Secretary (L&B), GNCTD
4. Ms. Manisha Saxena
Secretary (UD), GNCTD
5. Chief Planner
Town and Country Planning Organization
6. Smt. Varsha Joshi
Commissioner, North Delhi Municipal Corporation
7. Dr. Dilraj Kaur
Commissioner, East Delhi Municipal Corporation
8. Smt. Varsha Joshi
Commissioner, South Delhi Municipal Corporation
9. Dr. Rajesh Kumar
Principal Commissioner (Housing, PMAY, CWG & Sports), DDA
10. Shri Manish Kumar Gupta
Principal Commissioner (LD, LM, Systems & Coordn.), DDA
11. Shri Shripal
Principal Commissioner (Personnel, Landscape & Hort.), DDA

Copy also to:

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Principal Secretary to Lt. Governor, Delhi
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Special Secretary to Lt. Governor, Delhi
3. Shri Ajay Kumar
Addl. Secretary to Lt. Governor, Delhi
4. Smt. Ruchika Katyel
Jt. Secretary to Lt. Governor, Delhi
5. Shri Anoop Thakur
PS to Lt. Governor, Delhi

Copy for kind information to:

PS to Minister (H&UA), Office of the Minister of Housing & Urban Affairs, Govt. of India.

DELHI DEVELOPMENT AUTHORITY
(MEETING CELL)

No. F.2(2)2019/MC/DDA/122

Dated: 12.09.2019

Sub: Agenda for the meeting of Delhi Development Authority.

Kindly find enclosed agenda for the meeting of Delhi Development Authority fixed for Tuesday, the 17th September, 2019 at 3.00 p.m. under the Chairmanship of Hon'ble Lt. Governor at Raj Niwas, Delhi.


(V. K. Saha)
Dy. Director (Meetings)

Encl: As above

Copy to:

1. Chief Vigilance Officer
2. Chief Legal Advisor
3. Commissioner (Land Management)
4. Commissioner (Land Disposal)
5. Commissioner (Personnel/Housing)
6. Commissioner (Planning)
7. Chief Architect
8. Chief Accounts Officer
9. Adcl. Commissioner (Landscape)
10. Financial Advisor (Housing)
11. Director (LC)
12. Director (Works)

AGENDA ITEMS
FOR THE
MEETING
OF THE
DELHI DEVELOPMENT AUTHORITY

DATE: 17.09.2019

TIME: 3.00 P.M.

VENUE: RAJ NIWAS

DELHI

INDEX

S. NO.	ITEM NO.	SUBJECT	DEPARTMENT
1.	78/2019	Confirmation of minutes of the meeting of the Delhi Development Authority held on 13.08.2019 at Raj Niwas. F.2(2)2019/MC/DDA	CCS
2.	79/2019	Action Taken Reports on the minutes of the meeting of the Delhi Development Authority held on 13.08.2019 F.2(2)2019/MC/DDA	CCS
3.	80/2019	Disposal of flats of Commonwealth Gamias Village-concession in rates of disposal of allotment to Government Bodies, PSCs and Corporations of Central and State Governments. F.1(272)2013/N&C(H)	HOUSING
4.	81/2019	Removal of embargo for execution of Conveyance Deed for a period of 5 years and handing over possession on submission of an undertaking for becoming member of RWA and to abide by Regulations of RWA to allottees of EWS flats at Shivaji Marg. F.2(07)2017/EWS/Pt	HOUSING
5.	82/2019	Regarding amendment in the Nazul Rule-1981 (Rule-4) with respect to allotment of Institutional plots of Socio Cultural and Religious Category. F.7A(Religious- Policy)15/TL	LAND DISPOSAL
6.	83/2019	Fixation of amalgamation charges for commercial properties. F.5(09)2019/AO(P)DDA	FINANCE
7.	84/2019	Review Petition filed by Sh. B.M. Tiwari, Dy. CAO (Medical) & Sh. S. N. Tiwari, AO (Retd.) under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 F.27(09)07/E.E(Vig.)-VH/PL-V	VIGILANCE

**Supplementary Agenda for the meeting of the
Delhi Development Authority fixed for 17.09.2019**

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S. NO.	ITEM NO.	SUBJECT	DEPARTMENT
1.	85/2019	Policy for Collection of Damage from the occupants of Damage payee properties, under the Public premises (Eviction of Unauthorised Occupants) Act, 1971. P.N 2(09)2017	LAND MANAGEMENT
2.	86/2019	Empowerment of Private Scheduled Commercial Banks for Investment of Surplus Funds in DDA. F.6(36)2003/A/CsiM/DDA/P-I	FINANCE
3.	87/2019	Change of landuse of land measuring 36.6 ha, earmarked for District Centre under Commercial use to PSP to provide land for colleges and university to create institutional Hub at Narela and swapping with institutional land (PSP) in HA-20 to commercial. F.9(11)/2012-MT	PLANNING

**2nd Supplementary Agenda for the meeting of the
Delhi Development Authority fixed for 17.09.2019**

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S. NO.	ITEM NO.	SUBJECT	DEPARTMENT
1.	88/2019	Proposal for change of Use Zone/ Premise of an area measuring 2.62 Ha. (6.47 acre approx.) from 'Recreational (T2 District Park)' to 'Recreational (Multi-purpose Ground)' at Block-B, Janakpuri under Sub-Clause 8(2) of MPD-2021 for Special Permission from the Authority w.r.t. the contempt Petition No. 229/2019 in the court case titled 'Ramleela Committee, Janakpuri (Regd) & Anr. Vs Rishu Kant Sharma & Ors.' falling in Planning Zone-G. F.5(12)/2016-MP	PLANNING
2.	89/2019	Modification in the Development Control Norms and activities permissible under Religious Category at sub city level in the Master Plan. F.15(01)2018-MP	PLANNING
3.	90/2019	Policy for Transit Oriented Development (TOD) in Delhi- as a modification to MPD-2021. F.20(7)/2015/MF	PLANNING
4.	91/2019	Draft regulations for Transit Oriented Development (TOD) in Delhi. F.20(7)2015/MF/Pt-I	PLANNING
5.	92/2019	Proposed Amendments in MPD-2021. F.20(9)/2014/MF	PLANNING
6.	93/2019	Relaxation in lock-in period, raising the ceiling of rebate and reducing the rate of interest in respect of flats allotted to Persons with Disability (PwD). F.25(PHP)/LIG/2019	HOUSING
7.	94/2019	Rationalization of cost of One Bed Room Flats at Ram Garh Colony, Jahangirpuri. F-25/Rationalization/LIG/2019/08	HOUSING
8.	95/2019	Partial Amendment in Policy for permissibility of Additional Educational Activities/use premises under the Educational Category plots. F.12(55)92/IL/Pt.	LAND DISPOSAL
9.	96/2019	Request of Authority Member Shri Soumabh Bharti for grant of NOC for Aam Aadmi Mohalla Clinics. F.22A (01)/17/IL	LAND DISPOSAL

ITEM NO. 78/2019

Sub: Confirmation of minutes of the meeting of the Delhi Development Authority held on 13.08.2019.
F.2(2)2019/MC/DDA/PE

Minutes of the meeting of the Authority held on 13.08.2019 were circulated vide this office circular No. F.2(2)2019/MC/DDA/106 dated 20.08.2019 with the request that proposals for amendment, if any, should be submitted within 3 days (Annexure 'A').

2. Corrigendum in respect of agenda item No. 76/2019 regarding "Proposed modification related to Chapter on Industry in Master Plan for Delhi-2021-suggested by GNCTD" has been issued vide No. F.2(2)2019/MC/DDA/PE/124 dated 12.09.2019 (Annexure 'B').

3. Shri Somnath Bharti, Hon'ble Member vide his letter No. SB/8841 dated 31.08.2019 has sought certain amendments in the minutes for paras i) and ii) of agenda item No. 58/2019, paras i), iii), v), vi) and vii) of agenda item No. 59/2019 and para i) of 'Other Points' raised by the Members of the Authority (Annexure 'C').

4. Request of Shri Somnath Bharti, Hon'ble Member is placed before the Authority for consideration.

5. Minutes of the meeting of the Delhi Development Authority held on 13.08.2019 are submitted for confirmation of the Authority.

RESOLUTION

The agenda item was deferred.


DELHI DEVELOPMENT AUTHORITY
(Office of Commissioner-cum-Secretary)

No. F.2(2)2018/MC/DDA/106

Dated: the 30th August, 2019

Sub: Minutes of the meeting of Delhi Development Authority.

Kindly find enclosed minutes of the meeting of Delhi Development Authority held on 13th August, 2019 at Raj Niwas, Delhi. Amendments to the minutes, if any, may kindly be proposed within 3 days.


(D. Sarkar)
Commissioner-cum-Secretary

Incl: As above.

CHAIRMAN

1. Shri Anil Bajaj
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri Tarun Kapoor

MEMBERS

3. Shri K. Vinayak Rao
Finance Member, DDA
4. Shri Shailendra Sharma
Engineer Member, DDA
5. Shri K. Sanjay Murthy
Addl. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
6. Smt. Archana Agrawal
Member Secretary, NCR Planning Board
7. Shri Vijender Gupta, MLA &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
8. Shri Somnath Dharti, MLA
9. Shri S.K. Bagga, MLA
10. Shri G.P. Sharma, MLA
11. Shri Manish Aggarwal
Municipal Councillor, South Delhi Municipal Corporation
12. Shri Sanjay Goyal
Municipal Councillor, East Delhi Municipal Corporation

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2. Smt. Renu Sharma
Addl. Chief Secretary (Finance), GNCTD
3. Dr. G. Narendra Kumar
Principal Secretary (L&B), GNCTD
4. Ms. Manisha Saxena
Secretary (UD), GNCTD
5. Chief Planner
Town and Country Planning Organization
6. Smt. Varsha Joshi
Commissioner, North Delhi Municipal Corporation
7. Dr. Disha Kaur
Commissioner, East Delhi Municipal Corporation
8. Smt. Varsha Joshi
Commissioner, South Delhi Municipal Corporation
9. Dr. Rajesh Kumar
Principal Commissioner (Housing & Sports), DDA
10. Shri Manish Kumar Gupta
Principal Commissioner (LD, LM, Systems & Coordn.), DDA
11. Shri Shripal
Principal Commissioner (Personnel, Landscape & Hort.), DDA

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Special Secretary to Lt. Governor, Delhi
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Addl. Secretary to Lt. Governor, Delhi
4. Smt. Ruchika Katyal
Jt. Secretary to Lt. Governor, Delhi
5. Shri Anoop Thakur
PS to Lt. Governor, Delhi

Copy for kind intimation to:

PS to Minister (H&UA), Office of the Minister of Housing & Urban Affairs, Govt. of India.

DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of the Delhi Development Authority held on 13th August, 2019 at 2.30 p.m. at Raj Niwas, Delhi.

Following were present:

CHAIRMAN

Shri Anil Bajaj
Lt. Governor, Delhi

VICE CHAIRMAN

Shri Tarun Kapoor

MEMBERS

- 1 Shri K. Vinayak Ran
Finance Member, DDA
- 2 Shri Scaileendra Sharma
Engineer Member, DDA
- 3 Shri Vijendra Gupta, MLA &
Leader of Opposition In the Legislative Assembly of NCT of Delhi
- 4 Shri Somnath Bhatti, MLA
- 5 Shri S. K. Bagga, MLA
- 6 Shri Manish Aggarwal
Municipal Councilor, South Delhi Municipal Corporation

SECRETARY

Shri D. Sarkar
Commissioner-cum-Secretary, DDA

SPECIAL INVITEES

- 1 Dr. G Narendra Kumar
Principal Secretary (L&B), GNCTD
- 2 Dr. Rajesh Kumar
Principal Commissioner (Housing, PMAY, CWC & Sports)
- 3 Shri Manish Kumar Gupta
Principal Commissioner (LD, LM, Systems & Coordination), DDA
- 4 Shri Shalpal
Principal Commissioner (Pers., Hort. & Landscape), DDA
- 5 Smt. Varsha Joshi
Commissioner, North Delhi Municipal Corporation
- 6 Smt. Varsha Joshi
Commissioner, South Delhi Municipal Corporation

LT. GOVERNOR'S SECRETARIAT

- 1 Shri Vijay Kumar
Principal Secretary to Lt. Governor
- 2 Smt. Chanchal Yadav
Special Secretary to Lt. Governor
- 3 Smt. Ruchika Katyaj
Joint Secretary to Lt. Governor
- 4 Shri Anoop Thakur
Private Secretary to Lt. Governor

Hon'ble Lt. Governor, Delhi/Chairman, DDA welcomed all the Members of the Authority, Special Invitees and senior officers present in the meeting of the Authority.

Item No. 50/2019

Confirmation of minutes of the meeting of the Delhi Development Authority held on 9.7.2019 at Raj Niwas.
File No. F.2(2)2019/MC/DDA

- i) Observation made by Shri Somnath Bhatti mentioned in para No. viii) of Item No. 47/2019 has been recorded in the minutes as follows:
"The community hall at Gujjar Dairy is in a dilapidated condition."
The following is to be added to the para of the minutes:
"The first floor of the community hall should be repaired/constructed."
- ii) Observation made by Shri Somnath Bhatti mentioned in para No. xi) of Item No. 47/2019 has been recorded in the minutes as follows:
"Allotment of land for a senior citizens' recreation centre at Gulmohar Park is pending for a long time."
The above minutes were amended as follows:
"DDA to consider construction of a Community Centre at Gulmohar Park."
- iii) The remaining minutes of the meeting of the Authority held on 9.7.2019 were confirmed as circulated.

Item No. 59/2019

Action Taken Reports on the minutes of the meeting of the Delhi Development Authority held on 9.07.2019 at Raj Niwas.
P.2(2)2019/MC/DDA

The Members of the Authority made the following observations with regard to the Action Taken Reports (ATRs) on the minutes of the meeting of the Authority held on 9.7.2019:

Shri Vinod Kumar Gupta

- i) Roads under the jurisdiction of DDA should be properly maintained and cleaned, if required through outsourcing, till they are handed over to PWD/Municipal Corporations. Concerned zonal engineers should ensure their proper maintenance.

Shri Somnath Bhatti

- i) DDA to reconsider determination of lease of land allotted to Badarpur Traders' Union.

- ii) Whether approval of the Authority is required for allotting land earmarked for Nursery Schools for various permissible facilities.
- iii) Since demarcation of land has been done for the third time and there is no stay order in respect of Khassra No. 277, Hauz Khas, DDA should initiate necessary action.
- iv) Land for community services be allotted at Gaurain Nagar as DDA land is available in the area.
- v) A large DDA plot at Arjun Nagar cannot be developed for its intended purpose due to unauthorized construction in the area which has narrowed its approach road.
- vi) The status of DDA land at Komhar Basti be re-checked so that a part of it can be utilized for a community centre.
- vii) DDA should consider installation of an STP to clean the drain water at Rose Garden, Hauz Khas.

Sar. S.K Bagga

- i) The maintenance of DDA parks in Krishna Nagar Assembly Constituency is not satisfactory.

Sri Manish Aggarwal

- i) Status of DDA land in Khassra Nos. 23, 26, 27 and 39 at Karbala, Lodhi Road be intimated.
- ii) Roads under jurisdiction of DDA should be handed over to PWD/Municipal Corporations and deficiency charges paid.

Item No. 60/2119

Modification in the existing policy guidelines for resitment/shifting of Petrol Pump/Gas Godown existing on the land of DDA.
 9.13(47)93/CRC

After detailed discussion the agenda item was deferred.

Item No. 61/2019

Extension of time for completing construction on the residential plots allotted by DDA in r/o Rohini Residential Scheme-1981.
PA/DD/LAB(RU)2017/CP/DDA

The proposal contained in the agenda item was approved.

Item No. 62/2019

Proposal for launching Online Ranning Scheme for commercial built-up properties.
F.25(21)2018/CG/PC

The proposal contained in the agenda item was approved.

Item No. 63/2019

The proposal relating to policy for renewal of 90 years expired term leases of residential as well as mixed land-use in 24 Nazul-I Estates under Old Scheme Branch of DDA upto 31.12.2021.
KPS/C(I.D)/2010/OSB

The proposal contained in the agenda item was approved. The matter be referred to the Ministry of Housing and Urban Affairs, Govt. of India, for approval under Section 57 of DD Act, 1957.

Item No. 64/2019

Permission to undertake Survey and In-situ Redevelopment/Rehabilitation of JJ clusters in Delhi.
F.2(03)2019/PMAY(JSR)

- i) The proposal contained in the agenda item was approved.
- ii) It was decided that concerned Engineers be directed to ensure no new Jhuggis come up on DDA land, in case of failure to comply, the concerned Engineer shall be held responsible. All vacant DDA lands should be protected with boundary wall/fencing.

Item No. 65/2019

Proposed change of land use of land measuring about 38411.684 sq. m. of Bhavishya Nidhi Enclave at Malviya Nagar, New Delhi from 'Recreational' to 'Residential' falling in Planning Zone-F.
E.20(03)/2019-MP

The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11-A of DD Act, 1957 be issued.

Item No. 66/2019

Inclusion of villages/ (part village) in the list of villages for development in the Land Pooling Zones.
E.15(7)/2019-MP

The proposal contained in the agenda item was approved. This should be forwarded to the respective Municipal Corporations for notification of villages as Urban Areas under Section 507 of the Delhi Municipal Corporation Act, 1957 and to Govt. of NCT of Delhi for declaration as Development Area of DDA under Section 12 of Delhi Development Act, 1957.

Item No. 67/2019

Investment of DDA Pension Fund Trust in 8.69% TL&FS Financial Services Ltd.-NCD.
E.6(1)2015-16/A/Cs(M) Part File

Information contained in the agenda item was noted.

Item No. 68/2019

Modification of powers delegated to the officers of Engineering Wing UDA.
P.WAB1(76)Vol-41/Secy-2017

The proposal contained in the agenda item was approved.

Item No. 69/2019

Amendment in the Nazul Rule-1981(Rule-4) with respect to allotment of Institutional plots of Old Age Home.
F.1(01)19/Policy/IL

The proposal contained in the agenda item was approved. The matter be referred to the Ministry of Housing and Urban Affairs, Govt. of India for amendment in Nazul Rule, 1981 in exercise of powers conferred by clause (j) of sub-section (2) of Section 56, read with sub-section (3) of Section 22 of DD Act, 1957(61 of 1957) for inserting other use premises in the Rule 4(2) of DDA (Disposal of Nazul Land) Rules, 1981.

Item No. 70/2019

Policy for disposal of Group Housing plots through auction.
F.1(Misc.)2019/GH/Auction

The proposal contained in the agenda item was approved.

Item No. 71/2019

Proposed amendments in MPD-2021 w.r.t amalgamation of Residential Plots upto 200 sq.m.
F.20(1)/2013/MP

The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of DD Act, 1957 be issued.

Item No. 72/2019

Incurring inevitable expenditure for the works "Comprehensive Mobility Plan for Dwarka (K-II Zone)", Delhi.
F.1(332)2019/UTTIPEC

Information contained in the agenda item was noted.

Item No. 73/2019

Proposal regarding proposed change of land use of an area measuring 26 ha. (64.22 acres), from "MANUFACTURING" to "RECREATIONAL", located at Ash Disposal Area of Badarpur Thermal Power Station (BTPS), falling in Zone- "O" for development of Eco Park.
E.3(56)/BO-MP/PE-1

The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of DD Act, 1957 has issued.

Item No. 74/2019

Proposal regarding change of land use of an area measuring 19800 sq.m. from 'Recreational' to 'Public Semi-Public' located at Shastri Park for development of Community Sports Centre falling in Planning Zone-5.
F.20(7)2019-MP

The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of DD Act, 1957 has issued.

Item No. 75/2019

Development of 30 hectares DDA land at Karkarduonia.
E.11(31)2019/VI/MP/Co-II(part)

- i) The proposal for development of the land as per TGD norms based on the new MoU to be signed with NBCC was approved.
- ii) The Authority authorized Vice Chairman, DDA to undertake any subsequent changes in the new MoU if required. The final MoU would be placed before the Authority for information after signatures.

Item No. 76/2019

Proposed modification related to Chapter on Industry in Master Plan for Delhi-2021-suggested by GNCTD.
E.17(5)2007/MP

- i) The proposal contained in Part A of the agenda was approved with the condition that the warehousing within the plot in 100% local other than in identified clusters is to be provided as incidental storage accruing out of the

industrial activity in the respective plot (raw material, finished products, etc., storage).

ii) The proposal contained in Part B of the agenda was approved. Public notice inviting objections/suggestions under Section 13 A of DD Act, 1957 be issued.

Item No. 77/2019

Fixation of charges for processing and examination of layout plans by DDA for enabling the planned development of Privately Owned Lands.
R.5(5)2019/AO(O)P/DDA

The proposal contained in the agenda item was approved.

'Other Points' raised by the Members of the Authority

Shri Vijender Gupta

- i) In view of the recent fire incident at Okhla and earlier at Kofat, review of GFR is essential to provide emergency exit provision in buildings.
- ii) Erecting of fibre sheets over courtyards upto a height of 7 ft. in DDA flats is permissible. DDA should consider enhancing the permissible height to 9 to 10 ft.

Shri Somnath Bharti

- i) DDA should consider allotment of alternative land to Gurm Ravidas Samiti in lieu of the structure removed at Toghakabad as per the orders of the Hon'ble Supreme Court.

Shri S K Bagga

- i) Proper boundary walls and roads should be constructed at Gazipur paper market.
- ii) DDA should protect its land in his constituency and to explore its utilization/sale through auction which have been got vacated after protracted litigation.

Shri Manish Aggarwal

i) Four gas godowns near Jhandewalan temple be shifted on priority.

Hon'ble Lt. Governor thanked all the Members, Special Invited and senior officers for participating in the meeting.

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

DELHI DEVELOPMENT AUTHORITY
(Office of the Commissioner-cum-Secretary)

No. 76(3)2019/MC/DDA/Pt./126

Dated: 12.09.2019

Sub: Corrigendum to the minutes of the meeting of the Delhi Development Authority held on 13.8.2019, E2(2)2019/MC/DDA/Pt.

Minutes of the meeting of the Delhi Development Authority held on 13.8.2019 for agenda Item No. 76/2019 regarding "Proposed modification related to Chapter on Industry in Master Plan for Delhi-2021 - suggested by GNCTD", have been amended as follows:

- 1) The proposal contained in Part A of the agenda was approved with the condition that the warehousing within the plot in 10% limit other than in identified clusters is to be provided as incidental storage accruing out of the industrial activity in the respective plot (raw material, finished products, etc., storage).

The above minutes are amended as follows:

- 1) The recommendation contained in Para 4.0 of the agenda was approved with the condition that the warehousing within the plot in 10% limit other than in identified clusters is to be provided as incidental storage accruing out of the industrial activity in the respective plot (raw material, finished products, etc., storage).

[D. Sarkar]

Commissioner-cum-Secretary

CHAIRMAN

1. Shri Anil Bajaj
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri Tarun Kapoor

MEMBERS

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Finance Member, DDA
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Member Secretary, NCR Planning Board
7. Shri Vijender Gupta, M.L.A. &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
8. Shri Sonurath Bharti, M.L.A.

9. Shri S.K. Bagga, MLA
10. Shri O.P. Sharma, MLA
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Municipal Councillor, South Delhi Municipal Corporation

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Addl. Secretary to Lt. Governor, Delhi
4. Smt. Ruchika Katyaj
Lt. Secretary to Lt. Governor, Delhi
5. Shri Anoop Thakur
PS to Lt. Governor, Delhi

Copy for kind information to:

PS to Minister (H&UA), Office of the Minister of Housing & Urban Affairs, Govt. of India.



सोमनाथ भारती

विधायक (मालवीय नगर)
राज्य, दिल्ली विकास प्राधिकरण
पूर्व मंत्री
विधि, प्रशासनिक सुधार
पर्यटन, कला एवं संस्कृति

SOMNATH BHARTI
M.L.A. (Malviya Nagar)
Member, Delhi Development Authority
Ex Minister:
Law, Administrative Reforms,
Tourism and Art & Culture
Govt. of NCT of Delhi

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D.O. No. 98/2741

Date 20/8/19

Dear Sir, O. Sarkar ji,

मिशन के लिए मंडल
No. 11
आदेश No. 362
दिनांक 11/8/19

Re: Minutes of the meeting of Delhi Development Authority.

This has reference to the letter No F 3632019/MO/DDA/106 dated August 20, 2019 enclosing the minutes of the meeting held on August 13, 2019. The following instructions may be acted on in each item under my name, as stated below.

- 1. Item No 58/2019
 - i) The first floor of the Community Centre should be constructed.
 - ii) DDA must fulfil its promise of construction of Community Centre at Vidyaohar Park at the land earmarked for this purpose on its own.
- 2. Item No 59/2019
 - i) DDA to reconsider demarcation of lease of land allotted to Barabur Traders' Union and finalize this long pending issue.
 - ii) Since demarcation of land has been done for the third time and there is no stay order in respect of Khass No 277, Hanz Khaz, DDA should initiate necessary action and why the demarcation be carried out for the third time?
 - iii) A large DDA plot at Anjan Nagar cannot be developed for its intended purpose due to narrowed approach road, widening of which must be undertaken urgently.
 - iv) The status and demarcation of DDA land at Kunihar Basti be rechecked so that a part of it can be utilized for a community centre.
 - vii) DDA should consider installation of an STP to clean the drain water at Rose Garden, Hanz Khaz and lake at district park must be cleaned.

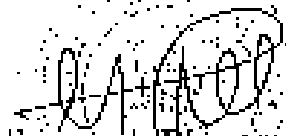
Handwritten signatures and initials including '779/2019' and 'DEO'.

3. "Other Points" raised by the Members of the Authority
 - (i) DDA should allow the same and back to the Guro Kavidas Samiti to bring back the demolished temple.

Kindly incorporate the observations accordingly under intimation to

Thanking you,

Sincerely yours,



Somnath Thakur

To
Mr. E. Sankar
Commissioner cum Secretary
Delhi Development Authority
New Delhi

ITEM NO. 79/2019

ACTION TAKEN REPORT ON THE MINUTES OF THE MEETING OF DELHI DEVELOPMENT AUTHORITY HELD ON 13.08.2019 AT RAJ NIWAS.

S.No	SUBJECT	ACTION TAKEN REPORT
1.	<p><u>Item No. 58/2019</u></p> <p>Confirmation of minutes of the meeting of the Delhi Development Authority held on 9.7.2019 at Raj Niwas. File No: F.2(2)2019/MC/DDA</p>	
i)	<p>Observation made by Shri Somnath Bharti mentioned in para No. viii) of Item No. 47/2019 has been recorded in the minutes as follows: "The community hall at Gujjar Dairy is in a dilapidated condition." The following is to be added to the para of the minutes: "The first floor of the community hall should be repaired/constructed." <u>Action: Engineering</u></p>	<p>As reported by concerned Executive Engineer, the condition of the community hall is satisfactory as already intimated in Authority meeting dated 09.07.2019. However, minor repair work as well as provision for making the community hall disabled friendly is being taken up and targeted to be completed by October, 2019. (Engineering)</p>
ii)	<p>Observation made by Shri Somnath Bharti mentioned in para No. xi) of Item No. 47/2019 has been recorded in the minutes as follows: "Allotment of land for a senior citizens' recreation centre at Gulmohar Park is pending for a long time." The above minutes were amended as follows: "DDA to consider construction of a Community Centre at Gulmohar Park." <u>Action: Planning/Architecture</u></p>	<p>A plot measuring 469.36 sqm was approved for 'Community Room cum Library in 315th Screening Committee meeting held on 07.08.2013 wherein the activity such as Recreation for Senior Citizen can be accommodated. (Planning)</p>

2	<p><u>Item No. 59/2019</u></p> <p>Action Taken Reports on the minutes of the meeting of the Delhi Development Authority held on 9.07.2019 at Raj Niwas. B.2(2)2019/MC/DDA</p> <p>The Members of the Authority made the following observations with regard to the Action Taken Reports (ATRs) on the minutes of the meeting of the Authority held on 9.7.2019.</p> <p><u>Shri Viender Gupta</u></p> <p>i) Roads under the jurisdiction of DDA should be properly maintained and cleaned, if required through outsourcing, till they are handed over to PWD/Municipal Corporations. Concerned zonal engineers should ensure their proper maintenance.</p> <p style="text-align: right;">Action: Engineering</p>	<p>Advisory in respect of maintenance of roads under the jurisdiction of DDA has been issued by the office of Engineer Member to all zonal Chief Engineers vide letter No. EM3(15)2019-20/AM/13.8.19/DDA/7437 dated 29.08.2019 for compliance.</p> <p style="text-align: right;">(Engineering)</p>												
i)	<p><u>Shri Somnath Bharti</u></p> <p>DDA to reconsider determination of lease of land allotted to Badajpur Traders' Union.</p> <p style="text-align: right;">Action: Land Disposal</p>	<p>Letter dated 08.08.2019 along with the detailed facts of the case has been sent to Ministry of Housing & Urban Affairs, Govt. of India for directions/clarification on the observation raised by Hon'ble Member. No reply has been received so far.</p> <p style="text-align: right;">(Land Disposal)</p>												
ii)	<p>Whether approval of the Authority is required for allotting land earmarked for Nursery Schools for various permissible facilities:</p> <p style="text-align: right;">Action: Planning</p>	<p>The approval of the Authority is not required. However, the agenda would be tabled in the Authority for its information.</p> <p style="text-align: right;">(Planning)</p>												
iii)	<p>Since demarcation of land has been done for the third time and there is no stay order in respect of Khasra No. 277, Hauz Khas, DDA should initiate necessary action.</p> <p style="text-align: right;">Action: Land Management</p>	<p>Status of Court cases in respect of Khasra No. 277, Village Hauz Khas is as follows:</p> <table border="1" data-bbox="762 1855 1513 2004"> <thead> <tr> <th>S. No.</th> <th>Title of case</th> <th>Case No.</th> <th>Court Order/S. by Order etc</th> <th>Name of Court</th> <th>Next date of hearing</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	S. No.	Title of case	Case No.	Court Order/S. by Order etc	Name of Court	Next date of hearing						
S. No.	Title of case	Case No.	Court Order/S. by Order etc	Name of Court	Next date of hearing									

		1. Jugal Chaudhan V/s DDA	MCA No. 34/18	Stay from 18.12.18	ADJ Court Saket	30.09.19	
		2. Relous Chaudhan V/s DDA	MCA No. 25/18	Stay from 18.12.18	ADJ Court Saket	30.09.19	
		3. Nagindip Wargama Dantabang Bhutla V/s DDA	LE(OE) No. 3652/18	Stay from 06.11.18	High Court	21.10.19	
		We are pursuing the matter in the Hon'ble Courts. As and when the stay order from the aforesaid cases is vacated by the Hon'ble Courts, demolition action will be taken accordingly.					
		(Land Management)					
iv)	Land for community services be allotted at Gautam Nagar as DDA land is available in the area. Action: Land Disposal	Hon'ble Authority Member informed that Hon'ble High Court vide its order in 1999 directed that 4 acres land be made available for Community facilities at Gautam Nagar. He further informed that the said 4 acre land has been allotted to AIIMS. However, Hon'ble Member suggested that land pockets, one behind the allotted land of AIIMS and other near Church, Gautam Nagar are available. It was further informed that some portion of the aforesaid land is under litigation. During the meeting, it was decided that Engineering Dept. with the help of Land Management and Horticulture Dept. will demolish the unauthorized construction, properly fence the DDA land and provide TSS report to Planning/Architecture Depts. for provisioning of Community Facility.					
		(Land Disposal)					
v)	A large DDA plot at Arjun Nagar cannot be developed for its intended purpose due to unauthorized construction in the area which has narrowed its approach road. Action: LM/Planning/Architecture	The area of the plot is approximately 2.84 acres. The surrounding area/approach road is under the jurisdiction of SDMC. Action against removal of unauthorized construction is to be taken by SDMC. Issue discussed in the meeting convened on 11.09.2019 by Commissioner (Land Disposal) alongwith the Hon'ble Member, Shri. Soumath Bharti in which it was decided that the matter may be forwarded to STF for removal of encroachment along the approach roads as per layout plan of Arjun Nagar unauthorized regularized colony for making the site feasible for development.					
		(Engineering)					
		(Planning)					

vi)	<p>The status of DDA land at Kumhtar Basti be re-checked so that a part of it can be utilized for a community centre.</p> <p>Action: LD/Engineering/Planning</p>	<p>Hon'ble Authority Member requested that vacant DDA land may be utilized for Community Facility. Architecture Dept. has been requested to examine the request of Hon'ble Member for providing access from both sides in consultation with Engineering Dept.</p> <p style="text-align: right;">(Land Disposal)</p>
vii)	<p>DDA should consider installation of an STP to clean the drain water at Rose Garden, Hauz Khas.</p> <p>Action: Engineering/Horticulture</p>	<p>Since installation of STP is a new work, a new budget head has been created. Notice Inviting Tender, is under preparation and will be floated within one month.</p> <p style="text-align: right;">(Horticulture)</p>
i)	<p><u>Shri S K Bagga</u></p> <p>The maintenance of DDA parks in Krishna Nagar Assembly Constituency is not satisfactory.</p> <p>Action: Horticulture</p>	<p>Joint inspection alongwith Hon'ble Member has been carried out and Hon'ble Member is satisfied with the work.</p> <p style="text-align: right;">(Horticulture)</p>
i)	<p><u>Shri Manish Aggarwal</u></p> <p>Status of DDA land in Khasra Nos. 23, 26, 27 and 39 at Karbala, Lodhi Road be intimated.</p> <p>Action: Land Management</p>	<p>i. The status of land has been communicated to Hon'ble Member vide letter dated 25.07.2019. The matter of WAQF properties was pending before the One Man Committee. The Committee submitted its report on 13.05.2017, which was not accepted by the Competent Authority. Thereafter, a Two Men Committee was constituted as per order No. L-II/A/25(101)/10/363 dated 09.08.2018 of MoHUA. Removal of the encroachments being inside the Karbala boundary wall without waiting for the report of the Two Men Committee may not be appropriate being a religious matter.</p> <p>ii. A complaint against Khasra Nos. 25, 27 and 28 Village Aliganj (Karbala) has been received and submitted for necessary direction.</p> <p style="text-align: right;">(Land Management)</p>
ii)	<p>Roads under jurisdiction of DDA should be handed over to PWD/Municipal Corporations and deficiency charges paid.</p> <p>Action: Engineering</p>	<p>The matter for handing over roads has already been taken up with PWD and Municipal Corporations. PWD is not willing to take over the roads from DDA. There is no issue with Municipal Corporations for handing over roads and field staff are pursuing the matter.</p> <p style="text-align: right;">(Engineering)</p>

3.	<p><u>Item No. 61/2019</u></p> <p>Extension of time for completing construction on the residential plots allotted by DDA in r/o Rohini Residential Scheme-1981. PA/D13/LAB(RO)2017/CF/DDA</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: center;">Action: Land Disposal</p>	<p>Order has been issued vide No. PA/DDA/LAB(Ro)2017/CF/DDA/3109 dated 09.09.2019.</p> <p style="text-align: right;">(Land Disposal)</p>
4.	<p><u>Item No. 62/2019</u></p> <p>Proposal for launching Online Running Scheme for commercial built-up properties. E.25(21)2018/CF/Pt.</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: center;">Action: Land Disposal</p>	<p>The proposal for launching online running scheme on "First Come First Serve" basis has been approved by Hon'ble Lt. Governor on 07.08.2019. Systems Dept. is developing software for launching the scheme.</p> <p style="text-align: right;">(Land Disposal)</p>
5.	<p><u>Item No. 63/2019</u></p> <p>The proposal relating to policy for renewal of 90 years expired term leases of residential as well as mixed land-use in 23 Nazul-I Estates under Old Scheme Branch of DDA upto 31.12.2021. E.PS/C(LD)/2010/QSB</p> <p>The proposal contained in the agenda item was approved. The matter be referred to the Ministry of Housing and Urban Affairs, Govt. of India, for approval under Section 57 of DD Act, 1957.</p> <p style="text-align: center;">Action: Land Disposal</p>	<p>Ministry of Housing and Urban Affairs has been requested vide letter No. PS/C(LD)/2010/QSB/1274 dated 22.08.2019 for acceding approval to the said proposal so that necessary notification can be issued.</p> <p style="text-align: right;">(Land Disposal)</p>
6.	<p><u>Item No. 64/2019</u></p> <p>Permission to undertake Survey and In-situ Redevelopment/ Rehabilitation of JJ clusters in Delhi. E.2(03)2019/EMAY(IHR)</p>	

<p>i) The proposal contained in the agenda item was approved.</p> <p>ii) It was decided that concerned Engineers be directed to ensure no new jhuggis come up on DDA land, in case of failure to comply, the concerned Engineer shall be held responsible. All vacant DDA lands should be protected with boundary wall/fencing.</p>	<p style="text-align: right;">Action: Housing</p>	<p>Directions have already been issued to Executive Engineers and Asstt. Engineers (QKI) to ensure no encroachment comes up on DDA land under their jurisdiction and if any encroachment is noticed, action against removal of same is initiated immediately in coordination with Land Management Deptt. Fencing/boundary wall of such vacant plots has been done, wherever feasible.</p> <p style="text-align: right;">(Engineering)</p> <p>In this regard, it is stated that vide letter no. T2(03)2019/P/MAY(SR)/97 dated 23.08.2019, all Chief Engineers have been informed to take action accordingly and to ensure that no new jhuggi comes up on DDA land. In case of failure to comply, the concerned Engineer shall be held responsible. All vacant DDA lands should be protected with boundary wall/fencing.</p> <p style="text-align: right;">(Housing)</p>
<p>7. <u>Item No. 65/2019</u></p> <p>Proposed change of land use of land measuring about 15411.684 sq. m. of Bhavishya Nidhi Enclave at Malviya Nagar, New Delhi from 'Recreational' to 'Residential' falling in Planning Zone-F.</p> <p>T.20(03)/2019-MP</p> <p>The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11-A of DDA Act, 1957 be issued.</p>	<p style="text-align: right;">Action: Planning</p>	<p>As approved by the Authority, a public notice vide 3167 (E) dated 03.09.2019 has been issued for inviting objections/suggestions within a period of 30 days.</p> <p style="text-align: right;">(Planning)</p>
<p>8. <u>Item No. 66/2019</u></p> <p>Inclusion of villages/ (part village) in the list of villages for development in the Land Pooling Zones.</p> <p>R. 15(7)/2013-MP</p> <p>The proposal contained in the</p>		<p>Draft to be sent to North Delhi Municipal</p>

	<p>agenda item was approved. This should be forwarded to the respective Municipal Corporations for notification of villages as Urban Areas under Section 507 of the Delhi Municipal Corporation Act, 1957 and to Govt. of NCT of Delhi for declaration as Development Area of DDA under Section 12 of Delhi Development Act, 1957.</p> <p style="text-align: right;">Action: Planning</p>	<p>Corporation and to Land & Building Department, Govt. of NCT of Delhi requesting declaration for notification of villages as Urban Areas under Section 507 of the Delhi Municipal Corporation Act, 1957 and to Govt. of NCT of Delhi for declaration as Development Area of DDA under Section 12 of Delhi Development Act, 1957 has been put up for approval. The same will be issued within this week for necessary action by North Delhi Municipal Corporation and GNCTD.</p> <p style="text-align: right;">(Planning)</p>
9.	<p><u>Item No. 67/2019</u></p> <p>Investment of DDA Pension Fund Trust in 8.69% IL&FS Financial Services Ltd.-NCD. F.6(1)2015-16/A/Cs(M) Part file</p> <p>Information contained in the agenda item was noted.</p> <p style="text-align: right;">Action: Finance</p>	<p>No further action is required.</p> <p style="text-align: right;">(Finance)</p>
10.	<p><u>Item No. 68/2019</u></p> <p>Modification of powers delegated to the officers of Engineering Wing DDA. E.WAB1(76)Vol-41/Secy-2017</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: right;">Action: Engineering</p>	<p>The delegation of powers as modified and approved by the Authority have been circulated vide letter No. WAB1(76)Vol-41/Secy.2017/DDA/2019/2493 dated 03.09.2019.</p> <p style="text-align: right;">(Engineering)</p>
11.	<p><u>Item No. 69/2019</u></p> <p>Amendment in the Nazul Rule-1981(Rule-4) with respect to allotment of Institutional plots of Old Age Home. F.1(01)19/Policy/IL</p> <p>The proposal contained in the agenda item was approved. The matter be referred to the Ministry</p>	<p>Vide letter dated 11.09.2019 matter has been referred to the Ministry of Housing and Urban Affairs, Govt. of India for amendment of Rule(4) of DDA (Disposal</p>

	of Housing and Urban Affairs, Govt. of India for amendment in Nazul Rule, 1981 in exercise of powers conferred by clause (j) of sub-section (2) of Section 56, read with sub-section (3) of Section 22 of DD Act, 1957(61 of 1957) for inserting other use premises in the Rule 4(2) of DDA (Disposal of Nazul Land) Rules, 1981.	of Developed Nazul Land) Rule, 1981. (Land Disposal)
	Action: Land Disposal	
12.	<p><u>Item No. 70/2019</u></p> <p>Policy for disposal of Group Housing plots through auction. F1(Misc.)2019/GH/Auction</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: center;">Action: Land Disposal</p>	<p>Nine plots have been identified which will be put up in e-auction. Proposal for amendment in Nazul Rule also submitted for approval of Authority.</p> <p style="text-align: center;">(Land Disposal)</p>
13.	<p><u>Item No. 71/2019</u></p> <p>Proposed amendments in MPD-2021 w.r.t amalgamation of Residential Plots upto 200 sq.m. F.20(1)/2019/MP</p> <p>The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of DD Act, 1957 be issued.</p> <p style="text-align: center;">Action: Planning</p>	<p>A public notice vide 3166 (H) dated 08.09.2019 has been issued for inviting objections/suggestions within a period of 45 days.</p> <p style="text-align: center;">(Planning)</p>
14.	<p><u>Item No. 72/2019</u></p> <p>Incurring inevitable expenditure for the works "Comprehensive Mobility Plan for Dwarka (K-11 Zone)", Delhi. F1(332)2019/LTIPEC</p> <p>Information contained in the agenda item was noted.</p> <p style="text-align: center;">Action: Planning</p>	<p>Necessary action has been taken and part payment released to the Consultant SPA and work is under process.</p> <p style="text-align: center;">(Planning)</p>

15.	<p><u>Item No. 73/2019</u></p> <p>Proposal regarding proposed change of land use of an area measuring 26 ha. (64.22 acres), from "MANUFACTURING" to "RECREATIONAL", located at Ash Disposal Area of Badarpur Thermal Power Station (BITS), falling in Zone- "O" for development of Eco Park. F.3(56)/89-MP/P-I</p> <p>The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of DD Act, 1957 be issued.</p> <p style="text-align: right;">Action: Planning</p>	<p>A public notice vide 3169 (E) dated 03.09.2019 has been issued for inviting objections/suggestions within a period of 30 days.</p> <p style="text-align: right;">(Planning)</p>
16.	<p><u>Item No. 74/2019</u></p> <p>Proposal regarding change of land use of an area measuring 19800 sq.m. from 'Recreational' to 'Public Semi-Public' located at Shastri Park for development of Community Sports Centre falling in Planning Zone-K. F.20(7)2019-MP</p> <p>The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of DD Act, 1957 be issued.</p> <p style="text-align: right;">Action: Planning</p>	<p>A public notice vide 3170 (E) dated 03.09.2019 has been issued for inviting objections/suggestions within a period of 30 days.</p> <p style="text-align: right;">(Planning)</p>
17.	<p><u>Item No. 75/2019</u></p> <p>Development of 30 hectares DDA land at Karkardooma. F.11(01)2010/UT/DP/EC/Vol-III(part)</p> <p>i) The proposal for development of the land as per TOD norms based on the new MoU to be signed with NBCC was approved.</p>	<p>As per the decision of the Authority, the old MoU is under revision and will be finalized in consultation with Engineering and Finance Departments.</p> <p style="text-align: right;">(Planning)</p>

<p>ii)</p>	<p>The Authority authorized Vice Chairman, DDA to undertake any subsequent changes in the new MoU if required. The final MoU would be placed before the Authority for information after signatures.</p> <p style="text-align: right;">Action: Planning</p>	
<p>18.</p>	<p><u>Item No. 76/2019</u></p> <p>Proposed modification related to Chapter on Industry in Master Plan for Delhi-2021-suggested by GNCTU. F.17(3)2007/MP</p> <p>i) The proposal contained in Part A of the agenda was approved with the condition that the warehousing within the plot in 10% limit other than in identified clusters is to be provided as incidental storage accruing out of the industrial activity in the respective plot (raw material, finished products, etc., storage).</p> <p>ii) The proposal contained in Part B of the agenda was approved. Public notice inviting objections/suggestions under Section 21 A of DD Act, 1957 be issued.</p> <p style="text-align: right;">Action: Planning</p>	<p>Corrigendum to the minutes has been issued vide F.2(2)2019/MC/DDA/Pt./124 dated 12.09.2019.</p> <p>A public notice for Part-B for House Hold Industries vide 3168 (E) dated 03.09.2019 has been issued for inviting objections/suggestions within a period of 45 days.</p> <p style="text-align: right;">(Planning)</p>
<p>19.</p>	<p><u>Item No. 77/2019</u></p> <p>Fixation of charges for processing and examination of layout plans by DDA for enabling the planned development of Privately Owned Lands. F.5(5)2019/AC(O)P/DDA</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: right;">Action: Planning</p>	<p>The rates have been approved by the Authority and a separate Account is being generated for deposit of funds.</p> <p style="text-align: right;">(Planning)</p>

'Other Points' raised by Hon'ble members of the Authority

S. No.	Subject	Action Taken Report
i)	<p><u>Shri Vijender Gupta</u></p> <p>In view of the recent fire incident at Okhla and earlier at Kohat, review of UBBL is essential to provide emergency exit provision in buildings.</p> <p align="right">Action: Planning</p>	<p>The United Building Bye Laws 2016 notified on 22nd March, 2016 and its further amendments specifies the width of corridors, doors, staircases, fire towers for various occupancy of Buildings such as Residential, Mercantile, Educational, Institutional, etc. for buildings that require fire clearances from Delhi Fire Services. The sanctioning authorities approve the plan only after obtaining NOC from Delhi Fire Services.</p> <p>Chapter 7, Chapter 8 and Chapter 9 of UBBL 2016 deals with the provisions required for Fire Safety, including emergency exits.</p> <p>As for the incidents of Okhla and Kohat, the case is required to be discussed in detail with the Delhi Fire Services and necessary amendments, if required can be carried out.</p> <p align="right">(Planning)</p>
ii)	<p>Erection of fibre sheets over courtyards upto a height of 7 ft in DDA flats is permissible. DDA should consider enhancing the permissible height to 9 to 10 ft.</p> <p align="right">Action: Planning</p>	<p>As per "Policy & Procedure for permission and regularization of Additions/Alterations in DDA Flats"- the following is mentioned:-</p> <p>"Para ii. Additional/Alteration(s) permitted with Prior Intimation/Permission:</p> <p>(3) Covering of open terrace with sloping roofs upto 9' height with light weight material, i.e., fibre glass/AC sheets/GI Sheets with pipes and standard angle iron section, etc., and enclosing with glazing"</p> <p align="right">(Planning)</p>
i)	<p><u>Shri Somnath Bharti</u></p> <p>DDA should consider allotment of alternative land to Guna Ravidas Samiti in lieu of the structure removed at Tuglakabad as per the orders of the Hon'ble Supreme Court.</p> <p align="right">Action: Land Disposal</p>	<p>It is intimated that the policy of allotment of land for religious purpose is under submission to Competent Authority and there is no policy to give alternative land to any society after removal of unauthorized structure on DDA land.</p> <p align="right">(Land Disposal)</p>
i)	<p><u>Shri S K Bagga</u></p> <p>Proper boundary walls and roads should be constructed at Gazipur paper market.</p> <p align="right">Action: Engineering</p>	<p>Roads and the boundary walls have been provided and repairs, if required, are being carried out regularly.</p> <p align="right">(Engineering)</p>

ii)	DDA should protect its land in his constituency and to explore its utilization/sale through auction which have been got vacated after protracted litigation. Action: Engineering/LD	DDA land is being protected. Disposal is under process:	(Engineering) (Land Disposal)
i)	Shri Manish Aggarwal Four gas godowns near Jhandewalan temple be shifted on priority. Action: LD/Planning	There are several trees at the alternative site for shifting of the existing gas godowns. Permission of cutting of trees has been sought from the Ridge Management Board which has not been received so far.	(Land Disposal)

RESOLUTION

The agenda item was deferred.

ITEM NO. 80/2019

Subject:- Disposal of flats of Commonwealth Games Village – concession in rates of disposal for allotment to Government Bodies, PSUs and Corporations of Central and State Governments.

File No: E.1(272)2013/N&C(H)/Vol.II

BACKGROUND

DDA purchased 333 flats from EMAAR, VGF for Rs.788 crores, under a package deal AS per Agreement executed between EMAAR MGR & DDA in May 2011 the rate of Rs.11000/- per sq. Ft. (i.e. Rs.1,18,360/- per sqm) was fixed under the bailout package for the amount of Rs.767/- Crore already paid by the DDA. Schemes for disposal of these flats were launched by way of e-auction and allotment to Government Departments, including Cabinet Secretariat and PSUs from time to time since its purchase, as per the following details:-

S.No	Allotted	No. of flats
1	DDA share	378
2	Purchased from Emuar MGF	333
3	Total Flats	711
3	Transferred to MOUD (Directorate of Estate)	362
4	Transferred/handed over to Green Tribunal	16
6	Allotted through tendering	74
7	Disputed Flats – Non completion certificate, Pending in Hon'ble High Court and stay is in operation	62
8	Flats converted into staff quarters	49
	Balance flats	152
1	Allotted through e-auction in 2015 (I/L issued)	6
2	Allotted to Cabinet Secretariat (I/L issued)	6
3	Allotted to Rajya Sabha (No payment received)	20
4	Flats selected for allotment to income tax	25
5	Flats under process - RSG	16
	Balance flats available for disposal	84

2. From the above details it is evident that due to depressed market and rates not being realistic keeping in view the market trend, the DDA money is blocked for non disposal of these prime flats. The earlier e-auction was scheduled for 13.7.2015 to 16.7.2015 for disposal of 152 flats and concluded on 13.7.2015 to 14.7.2015 as there no bidder against the flats, the e-auction was re-scheduled for 15.7.2015 to 16.7.2015. Only 6 bids for 6 flats were received due to depressed market trend.

3. DDA fixed the reserve price every year by increasing 10% rate per year and the rate arrived at is Rs.4,38,800 per sq.mtr. for the Financial Year 2019-20.

4. With a view to review the reserve price, a Committee under the Chairmanship of Commissioner(Housing) was constituted with the following members:-

i)	Commissioner (Housing)	-Chairman
ii)	Financial Adviser(Housing) Director(FC)	-Member
iii)	Director (Housing)-I	-Member
iv)	Dy.Financial Adviser(F)-II	-Convener
v)	Dy.Director(SFS)	-Member
vi)	Accounts Officer(HAC)	-Member

5. A meeting of the "Committee" was held under the Chairmanship of the Commissioner(Housing) on 30.7.2013

The following scenarios vis-à-vis the reserve price of flats were discussed in the meeting.

A. Scenario A: Cost based on Cost of Capital incurred by DDA

The agreement between Emman MGF & DDA was executed in May 2004 @ 1100/- per sq ft. (i.e. Rs. 1,18,160/- per sq. mtr.) under the bailout package which was paid by DDA. Considering the cost of money for the price paid by DDA, this rate has been updated by 10% p.a. up to 31.03.2013 which works out to be Rs. 3,07,000/- per sq. mtr. Approx.

B. Scenario B: Cost based on the latest rates approved by Price Fixation Committee

As per the methodology duly approved by the Price Fixation Committee, the Reserve Price was updated by 10% p.a. every year w.e.f. 01.04.2013 and accordingly the reserve price for the Financial year 2017-2018 worked out to Rs. 3,71,900/- per sq. mtr. (including conversion charges of Rs.1,130/- per sq. mtr.) but excluding Rs. 7,38,100/- for car parking.

C. Scenario C: Cost based on the rates to be approved by Price Fixation Committee for FY 2019-20

Using the above methodology, the rates for FY 2019-20 works out to Rs. 4,38,800/- per sqmt. (including conversion charges of Rs. 1,130/- per sqmt) but excluding Rs. 8,75,000/- for car parking.

6. It was also discussed that the rates for financial year 2019-2020, works out to Rs.4,38,800/- per Sq. Mtr. (Scenario C) arrived at by updating the rate @10%. However these rates do not seem to be a realistic rate keeping in view the present market value/trend. Even the rates approved by Price Fixation Committee for the year 2017-18 as 3,71,900/- per sq. mtr. (Scenario B) appears unrealistic. The last transaction has happened in year 2015-17 when 6 flats were sold to Cabinet Secretariat. At that time rate charged was the rate fixed by Price Fixation Committee for the year 2016-17 which was Rs. 3,41,210 per sq. mtr.

7. It is also deliberated that DDA has purchased 333 flats from EMAAR, MGF for Rs.757 crores. With a view to recover the cost from disposal of CWG flats is to be expedited.

8. Earlier on 16.3.2018, a proposal for reduction of cost by 20% was moved in the Mgt. Wing and it was decided that the committee may decide for the same. It was proposed that reserve price as fixed for 2017-18 may be continued for allotment to Govt. Bodies/Org/PSUs during the year 2018-19. The rate of Rs. 3,07,000 per sq. mtr. worked out under Scenario-A is at approx. 10% discount on the rate of last transaction and approx. 17 % discount on the last approved rate of the year 2017-18. For determining the maximum concession/downward revision in reserve price, it was also discussed that the average yield on the funds invested by DDA during the period may be taken as proxy for determining the cost of capital in scenario-A instead of taking yearly yield as 10%. The average yield of DDA for the last ten years is approx. @ 9%. Accordingly, it is considered that the average yield @9% may be taken for determining the rate, which comes to Rs. 2,80,201/-

9. By considering the rate of Rs. 2,80,000/- (Rounded) on the basis of average yield factor @9%, the reserve price of 3 bed room flat bearing area 175 Sq. Mtr, comes to Rs. 4,90,00,000/- excluding cost of car garage and conversion charges, in comparison to reserve price comes to Rs. 5,37,25,000/- on the basis of up gradation of rates @10%. The last transaction was made at the price of Rs. 6,01,60,100/- inclusive of conversion charges and cost of car garage, allotted to Cabinet Secretariate.

10. It is also discussed and revealed that if there is need of further downward revision/concession on the basis of current market trend/rates, the administrative decision with the approval of the Competent Authority may be taken on the concession in the rate of Rs. 2,80,000/ per sq. mtr. for disposal of CWG flats to Govt. Bodies, PSUs & Central/State Corporations only. (COPY OF THE MINUTE OF THE COMMITTEE IS ENCLOSED AS ANNEXURE 'A')

PROPOSAL

In view of the above, the committee concluded that the rate of Rs. 2,80,000/- per Sq. Mtr. for disposal of CWG flats to Govt. Bodies, PSUs and Central/State Corporations only on the basis of 9% yield factor. It is proposed to offer concession @20% on the rate of Rs. 2,80,000/- per sq. mtr. which comes to Rs. 2,24,000/- per sq. mtr. and may be fixed for the year 2019-2020. In addition to above proposed reserved price, the conversion charges @ Rs. 11.00/- per sq. mtr. and cost of two car parking @ Rs. 7,00,000/- (rounded off) per car parking is chargeable.

RESOLUTION

The proposal contained in the agenda item was approved.

150/N

No. T 1(272)2017/ANR/1

Subject- Minute of the meeting of committee constituted for fixation of Reserve Price of Common Wealth Games Village for allotment to government bodies and PSUs

A meeting was called in the chamber of Commissioner (P&S/Housing) on 30th July 2018 at 2:30 P.M. regarding the fixation of Reserve Price for Common Wealth Games - flats.

The following officers were present at the meeting:

- i) Commissioner (P&S/Housing)
- ii) Finance/Assistant (Housing) & Director (L.O)
- iii) Director (L)-4
- iv) Deputy Director (SFS)
- v) Dy. FA (L)- II
- vi) AO (IAC)

1. Earlier Auction was scheduled for 13.7.2015 to 16.7.2015 for disposal of 100 Flats and concluded on 13.7.2015 to 14.7.2015 as there was no bidder against the flats. The auction was re-scheduled for 15.7.2015 and 16.7.2015.

2. As per the total 152 flats, only 5 flats were sold, as per note of EAO dated 7.8.2015 proper response was due to the fact that real estate market is depressed and in order to recover blocked funds at the earliest from the sale of remaining CWG flats, there is urgent need to consider downward revision of reserve price of CWG flats. It was therefore suggested that Price Fixation Committee may review the reserve price of CWG flats.

3. The following scenarios vis à vis the reserve price of flats were discussed in the meeting

A. Scenario A: Cost based on Cost of Capital incurred by DDA

The agreement between Crumier M&P & DDA was executed in May 2008 @ 11000/- per sq. ft. (i.e. Rs. 1,10,000/- per sqm) under the flat out package which was paid by DDA. Considering the cost of money for the price paid by DDA, this rate has been updated by 12% p.a. up to 11,01,22,00/- which works out to be Rs. 4,07,000/- per sqm. Approx.

B. Scenario B: Cost based on the latest rates approved by Price Fixation Committee

As per the methodology duly approved by the Price Fixation Committee, the Reserve Price was updated by 12% p.a. every year viz. 01.04.2015 and accordingly the current price for the financial year 2017-2018 worked out to Rs. 3,71,900/- per sqm. Including conversion charges of Rs. 1,100/- per sqm, but excluding Rs. 2,58,100/- for car parking.

C. Scenario C: Cost based on the rates to be approved by Price Fixation Committee for FY 2018-20

Using the above methodology, the rates for FY 2019-20 works out to Rs. 4,38,800/- per sqm. Including conversion charges of Rs. 1,100/- per sqm, but excluding Rs. 2,71,000/- for car parking.

4. It was also discussed that the rates for financial year 2015-2020, works out to Rs.4,48,800/- per sq. mtr. (Scenario C) arrived at by updating the rate @10%. However, these rates do not seem to be a realistic rate keeping in view the present market value/trend. Even the rates approved by Price Fixation Committee for the year 2017-18 as 3,71,900/- per sq. mtr. (Scenario D) appears unrealistic. The last revision has happened in year 2016-17 when only 6 flats were sold to Cabinet Secretariat. At that time rate charged was the rate fixed by Price Fixation Committee for the year 2015-17 i.e. Rs. 3,41,210/- per sq. mtr.

5. It is also deliberated that DDA has purchased 333 flats from PMASB, vide Rs.788 Crores. With a view to recover the cost from disposal of CWS flats it is to be expedited.

6. Earlier on 16.1.2018, a proposal for reduction of cost by 20% was moved in the Mgt. Wing and it was decided that the Committee may be constituted for the same. It was proposed by Finance Wing that reserve price as fixed for 2017-18 may be continued for allotment to Govt. Dept./Org./PSUs during the year 2018-19. The rate of Rs. 4,07,000/- per sq. mtr. worked out under Scenario-A is at approx. 10% discount on the rate of last transaction and approx. 17% discount on the last approved rate of the year 2017-18. For determining the maximum concession/downward revision in reserve price, it was also discussed that the average yield on the funds invested by DDA during the period may be taken as proxy for determining the cost of capital in scenario-A instead of taking cost of money. The average yield of DDA for the last 10 years may be worked out by the finance wing. ~~See Accounts Wing.~~

7. The Accounts Wing has worked out the annual yield as 9% and by considering the same, the per square meter rate comes to Rs.3,82,000/- (Rs.7000/-). Accordingly the reserve price of 170 sq. mtr. flat comes to Rs. 1,00,00,000/- excluding cost of car garage and conversion charges. In comparison to reserve price comes Rs.3,72,000/- on basis of yearly up-gradation @10%. The last transaction was made at the price of Rs. 3,01,60,100/- inclusive of conversion charges and cost of car garage allotted to Cabinet Secretariat.

In view of above, it is also discussed and revealed that if there is need of further downward revision/concession on the basis of current market trend/rate, the administrative decision with the approval of the Competent Authority may be taken on the concession to the rate of Rs.3,82,000/- per sq. mtr. for disposal of CWS flats to government bodies and PSUs only.

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ITEM NO. 81/2019

Subject: Removal of embargo for execution of Conveyance Deed for a period of 5 years and handing over possession on submission of an undertaking for becoming member of RWA and to abide by Regulations of RWA to allottees of EWS flats at Shivaji Marg

F.2(07)2017/EWS/Pt.

BACKGROUND

1. In the DDA Housing Scheme, 2014 DDA offered 770 EWS flats at Shivaji Marg, New Delhi having plinth area 25 to 40 sq. mtrs. and tentative cost from Rs. 6.90 Lakh to 11.00 Lakhs. These flats were constructed by DDA as per notification of MoUD published in 2013, and after completion DDA had taken over 50 percent (7/0) EWS flats from the Developer on 28.02.2018. Demand-cum-allotment letters were issued to the respective allottees in 2018-2019.
2. After issuance of the demand-cum-allotment letters, DDA received representations/complaints from the allottees about escalated cost of the flats. The allottee were contending that DDA had mentioned tentative cost at Rs. 6.9 Lakh to 11.00 Lakhs in brochure of the 'Scheme' and demand was raised for Rs. 19.34 Lakhs (Approx.). As per the demand-cum-allotment letter, allottees were required to deposit around Rs. 7.78 Lakhs as initial payment for acquiring possession letter and rest was to be deposited in 180 monthly installment which were around Rs. 12,322 per month. Hence, their requests were considered and an 'Agenda' was prepared and placed before the Authority Meeting held on 25.02.2019. Agenda was approved by the 'Authority' and inter-alia decided to :

- i Reduce maintenance charges of civil and electrical works to Rs. 50000/- per flat
- ii Since DDA has not incurred any expenditure on supervision and DDA's capital was not involved for construction, hence decided to not to charge departmental charges as well as interest during construction.

- iii All the allottees will be mandatorily required to form Residential Welfare Association and become its member.
 - iv The possession of flat will be given after the allottees become member of RWA.
 - v Clause No. 16 of Scheme's brochure in regard to execution of conveyance deed after five years and restriction on transfer of flat till that time will be made applicable to these allottees.
3. Accordingly, after finalization of costing as decided by the 'Authority', revised demand-cum-allotment letters have been generated and issued to all respective allottees. The initial deposit reduced to around Rs. 5.90 Lakhs from 7.78 Lakhs and proportionally monthly installments have also been reduced to around Rs. 10,632/- per month from Rs. 12,322/- per month.

II EXAMINATION

1. Some of the allottees of these EWS flats made the payments as demanded. Some of the allottees have made full payment after converting their mode of payment from Hire Purchase to Cash Down permissible as per Clause 13 of the brochure by obtaining loans from Banks, etc.
2. After making payment, these allottees requested for issue of possession letter. As decided by the 'Authority', they were requested to become member of the RWA before issue of possession letter. In this regard, they approached the DLF who informed that initially, as per agreement, the Resident's Welfare Association (RWA) has already been formed by them and four officers of the DDA will be inducted in the Governing Body of the Association for the purpose of maintenance of the 770 EWS flats handed over to the DDA. Therefore, after the allottees take over the possession they will be enrolled as a member of the RWA. The Competent Authority of DDA has already accorded approval for authorizing the officers of the concerned Engineering Division to become member of the Governing Body of the RWA for taking further action. The formality in this regard will take some time. Since the allottees have already made payment by obtaining loans and their Equated Monthly installments have already begun, it has been

decided by DDA to hand over possession to the allottees subject to furnishing an undertaking of ensuring to become member of RWA, to abide by the regulations of RWA and payment of maintenance charges regularly. The 'Authority' is apprised accordingly.

3. One of the proposal (No. 10) of the 'Agenda' approved by the Authority read as " Clause No. 16 of Scheme's brochure in regard to execution of conveyance deed after five years and restriction on transfer of flat till that time will made applicable to these allottees".
4. In this regard, it is submitted that to prevent speculative applications and to ensure that only genuine persons apply, a condition was imposed in DDA Housing Scheme-2014, as per Clause 16 of the brochure that successful allottee, including an allottee under the EWS and Physically Disabled (PD) category upon payment of 90% of the cost of the flat execute an Agreement to Sell with DDA before taking over the possession. They were not entitled to transfer or otherwise part with possession of the flat without execution of Conveyance Deed which was to be executed in favour of allottee only after a period of 5 years from the date of handing over possession subject to payment of balance 10% cost of the flat, conversion charges, etc. provided he has not parted with the possession.
5. Although the allotment of 770 EWS flats at Shivaji Marg was made in the year 2014 but the demand-cum-allotment letters could only be issued in December, 2018 when these flats were acquired from Developer Entity DLF as mentioned in 1-(2). The revised demand-cum-allotment letters were issued in the month of May, 2019 after approval of the reduced cost by the 'Authority' vide Authority Agenda No. 74/2019 whereby restriction of execution of conveyance deed after five years from the date of possession and on transfer of flat till that time has been made applicable.
6. In this connection, it is state that the 'Authority'-vide Resolution No. 53/2018 has resolved that the embargo on execution of " Conveyance Deed" upto 5 years of issuance of possession letter in respect of allottees of DDA Housing Scheme-2014 may be removed and conveyance deed may executed on realization of balance 10% payment with interest along with application fee to bring parity between "DDA

Housing Scheme-2014" and " DDA Awasiya Yojana-2017" in terms of allowing execution of conveyance deed.

7. In view of above approval of the 'Authority' vide Agenda item No. 53/2018, the proposal No. 10 regarding restriction on execution of Conveyance Deed for a period of 5 years and restriction of transfer till that time required to be waived.

III. PROPOSAL

In view of the above, following amendment/deletion in Para's 4 & 10 of the proposals contained in the Authority Agenda Item No. 24/2019 are submitted for consideration and approval please:

1. The possession to the allottees of the EWS flats will be handed over after payment of demanded amount and submission of requisite documents, subject to submission of an undertaking that he/she shall become member of the registered Resident's Welfare Association (RWA) of EWS flats at Shivaji Marg, abide by the rules and regulations framed by the RWA and will continue to pay the maintenance charges of common area of the flat to the RWA.
2. Condition of execution of Conveyance Deed after 5 years and restriction of transfer of title of flat till that time as approved vide Para 9-(10) of Agenda No. 24/2019 be removed. The Conveyance Deed will be executed in favour of the allottee of EWS flat at Shivaji Marg on receipt of entire cost of the flat and after the possession is taken over by the allottee.

RESOLUTION

The proposal contained in the agenda item was approved.

ITEM NO. 82/2019

Sub: Regarding amendment in the Nazul Rule-1981 (Rule-4) with respect to allotment of Institutional plots of Socio Cultural and Religious Category.

File No. F.7A (Religious- Policy) 15/II.

I. Background:

Vide Gazette Notification dated 19.4.2006, Rule-4 has been amended and disposal in respect of Hospitals/Dispensaries/Nursing Homes, Higher and Technical Education Institutions, Community Halls, Club and Schools has been changed from allotment to auction and same are being allotted to the Pvt. entities through auction mode only except Socio-Cultural category & Religious category (Annexure 1)

As per present policy, after completing the sodal formalities, cases are being put up in the Institutional Allotment Committee (IAC) and after recommendation of IAC, cases are being submitted to Competent Authority (Hon'ble I.G) for its consideration and approval. After approval of Competent Authority, the allotments are made to the Societies. The last IAC meeting was held on 08.07.2016 for Socio- Cultural category and on 30.09.2014 for Religious category.

Further, it is also submitted that as per present policy, the following qualification criteria is followed for shortlisting of Societies for allotment of land under socio cultural and religious category respectively: -

Sl. No.	Socio Cultural	Religious
1	Society should be registered under Society Registration Act and atleast 5 years old at the time of application for the allotment of land.	Same
2	Society should submit PAN Card, 12A and 80G Certificate.	Same
3	Audited balance sheet for last 3 years alongwith project report and have sufficient fund to cover the cost of land with proof.	Same
4	None of the immediate relative and family members should be working in DDA and also not to be member of the society and also submit the list of members of governing body.	Same
5	Society should be sponsored by the Ministry or concerned department of Government of India/GNU/ID.	No such requirement
6	Allotment is being made after recommendation of IAC and after approval of Competent Authority at current Zonal Variant Rate (ZVR)	Same
7	Maximum size of plot is 1000 Sqm.	Maximum size of plot is 400 Sqm.

SL No.	Socio Cultural	Religious
8	No such report is required.	Report from Delhi Police regarding: <ul style="list-style-type: none"> i. Suitability of constructing religious premises on the proposed plot from law and order angle. ii. Comments on the genuineness of the requirement for a religious premise in the area with due regard to likely number of worshippers and location of nearby places of worship of the same religion. iii. An assessment of whether such an allotment and construction of religious structure will not create any communal tension from any of the competing groups in the vicinity. iv. Character and antecedents of office bearers of the applicant Society.

II. REASONS FOR CHANGING MODE OF ALLOTMENT:

The competent authority in one of the Religious files observed that, "*I think we have a policy against such allotments to Religious organizations. If not, then we should have one. Please prepare firm policy. The society should buy the land as per regular rules or which other by DDA land.*"

Further, it has been observed that about 4500 acres of DDA vacant land has been declared lapsed or likely to be declared lapsed u/s 24(2) of LARR Act, 2013. Therefore, it will be administratively prudent to re-assess priorities of organization with respect to planned development of Delhi particularly for allotment of land for most desirable purpose vis-a-vis lesser desirable. As there is scarcity of land in Delhi and the same is going to be perhaps the single greatest constraint to development in Delhi. The norms of allotment of land under socio-cultural category & Religious needs to be changed.

A meeting was also held under the Chairmanship of Vice Chairman, DDA on 13.06.2019 to discuss the issue regarding policy for allotment of land to societies for religious activities and land lapses u/s 24(2) of new LARR Act, 2013, wherein it was decided that mode of allotment of socio cultural and religious category may be amended from allotment to auction mode, so that all societies may get an equal opportunity to participate in the transparent manner.

It is further stated that, an amendment in Nazmi Rule-1981 (Rule-4) of institutional category will be required to be carried out by the Central Government in exercise the powers conferred by clause (i) of sub-section (2) of Section 56, read with sub-section (3) of Section 32 of DDA Act, 1957 (61 of 1957) in order to change the mode of allotment from direct allotment to auction with respect to above mentioned categories.

To invite online applications from reputed and credible societies / trust, the existing eligibility criteria may require amendments. The proposed qualification criteria are as under:

Sl. No.	Socio-Cultural	Religious
1	Society should be registered under Society Registration Act / Indian Trust Act / Not-for-Profit Companies registered under Companies Act, 2013/ Trusts registered under any Charitable Trust Act in India and in existence for at least 10 years on the date of the time of application.	Same
2	Society should submit PAN Card, 12A and 80G Certificate. Societies /Trust having funding from foreign countries, should submit valid FCRA license issued by the Government of India under foreign Contribution (Regulation) Act, 2010.	Same
3	Audited balance sheet for last 5 years along with project report of the proposed structure at the site will be submitted by the society /Trust alongwith proof that it has sufficient funds to cater to the cost of land and cost of construction equivalent to 1.5 times the reserve price of auction.	Same
4	Name of the family members i.e. Father, Mother, Wife, Son, Daughter, Brother and Sister should be working in DDA and also one to be member of the society and also submit the list of members of governing body.	Same
5	Organizations should be running a reputed Socio-Cultural institution for the last five years.	Organizations should running a reputed Religious institution for the last five years which is open to the Public at large.
6	Maximum size of plot is 400 Sqm.	Maximum size of plot is 400 Sqm.

III. PROCEDURE OF AUCTION:

- i. Tentative list of Socio-Cultural plots & Religious plots will be published on website of DDA for inviting online applications along with all the requisite documents and choice of plot.
- ii. The online applications received will be examined by the Scrutiny Committee headed by the Director (IL) for determining eligible societies/trust.
- iii. The applications of Societies / Trusts which fulfill laid down-criteria and recommended by the Scrutiny Committee will be intimated to participate in the auction for the respective plots.
- iv. However, for the plots under Religious category, in addition to above procedure, following steps will also be followed:
 - a. After receiving applications, DDA will get a report from the concerned Deputy Commissioner of Police as to whether construction of Temple, Mosque, Gurdwara, Church is suitable from law and order angle so that peace and communal harmony of the locality should not be disturbed.
 - b. After obtaining report from concerned Deputy Commissioner of Police, specific site with use premise or as the case may be, will be disposed off.

- v. Zonal Variant rates (ZVR) will be the minimum reserve price for auction for plots under Socio-Cultural category and Religious category.

IV. PROPOSAL:

In view of the issues raised above, the following proposal is submitted for consideration and approval; -

- 01. The eligibility criteria as well as procedure of Auction as proposed above for both Socio-Cultural & Religious category.
- 02. After approval of Authority, the matter may be referred to Central Government (MoHUA) for amendment in Nazul Rule-1981, in exercise the powers conferred by clause (j) of sub-section (3) of Section 56, read with sub-section (3) of Section 22 of DDA Act, 1957 (61 of 1957) for inserting the following in the Rule-8(2) of the DDA (Disposal of Nazul Land) Rules, 1981 also as enumerated below:

"However, allotment under Socio-Cultural and Religious category will be carried out in auction mode and minimum reserve price for such auction shall be "Zonal Variant Rates" (i.e. the PDR for the concerned area multiplied by a factor, to be determined by DDA from time to time)

- 03. Mode of allotment from direct allotment in auction for Socio-Cultural category & Religious category may be changed in view of reasons explained above. After approval of Authority, the matter may be referred to Central Government (MoHUA) for amendment in Nazul Rule-1981, in exercise the powers conferred by clause (j) of sub-section (3) of Section 56, read with sub-section (3) of Section 22 of DDA Act, 1957 (61 of 1957) for inserting other use provisions in the Rule-4(2) of the DDA (Disposal of Nazul Land) Rules, 1981 also as enumerated below:

k) Socio-Cultural l) Religious

In view of the background and issues involved, the proposal in IV is being placed before the Authority for consideration and approval please.

RESOLUTION

The proposal contained in the agenda item was approved with the modification that organizations working in the district in which the plot is located will be eligible for participating in the bid. If not even two such organizations register for participation in the bid, organizations from adjoining districts will be allowed to participate. Again if not even two such organizations register for participation in the bid, all other eligible organizations may be allowed. The matter be referred to Ministry of Housing and Urban Affairs, Govt. of India, for amendment in Nazul Rule-1981 (Rule-4).

MINISTRY OF URBAN DEVELOPMENT

NOTIFICATION

New Delhi, the 19th April, 2006

G.S.R. 220(F).- In exercise of the powers conferred by clause (i) of sub-section (2) of section 56, read with sub-section (3) of section 22 of the Delhi Development Act, 1957 (61 of 1957), the Central Government, after consultation with the Delhi Development Authority, hereby makes the following rules further to amend the Delhi Development Authority (Disposal of Developed Nazul Land) Rules, 1981, namely:

1. (1) These rules may be called the Delhi Development Authority (Disposal of Developed Nazul Land) Amendment Rules, 2006.
(2) They shall come into force on the date of their publication in the Official Gazette.
2. To the Delhi Development Authority (Disposal of Developed Nazul Land) Rules, 1981 (hereinafter referred to as the said rules), in rule 4,-
 - i) In sub-rule 1, for the words "body of persons", the words "body of persons, firms, companies," shall be substituted;
 - ii) for sub-rule(2), the following sub-rule shall be substituted, namely:-

"(2) The Authority shall, in conformity with plans and subject to the provisions of these rules, dispose the Nazul land by auction to the following institutions:-

 - a) hospitals;
 - b) dispensaries;
 - c) nursing homes;

Contd. Or. 2-...

- d) higher or technical education institutions;
- e) community halls;
- f) clubs;
- g) schools.

Provided that nothing in this sub-rule shall affect the allotment of land to the Central Government, a State Government, a Union territory and the local body for the said purpose."

3. In the said rules, in rule 5,-

- i) for the words "The Authority may", the words "Subject to the provisions of sub-rule (2) of rule 4, the Authority may" shall be substituted;
- ii) the Explanation shall be omitted.

4. In the said rules, for rule 8, the following rule shall be substituted, namely:-

"8. Save as otherwise provided in sub-rule (2) of rule 4, rules 5, 6 and 7, allotment of Nazul land for any purpose shall be made on payment of such premium as may be determined either by auction or by tender in accordance with the provisions of Chapter III or Chapter IV, as the case may be, of these rules."

5. In the said rules, in rule 16, in the opening paragraph, for the words "individuals, including the following categories of individuals", the words "individuals including the following categories of individuals, companies and firms" shall be substituted.

Cont. on 3A--

6. In the said rules, in rule 20, the following proviso shall inserted, namely:-

"Provided that nothing in this rule shall apply to the provision of sub-rule (2) of rule 4".

7. In the said rules, in rule 42, the following provisions shall be inserted, namely:-

"Provided that notwithstanding anything contained in this rule, the Authority may allot Nazul land on free hold basis either through auction or by tender for residential purpose or commercial purpose.

Provided further that in the case of allotment on free hold basis, the allottee shall execute a conveyance deed in Form BA".

ITEM NO. 83/2019

SUB: Fixation of amalgamation charges for commercial properties.

File No. 55 (09)2019/AO(P)DDA

As per Notification issued vide S.O. No. 3587(E) dated 14.11.2017, in the case of Integrated schemes of commercial centres, amalgamation and sub-division of the plots is permitted for activities as permitted in Table 5.1 of the respective hierarchy of commercial centres subject to payment of requisite charges as notified by the competent authority (Annexure 'A-1')

2. A Committee to review/determine the charges for Implementation of various policies was constituted by the Vice-Chairman, DDA. The Committee consisted of Commissioner (I.D) as Chairman, Addl. Commissioner (Planning), Project Manager (MPR), Director (LC), Dy. CLA (Admn), and Director (Building). Dy. CAO (LC)-I was co opted as Coordinating officer. The meeting of this Committee to determine the amalgamation charges for commercial properties was held on 29.08.2019 in the chamber of Commissioner (I.D) and deliberations of the committee are narrated hereunder:

- (a) That a policy for amalgamation of plots already exists as considered by the Authority vide Resolution No. / dated 07.01.1991 (Annexure A-2) and approved by the Ministry of Urban Development vide letter dated 29.01.1992 (Annexure A-3). It provides for grant of permission for amalgamation of commercial plots by charging 10% of the market value of such amalgamated plots prevalent at the time of application or the market value of the extra floor space generated by virtue of amalgamation whichever is greater.
- (b) That amalgamation of two or more built up shops of DDA is permitted on payment of 10% of the market value of the total area of all the amalgamated shops prevalent at the time of application for amalgamation or the market value of the extra floor space generated by way of amalgamation, whichever is greater, as per the instructions issued vide circular Number F. 37(11)1975/IMPL/2490 dated 06.05.2008 (Annexure A-4).
- (c) That a policy for amalgamation of two residential auctioned plots upto an area of 64 sq.mtr is also in vogue as circulated vide letter No. PA/DD/LAB(RD)01/25/18 dated 18.03.2015 (Annexure A-5). This policy provides for recovering charges @ 10% of the market value of the plots or market value of the extra area generated, whichever is higher

- (d) That due to virtually no auction of commercial plots by DDA in the preceding six years, the market rates/Zonal Average Auction Rates(ZAAR) are not available and as such it is not possible to link the same with ZAAR and moreover, It has been observed that fixing the rates based on zones is not the appropriate method. The DDA has already taken initiatives in the direction of rationalization of land rates based on different categories of Circle rates as notified by the Revenue department of GNCTD. Although, DDA has now started auction of commercial properties, still the market rates of all the areas/zones are not available.
- (e) That Circle rates as notified by GNCTD are based on plot area per sq.mtr irrespective of FAR, whereas extra floor/space generated is linked to per sq.mtr/100 FAR. It was noted that in the erstwhile policy, the value of 10% of the market value of the plot and market value of the extra floor generated was worked out separately and greater of the two was charged towards amalgamated fee.
3. The Committee was of the unanimous view that to ensure ease of doing business, It will be fair to charge the amalgamation charges based on the circle rates notified by the GNCTD from time to time at the flat rate of 10% of the circle rates prevalent at the time of submission of request for amalgamation. It will apply on the total area of the plot. The Committee further agreed that in cases, where the plots have been amalgamated without permission, and lessee/owner approaches for regularization, addl. charges @ 20% of the rates may be recovered which is in line with the instructions circulated for regularization of amalgamation of residential plots vide letter No. PA/DD/LAB (RO)04/25/48 dated 18.03.2015.

PROPOSAL

The proposal as per Para 3 above may be placed before the authority for consideration and approval. Thereafter it shall be forwarded to the Ministry of Housing & Urban Affairs, GOI, for approval under Section 57 of Delhi Development Act, 1957.

RESOLUTION

The proposal contained in the agenda item, was approved. The matter be referred to the Ministry of Housing and Urban Affairs, Govt. of India, for approval under Section 57 of DD Act, 1957.

अनुसूची:

अनुसूची के अंतर्गत क्षेत्र	अधिकतम कुल क्षमता (%)	
	निर्वाह प्रणाली	वैकल्पिक प्रणाली
1. व्यावसायिक क्षेत्र (a) शिक्षा, आर्थिक क्षेत्र, शौकत, उद्योग क्षेत्र / स्वास्थ्य, परिवहन, व्यावसायिक क्षेत्र	40	50
ii. सेवा क्षेत्र	40	50
iii. निर्यात/आयात/व्यवसाय	40	50
2. (a) व्यावसायिक क्षेत्र / अधिवास क्षेत्र / व्यावसायिक क्षेत्र	25	50
(b) शिल्प क्षेत्र / कृषि क्षेत्र / सेवा क्षेत्र / स्वास्थ्य, परिवहन, व्यावसायिक क्षेत्र	25	50

2. न केवल (1) के नीचे दिए गए चार में निम्नलिखित अतिरिक्त शीट को (2) के साथ जोड़ा जाना चाहिए:

(a) (क) से (घ) तक के व्यावसायिक क्षेत्रों के मामले में सक्रियताएं इस प्रकार की श्रेणियों में शामिल होंगी।

(ख) व्यावसायिक क्षेत्रों की एकलव्य शक्तों के मामले में, व्यावसायिक क्षेत्रों की संबंधित श्रेणियों की शक्ति को (क) से (घ) तक के व्यावसायिक क्षेत्रों के लिए शक्तों के एकलव्य अतिरिक्त की अनुमति शक्ति प्राथमिकी द्वारा अपने-हमारे पर बनाया/बिना शक्ति प्राथमिकी सुनिश्चित की जाती है।

[No. G. S. 12011/2/2017-310]

अमित कुमार, अवर सचिव

MINISTRY OF HOUSING AND URBAN AFFAIRS

(DCE II DIVISION)

NOTIFICATION

New Delhi, the 14th November, 2017

3.0. 3831(G).—Whereas, certain modifications which the Central Government proposed to make in the Master Plan for Delhi 2021 as part of its Master Plan modification which were published in the Gazette of India, Extraordinary, as 7 (the Gazette No. S.O. No. 3646(F) dated 06.12.2016 by the Delhi Government Authority in accordance with the provisions of Section 14 of the Delhi Development Act, 1957 (D.A. of 1957) inviting objections/suggestions as required by sub-section (2) of Section 14-A of the said Act, within forty days from the date of the said Gazette;

2. Whereas, 3 (three) objections/suggestions received with regard to the proposed modifications within the stipulated time period of thirty days;

3. All the persons who filed objections/suggestions were invited to present their objections/suggestions before the Board of Enquiry & Hearing held on 14.08.2017;

4. Whereas, the Central Government has, after carefully considering all aspects of the matter, decided to modify the Master Plan for Delhi-2021;

5. Now therefore, in exercise of the powers conferred by sub-section (2) of Section 14-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi-2021 with effect from the date of publication of this Notification in the Gazette of India

MODIFICATION:

Chapter 2: Trade & Commerce
Table 5A: Development Limits—Commercial Centres
Car/Lite Premises

	Maximum Ground Coverage (%)	
	Existing Provisions	Proposed Modification
a) Commercial Centre		
i. Conventional Shopping Centre (Local Shopping Centre)	40	50
Low Level Commercial areas	40	50
ii. Service Market		
iii. Organised Informal Trade	40	50
iv. Community Centre (Neighbourhood Commercial Centre)	25	50
v. District Centre (Sub-District Business Node/Sub City)	33	50
Level Commercial areas		

ii. In the next table, Table 5B, the following additional categories to be added at the relevant serial entry:

vi. In case of Commercial Centre as of i. to v, the maximum Ground Coverage shall be inclusive of Above.

vii. In case of Integrated schemes of Commercial Centres, multiple use and sub-division of the land is permitted for activities as specified in Table 5B, subject to the ground coverage of commercial activities as specified in Table 5B, subject to the completion of the project in time.

[P. No. 2-1201/1977 (D-2)]

ANIL KUMAR, Under Secy

RAKESH SUKUL

Subject: Policy Decision to grant permission for amalgamation of commercial plots.

AL7-1-1991

18-2-1991

Request to grant permission for amalgamation of commercial plots are being received from the allottees from time to time. Sub-clause (4) of condition No. 11 of the lease deed for commercial plots executed under Rule 43 of the DD (Disposal of Developed Municipal Land) Rules, 1951 prohibits the amalgamation of commercial plots. This lease deed has been in use since 1951 (Appendix containing page 5 of Lease Deed).

However, in the lease deeds which were executed prior to 1951 sub-clause (2) of condition No. 11 prohibited amalgamation/sub-division etc., unless specifically permitted to do so by the lessor. The respective provisions as contained in the old and new lease deeds are given below:-

OLD LEASE DEED ENTERED UPON 1951

11(2) - The lessee shall not deviate in any manner from the layout plan nor alter the size of the plot whether by sub-division, amalgamation or otherwise, unless specifically permitted to do so by the lessor.

NEW LEASE DEED W.E.F. 1951

11(4) - The lessee shall not deviate in any manner from the layout plan regarding the size of the commercial plot for the said purpose either by sub-division, amalgamation or otherwise.

2) Some of the allottees are requesting for the grant of permission for amalgamation on the plea that the amalgamation of plot did not affect the architectural control provisions. This matter was examined by the Screening Committee vide Item No. 13, dated 1.12.87, when the following decision was taken:

"In all such cases the request of amalgamation, the
URDCS Deptt. will refer the case with respect to
architectural drawings and other points and will send
their observation/recommendation to the Building
Deptt. who in turn will work out details relating to
provision of building regulation and designate the
remunerative areas available to the Party. The Building
Deptt. will submit their observation/recommendation
to the Lands Deptt. who will finally determine the
additional premium payable points and send the case
to the Lessor (LG) through V.O. for approval.

The above procedure laid down by the VC shall be
circulated to E.M., S.M., C(L), M.R.(CL) and all
others concerned."

1. In the light of what has been stated above, and
keeping in view the facts that there are 2-3- cases in which
amalgamation permission had already been granted and that
there are also some cases where the parties/tenants have
designated the plots without the prior permission of Lessor
and now are requesting for regularization, it is proposed to
notify the terms and conditions in the all commercial lease
deed template as under:

"The Lessee shall not designate in any manner from
the lay-out plan nor alter the use of the commercial
plot for the said purpose either by sub-division,
amalgamation or otherwise unless specifically
permitted to do so by the lessor."

2. In order to provide for proper safeguards, the
following conditions precedent may be prescribed for grant
of such permission viz:-

- (i) Such request for amalgamation should first
be cleared by URDCS with respect to architectural
control drawings and other planning controls.
- (ii) Accordingly, Building Department shall deter-
mine the extent of remunerative areas available
to the party.
- (iii) The plots to be amalgamated should both have
been leased in the name of same party.

5. Further, the permission for amalgamation should be subject to the following:-

- (i) The completion certificate for the building to be amalgamated over the amalgamated plot shall be issued only after NOC (no objection certificate) from Chief Fire Officer, which is produced by the lessee.
- (ii) No bifurcation of the amalgamated plot shall be permitted at any later stage.

6. The following rates are proposed for grant of such permission:-

- (i) 10% of the premium/amalgamated plot if the application is made within 10 years from the date of purchase.
- (ii) 20% of the premium/amalgamated plot if the application is made after 10 years and upto 20 years from the date of purchase.
- (iii) 30% of the premium of amalgamated plot if the application is made after 20 years from the date of purchase.

7. In case where lease deeds have been executed/registered and the plots have been amalgamated by the parties without permission of the lessor, an additional amount equal to the amount as proposed above may be charged from parties by way of penalty as is charged in case of changes.

8. The above proposals are placed before the Authority for consideration and orders.

R E S O L U T I O N

Resolved that the proposal be approved subject to the following:-

1. A flat rate of 10% of the market value prevalent at the time of application be recovered irrespective of the period of lease. This will be charged for the total area of the plots involved.
2. No reference to Building Cell or any other Section of the Planning Wing is necessary.
3. The approval of the Central Govt. for the proposed modification of the format of the lease be ~~also~~ obtained, as per rules.

ANNEXURE A-3

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DEVELOPMENT AUTHORITY
COMMERCIAL ESTATE BRANCH

File No. 137 (II)1975/IMP1/2490

Dated: 6.5.08

CIRCULAR

In partial modification of earlier Circular No. F.93(234)2000/CE/1048 dated 28.11.2005 amalgamation of two or more built up shops of DDA are permitted subject to following conditions.

- 1) Structural safety certificate from the concerned Divisional Engineer of DDA.
- 2) Common ownership of shops proposed for amalgamation.
- 3) Payment of 10% of the market value of the total area of all the amalgamated shops prevalent at the time of application for amalgamation or the market value of the extra floor space generated by way of amalgamation, whichever is greater, as amalgamation charges.

This is issued with the approval of Competent Authority.

Sd/-

Commissioner (CE), DDA

Copy to:

1. All Chief Engineer with the request to circulate it among the Engineering Wing.
2. Chief Architect, DDA
3. Director (CI), DDA
4. Director (Bldg), DDA
5. Director (SC), DDA
6. EA (II), DDA
7. Dy. Director (CE), DDA
8. OSD & VC, DDA
9. PS & Principal Commissioner, for information of PC
10. ES to FM for the information of FM

Subject:- Review Petition filed by Sh. B.M. Tiwari, Dy. CAO (Medical) & Sh. S.N.Tiwari, AO (Retd.) under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999

File No.:- F. 27(09)07/E.E.(Vig.)-VI/Pt. -V.

Hon'ble LG, Delhi directed that Review Petitions filed by both Sh. B.M. Tiwari, Dy. CAO (Medical) & Sh. S.N. Tiwari, AO (Retd.) be placed before the 'Authority' for admissibility/decision on merit, as prescribed under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 (Annexure -10). The details are as under :-

BACKGROUND OF CASE

CE (HQ) vide letter No. EM14(32)2005/Vol.-III/4009 dated 22.11.2006 has enclosed a copy of letter No. CE(SWZ)/FO/18(23)06/DDA/3758-61 dated 20.11.2006 of CE(SWZ) regarding financial irregularities committed in execution of works by WD-5. EM, DDA has observed that the irregularities are of serious nature and has directed for referring the case to CVC for examination from Vigilance angle in respect of following works wherein huge deviations/financial irregularities were there:-

Work -A - Protection of DDA Land
SH: C/o Random rubble masonry wall on vacant land under the Jurisdiction of CC-5/DDA

Agmt. No.:- 13/EE/WD-5/DDA/2005-06

Agency :- M/s Tara Chand Summit Const. Co.

Work -B - Protection of DDA Land
SH: Construction, Raising and repair of boundary wall and chain link fencing at Sant Nagar (Extn.), Chaukhandi.

Agency :- M/s Tara Chand Summit Const. Co.

Agmt. No.:- 20/EE/WD-5/DDA/2005-06.

The case was investigated by Vigilance wing in detail and 13 officers/officials (10 Officers from Engineering wing and 3 officers from finance wing including above stated two officers whose Review Petition is under consideration by the "Authority") were identified for various lapses/irregularities. Disciplinary proceedings were initiated against all these 13 officers/officials under Regulation -25 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 as per advice of CVC vide No. 008-W&H-160(ii) dated 15.12.2008. The final outcome/current status of Disciplinary Proceedings in r/o all 13 Officers/Officials are as per **Annexure - 1**.

The CVC has further advised vide No. 008-W&H-160(ii) dated 15.12.2008 that:- "In continuation to the Commission's OM No. vide No. 008-W&H-160(i) dated 15.12.2008, the Commission has observed that there was abnormal deviation of work estimated to cost Rs. 5.95 lacs to Rs. 3.08 Crores with the some intention of making more and more payment to the Contractors, even under certain items which are not verifiable in terms of quantum of work done. The Commission would, therefore, advise that in addition to initiation of departmental proceedings against the concerned officials,

as advised by the Commission the DDA may also consider lodging a formal complaint with the CBI for investigation from the criminal angle".

In the CBI Case No. RC- DAI-2010-A-0022 dated 10.05.2010 registered against Sh. Lachhman Singh, SE/DDA & Others, it was intimated by Supt. of Police, CBI, ACB, New Delhi vide his letter dated 22.06.2017 that after completion of investigation, a closure report was filed in the court of Sh. Gurdeep Singh, Special Judge, Patiala House Court, New Delhi and vide order dated 15.12.2016, the Hon'ble Court accepted the closure report.

I. Background in respect of Sh. B.M. Tiwari, Dy. CAO (Medical)

(i) Disciplinary proceedings under regulation 25 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 were initiated against Sh. B.M. Tiwari, Dy. CAO (Medical), the then AAO vide Memo No. F27(9)07/EE(Vig.)-VII/1148-54 dt. 05.02.09 (**Annexure -2**) for the lapses/irregularities committed by him while working as AAO, CAU(SWZ) and released payment beyond the budget slip/without revised budget slip in r/o works mentioned as below:

Article-I

Sh. B.M. Tiwari, AAO while working as AAO, CAU (SWZ) released payment beyond the budget slip in respect of following work. The budget slip was issued for Rs. 9.20 Lacs and payments released for Rs. 2.57 Crores.

NOW: - Protection of DDA land

SH: - Construction of random rubble masonry wall on vacant land under jurisdiction of CC-5

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 13/EE/WD-5/2005-06

Estimated Cost: - Rs. 8,93,801/-

Article-II

Sh. B.M. Tiwari, AAO while working as AAO, CAU (SWZ) released payment for Rs. 30.37 Lacs without any revised budget slip in respect of following work. The budget slip was issued for Rs. 9.37 Lacs.

NOW: - Protection of DDA land

SH: - Construction in raising and repair of boundary wall and chain link fencing at Sant Nagar (Extension), Chaukhandi.

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 20/EE/WD-5/2005-06

(ii) The Inquiry Officer was appointed to inquire the charges framed against Sh. B.M. Tiwari, AAO vide order no. 374/Vig./2009/ dated 17.08.2009 who submitted his report vide No. Inq./HG/B.M./AAO/08/12/19 dated 28.06.2010 and has held the Article of

charge-I & II as proved against Sh. B.M. Tiwari, AAO. Sh. B.M. Tiwari, AAO submitted his representation dated 25.06.2011 in response to IO's findings.

(iii) **Decision of Disciplinary Authority i.e. FM, DDA**

The Disciplinary Authority i.e. FM, DDA after careful consideration of the charges framed against Sh. B.M. Tiwari, AAO, the IO's findings on the charges, the submissions made by Sh. B.M. Tiwari in his representation dated 25.06.11, and the overall facts on record imposed "penalty of reduction of pay by two stages for one year upon Sh. B.M. Tiwari. During the penalty period he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments" vide order dated 29.11.2011 (Annexure -3).

(iv) An appeal dated 12.02.2018 was filed by Sh. B.M. Tiwari to VC, DDA who is Appellate Authority in his case, seeking relief in penalty imposed by referring to the decision of CAT Court in another similar case in respect of Sh. Prakash Chand, AAO stating that it has direct bearing on his case. The appeal case of Sh. B.M. Tiwari was scrutinized and put up to Appellate Authority i.e. VC, DDA for consideration & necessary order in terms of Regulation 32-C of DDA Conduct, Disciplinary and Appeal Regulation, 1999. The Appellate Authority has allowed for personal hearing on 13.06.18.

(v) **Decision of Appellate Authority i.e. VC, DDA**

The Appellate Authority i.e. VC, DDA in the appeal case ordered as under:-

I have perused the note of the vigilance branch as well as the representation of Shri B.M. Tiwari, the then AAO [now DY. CAO (Medical)] submitted during the course of his personal hearing on 13.06.2018 and it is observed that the Inquiry Officer had proved the charges against him and since he had released the total amount to the tune of Rs. 2.57 Crores against the budget slip of Rs. 18.57 Lacs. Further, he has taken the plea that the process of issuing budget slip was dispensed with vide circular no. 38 dated 05.05.2015. The benefit of this circular can not be claimed from a retrospective date, hence the claim is unfounded. Further, this case is also being investigated by CBI and no document has been placed on record to show that the said investigation has since been completed. Hence, I do not find any reason to interfere with the penalty imposed by the Disciplinary Authority. The appeal of Shri B.M. Tiwari filed before under signed is rejected".

Accordingly, decision of the Appellate Authority was conveyed to him: vide order no. 88/Vig/2018/4282 to 4287 dated 10.07.18 (Annexure -4).

(vi) Appellate Authority while deciding the appeal case pointed out that no document has been placed on record to show that the CBI investigation has since been completed. This office gathered the information from DVO-I as it was dealt in the file of other branch of Vigilance and it was found that after completion of investigation, a closure

report was filed by CBI in the court of Sh. Gurdeep Singh, Special Judge, Patiala House Court, New Delhi. The Hon'ble Court accepted the closure report vide order dated 15.12.2016.

(vii) The appellant Sh. B.M. Tiwari has filed a Revision petition dated 08.10.18 under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999 before the Revisionary Authority i.e. VC, DDA, for revision of order no. B8/Vig./2018/4282 to 4287 dated 10.07.18 passed by the Appellate Authority.

(viii) **Decision of Revisionary Authority i.o. VC, DDA**

The Revisionary Authority i.e. VC, DDA has allowed for personal hearing on 19.12.18. The Revisionary Authority i.e. VC, DDA in the revision petition case ordered as under:-

I have perused the note of the vigilance branch as well as the representation of Shri B.M. Tiwari, Dy. CAO (Medical), the then AAO submitted during the course of his personal hearing on 19.12.2018. It is observed that the Charged Officer has taken the plea that in this case, CBI has already closed the case vide its judgment dated 15.12.2016 without any adverse remarks. Further, he has mentioned that the process of issuing budget slip was dispensed with vide circular no. 38 dated 06.05.2015. He also mentioned that in similar cases cited by the Charged Officer, some lesser penalties were imposed compared to his case. Hence, taking a justified lenient view, the penalty imposed on the Charged Officer is hereby modified:

From

"Reduction of pay by two stages for one year upon Shri B.M. Tiwari with the provision that he will not earn increment and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments"

To

"Reduction of pay by one stage for one year upon Shri B.M. Tiwari with the provision that he will not earn increment and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments."

Accordingly, decision of the Revisionary Authority was conveyed to him vide order no. 14/Vig/2018/474 to 479 dated 23.01.19 (Annexure -5).

(ix) Sh. B.M. Tiwari has filed a Revision petition dated 29.04.19 under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999 before Hon'ble LG, Delhi for revision of order No. 14/Vig/2018/474 to 479 dated 23.01.19 passed by the Appellate Authority i.e. VC, DDA and forwarded by PS to LG vide U.O. No. 247/Vig./LGS/2019/A-1993 dated 14.05.19 with the direction that case may be examined and be submitted for consideration & orders of Revising Authority, Lt Governor. Sh. B.M. Tiwari has stated in his Revision petition that he may be given relief against the order of Appellate Authority

dated 23.01.19 whereas these orders were passed by VC, DDA as Revisionary Authority disposing off his Revision petition dated 08.12.18 under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999. Thus this Revision petition dated 28.04.19 under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999 filed before Hon'ble LG, Delhi is not admissible as VC, DDA has already exercised the role of Revisionary Authority in terms of Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999.

(x) The case was submitted to VC, DDA for forwarding the same for kind perusal of Hon'ble LG, Delhi. Ld. VC, DDA desired examination under Regulation 33 also.

(xi) Meanwhile, Review petition dated 18.06.19 filed by Sh. B.M. Tiwari before Hon'ble LG, Delhi for review of order No. 14/Vig/2019/474 to 479 dated 23.01.19 passed by the Revisionary Authority i.e. VC, DDA was also forwarded by PS to LG (Annexure -6) for examination under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999.

(xii) The vigilance examination under Regulation 33 along with comments were put up to VC, DDA for further submission to Hon'ble LG, Delhi for his kind perusal and further orders by stating that pre-requisite condition/provisions of Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 are not fulfilled by Sh. B.M. Tiwari in his Review Petition.

(xiii) **Directions of Hon'ble LG, Delhi**

Hon'ble LG, Delhi further directed that Review Petition filed by Sh. B.M. Tiwari, Dy. CAO (Medical) be placed before the "Authority" for admissibility/decision on merit, as prescribed under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999. The Regulation 33 is reproduced as under:

"The Authority may, at any time, either on his own motion or otherwise review any order passed under these rules, when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come, or has been brought, to his notice".

Facts of this case:

No new material or evidence has been submitted by the Appellant in his Review Petition.

II. **Submissions made by Sh. B.M. Tiwari, Dy. CAO (Medical), the then AAO in his Review Petition**

The Review petition dated 18.06.19 filed by Sh. B.M. Tiwari before Hon'ble LG, Delhi for review of order No. 14/Vig/2019/474 to 479 dated 23.01.19 passed by the Revisionary Authority i.e. VC, DDA was forwarded by PS to LG (Annexure -6) for

examination under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 and further directed that Review Petition filed by Sh. B.M. Tiwari, Dy. CAO (Medical) be placed before the 'Authority' for admissibility/decision on merit, as prescribed under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999.

As per Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 "The Authority may, at any time, either on his own motion or otherwise review any order passed under these rules, when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come, or has been brought, to his notice" (Annexure- 12).

Accordingly, the contentions made by Sh. B.M. Tiwari in his Review Petition are examined as under:-

S.No. Main contention made in brief Sh. B.M. Tiwari, Dy CAO (Medical)	Comments of Vigilance
<p>(i) The circular vide which CAU system was adopted in DDA clearly terms CAU as Central Accounting Unit and compares CAU with a Treasury Office. Accordingly CTR is applicable mutatis-mutandis to CAU.</p> <p>(ii) The circular vide which CAU system was adopted in DDA specifically states that The Accounts Officer in the Centralized Accounting Office will, in the matter of disbursement, discharge the functions of a Treasury Officer.....</p> <p>* The duties of accountant as envisaged in the circular further states to ensure necessary checks as laid down in CPWM code, CPWD Code, CPWD Manual as applicable and Central Treasury Rules.</p> <p>(iii) Para 138 of Central Treasury Rule clearly states that when bills are presented on account of charges incurred under any special orders, the orders sanctioning the charge should be quoted. Copies of vouchers accompanying a bill must be duly verified by a Gazetted Officer or by a responsible authority specially authorized in this behalf by the Head of Office.</p> <p>This provision does not authorize a Treasury Officer or any other disbursing officer to refuse payment on the ground that the charge has not been sanctioned. The responsibility for incurring unauthorized charges rests with the drawing officer. The drawing officer in these cases is the Executive Engineer of the concerned work executing division.</p> <p>(iv) The Internal Audit Manual of Debt Development Authority under Para 28.1(i) and (ii) define the duties of Drawing Officer and Disbursing Officer respectively, both these provisions are reproduced below-</p> <p>28.1(i) Under the centralized Accounting System, the Executive/Deputy Director (Horticulture) is discharging the functions and exercising the powers of Drawing Officer and issues the pay order on each bill. The responsibility of correctness and accuracy of such payments rests with concerned Executive Engineer/Dy. Director (Hort) and is responsible for obtaining any objection on vouchers passed by him. 28.1(ii). Under the Centralized Accounting System the Senior Accounts Officer of CAU discharging the functions of disbursing officer/assistant officer and Monthly Account is</p>	<p>These were already presented by charged Officer to Disciplinary Authority i.e. CJA, DDA vide his memo dated 25.08.11 in response to opportunity given to him for representation/submission against the IC's report & 2nd stage advice of CVC vide this office Memo dt. 12.08.11 & has been considered while imposing the penalty order dt. 25.11.2011 by Disciplinary Authority i.e. FM, DDA (Refer para - 1 (ii) above).</p>

	<p>prepared by this office under his supervision and guidance. The responsibility of correctness and accuracy of Monthly Account, classification of transaction etc. with regard to Monthly Account rests with the concerned CAO and is responsible for amending any objection on the preparation of Monthly Account, classification and supporting schedules.</p> <p>From above, it may be seen that CAO has to discharge functions of disbursing officer/treasury officer and is governed by Central Treasury Rules. As already submitted in Para (iii) above, Treasury Officer cannot refuse payment of bills which have been passed by the Drawing Officer and the responsibility of incurring unsanctioned charges rests with the Drawing Officer i.e. the Executing Engineer.</p>	
2.	<p>The then Sr. Account Officer (CAO) SWZ Sr. S.S. Gahlot was also charge sheeted for the same works where similar charge was alleged/levelled against him. A penalty of 10 % cut in pension for one year was imposed upon him. The penalty have an "Without Cumulative" effect and pension will be restored after one year. Financial Loss for one year only. Where as in my case "reduction of pay by one stage for one year with the provision that he will not earn increment and on expiry of the penalty period his reduction will have the effect of postponement of his future increments". The provision of not earning increment and having the effect of postponement of future increment have a cumulative effect. My pay will always remain reduced through my entire service. Hereafter after my retirement, the retirement benefits too will be fixed on reduced pay.</p>	<p>This was already presented by Charged Officer in his Revision petition dt. 08.10.18 before VC, DDA & considered by VC, DDA as Revisionary Authority. The Revisionary Authority by taking justified lenient view, the penalty imposed on the Charged Officer was modified as mentioned in para (iv) above.</p>
3.	<p>In a similar case with similar charges, the then Vice Chairman too noted while deciding the appeal in the case of disciplinary proceedings against Sr. S.C. Garg, AAO, vide order No. 97/Vig./2001/792E dt. 29.03.2011:</p> <p>.....I had gone through the said minutes (minutes dt. 20.04.07 already referred in para 2 above and enclosed at Annexure (D) of the meeting which indicates that obtaining budget slip/moving budget slip is not being followed in DDA to toto as per Circular No. 19 dated 13.06.95 and it was decided that in case additional expenditure is proposed against the sanctioned budget slip, revised budget slip should be obtained. Since the works pertain to the period 2003-04 and 2004-05, I am hereby inclined to take a lenient view and reduce the penalty imposed by the Disciplinary Authority to "reduction of pay by one stage one year without cumulative effect...."</p>	<p>This was already presented by Charged Officer in his Revision petition dt. 08.10.18 before VC, DDA & considered by VC, DDA as Revisionary Authority. The Revisionary Authority by taking justified lenient view, the penalty imposed on the Charged Officer was modified as mentioned in para (iv) above.</p>
4.	<p>In a similar case recently the charge sheet of one Sh. Prakash Choud. AAO to whom charge sheet was issued on some grounds, and penalty imposed, has been quashed by CAT. CAT has observed that there is only a procedural lapse and no illegality or dereliction of duty. Accordingly, his position has been restored and all arrears of pay/MACP etc. has been released by the Department. The works for which charge sheet was pertained to year prior to 2007.</p>	<p>This was already presented by Charged Officer in his appeal dt. 12.02.18 before VC, DDA as Appellate Authority & considered by Appellate Authority, Appeal was rejected as mentioned in para (iv) above.</p> <p>This issue was again presented during personal hearing given to him on 19.12.18 in his Revision Petition dt.08.10.18 before VC, DDA and considered by VC, DDA as Revisionary Authority. The Revisionary Authority by taking justified lenient view, the</p>

		penalty imposed on the charged officer was modified as mentioned in para (vi) above.
5.	(the case was also investigated by CBI and they too have not found any irregularity in the works. Accordingly the case has also been closed by the CBI vide Court Order dt. 25.12.2026.	This was already presented by Charged Officer in his Revision petition dt. 08.10.18 before VC, DDA & considered by VC, DDA as Revisionary Authority. The Revisionary Authority by taking justified lenient view, the penalty imposed on the charged officer was modified as mentioned in para (vi) above.

III. Background in respect of Sh. S.N. Tiwari, AO (Retd.)

(i) Disciplinary proceedings under regulation 25 of the DDA Conduct, Disciplinary and Appeal Regulation, 1999 were initiated against Sh. S.N. Tiwari, AAO/DDA vide Memo No. F27 (9)07/EE(Vtg.)-VII/1141-47 dt. 05.02.09 (Annexure -7) for the lapses/irregularities committed by him while working as AAO, WD-5 and released payment beyond the budget slip without revised budget slip in r/o works mentioned in the said memo as below:-

Article-I

Sh. S.N. Tiwari, AAO while working as AAO, WD-5 passed the R/A bills beyond the amount of budget slip without obtaining revised budget slip in respect of following work. The budget slip was issued for Rs. 9.20 Lacs and payments released for Rs. 2.57 Crores.

NOW: - Protection of DDA land

SH: - Construction of random rubble masonry wall on vacant land under jurisdiction of CC-5

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 13/EE/WD-5/2005-06

Estimated Cost - Rs. 8,93,801/-

Article-II

Sh. S.N. Tiwari, AAO while working as AAO, WD-5 passed the final bills beyond the amount of budget slip without obtaining revised budget slip in respect of following work. The budget slip was issued for Rs. 9.37 Lacs and payment released was Rs. 30.17 Lacs.

NOW: - Protection of DDA land

SH: - Construction in raising and repair of boundary wall and chain link fencing at Sant Nagar (Extension), Chaukhandi,

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 20/EE/WD-5/2005-06

(ii) The Inquiry Officer was appointed to inquire the charges framed against Sh. S.N. Tiwari, AAO vide order no. 372/Vig./2009/8658 dated 17.08.2009 who submitted his report vide No. Inq./HG/S.N./AAO/09/41/1B dated 29.06.2010 and has held the Article of charge-I & II as proved against Sh. S.N. Tiwari, AAO. Sh. S.N. Tiwari, AAO submitted his representation dated 25.08.2011 in response to IO's findings.

(iii) **Decision of Disciplinary Authority i.e. FM, DDA**

The Disciplinary Authority i.e. FM, DDA after careful consideration of the charges framed against Sh. S.N. Tiwari, AAO, the IO's findings on the charges, the submissions made by Sh. S.N. Tiwari in his representation and the overall facts on record imposed "penalty of reduction of pay by two stages for one year upon Sh. S.N. Tiwari. During the penalty period he will not earn Increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments" vide order dated 29.11.2011 (Annexure -8).

(iv) An appeal dated 19.02.2018 was filed by Sh. S.N. Tiwari to VC, DDA who is Appellate Authority in his case, seeking relief in penalty imposed by referring to the decision of CAT Court in another similar case in respect of Sh. Prakash Chand, AAO stating that it has direct bearing on his case. The appeal case of Sh. S.N. Tiwari was scrutinized and put up to Appellate Authority i.e. VC, DDA for consideration & necessary order in terms of Regulation 32-C of DDA Conduct, Disciplinary and Appeal Regulation, 1998. The Appellate Authority has allowed for personal hearing on 13.06.18.

(v) **Decision of Appellate Authority i.e. VC, DDA**

The Appellate Authority i.e. VC, DDA in the appeal case ordered as under:-

"I have perused the note of the vigilance branch as well as the representation of Sh. S.N. Tiwari, AO (Retd.), the then AAO submitted during the course of his personal hearing on 13.06.2018 and it is observed that the Inquiry Officer had proved the charges against him and since he had released the total amount to the tune of Rs. 2.87 Crores against the budget slip of Rs. 18.57 Lacs. Further, he has taken the plea that the process of issuing budget slip was dispensed with vide circular no. 3B dated 06.05.2015. The benefit of this circular can not be claimed from a retrospective date, hence the claim is unfounded. Further, this case is also being investigated by CBI and no document has been placed on record to show that the said investigation has since been completed. Hence, I do not find any reason to interfere with the penalty imposed by the Disciplinary Authority. The appeal of Shri S. N. Tiwari filed before under signed is rejected".

Accordingly, decision of the Appellate Authority was conveyed to him vide order no. 89/Vig/2018/4283 to 4284 dated 10.07.18 (Annexure -9).

(vi) Appellate Authority while deciding the appeal case pointed out that no document has been placed on record to show that the CBI investigation has since been completed. This office gathered the information from DVO-I as it was dealt in the file of other branch of Vigilance and it was found that after completion of investigation, a closure report was filed by CBI in the court of Sh. Gurdeep Singh, Special Judge, Patla House Court, New Delhi. The Hon'ble Court accepted the closure report vide order dated 15.12.2016.

(vii) The appellant Sh. S.N. Tiwari has filed a revision petition dated 08.10.18 under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999 before the Revisionary Authority i.e. VC, DDA for revision of order no. 89/Vig./2018/4288 to 4294 dated 10.07.18 passed by the Appellate Authority.

(viii) Decision of Revisionary Authority i.e. VC, DDA

The Revisionary Authority i.e. VC, DDA has allowed for personal hearing on 19.12.18. The Revisionary Authority i.e. VC, DDA in the revision petition case ordered as under:-

"I have perused the note of the vigilance branch as well as the representation of Shri S.N. Tiwari, the then AAO (now AO (Retd.)) submitted during the course of his personal hearing on 19.12.2018. It is observed that the Charged Officer has taken the plea that in this case, CBI has already closed the case vide its judgment dated 15.12.2016 without any adverse remarks. Further, he has mentioned that the process of issuing budget slip was dispensed with vide circular no. 38 dated 06.05.2015. He also mentioned that in similar cases cited by the Charged Officer, some lesser penalties were imposed compared to his case. Hence, taking a justified lenient view, the penalty imposed on the Charged Officer is hereby modified:

From

"Reduction of pay by two stages for one year upon Shri S.N. Tiwari with the provision that he will not earn increment and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments"
To

"Reduction of pay by one stage for one year upon Shri S.N. Tiwari with the provision that he will not earn increment and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments."

Accordingly, decision of the Revisionary Authority was conveyed to him vide order no. 15/Vig/2019/480 to 485 dated 23.01.19 (Annexure -10).

(ix) Sh. S.N. Tiwari has filed a Revision petition dated 16.04.19 under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999 before Hon'ble LG, Delhi for revision of order No. 15/Vig/2019/480 to 485 dated 23.01.19 passed by the Appellate

Authority, Vice Chairman, DDA and forwarded by PS to LG vide U.O. No. 220/Vig./LGS/2019/A-1680 dated 26.04.19 with the direction that case may be examined and be submitted for consideration & orders of Revising Authority, Lt Governor, Sh. S.N. Tiwari has stated in his Revision petition that he may be given relief against the order of Appellate Authority dated 23.01.19 whereas those orders were passed by VC, DDA as Revisionary Authority disposing off his Revision petition dated 08.10.18 under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999. Thus this Revision petition dated 18.04.19 under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999 filed before Hon'ble LG, Delhi is not admissible as VC, DDA has already exercised the role of Revisionary Authority in terms of Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999.

(x) The case was submitted to VC, DDA for forwarding the same for kind perusal of Hon'ble LG, Delhi. Ld. VC, DDA desired examination under Regulation 33 also.

(xi) Meanwhile, Review petition dated 18.06.19 filed by Sh. S.N. Tiwari before Hon'ble LG, Delhi for review of order No. 15/Vip/2019/480 to 485 dated 23.01.19 passed by the Appellate Authority i.e. VC, DDA was also forwarded by PS to LG (Annexure -11) for examination under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999.

(xii) The vigilance examination under Regulation 33 along with comments were put up to VC, DDA for further submission to Hon'ble LG, Delhi for his kind perusal and further orders by stating that pre-requisite condition/provisions of Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 are not fulfilled by Sh. S.N. Tiwari in his Review Petition.

(xiii) **Directions of Hon'ble LG, Delhi**

Hon'ble LG, Delhi further directed that Review Petition filed by Sh. S.N. Tiwari, A.O. (Retd.) be placed before the "Authority" for admissibility/decision on merit as prescribed under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999. The Regulation 33 is reproduced as under:

"The Authority may, at any time, either on his own motion or otherwise review any order passed under these rules, when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come, or has been brought, to his notice".

Facts of this case:

No new material or evidence has been submitted by the Appellant in his Review Petition.

IV. Submissions made by Sh. S.N. Tiwari, A.O. (Retd.) the then AAO in his Review Petition

The Review petition dated 18.08.19 filed by Sh. S.N. Tiwari before Hon'ble LG, Delhi for review of order No. 15/Vig/2019/480 to 485 dated 23.01.19 passed by the Revisionary Authority i.e. VC, DDA was forwarded by PS to LG (Annexure -11) for examination under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 and subsequently directed that Review Petition filed by Sh. S.N. Tiwari, A.O. (Retd.) be placed before the "Authority" for admissibility/decision on merit, as prescribed under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999.

As per Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 "The Authority may, at any time, either on his own motion or otherwise review any order passed under these rules, when any new material or evidence which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case, has come, or has been brought, to his notice" (Annexure 12).

Accordingly, the contentions made by Sh. S.N. Tiwari in his Review Petition are examined as under:-

S.No.	Main contentions made in brief by Sh. S.N. Tiwari, AO (Retd.)	Comments of Vigilance
1.	<p>The then Sr. Account Officer (CAU) Sh. S.S. Gehlot was also charge sheeted for the same works where similar charge was alleged/levelled against him. A penalty of 10 % cut in pension for one year was imposed upon him. The penalty have an "Without Cumulative" effect and pension will be restored after one year. Financial Loss for one year only. Where as in my case "Reduction of pay by one stage for one year with the provision that he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments." The provision of not earning increment and having the effect of postponement of future increment have a cumulative effect. My pay remained reduced through my entire service and even after my retirement, the retirement benefits have been fixed on reduced pay.</p>	<p>This was already presented by Charged Officer in his Revision petition dt. 08.10.18 before VC, DDA & considered by VC, DDA as Revisionary Authority. The Revisionary Authority by taking justified lenient view, the penalty imposed on the Charged Officer was modified as mentioned in para (i) (viii) above.</p>
2.	<p>In a similar case with similar charges, the then Vice Chairman too noted while deciding the appeal in the case of disciplinary proceedings against Sh. S.C. Garg, AAO, vide order No. 97/Vig/2011/2026 dt. 29.03.2012:</p> <p>..... had gone through the said minutes (minutes dt. 26.04.07 already referred in para 2 above and enclosed at Annexure 'A') of the meeting which indicates that <u>obtainable budget slip/excess budget slip is not being followed in DDA in tota or per</u></p>	<p>This was already presented by Charged Officer in his Revision petition dt. 08.11.18 before VC, DDA & considered by VC, DDA as Revisionary Authority. The Revisionary Authority by taking justified lenient view, the penalty imposed on the Charged Officer was modified as mentioned in para (i) (viii) above.</p>

	<p>Circular No. 29 dated 19.05.55 and it was decided that in case additional expenditure is proposed against the sanctioned budget s/o, revised budget s/o should be obtained. Since the works pertain to the period 2003-04 and 2004-05, I am hereby inclined to take a lenient view and reduce the penalty imposed by the Disciplinary Authority to "reduction of pay by one stage one year without cumulative effect...."</p>	
3.	<p>In a similar case recently the charge sheet of one Sh. Prakash Chand, AAO to whom charge sheet was issued on same grounds, and penalty imposed, has been quashed by CAT. CAT has observed that there is only a procedural lapse and no illegality or dereliction of duty. Accordingly, his position has been restored and all arrears of pay/MAC etc has been released by the Department. The works for which charge sheet was issued pertained to years prior to 2007.</p>	<p>This was already presented by Charged Officer in his appeal dt. 13.02.18 before VC, DDA as Appellate Authority & considered by Appellate Authority. Appeal was rejected as mentioned in para III(i) above.</p> <p>This issue was again presented during personal hearing given to him on 19.12.18 in this Revision Petition dt.09.10.18 before VC, DDA and considered by VC, DDA as Revisionary Authority. The Revisionary Authority by taking justified lenient view, the penalty imposed on the Charged Officer was modified as mentioned in para III (viii) above.</p>
4.	<p>The case was also investigated by CBI and they too have not found any irregularity in the works. Accordingly the case has also been closed by the CBI vide Court Order dt. 15.12.2013.</p>	<p>This was already presented by Charged Officer in his Revision petition dt. 09.10.18 before VC, DDA & considered by VC, DDA as Revisionary Authority. The Revisionary Authority by taking justified lenient view, the penalty imposed on the Charged Officer was modified as mentioned in para III (vii) above.</p>

V. Conclusion:

The contentions made by both Sh. B.M. Tiwari, Dy. CAO (Medical), the then AAO & Sh. S.N. Tiwari, AO (Retd.), the then AAO in their Review Petition were already presented/produced by them at the time of passing the Penalty/Appeal/Revisionary order and considered by their respective Disciplinary/Appellate/Revisionary Authorities as enumerated in the tabular form above.

Therefore, as any new material or evidence carrying effect of changing the nature of this case which could not be produced by both Sh. B.M. Tiwari, Dy. CAO (Medical), the then AAO & Sh. S.N. Tiwari, AO (Retd.), the then AAO at the time of passing the Penalty/Appeal/Revisionary order under review, has not been brought out by them in their Review Petition filed under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 wherein it is a prerequisite. In view of this, both cases do not pass admissibility test for review under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999. However, the case of Sh. B.M. Tiwari, Dy. CAO (Medical), & Sh. S.N. Tiwari, AO (Retd.) is placed before the "Authority" for admissibility/decision on merits.

RESOLUTION

RESOLUTION

Shri B M Tiwari, Dy. CAO (Medical) and Shri S N Tiwari, AO(Retd.) both have filed Review Petitions, under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulations, 1999 against the orders dated 23.01.2019 passed by the Revisionary Authority, i.e., Vice Chairman, DDA. The said review petitions were discussed and deliberated in detail during the meeting. The Authority observed that Shri B M Tiwari, Dy. CAO (Medical) and Shri S N Tiwari, AO(Retd.) both have not brought out any new-material or evidence in their review petitions, which could not be produced or was not available at the time of passing the orders under review which could have the effect of changing the nature of the case.

In view of the above, the Review Petitions filed by Shri B M Tiwari, Dy. CAO (Medical) and Shri S N Tiwari, AO(Retd.) have not been found maintainable and thereby, the penalty imposed on them by the Revisionary Authority shall remain the same. Accordingly, their Review Petitions before the Authority under Regulation 33 of DDA's Conduct, Disciplinary and Appeal Regulations, 1999 stands disposed of.

File No. F. 27109107/EE (Vig.)-VI

Subject: - Final outcome/current Status of Disciplinary Proceedings in r/o work executed by WD-5 for Protection of DDA Land - Financial Irregularities (The matter was referred by EM Office to CVO, DDA for Vigilance investigation)

Sl. No.	Name & designation	Disciplinary Authority	Penalty order no. & its quantum by Disciplinary Authority	Appellate Authority	Modified penalty order no. & its quantum by Appellate Authority, if any.	Modified penalty order no. & its quantum by Revisionary Authority, if any.	Remarks
1	Sh. Surenderjeet Singh, CE (Retd.)	LG, Deh	229/Vig./2013/5005-21 dt. 28.11.13 "5 % cut in pension for a period of one year"	-	-	-	-
2	Sh. K.K. Yadu, CE (Retd.)	LG, Deh	288/Vig./2013/5012-21 dt. 28.11.13 "5 % cut in pension for a period of one year"	-	-	-	-
3	Sh. Laxminar Singh, SF IC	VC, DDA	227/Vig./2012/5654 dt. 26.02.12 "Reduction of pay by two stages in the time scale of pay for two years with further direction that the CO will not earn increments of pay during the penalty period and on the expiry of the penalty period, no restoration of pay the sanction will have the effect of postponing two future increments of his pay"	LG, Delhi	212/Vig./2014/570-75 dt. 24.01.14 "Reduction of pay in the pay by four stages (equivalent to four increments) for two years, with further direction that the Appellant should not earn increments of pay during the penalty period no restoration of pay the reduction should have the effect of postponing two increments of pay"	-	-

4	Sh. M. C. Jain, EE (Retd.)	VC, DDA	111/VG/2012/3662 28.03.11 "5 % cut in pension for one year"	LG, Delhi	<p>322/VG/2012/12517-22 dt. 26.09.11</p> <p>"The orders of 'cut in pension' passed by VC, DDA in terms of delegation of powers and orders passed by the 'Authority' Hon'ble LG, Delhi has observed that appeal filed by the Sh. M.C. Jain against the orders of 'cut in pension' is not maintainable as per CDA Conduct, Disciplinary & Appeal Regulation, 1993"</p>
5	Sh. M. C. Kausa, FE (Retd./Ex-Serv)	VC, DDA	15/VG/2017/DDA/278-84 dt. 17.05.17 "Major penalty charge sheets dt. 18.03.08 and 18.12.08 were closed & dropped respectively by VC, DDA vide note dt. 03.03.10 & 04.11.11 after receipt of report of his death. The suspension period from 11.10.07 to 04.03.08 be treated in terms of the provisions of FR54-2(2) as duty for all purposes and his family shall be paid the full pay & allowances for that period to which he would have been entitled had he not been suspended."		

6.	Sh. N.J. Sharma, AE (C)	DM, DDA	275/Vig./2012/10617-24 dt. 17.06.12. "Penalty of reduction of pay of four stages in the time scale for a period of two years with cumulative effect. During the period he will not earn increments and it will have the effect of postponing of future increments."		
7.	Sh. S.K. Gaur, AE (C)	EM, DDA	277/Vig./2012/10625-32 dt. 17.06.12. "penalty of reduction of pay by three stages in the time scale for a period of two years with cumulative effect. During the period he will not earn increments and it will have the effect of postponing of future increments."		
8.	Sh. Sadar Majeed, JE (C)	Comm. (P)	275/Vig./2012/10601-09 dt. 17.08.12. "Reduction of four stages for a period of four years with cumulative effect with further stipulation that he will not earn increments during the period of reduction and after the expiry of such reduction it will have the effect of postponing his future increments of pay."	55/Vig./2013/1280-85 dt. 21.02.13 "Reduction of four stages for a period of two years with cumulative effect with further stipulation that he will not earn increments during the period of reduction and after the expiry of such reduction it will have the effect of postponing his future increments of pay."	

9	Sh. Arif Husain Hashmi, JE (C)	Commr. (P) 27/08/17 "Reduction of four stages for a period of <u>two</u> years with cumulative effect with further stipulation that he will not earn increments during the period of reduction and after the expiry of such reduction it will have the effect of postponing his future increments of pay."	EM, DDA	65/Vg./2019/2274-79 dt. 21.02.19 "Reduction of four stages for a period of <u>one</u> year with cumulative effect with further stipulation that he will not earn increments during the period of reduction and after the expiry of such reduction it will have the effect of postponing his future increments of pay."
10	Sh. Tajuddin, JE (C)	Commr. (P) 17-08-12 "Reduction of pay by two stages in the time scale of pay for a period of <u>two</u> years with cumulative effect and during the concurrency of penalty, he will not earn increments and after the expiry of such reduction, it will have the effect of postponing his future increments of pay."	EM, DDA	350/Vg./2012/15231-37 dt. 30.11.12 "Reduction of pay by two stages in the time scale of pay for a period of <u>one</u> year with cumulative effect with further direction that penalty will run till the date of retirement and remaining penalty amount will be recovered from terminal benefit (i.e. the benefit to be given at the time of retirement)."
11	Sh. S.S. GanInt, Sr. A.O. (Retd.)	VC, DDA 27.09.17 "Cut in/penaltem by 10 % for a period of one year"		372/Vg./2011/10175-82 dt. 27.09.17 "Cut in/penaltem by 10 % for a period of one year"

12	Sh. B.M. Tiwari, Dy. CAO (Medical), the then SAC	5M, DDA	43/Vig/2011/12477-83 dt. 28.11.11 "Reduction of pay by two stages for one year. During the penalty period he will not earn increments and on expiry of penalty period reduction will have the effect of postponement of his future increments."	VC, DDA	68/Vig/2010/4203 to 4287 dated 30.07.10. "The appeal of Shri B.M. Tiwari filed before Appellate Authority i.e. VC, DDA was rejected".	24/Vig/2019/72 to 479 dated 23.01.19 Modified by Revisionary Authority i.e. VC, DDA from "Reduction of pay by two stages for one year upon Shri B.M. Tiwari with the provision that he will not earn increments and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments" to "Reduction of pay by one stage for one year upon Shri B.M. Tiwari with the provision that he will not earn increments and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments"	Review dated: 18.06.19 against order dated 23.01.19 is under consideration before "AUTHORITY" under Regulation 33 as per order/direction of Hon'ble U.S. Dishi
13	Sh. S.M. Tiwari, AD (Medical), the then SAC	FM, DDA	27/Vig/2011/12470-76 dt. 29.11.11 "Reduction of pay by two stages for one year. During the penalty period he will not earn increments and on expiry of penalty period reduction will have the effect of postponement of his future increments."	VC, DDA	39/Vig/2010/4289 to 4294 dated 10.07.10. "The appeal of Shri S.M. Tiwari filed before Appellate Authority i.e. VC, DDA was rejected".	15/Vig/2019/480 to 485 dated 20.01.19 Modified by Revisionary Authority i.e. VC, DDA from "Reduction of pay by two stages for one year upon Shri S.M. Tiwari with the provision that he will not earn increments and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments"	Review dated: 18.06.19 against the order dated 23.01.19 is under consideration before "AUTHORITY" under Regulation 33 as per

TO					
Reduction of pay by one stage for one year upon Shri S.M. Tiwari with the provision that he will not earn (movement and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments."					

order/direction of Member U6, Delhi


 07/08/19
 E.E. (VIb.)-VII/DDA

CONFIDENTIAL

DELHI DEVELOPMENT AUTHORITY
(VIGILANCE BRANCH)

No.P.27(9)07/EE(Vig.)/DDA/

1143-54

Date: 5/2/09

MEMORANDUM


The undersigned proposes to hold an inquiry against Sh. B.M. Tiwari, AAO under Regulation 25 of the DDA Conduct, Disciplinary and Appeal Regulations, 1999. The substance of imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witness by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

- (2) Sh. B.M. Tiwari, AAO is directed to submit within 10 days of the receipt of this memorandum, a written statement of his defence and also to state whether he desires to be heard in person.
- (3) He is further informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.
- (4) Sh. B.M. Tiwari, AAO is further informed that if he does not submit his written statement of defence on or before the date specified in Para 2 above, or does not appear in person before the inquiring Authority or otherwise fails or refuses to comply with the provisions of Regulation 25 of the DDA Conduct, Disciplinary and Appeal Regulations, 1999 or the orders/directions issued in pursuance of the said Regulations, the inquiring Authority may hold an inquiry against him ex-parte.
- (5) Attention of Sh. B.M. Tiwari, AAO is invited to Regulation-17 of the DDA Conduct Disciplinary and Appeal Regulations, 1999, under which no employee shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his services under the Authority. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sh. B.M. Tiwari is aware of such a representation and

that it has been made to his instance and action may be taken against him for violation of Regulation 17 of the DDA Conduct, Disciplinary and Appeal Regulations, 1999.

(6) The receipt of the memorandum may be acknowledged.

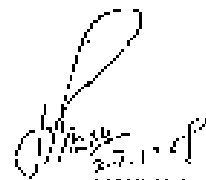
Encl: As stated above.


(NAND LAL)
FINANCE MEMBER
D.D.A.

Sl. B.M. Tewari, AAO,
By: C.A.O. (SQ/III), DDA,
Vikas Sadan, INA,
New Delhi-110027.

N.O.D./Copy to:

1. Commissioner (Personnel)/DDA.
2. Director/CVC (amt), His No.
3. *By: Secy (Estt) DDA*
4. Jt. Director (CR)/DDA.
5. A.D. (CC)/DDA.
6. AVO-III/DA.
7. E.O. File


E.O. (VIG.)-VI/DA
o/c

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SH. B.M. TIWARI, AAO ANNEXURE-I

That the said Sh. B.M. Tiwari while working as AAO, CAU(SMZ) released payment beyond the budget slip in respect of the following works


Article-I

- 1) Protection of DDA Land, SH. C/A random rubble masonry wall on vacant land under the jurisdiction of SC-5/DDA Agmt No. 13/EE/WD-5/DDA/2005-06, Agency:- M/s Tara Chand Summit Const. Co.

Article-II

- 2) Projection of DDA Land.
SH: Construction in raising and repair of boundary wall and chain link fencing at Sant Nagar (Extension), Chauhhandi
Agmt No. 20/EE/WD-5/DDA/2005-06,
Agency:- M/s Tara Chand Summit Const. Co.

That the said Sh. B.M. Tiwari by his above act exhibited lack of devotion to duty and conduct unbecoming of an employee of the Authority thereby violating sub-rule 1(i) & (ii) of Regulation 4 of the DDA Conduct, Disciplinary and Appeal Regulations, 1989.


(NAND LAL)
FINANCE MEMBER
D.D.A.

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SH. B.M. TIWARI, AAO

Article-1

That the said Sh. B.M. Tiwari, AAO while working as AAO, CAU(SWZ) released payment beyond the budget slip in respect of the following works:-

- | | | |
|----|--------------|--|
| 1. | Name of work | Protection of DDA land
Sht: Construction of random rubble masonry wall on vacant land under jurisdiction of CC-5
Agency: M/s Tara Chand Summit Const. Co.
Agreement: No.: 3/EE/WD-S/2005-06
Estimated cost : Rs.8,93,801/- |
|----|--------------|--|

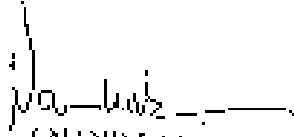
That the said Sh. B.M. Tiwari, AAO while working as AAO, CAU(SWZ) released payment beyond the budget slip in respect of the above work. The budget slip was issued for Rs. 0.2 lacs and payments released for Rs. 8.97 crores.

Article-II

- | | | |
|----|--------------|--|
| 2) | Name of work | Projection of DDA Land.
Sht: Construction in raising and repair of boundary wall and chain link fencing at Sand Nagar (Extension), Chaukhandi.
Agmt No. 20/EE/WD-S/DDA/2565-05.
Agency:- M/s Tara Chand Summit Const. Co. |
|----|--------------|--|

That the said Sh. B.M. Tiwari, AAO while working as AAO, CAU(SWZ) released payment for Rs. 30.17 lacs without any revised budget slip. The budget slip was issued for Rs. 9.37 lacs.

That the said Sn. B.M. Tiwari, AAO by his above act exhibited lack of devotion to duty and conduct unbecoming of an employee of the Authority thereby violating sub-rule 1(i) & (ii) of Regulation 4 of the DDA Conduct, Disciplinary and Appeal Regulations, 1999.


(NAND LAL)
FINANCE MEMBER
D.D.A.

CONFIDENTIAL

REGULATIONS/VIGILANCE
 DEVELOPMENT AUTHORITY
 (VIOLATION BRANCH)

Order No. 201/Vig/2010 / 2477 to 2482

Date: 04/11/11

ORDER

WHEREAS, Disciplinary proceedings under Regulation 25 of COA (Conduct, Disciplinary & Appeal Regulation, 1999) were initiated against Shri B.M. Tiwari, AAO/DDA vide Memo No.27(09)07/EE(Vig)VII/DDA/108-54 dated 5.2.2009 for the lapses/irregularities committed by him while working as AAO released payment without the budget slips or revised budget slips in respect of works mentioned in the said memo.

AND WHEREAS, Shri J.D. Patil was appointed as Inquiry Officer to inquire into the charges framed against Sh. B.M. Tiwari, AAO vide Order No. 374/Vig/2009 dated 17.8.2009.

AND WHEREAS, the I.O. submitted his report vide No. Inq.(HG)B.M./AAO/09/42/55 dated 29.6.2010 and has held the Article of charge I & II as Proved against Sh. B.M. Tiwari, AAO.

AND WHEREAS, the I.O. report was made available to Shri B.M. Tiwari, AAO vide letter No. 122(09)05/Vig.VII/1625 dated 4.10.10 affording him an opportunity to make any representation or submission against the I.O. report.

AND WHEREAS, another opportunity was given to Shri B.M. Tiwari, AAO vide Notice dated 12.8.11.

AND WHEREAS, Shri B.M. Tiwari, AAO submitted his representation dated 25.8.11 against reply to the Notice dated 12.8.11. In his representation Sh. B.M. Tiwari has submitted that AAO does not have any authority to release the payment. The inquiry report is grossly suffering from serious infirmities and that the evidences advanced during the proceedings of inquiry have not been appreciated.

AND WHEREAS, the undersigned, being the Disciplinary Authority, have carefully considered the charges framed against Sh. B.M. Tiwari, AAO, the I.O.'s report on the charges, the submissions made by Sh. B.M. Tiwari in his representation and the overall facts on record. The grounds raised by Sh. B.M. Tiwari on the inquiry report in his representation have already been considered by the Inquiry Officer in his report in detail. As per Circular No. 18 dated 19.6.1995 issued by CAO/DDA, all payments were to be made through budget slips; in two cases referred in the charge sheet, against the budget slip of Rs. 9.20 and Rs. 9.27 lacs, payments were released to the extent of Rs. 3.57 Crores and Rs. 30.17 lacs respectively. As per the above Circular, the Charged Officer should have obtained revised Budget Slip beyond the amount of Budget Slip issued originally by the competent authority. Inquiry Officer has proven the charges. In accordance with the findings of I.O.'s report, Shri B.M. Tiwari being AAO failed to perform his duties in a sincere and faithful manner while releasing payments and have come to the conclusion that the ends of justice will be met if the penalty of

reduction of pay by two stages for one year is imposed on him. During the penalty period, he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments.

NOW, THEREFORE, the undersigned being the Disciplinary Authority, in exercise of powers conferred under the said Regulations hereby ~~order that the said employee's reduction of pay by two stages for one year shall be confirmed and he will not earn any increment during the said period and on expiry of the said period the reduction of pay will have the effect of postponement of his future increments.~~

These orders will take immediate effect.

(N.IND.LAL)
FINANCE MEMBER,
DDA.

q.l. *q.l.*

Shri. H.M. Tiwari, AAO,
Double Entry Branch
DDA Vikas Sadan, New Delhi.

No.

Dated:

Copy to:

1. Commissioner (Personnel) DDA.
2. Director (MVC) w.r.t. their O.M. No. (MVC/W& R/160/137375 d. 25.7.2011).
3. Dy. Director (CR) DDA.
4. Sr. AO (Gazetted) DDA.
5. AVO-III/Vig. Branch, DDA.
6. A.M.O./Vig. Branch, DDA.
7. E.O. Boud.

B. K. S.
Ex. Engineer (Vig.) VII
DDA

q.l.

F 27(09)2337/EE (Vig.)-VI/PT-V
 DELHI DEVELOPMENT AUTHORITY
 (VIGILANCE BRANCH)

Order No. 288 / Vig/2018/ 4989 to 4987

Date: 10/09/18

ORDER

WHEREAS, Disciplinary Proceedings under Regulation 25 of DDA Conduct, Disciplinary and Appeal Regulation 1999 were initiated against Shri B.M. Tiwari, the then AAO/DDA (now DY. CAO (Medical)) vide memorandum no. F 27(09)2337/EE (Vig.)-VI/DDA/1148-54 dated 05.02.2009 for the lapses/irregularities committed by him while working as AAO, CAU (SWZ) in the works mentioned in the said memo as below:

Article-I.

Sh. B.M. Tiwari, AAO while working as AAO, CAU (SWZ) released payment beyond the budget slip in respect of following work. The budget slip was issued for Rs. 0.20 Lacs and payments released for Rs. 2.57 Crores.

NOW: - Protection of DDA land

SH: - Construction of random rubble masonry wall on vacant land under jurisdiction of CC-5

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 13/FE/WD-5/2005-06

Estimated Cost: - Rs: 4, 53,801/-

Article-II.

Sh. B.M. Tiwari, AAO while working as AAO, CAU (SWZ) released payment for Rs. 30.17 Lacs without any revised budget slip in respect of following work. The budget slip was issued for Rs. 9.37 Lacs.

NOW: - Protection of DDA land

SH: - Construction in raising and repair of boundary wall and chain link fencing at Sarai Nagar (Extension), Chauhani

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 26/FE/WD-5/2005-06

AND WHEREAS, Sh. J.D. Pahuja, was appointed as Inquiry Officer vide order no. 374/Vig./2335/ dated 17.08.2009 to enquire into the charges framed against Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)).

AND WHEREAS, the I.O. submitted his inquiry report vide no. Inq./HG/B.M./AAO/09/12/19 dated 26.08.2010 and held the Article-I & Article-II of charges as proved against Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)).

AND WHEREAS, the Disciplinary Authority accepted IO's report and the said report was made available to Shri B.M. Tiwari, the then AAO [now DY: CAO (Medical)] vide letter no F-27 (09)07AVG/VII/10625 dated 06.10.2013 after giving him an opportunity to make any representation or submission against the IO's report.

AND WHEREAS, another opportunity was given to Shri B.M. Tiwari, the then AAO [now DY: CAO (Medical)] vide Notice dated 12.09.2014.

AND WHEREAS, Shri B.M. Tiwari, the then AAO [now DY: CAO (Medical)] submitted his representation dated 25.09.2014 to the Notice dated 12.09.2014.

AND WHEREAS, Finance Member, DDA being Disciplinary Authority, carefully considered the charges framed against Shri B.M. Tiwari, the then AAO [now DY: CAO (Medical)], the IO's report, the submissions made by Shri B.M. Tiwari in his representation and overall facts on record and observed that as per circular no. 9 dated 19.06.1995 issued by CAO/DDA, the charged officer should have obtained revised Budget Slip beyond the amount of Budget Slip issued initially by the competent authority. The IO has proved the charges and Shri B.M. Tiwari being AAO failed to perform his duties in a sincere and truthful manner while releasing payments.

AND WHEREAS, Finance Member, DDA being Disciplinary Authority, in exercise of powers conferred upon him under the Regulation-24 & 25 of DDA's Conduct, Disciplinary and Appeal Regulation 1993 imposed the penalty of "Reduction of pay by two stages for one year upon Shri B.M. Tiwari. During the penalty period he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments" which was issued vide order no. 423/VG/2014/12477 to 24 dated 29.11.2014.

AND WHEREAS, Shri B.M. Tiwari, the then AAO [now DY: CAO (Medical)] filed an appeal petition dated 12.02.2015 after a gap of 6 years from the date of issue of penalty order to seek relief in the penalty imposed by the Disciplinary Authority i.e. FM, DDA on the ground that some new facts have come to his notice which had a direct bearing on his case and also pleaded for personal hearing.

AND WHEREAS, Shri B.M. Tiwari, the then AAO [now DY: CAO (Medical)] appeared before me in the personal hearing on 13.06.2018 and explained his case in detail.

AND WHEREAS, I have perused the note of the vigilance branch as well as the representation of Shri B.M. Tiwari, the then AAO [now DY: CAO (Medical)] submitted during the course of their personal hearing on 13.06.2018. It is observed that the Inquiry Officer had proved the charges against him and also he has released the total amount to the tune of Rs. 2.87 Crores against the demand slip of Rs. 13.57 Lacs. Further, he has taken the plea that the process of issuing budget slip was dispensed with vide circular no. 38 dated 06.05.2015. The benefit of this circular can not be claimed from a retrospective date, hence the claim is unavailing. Further, this case is also being investigated by CRP and no document has been placed on record to show that the said investigation has since been completed.

dated 1980, do not find any reason to interfere with the penalty imposed by the Disciplinary Authority.

NOW THEREFORE, the undersigned being the Appellate Authority under Schedule 3(c) of DDA Conduct, Disciplinary and Appeal Regulation, 1989 in exercise of powers conferred upon me under Regulation 32 of the said Regulation hereby order that the order passed by the Disciplinary Authority dated 29.11.2011 is hereby confirmed.

This order disposes of the appeal petition dated 12.02.2018, filed by Shri B.M. Tiwari against the penalty order dated 29.11.2011 passed by the Disciplinary Authority.

(Udai Prakash Singh)

DD

Shri B.M. Tiwari, DY: SAO (Medical),
DDA, First Floor, C-Block, Vikas Sadan,
New Delhi

NO.O

1. Dy. Dir. (P), DDA
2. Dy. Dir. (CR), DDA
3. Sr. A.O. (Genl), DDA
4. AVO-Admin., DDA
5. A.D. (OC), DDA
6. E.O. Bask

EE (M)-VII/DDA

F 27(00)/2007/EE (Vig.)-VIII/PL-V

DELHI DEVELOPMENT AUTHORITY

(VIGILANCE BRANCH)

Order No. 151 / Vig/2018/ 474 / 479

Dated 23/01/18

ORDER

WHEREAS, Disciplinary Proceedings under Regulation 25 of DDA Conduct, Disciplinary and Appeal Regulation 1989 were initiated against Shri B.M. Tiwari, the then AAO/ODA, now DY. CAO (Medical) vide memorandum no. F 27(00)/EE (Vig.)-VIII/DDA/148-54 dated 05.02.2009 for the lapses/irregularities committed by him while working as AAO, CAO (SWZ) in r/o works mentioned in the said memo as below:

Article-I.

Sh. B.M. Tiwari, AAO while working as AAO, CAO (SWZ) released payment beyond the budget slip in respect of following work. The budget slip was issued for Rs. 9.20 Lacs and payments released for Rs. 2.57 Crores.

NOW: - Protection of DDA land

SH: - Construction of random rubble masonry wall on vacant land under jurisdiction of CC-5

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 13/EE/MD-5/2005-08

Estimated Cost: - Rs. 8, 93,801/-

Article-II.

Sh. B.M. Tiwari, AAO while working as AAO, CAO (SWZ) released payment for Rs. 30.17 Lacs without any revised budget slip in respect of following work. The budget slip was issued for Rs. 9.37 Lacs.

NOW: - Protection of DDA land

SH: - Construction in raising and repair of boundary wall and chain link fencing at Sant Nagar (Extension), Chaukhaldi.

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 20/EE/MD-5/2005-08

AND WHEREAS, Sh. J.D. Tabuja, was appointed as Inquiry Officer vide order no. 374/Vig./2009/ dated 17.08.2009 to enquire into the charges framed against Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)).

AND WHEREAS, the I.O. submitted his inquiry report vide no. I.O. (Medical) dated 25.08.2010 and held the Article 13, Article 14 or charges as proved against Shri B.M. Tiwari, the then AAO (now DY, CAO (Medical)).

AND WHEREAS, the Disciplinary Authority accepted I.O.'s report and the I.O. report was made available to Shri B.M. Tiwari, the then AAO (now DY, CAO (Medical)) vide letter no. F-27 (03)DT/Vig/VII/10825 dated 06.10.2010 affording him an opportunity to make any representation or submission against the I.O. report.

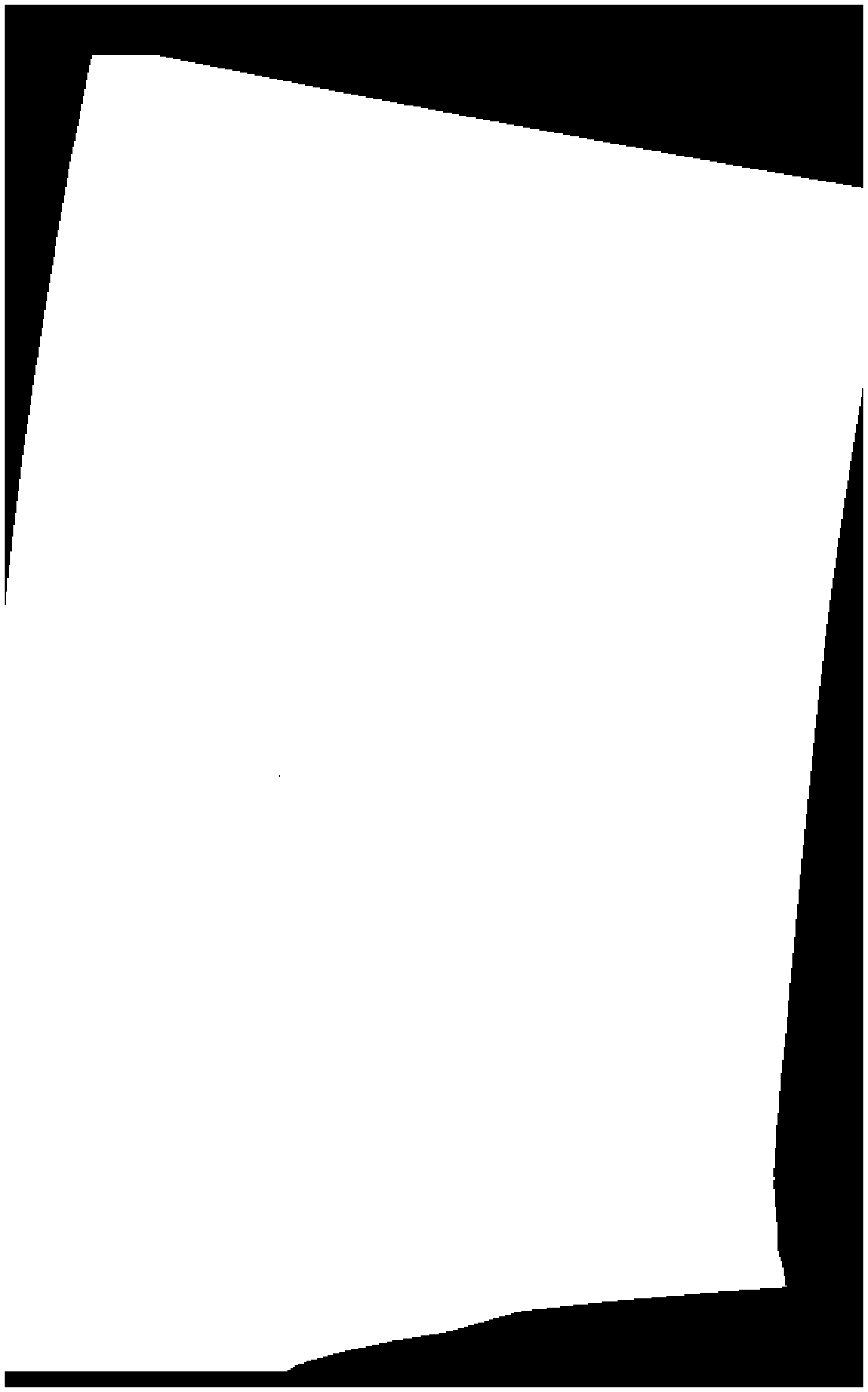
AND WHEREAS, another opportunity was given to Shri B.M. Tiwari, the then AAO (now DY, CAO (Medical)) vide Notice dated 12.08.2011.

AND WHEREAS, Shri B.M. Tiwari, the then AAO (now DY, CAO (Medical)) submitted his representation dated 25.08.2011 to the Notice dated 12.08.2011.

AND WHEREAS, Finance Member, DDA being Disciplinary Authority, carefully considered the charges framed against Shri B.M. Tiwari, the then AAO (now DY, CAO (Medical)), the I.O.'s report, the submissions made by Shri B.M. Tiwari in his representation and overall facts on record imposed the penalty of "reduction of pay by two stages for one year upon Shri B.M. Tiwari. During the penalty period he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments" which was issued vide order no. 423/Vig./2011/12477 to 12483 dated 29.11.2011.

AND WHEREAS, Shri B.M. Tiwari, the then AAO (now DY, CAO (Medical)) filed an appeal petition dated 12.02.2018 to Appellate Authority after a gap of 6 years from the date of issue of penalty order to seek relief in the penalty imposed by the Disciplinary Authority i.e. FM, DDA on the ground that some new facts have come to his notice which had a direct bearing on his case and also pleaded for personal hearing.

AND WHEREAS, VC, DDA being the Appellate Authority perused the note of the vigilance branch as well as the representation of Shri B.M. Tiwari, the then AAO (now DY, CAO (Medical)) submitted during the course of his personal hearing on 13.08.2018. It was observed that the Inquiry Officer had proved the charges against him and since he had released the total amount to the tune of Rs. 2.87 Crores against the budget slip of Rs. 18.57 Lacs. Further, he has taken the



AND WHEREAS, the I.O. submitted the inquiry report vide no. (F.103/2009/AAO/09/42119) dated 26.06.2010 and held the Article 15A Article 11 charges as proved against Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)).

AND WHEREAS, the Disciplinary Authority accepted I.O's report and the I.O. report was made available to Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)) vide letter no. F.27 (09)07/Vig/W/10825 dated 06.10.2010 affording him an opportunity to make any representation or submission against the I.O. report.

AND WHEREAS, another opportunity was given to Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)) vide Notice dated 12.08.2011.

AND WHEREAS, Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)) submitted his representation dated 26.08.2011 to the Notice dated 12.08.2011.

AND WHEREAS, Finance Major, DDA being Disciplinary Authority, carefully considered the charges framed against Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)), the I.O's report, the submissions made by Shri B.M. Tiwari in his representation and overall facts on record imposed the penalty of "Reduction of pay by two stages for one year upon Shri B.M. Tiwari. During the penalty period he will not earn increment and on expiry of the penalty period this reduction will have the effect of postponement of his future increments" which was issued vide order no. 425/Vg./2011/12477 to 12483 dated 29.11.2011.

AND WHEREAS, Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)) filed an appeal petition dated 12.02.2018 to Appellate Authority after a gap of 6 years from the date of issue of penalty order to seek relief in the penalty imposed by the Disciplinary Authority i.e. FM, DDA on the ground that some new facts have come to his notice which had a direct bearing on his case and also pleaded for personal hearing.

AND WHEREAS, VC, DDA being the Appellate Authority perused the note of the vigilance branch as well as the representation of Shri B.M. Tiwari, the then AAO (now DY. CAO (Medical)) submitted during the course of his personal hearing on 13.08.2018. It was observed that the Inquiry Officer had framed the charges against him and since he had released the total amount to the tune of Rs. 2.97 Crores against the budget size of Rs. 10.57 Lacs. Further, he has taken the

plea that the process of issuing budget slip was dispensed with wide circular no. 88 dated 06.05.2015. The benefit of this circular can not be claimed from a retrospective date. Hence the claim is not tenable. Former title case was also being investigated by CBI and no document has been placed on record to show that the said investigation has since been completed. Hence Appellate Authority did not find any reason to interfere with the penalty imposed by the Disciplinary Authority.

AND WHEREAS VC/DIA being the Appellate Authority under schedule 5(d) of DBA Conduct, Disciplinary and Appeal Regulation, 1999 in exercise of powers conferred upon him under Regulation 32 of the said Regulation, ordered to "reject the appeal petition filed by Shri. B.M. Tiwari, the then AAO [now DY. CAO (Medical)]" which was issued wide order no. 88/Vig/2018/4282 to 4287 dated 10.07.2018.

AND WHEREAS Shri. B.M. Tiwari, the then AAO (now DY. CAO (Medical)) filed Revision Petition dated 06.10.2018 to Revisionary Authority i.e. VC/DIA under Regulation 32G of DBA Conduct, Disciplinary and Appeal Regulation, 1999 against the orders of Appellate Authority dated 10.07.18 within the limitation period of six months and also pleaded for personal hearing.

AND WHEREAS Shri. B.M. Tiwari, the then AAO (now DY. CAO (Medical)) appeared before me in the personal hearing on 19.12.2018 and explained his case in detail.

AND WHEREAS I have perused the note of the vigilance standstill as well as the representation of Shri. B.M. Tiwari, the then AAO (now DY. CAO (Medical)) submitted during the course of his personal hearing on 19.12.2018. It is observed that the Charged Officer has taken the plea that in this case, CBI has already closed the case wide its judgement dated 15.12.2016 without any adverse remarks. Further, he has mentioned that the process of issuing budget slip was dispensed with wide circular no. 88 dated 06.05.2015. He also mentioned that in similar cases cited by the Charged Officer, some lesser penalties were imposed compared to his case. Hence, taking a justified lenient view, the penalty imposed on the Charged Officer is hereby modified.

NOW, THEREFORE, the undersigned being the Revisionary Authority under Regulation 32G of DBA Conduct, Disciplinary and Appeal Regulation, 1999 hereby order to modify the penalty ~~as stated in the order of the Appellate Authority~~

...provision that he will not cash ...
...periods and ...
...Reduction of pay ...
...with the provision that he will ...
...period, character ...
...in arrears"

This order dispenses off the Revision Petition dated 08.10.2018 filed by
Shri B. M. Tiwan against the order of Appellate Authority dated 10.07.2018.


(Terun Kapaor)
Vice Chairman
DDA

Shri. B.M. Tiwan, D.Y. CAO (Medical),
DDA, First Floor, C-Block, V.K. Sas, Sadar,
N.A. New Delhi

- N.O.C
- 1. Dy. Dir. (P.W.) DDA
 - 2. Dy. Dir. (CR), DDA
 - 3. Sr. A.O. (Estt.) GAZZETED, DDA
 - 4. AVO (Admin), DDA
 - 5. A.D. (DC), DDA
 - 6. E.O. Beek


23/10/19
EE (Mg.)-VII DDA

Confidential

श्री मंत्रि
दफ्तरी-9900328
RAJ NIWAS
DELHI-110054



सत्यमेव जयते



Of. Copy No. 37
Dy. No. 37
Dated: 27/01/19

27-01-19
27-6-19

296/58/19
08-04-19

Sub : Forwarding Review petitions of Sh. B.M.Tewari, Dy. CAO(M) & Sh. S.N.Tewari, AO(Rtd.) against orders dated 23.01.2019 under regulation 32C reg.

Please find enclosed herewith the above mentioned Review Petition, filed by Sh. B.M.Tewari, Dy. CAO(M) & Sh. S.N.Tewari, AO(Rtd.) against orders dated 23.01.2019 under regulation 32C (copies enclosed).

It is requested that the above said Review Petition of Sh. B.M.Tewari, Dy. CAO(M) & Sh. S.N.Tewari, AO(Rtd.) DDA, may be grt. examined for its admissibility or otherwise vis-a-vis provisions of Regulation 33 of Delhi Development Authority (Conduct, Disciplinary and Appeal) Regulations, 1999.

The same may be submitted in the condensed case file of Sh. B.M.Tewari, Dy. CAO(M) & Sh. S.N.Tewari, AO(Rtd.) along with all relevant documents/para-wise comments on the contention made by the petitioners, by way of a comprehensive self contained note, giving the background of cases with chronology of events, charge sheets with annexures, alongwith all the relevant records duly referenced, and indexed. Further, tabulated para-wise comments on the contentions of the petitioners, i.e. juxtaposing contentions of the petitioners and counters of the Disciplinary Authority, may also be submitted for consideration and orders of the Hon'ble Lt. Governor.

Encl : As above

(Anoop Thakur)
Pec. Secretary to Lt. Governor

Vice Chairman, DDA
U.O. No. 334 & 335/Vic/VG/2019/A. 2670

Dated: 26/01/2019

13.4/58/19
03/01/19
20
C/O
27/01/19

Section 32C/Reg 32C

27/01/19

27/01/19

27/01/19

27/01/19

27/01/19

27/01/19

Dr. P. B. Lal, Governor,
Chairman, DDA,
Baj Nivas,
Delhi.

P. B. LAL, AS, DDA,
Chairman, DDA,
Baj Nivas,
Delhi.

SUP: Review petition against order No. 14/19474 dated 20-11-2019 passed by
Appellate Authority, the Vice Chairman, DDA.

BEFORE WORKING SET GOVERNOR, DELHI CHAIRMAN, DDA

Respected Sir,

The Appellant vide his petition submitted the order No. 14/19474 dated 20-11-2019 vide which penalty of 1% per month of pay by way of fine for one year with the provision that it will not run consecutively and on expiry of the penalty period the reduction will have the effect of postponement of any future increments have been imposed upon him.

The above penalty was imposed on the charges of failure to ensure revised budget slip moving budget slip while being posted as AAO (CAU) SWZ. In this regard I wish to submit the following few points for your kind consideration please:

1. The circular vide which CAU system was adopted in DDA clearly terms CAU as Capital Accounting Unit and requires CAU with a Treasury Officer. Accordingly CTR is applicable and is attached to CAU.

2. The circular vide which CAU system was adopted in DDA specifically states that The Accounts Officer in the Centralized Accounting Office will, in the matter of disbursement, discharge the functions of a Treasury Officer. (Annexure 'A')

The duties of Accountant as specified in the circular further states "to ensure necessary checks as laid down in CWA code, CPWD Code, CPWD Manual as applicable and Central Treasury Rules

3. Para 138 of Central Treasury Rule clearly states that (Annexure 'B')

When bills are presented on account of charges incurred under any special orders, the orders sanctioning the charge should be posted. Copies of sanctions accompanying a bill must be duly verified by a Certified Officer or by a responsible subordinate specially authorized in this behalf by the Head of Office.

This provision does not authorize a Treasury Officer or any other Disbursing Officer to refuse payment on the ground that the charge has not been sanctioned. The responsibility for incurring unauthorised charges rests with the drawing officer.

The drawing officer in these cases is the Executive Engineer of the concerned work executing division.

4. The Internal Audit Manual of Delhi Development Authority under Para 19(1)(i)

Mr. P. B. Lal
Sub. Govt. Secy

333/10/15
Delhi

Engineer/24 Director(Hopt.) and is responsible for attending any objection on vouchers passed by him.

(iii) Under the Centralized Accounting System the Senior Accounts Officer of CAI is discharging the functions of disbursing officer/treasury officer and is governed by Central Treasury Rules. As already submitted in Para 3 above, Treasury Officer can not refuse payment of bills which have been passed by the Drawing Officer and the responsibility of incurring unauthorised charges rests with the Drawing Officer i.e. the Executive Engineer.

From above, it may be seen that CAI has to discharge functions of disbursing officer/treasury officer and is governed by Central Treasury Rules. As already submitted in Para 3 above, Treasury Officer can not refuse payment of bills which have been passed by the Drawing Officer and the responsibility of incurring unauthorised charges rests with the Drawing Officer i.e. the Executive Engineer.

Sir, I wish to further submit that:

1. The payments were processed on the basis of budget allocation and were within the budget allocated. There is no loss to the department, there is no ill motive or ill intention or negligence on my part.
2. The concept of revised budget slip was first noticed in the circular dt 20.4.17 (Annexure 'D').
3. The then Sr. Accounts Officer (CAI) SWZ Sh. S.S. Gehlot was also charged/penalised for the same works where similar charge was alleged/levelled against him. A penalty of 10% cut in pension for one year was imposed upon him. Incidentally I have a copy of the orders of the Vice-Chairman vide which the penalty orders of Sh. S.S. Gehlot, Sr. A.O. were issued. (copy enclosed for ready reference as Annexure 'E')
4. A comparison of penalty imposed upon me and upon Sr. Accounts Officer Sh. S.S. Gehlot is as under:

	Penalty imposed	Effect of Penalty
S.S. GEHLOT, SR. ACCOUNTS OFFICER (CAI)	10% cut in pension for one year	The penalty have an "Without Cumulative" effect and pension will be restored after one year. Financial loss for one year only.
T.M. BAWANI, S.A.O. (CAI)	Reduction of pay by one stage for one year with the provision that he will not earn increment and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments.	The provision of not earning increment and having the effect of postponement of future increments have a cumulative effect. My pay will always remain reduced through my entire service. Thereafter after my retirement, the retirement benefits too will be fixed on reduced pay.

From above it may be seen that the financial loss effect on Sr. Accounts Officer is only during the penalty period. However, The penalty imposed upon me is with

...I had gone through the said minutes dt.20-4-07 (previously referred to para 2 above) and enclosed of Annexure 'D' of the meeting, which indicates that although budget slip/moving budget slip is not being followed in DDA in tone as per Circular No.19 dated 19-6-95 and it was decided that in case additional expenditure is proposed against the sanctioned budget slip, revised budget slip should be obtained. Since the works pertain to the period 2003-04 and 2004-05, I am hereby inclined to take a lenient view and reduce the penalty imposed by the Disciplinary Authority to "reduction of pay by one stage for one year without cumulative effect....."

Incidentally, I have a copy of the orders of the Vice Chairman vide which the penalty orders of Sh.S.C.Charg, Divisional Accountant were modified to Reduction of pay by one stage for one year WITHOUT CUMULATIVE EFFECT (copy enclosed for ready reference as Annexure '5')

6. In a similar case recently the charge sheet of one Sh.Pratish Chand, AAO to whom charge sheet was issued on same grounds, and penalty imposed, has been quashed by CAT. CAT has observed that there is only a procedural lapse and no illegality or dereliction of duty. Accordingly his position has been restored and all arrears of pay/MA etc. has been released by the Department. The works for which charge sheet was issued pertained to years prior to 2007.
7. The case was also investigated by CBI and they too have not found any irregularity in the works. Accordingly, the case has also been closed by the CBI vide Court Order dt.15-12-2016.

PRAYER

In view of above submissions, it is kindly prayed that the orders passed by the Appellate Authority/V.C., DDA may kindly be set aside and I may kindly be exonerated. The Appellant also prays for a personal audience before your Excellency so as to explain my innocence more effectively supported with documentary evidences. Must I be able to win over favour from your generous hands for which I shall owe a special debt of gratitude for ever.

Thanking You,

Yours faithfully,



(B.M. Tewari)
Dy. CAO(M)

Mobile No. 9866510977

CONFIDENTIAL

DELHI DEVELOPMENT AUTHORITY
(VIGILANCE BRANCH)

No. D.2709/97/EC(Vig)/MVD/DA/

1141-47

Date: 5/2/09

MEMORANDUM

The undersigned proposes to hold an inquiry against Sh. S.N. Tiwari, AAO under Regulation 25 of the DDA Conduct, Disciplinary and Appeal Regulations, 1999. The substance of imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witness by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

- (2) Sh. S.N. Tiwari, AAO is directed to submit within 10 days of the receipt of this memorandum, a written statement of his defence and also to state whether he desires to be heard in person.
- (3) He is further informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.
- (4) Sh. S.N. Tiwari, AAO is further informed that if he does not submit his written statement of defence on or before the date specified in Part 2 above, or does not appear in person before the Inquiring Authority or otherwise fails or refuses to comply with the provisions of Regulation 25 of the DDA Conduct, Disciplinary and Appeal Regulations, 1999 or the orders/directions issued in pursuance of the said Regulations, the Inquiring Authority may hold an inquiry against him ex-parte.
- (5) Attention of Sh. S.N. Tiwari, AAO is invited to Regulation-17 of the DDA Conduct, Disciplinary and Appeal Regulations, 1999, under which no employee shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his services under the Authority. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sh. S.N. Tiwari is aware of such a representation and that it has been made at his instance and action may be taken against him for

violation of Regulation 7 of the DDA/Conduct, Disciplinary and Appeal Regulations, 1999.

(6) The receipt of the memorandum may be acknowledged.


Encls: As stated above.


(NAND LAL)
FINANCE MEMBER
D.D.A.

Sl. S.N. Tiwari, AAO,
WD-5, D.D.A.,
Vikas Minar, I.C.D.,
New Delhi-110002.

N.O.C./Copy to:-

1. Commissioner (Personnel)/DDA.
2. Director/CVC w.r.t. his No.
3. Dy. CAG/CAL/NZ/DDA.
4. Jr. Director/CR/DDA.
5. A.D.(DC)/DDA.
6. AYO-II/DDA.
7. E.O. File.


10/5/2011-05
E.E.(VIG.) VVDDA
E/C

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SH. S.N. TIWARI, AAO

That the said Sh. S.N. Tiwari while working as AAO, WD-5 passed the R/A bills beyond the budget slip limit without obtaining revised budget slip in the following works:-


Article-I

- 1) Protection of DDA Land, SH: C/o random rubble masonry wall on vacant land under the Jurisdiction of CC-5/DDA, Agmt No. 13/EEAWD-S/DDA/2005-06, Agency:- M/s Tara Chand Summit Const. Co.

Article-II

- 2) Protection of DDA Land,
SH: Construction in raising and repair of boundary wall and chain link fencing at Sant Nagar (Extension), Chaukhandi.
Agmt No. 20/EEAWD-S/DDA/2005-06.
Agency:- M/s Tara Chand Summit Const. Co.

That the said Sh. S.N. Tiwari by his above act exhibited lack of devotion to duty and conduct unbecoming of an employee of the Authority thereby violating sub-rule 1(i) & (ii) of Regulation 4 of the DDA Conduct, Disciplinary and Appeal Regulations, 1999.


(CHAND LAL)
FINANCE MEMBER
D.D.A.

STATEMENT OF IMPLUTATION OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SH. S.N. TIWARI AAO

Article-I

That the said Sh. S.N. Tiwari, AAO while working as AAO, WD-5 Passed the final bill beyond the amount of budget slip without obtaining revised budget slip.

- 1) Name of work : Protection of DDA Land.
 Sft: Construction of random rubble masonry wall on vacant land under jurisdiction of CC-5
 Agency: M/s Tara Chand Sumit Const. Co.
 Agreement No.: 13/EC/WD-5/2005-06
 Estimated cost : Rs.8.93,80/-

That the said Sh. S.N. Tiwari, AAO while working as AAO, WD-5 passed the P/A bills beyond the amount of budget slip without obtaining revised budget slip. The Budget Slip was issued for Rs.9.2 lacs and payment released for Rs 2.57 crores.

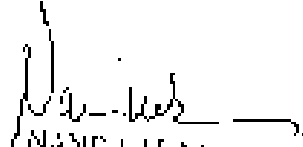
Article-II

- 2) Name of work : Protection of DDA Land.
 Sft: Construction in raising and repair of boundary wall and chain link fencing at Sanj Nagar (Extension), Chaukhandi.
 Agmt No. 23/EE/WD-5/DDA/2005-06
 Agency:- M/s Tara Chand Sumit Const. Co.

The Budget Slip was issued for Rs.9.37 lacs and payment released was Rs.30.17 lacs.

That the said Sh. S.N. Tiwari, AAO while working as AAO, WVD-5 passed the final bills beyond the amount of budget slip without obtaining revised budget slip.

That the said Sh. S.N. Tiwari, AAO by his above act exhibited lack of devotion to duty and conduct unbecoming of an employee of the Authority thereby violating sub-rule (i) & (ii) of Regulation 4 of the DDA Conduct, Disciplinary and Appeal Regulations, 1939.


(NAND LAL)
FINANCE MEMBER
D.D.A.

F.27(09)07/EE(Vig)VII/PLI
 DELHI DEVELOPMENT AUTHORITY
 (VIGILANCE BRANCH)

Order No. 422-/Vig/2011/ 12472 to 12476

Dated: 29/11/11

ORDER

WHEREAS, Disciplinary proceedings under Regulation 25 of DDA Conduct, Disciplinary & Appeal Regulation, 1999 were initiated against Shri S.N. Tiwari, AAO/DDA vide Memo No.27(09)07/EE(Vig)VII/DDA/1141-47 dated 5.2.2009 for the lapses/irregularities committed by him while working as AAO released payment without the budget slips or revised budget slips in respect of works mentioned in the said memo.

AND WHEREAS, Shri J.D.Palreja was appointed as Inquiry Officer to inquire into the charges framed against Sh. S.N.Tiwari, AAO vide Order No. 372/Vig./2009/656, dated 17.8.2009.

AND WHEREAS, the I.O. submitted his report vide No. Inc./HG/S.N./AAO/09/4/18 dated 29.6.2010 and has held the Article of charge- I & II as Proved against Sh.S.N. Tiwari AAO.

AND WHEREAS, the I.O. report was made available to Shri S.N. Tiwari, AAO vide letter No. F.27(09)07/Vig.VII/10626 dated 6.10.10 affording him an opportunity to make any representation or submissions against the I.O. report.

AND WHEREAS, another opportunity was given to Shri S.N. Tiwari, AAO vide Notice dated 12.8.11.

AND WHEREAS, Shri S.N. Tiwari, AAO submitted his representation dated 25.8.11 against reply to the Notice dated 12.8.11. In his representation Sh. S.N. Tiwari has submitted that AAO does not have any authority to release the payment. The inquiry report is grossly suffering from serious infirmities and that the evidences adduced during the proceedings of inquiry have not been appreciated.

AND WHEREAS, the undersigned, being the Disciplinary Authority, have carefully considered the charges framed against Sh. S.N. Tiwari AAO, the IO's report on the charges, the submissions made by Sh. S.N. Tiwari in his representation and the overall facts on record. The grounds raised by Sh. S.N. Tiwari on the Inquiry report in his representation have already been considered by the Inquiry Officer in his report in detail. As per Circular No. 19 dated 19.6.1995 issued by CAO/DDA all payments were to be made through budget slip. In two cases referred in the charge sheet, against the budget slip of Rs. 9.20 and Rs. 9.37 lacs, payments were released to the extent of Rs. 2.57 Crores and Rs. 30.17 lacs respectively. As per the above Circular, the Charged Officer should have obtained revised Budget Slip beyond the amount of Budget Slip issued originally by the competent authority. Inquiry Officer has

proved the charges. I am in agreement with the findings of IO's report. Shri S.N. Tiwari being AAO failed to perform his duties in a sincere and truthful manner while releasing payments and have come to the conclusion that the ends of justice will be met if the penalty of reduction of pay by two stages for one year is imposed on him. During the penalty period, he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments.

NOW, THEREFORE, the undersigned being the Disciplinary Authority, in exercise of powers conferred under the said Regulations hereby orders imposition of the reduction of pay by two stages for one year on Shri S.N. Tiwari. During the penalty period he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments.

These orders will take immediate effect.

(NAND LAL)
FINANCIAL MEMBER,
DDA.

Shri. S.N. Tiwari,
Accountant, PAO(EW),
1st Floor, Vikas Mirar/DDA
New Delhi.

No.

Date:

Copy to :

1. Commissioner (Personnel) DDA.
2. Director (CVC) w.r.t. their O.M. No. 008/W&IU/60/13735 dt.25.7.2011.
3. Dy. Director (CR)DDA.
4. Sr.AO/PAO(EW)DDA.
5. AVO-II/Vig.Branch, DDA.
6. AD/DC/Vig.Branch, DDA.
7. R.O. Buck.

Ex. Engineer (Vig.)VII
DDA

F 27(09)2007/EE (Vig.) VIII Pt-V
DFLH. DEVELOPMENT AUTHORITY
(VIGILANCE BRANCH)

Order No. 89 / Vig/2014/ 4287 to 4294 Dated 10/07/18

ORDER

WHEREAS, Disciplinary Proceedings under Regulation 26 of DDA Conduct, Disciplinary and Appeal Regulation 1999 were initiated against Shri S.N. Tiwari, the then AAO/DDA [now AO (Retd.)] vide memorandum no. F 27(09)07/EE (Vig.) VI/DDA/1141-47 dated 05.02.2009 for the lapses/irregularities committed by him while working as AAO, WD-5 in the works mentioned in the said memo as below:

Article-I.

Sh. S.N. Tiwari, AAO while working as AAO, WD-5 passed the RA bills beyond the amount of budget slip without obtaining revised budget slip in respect of following work. The budget slip was issued for Rs. 9.20 Lacs and payments released for Rs. 2.57 Crores.

NOW: - Protection of DDA and

SH: - Construction of random rubble masonry wall on vacant land under jurisdiction of CC-5

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 13/EE/WD-5/2005-08

Estimated Cost: - Rs. 8, 93, 80/-

Article-II.

Sh. S.N. Tiwari, AAO while working as AAO, WD-5 passed the final bills beyond the amount of budget slip without obtaining revised budget slip in respect of following work. The budget slip was issued for Rs. 9.37 Lacs and payment released was Rs. 89.17 Lacs.

NOW: - Protection of DDA and

SH: - Construction in raising and repair of boundary wall and chain link fencing at Sant Nagar (Extension), Chaukhandi.

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 20/EE/WD-5/2015-08

AND WHEREAS, Sh. S.D. Pahuja, was appointed as Inquiry Officer vide order no. 372/Vig./2009/6658 dated 17.06.2009 to enquire into the charges framed against Shri S.N. Tiwari, the then AAO [now AO (Retd.)].

AND WHEREAS, the I.O. submitted his inquiry report vide no. Inq./HG/S.N (AAO)/09/41/18 dated 29.08.2010 and held the Article-I & Article-II of charges as proved against Shri S.N. Tiwari, the then AAO [now AO (Retd.)].

AND WHEREAS, the Disciplinary Authority accepted IO's report and the I.O. report was made available to Shri S.N. Tiwari, the then AAO [now AO (Retd.)] vide

letter no. F 27 (03107) Vg. VIII/0626 dated 06.10.2010, affording him an opportunity to make any representation or submission against the IO report.

AND WHEREAS, another opportunity was given to Shri S.N. Tiwari, the then AAO (now AO (Retd.)) vide Notice dated 12.09.2011.

AND WHEREAS, Shri S.N. Tiwari, the then AAO (now AO (Retd.)) submitted his representation dated 25.06.2011 to the Notice dated 12.08.2011.

AND WHEREAS, Finance Member, DDA being Disciplinary Authority carefully considered the charges framed against Shri S.N. Tiwari, the then AAO (now AO (Retd.)), the IO's report, the submissions made by Shri S.N. Tiwari in his representation and overall facts on record and observed that as per order dated 19.06.1996 issued by CAO/DDA the charged officer should have obtained revised Budget Slip beyond the amount of Budget Slip issued originally by the competent authority. The IO has proved the charges and Shri S.N. Tiwari, being AAO failed to perform his duties in a sincere and truthful manner while releasing payments.

AND WHEREAS, Finance Member, DDA being Disciplinary Authority in exercise of powers conferred upon him under the Regulation 24 & 25 of DDA Conduct, Disciplinary and Appeal Regulation 1989 imposed the penalty of "Reduction of pay by two stages for one year upon Shri S.N. Tiwari. During the penalty period he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments" which was issued vide order no. 422/Vg.2011/12471 and 2476 dated 20.11.2011.

AND WHEREAS, Shri S.N. Tiwari, the then AAO (now AO (Retd.)) filed an appeal petition dated 19.02.2018 after a gap of 6 years from the date of issue of penalty order to seek relief in the penalty imposed by the Disciplinary Authority, FM, DDA on the ground that some new facts have come to his notice which had a direct bearing on his case and also pleaded for personal hearing.

AND WHEREAS, Said S.N. Tiwari, the then AAO (now AO (Retd.)) appeared before me in the personal hearing on 13.05.2018 and explained his case in detail.

AND WHEREAS, I have perused the note of the vigilance branch as well as the representation of Shri S.N. Tiwari, the then AAO (now AO (Retd.)) submitted during the course of their personal hearing on 13.05.2018. It is observed that the Vigilance Officer had proved the charges against him and since he had released the total amount to the tune of Rs. 2.87 Crores against the Budget slip of Rs. 1.55 Lacs. Further, he has taken the plea that the process of issuing Budget slip was dispensed with vide circular no. 38 dated 06.05.2015. The benefit of this circular can not be claimed from a retrospective date, hence the claim is unfounded. Further, this case is also being investigated by CB and no document has been placed on record to show that the said investigation has since been completed. Hence, I do not find any reason to interfere with the penalty imposed by the Disciplinary Authority.

NOW THEREFORE, the undersigned being the Appellate Authority under schedule-3(d) of DDA Conduct, Disciplinary and Appeal Regulation, 1989 in exercise of powers conferred upon me under Regulation 62 of the said Regulation,

hereby order to ~~repeal the penalty order dated 28.11.2018 against Shri S.N. Tiwari in the event of his resignation.~~

This order disposes of the appeal petition dated 15.02.2018, filed by Shri S.N. Tiwari against the penalty order dated 28.11.2018 passed by the Disciplinary Authority.

(Uda. Pradeep Singh)
Joint Secretary
DDA

Shri S.N. Tiwari, AO (Retired),
M-4/32A, 2nd Floor, M-Block, Model Town-III,
Delhi-110009

N.O.D.

1. Dy. Dir. (P-I), DDA
2. Dy. Dir. (CR), DDA
3. S. A.O. (Pension), DDA
4. AVO-(Admin), DDA
5. A.D. (CC), DDA
6. E.O. Book

(Uda. Pradeep Singh)
Joint Secretary
EE (Mg)-V/DDA

CONFIDENTIAL

F 27(08)2007/EE (Vig.) VIII/PI-V

DELHI DEVELOPMENT AUTHORITY

(VIGILANCE BRANCH)

Order No. 15 / Vig/2019/484 to 485

Dated 23/01/19

ORDER

WHEREAS, Disciplinary Proceedings under Regulation 26 of DDA Conduct, Disciplinary and Appeal Regulation 1999 were initiated against Shri S.N. Tiwari, the then AAO/DDA [now AC (Retd.)] vide memorandum no. F 27(08)07/EE (Vig.) VIII/DDA/1141-47 dated 05.02.2009 for the lapses/irregularities committed by him while working as AAO, WD-5 in the works mentioned in the said memo as below:

Article-I.

Sh. S.N. Tiwari, AAO while working as AAO WD-5 passed the R/A bills beyond the amount of budget slip without obtaining revised budget slip in respect of following work. The budget slip was issued for Rs. 9.20 Lacs and payments released for Rs. 2.57 Crores.

NOW: - Protection of DDA land

SH: - Construction of random rubble masonry wall on vacant land under jurisdiction of CC-6

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 15/EE/WD-5/2005-06

Estimated Cost: - Rs. 8, 93.80/-

Article-II.

Sh. S.N. Tiwari, AAO while working as AAO WD-5 passed the final bills beyond the amount of budget slip without obtaining revised budget slip in respect of following work. The budget slip was issued for Rs. 5.97 Lacs and payment released was Rs. 93.17 Lacs.

NOW: - Protection of DDA land

SH: - Construction in raising and repair of boundary wall and chain link fencing at Sant Nagar (Extension), Chalkhandi.

Agency: - M/s Tara Chand Sumit Const. Co.

Agmt. No.: - 20/EE/WD-07/2005-06

AND WHEREAS, Sh. J.D. Pahuja, was appointed as Inquiry Officer vide order no. 372/Vig./2008/5356 dated 17.08.2009 to enquire into the charges framed against Shri S.N. Tiwari, the then AAO [now AO (Retd.)].

AND WHEREAS, the I.O. submitted his inquiry report vide no. [redacted] dated 28.06.2010 and hold the Article-I & Article-II of charges as proved against Shri S.N. Tiwari, the then AAO [now AO (Retd.)].

AND WHEREAS, the Disciplinary Authority accepted IO's report and the I.O. report was made available to Shri S.N. Tiwari, the then AAO [now AO (Retd.)] vide letter no.F.27 (09)97/Vig.VII/10626 dated 06.10.2010 affording him an opportunity to make any representation or submission against the IO report.

AND WHEREAS, another opportunity was given to Shri S.N. Tiwari, the then AAO [now AO (Retd.)] vide Notice dated 12.08.2011.

AND WHEREAS Shri S.N. Tiwari, the then AAO [now AO (Retd.)] submitted his representation dated 25.08.2011 to the Notice dated 12.08.2011.

AND WHEREAS, Finance Member, DDA being Disciplinary Authority, carefully considered the charges framed against Shri S.N. Tiwari, the then AAO [now AO (Retd.)], the IO's report, the submissions made by Shri S.N. Tiwari in his representation and overall facts on record imposed the penalty of "Reduction of pay by two stages for one year upon Shri S.N. Tiwari. During the penalty period he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future increments" which was issued vide order no. 422/Vig./2011/12470 to 12476 dated 29.11.2011.

AND WHEREAS, Shri S.N. Tiwari, the then AAO [now AO (Retd.)] filed an appeal petition dated 19.02.2016 to Appellate Authority after a gap of 6 years from the date of issue of penalty order to seek relief in the penalty imposed by the Disciplinary Authority i.e. FM, DDA on the ground that some new facts have come to his notice which had a direct bearing on his case and also pleaded for personal hearing.

AND WHEREAS, VC, DDA being the Appellate Authority perused the note of the vigilance branch as well as the representation of Shri S.N. Tiwari, the then AAO [now AO (Retd.)] submitted during the course of his personal hearing on 13.06.2016. It was observed that the Inquiry Officer had proved the charges against him and since he had released the total amount to the tune of Rs. 2.87 Crores against the budget slip of Rs. 18.57 Lacs. Further, he has taken the plea

that the process of issuing budget slip was dispensed with vide circular no. 38 dated 06.05.2015. The benefit of this circular can not be claimed from a retrospective date, hence, the claim is unfounded. Further, this case was also being investigated by CBI and no document has been placed on record to show that the said investigation has since been completed. Hence, Appellate Authority did not find any reason to interfere with the penalty imposed by the Disciplinary Authority.

AND WHEREAS, VC, DDA being the Appellate Authority under schedule 3(u) of DDA Conduct, Disciplinary and Appeal Regulation, 1999 in exercise of powers conferred upon him under Regulation 32 of the said Regulation, ordered to "reject the appeal petition filed by Shri S.N. Tiwari, the then AAO [now AO (Retd.)]" which was issued vide order no. 39/Vig./2018/4289 to 4294 dated 10.07.2018.

AND WHEREAS, Shri S.N. Tiwari, the then AAO [now AO (Retd.)] filed Revision Petition dated 08.10.2018 to Revisionary Authority i.e. VC, DDA under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999 against the orders of Appellate Authority dated 10.07.18 within the limitation period of six months and also pleaded for personal hearing.

AND WHEREAS, Shri S.N. Tiwari, the then AAO [now AO (Retd.)] appeared before me in the personal hearing on 19.12.2018 and explained his case in detail.

AND WHEREAS, I have perused the note of the vigilance branch as well as the representation of Shri S.N. Tiwari, the then AAO [now AO (Retd.)] submitted during the course of his personal hearing on 19.12.2018. It is observed that the Charged Officer has taken the plea that in this case, CBI has already closed the case vide its judgement dated 15.12.2016 without any adverse remarks. Further, he has mentioned that the process of issuing budget slip was dispensed with vide circular no. 38 dated 06.05.2015. He also mentioned that in similar cases cited by the Charged Officer, some lesser penalties were imposed compared to his case. Hence, taking a justified lenient view, the penalty imposed on the Charged Officer is hereby modified.

NOW THEREFORE, the undersigned being the Revisionary Authority under Regulation 32G of DDA Conduct, Disciplinary and Appeal Regulation, 1999 hereby order to modify the penalty from ~~Reduction of pay by two grades for~~

one year upon Shri S.N. Tiwari with the provision that he shall not earn any increment during the period of the penalty period. The reduction will have the effect of postponement of his future increments to a position or pay by one stage for one year upon Shri S.N. Tiwari with the provision that he shall not earn an increment and on expiry of the penalty period, the reduction will have the effect of postponement of his future increments.

This order disposes off the Revision Petition dated 08.10.2018, filed by Shri S.N. Tiwari against the orders of Appellate Authority dated 10.07.2018.

(Saran Kapoor)
Vice Chairman
DDA

Shri S.N. Tiwari, AO (Retired),
M-4/32A, 2nd Floor, M-BLOCK, Model Town-III,
Delhi-110008

N.O.C

1. Dy. Dir. (F.F), DDA
2. Dy. Dir. (CR), DDA
3. Sr. A.O. (Pension), DDA
4. W/O-(Admin), DDA
5. A.D. (DC), DDA
6. E.O. Back

23/01/19
EE (V3)-VIII/DA

10081167/215/15



Confidential

दिल्ली-990014
Raj Niwas
DELHI-110054

29/05/2019
08-09-19

Dir. CAO (M)
Dy. No. 229
Dated: 23/01/19

Sub: Forwarding Review petitions of Sh. B.M.Tewari, Dy. CAO(M) & Sh. S.N.Tewari, AO(Rtd.) against orders dated 23.01.2019 under regulation 32G - rog.

Please find enclosed herewith the above mentioned Review Petition, filed by by Sh. B.M.Tewari, Dy. CAO(M) & Sh. S.N.Tewari, AO(Rtd.) against orders dated 23.01.2019 under regulation 32G (copies enclosed).

It is requested that the above said Review Petition of Sh. B.M.Tewari, Dy. CAO(M) & Sh. S.N.Tewari, AO(Rtd.) DDA, may be got examined for its admissibility or otherwise vis-a-vis provisions of Regulation 33 of Delhi Development Authority (Conduct, Disciplinary and Appeal) Regulations, 1995.

The same may be submitted in the concerned case file of Sh. B.M.Tewari, Dy. CAO(M) & Sh. S.N.Tewari, AO(Rtd.) along with all relevant documents/para-wise comments on the memorandum made by the petitioners, by way of a comprehensive self contained note, giving the background of cases with chronology of events, charge sheets with annexures, alongwith all the relevant records duly referenced, and indexed. Further, tabulated para-wise comments on the objections of the petitioners, i.e. juxtaposing contentions of the petitioners and comments of the Disciplinary Authority, may also be submitted for consideration and orders of the Hon'ble Lt. Governor.

Encl: As above

(Anoop Thakur)
25/01/19
Pvt. Secretary to Lt. Governor

Vice Chairman, DDA
U.O. No. 334 & 335/Vig./DSS/2013/ A-2670

Dated: 26/06/2019

Refer to DDA-3/DAV.DC

21/07/19

20/07/19

20/07/19

20/07/19

20/07/19

20/07/19

To

The Hon'ble Lt. Governor,
Chairman, DDA,
Raj Bhwas,
Delhi.

2019/103/2019
20019
Date: 24/11/19

SUB:

IMPURE WORTHY LT. GOVERNOR, DELHI CHAIRMAN, DDA.

Respected Sir,

The Appellant vide this petition seeks to recall the orders No. 215/Vig/2019/483 dt.23-01-2019 vide which penalty of "reduction of pay by one stage for one year with the provision that I will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of my future increments" have been imposed upon me.

The above penalty was imposed on the charges of failure to ensure revised budget slip/moving budget slip.

In this regard, I wish to submit the following few points for your kind consideration please:

1. The payments were processed on the basis of budget allocation and were within the budget allowed. There is no loss to the department, there is no ill motive or ill intention or negligence on my part.
2. The concept of revised budget slip was first noticed in the circular dt.10-4-07 (Structure 'A').
3. The Deputy Accounts Officer (CAU) Sh. S.S. Gehlot was also charged sheeted for the same works where similar charge was alleged levelled against him. A penalty of 10% cut in pension for one year was imposed upon him. Incidentally I have a copy of the orders of the Vice Chairman vide which the penalty orders of Sh. S.S. Gehlot, Sr.A.O. were issued. (Copy enclosed for ready reference as Annexure 'B')
4. A comparison of penalty imposed upon me and upon Sr.Accounts Officer Sh.S.S.Gehlot is as under:

(V) 133
Sh. Gehlot
18/11/19
18/11/19

	Penalty imposed	Effect of Penalty
S.S. GEHLOT, SR.ACCOUNTS OFFICER (CAU)	10% cut in pension for one year	The penalty have an "Without Cumulative" effect and pension will be restored after one year. Financial loss for one year only.
S.N.Tiwari A.A.O.	Reduction of pay by one stage for one year with the provision that he will not earn increment and on expiry of the penalty period the reduction will have the effect of postponement of his future	The provision of not earning increment and having the effect of postponement of future increment have a cumulative effect. My pay remained reduced through my entire service and even after my retirement, the retirement benefits

2019/103/2019
18/11/19

5. In a similar case with similar charges, the then Vice Chairman has noted while deciding the appeal in the case of disciplinary proceedings against Sh.S. Garg, AAO, vide order no. 97/Vg. (2011/7926 dt. 29-1-11.

I had gone through the undated minutes dt. 20-1-07 already referred in para 2 above and noticed of Annexure (A) of the meeting which includes the submitted budget slip showing budget slip is not being followed in D.T. on date as per Circular No. 13 dated 19-8-07 and it was decided that to give additional expenditure is proposed against the sanctioned budget slip, revised budget slip should be obtained. Since the works pertain to the period 2003-04 and 2004-05, I am hereby inclined to take a lenient view and reduce the penalty imposed by the Disciplinary Authority to "reduction of pay by one stage for one year without cumulative effect."

Incidentally, I have a copy of the order of the Vice Chairman vide which the penalty orders of Sh.S. Garg, Divisional Accountant were revised to Reduction of pay by one stage for one year **WITHOUT CUMULATIVE EFFECT** (copy enclosed for ready reference as Annexure 'C')

6. In a similar case recently the charge sheet of one Sh. Suresh Chand, AAO to whom charge sheet was issued on some grounds, and penalty imposed, has been quashed by CAT. CAT has observed that there is only a procedural lapse and no illegality or dereliction of duty. Accordingly his position has been restored and all arrears of pay/MACF etc. has been released by the Department. The works for which charge sheet was issued pertained to years prior to 2007.
7. The case was also investigated by CBI and they too have not found any irregularity in the works. Accordingly the case has also been closed by the CBI vide Copy Order dt. 15-12-2016.

PRAYER

In view of above submissions, it is kindly prayed that the order passed by the Appellate Authority/V.C., DDA may kindly be set aside and I may kindly be reinstated. The Appellant also prays for a personal audience before your Excellency so as to explain my innocence more effectively supported with documentary evidences.

Thanking You,

Yours faithfully,

(Signature)
 (S. S. Elwar)
 A.O. (AO)
 Mobile No. 9810304118

ANNEXURE-12

**विनियम-33
REGULATION-33**

**सुनरीक्षण
REVIEW**

विनियमों, किसी भी समय या तो अपने अपने के विवेक से अथवा किसी अन्य प्रकार से इन विनियमों के अन्तर्गत फिले किए गए किसी भी आदेश पर सुनरीक्षण कर सकता है, यदि कोई नई विषय-वस्तु अथवा साक्ष्य को प्रस्तुत नहीं किया जा सके अथवा सुनरीक्षण के अन्तर्गत आदेश ग्राहक को समझ में आने में असमर्थ नहीं था और जो मामले की प्रकृति को विचारित करने में प्रयत्न कर सकता है, यह प्रकृति जानकारी से आगे है अथवा जानकारी से ज्ञात गया है।

The Authority may, at any time, either on his own motion or otherwise review any order passed under these rules, where the Authority is satisfied that the order should be reviewed on account of any new material or evidence which could not be produced at the time of passing the order, or where the order is one which has the effect of changing the law of the case, or where the order has been brought to the notice of the Authority.

इसके कि ग्राहक को तब कोई भी दंड लगाने अथवा बसाने का कोई आदेश तब तक नहीं दिया जा सकता जब तक कि सन्तान्तरक कर्मचारी को पर्याप्त रूप से विवेक अथवा अज्ञानता की वजह से दंड प्रदान न कर दिया जाए अथवा उसे पर विनियम 25 में निर्धारित दंडों में से कोई दंड को जारी करने में तयाने अथवा लागू कर सकते हैं तब तक के लिए उसके आदेश पर सुनरीक्षण करने का प्रस्ताव तो और यदि इस मामले में विनियम 25 के अन्तर्गत कोई गान नहीं की गई है, तो ऐसे कोई भी दंड तब तक नहीं लगाए जायेंगे, बल्कि तब तक विनियम 25 में निर्धारित दंडों से विनियम 30 के अधीन बोन नहीं कर ली जायेंगी।

Provided that no order imposing or enhancing any penalty shall be made by the Authority unless the employee concerned has been given a reasonable opportunity of making a representation against the penalty proposed or where it is proposed to impose any of the major penalties specified in Regulation 25 or to enhance the penalty imposed by the order sought to be reviewed to any of the major penalties and if an inquiry under Regulation 25 has not already been held in the case, no such penalty shall be imposed except after following in the manner laid down in Regulation 25, subject to the provisions of Regulation 30.

**विनियम-34
REGULATION-34**

**आदेश, नोटिस आदि जारी करना
SERVICE OF ORDER NOTICES ETC.**

इन विनियमों के अन्तर्गत किया गए अथवा जारी किया गया प्रत्येक आदेश, नोटिस और अन्य कोई प्रामाणिक सन्तान्तरक कर्मचारी को व्यक्तिगत रूप से दिए जाएंगे अथवा उनके अन्तिम ज्ञात पते पर भेजीकृत डाक से उन्हें भेजे जाएंगे।

Every order, notice and other process made or issued under these rules shall be served in person on the employee concerned or communicated to him by registered post at his last known address.

**विनियम-35
REGULATION-35**

**समय-सीमा को बढ़ाने और विलम्ब को माफ करने की शक्ति
POWER TO RELAX TIME LIMIT AND TO CONDONE DELAY**

इन विनियमों में अब तक विशेष रूप से व्यवस्था न हो, इन विनियमों के अन्तर्गत किसी आदेश को देने विषयों के लिए अथवा इन विनियमों के अन्तर्गत किसी आदेश को देने विषयों के अन्तर्गत किए जाने वाले किसी कार्य के लिए इन विनियमों में निर्दिष्ट समय-सीमा को बढ़ा सकता है अथवा किसी देरी के लिए माफ दे सकते हैं।

Save as otherwise expressly provided in these rules, the authority competent under these rules to make any order may, for good and sufficient reasons or if sufficient cause is shown, extend the time specified in these rules for anything required to be done under these rules or condone any delay.

DELHI DEVELOPMENT AUTHORITY
(Office of the Commissioner-cum-Secretary)

No. F.2(2)2019/MC/DDA/126

Dated: 13.09.2019

Sub: Supplementary agenda for the meeting of Delhi Development Authority.

In continuation to this office circular of even number dated 12.09.2019, kindly find enclosed supplementary agenda for the meeting of Delhi Development Authority fixed for Tuesday, the 17th September, 2019 at 3.00 p.m. under the Chairmanship of Hon'ble Lt. Governor, Delhi/Chairman, DDA at Raj Niwas, Delhi.

(D. Sarkar)

Commissioner-cum-Secretary
Phone No. 24623598

Encl: As above.

CHAIRMAN

1. Shri Anil Bajaj
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri Tarun Kapoor

MEMBERS

3. Shri K. Vinayak Rao
Finance Member, DDA
4. Shri Shaileendra Sharma
Engineer Member, DDA
5. Shri K. Saugay Murtly
Addl. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
6. Smt. Archana Agrawal
Member Secretary, NCR Planning Board
7. Shri Vijender Gupta, MLA &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
8. Shri Suresh Bhatti, MLA
9. Shri S.K. Bagga, MLA
10. Shri O.P. Sharma, M.L.A.
11. Shri Manish Aggarwal
Municipal Councillor, South Delhi Municipal Corporation

SPECIAL INVITEES

1. Shri Vijay Kumar Dev
Chief Secretary, GNCTD
2. Smt. Renu Sharma
Addl. Chief Secretary (Finance), GNCTD
3. Dr. G. Narendra Kumar
Principal Secretary (L&B), GNCTD
4. Ms. Manisha Saxena
Secretary (I.D), GNCTD
5. Chief Planner
Town and Country Planning Organization
6. Smt. Varsha Joshi
Commissioner, North Delhi Municipal Corporation
7. Dr. Dilraj Kaur
Commissioner, East Delhi Municipal Corporation
8. Smt. Varsha Joshi
Commissioner, South Delhi Municipal Corporation
9. Dr. Rajesh Kumar
Principal Commissioner (Housing, PMAV, CWG & Sports), DDA
10. Shri Manish Kumar Gupta
Principal Commissioner (LD, LM, Systems & Coordn.), DDA
11. Smt. Shripal
Principal Commissioner (Personnel, Landscape & Hort.), DDA

Copy also to:

1. Shri Vijay Kumar
Principal Secretary to Lt. Governor, Delhi
2. Smt. Chanchal Yadav
Special Secretary to Lt. Governor, Delhi
3. Shri Ajay Kumar
Addl. Secretary to Lt. Governor, Delhi
4. Smt. Rachika Kataria
Jt. Secretary to Lt. Governor, Delhi
5. Shri Anoop Thakur
PS to Lt. Governor, Delhi

Copy for kind information to:

PS to Minister (H&UA), Office of the Minister of Housing & Urban Affairs, Govt. of India.


**DELHI DEVELOPMENT AUTHORITY
(MEETING CELL)**

No. F.2(2)/2019/MC/DDA/127

Dated: 13.09.2019

Sub: Supplementary agenda for the meeting of Delhi Development Authority.

In continuation to this office circular of even number dated 12.09.2019, kindly find enclosed supplementary agenda for the meeting of Delhi Development Authority fixed for **Tuesday, the 17th September, 2019** at 3.00 p.m. under the Chairmanship of Hon'ble Lt. Governor, Delhi/Chairman, DDA at Raj Niwas, Delhi.


(V. K. Sahai)
By, Director (Meetings)

Encl: as above.

Copy to:

1. Chief Vigilance Officer
2. Chief Legal Advisor
3. Commissioner (Land Management)
4. Commissioner (Land Disposal)
5. Commissioner (Personnel/Housing)
6. Commissioner (Planning)
7. Chief Architect
8. Chief Accounts Officer
9. Addl. Commissioner (Landscape)
10. Financial Advisor (Housing)
11. Director (LC)
12. Director (Works)

SUPPLEMENTARY AGENDA ITEMS
FOR THE
MEETING
OF THE
DELHI DEVELOPMENT AUTHORITY

DATE: 17.09.2019

TIME: 3.00 P.M.

VENUE: RAJ NIWAS

DELHI

ITEM NO. 85/2019

Subject: Policy for Collection of Damage from the occupants of Damage payee properties, under the Public premises (Eviction of Unauthorised Occupants) Act, 1971,
File No. TN 2(09)2017

Background

Damage payee properties are those properties which have been existing on Govt. Land placed at the disposal of the erstwhile Delhi Improvement Trust (DIT) through the "Nazul Agreement" of March 1937, but occupied by private persons unauthorisedly. Being unauthorised occupants of Government land, these occupants are liable to pay damage charges to DDA under The Public premises (Eviction of Unauthorised Occupants) Act 1958, now Public Premises (Eviction of Unauthorised Occupants) Act, 1971. The rates for collection of damage charges are decided by the Accounts Branch on year to year basis depending on various factors.

2. Last Survey of damage payee properties was conducted in 1959 in all Nazul Estates (except Jhumi/Tahirpur) and Old Acquired Land (acquired by DIT). 18536 properties under unauthorised occupation of involving 197 acres were recorded Sikni/Girdawari of 1959. Subsequently, more damage property cases were assessed primarily because of horizontal or vertical division of the properties and at present, about 22000 files of damage properties are available. Accordingly, DDA had been issuing Notices to unauthorised occupants for payment of Damage Charges. DDA employees used to collect damage charges on door to door basis also.

3. In the Authority meeting dt. 23.07.2008, (Extract at **Annex-A**) all non-official members requested that a policy paper should be brought before the Authority for giving ownership rights to the occupants of old Nazul Estates and further pointed out that recovery of the damage charges by issue of Notices and by visiting the properties should be stopped. Accordingly, the Hon'ble LG directed that,

"Policy paper on the subject should be immediately brought before the Authority and till then no notices should be sent to the residents."

4. Subsequently, in Authority's meeting dt.12.03.2012 (Copy of Agenda with Resolution at **Annex-B**), the Non-official members pointed out that Notices under PP Act to all the assesses are not being sent in time, resulting in non-payment of huge arrears by the occupants at the time of mutation (change of name of occupants in

DDA's records) in name of legal heirs of the subsequent purchasers. Considering this, the Hon'ble LG directed that, "Notices for payment of assessed damage charges should be sent in time, by Regd AD post. In case of default of payment, another Notice be sent by Regd AD."

5. Thus till formulation of a policy on damage property, it has been interpreted that the directions of Authority given in 2008 and 2012 restrained DDA from taking coercive action against the occupants of these properties, even in case they don't deposit the damage amount in response to the notices issued for the same. In view of this, summons notices have not been issued since 2008. Presently only on request of the occupants of damage properties, such notices are being issued. Due to this interpretation, after 2008, most of the staff of Damage Section has been diverted to other offices and the section is still working at reduced strength. To formulate a policy of Damage property, updated list of damage payee/non-payee properties and its owners/occupants needs to be prepared with detail of areas and premises being used by way of survey/secondary sources. Keeping this in view, two Survey teams were deputed in May'17 to carry out detailed survey to prepare list of properties/occupants in a selected area to begin with (copy of Office Order at **Annex-C**). Despite best efforts, the teams couldn't succeed primarily due to following reasons:

- i. Most occupants of damage payee properties recorded in 1959 were not available there now.
- ii. Portion of land (damage properties) divided/ sub-divided due to further sale/ purchase by original or subsequent occupants.
- iii. Floor wise selling of properties to different occupants.
- iv. Most areas are thickly constructed in unplanned manner and occupied by different occupants, floor wise.
- v. New occupants (purchases on floor basis) have no information/ reluctant to share details about original occupants/ properties.
- vi. Occupants were having fear of eviction/ destruction of their properties.
- vii. Many properties in commercial use were having only labours, unaware of the required information
- viii. In residential properties, only female/children were found who were reluctant/unaware.

6. In the meanwhile, in the Director General of Audit (Economic & Service Ministries) Report No. 31 of 2016 relating to Performance Audit Report on Land Management in DDA, in Para 7.4.2, the drawbacks in raising and collections of Damage Charges has been pointed out stating that the Notices were required to be issued to all the encroachers and the damage charges, instead of only in the cases of receiving of request from the unauthorised occupants to get their

unauthorised occupancy transferred /mutated in their name or for No objection Certificate'. They also observed that there is no system either for regular identification of unauthorised occupants, or for raising demand/ collection of damage charges. (Copy of extract containing para-7.4.2 at Annex-D)

7. In view of the foregoing, to ensure systematic updation of the records of the occupants of the Damage properties, and raising demand for damage charge and its collection, the following is suggested.

7.1. Collection of data from Primary Source:

(i) **Self Assessment Scheme:** the occupants of Properties in the categories of Damage payee or lease holder (including Ex-lessee) be encouraged to voluntarily provide the details of their occupation of such property for updation of DDA's records through a self-assessment window by giving wide publicity in Leading Newspapers. For this purpose, the portion of the actual area of Nazul Lands where the properties are situated can also be publicised after superimposing the same on Delhi's map.

(ii) Documents thus collected will be used to update the following data:

- Damage property records contained in all the presently available records of about 22000 properties;
- Old lease records of OSB, if received any;
- Any other property on Nazul Land which comes to notice.

(iii) Following punitive actions are suggested on submission of wrong information of self-assessment window.

- a) When occupancy details uploaded has been found wrong, an FIR will be filed for suppression of facts and submission of forged documents.
- b) Submission of false registration of property, the damage charges deposited already will be forfeited and demand will continue. FIR will also be lodged against the applicant.
- c) If wrong assessment is made wherein the area falls short from the details already provided, a penalty of 100% of damage charges will be levied on the remaining area per year.
- d) When wrong use of property has been uploaded on self-assessment window a penalty of 3 times of the correct damage charges will be levied, as per extant policy.
- e) In case a person registers/ self-assesses a property under the scheme which infactis not a "damage payee property" the said registration/ self-assessment will be ipso-facto null and void, the amount paid shall stand forfeited and no right

shall accrue over the said property, in addition FIR shall be filed for fraud.

7.2 With the passage of time all the damage properties have been converted into multiple floors and it is suggested that all the damage properties wherein ownership varies floor-wise damage charges will be calculated as per the correct use and area of the floor on the prevalent basis.

7.3A scheme of waiver of interest component (interest on arrears of Damage) on damage charges by 50% in case the same is paid within a window period of 6 months, can also be considered. This would further encourage the occupants to provide details with a view to get the damage amount calculated and avail the scheme of waiver of penalty by ensuring its payment within the window period. Based on the response of occupants and the data updated in respect of the occupants of the damage properties, the future course of action in terms of framing of policy and collection of damages will be explored.

The strength of the Damage section in terms of manpower is very reduced due to transfers after the Authority's 2008 decision/retirements. This needs to be recouped.

7.4 REVIEW OF AUTHORITY'S EARLIER DECISIONS: The decisions of the Authority taken in 2008 and 2012 need to be reviewed to allow the DDA to take punitive actions under provisions of the Public Premises

(Eviction of Unauthorised Occupants) Act, 1971, in case of non-payment of Damages despite issue of Notices for the same. This will facilitate recovery of Damage Charges, pending formulation of a policy on damage properties by way of issuing show-cause notices u/s 7(3) of the Public Premises Act 1971 informing the damage charges due, for the properties, whose records are presently available with DDA. In case of its non-payment, the Show-cause Notice for initiating proceedings u/s 4(1) & 7(3) for eviction of the unauthorized occupant can be issued.

8. Further, as stated earlier, the rates for collection of damage charges are decided by the Accounts Branch on year to year basis depending on various factors. For deciding the rate of interest on the arrears of damages at the time of assessment by the occupants of the damage payee properties, Section 7(2A) of PP Act 1971 reads as under:

“(2A) While making an order under sub-section (1) or sub section (2), the estate officer may direct that the arrears of rent or, as the case may be, damages shall be payable together with [compound interest]

* at such rate as may be prescribed, not being a rate exceeding the current rate of interest within the meaning of the Interest Act, 1978 (14 of 1978)."

Substituted by Act 2 of 2015, section 5(a), for "simple interest" (w.e.f. 22-6-2015, vide S.O 1672(E), dated 22nd June, 2015).

8.1. This issue was examined inter aliam consultation with Account Department and it has been decided that on all the Damage properties as covered under Section 7(1) of 7(2) of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, the interest will be charged @ 7% per annum compound interest (compounded annually) on all the unpaid/ outstanding dues, with retrospective effect. A circular in this regard was issued on 28.01.2019 (copy at Annex-E).

PROPOSAL:

In view of the foregoing, the following proposals are submitted before the Authority for decision:

1. A window for self-assessment of Damage Property will be put in operation. In this window all the assesses will put details of their properties, date of payment of damage charges, area and date of transfer of occupancy rights and superstructure to them and will assess at their own. The window will be made live in one month.
2. The DDA will upload actual data of self-assessment after operation of window. The data thus obtained through self-assessment will be verified through survey by an outside agency.
The DDA will facilitate the outsource survey team at field and by providing necessary input from collected records.
3. If a damage assesse provides wrong information on self-assessment window, penalty will be imposed as per para 7.1 (ii) of this note.
4. All the damage properties wherein occupancy detail varies floor-wise damage charges will be calculated during the self assessment as per the correct use and area of the floor on the prevalent basis.
5. The interest @ 7% of compound interest per annum for arrears of damage charges by the occupants of damage properties as per provisions of section 7(2A) of PP Act, will be levied.
6. To allow a Scheme of waiver of penalty (i.e. interest on arrears of Damage) by 50%, in case the same is paid within a window period of 6 months from the date of its publicity, as proposed in Para-7.3 above.

7. The compliance of above action, will not entitle occupancy rights and superstructure claim of the property and all the occupants will continue to be considered as unauthorised occupants of the property.
8. The payment of Damage and self-assessment will not create any right in favour of occupants/Damage Payee over the superstructure and land beneath.
9. Review of the directions of the Authority given in 2008 in 2012. The DDA is being allowed to exercise powers under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 as stated in Para-7.4 above, to facilitate recovery of Damage Charges, after approval of this Agenda on damage properties and by way of updating the data of the present occupants of such properties. Subsequently, a comprehensive policy to address the issues of grant of rights shall be formulated to resolve the issue in finality.
10. DDA will develop an online IT application for management of Damage Payee Properties, issuance of notices and reconciliation of dues and damage payments etc.

RESOLUTION

The proposal contained in the agenda item was approved. Further, in order to make the Self Assessment Scheme successful, DDA may not issue notices to the occupants of the damage property owners during the period of operation of the window of the proposed Self Assessment Scheme. Further, after collection of data/information, comprehensive scheme for ownership of damage properties be brought before the Authority.

Other Issues raised by the Members.

1. Smt Mahabai Mishra, Sri Singh Chaurhan, Hangu Karn Gung, Rajesh Chhot and Sudesh Kumar Bhasin requested that land should be allotted to schools and hospitals at Special Variant rates because the present policy of allotment by auction has resulted in unaffordable cost of education and health facilities.

The LL Governor agreed that auction policy should be re-visited. He decided that fresh policy proposals be brought for discussion in the next meeting of the Authority.

2. Smt Mahabai Mishra and Sri Rajesh Chhot requested for early allotment of land to Singh Sabha Gurudwara in Patarka.

The Commissioner (L.O), Smt. Nisma Mahtab, informed that eleven cases of this nature are pending and all of them will be put up to the LL Governor before the next meeting of the Authority.

3. Smt Mahabai Mishra drew the attention of the Authority to some stagnation in several cadres of DOW, including Research cadres. He suggested that new Committee recommendations should be given to the employees and new designations should be given to the stagnating employees as it does not involve any financial implication.

The Vice-Chairman pointed out that Authority should have the power to create new posts and manage its cadres and postings. He informed that the existing regulations are very old and have lost their relevance and new Regulations will be brought before the Authority for its consideration.

4. Smt Mahabai Mishra and all the non-official members pointed out that the lands which have been allotted under the 25-Point programme should be de-notified from the scope and coverage of the Development Areas.

The LL Governor assured that the matter is being reviewed.

The non-official members requested that the following issues should be brought before the Authority for consideration:-
1. The issue of land for the construction of a new school at Patarka.
2. The issue of land for the construction of a new school at Patarka.
3. The issue of land for the construction of a new school at Patarka.
4. The issue of land for the construction of a new school at Patarka.
5. The issue of land for the construction of a new school at Patarka.
6. The issue of land for the construction of a new school at Patarka.
7. The issue of land for the construction of a new school at Patarka.
8. The issue of land for the construction of a new school at Patarka.
9. The issue of land for the construction of a new school at Patarka.
10. The issue of land for the construction of a new school at Patarka.

The L.G. instructed that work done on the extension should immediately be brought before the authority and all the work should be sent to the consultant.

The L.G. also instructed that work done on the extension should immediately be brought before the authority and all the work should be sent to the consultant.

6. All the non-official members pointed out that DDA should not carry out any demolitions in the lanes which are comprised in the DDA extended L.I. lanes or have been designated by the DDA.

The L.G. observed that DDA does not have jurisdiction in these areas from the date of the authority's decision and therefore further enforcement action, if any, has only to be taken by the M.C.

7. Shri Mahabul Mishra requested that Local Area Plans should be finalized by DDA on the basis of Draft Zonal Plans and the matter should not be left to the M.C.

The L.G. observed that land used in the Zonal Plans should be suitable enough to accommodate the practical requirements of the local communities which may come up at the time of finalization of the Local Area Plans. He directed that a provision to this effect should be introduced in all the Zonal Plans as a standing arrangement so that genuine public requirements can be accommodated whenever necessary.

8. Shri Manje Ram Singh requested that 5000 sq. ft. land in the Jaijorwala Bagh should be earmarked for Old Age Home and appropriate provision to this effect should be made in the Zonal Plan.

9. Shri Mahabul Mishra and Shri Rajesh Gehlot requested for early allotment of alternate plots to erstwhile illegit owners in Dwarka.

Commissioner (I.D.): Shri. Rama Natar informed that needful is being done.

10. Shri Rajesh Gehlot pointed out that no development work has been taken up in Dwarka in the last one year. He sought construction of community halls in sectors 4, 5, 6 and 10 of Dwarka.

Agenda Item No. 25 / 2012

Sub-Revision of Rates for Damages for the assessment under the Public Premises (Eviction of unauthorized occupants Act 1971).

File No.F1 (Misc)/Damage A/cs/2007-08/Pl.

PRECIS

The issue regarding fixation of Rates for Damages for the assessment under the Public Premises (Eviction of unauthorized occupants Act 1971) extensively examined in detail in May, 2004 for encroachment of Nazafi and Villages land. The damages for Nazafi and C.D.A. land are already linked to market unions of the land on U&D pattern i.e @10% per annum of the market rate of the year. Accordingly, a reference was made to the Ministry for approval of the rates proposed by GDA. The Ministry's approval is, however, still awaited. For the year 2005-06 & 2006-07, the damage rates were increased by 5% each year over the rates of 2004-05 with the approval of authority. Thereafter, it was further decided to increase the rates of 2005-07 & 2006-08 by another 10% for each year. For the year 2009-10 due to recession in the market no increase was made. For the year 2010-11 and 2011-12, it was decided to increase the existing rates of damages by another 10% for each year. This was considered and approved by the Authority with its Resolution No. 50/2010 & 58/2011 respectively. The rate structure is being followed on "Provisional" basis till the approval from the Ministry is received.

2. Now the rates for the year 2012-13 are required to be fixed. As a follow up action, obviously the only source to ascertain the increase in the rates during the year, can be by way of rates fetched through auctions. Accordingly, the average auction rates of Residential Plots conducted during the year 2011-12 were collected. However, no auction reported for Commercial Plots. It is seen from the statement of average auction rates that there is an increase reflected in the real estate trade in all zones ranging from 10.58% to 46.59% except West Zone. However, there was no auction held in North and Central Zone. (Annexure-I) at page 17

2.1. Keeping in view these indicators, GDA in pursuance of its commitments to be sensitive and alive to genuine difficulties/needs of its encroachers who are residing in the Old Nazafi Estates since 1950 and extending consumer friendly services proposes to take a liberal view of the entire scenario in its right perspective and feels it appropriate that instead of going in for any further detailed exercise for determining the damage rates an increase of minimum 10% over the existing rates already fixed for the year 2010-11 seems to be quite reasonable and would suffice owing to the fact that the upward trend in market will definitely increase the rental value in the areas as well as keeping into account the inflationary impact over the market. It is also pertinent to mention here that, the proposed increase of 10% is at par with the cost of money that we are currently following in working out the market determined rate (PDR) in respect of developing colonies.

3. In view of above, the rates of Damage charges for the year 2012-13 for Assured estates may be increased by 10% so as to make it applicable for the year 2012-13. As regards Non-assured & B.G.D.A. rates of Damage charges are to be kept @ 10% of the Market rates of the relevant year.

Considering the above facts, the proposal to increase rates of Damage charges for the year 2012-13 for Assured estates may be considered by the Authority. As regards Non-assured & B.G.D.A. rates of Damage charges are considered to be kept @ 10% of the Market rates of the relevant year.

RESOLUTION

(i) All the non-official members of the Authority stated that notices for damages assessed under the Public Premises (Eviction of unauthorised Occupants) Act, 1971 are not usually sent to the assesses in time and only at the stage of their submitting applications for conversion, huge amounts of pending dues against these properties are intimated to the applicants.

~~When the Chief Minister stated that notices for payment of assessed damages should be sent in time by Registered A.D. Post. Further on default of payments, another notice be sent to the assesses by registered post with~~

(ii) Chief Legal Advisor, DDA stated that pending dues against such properties could also be intimated to the concerned through a public notification published in newspapers in addition to Registered A.D. Post.

(iii) Chief Vigilance Officer, DDA was of the opinion that publication of pending dues may lead to cases of forgery.

(iv) Vice Chairman, DDA stated that publication intimating pending dues should be issued every quarter and notices should also be issued regularly through Registered A.D. Post.

(v) Commissioner (LR), DDA stated that at present intimation of damages is being sent in all cases through Registered A.D. Post.

(vi) Shri Nareeb Singh and Shri Sudesh Bhasin stated that in some individual cases, very high damages had been assessed which need to be considered sympathetically.

(vii) Vice Chairman, DDA stated that such individual cases would be looked into.

2. Proposals contained in the agenda item were approved by the Authority.

Annexure-I

of Form No-25/11

STATEMENT SHOWING THE AUCTION RATES PER SQUARE METRE

Zone	Existing Rates 2010-11	Current Rates 2011-2012	Notes/Updated	% age increase
South Zone	420000/-	472500/-		12.50%
Zone A	No Auction	No Auction		Nil
North Zone	735000/-	821250/-		11.50%
East Zone	3172500/-	3521500/-		10.95%
West Zone	3057200/-	3355000/-		10.05%
Dwarka Zone	2193400/-	2405000/-		9.63%
North Zone	5027500/-	5531000/-		10.20%
Central Zone	No Auction	No Auction		Nil

No. TN2 (09)/2017/219

Dated. 3/5/17

OFFICE ORDER

The following officers/officials are nominated the member of the survey team for the purpose to identify unauthorized occupants of (Damage payee & non Damage payee) Nazul lands under the supervision of Dy. Director/Lands.

Sl. No.	Name	Designation	Placed of posting	Area to be visited in the 1 st phase
Team No. 1.				
1.	Sh. Aadesh Kumar	AD/Survey	Lands branch	Qudam Sarif
2.	Sh. Manoj Jain	AI	Lands Branch	Qudam Sarif
3.	Sh. Vijay Kumar	Kanoongo	Land Branch	Qudam Sarif
Team No. 2.				
1.	Sh. K. H. Ninje	AD/Survey	Lands branch	Qudam Sarif
2.	Sh. Prem Chand Sharma	AI	Lands branch	Qudam Sarif
3.	Sh. Kanjeshwari	Kanoongo	COD	Qudam Sarif

The concerned Kanoonga of the respective revenue Estate will participate in the survey team as & when the turn of Revenue village comes.

The survey is to be carried on the basis of the Silsil Girdawari which is to be provided by the Tehsildar/Nazul and same is to be updated as per Draft questionnaire enclosed.

The survey is to be carried out on the following days.

Monday, Wednesday & Friday on full duty time period.

The survey team will report their progress day to day basis to the Dy. Director/Lands and the Estate Officer will provide the details of the properties of the respected Revenue Estate as required by the survey team. The all concerned are requested to spare their respective officials to join the survey team with immediate effect on the schedule date & time. The respective Asstt. Director will be the team leader of the survey team and necessary arrangement for the purpose of conducting survey team will be arrange from his side.

This issue with the approval of the competent authority.

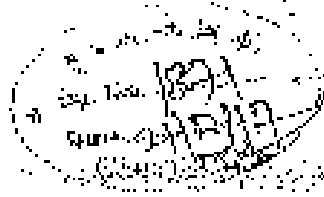
by to:-

1. PC (L.M) for information please.
2. Director (Damage) for information.
3. Director (L.M) for information.
4. Director (M) for information please.
5. Co-ordinating Officer of Damage.
6. Estate Officer (L.A).
7. Dy. Director (N.I.) with the request to relieve Shri Vijay Kumar Kapoor immediately with the direction to report for duty Dy. Director (Lands).
8. Dy. Director (L.M.C).
9. Tehsildar (Nazim).
10. All person concerned & Shri Vijay Kumar Kapoor to treat himself stand relieve from ER Branch and report for duty to Dy. Director (Lands) today positively.


Dy. Director/Lands



सत्यमेव जयते



कार्यालय लेखापरीक्षा (आर्थिक मामलों में) Office of the Comptroller and Auditor General of India (Economic & Service Ministries)

इन्द्रप्रस्थ एस्टेट, नई दिल्ली-110 002 Indraprastha Estate, New Delhi-110 002

संख्या-ए.एम.जी.5/7(4)/प्रतिवेदन संख्या अ/डी डी ए/पू.प्र.सं.सं/2017-18/48-59 दिनांक-

श्रीमान्,

श्री जी.सी. धरमाना
उप-सचिव (दिल्ली प्रभाग)
शहरी विकास मंत्रालय, भारत सरकार
निर्माण भवन,
नई दिल्ली-110011.

दिनांक 29/11/17
दिनांक 29/11/17

10/12/17
14/12/17
17/12/17

विषय-Report No. 31 of 2016 relating to Performance Audit Report on Land Management in DDA: Documents to be furnished- reg.

महोदय,

कृपया आपसे क्वॉरिटर के पत्र संख्या जी-20013/01/2016 डी डी ए दिनांक 19.06.2017 के संदर्भ में प्राप्त जे.सि.के. द्वारा उपरोक्त विषय पर अनुमति क्वॉरिटर रिपोर्ट (ACTN) इस क्वॉरिटर को प्रेषित की गई थी। इस सम्बन्ध में आपके अनुशेष है कि सलम अगुलानकों (अगुलानक संख्या 3) में दशमि एवं उचितता दिनांक 31.07.2017 तक भिन्नताएं का कल करें।

यह एक निदेशक लेखापरीक्षा महोदय की सहायता से जारी किया जा रहा है।

Signature
प्रति-
श्री सतीश कुमार

Signature
श्री (सं.)

श्री-स-क-10

भारतीय
निदेशक (ए.एम.जी.-5)

श्री सतीश कुमार
(मुख्य लेखा-अधिकारी)
दिल्ली विकास प्राधिकरण,
दियास भवन,
नई दिल्ली-110023

Signature
17/11/17

निदेशक (ए.एम.जी.-5)

75 notices demanding the damage charges were issued by DDA instead of 437 notices to be issued in these twelve cases (Annexure X00). Interest amount accrued on the outstanding damage charges could not be quantified because in none of the 22 cases, all details were available.

It was also notified that:

- Notices were served only when the unauthorized occupants requested DDA to get their unauthorized occupancy transferred/mutated in their name or for No Objection Certificates.
- DDA also allowed the substitution of unauthorized occupants other than legal heirs on the basis of Affidavit/General Power of Attorney/Agreement to Sale etc.

Thus, there was no system either for regular identification of unauthorized occupants, or for raising and collection of demands.

DDA stated (June/October 2015) that a conscious decision was taken to stop door to door collection of damage charges and to stop issuing notice for demands, and it was left for unauthorized occupant to make payments on their own.

The reply of DDA seems to be seen against the fact that though the decision for not sending the notices was taken in July 2008, it was recalled in March 2012. Further, the basis for the above decision of 2008 was the direction of LG that policy paper for giving ownership rights to the unauthorized occupants of old Newal Properties should be immediately brought before DDA which has not been done (October 2016). Further, the delay in sending the notices had been occurring since 1994 whereas the decision for not sending the notices was operative only during the period from July 2008 to March 2012.

17 7.5

Improper use of DDA Land:
It was noticed that there was a violation in the purpose of use of land in case records as per physical verification report by the field officers/officers of DDA. To ascertain factual position, joint inspection of "A" properties was conducted (January/February 2016) by ACP along with officials of DDA. It was noticed that commercial activities were undertaken in the vacant land of the L&DC, which was transferred to DDA for care and maintenance. Further, commercial activities were also being carried on, on the vacant land of DDA and land leased out by DDA for residential purposes.

DDA in its reply stated (June/October 2016) that Mixed Land Use (Special Zone) is permitted on the land under reference transferred to DDA.

79 notices demanding the

demands, charges were issued by DDA instead of 127 notices to be issued in these twelve cases (Annexure X00). Interest amount accruing on the outstanding damage charges could not be quantified because in none of the 127 cases, all details were available.

It was also notified that:

- Notices were served only when the unauthorized occupants requested DDA to evict them/authorized occupant transferred/mutated in their name or for No Collection Certificates.

DDA also allowed the substitution of unauthorized occupants other than legal heirs on the basis of Affidavit/General Power of Attorney/Agreement to Sell etc.

Thus, there was no system either for regular identification of unauthorized occupants, or for raising and collection of demands.

DDA stated June/October 2016 that a conscious decision was taken to stop door to door collection of damage charges and to stop issuing notice for demand, and it was left for unauthorized occupants to make payments on their own.

The reply of DDA needs to be seen against the fact that though the decision for not sending the notices was taken in July 2008, it was revealed in March 2017. Further, the basis for the above decision of 2008 was the direction of LG that policy paper for giving ownership rights to the unauthorized occupants of old Ward Properties should be immediately brought before DDA which has not been done (October 2009).

Further, the delay in sending the notices has been occurring since 1957 whereas the decision for not sending the notices was operative only during the period from July 2008 to March 2017.

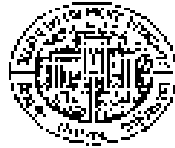
17

7.5

Improper use of DDA lands

It was noticed that there was variation in the purpose of use of land in case records vis-à-vis physical verification report by the field officers/officials of DDA. To ascertain factual position joint inspection of 14 properties was conducted (January/February 2016) by Audit along with officials of DDA. It was noticed that commercial activities were undertaken in the vacant land of the L&C, which was transferred to DDA for care and maintenance. Further, commercial activities were also being carried on, on the vacant land of DDA and land leased out by DDA for residential purposes.

DDA in its reply stated (June/October 2016) that Mixed Land Use (Special Zone) is permitted on the land under reference transferred to DDA.



DELHI DEVELOPMENT AUTHORITY
L.M. DEPARTMENT, DAMAGE BRANCH
OFFICE OF THE CO-ORDINATING OFFICER, (DAMAGE)

A BLOCK, GROUND FLOOR,
VIKAS SADAN, INA, NEW DELHI

File No. DDA/CO/2017/105

Dated: 28-1-19

CIRCULAR

Subj: Revision of rates of interest to be charged on Damage properties in the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 under section-7 (2A).

A decision has already been taken by the authority vide resolution No. 15/2011, that the provisions of section 7 (2A) of Public Premises (Eviction of Unauthorised Occupants) Act, 1971 be complied with while recovering the arrears of damages.

The content of Section 7 (2A) of PP Act 1971, provide for the recovery of interests at the time of assessment of damages from time to time even for the period prior to assessment. The said Section 7 (2A) provides as follows:

"(2A) While making an order under sub-section (1) or sub-section (2), the Estate Officer may direct that the arrears of rent or, as the case may be, damages shall be payable together with compound interest at such rate as may be prescribed, not being a rate exceeding the current rate of interest within the meaning of the Interest Act, 1978 (14 of 1978)."

Therefore, it has been decided that on all the Damage properties as covered under Section 7(1) or 7(2) of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, the interest will be charged @ 7% per annum compound interest (compounded annually) on all the unpaid/outstanding dues with retrospective effect.

This issues with the approval of competent authority.

(Purandhar Kant)
Director (Damage)

Copy to:

1. OSD to VC, DDA
2. PS to FM, DDA
3. Commissioner (LM), DDA
4. Commissioner (LD), DDA
5. Commissioner (Housing), DDA
6. Director (LC)
7. Director (LM/HQ)
8. PA(H)
9. Director (RL), [?], [?], [?], [?]
10. Director (Housing-I), Director (Housing-II)
11. Director (Audit)
12. Director (Vigilance)
13. Director (System) with a request that this may be placed on DDA's Web site for information to all occupiers of damage prone properties.
14. Dy. CAO (C), Dy. PA (H)
15. All Sr. AOs/AOs (Land & Housing)
16. Sr. AO (Damage)

ITEM NO. 86/2019

Subject – Empanelment of Private Scheduled Commercial Banks for Investment of Surplus Funds in DDA

File No. F6(36)2003/A/Cs(M)/DDA/Pl-I

1. DDA makes investment of its surplus funds as per guidelines for investment of surplus funds issued by Department of Public Enterprises. At present, 50% of the corpus of surplus funds is being invested in SDL's and the remaining 50% of the surplus funds is invested in Term Deposits with Scheduled Commercial Banks in the ratio of 60:40 with Public sector banks and private sector banks respectively.

2. At present, DDA has 18 public sector banks and 9 private sector banks on its Panel (Annexure A). The investments in private sector banks maturing during F.Y. 2019-20 will be reinvested with private sector banks to maintain the ratio of 60:40 of investments with public sector and private sector banks respectively. As such, in order to generate more competition amongst the private banks and for enhancing the interest income of DDA, need was felt for empanelment of more private banks.

3. Here it is pertinent to mention that Hon'ble LG/Delhi, Chairman, DDA has remarked vide minutes dated 28.06.2017 that "In the interest of transparency and fair play, applications may be invited for empanelment from eligible banks through open advertisement.

4. The criteria for empanelment of private banks were decided based on the recommendations of the Investment Committee and approval of VC, DDA dated 27.04.2019 and the same are summarised as under:-

- i) Minimum Net Worth of not less than Rs.500.00 Crores.
- ii) Minimum CRAR of 5%
- iii) Continuous Profitability for 3 years.
- iv) Net Non-Performing Assets (NPA) of not more than 5% of Net Advances.
- v) Listing of the banks with Stock Exchange.

5. Thereafter, an open advertisement was published on 17.05.2019 in Hindustan Times, Mint, Navbharat Times, Punjab Kesari for inviting applications for empanelment of private scheduled commercial banks. Nine Banks, namely, Bandhan Bank Ltd, RBL Bank Ltd, Ujivon Small Finance Bank Ltd, Karnataka Bank Ltd., Standard Chartered Bank, IDFC First Bank Ltd., AU Small Finance Bank Ltd., Equitas Small Finance Ltd., DCB Bank Ltd. participated and submitted their applications.

6. The applications submitted by the banks were evaluated in the light of the criteria decided for empanelment of Banks (Annexure B). On evaluation, following five banks namely, Ujjivan Small Finance Bank Ltd, Standard Chartered Bank, IDFC First Bank Ltd, AU Small Finance Bank Ltd, Equitas Small Finance Bank Ltd, did not fulfil the criteria. The banks namely Sandhan Bank Ltd, RBL Bank Ltd, Karnataka Bank Ltd., Ltd. and DCB Bank Ltd. fulfils all the criteria fixed for empanelment and as such, are found eligible for empanelment.

7. Further, on evaluation of the said four banks in terms of interest rates offered by them in the present scenario when the interest rates have fallen down, the rates offered by the said private banks on fixed deposits and saving account balances are comparatively higher than the rates offered by top Private Banks already on the panel of DDA (Annexure C). As such, the empanelment of these banks will be beneficial for DDA to enhance the interest income on its deposits.

8. At present, the empanelment of private banks is made with the Approval of Authority in line with Authority Agenda Item no. 143 dated 25.12.1976. However, it is proposed that in future, the power of empanelling private scheduled commercial banks in accordance with Govt. of India/RBI Instructions may be delegated to VC, DDA. Further, the empanelment of private scheduled commercial bank in deviation of Govt. of India/RBI instructions will be made with the approval of the Authority.

PROPOSAL

A) Having considered the criteria for empanelment of Private Scheduled Commercial Banks, it is proposed that the following four banks may be considered for empanelment for investment of surplus funds of the Authority:-

- i) Sandhan Bank Ltd.
- ii) RBL Bank Ltd.
- iii) Karnataka Bank Ltd.
- iv) DCB Bank Ltd.

B) In future, the power of empanelling private scheduled commercial banks in accordance with Govt. of India/RBI instructions may be delegated to VC, DDA. However, the empanelment of private scheduled commercial bank in deviation of Govt. of India/RBI Instructions will be made with the approval of the Authority.

RESOLUTION

The Authority delegated the power of empanelling private scheduled commercial banks in accordance with Govt. of India/RBI instructions to Vice Chairman, DDA. In case there is requirement to deviate from Govt. of India/RBI instructions, the matter will be brought before the Authority.

List of Public Sector Banks

S.No	Name of Bank
1	Andhra Bank
2	Allahabad Bank
3	Bank of Baroda
4	Bank of India
5	Bank of Maharashtra
6	Central Bank of India
7	Corporation Bank
8	Canara Bank
9	Indian Bank
10	Oriental Bank of Commerce
11	Indian Overseas Bank
12	Punjab & Sind Bank
13	Punjab National Bank
14	State Bank of India
15	Syndicate Bank
16	UCO Bank
17	Union Bank of India
18	United Bank of India

List of Private Sector Banks

S.No	Name of Bank
1	HDFC Bank
2	ICICI Bank
3	Axis Bank
4	Federal Bank
5	Kotak Mahindra Bank
6	IndusInd Bank
7	Yes bank
8	J&K Bank
9	IDBI Bank

ANNEXURE-B

Name of Bank	Whether Scheduled commercial banks (Yes/No)	Criteria 1	Criteria 2	Criteria 3	Criteria 4	Criteria 5	Status of the Bank fulfilling the criteria	
		Net Worth not less than Rs.50000 Crores	MSFDL in OMB of %	Continuous Profitability for last three financial years (PAT)	Net NPA of not more than 5% of NAL allowing 1%			
✓ Sanchay Bank Ltd	Yes	10247.0 Cr	19.20%	2016-17	1,111.95 Cr	0.55%	Yes	Fulfil
				2017-18	1346.55 Cr			
				2018-19	1951.50 Cr			
✓ BOI Bank Ltd	Yes	4016.80 Cr	19.45%	2016-17	445.04 Cr	0.61%	Yes	Fulfil
				2017-18	635.06 Cr			
				2018-19	855.05 Cr			
✗ Ujjwala Small Finance Bank Ltd	Yes	1631.00 Cr	18.40%	2016-17	207.73 Cr	0.30%	No	Does Not Fulfil
				2017-18	7.90 Cr			
✓ Karnataka Bank Ltd	Yes	5766.19 Cr	13.17%	2018-19	108.46 Cr	2.95%	Yes	Fulfil
				2016-17	452.26 Cr			
				2017-18	126.51 Cr			
✗ Standard Chartered Bank	Yes	22113.0 Cr	15.45%	2018-19	477.24 Cr	0.36%	Yes	Does not Fulfil, since Bank is not incorporated in India as per RBI guidelines
				2016-17	2,443.00 Cr			
				2017-18	1,011.00 Cr			
✗ IDFC First Bank Ltd	Yes	15,040.51 Cr	13.17%	2016-17	1,005.70 Cr	1.27%	Yes	Does not Fulfil
				2017-18	458.30 Cr			
				2018-19	(1,940.08) Cr			
✓ A. Small Finance Bank Ltd	Yes	3,152.00 Cr	19.20%	2016-17	-	1.20%	Yes	Does not fulfill
				2017-18	252.00 Cr			
				2018-19	382.00 Cr			
✗ Scyllas Small Finance Bank Ltd	Yes	2,756.32 Cr	20.44%	2016-17	104.12 Cr	1.44%	No	Does not fulfil
				2017-18	1.23 Cr			
				2018-19	218.57 Cr			
✓ BOB Bank Ltd	Yes	3,020.55 Cr	16.87%	2016-17	197.54 Cr	0.02%	Yes	Fulfil
				2017-18	243.24 Cr			
				2018-19	526.37 Cr			

TERM DEPOSIT RATE COMPARISON

Name of the Bank	Tenure (for 1 year)				
	Rs.2.00 Cr to Rs.10.00 Cr	Above Rs.10.00 Cr to less than Rs.25.00 Cr	Rs.25.00 Cr to less than Rs.50.00 Crore	Rs.50.00 Cr to less than Rs.100.00 Crore	Rs.100.00 Crore & above
Bandhan Bank	8.00%	8.00%	8.00%	8.10%	8.10%
RBL Bank Ltd	7.40%	7.40%	7.40%	7.40%	7.50%
Karnataka Bank Ltd	7.30%	7.30%	7.30%	7.30%	7.30%
DCB Bank Ltd	7.95%	7.95%	8.20%	8.20%	8.20%

TOP PRIVATE BANKS ALREADY ON THE PANEL OF IDA

Name of the Bank	Tenure (for 1 year) (Non-Callable)				
	Rs.2.00 Cr to Rs.10.00 Cr	Above Rs.10.00 Cr to less than Rs.25.00 Cr	Rs.25.00 Cr to less than Rs.50.00 Crore	Rs.50.00 Cr to less than Rs.100.00 Crore	Rs.100.00 Crore & above
Kotak Mahindra Bank	6.80% (upto Rs.5.00 Cr) 6.30% (Rs.5.00 Cr & above upto Rs.10.00 Cr)	6.30%	6.30%	6.30%	6.30%
HDFC Bank	6.75%	6.75%	6.75%	6.75%	6.75%
ICICI Bank	6.80%	6.80%	6.80%	6.80%	6.80%
Axis Bank	6.95% (Rs.5.00 Cr to less than Rs.10.00 Cr)	6.95%	6.95%	6.95%	6.95%

ITEM NO. 87/2019

Subj: Change of landuse of land measuring 36.6 Ha earmarked for District Centre under Commercial use to PSP to provide land for colleges and university to create institutional Hub at Narela and swapping with Institutional land (PSP) in TA-20 to commercial.

File No.:F/9(01)/2012-MP

1.0 Background

1.1 Secretary, Deptt. of Training & Technical Education, Govt. of NCT of Delhi vide letter dated 16.05.2019 requested for allotment of suitable piece of land preferably in the institutional area measuring 50-60 acres for setting up the permanent campus for Indira Gandhi Delhi Technical Campus for Women (IGDTUW) for providing the education to approx. 10,000 students in the Campus.

1.2 It was decided in a meeting of senior officers that Commercial area District Centre adjacent to land already allotted to NIT, which is already under construction can be utilized for establishment of institutional university campus and the commercial area be swapped with the equal area from Public & Semi public Facilities pocket (Facility Area No.-20) to commercial.

2.0 Examination

2.1 A letter dated 16.05.2019 of Secretary, Dept. Of Training & Technical Education, Govt. of NCT of Delhi regarding request for allotment of suitable piece of land preferably in the institutional area measuring 50-60 acres for setting up the permanent campus for Indira Gandhi Delhi Technical University for Women (IGDTUW) for providing the education to approx. 10,000 students in the campus.

2.2 The matter has been examined and it is observed that as per the Master Plan of Delhi-2021 for the University Campus with the plot area upto 20 Hect. have been proposed at four sites in Urban Extension area of Narela, 30.8 Hect. of land was allotted to National Institute of Technology in the Facility area no.-7.

2.3 A meeting was held under on 04.05.2019 in this regard. In the meeting, it was decided that land earmarked for Commercial area District Centre may be considered for establishment of institutional University campus in Narela Sub city as large chunks of land earmarked for Commercial use are not being disposed off in Narela and lying vacant. It was decided that this commercial area be swapped with the Public & Semi public Facilities pocket (Facility Area No.-20) measuring 36.6 Ha.

2.4 As per the TSS dated April 2018 provided by ND-9, the area of land earmarked for District Centre is 36.6 Ha.(approx).

2.5 The IGDTUW has been requested vide letter no. 9(01)/2019/2012-MP/1-3 dated 28.05.2019 for their consent with respect to land measuring 20 ha. (approx). in Narela Sub-city. The site was inspected by Vice Chancellor of IGDTUW, Registrar and representative of Planning Deptt. on 10.07.2019.

2.6 Out of 36.6 Ha., IGDTUW will be allotted 20.8 ha. of land and the remaining land is proposed for colleges/ institutions.

2.7 To process the request of Department of Training & Technical Education, Govt. of NCT of Delhi, this would require change of land use of land measuring 36.6 ha. from Commercial to PSP (PSI, University). (Plan placed at Annexure-I)

2.8 Further the change of land use for land measuring 36.6 ha. at FA-20, the equivalent area of land to be swapped from PSP to Commercial C-1. (Plan placed at Annexure-II)

The proposal was put up for consideration of the Technical Committee. The Technical Committee in its meeting held on 01.08.2019, approved the proposal as follows:

"The Technical Committee recommended the proposal for processing the change of land use under Section 11-A of DD Act 1957"

(Copy of Minutes and Technical Committee Agenda annexed as (Annexure-III))

3.0 INFORMATION REQUIRED AS PER THE MOUD, GOI LETTERS DATED 07.04.2015 & 04.09.2015

S.No	Information Required	Explanatory Background
i	Whether the land is Government or Private and who is the land owning agency?	The land is UDA land and in the possession of Engineering Division.(NL-9)
ii	On whose request the change of land use case or modification to MPD-2021 has been initiated?	On basis of representation received from Secretary, Deptt. of Training and technical education, Govt. of NCT of Delhi vide letter dtd 16.05.2019 requested for allotment of suitable piece of land preferably in the institutional area measuring 50-60 acres for setting up the permanent campus for Indira Gandhi Technical University for Women(IGDTUW) for providing the education to approx. 10,000 students in the campus.
iii	Whether a responsible officer from UDA (give details) was deputed for inspection of site and a copy of inspection report he provided.	The site was inspected by Vice Chancellor of IGDTUW, Registrar and representative of Planning deptt. on 10.07.19.
iv	What is the public purpose proposed to be served by	This will help in establishing institutional hub in Narela Sub city as large chunk of

	modification of MPD and / or change of land use?	Commercial Land are not being disposed off in Narela and are lying vacant.
v	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	There will not be any impact from land use point of view as the equivalent area have been swapped.
vi	What will be proposal's impact / implications on general public e.g. Law & Order etc?	The present proposal will provide the platform for educational hub and will be for the betterment of society.
vii	Whether any court cases are ongoing on the land mentioned in proposal? Full details to be attached.	The land is DDA land and in the possession of Engineering Division.(ND-9)
viii	Background note indicating the current situation/ provisions.	Background is given above at Para-II in detail.
ix	Whether similar proposals have earlier been considered by DDA/ Ministry and for disposed and if Yes, When and how.	Similar proposals are considered by DDAMCUD for overall development of the city from time to time.
x	What were the specific recommendations of the Authority with regard to the proposal.	The Proposal is being placed before the Authority for the first time.
xi	How and why the proposal was initiated	Same as above at Para (ii).
xii	What are the pros and cons of the proposal, whether they have been carefully examined and if yes, the outcome thereof.	The proposal has been carefully examined with ZDP/MPD-2021. There will not be any impact from land use point of view as the equivalent area have been swapped.
xiii	What are the expected Short term and long term outcomes if the proposal is approved and implemented.	Same as above at Para (iv) & (xii).
xiv	How the proposal will benefit in the development and economic growth of	Same as above at Para (iv) & (xii).

	(the city).	
xv	What are the provisions corresponding to the proposed policy/ changes in other metropolitan cities in India and other countries, and if those provisions differ from the proposal then why are they not considered appropriate for Delhi.	This will help in establishing institutional sub in Narela Sub city as large chunk of Commercial Land are not being disposed off in Narela and are lying vacant.
xvi	What will be the Public Purpose served by the proposed modification.	Same as above at Para (vi).
xvii	What is the number of people/ families/ households likely to be affected by the proposed policy.	No family/ households are likely to be affected by the proposed policy.
xviii	Whether the proposal is in consonance with the existing plans, laws, bye laws, rules etc.	same as above at Para (v)
xix	Whether the implementation of the proposal will require changes in certain rules, provisions of Master plan, etc and if yes, What action has been taken to bring about such changes.	Yes, the proposal will be processed under Section 14-A of DDA Act 1957
xx	Whether the department/ organizations/ ministries related with the Proposal have been consulted and if yes, what were their views and how they were disposed.	The concerned Deptt. IGDTUW have been consulted and the site was inspected by Vice Chancellor IGDTUW, Registrar and representative of Planning Department on 10.07.2019.
xxi	Whether the relevant guidelines/ orders of GOPT, Ministry of Finance and other nodal Ministries/ Departments were taken into account while preparing and examining the proposal and	The proposal is being examined and processed as per the provisions of DD Act 1957 and MPD-2021.

xxii	The name, designation and contact information of an officer of the level of Director or above who will be the nodal officer to be contacted by the Ministry regarding the Proposal.	Sh. H.K.Bharti, Director (Plg) Narela. Office no. for contact is 23370328.
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4.0 Proposal

4.1 The following change of landuse is proposed:

Sl. No.	Location	Existing Landuse	Proposed Landuse	Area (in Ha.)
1	District Centre, near NIT, Narela (36.6 Ha.)	Commercial (CI.District Centre)	PSP (PSI. University)	36.6
2	Facility Area (FA 28) adjacent to Residential Housing Pocket (G-2) (64.78 Ha.)	Public and Semipublic Facilities	Commercial (CI.District Centre)	36.6

5.0 Recommendation

The above proposal is being placed before the Authority for consideration so that a public notice inviting objection/suggestions could be issued for the proposed change of land use under Section 11(A) of DDA Act, 1957.

RESOLUTION

The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of DD Act, 1957 be issued.

ANNEXURE 1



**CITY OF MOMBASA, URBAN AND
RURAL AUTHORITY
MOMBASA HEARING OFFICE**

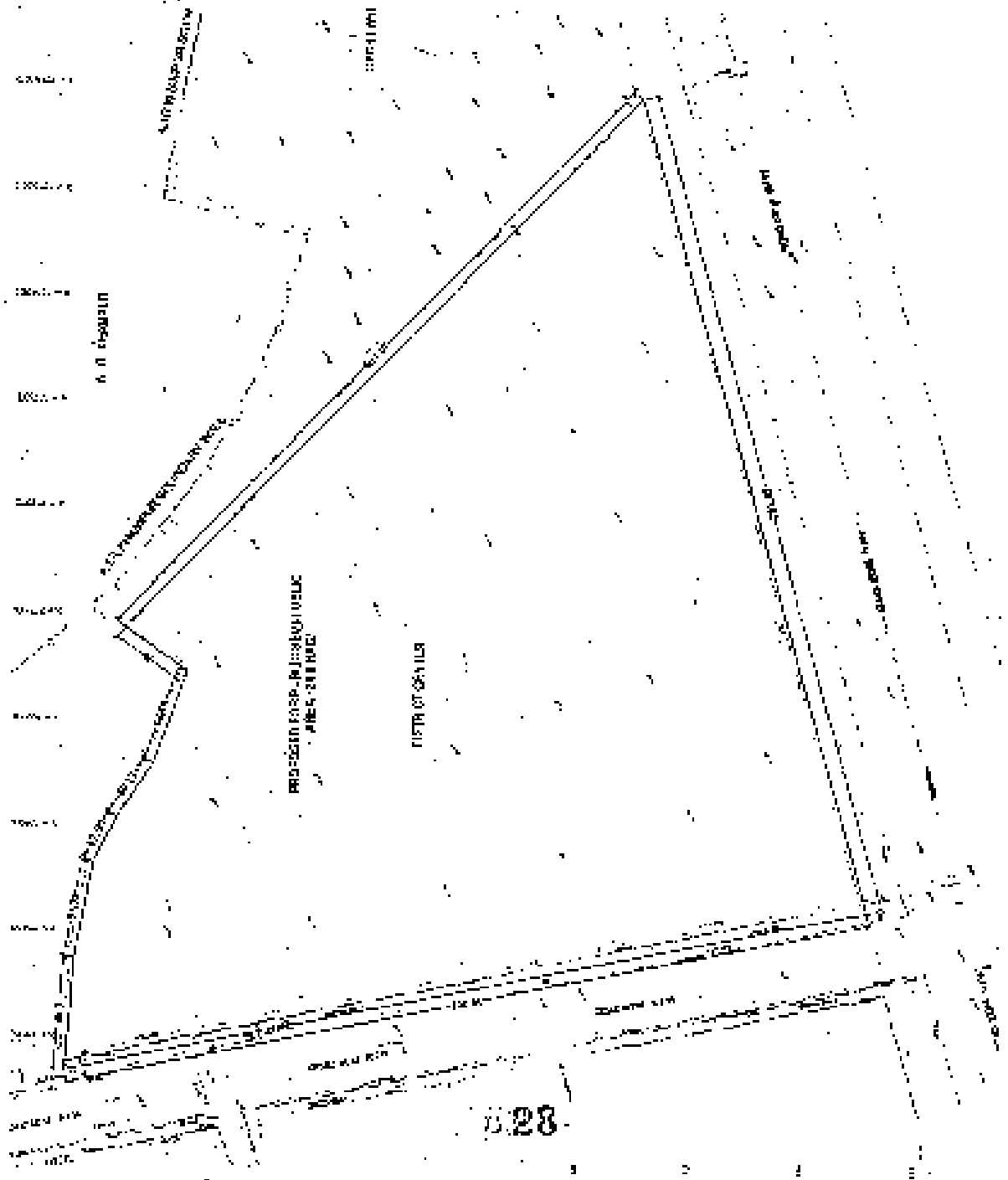
TOWN AND COUNTRY DISTRICT CENTRE (TDC1)
MOMBASA SECTION

**CONSIDERATION OF THE PROPOSED COMMERCIAL
REZONING OF THE LAND AT PARISH 306
MOMBASA SECTION**

APPLICANT:
MOMBASA TRADING COMPANY
P.O. BOX 10000
MOMBASA SECTION

NOTE

- THE APPLICANT HAS APPLIED FOR A ZONING PERMIT TO REZONE THE LAND FROM RESIDENTIAL TO COMMERCIAL.
- THE APPLICANT HAS APPLIED FOR A ZONING PERMIT TO REZONE THE LAND FROM RESIDENTIAL TO COMMERCIAL.
- THE APPLICANT HAS APPLIED FOR A ZONING PERMIT TO REZONE THE LAND FROM RESIDENTIAL TO COMMERCIAL.



0.28

FILE NO: TDC1/306/2024

**CHANGE OF LAND USE OF LAND
MEASURING 306 HEC. FROM DISTRICT
CENTRE UNDER COMMERCIAL TO R&P**



DATE: 15/05/2024
BY: MOMBASA TRADING COMPANY
FOR: MOMBASA TRADING COMPANY
APPROVED BY: MOMBASA TRADING COMPANY
DATE: 15/05/2024

APPROVED BY: MOMBASA TRADING COMPANY
DATE: 15/05/2024
MOMBASA TRADING COMPANY



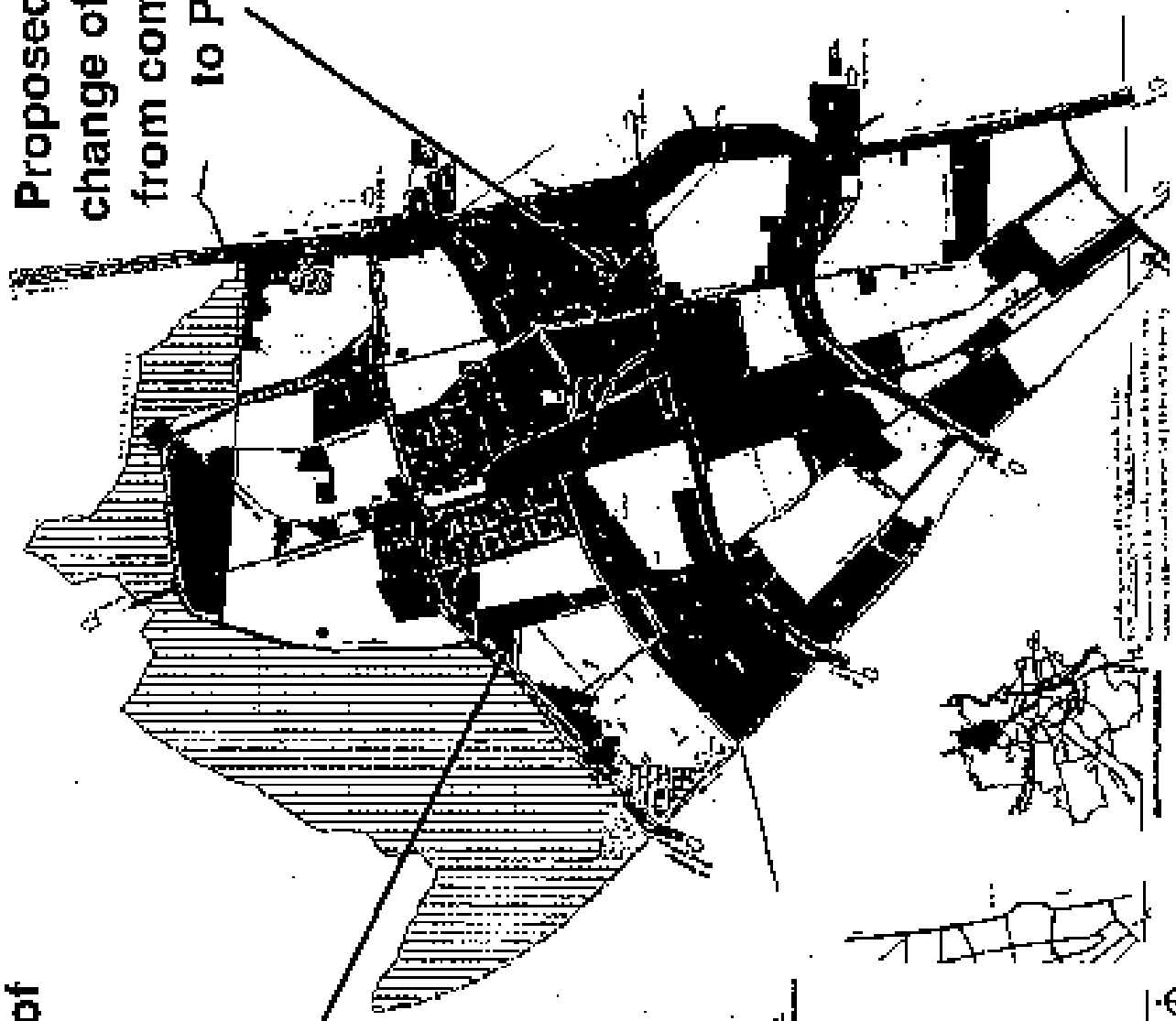
MOMBASA TRADING COMPANY

128/1

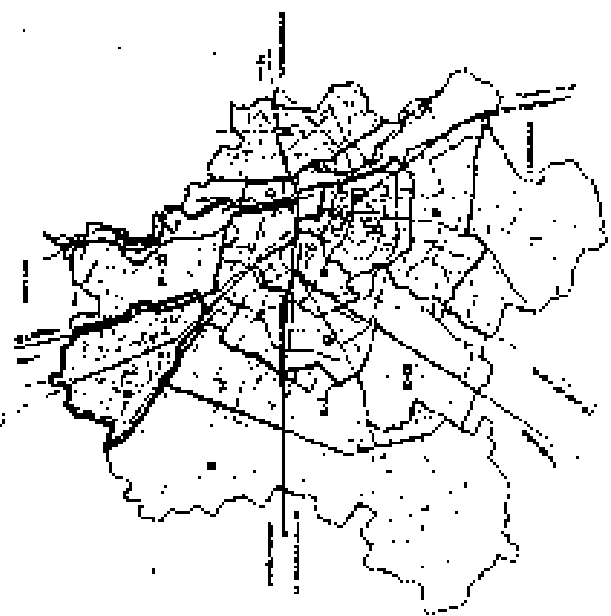
LOCATION : DISTRICT CENTRE, IFC & FA-20, NARELA

Proposed Site for change of
landuse from PSP to
Commercial

Proposed Site for
change of landuse
from commercial
to PSP



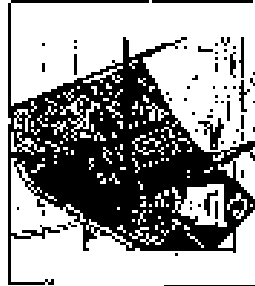
Zone P-1



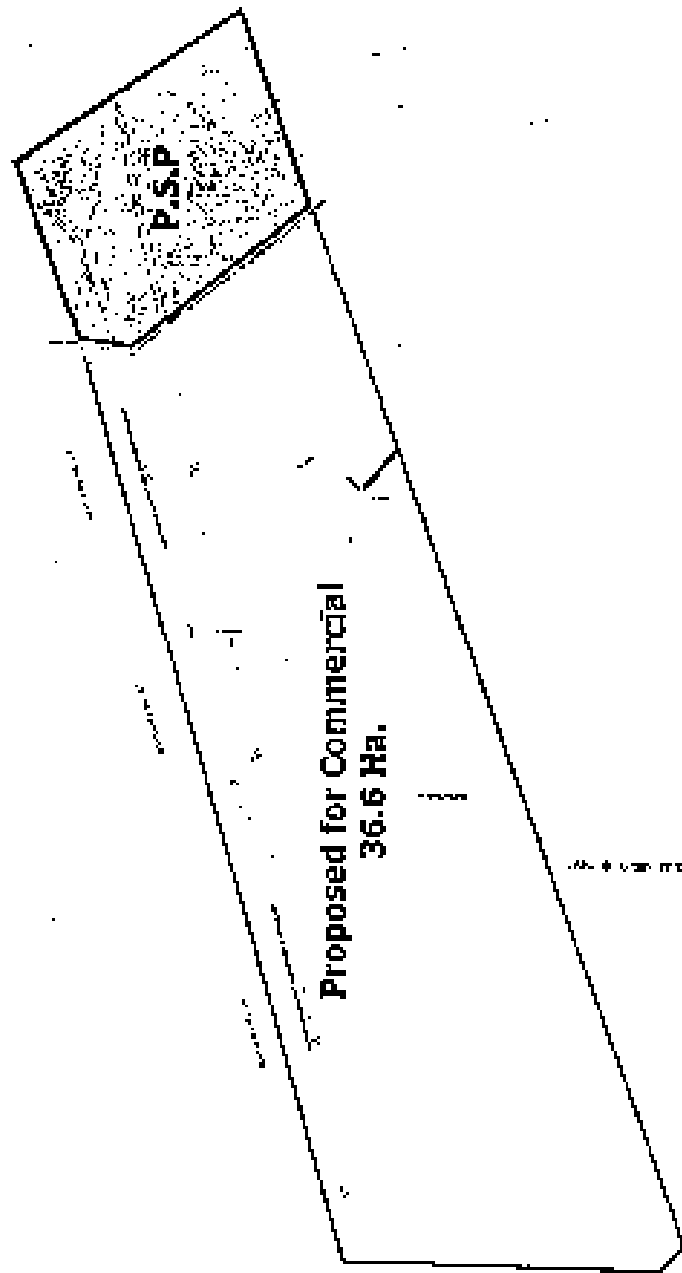
North
District Centre, IFC & FA-20, NARELA



ANNEXURE-2



AERIAL PHOTO



DEPT. OF DEVELOPMENT
AUTHORITY
LAND ACQUISITION OFFICE



TOTAL AREA OF THE PLOT: 36.6 Ha.

- A. EASTING COORDINATE: 491100.000
- B. NORTHING COORDINATE: 1000000.000
- C. AREA OF THE PLOT: 36.6 Ha.
- D. PERCENTAGE OF THE PLOT: 100%

NOTE

1. THE AREA OF THE PLOT IS 36.6 Ha.
2. THE AREA OF THE PLOT IS 36.6 Ha.
3. THE AREA OF THE PLOT IS 36.6 Ha.

PLANNING DEPARTMENT

CHANGE OF LAND USE OF LAND MEASURING
SECTION FROM INSTITUTIONAL LAND (P.A.R.)
TO COMMERCIAL



DATE: 12/11/2011
BY: [Signature]
FOR: [Signature]

APPROVED BY: [Signature]
PLANNING DEPARTMENT

APPROVED BY: [Signature]
PLANNING DEPARTMENT



MAJELLA
PLANNING DEPARTMENT

Minutes of the Technical Committee Meeting Held On 15.8.2019

Subject: Change in land use of land measuring 36.6 Ha earmarked for District Centre under Commercial use to PSP to provide land for colleges and university to create institutional hub at Narela and swapping with institutional land (PSP) in PA-20 to commercial.

File No.: PD(01)/2019-MP

1.0 Background

1.1 Secretary, Dept. of Training & Technical Education, Govt. of Delhi vide letter dated 16.05.2019 addressed to V.C., DDAs requested for allotment of suitable piece of land preferably in the institutional area measuring 50-60 acres for setting up the permanent campus for Indira Gandhi Delhi Technical University for Women (IGDTUW) for providing the education to approx. 10,000 students in the Campus.

1.2 It was decided in a meeting under chairmanship of VC, DDA that Commercial area District Centre adjacent to land already allotted to IIT, which is already under construction can be utilized for establishment of institutional university campus and the commercial area be swapped with the land area from Public & Semi-public Facilities pocket (Facility Area No-20) to commercial.

2.0 Examination

2.1 A letter dated 16.05.2019 of Secretary, Dept. of Training & Technical Education, Govt. of Delhi addressed to V.C., DDA regarding request for allotment of suitable piece of land preferably in the institutional area measuring 50-60 acres for setting up the permanent campus for Indira Gandhi Delhi Technical University for Women (IGDTUW) for providing the education to approx. 10,000 students in the Campus.

2.2 The matter have been examined and it is observed that as per the Master Plan of Delhi-2021 for the University Campus with the plot area upto 20 Hect. has been prepared in four sites in Urban Extension zone in Narela, 20.5 Hect. of land was allotted to National Institute of Technology in the Facility Area No. 7.

2.3 A meeting was held under the Chairmanship of V.C., DDA on 31.05.2019 in this regard. In the meeting, it was decided that land earmarked for Commercial area District Centre may be considered for establishment of institutional university campus in Narela Sub-city as large chunks of land earmarked for commercial use are not being disposed off in Narela and lying vacant.

2.4 As per the TSS dated April 2018 provided by DD-9, the area of land earmarked for District Centre is 36.6 Ha. (approx.).

2.5 After detailed deliberation in the meeting held under the chairmanship of VC, DDA it was decided that Commercial area District Centre can be utilized for establishment of institutional university campus and this commercial area to be swapped with the Public & Semi-public Facilities pocket (Facility Area No. 20) measuring 36.6 Ha.

2.6 The IGDTUW has been requested vide letter no. 9101/2019-MP/1-3 dated 22.05.2019 for their consent with respect to land measuring 36.6 Ha. (approx.) in Narela Sub-city. The site was

suggested by Vice-Chancellor of IGDTUW, Registrar and representative of Planning Deptl. on 10.07.2019.

2.7 Out of 36.6 Ha., IGDTUW will be allotted 20.0 Ha. of land and the remaining land is proposed for colleges/ institutions.

2.8 To process the request of Department of Training & Technical Education, Govt. of NCT of Delhi, this would require change of land use of land measuring 36.6 Ha. from Commercial to PSP (PS), University). (Plan placed at Annexure-1)

2.9 Further the change of landuse for land measuring 36.6 ha. at FA-20, the equivalent area of land to be swapped from PSP to Commercial C-1. (Plan placed at Annexure-II)

3.0 Proposal

3.1 The following change of landuse is proposed:

Sl. No.	Location	Existing Landuse	Proposed Landuse	Area (In Ha.)
1	District Centre, near NIT, Narela (36.6 Ha.)	Commercial (C1, District Centre)	PSP (PS), University)	36.6
2	Factory Area (FA-20) adjacent to Residential Housing Pocket (G-2) (64.18 Ha.)	Public and Semi-public Facilities	Commercial (C1, District Centre)	36.6

4.0 Recommendation

4.1 The proposal at para 3.0 is placed before the Technical Committee for its consideration and approval. Thereafter, the same shall be forwarded to the Authority for its approval for processing the same under section 11-A of UDA, 1957 and inviting objections/suggestions from the general public.

4/11

DECISION

20/2019	Change in land use of land measuring 36.6 Ha. Zarmarked for District Centre under Commercial use to PSP to provide land for colleges and university to create institutions Hub at Narela and swapping with institutions land (PSP) in FA-20 to commercial. E.9(01)2012-MP	The proposal was presented by the Director (Projects). After detailed deliberation, the Technical Committee recommended the proposal contained in para 3 for processing the change of land use under Section 11-A of UDA Act, 1957.
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Stamp: Director (Projects), NCT of Delhi
 Date: 20/08/2019
 Signature: [Handwritten Signature]
 Director (Projects)


DELHI DEVELOPMENT AUTHORITY
(Office of the Commissioner-cum-Secretary)

No. F.2(2)2019/MC/DDA/128

Dated: 16.09.2019

Sub: 2nd Supplementary agenda for the meeting of Delhi Development Authority.

In continuation to this office circulars of even number dated 12.09.2019 and 13.09.2019 kindly find enclosed 2nd supplementary agenda for the meeting of Delhi Development Authority fixed for **Tuesday, the 17th September, 2019 at 3.00 p.m.** under the Chairmanship of Hon'ble Lt. Governor, Delhi/Chairman, DDA at Raj Niwas, Delhi.


(D. Sarkar)
Commissioner-cum-Secretary
Phone No. 24623598

Encl: As above.

CHAIRMAN

1. Shri Anil Bejjal
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Smt. Tarun Kapoor

MEMBERS

3. Shri K. Vinayak Rao
Finance Member, DDA
4. Shri Shalendra Sharma
Engineer Member, DDA
5. Shri K. Sanjay Murthy
Addl. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
6. Smt. Archana Agrawal
Member Secretary, NCR Planning Board
7. Shri Vijender Gupta, MLA &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
8. Shri Sornath Dharli, MLA
9. Shri S.K. Bagga, MLA
10. Shri C.P. Sharma, MLA
11. Shri Manish Aggarwal
Municipal Councillor, South Delhi Municipal Corporation

SPECIAL INVITEES

1. Shri Vijay Kumar Dev
Chief Secretary, GNCTD
2. Smt. Renu Sharma
Addl. Chief Secretary (Finance), GNCTD
3. Dr. G. Narendra Kumar
Principal Secretary (I.&E), GNCTD
4. Ms. Manisha Saxena
Secretary (UD), GNCTD
5. Chief Planner
Town and Country Planning Organization
6. Smt. Vrushu Joshi
Commissioner, North Delhi Municipal Corporation
7. Dr. Dilraj Kaur
Commissioner, East Delhi Municipal Corporation
8. Smt. Muslin Joshi
Commissioner, South Delhi Municipal Corporation
9. Dr. Rajesh Kumar
Principal Commissioner (Housing, PMAY, CWG & Sports), DDA
10. Shri Munish Kumar Gupta
Principal Commissioner (LD, LM, Systems & Coordn.), DDA
11. Shri Shripal
Principal Commissioner (Personnel, Landscape & Hort.), DDA

Copy also to:

1. Shri Vijay Kumar
Principal Secretary to Lt. Governor, Delhi
2. Smt. Charanjit Yadav
Special Secretary to Lt. Governor, Delhi
3. Shri Ajay Kumar
Addl. Secretary to Lt. Governor, Delhi
4. Smt. Mukhika Katyaf
Jt. Secretary to Lt. Governor, Delhi
5. Shri Anoop Thakur
PS to Lt. Governor, Delhi

Copy for kind information to:

PS to Minister (H&UA), Office of the Minister of Housing & Urban Affairs, Govt. of India.

ITEM NO. 88/2019

Sub: Proposal for change of Use Zone/ Premise of an area measuring 2.62 Ha. (6.47 acre approx.) from 'Recreational (P2 District Park)' to 'Recreational (Multi-purpose Ground)' at Block-B, Janakpuri under Sub-Clause 8(2) of MPD-2021 for Special Permission from the Authority w.r.t. the contempt Petition No. 229/2019 in the court case titled 'Ramleela Committee, Janakpuri (Regd.) & Anr. Vs Rishu Kant Sharma & Ors.' falling in Planning Zone-G.

File No.: F3(12)/2016-M2

SYNOPSIS:

As approved by the 7th Technical Committee meeting held on 29.08.2019 vide Item No. 30/2019 and as discussed in the Contempt Petition No. 229/2019 in the court case titled 'Ramleela Committee, Janakpuri (Regd.) & Anr. Vs Rishu Kant Sharma & Ors.', a proposal for change of use zone/ Premise of 'District Park' at Janakpuri, Block-B for an area measuring 2.62 Ha. (6.47 acre approx.) from 'Recreational (P2 District Park)' to 'Recreational (Multi-purpose Ground)' is placed before the Authority under Sub-Clause 8(2) of MPD-2021 for Special Permission from the Authority

1.0 Background:

- 1.1 A meeting was held in the chamber of VC/DDA on 28.08.2019 regarding the land being used for Dussehra Ground in Janakpuri, Block-D, in the court case titled 'Ramleela Committee, Janakpuri (Regd.) & Anr. Vs Rishu Kant Sharma & Ors. hearing Contempt Petition No. 229/2019 filed on behalf of the Petitioner. It was discussed that the Mayor, South DMC, Resident Welfare Association of Janakpuri & Ramleela Committee of Janakpuri are requesting to allow Social functions like Dussehra, Ramleela etc. on the site which is being used for the social functions since number of years with the permission of Engg. Wing, DDA
- 1.2 During the meeting, the following issues were apprised by Learned C.L.A:
 - (a) The Hon'ble High Court vide its orders dated 03.08.2018 in the court matter of WP(C) 7266/2017 and C.M. No. 15741/ 2018 has directed DDA to restrain from permitting activities such as social, cultural, commercial, marriage or other functions etc. in the subject District Park, till further orders. Contempt Case No. 229/2019 arisen from the orders dated 03/08/2018 wherein the court has noticed that DDA is permitting social functions on the said land despite of orders dated 03.08.18.
 - (b) As per the Hon'ble High Court orders dated 23.08.2019 in the court matter of C.M.No. 37192/ 2019 in WP(C) 0566/2017, the Hon'ble Court has directed respondent No. 2, DDA to allot an alternate area bearing in mind the mandate of law.
 - (c) In view of the above, it was suggested by Learned C.L.A that since there is request from Mayor, South DMC, Resident Welfare Association of Janakpuri & Ramleela Committee of Janakpuri for allowing social functions on the same site and therefore, the change of Use Zone/ Premise of the 'District Park' measuring 2.62 ha. (6.47 acre approx.) from 'Recreational (P2 District Park)' to 'Recreational (Multi-purpose Ground)' at Block-B, Janakpuri, shall be required and the same may be processed under Section 12 of Delhi Development Rules, 1959. It was directed to place the matter before the Technical Committee

- (d) of DDA. As per Section 12 of Delhi Development Rules, 1959, it states *the Authority may without following the aforesaid procedure, but with the prior approval of the Central Government permit or*
- (e) *receipt of an application in this behalf, any change in the size of public parks and recreation grounds not exceeding ten percent either way of the approved size.*
- (f) As per the "Landscape plan of Green area opposite Musical Fountain, Janakpuri, Dussehra Park" prepared by the Landscape Wing, DDA and approved by EM, DDA vide file No. PA/Dir (LS)/2007/93 dated 16.09.2002 as per MPD-2001, the total area of the scheme is shown as 2.62 Ha.
- (g) This park is under the custody of the office of Chief Engineer (Dwarka) & therefore, the permission for utilisation of the same for "social functions" is provided by them, as per their policy on the basis of orders of Director (Works) vide letter No. F.1(3)16-18/Misc./Mon/DDA/1767 dated 12.12.2018. The total area of the 'District Park' at B-Block is given as 10 acres.
- (h) The maintenance of the District Park is done by Horticulture Division, DDA and as per the orders issued by Director (Horticulture)SE vide letter F.No. DHNW(Misc)Hort,NW/2018 dated 20.11.2018 regarding the handing over of 10 acres from 'District Park', B-Block, Janakpuri. It is observed that the total area of the land is 10 acres. However, as mentioned in para (f) above, the Landscape wing shows the area of this District Park as 2.62 ha.(6.47 acres approx.).
- (i) The matter was discussed in the 7th Technical Committee meeting held on 29.08.2019 vide Item No. 30/2019 and the Agenda alongwith decision of the Technical Committee(placed at Annexure 'A').

Decision of 7th Technical Committee held on 29.08.2019 vide Item No. 30/2019

"The proposal was presented by Addl. Commissioner (P/g)-III. The proposal for change of Use Zone / Premises of an area measuring 2.62 Ha. (6.47 Acres approx.) from Recreational (P2 District Park) to Recreational (Multi-purpose Ground) at Block-B, Janakpuri was discussed.

It was deliberated that the area proposed under Multipurpose Ground is already earmarked as the Function in the approved Layout Plan of the District Park.

Keeping this in view, it was decided that the case may be processed for seeking approval of the Authority under Chapter 17 of MPD 2021 which in its Sub-Clause 8(2) provides for Permission of Use Premises in Use zones as part of approval of Layout Plan or as a case of Special Permission from the Authority."

2.0 Examination:

2.1 Master Plan (MPD-2021)/ZDP-Zone G Provisions

- i) As per MPD-2021 & Zonal Development Plan of Zone-G, the land use of the site proposed for Multi-purpose Ground is "Recreational (District Park)".
- ii) As per the approved layout plan titled 'Janakpuri Residential Scheme, Block-B', the site under reference is earmarked as 'District Park'.
- iii) As per MPD-2021, Chapter-9, Environment, para. -9.4 (Multi-purpose Ground), it is stated that *Formal parks are formed if used for marriages/ public functions etc. therefore, a special category is proposed to*

- iv) take care of the same at three level i.e. (i) City Multipurpose Ground for 10 lakh population with an area 5 ha., (ii) District Multi-purpose ground for 5 lakh population with an area 4 ha., (iii) Community Multipurpose Ground for 1 lakh population with an area 2 Ha.
- v) As per MPD-2021, Chapter 9-Environment, Table -9.4 (Permission of use premises and Sub use Zones), the list of activities permitted in 'District Park' is given and 'Multipurpose ground' is shown as a separate Use Zone.
- vi) As per MPD 2021 Chapter-3 - Delhi Urban Area -- 2021, Table-3.3 (Hierarchy of Urban Development), at level-1 (District level) S.No.21, the total area of District Park (290000 Sq. mtr.) and its categorisation is given as (a) park(250000 sq. mtr.) (b) Multipurpose ground / Park (40000 sq. mtr.).
- vii) As per MPD-2021, as per Sub-Clause 8(2) Permission of Use Premises in Use Zones, special permission for any use premise in any use zone to be placed before the Authority for special permission.

3.0 Proposal:

In view of the above, the proposal for change of Use zone/Premise from 'Recreational (P2 District Park)' to 'Recreational (Multi-purpose Ground)' at Block-B, Janakpuri, Zone-G measuring 2.62 ha. (6.47 acre approx.) under Sub-Clause 8(2) of MPD-2021 for Special Permission from the Authority along with the boundary descriptions is as follows:

Location	Area Ha. (Acres)	Land use as per MPD-2021/ ZDP	Use Zone Changed to	Boundaries
1	2	3	4	5
District Park at Janakpuri, Block-B, located at the Junction of Dharam Marg & Lal Sai Mandir Marg, (adjacent to Virender Nagar), falling in Planning, Zone-G	2.62 Ha. (6.47 Acres)	'Recreational (P2 District Park)'	'Recreational (Multi-purpose Ground)'	North: MCD School South: 50m wide road (Lal Sai Mandir Marg) East: Virender Nagar (Unauthorized Colony) West: 30m wide Road (Dharam Marg)

(Refer 'Landscape Plan' Annexure 'B')

4.0 Recommendation:

The proposal stated above at para 3.0 is placed before the Authority Meeting under Sub-Clause 8(2) of MPD-2021 for Special Permission from the Authority.

RESOLUTION

The proposal contained in the agenda item was approved.

AGENDA FOR TECHNICAL COMMITTEE MEETING

1. Subject: Proposal for change of Use Zone/ Purpose of an area measuring 2.62 ha (6.47 acre approx.) from "Recreational (P2 District Park)" to "Recreational (Multi-purpose Ground)" at Block-B, Janakpuri as per Section 12 of Delhi Development (Master Plan and Zonal Development Plan) rules, 1958 with the contempt Petition No. 229/2019 in the court case titled "Ramesh Committee, Janakpuri (Regd.) & Anr. Vs. Rishi Kant Sharma & Ors." falling in Planning Zone-G.

File No: VC(12)/2016 MP

SYNOPSIS:
As stated in the Contempt Petition, No. 229/2019 in the court case titled "Ramesh Committee, Janakpuri (Regd.) & Anr. Vs. Rishi Kant Sharma & Ors.", on the request of the Mayor, South DDC, RWA, Janakpuri and Ramesh Committee, Janakpuri, a proposal for change of Use Zone/ Purpose of District Park in Janakpuri, Block-B for an area measuring 2.62 ha (6.47 acre approx.) from "Recreational (P2 District Park)" to "Recreational (Multi-purpose Ground)" is placed before the Technical Committee of DDA as per Section 12 of Delhi Development (Master Plan and Zonal Development Plan) rules, 1958.

1.1 Background:

1.1 A meeting was held in the chamber of VC/DDA on 28.08.2019 regarding the land being used for Dussehra Groups in Janakpuri, Block-B, in the court case titled "Ramesh Committee, Janakpuri (Regd.) & Anr. Vs. Rishi Kant Sharma & Ors." pending Contempt Petition No. 229/2019 filed on behalf of the Petitioner. The meeting was attended by CLA, Principal Officer (Landscape), Commissioner (LC), Commissioner (Pg.), Addl. Commr. (Pg.) III, Sr. Archt. (VC Office), Director (Hort.) NW, Director (Pg.) AP-III, Dy. Dir. (Pg.) C&G, Ex. Engr. (ND-3 & 5), Sh. Kenu Sharma, Panel Lawyer, DDA, SDO (Gang), etc. wherein it was discussed that the Mayor, S&L, SMC, Resident Welfare Association of Janakpuri & Ramesh Committee of Janakpuri are requesting to allow social functions like Dussehra, Ramesha etc. on the site which is being used for the social functions since number of years with the permission of Engr. Wing, DDA (Annexure-A).

1.2 During the meeting, the following issues were apprised by Learned CLA:

- (a) In the present court case (C.M. No. 22734/2019 in WP(C) No. 7266/2017, Union of India is named as Respondent No. 1 through its Secretary, Ministry of Urban Development, Govt. of India and DDA is named as respondent No.2.
- (b) The Hon'ble High Court vide its orders dated 03.08.2018 in the court matter of WP(C) 7266/2017 and C.M. No. 15741/2018 has directed DDA to refrain from permitting activities such as social, cultural, commercial, marriage or other functions etc. in the subject District Park till further orders (Annexure-B). Contempt case no.229/2019 arose from the orders dated 13/08/2018 wherein, the court has noticed that DDA is permitting social functions on the said land despite of orders dated 03.08.18.
- (c) As per the Hon'ble High Court orders dated 23.08.2019 in the court matter of C.M.No. 37192/2019 in WP(C) 7266/2017, the Hon'ble Court has directed respondent No. 2, DDA to elicit an alternate site hearing in mind the mandate of law. (Annexure-C)

- (a) in view of the above, it was suggested by Learned C.A that since there is request from Mayor, South District; Resident Welfare Association of Janakpuri & Resident Committee of Janakpuri for allowing social functions on the said site and therefore, the change of Use Zone/ Premise of the 'District Park' measuring 2.62 ha. (6.47 acre approx.) from 'Recreational (District Park)' to 'Recreational (Multi-purpose Ground)' at Block-B, Janakpuri, shall be required and the same may be processed under Section-12 of Delhi Development Rules, 1959 (Annexure-D). It was directed to place the matter before the Technical Committee of DDA. As per Section 12 of Delhi Development Rules, 1959, it states "No authority may without following the prescribed procedure, but with the prior approval of the Council Government permit on receipt of an application in this behalf, any change in the size of public parks and recreation grounds not exceeding ten per cent either way of the approved size."

2.0 Examination:

2.1 Master Plan (MPD-2021) & Zonal Provisions

- i) As per MPD-2021 & Zonal Development Plan of Zone-A7, the land use of the site proposed for Multi-purpose Ground is "Recreational (District Park)". (Annexure-B)
- ii) As per the approved layout plan titled 'Janakpuri Residential Scheme, Block-B', the site under reference is earmarked as 'District Park'. (Annexure-C)
- iii) As per MPD-2021, Chapter-9, Environment, para-3.4 (Multi-purpose Ground), it is stated that "Parks are sought if need for marriage & public functions etc. therefore, a special category is proposed to take care of the same at three level i.e. (i) City level purpose Ground for 10 lakh population with an area of 1 ha, (ii) District Multi-purpose ground for 5 lakh population with an area of 1 ha, (iii) Community Multi-purpose Ground for 1 lakh population with an area of 2 ha. (Annexure-D)
- iv) As per MPD-2021, Chapter-9-Environment, Table-9.4 (Permissible of use, premises and Sub use zones), the list of activities permitted in "District Park" is given (Annexure-E) and "Multi-purpose ground" is shown as a separate Use Zone. However, as per Chapter-3 - Delhi Urban Area - 2021, Table-3.3 (Hierarchy of Urban Development), at level-II (District level) S.No.21, the total area of District Park (290000 Sq. mtr.) and its categorization is given as (a) park (250000 sq. mtr.) (b) Multi-purpose ground / Park (40000 sq. mtr.). (Annexure-F)
- v) As per the 'Landscape plan of Group area opposite Maxima Condo, Janakpuri, Gurgaon Park' prepared by the Landscape Wing, DDA and approved by RM, DDA vide File No. P.A/DI- (LS)20025/23 dated 18.09.2018 as per MPD-2001, the total area of the scheme is shown as 2.62 ha. (Annexure-G). The PT Survey of the same was not readily available with the Landscape Wing, DDA.
- vi) This park is under the custody of the office of Chief Engineer (Works) & therefore, the permission for utilisation of the same for "social functions" is provided by them, as per their policy on the basis of orders of Director (Works) vide letter No. P.I(3)16-18/1323/Mon/DDA/1767 dated 13.12.2018 (Annexure-H). The total area of the 'District Park' at B-Block is given as 10 acres.
- vii) The maintenance of the District Park is done by Horticulture Division, DDA and as per the orders issued by Director (Horticulture) vide letter P.No. DHNW(M&S)Estt..NW/3018 dated 20.11.2018 regarding the handing over of 18 acres from 'District Park', B-Block, Janakpuri, it is observed that the total area of the land is 10 acres. However, as mentioned in para- v) above, the Landscape wing shows the area of this District Park as 2.62 ha. (6.47 acre approx.). (Annexure-I)

3.0 Proposal:

In view of the above, the proposal for change of Use Zone/Premise from 'Recreational (P2 District Park)' to 'Recreational (Multi-purpose Ground)' at Block-B, Janakpuri, Zone-G measuring 2.62 ha (6.47 acre approx.) along with the boundary description is as follows:

Location	Area Ha. (Acres)	Land use as per MPD-2021/ZMP	Use Zone Changed to	Boundaries
1	2	3	4	5
District Park at Janakpuri, Block-II, located at the T-Junction of Dharma Marg & Lal Sai Mundir Marg (adjacent to Viceroy Nagar), falling in Planning Zone-G.	2.62 Ha.(6.47 Acres)	'Recreational (P2 District Park)'	'Recreational (Multi-purpose Ground)'	North: MCD School South: 30m wide road (Lal Sai Mundir Marg) East: Viceroy Nagar (Unauthorized Colony) West: 30m wide Road (Dharma Marg)

(Refer 'Landscape Plan' prepared by the landscape wing Annexure 'M')

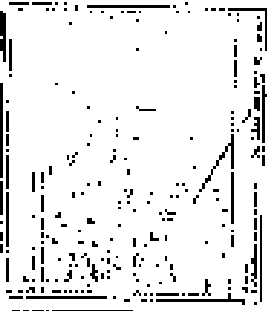
4.0 Recommendation:

The proposal stated above at para 3.0 is placed before the Technical Committee for its consideration and final decision. Thereafter, prior approval of the Central Government shall be taken and the matter be placed before the Authority under Section-12 of Delhi Development Rules, 1959.

LATION TABLE		"DECISION"	
30/2019	Proposal for change of Use Zone / Premise of an area measuring 2.62 ha (6.47 acre approx) from Recreational (P2 District Park) to Recreational (Multi-purpose Ground) at Block-B, Janakpuri as per Section 12 of Delhi Development (Master Plan and Zonal Development Plan) rule, 1959 with the concern Petition NO. 226/2019 in the court case titled "Rajivela Committee, Janakpuri (Regd) & Anr. Vs Risku Kant Sharma & Ors falling in Planning Zone-G.	The proposal was presented by the Addl. Commr. (P) III. The proposal for change of Use Zone / Premises of an area measuring 2.62 Ha (6.47 acre approx) from Recreational (P2 District Park) to Recreational (Multipurpose Ground) at Block B Janakpuri was discussed.	
		It was deliberated that the area proposed under Multipurpose Ground is already earmarked as the Purvika Ground in the approved Layout Plan of the District Park.	
		Keeping this in view, it was decided that the case may be processed for seeking approval of the Authority under Chapter 17 of MPD 2021 which in its Sub-Clause 17(2) provides for permission of Use Premises in Use zones as part of approval of Layout Plan or as a case of Special Permission from the Authority.	

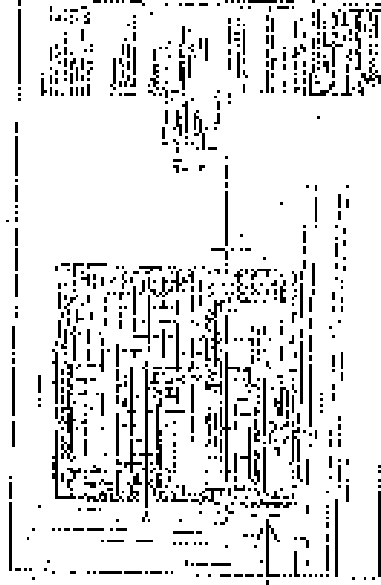
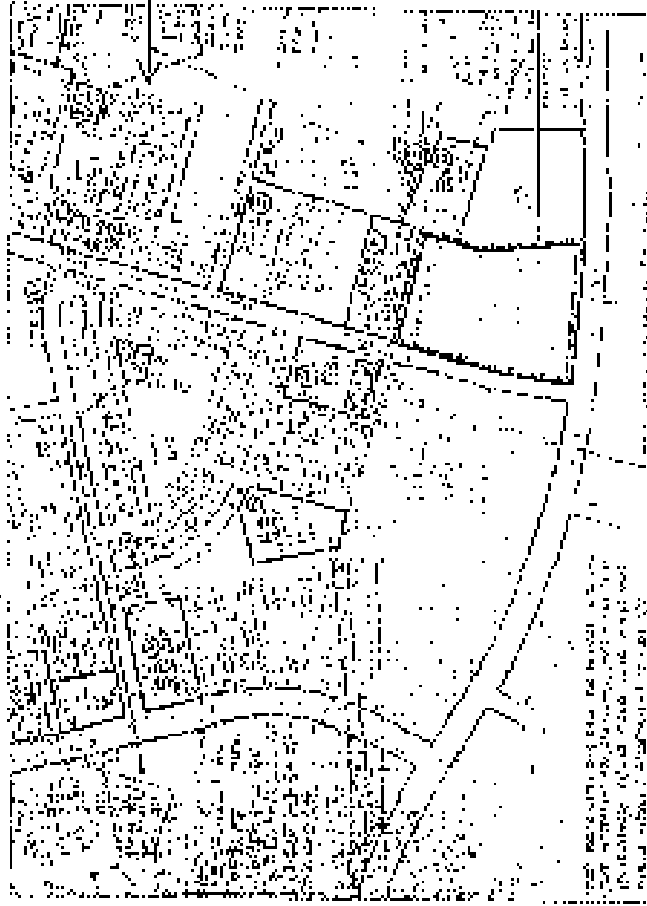
30/19
25.8.2019
30/19
30/19

LOCAL DEVELOPMENT AUTHORITY
AREA 1, SAKHREH III
2005-2008



THE PROPOSED DEVELOPMENT IS TO BE LOCATED IN THE AREA OF SAKHREH III, AREA 1, SAKHREH III, 2005-2008. THE DEVELOPMENT IS TO BE A RESIDENTIAL SCHEME BLOCK B.

**PART LAYOUT PLAN OF JANAKTURI
RESIDENTIAL SCHEME BLOCK B**



THE PROPOSED DEVELOPMENT IS TO BE LOCATED IN THE AREA OF SAKHREH III, AREA 1, SAKHREH III, 2005-2008. THE DEVELOPMENT IS TO BE A RESIDENTIAL SCHEME BLOCK B.

PROPOSAL

Location	Area (sq. meters)	Land use as per ZUP	Est. Dev. (sq. m)	Plot ratio
Project Name: Janakturi Residential Scheme Block B Location: Sakherh III, Area 1, Sakherh III, 2005-2008 Proposed by: [Name] Date of submission: [Date] Address: [Address] Contact: [Phone Number]	[Area]	Residential (R)	[Est. Dev.]	[Plot ratio]

DATA STATEMENT	
PROPOSED DEVELOPMENT	[Value]
PROPOSED DEVELOPMENT	[Value]
PROPOSED DEVELOPMENT	[Value]
PROPOSED DEVELOPMENT	[Value]
PROPOSED DEVELOPMENT	[Value]
PROPOSED DEVELOPMENT	[Value]
PROPOSED DEVELOPMENT	[Value]

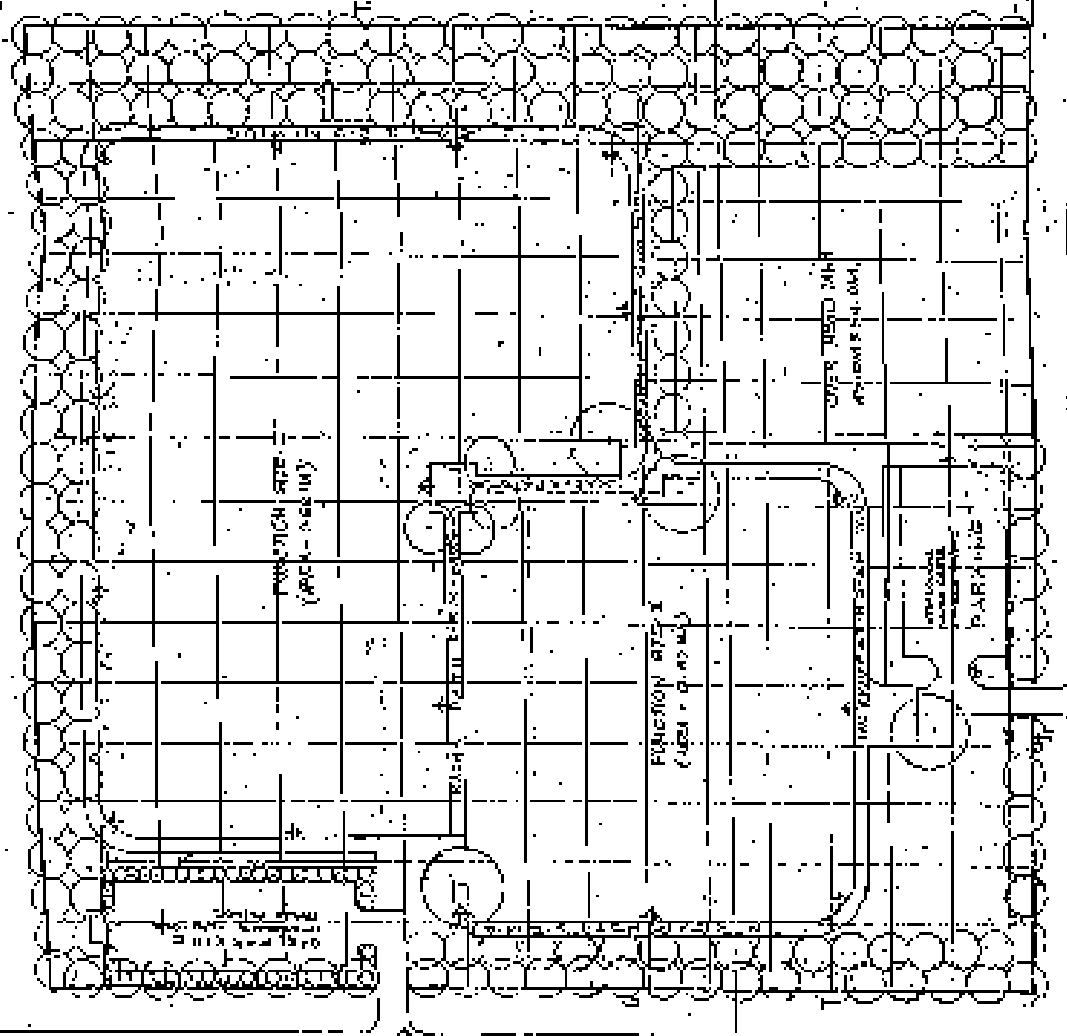
PROPOSED DEVELOPMENT IS TO BE LOCATED IN THE AREA OF SAKHREH III, AREA 1, SAKHREH III, 2005-2008. THE DEVELOPMENT IS TO BE A RESIDENTIAL SCHEME BLOCK B.

7/1 TO 5/1/16

[Signature]

6-11-1983

M. D. SINDS

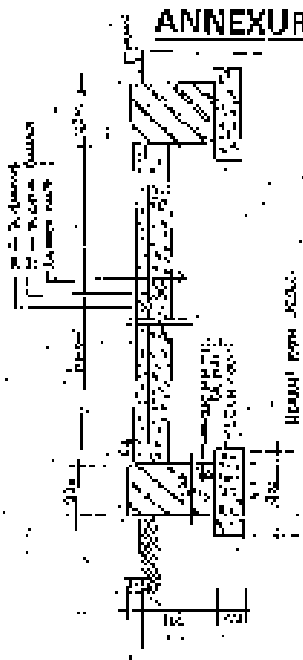


W. STEEN ALDWIN

- 1. AREA STATEMENT
- 2. AREA OF AREA
- 3. AREA UNDER PROTECTION AREA
- 4. AREA UNDER PROTECTION AREA
- 5. AREA UNDER PROTECTION AREA
- 6. AREA UNDER PROTECTION AREA
- 7. AREA UNDER PROTECTION AREA
- 8. AREA UNDER PROTECTION AREA
- 9. AREA UNDER PROTECTION AREA
- 10. AREA UNDER PROTECTION AREA

PLANTING DETAIL

- 1. AUTOMATIC IRRIGATION
- 2. 1/2" CHINA TUBING
- 3. 1/2" TUBING



ANNEXURE B

LEVEL OF FINISHED FLOOR ABOVE LEVEL OF FINISHED FLOOR

NOTE

- 1. APPROVED BY MAY 1983 FOR THE PROJECT
- 2. APPROVED BY MAY 1983 FOR THE PROJECT

REGULATORY OR OTHER PARTY LOCATION MAY BE SUBJECT TO CHANGE

REGISTERED ARCHITECT

M. D. SINDS

1500

1500

1500

1500

1500

1500

1500

1500

1500

ITEM NO. 89/2019

Sub:- Modification in the Development Control Norms and activities permissible under Religious Category at sub city level in the Master Plan.

F.15(01)2018-MP

1. Background:

- 1.1. A number of representations have been received from Religious Institute requesting to permit for Development Control Norms of Socio-Cultural Activities to Religious Category.
- 1.2. In the representation, it is mentioned that the proposed activities are not limited to temple but other activities also and society proposed to construct Spiritual Centre consisting activities namely, Yoga and Meditation Centre, Gurukul, Vedic Museum, Auditorium for lecture, drama, dance competition etc. Accommodation for preachers, students and devotees, Kitchen for organizing Bhandaras, Prasadam Hall, Temple, Accommodation for Brahmacharis and Kitchen for free food distribution to the poor and destitute. Further, it was also requested that development control norms of Socio-Cultural Activities such as auditorium, Music, Dance & Drama Centre/Meditation & Spiritual Centre etc. i.e. Ground Coverage – 35%, FAR-120 & Height-20m to be permitted.
- 1.3. Subsequently, as per the directions of senior officers on the draft agenda for allowing norms of Socio-Cultural facility to the site under references as a special case under Sub-Clause 8(2), the matter was examined by the Planning Wing and put up for consideration of Authority where in; it was directed to examine the case in detail in consultation with all the departments.
- 1.4. Further, after examination by all the departments, the proposal was discussed in the meeting of senior officers on 10.02.2014 with reference to UO Note dated 24.10.2013. In the meeting, it was directed that a Policy decision is required for uniform application of norms to all such institutions in future and new use premises may be introduced with 35% Ground Coverage, FAR-120 with appropriate activities permitted.
- 1.5. Subsequently, the agenda was placed before Authority on 09.05.2014 vide item no. 54/2014 for modification in the layout plan of Socio- Culture Center of Plot No. 4, from "Religious" to "Religious-cum-Socio-Cultural" Use Premise (at sub-city level) as a special case under Sub Clause 8(2) as per MPD-2021. However, the same was not approved by the Authority.

- 1.6. The matter was discussed with senior officers of DDA and it was directed to process the modification in the Master Plan of Delhi, 2021 in the Religious category at Sub-city level by incorporating more provisions in the Development Control Norms.
- 1.7. Subsequently, the agenda was placed and approved by 6th Technical Committee in its meeting held on dated 01.08.2019 vide Item No. 19/2019 (copy of Agenda & Minutes enclosed as Annexure-I).

2. Examination:

The matter was examined by Planning Department of DDA and following are the observations:-

- 2.1. As per MPD-2021, the Religious facilities are proposed at (a) Neighbourhood level for 5000 population having area 400 Sqm. with Ground Coverage-35% and FAR-70 (b) Sub-city level for 10 lakh population having area 40,000 Sqm. with Ground Coverage-25% and FAR-50.
- 2.2. In the MPD-2021, the provision of Socio-Cultural Activities of plot size 1000 Sqm. for population of 1.0 Lakh is proposed and a new category at Sr. No. 7 of Table 13.17 under "Development Controls for Socio-Cultural Facilities" for Socio Cultural Centre at Sub City Level with Plot area as per requirement, Ground Coverage: 40% and FAR: 120 was introduced later on.
- 2.3. The modifications in the Master Plan 2021 will be processed under Section 11A of DD Act, 1957.
- 2.4. Considering the present Norms of Religious facility at Sub-City Level and Norms for Social Cultural activities proposed in MPD-2021 additional activities are being proposed under Religious Category with modified Development Control Norms.

3.0 Decision of Technical Committee:

- 3.1 The proposal is for Modification in the Development Control Norms and activities permissible under Religious Category in the Master Plan of Delhi 2021 was placed and approved by 6th Technical Committee in its meeting held on dated 01.08.2019 vide Item No. 19/2019.

- 3.2 The minutes of the Technical Committee are given below:

After detailed deliberation, the Technical Committee recommended modification in MPD-2021 for processing under Section 11A of DD Act, 1957 with the following:

1. Taking into consideration the activity proposed the ground coverage to be taken as 30% and FAR 100.
2. The ECS in other control has not been mentioned in the proposals, the same will be as 1.8 ECS per 100 Sqm.
3. The activities permitted in Table 13.27 under Religious use premise will be as follows: "Temple, Mosque, Church, Gurdwara, Synagogue, Ashram, Bathing Ghat, Gaushala, Dargah, Charitable Dispensary, Library."
The following activities will also be allowed at Sub-City level:
 Training Centre for Yoga, Spiritual activities & Meditation Hall, Museum, Art Gallery, Exhibition Centre, Auditorium, Accommodation for preachers/ devotees/ management staff (Max. 15% of total FAR), Canteen/ Restaurant, Langa/ Hal/ Kitchen & Bank extension Counter /ATM facility, Prayer halls.

4.0 Status as per MOUD , GOI Guidelines dated: 07/04/2015:

S.No	Query	Answers
i	Whether the land is Government or Private and who is the land owning agency?	It will be applicable to all sites under Religious Category at Sub –City level.
ii	On whose request the change of land use case or modification to MPD-2021 has been initiated?	On the basis of representations received from religious organization of Delhi requesting to permit for Development Control Norms of Socio-Cultural Activities to Religious site.
iii	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	N/A.
iv	What is the public purpose proposed to be served by modification of MPD and / or change of land use?	This will help in creating more area under Socio-Cultural activities/supporting facilities within Religious use premises which is for the betterment of the Society.
v	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	There will be modification in the Development Control Norms and activities permissible under Religious Category in the MPD-2021 which will be processed under Section-11A of DD Act 1957 for further approval.
vi	What will be proposal's impact / implications on general public e.g. Law & Order etc?	The present proposal will provide the platform for social gathering and will be for the betterment of Society.

vii	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	N.A.
viii	Background note indicating the current situation/ provisions.	Background is given above at Para I In detail.
ix	Whether similar proposals have earlier been considered by DDA/ Ministry and /or disposed and if Yes, When and how.	Similar Proposals is considered by DDAMQUD for overall development of the city from time to time.
x	What were the specific recommendations of the Authority with regard to the proposal.	Proposal being placed before Authority for the first time.
xi	How and why the proposal was initiated	Same as above at Para (ii).
xii	What are the pros and cons of the proposal. whether they have been carefully examined and if yes, the outcome thereof.	The proposal has been carefully examined w.r.t MPD-2021. The modification will provide additional space for Religious Activities.
xiii	What are the expected Short term and long term outcomes if the proposal is approved and implemented.	Same as above at Para (iv)& (xii).
xiv	How the proposal will benefit in the development and Economic growth of the city.	Same as above at Para (v)& (xii).
xv	What are the provisions corresponding to the proposed policy/ changes in other metropolitan cities in India and other countries, and if these provisions differ from the proposal then why are they not considered appropriate for Delhi.	The procedure followed in other cities does not differ.
xvi	What will be the Public Purpose served by the proposed modification	Same as above at Para (iv) & (xii).
xvii	What is the number of people/ families/ households likely to be affected by the proposed policy	No family/ households are likely to be affected by the proposed policy.
xviii	Whether the proposal is in consonance with the existing plans, laws, bye laws, rules etc.	same as above at Para (v)
xix	Whether the implementation of the proposal will require changes in certain rules, provisions of Master	Yes, the proposal will be processed under Section 11-A of DD Act 1957.

	plan, etc and if yes, What action has been taken to bring about such changes.	
xx	Whether the department/ organizations/ ministries related with the Proposal have been consulted and if yes, what were their views and how they were disposed.	N.A.
xxi	Whether the relevant guidelines/ orders of DOPT, Ministry of Finance and other nodal Ministries/ Departments were taken into account while preparing and examining the proposal and	The proposal is being examined and processed as per the provisions of DD Act 1957 and MPD-2021.
xxii	The name, designation and contact information of an officer of the level of Director or above who will be the nodal officer to be contacted by the Ministry regarding the Proposal.	Sh. H.K.Bharti, Director (Htg) Dvk. Office no for contact is 25036238.

5.0 Proposal:

5.1 Modification in Development Control Norms and activities permissible under Religious Category at Sub-City-Level in MPD-2021. Following are the modifications proposed in Chapter 13 "Social Infrastructure" of MPD-2021:-

5.2 (a) Table 13.19: Development Control Norms for other Community Facilities.

S. No.	Category	Maximum			Other Controls
		Ground Coverage	FAR	Height	
A Existing provisions					
	Religious (b) At Sub-City-level in Urban extension.	25%	50	26	-
B Proposed Modification					
	Religious (b) At Sub-City-level in Urban extension.	30%	100	26	1. Parking Standards 1.8 ECS/ 100 Sqm. of Floor-area 2. A proper scheme for visitors parking and parking adequacy statement shall be prepared taking into consideration large number of visitors.

(b) Table 13.27: Socio-Cultural and Community Facilities.

S.No.	Use Premises	Definitions	Activities Permitted
A Existing Provisions			
	Religious Premises/ Building	A premise dedicated to the service of the objects of religious nature. It may have different religions / faiths.	Temple, Mosque, Church, Gurdwara, Synagogue, Ashram, Bathing Ghat, Gaushala, Dargah, Charitable Dispensary, Library.
B Proposed Modification			
	Religious Premises/ Building	A premise dedicated to the service of the objects of religious nature. It may have different religions / faiths.	Temple, Mosque, Church, Gurdwara, Synagogue, Ashram, Bathing Ghat, Gaushala, Dargah, Charitable Dispensary, Library The following activities allowed for Religious plots at Sub-City level: Training Centre for Yoga, Spiritual activities & Meditation, Museum/Art Gallery/ Exhibition Centre, Auditorium, Accommodation for preachers/ devotees/ management staff (Max. 15% of total FAR), Canteen/ Restaurant, Langar Hall/ Kitchen & Bank extension Counter /ATM facility, Prayer halls,

5.3 The Land Costing Wing to charge applicable charges/fee as per prevailing norms/rates for higher FAR and Ground Coverage.

5.0 Recommendation:

The proposal as given in Para 5.0 is put up for consideration and approval with the recommendation that since these premises shall entail public/ social activities, parking shall be provided @ 2 ECS/ 100 sqm. of built up area and all the parking shall be provided within the campus.

RESOLUTION

The recommendation contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of D.D. Act, 1957 be issued.

Page No. 10/10

Minutes of the Technical Committee Meeting Held on 18.08.2014

Subject: Modification in the Development Control Norms and activities permissible under Religious Category in the Master Plan of Delhi 2021.

File No. F-5(04)2013-MC

1. Background:-

- 1.1. A number of representations have been received from Vice President, ISKCON, New Delhi, addressed to Hon'ble LG, requesting a permit for Development Control Norms of Socio-Cultural Activities to Religious, as allotted to them at Section 3, Over-All Phase-II, New Delhi.
- 1.2. In the representation, it is mentioned that the proposed activities are not limited to temple but other activities also and Society proposed to construct Spiritual Centre consisting activities namely: Yoga and Meditation Centre, Gurukul, Vedic Museum, Auditorium for lectures, drama, dance, concert, etc. Accommodation for preachers, students and devotees, Kitchen for organizing Bhandaras, Prasad Hall, Sri Krishna Temple, Accommodation for Brahmacharis and Kitchens for free food distribution to the poor and destitute. Further, it was also requested that development norms of Socio-Cultural Activities, such as auditorium, Music, Dance & Drama Centre/Meditation & Spiritual Centre etc. i.e. Ground Coverage = 35%, F&R-120 & Height 26 mts. to be permitted for the concerned site.
- 1.3. Subsequently, as per the directions of the Hon'ble LG, on the draft agenda for allowing norms of Socio-Cultural activity to the site under reference as a special case under Sub-Clause B(2), the matter was examined by the Planning Wing and put up for consideration of Authority, wherein Hon'ble LG directed to examine the case in detail in consultation with all the departments.
- 1.4. Further, after examination by all the departments, the proposal was discussed in the meeting of VC, UDA on 15.02.2014 with reference to UO Note dated 24.10.2013 from AG, O Hon'ble LG. In the meeting, VC, UDA directed that a Policy decision is required for uniform application of norms to all such institutions in future and new use premises may be introduced with 35% Ground Coverage, F&R-120 with appropriate activities permitted.
- 1.5. Subsequently, the agenda was placed before Authority on 09.05.2014 vide item no. 54/2014 for modification in the layout plan of Socio-Cultural Center of Plot

No. 4 from 'Religious' to 'Religious-cum-Socio-Cultural' Use Premises) at sub-city level as a special case under sub-clause 8(2) as per MFD-2021. However, the same was not approved by the Authority.

1.6. Recently, another representation is received from ASKEDM dated 16/07/2019 regarding amendment of Development Control Norms for Socio-Cultural Activities.

1.7. The matter was discussed with MCDPDA and it was directed to process the modification in the Master Plan of Belgaum in the Religious category at sub-city level by incorporating the provision in the Development Control Norms.

1.8. Accordingly, the agenda is prepared and placed before Technical Committee for its consideration.

2. Examination

The matter was examined by Planning Department, PDD and following are the observations.

2.1. As per MFD-2021, the religious facilities are provided at (a) Neighbourhood level for 5000 population having area 40% SGM with ground coverage 25% and FAR 70% (b) Sub-city level for 10000 population having area 40% SGM with ground coverage 25% and FAR 70%.

2.2. In the MFD-2021, the provision of Socio-Cultural Activities of 1000 SGM for population of 10000 is scrapped and a new rate is fixed at 1000 SGM (Clause 14.57) under sub-clause 8(2) for Socio-Cultural Activities for Socio-Cultural Centres at Sub-city Level with standards as per requirement. Ground coverage 40% and FAR 70% are introduced in it.

2.3. The modification in the Master Plan 2021 will be processed under Section 117 of DD Act 1957.

2.4. Considering the present norms of Religious facilities at Sub-city level and norms for Socio-Cultural Activities stipposed in MFD-2021, as well as considering the request of ASKEDM, Socio-Cultural Activities are being proposed under Religious Category with Modified Development Control Norms.

2.5. Accordingly, the agenda is prepared and placed before Technical Committee for its consideration.

3. Proposal:

3.1 Modification in Development Control Norms and activities permissible under Religious Category at Sub-City Level II (MFD-202). Following are the modifications proposed in Chapter 13 "Socio-Infrastructures" of MFD-2021:-

32. (a) Table 12.19: Development Control for other Community Facilities.

S.No.	Category	Maximum		Other Controls
		Ground Coverage	FAR (Height)	
A Existing Provisions				
	Religious Premises Building (A) At Sub-City level in Urban extension	25%	50	2
B Proposed Modification				
	Religious Premises Building (B) At Sub-City level in Urban extension	30%	70	25

(b) Table 13.27: Socio-Cultural and Community Facilities.

S.No.	Use / Premises	Definitions	Activities Permitted
A Existing Provisions			
	Religious Premises Building	A premises dedicated to the service of the objects of religious nature. It may have different religions / faiths.	Temple, Mosque, Church, Gurdwara, Synagogue, Ashram, Bathing Ghat, Goshala, Dargah, Charitable Dispensary, Library.
B Proposed Modification			
	Religious Premises Building	A premises dedicated to the service of the objects of religious nature. It may have different religions / faiths.	Temple, Mosque, Church, Gurdwara, Synagogue, Ashram, Bathing Ghat, Goshala, Dargah, Charitable Dispensary, Library, Training Centre for Yoga, Spiritual activities & Meditation, Museum/Art Gallery/Exhibition Centre, Auditorium, Accommodation for preachers/ devotees/ management staff (Max. 15% of total FAR), Canteen/Restaurant, Langa Hall/ Kitchen & Bank extension Counter/ATM facility.

3.3 The Band Costing Using to change applicable charge fees as per prevailing norms/rates for air and cable and ground coverage.

4. The proposal contained in Para 3.2 above to the agenda is placed before the Technical Committee for its consideration and approval. Thereafter, the same shall be forwarded to the Authority for its approval or processing of the same under Section 115A of BIL Act 1993 and having received suggestions from the general public.

5. Recommendation:

The proposal as given in Para 3.2 is put for consideration of the Technical Committee.

11. ATTACHMENT

<p>19/2019</p> <p>MOBILISATION OF REVENUE IN THE CONTROLLED AREAS AND ACTIVITIES PERMISSIBLE UNDER RELIGIOUS CATEGORY IN THE MASTER PLAN OF DELHI 2014.</p> <p>15/01/2019-MP</p>	<p>The proposal was presented by the Director (Projects) after inter-branch deliberation to the Technical Committee. The committee recommended modification to the MPB 2014 with the following:</p> <p>1. Take into consideration the ground coverage to be taken as 30% and FAR 100.</p> <p>2. The 55S in other control has not been mentioned in the proposal, the same to be as 50 B other till 50.</p> <p>3. The activities permitted in Table 1A of the Master Plan are as follows:</p> <p>Temples, Gurudwaras, Churches, Mosques, Synagogues, etc.</p> <p>Each of them to establish Warrah, Church, Gurdwara, etc.</p> <p>The following activities will also be allowed subject to level:</p> <p>Training centre for religious activities, meditation hall, museum, art gallery, exhibition center, auditorium, accommodation for pilgrims, devotees, management center (max. 15% of total FAR), canteen, restaurant, school, hall, kitchen and dining room, toilet, ATM facility, power hall.</p>	<p>The proposal was presented by the Director (Projects) after inter-branch deliberation to the Technical Committee. The committee recommended modification to the MPB 2014 with the following:</p> <p>1. Take into consideration the ground coverage to be taken as 30% and FAR 100.</p> <p>2. The 55S in other control has not been mentioned in the proposal, the same to be as 50 B other till 50.</p> <p>3. The activities permitted in Table 1A of the Master Plan are as follows:</p> <p>Temples, Gurudwaras, Churches, Mosques, Synagogues, etc.</p> <p>Each of them to establish Warrah, Church, Gurdwara, etc.</p> <p>The following activities will also be allowed subject to level:</p> <p>Training centre for religious activities, meditation hall, museum, art gallery, exhibition center, auditorium, accommodation for pilgrims, devotees, management center (max. 15% of total FAR), canteen, restaurant, school, hall, kitchen and dining room, toilet, ATM facility, power hall.</p>
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ITEM NO: 90/2019

**SUBJECT: POLICY FOR TRANSIT ORIENTED DEVELOPMENT (TOD) IN DELHI- AS A
MODIFICATION TO MPD-2021**

R20(7)/2015/MP

1.0 BACKGROUND

- 1.1 Central Government under Section 11A of DD Act, 1957 vide S.O. No. 1914(E) dated 14.07.2015 notified the policy and development control norms for Transit Oriented Development (TOD) as a part of Chapter 12.0 Transportation of MPD-2021.
- 1.2 Regulations for operationalization of the notified TOD policy was approved by the Authority in its meeting held on 17.02.2016 vide Item No. 05/2016 and was forwarded to the Ministry of Urban Development, Government of India for its consideration and approval.
- 1.3 Ministry of Urban Development, Government of India vide its letter No. K-12011/2/2015 DD-I dated 03.03.2017 requested DDA to revisit the proposed amendments in the TOD policy and proposed TOD regulations in light of the new development vis-à-vis National Policy on TOD.
- 1.4 Status of TOD policy was discussed in the meeting held under VC, DDA and it was decided that the TOD policy should be finalized in consultation with the National Institute of Urban Affairs (NIUA).
- 1.5 Accordingly, NIUA was requested to examine and prepare a revised TOD policy for Delhi with new holistic approach and considering the vision for growth of Delhi as a world class city.
- 1.6 Draft policy and regulations submitted by the NIUA have been discussed in various meetings and the suggestions/ recommendations have been incorporated by NIUA while finalization of the revised policy for TOD.
- 1.7 Development Control Norms for Transit Oriented Development (TOD) and relevant modifications vis-à-vis TOD in Master Plan for Delhi-2021 was considered and approved by the Authority in its meeting held on 25.02.2019 vide Item no. 10/2019 (Refer Annexure-I).

2.0 Follow up Action:

- 2.1 Delhi Development Authority issued a Public Notice dated 09.03.2019 with respect to proposed Transit Oriented Development (TOD) Policy and relevant modifications vis-à-vis TOD in Master Plan for Delhi-2021 for inviting objections/

suggestions from the public within a stipulated time period of 45 days under Section 11-A of DD Act, 1957 (Refer Annexure-II).

2.2 In response to the above public notice, total of 177 numbers of objections/ suggestions were received. All the objections / suggestions were placed before the Board of Enquiry and Hearing (BoEH) in its meeting held on 12.09.2019. The Board heard 21 numbers of oral submissions of the persons who attended the hearing.

2.3 Taking into consideration the ground realities, the Board recommended that the proposal w.r.t modification in the TOD policy as contained in the public notice dated 09.03.2019 may further be processed as per section- 11(A) of DD Act, 1957 duly incorporating the Board recommendations. The Board also recommended that with respect to various issues arising out of the proposed policy modification, necessary revisions in the Regulations for operationalization of TOD policy be carried out to sync with MPD-2021 modification. The minutes of the meeting of Board of Enquiry and Hearing is annexed as Annexure- III.

2.4 The issue arising from Objections/ Suggestions and the recommendation of BoEH w.r.t. TOD policy and Regulations were examined jointly by NDA & DDA and discussed in various fora. Based on the discussion, the modifications in the TOD policy as contained in the public notice dated 09.03.2019, were suggested. A comparative document suggesting the modifications vis-à-vis the public notice is placed as Annexure-IV.

3.0 PROPOSAL

3.1 Based on the para 2.4 above, the draft 'Transit Oriented Development' to be introduced as a new chapter i.e. 'TOD Transit Oriented Development' in MPD-2021 have been prepared and is annexed as Annexure-V.

3.2 The public notice dated 09.03.2019 also contained changes with regard to provisions of earlier TOD policy notified on 2015 cited in the various chapters of MPD-2021, which have been detailed out vis-à-vis the relevant paras of MPD-2021, the proposed amendments are as follows:

MPD- 2021		
(1)	(2)	(3)
S. No.	Existing provisions- MPD 2021	Proposed Amendments- MPD 2021
	Chapter 3.0 DELHI URBAN AREA 2021	
1.	3.3.1.1 Planned Areas -A. Influence Zone along MRTS Corridor	
	Influence Zone along MRTS corridor is envisaged as intensive development zone. The concept of Transit Oriented Development shall be adopted for development within the Influence Zone, such that maximum number of people can live, work or find means of recreation within walking /	Influence Zone along MRTS corridor is envisaged as intensive development zone. The concept of Transit Oriented Development shall be adopted for development within the Influence Zone, such that maximum number of people can live, work or find means of

	<p>cycling distance of the MRTS corridors / stations. The scheme for Development / Redevelopment of Influence Zone shall be prepared on the basis of the following:</p> <p>i) to vii)</p>	<p>recreation within walking / cycling distance of the MRTS corridors / stations. The scheme for Development / Redevelopment of Influence Zone shall be prepared as per Chapter 20.0 Transit Oriented Development.</p>
2	<p>3.3.2 Policy For Redevelopment Schemes</p>	
	<p>i) Influence Zone along MRTS Corridor and the Sub-Zones for redevelopment and renewal should be identified on the basis of physical features such as metro, roads, drains, high tension lines and control zones of Monuments / Heritage areas, etc. and designated as TOD Zone with additional norms applicable as per Section 12.18.</p> <p>ii)(a) Planning Permission for an area of around 4 Ha. However, in TOD Zone, comprehensive schemes shall be considered for a minimum area of 1 Ha. This permission may not be required in case an approved layout/ Redevelopment/ Regularisation plan exists.</p> <p>b) 1. Cluster Block approval may be given to DE for a minimum area of 3000 sq.m. only if an approved influence zone plan or integrated scheme for the area exists. The owners DE should pool together and reorganise their individual properties so as to provide minimum 30% of area as common green/ soft parking besides circulation areas and common facilities.</p> <ul style="list-style-type: none"> • In TOD Zone, 20% of the public recreational/open space which shall be designed, developed and maintained by the DE and will remain open for general public at all times, failing which it will be taken over by Public agency. The location of such space will be tentatively indicated in the plan as mentioned in clause 12.18.1. • At least 20% of land shall be handed over as constructed roads/circulation areas to the Government/local body for public use. However FAR can be availed on the entire amalgamated land parcel. • Land to be surrendered as roads/public spaces to the extent of at least 10% shall be along one side, to be consolidated with the 	<p>i) Influence Zone along MRTS Corridor and the Sub-Zones for redevelopment and renewal should be identified on the basis of physical features such as metro, roads, drains, high tension lines and control zones of Monuments / Heritage areas, etc. and designated as TOD Node with additional norms applicable as per as per Chapter 20.0 Transit Oriented Development.</p> <p>iii)(a) Planning Permission for an area of around 4 Ha. However, in Influence Zone of TOD Node, TOD schemes shall be considered as per Chapter 20.0 Transit Oriented Development. This permission may not be required in case an approved layout / Redevelopment / Regularisation plan exists.</p> <p>b) 1. Cluster Block for a minimum area of 3000 sq.m. The owners DE should pool together and reorganise their individual properties so as to provide minimum 30% of area as common green/ soft parking besides circulation areas and common facilities.</p> <p>• Deleted</p>

<p>adjacent plot wherever applicable.</p>	
<p>b) 2. Individual buildings shall be given sanction by the concerned authority within the framework of cluster block / integrated scheme approval. Computerized single window clearance system shall be adopted for approval of TOD projects, the details of which shall be included in the regulations for operationalisation of TOD policy which shall be notified by DDA separately.</p>	<p>b) 2. Individual buildings shall be given sanction by the concerned authority within the framework of cluster block approval as per applicable policy.</p>
<p>x) Subject to preparation and approval of integrated / comprehensive Redevelopment schemes and provision of parking and services, a minimum 10% of the FAR may be allowed for commercial use and 10% of the FAR for community facilities with a view to trigger a process of self-generating redevelopment.</p> <ul style="list-style-type: none"> ▪ In addition, within TOD Zone, a minimum of 30% of overall FAR shall be mandatory for residential use. This component comprises of 50% units of size ranging between 32-40 sq.m. and the balance 50% comprising of homes 465 sq.m. Indicative mix of uses within Zonal Plan land uses falling within TOD Zone are shown in Table 22.8. 	<p>x) Subject to preparation and approval of integrated / comprehensive Redevelopment schemes and provision of parking and services, upto 10% of the FAR may be allowed for commercial use and 10% of the FAR for community facilities with a view to trigger a process of self-generating redevelopment.</p> <ul style="list-style-type: none"> ▪ Within TOD Node, the permissible mix of uses within FAR utilization and indicative mix of uses shall be as per Chapter 20.0 Transit Oriented Development.
<p>xiv) The land use shall be governed as per the Master Plan / Zonal Development Plan. The non-residential use will be permitted as per the provisions of the Mixed Use Regulations and Special Area Regulations. The MRTS Influence Zone shall be designated as TOD Zone and norms shall be applicable as per Section 12.18.</p>	<p>xiv) The land use shall be governed as per the Master Plan / Zonal Development Plan. The non-residential use will be permitted as per the provisions of the Mixed Use Regulations and Special Area Regulations.</p>
<p>xv) The detailed Regulations for operationalisation of the TOD policy including process and timeline for participation shall be framed separately in a time bound manner. In order to make the Policy people friendly and transparent, the detailed Regulations shall be put up in Public domain for inviting views of the stakeholders giving 30 day time in the newspapers and website since it involves development through participation.</p>	<p>xv) Deleted</p>

Chapter 12.0 TRANSPORTATION

<p>13. 12.4.1 Synergy Between Transport And Land Use In this context the MRTS corridors upto 500 m depth on either side from centre line of MRTS would require selective re-development and re-densification / intensification of existing land uses, based on site conditions.</p>	<p>12.4.1 Synergy Between Transport And Land Use In this context area mostly falling within 500 m radius around the transit station shall be delineated as the Intense Development Area. All TOD Schemes will be limited to this 500m Intense Development Area as per the policy.</p>
<p align="center">Table 12.7 Development Controls for Transportation [Development Controls (4)]</p>	

<p>11. Sl. No. 4 D. All bus depots/ terminals within Influence Zone of MRTS corridors excluding in Zone-'Q' to be developed as per TOD norms (Section 12.18) except for those corridors lying within Low Density Residential Area (LDRA) of Urban Extension. Sl. No. 5 a. However, ISBTs within Influence Zone of MRTS corridors to be developed per TOD norms (Section 12.10) except for those corridors lying within Low Density Residential Area (LDRA) of Urban Extension. Sl. No. 8 In case the Metro Yard falls within the Influence Zone of MRTS corridors, it may be developed as per TOD norms (Section 12.18.1 & 2) only if more than 50% of the Yard area lies within Influence Zone of MRTS corridors and/or they are developed as multi-storey yards.</p>	<p>Sl. No. 4 D. All bus depots/ terminals within Influence Zone of MRTS corridors excluding in Zone-'Q' to be developed as per TOD norms except for those corridors lying within Low Density Residential Area (LDRA) of Urban Extension. Sl. No. 5 a. However, ISBTs within Influence Zone of MRTS corridors to be developed per TOD norms except for those corridors lying within Low Density Residential Area (LDRA) of Urban Extension. "Deleted"</p>
<p>14. Para 12.10. Development Control Norms for Transit Oriented Development (TOD)</p>	<p>"Deleted"</p>

Chapter 17.0 DEVELOPMENT CODE

<p>15. CLAUSE 4.0 USE ZONES DESIGNATED - TOD ZONE The TOD Zone shall be delineated in all relevant Zonal Plans as per 3.J 1.1 A. This Zone shall allow flexibility in provision of a mix of various uses within the same plot, with the exception of polluting and potentially hazardous uses and activities as per C2 and PS2. Norms shall be applicable as per 12.18.</p>	<p>"Deleted"</p>
<p>16. Table 17.1 Minimum Setbacks Note: (i) TOD schemes shall be located on existing roads having a minimum width of 18m ROW.</p>	<p>Table 17.1 Minimum Setbacks Note: (i) "Deleted"</p>

<p>(12m ROW for redevelopment areas, Slum Rehabilitation / Special Area and Villages).</p> <p>ii) The setbacks are subject to requirements of height and ventilation as per building byelaws. TOD Schemes shall be planned as per above setback norms, while endeavouring to ensure that all dwelling units get a minimum 2-hour solar access in at least one habitable room on the shortest winter day, and have the option for natural ventilation. Relevant additions to building byelaws shall be made.</p> <p>vii) In TOD schemes, any edge of plot facing an existing public ROW > 18 m shall be considered as "front".</p> <p>viii) For integrated TOD schemes, the main building facade(s) shall face the public street(s) without setbacks and have an active frontage as per Table 17.2 below, to facilitate visual surveillance of streets.</p>	<p>iii) The setbacks are subject to requirements of height and ventilation as per building byelaws.</p> <p>vii) "Deleted"</p> <p>viii) "Deleted"</p> <p><i>Remaining footnotes to be renumbered accordingly.</i></p>
<p>17. Clause: 3(4) PARKING STANDARDS Table 17.2: Parking Standards G. All Use Premises within TOD Zone</p>	<p>Clause: 3(4) PARKING STANDARDS Table 17.2: Parking Standards "Deleted"</p>

3.3 Development Control Norms for Transit Oriented Development (TOD) and relevant modifications vis-à-vis TOD in Master Plan for Delhi-2021 earlier notified vide S.O. 1919(E) dated 14.07.2015 published in the Gazette of India shall stand superseded from the date the revised TOD policy shall come into force.

4.0 RECOMMENDATION

The proposal contained in para 3.0 above is placed before the Authority for its consideration and approval. After approval, the proposal shall be forwarded to the Ministry of Housing and Urban Affairs (MoHUA), Govt. of India for its approval and notification under Section 11 (A) of Delhi Development Act, 1957.

RESOLUTION

The proposal contained in the agenda item was approved. The matter be referred to the Ministry of Housing and Urban Affairs, Govt. of India, for issue of final notification.

DELHI DEVELOPMENT AUTHORITY
(Office of Commissioner-cum-Secretary)

No. T.2(8)2019/MC/2015/35

Dated: the 6th March, 2019

Sub: Minutes of the meeting of Delhi Development Authority.

Kindly find enclosed minutes of the meeting of Delhi Development Authority held on 21st February and 25th February, 2019 at Raj Niwas, Delhi. Amendments to the minutes, if any, may kindly be proposed within 3 days.

(D. Sarkar)
Commissioner-cum-Secretary

Encl: As above.

CHAIRMAN

1. Shri Anil Brijal
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri Tarun Kapoor

MEMBERS

3. Shri K. Vinayak Rao
Finance Member, DDA
4. Shri Shaikandra Sharma
Engineer Member, DDA
5. Shri K. Sanjay Murthy
Addl. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
6. Member Secretary
NCR Planning Board
7. Shri Vijender Gupta, MLA &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
8. Shri Sumanth Sharti, MLA
9. Shri S.K. Bagga, MLA
10. Shri O.P. Sharma, MLA
11. Shri Manish Aggarwal
Municipal Councillor, South Delhi Municipal Corporation

DELHI DEVELOPMENT AUTHORITY

Minutes of the meetings of the Delhi Development Authority held on 21st February, 2019 at 9.45 p.m. and 25th February, 2019 at 10.00 a.m. at Raj Niwas, Delhi.

Following were present:

CHAIRMAN

Shri Anil Bajaj
Lt. Governor, Delhi

VICE CHAIRMAN

Shri Taran Kapoor

MEMBERS

1. Shri K. Vinayak Rao
Finance Member, DDA
2. Shri Shalendra Sharma
Engineer Member, DDA
3. Shri K. Sanjay Mishra
Addl. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
4. Member Secretary
NCR Planning Board
5. Shri Vijender Gupta, MHA &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
6. Shri Somnath Bharti, MLA
7. Shri S. K. Bagga, MLA
8. Shri O. P. Sharma, MLA
9. Shri Manish Aggarwal
Municipal Councillor, South Delhi Municipal Corporation

SECRETARY

Shri D. Sarkar
Commissioner-cum-Secretary, DDA

SPECIAL INVITEES

- 1 Smt. Renu Sharma
Chief Secretary (I/C), Pr. Secretary (Finance), GNCTD
- 2 Dr. G Narendha Kumar
Principal Secretary (L&B), GNCTD
- 3 Smt. Varsha Joshi
Commissioner, North Delhi Municipal Corporation
- 4 Dr. Dilraj Kaur
Commissioner, East Delhi Municipal Corporation
- 5 Sri S Surendra
Chief Planner, ICPO
- 6 Shri Manish Kumar Gupta
Principal Commissioner (LD, LM, Systems & Coordination), DDA
- 7 Shri Stripal
Principal Commissioner (Pers., Hort. & Landscape), DDA

LT. GOVERNOR'S SECRETARIAT

- 1 Sri Vijay Kumar
Principal Secretary to Lt. Governor
- 2 Smt. Chandral Yadav
Special Secretary to Lt. Governor
- 3 Shri Anoop Thakur
Private Secretary to Lt. Governor

1. Hon'ble Lt. Governor, Delhi/Chairman, DDA welcomed all the Members of the Authority, Special Invitees and senior officers present in the meeting of the Authority.

Item No. 01/2019

Confirmation of minutes of the meeting of the Delhi Development Authority held on 14.12.2018 at Raj Niwas.
P. 2(1)2019/MCO/DA.

The minutes of the meeting of the Authority held on 14.12.2018 were confirmed as circulated.

Item No. 11/2019

Draft Regulations for Transit Oriented Development (TOD) in Delhi.
F.20(7)2015/M1/P/III

The proposal contained in the agenda item was approved. For wider participation and transparency, the regulations be placed in the public domain for 30 days inviting views/suggestions from public.

Item No. 12/2019

Re-notification of compilation of Notifications of amendments in UBBL-2016 for comprehensive reference by the General Public and the Professionals as per direction of Ministry of Housing and Urban Affairs.
F.15(06)2016/CP/II

The proposal contained in the agenda item was approved. The amendments in the Unified Building Bye-laws-2016 (UBBL-2016) be referred to the Ministry of Housing and Urban Affairs, Government of India for approval under Section 57 of DD Act, 1957. The compilation of Notification of amendments in UBBL-2016 for comprehensive reference would be published thereafter by DDA after incorporating the above amendments.

Item No. 13/2019

Constitution of STF Committee under Section 5-A of DD Act, 1957.
F.15(03)2019/M1

The proposal contained in the agenda item was approved with the following modification:

'The Co-opted Members to be also incorporated in the notification alongwith the Members of the STF as per OM issued by the Ministry of Housing and Urban Affairs, Government of India.'

The matter be referred to the Ministry of Housing and Urban Affairs, Government of India for approval under Section 57 of DD Act, 1957.

Item No. 14/2019

Draft Policy for Enhancing Walkability in Delhi.
F.1(331)2018/UT/II/PEL

The proposal contained in the agenda item was approved. For wider participation and transparency, the regulations be placed in the public domain for three weeks for inviting views/suggestions from public.

- Finance Member, DDA clarified that instructions have been issued to the concerned units for carrying out the reclassification of Nazul I properties occupied by unauthorized occupants, physical verification of inventories/fixed assets, preparation of land records of Nazul-II and reconciliations of supply debtors in a time bound manner. Finance Member further clarified that Institute of Public Auditors have been engaged for preparation of formats for Balance Sheet of Nazul-II and Balance Sheet of Nazul-II will be prepared from the financial year 2019-2020. It was also clarified that for preparation of accounts on accrual basis, the process of implementation of ERP system is underway. It was decided that a clear frame and action plan for the same may be drawn.
- With above direction, Annual Accounts of DDA for the financial year 2017-18 as certified by CAG of India were ratified by the Authority.

Item No. 99/2019

Mercy Appeal/Review Petition filed by Shri. Vikram Kumar, EE(Civil) under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulations, 1999.
E.26(30)94/EE(Vtg.)-V/DDA

- Shri Vikram Kumar, EE (Civil), has filed a Mercy Appeal/Review Petition under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulations, 1999 after a lapse of almost 12 years after rejection of his appeal. The said review/mercy petition was discussed and deliberated in detail by the Authority. The Authority observed that Sh. Vikram Kumar, the then JE (now EE (Civil)), has not brought out any new material or evidence in review/mercy petition, which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case.
- In view of the above, the review/mercy petition filed by Sh. Vikram Kumar, EE (Civil) is rejected and thereby, the penalty imposed on him by the Disciplinary Authority shall remain the same. Accordingly, his review petition before the Authority under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulations, 1999 stands disposed of.

Item No. 10/2019

Draft policy for Transit Oriented Development (TOD) in Delhi - As a modification to MPD-2021.
E.20(7)2015/MP

The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions be issued.

ITEM NO. 10/2019

SUBJECT: DRAFT POLICY FOR TRANSIT ORIENTED DEVELOPMENT (TOD) IN DELHI-AS A MODIFICATION TO MPD-2021

F.20(7)/2015/MP

1.0 BACKGROUND

- 1.1 Central Government under Section 11A of DD Act, 1957 vide S.O. No. 1914(E) dated 24.07.2015 notified the policy and development control norms for Transit Oriented Development (TOD) as a part of Chapter 3.0 Transportation of MPD-2021.
- 1.2 Regulations for operationalization of the notified TOD policy was approved by the Authority in its meeting held on 17.02.2016 vide item No. 05/2016 and was forwarded to the Ministry of Urban Development, Government of India for its consideration and approval.
- 1.3 Ministry of Urban Development, Government of India vide its letter No. K-12011/2/2015-DD-1 dated 03.03.2017 requested DDA to revisit the proposed amendments in the TOD policy and proposed TOD regulations in light of the new development vis-à-vis National Policy on TOD.
- 1.4 Status of TOD policy was discussed in the meeting held under VC, DDA and it was desired that the TOD policy should be finalized in consultation with the National Institute of Urban Affairs (NIUA).
- 1.5 Accordingly, NIUA was requested to examine and prepare a revised TOD policy for Delhi with new holistic approach and considering the vision for growth of Delhi as a world class city.
- 1.6 Draft policy and regulations submitted by the NIUA have been discussed in various meetings and the suggestions/ recommendations have been incorporated by NIUA while finalization of the revised policy for TOD.

2.0 PROPOSAL

2.1 Based on the above, the draft policy for TOD in Delhi as a modification to MPD-2021 have been prepared and is annexed as Annexure-A.

2.2 The proposed modification in MPD-2021 vis-à-vis revised TOD policy are as follows:

		MPD-2021	
(1)	(2)		(3)
S. No.	Existing provisions- MPD 2021		Proposed Amendments- MPD 2021
	Chapter 3.0 DELHI URBAN AREA 2021		
1.	3.3.1.1 Planned Areas -A. Influence Zone along MRTS Corridor		

	<p>Influence Zone along MRTS corridor is envisaged as intensive development zone. The concept of Transit Oriented Development shall be adopted for development within the Influence Zone, such that maximum number of people can live, work or find means of recreation within walking / cycling distance of the MRTS corridors / stations. The scheme for Redevelopment of Influence Zone shall be prepared on the basis of the following:</p> <p>i) to vii)</p>	<p>Influence Zone along MRTS corridor is envisaged as intensive development zone. The concept of Transit Oriented Development shall be adopted for development within the Influence Zone, such that maximum number of people can live, work or find means of recreation within walking / cycling distance of the MRTS corridors / stations. The scheme for Redevelopment of Influence Zone shall be prepared as per Chapter 20.0 Transit Oriented Development.</p>
28	<p>3.3.2 Policy For Redevelopment Schemes</p> <p>i) Influence Zone along MRTS Corridor and the Sub-Zones for redevelopment and renewal should be identified on the basis of physical features such as metro, roads, drains, high tension lines and control zones of Monuments / Heritage areas, etc. and designated as TOD Zone with additional norms applicable as per Section 12.10.</p> <p>ii)(a) Planning Permission for an area of around 4 Ha. However, in TOD Zone, comprehensive schemes shall be considered for a minimum area of 2 Ha. This permission may not be required in case an approved layout/ Redevelopment/ Regularisation plan exists.</p> <p>b) 1. Cluster Block approval may be given to DE for a minimum area of 3000 sqm. only if an approved influence zone plan or integrated scheme for the area exists. The owners DE should pool together and reorganize their individual properties so as to provide minimum 30% of area as common green/ soft parking besides circulation areas and common facilities.</p> <ul style="list-style-type: none"> • In TOD Zone, 20% of the public recreational/open space which shall be designed, developed and maintained by the DE and will remain open for general public at all times, failing which it will be taken over by Public agency. The location of such space will be tentatively indicated in the plan as mentioned in clause 12.18.3. • At least 20% of land shall be handed over as constructed roads/circulating areas to the 	<p>i) Influence Zone along MRTS Corridor and the Sub-Zones for redevelopment and renewal should be identified on the basis of physical features such as metro, roads, drains, high tension lines and control zones of Monuments / Heritage areas, etc. and designated as TOD Node with additional norms applicable as per as per Chapter 20.0 Transit Oriented Development.</p> <p>ii)(a) Planning Permission for an area of around 4 Ha. However, in Influence Zone of TOD Node, TOD schemes shall be considered as per Chapter 20.0 Transit Oriented Development. This permission may not be required in case an approved layout / Redevelopment / Regularisation plan exists.</p> <p>b) 1. Cluster Block for a minimum area of 3000 sqm. The owners DE should pool together and reorganize their individual properties so as to provide minimum 30% of area as common green/ soft parking besides circulation areas and common facilities.</p> <ul style="list-style-type: none"> • Deleted

<p>Government/local body for public use. However, FAR can be availed on the entire amalgamated land parcel.</p> <ul style="list-style-type: none"> Land to be surrendered as roads/public spaces to the extent of at least 10% shall be along one side, to be consolidated with the adjacent plot wherever applicable. <p>b) 2. Individual buildings shall be given sanction by the concerned authority within the framework of cluster block / integrated scheme approval. Computerized single window clearance system shall be adopted for approval of TOD projects, the details of which shall be included in the regulations for operationalisation of TOD policy which shall be notified by DDN separately.</p> <p>x) Subject to preparation and approval of integrated / comprehensive Redevelopment schemes and provision of parking and services, a minimum 10% of the FAR may be allowed for commercial use and 10% of the FAR for community facilities with a view to trigger a process of self-generating redevelopment.</p> <ul style="list-style-type: none"> In addition, within TOD Zone, a minimum of 30% of overall FAR shall be mandatory for Residential use. This component comprises of 50% units of size ranging between 33-40 sqm. and the balance 50% comprising of shops & 65 sqm. Indicative mix of uses within Zonal Plan land uses falling within TOD Zone are shown in Table 12.8. <p>xiv) The land use shall be governed as per the Master Plan / Zonal Development Plan. The non-residential use will be permitted as per the provisions of the Mixed Use Regulations and Special Area Regulations. The MRTS Influence Zone shall be designated as TOD Zone and norms shall be applicable as per Section 12.18.</p> <p>xv) The detailed Regulations for operationalisation of the TOD policy including process and timeframe for participation shall be framed separately in a time bound manner. In order to make the Policy people friendly and transparent, the detailed Regulations shall be put up in Public domain for inviting views of the</p>	<p>b) 2. Individual buildings shall be given sanction by the concerned authority within the framework of cluster block approval as per applicable policy.</p> <p>x) Subject to preparation and approval of integrated / comprehensive Redevelopment schemes and provision of parking and services, upto 10% of the FAR may be allowed for commercial use and 10% of the FAR for community facilities with a view to trigger a process of self-generating redevelopment.</p> <ul style="list-style-type: none"> Within TOD Zone, the permissible mix of uses within FAR utilization and Indicative mix of uses shall be as per Chapter 10.9 Transit Oriented Development. <p>xiv) The land use shall be governed as per the Master Plan / Zonal Development Plan. The non-residential use will be permitted as per the provisions of the Mixed Use Regulations and Special Area Regulations.</p> <p>xv) Deleted</p>
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	stakeholders giving 30 day time to the newspapers and website since it involves development through participation.	
Chapter 12.0 TRANSPORTATION		
10.	<p>12.4.1 Synergy Between Transport And Land Use</p> <p>..... In this context the MRTS corridors upto 500 m depth on either side from centre line of MRTS would require selective re-development and re-densification / intensification of existing land uses based on site conditions.</p>	<p>12.4.1 Synergy Between Transport And Land Use</p> <p>.....In this context area mostly falling within 500 m radius around the transit station shall be delineated as the Intense Development Area. All TOD Schemes will be limited to this 500m Intense Development Area as per the policy.</p>
Table 12.7 Development Controls for Transportation (Development Controls (4))		
11.	<p>Sl. No. 4 D. All bus depots/ terminals within Influence Zone of MRTS corridors excluding in Zone-'O' to be developed as per TOD norms (Section 12.18) except for those corridors lying within Low Density Residential Area (LDRA) of Urban Extension.</p> <p>Sl. No. 5 a. However, SBTs within Influence Zone of MRTS corridors to be developed per TOD norms (Section 12.18) except for those corridors lying within Low Density Residential Area (LDRA) of Urban Extension.</p> <p>Sl. No. 8 In case the Metro Yard falls within the Influence Zone of MRTS corridors, it may be developed as per TOD norms (Section 12.18.1 & 2) only if more than 50% of the Yard area lies within influence zone of MRTS corridors and/or they are developed as multi-storey yards.</p>	<p>Sl. No. 4 D. All bus depots/ terminals within Influence Zone of MRTS corridors excluding in Zone-'O' to be developed as per TOD norms except for those corridors lying within Low Density Residential Area (LDRA) of Urban Extension.</p> <p>Sl. No. 5 a. However, SBTs within Influence Zone of MRTS corridors to be developed per TOD norms except for those corridors lying within Low Density Residential Area (LDRA) of Urban Extension.</p> <p>Sl. No. 8 In case the Metro Yard falls within the Influence Zone of MRTS corridors, it may be developed as per TOD norms only if more than 50% of the Yard area lies within Influence Zone of MRTS corridors and/or they are developed as multi-storey yards.</p>
12.	Part 12.18. Development Control Norms for Transit Oriented Development (TOD)	"Deleted"
Chapter 17.0 DEVELOPMENT CONTROLS		
15.	<p>CLAUSE 4.0 USE ZONES DESIGNATED - TOD ZONE</p> <p>The TOD Zone shall be delineated in all relevant Zonal Plans as per 3.1.1 A. This Zone shall allow flexibility in provision of a mix of various uses within the same plot with the exception of polluting and potentially hazardous uses and activities as per C2 and P5Z. Norms shall be applicable as per 12.18.</p>	"Deleted"
16.	<p>Table 17.1 Minimum Setbacks</p> <p>Note:</p> <p>(i) TOD schemes shall be located on existing</p>	<p>Table 17.1 Minimum Setbacks</p> <p>Note:</p> <p>(i) "Deleted"</p>

<p>wards having a minimum width of 18m ROW. (12m ROW for redevelopment areas, Slum Rehabilitation / Special Area and Villages).</p> <p>(ii) The setbacks are subject to requirements of height and ventilation as per building byelaws. TOD schemes shall be planned as per above setback norms, while endeavouring to ensure that all dwelling units get a minimum 2-hour solar access in at least one habitable room on the shortest winter day, and have the option for natural ventilation. Relevant additions to building bylaws shall be made.</p> <p>(vi) In TOD schemes, any edge of plot facing an existing public ROW >18 m shall be considered as "front".</p> <p>(vii) For integrated TOD schemes, the main building facade(s) shall face the public street(s) without setback and have an active frontage as per Table 17.2 below, to facilitate visual surveillance of streets.</p>	<p>(ii) The setbacks are subject to requirements of height and ventilation as per building byelaws.</p> <p>(vi) <i>"Deleted"</i></p> <p>(vii) <i>"Deleted"</i></p> <p><i>Remaining footnotes to be remembered accordingly.</i></p>
<p>17. Clause 4(4) PARKING STANDARDS Table 17.2: Parking Standards 6. All Use Premises within TOD Zone</p>	<p>Clause 4(4) PARKING STANDARDS Table 17.2: Parking Standards <i>"Deleted"</i></p>

2.3 Development Control Norms for Transit Oriented Development (TOD) and relevant modifications vis-à-vis TOD in Master Plan for Delhi-2021 earlier notified vide S.O. 1914(E) dated 14.07.2015 published in the Gazette of India shall stand superseded from the date the revised TOD policy shall come into force.

3.0 RECOMMENDATION

3.1 The proposal contained in para 2.0 above is placed before the Authority for its consideration and approval. After approval, the proposal shall be processed under Section 11-A of DD Act, 1957 and public notice shall be issued for inviting objections/ suggestions from the public.

RESOLUTION

MASTER PLAN SECTION

PUBLIC NOTICE

Delhi Development Authority (Central Government) has proposed 'Draft Policy for Transit Oriented Development (TOD) in Delhi - As a Modification to MPD-2021' under Section 11-A of DDA Act 1957. The draft policy is hereby put up in public domain on DDA's website i.e. www.dda.org.in (under 'HOT LINKS' and 'PUBLIC NOTICES') for inviting objections/suggestions with respect to the proposal.

Any person having any objections/suggestions with respect to the proposed draft policy may send the same in writing to the Commissioner-cum-Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi-110023, within a period of Forty Five (45) days from the date of issue of this Notice. The person making the observations/views/suggestions should also give his/her name, address, telephone/contact number(s) and e-mail id which should be legible.

The text of draft policy shall also be available for reference at the Office of the Dy. Director, Master Plan Section, 6th Floor, Vikas Minar, IP Estate, New Delhi-110002 on all working days within the period referred above.

Sd/-

File No. E.20(7)2015/MP

(D. Sarkar)

Date: 09.03.2019

Commissioner-cum-Secretary

Place: New Delhi

Delhi Development Authority

Please give your feedback on DDA Apps at 

DELHI DEVELOPMENT AUTHORITY
OFFICE OF ADDL. COMMISSIONER (PLANNING)
6TH FLOOR, VIKAS MINAR, NEW DELHI-110002
PH: 011-23378770

No. F.20(07)2015/MP/D-34

Date: 08/02/2019

Sub: Minutes of the meeting of the Board of Enquiry & Hearing for hearing objections/ suggestions received in response to Public Notice for 'Draft Transit Oriented Development (TOD) Policy.

Delhi Development Authority in its meeting held on-25.02.2019 vide item no. 19/2019 approved the proposal regarding 'Draft Policy for Transit Oriented Development (TOD) in Delhi as a Modification to MFD-2021'. Accordingly, a Public Notice was published in Gazette of India vide S.O. 1279(E) dated 09.03.2019 and in daily newspapers for inviting objections/ suggestions from the public within a stipulated time period of 45 days under Section 11-A of DD Act, 1957.

In response to the above public notice, total of 177 numbers of objections/ suggestions were received out of which 168 numbers of objections/ suggestions were received within the stipulated time period of 45 days. Objections / suggestions received comprised of Govt. agencies, individuals, RWAs, Traders Associations, NGOs and public representatives.

All the above objections / suggestions were placed before the Board of Enquiry and Hearing in its meeting held under the Chairmanship of Engineering Member, DDA on 12.07.2019. All the applicants who filed objections / suggestions were invited to present their submissions before the Board through India Post (Speed Post) and e-mails. A total of 21 persons attended the board hearing to make their oral submissions. All the applicants were given sufficient and reasonable time to present their submissions. A list of members, officers and applicants present during the hearing is enclosed as Annexure-A.

The following are the broad issues presented during the meeting:

S. No.	Issues	Observations of Board
1.	The Railways/RLDA/RSDC may take up the development of TOD zones on Railway stations/surrounding Railway Land without the notification of such a code by DDA. Railway should be exempted from providing the minimum 10% of PSP and minimum 30% of Residential component. Approval from CA may be exempted for Railway Station/ surroundings railway lands. Government/Railway Owned lands with area of more than 1 ha to be	i. Notification of a code is a pre-requisite for the area to qualify for TOD policy. ii. The policy has to be implemented in toto. iii. Preparation of ERP is mandatory to ensure that the street network, utilities etc. extend upto

	exempted and allowed to avail the TOD norms irrespective of the preparation of IZPs or any TOD schemes. Government/ Railway owned properties/land exempted from providing the regulatory requirement of mix of uses and such land pockets be allowed to avail TOD development control norms as per financial viability of the project.	the influence zone
2.	Airport may be exempted from providing the minimum 10% of PSP and minimum 30% of Residential Component applicable to all other DG's. All apart from DDA/ UTTPEC should also be allowed to take up few of the TOD Nodes on a pilot basis i.e. Airport premises, include Airport (including Terminal, Airport Metro Stations and other transit nodes within airport premises) by facilitating the development of new housing stock and economic centres around strategically located transit nodes and opening up opportunities for value capture.	i. The policy has to be implemented in toto ii. Exemptions under the policy are not being provided to any agency.
3.	Redevelopment of CGHS & other similar properties should be prioritized after delinking them from TOD Influence Zone plans of station nodes.	Only areas falling under Influence Zone/ TOD zone would have to adhere to TOD policy. Rest of the areas can adopt other Redevelopment Policy as provided in the Master Plan.
4.	Regulatory FAR for commercial and PSP should be reduced from 10% to 5% due to low demand in market because of existing Mixed Use Policy of the MPP.	The policy has to be implemented in toto.
5.	Allow 90% FAR to be used for residential purpose on residential land use and 60% FAR for commercial use on commercial land use.	The % age breakup given has to be strictly adhered to.
6.	More public engagement is required for implementation of any TOD projects. Development should be local need driven. Active local participation is required for preparation of IZP in which local NGO's can help DDA. Citizen participation is required for approving TOD Schemes.	The recommendation was placed on record.
7.	DDA should communicate the present status of availability of infrastructure and also assess the impact of TOD development on infrastructure and environment.	The recommendation was placed on record.
8.	DDA should first try and validate the TOD policy on pilot basis and take 5 most congested metro stations, to test their policy for its successful implementation and usefulness. Feasibility of	The recommendation was placed on record.

	the identified pilot sites needs to be carried out before launching the TOD policy in Delhi.	
9.	Reduce parking norms from 1.33 ECS to 0.75 ECS under TOD as 1.33 ECS parking norms will require huge parking spaces. Limited and high-jetted parking should be allowed in TOD Zones.	The recommendation was placed on record.
10.	Proposed Mayapuri TOD node is on flood plains should be not being allowed. In remaining nodes redevelopment will cause major tree cutting for development of TOD.	The recommendation was placed on record.
11.	Karkarduma should also be notified as transit node due to its strategic location. Notify more nodes as TOD Nodes to promote walk to work, walk to school, walk to market strategy. Suggested Metro Corridor - Dwarka near to Dwarka 21, Karol Bagh to Rajouri Garden, Tikri Kadan to Indralok, Mukundpur to Punjabi Bagh, Karkarduma to Shiv Vihar, Indralok to Rithala, Kashmiri Gate to Samaypur Badli - TOD can help in increasing their ridership in these stretches.	The recommendation was placed on record.
12.	There is need for clearer codes/guidelines for water recycling and reuse, energy conservation/passive design and solid waste management which can be implemented through strict legislation and enforcement mechanism.	These are being suitably elaborated in the TOD regulation.
13.	Maximum permissible height applicable to the available plot area is less than 45 metres, then additional Ground coverage of 10% shall be allowed for such TOD Scheme/plot area.	The recommendation was placed on record.
14.	RWS housing provision shall be mandatory for only those schemes where Residential Component of the development is involved.	The policy envisages inclusive development.

Recommendation of the Board:

The Board deliberated on the issues and it was felt that the decision to notify a select few nodes in the first phase would help validate the TOD policy and the regulations. New/ additional nodes should be notified subsequently. The TOD Policy is not merely a policy envisaging high FAR and densification but aim at creation of well planned growth centres to be developed as per sustainability principles through integration of land use and transport in the city. To achieve the underlying principles in the Policy & Regulation, it needs to be implemented in totality and hence dispensation of any particular clause or relaxation in terms of area norms, exception from providing residential/ PSP component by a particular agency cannot be agreed to.

In view of the above and taking into consideration the ground realities, the Board recommended that the above recommendations be appropriately incorporated in the proposal with modification in the TOD policy as contained in the public notice

dated 09.03.2019 and may further be processed as per section- 11A of DD Act, 1957. The Board also recommended that based on the recommendations of Board with respect to various issues arising out of the proposed policy modification, necessary revisions to the Regulations for operationalization of TUD policy be carried out to sync with MPU modification.

Manoj Pant

Adtl. Commissioner (Plg.) DDA
(Convener & Secretary of the
Board of Enquiry & Hearing)

[Signature]

Finance Member, DDA
(Member of the Board of
Enquiry & Hearing)

[Signature]

Chief Planner, TCPO, GSI
(Member of the Board of
Enquiry & Hearing)

[Signature]

Engineer Member, DDA
(Chairman of the Board of
Enquiry & Hearing)

Modifications proposed in the TOD policy as contained in the public notice dt. 09.03.2019

Draft TOD Policy (As per Public Notice dated 09.03.2019)	Modifications suggested after DoEH
<p>TRANSIT ORIENTED DEVELOPMENT (TOD) POLICY</p>	<p>20.0 TRANSIT ORIENTED DEVELOPMENT (TOD) POLICY</p>
<p>RATIONALE</p> <ol style="list-style-type: none"> 1. Transit-Oriented Development (TOD) is an innovative urban paradigm that involves leveraging existing and upcoming public transit infrastructure and associated large number of users, to ensure sustainable mobility and maximized utilisation of land through compact mixed use development. 2. A TOD approach in Delhi will help in systematically densifying strategic transit nodes; bringing people and jobs closer to mass transit and leading to much needed integration of land uses, densities and transport in the city. It will result in compact, walkable, mixed use developments within influence zones of transit stations. This is a critical paradigm shift that can potentially improve public transit ridership, reduce vehicular congestion, and reduce greenhouse emissions and pollution in the long term. 3. TOD is an important strategy for unlocking the latent economic potential and land values in brownfield areas of the city. It will facilitate the regeneration of selected nodes/areas in the city through planned intensification of uses and activities, infusion of new infrastructure and improvements in the public realm. Moreover, TOD will allow Delhi to capitalise on the large-scale investments being made into public transit infrastructure - Metro Rail, Regional Rapid Transit System (RRTS), etc., by facilitating the development of new housing stock and economic centres around strategically located transit nodes and opening up opportunities for value capture. 	<p>Transit Oriented Development (TOD) is an innovative urban paradigm that involves leveraging existing and upcoming public transit infrastructure and associated large number of users, to ensure sustainable mobility and maximised, optimise utilisation of land through compact mixed-use development.</p> <p>A TOD approach in Delhi will help in systematically densifying strategic transit nodes; bringing people and jobs closer to mass transit and leading to much needed integration of land use, densities and transport in the city. It will result in compact, walkable, mixed-use developments within influence zones of transit stations. This is a critical paradigm shift that can potentially improve public transit ridership, reduce vehicular congestion, and reduce greenhouse emissions and pollution in the long term.</p> <p>TOD is <u>also</u> an important strategy for unlocking the latent economic potential and land values in brownfield areas of the city. It will facilitate the <u>development/regeneration</u> of selected nodes/areas in the city through planned intensification of uses and activities, infusion of new infrastructure and improvements in the public realm. Moreover, TOD will allow Delhi to capitalise on the large-scale investments being made into public transit infrastructure - Metro Rail, Regional Rapid Transit System (RRTS), etc., - by facilitating the <u>improvement of the housing stock in addition to creation</u> of new housing stock and economic centres around strategically located transit nodes and opening up opportunities for value capture.</p>
<p>GUIDING PRINCIPLES</p>	<p>20.1 Guiding Principles</p>
<ol style="list-style-type: none"> 14. The TOD Policy for Delhi will create the most intense development areas in the city, providing the highest permissible norms for FAR and mix of uses. In order to maximise the opportunities and manage the impacts of such intense developments, the Policy will be implemented strategically in transit nodes with high development potential ('TOD Nodes') as notified by the DDA. This will <u>enable the creation of well-planned growth</u> 	<ol style="list-style-type: none"> i. The TOD Policy for Delhi will create the most intense development areas in the city, providing the highest permissible norms for FAR and mix of uses. In order to <u>manage</u> the impacts of such <u>developments</u>, and maximise the opportunities and manage the impacts of such intense developments, the Policy will be implemented strategically in transit nodes with high development potential ('TOD Nodes') as notified

centres, developed as per the highest levels of services and sustainability principles, and capable of developing into future economic drivers and cultural hubs for the city.

5. DDA/UTTIPEC will undertake a rapid assessment of the development potential of the various transit nodes in the city and notify a limited number of TOD Nodes on the basis of their strategic importance and ease of implementation.

- 5.1. Such transit nodes shall be along Metro Rail, Railway, BRTS or any public transit systems (e.g. bus rapid systems in the future) having the capacity to carry more than 10,000 peak hour per direction traffic (PHPDT).

- 5.2. Strategic nodes will be identified on the basis of the following broad considerations:

- 5.2.1. The selected nodes shall have sites that can be readily taken up for redevelopment such as vacant or underutilised government-owned lands, government housing, commercial centres, industrial estates, etc., within the influence zones (as defined in Clause 11). Availability of such sites for priority redevelopment will ensure that DDA/UTTIPEC can take up trigger projects to provide the necessary impetus for gradual intensification of the entire node;

- 5.2.2. They shall have a good mix of greenfield and low-density brownfield sites. This will ensure that all the selected nodes have the capacity to intensify;

- 5.2.3. Their location shall be strategic - either as economic/cultural hubs for the city or as potential triggers for development/regeneration of under-developed areas in the city.

6. Additionally, transit nodes where adequate interest has been expressed by landowners to undertake development as per the norms of this Policy will also be considered for notification as TOD Nodes.

- 6.1. Interested applicants who wish to develop at any other transit node (not already notified as a TOD Node) as per the norms of the TOD policy and who meet the requirements of this Policy, may express their interest to DDA/UTTIPEC through an application comprising of the following:

- a. Map showing the sites proposed to be

by the DDA. This will enable the creation of well-planned growth centres, developed as per the highest levels of services and sustainability principles, and capable of developing into future economic drivers and cultural hubs for the city.

- i. DDA/UTTIPEC will undertake a rapid assessment of the development potential of the various transit nodes in the city and notify a limited number of TOD Nodes on the basis of their strategic importance and ease of implementation.

- a. Such transit nodes shall be along Metro Rail, Railway, BRTS or any public transit systems (e.g. bus rapid systems in the future) having the capacity to carry more than 10,000 or more peak hour per direction traffic (PHPDT).

5. Strategic nodes will be identified on the basis of the following broad considerations:

- The selected nodes shall have sites that can be readily taken up for redevelopment such as vacant or underutilised government-owned lands, government housing, commercial centres, industrial estates, etc., within the Influence Zones (as defined in Clause 20.1 will). Availability of such sites for ~~priority~~ redevelopment will ensure that ~~DDA/UTTIPEC~~ ~~can take up trigger projects~~ can be taken up or priority to provide the necessary impetus for other projects to come up in the ~~node~~ gradual intensification of ~~the entire~~ node;

- They shall have a good mix of greenfield and/or low-density brownfield sites ~~that will ensure that all the selected nodes have the capacity to intensify;~~

- Their location shall be strategic - either as economic/cultural hubs for the city or as potential triggers for development/regeneration of under-developed areas in the city.

- ii. Additionally, transit nodes where adequate interest has been expressed by landowners to undertake development as per the norms of this Policy will also be considered for notification as TOD Nodes.

- a. Interested applicants who wish to develop at any other transit node (not already notified as a TOD Node) as per the norms of the TOD policy ~~and who meet the requirements of this Policy~~, may express their interest to DDA ~~through~~ through an application comprising of the following:

redeveloped as a 'TOD Scheme' as per the conditions set out in Clauses 19 to 26,

- o List of land owners with details of location and area of land proposed under the TOD Scheme,
- o Letters of consent from all landowners involved.

6.2. Any node where one or more such applications, adding up to at least 8 Ha of land are submitted, will be considered for notification as a new TOD Node by DDA. This will be over and above the nodes identified by DDA/UTIPDC as per Clause 5.

7. DDA/UTIPDC may revise/update the list of identified TOD Nodes periodically to include such additional nodes identified on the basis of demand and any other strategic nodes identified in the future.

8. DDA/UTIPDC shall take up few of the following TOD Nodes on a pilot basis:

- o Dwarka Sector 21 Metro Station
- o Rohini Sector 18 Metro Station
- o Mayapuri Extension Metro Station
- o Mukundpur Metro Station
- o Sarojini Nagar and INA Metro Stations (combined)

9. The TOD Policy will only be applicable in the Influence Zones (as defined in Clause 11) of such notified TOD Nodes. All lands/properties within the respective Influence Zones are eligible to undertake development as per the norms of this Policy, provided they fulfil the requirements for undertaking TOD Schemes as set out under Clauses 19 to 26.

10. The following key outcomes will be targeted through this Policy.

10.1. Optimised density and diversification of uses and activities: This will be facilitated through enhanced densities and higher FAR norms, and promotion of compact mixed-use development. This will be complemented with commensurate augmentation of infrastructure, and application of stringent norms for environment conservation and public space

• Map showing the sites proposed to be redeveloped as a 'TOD Scheme' as per the conditions set out in Clauses 20.17.

• List of land owners with details of location and area of land proposed under the TOD Scheme,

• Letters of consent from all the landowners involved.

b. Any node where one or more such applications, adding up to at least 8 Ha of land are submitted, will be considered for notification as a new TOD Node by DDA. This will be over and above the nodes identified by DDA/UTIPDC as per Clause 20.17.

iv. DDA/UTIPDC may revise/update the list of identified TOD Nodes periodically to include such additional nodes identified on the basis of demand and any other strategic nodes identified in the future.

v. DDA/UTIPDC shall take up the following TOD Nodes. The following TOD Nodes may be taken up on a pilot basis:

- Dwarka Sector 21 Metro Station
- Rohini Sector 18 Metro Station
- Mayapuri Extension Metro Station
- Mukundpur Metro Station
- Sarojini Nagar and INA Metro Stations (combined)
- Karauli Metro Stations (both Pink and Blue Line stations)

vi. The TOD Policy will only be applicable in the Influence Zones (as defined in Clause 11) of such notified TOD Nodes. All lands/properties within the respective Influence Zones ~~are~~ will be eligible to undertake development as per the norms of this Policy, provided they fulfil the requirements for undertaking TOD Schemes as set out under ~~Clause 19 to 26~~ this Policy.

vii. The following key outcomes will be targeted through this Policy.

a. Optimised density and diversification of uses and activities:

This will be facilitated through ~~enhanced densities and higher FAR norms~~, and promotion of compact mixed-use development. This will be complemented with commensurate augmentation of infrastructure by respective service providing agencies, and application of stringent norms for environment conservation and public space

provision. Such an approach will result in achieving an optimum mix of activities and higher job densities close to public transit systems, unlock the development potential of these areas and facilitate value capture.

10.2. Enhanced mobility:

10.2.1. Pedestrian and NMT friendly environment - providing highest priority to pedestrians and NMT and lowest to private cars, through strategies such as restricted vehicular carriageways, limited car parking norms for all developments, restricted and high-priced public parking, enhancing/providing pedestrian and NMT facilities, etc.

10.2.2. Improved connectivity and network density - enhancing the connectivity in the area through traffic management plans, augmentation of transport infrastructure, street improvements and creation of a network of pedestrian and NMT routes.

10.2.3. Modal shift - providing efficient multi-modal integration and interchange to improve last mile connectivity and walkability, inducing modal shift in favour of public transport over time.

10.3. Improved public realm:

Generation of a vibrant and safe public realm with barrier-free universal access, achieved through articulation of built form and public open spaces/greens, improvement of streetscapes, and implementation of various place-making strategies.

11. The Influence Zone of each TOD Node will have two components.

11.1 'TOD Planning Area' - an area mostly falling within 800m radius around the transit station. Actual boundaries of the TOD Planning Area will be delineated and notified by DDA/UTTIPEC through a realignment of the 800m notional circle with closest roads, natural and topographical features, railway lines, etc. as applicable.

11.2 'Intense Development Area' - an area mostly falling within 500m radius around the transit station. All TOD Schemes will be limited to this 500m Intense Development Area as per the provisions of Clauses 19 to 26.

provision. Such an approach will result in achieving an optimum mix of activities and higher job densities close to public transit systems, unlock the development potential of these areas and facilitate value capture.

b. Enhanced mobility:

• Pedestrian and NMT friendly environment - providing highest priority to pedestrians and NMT and lowest rather than to private cars, through strategies such as restricted vehicular carriageways, limited car parking norms for all developments, restricted and high-priced public parking, enhancing/providing pedestrian and NMT facilities, etc.

• Improved connectivity and network density - enhancing the connectivity in the area through traffic management plans, ~~augmentation of transport infrastructure,~~ street improvements and creation of a fine network of pedestrian and NMT routes.

• Modal shift - providing efficient multi-modal integration and enhancing walkability and connectivity to improve last mile connectivity and walkability, thereby inducing modal shift in favour of public transport over time.

c. Improved public realm:

Generation of a vibrant and safe public realm for all age groups with barrier-free universal access, achieved through articulation of built form and public open spaces/greens, improvement of streetscapes, and implementation of various place-making strategies.

viii. The Influence Zone of each TOD Node will have two components.

a. 'TOD Planning Area' - an area mostly falling within 800m radius around the transit station. Actual boundaries of the TOD Planning Area will be delineated and notified by DDA/UTTIPEC through a realignment of the 800m notional circle with closest roads, natural and topographical features, railway lines, etc. as applicable.

b. 'Intense Development Area' - an area mostly falling within 500m radius around the transit station. Delineation of the 500m notional circle will be as per the Regulations to this Policy. All TOD Schemes will be limited to this

12] DDA/AUTHPCC will prepare an 'Influence Zone Plan (IZP)' for the delineated TOD Planning Area of each notified TOD Node as prescribed in the Regulations. For this purpose, DDA/AUTHPCC may appoint expert consulting firms/institutions to expedite the process of IZP preparation.

13] Preparation and due approval of IZPs will be a prerequisite for sanction of any TOD Schemes. In case the notified TOD Nodes are in close proximity with overlapping TOD Planning Areas, such areas shall be planned as a corridor with an integrated IZP that combines the TOD Planning Areas of the stations.

14] The IZP will be customized to the site characteristics and context of each TOD Node, and detail various area improvement works such as upgrading public streets to include multi-utility zones, and facilities for IPT, pedestrian and NMT facilities, multi-modal integration, provision of public parking, urban furniture, signage, public conveniences, street vending zones, etc. The IZP shall integrate any other plans or schemes proposed for the area such as plans for enhancing walkability, street improvement, Parking Management District Plans, Infrastructure augmentation, etc. Any Multi-Modal Integration (MMI), over station development or station area development projects proposed around the transit stations by concerned transit agencies will also be included in the IZP.

15] The IZP will be prepared through a consultative process involving the respective local bodies, transit agencies, service providing agencies, land/property owners in the influence zone and other stakeholder groups using the area.

16] The IZPs will be updated/revised periodically to reflect the changes in the TOD Nodes due to development/redevelopment activity and to ensure that they continue to meet adequate standards of services and quality of life.

17] Interested land owners who wish to undertake development/redevelopment at any notified TOD Node may apply as a 'Developer Entity' (DE) by preparing a 'TOD Scheme' as per the provisions of Clauses 19 to 25

500m Intense Development Area as per the provisions of Clauses 19 to 25 of this Policy.

ix. DDA/AUTHPCC will prepare an 'Influence Zone Plan (IZP)' for the delineated TOD Planning Area of each notified TOD Node as prescribed in the Regulations. For this purpose, DDA/AUTHPCC may appoint expert consulting firms/institutions to expedite the process of IZP preparation. Developer Entities (DEs) as defined in Clause 20.1.xiv can also prepare IZPs for specific TOD Nodes and submit the same to DDA for scrutiny and final approval.

x. Preparation and due approval of IZPs will be a prerequisite for sanction of any TOD Schemes. In case the two or more notified TOD Nodes are in close proximity with overlapping TOD Planning Areas, such areas shall be planned as a corridor with an integrated IZP that combines the TOD Planning Areas of the stations.

xi. The IZP will be customized to the site characteristics and context of each TOD Node, and detail various area improvement works such as upgrading public streets to include multi-utility zones, and facilities for IPT, pedestrian and NMT facilities, multi-modal integration, provision of public parking, urban furniture, signage, public conveniences, street vending zones, etc. The IZP shall integrate any other plans or schemes proposed for the area such as plans for enhancing walkability, street improvement, Parking Management District Plans, infrastructure augmentation, etc. Any Multi-Modal Integration (MMI), over station development or station area development projects proposed around the transit stations by concerned transit agencies will also be included in the IZP.

xii. The IZP will be prepared through a consultative process involving the respective local bodies, transit agencies, service providing agencies, land/property owners in the influence zone and other stakeholder groups using the area.

xiii. The IZPs will may be updated/revised may time as required periodically to reflect the changes in the TOD Nodes due to development/redevelopment activity and to ensure that they continue to meet adequate standards of services and quality of life of the area.

xiv. Interested land owners who wish to undertake development/redevelopment at any notified TOD Node may apply as a 'Developer Entity' (DE) by

of this Policy and procedures set out in the Regulations.

18. The DE can be a government or private land/property owner, a group of land/property owners, or an entity (developer/business/corporate entity) representing a group of land/property owners who intend to plan and develop a TOD Scheme.

18.15 If the DE comprises of multiple entities, they have to come together through a valid and legally enforceable agreement between all the constituent land owners to participate in, apply for, and abide by and be bound by the terms and conditions of the respective TOD Schemes. Each constituent member of a DE shall have a valid and lawful ownership of and be in lawful possession of land in the TOD Scheme.

19. Participation under the TOD Policy is voluntary. Land/property owners within the notified TOD Nodes may upgrade/redevelop their existing buildings as per the existing permissible FAR without participating within the TOD Policy. However, the Development Control Norms of enhanced FAR, ground coverage and mix of uses and any others as specified in this Policy and Regulations can only be availed by supplementing approved TOD Schemes.

preparing a "TOD Scheme" as per the provisions of Clause 18.15 of this Policy and procedures set out in the Regulations.

- xiv. The DE can be a government or private land/property owner, a group of land/property owners, or an entity (developer/business/corporate entity) representing a group of land/property owners who intend to plan and develop a TOD Scheme. If the DE comprises of multiple entities, they have to come together through a valid and legally enforceable agreement between all the constituent land owners to participate in, apply for, and abide by and be bound by the terms and conditions of the respective TOD Schemes. Each constituent member of a DE shall have a valid and lawful ownership of and be in lawful possession of land in the TOD Scheme.

- xv. While participation under the TOD Policy is voluntary, the Development Control Norms of enhanced FAR, ground coverage and mix of uses and any others as specified in this Policy and Regulations can only be availed by participating in approved TOD Schemes. Land/property owners within the notified TOD Nodes who do not participate in the TOD Policy may upgrade/redevelop their existing buildings as per the existing permissible FAR, but shall not be eligible to avail incentive FAR under TOD or Redevelopment. Land/property owners may upgrade/redevelop their existing buildings as per the existing permissible FAR without participating within the TOD Policy. However, the Development Control Norms of enhanced FAR, ground coverage and mix of uses and any others as specified in this Policy and Regulations can only be availed by supplementing approved TOD Schemes.

TOD SCHEMES

20. TOD Schemes coming up for development under the Policy must fulfil the following criteria in order to be eligible:

20.1. A TOD Scheme must cover a minimum area of 1 Ha. At least 50% of the scheme area must fall within the Intense Development Area of a notified TOD Node.

20.2. A TOD Scheme must be accessible from an existing road having a minimum width of 18m RCW, of a continuous length equivalent to at least

20.2 Tod Schemes

1. TOD Schemes coming up for development under the Policy must fulfil the following criteria in order to be eligible:
- A TOD Scheme must cover a minimum area of 1 Ha. At least 50% of the scheme area must fall within the Intense Development Area of a notified TOD Node.
 - A TOD Scheme must be accessible from an existing road having a minimum width of 18m RCW, of a continuous length equivalent to at least 25% of the perimeter of the scheme.

25% of the perimeter of the scheme.

19.3. A TOD Scheme can be constituted of separate plots adding up to 1 Ha that may be non-contiguous. However,

19.3.1. The separate plots should be connected by either:

- a. Public roads (not more than 30m ROW)
- b. Public drains (not more than 10m width)
- c. Public parks (not exceeding the open space hierarchy of 'tot lots' as per MPD)

19.3.2. The area delineated as such with connecting roads, drains or parks shall be a contiguous area that can be taken up as a single TOD Scheme.

19.3.3. The area under public roads/ public drains/ public parks will not be considered for meeting the 1 Ha requirement or computation of permissible FAR/ ground coverage.

20. Existing PSP plots within the TOD Node cannot be part of any TOD Scheme. However, in order to meet the additional requirement for health, education and other PSP facilities to cater for the enhanced densities in TOD Nodes, all PSP plots within the TOD Node shall be permitted to apply as stand-alone TOD Schemes and avail an additional FAR of 50% over and above the permissible FAR or 300, whichever is more. The following additional conditions shall apply.

20.1. Mix use norms set out in Clause 40.1 shall not be applicable to such sites, and the existing use

c. Plots earmarked for housing area and Neighbourhood Level PSPs (except senior secondary schools and parks) can be included within TOD Schemes, provided that the underlying land belongs to the DE/ constituent land owner of the DE and provided that the final layout provides equivalent facilities of the same type and of the same area. This shall not be calculated as a part of the mandatory PSP requirements prescribed under this Policy.

d. A TOD Scheme can be constituted of separate plots adding up to 1 Ha that may be non-contiguous. However, the separate plots should be connected by either:

- Public roads (not more than 30m 18m ROW)
- Public drains (not more than 10m width)
- Public parks (not exceeding the open space hierarchy of 'tot lots' as per MPD)

The area delineated as such with connecting roads, drains or parks shall be a contiguous area that can be taken up as a single TOD Scheme.

Two or more adjacent TOD Schemes separated by public roads, drains or parks (of dimensions greater than those stated in Clause 20.2 (d)) can be planned as an Integrated TOD Scheme. Such Integrated TOD Schemes can be submitted as part of a single TOD Scheme application. Such public roads, drains, parks shall be retained on an as-is-where-is basis.

The area under public roads/ public drains/ public parks will not be considered for meeting the 1 Ha requirement or computation of permissible FAR/ ground coverage.

ii. Existing city-level PSP plots (community, district or zonal PSPs and secondary schools) within the TOD Node cannot be part of any TOD Scheme. However, in order to meet the additional requirement for health, education and other PSP facilities to cater to the enhanced densities in TOD Nodes, all PSP plots within the TOD Node shall be permitted to apply as stand-alone TOD Schemes and avail an additional FAR of 50% over and above the permissible FAR or 300, whichever is more. The following additional conditions shall apply:

- a. Mix use norms (set out in Clause 20.1. viii) shall not be applicable to such sites, and the existing use promise shall be retained.

premise shall be retained.

20.2. Redevelopment of such sites within a TOD Node as per enhanced FAR can be taken up only after TOD Schemes of up to 8 Ha (not including the area under PSP plots for which applications are being submitted) have been approved for the node.

20.3. The redevelopment shall be as per the Development Control Norms set out under this Policy. In case of school plots, the existing area under playgrounds shall be retained or enhanced within the same plot.

21. Amalgamation and reconstitution of plots will be permitted for all TOD Scheme areas.

21.1. Reconfiguration of layouts of public areas like internal roads, streets and open spaces as well as houses within planned colonies, cooperative house building societies, cooperative group housing societies, and cooperative housing societies shall be permitted to allow for better layout planning and urban design, provided that the reconfigured layout provides equal or more area under open spaces and public use.

21.2. Public areas like roads, open spaces and drains being included within TOD Schemes as per Clause 19.3 but lying outside the limits of planned colonies, cooperative house building societies, cooperative group housing societies, and cooperative housing societies etc., shall be retained on an as-is basis as per Clauses 43 and 44.

~~b. Redevelopment of such sites within a TOD Node as per enhanced FAR can be taken up only after TOD Schemes of up to 8 Ha (not including the area under PSP plots for which applications are being submitted) have been approved for the node.~~

~~c. The redevelopment shall be as per the Development Control Norms set out under this Policy. In case of school plots, the existing area under playgrounds shall be retained or enhanced within the same plot.~~

ii. Amalgamation and reconstitution of plots will be permitted for all TOD Scheme areas.

~~a. Reconfiguration of PSP plots included within TOD Schemes (as per Clause 20.2.1.d) shall be permitted as part of the TOD Scheme layout.~~

~~• Reconfiguration of layouts of public areas like internal roads, streets and open spaces as well as houses within planned colonies, cooperative house building societies, cooperative group housing societies, and cooperative group housing societies shall be permitted to allow for better layout planning and urban design, provided that the reconfigured layout provides equal or more area under open spaces and public use.~~

~~• Public areas like roads (only in the case where the complete road stretch falls within the TOD Scheme) and open spaces and drains being included within TOD Schemes (as per Clause 20.2.1.d) can be reconfigured, provided that due approval has been obtained from the concerned local body and the area under such public areas is not reduced in the final layout but lying outside the limits of planned colonies, cooperative house building societies, cooperative group housing societies, and cooperative housing societies etc., shall be retained on an as-is basis as per Clauses 43 and 44.~~

~~• In existing areas, where a fine network of streets for pedestrian movement already exists, it shall be preserved as far as possible.~~

~~• In all conditions, any public areas included within TOD Schemes (either on an as-is basis or in a reconfigured form) shall be handed over to local bodies and remain~~

20. To public at all times.

- Utmost care shall be taken to ensure that the reconfiguration of TOD Scheme area is executed with zero or minimal damage to existing trees.

22. In case of residential premises, the number of dwelling units may be increased in order to meet the requirements set out under Clause 38. The permissible mix of land uses in the TOD Schemes shall be as per Clause 40.

iv. In case of residential premises, the number of dwelling units may be increased in order to meet the requirements set out under Clause 20.4.iv.

v. The permissible mix of land uses in the TOD Schemes shall be as per Clause 20.4.vi. The prescribed mix can be achieved as part of the TOD Scheme layout through vertical mixing within buildings, provided that:

a. Only non-manufacturing industries (service industry like IT/ITES, BPO/KPO, etc.) and non-polluting MSME units are combined with other uses like residential, commercial and institutional uses;

b. Educational institutions, anganwadis, creches, old age homes, etc., are not combined with health facilities, penal institutions such as correction facilities, jails, etc. or manufacturing and/or warehousing facilities.

c. Educational and health facilities as mentioned above shall mandatorily be developed on the lower floors, preferably with access to open spaces being planned as part of the TOD Scheme.

d. Separate entry/exits and service rings will have to be provided as required in buildings with vertical mix of uses. All other requirements such as fire evacuation spaces shall be maintained in such buildings.

23. TOD Schemes falling in two TOD Nodes (where the influence zones of such TOD Nodes are adjacent and contiguous) can be considered for approval, provided they meet all other conditions under this Policy.

vi. TOD Schemes falling in two TOD Nodes (where the influence zones of such TOD Nodes are adjacent and contiguous) can be considered for approval, provided they meet all other conditions under this Policy.

24. TOD Schemes of area lesser than 1 Ha but no less than 3000 sq. m. (contiguous) may be accepted only for land parcels that cannot be amalgamated due to the following reasons:

24. The area of such schemes shall not be less than 3000 sq. m. (contiguous) and may be accepted only for land parcels that cannot be amalgamated due to the following reasons:

24.1. Government lands that are surrounded by private lands or vice versa

a. Government lands that are surrounded by private lands or vice versa

24.2. Lands that are surrounded by P53 plots, natural features, railway lines or other features such as public roads/public drains/public parks (exceeding the limits set in Clause 19.3.1)

b. Lands that are surrounded by P53 plots, natural features, railway lines or other features such as public roads/public drains/public parks (exceeding the limits set in Clause 19.3.1)

25. In case of MRTS agencies (DMRC/ RRTS) and Railways, the operational areas for transportation such as tracks, depots, etc. shall not be considered as part of TOD scheme area for calculation of FAR/ ground coverage/ minimum scheme area for application of TOD norms.

26. MRTS Agencies and Railways may actively consider identified TOD Nodes for air space development over the stations/tracks, subject to structural and operational feasibility. These could be in the form of commercial (retail, offices, hospitality, etc.) and cultural/institutional spaces. The plans for such Over Station Development should be synchronized with the ZP for the area and reflect the character and intensity of surrounding development as per TOD norms. Wherever feasible, joint ventures for Station Area Development can be considered between the Railways and other adjoining land-owning agencies (both public and private).

vii. In case of MRTS agencies (DMRC/ RRTS) and Railways, the operational areas for transportation such as tracks, depots, etc. shall not be considered as part of TOD scheme area for calculation of FAR/ ground coverage/ minimum scheme area for application of TOD norms.

viii. MRTS Agencies and Railways may actively consider identified TOD Nodes for air space development over the stations/tracks, subject to structural and operational feasibility. These could be in the form of commercial (retail, offices, hospitality, etc.) and cultural/institutional spaces. The plans for such Over Station Development should be synchronized with the ZP for the area and reflect the character and intensity of surrounding development as per TOD norms. ~~Wherever feasible, joint joint ventures for Station Area Development can be considered between the Railways and other adjoining land-owning agencies (both public and private).~~ Wherever possible, crosswise level integration between TOD Scheme developments and mass transit stations shall be ensured, and the cost for the same shall be borne by the DC.

FRAMEWORK FOR IMPLEMENTATION OF THE POLICY

27. A special committee shall be constituted under each local body as a Competent Authority (CA) for providing all approvals for ZPs and TOD Schemes under the Policy. The constitution and composition of CA will be as per the Regulations to this Policy. The CA will have the authority to reject any TOD Scheme, if the same does not meet the requirements of the Policy and Regulations, and existing building byelaws.

28. DDA/UTTIPEC will facilitate implementation of this Policy, and will have the following responsibilities:

28.1. Identify and notify the list of TOD Nodes eligible for undertaking TOD development as per Clauses 5 to 8 of this Policy, and update/revise the same from time to time as required.

20.3 Framework For Implementation Of The Policy

i. ~~A special committee shall be constituted under each local body as a the Technical Committee of DDA shall be the Competent Authority (CA) for providing all approvals for ZPs and TOD Schemes under the Policy. The constitution and composition of CA will be as per the Regulations to this Policy. The CA will have the authority to reject any TOD Schemes, if the same does not meet the requirements of the Policy and Regulations, and existing building byelaws.~~ TOD Schemes shall be approved by the local body through an appropriate sanctioning committee with representation from DDA and other concerned departments and service providing agencies. TOD Schemes on DDA land shall be approved by DDA as per standard procedures.

ii. DDA/UTTIPEC will facilitate implementation of this Policy, and will have the following responsibilities:

a. Identify and notify the list of TOD Nodes eligible for undertaking TOD development as per the provisions Clauses 5 to 8 of this Policy, and update/revise the same from time to time as required.

b. Set up a dedicated portal or microsite for receiving applications as per Clause 20.1 (ii) and any other matter pertaining to

28.2. Delineate Influence Zones of notified TOD Nodes as per Clause 11 of the Policy.

28.3. Prepare and update IZPs for all notified TOD Nodes as per the provisions of the Policy and Regulations in a time bound manner.

28.4. Support verification of applicability of the TOD Policy on TOD Schemes submitted to the Competent Authority for approval.

28.5. Purchase the EWS housing stock created by the DC for EWS housing purpose (as per Clause 39 of this Policy) for further allotment to target beneficiaries.

29. Respective local bodies will be responsible for augmentation of infrastructure such as water supply, sewerage, electricity, road network and other essential services for enhanced density. Public works for area improvement identified under the IZPs shall also be implemented by the local body in a time bound manner. All such works will be planned and executed in coordination with concerned service providing agencies. Projects for Multi-Modal Integration (MMI) within the TOD Nodes may be implemented by the concerned mass transit agency or the respective local bodies or through partnerships between these agencies.

Implementation of the TOD Policy

b. Delineate Influence Zones of notified TOD Nodes as per Clause 11 of the Policy.

c. Prepare and update IZPs for all notified TOD Nodes as per the provisions of the Policy and Regulations and approve the same in a time bound manner.

d. Support verification of applicability of TOD Schemes as per the provisions of this Policy as required. applicability of the TOD Policy on TOD Schemes submitted to the Competent Authority for approval.

e. Set up and manage a dedicated TOD Fund for each TOD Node as per Clause 20.3.ii.

e.1. Purchase the EWS housing stock created by the DC for EWS housing purpose (as per Clause 20.4.v of this Policy) for further allotment to target beneficiaries.

iii. Respective local bodies will be responsible for The DC shall pay External Development Charges (EDC) to respective service providing agencies for provision and augmentation of infrastructure such as water supply, sewerage, electricity, road network and other essential services for enhanced density. The DC shall also pay Additional FAR Charges to the respective local bodies for undertaking area improvement works. Additionally, TOD Charges shall be collected by DDA and ringfenced through a dedicated TOD Fund set up for each TOD Node. In implementation the area improvement works undertaken by local bodies and ensure that all public works identified under the IZPs are commissioned and completed in a time bound manner. This will ensure that local funds are invested for the benefit of the local stakeholders. Public works for area improvement identified under the IZPs shall also be implemented by the local body in a time bound manner. All such works will be planned and executed in coordination with concerned service providing agencies.

iv. Projects for Multi-Modal Integration (MMI) within the TOD Nodes may be implemented by the concerned mass transit agency or the respective local bodies or through partnerships between these agencies. The TOD Planning Area shall be designated as a zero tolerance zone for traffic violations and any management initiatives such as parking regulation, one-way/two-way traffic management, etc., including incentives

	<p>recommended in the IZP, shall be implemented by the Delhi Traffic Police.</p>
<p>30. In order to finance such public works, External Development Charges (EDC) and TOD Charges will be levied on the TOD Schemes as prescribed in the Regulations. All such proceeds will be ring-fenced through a separate TOD Fund that will be set up under respective local bodies. Concerned ULB shall utilise the funds accrued from TOD Schemes for upgradation of infrastructure and area improvement works in the respective TOD nodes, so that local funds are invested for the benefit of the local stakeholders. All additional charges/fees such as parking charges, advertisement revenues, etc. from the TOD Nodes will be deposited into the TOD Fund and utilised for area improvement works in the nodes.</p>	<p>30. A city level 'TOD Coordination and Monitoring Committee' shall be set up to coordinate and monitor the works undertaken by various agencies. The Committee shall be constituted of representatives from all concerned departments and other stakeholder groups, with the Lieutenant Governor of Delhi as the Chairperson. It shall facilitate coordination between multiple agencies that are executing and maintaining the various improvement projects identified under the IZPs, and sanction all expenditure for area improvement from the TOD Funds. In order to finance such public works, External Development Charges (EDC) and TOD Charges will be levied on the TOD Schemes as prescribed in the regulations. All such proceeds will be ring-fenced through a separate TOD Fund that will be set up under respective local bodies. Concerned ULB shall utilise the funds accrued from TOD Schemes for upgradation of infrastructure and area improvement works in the respective TOD nodes so that local funds are invested for the benefit of the local stakeholders. All additional charges/fees such as parking charges, advertisement revenues, etc. from the TOD nodes will be deposited into the TOD Fund and utilised for area improvement works in the nodes.</p>
<p>31. Other Value Capture Finance (VCF) mechanisms such as Tax Increment Financing (TIF), betterment levy, etc. may also be adopted for augmenting public finances. The proceeds may be utilised by respective local bodies for area improvement works in the notified TOD Nodes or any other area improvement works identified under other Local Area Plans (LAPs) prepared within the jurisdiction of the local body.</p>	<p>31. Other Value Capture Finance (VCF) mechanisms such as Tax Increment Financing (TIF), betterment levy, etc. may also be adopted for augmenting public finances. The proceeds may be utilised by respective local bodies for area improvement works in the notified TOD nodes or any other area improvement works identified under other Local Area Plans (LAPs) prepared within the jurisdiction of the local body.</p>
<p>32. A Grievance Redressal Mechanism will be constituted to resolve all disputes and anomalies emerging from the implementation of the Policy.</p>	<p>32. Grievance Redressal for anomalies/ grievances that arise during the implementation of the Policy shall be as per Regulations. A Grievance Redressal Mechanism will be constituted to resolve all disputes and anomalies emerging from the implementation of the Policy.</p>
<p>33. Concerned local bodies shall set up single window facilities for transparent and fast-track implementation of the Policy.</p>	<p>33. Concerned local bodies shall integrate the development controls for TOD Schemes with their existing building plan approval system and ensure transparent and fast track approval of TOD Schemes. set up single window facilities for</p>

<p>34. The DE shall pay all applicable fees and charges and execute the development in accordance with the approved TOD scheme, the building sanctions for individual blocks and provisions of the Master Plan, ZDP and this Policy, as per timelines detailed in the Regulations. The DE shall also meet the EWS housing requirements (as set out in Clause 33) and develop and handover all public components of the scheme (roads, opens spaces, etc.) as detailed in the Development Control Norms of this Policy to the concerned local bodies.</p>	<p>viii. The DE shall pay all applicable fees and charges and execute the development in accordance with the approved TOD scheme, the building sanctions for individual blocks and provisions of the Master Plan, ZDP and this Policy, as per timelines provisions detailed in the Regulations. The DE shall also meet the EWS housing requirements (as set out in Clause 33) and develop and handover all public components of the scheme (roads, opens spaces, etc.) as detailed in the Development Control Norms of this Policy to the concerned local bodies.</p>
<p>DEVELOPMENT CONTROL NORMS FOR TOD SCHEMES</p>	<p>20.4 Development Control Norms For Tod Schemes</p>
<p>35. The Development Control Norms of this Policy shall be applicable to all TOD Schemes and prevail in case of conflict with any other policy/provisions within the MPD.</p>	<p>i. The Development Control Norms of this Policy shall be applicable to all TOD Schemes and prevail in case of conflict with any other policy/provisions within the MPD. <u>Development under TOD Schemes can be a mix of new development, redevelopment and partial/full retrofitting of existing structures. The strategy to be adopted shall be detailed by the DE as part of the TOD Scheme submission and approved as per the process laid out in the Regulations.</u></p>
<p>36. Permissible FAR</p>	<p>ii. Permissible FAR</p>
<p>36.1. The permissible FAR for TOD Schemes will be in a range of 300-500. The minimum FAR of 300 has to be achieved for development as per TOD norms. FAR for each plot in a TOD Scheme will be 1.5 times the initially allocated FAR, up to a maximum of 500. In case the permissible FAR for a plot works out to be lesser than 300, the same will be increased to the minimum threshold of 300.</p>	<p>a. <u>The permissible FAR for TOD Schemes will be in a range of 300-500. The minimum FAR of 300 has to be achieved for development as per TOD norms. The FAR for each plot in a TOD Scheme will be 1.5 times the initially allocated existing permissible FAR, up to a maximum of 500. In case the permissible FAR for a plot works out to be lesser than 300, it will be eligible for a minimum FAR of 300. The same will be increased to the minimum threshold at 300.</u></p>
<p>36.2. In order to incentivise larger redevelopment projects, any TOD Schemes with an area of 4 Ha or more will be eligible for a FAR of 500.</p>	<p>b. In order to incentivise larger redevelopment projects, any TOD Schemes with an area of 4 Ha or more will be eligible for a FAR of 500.</p>
<p>36.3. In case of TOD schemes where existing service lanes/ public roads/ public drains/ public parks, etc. have been included for maintaining continuity (as per Clause 19.3.1), and under such areas shall not be considered for computation of FAR.</p>	<p>c. In case of TOD schemes or <u>integrated TOD Schemes</u>, which include where existing service lanes/ public roads/ public drains/ public parks, etc. have been included for maintaining continuity (as per Clause 19.3.1) land under such areas shall not be considered for computation of FAR.</p>
<p>36.4. Any public amenities provided as part of the</p>	<p>d. Any public amenities provided as part of the</p>

development such as public toilets, bridges, etc. shall be free of FAR, subject to the condition that they are maintained regularly by the DE and remain open and accessible to public at all times of the day, failing which, the concerned local body shall take over the same.

- 30.5. TOD Schemes that are not able to utilise the permissible FAR due to height restrictions, may be allowed relaxations in ground coverage as prescribed in Clause 37 and setbacks as prescribed in Clause 41, without compromising the area to be maintained under Green Public Open Space (as per Clause 44) and subject to clearance from Delhi Fire Services.

37. Ground Coverage

- 37.1. Ground coverage shall be a maximum of 40% of the entire TOD Scheme/plot area.
- 37.2. Podiums shall be considered as part of ground coverage except if the criteria given in Clause 41.3 are met.

38. Size of dwelling units

- 38.1. The total number of dwelling units in a TOD Scheme shall be increased by at least 70% of the existing number of dwelling units prior to redevelopment.
- 38.2. There is no restriction on the size of residential units redeveloped for accommodating existing dwelling units within the TOD Scheme. However, at least 50% of the built-up area remaining after accommodating existing number of dwelling units, must be used for developing dwelling units of 100 sq.m. or lesser in size.
- 38.3. In case a TOD Scheme is comprised of plots with no existing residential development such as vacant residential plots or non-residential plots, at least 50% of the built-up area under dwelling units developed as part of the residential component shall be used for developing dwelling units of 100 sq.m. or lesser in size.

development such as public toilets, bridges, etc. shall be free of FAR, subject to the condition that they are maintained regularly by the DE and remain open and accessible to public at all times of the day, failing which, the concerned local body shall take over the same.

- e. TOD Schemes that are not able to utilise the permissible FAR due to height restrictions, may be allowed relaxations in ground coverage as prescribed in Clause 20.4.iii and setbacks as prescribed in Clause 20.4.vii.b, without compromising the area to be maintained under Green Public Open Space (as per Clause 20.4.x) and subject to clearance from Delhi Fire Services.

- f. Any future provisions in the Master Plan for availing Incentive FAR, linked to provision of public amenities, greening initiatives, etc. shall be applicable to developments under TOD Schemes.

II. Ground Coverage

- a. Ground coverage shall be a maximum of 40% of the entire TOD Scheme/plot area.
- b. Podiums shall be considered as part of ground coverage except if the criteria given in Clause 20.4.xiii are met.

IV. Size of dwelling units

- a. The total number of dwelling units in a TOD Scheme shall be increased by at least 20% of the existing number of dwelling units at the time of submission of TOD Scheme prior to redevelopment.
- b. There is no restriction on the size of residential units redeveloped for accommodating existing dwelling units within the TOD Scheme. However, at least 50% of the built-up area remaining after accommodating existing number of dwelling units, must be used for developing dwelling units of 100 sq.m. or lesser in size.
- c. In case a TOD Scheme is comprised of plots with no existing residential development such as vacant residential plots or non-residential plots, at least 50% of the built-up area under dwelling units developed as part of the residential component shall be used for developing dwelling units of 100 sq.m. or lesser in size.
- d. In case of TOD Schemes comprising of a mix

38.4. In case of TOD Schemes comprising of a mix of existing built-up and vacant residential plots and non-residential plots, the final mix of dwelling units in the TOD Scheme will be derived by applying Clauses 38.2 and 38.3 on a plot-by-plot basis.

38.5. Mandatory EWS housing requirement as per Clause 39 has to be met over and above these conditions.

39. EWS Housing:

39.1. EWS housing provision (unit size shall range between 32-40 sq.m.) shall be mandatory for all TOD Schemes, irrespective of the land use.

39.2. The DE shall utilize a mandatory FAR of 15% over and above the maximum permissible residential FAR for provision of EWS housing.

39.3. The entire EWS housing stock shall be sold to DDAs.

39.4. Necessary commercial and PSP facilities for EWS shall also be provided by the DE.

39.5. The EWS housing component created by the DE shall be subject to quality assurance checks, as prescribed in this regard by DDAs/GNCTU. The final handing/taking over of this component shall be subject to fulfilling the quality assurance requirements.

39.6. Parking norms of 0.5 ECS/ 100 sq. m. of BUA to be provided for EWS.

40. Mix of uses:

40.1. In all TOD Schemes, a minimum of 30% of overall FAR shall be mandatory for Residential use, a minimum 10% of FAR for commercial use and minimum 10% of FAR for community facilities. Mix of uses and FAR utilization for the remaining 50% FAR shall be as per the land use category designated in the ZDP, as detailed in the table below:

of existing built-up and vacant residential plots and non-residential plots, the final mix of dwelling units in the TOD Scheme will be derived by applying Clauses 20.4.iv on a plot-by-plot basis.

e. Mandatory EWS housing requirement as per Clause 20.4.v has to be met over and above these conditions.

vi. EWS Housing

a. EWS housing provision (unit size shall range between 32-40 sq.m.) shall be mandatory for all TOD Schemes, irrespective of the land use.

b. The DE shall utilize a mandatory FAR of 15% over and above the maximum permissible residential FAR for provision of EWS housing.

c. The entire EWS housing stock shall be sold to DDAs/local bodies at base cost, computed as per prevailing CWC index-retail index (as cost of EWS parking) which shall be enhanced as per CWC escalation cost index at the time of actual handing over.

d. Necessary commercial and PSP facilities for EWS shall also be provided by the DE.

e. The EWS housing component created by the DE shall be subject to quality assurance checks, as prescribed in this regard by DDAs/GNCTU. The final handing/taking over of this component shall be subject to fulfilling the quality assurance requirements.

f. Parking norms of 0.5 ECS/ 100 sq. m. of BUA covered area to be provided for EWS.

vii. Mix of uses

a. TOD Schemes may be comprised of plots of same or different land uses (typically large schemes with vacant lands) or different use premises (typically brownfield sites where gross land uses have been divided into smaller plots of different use premises as per approved master plan). FAR and mix of uses will be separately calculated for each of the plots in a TOD Scheme and aggregated for the entire TOD Scheme. The overall mix of uses will be proportionate to the area of land under each land use/ use premise. The permissible mix of uses for each plot in a TOD Scheme depending upon the assigned land use/use premise shall be as per the table below: In all TOD Schemes, a minimum of 30% of overall FAR shall be mandatory for residential use, a minimum of 10%

Land Use as per ZPP (At least 50% of Total FAR to be as per ZPP Use)	Permissible Mix of Uses within FAR Utilization			Indication: Use of Uses within remaining 50% FAR, as per ZPP land use
	Minimum Residential	Minimum Commercial	Minimum PSP use/activities	
Residential	30%	10%	10%	Of the remaining FAR, at least 20% or more is to be for residential use. Other uses are permitted up to 40%.
Commercial	40%	10%	10%	Of the remaining FAR, at least 40% or more is to be for commercial use. Other uses are permitted up to 10%.
Industrial	10%	10%	10%	Remaining 50% of FAR to be for industrial use.
Government	10%	10%	10%	Remaining 50% of FAR may be for any Government use.
Transportation	30%	10%	10%	Remaining 50% of FAR may be for any use after meeting all operational requirements for transportation facilities.

of FAR to be for residential use and 10% of FAR to be for any facility. 50% of remaining FAR to be for industrial use. At least 40% of remaining FAR to be for commercial use. Other uses are permitted up to 10%.

Table 20.1: Mix of Uses in TOD

Land Use as per ZPP (At least 50% of Total FAR to be as per ZPP Use)	Permissible Mix of Uses within FAR Utilization			Indication: Use of Uses within remaining 50% FAR, as per ZPP land use
	Minimum Residential	Minimum Commercial	Minimum PSP use/activities	
Residential	30%	10%	10%	Of the remaining FAR, at least 20% or more is to be for residential use. Other uses are permitted up to 40%.
Commercial	40%	10%	10%	Of the remaining FAR, at least 40% or more is to be for commercial use. Other uses are permitted up to 10%.
Industrial	10%	10%	10%	Remaining 50% of FAR to be for industrial use.
Government	10%	10%	10%	Remaining 50% of FAR may be for any Government use.
Transportation	30%	10%	10%	Remaining 50% of FAR may be for any use after meeting all operational requirements for transportation facilities.

PSI
Only
rough
plans
and
design
concept
plans
are
allowed
for
PSI
Clause
20.2.ii

The DAs for such plots shall be directly
linked for PSDs master plan in the TOD
Scheme.

40.1.1. The mandatory facilities and commercial component shall cater to the requirements of the residential population in that land parcel.

40.1.2. MATS/ RRTS/ Railways may be exempted from providing the minimum 30% Residential component applicable to all other DCs.

40.2. In case a TOD Scheme is constituted of plots with different designated land uses as per ZDP, then the overall mix of uses will be proportionate to the area of land under each land use.

41. Building controls within premises

41.1. In all TOD Schemes, boundary walls along any edge facing a public space (such as roads, parks, etc.) shall be prohibited with the exception of high security buildings. Enclosure of sites, if required, can be provided by fences, hedges or boundary walls that maintain unobstructed visual connection between the two sides above a height of 100 cm.

The mandatory facilities and commercial component shall cater to the requirements of the residential population in that land parcel:

~~Clause MATS/ RRTS/ Railways - may be exempted from providing the minimum 30% Residential component applicable to all other DCs.~~

- b. In case a TOD Scheme is constituted of plots with different designated land uses as per ZDP, then the overall mix of uses will be proportionate to the area of land under each land use as City level PSD plots applying as standalone TOD Schemes shall be developed as per provisions of Clause 20.2.ii.

vi. Building controls within premises

41.1. In all TOD Schemes, solid, non-transparent boundary walls along any edge facing a public space (such as roads, parks, etc.) shall be prohibited with the exception of high security buildings. Enclosure of sites, if required, can be provided by fences, hedges or boundary walls that maintain unobstructed visual connection between the two sides above a height of 100 cm.

- b. TOD Schemes shall maintain a 3m setback along all edges facing a public ROW of 18m and above. Such setbacks shall not have a compound wall and shall be kept open for public use at all times of the day. These setbacks may be used for providing space for fire hydrants, sit out spaces, porches and other building projections and green/unpaved strips along the edge. All other edges/sides shall maintain a setback of 12m. ~~Minimum setbacks applicable shall be as follows.~~

41.2. Minimum setbacks applicable shall be as follows:

Sr. No.	Building height (m.)	Front (m) - all sides facing a public ROW of 18m and above	All other sides (m)
1.	Up to 15	0	6
2.	17	0	7
3.	21	0	8
4.	27	0	9
5.	30	0	10
6.	35	0	11
7.	40	0	12
8.	45	0	13
9.	51	0	14
10.	55 and above	0	15

41.3. The setbacks shall always remain unblocked and shall be handed back to the local body to be used as public roads for services/ fire access and public movement under the control of the concerned local body. The minimum area to be handed back as public roads will be in form of setbacks given in the table above or 20% of the TOD Scheme area, whichever is greater.

41.4. The setbacks are subject to requirements of height and ventilation as per building byelaws. TOD Schemes shall be planned as per above setback norms, while endeavouring to ensure that distance between buildings is as per building byelaws and all dwelling units get a minimum 2-hour sunlight in at least one habitable room on the shortest winter day and have natural ventilation.

Sr. No.	Building Height (m.)	Front (m) - all sides facing a public ROW of 18m and above	All other sides (m)
1.	Up to 15	0	6
2.	17	0	7
3.	21	0	8
4.	27	0	9
5.	30	0	10
6.	35	0	11
7.	40	0	12
8.	45	0	13
9.	51	0	14
10.	55 and above	0	15

c. The setbacks shall always remain unblocked and shall be handed back to the local body to be used as public roads for services/ fire access and public movement under the control of the concerned local body. The minimum area to be handed back as public roads will be in form of setbacks given in the table above or 20% of the TOD Scheme area, whichever is greater.

d. The setbacks are subject to requirements of height and ventilation as per building byelaws. TOD Schemes shall be planned as per above setback norms, while endeavouring to ensure that distance between buildings is as per building byelaws and all dwelling units get a minimum 2-hour sunlight in at least one habitable room on the shortest winter day and have natural ventilation. For this purpose, the local bodies shall incorporate necessary sun-path and shadow modelling functionality within their building plan approval system. Appropriate noise reduction measures or noise barriers shall be incorporated where

41.5. Active frontage requirements for building facades shall be as follows:

Facing Street Right-of-Way	Minimum percent of building frontage at built-to ROW line to have active frontage*
ROW of $\geq 18m$	$\geq 50\%$
ROW of $< 18m$	No minimum requirement

*Active frontages include arcades, shop fronts, entrance doorways, access points, entry/exits and transparent windows. Commercial frontages shall have minimum 50% transparency (un-tinted) at ground floor level. The ground floor of all parking structures / podiums or stilts must be lined with active frontage facing the main streets.

41.5. Since main entries of buildings need to be from the main streets where zero setbacks are permitted, higher plinth levels may be used to create privacy for ground floor windows. It shall be ensured that steps, stoops, etc. at ground level do not encroach upon footpaths or any part of public ROW. However, projections (above first-floor level) of balconies, chajjas, etc. which are not countable in FAR, are permitted over streets subject to clearance by the concerned local bodies.

41.7. In the new layouts, underground pipelines for fire hydrants on the periphery, exclusively for firefighting services shall be provided. Necessary provisions for laying underground/ over ground firefighting measures, water lines, hydrants etc. shall be made by the concerned local body.

41.8. Access and all other provisions shall be as per Delhi Fire Service Act, 2007.

42. Parking Standards

42.1. On-street parking should be provided only where necessary within the influence zones of 100

buildings are adjacent to stations.

a. Active frontage requirements for building facades shall be as follows:

Table 20.2: Active Frontage

Facing Street Right-of-Way	(Minimum percent building frontage at built-to ROW line to have active frontage*
ROW of $\geq 18m$	$\geq 50\%$
ROW of $< 18m$	No minimum requirement

*Active frontages include arcades, shop-fronts, entrance doorways, access points, entry/exits and transparent windows. Commercial frontages shall have minimum 50% transparency (un-tinted) at ground floor level. The ground floor of all parking structures / podiums or stilts must be lined with active frontage facing the main streets.

f. Vehicle entries to buildings shall be located along side streets. Only pedestrian entries shall be located along streets with ROW of 18m and above, and at least one primary pedestrian entry to buildings/structures shall be located along such streets. In areas where entries of buildings need to be from main streets where zero setbacks are permitted, higher plinth levels may be used to create privacy for ground floor windows, since no compound walls are permitted along the major roads of 18m and above ROW. It shall be ensured that steps, stoops, etc. at ground level do not encroach upon footpaths or any part of public ROW. However, projections (above first-floor level) of balconies, chajjas, etc. which are not countable in FAR, are permitted over streets subject to clearance by the concerned local bodies.

g. In the new layouts, underground pipelines for fire hydrants on the periphery, exclusively for firefighting services shall be provided. Necessary provisions for laying underground/ over ground firefighting measures, water lines, hydrants etc. shall be made by the concerned local body.

h. Access and all other provisions shall be as per Delhi Fire Service Act, 2007.

vii. Parking Standards

a. On-street parking should be provided only where necessary within the influence zones

Notes: No free (un-paid) on-street parking for private vehicles and it should be priced higher than off-street parking.

42.2. Each on-street parking space shall be marked physically on ground and notified before commissioning, so as to facilitate enforcement by the law enforcement agencies.

42.3. All use premises within the TOD Schemes shall be permitted 1.33 Equivalent Car Space (ECS) per 100 sq.m. of floor area or as specifically prescribed by Parking Policy/Regulations for Delhi in the future. Indicative on-site parking requirements for projects are given below:

Mode	Distribution of overall parking (in percentage) *
Cars/Taxis	50
2 Wheelers	10
Cycles	10
Buses/Shared Vans	10
Commercial vehicles	10

*The above figures are indicative and may be customized on case to case basis. However, the above-mentioned proportion of cycle parking is mandatory.

42.4. The standards given in Equivalent Car Space (ECS) shall include parking for all types of vehicles i.e. cars, scooters, cycles, light and heavy commercial vehicles, buses etc.

42.5. DC shall provide at least 50% of all parking facilities within TOD schemes as 'public parking' facility. Appropriate signage shall be displayed for it.

42.6. Parking may be in the form of stack parking, surface parking, podium parking, basement parking, still parking on surface or within basements or podiums, or any other innovative methods, and it shall be counted towards ECS requirement.

42.7. For all grade parking, no boundary wall shall be permitted around parking lots though permission

of TOD Schemes. No free (un-paid) on-street parking to be provided for private vehicles and it should be priced higher than off-street parking.

i. Each on-street parking space shall be marked physically on ground and notified before commissioning being commissioned as a parking facility by the local body, so as to facilitate enforcement by law enforcement agencies.

ii. All use premises within the ~~OD~~ Schemes shall be permitted TOD Schemes shall provide 1.33 Equivalent Car Space (ECS) per 100 sq.m. of floor covered area, or as specifically prescribed by ~~DC~~ Parking Policy/Regulations for Delhi in the future. Indicative break-up of on-site parking requirements for projects are given below:

Table 20.3: Distribution of Parking

Mode	Distribution of overall parking (in percentage) *
Cars/Taxis	50
2 Wheelers	10
Cycles	10
Buses/Shared Vans	10
Commercial vehicles	10

*The above figures are indicative and may be customized on case to case basis. However, the above-mentioned proportion of cycle parking is mandatory.

i. The standards given in Equivalent Car Space (ECS) shall include parking for all types of vehicles i.e. cars, scooters, cycles, light and heavy commercial vehicles, buses etc.

ii. DC shall provide at least 50% of all parking facilities within TOD schemes as 'public parking' facility in the form of at-grade parking wherever feasible. Appropriate signage shall be displayed at a spot easily visible from surrounding public areas.

iii. Parking may be in the form of stack parking, surface parking, podium parking, basement parking, still parking on surface or within basements or podiums, or any other innovative methods, and all of which shall be counted towards ECS requirement.

iv. For all grade parking, no boundary wall shall be permitted around parking lots though permission

may be given for fencing or cordoning off with low height plantation, so that visual connection between parking lot and adjacent (adjacent) is maintained.

42.8. Only permeable materials to be used for surface parking. Secured cycle parking facilities (which are mandatory as part of the ECS requirement) shall be provided at least every 50-100 m.

42.9. No parking shall be permitted on or under any designated 'Green Public Open Space'.

42.10. Parking spaces for differently-abled to be provided as per Bureau of Indian Standards, National Building Code of India 2016, IRC:SP-12:2015 and MoHUA's Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disability and Elderly Persons, 2016.

43. Roads and connectivity

43.1. In case of TOD schemes where existing (existing) roads/public roads/public drains/public parks, etc., have been included in the TOD Scheme area for maintaining continuity, the following must be ensured:

43.1.1. The dimensions of existing public roads (in terms of both length and area) as currently existing on ground shall be retained. In case additional land is required from the DE for improvement/widening of adjoining road(s), then the DE will be allowed to avail the FAR for the entire land parcel within the remaining plot/scheme.

43.1.2. Where a public road passes through a TOD Scheme, for continuity of uses and floor-plates of buildings on adjacent blocks, connections may be provided over public Right-of-Ways in the form of bridges, covered corridors, skywalks, etc., subject to height clearance by the concerned authorities.

may be given for fencing or cordoning off with low height plantation, so that visual connection between parking lot and adjacent (adjacent) is maintained.

42.8. Only permeable materials to be used for surface parking. Secured cycle parking facilities (which are mandatory as part of the ECS requirement) shall be provided at least every 50-100 m interval.

42.9. No parking shall be permitted on or under any designated 'Green Public Open Space'.

42.10. Parking spaces for differently-abled to be provided as per Bureau of Indian Standards, National Building Code of India 2016, IRC:SP-12:2015 and MoHUA's Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disability and Elderly Persons, 2016.

ix. Roads and connectivity

43.1. In case of TOD schemes where existing (existing) roads/public roads/public drains/public parks, etc., have been included in the TOD Scheme area for maintaining continuity, the following must be ensured:

- Reconfiguration can be carried out only for public roads of less than 18m ROW provided the conditions set out in Clause 20.1.6 are met. All other public roads shall be retained on an as is where is basis. The dimensions of existing public roads (in terms of both length and area) currently in use on ground shall be retained. In case additional land is required from the DE for improvement/widening of adjoining road(s), then the DE will be allowed to avail the FAR for the entire land parcel within the remaining plot/scheme.

- For connecting buildings on adjacent blocks, extensions, bridges, covered corridors, skywalks, etc., may be provided over such public Right-of-Ways, subject to height clearance by the concerned authorities. Such areas shall be included within the permissible FAR except for the actual area over the public ROW, provided that the connection is only used for circulation.

43.2. Of the area taken up for development within a TOD Scheme, at least 20% of land (including setbacks) shall be utilized for construction of roads/circulation areas and handed over to the concerned local body/ road owning agency for public use. The DE shall provide additional roads/streets for public use within the TOD Scheme as per the following norms:

43.2.1. Road networks to be planned with a vehicular route network of approximately 250m c/c and pedestrian network of approximately 100m c/c.

43.2.2. Based on ground conditions, the street grid (i.e., c/c spacing between ROWs) requirement within the TOD scheme area may be relaxed by maximum 10%. Only pedestrian/ NMT networks can be considered in the form of corridors which run through/ under buildings or plots, as long as they are kept open for general public at all times.

43.2.3. All such roads shall be designed, developed and handed over free of encumbrances to the concerned local body.

43.3. All new public streets (including those developed in the setbacks) shall be as per Street Design Regulations; Annexure 12.0(I) of MPO 2021 and relevant IRC codes.

43.4. DE shall ensure that all new roads / streets must intersect to create junctions and integrate with the surrounding network to augment connectivity. There shall be no dead-end roads.

Where a public road passes through a TOD Scheme, for continuity of uses and floor plates of buildings on adjacent blocks, connections may be provided over public Right of Ways in the form of bridges, covered corridors, skywalks etc. subject to height clearance by the concerned authorities.

In case additional land is required from the DE for improvement/widening of adjoining road(s), then the DE will be allowed to avail the FAR for the entire land parcel within the remaining plot/scheme.

Of the area taken up for development within a TOD Scheme, at least 20% of land (including setbacks) shall be utilized for construction of roads/circulation areas and handed over to the concerned local body/ road owning agency for public use. The DE shall provide additional roads/streets for public use within the TOD Scheme as per the following norms:

Road networks to be planned with a vehicular route network of approximately 250m c/c and pedestrian network of approximately 100m c/c.

Based on ground conditions, the street grid (i.e., c/c spacing between ROWs) requirement within the TOD scheme area may be relaxed up to a maximum of 10%. Only pedestrian/ NMT networks can be considered in the form of corridors/covered streets which run through/ under buildings or plots, as long as they are kept open for general public at all times.

All such roads shall be designed, developed and handed over free of encumbrances to the concerned local body.

All new public streets developed as part of the TOD Scheme (including those developed in the setbacks) shall be as per Street Design Regulations; Annexure 12.0(I) of MPO-2021 and relevant IRC codes.

DE shall ensure that all new roads / streets must intersect to create junctions and integrate with the surrounding network to augment connectivity. There shall be no dead-end roads.

43.5. Safe at-grade crossings to be provided for pedestrians and NMT at all junctions and mid-block crossings.

43.6. In existing areas, where a fine network of pedestrian movement already exists, it shall be preserved as far as possible.

43.7. At least one primary pedestrian entry to each building/complex shall be located from the main access street.

44. Green Public Open Space

44.1. Public areas currently existing on ground shall be retained as is. Such areas can be improved in terms of dimensions, area and quality. Existing public parks with a maximum size for tot-lots as per Master Plan can be relocated within the TOD Scheme provided that their area remains the same. This shall be in addition to the mandatory Green Public Open Space as per Clause 44.2.

44.2. The mandatory Green Public Open Space shall be provided by the DE as part of the TOD Scheme, as follows:

44.2.1. 20% of the area of the amalgamated plot shall be designated as Green Public Open Space for public use. The DE shall design and develop the Green Public Open Space, as per approved layout plan, and hand it over to the concerned local body for maintenance. This is in addition to the 20% land area mentioned in Clause 43.3.

44.2.2. Additional 10% green/recreational area shall be developed by the DE for exclusive use of the occupants. This may include plazas, tot-lots, green spaces, gardens, common areas, etc., that can also be created on top of structured/ concretized areas such as basements, podiums, terraces, plazas, etc.

44.3. The extent of Podium area that is used as a green/recreational open space with natural vegetation shall not be included for computation of ground coverage.

44.4. The Green Public Open Space shall remain un

e. Safe at-grade crossings to be provided for pedestrians and NMT at all junctions and mid-block crossings.

f. In existing areas, where a fine network of pedestrian movement already exists, it shall be preserved as far as possible.

~~g. At least one primary pedestrian entry to each building/complex shall be located from the main access street.~~

x. Green Public Open Space

a. Reconfiguration can be carried out only for public parks designated as tot lots. All other parks/greens shall be retained on an as-is-where-is basis. Any such parks and greens included within TOD Schemes shall be in addition to the mandatory Green Public Open Space as per Clause 20.4.viii.c. Public areas currently existing on ground shall be retained as is but can be improved in terms of dimensions, area and quality. Existing public parks with a maximum size for tot-lots as per Master Plan can be relocated within the TOD Scheme provided that their area remains the same. This shall be in addition to the mandatory Green Public Open Space as per Clause 44.2.

b. Mandatory Green Public Open Space shall be provided by the DE as part of the TOD Scheme, as follows:

- 20% of the area of the amalgamated plot shall be designated as Green Public Open Space for public use. The DE shall design and develop the Green Public Open Space as per approved layout plan, and hand it over to the concerned local body for maintenance. This is in addition to the 20% land area mentioned in Clause 43.3.

- Additional 10% green/ recreational area shall be developed by the DE for exclusive use of the occupants. This may include plazas, tot-lots, green spaces, gardens, common areas, etc., that can also be created on top of structured/ concretized areas such as basements, podiums, terraces, plazas, etc.

c. The extent of Podium area that is used as a green/recreational open space with natural vegetation shall not be included for computation of ground coverage.

d. The Green Public Open Space shall remain

gated and open to general public at all times and have direct access from a major ROW (18m or above) on at least one side. The Green Public Open Space requirement shall constitute of at least one consolidated green with a minimum area of 2000 sq.m. The remaining area, if any, under Green Public Open Space can be configured as open spaces, at other locations within the TOD Scheme, with a minimum area as prescribed for a lot/lot as per the Master Plan. In case of TOD Schemes of less than 1 Ha area as per Clause 24, the Green Public Open Space shall be given as a single consolidated green.

The consolidated Green Public Open Space shall not be a linear strip located longitudinally along major ROWs. The width of the consolidated Green Public Open Space along the major ROW shall be a minimum of 10m or equivalent to 20% of the length of the side adjoining the major ROW, whichever is greater. This will create usable and well-proportioned spaces for public use as well as functions such as natural treatment systems, working landscapes, sports fields, edible landscapes, etc.

44.6. Parking is not permitted under or within the minimum 20% Green Public Open Space requirements.

44.7. Concerned local body may utilize up to a maximum of 20% of the land reserved for Green Public Open Spaces under each TOD Scheme for provision of public utilities envisaged under the IZPs.

45. Environment

45.1. The entire development has to be compliant with green building norms as per UGBl and prevailing MPD.

ungated and open to general public at all times and have direct access from a major ROW (18m or above) on at least one side. The Green Public Open Space requirement shall constitute of at least one consolidated green with a minimum area of 2000 sq.m. The remaining area, if any, under Green Public Open Space can be configured as open spaces, at other locations within the TOD Scheme, with a minimum area as prescribed for a lot/lot as per the Master Plan. ~~In case of TOD Schemes of less than 1 Ha area as per Clause 24, the Green Public Open Space shall be given as a single consolidated green.~~

e. The consolidated Green Public Open Space shall not be a linear strip located longitudinally along major ROWs. The width of the consolidated Green Public Open Space along the major ROW shall be a minimum of 10m or equivalent to 20% of the length of the side adjoining the major ROW, whichever is greater. This will create usable and well-proportioned spaces for public use as well as functions such as natural treatment systems, working landscapes, sports fields, edible landscapes, etc.

ef. The location and form of the Green Public Open Space shall ensure creation of green networks by maintaining continuity with proximate surrounding greens in adjoining plots/areas.

45. Parking is not permitted under or within the minimum 20% Green Public Open Space requirements.

g. Concerned local body may utilize up to a maximum of 20% of the land reserved for Green Public Open Spaces under each TOD Scheme for provision of public utilities envisaged under the IZPs.

45. Environment

a. The entire development has to be compliant with the mandatory sustainability provisions given in the UGBl and prevailing MPD. These include green building norms as per UGBl and prevailing MPD.

- Water Conservation and Management, including Rain Water Harvesting (by Recharge), Low Water Consumption Plumbing Fixtures, Waste Water Recycle

<p>45.2. The Scheme shall have mandatory adequate solid waste management facilities (preferably zero waste), waste water recycling facilities and rainwater harvesting.</p> <p>45.3. Surface drainage and infiltration patterns of the area shall not be obstructed under any circumstances. In case any toe-walls are provided within the TOD scheme, adequate inlets and gaps shall be provided so as not to obstruct surface drainage/ flow of rain water, etc.</p> <p>45.4. All prevailing regulations and laws related to preservation and planting of green covers/trees shall apply.</p> <p>46. Universal barrier-free access: All public spaces, roads, Green Public Open Spaces, parking areas, buildings, etc. within TOD Schemes and all area improvement works taken up as per the approved IZPs shall be designed for barrier free universal access as per Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disability and Elderly Persons, 2016 of the Ministry of Housing and Urban Affairs.</p>	<p>and Reuse and Reduction of landscape</p> <ul style="list-style-type: none"> ▪ <u>Solar Energy Utilization, including Installation of Solar Photovoltaic Panels, and Installation of Solar Assisted Water Heating Systems</u> ▪ <u>Energy efficiency, including Low Energy Consumption Lighting Fixtures /Electrical Appliances – BEE Star and Energy Efficient Appliances) and Energy Efficiency in HVAC systems</u> ▪ <u>Waste Management, including Segregation of Waste and Organic Waste Management</u> <p>vi. The Scheme shall have mandatory adequate solid waste management facilities (preferably zero waste), waste water recycling facilities and rainwater harvesting.</p> <p>b. Surface drainage and infiltration patterns of the area shall not be obstructed under any circumstances. In case any toe-walls are provided within the TOD scheme, adequate inlets and gaps shall be provided so as not to obstruct surface drainage/ flow of rain water, etc.</p> <p>c. All prevailing regulations and laws related to preservation and planting of green covers/trees shall apply.</p> <p>xii. Universal barrier-free access: All public spaces, roads, Green Public Open Spaces, parking areas, buildings, etc. within TOD Schemes and all area improvement works taken up as per the approved IZPs shall be designed for barrier free universal access as per 'Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disability and Elderly Persons', 2016 of the Ministry of Housing and Urban Affairs, Govt. of India.</p>
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20.0 TRANSIT ORIENTED DEVELOPMENT (TOD) POLICY

Transit-Oriented Development (TOD) is an innovative urban paradigm that involves leveraging existing and upcoming public transit infrastructure and associated large number of users, to ensure sustainable mobility and optimise utilisation of land through compact mixed-use development.

A TOD approach in Delhi will help in bringing people and jobs closer to mass transit and lead to much needed integration of land use and transport in the city. It will result in compact, walkable, mixed-use developments within influence zones of transit stations. This is a critical paradigm shift that can potentially improve public transit ridership, reduce vehicular congestion, and reduce greenhouse emissions and pollution in the long term.

TOD is also an important strategy for unlocking the latent economic potential and land values in the city. It will facilitate the development/regeneration of select nodes/areas in the city through planned intensification of uses and activities, infusion of new infrastructure and improvements in the public realm. This will also allow the city to capitalise on the large-scale investments being made into public transit infrastructure - Metro Rail, Regional Rapid Transit System (RTS), etc. by facilitating the improvement of old housing stock in addition to creation of new housing stock and economic centres around strategically located transit nodes and opening up opportunities for value capture.

The following key outcomes shall be targeted through the TOD Policy for Delhi:

- a) Optimised density and diversification of uses and activities: This will be facilitated through higher FAR norms and compact mixed-use development, with augmentation of infrastructure by respective service providing agencies, and application of norms for green buildings and environment conservation. Such an approach will result in achieving an optimum mix of activities and higher job densities close to public transit systems, unlock the development potential of these areas and facilitate value capture.
- b) Enhanced mobility:
 - Pedestrian and NMT friendly environment - providing highest priority to pedestrians and NMT, through various strategies such as restricted and high-priced public parking, traffic management plans, street improvements and creation of a fine network of pedestrian and NMT routes.
 - Modal shift in favour of public transport through multi-modal integration, enhanced walkability and last mile connectivity.
- c) Improved public realm: Generation of a vibrant and safe public realm for all age groups, with barrier-free universal access, achieved through place-making strategies

for creation of public plazas and open/green spaces, multi-utility zones, spaces for public art, etc.

d) Multi-modal integration

20.1 Definitions

- i. "TOD Nodes" - select mass transit stations identified by DDA. The provisions of this Policy shall only be applicable in the Influence Zones (defined in Clause 20.1.ii) of such identified TOD Nodes.
- ii. "Influence Zone"- an approximate area of 800m radius (walking distance of 5-10 minutes) from the points of alighting at the station). The centroid of transit station shall be used by DDA to delineate the Influence Zone. The Influence Zone will have two components:
 - a. "TOD Planning Area"- a notional area of 800m radius around transit stations. Influence Zone Plans shall be prepared for the TOD Planning Area. Actual boundaries of TOD Planning Area will be delineated by DDA through a realignment plan bounded by physical boundary features.
 - b. "Intense Development Area"- a smaller notional area of 500m radius within the TOD Planning Area. The norms and incentives of this Policy can only be availed by preparing TOD Schemes filling completely or partly within this area.
- iii. "Influence Zone Plan" (IZP)- an integrated plan, prepared for the TOD Planning Area. This will be customized to the site characteristics and context of each TOD Node, detailing various area improvement works such as road widening (if required for infrastructure augmentation), upgrading public streets to include multi-utility zones, and facilities for PT, pedestrian and NMT facilities, multi-modal integration, provision of public parking, urban furniture, signage, public conveniences, street vending zones and others. An approved IZP for a TOD Node is a prerequisite for submission and sanction of any TOD Schemes in that node.
- iv. "TOD Scheme" - means a development proposal for an area of minimum 1 Ha, fulfilling all eligibility criteria's.
- v. "Developer Entity" (DE) - a government or constituent land/property owner, a group of constituent land/property owners, or an entity (developer/business/corporate entity) representing the constituent land/property owners who intend to plan and develop a TOD Scheme. If the DE comprises of multiple entities, they have to come together through a valid and legally enforceable agreement between all the constituent land/property owners to participate.

20.2 Guiding Principles

- i. This will provide higher norms for FAR and mix of uses. In order to manage the impacts of such developments and maximise the opportunities, the Policy will be implemented strategically in select TOD Nodes with high development potential. This will enable the creation of well-planned growth centres, developed as per sustainability principles, and capable of developing into future economic drivers and cultural hubs for the city.
- ii. DDA will undertake a rapid assessment of the development potential of the various transit nodes in the city and identify a limited number of TOD Nodes on the basis of their strategic importance and ease of implementation.
 - a. Such transit nodes shall be along Metro rail, Railway, BRTS or any public transit system having the capacity to carry 10,000 or more peak hour peak direction traffic (PHPDT).
 - b. Strategic nodes will be identified on the basis of the following broad considerations:
 - The nodes shall have sites that can be readily taken up as TOD Schemes (adding up to a minimum of 8 Ha) such as vacant or underutilised government lands, government housing, commercial centres, industrial estates, etc. Availability of such sites will ensure that trigger projects can be taken up on priority to provide the necessary impetus for other projects to come up in the nodes.
 - They shall have a good mix of green field and/or low-density brown field sites.
 - Their location shall be strategic – either as economic/cultural hubs for the city or as potential triggers for development/regeneration of under-developed areas in the city.
 - They shall be amenable to augmentation of infrastructure such as water supply, sewerage, etc.
- iii. Additionally, further TOD nodes may be considered only if adequate interest has been expressed by constituent land and property owners i.e., at least 8 Ha of land is proposed to be developed in the form of a single or multiple TOD Schemes. A joint application shall be made to DDA comprising of the following:
 - a. Map showing the sites proposed to be developed as TOD Scheme/s,
 - b. List of landowners with details of location and area of land proposed under the TOD Schemes,
 - c. Letters of consent from all the land and property owners involved.

- DDA shall examine such proposals and may consider such nodes for inclusion under the Policy.
- iv. DDA will prepare an IZP for the delineated TOD Planning Area of each TOD Node. DDA may appoint expert consulting firms/institutions to expedite the process of IZP preparation. DE can also prepare IZPs for specific TOD Nodes and submit the same to DDA for scrutiny and final approval.
- In case two or more TOD Nodes are in close proximity with overlapping TOD Planning Areas, such areas shall be planned as an Integrated IZP.
 - The IZP shall integrate any other plans or schemes proposed for the area such as plans for enhancing walkability, street improvement, Parking Management District Plans, etc. Any Multi-Modal Integration (MMI), Station area development projects proposed around the transit stations by concerned transit agencies shall also be considered while preparing the IZP.
 - The IZPs may be updated/revised over time (as required) to reflect the changes due to development activity, to ensure that they continue to meet the needs of the area.
- v. All lands and properties within the respective Influence Zones will be eligible to undertake development as per the norms of this Policy, provided they fulfil the requirements for undertaking TOD Schemes as set out under Clause 20.2.1. Interested land owners may apply as a DE by preparing a TOD Scheme as per procedures set out in the Regulations.
- vi. While participation under the TOD Policy is voluntary, the Development Control Norms of this Policy can only be availed by participating through approved TOD Schemes. Land/property owners within the TOD Nodes who do not participate in the TOD Policy may undertake additions/alterations to their existing buildings as per the existing permissible FAR.

20.2 TOD Schemes

- TOD Schemes must fulfil the following criteria in order to be eligible:
- A TOD Scheme must cover a minimum area of 1 Ha. TOD Schemes may fully or partly fall within the Intense Development Area of a TOD Node. In any case:
 - At least 50% of the scheme area shall fall in the Intense Development Area,
 - The entire scheme area shall fall within the TOD Planning Area.

20.9 Transit Oriented Development (TOD) Policy

- b. A TOD Scheme must be accessible from an existing road having a minimum ROW of 18m, of a continuous length equivalent to at least 25% of the perimeter of the scheme.
- ii. Plots earmarked for Housing Area and Neighbourhood level PSPs (except senior secondary schools and parks) can be included within TOD Schemes, provided that the underlying land belongs to the DE/constituent landowners of the DE. In such cases, equivalent facilities of the same type and of the same area shall be provided in the scheme. These facilities shall be over and above the mandatory PSP requirements prescribed under this Policy.
- iii. A TOD Scheme can be constituted of separate plots adding up to 2 Ha that may be non-contiguous. In case, the plots are connected by either:
- Public roads (less than 18m ROW)
 - Public drains (not more than 5m width)
 - Public parks (not exceeding the open space hierarchy of 'lots' as per MPD)
- These shall not be considered for meeting the 1:10 area requirement or for computation of permissible FAR/ ground coverage.
- iv. Amalgamation and reconstitution of plots (including Housing Area and Neighbourhood PSPs) will be permitted for all TOD Schemes. Reconfiguration of existing roads and open spaces within a TOD Scheme area shall be permitted, provided that:
- a. the reconfigured layout provides equal or more area under roads and open spaces. In areas where a fine network of streets for pedestrian movement already exists, it shall be preserved as far as possible.
 - b. due approval has been obtained from the concerned zonal agency in case of public parks and roads. Such public areas shall be handed over to the concerned public agency and remain open to public at all times.
 - c. there is zero or minimal damage to existing trees.
- v. In case of brown-field sites, increase in the number of dwelling units shall be permitted under this Policy. However, the DE shall maintain the existing DU density as part of the reconstituted TOD Scheme.
- vi. TOD Schemes may be comprised of plots of same or different land uses (typically large schemes with vacant lands) or different use premises (typically brown field sites where gross land uses have been divided into smaller plots of different use premises as per approved layout plan). The permissible mix of uses for each plot in a TOD Scheme depending upon the assigned land use/use premise shall be as per the table below:

Table 20.1: Mix of Uses/ Distribution of FAR in TOD

Land Use/Use of premises of plot	Permissible Mix of Uses (distribution of FAR in TOD Scheme)			
	Minimum FAR for Residential Use	Minimum FAR for Commercial Uses	Minimum FAR for PSP and/or Utilities	Other Uses
Residential	50%	10%	20%	Other uses* are permitted up to 20%.
Commercial	10%	50%	10%	Other uses* are permitted up to 10%.
Industrial	30%	10%	10%	Remaining 50% of FAR to be for Industrial use.
Government	30%	10%	10%	Remaining 50% of FAR may be for any Government use.
Transportation	30%	10%	10%	Remaining 50% of FAR may be for any use after meeting all operational requirements for transportation facilities.
Mixed-use	30%	10%	10%	Remaining 50% of FAR may be for any use
PSP (only housing area and neighbourhood level PSP plots allowed as per Clause 20.2.11)	The FAR for such plots shall be entirely utilised for PSPs and/or utilities in the TOD Scheme.			

* This remaining FAR can be utilised as a mix of residential, commercial and PSP in any proportion as per project requirements.

- vii. FAR and mix of uses will be separately calculated for each constituent plot in a TOD Scheme. The overall mix of uses for a TOD Scheme shall be a sum total of the mix computed for each constituent plot. The DE shall have the flexibility to utilise such mix on the entire reconstituted scheme area as per design considerations, provided

that the overall mix is maintained. The prescribed mix can also be achieved through vertical mixing of uses within buildings, provided that:

- a. Only non-manufacturing industries (service industry like IT/ITES, NPO/KPO, etc.) and non-polluting MSME units are combined with other uses like residential, commercial and institutional,
- b. Educational institutions, anganwadis, creches, old age homes, etc., are not combined with health facilities, penal institutions such as correction facilities, jails, etc. or manufacturing and/or warehousing facilities,
- c. Educational and health facilities as mentioned above shall mandatorily be developed on the lower floors, preferably with access to open spaces being planned as part of the TOD Scheme,
- d. Separate entry/exits and service cores will have to be provided as required in buildings with vertical mix of uses, complying with statutory requirements of prevalent UBBL.

viii. The DE shall provide the following mandatory public areas as part of TOD Scheme layouts:

a. Green Public Spaces:

- 20% of the area of the amalgamated plot shall be designated as Green Public Space for public use. The DE shall design and develop the Green Public Space as per approved layout plan, and hand it over to the concerned local body for maintenance. No parking shall be permitted under or within such greens.
- Additional 20% green/recreational area shall be developed by the DE for exclusive use of the occupants. This may include plazas, lot-lots, green spaces, gardens, common areas, etc. that can also be provided on top of basements, podiums, terraces, etc. The extent of Podium area used for this purpose shall not be included for computation of ground coverage.
- Such greens shall remain un-gated and open to public at all times and have direct access from a major ROW (18m or above) on at least one side. The DE shall provide at least one consolidated green with a minimum area of 2000 sq.m.
- Concerned local body may utilize up to a maximum of 20% of the land reserved for Green Public Spaces under each TOD Scheme for provision of public utilities envisaged under the IZPs.

b. Public road network: DE shall provide additional roads/streets for public use within the TOD Scheme as per the following norms.

- Road networks to be planned with a vehicular route network of approximately 250m c/c and pedestrian network of approximately 100m c/c.
- Based on ground conditions, the street grid (i.e. c/c spacing between ROWs) requirement within the TOD scheme area may be relaxed up to a maximum of 10%.

- c. All such public areas including greens and roads shall be designed and developed by the DE and handed over free of encumbrances to the concerned local body for maintenance.
- ix. City-level PSP plots (commercially, district or zonal PSPs and secondary schools) cannot be part of any TOD Scheme. However, in order to meet the additional requirement for health, education and other PSP facilities to cater to the enhanced densities in TOD Nodes, any such PSP plots (greater than or equal to 1 Ha) falling entirely within the TOD Planning Area shall be permitted to apply as stand-alone TOD Schemes. Such schemes can avail an additional FAR of 1.5 times the existing permissible FAR up to a maximum of 500. The following additional conditions shall apply:
 - a. Mix use norms shall not be applicable to such sites, and the existing use premium shall be retained.
 - b. In case of school plots, the existing area under playgrounds shall be retained or increased within the same plot.
 - c. ROW of the adjoining road shall not be less than 30m.
- x. TOD Schemes falling in two TOD Nodes (where the influence zones of such TOD Nodes are adjacent and contiguous) can be considered for approval, provided they meet all other conditions under this Policy.
- xi. In case of MRTS agencies (DMRC/ MRTS) and Railways, the operational areas for transportation, such as tracks, depots, etc. shall not be considered as part of TOD scheme area for calculation of FAR/ ground coverage/ minimum scheme area for application of TOD norms. Joint ventures for Station Area Development can be considered between the Railways/MRTS Agencies and other adjoining land-owning agencies (both public and private). Wherever feasible, concourse level integration between TOD Scheme developments and mass transit stations shall be ensured, and the cost for the same shall be borne by the DE.

20.3 Framework for Implementation of the Policy

- i. DDA will facilitate implementation of this Policy, and will have the following responsibilities:
 - a. Identify TOD Nodes eligible for undertaking TOD development as per the provisions of this Policy, and update/revise the same from time to time as required.
 - b. Delineate Influence Zones of TOD Nodes.
 - c. Prepare/ensure preparation of IZPs for all TOD Nodes as per the provisions of the Policy and Regulations.
 - d. Set up and manage a dedicated TOD Fund for each TOD Node.
 - e. Set up a dedicated portal or microsite for all matters pertaining to implementation of the TOD Policy.

- ii. A Committee shall be set up under the chairpersonship of the Lieutenant Governor of Delhi comprising of representatives from DDA, various service providing agencies and all local bodies. This Committee will be responsible for:
 - a. Approval of any new TOD Nodes (other than any priority nodes identified under the Regulations).
 - b. Coordinate and monitor the works undertaken by various agencies for area improvement as prescribed in the IZP.
 - c. Sanction all expenditure for area improvement from the TOD Funds.
- iii. TOD Schemes shall be approved by the local body through an appropriate sanctioning committee with representation from DDA and other concerned departments and service providing agencies. TOD Schemes on DDA land shall be approved by DDA as per standard procedures.
- iv. The DE shall pay Additional FAR Charges to the respective local bodies for undertaking area improvement and infrastructure augmentation works (as required). Additionally, TOD Charges shall be collected by DDA and ring-fenced through a dedicated TOD Fund set up for each TOD Node.
- v. Projects for Multi-Modal Integration (MMI) within the TOD Nodes may be implemented by the concerned mass transit agency or through partnership with other public / private agencies. The TOD Planning Area shall be designated as a zero-tolerance zone for traffic violations and any management initiatives such as parking regulation, one-way/two-way traffic management, etc. including measures recommended in the IZP, shall be implemented by the Delhi Traffic Police.
- vi. Grievance Redressal for anomalies/grievances that arise during the implementation of the Policy shall be as per Regulations.
- vii. Concerned local bodies shall integrate the development controls of this Policy with their existing approval systems to ensure transparent and fast-track approval of TOD Schemes.
- viii. The DE shall pay all applicable fees and charges and execute the development in accordance with the provisions detailed in the Regulations.

20.4 Development Control norms for TOD Schemes

- i. The Development Control Norms of this Policy shall be applicable to all TOD Schemes and prevail in case of conflict with any other policy/provisions within the M.P.D. Development under TOD schemes can be a mix of new development, partial/full reconstruction and partial/full retrofitting of existing structures. The strategy to be

adopted shall be detailed by the DE as part of the TOD Scheme submission and approved as per the process laid out in the Regulations.

ii. FAR

a. The FAR for a TOD scheme shall be calculated as the sum of FAR calculations for all constituent plots. FAR entitlement for each constituent plot shall be calculated as follows:

- The FAR shall be 1.5 times the existing permissible FAR on the plot or 300, whichever is more.
- The maximum FAR limit for any plot included in TOD Schemes shall be 500.
- Larger TOD Schemes with an area of 4 Ha and direct access from roads of 30m ROW, will be eligible for FAR of 500 on all constituent plots, if feasible.

b. While consumption of the entire entitled FAR is not mandatory, the following shall be ensured by all TOD Schemes:

- Minimum FAR utilisation shall be equivalent to the existing permissible FAR for each of the plots.
- Overall proportion of mix of uses shall always be maintained.

c. In case of TOD Schemes that include existing service lanes/ public roads/ public drains/ public parks, etc. land under such areas shall not be considered for computation of FAR.

d. Any public amenities provided as part of the development such as public toilets, bridges, etc. shall be free of FAR, subject to the condition that they are maintained regularly by the DE and remain open and accessible to public at all times of the day, failing which, the concerned local body shall take over the same.

e. TOD Schemes that are not able to utilise the permissible FAR due to height restrictions, may be allowed relaxations in ground coverage and setbacks as per MPD, without compromising the area to be maintained under Green Public Spaces.

ii. Ground Coverage: shall be a maximum of 40% of the entire TOD Scheme/plot area.

iv. EWS Housing: DE shall utilize a mandatory FAR of 15% over and above the maximum permissible residential FAR for provision of good quality EWS housing, as per the norms of MPD.

v. Parking

a. On-street parking should be provided only where necessary within the influence zones of TOD Nodes. No free (un-paid) on-street parking to be provided for private vehicles and it should be priced higher than off-street parking.

b. TOD Schemes shall provide 1.33 Equivalent Car Space (ECS) per 100 sq.m. of covered area, with mandatory 10% of the parking area earmarked for bicycles.

- c. DE shall provide at least 50% of all parking facilities within TOD schemes as 'public parking' facility, in the form of at-grade parking wherever feasible.
 - d. Parking may be in the form of stack parking, surface parking, podium parking, stilt parking on surface or within basements or podiums, or any other innovative methods, all of which shall be counted towards ECS requirement.
 - e. No parking shall be permitted on or under any designated Green Public Space.
- xii. The entire development has to be compliant with the mandatory sustainability provisions given in the LUM and prevailing MPD. These include:
- a. Water Conservation and Management, including Rain Water Harvesting (by Recharge), Low Water Consumption Plumbing Fixtures, Waste Water Recycle and Reuse and Reduction of hard caps.
 - b. Solar Energy Utilization, including Installation of Solar Photovoltaic Panels, and Installation of Solar Assisted Water Heating Systems.
 - c. Energy efficiency, including Low Energy Consumption Lighting Fixtures (Electrical Appliances - BEE Star and Energy Efficient Appliances) and Energy Efficiency in HVAC systems.
 - d. Waste Management, including Segregation of Waste and Organic Waste Management.
- xiii. Universal barrier-free access - All public spaces, roads, Green Public Spaces, parking areas, buildings, etc. within TOD Schemes and all area improvement works taken up as per the approved ZPPs shall be designed for barrier-free universal access as per Harmonised Guidelines and Space Standards for Barrier Free Built Environment for Persons with Disability and Elderly Persons, 2015 of the Ministry of Housing and Urban Affairs, Govt. of India.
- xiv. Additional Development Controls for urban design, landscape and built environment shall be notified separately to regulate building and site-level aspects such as active frontage, streetscapes, integration of green-blue infrastructure, etc.

ITEM NO. 91/2019

SUBJECT: DRAFT REGULATIONS FOR TRANSIT ORIENTED DEVELOPMENT (TOD) IN DELHI.

R. 20(7)2015/M2/P-1

1.0 BACKGROUND

- 1.1 Central Government under Section 11A of DG Act, 1957 vide S.O. No. 1914(E) dated 14.07.2015 notified the policy and development control norms for Transit Oriented Development (TOD) as a part of Chapter 12.0 Transportation of MPD-2021.
- 1.2 Regulations for operationalization of the notified TOD policy was approved by the Authority in its meeting held on 17.02.2016 vide Item No. 05/2016 and was forwarded to the Ministry of Urban Development, Government of India for its consideration and approval.
- 1.3 Ministry of Urban Development, Government of India vide its letter No. K 12011/2/2015-UD-I dated 03.03.2017 requested DDA to revisit the proposed amendments in the TOD policy and proposed TOD regulations in light of the new development vis-à-vis National Policy on TOD.
- 1.4 Status of TOD policy was discussed in the meeting held under VC, DDA and it was desired that the TOD policy should be finalized in consultation with the National Institute of Urban Affairs (NIUA).
- 1.5 Accordingly, NIUA was requested to examine and prepare a revised TOD policy for Delhi with new holistic approach and considering the vision for growth of Delhi as a world class city.
- 1.6 Draft policy and regulations submitted by the NIUA have been discussed in various meetings and the suggestions/ recommendations have been incorporated by NIUA while finalization of the Regulations for TOD.
- 1.7 Draft Regulations for Transit Oriented Development (TOD) in Delhi was considered and approved by the Authority in its meeting held on 25.02.2019 vide item no. 11/2019 (Refer Annexure-I).

2.0 Follow up Action:

- 2.1 Delhi Development Authority issued a Public Notice dated 10.03.2019 with respect to proposed Regulations for Transit Oriented Development (TOD) for inviting views/ suggestions from the public within a stipulated time period of 30 days (Refer Annexure-II).
- 2.2 In response to the above public notice, total of 22 numbers of views/ suggestions were received. All the objections/ suggestions were placed before the Board of

Enquiry and Hearing (BoEH) in its meeting held on 12.07.2019. The Board heard 3 numbers of oral submissions of the persons who attended the hearing.

- 2.3 Taking into consideration the ground realities, the Board recommended that the proposed Regulations for Transit Oriented Development (TOD) as contained in the public notice dated 10.03.2019 may further be revised incorporating the Board recommendations. The Board also recommended that with respect to various issues arising out of the proposed TOD policy modification, necessary revisions in the Regulations for operationalization of TOD policy be carried out to sync with MPD-2021 modification. The minutes of the meeting of Board of Enquiry and Hearing is annexed as Annexure- III.
- 2.4 The issue arising from views/ suggestions and the recommendation of BoEH with TOD policy and Regulations were examined jointly by NEUA & DDA and discussed in various fora. Based on the discussion, the modifications in the Regulations for TOD as contained in the public notice dated 10.03.2019, were suggested. A comparative document suggesting the modifications vis-à-vis the public notice is placed as Annexure-IV.

3.0 PROPOSAL

Based on the para 2.4 above, the draft Regulations for Transit Oriented Development (TOD) in Delhi have been prepared and annexed as Annexure-V.

4.0 RECOMMENDATION

The proposal as contained in para 3.0 above is placed before the Authority for its approval under Section 57 of DD Act, 1957. After approval, the proposal shall be forwarded to the Ministry of Housing and Urban Affairs (MoHUA), Govt. of India for its approval before notification by DDA under Section 57 of Delhi Development Act, 1957.

RESOLUTION

The proposal contained in the agenda item was approved. The matter be referred to the Ministry of Housing and Urban Affairs, Govt. of India for approval under Section 57 of DD Act, 1957.

DELHI DEVELOPMENT AUTHORITY

Minutes of the meetings of the Delhi Development Authority held on 21st February, 2019 at 2.45 p.m. and 23rd February, 2019 at 10.00 a.m. at Raj Niwas, Delhi.

Following were present:

CHAIRMAN

Shri Anil Bajaj
Lt. Governor, Delhi

VICE CHAIRMAN

Shri Tarun Kapoor

MEMBERS

1. Shri K. Vinayak Ran
Finance Member, DDA
2. Shri Shrilendra Sharma
Engineer Member, DDA
3. Shri K. Sanjay Murthy
Addl. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
4. Member Secretary
NCR Planning Board
5. Shri Vijender Gupta, MLA &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
6. Shri Satnath Bharti, MLA
7. Shri S.K. Jagga, MLA
8. Shri O.P. Sharma, MLA
9. Shri Manish Aggarwal
Municipal Councillor, South Delhi Municipal Corporation

SECRETARY

Shri D. Sarkar
Commissioner-cum-Secretary, DDA

SPECIAL INVITEES

- 1 Smt. Renu Sharma
Chief Secretary (IC), Pr. Secretary (Finance), GNCTD
- 2 Dr. G Narendra Kumar
Principal Secretary (L&H), GNCTD
- 3 Smt. Vaishu Joshi
Commissioner, North Delhi Municipal Corporation
- 4 Dr. Dilraj Kaur
Commissioner, East Delhi Municipal Corporation
- 5 Sri S Suresh
Chief Planner, TCFD
- 6 Shri Manish Kumar Gupta
Principal Commissioner (J.D, L&M, Systems & Coordination), DDA
- 7 Smt. Sripal
Principal Commissioner (Pers., P&L & Landscape), DDA

11. GOVERNOR'S SECRETARIAT

- 1 Shri Vijay Kumar
Principal Secretary to Lt. Governor
- 2 Smt. Chanchal Yadav
Special Secretary to Lt. Governor
- 3 Shri Anoop Thakur
Private Secretary to Lt. Governor

1. Hon'ble Lt. Governor, Delhi/Chairman, DDA welcomed all the Members of the Authority, Special Invitees and service officers present in the meeting of the Authority.

Item No. 01/2019

Confirmation of minutes of the meeting of the Delhi Development Authority held on 14.12.2018 at Raj Niwas.

IT. 2(2)2019/MCYDDA

The minutes of the meeting of the Authority held on 14.12.2018 were confirmed as circulated.

2. Finance Member, DDA clarified that instructions have been issued to the concerned units for carrying out the reconciliation of Nazul-I properties occupied by unauthorized occupants, physical verification of inventories/fixed assets, preparation of land records of Nazul-I and reconciliation of sundry debtors in a time bound manner. Finance Member further clarified that Institute of Public Auditors have been engaged for preparation of formats for Balance Sheet of Nazul-I and Balance Sheet of Nazul-II will be prepared from the financial year 2019-2020. It was also clarified that for preparation of accounts on accrual basis, the process of implementation of ERP system is underway. It was decided that a time frame and action plan for the same may be drawn.
3. With above direction, Annual Accounts of DDA for the financial year 2017-18 as certified by CAG of India were ratified by the Authority.

Item No. 09/2019

Mercy Appeal/Review Petition filed by Shri Vikram Kumar, EE(Civil) under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulations, 1999.
U.26(30)93/EE(Vip.)-VDDA

1. Shri Vikram Kumar, EE (Civil), has filed a Mercy Appeal/Review Petition under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999 after a lapse of almost 12 years after rejection of his appeal. The said review/mercy petition was discussed and deliberated in detail by the Authority. The Authority observed that Sh. Vikram Kumar, the then JE (now EE (Civil)), has not brought out any new material or evidence in review/mercy petition, which could not be produced or was not available at the time of passing the order under review and which has the effect of changing the nature of the case.
2. In view of the above, the review/mercy petition filed by Sh. Vikram Kumar, EE (Civil) is rejected and thereby, the penalty imposed on him by the Disciplinary Authority shall remain the same. Accordingly, his review petition before the Authority under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulations, 1999 stands disposed of.

Item No. 10/2019

Draft policy for Transit Oriented Development (TOD) in Delhi - As a modification to MPD-2021.
U.20(7)2019/MU

The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions be issued.

Item No. 11/2019

Draft Regulations for Transit Oriented Development (TOD) in Delhi.
F.20(7)2015/MT/DA

The proposal contained in the agenda item was approved. For wider participation and transparency, the regulations be placed in the public domain for 30 days inviting views/suggestions from public.

Item No. 12/2019

Re-notification of compilation of Notifications of amendments in UBBL 2016 for comprehensive reference by the General Public and the Professionals as per direction of Ministry of Housing and Urban Affairs.
F.15(06)2016/MPPA

The proposal contained in the agenda item was approved. The amendments in the Unified Building Bye-laws-2016 (UBBL-2016) be referred to the Ministry of Housing and Urban Affairs, Government of India for approval under Section 57 of DD Act, 1957. The compilation of Notification of amendments in UBBL-2016 for comprehensive reference would be published thereafter by DDA after incorporating the above amendments.

Item No. 13/2019

Constitution of STU Committee under Section 5-A of DD Act, 1957.
F.15(03)2019/MF

The proposal contained in the agenda item was approved with the following modification:

The Co-opted Members to be also incorporated in the notification alongwith the Members of the STU as per OIA issued by the Ministry of Housing and Urban Affairs, Government of India.

The matter be referred to the Ministry of Housing and Urban Affairs, Government of India for approval under Section 57 of DD Act, 1957.

Item No. 14/2019

Draft Policy for Enhancing Walkability in Delhi.
F.1(331)2019/MT/DA

The proposal contained in the agenda item was approved. For wider participation and transparency, the regulations be placed in the public domain for three weeks for inviting views/suggestions from public.

ITEM NO. 11/2019

SUBJECT: DRAFT REGULATIONS FOR TRANSIT ORIENTED DEVELOPMENT (TOD) IN DELHI

R.20(1)2015/MP/Pt-II

1.0 BACKGROUND

- 1.1 Central Government under Section 13A of DD Act, 1957 vide S.O. No. 1914(I) dated 14.07.2015 notified the policy and development control norms for Transit Oriented Development (TOD) as a part of Chapter 12.0 Transportation of MPD-2021.
- 1.2 Regulations for operationalization of the notified TOD policy was approved by the Authority in its meeting held on 17.02.2016 vide item No. 05/2016 and was forwarded to the Ministry of Urban Development, Government of India for its consideration and approval.
- 1.3 Ministry of Urban Development, Government of India vide its letter No. K-12011/2/2015-DD I dated 03.03.2017 requested DDA to revisit the proposed amendments in the TOD policy and proposed TOD regulations in light of the new development vis-à-vis National Policy on TOD.
- 1.4 Status of TOD policy was discussed in the meeting held under VC, DDA and it was desired that the TOD policy should be finalized in consultation with the National Institute of Urban Affairs (NIUA).
- 1.5 Accordingly, NIUA was requested to examine and prepare a revised TOD policy for Delhi with new holistic approach and considering the vision for growth of Delhi as a world class city.
- 1.6 Draft policy and regulations submitted by the NIUA have been discussed in various meetings and the suggestions/ recommendations have been incorporated by NIUA while finalization of the Regulations for TOD.

2.0 PROPOSAL

Based on the above, the draft regulations have been prepared and are annexed as Annexure-A.

3.0 RECOMMENDATION

The proposal as contained in para 2.0 above is placed before the Authority for its approval under Section 57 of DD Act, 1957. After approval, for a wider acceptability and transparency the draft regulations shall be placed in public domain for inviting views / suggestions from the public.

RESOLUTION

(MASTER PLAN SECTION)

PUBLIC NOTICE

Delhi Development Authority has proposed 'Draft Regulations for Transit Oriented Development (TOD) in Delhi' prepared under Section 57 of DD Act, 1957. It has been decided to put these regulations in the public domain to get the views/ Suggestions of the general public / stakeholders. Accordingly, these regulations have been put up in public domain on DDA's website i.e. www.dda.org.in (under 'HOT LINKS' and 'PUBLIC NOTICES') for inviting views of the public/stakeholders within a period of Thirty Days (30) days from the date of issue of this Notice.

Any person having any views/ suggestions with respect to the proposed draft regulations may send the same in writing to the Commissioner cum-Secretary, Delhi Development Authority, B Block, Vyas Sadan, New Delhi-110023, within the above stipulated time period. The person making the views/ suggestions should also give his/ her name, address, telephone contact number(s) and e-mail which should be legible.

The text of the draft regulations for Transit Oriented Development (TOD) in Delhi shall also be available for reference at the Office of the Dy. Director, Master Plan Section, 6th Floor, Vyas Minar, IP Estate, New Delhi-110002 on all working days within the period referred above.

File No : F.2007/2015/MP/PT-4

Date : 10.03.2019

Place : New Delhi

Secy

(D. Sarker)

Commissioner cum Secretary,

Delhi Development Authority

www.dda.org.in

DELHI DEVELOPMENT AUTHORITY
OFFICE OF ADDL. COMMISSIONER (PLANNING)
 6TH FLOOR, VIKAS MINAR, NEW DELHI-110002
 PH: 911-23374770

No. F.20(07)2015/MP/PL 1/D- 25

Date: 08/08/2019

Sub: Minutes of the meeting of the Board of Enquiry & Hearing for hearing views/ suggestions received in response to Public Notice for "Draft Transit Oriented Development (TOD) Regulation.

Delhi Development Authority in its meeting held on 23.07.2019 vide item no. 11/2019 approved the proposal regarding "Draft Transit Oriented Development (TOD) Regulation". Accordingly, a Public Notice was published in on 19.03.2019 in leading newspapers for inviting objections/ suggestions from the public within a stipulated time period of 30 days under Section 57 of DD Act, 1957.

In response to the above public notice, total of 75 numbers of views / suggestions were received out of which 22 numbers of objections/ suggestions were received within the stipulated time period of 30 days. Views / suggestions received comprised of Govt. agencies, individuals, RWAs, Traders Associations, NGOs and public representatives.

All the above views / suggestions were placed before the Board of Enquiry and Hearing in its meeting held under the Chairmanship of Engineering Member, DDA on 12.07.2019. All the applicants who filed objections / suggestions were invited to present their submissions before the Board through India Post (Speed Post) and e-mails. A total of 8 persons attended the board hearing to make their oral submissions. All the applicants were given sufficient and reasonable time to present their submissions. A list of members, officers and applicants present during the hearing is enclosed as Annexure-A.

The following are the broad views/ suggestions made during the meeting:

S. No.	Issues	Observations of Board
1.	Special committee shall be constituted under each local body as a competent authority for providing an approvals for TDPs and TOD scheme under the policy excluding those on Railway Station/surroundings Railway lands. EDC and TOD charges should be levied on TOD	The specific clauses pertaining to the formation of the committee, preparation of TDP's will be as per the approved TOD policy.

	schemes (excluding those on Railway land) as prescribed in the Regulation. DDA/ CITEP&C will prepare an influence zone plan of TOD Nodes other than that on Railway station/surrounding Railway land.	
2.	The Power, roles and responsibilities of Competent Authority are not strong enough to ensure policy implementation. DDA should undertake the planning and implementation work rather than ill-equipped ULBs and other agencies.	The specific clauses pertaining to the formation of the committee, preparation of IZP's will be as per the approved TOD policy.
3.	Access and other provisions shall be as per existing Delhi Fire Service Act.	All notices as per DRB, & Fire Services Act would need to be adhered to.
4.	Two types of charges i.e. EDC and TOD charges will be levied on the TOD schemes. Presently in Delhi enhanced FAR charges are levied for augmentation of services as per notification dated 29.06.2018. DDA to review the matter accordingly for levying only enhance FAR charges instead of 2 types of charges. Apply only Additional FAR charges rather than EDC and TOD Charges under TOD. Additional FAR allowed over and above the permissible limit should be charged as a compoundable fee and not as penalty fee.	The Clauses related to charges would be suitably dovetailed as per the approved policy.
5.	The Regulations are silent about time frame for external development works (EDW) to be completed by respective Municipal Corporations/Service providing agencies. As given in clause 7.3 of regulations time frame with penalty for DE has been given similar provision for EDW non completion/implementation requires to be made for Municipal Corporation/Service	The Clauses would be suitably modified.

	providing agencies.	
6.	DDA to prepare and notify the IZPs for all the notified TOD nodes in a period of 3 months or in a time bound manner, it is suggested that the said provision may please deleted. Once transit nodes are notified simultaneously DDA to finalize redevelopment policy for remaining area instead of present piecemeal approach for redevelopment.	The notification of TOD nodes and subsequent preparation of IZPs would be as per the policy. The areas not covered under TOD policy can be redeveloped as per the Redevelopment Policy of MPD-2021
7.	TOD Policy has only reduced the necessary car parking provision without putting a cap on it. Limited supply and high priced car parking in TOD zones should be allowed with cap.	The clauses related to car parking provisions have been suitably worked out.
8.	There is need for clearer codes/guidelines for water recycling and reuse, energy conservation/passive design and solid waste management which can be implemented through strict legislation and enforcement mechanism under TOD.	These have been suitably elaborated in the TOD policy /Regulation.
9.	If maximum permissible height of 45 meters is not achievable then additional Ground coverage of 10% shall be allowed for such TOD Scheme/plot area.	The recommendation is placed on record.
10.	EWS housing provision shall be mandatory for only Cause schemes where Residential Component of the development is involved.	The policy envisages inclusive development.
11.	Relaxation in minimum scheme area for plots allotted by L&DO/DDA.	The policy has to be implemented in Toto and does not provide for exemption.

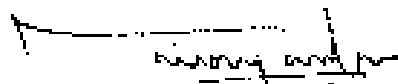
Recommendation of the Board:

The issues related to levy and collection of charges, nature of charges to be levied, definition of Competent Authority, its roles & responsibilities, preparation of IZPs, dispensation to various organizations etc. were discussed.

In respect of the above issues, based on the views/suggestion made during the Board of Enquiry and Hearing held on 12.07.2019 and taking into consideration of the ground realities, the Board recommended that the proposal as contained in the public notice dated 10.03.2019 may further be processed as per Section 57 of DD Act, 1957. The Board recommended to carry out necessary revisions in the Regulations for operationalization of TCO policy based on the Board recommendation with respect to proposed policy modification in the proposed Chapter-20: TCO Policy to sync with proposed MPD modification.



Addl. Commissioner (Plg.) DDA
(Convener & Secretary of the
Board of Enquiry & Hearing)



Finance Member, DDA
(Member of the Board of
Enquiry & Hearing)



Chief Planner, TCPD, Gul
(Member of the Board of
Enquiry & Hearing)



Engineer Member, DDA
(Chairman of the Board of
Enquiry & Hearing)

Modifications proposed in the Regulations for TOD as contained in the public notice dt. 10.03.2019

Draft TOD Regulations (Public Notice dt. 10.03.2019)	Modification suggested after BoEH
<p>1. SHORT TITLE AND COMMENCEMENT</p> <p>i. These regulations shall be called the "Transit Oriented Development (TOD) Regulations"</p> <p>ii. These regulations shall come into force with effect from the date of publication of this Notification in the Gazette of India.</p> <p>iii. All words and expressions used in these regulations but not defined shall have the meaning assigned to them in the Delhi Development Act, 1957, the Master Plan in force, and the Delhi Municipal Corporation Act, 1957 and the New Delhi Municipal Council Act, 1995, as the case may be.</p> <p>iv. If any question arises relating to the interpretation of these Regulations, it shall be decided by the Central Government.</p>	<p>1. SHORT TITLE AND COMMENCEMENT</p> <p>i. These regulations shall be called the "Transit Oriented Development (TOD) Regulations"</p> <p>ii. These regulations shall come into force with effect from the date of publication of this Notification in the Gazette of India.</p> <p>iii. All words and expressions used in these regulations but not defined shall have the meaning assigned to them in the Delhi Development Act, 1957, the Master Plan in force, and the Delhi Municipal Corporation Act, 1957 and the New Delhi Municipal Council Act, 1995, as the case may be.</p> <p>iv. If any question arises relating to the interpretation of these Regulations, it shall be decided by the Central Government.</p>
<p>2. DEFINITIONS</p> <p>2.1. "Active Frontage" include arcades, shop-fronts, entrance doorways, access points, entry/exits and transparent windows.</p>	<p>2. DEFINITIONS</p> <p>2.1. "Active Frontage" include arcades, shop-fronts, entrance doorways, access points, entry/exits and transparent windows.</p>
<p>2.2. "Competent Authority" (CA) means a special committee constituted for providing all approvals for IZPs and TOD Schemes as per Clause 27 of the TOD Policy.</p>	<p>4.1-2.2. "Additional FAR Charges" means the charges to be paid by the Developer Entity for the additional FAR proposed to be utilised (over and above existing permissible FAR), to the concerned local body as per prescribed rules.</p>
<p>2.3. "Competent Authority" (CA) means a special committee constituted for providing all approvals for IZPs and TOD Schemes as per Clause 27 of the TOD Policy.</p>	<p>2.2-2.3. "Competent Authority" (CA) means the Technical Committee of DDAs—special committee constituted for providing all approvals for IZPs and TOD Schemes as per Clause 27 of the TOD Policy.</p>
<p>2.3. "Developer Entity" (DE) means a government or private land/property owner, a group of land/property owners, or an entity (developer/business/corporate entity) representing a group of land/property owners who intend to plan and develop a TOD Scheme. If the DE comprises of</p>	<p>2.2-2.4. "Developer Entity" (DE) means a government or private land/property owner, a group of land/property owners, or an entity (developer/business/corporate entity) representing a group of land/property owners who intend to plan and develop a TOD Scheme. If the DE</p>

multiple entities, they have to come together through a valid and legally enforceable agreement between all the constituent land owners to participate in, apply for, and abide by and be bound by the terms and conditions of TOD Schemes.

2.4. "External Development Charges" (EDC) mean the charges to be paid by DE towards the cost of augmentation of infrastructure and services, including inter-alia, roads, water supply, sewerage, solid waste management, drainage systems, etc.

2.5. "Development License" means the license issued pursuant to Clause 6.8 of the regulations.

2.6. "Influence Zone" of a transit station is an approximate area of 500-800m radius (a walking distance of 5-10-minute) from the points of alighting at the station. The Influence Zone will have two components.

2.6.1. "TOD Planning Area" is a notional area of 800m radius around transit stations. Actual boundaries of TOD Planning Area will be delineated by DDA/UTHP&C through a realignment of the notional circle with closest roads, natural and topographical features, railway lines, etc. as applicable, within the 800m horizon.

2.6.2. "Intense Development Area" is a notional area of 500m radius around the transit station. All development/redevelopment of plots as per the Development Control Norms of this Policy and Regulations thereof will be applicable to TOD Schemes falling completely or partly within this area.

multiple entities, they have to come together through a valid and legally enforceable agreement between all the constituent land owners to participate in, apply for, and abide by and be bound by the terms and conditions of TOD Schemes.

2.4.2.5. "External Development Charges" (EDC) mean the charges to be paid by DE to respective service providing agencies towards the cost of provision and augmentation of infrastructure and services, including inter-alia, roads, water supply, sewerage, solid waste management, drainage systems, power, etc. [as applicable]

~~2.5. "Development License" means the license issued pursuant to Clause 6.8 of the regulations.~~

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2.6.2. "Intense Development Area" is a notional area of 500m radius around the transit station. All development/redevelopment of plots as per the Development Control Norms of this Policy and Regulations thereof will be applicable to TOD Schemes falling completely or partly within this area. The control of all entry and exit points of the transit station shall be used by DDA as the centre for defining the 500m notional circle.

2.7. "Influence Zone Plan" (IZP) is an integrated plan, customized to the site characteristics and context of each TOD Node, detailing various area improvement works such as upgrading public streets to include multi-utility zones, and facilities for IPT, pedestrian and NMT facilities, multi-modal integration, provision of public parking, urban furniture, signage, public conveniences, street vending zones and others as per the Clauses 12 to 15 of the TOD Policy.

2.8. "TOD Charges" means charges paid by a Developer Entity to concerned local body for the additional FAR proposed to be utilised (over and above existing permissible FAR) as per the norms of the TOD Policy.

2.9. "TOD Fund" means an escrow account setup under respective local bodies to utilise the funds accrued from TOD Schemes. The TOD Fund is ring-fenced for utilization within the TOD Planning Area, for upgradation of infrastructure and other area improvement works.

2.10. "TOD Nodes", the transit station and the Influence Zone together form a 'TOD Node'.

2.11. "TOD Scheme" means a development proposal for an area of minimum 1 hectare, fulfilling all eligibility criteria as per Clauses 19 to 26 of the TOD Policy.

3. APPLICABILITY OF THE POLICY

3.1. DDA will notify the list of selected TOD Nodes from time to time as per Clauses 5 to 8 of the TOD Policy, along with maps showing the delineated TOD Planning Area for each TOD Node. The TOD Policy will only

2.7. "Influence Zone Plan" (IZP) is an integrated plan, customized to the site characteristics and context of each TOD Node, detailing various area improvement works such as upgrading public streets to include multi-utility zones, and facilities for IPT, pedestrian and NMT facilities, multi-modal integration, provision of public parking, urban furniture, signage, public conveniences, street vending zones and others as per the Clauses 12 to 15 of the TOD Policy.

2.8. "TOD Charges" means charges paid by a Developer Entity DDA for facilitating area improvement works as recommended in the IZP. The charges shall be set by the concerned local body to be utilised for the purpose of the TOD Policy.

2.9. "TOD Fund" means an escrow account setup by DDA separately for each TOD Node, which respective local bodies to utilise the funds-TOD Charges accrued from TOD Schemes. The TOD Fund is shall be ring-fenced for utilization within the respective TOD Planning Area, for implementing various for upgradation of infrastructure and other area improvement works envisaged as part of IZP.

2.10. "TOD Nodes", means the select mass transit stations and their Influence Zones identified and notified by DDA as per Clauses 5 to 8 of the TOD Policy. The transit station and the influence zone together form a TOD Node.

2.11. "TOD Scheme" means a development proposal for an area of minimum 1 hectare, fulfilling all eligibility criteria as per Clauses 19 to 26 of the TOD Policy.

3. APPLICABILITY OF THE POLICY

3.1. DDA will notify the list of selected TOD Nodes from time to time as per Clauses 5 to 8 of the TOD Policy, along with maps showing the delineated TOD Planning Area for each TOD Node. The TOD Policy will

be applicable in the influence zones of such notified TOD Nodes.

3.2. The TOD Policy will NOT be applicable in the following areas:

3.2.1. Environmental Protection Zones as identified in the Master Plan

3.2.2. Zone O and buffers

3.2.3. Villages notified under Green Belt

3.2.4. Lutyen's Bungalow Zone, Chanakyaपुरी (as per layout plan of New Delhi Municipal Council, L&DO)

3.2.5. Walled City

3.2.6. Villages notified under LDRA

3.2.7. Villages notified under the Land Policy

3.2.8. Monument Regulated Area (Development in Monument Regulated Area shall be allowed under the TOD Policy, subject to compliance of ASI/NMA Act/Guidelines. If part of any TOD Scheme falls within a Monument Regulated Zone, the benefit of FAR can be availed on those areas of the TOD Scheme that lie outside the regulatory boundaries)

3.2.9. Civil Lines Bungalow Area (as per layout plan of North Delhi Municipal Corporation, DDA)

4. PREPARATION OF INFLUENCE ZONE PLANS

4.1. Each concerned local body will notify a Competent Authority (CA) under their respective Act for facilitating various approvals of IZPs and TOD Schemes, and overall Implementation of the Policy. The Municipal Commissioner, will act as the Chairperson of the CA, which will include senior officers nominated as designated CA members from the following agencies/departments:

4.1.1. Planning Dept., DDA

4.1.2. Land Management, DDA

4.1.3. UTIPEC, DDA

4.1.4. Relevant departments of the concerned local body

4.1.5. Delhi Urban Arts Commission

4.1.6. Dept. of Transport, GNCTD

only be applicable in the influence zones of such notified TOD Nodes.

3.2. The TOD Policy will NOT be applicable in the following areas:

3.2.1. Environmental Protection Zones as identified in the Master Plan

3.2.2. Zone O and buffers

3.2.3. Villages notified under Green Belt

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4.1.2. Land Management, DDA

4.1.3. UTIPEC, DDA

4.1.4. Relevant departments of the concerned local body

4.1.5. Delhi Urban Arts Commission

4.1.6. Dept. of Transport, GNCTD

- 4.1.7. Delhi Jal Board
- 4.1.8. Delhi Fire Services
- 4.1.9. Dept. of Power, GNCTD
- 4.1.10. Public Works Dept., GNCTD
- 4.1.11. Others as necessary

4.2. DDA/UT/UTPEC shall commission preparation of IZPs for all the notified TOD Nodes in a time bound manner as per the provisions of Clauses 12 to 15 of the TOD Policy, so as to facilitate further development of these areas.

4.3. Each CA shall set up a team/cell in the premises of the respective local body, comprising of ULB staff with additional charge of TOD related technical support. DDA/UT/UTPEC will provide technical advisory support to this team/cell. Competent to verify eligibility of schemes and facilitate development of TOD Nodes as per the objectives of the TOD Policy.

- 4.4. An IZP will assess the following:
- 4.4.1. Likely demand for infrastructure and services due to intense TOD development.
 - 4.4.2. Assessment of existing traffic conditions and capacity of existing transport infrastructure to meet the requirements of new developments.
 - 4.4.3. Audit of streets to review walkability

- 4.1.7. Dept. of Transport, GNCTD
- 4.1.8. Dept. of Road
- 4.1.9. Dept. of Fire Services
- 4.1.10. Dept. of Power, GNCTD
- 4.1.11. Other engineering/technical services as may be required
- 4.1.12. Public Works Dept., GNCTD
- 4.1.13. Others as necessary

4.2.1.1. ~~DDA/UT/UTPEC~~ shall commission preparation of IZPs for all the notified TOD Nodes in a time bound manner as per the provisions of Clauses 12 to 15 of the TOD Policy, so as to facilitate further development of these areas. Developer Entities (DEs) can also prepare an IZP for a specific TOD Node and submit the same to DDA for scrutiny and final approval.

4.2.1.2. The Technical Committee of DDA (with adequate representation from local bodies) shall be the Competent Authority for approving the IZPs prepared for each node. UT/UTPEC shall provide the necessary technical support to the Committee. In a similar manner, ~~the respective local bodies shall provide the necessary technical support to the Committee.~~ UT/UTPEC shall provide technical advisory support to the teams/cells constituted to verify eligibility of schemes and facilitate development of TOD Nodes, so as to meet the objectives of the TOD Policy.

- 4.4.1.3. An IZP will be prepared to assess the following:
- 4.4.1.3.1. Development of infrastructure and services due to intense TOD development.
 - 4.4.1.3.1. Assessment of existing traffic conditions, patterns and likely impact of new development, especially in terms of congestion, capacity, etc. existing transport infrastructure, etc. to meet the requirements of new developments.
 - 4.4.1.3.2. Audit of streets to review

and integration of NMT. This will include reviewing the availability of public amenities.

4.4.4. Identification of activity patterns, including Informal commercial areas, and uses of public space

4.4.5. Identification of likely sites for multi-level parking facilities

4.4.6. Assessment of existing pattern of greens, and availability of iconic public areas and assets such as sites of ecological/cultural/heritage interest.

4.4.7. Mapping of ongoing and proposed infrastructure projects or other public works by various service providing agencies like DJB, PWD, CPWD, urban local body, DDA, etc. in the node

4.5. An IZP will cover the following recommendations for area improvement:

4.5.1. Traffic and parking management plan (including upgradation of transport infrastructure if necessary)

4.5.2. Projects for upgradation of public streets to facilitate IPT, pedestrian and NMT movement (taking into account any plans or schemes proposed for the area such as plans for Improving walkability, Parking Management Districts, street improvement, infrastructure augmentation, etc.). This will also include improvement of urban furniture, signage, number and frequency of public conveniences, etc.

4.5.3. Integration of projects of over station development, Station Area Development, Multi-Modal Integration (MMI), etc. proposed for the TOD Node by concerned transit agencies.

4.5.4. Projects for improvement of open spaces, public spaces, location of

walkability and integration of NMT. This will include reviewing the availability of public amenities and street furniture.

4.4.3.3. Identification of activity patterns, including Informal commercial areas, and uses of public space

4.4.3.4. Identification of likely sites for multi-level parking facilities

4.4.3.4.4. Assessment of existing pattern of greens, and availability of iconic public areas and assets such as sites of ecological/cultural/heritage interest.

4.4.3.5. Mapping of ongoing and proposed infrastructure projects or other public works by various service providing agencies like DJB, PWD, CPWD, urban local body, DDA, etc. in the node

4.5.4. An IZP will cover the following recommendations for area improvement:

4.5.4.1. Traffic and parking management plan (including upgradation of transport infrastructure if necessary)

4.5.4.2. Projects for upgradation of public streets to facilitate IPT, pedestrian and NMT movement (taking into account any plans or schemes proposed for the area such as plans for improving walkability, Parking Management Districts, street improvement, infrastructure augmentation, etc.). This will also include improvement of urban furniture, signage, number and frequency of public conveniences, etc.

4.5.4.3. Integration of projects of over station development, Station Area Development, Multi-Modal Integration (MMI), etc. proposed for the TOD Node by concerned transit agencies.

4.5.4.4. Projects for improvement of open spaces, public spaces, location

of vending zones, etc.

4.6. IZPs will be prepared in consultation with the various stakeholders, service providing agencies, and the concerned local bodies.

4.7. All IZPs will be approved by the concerned Competent Authority and published in the public domain.

5. PREPARATION AND SUBMISSION OF TOD SCHEMES

5.1. TOD Schemes for a TOD Node can be submitted for approval at any time after the IZP for the Node has been approved by the CA. TOD Schemes shall be submitted through the single window facility created for the purpose.

5.2. The final approval for TOD Schemes will be given by the concerned CA.

5.3. In order to participate, individual/ group of owners may need to partner with other adjoining land owners/ property owners to form a Developer Entity (DE) and prepare a single TOD Scheme.

5.4. TOD Schemes fulfilling the criteria set out in Clauses 19 to 26 of the TOD Policy can be submitted by DEs after payment of a registration fee as prescribed.

of vending zones, etc.

4.6. IZPs will be prepared in consultation with the various stakeholders, service providing agencies, and the concerned local bodies.

4.7. All IZPs will be approved by the concerned Competent Authority and published in the public domain.

5. PREPARATION AND SUBMISSION AND APPROVAL OF TOD SCHEMES

5.1. TOD Schemes for a TOD Node can be submitted for approval at any time after the IZP for the Node has been approved by the CA/Competent Authority. Two or more adjacent TOD Schemes can be planned as an integrated TOD Scheme (as per provisions of Clause 19.4.3 of TOD Policy) and can be submitted as part of a single TOD Scheme application. IZP—Scheme

5.2. The final approval for TOD Schemes will be given by the concerned Local body, through an appropriate sanctioning committee with representation from DDA and other concerned departments and service providing agencies. TOD Schemes falling in the jurisdiction of more than one local body shall be referred to the TOD Coordination and Monitoring Committee (refer Clause 31 of the Policy). The Committee will determine the extent of jurisdiction of each concerned local body for further approval.

5.3. In order to participate, individual/ group of owners may need to partner with other adjoining land owners/ property owners to form a Developer Entity (DE) and prepare a single TOD Scheme.

5.4. TOD Schemes fulfilling the criteria set out in Clauses 19 to 26 of the TOD Policy can be submitted by DEs after payment of a registration fee as prescribed.

5.5. DEs shall ensure the following while preparing TOD Schemes:

5.5.2. Developer Entity shall have valid and lawful ownership and physical possession of, the land area for which TOD scheme has been prepared, except public land and roads.

5.5.2. In case the DE is constituted of multiple landowners:

5.5.2.1. Each landowner shall have a valid and lawful ownership and physical possession of the respective land which is offered for the TOD Scheme;

5.5.2.2. There should be a valid and legally enforceable agreement among all the land owners constituting the DE to participate in, apply for, abide by and be bound by the terms and conditions of a TOD Scheme.

5.6. In cases where 100% of existing apartments/ flats/ properties within the TOD Scheme area have been converted to freehold, the entire amalgamated plot of land shall be automatically considered as freehold overall, without levying of any additional conversion charges by anybody or any further paperwork/ application/ sanction.

5.7. TOD Schemes shall be submitted in the prescribed format, along with all requisite documents. The application must include the following:

5.7.1. Digital copies of various drawings and data as under:

5.7.1.1. Dimensioned plan of the land/Scheme area proposed for development at a scale of 1:1000 showing the boundaries and dimensions, locations of existing streets, existing greens, existing building/ plots/ premises and relevant physical features, etc. within the Scheme area.

5.4. DEs shall ensure the following while preparing TOD Schemes:

5.4.1. Developer Entity shall have valid and lawful ownership and physical possession of, the land area for which TOD scheme has been prepared, except public land and roads.

5.4.2. In case the DE is constituted of multiple landowners:

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5.4.2.2. There should be a valid and legally enforceable agreement among all the land owners constituting the DE to participate in, apply for, abide by and be bound by the terms and conditions of a TOD Scheme.

5.5. In cases where 100% of existing apartments/ flats/ properties within the TOD Scheme area have been converted to freehold, the entire amalgamated plot of land shall be automatically considered as freehold overall, without levying of any additional conversion charges by anybody or any further paperwork/ application/ sanction.

5.6. TOD Schemes shall be submitted in the prescribed format, along with all requisite documents. The application must include the following:

5.6.1. Digital copies of various drawings and data as under: Overview of the TOD Scheme;

5.6.1.1. Dimensioned plan of the land/Scheme area proposed for development at a scale of 1:1000 showing the boundaries and dimensions, locations of existing streets, existing greens, existing buildings/ plots/ premises and relevant physical features, etc.

5.7.1.2. Base map with site surroundings/ context, main access roads (including min. 18m mandatory road access from junction to junction), Metro station, bus stops, etc. on 1:1000 scale showing the neighbouring context upto approx. 1km around the site.

5.7.1.3. Photo documentation of site and surroundings, main access roads, parks, etc.

5.7.1.4. Multi-Modal Integration plan at 1:500 scale or larger (applicable only for MRTS station sites)

5.7.1.5. TOD Scheme at a scale of 1:1000 or larger based on the MPD and Delhi URDL, showing the following:

- a. Proposed mix of land uses as per Clause 40 of the TOD Policy
- b. Location and design of Green Public Open Spaces
- c. Street network for vehicular and pedestrian/ NMI movement, use of setbacks for providing connections to surrounding neighbourhoods and transit stops/stations
- d. Location and type of Active Frontages
- e. Distribution and planning of various uses - location of retail and commercial dominated buildings, mix of various residential typologies, social infrastructure and EWS housing

5.6.1.2. Base map with site surroundings/ context, main access roads (including min. 18m mandatory road access from junction to junction), Metro station, bus stops, etc. on 1:1000 scale showing the neighbouring context up to approx. 1km around the site.

5.6.1.3. Photo documentation of site and surroundings, main access roads, parks, etc.

5.6.1.4. Multi-Modal Integration plan at 1:500 scale or larger (applicable only for MRTS station sites)

5.6.2. Layout details at 1:1000 or larger showing:

5.6.2.1. TOD Scheme at a scale of 1:1000 or larger based on the MPD and Delhi URDL, showing the following:

5.6.2.1. Proposed Detailed mix of new development, redevelopment and partial/full retrofitting of existing structures

5.6.2.2. FAR computation and proposed mix of land uses as per Clause 40 of the TOD Policy

5.6.2.3. Location and design of Green Public Open Spaces

5.6.2.4. Street network for vehicular and pedestrian/ NMI movement, use of setbacks for providing connections to surrounding neighbourhoods and transit stops/stations

5.6.2.5. Location and type of Active Frontages

5.6.2.6. Distribution and planning of various uses - location of retail and commercial dominated buildings, mix of various residential typologies, social infrastructure and EWS housing

f. Phasing Plan along with Infrastructure development works of each phase

5.6.3. Details of all buildings and site designs as follows:

5.6.3.1. Detailed building plans and other detailed drawings as required for building plan approval. Plans shall be submitted in accordance with the provisions of the Building Act, 1988 and the Building Regulations, 1989.

5.6.3.1.

5.6.3.2. Plans showing the cross sections of the proposed roads indicating in particular the width of the proposed drainage ways, cycle tracks and footpaths, green areas, positions of electric poles and any other works connected with such roads.

5.6.3.3. Services plans indicating the positions of sewers, storm water channels, water supply including strategies to reduce water demand and any other public health services.

5.6.3.4. Detailed specifications and designs of sewerage, storm water and water supply schemes with estimated cost thereof.

5.6.3.5. Detailed specifications and designs for disposal and treatment of storm and sewage water with estimated cost of each.

5.6.3.6. Solid waste management and disposal plan (with waste strategies).

5.6.3.7. Detailed specification and designs for electric supply including street lighting.

5.6.3.8. Fire-fighting provisions, and

5.6.3.9. Any other special information/documents, etc. may be prescribed.

5.6.3.10. All service plans and building plans shall be in compliance with the URB and the

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5.7.2. Traffic Impact Assessment (including demand for permanent and temporary parking) and plan for mitigation of likely impacts;

5.7.3. Expected demand for various services like water supply, solid and liquid waste disposal and power;

5.7.4. Social Impact Assessment and Environmental Impact Assessment reports for the proposed TOD Scheme;

5.7.5. Contract amongst all constituent landowners of the DE for undertaking joint development/ redevelopment, including proposed sharing plan of built area amongst the landowners;

5.7.6. Bank Guarantee from a Nationalised bank equivalent to twenty-five percent of the External Development Charges as may be prescribed;

5.7.7. Undertaking to pay TOD Charges and External Development Charges (EDC) as per the schedule prescribed in these Regulations.

5.8. The documents submitted as part of TOD Schemes shall be self-attested by the DE who shall at all times remain liable for any false information, misrepresentation, or error of any nature whatsoever and in addition to being proceeded against in accordance with law, the application of the DE shall be deemed to be void *ab initio* and

Developmental Control Norms set out in the TOD Policy.

5.6.4. Other requirements:

5.6.4.1. Phasing Plan along with infrastructure development works of each phase

5.6.4.2. Traffic Impact Assessment (including demand for permanent and temporary parking) and plan for mitigation of likely impacts aligned with the IZP for the TOD Node;

5.6.4.3. Expected demand for various services like water supply, solid and liquid waste disposal and power;

5.6.4.4. Social Impact Assessment and Environmental Impact Assessment reports for the proposed TOD Scheme;

5.6.4.5. Contract amongst all constituent landowners of the DE for undertaking joint development/ redevelopment, including proposed sharing plan of built area amongst the landowners;

5.6.4.6. Bank Guarantee from a Nationalised bank equivalent to twenty-five percent of the TOD External Development Charges as may be prescribed;

5.6.4.7. Undertaking to pay all applicable charges, including TOD Charges and External Development Charges as per the schedule prescribed in these Regulations.

5.7. The documents submitted as part of TOD Schemes shall be self-attested by the DE who shall at all times remain liable for any false information, misrepresentation, or error of any nature whatsoever and in addition to being proceeded against in accordance with law, the

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shall automatically stand rejected and any action that has been taken pursuant to the such application shall stand automatically revoked.

5.9. TOD Schemes will be examined by DDW/CIHPEC for eligibility as per criteria set out under Clauses 19 to 26 of the TOD

application of the SE shall be deemed to be void *ab initio* and shall automatically stand rejected and any action that has been taken pursuant to the such application shall stand automatically revoked.

5.8. The concerned local body shall process the TOD scheme as per the provisions of the TOD Policy and Regulations, JBBL and other related statutory provisions updated from time to time.

5.8.1. In case of any conflict between norms and development controls prescribed under any other policy and the norms and development controls of the TOD Policy and Regulations, the latter shall prevail for any site/scheme falling within TOD Nodes.

5.9. The observations/suggestions if any, as may be made by various authorities/agencies, shall be incorporated by the SE and revised plans shall be submitted for approvals.

5.10. The SE shall be responsible for obtaining all necessary NOCs and approvals from regulatory agencies like DDA, DDAEC, DIB, DLS, AAI, etc.

5.11. The concerned local body shall convey its approval of the layout and building plans to the SE and notify the SE to pay all applicable charges (including TOD Charges to DDA) as per prescribed rates. Additional FAR Charges and TOD Charges will be irrespective of land use/ use permits, on a per sq.m. basis for the additional built up area that is proposed to be built under the Policy.

5.11.1. The SE shall separately pay External Development Charges (EDC) as determined by concerned service providing agencies.

5.11.2. The SE shall separately pay External Development Charges (EDC) as determined by concerned service providing agencies.

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Policy. Only eligible schemes will be processed for further review and approval by the CA.

5.10. The CA shall issue the approval of a Scheme to the DE specifying that the EWS housing, public roads, parks, amenities, etc. required to be developed as per the Policy shall be handed over to the local body post completion.

5.11. The maximum time limit for approval of TOD Schemes by the CA shall be 180 days. Once a TOD Scheme is approved by the CA, the same will be conveyed to the DE and published through the respective single window facility.

5.12. Land owners who want to ascertain eligibility of their land/TOD Scheme area before developing a detailed TOD Scheme can also submit a preliminary proposal to the concerned local body through the single window facility. This will be forwarded to DD&UT/PLC for scrutiny. Once the general applicability is approved by DDA, a detailed TOD Scheme can be submitted for further processing. The preliminary proposal shall include:

- a) Map showing the sites proposed to be redeveloped as a 'TOD Scheme' as per the conditions set out in Clauses 19 to 26 of the TOD Policy;
- b) List of land owners with details of location and area of land proposed under the TOD Scheme;
- c) Letters of consent from all landowners involved.

6. LAYOUT PLAN APPROVAL AND BUILDING PLAN APPROVAL

6.1. Within twelve (12) months of receiving approval on the TOD Scheme, the DE shall apply for sanction of layout plans and building plans for participating plots to the concerned local body, through the single window facility.

being only eligible schemes will be processed for further review and approval by the CA.

5.10. The CA shall issue the approval of a Scheme to the DE specifying that the EWS housing, public roads, parks, amenities, etc. required to be developed as per the Policy shall be handed over to the local body post completion.

5.11. The maximum time limit for approval of TOD Schemes by the CA shall be 180 days. Once a TOD Scheme is approved by the CA, the same will be conveyed to the DE and published through the respective single window facility.

5.12. Land owners who want to ascertain eligibility of their land/TOD Scheme area before developing a detailed TOD Scheme can also submit a preliminary proposal to the concerned local body through the single window facility. This will be forwarded to DD&UT/PLC for scrutiny. Once the general applicability is approved by DDA, a detailed TOD Scheme can be submitted for further processing. The preliminary proposal shall include:

- a) Map showing the sites proposed to be redeveloped as a 'TOD Scheme' as per the conditions set out in Clauses 19 to 26 of the TOD Policy;
- b) List of land owners with details of location and area of land proposed under the TOD Scheme;
- c) Letters of consent from all landowners involved.

6. SANCTION OF LAYOUT PLANS AND BUILDING PLAN APPROVAL

6.1. Within twelve (12) months of receiving approval on the TOD Scheme, the DE shall apply for sanction of layout plans and building plans for participating plots to the concerned local body, through the single window facility.

6.2. All service plans and building plans shall be in compliance with the UBBL and the Development Control Norms set out in the TOD Policy. All necessary NOCs and approvals from regulatory agencies like DDA, DUAC, DJB, DFS, AAI, etc., shall be managed through the single window facility.

6.3. The application will contain *inter-alia* the following:

- 6.3.1. location and extent of the land;
- 6.3.2. conformity with the land use, and development controls;
- 6.3.3. proposed layout plan of the area with respect to the Master Plan;
- 6.3.4. proposed plan regarding infrastructure development works to be executed;
- 6.3.5. plans showing the cross sections of the proposed roads indicating, in particular the width of the proposed drainage ways, cycle tracks and footpaths, green areas, positions of electric poles and any other works connected with such roads;
- 6.3.6. services plans indicating the positions of sewers, storm water channels, water supply (including strategies to reduce water demand) and any other public health services;
- 6.3.7. detailed specifications and designs of sewerage, storm water and water supply schemes with estimated cost of each;
- 6.3.8. detailed specifications and designs for disposal and treatment of storm and sewage water with estimated cost of each;
- 6.3.9. solid waste management and disposal plan (zero waste strategies);
- 6.3.10. detailed specification and designs for electric supply including street lighting;
- 6.3.11. Fire-fighting scheme; and
- 6.3.12. Other such information/documents as may be prescribed

6.4. The concerned local body shall process the TOD scheme as per the provisions of the

relevant provisions of the TOD Policy and shall

- 6.1. complete the TOD scheme within the stipulated time period and the concerned local body shall be responsible for the completion of the TOD scheme.
- 6.2. The application shall be processed within the following:
 - 6.2.1. location and extent of the land;
 - 6.2.2. conformity with the land use, and development controls;
 - 6.2.3. proposed layout plan of the area with respect to the Master Plan;
 - 6.2.4. proposed plan regarding infrastructure development works to be executed;
 - 6.2.5. plans showing the cross sections of the proposed roads indicating, in particular the width of the proposed drainage ways, cycle tracks and footpaths, green areas, positions of electric poles and any other works connected with such roads;
 - 6.2.6. services plans indicating the positions of sewers, storm water channels, water supply (including strategies to reduce water demand) and any other public health services;
 - 6.2.7. detailed specifications and designs of sewerage, storm water and water supply schemes with estimated cost of each;
 - 6.2.8. detailed specifications and designs for disposal and treatment of storm and sewage water with estimated cost of each;
 - 6.2.9. solid waste management and disposal plan (zero waste strategies);
 - 6.2.10. detailed specification and designs for electric supply including street lighting;
 - 6.2.11. Fire-fighting scheme; and
 - 6.2.12. Other such information/documents as may be prescribed
- 6.3. The concerned local body shall process the TOD scheme as per the provisions of the

TOD Policy and Regulations, DBRC and other related statutory provisions updated from time to time.

6.4.3. In case of any conflicting provisions between the redevelopment/other norms and TOD norms within the MPD, the norms (and development controls) of TOD Policy and Regulations shall prevail, for any site/scheme falling within TOD Nodes.

6.5. The observations/suggestions if any, as may be made by such authorities/agencies, shall be incorporated by the DE and revised plans shall be submitted through the single window facility for approvals.

6.6. The concerned local body shall convey its approval of the layout and building plans to the DE, and notify the DE to pay all prescribed charges/fees through the single window facility as follows:

6.6.1. **TOD Charges:** The DE shall pay to the concerned local body TOD Charges as per prescribed rates, irrespective of land use/ use premises, on a per sq.m. basis for the additional built up area that is proposed to be built under this Policy.

6.6.2. **External Development Charges (EDC):** The DE shall pay to the concerned local body EDC as determined by the local body for the purpose of upgradation of infrastructure and services and effectuating the urban improvement works envisaged under the IUP for the TOD Node. This will include the cost of additional public works for road infrastructure, water supply & sewerage distribution, solid waste management, wastewater recycling, power supply, new public utilities, landscaping, etc.

6.6.3. Any other charges as per Value Capture Finance (VCF) mechanisms such as Tax Increment Financing (TIF), betterment levy, etc. that may be adopted by the State Government/

local bodies and regulations, 1995, and the provisions of the respective provisions in the respective laws.

6.4.4. The concerned local body shall provide necessary services and facilities within the TOD nodes, as per the TOD Policy and Regulations, and shall ensure that the development is in accordance with the TOD Policy and Regulations, and shall ensure that the development is in accordance with the TOD Policy and Regulations.

6.5. The observations/suggestions if any, as may be made by such authorities/agencies, shall be incorporated by the DE and revised plans shall be submitted through the single window facility for approvals.

6.6. The concerned local body shall convey its approval of the layout and building plans to the DE, and notify the DE to pay all prescribed charges/fees through the single window facility as follows:

6.6.1. **TOD Charges:** The DE shall pay to the concerned local body TOD Charges as per prescribed rates, irrespective of land use/ use premises, on a per sq.m. basis for the additional built up area that is proposed to be built under this Policy.

6.6.2. **External Development Charges (EDC):** The DE shall pay to the concerned local body EDC as determined by the local body for the purpose of upgradation of infrastructure and services and effectuating the urban improvement works envisaged under the IUP for the TOD Node. This will include the cost of additional public works for road infrastructure, water supply & sewerage distribution, solid waste management, wastewater recycling, power supply, new public utilities, landscaping, etc.

6.6.3. Any other charges as per Value Capture Finance (VCF) mechanisms such as Tax Increment Financing (TIF), betterment levy, etc. that may be adopted by the State Government/

concerned local body for augmenting public finances.

6.7. The various charges may be paid by the DE in the form of instalments as follows:

6.7.1. first instalment equivalent to 25% at the time of release of the Development License

6.7.2. balance to be paid by DE either in lump sum within 90 days from the date of issuance of Development License or in 8 six-monthly instalments spread over 48 months, including interest to be charged on instalments (as notified from time to time by the Government/DDA).

6.8. The Development License shall be issued by the concerned local body within the time limit for sanction/ approval of building plans as prescribed under Delhi BBDL. Issue of Development License shall be subject to payment of all charges as mentioned in Clauses 6.6 and 6.7 above.

7. DEVELOPMENT OF TOD SCHEMES

7.1. Completion and occupancy certificate for any building (which is part of an approved TOD Scheme) shall be issued by concerned local body only after ensuring that the development of the service lanes/ roads, parks, public amenities, etc., both existing and proposed, has been completed as per the approved TOD Scheme. FWS housing to be handed over by DE to RDA as per MPD provisions before issue of completion certificate.

7.2. Part completion certificate for premise/building level plan within any approved phase of development may be issued as per the Building Bye-laws in force at the time, subject to obtaining the part/full completion certificate for infrastructure development works of that phase.

7.3. Considering that any delay in completion/ implementation of the individual blocks

concerning concerned local body, factory, existing public finance.

6.7. The various charges may be paid by the DE in the form of instalments as follows:

6.7.1. first instalment equivalent to 25% at the time of release of the Development License

6.7.2. balance to be paid by DE either in lump sum within 90 days from the date of issuance of Development License or in 8 six-monthly instalments spread over 48 months, including interest to be charged on instalments (as notified from time to time by the Government/DDA).

6.8. The Development License shall be issued by the concerned local body within the time limit for sanction/ approval of building plans as prescribed under Delhi BBDL. Issue of Development License shall be subject to payment of all charges as mentioned in Clauses 6.6 and 6.7 above.

7. DEVELOPMENT OF TOD SCHEMES

7.1. Completion and occupancy certificate for any building (which is part of an approved TOD Scheme) shall be issued by concerned local body only after ensuring that the development of the service lanes/ roads, parks, public amenities, etc., both existing and proposed, has been completed as per the approved TOD Scheme. FWS housing to be handed over by DE to DDA/local body as per MPD provisions before issue of completion certificate.

7.2. Part completion certificate for premise/building level plan within any approved phase of development may be issued as per the Building Bye-laws in force at the time, subject to obtaining the part/full completion certificate for infrastructure development works of that phase.

7.3. Considering that any delay in completion/ implementation of the individual blocks

comprising an approved TOD scheme by the DE shall undermine the implementation of TOD Policy, the following measures shall be applicable:

7.3.1. The validity of the approvals for TOD scheme as well as building sanctions shall be five years for schemes less than or equal to 4 ha and seven years for larger schemes, counted from the date of the issuance of Development License by the concerned local body.

7.3.2. In the event of non-completion of the project beyond this period, the validity of the sanctioned TOD Scheme shall be deemed cancelled, and re-approvals will have to be taken by DE before any (re)development work is taken up.

7.3.3. In case of undue delay (more than seven years) in completion of development, the concerned local body shall have the right to recover penalty from the DE (after giving the DE a reasonable opportunity of being heard) calculated on the basis of commercial value of the unused additional FAR granted for the TOD scheme based on the prevailing circle rates of transfer of property in Delhi.

7.4. In case DE fails to complete the required development within the prescribed period for reasons beyond its control, it may apply to the CA for extension of the Development License in the prescribed form, at least 30 days before expiry thereof and the said application shall be accompanied by prescribed fees, clearances and supporting documents providing evidence of the status of development and reasons for non-completion.

7.5. After receipt of the application for extension, the CA, if satisfied, may approve

comprising an approved TOD scheme by the DE shall undermine the implementation of TOD Policy, the following measures shall be applicable:

7.3.1. The validity of the approvals for TOD scheme as well as building sanctions shall be five years for schemes less than or equal to 4 ha and seven years for larger schemes, counted from the date of the issuance of approval for TOD Scheme by the concerned local body.

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~~7.3.3. In case of undue delay (more than seven years) in completion of development, the concerned local body shall have the right to recover penalty from the DE (after giving the DE a reasonable opportunity of being heard) calculated on the basis of commercial value of the unused additional FAR granted for the TOD scheme based on the prevailing circle rates of transfer of property in Delhi.~~

7.4. In case DE fails to complete the required development within the prescribed period for reasons beyond its control, it may apply to the local body for extension of the approval for TOD Scheme ~~the Development License~~ in the prescribed form, at least 30 days before expiry thereof and the said application shall be accompanied by prescribed fees, clearances and supporting documents providing evidence of the status of development and reasons for non-completion.

7.5. After receipt of the application for extension, the CA, if satisfied, may approve

the extension of the Development License up to maximum of three extensions of one year each, subject to payment of the extension charges fixed by the DDA/Government from time to time. The suggested rates are as under:

Extension	Extension charges to be paid
First	5% of EDC
Second	10% of EDC
Third	15% of EDC

B. IMPLEMENTATION OF IZPs BY LOCAL BODIES

8.1. The concerned local bodies shall execute the various area improvement works envisaged under the approved IZP for the TOD Node in a time bound manner.

8.2. The local body shall set up a ring-fenced TOD fund so that TOD Charges and EDC levied during approval of TOD Schemes may be escrowed and used exclusively for infrastructure upgradation of the area within the respective TOD nodes, by transferring the adequate funds to service providing agencies as per local needs.

8.3. In case of surplus funds received by way of EDC, TOD Charges, auction of advertisement rights and donations or funds received for upgradation of the amenities, such funds shall be invested in high interest yielding government securities and the accrued interest shall

the extension of the Development License up to maximum of three extensions of one year each, subject to payment of the extension charges fixed by the DDA/Government from time to time.

The suggested rates are as under:

Extension	Extension charges to be paid
First	5% of EDC
Second	10% of EDC
Third	15% of EDC

B. IMPLEMENTATION OF IZPs BY LOCAL BODIES

8.1. The concerned local bodies and DDA shall commission and execute the various area improvement works envisaged under the approved IZP for the TOD Node in a time bound manner.

8.2. The local body shall undertake the area improvement projects utilising the Additional FAR Charges collected during approval of TOD Schemes and any other funds. DDA shall supplement such projects by taking up priority works for area improvement as recommended in the IZP by utilising the ring-fenced TOD Charges. DDA shall prepare and submit an annual budget for such expenditure to the TOD Coordination and Monitoring Committee, and commission such works by transferring adequate funds to concerned agencies. The local body shall set up a ring-fenced TOD fund so that TOD Charges and EDC levied during approval of TOD Schemes may be escrowed and used exclusively for infrastructure upgradation of the area within the respective TOD nodes, by transferring the adequate funds to service providing agencies as per local needs.

8.3. In case of surplus funds received by way of EDC, TOD Charges, auction of advertisement rights and donations or funds received for upgradation of the amenities, such funds shall be invested in high interest yielding government securities and the accrued interest shall

also be utilized for upgradation of amenities of the TOD Nodes.

8.4. Public parking charges collected by the local body in the TOD Node shall be invested locally for creation, upgradation and maintenance of public roads, especially footpaths, cycle tracks, public transport systems (like buses, cycle sharing, etc.) and all the related public amenities to be provided in the TOD Nodes.

8.5. The TOD Fund shall be used for capital expenditure for development in the TOD Nodes, and not on expenditure of any other kind such as salary disbursement, etc. Up to 5% of the estimated cost of area improvement projects may be used for project development, and IEC/public awareness activities.

8.6. Since the TOD Charges and EDC are being collected by the local body, concerned local body may in accordance with law acquire any land (that has not yet been offered for TOD Schemes), which is required for effectuating TOD. This may be required for the creation of continuous new street networks, open spaces, city/district level social infrastructure, amenities, etc.

8.7. The local body shall also ensure that the public spaces/roads created as part of the TOD Schemes shall continue to be used for public purposes only. For this purpose, the local bodies may prepare monitoring and enforcement guidelines including penalty charges etc. to prevent any encroachment or illegal activity on public spaces/roads.

9. GRIEVANCE REDRESSAL MECHANISM

9.1. All the Grievances emerging during the implementation of the Policy will be examined by the Competent Authority in a time bound manner and the CA will give its decision within 45 days of receipt of

application for upgradation of a section of the TOD Node.

9.2. Public parking charges collected by the local body in the TOD Node shall be ~~invested~~ locally for creation, upgradation and maintenance of public roads, especially footpaths, cycle tracks, public transport systems (like buses, cycle sharing, etc.) and all the related public amenities to be provided in the TOD Nodes.

8.5.8.5. The TOD Fund shall be used for capital expenditure for development in the TOD Nodes, and not on expenditure of any other kind such as salary disbursement, etc. Up to 5% of the estimated cost of area improvement projects may be used for feasibility studies, preparation of detailed project reports, etc. project development, and IEC/public awareness activities.

8.6.8.6. Since the TOD Charges and EDC are being collected by the local body, concerned local body may in accordance with law acquire any land (that has not yet been offered for TOD Schemes), which is required for effectuating TOD. This may be required for the creation of continuous new street networks, open spaces, city/district level social infrastructure, amenities, etc.

8.7.8.7. The local body shall also ensure that the public spaces/roads created as part of the TOD Schemes shall continue to be used for public purposes only. For this purpose, the local bodies may prepare monitoring and enforcement guidelines including penalty charges etc. to prevent any encroachment or illegal activity on public spaces/roads.

9. GRIEVANCE REDRESSAL MECHANISM

9.1. All the Grievances emerging during ~~the~~ implementation of the Policy will be examined as follows:

9.1.1. Grievances related to notification of TOD Nodes and IZPs, and utilization

grievance through the single window facility.

9.2. Where such a decision is not acceptable to any of the parties, the parties may resort to arbitration. Selection of arbitrators, functions and duties should be in accordance with 'The Arbitration and Conciliation Act, 1996'.

9.3. Further, in the event that all the processes of conciliation, mediation and arbitration fail to resolve the disputes between the parties, the aggrieved party may take recourse to the courts of law in the jurisdiction of Delhi/New Delhi.

9.4. The Dts shall register themselves under Real Estate Regulatory Authority (RERA) and shall be governed as per provisions of the RERA Act, 2016.

9.5. The Competent Authority may amend any terms and conditions in the forms of applications, agreements, fees, required documents and any other relevant condition as may be necessary from time to time particularly in the overall interest and efficacy of the TOD Policy.

of TOD Fund shall be submitted to DDA. DDA shall set up a grievance redressal mechanism to resolve such grievances.

9.1.2. Grievances related to approval of TOD Schemes and execution of various infrastructure works shall be delegated to respective local bodies and service providing agencies as per standard grievance redressal processes.

9.1.3. All agencies will give a decision within 45 days of receipt of grievance.

9.2. Where such a decision is not acceptable to any of the parties, the parties may resort to arbitration. Selection of arbitrators, functions and duties should be in accordance with 'The Arbitration and Conciliation Act, 1996' (with modifications/amendments up to date).

9.3. Further, in the event that all the processes of conciliation, mediation and arbitration fail to resolve the disputes between the parties, the aggrieved party may take recourse to the courts of law in the jurisdiction of Delhi/New Delhi.

9.4. The Dts shall register themselves under Real Estate Regulatory Authority (RERA) as applicable with the state and comply with the Real Estate Act, 2016.

9.5. The Competent Authority may amend any terms and conditions in the forms of applications, agreements, fees, required documents and any other relevant condition as may be necessary from time to time particularly in the overall interest and efficacy of the TOD Policy.

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REGULATIONS FOR TRANSIT ORIENTED DEVELOPMENT (TOD)**1. SHORT TITLE AND COMMENCEMENT**

- i. These regulations shall be called the "Transit Oriented Development (TOD) Regulations"
- ii. These regulations shall come into force with effect from the date of publication of this Notification in the Gazette of India.
- iii. All words and expressions used in these regulations but not defined shall have the meaning assigned to them in the Delhi Development Act, 1957, the Master Plan in force, and the Delhi Municipal Corporation Act, 1957 and the New Delhi Municipal Council Act, 1995, as the case may be.
- iv. If any question arises relating to the interpretation of these Regulations, it shall be decided by the Central Government.

2. DEFINITIONS

- 2.1. "Active Frontage" includes arcades, shop-fronts, entrance doorways, access points, entry/exits and transparent windows.
- 2.2. "Additional FAR Charges" means the charges to be paid by the Developer Entity for the additional FAR proposed to be utilized (over and above existing permissible FAR), to the concerned local body as per prescribed rates.
- 2.3. "Competent Authority" (CA) means the High Powered Committee formed by DDA.
- 2.4. "Developer Entity" (DE) means a government or constituent land /property owner, a group of constituent land /property owners, or an entity (developer/business/corporate entity) representing a group of constituent land/ property owners who intend to plan and develop a TOD Scheme. If the DE comprises of multiple entities, they have to come together through a valid and legally enforceable agreement between all the constituent land owners to participate.
- 2.5. "Influence Zone" of a transit station is an approximate area of 800m radius (a walking distance of 5-10-minutes) from the points of alighting at the station. The Influence Zone will have two components.
 - 2.5.1. "TOD Planning Area" is a notional area of 300m radius around transit stations. Actual boundaries of TOD Planning Area will be delineated by LUDA through a realignment of the notional circle with closest physical features.
 - 2.5.2. "Intense Development Area" is a notional area of 500m radius around the transit station. All development of plots as per the Development Control Norms of this Policy and Regulations thereof will be applicable to TOD Schemes falling completely or partly within this area. The control of the

transit station shall be used by DDA as the centre for defining the 500m radius circle.

- 2.6. "Influence Zone Plan" (IZP) is an integrated plan, customized to the site characteristics and context of each TOD Node, detailing area improvement works such as upgrading public streets to include multi-utility zones, and facilities for IPT, pedestrian and NMT facilities, multi-modal integration, provision of public parking, urban furniture, signage, public conveniences, street vending zones and infrastructure augmentation.
- 2.7. "TOD Charges" means charges payable by a Developer Entity to DDA/ ULB's/ service providing agencies for facilitating area improvement works and development of Multi-Modal Integrated (MMI) nodes as recommended in the IZP.
- 2.8. "TOD Fund" means an escrow account setup by DDA/ ULB's/ service providing agencies separately for each TOD Node to utilise the TOD Charges and Additional FAR Charges accrued from TOD Schemes. The TOD Fund shall be ring-fenced for utilization within the respective TOD Planning Area, for implementing various area improvement works envisaged as part of IZP.
- 2.9. "TOD Nodes" means the select mass transit stations and their Influence Zones identified by DDA.
- 2.10. "TOD Scheme" means a development proposal for an area of minimum 1 hectare, fulfilling all eligibility criteria as per Clauses 19 to 26 of the TOD Policy.

3. APPLICABILITY OF THE POLICY

- 3.1. DDA will delineate the list of selected TOD Nodes along with maps showing the delineated TOD Planning Area for each TOD Node. The TOD Policy will only be applicable in the influence zones.
- 3.2. The TOD Policy will NOT be applicable in the following areas:
- i. Environmental Protection Zones as identified in the Master Plan
 - ii. Zone O and buffers
 - iii. Villages notified under Green Belt
 - iv. Lutyen's Bungalow Zone, Chamskypuri (as per layout plan of New Delhi Municipal Council & L&DO)
 - v. Walled City
 - vi. Villages notified under L.D.R.A
 - vii. Villages notified under the Land Policy
 - viii. Monument Prohibited Area
 - ix. Civil Lines Bangalore Area (as per layout plan of North Delhi Municipal Corporation & DDA)

4. PREPARATION OF INFLUENCE ZONE PLANS

- 4.1. DDA shall commission preparation of IZPs for all the identified TOD Nodes in a time bound manner, so as to facilitate further development of these areas. Developer

Entities (DLs) can also prepare an IZP for a specific TOD Node and submit the same to DDA for scrutiny and final approval.

- 4.2. The High Powered Committee formed by DDA (with adequate representation from local bodies/ service providing agencies) shall be the Competent Authority for approving the IZPs prepared for each node. UTTPEC shall provide the necessary technical support to the Committee with respect to traffic and transportation inputs.
- 4.3. An IZP will be prepared to assess the following:
 - 4.3.1. Existing traffic patterns and likely impact of new development.
 - 4.3.2. Audit of streets to review walkability and integration of NMT. This will include reviewing the availability of public amenities and street furniture.
 - 4.3.3. Identification of activity patterns, including informal commercial areas, and uses of public spaces.
 - 4.3.4. Mapping of ongoing and existing infrastructure projects or other public works by various service providing agencies like DIB, PWD, CPWD, IGL, telecom operators, local body, DDA, etc. in the node.
- 4.4. An IZP will cover the following recommendations for area improvement:
 - 4.4.1. Traffic and parking management plan (including upgradation of transport infrastructure if necessary).
 - 4.4.2. Projects for upgradation as defined in IZP.
 - 4.4.3. Integration of projects of over station development, if applicable, as per feasibility, Station Area Development, Multi-Modal Integration (MMI) etc. proposed for the TOD Node by concerned transit agencies.
 - 4.4.4. Projects for improvement of open spaces, public spaces, location of vending zones, etc.
 - 4.4.5. The final IZP shall be put up in public domain for a period of 30 days and shall be prepared in consultation with all the stakeholders.
- 4.5. The following TOD Nodes may be taken in first phase:
 - Dwarka Sector-21 Metro Station
 - Rohini Sector-18 Metro Station
 - Mukundpur Metro Station
 - Sarojini Nagar and JNA Metro Stations (combined)
 - Karkardooma Metro Stations (both Pink and Blue line stations)

5. SUBMISSION AND APPROVAL OF TOD SCHEMES

- 5.1. TOD Schemes for a TOD Node can be submitted for approval at any time after the IZP for the Node has been approved by the Competent Authority. Two or more adjacent TOD Schemes can be planned as an integrated TOD Scheme and can be submitted as part of a single TOD Scheme application.
- 5.2. The final approval for TOD Schemes will be given by the concerned local body/ DDA as per statute with all concerned departments.

- 5.3. In order to participate, individual/ group of owners may need to partner with other adjoining land owners/ property owners to form a Developer Entity (DE) and prepare a single TOD Scheme.
- 5.4. DEs shall ensure the following while preparing TOD Schemes:
- 5.4.1. Developer Entity shall have valid and lawful ownership and physical possession of the land area for which TOD scheme has been prepared, except public land and roads.
 - 5.4.2. In case the DE is constituted of multiple landowners:
 - i. Each land owner shall have a valid ownership and physical possession of the respective land which is offered for the TOD Scheme;
 - ii. There should be a valid and legally enforceable agreement among all the land owners constituting the DE to participate in, apply for, abide by and be bound by the terms and conditions of a TOD Scheme.
- 5.5. In cases where 100% of existing apartments/ flats/ properties within the TOD Scheme area have been converted to freehold, the entire amalgamated plot of land shall be automatically considered as freehold overall, without levying of any additional conversion charges by any agency or any further paperwork/ application/ sanction.
- 5.6. TOD Schemes shall be submitted in the prescribed format, along with all requisite documents. The application must include the following:
- 5.6.1. Overview of the TOD Schemes:
 - i. Dimensioned plan of the land/ scheme area proposed for development at a scale of 1:1000 showing the boundaries and dimensions, locations of existing streets, existing greens, existing buildings/ plots/ premises and relevant physical features etc. within the scheme area.
 - ii. Base map with site surroundings/ context, main access roads (including min. 18m mandatory road access from junction to junction), Metro station, bus stops, etc. on 1:1000 scale showing the neighbouring context upto approx. 1km around the site.
 - iii. Photo documentation of site and surroundings, main access roads, parks, etc.
 - iv. Multi Modal Integration plan at 1:500 scale or larger (applicable only for MRTS station sites).
 - 5.6.2. Layout details at 1:1000 or larger showing:
 - i. Detailed mix of new development and partial/ full retrofitting of existing structures.
 - ii. FAR computation and proposed mix of uses.
 - iii. Location and design of Green Public Open Spaces.
 - iv. Street network for vehicular and pedestrian/ NMT movement, use of setbacks for providing connections to surrounding neighbourhoods and transit stops/ stations.
 - v. Location and type of Active Frontages.
 - vi. Distribution and planning of various uses - location of retail and commercial dominated buildings, mix of various residential typologies, social infrastructure and EWS housing.

5.6.3. Details of all buildings and site design as follows:

- i. Detailed building plans and other detailed drawings as required for building plan approval.
- ii. Plans showing the cross-sections of the proposed roads indicating, in particular the width of the proposed drainage ways, cycle tracks and footpaths, green areas, positions of electric poles and any other works connected with such roads.
- iii. Services plans indicating the positions of sewers, storm water channels, water supply (including strategies to reduce water demand) and any other public services.
- iv. Detailed specifications and designs of sewerage, storm water and water supply schemes with estimated cost of each.
- v. Detailed specifications and designs for disposal and treatment of storm and sewage water with estimated cost of each.
- vi. Solid waste management and disposal plan (with zero waste strategies)
- vii. Detailed specification and designs for electric supply including street lighting
- viii. Fire-lighting provisions, and
- ix. Any other information/documents as may be prescribed.
- x. All service plans and building plans shall be in compliance with the UBBL and the Development Control Norms set out in the TOD Policy.

5.6.4. Other requirements:

- i. Mastering Plan along with infrastructure development works of each phase
- ii. Traffic Impact Assessment (including demand for permanent and temporary parking) and plan for mitigation of likely impacts aligned with the IZP for the TOD Node.
- iii. Expected demand for various services like water supply, solid and liquid waste disposal and power.
- iv. Social Impact Assessment and Environmental Impact Assessment reports for the proposed TOD Scheme.
- v. Consent amongst all constituent landowners of the DF for undertaking joint development.
- vi. Bank Guarantee from a Nationalised Bank equivalent to twenty-five percent of the TOD Charges as may be prescribed.
- vii. Undertaking to pay all applicable charges.

5.7. The documents submitted as part of TOD Schemes shall be self-attested by the DF who shall at all times remain liable for any false information, misrepresentation, or error of any nature, whatsoever and in addition to being proceeded against in accordance with law, the application of the DF shall be deemed to be *void ab initio* and shall automatically stand rejected and any action that has been taken pursuant to the such application shall stand automatically revoked.

5.8. The concerned local body shall process the TOD scheme as per the provisions of the TOD Policy and Regulations, UBBL and other related statutory provisions updated from time to time.

- 5.8.1. In case of any conflict between norms and development controls prescribed under any other policy and the norms and development controls of the TOD Policy and Regulations, the latter shall prevail, for any site/ scheme falling within TOD Nodes.
- 5.9. The observations/ suggestions if any, as may be made by various authorities/ agencies, shall be incorporated by the DE and revised plans shall be submitted for approvals.
- 5.10. The DE shall be responsible for obtaining all necessary NOCs and approvals from regulatory agencies like DDA, DLAC, DIB, DPS, AAI, etc.
- 5.11. The concerned local body shall convey its approval of the layout and building plans to the DE and inform the DE to pay all applicable charges (including TOD Charges) as per prescribed rates. Additional FAR Charges and TOD Charges will be irrespective of land use/ use premises, on per sq.m. basis for the additional built up area that is proposed to be built under the Policy.
- 5.12. The maximum time limit for approval of TOD Scheme by the local body shall be 180 days.

6. DEVELOPMENT OF TOD SCHEMES

- 6.1. Completion and occupancy certificate for any building (which is part of an approved TOD Scheme) shall be issued by concerned local body only after ensuring that the development of the service lanes/ roads, parks, public amenities, etc., both existing and proposed, has been completed as per the approved TOD Scheme. The FWS housing shall be taken up as per MPD provisions.
- 6.2. Part completion certificate for premises/ building level plans within any approved phase of development may be issued as per the Building Byelaws in force at the time, subject to obtaining the part/ full completion certificate for infrastructure development works of that phase.
- 6.3. Considering that any delay in completion/ implementation of the individual blocks comprising of an approved TOD scheme by the DE shall undermine the implementation of TOD Policy, the following measures shall be applicable:
 - 6.3.1. The validity of the approvals for TOD scheme shall be five years for schemes less than or equal to 4 ha and seven years for larger schemes, counted from the date of the issuance of approval for TOD Scheme.
 - 6.3.2. In case of undue delay (more than seven years) in completion of development, the concerned local body shall have the right to recover penalty from the DE (after giving the DE a reasonable opportunity of being heard).
- 6.4. In case DE fails to complete the required development within the prescribed period for reasons beyond its control, it may apply to the local body for extension of the approval for TOD Scheme in the prescribed form, at least 30 days before expiry thereof and the said application shall be accompanied by prescribed fees, clearances and supporting documents providing evidence of the status of development and reasons for non-completion.

- 6.5. After receipt of the application for extension, the CA, if satisfied, may approve the extension of the TOD Scheme up to maximum of three extensions of one year each, subject to payment of the extension charges fixed by the DDA/Government from time to time.

7. IMPLEMENTATION OF IZPs BY LOCAL BODIES

- 7.1. The concerned local bodies/ DDA/ service providing agencies shall commission and execute the various area improvement works envisaged under the approved IZP for the TOD Node in a time bound manner.
- 7.2. The local body in coordination with service providing agencies shall undertake the area improvement projects utilising the Additional FAR Charges collected during approval of TOD Schemes and any other funds.
- 7.3. The TOD Fund shall be used for development in the TOD Nodes, and not on expenditure of any other kind such as salary disbursement, etc.
- 7.4. The local body shall also ensure that the public spaces/roads created as part of the TOD Schemes shall continue to be used for public purposes only. For this purpose, the local bodies may prepare monitoring and enforcement guidelines including penalty charges etc. to prevent any encroachment or illegal activity on public spaces/roads.

8. GRIEVANCE REDRESSAL

A two stage Grievances Redressal mechanism shall be created to sort out the issues of ULD after approval of the chairman.

ITEM NO. 92/2019

Subject: Proposed Amendments in MPD-2021

File No.: F.20(9)/2014/MP

SYNOPSIS

- MPD-2021 was notified by the Central Government vide S.O. 141(E) dated 07.02.2007. To meet the growing demand of the commercial activities, the need for mixed use further increase as the city grew into a big urban sprawl.
- A liberalised provision of mixed use in residential areas has been adopted adhering to the requisites of the environment, while achieving better synergy between work place, residence and transportation.
- Several issues were raised by the concerned local bodies viz. the absence of provisions and for clarity of certain provisions already provided in MPD-2021.
- In view of this modifications in mixed use regulations were last notified vide S.O. 3026 (E) dt. 21.06.2018
- Now local bodies had again requested for certain clarifications & further suggested to modify the MPD-2021 for smooth implementation of various provisions in Master Plan.
- The proposal viz. "Proposed modification in MPD - 2021" was approved by the Authority in its meeting held on 09.07.2019 vide Item No. 51/2019 for issuance of Public Notice.
- Modifications in Master Plan for Delhi-2021 under Section 11-A of DD Act 1957 was published in Gazette of India Extraordinary vide S.O. 2542 (E) dt. 17.07.2019 and in leading newspapers on 17.07.2019 for inviting objections/ suggestions from the public.
- The objections/ suggestions received (approx. 1034) in response to the Public notice published in the Gazette of India vide S.O. 2542 (E) dt. 17.07.2019, were heard by the Board of Enquiry & Hearing in its meeting held on 04.09.2019.

1.0 BACKGROUND

- 1.1 A meeting was held under the chairmanship of Vice Chairman, DDPA on 21.06.2019 wherein Commissioners of Three Municipal Corporations (i.e. North DMC, South DMC and East DMC) C.A. DDPA, PC (LM & Co-ordi) and various other officers were present. In this meeting various issues related to implementation of Master Plan modification, clarifications about certain clauses of MPD modifications & other issues related to on-going sealing/ de-sealing were discussed. Following this meeting, a presentation on the issues was also held on 17.06.2019 and continued on 19.06.2019 at Raj Nivas, Delhi. Also, in the meeting certain implementation issues were also presented by Addl. Commissioner, SDMC. It was deliberated that a few clarifications on the matter may be obtained by the Lt. Attorney General/ Solicitor General besides other suggestions. Accordingly a separate note has been sent to MoHDA regarding the same.
- 1.2 The proposal regarding "Amendments in MPD-2021" was approved by the Authority in its meeting held on 09.07.2019 vide Item No. 51/2019 for inviting objections/ suggestions from the public within a stipulated time period of 45 days under Section 11 A of DD Act, 1957. Wherein the following decision was taken:

"Public notice inviting objections/ suggestions be issued immediately."

2.0 FOLLOW-UP ACTION:

- 2.1 As a follow-up to the decision of the Authority, the Public Notice was published in the Gazette of India vide S. O. No. 2542(E) dated 17.07.2019 and in four leading newspapers for inviting objections/suggestions from the public within a stipulated time period of 45 days under Section 11-A of ID Act, 1957 (Annexure-I).
- 2.2 In response to the above Public Notice, around 1034 objections/ suggestions were received within the stipulated time period of forty-five days. The Board of Enquiry & Hearing meeting was held on 04.09.2019, wherein recommendations of the Board are as follows:

"Keeping in view the above and the varied views both through written representations and oral submissions made by the General Public, Associations and Groups, the Board has decided to present the following to the Authority for suitable consideration:

- (i) Para 5.6.2 has been unanimously opposed and requested that Commercial establishments having Lease Deed as Commercial should not be liable to pay conversion charges if the premise is being used as commercial.
The modification may not be accepted for amendments.
- (ii) Para 15.7.5 may be modified as "Restaurants on ground floor only with valid appropriate licenses and with all statutory clearances, as existing on or before the date of notification shall only be permissible on notified mixed use streets."
- (iii) Para 6.4.1.1 may be modified with inclusion of word "ROW" which will read as follows:
"Owners of standalone godowns needs to get the plans approved by 31.12.2020. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m ROW will have to shift to the other conforming areas / godown clusters by 31.12.2020. Such godowns functioning in non-conforming areas shall have to close down within the above said time period."
- (iv) Para 15.7.7 may be modified with inclusion of words existing banks which should be read as follows:
"Notes:
Bank lockers if part of existing bank shall be allowed in the respective basements of same premises."
- (v) Para 15.9 be modified as proposed in the public notice."

The minutes of the meeting of Board of Enquiry & Hearing is annexed as (ANNEXURE - II)

3.0 OBSERVATIONS ON THE CLARIFICATIONS SOUGHT BY MoUD, GOVT. OF INDIA VIDR LETTER DT. 04.09.2015:

The detailed clarifications want para (i) to (xv) as per MoUD directives vide letter dated 04.09.2015 are as follows:

(i) Background Note indicating the current situation / provisions;	As given in above Para 1.0 Background of the agenda.
(ii) Whether similar proposals have earlier been considered by DDAs / Ministry and / or disposed, and if yes, when and how;	Modifications in Sections of various clauses in Chapter 15: Mixed Use Regulations of MPD-2021 has already

	been notified by Central Govt.
(iii) What were the specific recommendations of the Authority with regard to the proposal;	As given in above Para 1.0 - Decision of Authority meeting
(iv) How and why the proposal was initiated;	Same as in Para 1.0 above
(v) What are the pros and cons of the proposal, whether they have been carefully examined, and if yes, the outcome thereof;	These modifications will provide various facilities at the door step of the residents of that area whereas some activities which are causing disturbance/ nuisance in the area will be restricted.
(vi) What are the expected short-term and long-term outcomes if the proposal is approved and implemented;	
(vii) How the proposal will benefit in the development and economic growth of the city;	
(viii) What are the provisions corresponding to the proposed policy / change in other metropolitan cities in India and other countries, and if those provisions differ from the proposal then why are they not considered appropriate for Delhi;	The proposals are specific to the needs and requirements of NCT of Delhi.
(ix) What will be the public purpose served by the proposed modifications;	Same as para (v), (vi) & (vii) above.
(x) What is the number of people / families / households likely to be affected by the proposed policy;	NIL
(xi) Whether the proposal is in consonance with the existing plans, laws, bye-laws, rules, etc;	Yes.
(xii) Whether the implementation of the proposal will require changes in certain rules, provisions of Master Plan, etc and if yes, what action has been taken to bring about such changes;	The proposal is for the modifications to the provisions in the MPD 2021 and the same is being processed under Section 11A of DD Act 1957.
(xiii) Whether the departments / organizations / Ministries related with the proposal have been consulted and if yes, what were their views and how they were disposed;	The modifications to the MPD-2021 are processed as per Section 11 A of DD Act, 1957 wherein various institutions/ organizations/ public representatives are involved by inviting objections/ suggestions through Public Notice. Thereafter, the same is being considered by the Authority wherein representatives of Ministry, GNCTD, local bodies etc. are the Members.
(xiv) Ministries of Finance and other nodal Ministries / Departments were taken into account while preparing and examining the proposal and;	Not applicable

(xv) The name, designation and contact information of an officer of the level of Director or above who will be the nodal officer to be contacted by the Ministry regarding the proposal.	Director (P/g.) MP, 6 th Floor, Vikas Minar, I. P. Estate, New Delhi-110002. Phone Nos:20378170
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4.0 PROPOSAL.

Based on the recommendation of Board of Enquiry & Hearing the proposals regarding modifications in the relevant clauses of MPD-2021 are as follows:

S.No	Existing Provisions in MPD-2021	Proposed Amendments / Modifications in MPD-2021 as per Public Notice	Proposed Amendments / Modifications in MPD-2021 (as per Recommendations of B&H)
	(1)	(2)	(3)
1.	5.6.3 c. LSCs, CSCs and shop plots which are already under commercial use zone are not be liable to pay any conversion charges.	5.6.3 c. LSCs, CSCs and shop plots which are already under commercial use zone are also liable to pay conversion charges, if any.	Same as existing provisions of MPD-2021.
2.	Para 6.4.1.1 v. Owners of standalone godowns needs to get the plans approved within one year period from the date of this notification. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m will have to shift to the other conforming areas / godown clusters within this one year. Such godowns functioning in non-conforming areas shall have to close down within the above said time period.	Para 6.4.1.1 v. Owners of standalone godowns needs to get the plans approved by 31.12.2020. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m will have to shift to the other conforming areas / godown clusters by 31.12.2020. Such godowns functioning in non-conforming areas shall have to close down within the above said time period.	Para 6.4.1.1 v. Owners of standalone godowns needs to get the plans approved by 31.12.2020. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m ROW will have to shift to the other conforming areas / godown clusters by 31.12.2020. Such godowns functioning in non conforming areas shall have to close down within the above said time period.

<p>3. 15.7 Other Activities</p> <p>15.7.1 Subject to the general conditions given in para 15.4 and additional conditions given in para 15.7.3, the following public and semi-public activities shall also be permitted in the residential plots abutting roads of minimum ROW prescribed in 15.7.2, whether or not the road is notified as mixed use street;</p> <p>.....</p> <p>Note No Provisions</p>	<p>15.7 Other Activities</p> <p>15.7.1 Subject to the general conditions given in para 15.4 and additional conditions given in para 15.7.3, the following public and semi-public activities shall also be permitted in the residential plots abutting roads of minimum ROW prescribed in 15.7.2, whether or not the road is notified as mixed use street;</p> <p>.....</p> <p>Notes: Bank lockers if part of bank shall be allowed in the respective basements of same premises;</p>	<p>15.7 Other Activities</p> <p>15.7.1 Subject to the general conditions given in para 15.4 and additional conditions given in para 15.7.3, the following public and semi-public activities shall also be permitted in the residential plots abutting roads of minimum ROW prescribed in 15.7.2, whether or not the road is notified as mixed use street;</p> <p>.....</p> <p>Notes: Bank lockers if part of existing bank shall be allowed in the respective basements of same premises.</p>
<p>4. 15.7.5</p> <p>No Provisions</p>	<p>15.7.5 Restaurants on ground floor only with valid appropriate licenses and with all statutory clearances, as existing on or before 27.11.2012 shall only be permissible on notified mixed use streets.</p>	<p>15.7.5 Restaurants on ground floor only with valid appropriate licenses and with all statutory clearances, as existing on or before the date of notification shall only be permissible on notified mixed use streets.</p>
<p>5. 15.9 Registration of Mixed Use Premises and Payment of Charges</p> <p>(E) The premises under mixed use shall also be liable for payment of mixed-use charges every Year to the local body concerned at the rates notified with the approval of Central Government, for the period during which the property is put to mixed use. Such payment will be made by</p>	<p>15.9 Registration of Mixed Use Premises and Payment of Charges</p> <p>(ii) The premises under mixed use shall also be liable for payment of mixed-use charges every Year to the local body concerned at the rates notified with the approval of Central Government, for the period during which the property is put to mixed use. Such payment will be made by the property owner / allottee</p>	<p>15.9 Registration of Mixed Use Premises and Payment of Charges</p> <p>(ii) The premises under mixed use shall also be liable for payment of mixed-use charges every Year to the local body concerned at the rates notified with the approval of Central Government, for the period during which the property is put to mixed use. Such payment will be made by the property owner / allottee</p>

the property owner / allottee voluntarily before 30th June of every year in respect of the previous assessment year (April - March).	voluntarily before 30th June of every year in respect of the previous assessment year (April - March).	voluntarily before 30th June of every year in respect of the previous assessment year (April - March).
For mixed use for the year 2006-07 and 2007-08, the property owner / allottee shall be allowed to pay one time registration charges and annual conversion charges without payment of any penalty under Clause 15.9 (v) for mixed use in or before 30.6.2009.	Deleted	Deleted

5.0 Recommendations

The following is placed before the Authority for its consideration & approval:

- (i) The recommendations of Board of Enquiry & Hearing as mentioned for Para 6.4.1.1, Para 15.7.1, Para 15.7.5 & Para 15.9.
- (ii) As per the approval of the Authority dt. 09.07.2019, the amendment proposed in para 5.6.3 (c) of the proposal will remain same as per public notice issued vide S.O. 2542 (H) dt. 17.07.2019 considering that the conversion charges and additional FAR charges has already been reduced considerably.
- (iii) The circular issued by the then OSD to Ld. dt. 27.11.2012 will stand withdrawn so that no new trade licenses be issued by concerned MCD from 17.09.2019.

Once the proposal contained in Para 5.0 is approved the same will be sent to MoHUA for consideration and final notification under Section 11 A of DD Act.

RESOLUTION

After detailed discussion it was decided that the recommendation contained in Para 5.0 (ii) of the agenda item be reassessed and placed before the Authority in the next meeting. Recommendations contained in paras 5.0 (i) and (iii) were approved. Matter regarding recommendation contained in para 5.0 (i) be referred to the Ministry of Housing and Urban Affairs, Govt. of India for issue of final notification.

[किसी भी खंड पर नं-23131/199]

REGD. NO. D. L-33804/99


भारत का राजपत्र
The Gazette of India

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दिल्ली विकास प्राधिकरण

(मुख्य योजना अनुभाग)

सार्वजनिक सूचना

नई दिल्ली, 17 जुलाई, 2019

का. अं. 2642 (स).—दिल्ली विकास प्राधिकरण (दिल्ली सरकार का दिल्ली विकास अधिनियम, 1957 की धारा-13(ग) के अंतर्गत दिल्ली मुख्य योजना-2021में निम्नलिखित नवीकृत नदों का प्रस्ताव है, जिन्हें अपना जो जानकारी के लिए एनएचआर प्रकाशित किया जाता है। प्रस्तावित नदीघाटों के संबंध में यह किंगों व्यक्ति को आपत्ति हो/कोई मुद्दा है। जो वे अपनी आपत्ति/सूचना इस सूचना के जारी होने की तिथि को पतालिप्त (45) दिन की अवधि के अंदर वास्तुतः एवं सचिव, दिल्ली विकास प्राधिकरण, 'बी' ब्लॉक, विकास भवन, नई दिल्ली-110023 को लिखित रूप में भेज सकते हैं। आपत्ति करने अपना मुद्दा देने वाले व्यक्ति अपना नाम, पता और टेलीफोन नंबर/आपके न.सं.मेल आदि भी भेजें, जो पञ्जीय हो।

संशोधन

विद्यमान प्रावधान	दिल्ली.सं. 2021	प्रस्तावित संशोधन/परिवर्द्धन
5.6.3 ग. स्थानीय बाजार, सुविधा बाजार और दुकान वाले प्लॉट, जो पहले ही व्यावसायिक उपयोग के अंतर्गत हैं, उनके लिए किसी परिवर्द्धन प्रकार का सुगमन करने की जिम्मेदारी नहीं होगी।	5.6.3 ग. स्थानीय बाजार, सुविधा बाजार और दुकान वाले प्लॉट, जो पहले ही व्यावसायिक उपयोग के अंतर्गत हैं उनके लिए भी परिवर्द्धन प्रकार का सुगमन करना होगा, यदि आवश्यक प्रमाण हेतु निर्दिष्ट दायरी बलों को व्यावसायिक में परिवर्द्धित किया गया हो।	5.6.3 ग. स्थानीय बाजार, सुविधा बाजार और दुकान वाले प्लॉट, जो पहले ही व्यावसायिक उपयोग के अंतर्गत हैं उनके लिए भी परिवर्द्धन प्रकार का सुगमन करना होगा, यदि आवश्यक प्रमाण हेतु निर्दिष्ट दायरी बलों को व्यावसायिक में परिवर्द्धित किया गया हो।
पैरा 6.4.1.1 य. अलग पड़े हुए नदीघाटों के स्थानों को इस अधिनियम की दिवि से एक वर्ष के अंदर नदों को	पैरा 6.4.1.1 य. अलग पड़े हुए नदीघाटों के स्थानों को 31.12.2020 तक नदों को अंतर्गत कराने की आवश्यकता होगी। अंतर्गत	पैरा 6.4.1.1 य. अलग पड़े हुए नदीघाटों के स्थानों को 31.12.2020 तक नदों को अंतर्गत कराने की आवश्यकता होगी। अंतर्गत

2019/2021/19

<p>अनुमोदित करते की आवश्यकता होगी। अन्ततः क्षेत्रों में जाने वाले खादों के स्थापितों और 30.0 मीटर से मान मार्ग पर अवस्थित भीड़दा गोदामों की इन एक वर्ष के अंदर अन्य संगत क्षेत्रों/गोदान क्लस्टरों में स्थापित किया होगा। अंतगल क्षेत्रों में कार्यशील ऐसे गोदामों को उपयुक्त समय अवधि के अंदर बंद करना होगा।</p>	<p>क्षेत्रों में जाने वाले खादों के स्थापितों तथा 30.0 मीटर के मान मार्ग पर अवस्थित भीड़दा गोदामों को 31.12.2020 तक अंतगल क्षेत्रों/गोदान क्लस्टरों के स्थापित किया होगा। अंतगल क्षेत्रों में कार्यशील ऐसे गोदामों को उपयुक्त समय अवधि के अंदर बंद करना होगा।</p>
<p>15.7 अन्य कार्यन्वयन 15.7.1 क्षेत्र 15.4 में दो नई मागान्क खादों/क्षेत्र 15.7.3 में दो नई आविष्कृत खादों के अधीन 15.7.2 में विहित व्युत्पन्न मशीनकार की नदरों के साथ, अने ही के विहित उपयोग नमूने के रूप में अधिसूचित हो या न हो, अपने वाले अन्तर्गामी खादों के भी निम्नलिखित कार्यन्वयन एवं अंतगल/अन्तर्गामी कार्यन्वयनों के लिए अनुमति दी जाएगी :</p> <p>..... टिप्पणी: कोई प्रावधान नहीं।</p>	<p>15.7 अन्य कार्यन्वयन 15.7.1 क्षेत्र 15.4 में दो नई मागान्क खादों/क्षेत्र 15.7.3 में दो नई आविष्कृत खादों के अधीन 15.7.2 में विहित व्युत्पन्न मशीनकार की नदरों के साथ, अने ही के विहित उपयोग नमूने के रूप में अधिसूचित हो या न हो, अपने वाले अन्तर्गामी खादों के भी निम्नलिखित कार्यन्वयन एवं अंतगल/अन्तर्गामी कार्यन्वयनों के लिए अनुमति दी जाएगी :</p> <p>..... टिप्पणी: बैंक लॉकर यदि बैंक का प्राण हो, तो उनके लिए वही परिसरों के संबंधित वेसमेंट में अनुमति दी जाएगी।</p>
<p>15.7.5 कोई प्रावधान नहीं।</p>	<p>15.7.5 बैंक उपयुक्त खादों/क्षेत्रों/सभी क्षेत्रों/सभी क्षेत्रों/सभी क्षेत्रों सहित दिनांक 27.11.2012 को शक्यता तक के पहले विद्यमान वेसमेंट/भूतल पर बने हुए रेक्टोरेडस वेसमेंट अधिसूचित विहित उपयोग वही/दूसरे पर अनुमति होगी।</p>
<p>15.9 विहित उपयोग परिसरों का पंजीकरण और प्रभावों का शुभता (1) विहित उपयोग परिसरों को केन्द्र सरकार के अनुमोदन से अधिनूचित करें, पर संबंधित स्थापित नियामक को प्रत्येक नए विहित उपयोग प्रसारों का शुभता करवा होगा, जो उस अवधि के लिए होगा अन्तर्गत अवधि के लिए सम्मानों को विहित उपयोग के लिए करा जाता है। यह शुभता सम्मानों के अन्तर्गत/अन्तर्गत द्वारा अन्तर्गत में विहित निर्धारण कार्य/अन्तर्गत-कार्य के लिए 30 अंश में पहले किया जाएगा।</p> <p>वर्ष 2006-07 और 2007-08 हेतु विहित उपयोग के लिए संपत्ति स्वामी/आवृत्ति भी दिनांक 30.06.2008 तक शक्यता तक पहले विहित उपयोग हेतु बंड 15.9(ब) के अंतर्गत निर्धारण शुभता या शुभता कि ए बिना एक बार/तीन बार/अन्तर्गत और वार्षिक परिवर्तन प्रसार या शुभता करने की अनुमति दी जाएगी।</p>	<p>15.9 विहित उपयोग परिसरों का पंजीकरण और प्रभावों का शुभता (1) विहित उपयोग परिसरों को केन्द्र सरकार के अनुमोदन से अधिनूचित करें पर संबंधित स्थापित नियामक को प्रत्येक नए विहित उपयोग प्रसारों का शुभता करवा होगा, जो उस अवधि के लिए होगा अन्तर्गत अवधि के लिए सम्मानों को विहित उपयोग के लिए करा जाता है। यह शुभता सम्मानों के अन्तर्गत/अन्तर्गत द्वारा अन्तर्गत में विहित निर्धारण कार्य/अन्तर्गत-कार्य के लिए 30 अंश में पहले किया जाएगा।</p> <p>हटा दिया गया।</p>

2. प्रस्तावित संशोधनों को दृष्टि में कला वि.सू.बी.-2021 का पाठ निरीक्षण के लिए उपर्युक्त निर्दिष्ट अवधि के दौरान नगरी कार्य-विभागों में उप निदेशक कार्यालय, मुख्य योजना अनुभाग, छठी मंजिल, विभाग नीलार,आई.पी.एम्.ए. नई दिल्ली-110002 में उपलब्ध रहेगा। प्रस्तावित संशोधनों को दृष्टि में आन.पाठ वि.वि.पा. की वेबसाइट अर्थात www.dda.org.in पर भी उपलब्ध है।

[फा. नं. एन.20(9)2014(एम.पि.)]

डी. सरकार, वायुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY
(MASTER PLAN SECTION)
PUBLIC NOTICE

New Delhi, the 17th July, 2019

S.O. 2542(E).—The following modifications which the Delhi Development Authority/Central Government propose to make to the Master Plan for Delhi 2021, under Section-11(A) of Delhi Development Act, 1957, are hereby published for public intimation. Any person having any objections/suggestions with respect to the proposed modifications may send the objections/suggestions in writing to the Commissioner-cum-Secretary, Delhi Development Authority, 'B' Block, Vikas Station, New Delhi-110023, within a period of Forty Five (45) days from the date of issue of this Notice. The person making the objections or suggestions should also give his/her name, address and telephonic number (if E-mail ID which should be available).

Modifications:

Existing Provisions	MPD 2021	Proposed Amendments/Modifications
5.6.3 c. LSCs, CSCs and shop plots which are already under commercial use zone are not be liable to pay any conversion charges.	5.6.3 c.	LSCs, CSCs and shop plots which are already under commercial use zone are also liable to pay use conversion charges, if the upper floors designated for residential are converted to commercial.
Para 6.4.1.1 e. Owners of standard godowns needs to get the plans approved within one year period from the date of this notification. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m will have to shift to the other conforming areas / godown clusters within 11.6 one year. Such godowns functioning in non-conforming areas shall have to close down within the above said time period.	Para 6.4.1.1 v.	Owners of standard godowns needs to get the plans approved by 31.12.2020. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m will have to shift to the other conforming areas / godown clusters by 31.12.2020. Such godowns functioning in non-conforming areas shall have to close down within the above said time period.
15.7 Other Activities 15.7.1 Subject to the general conditions given in para 15.2 and additional conditions given in para 15.7.3, the following public and semi-public activities shall also be permitted in the residential plots abutting roads of minimum ROW prescribed in 15.7.5, whether or not the road is notified as mixed use street:	15.7 Other Activities 15.7.1 Subject to the general conditions given in para 15.2	and additional conditions given in para 15.7.3, the following public and semi-public activities shall also be permitted in the residential plots abutting roads of minimum ROW prescribed in 15.7.5, whether or not the road is notified as mixed use street:
Note: No Provisions	Note: Bank lockers if part of bank shall be allowed in the respective basements of some premises.	
15.7.5 No Provisions	15.7.5	Restaurants on ground floor only with valid appropriate licenses and with no statutory clearances,

	us existing on or before 27.11.2012 shall only be permissible on notified mixed use estates.
<p>15.9-Registration of Mixed Use Premises and Payment of Charges</p> <p>(ii) The premises under mixed use shall also be liable for payment of mixed- use charges every Year to the local body concerned at the rates notified with the approval of Central Government, for the period during which the property is put to mixed use. Such payment will be made by the property owner / allottee ordinarily before 30th June of every year in respect of the previous assessment year (April - March).</p> <p>For mixed use for the year 2016-17 and 2017-18, the property owner / allottee shall be allowed to pay one time registration charges and annual conversion charges without payment of any penalty under Clause 15.9 (c) for mixed use on or before 30.6.2019.</p>	<p>15.9-Registration of Mixed Use Premises and Payment of Charges</p> <p>(ii) The premises under mixed use shall also be liable for payment of mixed- use charges every Year to the local body concerned at the rates notified with the approval of Central Government, for the period during which the property is put to mixed use. Such payment will be made by the property owner / allottee ordinarily before 30th June of every year in respect of the previous assessment year (April - March).</p> <p>Deleted</p>

2. The text of MP1-2021 indicating the proposed modifications shall be available for inspection at the Office of the Dy. Director, Master Plan Scheme, 5th Floor, Vikas Nagar, IP Estate, New Delhi-110002, on all working days within the period referred above. The text indicating the proposed modifications is also available on DDA's website i.e. www.dda.org.in.

[F. No. E 20(3)7014/M1]
D. SARKAR, Commissioner-cum-Secy.

दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY

P.20 (9)/2014/MP

Date: 04.09.2019

Sub: Minutes of the meeting of the Board of Enquiry & Hearing held on 04.09.2019 in response to Public Notice S.O. 2542(E) dated 17.07.2019 with reference to 'Amendments in MPD-2021'.

The proposal regarding modifications in MPD-2021 was approved by the Authority in its meeting held on 09.07.2019 vide item no. 51/2019. A Public Notice regarding 'Amendments in MPD-2021' was published in Gazette of India vide S. O. 2542 (E) dated 17.07.2019 for inviting objections / suggestions from the public within a stipulated time period of 45 days under Section 11-A of DD Act, 1957. In response to the public notice, about 1634 no. of objections / suggestions were received within the stipulated time period. The board heard about 173 numbers of oral submissions comprising of individuals, RWA's, Traders Associations and NGO's.

In order to hear the above objections / suggestions, the meeting of the Board of Enquiry and Hearing was held under the Chairmanship of Engineering Member, DDA on 04.09.2019. All the applicants who filed objections/suggestions were invited to present their submission before the Board. Breakup of no. of suggestions received on each of the proposed modification in MPD-2021 is as follows:

S. No.	Proposed modification (Clause)	Total (Objections/ Suggestions)	Individual Association		
			In favour	Against	
1.	5.6.3	430	-	-	
2.	6.4.1.1	0	In favour	424	6
			Against	-	-
3.	15.7.1	16	In favour	-	-
			Against	6	10
4.	15.7.5	603	In favour	585	6
			Against (Change of Lot-of Date)	2	10 (Including Individual Representations)

The gist of various issues raised by the stakeholders before the Board as well as in the representations received and para wise observations thereon are as follows:

Sr. No. 1: Modifications as proposed

Existing Provisions	Proposed Amendments / Modifications
5.6.3 c. LSCs, CSCs and shop plots which are already under commercial use zone are not be liable to pay any conversion charges.	5.6.3 c. LSCs, CSCs and shop plots which are already under commercial use zone are also liable to pay conversion charges, if the upper floors designated for residential are converted to commercial.

Gist of Issues raised by Public/Associations/NGO's and Observations

Sl. No.	Gist of Issues	Observations
1.	Commercial establishments/shop plots in CC/LSC/CSC which are already under commercial use zone shall not be liable to pay any conversion charges if the upper floors are used for commercial purpose unless a residential land share is clearly specified in the lease/conveyance/sale deed. However others should be liable to pay conversion charges as per clause/para 5.6.4.	• The supporting documents given by public during the course of hearing were taken on record.
2.	Promote CC/LSC/CSC areas with higher FAR and discourage mixed landuse or multi colony roads which are a big nuisance to residents.	
3.	Notified commercial zones are languishing and deserted due to introduction of mixed use as cost of land is much lower and also parking provisions become the responsibility of local bodies. This is a huge disincentive for Planned Commercial Areas. It would be more just and equitable if occupants of mixed landuse areas pay higher charges than those located in the designated commercial areas.	
4.	Judgment of the Constitution Bench of the Hon'ble Supreme Court stating that 'modifications should be Prospective in nature and not retrospective', must be complied with.	
5.	In para 1.8.10 vide its office order dt 1975 & 83 has mandated the use of the upper floors in LSC for Residential. The notification of DDA vide SO 161 of 1986 declared residential use as non conforming use in commercial zone and allowed the owners to continue to use the same for a period of ten years and on expiry thereof shift the non conforming use to conforming.	

Sl. No.	Gist of Issues	Observations
	<p>areas. The residential use however could be continued in commercial zone beyond ten years, provided the approval of Authority is obtained in respect of layout plan for the said use or permission of Authority is obtained in writing permitting the user to continue residential use on first and higher floors of the building (Annexure I).</p>	
6.	<p>Legal opinion of Sh. Vikas Singh, Senior Advocate, former JSC, Supreme Court supporting that conversion charges on the upper floors used as residential in properties located on commercial use zones is not chargeable.</p>	
7.	<p>Shop Plots and Shop cum Residence plots as per the nomenclature appearing in the lease deed need to be differentiated and treated differently.</p>	

Sr. No. 2 : Modifications as Proposed

Existing Provisions	Proposed Amendments / Modifications
<p>Para 6.4.1.1 v. Owners of standalone godowns needs to get the plans approved within one year period from the date of this notification. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m will have to shift to the other conforming areas / godown clusters within this one year. Such godowns functioning in non-conforming areas shall have to close down within the above said time period.</p>	<p>Para 6.4.1.1 v. Owners of standalone godowns needs to get the plans approved by 31.12.2020. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m will have to shift to the other conforming areas / godown clusters by 31.12.2020. Such godowns functioning in non conforming areas shall have to close down within the above said time period.</p>

Gist of Issues and Observations

The persons who appeared before the Board objected to the provisioning of standalone godowns on roads with 18.0 m ROW. The board clarified that as per Para 6.4.1 of MPD-2021, standalone godowns are only permitted on roads having a minimum of 30.0 m ROW.

Sr. No. 3 : Modifications as Proposed

Existing Provisions	Proposed Amendments / Modifications
<p>15.7 Other Activities</p> <p>15.7.1 Subject to the general conditions given in para 15.4 and additional conditions given in para 15.7.3, the following public and semi-public activities shall also be permitted in the residential plots abutting roads of minimum ROW prescribed in 15.7.2, whether or not the road is notified as mixed use street:</p> <p>.....</p> <p>Note: No Provisions</p>	<p>15.7 Other Activities</p> <p>15.7.1 Subject to the general conditions given in para 15.4 and additional conditions given in para 15.7.3, the following public and semi-public activities shall also be permitted in the residential plots abutting roads of minimum ROW prescribed in 15.7.2, whether or not the road is notified as mixed use street:</p> <p>.....</p> <p>Notes: Bank lockers if part of bank shall be allowed in the respective basements of same premises.</p>

Gist of Issues and Observations

Sl. No.	Gist of Issues	Observations
8.	Allow Banks to work from Basements along with permitting lockers.	<p>■ New banks will not be permissible. The banks which existed as on or before 7.9.2006 shall continue and will be allowed to use their basements in the same premises for providing lockers in view of safety and security.</p>
9.	Due to shortage of parking space and violation of BHL, permission for commercial activities including bank lockers in the basement should not be allowed.	
10.	Banks cannot be allowed in residential areas in the Garb of "Other Activities", Bank Lockers, Guest Houses, Labs & Nursing Homes, Tuition Centres should not be allowed in residential/ M.U areas.	

Sr. No. 4 : Modifications as Proposed

Existing Provisions	Proposed Amendments / Modifications
<p>15.7.5</p> <p>No Provisions</p>	<p>15.7.5 Restaurants on ground floor only with valid appropriate licenses and with all statutory clearances, as existing on or before 27.11.2012 shall only be permissible on notified mixed use streets.</p>

Gist of Issues and Observations

Sl. No.	Gist of Issues	Observations
11.	Requests to allow Restaurants in Mixed Use Areas while prescribing a prospective cut-off date /no cut-off date.	<ul style="list-style-type: none"> The issue of allowing Restaurants was deliberated in the Authority meeting held on 03.08.2012 wherein it was decided to amend the provisions of MPD-2021 to permit eating houses [Restaurants] in Mixed land use area Restaurants were allowed in Mixed use Areas in NCT of Delhi in view of communication dated 27.11.2012 issued by GSD to Hon'ble L.G., Delhi to Commissioners, Delhi Municipal Corporations. Enforcement of provisions under MPD 2021 needs to be done by Local Bodies while taking utmost care for the health and safety of the residents of the locality.
12.	Allow restaurants in form of Cafes etc. in specific residential areas where sufficient ROW and parking is available.	
13.	For safety, not to allow restaurant in mixed use street/area as the premises also bears residential uses or being used for residences on upper floors.	
14.	The proposed modification will lead to uncontrolled and unlimited mass commercialization under the blanket of MLU regulations.	
15.	It is not possible to open a restaurant in planned LSC's as 3 out of 7 mandatory compliances to open a Restaurant cannot be provided/ accepted in in these areas. Further, local bodies are giving licenses as on date to the Restaurant owners based on the order issued by Raj Khosla which was open ended.	

Sr. No. 5 : Modifications as Proposed

Existing Provisions	Proposed Amendments / Modifications
<p>15.9 Registration of Mixed Use Premises and Payment of Charges</p> <p>(ii) The premises under mixed use shall also be liable for payment of mixed- use charges every Year to the local body concerned at the rates notified with the approval of Central Government, for the period during which the property is put to mixed use. Such payment will be made by the property owner / allottee voluntarily before 31st June of every year in respect of the previous assessment year (April - March).</p> <p>For mixed use for the year 2006-07 and 2007-08, the property owner / allottee shall be allowed to pay one time registration charges and annual conversion charges without payment of any penalty under Clause</p>	<p>15.9 Registration of Mixed Use Premises and Payment of Charges</p> <p>(ii) The premises under mixed use shall also be liable for payment of mixed- use charges every Year to the local body concerned at the rates notified with the approval of Central Government, for the period during which the property is put to mixed use. Such payment will be made by the property owner / allottee voluntarily before 31st June of every year in respect of the previous assessment year (April - March).</p>

15.9 (v) for mixed use on or before 30.6.2009.	Deleted
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Gist of Issues and Observations

No suggestions received in this regard.

Deliberations of the BOEH:

1. A total number of 430 submissions out of 1134 were received for the issue at Sr. No. 1 Ld. Para 5.6.3 were received and all of them were in complete opposition to the amendment on account of the following:
 - a) Documentary evidence was presented which comprised of communication of L&DO, Govt. of India, DDA and local bodies supporting the premise that the LSC's, CSC's and Shop Plots which are already under commercial use zone are not liable to pay any conversion charges.
 - b) Judgment of the Constitution Bench of the Hon'ble Supreme Court was cited which states that "any law that imposes an additional burden on the taxpayer should ideally be prospective in nature. Retrospective meaning to a provision should only be made to correct some law to the benefit of the taxpayer."
 - c) Documents were presented stating that pricing for the plots in markets like Defence Colony, Greater Kailash Part II, Sunder Nagar was purely on commercial rates which were much higher than those for the plots falling in Sarojini Nagar Market, Khan Market where the percentage of residential component was a part of the lease deed. In case of LSC's/ CSC's, Shop Plots, residential activity was a permitted activity among many other activities. The mere earmarking/ identification of the upper floors as residential in the standard plans on a plot otherwise located in a commercial use zone and having lease for the commercial use does not entail the owners to pay conversion charges.
 - d) As per Delhi Development Authority (Zoning) Regulations, 1962, Sr. No. 9 *Residential use in commercial areas. - any person who may have immediately before operation of the plan, been using any land or building for non-conforming use for residential purpose in a commercial zone may continue to use the same for a period of ten years and on expiry thereof shall shift non-conforming use to any conforming area earmarked in the plan. Provided, however, it shall be lawful for a person to continue to use such land or building in that zone for such non-conforming use even beyond the said period of ten years if -*
 - a) Such person has obtained approval of the authority in respect of the layout plan and the superstructure being put up to non-conforming use;
 - b) The authority, for reasons to be recorded in writing, allow such person the residential use to continue on first and higher floors of building in that zone.
 - e) In an RTI, Architecture Deptt., SDMC has provided that Standard Plan in respect of Shop cum-Residential plot means - one construction plan applicable for specific market/s to maintain Front Elevation/ Facade, in order to have visual

harmony. However, the inner planning of the plot is entirely left to the owner's will, within the provisions of MPD & BBL. (Annexure II)

- f) The letter of Commissioner, SDM, dt. 26.10.2018 (Annexure III) was presented alongwith the figures indicating the revenue generated by the local body on account of conversion charges was presented to establish that figure of Rs 1000 or mentioned in the letter was erroneous, as only revenue of Rs. 111. cr. had been collected by the local bodies on account of conversion charges as per RTI reply of SDM.
2. For issue of Sr. 2 w.r.t. Para 6.4.1.1 a total 10 no. of general suggestions were made. The representatives were under the impression that godowns are also permitted on roads with 18 mttrs. ROW where the board clarified that as per Para 6.4.1 of MPD-2021, standalone godowns are permitted on roads having ROW of minimums 30 mt.
 3. As per para 15.7.1, Bank lockers, only if they are a part of existing bank already functioning shall be allowed. The words 'already functioning' be added for clarity.
 4. Local Bodins have been allowing restaurants in Mixed Use Streets based on the GO No. 14(1)UN/2012/330/17342 dated 27.11.2012 which is open ended and does not prescribe any cut-off date. It was also mentioned that the closure of restaurants would lead to loss of livelihood of several lakhs of people. New licenses are being issued by the licensing authorities. The compliance of the 3 out of 7 sanction conditions for running restaurants in planned commercial areas of USC is not feasible as they have mainly being/ developed as small shops & lack of open spaces required to set up the KPP.
 5. There were also views that these restaurants also create nuisances, enforcement and law & order issues in residential areas. In order to curb these nuisances, no further restaurants should be allowed in Mixed Use Areas other than which are operating as per law, having valid licenses or existing as an date.

In addition to above, following submissions were also made by general public before the board:

- a. Delhi be developed in a planned manner and it was unanimously demanded that frequent amendments/ modifications in MPD-2021 be stopped immediately.
- b. Applicability of conversion charges for commercial establishments whose lease deed provides lease for only commercial use, the same be considered and no conversion charges be taken from such establishments.
- c. DDA's own markets which are already designated as commercial establishments be considered for upgradation/ planned development and mixed use regulations which legalize the unauthorized use of premises should be abolished.

The board also deliberated that in one of the files related to the minutes of BKH, where it has been observed that the modifications proposed by the BKH which were not a part of the public Notice needs re-examination viz-a-viz scope of Board of Enquiry & Hearing.

Recommendations

Keeping in view the above and the varied views both through written representations and oral submissions made by the General Public Associations and Groups, the Board has decided to present the following to the Authority for suitable considerations:

- i) Para 5.6.3 has been unanimously opposed and requested that Commercial establishments having Lease Deed as Commercial should not be liable to pay conversion charges if the premise is being used as commercial. The modification may not be accepted for amendments.
- ii) Para 15.7.5 may be modified as "Restaurants on ground floor only with valid appropriate licenses and with all statutory clearances, as existing on or before *the date of notification* shall only be permissible on notified mixed use streets.
- iii) Para 6.4.1.1 may be modified with inclusion of word 'ROW' which will read as follows:
"Owners of standalone godowns needs to get the plans approved by 31.12.2020. The owners of plots falling in non-conforming areas and existing godowns located on less than 30.0 m ROW will have to shift to the other conforming areas / godown clusters by 31.12.2020. Such godowns functioning in non-conforming areas shall have to close down within the above said time period."
- iv) Para 15.7.1 may be modified with inclusion of words existing banks which should be read as follows:
*"Notes:
 Bank lockers if part of existing bank shall be allowed in the respective basements of same premises."*
- v) Para 15.9 be modified as proposed in the public notice.

Maggi (u.s)
 Addl. Commissioner (Plg.) DDA
 (Convener & Secretary of the Board of Enquiry & Hearing)

Swati
 Chief Planner, TCPO, Govt
 (Member of the Board of Enquiry & Hearing)

Mangaldeep
 Finance Member, DDA
 (Member of the Board of Enquiry & Hearing)

Vijender Gupta
 Sh. Vijender Gupta, MLA
 (Member of the Board of Enquiry & Hearing)

Engineering Member, DDA
 (Chairman of the Board of Enquiry & Hearing)

(c) in any other case on such terms and conditions as the Authority may prescribe.

10. Residential use in industrial areas.—Residential non-conforming use and its conversion.

Any person who may have, immediately before the operation of the plan, been using any land or building for a non-conforming use for residential purpose in an industrial use zone, may continue to use the same for a period of ten years and on expiry thereof shall shift the non-conforming use to any conforming area earmarked in the plan.

Provided, however, it shall be lawful for a person to continue to use such land or building in that zone for such non-conforming use even beyond the said period of ten years if that person has obtained approval of the Authority in respect of the layout plan and the superstructure being put to non-conforming use.

9. Residential use in commercial areas.—Any person who may have, immediately before operation of the plan, been using any land or building for non-conforming use for residential purpose in a commercial zone may continue to use the same for a period of ten years and on expiry thereof shall shift non-conforming use to any conforming area earmarked in the plan.

Provided, however, it shall be lawful for a person to continue to use such land or building in that zone for such non-conforming use even beyond the said period of ten years if—

- (a) such person has obtained approval of the Authority in respect of the layout plan and the superstructure being put up to non-conforming use;
- (b) the authority, for reasons to be recorded in writing, allow such person the residential use to continue on first and higher floors of building in that zone.

11. Commercial use in industrial areas.—Any person who may have, immediately before operation of the plan, been using any land or building for non-conforming use for commercial purpose in a public recreational use zone may continue to use that land or building in case such land or building is situated in any village which was in existence on 1st September, 1962 and in all other cases only upto a period of ten years or such extended period as the Authority may keeping in view the peculiar circumstances of the case allow.

12. Commercial use in residential areas.—Any person may continue to use any land or building in a residential use zone for commercial purpose—

- (a) for a period of ten years provided the land has been earmarked as local commercial area in the Zonal Development Plan of that zone; and
- (b) in any other case on such terms and conditions as the Authority may prescribe.

13. Commercial use in Public & semi-public areas including recreational areas.—Any person may continue to use any land or building in public or semi-public use zone including recreational zone for commercial purpose—

- (a) for a period of ten years provided the land has been earmarked as local commercial area under the zonal development plan of that zone; and
- (b) in any other case on such terms and conditions as the Authority may prescribe.

14. Improvements and alterations in non-conforming areas.—Any person who may have, immediately before the operation of the plan, been using any land or building not in conformity with the Master Plan or the Zonal Development Plan of that area intends to make improvements or alterations in the machinery that may have been installed on such land or building may be permitted to do so provided such improvements or alterations are covered by the laws mentioned in schedule III to these Regulations.

15. Temporary permits.—Any land or building may be permitted on an application in writing and for reasons to be recorded in writing temporary with a time limit to be used for a purpose other than the use stipulated in the plan like tents for workery to live while constructing an industrial estate or while the area is underdeveloped and the property owner wishes to continue agriculture or in underdeveloped areas to make temporary use of the land in some other way than shown in the plan.

16. Use permitted.—It shall be lawful to continue to use any land or building in a zone provided it has been earmarked for any of the uses shown as permitted in that zone in Schedule IV attached hereto.

17. Use permitted if allowed by competent Authority after special appeal.—It shall be lawful to continue to use any land or building in a zone which has been expressly permitted to be used for any purpose, mentioned in Schedule IV hereto, by the Competent Authority after special appeal.

SCHEDULE I—AS PER REGULATION 10

Sl. No.	Code	Use Zone
1.	R-25	Residential
2.	R-30	Residential
3.	R-60	Residential
4.	R-75	Residential
5.	R-100	Residential
6.	R-25A	Residential
7.	R-150	Residential
8.	R-200	Residential

18. Use permitted.—It shall be lawful to continue to use any land or building in a zone provided it has been earmarked for any of the uses shown as permitted in that zone in Schedule IV attached hereto.

19. Use permitted if allowed by competent Authority after special appeal.—It shall be lawful to continue to use any land or building in a zone which has been expressly permitted to be used for any purpose, mentioned in Schedule IV hereto, by the Competent Authority after special appeal.

SCHEDULE I—AS PER REGULATION 10

Sl. No.	Code	Use Zone
1.	R-25	Residential
2.	R-30	Residential
3.	R-60	Residential
4.	R-75	Residential
5.	R-100	Residential
6.	R-25A	Residential
7.	R-150	Residential
8.	R-200	Residential

20. Use permitted.—It shall be lawful to continue to use any land or building in a zone provided it has been earmarked for any of the uses shown as permitted in that zone in Schedule IV attached hereto.

21. Use permitted if allowed by competent Authority after special appeal.—It shall be lawful to continue to use any land or building in a zone which has been expressly permitted to be used for any purpose, mentioned in Schedule IV hereto, by the Competent Authority after special appeal.

SCHEDULE I—AS PER REGULATION 10

Sl. No.	Code	Use Zone
1.	R-25	Residential
2.	R-30	Residential
3.	R-60	Residential
4.	R-75	Residential
5.	R-100	Residential
6.	R-25A	Residential
7.	R-150	Residential
8.	R-200	Residential

22. Use permitted.—It shall be lawful to continue to use any land or building in a zone provided it has been earmarked for any of the uses shown as permitted in that zone in Schedule IV attached hereto.

23. Use permitted if allowed by competent Authority after special appeal.—It shall be lawful to continue to use any land or building in a zone which has been expressly permitted to be used for any purpose, mentioned in Schedule IV hereto, by the Competent Authority after special appeal.

SCHEDULE I—AS PER REGULATION 10

Sl. No.	Code	Use Zone
1.	R-25	Residential
2.	R-30	Residential
3.	R-60	Residential
4.	R-75	Residential
5.	R-100	Residential
6.	R-25A	Residential
7.	R-150	Residential
8.	R-200	Residential

24. Use permitted.—It shall be lawful to continue to use any land or building in a zone provided it has been earmarked for any of the uses shown as permitted in that zone in Schedule IV attached hereto.



South Delhi Municipal Corporation
Architecture Department

B-1 Block, 27th Floor, Civic Centre, Minto Road, New Delhi - 110002, Tel. 011-23227700-10

No. D/ARCH/SDMC/RTI/ 14

Date 09-01-2019

Sh. Rajesh Goyal,
President, LSC Federation of Delhi (Regd.)
M-52, M-Block Market, Greater Kailash-2,
New Delhi-110048
Mob. No. 9871600600

Subj - Information under RTI Act-2005 No. 234/ARCH/SDMC/2019 dt. 02.01.2019.

The above RTI application of Sh. Rajesh Goyal has been transferred by PEO/Sr. Town Planner vide letter no. TP/RTI/SDMC/19/4100 dt. 01.01.2019 received in this office on 02.01.2019 for reply of Question no. 16 to 20 & 25 under RTI Act-2005. The reply is as under:-

16. The Standard Plan in respect of Shop cum Residential plots means - one construction plan applicable for specific market/s to maintain Front Elevation/Facade, in order to have visual harmony. However, the inner planning of the plot is entirely left to the owner's will, within the provisions of MPD & RBL.
17. The information asked by the applicant at point no. 17 pertains to JDA Hence the RTI application is being transfer to PEO/JDA (Master Plan) for reply under RTI Act.
18. Same as per para-17 above.
19. MCD initiated the revision of existing Std. Plans for Shop cum Residence plots with the enhanced FAR given for Residential plots as per the provisions MPD-2021. But the same was stopped due to the decision of Technical Committee of JDA in 2018. Hence the RTI application is being transfer to PEO/JDA (Master Plan) for reply under RTI Act.
20. The information asked by the applicant in point no. 20 partly pertains to JDA being the controller of Master Plan, as already explained at point no. 19. Hence the RTI application is being transfer to PEO/JDA (Master Plan) for reply under RTI Act.
- The matter regarding levy of any charges on plot owners in LSCs pertains to Hdg. Deptt. (HQ). Hence the RTI application is being transfer to PEO/Hdg. Deptt. (HQ) for reply under RTI Act.
23. Same as per para- 19 above.

Chief Architect is the First Appellate Authority to whom an appeal can be preferred within 30 days from the issuance of this letter to Arch. Deptt, South DMCC at B1-Block, 27th Floor, Civic Centre, Minto Road, New Delhi-110002.

Annex 15

D.O. NO. 02/80/DM/2018
Dated: 26/10/2018

Respected Sir,

This is in continuation to earlier D.O. dated 25/10/2018 & subsequent meeting held on 26/10/2018 at Raj Nivas with a view of payment of conversion charges of shop plot / shop cum residence plot / shop cum residence plot later designated as LSC / CC / CSC.


In shop plot / shop cum residence plot / shop cum residence plots later designated as LSC / CC / CSC which were developed as per sanctioned plans approved by the local bodies / CIDR etc. commercial use (shop) was permitted only on the ground floor and residential use on upper floors as per the development control norms for residential plots. In case of conversion of use from residential to other i.e. residential to commercial, shop owners were liable to pay conversion charges.

Accordingly on 11.07.2012, DDA notified the rate of one-time use conversion charges from residential to commercial of Rs. 89,000/- per sqm for all upper residential floors of various markets. As only few market owners deposited the said charges, DDA vide notification dated 28.12.2017 reduced the said rates of conversion charges for shop cum residence plots / complexes later designated as LSC to Rs. 22,274/- per sqm. Further, as per DDA notification dated 28.09.2018 the rates were divided into three categories i.e. @ Rs. 22,274/- per sqm for A & B category of colony @ Rs. 11,830/- per sqm for C & D category of colony and @ Rs. 5,576/- per sqm for E, F, G & H category of colony.

It may be mentioned that part payment of use conversion charges of upper floors in the shop plots has been received in a number of cases. The quantum of conversion charges received from shop owners under the jurisdiction of South DMC is about Rs.9514/- crores out of which substantial portion is from LSC/Shop cum Residence Plot.

In case of applicability of clause 5(c) of the notification dated 21/06/2018, the substantial amount collected would need to be refunded to the shop owners along with interest. It is estimated that revenue generation from conversion charges is to this time approx. Rs. 1000 crores. It has already been clarified by SIDMC that these conversion charges are to be utilised for creation of multi level parking, tollies and related augmentation of infrastructure for development of markets.

In view of the above, it is requested that the appropriate clarification regarding payment of conversion charges for upper floors / basement from residential to commercial in case of shop plots / LSC / Shop cum residential plots designated as LSC which are governed as per the sanctioned plans may kindly be given at the earliest.

Yours sincerely,

(PUNLI K. GOEL)

Sanjiv Kumar, IAS
Vice-Chief Officer, Delhi Development Authority
V-25, Connaught Place
New Delhi-110022

ITEM NO. 93/2019

Subject: Relaxation in lock-in period, raising the ceiling of rebate and reducing the rate of interest in respect of flats allotted to Persons with Disability (PwD).

F.2S(PHP)/LIG/2019

1. BACKGROUND

1.1 Representations are being received from allottees of various housing schemes of DDA who have been allotted flats under Persons with Disability (PwD) category for giving some more concessions to them. Similar requests are also being made by such allottees during the public hearings of VC and other senior officers of DDA.

1.2 The PwD category allottees of Housing Scheme-2014 (HS-14) have requested for removal of condition of lock-in period of 15 years in the case of allotment of DDA flats to them stating that DDA has removed the condition of lock-in period of 5 years in respect of flats allotted under Housing Scheme-2014 in respect of allottees of general category. It has further been stated that the area of Sector-35, Rohini is undeveloped area and there is no transport facility provided by the concerned agencies. It has been requested that the subsidy amounting to Rs.65,000/- given to physically disabled persons may be withdrawn but the condition for lock-in period for 15 years may be removed.

1.3 In other representations, it has been requested to raise the ceiling of Rs.1.0 lakh to Rs.10.0 lakh under the provision of 5% rebate of the cost of the flats allotted to Persons with Disability. In support of their request, it has been stated that the ceiling of Rs.1.0 lakh was provisioned while HIG Flat was costing approximately Rs.25.0 lakh in 2006 and now its cost is ranging from Rs. 1.4 crore to Rs. 1.8 crore in the current draw. It has further been stated that the balance 75% cost of the flats allotted to the persons with disability is recovered by DDA in EMI. DDA charges interest of 10% on this balance amount, whereas the OM dated 9th October, 2006 does not mention charging of any interest.

2. ISSUES

In view of above, following issues emerge for consideration:

- (i) Removal of lock-in-period in respect of PwD category allottees of HS-14. In this context, it has been submitted that DDA has removed the condition of lock-in period of 5 years in respect of flats allotted under Housing Scheme-2014 in respect of general category of allottees.
- (ii) Raising the ceiling of Rs. 1.0 lakh on subsidy to Rs. 10.0 lakh. In support of their request, the PwD allottees have stated that the ceiling of Rs. 1.0 lakh was provisioned while HIG Flat was costing approximately Rs.25.0 lakh in 2006 and now its cost is ranging from 1.4 crore to 1.8 crore in the current draw. In view of this it has been requested to raise the ceiling to Rs.10.0 lakh.
- (iii) Reduction in the rate of interest on balance cost of the flats being recovered in EMI from existing rate of interest of 10% to 1%. In this context, it has been argued that the balance 75% cost of the flats allotted to the PwD category is recovered by DDA in EMI. DDA charges interest of 10% on this balance amount, whereas the OM dated 9th October, 2006 does not mention charging of any interest.

3. EXAMINATION

3.1 The representations received have been examined and it is observed that:

- (a) 3% reservation in allotment of flats is provided to the Persons with Disability (PwD) as defined in Section-2 of the Persons with Disability, Equal Opportunities, Protection of Rights and Full Participation Act, 1995.
- (b) Following additional benefits are also given to the PwD category allottees:
 - (i) Allotment on Ground Floor:

- (ii) Allotment on hire purchase basis: The initial payment in case of hire purchase allotment would be 25% and rest of the amount with applicable interest would be taken in equated monthly instalments (EMI) over a period of 15 years; and
- (iii) 5% rebate in the cost subject to maximum of Rs.1.0 lakh is given to the Persons with Disability who are allotted flats under the above quota.

3.2. In order to ensure that the concessional provisions meant for the Persons with Disability do not lead to misuse or speculation, it has also been decided that the letter of allotment of such flats would specifically state that alienation of possession of the flat prior to 15 years from the delivery of possession to the allottee would result in automatic cancellation of the flat and under no circumstances such cancellation would be withdrawn. In addition, the 'Conveyance Deed' for all such cases would also include the specific clause which would be included in the letter of allotment itself and the allottee should by way of affidavit specifically agree to the same being a part of the 'Conveyance Deed' before the possession of the flat is delivered to the allottee.

3.3. In case the allottee/vendee dies prior to the expiry of the stipulated period of 15 years, his/her legal representatives shall be bound to honour the stated condition. However, they shall be entitled to occupy the said flat.

3.4. The concession shall be applicable to the persons who come within the meaning of disability as defined in the Persons with Disability (Equal Opportunities), Protection of Rights and Full Participation Act, 1995 duly certified by a 'Medical Board'. The permissible benefit under the clause will be given only to those applicants who were allotted flats under 5% reservation quota. If the flat is allotted under general category, the above benefit will not be extended to them in any case or manner, whatsoever, and they will neither claim such benefits nor such request will be entertained by the DDA.

3.5. As regards the issue of raising the ceiling of rebate from Rs. 1.0 lakh to 10.0 lakh, it is stated that this ceiling will be exhausted in case of flats having cost at least Rs. 2.0 cr. or above. An allottee purchasing a flat at this cost, except being a PwD category, can not be treated financially weak deserving such high rebate. Considering the fact that the current cost of flats has increased about 2.5 times in all categories from the level of 2006, the ceiling on current rebate may also be increased by a multiplication factor of 2.5 i.e. @ 5% of the cost of the flat subject to maximum of Rs. 2.5 lakh.

3.6 Regarding reducing the rate of interest on EMI to 1%, it may be stated that keeping in view preferential allotment and proposed ceiling limit of 2.5 lakh, such reduction in interest rate will have an adverse impact on the balance sheet of DDA and, therefore, may not be reduced further. In case this rate of interest appears to be high to the allottees, it may also be considered to give them an option to pay either (i) a part cost in lump-sum and balance in revised EMIs with an interest @ 10% or (ii) to pay the full cost of the flat to DDA and raise loan from banks/other financial institutions or any other sources of their own choice at lower rate of interest.

4. PROPOSALS

4.1 In view of above, it is proposed that:

- (i) Those allottees who have opted for "cash down payment" can be granted exemption from lock-in-period of 15 years, if they apply for conversion to freehold and deposit the applicable charges.
- (ii) Those allottees who have opted for "hire purchase" can be granted exemption from lock-in period of 15 years, if they apply for conversion to freehold and pay balance amount of cost of flat as on the date of application and other applicable charges.
- (iii) Considering the fact that the current cost of flats has increased about 2.5 times in all categories from the level of 2006, the ceiling on current rebate may also be increased by a multiplication factor of 2.5 i.e. @ 5% of the cost of the flat subject to maximum of Rs. 2.5 lakh in respect of the allottees under the category of Persons with Disabilities (PwD).
- (iv) The rate of interest being currently charged on EMI in respect of PwD category allottees may not be reduced further.
- (v) An option may be given to the allottees under PwD category either (i) part cost in lump-sum and balance in revised-EMIs with an interest @ 10% or (ii) to pay the full cost of the flat to DDA and raise loan from banks/other financial institutions or any other sources of their own choice at lower rate of interest.
- (vi) The above provisions shall also be applicable for the allottee under PwD category in future schemes of DDA.

4.2. Law Department has seen and endorsed the proposal regarding removal of lock-in period.

4.3 Finance Department has seen and approved the proposal as in Para-4.1 above.

5. **RECOMMENDATION**

Proposal contained in Para-4.1 above is submitted for consideration and approval of the "Authority".

RESOLUTION

The proposal contained in the agenda item was approved.

ITEM NO. 94/2019

Sub:- Rationalization of cost of One Bed Room Flats at Ram Garh Colony, Jahangirpuri.

F-25/Rationalization/LIG/2019/08

A. BACKGROUND

268 One Bed Room Flats were put on offer to the general public through AarwasYojna-2017 (AY-2017). Out of these 268 flats, DDA could sell only 8 flats. The remaining flats have again been put on offer through On-line mode of application to general public. All flats were booked but payments were received only in 7 cases within the stipulated time limit. The cost of these flats was initially in the range of Rs.19-21 lakh, which was subsequently reduced by giving 50% rebate in maintenance charges.

B. ISSUES

2. Despite best efforts, DDA has not been able to monetize these assets.
3. Representations have been received through various channels alleging allotment of EWS flats in the name of LIG flats having smaller size of these flats vis-a-vis higher cost.
4. Various efforts have been made to assess the gravity of allegations of the registrants, including site visit at senior levels. It has been observed that the main reason for lack of interest by public in these flats is their small size and poorly designed layout. Therefore, the concerns of registrants/allottees of Ramgarh Colony are genuine and need to be redressed suitably. Copies of Layout plans of One Bedroom Flats at Ramgarh Colony, Siraspur and Sector G-2, G-8 Narela are enclosed (Annexure-A).

C. EXAMINATION

5. The matter was discussed with Vice-Chairman, Delhi Development Authority by Director (W) in the presence of EM and FM. The matter also came-up for discussion in the Senior Officers Meeting(SOM) held on 27.08.2019. It was decided that the matter may be examined by a 'Committee' for suggesting measures to rationalize the cost of these flats. Accordingly, a 'Committee' comprising of following officers was constituted with the approval of Vice Chairman, Delhi Development Authority:

- (i) Commissioner (Personnel/Housing)
- (ii) Financial Advisor (Housing)/Consultant
- (iii) Director.(H)-II
- (iv) SE (NZ)
- (v) Deputy Director.(LIG)-H
- (vi) Deputy FA(IT)-II
- (vii) Accounts Officer (HAC)

6. The meeting of the aforesaid 'Committee' was held on 29-08-2019 at 14:30 hrs in the chamber of Commissioner (Housing). Minutes of the Meeting are attached (**Annexure-B**).

7. The 'Committee' deliberated on all the aspects of the matter in detail. The 'Committee' observed that approximately 10300 One Bedroom Flats were offered in DDA Awasiya Yojana-2017 at G-2, G-8, Narela, Siraspur, Sector 34 & 35 Rohini, including Ramgarh Colony. Out of these 10300 Flats, the flats at G-2 & G-8, Sectors of Narela, Rohini and Siraspur have approximately the same plinth area and consists of one bedroom, one living room, lobby and separate kitchen (Carpet area about 25 sq. m.), whereas; 268 flats offered at Ramgarh, though having almost same plinth area consist only of one bedroom and one small multipurpose room, without separate kitchen having carpet area of about 19.0 sq. m. only. The 'Committee' further observed that the flats at Siraspur and G-2, G-8 Sectors of Narela having more carpet area were offered at a lesser cost than of those of at Ramgarh. No flats other than those at Ramgarh Colony have so much less carpet area.

8. In view of these facts, the 'Committee' felt that there is need for rationalization of cost of these flats at Ramgarh. The 'Committee' recommended that the construction cost of One Bed Room Flats at Ramgarh may be reduced by 30% on prorata basis. The 'Committee' also recommended that the reduced cost be made applicable to all the allottees of Ramgarh Colony, irrespective of the fact whether they have taken possession or not, including those who booked online through website.

9. Finance Department has seen and agreed with the proposal.

D. PROPOSAL

10. Keeping in view the fact that there are layout variations resulting in lesser carpet area of flats at Ramgarh in comparison to similar flats at Siraspur, G-2 and G-8 Sectors of Narela vis-à-vis higher cost consequent upon which huge funds are blocked and despite concerted efforts, DDA has not been able to monetize assets at Ramgarh Colony, Jahangirpuri it is proposed that:

- (i) A discount of 30% may be given on the construction cost of these One Bed Room Flats at Ramgarh Colony.
- (ii) The benefit of reduced cost may also be extended to such allottees of Ramgarh Colony who had been allotted flats in the past, including those who had already taken over the possession after depositing the premium.

E. RECOMMENDATIONS

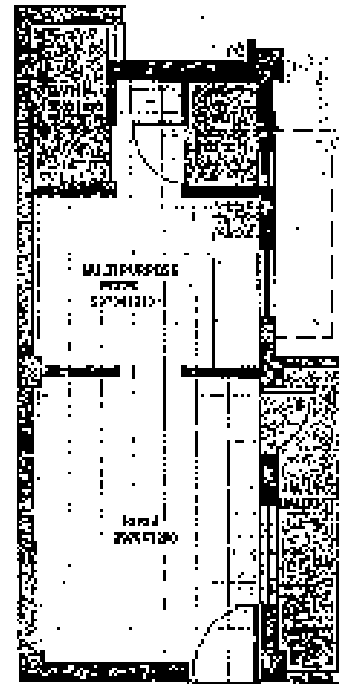
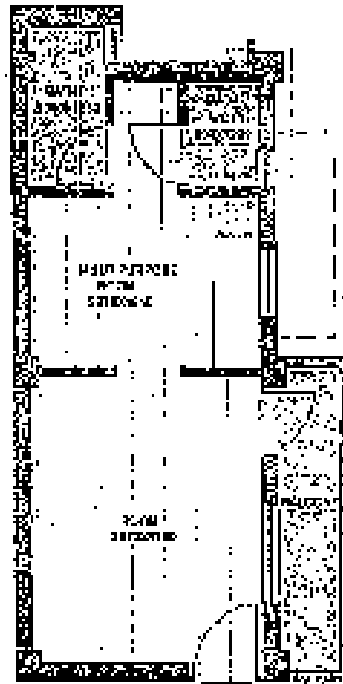
11. The proposals contained in Para-10 above are submitted for consideration and approval of the 'Authority'.

RESOLUTION

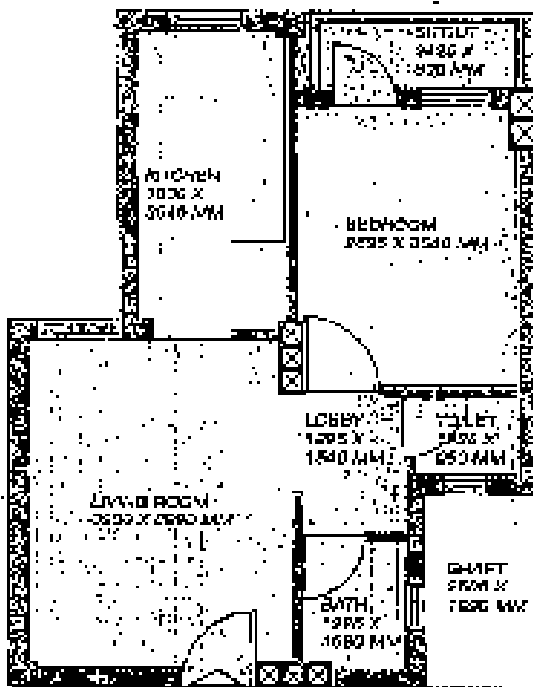
The proposal contained in the agenda item was approved.



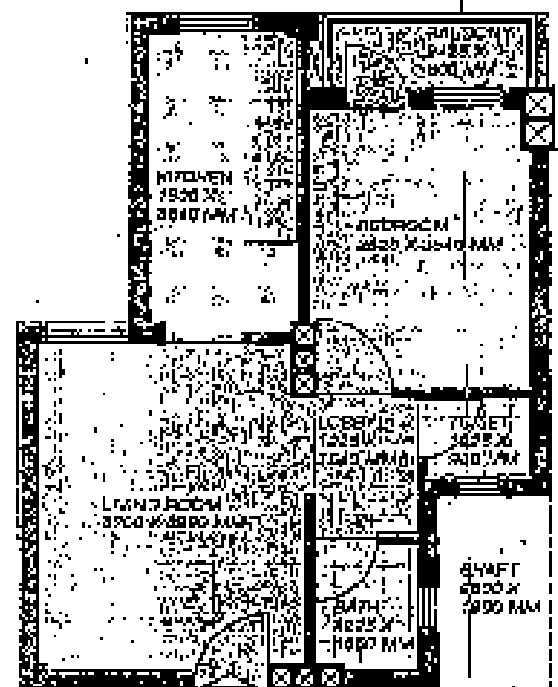
**TYPICAL UNITS PLAN FOR HOUSES AT
RAM GARH COLONY, NEAR JAHANGIRPURI METRO STATION**



TYPICAL UNIT PLAN OF HOUSING AT SECTOR-G2 & G8, NARELA



GROUND FLOOR PLAN

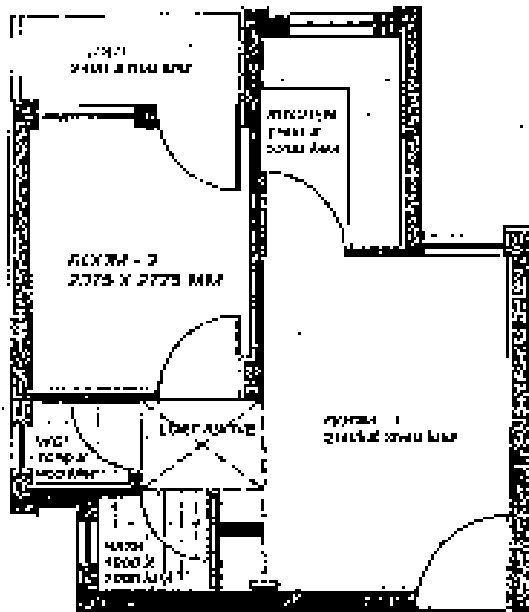


TYPICAL FLOOR PLAN

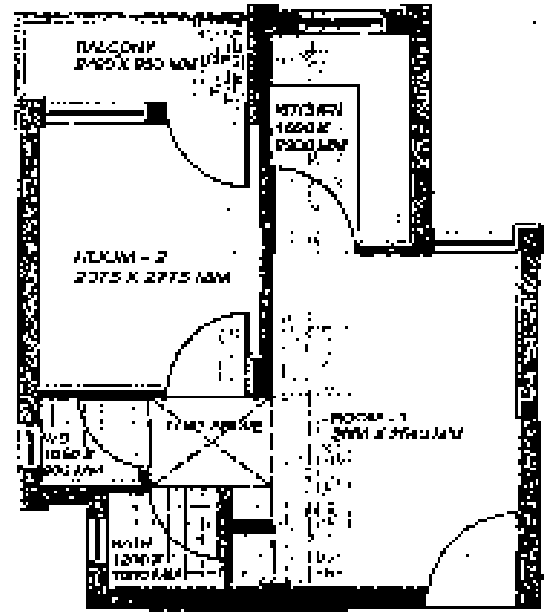
All dimensions in Millimeters (MM)

TYPICAL UNIT PLAN FOR HOUSING AT SIRASPUR

10/1



GROUND FLOOR PLAN



TYPICAL FLOOR PLAN

All dimensions in Millimeters (mm)

DELHI DEVELOPMENT AUTHORITY
LIG BRANCH

No. 1-25/Rationalization/LIG/2019/08

Dated :

Subject:- Minutes of the meeting held under the Chairmanship of Commissioner (Housing) DDA to consider rationalization of cost of flats at Ram Garh Colony, Jahangirpuri.

A reference dated 06-08-2019 was received from Commissioner and OSD to VC, DDA regarding moving an agenda on rationalization of price of one room flats at Ram Garh Colony, Jahangirpuri, Delhi.

268 One Bed Room Flats were put on offer to the general public through AwasYojna-2017 (AY-2017). Out of these 268 flats, DDA could sell only 8 flats. The remaining flats have again been put on offer through On-line mode of application to general public. All flats were booked but payments were received only in 7 cases within the stipulated time-limit. The cost of these flats was initially in the range of Rs.19-21 lakh, which was subsequently reduced by giving 50% rebate in maintenance charges.

3. Representations have been received through various channels alleging allotment of EWS flats in the name of LIG flats alleging small size of these flats vis-a-vis higher cost.

4. Various efforts have been made to assess the gravity of allegations of registrants, including site visit at senior levels. It has been observed that the main reason for lack of interest by public in these flats is their small size and poorly designed layout. Therefore, the concerns of registrants/allottees of Ramgarh Colony are genuine and need to be redressed suitably.

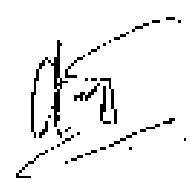
5. The matter was discussed with VC, DDA by Director (W) in the presence of EM and FM. The matter also came up for discussion in the SOM held on 27-08-2019. It was decided that the matter may be examined by a Committee for suggesting measures to rationalize the cost of these flats at Ram Garh. Accordingly, a committee comprising of following officers was constituted with the approval of VC, DDA:-


1. Commissioner (Pers/Housing)
2. Financial Advisor (Housing)/Consultant
3. Director (H)-II
4. SE (NZ)
5. Deputy Director (LIG) H
6. Dy. FA(H)-II
7. AD(HAC)


6. The meeting of the aforesaid Committee was held on 29-08-2019 at 14.30 hrs in the chamber of Commissioner (Housing). List of participants is attached.


7. The 'Committee' deliberated on all the aspects of the matter in detail. The 'Committee' observed that approximately 10300 one bedroom flats were offered in DDA's Aawasiyu Yojana-2017 at G-2 & G-8 Narela, Siraspur, Sector-34 & 35 Rohini including Rangarth Colony. Out of these 10300 flats, the flats at G-2/G-8 Sectors of Narela, Rohini and Siraspur have approximately the same plinth area and consists of one bedroom, one living room, lobby and separate kitchen (carpet area about 25 sq. m.), whereas 268 flats offered at Rangarth, though having almost same plinth area consist only of one bedroom and one small multipurpose room, without separate kitchen having carpet area of about 19.0 sq. m. only. The 'Committee' further observed that the flats at Siraspur and G-2, G-8 Sectors of Narela having more carpet area were offered at a lesser cost than of those having less carpet area at Rangarth. No flats other than those at Rangarth Colony have so much less carpet area. In view of these facts, the 'Committee' felt that there is need for rationalization of cost of these flats at Rangarth. The 'Committee' recommended that the construction cost of One Bed Room Flats at Rangarth may be reduced by 30% on pro-rata basis. The 'Committee' also recommended that the reduced cost be made applicable to all the allottees of Rangarth Colony, irrespective of the fact whether they have taken possession or not.

8. The meeting ended with thanks to the Chair and the participants.


 Dy. Commr (H)


 Secy (H)


 Dy. Commr (H)



ITEM NO. 95/2019

Subject: **Partial Amendment in Policy for permissibility of Additional Educational Activities/use premises under the Educational Category plots. (Item No. 40/2017)**

File No. 12(55)02/IL/Pt.

INTRODUCTION

It is stated that, policy for permissibility of additional educational activities/use premises under the educational category plots has been approved by Authority in its meeting held on 12.09.2017 vide Item No. 40/2017 vide which permission charges for usage of additional activity was approved as 15% of circle rate for institutional property (similar to case of conversion from industrial property to residential use (group housing)) and formula for levying penalty charges is 13.9% x ZVR of the relevant year of misuse x misuse area. Further, it was also approved by Authority that a window of 06 months shall be provided to all concerned for getting this past misuse regularized with discount of 50% on misuse/penalty charges.

The circular dated 08.12.2017 was issued in this regard (Annexure-I)

In this regard, it is stated that even after allowing additional educational activities/use premises under the educational category plots, none of the institutions/society have come forward to DDA for availing the facility, since inception of the policy, probably due to high penalty charges and/or permission charges.

Hon'ble Authority Member Sh. Vijender Gupta in the Authority Meeting held on 07.09.2018, 14.12.2018, 21.02.2019 and 25.02.2019 observed that DDA should reconsider the heavy charges/penalty levied on Delhi Sikh Gurdwara Management Committee (DSGMC) and DDA to revisit penalty clause for the permissibility of the additional educational activities/use premises under the educational land use.

Representation have also been received from affected society to review the charge also.

REASON FOR REDUCING FACTOR OF PENALTY CHARGES AND PERMISSION CHARGES

The multiplication factor for calculating minimum reserve price of institutional plots (Health and Educational Category) has been reduced from 1.5 to 1.0 in Authority Meeting held on 14.06.2019 vide item No. 44/2019 (Annexure-II).

Further, it is also stated that Educational societies are involved in educational activities which are primarily a social activity and not a commercial venture. Therefore, in order to avail the facility, permission charges for usage of additional activity may be amended from 15% of institutional circle rate (twice the residential circle rate) to 15% of reserve price of institutional plot under education facility (i.e. equal to residential circle rate as approved in Authority Meeting held on 14.06.2019 vide Item No. 44/2019).

Similarly, in order to incentivize various societies to come forward for regularizing the misuse, the formula for misuse/penalty charges may be amended from $13.9\% \times A \times B$ to $5\% \times A \times B$ where

A: ZYR per acre of relevant year of misuse

B: Misused area of the building constructed on the plot (or play field in case of unauthorized construction on play field)

Each year from starting year to year of application to be calculated separately and then added

Further, in order to make the policy more attractive and to ensure that societies apply at the earliest for regularizing the misuse, only one fourth of the penalty arrived at as per the above formula will be leviable on the applicant, if the applicant applies within 1 year of issue of notification. The period was 6 months in present policy. It is also proposed that in any case the misuse/penalty charges will not exceed the permission charges required to be paid by the applicant for the said additional premise/activity to DDA for regularizing the misuse as was approved in the previous policy.

Therefore, a window of 1 year shall be provided to all concerned for getting this past misuse regularized during which they will have to submit their application along with all enclosures and applicable penalty. Beyond this period the relief in total penalty leviable, i.e. to pay one fourth of the applicable penalty will not be available and the applicant will have to submit the entire penalty with the interest @ 10% per annum.

PROPOSALS

Therefore, keeping in view of above, it is proposed that

1. Permission charges for usage of additional activity may be amended from **15% of institutional circle rate (twice the residential circle rate) to 15% of reserve price of institutional plot under education facility (i.e. equal to residential circle rate as approved in Authority Meeting held on 14.06.2019 vide item No. 44/2019).**
2. Factor of Penalty/Misuse charges may be amended from **13.9 to 10%**
3. A window of 1 year shall also be provided to all concerned for getting this past misuse regularized during which they will have to submit their application along with all enclosures. DDA will give rebate **75% on the penalty** arrived at as per the above formula from applicant and **50% on the permissible charges**, if the applicant applies within 1 year of issue of notification. In any case the misuse/penalty charges will not exceed the permission charges required to be paid by the applicant for the said additional premise/activity in DDA for regularizing the misuse.

RESOLUTION

The proposal contained in the agenda item was approved with the modification that the rebate on the penalty and permissible charges be amended as 50%.

DELHI DEVELOPMENT AUTHORITY
LAND DISPOSAL DEPARTMENT

Date:

CIRCULAR

Subject: Policy for permissibility of additional educational activities/use premises under the educational category plots.

The policy on permissibility of additional educational activities/use premises under the educational category plots has been approved by the Authority vide item No. 46/2017 Dated 12.09.2017. The approved policy is as follows:

1. POLICY:

a. The policy is regarding the permissibility of the additional educational activities/use premises under the educational land use category plots. This policy will envisage regularisation of existing misuse of activity without permission and permitting additional use premise at the plots allotted by DDA indicated in the approved layout plans under the Educational use Category as stipulated in the Clause 13.2 of MPD-2021.

The Educational Category fall under different land uses and can be further sub-categorized as under -

- (i) School Education (Primary, Middle and Sr. Sec. School) under Residential use.
 - (ii) Higher Education (including Technical and Non Technical) College & University under Public and Semi Public use (PSP) use.
- b. As per MPD-2021, Chapter 17, sub-clause 8(2) Permission of Use Premises in Use Zones, the activities under educational category are permitted under 'Residential' and 'PSP' land use as a part of approval of layout plan or as a case of Special permission from the Authority. It is proposed that any proposal under this policy will be deemed to be approved under this clause as approved by the Authority.

2. GENERAL TERMS & CONDITIONS:

- a) The allottee shall continue to use the premise/plot under 'Educational' use category for the activity for which land has been allotted.
- b) It shall be ensured that the minimum plot size as required for the primary purpose of allotment shall be as per the prevalent Master Plan.
- c) The balance/adequate FAR if available according to prevailing Master Plan may be used for any educational activity as subsidiary use of the premise as given in Table 13.4 and 13.5 of MPD-2021. This activity/ use premise will be permitted only if minimum FAR as per prevailing Master Plan is available for the additional activity.
- d) The Development Control Norms applicable on the plot for the activity/ use premise shall be for the use for which land has been allotted / earmarked. No building activities or construction will be allowed/ regularized on Play Field or Play Ground area and same will be considered as violation of terms and conditions of allotment and will lead to cancellation of permission granted under this policy and also invite other penal action such as levy of misuse charges, demolition of such structure and cancellation of lease and allotment.
- e) Any activity/ use premise permitted on any plot under this policy shall be subject to the NOC from the land owning agency and local body. Concerned local bodies need to ensure that the parking facilities are provided within the plots while approving the building plans. In case of regularized colonies, local bodies shall ensure that all charges for regularization are paid as per policy and they have sanctioned building plans, at the time of submitting application. In the building plan these additional activities may be provided in separate blocks with separate entry and exit gates due to the different character of the facilities and same will not be deemed to be sub-division of the plot.
- f) The permission for running two separate institutions by the same allottee / lessee shall be considered within the premises of the plot of land subject to fulfillment of all the terms & conditions of this policy and the prevailing Master Plan norms.
- g) In case the activity is allowed with higher FAR as per prevailing Master Plan provisions, the additional FAR for the use premises can be made available subject to payment of additional charges for availing of the FAR. These charges will be mandatory and not exempted for Societies / Trusts availing exemption under Section 80 G of the Income Tax Act as per present policy notified in Gazette notification dated 21.01.2014. The Institute shall be responsible to obtain all statutory clearances from any regulatory statutory body as may be required under law to run additional course(s) from the same premises.
- h) The regularization/permission of additional educational activities will be subject to approvals from regulatory bodies / statutory authorities as applicable.

3. PENALTY FOR UNAUTHORIZED USE OF PREMISES:

Before explaining the formula for penalty for unauthorized use of premises, it is pertinent to mention that in order to give relief to such category of applicants, the misuse charges are being linked to ZVR rather than commercial rate which are much lower than commercial rates. Since the allotment was done at a very subsidized rate as the then mode of allotment was direct allotment and not auction, therefore, anyone who has profited by running additional activity without permission from DDA is liable to pay certain amount as misuse charges for regularization of the past misuse. Therefore, in cases where the lessee is carrying out/had carried out any educational activity other than permissible as per MPD-2021/lease/allotment conditions, the penalty is proposed to be levied as follows, till the date of grant of permission for regularization or removal / closure thereof.

- a) 13.90% of prevailing Zonal Variance Rate for the period the property was under additional use multiplied by the area of the plot excluding the area of the Playfield will be leviable as misuse charges. The same will be calculated for each year and then added together to derive total penalty leviable.
- b) If any building/temporary structure has been erected on the play field the penalty will also be levied on the same, to the extent of the area misused or on the area on which unauthorized construction has been carried out as per formula mentioned above.
- c) Further before regularization is undertaken, the misuse in the playfield areas will have to be removed/unauthorized construction will have to be demolished. Certificate to this effect along with proof shall be submitted by the applicant.
- d) However, wherever compounding is permissible as per Building bye-laws and provisions of MPD-2021, the same may be got done from concerned Authority as per prescribed procedure and details to DDA be submitted along with his application.
- e) The date of levying misuse charges will be from the date of initiation of misuse and not from the date of detection by DDA. The lessee will have to attach relevant documents to prove the date of initiation of misuse. Thus, the Formula will be as follows:

13.90 % X A X B

Where

A: ZVR per acre of relevant year of misuse

B: misused area of the building constructed on the plot and play field in case of unauthorized construction on play field).

Each year from starting year to year of application to be calculated separately and then added.

A window of 6 months shall be provided to all concerned for getting this past misuse regularized during which they will have to submit their application along with all enclosures and applicable penalty. Beyond this period, no relief in penalty shall be available.

4. PERMISSION CHARGES FOR USAGE OF ADDITIONAL ACTIVITY:

15 % of Circle Rate for Institutional property may be taken for working out the permission fee, as proposed in another case of conversion from industrial properties to residential use (Group Housing).

The permission fee for various zones accordingly shall be as follows:

Zone (i)	Zonal Variat Rate in Rs. Per Sqm for year 2016-17 (Prevalent) (ii)	Residential Circle Rate (Prevalent) (iii)	Categorisation (iv)	Institutional land Circle rate after multiplying residential rate by 2 (v)	15% of Column (v) (vi)
Central, South & Dwaraka	58853	774000	A	1548000	232200
		245520	B	491040	73656
		159840	C	319680	47952
West, North, East & Rohini	36702	127680	D	255360	38304
		70080	E	140160	21024
		56640	F	113280	16992
North & Outlying areas	24468	46200	G	92400	13860

5. The permission charges will be subject to review by the Competent Authority from time to time.
6. The completed applications shall be processed / scrutinized and permission will be granted to the eligible applicant/s after obtaining the approval from the Hon'ble LG/Chairman of the Authority.
It is also clarified that permission granted for allowing additional activity does not amount to grant of permission of sub-division of the plot. The additional activity and any construction in relation to that will have to conform to existing building bye laws and provisions of MPD-2021.
7. Illustrations of the above stated Formulae are shown at Annexure I for understanding how to calculate misuse charges and permission fee as per the policy.
8. The various use premises to be considered for regularization / grant of permission are indicated in tables at Annexure II.

Illustration: - An institution, had been allotted land measuring 3.287 acres in the year 1987-98 on ZVR (@84.50 Tax per acre) in West Zone for running of Educational Institute. It is reported that in the year 2001-02 that the Society was found running Engineering Institute in the area measuring 6070.29 Sqm. (1.5 acre) without permission and applied in 2017 for regularizing the additional activity. The penalty charges and permission charges will be worked out as under:-

A. PENALTY CHARGES:

Formula: $13.90\% \times ZVR \text{ of the relevant year of misuse} \times \text{Misuse area.}$

Year	Calculation	Amount
2001-02	$\frac{13.90\% \times 12100000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	25,22,850.00
2002-03	$\frac{13.90\% \times 12100000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	25,22,850.00
2003-04	$\frac{13.90\% \times 12705000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	26,48,993.00
2004-05	$\frac{13.90\% \times 13275000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	29,13,788.00

2005-06	$\frac{13.90\% \times 27950000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	58,27,675.00
2006-07	$\frac{13.90\% \times 34930000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	72,84,573.00
2007-08	$\frac{13.90\% \times 43873000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	91,05,821.00
2008-09	$\frac{13.90\% \times 51980000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	1,29,22,830.00
2009-10	$\frac{13.90\% \times 51980000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	1,29,22,830.00
2010-11	$\frac{13.90\% \times 70404000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	1,46,79,234.00
2011-12	$\frac{13.90\% \times 70404000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	1,46,79,234.00
2012-13	$\frac{13.90\% \times 124312000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	2,59,19,052.00
2013-14	$\frac{13.90\% \times 124312000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	2,59,19,052.00
2014-15	$\frac{13.90\% \times 142596000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	2,97,31,266.00
2015-16	$\frac{13.90\% \times 142596000 \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	2,97,31,266.00
2016-17	$\frac{13.90\% \times 140533500 \text{ (Prov.)} \times 6070.29 \text{ sqm.}}{100 \times 4046.86}$	3,09,69,131.00

Grand Total Rs. 23,03,00,345.00

Discount @ 50% Rs. 11,51,50,172.50

Payable charges Rs. 11,51,50,172.50


B. PERMISSION FEE FOR ADDITIONAL EDUCATIONAL ACTIVITY IN EXISTING PREMISE/PLOT:

For the same case, the chargeable amount would work out to Rs 20,25,10,388/- as per details given here under:

(a) 15% of Institutional land Circle Rate - Rs. 38304/-


(b) Rs. 38304 / Sqm. X 8670.29 Sqm.
Rs. 20,25,10,388/-.

112 (SS) 92/11-1 4825 Dt. 8-12-17


(Ravideep Singh Chahar)
Director (II)
R. S. CHAHAR
Director (II)

Copy to:

1. OSD to VC
2. Engineer Member, DDA
3. Finance Member, DDA
4. Pr. Commissioner (LD)
5. Commissioner cum Secretary for information
6. All Directors of LD Department
7. Director (LC)
8. Director (Systems) with the request to upload on website of DDA.


Director (II)
R. S. CHAHAR
Director (II)

ANNEXURE-II

P.O. No.

This Report was considered in the State's meeting held on 11.06.2018

and was approved

The file is being returned to Commission of Enquiry for further

order

11/06/2018
[Signature]

Secretary

Commission

Commissioner

Dr. (S)

[Signature]

[Signature]

[Signature]

ITEM NO. 96/2019

Sub:- REQUEST OF AUTHORITY MEMBER SH. SOMNATH BHARTI FOR GRANT OF NOC FOR AAM/AADMI MOHALLA CLINICS

E. 22A (Q1) (17)IL

A. BACKGROUND:-

1. Hon'ble Authority Member, DDA Sh. Somnath Bharti vide D.O. No. SR/8771 dated 29.08.2019 addressed to V.C., DDA requested for placing an agenda regarding Mohalla Clinic at various location in Delhi including land allotted to DMRC as well as DDA land.(Annex-I)
2. Regarding this, it is submitted that earlier Mission Director, IDHS, WD vide letter dated 29.01.2016 (Annex-II) wrote a letter regarding NOC for identified site of Aam Aadmi Mohalla Clinic and also enclosed a list of proposed location of sites for clinic. They have informed that AAMC will be setup in about 50-60 Sqm built-up area, in a plot of about 100-150 Sqm in semi-permanent structure built with modern technology.
3. A PII was filed through Writ Petition No. 8156/2017 titled as Justice for all Vs Secretary, Health, GNCTD & Ors. Hon'ble High Court. Pursuant to this joint inspections of the site were carried out in which some sites were found feasible subject to meeting of Planning norms, confirming land use and clearance from litigation. Further, Planning wing intimated that, no area & Development Control Norms have been mentioned for 'Mohalla Clinic' in MPD-2021. Accordingly, status report on the above issues was filed in the Hon'ble High Court through an affidavit. A letter dated 14.09.2018(Annex-III) was also sent to Health Deptt. GNCTD that NOC/allotment of land for AAMC is not feasible.
4. Further, DMRC also provided a list of 74 sites which were found feasible for setting up of AAMC in different Metro Stations etc to GNCTD. However, it is submitted that DDA allots the land to DMRC for a specific purpose and the land cannot be diverted for another purpose in view of terms & conditions of allotment.
5. Clinic is a premise with facilities for treatment of outdoor patients by a doctor and this activity requires very small space. Clinic is permitted in various use zones i.e. Residential (R), Commercial (C1), Manufacturing (M) and Public and Semi-public (PSP). However, no area & Development Control Norms have been mentioned for 'Mohalla Clinic' in MPD-2021.
6. As per gazette notification dated 10.12.2012, the minimum plot size shall be 50 sqm for clinics, dispensaries and pathology labs shall be permissible: no minimum plot size of 100 sqm in regular plotted development on 12.5 m ROW

in C & D colonies and 9 m ROW in E, F & G colonies. However, the minimum plot size shall be 50 sqm. for clinics, dispensaries and pathology labs running in these colonies and also in E, F and G category colonies. In Walled City, walled city extension, villages and unauthorized-regularized colonies, conditions of plot size and minimum ROW shall not be applicable. (Annex-IV)

7. It is also stated that all the issues relating to disposal of land is being dealt in accordance with DDA (Disposal of Developed Vacant Land) Rules, 1981 and there is no provision for disposal of land through grant No Objection Certificate. DDA can only allot land for use premises identified in MPD-2021 in accordance with terms therein and blanket grant of NOC is not feasible.
8. However, as per available record, approximately 39 plots are marked and unallotted as 50 sqm. for health purposes including Govt. allotment and Private societies/trust by usufruct. (Annex-V)

B. PROPOSAL:-

The Authority Member has proposed for resolution of the following kind.

"In principle it is decided to give no objection certificate to Delhi government of building Mohalla clinics on vacant and mutually decided DDA lands with the condition that the same lands will be given back to DDA by Delhi government and when DDA would desire to build something else on the same or use it for some other purpose.

It is further resolved that DDA will issue no objection certificate to DMRC to allow them to give their vacant lands to Delhi Government for building Mohalla clinics. Suitability of lands will be decided mutually and in consultation with Delhi government."

C. RECOMMENDATION

The proposal as submitted by the Authority Member Sh. Samant Chatti is placed before the Authority for deliberation and discussion.

RESOLUTION

The matter was discussed and it was decided that the request of GNCTD may be examined as per the 190 Act, 1957 and norms of MPD 2021 for allotment of plots for health facilities.

'Other Points' raised by the Members of the Authority

Shri Q.P. Sharma

- 1) DDA should stop unauthorized use of premises allotted to schools for organizing Ramleela. Action should be taken for violation of terms and conditions of allotment. Parking of cars outside the premises of schools be disallowed.

Shri Jagdish Dhillon

- 1) Land can legally allotted to DMRC or Department be taken back by DDA.

Shri Manish Aggarwal

- 1) A list of DDA parks which are being utilized for religious purpose be compiled and these sites be designated as usage grounds.

Respectable LL Governor thanked all the Members, Special Officers and senior officers for participating in the meeting.

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

5/21

ANNEXURE-1

Signature
Date 16.9.19

सोमनाथ भारती
विधायक (मालविका नगर)
परम्य, दिल्ली विधान सभामें
पूर्व मंत्री
विधि, प्रशासनिक सुधार
परम्य, अला एम संसदीय
SOMNATH BHARTI
M.L.A. (Malviya Nagar)
Member, Delhi Development Authority
Ex-Minister
Law, Administrative Reforms,
Tourism and Art & Culture
Govt. of NCT of Delhi



NIL-26, मालविका नगर
नई दिल्ली-110017, भारत
NIL-26, Malviya Nagar,
New Delhi-110017, India

WhatsApp : +91-8588845543
Mobile No. : +91-9910044233/31
E-mail : office@somnathbharti.com

संख्या 334-E
दिनांक 16.9.19

D.O. No. ... 5618371
Date ... 21/09/2019

Dear Mr. Tarun Kapoor ji,

In furtherance to my oral and written Communications placed with you directly and through authority meetings held under the chairmanship of Honorable UoI wish to bring the following item as an agenda in the forthcoming DDA authority meeting for the same to be decided in the interest of people of Delhi specially the marginalised and poor sections of the society.

Background:

Mohalla clinics as you know have proven to be the best Healthcare scheme ever happened in the history of not only Delhi but India as well which has earned laurels of world's wife of the world including United Nations ex-Secretary General Mr Kofi Annan. Whenever suitable vacant lands were in possession of Delhi government, the government has already built or is in the process of building Mohalla clinics and now to meet more demands of Mohalla Clinics (equivalent to Primary Health Care Centres) across Delhi, Delhi government is in urgent need of few earmarked lands which are at present in possession of DDA or allocated to DMRC. Representations were made by Delhi government to DDA on this but nothing conclusive has come out so far.

The list of both types of identified lands has already been submitted to DDA by Delhi government through me as well as directly.

Handwritten notes: BI (L), DD (L)


Handwritten signature and initials: AC (ED) / Com (SAR) 2019

DDA is requested to prepare the case for the authority meeting for a resolution of the following kind.

In principle it is decided to give no objection certificate to Delhi government for building Mohalla clinics on vacant and mutually decided DDA lands with the condition that the same lands will be given back to DDA by Delhi government as and when DDA would desire to build something else on the same or use it for some other purpose. It is further resolved that DDA will issue no objection certificate to DMRC to allow them to give their vacant lands to Delhi Government for building Mohalla clinics. Suitability of lands will be decided mutually and in consultation with Delhi government.

Thanking you.

with warm regards,


Somnath Mehta

To
Shri Tarun Kapoor
Humble Vice Chairman DDA

OFFICE OF THE MISSION DIRECTOR
 DISTRICT PROGRAMME MANAGEMENT UNIT
 INTEGRATED DISTRICT HEALTH SOCIETY WEST DISTRICT
 DELHI GOVERNMENT DISPENSARY NEW JANAKPURI
 2ND FLOOR, A-43A BLOCK, S.S. MOTA SINGH MARG
 (NEAR CHANDER NAGAR), JANAK PURI, NEW DELHI-110058
 PH-255513-14/2344/2544, E-mail ID- dpmuwest@dmztl.com

For Director (M) Deptt. of Health Services
 No. of...
 Date: 2/2/16

15917PNC/IMP/Ann. Admin. Cl. no/IDHS-WD/2015-16/ 520 Dated: 29/01/2016

REMINDER - II

REC'D CELL
 VIKAS SADAN
 Dy. No. [Signature]
 Date: 2/2/16

Phone: (011) 2610 510
 375 W-2
 Date: 2/2/16

To: The Vice Chairman
 DDA, Vikas Sadan
 B-1, New Delhi-110016
vikas@ddam.org.in

1309-175
 26/1/16
 02/2/16

Subj: Regarding NOC for identified sites of Aam Aadmi Mohalla Clinics.

Sir/Madam,

As you are aware that Govt. of NCT of Delhi in process of opening of 1000 Aam Aadmi Mohalla Clinics in Delhi for which the lands are being identified along with the concerned land owning agencies and accordingly the proposals are being submitted to the Office of Hon'ble Health Minister for further necessary action.

In this connection, the Office of CDMO has identified some lands (as per the attached list) under your jurisdiction and after confirmation and NOC from your office, the same shall be communicated in the Office of the Hon'ble Health Minister for further necessary action.

Therefore, it is requested that a responsible officer/officials may be deputed from your office to accompany with the officer/official of our office/ Medical Officer Incharges of attached nearest dispensary to identify and confirm the land under your jurisdiction. A NOC may also be issued to this office for opening of Aam Aadmi Mohalla Clinics for the land under your jurisdiction. This may please be given top priority as the higher authority has asked to submit the requisite information along with confirmation and NOC from land the land owning agency immediately.

Thanking you,

[Signature]

[Signature]
 Dr. Sunita Prasad
 Mission Director
 IDHS-WD

Enclosures: As above

Copy for information to:

- 1. Director General of Health Services, GNCT of Delhi, Directorate of Health Services, P-17, Karkardooma, Delhi-110022

**DELHI DEVELOPMENT AUTHORITY
INSTITUTIONAL LAND BRANCH
A-216, Vasant Sada, INA, New Delhi-110023**

No. F.22A (C)2017/II/IDD/A/1423

Dated 14/07/2018.

To,

Pr. Secretary (H&FW), GNCTD
9th Level, A-Wing, H&FW Deptt.,
Delhi Secretariat, I.P. Estate,
New Delhi-110002

Subject: - Proposal for issuance of NOC for setting up of Mohalla Clinic in DDA land


Ref: WP(C)8156/2017 & CM No. 33513/2017 titled as Justice for All Vs Secretary, Health, GNCTD & Ors

Sir,

This is with reference to WP(C)8156/2017 & CM No. 33513/2017 titled as Justice for All Vs Secretary, Health, GNCTD & Ors. In compliance of Hon'ble Court's Order dated 05.02.2018, joint inspection of all the 210 sites were conducted by concerned wing of DDA along with official of Health Deptt., GNCTD.

Further, comments were also sought from Planning Wing of DDA against each site as well as their views with respect to norms of Mohalla Clinic. Planning Wing has intimated that, no specific land can be earmarked in the Layout Plan as norms for the same are not given in MPD-2021. Hence the land cannot be allotted for Mohalla Clinic without amendment in Master Plan.


Further, Planning Wing, DDA has also intimated that, the request for introduction of 'Mohalla Clinics' in MPD-2021 needs to be examined by the concerned agencies and may be forwarded in prescribed format alongwith suggested norms for the same. Any modification in MPD-2021 shall be in accordance with the relevant Sections of DD Act, 1957.


(Ravideep Singh Chatur)
Director (II), DDA

Copy to:

1. PS to PC (LD) DDA for kind information, please
2. Dr. Shalby Kamra, State Nodal Officer (AAMC), DGHS, GNCTD, Pt. Deep Chand Sharma, Sakkar Bhawan, Sector-20, Phase-I, Dwarka, New Delhi-110077 for kind information and necessary action.




Director (II), DDA

MINISTRY OF URBAN DEVELOPMENT

(Delhi Division)

NOTIFICATION

New Delhi, the 10th December, 2012

S.O. 2866/12.— Whereas certain modifications to the Central Government proposed to make in the Master Plan for Delhi-2021 which were published in the Gazette of India, Extraordinary, as Public Notice No. S.O. 1286/12, dated 6th June, 2012 by the Delhi Development Authority in accordance with the provisions of Section 41 of the Delhi Development Act, 1957 (61 of 1957) inviting objections/suggestions as required by sub-section (3) of Section 11-A of the said Act, within thirty days from the date of the said notice

2. Whereas the Central Government have, after carefully considering all aspects of the matter, decided to modify the Master Plan for Delhi-2021

3. Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 11-A of the said Act, the Central Government hereby make the following modification in the said Master Plan for Delhi-2021 with effect from the date of Publication of this Notification in the Gazette of India.

Modification:

Item 15.2.1(i) of Master Plan for Delhi-2021 may

be substituted with the following Part:

"Nursing Homes, Dispensaries, Clinics, Wellness Centres including Day Spas, Health Care Centres, Ayurvedic Centres offering ayurvedic treatment Salons offering massages & aesthetic medical services, Multidisciplinary Clinics for persons with Learning Disabilities facilities for care of the elderly and disabled and be permissible under this category) and pathology labs shall be permissible on minimum plot size of 100 sqm in C&D colonies and 15 m R.O.W in C&D Colonies and 15 m R.O.W in C&D Colonies. However, the minimum plot size shall be 50 sqm for clinics, dispensaries and pathology labs shall be permissible on minimum plot size of 100 sqm in regular plotted development on 15.5 m R.O.W in C&D colonies and 9 m R.O.W in C&D Colonies. However, the minimum plot size shall be 70 sqm for clinics, dispensaries and pathology labs ranging in these colonies and also C&D category colonies. In Walled City, Walled City extension villages and unauthorised regularised colonies conditions of plot size and minimum R.O.W shall not be applicable."

No. 2-196/12-2012/UD/10/12

UPADYAYAN, Secy.

As per available record, land available for Health Purposes including Govt. allotment and by E-auction mode to Pvt. Societies

Sl. No.	Location	Plot No	Purpose	Area in Sqm.
1	CP-3, Phase V, Sector, 35, Rohini	3	Dispensary	1001.2
2	CP-4, Phase V, Sector, 35, Rohini	4	Dispensary	801.13
3	CP-5, Phase V, Sector, 35, Rohini	5	Dispensary	806.84
4	CP-6, Phase V, Sector, 35, Rohini	6	Dispensary	890.39
5	CP-1, Phase V, Sector, 34, Rohini	5	Dispensary	923.55
6	CP-2, Phase V, Sector, 34, Rohini	8	Dispensary	987.5
7	CP-2, Phase V, Sector, 34, Rohini	9	Dispensary	787.5
8	CP-4, Phase V, Sector, 34, Rohini	3	Dispensary	800
9	CP-5, Phase V, Sector, 34, Rohini	8	Dispensary	976
10	CP-5, Phase V, Sector, 34, Rohini	9	Dispensary	976
11	CP-6, Phase V, Sector, 34, Rohini	11	Dispensary	851.45
12	CP-6, Phase V, Sector, 34, Rohini	12	Dispensary	852.02
13	CP-7, Phase V, Sector, 34, Rohini	8	Dispensary	976
14	CP-7, Phase V, Sector, 34, Rohini	9	Dispensary	976
15	CP-8, Phase V, Sector, 34, Rohini	3	Dispensary	926.8
16	CP-8, Phase V, Sector, 34, Rohini	9	Dispensary	803.44
17	CP-9, Phase V, Sector, 34, Rohini	12	Dispensary	811.78
18	CP-9, Phase V, Sector, 34, Rohini	13	Dispensary	811.78
19	FC-27, PSP, Phase V, Sector, 34, Rohini	5	Hospital	12400
20	FC-27, PSP, Phase V, Sector, 34, Rohini	4	Hospital	21000
21	FC-27, PSP, Phase V, Sector, 34, Rohini	6	Tertiary Health care Centre	12200
22	Sector-A, Pkt. A, Vasant Kunj		Dispensary	880
23	Sector-23, Ph. I, Dwarka		PSP/Hospital	10,800
24	Sector-3, Mangla Park, Rohini	14	Nursing Home	4377
25	Sector-9, Ph. I, Dwarka		Hospital	29600
26	FC-58, Sultanpuri		Hospital	13300
27	Sector-12, Phase-I, Dwarka		Polyclinic	2059
28	Sector-17, Phase-II, Dwarka		Hospital	46754
29	PSP Pocket (FC-9), Sector-27, Phase-IV, Rohini	5	Hospital	7140
30	HAF-2, Sector-18 A, Phase-II, Dwarka		Dispensary	1080
31	CP-3, Phase V, Sector, 41, Rohini	5	Dispensary	833
32	CP-3, Phase V, Sector, 41, Rohini	6	Dispensary	833
33	Sector-26, Dwarka		Integrated Hospital	15420
34	FC-80, Saurabh Nugh		Hospital	30200
35	Sector-5, Dwarka		Hospital	20300
36	FC-14, Sector-29, Phase-IV, Rohini	7	Nursing Home/ Polyclinic	1000
37	Zone-II-05, Pitampura in front of Arjeejay School	2	Hospital	18000
38	ILBS, Vasant Kunj		Expansion of ILBS	22876.474
39	FC-58, Sultanpuri		Mother & Child Hospital	2500

DELHI DEVELOPMENT AUTHORITY
(Office of Commissioner-cum-Secretary)

No. 1.2(2)2019/MC/DDA/134

Dated: the 24th September, 2019

Sub: Minutes of the meeting of Delhi Development Authority.

Kindly find enclosed minutes of the meeting of Delhi Development Authority held on 17th September, 2019 at Raj Niwas, Delhi. Amendments to the minutes, if any, may kindly be proposed within 3 days.

(D. Sarkar)
Commissioner-cum-Secretary

Encl: As above.

CHAIRMAN

1. Shri Anil Baijal
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri Tarun Kapoor

MEMBERS

3. Shri K. Vinayak Rao
Finance Member, DDA
4. Shri Shalendra Sharma
Engineer Member, DDA
5. Shri K. Sanjay Murthy
Addl. Secretary, Ministry of Housing & Urban Affairs, Govt. of India
6. Smt. Archana Agrawal
Member Secretary, NCR Planning Board
7. Shri Vijender Gupta, MLA &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
8. Shri Somnath Bhatti, MLA
9. Shri S.K. Bagga, MLA
10. Shri O.P. Sharma, MLA
11. Shri Manish Aggarwal
Municipal Councilor, South Delhi Municipal Corporation

SPECIAL INVITEES

1. Shri Vijay Kumar Dev
Chief Secretary, GNCTD
2. Smt. Renu Sharma
Addl. Chief Secretary (Finance), GNCTD
3. Dr. G. Navendra Kumar
Principal Secretary (L&B), GNCTD
4. Ms. Manisha Saxena
Secretary (UD), GNCTD
5. Chief Planner
Town and Country Planning Organization
6. Smt. Varsha Joshi
Commissioner, North Delhi Municipal Corporation
7. Shri Cyanesh Bharti
Commissioner, South Delhi Municipal Corporation
8. Dr. Dilraj Kaur
Commissioner, East Delhi Municipal Corporation
9. Dr. Rajesh Kumar
Principal Commissioner (Housing, PMAY, CWC & Sports), DDA
10. Shri Manish Kumar Gupta
Principal Commissioner (MO, LM, Systems & Coordn.), DDA
11. Shri Shuipal
Principal Commissioner (Personnel, Landscape & Hort.), DDA

Copy also to:

1. Shri Vijay Kumar
Principal Secretary to Lt. Governor, Delhi
2. Smt. Chanchal Yadav
Special Secretary to Lt. Governor, Delhi
3. Shri Ajay Kumar
Addl. Secretary to Lt. Governor, Delhi
4. Smt. Ruchika Kalyan
Jt. Secretary to Lt. Governor, Delhi
5. Shri Anoop Thakur
PS to Lt. Governor, Delhi

Copy for kind information to:

PS to Minister (H&UA), Office of the Minister of Housing & Urban Affairs, Govt. of India.

DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of the Delhi Development Authority held on 17th September, 2019 at 3.00 p.m. at Raj Niwas, Delhi.

Following were present:

CHAIRMAN

Shri Anil Bajaj
Lt. Governor, Delhi

VICE CHAIRMAN

Shri Tane Kapoor

MEMBERS

- 1 Shri K. Vinayak Rao
Finance Member, DDA
- 2 Shri Shailendra Sharma
Engineer Member, DDA
- 3 Shri Vijender Gupta, M.L.A. &
Leader of Opposition in the Legislative Assembly of NCT of Delhi
- 4 Shri Sannath Dharti, M.L.A.
- 5 Shri S. K. Bagga, M.L.A.
- 6 Shri O. P. Sharma, M.L.A.
- 7 Shri Manish Aggarwal
Municipal Councillor, South Delhi Municipal Corporation

SECRETARY

Shri D. Sarkar
Commissioner-in-Chief, DDA

SPECIAL INVITERS

- 1 Dr. Rajesh Kumar
Principal Commissioner (Housing, PMAY, CWG & Sports)
- 2 Shri. Munish Kumar Gupta
Principal Commissioner (I.D, LM, Systems & Coordination), DDA
- 3 Shri. Shripal
Principal Commissioner (Pers., Hort. & Landscapes), DDA
- 4 Smt. Varsha Joshi
Commissioner, North Delhi Municipal Corporation
- 5 Dr. Dilraj Kaur
Commissioner, East Delhi Municipal Corporation
- 6 Shri. Gyansukh Bhardi
Commissioner, South Delhi Municipal Corporation

LT. GOVERNOR'S SECRETARIAT

- 1 Smt. Chanchal Yadav
Special Secretary to Lt. Governor
- 2 Smt. Ruchika Katyaj
Joint Secretary to Lt. Governor
- 3 Shri. Anoop Thakur
Private Secretary to Lt. Governor

Hon'ble Lt. Governor, Delhi/Chairman, DDA welcomed all the Members of the Authority, Special Invites and senior officers present in the meeting of the Authority.

Item No. 78/2019

Confirmation of minutes of the meeting of the Delhi Development Authority held on 13.08.2019 at Raj Niwas.
F.2(2)2019/NEC/DDA

The agenda item was deferred.

Item No. 79/2019

Action Taken Reports in the minutes of the meeting of the Delhi Development Authority held on 13.08.2019
E.2(2)2019/MC/DDA

The agenda item was deferred.

Item No. 80/2019

Disposal of flats of Commonwealth Games Village-concession in rates of disposal for allotment to Government Bodies, PSUs and Corporations of Central and State Governments.
E.1(272)2013/N&C(F)

The proposal contained in the agenda item was approved.

Item No. 81/2019

Removal of embargo for execution of Conveyance Deed for a period of 5 years and handing over possession on submission of an undertaking for becoming member of RWA and to abide by Regulations of RWA to allottees of EWS flats at Shivaji Marg.
E.2(07)2017/EWS/Pt

The proposal contained in the agenda item was approved.

Item No. 82/2019

Regarding amendment in the Nazul Rule-1981 (Rule-4) with respect to allotment of Institutional plots of Socio Cultural and Religious Category.
E.7A(Religious- Policy)15/II.

The proposal contained in the agenda item was approved with the modification that organizations working in the district in which the plot is located will be eligible for participating in the bid. If not even two such organizations register for participation in the bid, organizations from adjoining districts will be allowed to participate. Again if not even two such organizations register for participation in the bid, all other eligible organizations may be allowed. The matter be referred to Ministry of Housing and Urban Affairs, Govt. of India, for amendment in Nazul Rule-1981 (Rule 4).

Item No. 83/2019

**Fixation of amalgamation charges for commercial properties,
E.5(09)2019/AO(T)DDA**

The proposal contained in the agenda item was approved. The matter be referred to the Ministry of Housing and Urban Affairs, Govt. of India, for approval under Section 37 of DDA Act, 1957.

Item No. 84/2019

**Review Petition filed by Sh. B.M. Tiwari, Dy. CAO (Medical) & Sh. S. N. Tiwari, AO (Retd.) under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulation, 1999
E.27(09)07/ES(Vig.)-VII/Pt.-V**

Shri B M Tiwari, Dy. CAO (Medical) and Shri S N Tiwari, AO(Retd.) both have filed Review Petitions, under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulations, 1999 against the orders dated 23.01.2019 passed by the Revisionary Authority, i.e., Vice Chairman, DDA. The said review petitions were discussed and deliberated in detail during the meeting. The Authority observed that Shri B M Tiwari, Dy. CAO (Medical) and Shri S N Tiwari, AO(Retd.) both have not brought out any new material or evidence in their review petitions, which could not be produced or was not available at the time of passing the orders under review which could have the effect of changing the nature of the case.

In view of the above, the Review Petitions filed by Shri B M Tiwari, Dy. CAO (Medical) and Shri S N Tiwari, AO(Retd.) have not been found maintainable and thereby, the penalty imposed on them by the Revisionary Authority shall remain the same. Accordingly, their Review Petitions before the Authority under Regulation 33 of DDA Conduct, Disciplinary and Appeal Regulations, 1999 stands disposed of.

Item No. 85/2019

**Policy for Collection of Damage from the occupants of Damage payee properties, under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.
P.T.N 2(09)2017**

The proposal contained in the agenda item was approved. Further, in order to make the Self Assessment Scheme successful, DDA may not issue notices to the occupants of the damage property owners during the period of operation of the

window of the proposed Self Assessment Scheme. Further, after collection of data/information, comprehensive scheme for ownership of damage properties be brought before the Authority.

Item No. 86/2019

Empowerment of Private Scheduled Commercial Banks for Investment of Surplus Funds in DDA.

F.6(36)2018/A/Cs(M)/DDA/Pt-I

The Authority delegated the power of empowerring private scheduled commercial banks in accordance with Govt. of India/RBI instructions to Vice Chairman, DDA. In case there is requirement to deviate from Govt. of India/RBI instructions, the matter will be brought before the Authority.

Item No. 87/2019

Change of landuse of land measuring 36.6 ha. earmarked for District Centre under Commercial use to PSP to provide land for colleges and university to create institutional Hub at Narela and swapping with Institutional land (PSP) in PA-20 to commercial.

F.9(01)2012-MP

The proposal contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of DD Act, 1957 be issued.

Item No. 88/2019

Proposal for change of Use Zone/ Premise of an area measuring 2.62 Ha. (6.47 acre approx.) from 'Recreational (P2 District Park)' to 'Recreational (Multi-purpose Ground)' at Block-B, Janakpuri under Sub-Clause 8(2) of MPD-2021 for Special Permission from the Authority w.r.t. the contempt Petition No. 229/2019 in the court case titled 'Ranjana Committee, Janakpuri (Regd) & Anr. V/s Rishi Kant Sharma & Ors.' falling in Planning Zone-G.

F.3(12)2016-MP

The proposal contained in the agenda item was approved.

Item No. 89/2019

Modification in the Development Control Norms and activities permissible under Religious Category at sub city level in the Master Plan.

F.15(01)2018-MP

The recommendation contained in the agenda item was approved. Public notice inviting objections/suggestions under Section 11 A of DD Act, 1957 be issued.

Item No. 90/2019

Policy for Transit Oriented Development (TOD) in Delhi- as a modification to MPD-2021.
E.20(7)/2015/MP

The proposal contained in the agenda item was approved. The matter be referred to the Ministry of Housing and Urban Affairs, Govt. of India, for issue of final notification.

Item No. 91/2019

Draft regulations for Transit Oriented Development (TOD) in Delhi.
E.20(7)/2015/MP/P4-I

The proposal contained in the agenda item was approved. The matter be referred to the Ministry of Housing and Urban Affairs, Govt. of India for approval under Section 57 of DD Act, 1957.

Item No. 92/2019

Proposed Amendments in MPD-2021.
E.20(9)/2014/MP

After detailed discussion it was decided that the recommendation contained in Para 5.0 (ii) of the agenda item be reassessed and placed before the Authority in the next meeting. Recommendations contained in paras 5.0 (i) and (iii) were approved. Matter regarding recommendation contained in para 5.0 (i) be referred to the Ministry of Housing and Urban Affairs, Govt. of India for issue of final notification.

Item No. 93/2019

Relaxation in lock-in period, raising the ceiling of rebate and reducing the rate of interest in respect of flats allotted to Persons with Disability (PWD).
E.25(PWP)/LIG/2019

The proposal contained in the agenda item was approved.

Item No. 94/2019

Rationalization of cost of One Bed Room Flats at Ram Garh Colony, Jahangirpuri.
E.25/Rationalization/LIG/2019/08

The proposal contained in the agenda item was approved.

Item No. 95/2019

Partial Amendment in Policy for permissibility of Additional Educational Activities/use premises under the Educational Category plots.
F.12(55)92/LL/Pt.

The proposal contained in the agenda item was approved with the modification that the rebate on the penalty and permissible charges be amended as 90%.

Item No. 96/2019

Request of Authority Member Shri Somnath Dharti for grant of NOC for Aam Aadmi Mohalla Clinics.
F.22A (01)17/II.

The matter was discussed and it was decided that the request of GNCTD may be examined as per the DD Act, 1957 and norms of MPD-2021 for allotment of plots for health facilities.

'Other Points' raised by the Members of the Authority

Shri Q P Sharma

- i) DDA should stop unauthorized use of premises allotted to schools for organizing Ramleelas. Action should be taken for violation of terms and conditions of allotment. Parking of cars outside the premises of schools be disallowed.

Shri Somnath Dharti

- i) Land temporarily allotted to DMRC at Begampur be taken back by DDA.

Shri Manish Agarwal

- i) A list of DDA parks which are being utilized for religious purpose be compiled and these sites be designated as Meeva grounds.

Hon'ble U.L. Governor thanked all the Members, Special Invites and senior officers for participating in the meeting.

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