

AGENDA ITEMS
FOR THE
MEETING
OF THE
DELHI DEVELOPMENT AUTHORITY

DATE: 23.09.2015

TIME: 10.00 AM

VENUE: RAJ NIWAS

DELHI

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

No. F.2(2)2015/MC/DDA/125

Dated: the 16th September, 2015

Sub: Agenda for the meeting of Delhi Development Authority.

Kindly find enclosed agenda for the meeting of Delhi Development Authority fixed for Wednesday, the 23rd September, 2015 from 10.00 a.m. to 1.00 p.m. under the Chairmanship of Hon'ble Lt. Governor at Raj Niwas, Delhi.

You are requested to kindly attend.



(D. Sarkar)

Commissioner-cum-Secretary

Phone No. 24623598

Encl: As above.

CHAIRMAN

1. Shri Najeeb Jung
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri Arun Goel

MEMBERS

3. Shri Venkatesh Mohan
Finance Member, DDA
4. Shri Abhai Sinha
Engineer Member, DDA
5. Shri D.S. Mishra
Additional Secretary, MOUD
6. Shri B.K. Tripathi
Member Secretary, NCRPB
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. Bagga, MLA
10. Shri O.P. Sharma, MLA
11. Shri Satish Upadhyay
Municipal Councillor, SDMC
12. Dr. (Mrs.) Rajni Abbi
Municipal Councillor, NDMC

Contd2.

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3.	92/2015	Re-appropriation of funds for organizing Raahgiri Day. F.4(3)91/Budget/2015-16/Raahgiri	FINANCE
4.	93/2015	Adoption of Annual Accounts for the financial year 2014-15. F.6(6)2015-16/A/cs(M)/DDA/Annual Account 2014-15.	FINANCE
5.	94/2015	Change of land use of land measuring 8367.10 sq.m. from 'Recreational' (P-2 District Park) to 'Transportation' (T-3-MRTS Circulation) in Shivaji Park at Basai Darapur, Ring Road for construction of Metro Station for Mukundpur-Yamuna Vihar corridor of Delhi MRTS Project, Phase-III. F.20(05)2013/MP	PLANNING
6.	95/2015	Proposed change of land use of an area measuring 3019.5 sq.m. from 'Residential' to 'Government (Government Office)' to construct a new office building of Registrar General and Census Commissioner, India (RG&CCI) at 2-A Mansingh Road, New Delhi falling in Planning, Zone-D. F.20(03)2015/MP	PLANNING
7.	96/2015	Proposed change of land use of an area measuring 809 sq.m. allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket-V, DDU Marg from 'Residential (Nursery School)' to 'Public & Semi-Public facilities', falling in Planning, Zone-D. F.20(02)2015/MP	PLANNING
8.	97/2015	Review of provisions in Master Plan for Delhi-2021 for including a separate category for State Bhawan/State Guest House. F.20(09)2015/MP	PLANNING
9.	98/2015	Change of land use of an area measuring 2.51 ha from 'Recreational Use' (Regional Park) to 'Utility (U-3)' for setting up of 400 KV Grid Sub Station for Delhi Transco Ltd. (DTL) at Tughlakabad in Zone-J, South Delhi-II. F.20(33)/2014-MP	PLANNING
10.	99/2015	Change of land use (CLU) for the land measuring 3.48 ha (8.6 acres) from 'Residential Use' to 'Public & Semi-Public Facilities (PS1)' at Village Maidangarhi in Zone-J. F.20(28)/2014-MP	PLANNING
11.	100/2015	Change of land use of site measuring 3.74 ha (9.25 acres) from 'Residential' land use and 'Public & Semi Public Facilities (PS1)' to 'Utility (U-4)' for Solid Waste Management facility located at Maidangarhi, near IGNOU Campus in Zone-J. F.3(12)2014/MP	PLANNING
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Municipal Councillor, SDMC
12. Dr. (Mrs.) Rajni Abbi
Municipal Councillor, NDMC

SPECIAL INVITEES

1. Shri K.K. Sharma
Chief Secretary, GNCTD
2. Shri S.N. Sahai
Principal Secretary (Finance), GNCTD
3. Shri Dharam Pal
Principal Secretary (L&B), GNCTD
4. Shri Chetan B. Sanghi
Principal Secretary (UD), GNCTD
5. Shri S.C.L. Das
Secretary to Lt. Governor, Delhi
6. Chief Planner
T.C.P.O.
7. Shri Puneet Kumar Goel
Commissioner, SDMC
8. Shri Amit Yadav
Commissioner, EDMC
9. Shri P. K. Gupta
Commissioner, NDMC
10. Shri J.P. Agrawal
Principal Commissioner (LD, Housing & CWG), DDA

Copy also to:

1. Smt. Swati Sharma
Addl. Secretary to Lt. Governor, Delhi
2. Dr. Simi Malhotra
Advisor (Media, Academics, Art, Culture & Language) to Lt. Governor, Delhi
3. Shri R.N. Sharma
Addl. Secretary to Lt. Governor, Delhi
4. Shri Ajay Chaudhary
OSD to Lt. Governor, Delhi
5. Shri Vishwendra
PS to Lt. Governor, Delhi
6. Smt. Neemo Dhar
Advisor (PR), DDA

Copy for kind information to:

PS to Minister (UD), Office of the Minister of Urban Development, Govt.
of India.

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12.	101/2015	Proposed modifications in MPD-2021 regarding the area under waiting/reception in the hospitals. F.13(02)/2013-MP	PLANNING

13.	102/2015	Permissibility of Guest House in Residential use zone under sub-clause 8(2) of MPD-2021 in respect of plot No. 25-B, Akbar Road, Delhi, measuring 7066 sq.m. (0.71 ha.), allotted to Government of Gujarat for construction of its second guest house at New Delhi. F.20(06)2015/MP	PLANNING
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19.	108/2015	Fixation of Pre-determined Rates (PDRs) in respect of Tikri Kalan for financial year 2015-2016. F.4(46)2014/AO(P)/DDA	FINANCE
20.	109/2015	Fixation of land rates for the purpose of calculation of Misuse Charges for the year 2015-16. F.2(14)96-97/AO(P)/DDA/Part-II	FINANCE
21.	110/2015	Action Note on Performance Budget. F.4(3)91/Per.Budget/2014-15	FINANCE
22.	111/2015	Issue of excess area of 12,841.35 sq.mt. in Commonwealth Games Village and Club/Community Centre. F.13(127)07/Bldg./Vol.XII	PLANNING
23.	Other Items:	(i) 100% interest waiver on dues/over-dues of the Kashmiri Migrants allottee of one room flats. F.312(3006)HSRKM/2004/DW. (ii) Action Taken Reports on 'Other Points' raised by members of the Authority during the meetings of the Authority held on 24.4.2015 and 16.6.2015. F.2(2)2015/MC/DDA	HOUSING CCS

Item No. 90/2015

Sub: Confirmation of minutes of the meeting of Delhi Development Authority held on 16.06.2015.
File No. F.2(2)2015/MC/DDA

Minutes of the meeting of the Delhi Development Authority held on 16.6.2015 were circulated vide this office circular No. F.2(2)2015/MC/DDA/95 & 96 dated 30.6.2015 with the request that proposals for amendment, if any, should be submitted within 7 days (Annexure). No proposal for amendment of the minutes has been received.

Minutes of the meeting of the Delhi Development Authority held on 16.6.2015 are submitted for confirmation of the Authority.

RESOLUTION

1. Addl. Secretary, Ministry of Urban Development stated that since he was not present in the meeting of the Authority held on 16.6.2015, certain changes are required in the bicycle sharing policy contained in the agenda item no. 84/2015.
 - i) Hon'ble Lt. Governor observed that this was only confirmation of the minutes of the meeting of the Authority held on 16.6.2015 and the Ministry of Urban Development may write to DDA for re-examination of the policy, if it so desires, so that the same can be deliberated upon in the next meeting of the Authority.
2. The minutes of the meeting of the Authority held on 16.6.2015 were confirmed as circulated.

DELHI DEVELOPMENT AUTHORITY

ANNEXURE

Minutes of the meeting of the Delhi Development Authority held on 16th June, 2015 at 10.00 a.m. at Raj Niwas, Delhi.

Following were present:

CHAIRMAN

1. Shri Najeeb Jung
Lt. Governor, Delhi

VICE CHAIRMAN

2. Shri Balvinder Kumar

MEMBERS

3. Shri Venkatesh Mohan
Finance Member, DDA
4. Shri Abhai Sinha
Engineer Member, DDA
5. Shri Vijender Gupta, MLA
6. Shri Satish Upadhyay
Municipal Councillor, SDMC
7. Dr. (Mrs.) Rajni Abbi
Municipal Councillor, NDMC

SECRETARY

Shri D. Sarkar
Commissioner-cum-Secretary, DDA

SPECIAL INVITEES & SENIOR OFFICERS

1. Shri K.K. Sharma
Chief Secretary, GNCTD
2. Shri S.C.L. Das
Secretary to Lt. Governor, Delhi
3. Smt. Swati Sharma
Addl. Secretary to Lt. Governor, Delhi

4. Shri R.N. Sharma
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5. Dr. Simi Malhotra
Advisor (Media, Academics, Art, Culture & Language) to Lt. Governor, Delhi.
6. Shri Ajay Choudhary
OSD to Lt. Governor, Delhi
7. Shri J.P. Agrawal
Principal Commissioner (LD, Housing & CWG), DDA
8. Shri Amit Yadav,
Commissioner, East Delhi Municipal Corporation
9. Shri Praveen Gupta
Commissioner, North Delhi Municipal Corporation
10. Shri R.K. Jain
Commissioner (Planning), DDA
11. Shri M. K. Gupta
Commissioner (Personnel), DDA
12. Shri Anil Kumar Sharma
Chief Legal Advisor, DDA
13. Shri D.P. Singh
Chief Engineer (Dwarka)
14. Shri Shamsheer Singh
Chief Town Planner, SDMC & NDMC
15. Shri P.S. Uttarwar
Addl. Commissioner (Planning), DDA
16. Shri Vinod Sakle
Addl. Commissioner (Planning), DDA
17. Shri S P Pathak
Addl. Commissioner (Planning), DDA
18. Shri Amit Kumar Das,
Addl. Commissioner (Planning), DDA
19. Smt. Savita Bhandari
Addl. Commissioner (Landscape), DDA

20. Shri R. Srinivas
Town & Country Planner, TCPO
21. Shri Kamal Joshi
Director (Land Costing), DDA
22. Shri S.B. Khodankar
Director (Planning), DDA
23. Shri H. K. Bharti
Director (Planning) UTTIPEC, DDA
24. Shri Rajesh Kumar Jain
Director (Planning), DDA
25. Smt. Paromita Roy
Dy. Director (Planning) UTTIPEC, DDA
26. Smt. Neemo Dhar
Advisor (PR), DDA

I. 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. 70/2015

Confirmation of minutes of the meeting of the Delhi Development Authority held on 24.4.2015 at Raj Niwas, F. 2(2)2015/MG/DDA

- i) The proposal contained in Item No. 52/2015 regarding change of land use for an area measuring 19980 sqm from "Public and semi-public facilities (PS1-Hospital)" to "Transportation (Depot-Bus)" at Sector A-7, Narela had been approved by the Authority in its meeting held on 24.04.2015 and it was also decided that the Authority should be informed in its next meeting about the details of the land identified for a hospital in Narela in lieu of the land for which change of land use had been approved for cluster bus depot.
- ii) The Authority was informed that the land under reference proposed for change of land use from "Public and Semi-Public Facilities (PS1-Hospital)" to "Transportation (Depot-Bus)" is under litigation and as per the order in WP (C)

4115/2003 and CM No. 18141/2014, Hon'ble High Court of Delhi in its judgment dated 19.01.2015 has directed that the acquisition proceedings in respect of the subject land were deemed to have been lapsed. DDA has filed an SLP in the matter. In view of this, it was decided that the change of land use as approved vide Item No. 52/2015 may not be processed further under section 11-A of Delhi Development Act, 1957.

- iii) The minutes of the meeting of the Authority held on 24.4.2015 were confirmed as circulated.

Item No. 71/2015

Action Taken Reports on the minutes of the meeting of the Delhi Development Authority held on 01.04.2015 at Raj Niwas.
F.2(3)2015/MC/DDA

- i) The action taken report on item No. 40/2015 has incorrectly noted, "Some modification is to be incorporated in the approved agenda. Action is being taken". This needs to be deleted.
- ii) The action taken report on the minutes of the meeting of the Authority held on 1.4.2015 was noted.

Item No. 72/2015

Amendment in the Recruitment Regulations for the post of Assistant Director (Official Language).
F.5(17)2012/P&C(P)

The proposal contained in the agenda item was approved. However, para (a) (ii) of the proposed amendment should read as "grade pay of Rs. 4600/-" instead of "grade pay or Rs. 4600/-".

Item No. 73/2015

Change of land use of Pocket-1 (680 sq.m.) and Pocket-2 (6560.10 sq.m.) at Maya Puri Chowk from 'Recreational (P2-District Park)' to 'Transportation (T3-MRTS Circulation)' for c/o Line 7 of Delhi MRTS, Ph.III at Mukundpur, Yamuna Vihar Corridor, Zone 'G'.
F.20(5)2014/MP

The proposal contained in the agenda item was approved.

Item No. 74/2015

Change of land use from "Industrial" to "Utility" (U-4), Solid Waste Management Facilities for the total land/area measuring 22.46 ha divided into three sites i.e. site no. I-2 measuring 2.42 ha, site no. I-8 measuring 13.45 ha and site no. I-10 measuring 6.59 ha at Industrial Area, Rohini, Phase-V to North Delhi Municipal Corporation (NDMC).
F.20(04)/2015-MP

The proposal contained in the agenda item was approved. It was also decided that the process of change of land use under section 11-A of DD Act, 1957 be expedited.

Item No. 75/2015

Handing over of water supply and sewerage services of Dwarka sub-city by DDA to DJB.
F.CE(Dwk.)26(19)/15/DJB

The proposal contained in the agenda item was approved.

Item No. 76/2015

Standard costing of flats – plinth area rates of construction effective from 1st April, 2015 to 30th September, 2015.
F.21(1671)2001/HAC/Pt.II

The proposal contained in the agenda item was approved.

Item No. 77/2015

Modifications in already approved proposal in MPD-2021 with respect to existing Guest Houses.
F.20(17)2013-MP/Pt.I

The proposal contained in the agenda item was approved.

Item No. 78/2015

Fixation of Pre-Determined Rates (PDRs) in respect of Narela for the financial year 2015-16.
F.4(45)2014/AO(P)/DDA

The proposal contained in the agenda item was approved.

Item No. 79/2015

Modifications to Chapter 19.0 of MPD-2021.
F.3(53)/2003-MP

The proposal contained in the agenda item was approved with the following modifications:

- a) The term 'Physical Infrastructure' as mentioned in column C para 2.0 (3) (iv) should be as per the definition in the Master Plan for Delhi 2021, Chapter 14.0 which consists of water, power, sewerage, drainage and solid waste management which is distinct from the definition of Social Infrastructure given in Chapter 13.0 of MPD -2021 *ibid*.
- b) The para 2.0(3), 19.6 (iv): Development Control Norms should be read as
"Owner of a land whose size is less than 2 ha. and which land is essential for roads, utilities/physical Infrastructure such as water, sewerage, drainage, power and solid waste management development in a particular sector, may otherwise be considered for issuance of Transferable Development Rights @ 150 FAR in respect of such land and all rights therein are surrendered in whole to the Land Pooling Agency. The FAR as per Transfer of Development Rights(TDR) shall be transferable only to a DE having Approval/licence on a final plot of not less than 2 hectare in the residential pockets of the same zone in which such land is situated."
- c) The proposal at 3.0 (c) may be read as "The provision of para 19.7 (ii) shall be retained as per the public notice issued vide S.O. No. 3006(E) dated 28.11.2014".
- d) Chief Secretary, GNCTD observed that Social Infrastructure like schools, hospitals, transport etc. would need to be provided in the areas to be taken under land pooling policy. These services are provided by Delhi Government for which land is required. He conveyed that DDA's Land Rates to allot land to

Delhi Govt. for many such purposes are on a high side and urged the Authority to consider peoples' need and respond to new and emerging needs of social infrastructure.

Item No. 80/2015

Modifications/Amendments in the LDRA provisions of MPD-2021 & Regulations for regularization of existing farm houses. F.3(103)96/MP

Hon'ble Lt. Governor desired to see the letter received from the Ministry of Urban Development, Govt. of India regarding the clarification given in respect of number of dwelling units (DUs) permitted on one acre of plot in Low Density Residential Area. Since, the letter was not readily available with the officers of the Planning Department, the Authority authorized Hon'ble Lt. Governor/Chairman, DDA to approve the agenda item with amendments, if any, on the concerned file.

Item No. 81/2015

Regulations for operationalisation of Land policy to be notified under Section 57 of Delhi Development Act, 1957 after MOUD approved dated 26.5.2015. F.15(6)2012-MP/Pt.II

i) The proposal contained in the agenda item was approved with the following modifications:

The para 2.3. (1), 19.6 (iv) (6 xi of regulations): Development Control Norms should be read as

"Owner of a land whose size is less than 2 ha. and which land is essential for roads, utilities/physical infrastructure such as water, sewerage, drainage, power and solid waste management development in a particular sector, may otherwise be considered for Issuance of Transferable Development Rights @ 150 FAR in respect of such land and all rights therein are surrendered in

whole to the Land Pooling Agency. The FAR as per Transfer of Development Rights(TDR) shall be transferable only to a DE having Approval/licence on a final plot of not less than 2 hectare in the residential pockets of the same zone in which such land is situated."

- ii) The provisions of para 19.7 (ii) shall be retained, as per the public notice issued vide S.O. No. 3006 (E) dated 28.11.2014 i.e.

"In case of fragmented land holdings coming forward for land pooling in the same Planning zone, land shall be returned in the vicinity of the largest land holding within the same zone subject to the land availability failing which within a distance of not more than five kilometers provided all the fragmented land holdings are within a radius of 5 kilometers within one zone."

- iii) The rest of the contents of paras (a) to (e) of 6 xi of regulations will remain same as per Annexure "C." of the agenda item.

Item No. 82/2015

Standard draft Memorandum of Understanding between DDA and NBCC for Lake View Complex: Integrated scheme for development of approx. 10.26 Ha. DDA land at Trilokpuri based on TOD norms.
F.3(90)/98-MP/Vol.II/Pt.-I

The proposal contained in the agenda item was approved.

Item No. 83/2015

Modification in the layout plan of Sub-District Centre, Hari Nagar for allotment of additional land of 3.5 acres to Deen Dayal Upadhyay Hospital, Hari Nagar for expansion of hospital beds and establishing Medical college as a case of special permission from the Authority under 'sub clause 8(2) - Permission of use premises in Use Zones' of MPD-2021.
F.13(01)/2015-MP

The proposal contained in the agenda item was approved.

Item No. 84/2015

Proposed Bicycle Sharing policy for National Capital Territory of Delhi.
F.10(28)2012/UTTIPEC

The policy proposal contained in the agenda item was approved in principle with the following additions/modifications:-

- i) All local bodies and road owning agencies in NCT of Delhi should be encouraged to adopt the bicycle sharing policy with due involvement of stakeholder agencies such as DMRC, DTC, Transport etc.
- ii) The choice of the specific revenue model should be made by the concerned executing agency and would depend on the specific project, based on considerations of efficiency, transparency and sustainability.
- iii) NMT lanes and cycle sharing schemes should be planned and implemented by DDA in all its developments/projects and land pooling areas from inception stage itself. NMT lanes should be developed on highest priority within all new/retrofitting road projects. Preferably, cycle lanes should be developed even before the main carriageway for all new roads by the road owning agencies in NCT of Delhi.
- iv) The Cycle Sharing Toolkit prepared by MOUD in 2012 (referred in the Agenda) may be followed by various agencies for technical guidance on such projects.
- v) Numbering of paras 3.7 and 3.8 incorrectly printed as 3.2 and 3.3 to be corrected.
- vi) Para 3.6.4 to be modified as follows (additions in *bold*):
"A depot space would be required for cycle sharing operations, consisting of indoor office space of approximately 40 sq. mt. Indoor meeting space of 20

sq.mt., enclosed space for storing of bicycles of area 500 sq. mt. per 200 cycles, covered cycle repair space of approx. 300 sq.mt. and space for parking of at least 3-5 redistribution vehicles. Depot to have all cycle repair facilities that are required. Space standards may vary from place to place".

Item No. 85/2015

Review of policy regarding misuse/amnesty scheme regarding damage and misuse charges.

F.6(23)2014/AO(P)/DDA

The proposal contained in the agenda item was approved.

Item No. 86/2015

Fixation of rates for the purpose of calculating conversion charges from leasehold to freehold in respect of commercial & industrial properties for the financial year 2015-16.

F.2(34)99/AO(P)/DDA/Pt.

The proposal contained in the agenda item was approved.

Item No. 87/2015

Amendment in the Recruitment Regulation of Library Cadre.

F.1(Misc.)08/RR/Library/2014

The proposal contained in the agenda item was approved.

Item No. 88/2015

Amendment in Recruitment Regulations for the post of Chief Vigilance Officer in DDA.

F.7(140)2010/PB-I

The proposal contained in the agenda item was approved.

Item No. 89/2015

Amendment in Recruitment Regulations for various posts in Survey cadre.
F.D/Misc./11/RR/Survey/2013

The proposal contained in the agenda item was approved.

Hon'ble Lt. Governor, Delhi thanked all the members, special invitees and senior officers for participating in the meeting.

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

Item No. 91/2015

SUB: ACTION TAKEN REPORTS ON THE MINUTES OF THE MEETING OF DELHI DEVELOPMENT AUTHORITY HELD ON 24.4.2015 AT RAJ NIWAS, DELHI

SUBJECT	ACTION TAKEN REPORT
<p><u>Item No. 52/2015</u></p> <p>Change of land use (CLU) for an area measuring 19980 sq. mtr. from Public Semi Public Facilities (PS1-Hospital) to Transportation (Depot-Bus) in Public Semi Public Facilities area at Sector A-7, Narela in Zone P-1. F.20(29)2014-MP</p> <p>The proposal contained in the agenda item was approved.</p> <p>However, it was decided that the Authority should be informed in its next meeting about details of the land identified for a hospital in Narela. This alternative piece of land would be in lieu of the land for which change of land use is now being approved for Cluster Bus Depot.</p> <p style="text-align: right;">ACTION: PLANNING</p>	<p>a) The details of the land identified for hospital in Narela in lieu of cluster bus depot site were placed in the meeting of the Authority held on 16.6.2015. In addition, the Authority was informed that land under reference proposed for change of land use for cluster bus depot is under litigation and as per Hon'ble Delhi High Court judgment dated 19.01.2015, the acquisition proceedings in respect of subject land were deemed to have been lapsed.</p> <p>b) The Authority decided that the change of land use approved vide item no.52/2015 on 24.04.2015 may not be processed further under section 11A of Delhi Development Act, 1957.</p> <p>c) Subsequently, it is noticed that the status of court case submitted by the Institutional Branch and court orders dated 19.01.2015 pertains to land falling in Revenue Estate of village Holambi Kalan whereas land identified for cluster bus depot perhaps forms part of Revenue Estate of village Narela/Kurenee.</p> <p>d) The above observations were forwarded to LD & LM Departments to re-examine the matter to ascertain the factual position. Commissioner (LM) vide note dated 10.08.2015 has informed that the land under reference is an acquired land vide Award No.243/86-87 and 3/95-96 and the possession has been taken over by DDA on 23.09.1986 and 07.10.1993 and the land has been transferred to Engineering Department. Further, it is informed that there is no court case listed in the court case register for this land.</p> <p>In view of change in position and the land proposed for cluster bus depot is a DDA acquired land, the following is proposed:</p>

	<p>i) The change of land use as approved vide item no.52/2015 may please be allowed to process further under section 11A of DD Act, 1957.</p> <p>ii) The remaining area measuring 15575 sq.mt. earmarked for hospital, by dividing the plot for cluster bus depot will be considered for some alternative public and semi public facility use. In exchange, two hospital plots with total area of 4.6 ha. has been proposed in facility area no.6 adjoining to the layout plan of Government land along 60m ROW road in Zone P-I instead of 3.755 ha. hospital plot partly utilized for cluster bus depot in Sector A-7.</p>
<p><u>Item No. 53/2015</u></p> <p>Proposal for modification in MPD-2021 with reference to the Development Control Norms of Night Shelters. F.3(80)/2007-MP</p> <p>The proposal contained in the agenda item was approved.</p> <p>The Authority decided that the parking provision mentioned in the Development Control Norms for Night Shelters will be considered on individual basis. The requirement of each Night Shelter will be assessed individually depending on the size and location of the Night Shelter that may require parking of Service Vehicles.</p> <p style="text-align: center;">ACTION: PLANNING</p>	<p>As a follow up action to the decision of the Authority, public notice has been issued on 30.7.2015 in newspapers for inviting objections/suggestions from general public.</p>
<p><u>Item No. 54/2015</u></p> <p>Proposed modification in MPD-2021 regarding provisions for new 'Slaughter House' in Delhi. F.3(143)82/MP</p> <p>The proposal contained in the agenda item was approved.</p> <p>However, the proposed modifications in the existing provisions should be read as "Abattoirs, animal blood processing (except existing, relocation and modern abattoir with latest technology shall be permitted subject to all clearances including environmental</p>	<p>As a follow up action to the decision of the Authority, public notice has been issued on 31.7.2015 in newspapers for inviting objections/suggestions from general public.</p>

<p>clearances from concerned agencies). These will be dependent strictly on the need of the NCT of Delhi".</p> <p style="text-align: center;">ACTION: PLANNING</p>	
<p><u>Item No. 55/2015</u></p> <p>Inscription of Delhi to World Heritage City by UNESCO – Incorporation of boundaries of Imperial City of New Delhi in Zonal Development Plan of Zone 'D'. F.16(06)2014/MP</p> <p>The proposal contained in the agenda item was approved.</p> <p>It was also decided that the detailed map will be included in the Master Plan of Zone 'D' to be submitted to MoUD.</p> <p style="text-align: center;">ACTION: PLANNING</p>	<p>As a follow up action to the decision of the Authority, a letter has been sent to Ministry of Urban Development for final notification vide No. F.16(06)/2014/MP/137G dated 9.07.2015.</p>
<p><u>Item No. 59/2015</u></p> <p>Amendment in Recruitment Regulations for various grades in Landscape cadre in DDA. F.D/Misc./08/RR/Landscape/2012</p> <p>The proposal contained in the agenda item was approved.</p> <p>It was agreed that in all cases where Recruitment Regulations (RRs) are amended, it should be specifically certified that the amended RR's are in consonance with the Department of Personnel & Training (DoPT) instructions and guidelines in the matter. This statement would be applicable for all RR items placed before the Authority in future.</p> <p style="text-align: center;">ACTION: PERSONNEL</p>	<p>Modified Recruitment Regulations are under submission.</p> <p>Directions of the Authority have been noted for compliance.</p>
<p><u>Item No. 60/2015</u></p> <p>Change of land use from "Public and Semi Public Facilities" to "Transportation" (Bus Depot – T2) for Bus Depot to Transport Department for the site measuring 40031.86 sq.m. (4.0 Ha.) in FC-20, Sector-32, Phase-IV, Rohini. F.20(31)/2014-MP</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: center;">ACTION: PLANNING</p>	<p>As a follow up action to the decision of the Authority, public notice has been issued on 31.7.2015 in newspapers for inviting objections/suggestions from general public.</p>

<p><u>Item No. 62/2015</u></p> <p>Modifications to MPD-2021 with reference to Green Building Provisions in Chapter 17.0 Development Code: Clause 8: clause 8(6) Services Plan. F.20(01)/2013-MP/Pt.II</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: center;">ACTION: PLANNING</p>	<p>As a follow up action to the decision of the Authority, a letter has been sent to Ministry of Urban Development for final notification vide No. F.20(01)2013/MP/Pt-II/139-G dated 10.07.2015.</p>
<p><u>Item No. 66/2015</u></p> <p>Amendment in the Recruitment Regulations for various grades in the Ministerial cadre in DDA. F.7(141)2010/PB/Pt.V</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: center;">ACTION: PERSONNEL</p>	<p>Modified Recruitment Regulations are under submission for notification in official gazette.</p>
<p><u>Item No. 67/2015</u></p> <p>Amendment in Recruitment Regulations for the post of Chief Architect. F.7(20)2013/PB-I</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: center;">ACTION: PERSONNEL</p>	<p>Modified Recruitment Regulations are under submission for notification in official gazette.</p>
<p><u>Item No. 68/2015</u></p> <p>Amendment in Recruitment Regulations for the various posts in Research cadre in DDA. F.D/Misc./10/RR/Research/2013</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: center;">ACTION: PERSONNEL</p>	<p>Modified Recruitment Regulations are under submission.</p>
<p><u>Item No. 69/2015</u></p> <p>Amendment in the Recruitment Regulations for various posts in the Stenographer cadre. F.1(Misc.)07/2015/RRs/Steno</p> <p>The proposal contained in the agenda item was approved.</p> <p style="text-align: center;">ACTION: PERSONNEL</p>	<p>Modified Recruitment Regulations are under submission for notification in official gazette.</p>

RESOLUTION

The action taken report on the minutes of the meeting of the Authority held on 24.4.2015 was noted.

Item No. 92/2015

No.F.4(3)91/Budget/2015-16/Rahagiri/

Sub:- Re-appropriation of funds for organizing Raahgiri Day

THE RAAHGIRI DAY campaign has been started by DDA with support of Delhi Police and with technical support of Embarq India. This campaign has been started to sensitize public about the clean environment, health related issues, awareness of vehicular pollution and inclusive development.

The Raahgiri Day has been started on every Sunday from 6.00 to 9.00 am at three locations mentioned below:-

- (1) Dwarka, near Dwarka Sports Complex
- (2) Rohini, near Swarn Jayanti Park
- (3) East Delhi, near Yamuna Sports Complex

On Raahgiri Day one time expenditure for purchase of road blockades, traffic cones etc. is required. Thereafter, recurring expenditure for blocking of roads for vehicular traffic by putting these barriers and removing the same after the event over is required. The Raahgiri Day at 3 locations have now become a permanent feature and public is enjoying it. A lot of appreciation has been received in the print and visual media to this campaign of DDA which is in overall benefit of the society.

Since it has become a permanent feature, therefore, it is proposed to, allocate funds for this event under the DDA Budget. The provision for expenditure as per detailed below shall be taken in the RBE 2015-16:-

- | | | | |
|----|------------|---|---------------|
| 1. | Dwarka | - | Rs 30.00 lakh |
| 2. | Rohini | - | Rs 30.00 lakh |
| 3. | East Delhi | - | Rs 30.00 lakh |

For the next financial year Budget provisions depending upon the likely expenditure of this year shall be made in the BE 2016-17.

The provisions under Rule 17 of the Budget and Account Rule 1982 for appropriation of Budget provisions for new scheme is produced below:-

"Inevitable expenditure, which cannot be met by re-appropriation, may be incurred all be with the previous approval of the Authority, and in emergencies, under the orders of or and the Vice-Chairman, a report of which shall be made to the Authority in its next meeting."

In view of above details, the case is put up for kind consideration and approval of the Authority.

RESOLUTION

The proposal contained in the agenda item was approved.

Item No. 93/2015

Sub: Adoption of Annual Accounts for the financial year 2014-15.
F.6(6)2015-16/A/cs(M)/DDA/Annual Account 2014-15.

Precis

1. In accordance with the provisions contained in Rules 20 and 22 of DDA Budget and Accounts Rule 1982, DDA is required to prepare the Annual Statement of Accounts in respect of Nazul Account-I, Nazul Account-II & General Development Account in the formats as prescribed in the above rules and forward the same to CAG of India for conducting certification of audit. Further, the Certified Accounts together with audit report thereon are to be sent to the Ministry for laying before both the Houses of Parliament.
2. Nazul Account-I relates to the transactions of the old Nazul Estates entrusted to Delhi Improvement Trust under Nazul Agreement, 1937 which was taken over by the Delhi Development Authority as successor of the Delhi improvement Trust. There are no significant changes in the transactions relating to Nazul Account-I as per last year's transactions.
3. Nazul Account-II relates to transactions pertaining to the large scale acquisition, development and disposal of land in Delhi under the scheme of 1961 framed by Government of India.
Details of receipts and expenditure are given under para-7.
4. General Development Account relates to all the development, construction and other activities undertaken by the Authority on its own account and other activities assigned to the Authority.
5. Annual Accounts for the financial year 2014-15 have been prepared which comprise Receipt and Payment Accounts, Income & Expenditure Accounts and Balance Sheet in respect of General Development Account and Nazul Account-I. As regards Nazul Account-II, only Receipt & Payment Accounts has been prepared. These compilations are in accordance with the DDA Budget & Accounts Rules, 1982 as approved by the Central Government (Page-1 to 46 of the Booklet placed at Appendix "A").
6. Receipt & Payment Accounts for the financial year 2014-15 is presented below along with Receipt & Payment Accounts for the previous two financial years as under:

Receipt & Payment Accounts

(Fig. in Cr. of Rs.)

Head of A/C	RECEIPTS			PAYMENTS		
	2014-15	2013-14	2012-13	2014-15	2013-14	2012-13
GDA	1377.78	714.55	2702.31	1583.51	724.02	1054.11
Nazul A/C-I	20.33	5.13	2.52	28.55	29.58	35.10
Nazul A/C-II	2925.75	3094.81	3233.44	2433.66	3007.61	2824.49
Total	4323.86	3814.49	5938.27	4045.72	3761.21	3913.70

7. There has been significant increase in the receipts and expenditure in respect of houses and shops in the GDA due to launching of Housing Scheme-2014 as mentioned below:

Head of A/C	Receipts from Disposal of houses		Expenditure on houses	
	2014-15	2013-14	2014-15	2013-14
GDA				
Disposal/Construction of Houses & Shops	556.50	289.35	1053.6	594.29

8. A comparison showing the Income and Expenditure in respect of DDA's main account i.e. GDA for the last three years is as under:

Fig. in Cr. of Rs.

Year	Income	Expenditure	Excess/Deficit
2014-15	3802.57	2281.21	1521.36
2013-14	658.42	963.86	(305.44)
2012-13	2004.90	1171.06	833.84

The excess of income over expenditure to the tune of Rs. 1521.36 Cr. during this year is mainly due to increase in the stock of 25000 houses valuing Rs 4000.00 Cr. (approx) put to sale under Housing Scheme 2014.

9. DDA has two statutory trusts. Financial statements of Delhi Development Authority Gratuity Fund Trust and Delhi Development Authority Pension Fund Trusts have been drawn separately consequent upon recognition of these trusts by Income Tax Department (Page- 47 to 58 of the Booklet placed at Appendix "A").
10. Highlights of General Development Account at a glance for the financial year 2014-15 showing its comparison with 2013-14 is also enclosed as Annexure-I.
11. After obtaining approval from Hon'ble L.G., Delhi/ Chairman, DDA, the Annual Accounts prepared by DDA for the financial year 2014-15 were sent to the office of Director General of Audit on 16.06.2015 for taking up the statutory audit as against the scheduled date of 30.06.2015. The Audit Team from the C & AG office has started audit from 18.06.2015 and the audit is in progress. The Annual Accounts so approved and sent to Audit are now to be ratified by the Authority.
- It is for the first time in many years that DDA has completed its annual accounts not only on schedule but well ahead of the schedule.
12. After receipt of final "Separate Audit Report" (SAR), the audited Annual Accounts of 2014-15 along with comments of DDA on SAR will again be placed before the Authority for adoption.

13. Annual Accounts for the year 2014-15 along with the following items are submitted as under:-

Sl.No.	Item	Reference to page of appendix's booklet
1	Balance Sheet, Income & Expenditure Account & Receipt and payment A/c of General Development Account along with connected schedules.	Page 1 to 18
2	Statement of significant Accounting Policies (Schedule – N)	Page 19 to 25
3	Notes to the Accounts (Schedule – O)	Page 26 to 32
4	Details of Investments and Bank Balances	Page 33
5	Balance Sheet, Income & Expenditure Account and Receipt & payment Accounts of Nazul Account-I along with connected schedules.	Page 34 to 43
6	Receipt & Payment Accounts of Nazul Accounts -II	Page 44 to 46
7	Financial statement of Delhi Development Authority Gratuity Fund Trust	Page 47 to 52
8	Financial statement of Delhi Development Authority Pension Fund Trust	Page 53 to 58

Proposal

The proposal contained in the above Agenda item relating to the Annual Accounts for the financial year 2014-15 is placed before the Authority for approval and adoption.

RESOLUTION

The proposal contained in the agenda item was approved.

Highlights of Financial Statements at a Glance *in ₹/0 G.D.A.*

Particulars	2014-15 (in Rs. Crores)	2013-14 (in Rs. Crores)	Remarks
Income of Sale/Services	1017.71	449.35	The accretion in sale of CWG Flats of Rs. 448.24 cr and Income from Sale of Houses is increased by 164.68 cr
Income from General Investment	443.04	343.44	The increase of Rs.99.6 crore in Income from General Investment is due to increase in Interest income and investment.
Other Income	266.12	111.26	Other Income has been increased by Rs.154.86 cr is due to increase in Other revenue A/c (Increase in Ground rent receipts, Sale of Tender form etc)
Increase/(Decrease) in Stock & Works	2030.81	(330.28)	The increase in stock is due to the addition of 20600 Built up Houses.
Expenditure of Other Housing Schemes	1238.02	119.09	The upsurge in expenditure on housing scheme is on account of cost of land of Rs.735.12 cr on account of addition of 20600 flats offered for sale.
Net Surplus carried to Balance Sheet	1521.36	(305.43)	The upturn in surplus is due to increase in stock and sale of CWG Flats and Houses.

Highlights of Financial Statements at a Glance

Particulars	2014-15 (in Rs. Crores)	2013-14 (in Rs. Crores)	Remarks
Earmarked/Endowment Funds (Sch B)	5960.24	5323.68	There is increase of Rs.636.56 cr due to increase in U.D.F ,G.P.F AND P.R.M.S
Current Liabilities & Provisions (Sch C)	1734.49	889.40	Increase of 845.09 is mainly due to Advance from allottees received under Housing 2014 scheme and Sundry Creditors(Land).
Fixed Assets	218.85	76.79	A major reason of accretion in Fixed Assets is conversion of 45 CWG flats into Staff Quarters amounting to 110.31 crore.
Finished stock of built up houses	3619.93	956.69	20600 flats were transferred form WIP to Finished Stock which resulted in increase in amount of Finished stock of built up houses

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Highlights of Financial Statements at a Glance

Particulars	2014-15 (in Rs. Crores)	2013-14 (in Rs. Crores)	Remarks
Leave Encashment Fund(Contribution)	(9.59)	24.54	Current year contribution is (9.59)crore, due to excess contribution booked in Previous Years.
Debtors Housing	483.31	572.63	It has decreased from INR 572.63 crores to INR 483.31 crores. The reduction in Debtors Housing is due to receipt of Hire Purchase Installments.

Item No. 94/2015

Sub: Change of land use of land measuring 8367.10 Sqm from 'Recreational' (P-2 District Park) to 'Transportation' (T-3- MRTS Circulation) in Shivaji Park at Basai Darapur, Ring road for Construction of Metro Station for Mukundpur- Yamuna Vihar Corridor of Delhi MRTS Project, Phase – III. (File No.: F.20 (05) 2013/MP)

1.0 Background

1.1 DMRC has requested for land measuring 8367.10 Sqm in Shivaji Park at Basai Darapur, Ring road for Construction of Metro Station for Mukundpur- Yamuna Vihar Corridor of Delhi MRTS Project, Phase-III for which working permission has already been given by the Lands Department of DDA.

1.2 The present land use of the site under reference is 'Recreational' (District park) and, therefore, this requires change of land use of land measuring 8367.10 Sqm from 'Recreational Use (P-2 District. Park)' to 'Transportation (T-3- MRTS circulation)'.

1.3 The proposed change of land use is for the public purpose. The construction of Metro Station will provide faster connectivity to the other parts of the city and also provide social and environmental benefits to the residents of adjoining areas.

2.0 Follow up action

2.1 The proposal regarding Change of land use of land measuring 8367.10 Sqm from 'Recreational Use (P-2 District. Park)' to 'Transportation (T-3- MRTS circulation)' in Shivaji Park at Basai Darapur, Ring road for Construction of metro-station for Delhi MRTS Project, Phase – III, was approved by the Authority in its meeting held on 26/06/2014 vide item no.97/2014 for inviting objections/ suggestions from the general public.

2.2 Public Notice / Objections & Suggestions/ Recommendations of Board of Enquiry and Hearing.

As approved by Authority, a Public notice was issued vide S.O. 2477 (E) dated 20.09.2014 for inviting objection/suggestions from general public to the proposed Change of land use of land measuring 8367.10 Sqm from 'Recreational Use (P-2 Distt. Park)' to 'Transportation (T-3- MRTS circulation)' in Shivaji Park at Basai Darapur, Ring road for Construction of Station for Mukundpur- Yamuna Vihar Corridor of Delhi MRTS Project, Phase – III. Copy of the Public notice is appended at Annexure A.

In response to this Public Notice, ten objections/suggestions were received. A Summary report of all the objections/suggestions received was prepared and placed before the Board and all the persons who had filed objections/suggestions were invited to present their submissions before the Board of Enquiry & Hearing in the meeting held under the Chairmanship of EM,DDA on 29/06/2015. Out of 10 Groups/RWA who had sent objections/suggestions, only 4 Groups/RWA (13 persons) appeared before the Board of Enquiry & Hearing to voice their objections /suggestions

Considering the written submissions as stated in Summary and Oral submissions, the Board after careful consideration of all related aspects recommended Change of land use of land measuring 8367.10 Sqm from 'Recreational' (P-2 District Park) to 'Transportation' (T-3- MRTS Circulation) in Shivaji Park at Basai Darapur, Ring road for Construction of Station for Mukundpur- Yamuna Vihar Corridor of Delhi MRTS Project, Phase - II. A copy of the minutes of the Board of Enquiry and Hearing Meeting is appended at Annexure-B.

3.0 Information as per the MOUD letter dated 07/04/15.

MoUD, GOI vide letter no. K-13011/3/2012-DD-IB dated 07.04.15 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD 2021 and change of land use cases for final notification under Section 11-A of Delhi Development Act, 1957. The point wise reply is as follows:

S.No.	Information asked by MoUD vide letter dated 07.04.15	Reply
1	Whether the land is Government land or private and who is the land owning agency?	The land belongs to DDA and working permission has already been given by the Lands department of DDA.
2	On whose request the change of land use case or modification to MPD-2021 has been initiated?	The request of DMRC is for an area measuring 8367.10 sqm. for Metro Station and Parking.
3	Whether a responsible officer from DDA was deputed for inspection of site and a copy of inspection report be provided.	The site has been inspected by the Director (Plg.), Dy. Director (Plg.), Asstt. Director (Plg.) of Area Planning (Zone C&G) and it was observed that the Metro Station building and viaduct is in advanced stage of construction.
4	What is the public purpose to be served by modification of MPD-and/ or change of land use?	The proposed change of land use is for the public purpose of construction of Metro Station. This will facilitate faster connectivity with the other parts of the city.
5	What will be the impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	As such, no impact. The proposed change of land use is for the Metro facility for the general public. This is being processed under Section 11-A of DD Act, 1957 as it is not in consonance with the present land use.
6	What will be proposal's impact /implications on general public e.g Law and order etc.?	As such, there will be no impact on law and order.
7	Whether any court cases are ongoing on the land mentioned in Proposal? Full details be attached.	Not to our knowledge.

4.0 Proposal

In view of above, as recommended by the Board of Enquiry and Hearing, the following modification is proposed in MPD-2021 and Zonal Development Plan of Zone-G for processing under Section 11-A of DD Act 1957.:

Location	Area	Land Use (MPD- 2021)	Land Use changed to	Boundaries
1	2	3	4	5
Shivaji Park at Basai Darapur, Ring road Zone- G.	8367.10 sqm	'Recreational' (P-2 District Park)	'Transportation' (T-3 MRTS circulation)	North: District Park South: District Park East : Ring Road 60.0 M RoW West: District Park

A copy of the Plan showing the site proposed for change of land use is appended as Annexure-C.

5.0 Recommendation

The proposal given at Para 4 above is placed before the authority for its consideration and approval. After approval, the resolution of the authority to be forwarded to Ministry of Urban Development, Govt. of India for issue of final notification.

RESOLUTION

The proposal contained in the agenda item was approved.

DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

New Delhi, the 20th September, 2014

S.O. 2447(E).—The following modification which the Delhi Development Authority/Central Government proposes to make to the Master Plan/Zonal Development Plan of Zone 'G' under Section 11-A of DD Act, 1957 is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection/suggestion in writing to the Commissioner-cum-Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi-110023 within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his/her name and address in addition to phone No., fax No., mobile No. and e-mail ID.

Modification:

Location	Area	Land use (MPD-2021)	Land use Changed to	Boundaries
1	2	3	4	5
Shivaji Park at Basaidara Pur, Ring Road, Zone- G.	8367.10 SQM	'Recreational (P2-District Park)'	'Transportation (T3-MRTS Circulation)'	North : District Park South : District Park East : Ring Road 60.0 Mt RoW West : District Park

2. The plan indicating the proposed modification is available for inspection at the office of Deputy Director (MP), Delhi Development Authority, 6th Floor, Vikas Minar, I.P. Estate, New Delhi on all working days during the period referred above.

[F. No. F. 20(05)2013/MP]

BRIJESH KUMAR MISHRA, Commissioner-cum-Secy.



Delhi Development Authority

No.: F.20(5)2013-MP/

Date:

Sub: Minutes of the Meeting of the Board of Enquiry & Hearing held on 26/06/15 in response to Public Notice dt. 20.09.2014 issued vide S.O. No. 2447 (E) Gazette of India

The proposal regarding Change of land use of land measuring 8367.10 Sqm from 'Recreational Use (P-2 District. Park)' to 'Transportation (T-3- MRTS circulation)' in Shivaji Park at Basaidarapur, Ring road for Construction of metro-station for Mukundpur-Yamuna Vihar Corridor of Delhi MRTS Project, Phase - III, was approved by the Authority in its meeting held on 26/06/2014 vide item no.97/2014 for inviting objections suggestions from the general public. A Public Notice was issued on 20/09/2014 to call objections/suggestions from General Public. In response to this Public Notice, ten objections/suggestions were received. All persons who had filed objections/suggestions were invited to present their submissions before the Board of Enquiry & Hearing in the meeting held under the Chairmanship of EM,DDA on 29/06/2015. The basic issues which arose from their written submissions are as follows:

1.0 Summary of objections/suggestions submitted by general Public.

The Summary of objections/suggestions received in response to public notice was prepared and placed before the Board for consideration. The same is given below:

S.NO	NAME & ADDRESS / DIARY NO./DATE	SUMMARY OF OBJECTIONS/SUGGESTIONS.
Basaidarapur		
i.	Sh. M.L. Sharma, President, Aryavrat Jan Jagriti Welfare Association (Regd.) WZ 267 A, Basaidarapur, New Delhi-15. (3005 dt. 15.10.14)	The President of Aryavrat Jan Jagriti Welfare Association has given the reference of "High Court matter of 'Paryavaran Avaam Januthan Mission V/s LG & Others', decided on 18.11.2009 by Justice Murli Dhar. It is stated that their case is similar to this case of Ajmal Khan Park (Karol Bagh) N.Delhi where the Court had given a decision to retain it as a 'Park'. It is requested in the public interest that the open spaces for parks and play grounds should not be sacrificed for Metro Station and other sites may be explored.
ii.	Sh. Sangli Ram, President Vill. Basai Darapur, Residents' Welfare Association (Regd.) 17, Basai Darapur, New Delhi-15. (3043/20.10.14)	The RWA has pointed out that there are a number of vast chunks of land lying vacant in the near vicinity and they may be utilized by DMRC and not Shivaji Park, as it is a developed park with thousands of trees and it is in existence for the last forty years.
iii.	Sh. K.K. Sharma, Gen. Secretary, Basai Jan Kalyan Samiti (Regd.), WZ-104, Basai Darapur, New Delhi-15. (3066/27.10.14 6724/21.10.14)	The residents of Basai darapur are deprived of park facilities in the area and residents would be left helpless without any alternative.
iv.	Smt. Suman Tyagi, Dy. Chairperson, Medical Relief & Public Health Committee, WZ-69, Basai Darapur, New Delhi-15. (3052/ 22.10.14)	In the larger public interest, it has been requested that this is the only developed park which serves colonies like Basai Darapur, ESI hospital, Bali Nagar, Raja Garden, Moti Nagar, Sudarshan Park and others. If the green belt is removed, it would affect the health of the residents and environment of the area.

Signature
28/7/2015

Handwritten marks

v.	Sh. Balwan Singh Dhangar, General Secretary, Jan Sangharsh Chetna Samiti (Regd.), WZ-195, Madan Lal Dhangar Marg, Basai Darapur, New Delhi-15. (39270/29.9.14 2896/1.10.14)	Basaidarapur is a congested area and is already deprived of a park near Ramesh Nagar Metro Station which the DMRC has already taken and the remaining park has been taken over by Education Department. Now, Shivaji Park is also proposed to be taken over by DMRC. It is the only park available to the residents of Basaidarapur and residents of adjoining colonies like Sudarshan Park, Bali Nagar, Raghurib Nagar, Shivaji Encl. etc. It is to mention that Metro has taken 1/4 th of the said park. It could have run along the Ring Road.
Ramesh Nagar		
vi.	Sh. Bholu Ram Malik, President, Ramesh Nagar Distt. Bhartiya Yog Sansthan, 6/49, Ramesh Nagar, New Delhi-15. (3045/ 20.10.14 & 1823/ 16.10.14 (CLM) 6742/ 27.10.14 (DD(LM))	It has been requested that Bhartiya Yog Sansthan runs Yoga classes at Shivaji Park which benefits a large no. of residents of the adjoining areas. Therefore, the land use of Shivaji Park should not be changed.
Tagore Garden Extn.,		
vii	Sh. Ajay Mahajan, Joint Secretary, Tagore Garden Extn. Residents' Welfare Association (Regd.), B-115, Tagore Garden Extn., New Delhi-27. (3044/ 20.10.14)	Shivaji Park is the only park for the residents of Basai Darapur, Ramesh Nagar, Bali Nagar, Tagore Garden Extn. A,B,C Block, Raghurib Nagar and Shivaji Enclave. It is to mention that Metro has taken 1/4 th of the said park. It could have run along the Ring Road.
Sudarshan Park, Moti Nagar		
viii	Sh. Jilendera Bajaj, President, Resident Welfare Association (Regd.), A-205, Sudarshan Park, N. Delhi-15. (6029/ 15.10.14(DLM)& 68628/ 15.10.14)(Raj Niwas)	DDA is going to take away 8367 sqm of land for transportation use from Shivaji Park which is the only park available to the residents of adjoining colonies like Basaidarapur, Sudarshan Park, Bali Nagar, Raghurib Nagar, Shivaji Encl. etc. It is therefore, requested that some other place may be made available for MRTS.
ix	President, Shri Radhika Raman Sewa Samiti (Regd.), F-184, Sudarshan Park, Moli Nagar, N. Delhi-15 (69227/ 17.10.14(Raj Niwas) 6632/15.10.14 DD(LM) 2991/14.10.14)	DDA is going to take away 8367 sqm of land for transportation use from Shivaji Park which is the only park available to the residents of adjoining colonies like Basaidarapur, Sudarshan Park, Bali Nagar, Raghurib Nagar, Shivaji Encl. etc. DMRC has already taken 1/4 of the said park. It is therefore, requested that some other place may be made available for MRTS.
Raghurib Nagar		
x.	President, Indoriya Jan Kalyan Samaj Seva Sansthaa, B-42A, DDA Flat near Shivaji Enclave, Raghurib Nagar, New Delhi -27. (6659/ 20.10.14 DD (LM) 2992/14.10.14)	DDA is going to take away 8367 sqm of land for transportation use from Shivaji Park which is the only park available to the residents of adjoining colonies like Basaidarapur, Sudarshan Park, Bali Nagar, Raghurib Nagar, Shivaji Encl. etc. DMRC has already taken 1/4 of the said park. It is therefore, requested that some other place may be made available for MRTS.

2.0 Oral submissions of the persons called for hearing before Board of Enquiry & Hearing on 26/06/15.

Out of 10 Groups/RWA who had sent objections/suggestions, only 4 Groups/RWA (13 persons) appeared before the Board of Enquiry & Hearing held on 29/06/2015 to voice their suggestions and objections. DDA Planning Wing Officers explained the following status to the Board Members and Public:

- (i) The change of land use pertains to Metro Station building which is in advance stage of construction facing Ring road on a plot measuring 8367.10 sqms.

- 213/C
- (ii) The remaining portion of District Park will continue to cater to the population of surrounding Residential areas. The proposed Metro will benefit to the population and provide faster connectivity to other parts of the city. This is likely to reduce the traffic congestion and movement of buses on Ring Road.

The public present during the Board meeting submitted the following before the Board:

- (i) The residents have no objection for construction of Metro Station which is in progress. They were under the impression that the remaining portion of District Park will also be acquired by the DMRC.
- (ii) The balance District Park may please be restored by DMRC and maintained by DDA in future.

3.0 Subsequent to the hearing, the Board Members along-with DDA officers deliberated on various aspects and observed following:-

- (i) This is a DMRC project and includes only a part of District park. The Metro Station building and viaduct is in advance stage of construction for which working permission was given by Lands Department, DDA.
- (ii) The construction of Metro Station will provide faster connectivity to the other parts of the city and also provide social and environmental benefits to the residents of adjoining areas.

4.0 Considering the above written submissions as stated in Summary and Oral submissions, the Board after careful consideration of all related aspects recommended the following modification in MPD-2021 and Zonal Development of Zone-G as per the Public notice dated 20/09/2014:

Location	Area	Land Use (MPD- 2021)	Land Use changed to	Boundaries
1	2	3	4	5
Shivaji Park at Basai Darapur, Ring road, Zone - G.	8367.10 sqm	'Recreational' (P-2 District Park)	"Transportation" (T-3 MRTS circulation)	North: District Park South: District Park East: Ring Road 60.0 M RoW West: District Park

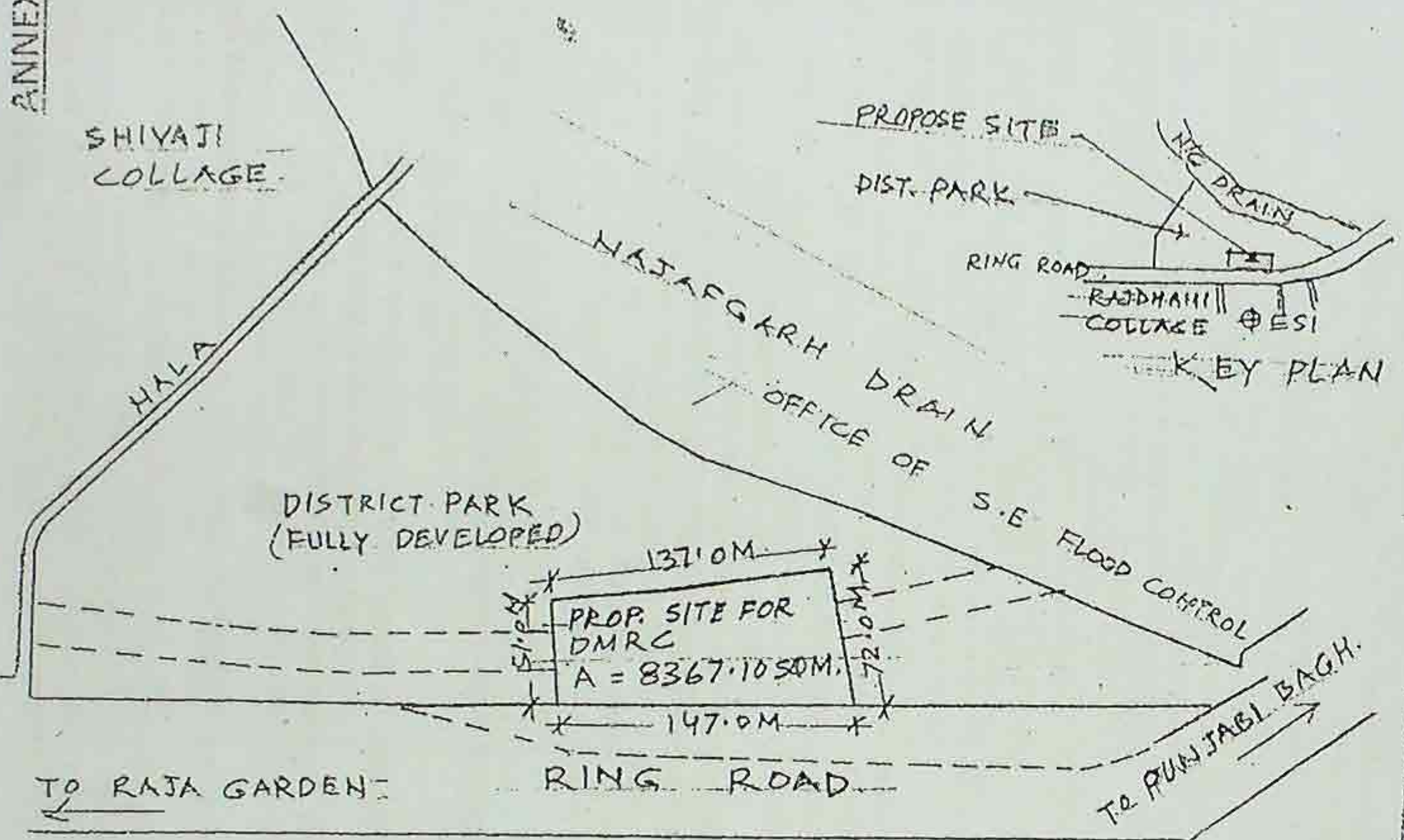
20/7/2015
Addl. Commissioner (Plg),
MPR&DC, DDA
(Convener & Secretary of the Board of
Enquiry and Hearing)

Aug. 8.7.15.
Chief Planner, TCPO
(Member of the Board of
Enquiry and Hearing)

08/07/2015
Finance Member, DDA.
(Member of the Board of
Enquiry & Hearing).

Sh. Vijender Gupta
Authority Member, DDA
(Member of the Board of
Enquiry and Hearing)

08/7/2015
Engineer Member, DDA
(Chairman of the Board of
Enquiry and Hearing)



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 P.LANNING ZONE - G

NOTES :
 1 - THE DRAWING IS PREPARED ON THE BASIS OF THE LANDSCAPE PLAN OF SHIVAJI PARK AT BASAIDARAPUR.

AREA DETAIL :
 AREA UNDER SITE PROPOSED FOR DMRC = 8367.10 SQ.M.

PROPOSED SITE FOR ALLOTMENT OF LAND FOR DMRC FOR THE CONSTRUCTION OF STATION & PARKING AT SHIVAJI PARK, BASAIDARAPUR, RING ROAD.

SCALE : 1:1000 DATE: 18.3.2013

PLG. ASSTT.	ASSTT. DIR	DRG. NO.
DY. DIR.	DTR.	↑ N

Item No. 95/2015

Sub: Proposed change of land use of an area measuring 3019.5 sqm. from 'Residential' to 'Government (Government Office)' to construct a new office building of Registrar General and Census Commissioner, India (RG&CCI) at 2-A Mansingh Road, New Delhi, falling in Planning, Zone-D.

File No. F.20 (03)2015/MP

1.0 BACKGROUND

- i. Registrar General & Census Commissioner, India (RG & CCI), Ministry of Home Affairs, Govt. of India vide D.O. No. D.31013/04/2011-GS dated 14.01.2015 has forwarded the D.O. letters dated 24.11.2014 & 06.01.2015 of Home Secretary, Govt. of India and requested DDA to initiate the process for change of land use from 'Residential' to 'Institutional'. In response to this, DDA sent a letter dated 07.04.2015 to RG & CCI to send the project report indicating proposed activities, area and boundary for examining the proposal with respect to proposed change of land use as per MPD-2021.
- ii. The office of Registrar General of India (RGI) vide letter dated 17.04.2015 sent the proposed activities, area, boundary description along with the location and survey plans and requested DDA to change the land use from 'Residential' to 'Government Office'. Further, DDA vide letter dated 19.05.2015 requested for the requisite information for further examination and para-wise reply to the MoUD letter dated 07.04.2015 with respect to the proposed change of land use.
- iii. Subsequently, MoUD vide letter No. K-13011/7/2015-DD-I dated 19.05.2015 requested DDA to examine the case for initiating action under Section 11A of DD Act, 1957 for the proposed change of land use.
- iv. In response to DDAs letter dated 19.05.2015, the office of RGI vide letter dated 10.06.2015 has sent the requisite information with respect to the proposed change of land use.

2.0 FOLLOW UP ACTION

The proposal was considered by the 7th Technical Committee in its meeting held on 24.07.2015 vide Item No. 38/2015 (Copy annexed as Annexure – 'A').

Decision of the Technical Committee is as given below:-

"The proposal was presented by Director (Plg.) Zone 'D'. After detailed deliberation, the proposal contained in the Para 3.0 of the agenda item was recommended by the Technical Committee, for forwarding to Authority for consideration and further processing under Section 11-A of DD Act, 1957".

3.0 EXAMINATION

- i. As per Ministry of Home Affairs (MHA) letter dated 14.01.2015, the office of the Registrar General & Census Commissioner, India Ministry of Home Affairs, 2/A, Mansingh Road is functioning in the barracks of Kota House Hutments for last 60 years. Presently, it is a single storey building which is very old and in a dilapidated condition. Further, the Government has decided to construct a new multi-storey building and the proposal has already been sanctioned by Ministry of Home Affairs, Government of India.

- ii. The plot under reference (i.e. 2-A, Mansingh Road, New Delhi) falls within the Lutyens' Bungalow Zone (LBZ) and outside the Central Vista area.
- iii. The land use of the plot under reference is 'Residential' as per MPD-2021.
- iv. L&DO vide letter 18.06.2015 has allotted the said plot under reference measuring an area of 3019.5 sq.m. (0.301 ha.) to Ministry of Home Affairs for construction of office of Registrar General and Census Commissioner at 2-A Mansingh Road, New Delhi on as is where is, basis.
- v. As per table 8.2 of MPD-2021, the Development Control Norms for the 'Government Office' as per MPD-2021 are as under:

Category	Ground Coverage (%)	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Definition	Activities permitted
Integrated Office Complex	30	200	NR, subject to approval of AAI, Fire Department and other statutory bodies	1.8	Premises used for the office of Central Government, Local Government and Local Bodies	Government Offices, Watch And Ward Residence/ Residential Maintenance Staff (Maximum 5% of FAR), Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)

- vi. Following is the provision with respect to the existing barracks as per para 6.5 v) of the approved Zonal Development plan of Zone-D prepared under MPD-2001:
"Large number of barracks are existing in a scattered manner on prime land all over the Bungalow Area. These pockets are likely to be redeveloped in future. Therefore, it is proposed that redevelopment of such pockets may be as per Master Plan/Zonal Plan proposals based on detailed urban form studies of each pocket."
- vii. Justification & public purpose to be met through this proposed change of land use
 The site under reference is the office of Registrar General & census Commissioner is operating for the last 60 years and is in a dilapidated barracks and beyond repairs. It has been decided by the Government of India to construct a multi-storey office building. This office will act as a Headquarter for 33 sub-ordinate offices i.e Directorate of Census operations located in various States and Union Territories. Over the years, there has been exponential growth in its activities while the space available has remained the space.

viii. MoUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information as sought by MOUD, GOI vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	Land is government and Land & Development Office (L & DO) is the land owning agency..
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	As per the request by Registrar General & Census Commissioner, India (RG & CCI), Ministry of Home Affairs, Govt. of India vide letter dated 14.01.2015 as stated in para 1.1 & 1.2, above.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Yes, the site under reference was inspected and following was observed: - The office of the Registrar General & Census Commissioner is functioning in the barracks of the Kota House Hutments. - This is a single storey building which is very old and in a dilapidated condition.
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	This office will act as a Headquarter for 33 sub-ordinate offices i.e Directorate of Census operations located in various States and Union Territories. Over the years, there has been exponential growth in its activities while the space available has remained the space.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	Mostly site under reference is surrounded by Government offices. This proposal will have an additional impact on the physical infrastructure, which may be taken care by the concerned local body.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	The present premises will be utilized for official purpose and no adverse impact is anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	Not to our knowledge.

4.0 PROPOSAL

As recommended by the 7th Technical Committee in its meeting held on 24.07.2015 vide item no. 38/2015, the following is proposed:

The proposed change of land use in respect of an area measuring 3019.5 sqm. from 'Residential' to 'Government (Government Office)' to construct a new office building of Registrar General and Census Commissioner at 2-A Mansingh Road, New Delhi, falling in Planning, Zone-D, may be changed under Section 11A of DD Act, 1957.

The boundary description of the same is as follows (Refer location map at Annexure 'B'):

Location	Area	Land use as per MPD-2021	Land use Changed to	Boundaries
1	2	3	4	5
Proposed office building of Registrar General and Census Commissioner, India, Ministry of Home Affairs, Government of India at 2-A Mansingh Road, New Delhi, falling in Planning, Zone-'D'	3019.5 sq.m. (0.3019 ha.)	'Residential'	'Government (Government Office)'	North: Naval Officers Mess South: Existing Petrol Pump & Existing Road East: Office of the Ministry of Corporate Affairs & Shahjahan Road West: Mansingh Road

5.0 RECOMMENDATION

The proposal in para 4.0 above is placed before the Authority for its consideration for inviting objections and suggestions from the public under Section 11A of DD Act, 1957.

RESOLUTION

The proposal contained in the agenda item was approved with the following directions:

The Authority was also informed of the observations of the MOUD in which it has been directed as under:

"The Prime Minister's Office vide its letter dated 25.07.2008 had requested to send the draft ZDP, as being prepared by DDA, for prior clearance from PMO in accordance with the extant instructions concerning development plans for LBZ before the public consultation process formally commences.

You are, accordingly, requested to furnish a copy of draft ZDP for Zone-D to this Ministry for onward transmission to PMO before the same is placed in public domain for inviting objections/suggestions."

It was decided that the agenda item would stand approved for forwarding to the Ministry of Urban Development for further processing of the Change of Land Use as per Section 11-A of Delhi Development Act, 1957. It was underlined that any final notification could be issued only after the Ministry of Urban Development has obtained the approval from the PMO.

- 2.4 L&DO vide letter 18.06.2015 has allotted the said plot under reference measuring an area of 3019.5 sq.m. (0.301 ha.) to Ministry of Home Affairs for construction of office of Registrar General and Census Commissioner at 2-A Mansingh Road, New Delhi on as is where is, basis.
- 2.5 As per table 8.2 of MPD-2021, the Development Control Norms for the 'Government Office' as per MPD-2021 area are as under:

Category	Ground Coverage (%)	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Activities permitted
Integrated Office Complex	30	200	NR, subject to approval of AAI, Fire Department and other statutory bodies	1.8	Government Offices, Watch And Ward Residence/ Residential Maintenance Staff (Maximum 5% of FAR, Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)

- 2.6 Following is the provision with respect to the existing barracks as per para 6.5 v) of the approved Zonal Development plan of Zone-D prepared under MPD-2001:

"Large number of barracks are existing in a scattered manner on prime land all over the Bungalow Area. These pockets are likely to be redeveloped in future. Therefore, it is proposed that redevelopment of such pockets may be as per Master Plan/Zonal Plan proposals based on detailed urban form studies of each pocket."

*Sudhakar
A.D. (M.P.)*

2.7 JUSTIFICATION & PUBLIC PURPOSE TO BE MET THROUGH THIS PROPOSED CHANGE OF LAND USE

The site under reference is the office of Registrar General & census Commissioner is operating for the last 60 years and is in a dilapidated barracks and beyond repairs. It has been decided by the Government of India to construct a multi-storey office building. This office will act as a Headquarter for 33 sub-ordinate offices i.e Directorate of Census operations located in various States and Union Territories. Over the years, there has been exponential growth in its activities while the space available has remained the space.

- 2.8 MoUD, GOI vide letter No. K-13011/3/2012-DD-18 dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information as sought by MOUD, GOI vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	Land is government and Land & Development Office (L & DO) is the land owning agency..

2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	i. As per the request by Registrar General & Census Commissioner, India (RG & CCI), Ministry of Home Affairs, Govt. of India vide letter dated 14.01.2015 as stated in para 1.1 & 1.2, above.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Yes, the site under reference was inspected and following was observed: - The office of the Registrar General & Census Commissioner is functioning in the barracks of the Kota House Hutments. - This is a single storey building which is very old and in a dilapidated condition.
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	This office will act as a Headquarter for 33 sub-ordinate offices i.e Directorate of Census operations located in various States and Union Territories. Over the years, there has been exponential growth in its activities while the space available has remained the space.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	Mostly site under reference is surrounded by Government offices. This proposal will have an additional impact on the physical infrastructure, which may be taken care by the concerned local body.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	The present premises will be utilized for official purpose and no adverse impact is anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	Not to our knowledge.

Siddhant
A.D. (M.P.) D

3.0 Proposal

3.1 As requested by Registrar General & Census Commissioner, India, MHA, GOI vide letter dated 14.01.2015 & MOUD, GOI vide letter dated 19.05.2015, following is proposed:

The proposed change of land use in respect of an area measuring 3019.5 sqm. from 'Residential' to 'Government (Government Office)' to construct a new office building of Registrar General and Census Commissioner at 2-A Mansingh Road, New Delhi, falling in Planning, Zone-D, may be changed under Section 11A of DD Act, 1957.

HTC - 20 - 23/c

The boundary description of the same is as follows (Refer location map at Annexure 'A'):

Location	Area	Land use as per MPD-2021	Land use Changed to	Boundaries
1	2	3	4	5
Proposed office building of Registrar General and Census Commissioner, India, Ministry of Home Affairs, Government of India at 2-A Mansingh Road, New Delhi, falling in Planning, Zone-'D'	3019.5 sq.m. (0.301 ha.)	'Residential'	'Government (Government Office)'	North: Naval Officers Mess South: Existing Petrol Pump & Existing Road East: Office of the Ministry of Corporate Affairs & Shahjahan Road West: Mansingh Road

*Suchhaful
A/D (M.P.I)*

4.0 Recommendation

Proposal as given in para 3.0 above may be considered by the Technical Committee so that the proposed change of land use may be processed further under Section 11A of DD Act, 1957.

DECISION

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal contained in the Para 3.0 of the agenda item was recommended by the Technical Committee, for forwarding to Authority for consideration and further processing under Section 11-A of DD Act 1957.

- Action: Director (Plg.) Zone 'D'

DELHI DEVELOPMENT AUTHORITY
MASTER PLAN SECTION
VERIFIED
This Proposal was Considered in the...7th... Technical Committee Meeting held on...24.07.2015...
Vide Item No...38/2015...
Suchhaful 27/7/2015
Asstt. Director
Master Plan
Suchhaful
Dy. Director
Master Plan

Annexure 'B'

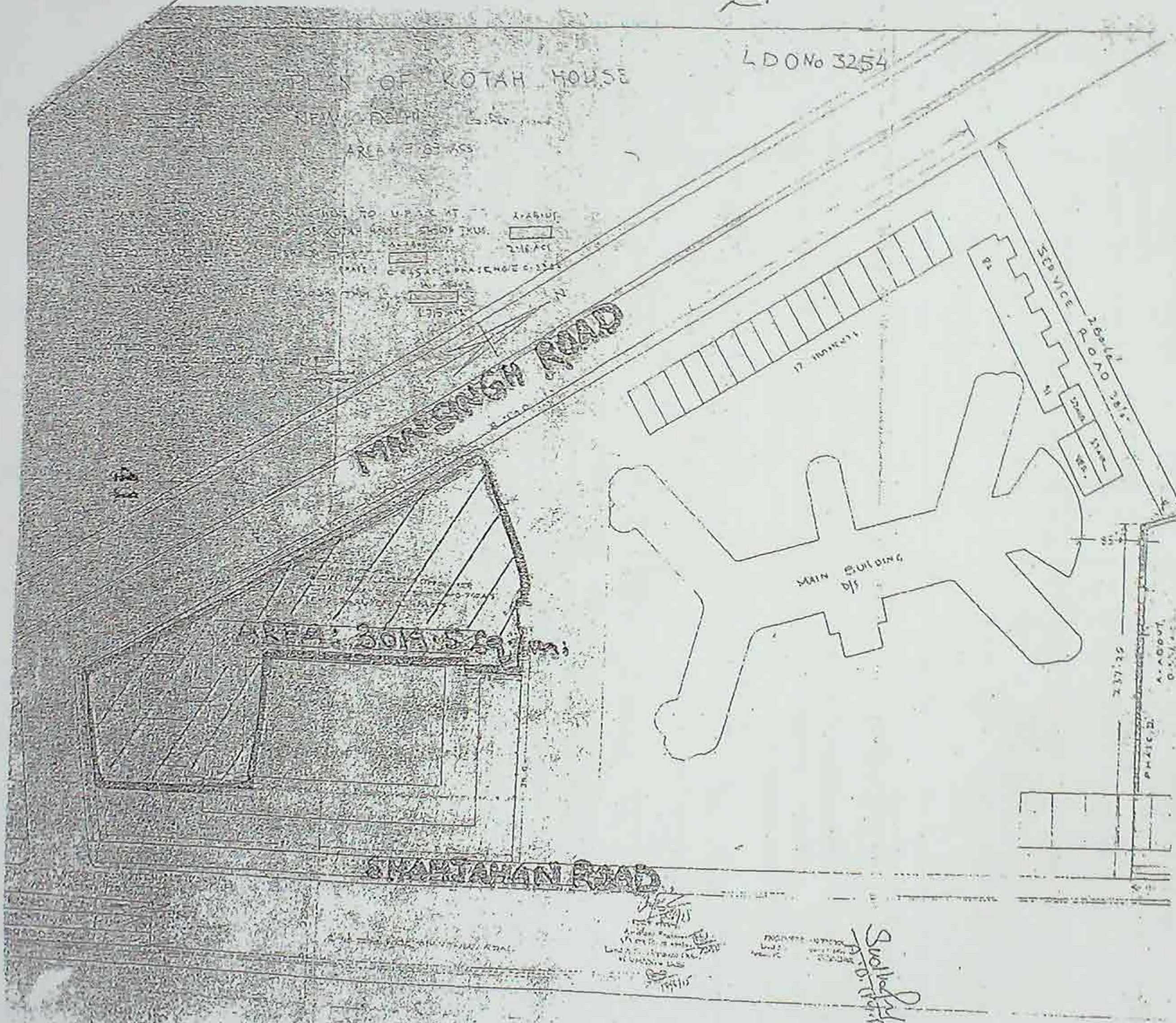
BOUNDARIES

NORTH: NAVAL OFFICERS MESS

SOUTH: EXISTING PETROL PUMPS & EXISTING ROAD

EAST: OFFICE OF THE MINISTER OF CORPORATE AFFAIRS & SHAH JAHAN ROAD

WEST: MANSINGI ROAD



1. Scale of drawing
 2. Date of drawing
 3. Name of architect
 4. Name of client
 5. Name of contractor
 6. Name of engineer
 7. Name of surveyor
 8. Name of draughtsman
 9. Name of checker
 10. Name of approver

Suhasini

ANNEXURE-B
7/8/20

Item No. 96/2015

Sub: Proposed change of land use of an area measuring 809 sq.m. allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket -V, DDU Marg from 'Residential (Nursery School)' to 'Public & Semi-Public facilities', falling in Planning, Zone-D.

File No. F.20 (02)2015/MP

1.0 Background

- (i) A request letter was received from MoUD, GOI vide letter No. K-13011/37/2014-DD-I, dated 19.12.2014 enclosing therewith L &DO office memorandum No. L&DO/L-II-B-1(1422)/482 dated 19.12.2014 addressed to MoUD, GOI and L&DO allotment letter No. L&DO/L-II-1(1422)/461 dated 27.11.2014. L&DO vide letter dated 19.12.2014 has stated that *the allotment has been made in favour of Bhartiya Janta Party (Delhi Pradesh) subject to change of land use from 'Nursery School' to 'Institutional'*. L &DO, GOI vide letter dated 19.12.2014 has requested MoUD to take further necessary steps for change of land use of the plot in question. MoUD, GOI vide letter dated 19.12.2014 has requested DDA to examine the matter and take necessary action.
- (ii) Further, in response to DDAs letter dated 24.06.2015, L&DO, MoUD, GOI vide letter No. L&DO/L-II-B-1(1422)/203 dated 29.07.2015 has sent the requisite information with respect to the proposed change of land use.

2.0 Examination

- (i) The site under reference falls in Planning, Zone-D and outside the 'Lutyens Bungalow Zone (LBZ)'.
- (ii) As per MPD-2021, the land use of the site under reference is 'Residential' & as per approved Zonal Development Plan of Zone 'D' prepared under MPD-2001, the land use of the site under reference is 'Residential (Redevelopment Area)'.
- (iii) As per L&DO allotment letter dated 27.11.2014, land measuring 809 sq.m. has been allotted to Bhartiya Janta Party (Delhi Pradesh) for construction of their party office building in New Delhi in lieu of the earlier allotment at plot No. 4&5, Kotla Road, New Delhi, subject to the change of land use from 'Nursery School' to 'Institutional' as shown in the L&DO layout plan No. 3963/2.
- (iv) As per the layout plan of Central Public Works Department (CPWD), the plot under reference is shown as 'Nursery School' plot with proposed ROW of 20m.

51/c

- (v) As per MPD-2021, the following norms shall be applicable in case of PSP facilities/ premises, for which specific development controls have not been specified:

Max. Ground Coverage 30%

Max. Floor Area Ratio 120

Max. Height 26m

Other Controls:

Parking @ 2ECS/100 sq.m. of Floor area.

Note:

- i) In case of plots allotted to political parties by the government land housing agencies, up to 15% of maximum FAR may be utilized for residential hostel accommodation.
 - ii) Amalgamation of the smaller PSP plots or sub division of the larger PSP plots for a single or its multiple use, is allowed with the permissible PSP facilities as per the provisions of MPD-2021.
- (vi) The site under reference was inspected by Addl. Commr. (Plg.) AP & Asstt. Director (Plg.) Zone-D on 31.08.2015 and following was observed:
- a) The site is accessible from Deen Dayal Upadhyay Marg (36.58m R/W) and approachable with 20 m R/W road as per the approved layout plan, up to a distance of 62m and beyond this, 7-8 m approach road is available due to encroachment and malba to the proposed road.
 - b) The proposed 20m R/W road can be constructed as per approved layout plan provided malba & encroachments are removed.

3.0 MoUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information as sought by MOUD, GOI vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	Government land under the control of Land & Development Office (L&DO).
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	On the recommendation of Land Allotment Screening Committee (LASC) of L&DO, the change in land use case has been initiated.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Yes, The site under reference was inspected on 31.08.2015 and following is submitted: a) The site under reference is vacant with a temporary boundary wall all around. The temporary boundary wall of site under reference is extended up to the permanent boundary wall of GPRA housing complex, which is adjacent to the proposed site.

		<p>b) A small room in the corner of the plot exists within the site.</p> <p>c) The site is accessible from Deen Dayal Upadhyay Marg (36.58m R/W) and approachable with 20 m R/W road as per the approved layout plan, up to a distance of 62m and beyond this, 7-8 m approach road is available due to encroachment and malba to the proposed road.</p> <p>d) The proposed 20m R/W road can be constructed as per approved layout plan provided malba & encroachments are removed.</p>
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	The proposed party office of Bhartiya Janta Party will be utilized by the public representatives of the party for the welfare of the citizens of Delhi.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	As such, no adverse impact on the ZDP/ MPD.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	No impact on law & order is anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	There is no court case in respect of the site under reference.

4.0 Follow up Action

The proposed change of land use was put up in the Technical Committee meeting held on 31.08.2015 vide item No. 41/2015.

Decision of the Technical Committee

The decision of the Technical Committee is reproduced below:

"The proposal was presented by Director (Plg.) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act, 1957."

The agenda and decision of the Technical Committee is at Annexure 'A'.

5.0 Proposal

Based on the decision of the Technical Committee, the proposal for the change of land use in respect of an area measuring 809 sq.m. allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket -V, DDU Marg, falling in Planning, Zone-D is as follows:

Location	Area	Land use as per MPD-2021/ ZDP	Land use Changed to	Boundaries
1	2	3	4	5
Proposed office of Bhartiya Janta Party (Delhi Pradesh) at Pocket -V, DDU Marg falling in Planning, Zone-D	809 sq.m.	As per MPD-2021 'Residential (Nursery School)' As per approved Zonal Development Plan of Zone-D prepared under MPD-2001- 'Residential (Redevelopment Area)'	'Public & Semi-Public facilities'	North: Existing Senior Secondary School South: Staff Quarters & Railway line East: Proposed 20 m wide Road West: Existing Senior Secondary School

6.0 The proposal in Para 5.0 above is placed before the Authority for its consideration for inviting objections and Suggestions from the public under Section 11A of DD Act, 1957.

RESOLUTION

Proposal contained in the agenda item was approved.

- 4 -

ITE No. 41/TC/2015

Minutes of the 8th. Technical Committee Meeting Held on 31.8.2015.

Sub: Proposed change of land use of an area measuring 809 sq.m. allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket -V, DDU Marg from 'Residential (Nursery School)' to 'Public & Semi-Public facilities', falling in Planning, Zone-D.
File No. F.20 (02)2015/MP

1.0 Background

- 1.1 A request letter was received from MoUD, GOI vide letter No. K-13011/37/2014-DD-I dated 19.12.2014 enclosing therewith L & DO office memorandum No. L&DO/L-II-B-1(1422)/482 dated 19.12.2014 addressed to MoUD, GOI and L&DO allotment letter No. L&DO/L-II-1(1422)/461 dated 27.11.2014.
L&DO vide letter dated 19.12.2014 has stated that *the allotment has been made in favour of Bhartiya Janta Party (Delhi Pradesh) subject to change of land use from 'Nursery School' to 'Institutional'*. L&DO, GOI vide letter dated 19.12.2014 has requested MoUD to take further necessary steps for change of land use of the plot in question.
MoUD, GOI vide letter dated 19.12.2014 has requested DDA to examine the matter and take necessary action
- 1.2 Further, in response to DDAs letter dated 24.06.2015, L&DO, MoUD, GOI vide letter No. L&DO/L-II-B-1(1422)/203 dated 29.07.2015 has sent the requisite information with respect to the proposed change of land use.

2.0 Examination

- 2.1 The site under reference falls in Planning, Zone-D and outside the 'Lutyens Bungalow Zone (LBZ)'.
- 2.2 As per MPD-2021, the land use of the site under reference is 'Residential' & as per approved Zonal Development Plan of Zone 'D' prepared under MPD-2001, the land use of the site under reference is 'Residential (Redevelopment Area)'.
- 2.3 As per L&DO allotment letter dated 27.11.2014, land measuring 809 sq.m. has been allotted to Bhartiya Janta Party (Delhi Pradesh) for construction of their party office building in New Delhi in lieu of the earlier allotment at plot No. 4&5, Kotla Road, New Delhi, subject to the change of land use from 'Nursery School' to 'Institutional' as shown in the L&DO layout plan No. 3963/2.
- 2.4 As per the layout plan of Central Public Works Department (CPWD), the plot under reference is shown as 'Nursery School' plot with proposed ROW of 20m.
- 2.5 As per MPD-2021, the following norms shall be applicable in case of PSP facilities/ premises, for which specific development controls have not been specified:
- | | |
|---|-----|
| Max. Ground Coverage | 30% |
| Max. Floor Area Ratio | 120 |
| Max. Height | 26m |
| Other Controls: | |
| Parking @ 2ECS/100 sq.m. of Floor area. | |

26/6 - 47/c

Note:

- i) In case of plots allotted to political parties by the government land housing agencies, up to 15% of maximum FAR may be utilized for residential hostel accommodation.
- ii) Amalgamation of the smaller PSP plots or sub division of the larger PSP plots for a single or its multiple use, is allowed with the permissible PSP facilities as per the provisions of MPD-2021.

2.6 Site Inspection

The site under reference was inspected by Asstt. Director (Plg.) Zone-D along with Planning Assistant, Zone-D on 26.08.2015 and following was observed (Refer location map at Annexure 'A'):

- i. The site under reference is vacant with a boundary wall all around.
- ii. A small room in the corner of the plot exists.
- iii. The site is approachable with an access of Kutchha path of about 7-8 m. wide.

2.7 MoUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information as sought by MOUD, GOI vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	Government land under the control of Land & Development Office (L&DO).
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	On the recommendation of Land Allotment Screening Committee (LASC) of L&DO, the change in land use case has been initiated.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Yes, the site under reference was inspected and following was observed: i. The site under reference is vacant with a boundary wall all around. ii. A small room in the corner of the plot exists. iii. The site is approachable with an access of Kutchha path of about 7-8 m. wide.
4.	What is the public purpose proposed to be served by modification of MPD and/or change of land use?	The proposed party office of Bhartiya Janta Party will be utilized by the public representatives of the party for the welfare of the citizens of Delhi.
5.	What will be impact of proposal on the ZPP/ MPD and whether the changes are in consonance with the approved plans/ policies?	As such, no adverse impact on the ZPP/ MPD.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	No impact on law & order is anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	There is no court case in respect of the site under reference.

35/c 46/c
-6-

3.0 Proposal

The change of land use in respect of an area measuring 809 sq.m. allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket -V, DDU Marg, falling in Planning, Zone-D, is proposed from 'Residential' to 'Public & Semi-Public facilities' for the Office of Bhartiya Janta Party (Delhi Pradesh) under Section 11A of DD Act, 1957. The boundary description of the same is as follows (Refer location map at Annexure 'B'):

Location	Area	Land use as per MPD-2021/ ZDP	Land use Changed to	Boundaries
1	2	3	4	5
Proposed office of Bhartiya Janta Party (Delhi Pradesh) at Pocket -V, DDU Marg falling in Planning, Zone-D	809 sq.m.	As per MPD-2021 - 'Residential'	'Public & Semi-Public facilities'	North: Existing Senior Secondary School South: Staff Quarters & Railway line East: Proposed 20 m wide Road West: Existing Senior Secondary School
		As per approved Zonal Development Plan of Zone-D prepared under MPD-2001- 'Residential (Redevelopment Area)'		

4.0 Recommendation

Proposal as given in para 3.0 above is submitted for the consideration of the Technical Committee. Based on the recommendation of Technical Committee, the proposal will be placed before the Authority for consideration and further processing under Section 11A of DD Act, 1957 for inviting objections and suggestions from the public.

DECISION

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

DELHI DEVELOPMENT AUTHORITY
MASTER PLAN SECTION
VERIFIED
This Proposal was Considered in the 8th Technical Committee Meeting held on 31.08.2015.
Vide Item No. 41/2015
Sudhakar 01/09/2015
Asstt. Director Master Plan
Dy. Director Master Plan

-Action: Director (Plg) Zone 'D'

34/c 45/c

- 7 -

Annexure

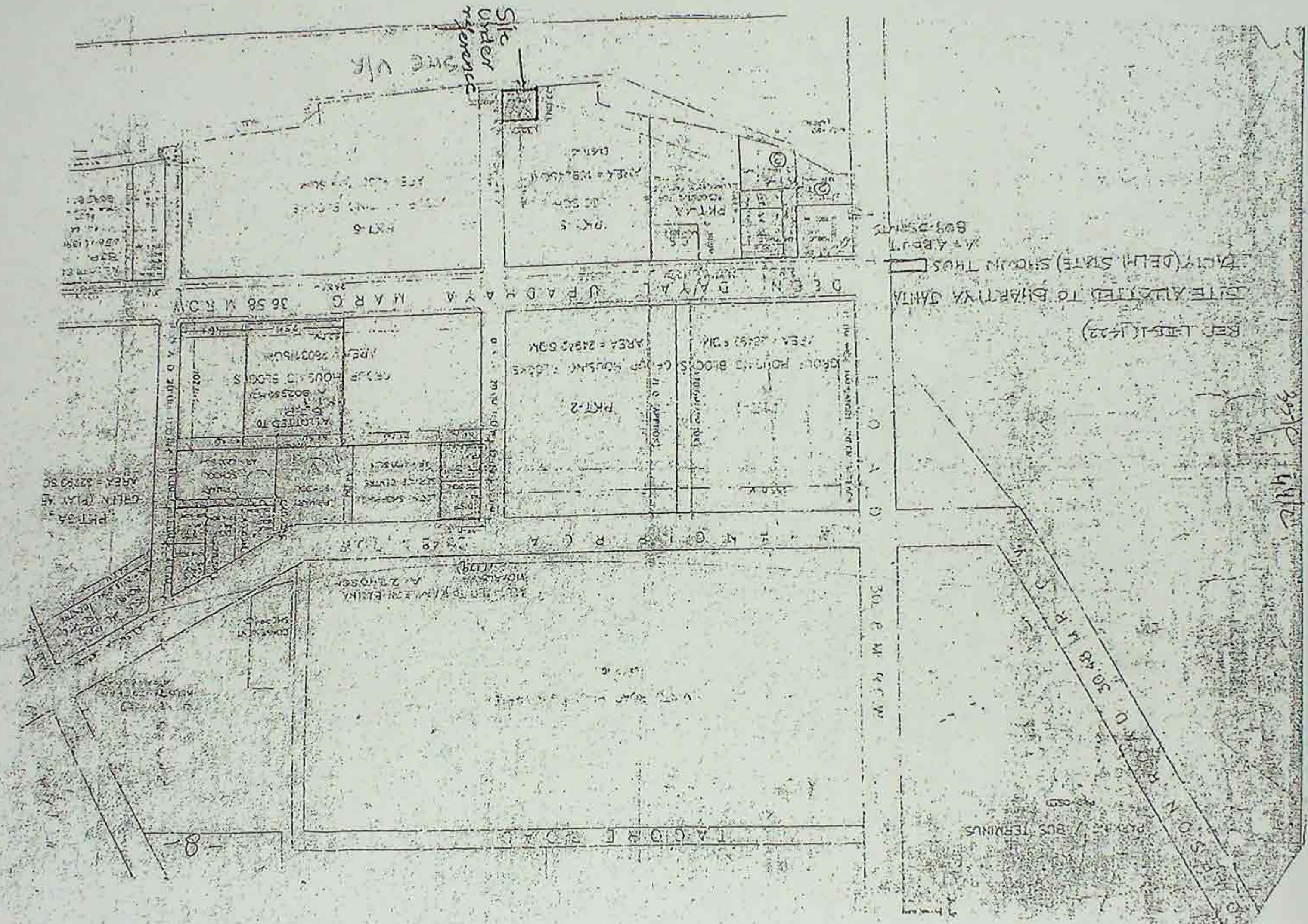
SITE INSPECTION REPORT

The site under reference was inspected and following was observed:

- i. The site under reference is vacant with a boundary wall all around.
- ii. A small room in the corner of the plot exists.
- iii. The site is approachable with an access of Kutcha path of about 7-8 m. wide.

(Amit Kumar)
Planning Assistant, Zone -D

Sakshi
27/08/2015
(Sakshi Walia)
Asstt. Director (Plg.) Zone-D



REF. LIST (1-22)
 SITE ALLIATED TO BHARTIYA DANVA
 DAILY (DETH STATE) SHOWN THUS

30 P.M. (C.M.)

BUS TERMINUS

DARGA 30.48 M

Site Under reference SHE VIK

8

Item No. 97/2015

Sub: Review of provisions in Master Plan for Delhi-2021 for including a separate category for State Bhawan/State Guest House.

File No. F.20 (09)2015/MP.

1.0 BACKGROUND

(i) Ministry of Urban Development (MOUD), GOI vide letter dated 02.03.2015 has forwarded various representations received from State Governments for creating 'State Guest House' as a separate category in MPD-2021 with enhanced Development Control norms and has requested DDA to examine the matter for amendments required in MPD-2021 & to assist states to address their increasing demands for accommodation in Delhi & non-availability of suitable land for that purpose.

MOUD vide letter dated 02.03.2015 forwarded the following representations from various State Governments:

Uttarakhand	Bihar	Uttar Pradesh
Madhya Pradesh	Andaman & Nicobar	West Bengal
Ponducherry	Sikkim	Himachal Pradesh
Chattisgarh	Odisha	Goa
Karnataka		

The State Government vide their respective representations has stated the following:

- Due to inadequate accommodation in the Bhawan and to meet out the futuristic demands of the guests, the State Government of Madhya Pradesh has decided to reconstruct the Bhawan with increased number of rooms and meeting halls with modern amenities.
- Due to the present restriction of ground coverage of 30% and FAR 120, it is not possible to construct the Bhawan as per the requirements.
- To include a new category of 'State Bhawans/ Guest Houses' in chapter 4 Section 4.4.3 of Delhi Master plan-2021 with the following norms:

Maximum Ground Coverage	Maximum FAR	Maximum height
50%	200	26m

2.0 FOLLOW UP ACTION

(i) The issue of inclusion of a separate category of State Bhawan/ State Guest House was discussed in the 4th Technical Committee meeting held on 19.05.2015 vide item No. 22/2015. The agenda and the minutes of the same are annexed as Annexure 'A'.

202/c

(ii) Subsequently, a meeting was held in MoUD, Delhi Division on 14.07.2015 to review the status of creation of separate category and FAR for State Guest Houses in MPD-2021 wherein it was decided to review the Development Control Norms which was recommended by the 4th Technical Committee meeting held on 19.05.2015, as stated above.

(iii) In view of the above said meeting, the matter was again placed before the Technical Committee meeting held on 24.07.2015 vide Item No. 37/TC/2015. The decision of the Technical Committee is reproduced as below:

"The proposal was presented by Director (Plg.) Zone D. After detailed deliberation, the proposal contained in the Para 4.0 of the agenda item was recommended by the Technical Committee, for forwarding to Authority for consideration and further processing under Section 11-A of DD Act, 1957. The proposal contained in Table 4.3 Use/ Use Activities, permitted to be modified and read as under:

Guest Room, conference Halls and related facilities, Government offices, Souvenir Shops, Restaurant, ATM and upto 15% of maximum FAR can be utilized for staff residential accommodation."

Copy of the agenda and minutes is annexed as Annexure 'B'.

3.0 PROVISIONS OF MPD-2021 & ZONAL DEVELOPMENT PLAN

(i) MPD-2021:

Chapter 4 para 4.4.3 E.

Hostel/ Guest House/Lodging & Boarding House/Dharamshala

- Minimum Plot size : 500 sq.m.
- Maximum Ground Coverage : 30%
- Maximum FAR : 120
- Maximum height : 15m

- i. Parking to be provided @ 2 ECS per 100 sq.m. of built up area.
- ii. These norms shall not be applicable for Guest House under Mixed Use Regulations.

As per para 15.7.3 iv) of MPD-2021, "Guest Houses operating in plots abutting streets of prescribed minimum ROW in Special Area and in plots abutting Master plan roads and zonal plan roads shall be permissible up to 100% of built up area and the limits on the size of the plot shall not apply. Provided that except in LBZ and Civil Line Bungalow Zone, Guest houses that were operating validly under provisions of MPD, prior to 7.9.2006 would continue to the extent as was permissible at that time".

(ii) Zonal Development Plan of Zone-D:

The notified approved Zonal Development Plan of Zone 'D' (notified on 01.10.1999) under MPD-2001, states the following:

"This zone is beautifully planned towards the south west of Rashtrapati Bhawan which accommodates various foreign missions in a sylvan and prestigious environment. There are also a number of developments in these areas. MPD-2001

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norms applicable for Foreign Mission and based on urban design studies should be followed considering to maintain a pleasant garden city character of this sub-zone". However, various State Governments vide their representations has conveyed that these respective Bhawans caters the accommodation requirement to the visiting dignitaries. The State Bhawans were constructed long back on the then requirements and available construction techniques. The space presently available with the Bhawans has become inadequate and there is an urgent need to have additional space/ rooms and other facilities.

It has been observed that most of the existing State guest houses are allotted by Land and Development Office (L &DO), MoUD, GOI for the accommodation requirements by the State Dignitaries/ officers during their transit movement to attend meetings and seminars organized by the Central Government and people's representatives from the State. As conveyed by the State Governments, there is an urgent need for additional space/ rooms and other facilities for which the provision of foreign mission (Ground Coverage-25% & FAR-75), as stated in para 3.0 (ii) above, may not fulfill the demand of the State Guest Houses.

4.0 EXAMINATION

The proposal was examined with respect to the location of the State Guest Houses falling in various Planning zones and the related Development Control norms. The detailed examination is as under:

- (i) As per the representations received from the various State governments, it is observed that most of the State Guest Houses are in Planning, Zone -D (New Delhi) and categorized as follows:

S.No.	Location of the State Guest Houses
ZONE-D:	
	Within Lutyens Bungalow Zone (LBZ)
	Towards the South-West of Rashtrapati Bhawan (sub-zone D-13)
OTHER AREAS OF NCTD:	
	Other than 1. & 2. in Zone-D and other areas of National Capital Territory of Delhi (NCTD)

Existing provisions under MPD-2021/ approved Zonal Development plan of Zone-D prepared under MPD-2001 regarding Development Control Norms for Guest houses:

S.No.	Category	Ground Coverage	FAR	Height	Other controls
ZONE-D					
1.	Within Lutyens Bungalow Zone (LBZ)	Governed by 1988 LBZ guidelines and subsequent modification as issued by the Government of India time to time.			

200/c

2.	Towards the South-West of Rashtrapati Bhawan (sub-zone D-13)	25	75	14m	Basement upto the building envelope line to the maximum extent of 50% of plot area shall be allowed and if used for parking and services should not be counted in FAR
OTHER AREAS OF NCTD:					
3.	Other than 1. & 2. in Zone-D and other areas of NCTD	No specific norms for the State Guest houses in MPD-2021			

(ii) MoUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information asked by MOUD vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	Land is government and the land owning agency is Land & Development Office (L & DO).
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	The request as received from various State Governments, as stated in para 1.0 above.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	- Yes, the reconnaissance survey of sub-zone D-13 was done and it was observed that most of the State Guest houses have maintained the low rise character in the sub-zone D-13 of New Delhi area.
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	The proposal is regarding the increased FAR and ground coverage of the State Guest Houses, as the land is scarce in Delhi, this proposal will cater the accommodation as well as the related requirements of the State Governments.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	As such, no impact on present policies/plans. However, this will add to the physical infrastructure of State Bhawan/ State Guest House and will be taken care by the concerned local body.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	As such, no impact on general public.

199/c

7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	Not to our knowledge.
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(iii) Delhi Fire Services, GNCTD vide letter No.F-6/DFS/MS/2015/2014 dated 01.09.2015 has informed that the Fire Department has no additional comments to offer over and above the decision of the Technical Committee (Annexure 'C').

5.0 PROPOSAL

A new use premises, State Guest Houses have to be added in para 4.4.3 of MPD-2021 as 'I.' under this para "CONTROL FOR BUILDING/ BUILDINGS WITHIN RESIDENTIAL PREMISES"

Para / S.N	Existing Provision in MPD-2021	Proposed Amendments/Modifications																																							
CHAPTER-4.0 SHELTER																																									
PARA 4.4.3 CONTROL FOR BUILDING/ BUILDINGS WITHIN RESIDENTIAL PREMISES																																									
	No provision	<p>Para I. To be added after para H. "Studio Apartment"</p> <p>I. State Bhawan/ State Guest Houses</p> <table border="1"> <thead> <tr> <th rowspan="2">S.No.</th> <th rowspan="2">Category</th> <th colspan="3">Maximum</th> <th rowspan="2">Other controls</th> </tr> <tr> <th>Ground Coverage (%)</th> <th>FA R</th> <th>Height (m)</th> </tr> </thead> <tbody> <tr> <td colspan="6">Zone-D</td> </tr> <tr> <td></td> <td>Within Lutyens Bungalow Zone (LBZ)</td> <td colspan="4">Governed by 1988 LBZ guidelines and subsequent modification as issued by the Government of India time to time.</td> </tr> <tr> <td></td> <td>Towards the South-West of Rashtrapati Bhawan (sub-zone D-13)</td> <td>50</td> <td>150</td> <td>15</td> <td>Parking to be provided @ 2 ECS per 100 sq.m. of built up area.</td> </tr> <tr> <td colspan="6">OTHER AREAS OF NCTD:</td> </tr> <tr> <td></td> <td>Other than 1. & 2. in Zone-D and other areas of NCTD.</td> <td>50</td> <td>200</td> <td>No Restriction (subject to clearance from AAI/Fire Department and other</td> <td>Parking to be provided @ 2 ECS per 100 sq.m. of built up area.</td> </tr> </tbody> </table>	S.No.	Category	Maximum			Other controls	Ground Coverage (%)	FA R	Height (m)	Zone-D							Within Lutyens Bungalow Zone (LBZ)	Governed by 1988 LBZ guidelines and subsequent modification as issued by the Government of India time to time.					Towards the South-West of Rashtrapati Bhawan (sub-zone D-13)	50	150	15	Parking to be provided @ 2 ECS per 100 sq.m. of built up area.	OTHER AREAS OF NCTD:							Other than 1. & 2. in Zone-D and other areas of NCTD.	50	200	No Restriction (subject to clearance from AAI/Fire Department and other	Parking to be provided @ 2 ECS per 100 sq.m. of built up area.
S.No.	Category	Maximum			Other controls																																				
		Ground Coverage (%)	FA R	Height (m)																																					
Zone-D																																									
	Within Lutyens Bungalow Zone (LBZ)	Governed by 1988 LBZ guidelines and subsequent modification as issued by the Government of India time to time.																																							
	Towards the South-West of Rashtrapati Bhawan (sub-zone D-13)	50	150	15	Parking to be provided @ 2 ECS per 100 sq.m. of built up area.																																				
OTHER AREAS OF NCTD:																																									
	Other than 1. & 2. in Zone-D and other areas of NCTD.	50	200	No Restriction (subject to clearance from AAI/Fire Department and other	Parking to be provided @ 2 ECS per 100 sq.m. of built up area.																																				

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statutory
bodies)

TABLE 4.3 USES/USE ACTIVITIES PERMITTED IN USE PREMISES:

No provision

State Bhawan/ State Guest Houses to be added after Studio Apartments

Use premises	Definition	Use/Use Activities Permitted
State Bhawan/ State Guest Houses	A Government owned premise for providing the short term/transit accommodation for the guests of State Government and Central Government.	Guest Room, Conference Halls, and related facilities, Government Offices/ Souvenir shops/ Restaurant

6.0 Recommendation

The proposal in para 5.0 above is placed before the Authority for its consideration for inviting objections and suggestions from the public under Section 11A of DD Act, 1957.

RESOLUTION

Proposal contained in the agenda item was approved on conditions stipulated at agenda item No. 95/2015.

16/5/15
 15/5/15
 Minutes of the Technical Committee Meeting
 Held on 19.5.2015.
 - 6 -
 ITEM NO. 22/TC/8

ANNEXURE

Sub: Review of provisions in Master Plan for Delhi-2021 for including a separate category for State Bhawan/State Guest House.

File No. F.20.(09)2015/MP

- 1.0 Background
- 1.1 Ministry of Urban Development (MOUD), GOI vide letter dated 02.03.2015 has forwarded various representations received from State Governments for creating 'State Guest House' as a separate category in MPD-2021 with enhanced Development Control norms and has requested DDA to examine the matter for amendments required in MPD-2021 & to assist states to address their increasing demands for accommodation in Delhi & non-availability of suitable land for that purpose.
- 1.2 The representations received vide MOUD letter dated 02.03.2015 are from the following State Governments:

Uttarakhand	Bihar	Uttar Pradesh
Madhya Pradesh	Andaman & Nicobar	West Bengal
Ponducherry	Sikkim	Himachal Pradesh
Chattisgarh	Odisha	

- 1.3 The State Government vide their respective representations has stated the following:
 Due to inadequate accommodation in the Bhawan and to meet out the futuristic demands of the guests, the State Government of Madhya Pradesh has decided to reconstruct the Bhawan with increased number of rooms and meeting halls with modern amenities but due to the present restriction of ground coverage of 30% and FAR 120, it is not possible to construct the Bhawan as per the requirements.

- 1.4 All the State Governments requested for the following:
 To include a new category of 'State Bhawans/ Guest Houses' in chapter 4, Section 4.4.3 of Delhi Master plan-2021 with the following norms:

Maximum Ground Coverage	Maximum FAR	Maximum height
50%	200	26m

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2.0 Examination

2.1 State Guest Houses located in Planning Zone-D

As per the representations received from the various State governments, it is observed that most of the State Guest Houses are located in the Chanakyapuri area & New Delhi Area, falling in Planning, Zone -D.

It is also observed that most of the State Guest House in Delhi are located in the following locations:

S.No.	Location of the State Guest Houses
1.	State Guest Houses falling outside Planning, Zone-D (New Delhi)
2.	State Guest Houses falling within Planning, Zone-D (New Delhi) and outside Lutyens Bungalow Zone (LBZ)
3.	State Guest Houses falling within Lutyens Bungalow Zone (LBZ)
4.	State Guest Houses falling outside Lutyens Bungalow Zone (LBZ) and in the South-West of Rashtrapati Bhawan, in Planning, Zone-D

2.2 Provisions in MPD-2021

Hostel/ Guest House/Lodging & Boarding House/Dharamshal

Minimum Plot size : 500 sq.m.

Maximum Ground Coverage : 30%

Maximum FAR : 120

Maximum height : 15m

- i. Parking to be provided @ 2 ECS per 100 sq.m. of built up area.
- ii. These norms shall not be applicable for Guest House under Mixed Use Regulations.

Sudhansu

As per para 15.7.3 iv) of MPD-2021, "Guest Houses operating in plots abutting streets of prescribed minimum ROW in Special Area and in plots abutting Master plan roads and zonal plan roads shall be permissible up to 100% of built up area and the limits on the size of the plot shall not apply. Provided that except in LBZ and Civil Line Bungalow Zone, Guest houses that were operating validly under provisions of MPD, prior to 7.9.2006 would continue to the extent as was permissible at that time"

2.4 Provisions of the notified Zonal Development Plan of Zone-D (notified on 01.10.1999) under MPD-2001:

In the notified approved Zonal Development Plan of Zone 'D', following is stated:

"This zone is beautifully planned towards the south west of Rashtrapati Bhawan which accommodates various foreign missions in a sylvan and prestigious environment. There are also a number of developments in these areas. MPD-2001 norms applicable for Foreign Mission and based on urban design studies should be followed considering to maintain a pleasant garden city character of this sub-zone"

2.6 MOUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957 (Copy Annexure at 'A'). The para-wise reply is as follows:

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15-

- (i) Whether the land is government or private and who is the land owning agency?
It pertains to Land & Development Office (L&DO), Delhi Development Authority (DDA) and concerned local bodies.
- (ii) On whose request the change of land use case or modification to MPD-2021 has been initiated?
Ministry of Urban Development (MOUD), GOI vide letter dated 02.03.2015 has forwarded various representations received from State Governments for creating 'State Guest House' as a separate category in MPD-2021 with enhanced Development Control norms.
- (iii) Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.
Since this proposal is regarding modification to the MPD-2021, hence no site inspection is required in this proposal.
- (iv) What is the public purpose proposed to be served by modification of MPD and/or change of land use?
As per their requests, to meet out the futuristic demands of the guests with increased number of rooms and meetings halls with modern amenities.
- (v) What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans/policies?
As such no impact on present policies/plans.
- (vi) What will be proposal's impact/implications on general public eg. Law & order etc.?
Augmentation of physical infrastructure, building construction & structure safety which will be dealt by concerned local body.
- (vii) Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.
It pertains to Land & Development Office (L&DO), Delhi Development Authority (DDA) and concerned local bodies.

Sudhanshu

2.5 The draft Zonal Development Plan of Zone-D (New Delhi) as per MPD-2021 needs to be sent to the PMO for approval in view of an MoUD reference, DO dated 06.10.2008 addressed to VC, DDA from Director (DD).

3.0 Other Issues

3.1 Status of draft ZDP of Zone 'D' as per MPD-2021.
The draft ZDP of Zone 'D' (Excluding LBZ) as per MPD-2021 was placed before the Authority meeting vide dated 12.12.2014 and following was decided:

"It was decided that in view of an MoUD reference, DO dated 06.10.2008 addressed to VC, DDA from Director (DD), the draft Zonal Development Plan of Zone-D (New Delhi) as per MPD-2021 needs to be sent to the PMO for approval before putting up for consideration of the Authority."
The agenda item was not approved."

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167C -16-

3.2 MoUD vide D.O. letter dated 2008 from Director (DD), MOUD, GOI MoUD vide D.O. letter dated 06.10.2008 had stated the following:
 "The Prime Minister's Office vide its letter dated 25.07.2008 had requested to send the draft ZDP Zone-D, as being prepared by DDA, for prior clearance from PMO in accordance with the extant instructions concerning development plans for LBZ before the public consultation process formally commences."

4.0 Proposal

A new use premises, State Guest Houses have to be added in para 4.4.3 as 'I'

4.4.3. CONTROL FOR BUILDING/ BUILDINGS WITHIN RESIDENTIAL PREMISES

i. State Guest Houses

- Maximum Ground Coverage : 50%
- Maximum FAR : 200
- Maximum height : No Restriction (subject to clearance from AAI/Fire Department and other statutory bodies)
- i. Parking to be provided @ 2 ECS per 100 sq.m. of built up area.
- ii. These norms shall not be applicable for Guest House under Mixed Use Regulations.

Note: State guest house falling in Planning Zone-D (New Delhi) shall be dealt as per the following:

- i. Located in LBZ area, shall be governed by 1988 LBZ guidelines and subsequent modification as issued by the government from time to time.
- ii. Located outside LBZ in Planning Zone-D, shall be governed by the provisions of notified Zonal Development Plan, Government orders and notifications issued by government from time to time.

Provision for State Guest Houses to be added in para 4.3 as follows, after Studio Apartments

Table 4.3: Uses/Use Activities permitted in use premises

Use/Use Activities	Definition
State Guest Houses	A premise providing temporary accommodation for State Government and Central Government.

DEVELOPMENT AUTHORITY
 MASTER PLAN SECTION
VERIFIED
 Considered in Technical Committee
 19.5.2015
 22/2.15

25/06/2015
 Asst. Director
 Master Plan

By Director
 Master Plan

5.0 Recommendation

The proposal contained in para 4.0 may be is put up for consideration & deliberation of the Technical Committee.

DECISION

The proposal was presented by Director (Plg) Zone D. The Technical Committee after discussion suggested that the definition of state guest house be modified as:

'A premise for providing the short term / transit accommodation for the guests of State Government and Central Government.'

After detailed deliberation, the proposal for addition of new use premises as 'State Guest House' was agreed to as contained in the agenda along with above modifications in the definition for processing under Section 11-A of DD Act 1957.

196/c Date 15/7/15

ITEM No. 37/TC/15

Minutes of the Technical Committee Meeting
Held On 24.7.2015

Sub: Review of provisions in Master Plan for Delhi-2021 for inclusion of a separate category for State Bhawan/State Guest House.

File No. F.20 (09)2015/MP

1.0 BACKGROUND

1.1 Ministry of Urban Development (MoUD), GOI vide letter dated 02.03.2015 has forwarded various representations received from State Governments for creating 'State Guest House' as a separate category in MPD-2021 with enhanced Development Control norms. Also MoUD has requested DDA to examine the matter for amendments required in MPD-2021 & to assist states to address their increasing demands for accommodation in Delhi & non-availability of suitable land for that purpose.

The representations received vide MoUD letter dated 02.03.2015 are from the following State Governments:

Uttarakhand	Bihar	Uttar Pradesh
Madhya Pradesh	Andaman & Nicobar	West Bengal
Ponducherry	Sikkim	Himachal Pradesh
Chattisgarh	Odisha	Goa
Karnataka		

The State Government vide their respective representations has stated the following:
Due to inadequate accommodation in the Bhawan and to meet out the futuristic demands of the guests, the State Government of Madhya Pradesh has decided to reconstruct the Bhawan with increased number of rooms and meeting halls with modern amenities but due to the present restriction of ground coverage of 30% and FAR 120, it is not possible to construct the Bhawan as per the requirements.

1.2 All the State Governments requested for the following:
To include a new category of 'State Bhawans/ Guest Houses' in chapter 4 Section 4.4.3 of Delhi Master plan-2021 with the following norms:

Maximum Ground Coverage	Maximum FAR	Maximum height
50%	200	26m

2.0 FOLLOW UP ACTION

2.1 The issue of inclusion of a separate category of State Bhawan/ State Guest House was discussed in the 4th Technical Committee meeting held on 19.05.2015 vide item no. 22/2015. The agenda and the minutes of the same is annexed as Annexure A.

195/c
- 8 -

Subsequently, a meeting was held in MoUD, Delhi Division on 14.07.2015 to review status of creation of separate category and FAR for State Guest Houses in MPD-2021 wherein it has been decided to review the Development Control Norms which has been recommended by the 4th Technical Committee meeting held on 19.05.2015, as stated above.

The officers from DDA explained the proposal recommended by Technical Committee for the consideration of Authority especially for State Guest Houses. It was observed that due to the pressing demand by State government, the FAR-75 may not fulfill their demand. The provision related to urban design aspect (as per the provision of the approved Zonal Development Plan of Zone -D) was also discussed. The consensus view emerged that the height of building needs to be below 15m in order to maintain the skyline at the level below the tree studded character of the area. Thus, it was felt that the agenda may be modified to provide additional FAR within the low rise height i.e. 15m. in view of the provision in approved Zonal Development plan, this will be restricted only to State guest house owned by Government agencies and allotted by L &DO. This will not be emerged as precedence for adjoining areas.

3.0 Provisions in MPD-2021

Chapter 4 para 4.4.3 E.

Hostel/ Guest House/Lodging & Boarding House/Dharamshala

Minimum Plot size	: 500 sq.m.
Maximum Ground Coverage	: 30%
Maximum FAR	: 120
Maximum height	: 15m*

- Parking to be provided @ 2 ECS per 100 sq.m. of built up area.
- These norms shall not be applicable for Guest House under Mixed Use Regulations.

As per para 15.7.3 iv) of MPD-2021, "Guest Houses operating in plots abutting streets of prescribed minimum ROW in Special Area and in plots abutting Master plan roads and zonal plan roads shall be permissible up to 100% of built up area and the limits on the size of the plot shall not apply. Provided that except in LBZ and Civil Line Bungalow Zone, Guest houses that were operating validly under provisions of MPD, prior to 7.9.2006 would continue to the extent as was permissible at that time".

3.1 Status of Zonal Development Plan (ZDP) of Zone 'D' as per MPD-2021

The draft ZDP of Zone 'D' (Excluding LBZ) as per MPD-2021 was placed before the Authority meeting vide Item No. 172/2014 dated 12.12.2014 and following was decided:

"It was decided that in view of an MoUD reference, DO dated 06.10.2008 addressed to VC, DDA from Director (DD), the draft Zonal Development Plan of Zone-D (New Delhi) as per MPD-2021 needs to be sent to the PMO for approval before putting up for consideration of the Authority.

The agenda item was not approved."

194/c
 167/c - 9/10/1961/c

3.2. Provisions of the notified Zonal Development Plan of Zone-D (notified on 01.10.1999) under MPD-2001:

In the notified approved Zonal Development Plan of Zone 'D', following is stated for sub-zone D-13:

"This zone is beautifully planned towards the south west of Rashtrapati Bhawan which accommodates various foreign missions in a sylvan and prestigious environment. There are also a number of developments in these areas. MPD-2001 norms applicable for Foreign Mission and based on urban design studies should be followed considering to maintain a pleasant garden city character of this sub-zone".

However, various State Governments vide their representations has conveyed that these respective Bhawans caters the accommodation requirement to the visiting dignitaries. The State Bhawans were constructed long back on the then requirements and available construction techniques. The space presently available with the Bhawans has become inadequate and there is an urgent need to have additional space/ rooms and other facilities.

It has been observed that most of the existing State guest houses are allotted by Land and Development Office (L &DO), MoUD, GOI for the accommodation requirements by the State Dignitaries/ officers during their transit movement to attend meetings and seminars organized by the Central Government and people's representatives from the State. As conveyed by the State Governments, there is an urgent need for additional space/ rooms and other facilities for which the provision of foreign mission (Ground Coverage-25% & FAR-75), as stated in para 2.4.1 above, may not fulfill the demand of the State Guest Houses.

4.0 EXAMINATION

The proposal was examined with respect to the location of the State Guest Houses falling in various Planning zones and the related Development Control norms. The detailed examination is as under:

4.1 As per the representations received from the various State governments, it is observed that most of the State Guest Houses are in Planning, Zone -D (New Delhi) and categorized as follows:

S.No.	Location of the State Guest Houses
ZONE-D:	
1.	Within Lutyens Bungalow Zone (LBZ)
2.	Towards the South-West of Rashtrapati Bhawan (sub-zone D-13)
OTHER AREAS OF NCTD:	
3.	Other than 1. & 2. in Zone-D and other areas of National Capital Territory of Delhi (NCTD)

Existing provisions under MPD-2021/ approved Zonal Development plan of Zone-D prepared under MPD-2001 regarding Development Control Norms for Guest houses:

S.No.	Category	Ground Coverage	FAR	Height	Other controls
ZONE-D					
1.	Within Lutyens Bungalow Zone (LBZ)	Governing by 1988 LBZ guidelines and subsequent modification as issued by the Government of India time to time.			
2.	Towards the South-West of Rashtrapati Bhawan (sub-zone D-13)	25	75	14m	Basement upto the building envelope line to the maximum extent of 50% of plot area shall be allowed and if used for parking and services should not be counted in FAR
OTHER AREAS OF NCTD:					
3.	Other than 1. & 2. in Zone-D and other areas of NCTD	No specific norms for the State Guest houses in MPD-2021			

4.2. MOUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information asked by MOUD vide letter dated 07.04.2015	Reply
1.	Whether the land is Government or private and who is the land owning agency?	Land is government and the land owning agency is Land & Development Office (L & DO).
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	The request as received from various State Governments, as stated in para 1.1 & 1.2 above.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	- Yes, the reconnaissance survey of was done and it was observed that most of the State Guest houses have maintained the low rise character in the sub-zone D-13 of New Delhi area.
4.	What is the public purpose proposed to be served by ground coverage of the State Guest Houses, as	The proposal is regarding the increased FAR and ground coverage of the State Guest Houses, as

19/3/2015

1540 192/c
 - P - 165/c

	modification of MPD and/or change of land use?	the land is scarce in Delhi, this proposal will cater the accommodation as well as the related requirements of the State Governments.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	As such, no impact on present policies/plans. However, this will add to the physical infrastructure of State Bhawan/ State Guest House and will be taken care by the concerned local body.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	As such, no impact on general public.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	Not to our knowledge.

4.0 PROPOSAL

A new use premises, State Guest Houses have to be added in para 4.4.3 of MPD-2021 as 'I' under this para "CONTROL FOR BUILDING/ BUILDINGS WITHIN RESIDENTIAL PREMISES"

Para/S.N.	Existing Provision in MPD-2021	MPD-2021	Proposed Amendments/Modifications																																							
CHAPTER-4.0 SHELTER																																										
PARA 4.4.3 CONTROL FOR BUILDING/ BUILDINGS WITHIN RESIDENTIAL PREMISES																																										
1.	No provision		Para I. To be added after para H. "Studio Apartment" I. State Bhawan/ State Guest Houses <table border="1"> <thead> <tr> <th rowspan="2">S.No.</th> <th rowspan="2">Category</th> <th colspan="3">Maximum</th> <th rowspan="2">Other controls</th> </tr> <tr> <th>Ground Coverage (%)</th> <th>FAR</th> <th>Height (m)</th> </tr> </thead> <tbody> <tr> <td colspan="6">Zone-D</td> </tr> <tr> <td>1.</td> <td>Within Lutyens Bungalow Zone (LBZ)</td> <td colspan="4">Governed by 1988 LBZ guidelines and subsequent modification as issued by the Government of India time to time.</td> </tr> <tr> <td>2.</td> <td>Towards the South-West of Rashtrapati Bhawan (sub-zone D-13)</td> <td>50</td> <td>150</td> <td>15</td> <td>a) Parking to be provided @ 2 ECS per 100 sq.m. of built up area.</td> </tr> <tr> <td colspan="6">OTHER AREAS OF NCTD:</td> </tr> <tr> <td>3.</td> <td>Other than 1. & 2. in Zone-D and other areas of NCTD.</td> <td>50</td> <td>200</td> <td>No Restriction (subject to clearance from</td> <td>a) Parking to be provided @ 2 ECS per 100 sq.m. of built up area.</td> </tr> </tbody> </table>	S.No.	Category	Maximum			Other controls	Ground Coverage (%)	FAR	Height (m)	Zone-D						1.	Within Lutyens Bungalow Zone (LBZ)	Governed by 1988 LBZ guidelines and subsequent modification as issued by the Government of India time to time.				2.	Towards the South-West of Rashtrapati Bhawan (sub-zone D-13)	50	150	15	a) Parking to be provided @ 2 ECS per 100 sq.m. of built up area.	OTHER AREAS OF NCTD:						3.	Other than 1. & 2. in Zone-D and other areas of NCTD.	50	200	No Restriction (subject to clearance from	a) Parking to be provided @ 2 ECS per 100 sq.m. of built up area.
S.No.	Category	Maximum				Other controls																																				
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OTHER AREAS OF NCTD:																																										
3.	Other than 1. & 2. in Zone-D and other areas of NCTD.	50	200	No Restriction (subject to clearance from	a) Parking to be provided @ 2 ECS per 100 sq.m. of built up area.																																					

191/c
 164/2-12

			AAI/Fire Department and other statutory bodies)
TABLE 4.3 USES/USE ACTIVITIES PERMITTED IN USE PREMISES:			
2.	No provision	State Bhawan/ State Guest Houses to be added after Studio Apartments	
		Use/Use Activities Permitted	Definition
		State Bhawan/ State Guest Houses	A premise for providing the short term/transit accommodation for the guests of State Government and Central Government.
		Guest Room, Conference Halls, and related facilities, Government Offices/ Souvenir shops/ Restaurant	

5.0 Recommendation

Proposal as given in para 4.0 above is submitted for consideration of the Technical Committee under Section 11A of DD Act, 1957.

DECISION

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal contained in the Para 4.0 of the agenda item was recommended by the Technical Committee, for forwarding to Authority for consideration and further processing under Section 11-A of DD Act 1957. The proposal contained in Table 4.3 Use / Use Activities Permitted to be modified and read as under:

"Guest Room, Conference Halls and related facilities, Government Offices, Souvenir shops, Restaurant, ATM and upto 15% of maximum FAR can be utilized for staff residential accommodation."

DELHI DEVELOPMENT AUTHORITY
 MASTER PLAN SECTION
VERIFIED
 This Proposal was Considered in
 the 7th Technical Committee
 meeting held on 24.07.2015
 Vide Item No. 37/2015
 27/7/2015
 Asstt. Director
 Master Plan

-Action: Director (Plg.) Zone 'D'

17

R7/C 486/e

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ANNEXURE-C

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
HEADQUARTERS: DELHI FIRE SERVICE: NEW DELHI-110001

NO. F-6/DFS/MS/2015/ 2014

Date: 01/09/2015

To
The Commissioner (Planning)
Delhi Development Authority
5th Floor, Vikas Minar
New Delhi-110002

Ref: Your letter no. F.20(09)2015/D-92 dated 31/07/2015

Sir,

This has reference to the discussion held in Technical Committee meeting dated 24.07.2015. In this regard this is to inform you that this department has no additional comments to offer over & above the decision of the technical Committee.

Yours faithfully



(A.K.SHARMA)
Director
Delhi Fire Service

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI

Item No. 98/2015

Sub: Change of land use for an area measuring 2.51 ha from "Recreational Use" (Regional Park) to "Utility" (U-3) for setting up of 400 KV Grid Sub Station for Delhi Transco Ltd. (DTL) at Tughlakabad in Zone-J, South Delhi-II.

File No. F.20(33)/2014-MP

1. Background:-

- i) Principal Secretary (Power), GNCTD vide DO letter No. PS (P) 389 dt. 08.08.2014 addressed to VC, DDA, has requested for allotment of land for setting up of 400 KV Grid Station at Tughlakabad. The case was discussed in detail under the Chairmanship of Addl. Commr. (Plg.) UE, MP & LP on 08.09.2014. Delhi Transco identified the site measuring 2.56 Ha. through Joint Inspection of Officers of Planning Deptt., Land Deptt. DDA on 9/12/2014 and was marked on PT survey carried by survey planning on 12/12/2014.
- ii) The matter was placed before the Technical committee meeting held on 19.12.2014 vide Item No. 97/14/TC. The Technical Committee approved the proposal with condition that Delhi Transco Ltd. shall obtain NOC's from Ridge Management Board, Central Empowered Committee (CEC) and Archeological Survey of India (ASI). Accordingly, Delhi Transco Ltd. approached Ridge Management Board where it was discovered that part of the site falls in Geomorphological Ridge hence; the Delhi Transco Ltd. was advised to shift the site towards north away from the Geo-Morphological Ridge. The site re-visited on 23/12/2014 by the officers of DDA, Delhi Transco and power Grid Corporation of India. As per the advise of Ridge Management Board the site was shifted by Delhi Transco Ltd and Ridge Management Board has accorded its approval vide dated 25/03/2015. The area of the site admeasures is 2.51 ha. Delhi Transco has obtained NOC from Archeological survey of India. DTL vide letter dated 01/05/2015 has submitted their proposal after obtaining statutory NOC concerned. Thereafter, the matter was placed before the 5th Technical Committee in its meeting vide item No. 26/2015 held on 05/06/2015.

2. Examination

- a) Proposal for identification of site has been examined and as per notified Zonal Development Plan of Zone-J, the site under reference measuring 2.51 ha designated for "Recreational Use" (Regional Park).
- b) The land under reference falls in the Tughlakabad Recreational Complex scheme prepared by landscape Department and approved by the Screening committee on 25/07/2001 vide Item No. 21/2001. Based on acceptance by DTL, modification in Landscape Plan along 60 m proposed road in Zone-J.
- c) The Delhi Transco Limited (DTL) has obtained NOC from Ridge Management Board and Archaeological Survey of India.

69/c

3. Decision of the Technical Committee:

The proposal of Change of land use for land measuring 2.51 ha from "Recreational Use" (Regional Park) to "Utility" (U-3) 400 KV Electricity (Power House Sub-Station) at Tughlakabad in Zone-J, South Delhi-II has been considered in the 5th Technical Committee meeting held on 5/6/2015 vide Item No. 26/2015. The Technical Committee agreed to the proposal for its further processing under Section 11(A) of DD Act 1957.

4. Follow up actions:

As per directions of Ministry of Urban Development, Govt. of India vide letter No. K-13011/3/2012/DDIB dated 7/4/2015, following is the status of the site under reference:-

S.No.	Information required	Status
i)	Whether the land is Govt. or Private and who is land owning Agency	This is DDA acquired land. Director (LM) , HQ. DDA vide letter no. F.9(13)/2014/NL-I/128 dated 18/12/2014 land under reference is DDA acquired Land.
ii)	On whose request the change of land use case or modification to MPD 2021 has been initiated?	Principal Secretary (Power); GNCTD vide DO letter No. PS (P) 389 dt. 08.08.2014 addressed to VC, DDA, has requested for allotment of land for setting up of 100 KV Grid Station at Tughlakabad.
iii)	Whether a responsible officer from DDA (give details) was deputed for inspection of site and copy of inspection report be provided.	Joint inspection was carried out on 09.12.14 and accordingly PT survey by Survey Department (Planning) dated 12.12.14 has been provided.
iv)	What is the public purpose proposed to be served by modification of MPD and /or change of land use?	This utility facility will benefit to the citizens of Delhi.
v)	What will be the impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal of Change of land use for land measuring 2.51 ha from "Recreational Use" (Regional Park) to "Utility" (U-3) 400 KV Electricity (Power House Sub-Station) at Tughlakabad in Zone-J, South Delhi-II shall be suitably incorporated in the Tughlakabad Recreational Complex Scheme by Landscape Deptt., DDA.
vi)	What will the proposal's impact/implications on general public i.e. Law and Order.	Change of land use (CLU) will be processed under Section 11-A of DD Act, 1957 wherein objections/suggestions, if any will be sought through Public Notice from general Public.
vii)	Whether any Court Cases are going on the land mentioned in proposal? Full details be attached.	Delhi Transco Limited has obtained NOC from Ridge Management Board and Archaeological Survey of India. No court case has been reported by NL Department. Director (LM) , HQ. DDA vide letter no. F.9(13)/2014/NL-I/128 dated 18/12/2014 land under reference is DDA acquired Land.

5. PROPOSAL

- a. The proposal of Change of land use for land measuring 2.51 ha from "Recreational Use" (Regional Park) to "Utility" (U-3) 400 KV Electricity (Power House Sub-Station) at Tughlakabad in Zone-J, South Delhi-II shall be suitably incorporated in the Tughlakabad Recreational Complex Scheme by Landscape Deptt., DDA.
- b. The location of site under reference is in the urbanizable area where essential municipal services are not available. Till such time these facilities are extended to the site, the concerned agency/allottee will have to make their own necessary arrangement to support the proposed development and is required to develop the area as a zero discharge zone.
- c. The land use of the following area in MPD-2021 and Zone-J is proposed for change of land use as per description listed below:

S.No.	Location	Area	Existing as per Master Plan 2021	Proposed land use	Boundary of the site
1.	The plot earmarked at Revenue Estate of Village Tughlakabad in Zone-J South Delhi-II.	2.51 ha	Recreation Use (Regional Park)	Utility (U-3) Electricity (Power House sub-station)	North: Residential (Air force Qr.) South: Recreational (Regional park) East: Recreational West: Residential (Air force Qr.)

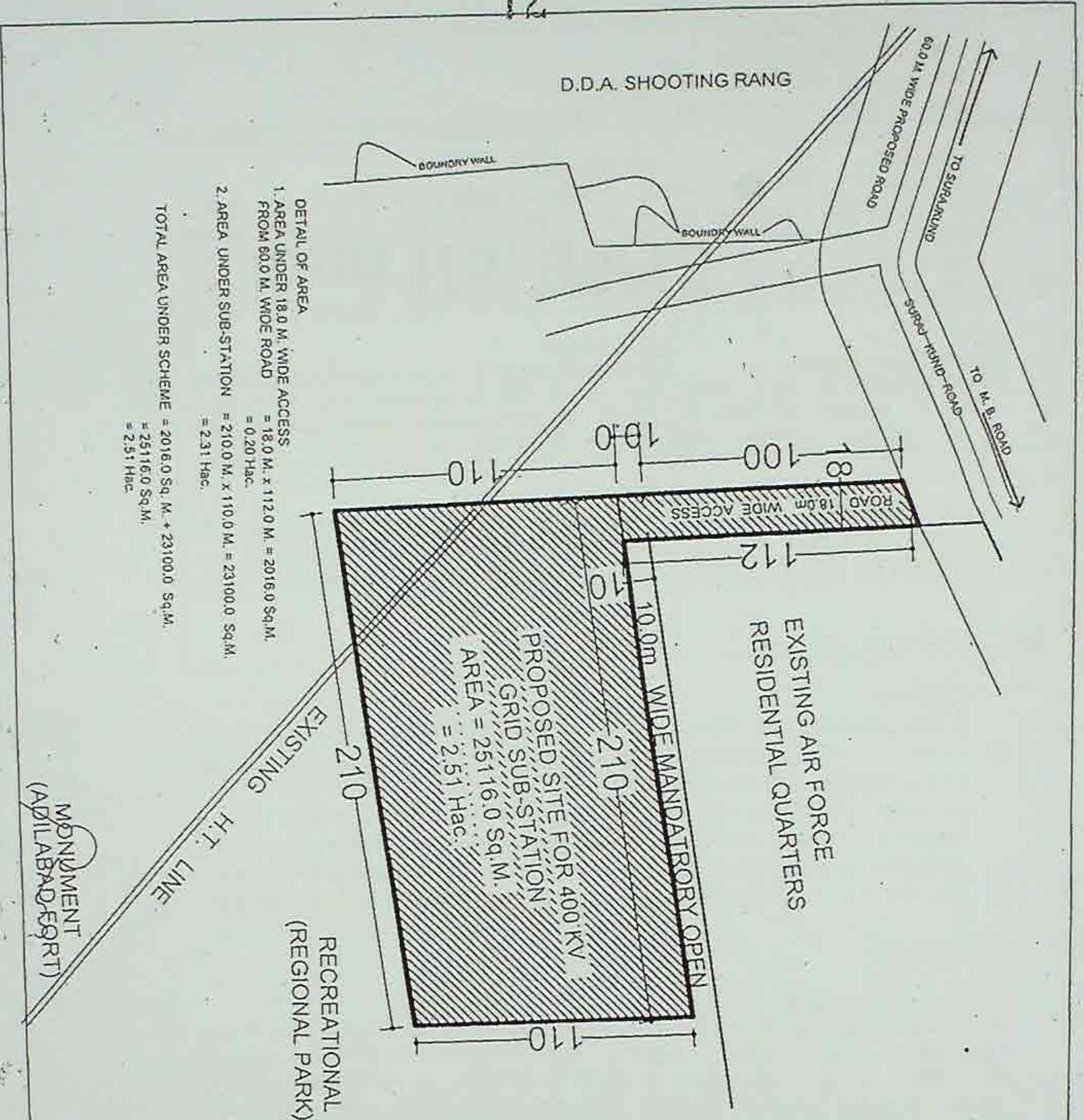
Plan is placed as Annexure -I.

6. RECOMMENDATIONS:-

RESOLUTION

Proposal contained in the agenda item was approved.

67/C



DETAIL OF AREA

1. AREA UNDER 18.0 M. WIDE ACCESS FROM 60.0 M. WIDE ROAD = 18.0 M. x 112.0 M. = 2016.0 Sq.M. = 0.20 Hac.

2. AREA UNDER SUB-STATION = 210.0 M. x 110.0 M. = 23100.0 Sq.M. = 2.31 Hac.

TOTAL AREA UNDER SCHEME = 2016.0 Sq. M. + 23100.0 Sq.M. = 25116.0 Sq.M. = 2.51 Hac.



DELHI DEVELOPMENT AUTHORITY
UC & ZONE - J.

THE SITE MEASURING 2.51 Hec. IS PROPOSED CHANGE OF LAND USE FROM RECREATIONAL USE (REGIONAL PARK) TO UTILITY (400 KV ELECTRICITY POWER HOUSE STATION)

CONDITIONS :-

- a) DELHI TRANSCO LTD. HAS OBTAIN NOC FROM ROAD DEVELOPMENT BOARD (RD&B) CENTRAL EMPOWERED COMMITTEE (CEC) AND ARCHITECTURAL SURVEY OF INDIA (AS&SI) LETTER NO. F/11/UC/CP/PT/UC/15/17/2015-11 DATED 25-01-2015 AND P. No. 12/6/2015-RD&B/UND-1598 DATED 25-01-2015.
- b) THE LOCATION OF THE SITE UNDER REFERENCE IS IN THE URBAN USE ZONE-J AREA WHERE ESSENTIAL MUNICIPAL SERVICES ARE NOT AVAILABLE TILL SUCH TIME THESE FACILITIES ARE EXTENDED TO THE SITE. THE CONCERNED AGENCIES/ALLOTTEE WILL HAVE TO MAKE THEM OWN NECESSARY ARRANGEMENT TO SUPPORT THE PROPOSED DEVELOPMENT AND IS REQUIRED TO DEVELOP THE AREA AS ZERO DISCHARGE ZONE.

NOTE:-

1. THIS DRAWING IS PREPARED ON THE BASIS OF SURVEY SUPPLIED BY THE DIRECTOR SURVEY ON DA/ETD 16.11.2014.
2. WRITTEN DIMENSION TO BE FOLLOWED.
3. The proposed change of land use for land measuring 2.51 Hec. from 'Recreational Use' (Regional Park) to 'Utility' (400 KV Electricity Power House Station) is implemented in Zone-J, South Delhi of land as per considered in the 5th Technical Committee meeting held on 04/02/2015 under item no. 20/2015.

File No.-F.20(33)/2014/MP

DATE: 11-06-2015

CHANGE OF LANDUSE FOR AN AREA MEASURING 2.51 Hec. FROM RECREATIONAL USE (REGIONAL PARK) TO UTILITY (U-3) 400 KV ELECTRICITY GRID SUB-STATION IN ZONE-J, SOUTH DELHI.



<p>ALAY KUMAR RASTOGI Planning Ass. J</p>	<p>UJAL KUMAR Asst. CE (P&J)</p>	<p>O. N. SINGH Dt. (P&J)</p>	<p>CHANDAN SINGH Dt. (P&J) & J</p>
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MINNBACKE-1

Item No. 99/2015

Sub: Change of land use (CLU) for the land measuring 3.48 ha (8.6 Acre) from "Residential Use" to Public and "Semi-Public Facilities (PS1)" at Village Maidangarhi in Zone J.

File No. F.20(28)/2014-MP

1.0 Background:

The proposal for change of land use was earlier placed before the Authority vide Item No.43/2015 in its meeting held on 01.04.2015 based on Authority approval, public notice was issued vide S.O.No. 1637E dated 19.6.15.

2.0 PUBLIC NOTICE

As a follow-up of approval of Authority's decision, public notice was issued on 19.06.2015 for inviting objections/suggestions from the public in respect of modifications in MPD 2021 and Zonal Development Plan of Zone-J within a period of 30 days from the publication of the notice. Copy of Gazette notification dated 19.6.15 is annexed as **Annexure-I**. In response to public notice, no objections/suggestions has been received in the matter. Therefore, meeting of the Board of Inquiry and hearing has not been conducted.

3.0 Examination

- a) DDA allotted 3.4 ha land to CAPFIMS for residential use. CAPFIMS requested for change of land use from Residential to Semi-Public facilities to allow them to develop single entity of land with the adjoining land already allotted to them with Public and Semi-Public land use. This CLU will facilitate CAPFIMS MHA, Govt. of India to develop the project as single entity.
- b) As per directions of Ministry of Urban Development, Govt. of India vide letter No. K-13011/3/2012/DDIB dated 7.4.2015, following is the status of the site under reference:-

S.No.	Information required	Status
i)	Whether the land is Govt. or Private and who is land owning Agency	The utilization Plan was approved in the 318 th Screening Committee meeting dt. 23/01/2014 vide Item No. 16:2014. This is DDA acquired land.
ii)	On whose request the change of land use case or modification to MPD 2021 has been initiated?	Member Secretary and Consultant, CAPFIMS, Ministry of Home Affairs (MHA), Govt. of India vide letter dt. 8.10.2014 and 29.10.2014 addressed to VC, DDA has requested to change the land use.
iii)	Whether a responsible officer from DDA (give details) was deputed for inspection of site and copy of inspection report be provided.	The land was allotted to CAPFIMS earlier for construction of staff qr. by DDA adjacent to land already allotted CAPFIMS measuring 17.32 Ha. for Public and Semi Public. (PS-1) and Notified by Gazette Notification dated 12/08/2013 S.O No. 2800 (E).
iv)	What is the public purpose proposed to be served by modification of MPD and /or change of land use?	This utility facility will benefit to the citizens of Delhi.

v)	What will be the impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal of Change of land use for land measuring 3.48 ha (8.6 acre) from "Residential Use" to "Public & Semi Public Facilities" in Zone-J, South Delhi-II shall be suitably incorporated in the ZDP of Zone -J.
vi)	What will the proposal's impact/implications on general public i.e. Law and Order.	Change of land use (CLU) will be processed under Section 11-A of DD Act, 1957 wherein no objections/suggestions, has been received within stipulated period from General Public.
vii)	Whether any Court Cases are going on the land mentioned in proposal? Full details be attached.	No court case has been reported yet. As per the report from DD (NL) vide dated 13/07/2011.

4.0 PROPOSAL

The proposal for change of Land Use measuring 3.48 ha (8.6 acre) from "Residential " to Public and Semi-Public" at village Maidangarhi in Zone-J is proposed for further processing under section 11-A of Delhi Development Act, 1957.

Location	Area	Land Use as per MPD 2021 & ZDP of Zone J	Land Use changed to	Boundaries
The plot earmarked for residential (CAPFIMS) situated in Revenue Estate of Village Maidangarhi Delhi.	3.48 ha (8.6 acre)	"Residential"	"Public & Semi Public Facilities (PS1)"	North & East: Recreational (Asola Wild Life Sanctuary) West: Residential (land allotted to CBI) South: Public and Semi Public Facilities (PS1)- Land allotted to CAPFIMS, MHA, GOI

The plan for above is available as Annexure-II.

3.0 RECOMMENDATIONS

The proposal for change of land use (CLU) as given above in Para 4.0 above is put up for consideration of the Authority so that final notification for change of land use under Section 11A of DD Act, 1957 can be issued by MOUD, Govt. of India.

RESOLUTION

Proposal contained in the agenda item was approved.


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1278]

नई दिल्ली, शुक्रवार, जून 19, 2015/ज्येष्ठ 29, 1937

No. 1278]

NEW DELHI, FRIDAY, JUNE 19, 2015/JYAISTHA 29, 1937

दिल्ली विकास प्राधिकरण

(मुख्य योजना अनुभाग)

सार्वजनिक सूचना

नई दिल्ली, 19 जून, 2015

का.आ. 1637(अ).—दिल्ली विकास प्राधिकरण/केन्द्र सरकार का दिल्ली विकास अधिनियम, 1957 की धारा 11-क के अंतर्गत दिल्ली मुख्य योजना-2021/जोन-जे की क्षेत्रीय विकास योजना में निम्नलिखित संशोधन करने का प्रस्ताव है, जिसे जनता की जानकारी के लिए एतद्वारा प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो/सुझाव देना हो, तो वे अपनी आपत्ति/सुझाव इस सूचना के जारी होने की तिथि से तीस दिनों की अवधि के अंदर आयुक्त एवं सचिव, दिल्ली विकास प्राधिकरण, 'बी' ब्लॉक, विकास सदन, नई दिल्ली-110023 को लिखित रूप में भेज सकते हैं। आपत्ति करने अथवा सुझाव देने वाले व्यक्ति अपना नाम, पता और टेलीफोन नम्बर/संपर्क सूत्र भी दें।

संशोधन:

स्थान	क्षेत्रफल	दि.मु.यो.- 2021 एवं जोन-जे की क्षे.वि.यो. के अनुसार भूमि उपयोग	भूमि उपयोग जिसमें परिवर्तन किया जाना है।	सीमाएं
गौव मैदान गढ़ी, दिल्ली की राजस्व सम्पदा में स्थित आवासीय (सी.ए.पी.एफ.आई. एम.एस.) हेतु निर्धारित प्लॉट	3.48 हैक्टेयर (8.6 एकड़)	"आवासीय"	"सार्वजनिक एवं अर्ध-सार्वजनिक (पी.एस. 1)"	उत्तर एवं पूर्व: मनोरंजनात्मक (असोला वन्य जीव अभ्यारण्य) पश्चिम: आवासीय (भूमि सी.बी.आई. को आवंटित है) दक्षिण: सार्वजनिक एवं अर्ध-सार्वजनिक सुविधाएं (पी.एस. 1) भूमि सी.ए.पी. एफ.आई.एम.एस., एम.एच.ए., भारत सरकार को आवंटित है।

प्रस्तावित संशोधन को दर्शाने वाला नक्शा, निरीक्षण के लिए उपर्युक्त अवधि के दौरान सभी कार्य-दिवसों में उप-निदेशक (मुख्य योजना), दिल्ली विकास प्राधिकरण, छठा तल, विकास मीनार, आई.पी. एस्टेट, नई दिल्ली में उपलब्ध रहेगा।

[फा. सं. एफ 20(28)2014/एम.पी.]

डी. सरकार, आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY

(Master Plan Section)

PUBLIC NOTICE

New Delhi, the 19th June, 2015

S.O. 1637(E).—The following modifications which the Delhi Development Authority / Central Government proposes to make to the Master Plan for Delhi - 2021 / Zonal Development Plan of Zone 'J' under Section 11A of DD Act, 1957, is hereby published for public information. Any person having any objection / suggestion with respect to the proposed modification may send the objection / suggestion in writing to the Commissioner - cum - Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi - 110023 within a period of thirty days from the date of publication of this notice. The person making the objections or suggestions should also give his / her name, address and telephone / contact number (s) which should be legible.

Modification

Location	Area	Land Use as per MPD 2021 & ZDP of Zone J	Land Use changed to	Boundaries
The plot earmarked for residential (CAPFIMS) situated in Revenue Estate of Village Maidangarhi Delhi.	3.48 ha (8.6 acre)	"Residential"	"Public & Semi Public Facilities (PS1)"	North & East: Recreational (Asola Wild Life Sanctuary) West: Residential (land allotted to CBI) South: Public and Semi Public Facilities (PS1) Land allotted to CAPFIMS, MHA, GOI

The plan indicating the proposed modification is available for inspection at the office of Dy. Director (MP), Delhi Development Authority, 6th Floor, Vikas Minar, I. P. Estate, New Delhi on all working days during period referred above.

[F. No. F. 20(28)2014/MP]

D. SARKAR, Commissioner-cum-Secy.

DELHI DEVELOPMENT AUTHORITY

1251C

Site measuring 3.48 ha in layout plan of Maidangarhi along 12 mt. road Row, Zone J, Change of Land Use from 'Residential Use' to 'Public Semi-Public facilities(PSP-I) in MPD 2021 & ZDP Zone J.

Description of Boundaries:

- North : Recreational
- South : Public Semi-public facilities(PSP-I)
- EAST : Recreational
- West : Residential


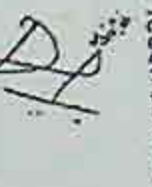

Note:

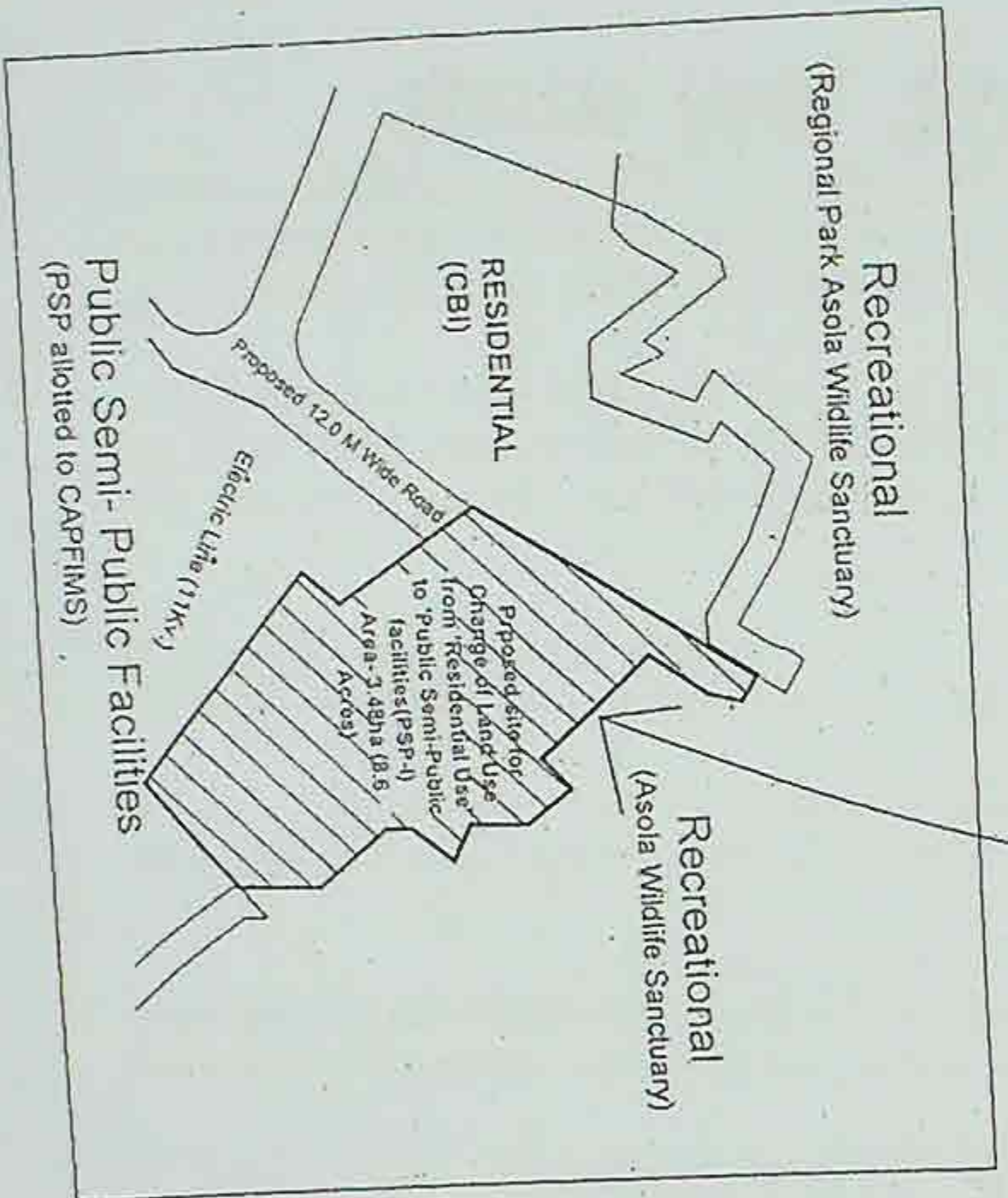
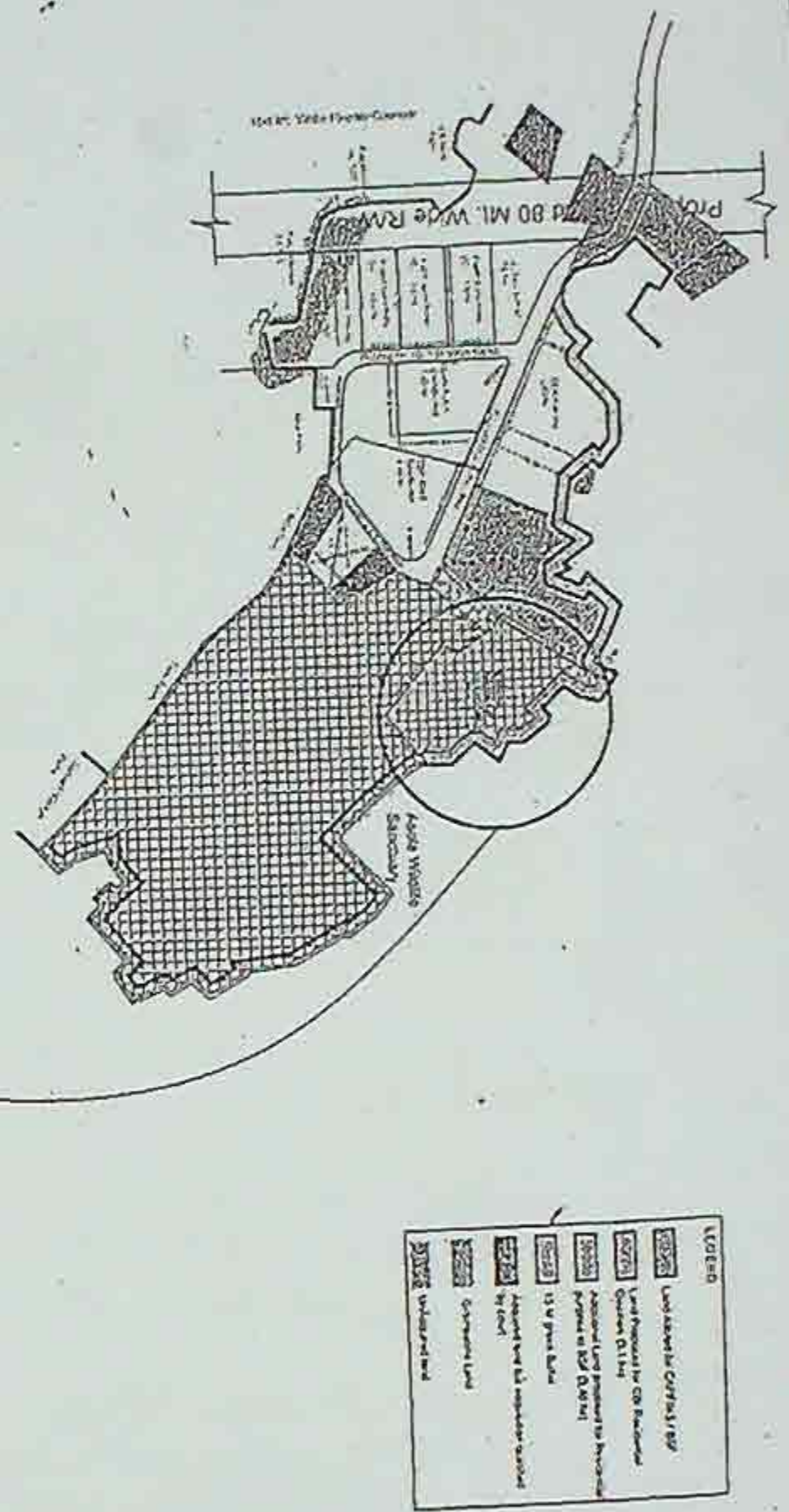
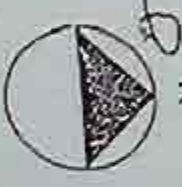
1. Utilization of Land measuring 19.95 ha & Swapping of earlier allotted land of CBI measuring 3.1 ha(7.66 Acres) with additional land allotted to BSF for residential purpose under possession of DDA at Village Maidangarhi was considered in 318th Screening Committee dt.23.01.2014 vide item no.-16/2014 and approved in file F-3101/2014.
2. The proposal of Change of Landuse was considered and approved by 14th Technical Committee held on 17.11.2014 vide item no.-84/2014 with conditions:-

The proposal was presented by Dir. (Fig.) UC & J. After detailed deliberation Technical Committee recommended the proposal for change of land use of an area measuring 3.48 ha (8.6 acre) from 'Residential' to 'Public & Semi Public' in the Revenue Estate of Maidangarhi for further processing to the Authority under section 11-A of DD Act 1957 with the condition that:

- CAPFIMS will submit the Layout Plan of entire land i.e. 20.50 ha (51.3 acres) to the local body;
- The Development Control Norms on the entire site shall be applicable as per MPD-2021 for Public & Semi Public facilities (Hospital with Medical College).
- The land pocket is utilized for the institute shall have to make own arrangement for physical infrastructure and other services till such time, these are extended to the site by the local body.
- The institute shall have to develop the area as a zero discharge zone.

3. The proposal was placed and considered in Authority meeting vide Item No. 43/2015 in its meeting held on 01/04/2015.
4. As follow up of approval of Authority's decision public Notice was issued on 19/06/2015, however no obj./sugg. received in the matter in response to Public Notice.

Asstt. Director (Fig.) J  Dy. Director (Fig.) J  Director (Fig.) UC & J 



Item No. 100/2015

Sub:- Change of land use of site measuring 3.74 ha (9.25 acres) from "Residential" land use and "Public & Semi Public Facilities" (PS.I) to "Utility' (U-4) for Solid Waste Management facility located at Maidangarhi, near IGNOU Campus in zone -J.

File No. F.3(12)2014/MP

1.0 Background:

Commissioner, South Delhi Municipal Corporation (SDMC) vide D.O. Letter dt. 6.03.2014 requested for allotment of land for C& D Waste Plant and Zero Waste Plant measuring 4-5 acres each at Maidangarhi near IGNOU Campus which was agreed in principle in the meeting taken by VC, DDA held on 13.02.2014.

- 1.1 The proposal of change of Land use of site measuring 4.00 acre each approximately for C & D Waste Plant and Zero Waste Plant in Planning zone-J at Maidangarhi, near IGNOU campus for Solid Waste Management (SWM) facility was placed and approved by 7th Technical committee vide Item No. 28/2014 & 29/2014 held on 21/05/2014.
- 1.2 The Technical Committee approved the proposal with the condition that, Change of land use will be initiated after confirmation of status of land by Lands Department, DDA. Accordingly, a letter was issued to Lands Department on 13.06.14.
- 1.3 Due to discrepancy in the ownership of land, the site earlier identified could not be handed over to SDMC. VC, DDA vide dated 02/07/2014 also suggested that "we must search some appropriate and alternate sites for SWM facilities".
- 1.4 Accordingly, DD(NL)-I vide note dated 25.7.14 has identified alternative land at Village Maidangarhi adjacent to the boundary of IGNOU.
- 1.5 A letter dated 11/08/2014 was forwarded to Chief Engineer (South Zone) requesting for total Station Survey. Total Station Survey was provided by Ex. En. SWD-5/DDA vide letter dated 12/09/2014.
- 1.6 Director (survey) vide note dated 25/09/2014 has requested for joint Site Inspection. The joint site inspection by LM, Engineering and Survey Department was held on 26.11.14, and conveyed that some points could not be demarcated due to heavy bushes on site.
- 1.7 Accordingly a note vide dated 27/11/2014 and reminder dated 23/12/2014 was issued to C.E (South Zone) to clear the Bushes. Based on the reminder dated 23/12/2014 was issued to C.E (South Zone) to clear the Bushes, Ex. Engineer (SWD-5) has intimated that the site has been cleared.

1.8 A joint site visit was carried by the officials of LM & NL Branch with AD (survey) on 22/01/2015 to but stalled due to heavy rain. Finally, PT Survey of the site has been carried out by the Survey Department after verification of Khasra Nos. of the site by the concerned Department. PT survey of the land for proposed SWM facilities at Maidangarhi was prepared vide dated 16/02/2015. Further site was re-inspected on 28th July and 30th July 2015 along with officials of Planning Deptt. to demarcate points on site.

2.0 Examination :

- 2.1 Proposal for identification of site has been examined and as per notified Zonal Development Plan of Zone-J, the site under reference falls in the area designated for 'Facility Corridor i.e. Public Semi Public measuring 2.54 ha. and Residential Use measuring area 1.20 ha. The site has been indicated in the Zonal Plan of Zone -J.
- 2.2 As per directions of Ministry of Urban Development, Govt. of India vide letter No. K-13011/3/2012/DDIB dated 7.4.2015, following is the status of the site under reference:-

S.No.	Information required	Status
i)	Whether the land is Govt. or Private and who is land owning Agency.	This is DDA acquired land. DD(NL) vide note dated 25/07/2014 has intimated that the land under reference has been given possession to DDA by LAC /L&B on dated 16/07/1987. This is DDA acquired land.
ii)	On whose request the change of land use case or modification to MPD 2021 has been initiated?	There are number of requests received from SDMC for allotment of land. The case is monitored by the Hon'ble Delhi High Court.
iii)	Whether a responsible officer from DDA (give details) was deputed for inspection of site and copy of inspection report be provided.	Plain Table Survey has been conducted after joint inspection by LM, Engineering and Survey Department on 26.11.14. Further site was re-inspected on 28 th July and 30 th July 2015 along with Planning Deptt.
iv)	What is the public purpose proposed to be served by modification of MPD and /or change of land use?	This utility facility will benefit to the citizens of Delhi to provide the clean environment.
v)	What will be the impact of proposal on the ZDP/MPD and	Solid Waste Management (SWM), provisions in Master Plan proposal will

	whether the changes are in consonance with the approved plans and policies?	ultimately reduce the requirement of solid waste in accordance with Master Plan basis.
vi)	What will the proposal's impact/implications on general public i.e. Law and Order.	Change of land use (CLU) will be processed under Section 11-A of DD Act, 1957 wherein objections/suggestions, if any will be sought through Public Notice from general public.
vii)	Whether any Court Cases are going on the land mentioned in proposal? Full details be attached.	DD(NL) vide note dated 25/07/2014 has intimated that the land under reference has been given possession to DDA by LAC /L&B on dated 16/07/1987. No court case reported by NL Branch. As per survey report, land is free from all encumbrances.

3.0 DECISION OF THE TECHNICAL COMMITTEE

Matter for Change of land use of site measuring 3.74 ha (9.25 acres) from "Residential" land use and "Public & Semi Public Facilities" (PS.I) to "Utility' (U-4) for Solid Waste Management facility located at Maidangarhi, near IGNOU Campus. was considered in the 8th Technical committee meeting dated 31/08/2015 vide Item No. 43/2015. The Technical Committee recommended for further processing under section 11-A of DD Act. 1957.

4.0 Proposal

- a) Proposal for change of land use of site measuring 3.74 ha (9.25 acre) from "Residential" land use measuring 1.20 Ha. and "Public and Semi Public" use (PS.I) measuring 2.54 Ha. to "Utility" for Solid Waste Management facility located at Maidangarhi, near IGNOU Campus.
- b) Out of 3.74 ha, it is proposed that mandatory 30 mtr. wide green buffer along proposed 100 mtr. wide road will be kept as mandatory green keeping in view of surrounding area.
- c) The location of site under reference is in the urbanizable area where essential municipal services are not available. Till such time these facilities are extended to the site, the concerned agency/allottee will have to make their own necessary arrangement to support the proposed development and is required to develop the area as a zero discharge zone.
- d) Proposal for Change of Land use for Solid Waste Management Facility measuring 3.74 ha (9.25 Acres) acres approximately in Planning Zone J at Maidangarhi- Near IGNOU is given below:-

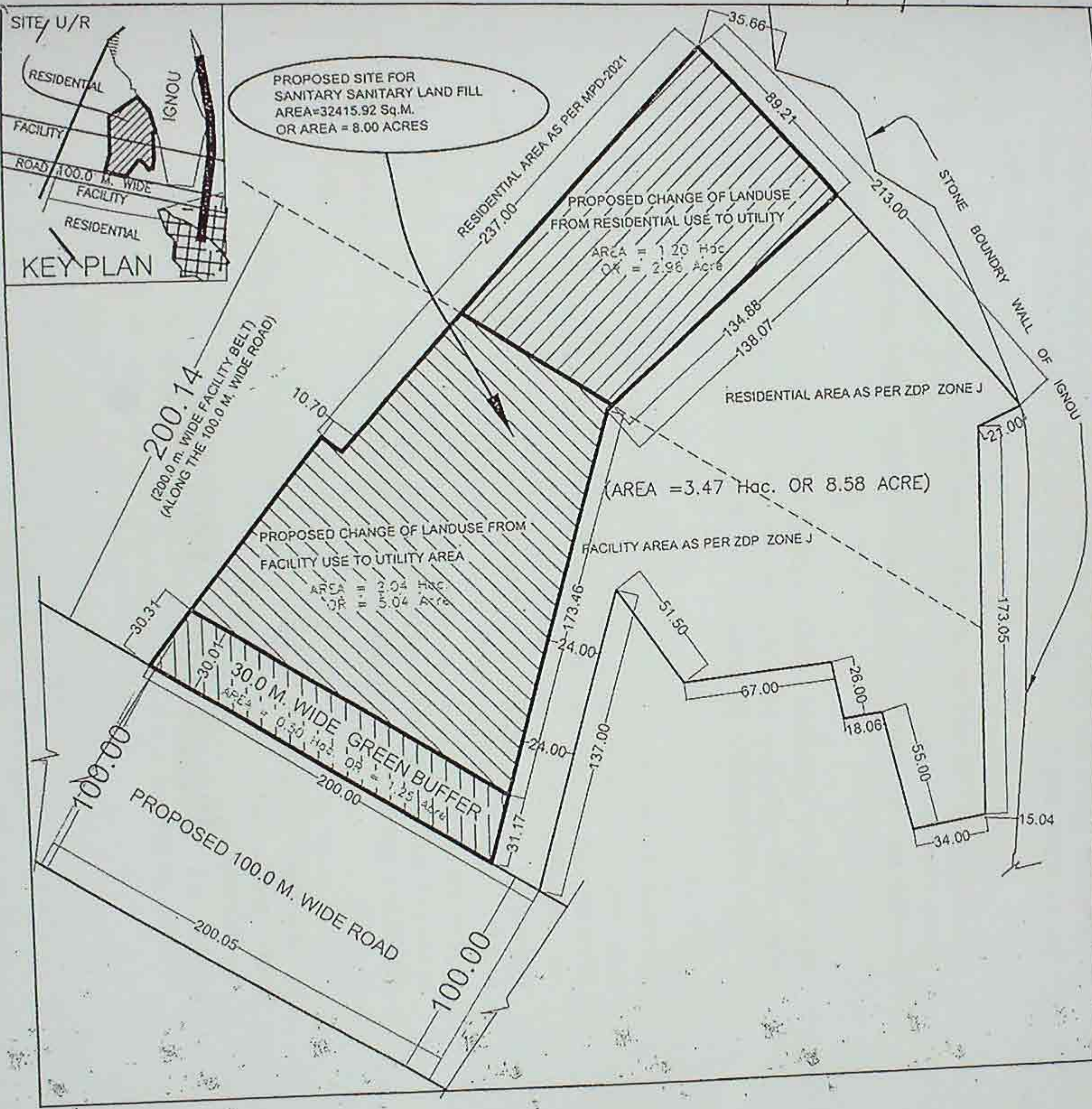
Subject	Existing Land Use as per MPD 2021/ZDP of Zone J	Proposed Land Use	Boundary of the Site / Area
Change of land use of site measuring 3.74ha (9.25 acre) from residential use and public use (PS.I) to utility for Solid Waste Management facilities (SWM) located at Maidangarhi, near IGNOU Campus.	i) Public/Semi-Public-Facility Corridor Area – 2.54 ha ii) "Residential Use" Area – 1.20 ha	"Utility (Solid Waste Management Facilities) Utility (Solid Waste Management Facilities)	North: Public/Semi-public facility (IGNOU Campus) East: Public/Semi-Public-Facility Corridor and residential use (DDA vacant land) South: Proposed 100 mtr. wide road West: Facility Corridor and Residential
TOTAL	3.74 ha (9.25 acres)		

The Plan is annexed as Annexure-I.

RESOLUTION

Proposal contained in the agenda item was approved.

126/C



DELHI DEVELOPMENT AUTHORITY
ZONE - J

LEGEND

1	TOTAL AREA OF THE SITE AS PER P.T. SURVEY	=7.22 Hec. OR 17.85 ACRES
2	RESIDENTIAL AREA	=1.20 Hec.
3	FACILITY AREA	=2.04 Hec.
4	GREEN BUFFER	=0.50 Hec.
TOTAL AREA FOR THE LAND PROPOSED FOR CHANGE OF LAND-USE		=3.74 Hec. OR 9.25 ACRES

- NOTE:-
- THIS DRAWING PREPARED ON THE BASIS OF SURVEY SUPPLIED BY THE DIRECTOR SURVEY ON DATED 18-02-2015 AND SAME IS VERIFIED ON DATED 07-09-2015
 - WRITTEN DIMENSION IS TO BE FOLLOWED.
 - THE PROPOSAL WAS RECOMMENDED IN THE 8TH TECHNICAL COMMITTEE MEETING HELD ON 31/08/2015 VIDE ITEM NO. 43/2015. FOR FURTHER PROCESSING U/S 11-A OF DD ACT, 1957.

File No. - F.3(12)/2014-MP

CHANGE OF LAND USE OF SITE MEASURING 3.74 Hec. (9.25 ACRE) FROM RESIDENTIAL USE AND PUBLIC SEMI USE (PS. 1) TO UTILITY FOR SOLID WASTE MANAGEMENT FACILITY AT MAIDANGARHI, NEAR IGNOU CAMPUS

Scale

1:1000

North Arrow

Signature: D.K. Choudhary

Director, DDA

81

ANNEXURE-I

Item No. 101/2015

Sub: Proposed modifications in MPD-2021 regarding the area under waiting / reception in the hospitals.

File No.: F.13(02)/2013-MP

1.0 Background:

- i) The proposal in the agenda item is for modification to the MPD-2021 for the provision of specific percentage of area under waiting / reception in the hospital buildings in MPD-2021, to facilitate building sections of concerned local bodies to process the building plans of hospital use premises for approval.
- ii) Central Govt. notified modifications to the MPD-2021 on 23rd Sept. 2013, for increase in FAR for hospital use premises. This provides "Common areas such as waiting halls, reception and fire stair cases shall be allowed free from FAR."
- iii) In the said modifications, no percentage / limit is mentioned for the area to be considered free from FAR for waiting halls and reception. Thus, while sanctioning the plans for hospitals, the difficulties were faced by the Building Departments.
- iv) MPD-2021 provides maximum limit / ceiling on the component of residential use, atriums etc. in different use premises under different land use categories. In the absence of maximum limit for free FAR for common areas such as waiting hall, reception area of Hospital use premises, the observation of the building section for putting the limit / ceiling for the free FAR is justified as the plot owners, in the absence of any limit may misuse the provisions to avail maximum free FAR. Thus to ascertain the percentage of areas under waiting halls & reception as per present practice, in case of hospitals as followed by the different organizations, following action was taken:
 - a) A meeting was convened under the chairmanship of Commissioner (Planning), DDA on 12.8.2014 wherein the representatives from Ministry of Health and Family Welfare, School of Planning & Architecture New Delhi and practicing architects were present. After the detailed deliberation / discussion during the meeting it was decided as under:

"(i) opinion on the issue should be obtained from Dr. Naresh Trehan (Chairman, National Committee on Healthcare, CII) and (ii) request also the member from MoHFW (GOI), SPA and private architects to provide an analysis/norm as per the general practice followed while clearing/submitting the plans for different categories of hospital so that a view could be taken in processing such cases by the DDA/local bodies as well as modifications in MPD-2021, if any required, in limiting the area under waiting and reception in the hospitals."

b) As a follow up action of the above meeting, the reports were received from the Architects/Experts and the Chairman, National Committee on Healthcare CII Salient points of feedback are as under:

S. No	Representative/ Expert	Suggestions / Feedback
1.	Dr. Trehan, Chairman, National Committee on Healthcare, CII, CMD Medanta (received in office on 05.12.2014 vide letter dt. 01.12.2014)	<p>i) There is another BIS report-IS-10905(Part 1&2) - 1984 which has recommendations for hospitals. Cross roughly 50 pages, it quantifies waiting areas across various zones of various types of hospitals.</p> <p>ii) 20% of the total FAR for reception & waiting area would be more appropriate & <u>this does not include corridors & the covered atrium</u>. If we add corridors too, this figure will shoot up to 30%. Ideally, corridors should not be taken as waiting as they are emergency escape routes. Corridors should only be taken as waiting if they are at least 4m wide or more or attached to a lounge/lobby to allow for seating on both side of the mandatory 2.4m clear corridor.</p>
2	Mr. Rang Emei, Principal Architect, Helix Healthcare Architecture, New Delhi-17 (received in office on 23.12.2014 vide letter dt. 12.12.2014)	<p>In general, waiting areas in private hospitals will tend to be lesser compared to those provided in government facilities due to obvious economic considerations, space constraints and varying priorities.</p> <p>The general practice(mostly) in the private sector facilities) is to provide an average of 15% as <u>public waiting areas</u>, the subject needs much more in-depth study and survey covering all types and sizes of healthcare facilities across the country.</p>

3	Sh. Inderpal Singh, Architect, Gurbachan Singh & Associates. (received in office on 18.11.2014)	As per the Report on General Hospitals Committee on Plan Projects, Building Projects term) of May, 1964 the percentage of various waiting areas has been analyzed and it is concluded that the waiting area in a hospital should be around 12% - 15% and in any circumstances it should not exceed 15% -20%.
4	Sh. Rajiv Kanojia, Sr. Architect, Ministry of Health, Central Design Bureau, GOI (received in office on 13.01.2015 vide letter dt. 07.01.2015)	There are no available guidelines /data on this aspect and in the changing trend of healthcare due to introduction of technology in hospital management, waiting area requirement have been considerably reduced. After evaluating some of the health projects dealt by MoHFW, it is suggested that waiting area in the range 8 to 10 percent may be exempted from FAR and above this may be counted towards the FAR.
5	Building Section, DDA (vide note on 27.04.2015)	"With experience in the building section allowing more percentage of waiting area free from FAR will lead to confusion and there is possibility of misuse. Hence lower percentage 8 - 10% as suggested by Sh. Rajiv Kanojia, Sr. Architect, MoH, GoI seems logical".

2.0 Decision of Technical Committee:

The proposal was considered by the Technical Committee in its Meeting held on 05-06-2015 vide Item No. 25/2015 and further in meeting held on 31-08-2015 vide Item No. 45/2015. Director, Delhi Fire Service, GNCTD vide letter no. F-6/DFS/MS/2015/2015 dt. 01.09.2015 (Annexure-I) requested "to make all staircases free from FAR rather making only fire stair case free from FAR".

As the issue regarding exemption of all the staircases from counting in FAR has been incorporated in the draft Unified Building Bye Laws, the provisions regarding fire staircases is proposed to be deleted from the Master Plan provisions under Table 13.2 Other Controls.

After detailed deliberation and incorporating the views of the Fire Deptt., GNCTD, the proposal as given below was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957:

Existing Provisions of MPD - 2021	Amended Proposal as approved by the T. C. held on 31-08-2015 vide Item No. 45/2015.
Table 13.2: Other Controls	Table 13.2: Other Controls
5. Common areas such as waiting halls, reception and fire stair cases shall be allowed free from FAR.	5. Maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. However, this area shall be taken into account for the provision of hospital parking as per norms.

The copy of the minutes of the Technical Committee meeting held on 31.08.2015 is annexed as Annexure - II.

3.0 Proposal:

The modification proposed in the MPD-2021 in view of the decision of the Technical Committee meeting dt. 31.08.2015 vide Item No. 45/2015 is as under:

Existing Provisions	Proposed Modifications
Table 13.2: Other Controls	Table 13.2: Other Controls
5. Common areas such as waiting halls, reception and fire stair cases shall be allowed free from FAR.	5. Maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. However, this area shall be taken into account for the provision of hospital parking as per norms.

4.0 The proposal in Para 3.0 above is placed before the Authority for its consideration for further processing the same under Section 11A of DD Act, 1957 for inviting public objections / suggestions on the proposed modifications.

RESOLUTION

After detailed discussions, decision on the agenda item was deferred. The specific percentage of built-up area under waiting/reception hall in some prominent government hospitals in Delhi may be put up before Authority in its next meeting.

ANNEXURE-IGOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
HEADQUARTERS: DELHI FIRE SERVICE: NEW DELHI-110001

NO. F-6/DFS/MS/2015/ 2015

Date: 01 / 09 / 2015

To
The Commissioner (Planning)
Delhi Development Authority
5th Floor, Vikas Minar
New Delhi-110002

Ref: Meeting notice F.1 (8)/2015/MP/237 dated 28/08/2015

Sir,

This has reference to the minutes of meeting forwarded to this department vide above mentioned letter. In this regard this is to inform you that this department has no additional comments to offer over & above the decision arrived at after deliberation. However, it is once again requested to make all staircases free from FAR rather making only fire staircase free from FAR.

Yours faithfully



(A.K.SHARMA)
Director
Delhi Fire Service



DELHI DEVELOPMENT AUTHORITY
 MASTER PLAN SECTION,
 6TH FLOOR, VIKAS MINAR,
 I.P. ESTATE, NEW DELHI - 110002

F.1 (08) 2015/MP/ 27-8

Date: 01.09.2015

Subject: Minutes of the 8th Technical Committee held on 31.08.2015

The 8th meeting of Technical Committee was held under the Chairmanship of V.C., DDA on 31.08.2015. The List of the participants is annexed at 'Annexure- A'.

At the outset, members welcomed the Vice Chairman, DDA for chairing the first meeting of the Technical Committee after assuming charge.

Item No. 40/2015

Confirmation of Minutes:

Since no observations/ comments were received, the minutes of the 7th Technical Committee meeting held on 24.07.2015 were confirmed as circulated.

Addl. Commissioner (Plg.) TB & C informed regarding the modifications required in the minutes w.r.t. the Item no. 02/2015, sub-para (i) discussed in the 1st Technical Committee meeting held on 22.01.2015. It was informed that in the decision in the above minutes w.r.t. the item no. 02/2015 Sector-1 to 19 Rohini was inadvertently mentioned as Sector-1 to 9 Rohini. As this item already stands approved by the Authority in respect of Sector 1 to 19 Rohini, it was decided that the sub-para (i) of item no. 02/2015 may be read as under:

"(i) Building activity of the development area No. 148 consisting Sector-1 to 19 Rohini (excluding the already de-notified area) be transferred to concerned Municipal Corporation."

F.1 (07) 2015/MP

Item No. 41/2015

Proposed change of land use of an area measuring 809sq.m. allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket-V, DDU Marg from 'Residential (Nursery School)' to 'Public & Semi -Public facilities', falling in Planning Zone-D.

F.20 (02)/2015/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'

Item No. 42/2015

Proposed change of land use in respect of the area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' Proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning Zone-D.

F.3(68)/2008/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'

Item No. 43/2015

Change of land use of site measuring 3.74 ha (9.25 acres) from "Residential "land use and "Public and Semi Public Facilities" (PS.I) to Utility" (U-4) for Solid Waste Management facility located at Maidangarhi, near IGNOU Camus.
F.3 (12)2014/MP

The proposal was presented by Director (Plg) Zone 'J'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg.) Zone 'J'

Item No. 44/2015

Delineation of NCZ as proposed in Revised draft Regional Plan-2021 pertaining to National Capital Territory of Delhi.

Regarding sites falling in Zone K-II Dwarka

F.15 (10)2015-MP

The proposal was withdrawn by Addl. Commissioner (Plg) UE & LP.

-Action: Director (Plg.) Dwarka

Item No. 45/2015

Proposed modifications in MPD-2021 regarding the area under waiting/ reception in the hospitals.
F.13 (02)/2013-MP

The proposal was presented by Director (Plg) MP& DC. After detailed deliberation and incorporating the views of the Fire Deptt., GNCTD received vide letter no. F-6/DFS/MS/2015/2015 dt. 01.09.2015, the proposal as contained in the agenda as given below in column 4 was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957:

MPD - 2021			
1	2	3	4
Existing Provisions	Modifications approved in the T.C. Meeting held on 05.06.2015	Proposed Modifications	Amended Proposal
Table 13.2: Other Controls	Table 13.2: Other Controls	Table 13.2: Other Controls	Table 13.2: Other Controls
5. Common areas such as waiting halls, reception and fire stair cases shall be allowed free from FAR.	5. Fire stair cases shall be allowed free from FAR and maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area.	5. Fire stair cases shall not be counted in FAR and maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. In case it is used for activity other than waiting and reception area, the same shall be counted in FAR.	5. Maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. However, this area shall be taken into account for the provision of hospital parking as per norms.

-Action: Director (Plg) MP

Officers of Fire Department, GNCTD telephonically regretted their absence during the meeting due to some other important appointments. It was decided that their views may be obtained before circulation of the minutes.

The meeting ended with thanks to the Chair.



(S.B. Khodankar)
Director (Plg.) MP&DC

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) MP&MPR, DDA
14. Addl. Commr.(Plg.) TB&C, DDA
15. Addl. Commr.(Plg.) AP, DDA
16. Addl. Commr.(Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC, NDMC, EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

List of participants of 08th meeting for the year 2015 of Technical Committee on 31.08.2015

DELHI DEVELOPMENT AUTHORITY

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Commissioner (Plg), DDA
4. Chief Architect, HUPW/DDA
5. Addl. Commissioner (Plg) TB&C, DDA
6. Addl. Commissioner (Landscape), DDA
7. Addl. Commissioner (Plg)AP, DDA
8. Addl. Commissioner (Plg.) UE&LP, DDA
9. Director (Plg) MP, DDA
10. Director(Plg.) Zone D
11. Director(Plg.) Zone J
12. Director(Plg.) GIS & Zone E&O
13. Dy. Director (Plg.) MPR
14. Dy. Director (Plg.) Dwarka

OTHER ORGANIZATION

1. Sh. A.M. Athale, Chief. Architect, NDMC
2. Sh. Mukesh Bajpai, Sr. Architect, MoHFW, Gol
3. Rajiv Kanaujia, Sr. Architect, CDB, MoHFW, Gol
4. Ms. Ritu Kapila, Architect, CPWD
5. Sh. Ashutosh Kumar Sahu, Architect, CPWD
6. Sh. Jugal Ahmed, Consultant, SDMC
7. Arunesh Upadhyay, SE(DEMS), SDMC
8. Sh. Devesh Chand, B.O/L & D.O
9. Sh. Sushil Kumar, Architect, NDMC
10. Virendra KUMAR, AE, CPWD
11. Sh. Rakesh Bhatia, ACP, Delhi Traffic Police

Item No. 102/2015

Sub: Permissibility of Guest House in Residential use zone under sub-clause 8(2) of MPD-2021 in respect of plot No. 25-B, Akbar Road, Delhi, measuring 7066 sq.m. (0.71 ha.), allotted to Government of Gujarat for construction of its second guest house at New Delhi.

File No. F.20 (06)2015/MP

1.0 BACKGROUND

1.1 Resident Commissioner, Government of Gujarat vide letters No. RC/Office/Land/2015/1609 dated 20.02.2015 & D.O. No. RC/Office/Land/2015/1747 dated 18.03.2015 had requested DDA to convey approval of change of land use from 'Residential' to 'Guest House' in respect of plot No. 25-B, Akbar, Road Delhi, allotted to Government of Gujarat for construction of its second guest house at New Delhi. Subsequently, MoUD vide letter No. K-13011/4/2015-DD-I dated 25.03.2015 enclosing therewith a copy of L&DO letter dated 19.03.2015 & letter dated 20.02.2015 from Resident Commissioner, Government of Gujarat had requested DDA for examination and taking necessary action for change of land use, as may be required.

1.2 Thereafter, MoUD vide letter no. K-13011/4/2015-DD-I dated 11.05.2015 requested DDA to provide categorical response whether change of land use for running a guest house on the subject plot, is required or not along with the provisions of MPD-2021 applicable in this case. In response to this letter, DDA in continuation to its earlier letter dated 06.04.2015 communicated the following planning observations on 16.06.2015:

- i. *"The plot under reference (i.e. 25-B, Akbar Road, New Delhi) falls within Lutyens' Bungalow Zone (LBZ), 1988 LBZ guidelines shall be applicable for any construction in LBZ.*
- ii. *As per SUB/CLAUSE 8(2) of MPD-2021 regarding Permission of Use Premises in Use Zones (As part of approval of layout plan or as a case of special permission from the Authority), Guest houses are permitted in Residential use zone. The same shall be put up to the Technical Committee and Authority for consideration and approval under this clause.*
- iii. *Any change in activities of use premises will require modification in layout plan and will be dealt by the local body i.e. New Delhi Municipal Corporation (NDMC) being the area is under jurisdiction of NDMC in this case."*

2.0 EXAMINATION

2.1 Government of Gujarat vide letter dated 20.02.2015 had stated that "MoUD (Land & Development Office), GOI has allotted a piece of land measuring 7,066 sq.m. at 25-B, Akbar Road, New Delhi to Government of Gujarat for construction of its Second Guest House at New Delhi. It is the condition in the L &DO allotment letter that the Government of Gujarat has to consult Delhi Development Authority for change of land use from

'Residential' to 'Guest House'. Government of Gujarat further requested DDA to convey its approval regarding change of land use from Residential' to 'Guest House'.

2.2 Land & Development office (L&DO) vide letter dated 02.01.2015 had allotted a piece of land measuring 7066 sqm. at 25-B, Akbar Road, New Delhi on 'as is where is basis' to the Government of Gujarat for construction of Second Guest House at New Delhi. (Location of the plot under reference is attached at Annexure-A)

2.3 The landuse of the plot under reference is 'Residential' as per MPD-2021.

2.4 MPD-2021 also provides for bungalow area the following:

"Lutyens Bungalow Zone comprises of large size plots and has a very pleasant green environment. The essential character of wide avenues, large plots, extensive landscape and low rise development, has a heritage value which has to be conserved. Mixed use, high intensity development along MRTS corridor and densification of trees / reduction of green cover is not permitted at all. The strategy for development in this zone will be as per the approved plans and the LBZ guidelines, as may be issued by the Government of India from time to time."

2.5 As per SUB/CLAUSE 8(2) of MPD-2021 regarding Permission of Use Premises in Use Zones (As part of approval of layout plan or as a case of special permission from the Authority), Guest houses are permitted in Residential use zone.

2.6 Presently, the site under reference (25-B, Akbar Road, New Delhi) is vacant. It was observed that there is one bungalow existing towards the South side and one modern building towards the Northern side. Also, this falls within Lutyens Bungalow Zone, 1988 LBZ guidelines shall be applicable for any construction in LBZ.

2.7 As per the L&DO allotment letter dated 02.01.2015 clause (xii) "since the area falls under LBZ, the construction should be as per LBZ guidelines. If the proposed building plan exceeds any of the provisions of LBZ guidelines issued vide letter D.O. No. K-13011/17/86-DD-11A dated 08.02.1988, Govt. of Gujarat will take necessary action to get the required relaxation from the Competent Authority (i.e.PMO)".

3.0 FOLLOW UP ACTION

The proposal was placed before the Technical Committee in its meeting held on 24.07.2015 vide Item No. 36/2015.

3.1 TECHNICAL COMMITTEE DECISION

The decision of the Technical Committee is reproduced as below:

*"The proposal was presented by Director (Plg.) Zone 'D'. After deliberation, the proposal contained in the para 3.0 of the agenda item was recommended by the Technical Committee, for forwarding to the Authority for consideration under MPD-2021 'Clause 8(2) Permission of use premises in Use Zones as a case of special permission from the Authority' and necessary modifications in the layout plan w.r.t use of premise/ plot as Guest House by NDMC."

2 (i) After decision of Technical Committee held on 24.07.2015, this was discussed with senior officers of Planning Department, a consensus view emerged that Authority members may also be briefed about the precedence regarding granting permission by Authority under Sub-Clause 8(2) of MPD-2021. In this regard, it is to submit that as per information available, this case is the first case in LBZ area to be processed under Sub-Clause 8(2) of MPD-2021. However, in the recent past, two change of land use cases within LBZ were processed on the basis of communication from MoUD, Gol' under Section 11A of DD Act, 1957 which are as follows:

- | | | |
|----------------------------------|--------------------------|---|
| i. 24, Tilak Marg,
New Delhi | : 2.58 acre
(1.04 ha) | : Public & Semi-public facilities to Government
Office |
| ii. Race Course
Road, 45m R/W | : 19668 sqm. | : Circulation/ Road to Residential (Official
Residence of the Prime Minister |

(ii) In respect of sub-clause 8(2) of MPD-2021, recently Authority had granted permission under this sub-clause 8(2) of MPD-2021 for expansion of Hospital beds and establishing medical college of Deen Dayal Upadhyaya Hospital, Hari Nagar, Zone-G.

4.0 PROPOSAL

The proposal is placed before the Authority for permission of 'Guest House' in Residential use zone under sub-clause 8(2) of MPD-2021. Once the Authority approves the proposal, the same will be referred to MoUD, Gol for requisite approval of Prime Minister Office (PMO). Thereafter, based on the approval, the modification in the layout plan will be taken up by the local body i.e New Delhi Municipal Council (NDMC) in this case.

5.0 RECOMMENDATION:

The proposal as given in para 4.0 above is placed before the Authority for its consideration.

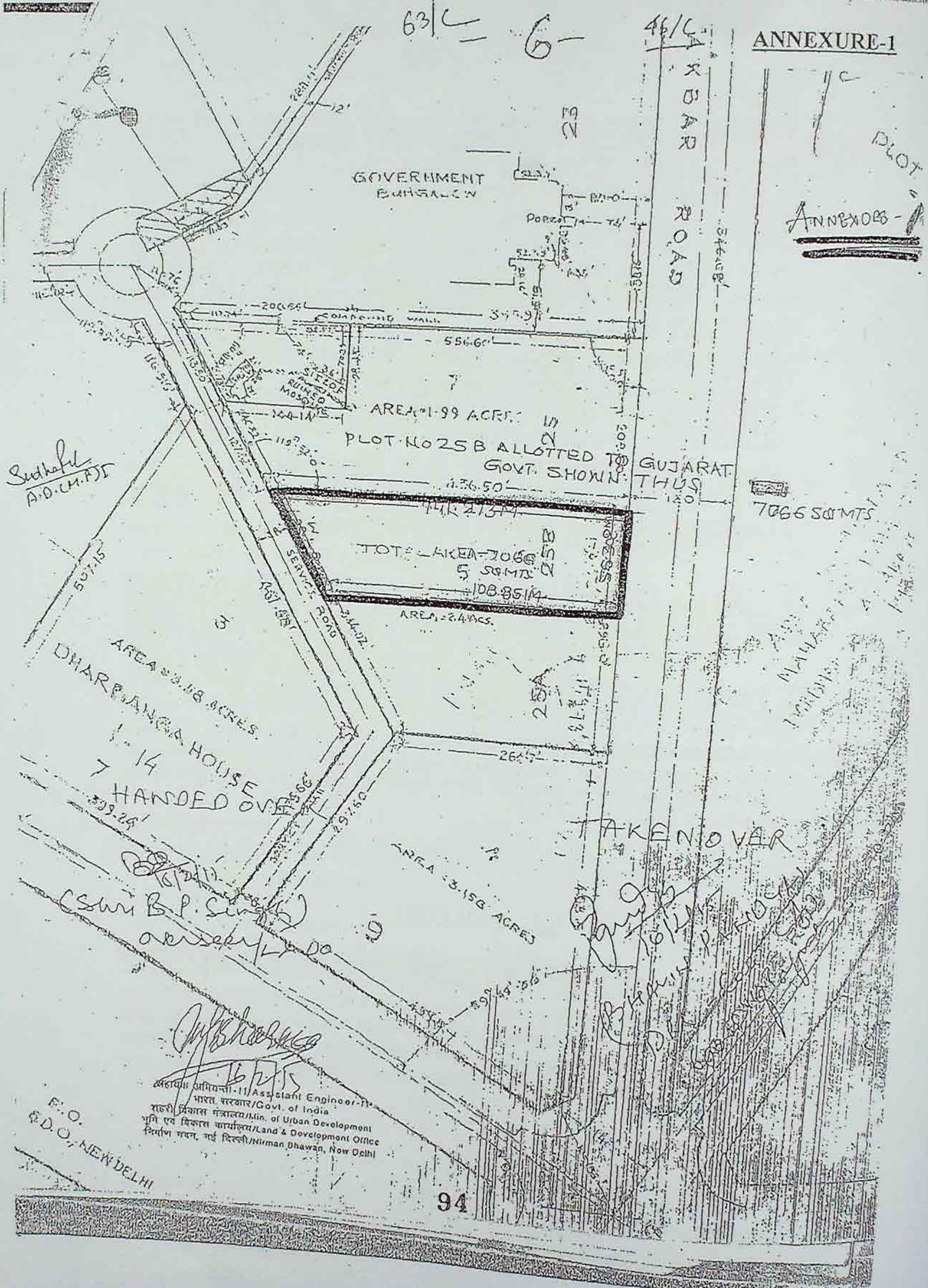
RESOLUTION

Proposal contained in the agenda item was approved on conditions stipulated at agenda item No. 95/2015.

63/C - 6 -

46/C

ANNEXURE-1



Sudhakar
A.D. (M.A.S.)

AREA = 3.18 ACRES
DWARAJANNA HOUSE
HANDLED OVER

(Smt B.P. Singh)
अनुराधा

[Handwritten Signature]

सहायक अभियन्ता-11/Assistant Engineer-11
भारत सरकार/Govt. of India
राष्ट्रीय विकास मंत्रालय/Min. of Urban Development
भूमि एवं विकास कार्यालय/Land & Development Office
निर्माण भवन, नई दिल्ली/Nirman Bhawan, New Delhi

F.O.
F.D.O. NEW DELHI

Item No. 103/2015

Sub: Proposed change of land use in respect of the area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning, Zone-D.

File No. F.3(68)2008/MP

1.0 BACKGROUND

- i. A letter D.O. No. D-11012/01/1998-Genl. dated 21.09.11 was received from Secretary, Ministry of Rural Development (MoRD), GoI for the construction of a dedicated office building for housing all the Departments/ organizations of the Ministry under one roof and requested DDA for the change of land use of the plot of land from 'Residential' to 'Government Office'.
- ii. MOUD vide letter No. K-13011/1/2012-DDIB dated 11.02.13 & letter No. K-13011/1/2012-DDIB dated 12.04.13 had directed DDA to process the change of land use of the said plot under Section 11A of DD Act appropriately.

2.0 EXAMINATION

- i. The site u/r (i.e Govt. land at Kasturba Gandhi Marg) falls in Planning, Zone-D and within Lutyens Bungalow Zone (LBZ).
- ii. The land use of the site u/r is 'Residential' as per MPD-2021.
- iii. Regarding entry/exit to the site, at present there is only one existing passage of 7-8 m wide approx. which is the only entry/exit point available to the premise (from Ravi Shankar Shukla Marg towards North side) which is not sufficient for an entry/ exit to a Government Office and may create hindrance at the time of emergency.
- iv. L&DO vide letter no. F.L-IIA/11(789)/Pt./301 dated 22.11.2013 has submitted a plan showing the approach road from canning road by land area of 600 sqm. (0.148 acres) has already been resumed from the plot of land allotted to Department of Revenue Pool Office Accommodation (GPOA) plot in the area as decided in the Technical Committee meeting held on 20.06.2013.
- v. Further, Delhi Traffic Police vide letter no. F.(34/14)/2765/TE(D-III)/Traffic dated 23.05.2014 had granted the permission from traffic point of view for construction of GPOA building at Curzon Road, New Delhi as decided in the Technical Committee meeting held on 22.04.2014.
- vi. As per MPD-2021, the Development Control Norms for the Government Office as per MPD-2021 is as under:

Category	Ground Coverage (%)	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Activities permitted
Integrated Office	30	200	NR, subject to approval	1.8	Government Offices, Watch And Ward Residence/

Complex			of AAI, Fire Department and other statutory bodies		Residential Maintenance Staff (Maximum 5% of FAR, Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)
---------	--	--	--	--	--

vii. MoUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information as sought by MOUD, GOI vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	Land is government and Land & Development Office (L & DO) is the land owning agency.
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	As per the request by Ministry of Rural Development, Government of India letter dated 21.09.2011 & MoUD letter dated 11.02.13 & dated 12.04.13 as stated in para 1.0 (i & ii) above.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Yes, the site under reference was inspected and following was observed: i. Presently, there is only one existing passage of 7-8 m wide approx. which is the only entry/exit point available to the premise (from Pt. Ravi Shankar Shukla Marg towards North side). ii. Also the office of Department of Women and Child Development, GNCTD & 11 KV Electric Sub-Station (ESS) of NDMC is functioning at the site.
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	Offices of Ministry of Rural Development, Ministry of Panchayati Raj & Ministry of Drinking Water Supply will be shifted to this building which are presently scattered.

5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/policies?	This change will be in consonance with Income Tax Bhawan office building which is adjacent to this building.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	The present premises will be utilized for official purpose and no adverse impact is anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	Not to our knowledge

3.0 FOLLOW UP ACTION

- i. On the basis of the requests received from MoUD vide letter dated 11.02.13 & 12.04.13, the proposal for the change of land use of an area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning, Zone-D was approved in the Authority in its meeting held on 26.06.2014 vide item No. 83/2014 as per Section 11A of DD Act, 1957. (Refer Annexure- 'A')
- ii. Public Notice dated 07.08.2014 was issued for inviting objections/ suggestions from the public (Annexure - 'B') and was also published in the four leading newspapers on 07.08.2014.
- iii. In response to the above public notice, no objections/suggestions were received, as no objections/ suggestions were received, no meeting of Board of Hearing and Enquiry was held.
- iv. Thereafter, the above said proposal for change of land use was put up to the Authority meeting held on 07.11.2014 vide item No. 158/2014. Following was decided in the Authority meeting:

"Since this building/site is located in Lutyens Bungalow Zone, as per the instructions issued by the Ministry of Urban Development in the year 1988, approval of Prime Minister's Office is required for change in land use. It was decided that DDA should write to Ministry of Rural Development, Govt. of India to first submit the site plan of the existing building and other details like FAR, ground coverage norms, photographs and copy of the proposed plans etc. for examination. Then the case that is processed by the Authority will be sent to the PMO for final approval.

The proposal contained in the agenda item was therefore not approved." (Refer Annexure-'C')
- v. As a follow up action of the decision of the Authority, a letter was sent to Ministry of Rural Development (MoRD), Government of India, Central Public Works Department (CPWD) and Ministry of Urban Development (MoUD) on 05.12.2014 & 29.01.2015 indicating the above mentioned decision of the Authority meeting. Further, a letter dated 29.05.2015 was again sent to CPWD & MoRD in which it has been clearly stated

6/13/c

5.0 PROPOSAL

As a follow up action of the Authority Meeting held on 07.11.2014, CPWD has sent desired information/documents with respect to site plan of the existing building and other details like FAR, ground coverage etc. of the proposed building which is placed before the Authority for its consideration for final notification as per the Section 11-A of Delhi Development Act, 1957. After the approval from the Authority the proposal will be referred to MoUD, GoI for requisite approval of Prime Minister Office (PMO).
The boundary description of the above referred proposal of change of land use is given below:

Location	Area	Land use (MPD-2021)	Land use Changed to	Boundaries
1	2	3	4	5
Dedicated Office building at Curzon Road, Kasturba Gandhi Marg, New Delhi in Planning, Zone-D	1.40 ha. (3.462 acres)	'Residential'	'Government (Government Office)'	North: Pt. Ravi Shankar Shukla Marg South: Vacant land allotted to Deptt. of Revenue & 24 m wide R/W Canning Road East: Asia House West: Lady Irwin School

6.0 RECOMMENDATION

The proposal in para 5.0 above is placed before the Authority for its consideration for final notification as per the Section 11-A of Delhi Development Act, 1957.

RESOLUTION

Proposal contained in the agenda item was approved on conditions stipulated at agenda item No. 95/2015.

26/6/2014

ANNEXURE-A

Item No. 83/2014

26.6.2014

Sub: Proposed change of land use in respect of the area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning, Zone-D.

File No. F.3 (68)2008/MP

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

1.0 BACKGROUND

- i. A letter D.O.No. D-11012/01/1998-Genl. Dated 21.09.11 was received from Secretary, Ministry of Rural Development (MORD), GOI for the construction of a dedicated office building for housing all the Departments/ organizations of the Ministry under one roof and requested DDA for the change of land use of the plot of land from 'Residential' to 'Govt. Office'.
- ii. MOUD vide letter No. K-13011/1/2012-DDIB dated 11.02.13 & letter No. K-13011/1/2012-DDIB dated 12.04.13 has directed DDA to process the change of land use under Section.11A of DD Act appropriately.
- iii. L & DO vide letter F. No. L-IIA/11(789)Pt./115 dated 08.04.13 has requested DDA to take action for the change of land use for area measuring 3.462 acres instead of 3.61 acres at Curzon Road barracks in K.G. Marg.

2.0 EXAMINATION/ FOLLOW UP ACTION

2.1 Technical Committee Decision:

On the basis of the request received from MOUD vide letter No. K-13011/1/2012-DDIB dated 11.02.13 & letter No. K-13011/1/2012-DDIB dated 12.04.13 and L & DO vide letter F. No. L-IIA/11(789)Pt./115 dated 08.04.13, the proposed change of land use of an area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning, Zone-D was discussed in the 6th Technical Committee meeting held on 22.04.2014 vide item No. 21/2014 and the decision of the Technical Committee meeting is reproduced as follows:

Contd.....

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K

"The proposal was presented by Director (Plg.), Zone-D. After detailed deliberation, the Technical Committee agreed to recommend the proposal for further processing of the change of land use for the land measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi falling in Planning, Zone-D, under section 11-A of DD Act by the Authority and MaUD subject to the clearance from Traffic Police regarding movement of vehicles (Entry & Exit) to the proposed building."

The Technical Committee agenda and decision with location plan is placed at Annexure 'A'.

3.0 PROPOSAL

As recommended by the Technical Committee, the following proposed change of land use in respect of the area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government (Government Office)' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi falling in Planning, Zone-D is put up for consideration of the Authority in order to process further as per Section 11 A of Delhi Development Act, 1957.

The Boundary description is as given below:

Location	Area	Land use (MPD-2021)	Land use Changed to	Boundaries
1	2	3	4	5
Dedicated Office building at Curzon Road, Kasturba Gandhi Marg, New Delhi in Planning, Zone-D	1.40 ha. (3.462 acres)	'Residential'	'Government (Government Office)'	North: Pt. Ravi Shankar Shukla Marg South: Vacant land allotted to Deptt. of Revenue & 24 m wide R/W Canning Road East: Asia House West: Lady Irwin School

केवल कार्यालय प्रयोग हेतु
1-1-1977

RESOLUTION

Proposal contained in the agenda item was approved by the Authority.

with
19/7/14
सहायक निदेशक
शेडक कबल दि. वि. प्र.

Minutes of the Technical Committee Meeting
Held on 22.4.2014 - 608/c
ANNEXURE A

AGENDA FOR THE TECHNICAL COMMITTEE MEETING

Sub: Proposed change of land use in respect of the area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi falling in Planning Zone-D.

File No. F.3 (68)2008/MP

1.0 Background.

- i. A letter D.O.No. D-11012/01/1998-Genl. Dated 21.09.11 was received from Secretary, Ministry of Rural Development (MORD), GOI for the construction of a dedicated office building for housing all the Departments/ organizations of the Ministry under one roof and requested DDA for the change of land use of the plot of land from 'Residential' to 'Govt. Office'.
- ii. The matter regarding the proposed change of land use of the plot at K.G. Marg from 'Residential' to 'Government Offices' was discussed in various meetings held on 17.02.12 in the Ministry of Rural Development, Krishi Bhawan, GOI & 23.07.12 in Ministry of Urban Development, Nirman Bhawan, GOI.
- iii. MOUD vide letter No. K-13011/1/2012-DDIB dated 11.07.13 & letter No. K-13011/1/2012-DDIB dated 12.04.13 has directed DDA to process the change of land use under Section 11A of DD Act appropriately.
- iv. L & DO vide letter F. No. L-IIA/11(789)Pt./115 dated 08.04.13 has requested DDA to take action for the change of land use for area measuring 3.462 acres instead of 3.61 acres at Curzon Road barracks in K.G. Marg.
- v. The item was placed before the Technical Committee in its meeting held on 20.06.2013. After detail deliberation the Technical Committee decided the following:

"It was observed by technical Committee that the existing passage of 7 mt. - 8mt. wide is only entry /existing point available to the premise which is not sufficient and may create hindrance at the time of emergency. A proper road R/W of 18 mt. may be provided for the site. The technical committee opined that in the first instance CPWD & L&DO to find out alternative approach road to the site and also consult Delhi Traffic Police in this regard. The site to be clear of all encumbrances before being forwarded to DDA for processing of Change of Land Use."

केवल कार्यालय प्रयोग के
FOR OFFICE USE C

307/c
377/c

366/c

submitted a plan showing an additional approach road from Canning Road by taking 0.148 acres (0.059 ha.) and has resolved the issue of entry & exit to the site. However, the L&DO/CPWD has not taken up the issue of circulation of area with the Delhi Traffic Police.

2.0 Examination.

- i. The site u/r (i.e Govt. land at Kasturba Gandhi Marg) falls in Planning Zone-D and within Lutyens Bungalow Zone (LBZ)
- ii. The land use of the site u/r is 'Residential' as per the approved Zonal Development Plan of Zone 'D' prepared under MPD-2001 & MPD-2021
- iii. Entry/Exit to the site: Presently, there is only one existing passage of 7-8 m wide approx. which is the only entry/exit point available to the premise (from Ravi Shankar Shukla Marg towards North side) which is not sufficient for an entry/exit to a Government Office and may create hindrance at the time of emergency. L&DO vide letter No. F.L-IIA/11(789)/Pt./301 Dated 22 November, 2013 has submitted a plan showing an additional approach road from Canning Road by taking 0.148 acres (0.059 ha.) and has resolved the issue of entry & exit to the site. However, the L&DO/CPWD has not taken up the issue of circulation of area with the Delhi Traffic Police.
- iv. As per MPD-2021, the Development Control Norms for the Government Office as per MDP-2021 area is under:

Item No. 21/204
S. D. C. M. P. I.

Category	Ground Coverage	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Activities permitted
Integrated Office Complex	30	200	NR, subject to approval of AAI, Fire Department and other statutory bodies	1.8	Government Offices, Watch and Ward Residence/ Residential Maintenance Staff (Maximum 5% of FAR, Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

3.0 Entry/Exit to the site: Presently, there is only one existing passage of 7-8 m wide approx. which is the only entry/exit point available to the premise (from Ravi Shankar Shukla Marg towards North side) which is not sufficient for an entry/exit to a Government Office and may create hindrance at the time of emergency. L&DO vide letter No. F.L-IIA/11(789)/Pt./301 Dated 22 November, 2013 has submitted a plan showing an additional approach road from Canning Road by

Contd.....

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365/C
13/7/14
606/C

resolved the issue of entry & exit to the site. However, the L&DO/CPWD has not taken up the issue of circulation of area with the Delhi Traffic Police

4.0 Proposal: Change of land use

- vii. As communicated by MOUD vide letter dated 11.02.13 & 12.04.13, the land use in respect of the area measuring about 1.40 ha. (3.462 acres) proposed for the dedicated office building at Curzon Road, K.G.Marg may be changed from 'Residential' to 'Govt. Office' under Section 11A of DD Act, 1957. The boundary description of the same is as under:
(Refer location map at Annexure 'A').

Location	Area	Land use (MPD-2021)	Land use Changed to	Boundaries
1	2	3	4	5
Dedicated Office building at Curzon Road, Kasturba Gandhi Marg, New Delhi in Planning, Zone-D	1.40 ha. (3.462 acres)	'Residential'	'Government (Government Office)'	North: Pt. Ravi Shankar Shukla Marg South: Vacant land allotted to Deptt. of Revenue & 24 m wide B/W. Canning Road East: Asia House West: Lady Irwin School

No. 21/2014
D.(M.P.) I

5.0 Recommendation

Following proposal may be considered by the Technical Committee:

- i. The Entry/Exit aspect has been resolved by L&DO by providing a second entry from the Canning Road by adjusting land of 0.148 acres (0.059 ha.) allotted to Ministry of Finance.
- ii. The proposed change of land use as given in para 4.0 may be considered.

DECISION

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

The proposal was presented by Director (P/g) Zone- D. After detailed deliberation, the Technical Committee agreed to recommend the proposal for further processing of Change of Land Use for the Land measuring 1.40 Ha (3.462 acres) from 'Residential' to 'Government office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi falling in Planning Zone - D, under section 11-A of DD Act by the Authority and MoUD subject to the clearance from Traffic Police regarding movement of vehicles (Entry & Exist) to the proposed building.

DELHI DEVELOPMENT AUTHORITY
MAJOR PLAN SECTION
VERIFIED
This Proposal was Considered in the 6th Technical Committee Meeting held on 22.04.2014. Vide Item No. 21/2014. Sd/- 20.04.2014. 107 Director

Action: Chief Architect, CPWD,
Director (P/g), Zone - 'D'

365/C
375/C



DELHI
DEVELOPMENT
AUTHORITY

PROPOSED CHANGE OF LAND USE OF AN AREA DESIGNATED AS 'C' (CLASS 'C') FROM RESIDENTIAL TO GOVERNMENT OFFICE AT LOCATION ALSO KNOWN AS GANDHI MARG, NEW DELHI FOR THE PROPOSED OFFICE OF THE DIRECTOR IN ADMINISTRATIVE CONTROL

HOSTEL: MEA HOSTEL
ROUTE: VACANT LAND ALLOTTED TO DEPARTMENT OF REVENUE AND THE MCD, NEW DELHI
LAST: AIR MOUNT
TEST: WEST - FROM JODHA

FILE NO. F-2834/2012

LOCATION
MAP

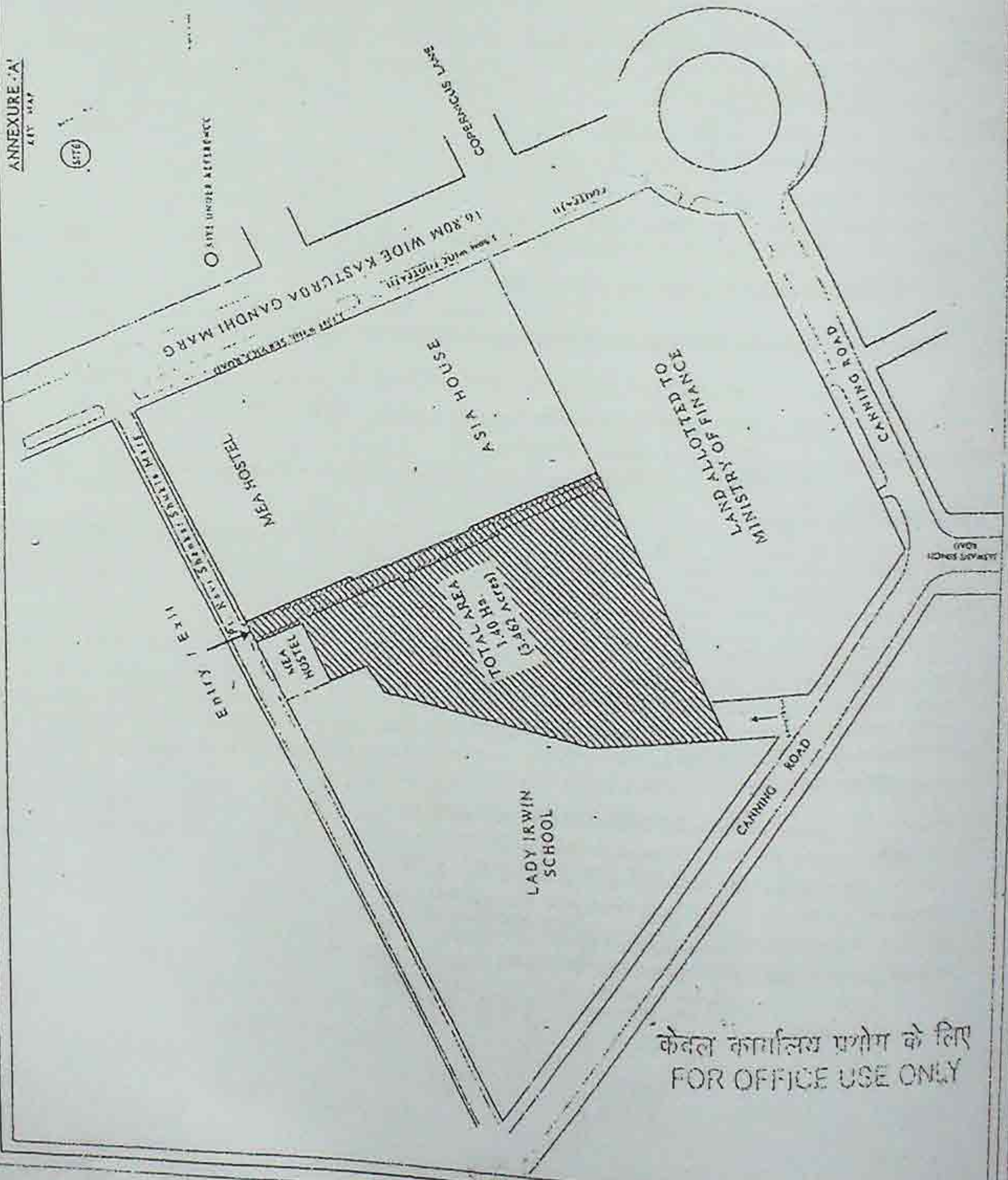
SCALE: 1:10000 SCALE



DATED
25.04.2012

ZONE 'D' UNIT

ANNEXURE 'A'
KEY MAP



केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

604/c 29/1

ANNEXURE-B

विशेष सं. डी. एन.-33004/99

REGD. NO. D. L.-33004/99


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1577]

नई दिल्ली, बृहस्पतिवार, अगस्त 7, 2014/श्रावण 16, 1936

No. 1577]

NEW DELHI, THURSDAY, AUGUST 7, 2014/SRAVANA 16, 1936

दिल्ली विकास प्राधिकरण

(मुख्य योजना अनुभाग)

सार्वजनिक सूचना

नई दिल्ली, 7 अगस्त, 2014

का.आ. 2007(अ).—दिल्ली विकास प्राधिकरण/केन्द्र सरकार का दिल्ली विकास अधिनियम, 1957 की धारा 11-क के अंतर्गत मुख्य योजना/जोन 'डी' की क्षेत्रीय विकास योजना में निम्नलिखित संशोधन करने का प्रस्ताव है, जिसे जनता की जानकारी के लिए एतद्वारा प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो अथवा कोई सुझाव देना हो, तो वे अपनी आपत्ति/सुझाव इस सूचना के जारी होने की तिथि से तीस दिनों की अवधि के अंदर आयुक्त एवं सचिव, दिल्ली विकास प्राधिकरण, बी ब्लॉक, विकास सदन, नई दिल्ली-110023 को लिखित रूप में भेज सकते हैं। आपत्ति करने अथवा सुझाव देने वाले व्यक्ति अपना नाम और पते के साथ फोन नम्बर, फैक्स नम्बर, मोबाइल नम्बर और ई-मेल आई.डी. भी दें।

संशोधन :

अवस्थिति	क्षेत्रफल	भूमि उपयोग (दि.मु.यो.-2021)	भूमि उपयोग निम्नलिखित में परिवर्तित	सीमाएं
1	2	3	4	5
योजना क्षेत्र 'डी' में कर्जन रोड, कस्तूरबा गांधी मार्ग, नई दिल्ली में समर्पित कार्यालय भवन (डेडीकेटिड ऑफिस बिल्डिंग)	1.40 हेक्टेयर (3.462 एकड़)	'आवासीय'	'सरकारी (सरकारी कार्यालय)'	उत्तर : पंडित रवि शंकर शुक्ला मार्ग दक्षिण : राजस्व विभाग को आवंटित खाली भूमि एवं 24 मीटर चौड़ा मार्गाधिकार कॅनिंग रोड पूर्व : एशिया हाऊस पश्चिम : लेडी इर्विन स्कूल

2 प्रस्तावित संशोधन को दर्शाने वाला नक्शा निरीक्षण के लिए उपर्युक्त अवधि के दौरान सभी कार्य-दिवसों को उप निदेशक (मुख्य योजना) कार्यालय, दिल्ली विकास प्राधिकरण, छठी मंजिल, विकास मीनार, आई.पी.एस्टेट, नई दिल्ली में उपलब्ध रहेगा।

[फा. सं. एफ. 3(68)2008/एम.पी.]
 बृजेश कुमार मिश्रा, आयुक्त एवं सचिव

29/8

603/C

DELHI DEVELOPMENT AUTHORITY

(Master Plan Section)

PUBLIC NOTICE

New Delhi, the 7th August, 2014

S.O. 2007(E).—The following modification which the Delhi Development Authority/Central Government proposes to make to the Master Plan/Zonal Development Plan of Zone 'D' under section 11-A of DD Act, 1957 is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection/suggestion in writing to the Commissioner-cum-Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi-110023 within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his/her name and address in addition to phone no., fax no., mobile no. and e-mail ID.

Modification:

Location	Area	Land use (MPD-2021)	Land use Changed to	Boundaries
1	2	3	4	5
Dedicated Office building at Curzon Road, Kasturba Gandhi Marg, New Delhi in Planning, Zone-D	1.40 ha. (3.462 acres)	'Residential'	'Government (Government Office)'	North: Pt. Ravi Shankar Shukla Marg South: Vacant land allotted to Deptt. of Revenue and 24 m wide R/W Canning Road East: Asia House West: Lady Irwin School

2. The plan indicating the proposed modification is available for inspection at the office of Deputy Director (MP), Delhi Development Authority, 6th Floor, Vikas Minar, I.P. Estate, New Delhi on all working days during the period referred above.

[F. No.F.3(68)2008/MP]
BRIJESH KUMAR MISHRA, Commissioner-cum-Secy.

602/c

435/c

ANNEXURE-C

ITEM NO. 158/2014

7.11.2014

Sub: Proposed change of land use in respect of the area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning, Zone-D.

File No. F.3 (68)2008/MP

केवल कार्यालय उपयोग के लिए
FOR OFFICE USE ONLY

1.0 BACKGROUND

- i. A letter D.O. No. D-11012/01/1998-Genl. Dated 21.09.11 was received from Secretary, Ministry of Rural Development (MORD), GOI for the construction of a dedicated office building for housing all the Departments/ organizations of the Ministry under one roof and requested DDA for the change of land use of the plot of land from 'Residential' to 'Govt. Office'.
- ii. MOUD vide letter No. K-13011/1/2012-DDIB dated 11.02.13 & letter No. K-13011/1/2012-DDIB dated 12.04.13 had directed DDA to process the change of land use of the said plot under Section 11A of DD Act appropriately.

2.0 FOLLOW UP ACTION

- 2.1 On the basis of the requests received from MOUD vide letter dated 11.02.13 & 12.04.13, the proposal for the change of land use of an area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning, Zone-D was put up in the Authority in its meeting held on 26.06.2014 as per Section 11A of DD Act, 1957 (Location Plan at Annexure 'A').
- 2.2 The proposal was approved by the Authority in its meeting held on 26.06.2014 vide Item No. 83/2014.
- 2.3 Accordingly, public notice dated 07.08.2014 was issued for inviting objections/ suggestions from the public (Annexure 'B') and was also published in the four leading newspapers on 07.08.2014.
- 2.4 In response to the above public notice dated 07.08.2014, no objections/ suggestions have been received.
- 2.5 Since no objections/ suggestions have been received in this regard, the meeting of Board of Hearing and Enquiry shall not be required.

Contd.....

601/c 429/1

3.0 PROPOSAL

In view of the public notice dated 07.08.2014 and since no objections/ suggestions have been received, the following proposed change of land use is placed before the Authority for its consideration, in order to process the change of land use further as per section 11-A of Delhi Development Act 1957:

The Boundary description is as given below:

Location	Area	Land use (MPD-2021)	Land use Changed to	Boundaries
1	2	3	4	5
Dedicated Office building at Curzon Road, Kasturba Gandhi Marg, New Delhi in Planning, Zone-D	1.40 ha. (3.462 acres)	'Residential'	'Government (Government Office)'	North: Pt. Ravi Shankar Shukla Marg South: Vacant land allotted to Deptt. of Revenue & 24 m wide R/W Canning Road East: Asia House West: Lady Irwin School

RESOLUTION

Since this building/site is located in Lutyens Bungalow Zone, as per the instructions issued by the Ministry of Urban Development in the year 1988, approval of Prime Minister's Office is required for change in land use. It was decided that DDA should write to Ministry of Rural Development, Govt. of India to first submit the site plan of the existing building and other details like FAR, ground coverage norms, photographs and copy of the proposed plans etc. for examination. Then the case that is processed by the Authority will be sent to the PMO for final approval.

The proposal contained in the agenda item was therefore not approved.

Signature
 Name
 Designation

600k
800k
428
ANNEXURE



DELHI
DEVELOPMENT
AUTHORITY

PROPOSED CHANGE OF ZONING
AREA MEASURING 1.40 HA. (3.42 ACRES)
FROM RESIDENTIAL TO OFFICE
OFFICES AT CURTAIN ROAD, NEAR
DARSHI PARK, NEW DELHI FOR THE
PROPOSED DEDICATED OFFICE BUILDING
IN PLANNING ZONE 'D'

NORTH -
SOUTH -
EAST -
WEST -

P. BAYI SHARDA SHUKLA
LADY
VICARIT LAND ALLOTTED TO
DEPARTMENT OF REVENUE
AND JMW WIDE ERM CANNING
ROAD
ASIA HOUSE
LADY IRWIN SCHOOL

FILE NO: F. 1/2012/2012

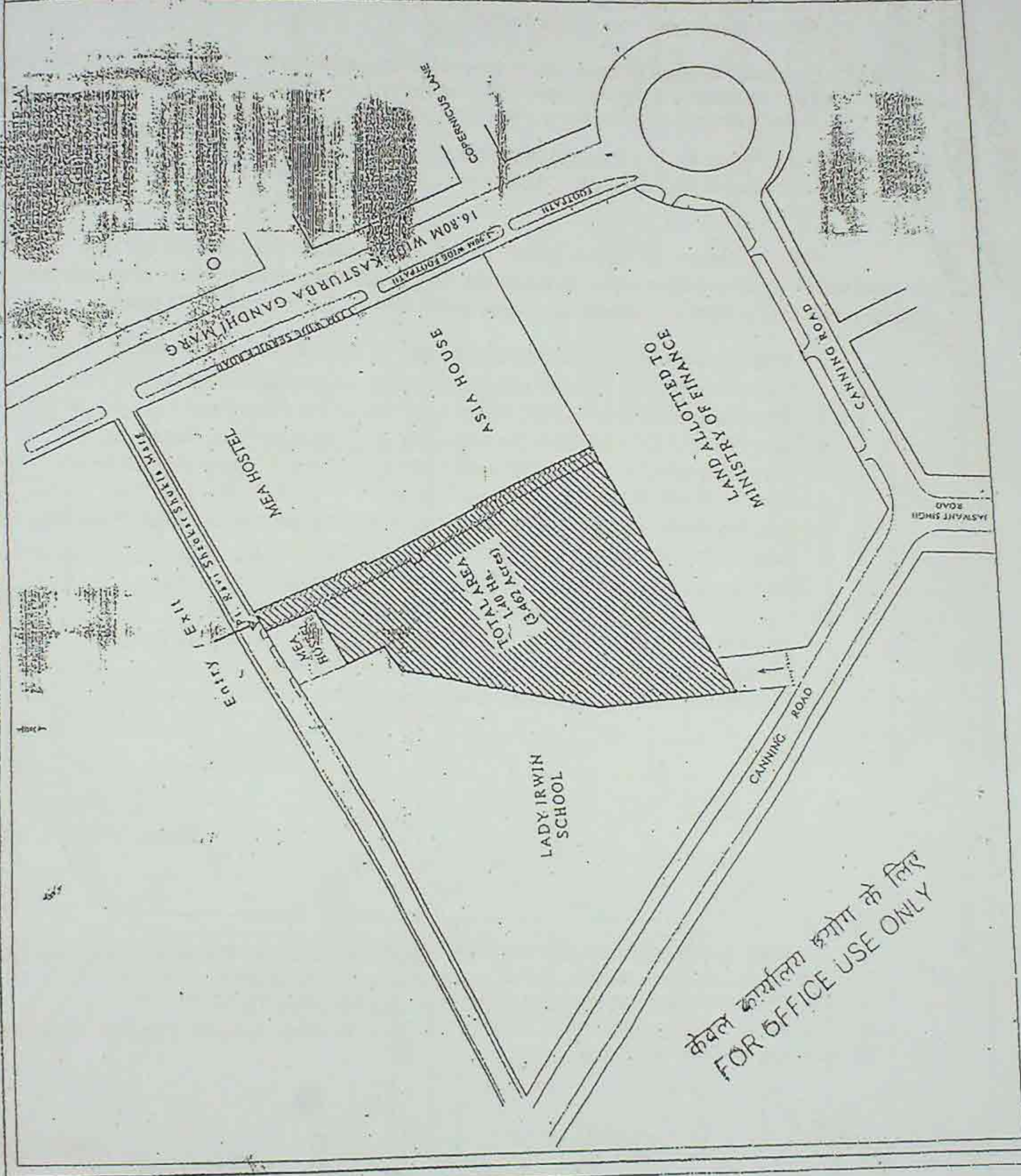
LOCATION
MAP

SCALE: NOT TO SCALE



DATED
25.04.2012

ZONE 'D' UNIT



केवल कार्यालय इयोग के लिए
FOR OFFICE USE ONLY



520

भारत सरकार
परियोजना प्रबंधक

विकास परियोजना परिमंडल, के०लो०नि०वि०,

कमरा संख्या बी-312, आई०पी० भवन, नई दिल्ली- 1100

दूरभाष संख्या : 011-23379041, फैक्स संख्या : 011-233790



ANNEXURE-D

F.No. 23(37)/DPC/2014-15/927

Daed:- 04.08.2015.

To,

The Director (Planning), MP
DDA, Vikas Minar, New Delhi-110002.

39/19
5/8/15

SUB: Proposed change of land use in respect of the area measuring 1.40 HA. (3.462 acres) from residential to government office proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi falling in planning zone-D.

REF: 1. Your letter No.F.3 (68)/2008/MP/289-G, dated 11.12.2014.
2. Your letter No.F.3 (68)/2008/MP/107-G, dated 29.05.2015.

Diary No. 1047
Date 5/8/15

With reference to above letter, the required details for change of land use from residential to government office is enclosed. The matter has already been over delayed. You are requested to take immediate necessary action for sending case to PMO please.

- | | |
|--|---------------------------------|
| 1. Dwg.No.SA(NDR)-2/120/102/comp 13/6772 | Layout Plan (Proposed plan) |
| 2. Dwg.No.SA(NDR)-2/120/102/comp 13/6764 | Ground Floor Plan |
| 3. Dwg.No.SA(NDR)-2/120/102/comp 13/6765 | First Floor Plan |
| 4. Dwg.No.SA(NDR)-2/120/102/comp 13/6766 | Second Floor Plan |
| 5. Dwg.No.SA(NDR)-2/120/102/comp 13/6767 | Third & Fourth Floor Plan |
| 6. Dwg.No.SA(NDR)-2/120/102/comp 13/6768 | Fifth & Sixth Floor Plan |
| 7. Dwg.No.SA(NDR)-2/120/102/comp 13/6769 | Seven, Eight & Ninth Floor Plan |
| 8. Dwg.No.SA(NDR)-2/120/102/comp 13/6770 | Tenth Floor Plan |
| 9. Dwg.No.SA(NDR)-2/120/102/comp 13/6771 | Eleventh Floor Plan |
| 10. Dwg.No.SA(NDR)-2/120/102/comp 13/6805 | Front Elevation |
| 11. Dwg.No.SA(NDR)-2/120/102/comp 13/6806 | Right Hand Side Elevation |
| 12. Site photographs | |
| 13. The existing building has been demolished. | 4 Nos. (Four) |

Encl:-As above.

4/8/15

परियोजना प्रबंधक
विकास परियोजना परिमंडल

प्रतिलिपि:-

1. The Joint Secretary, Room No.362, M/o Rural Development, Krishi Bhawan, New Delhi.
2. The Chief Engineer, NDZ-II, CPWD, Vidyut Bhawan, New Delhi.
3. The Chief Architect (NDR), CPWD, Nirman Bhawan, New Delhi.
4. The Senior Architect (NDR)-II, CPWD, 9th Floor, R-Wing, Janpath Bhawan, New Delhi for pursuing till PMO approval.

(MP)

05/08/15

05/08/15

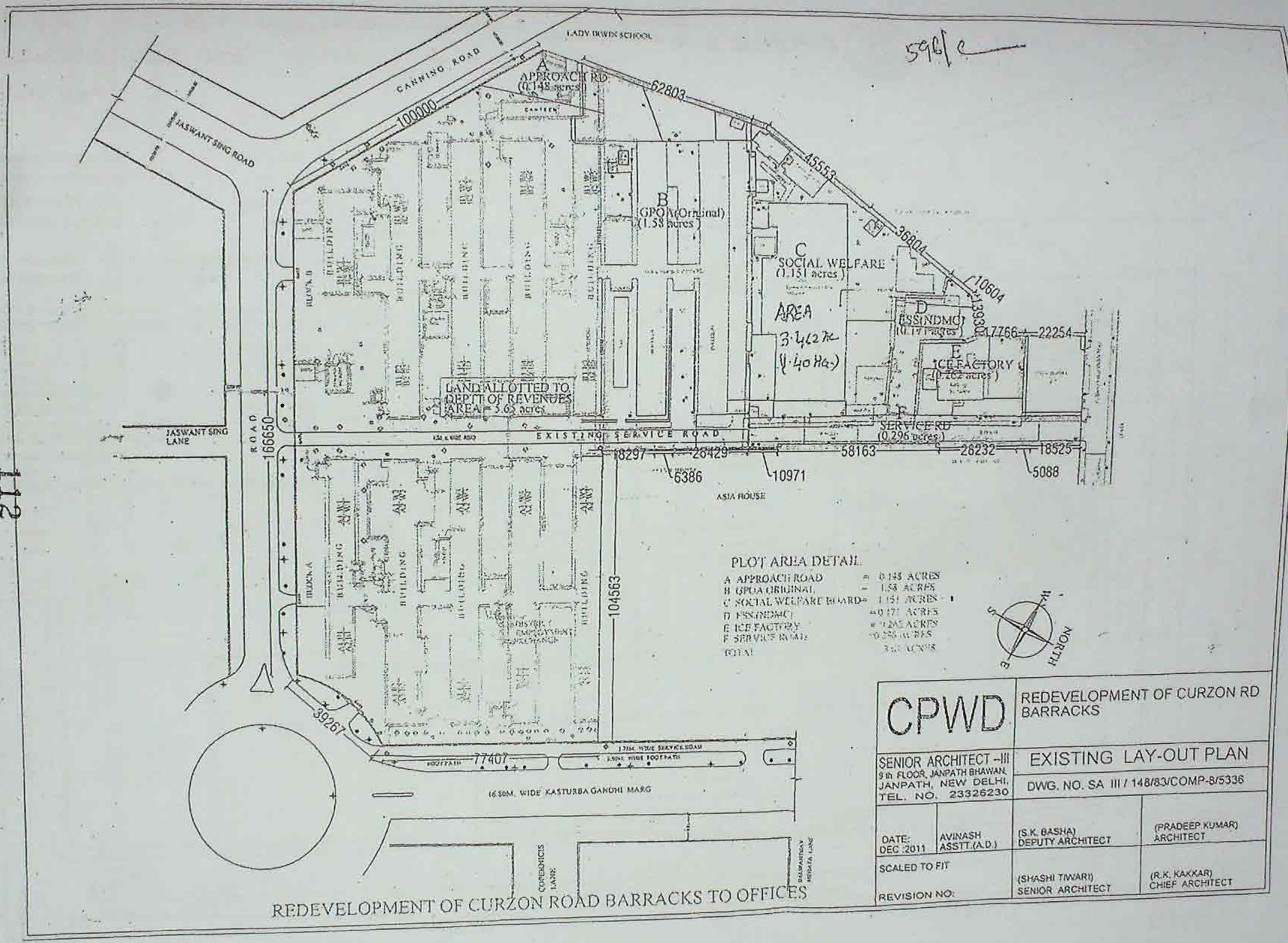
AD (MP) I
UT 2

Sudhakar 16/8/2015

परियोजना प्रबंधक

596/c

112



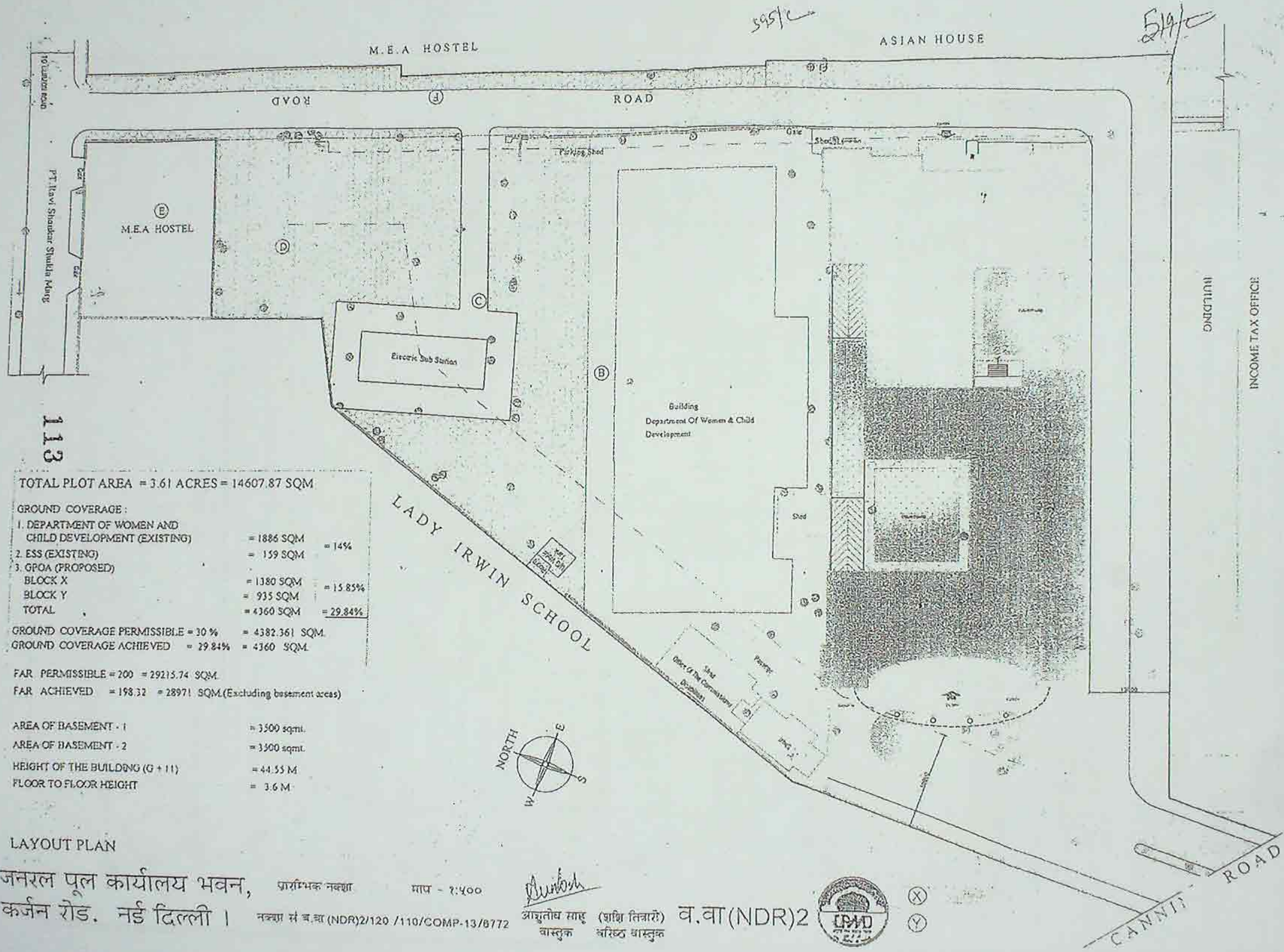
PLOT AREA DETAIL

A APPROACH ROAD	= 0.148 ACRES
B GPOA ORIGINAL	= 1.58 ACRES
C SOCIAL WELFARE BOARD	= 1.151 ACRES
D FSSINDMO	= 0.177 ACRES
E ICE FACTORY	= 0.202 ACRES
F SERVICE ROAD	= 0.296 ACRES
TOTAL	3.554 ACRES



REDEVELOPMENT OF CURZON ROAD BARRACKS TO OFFICES

CPWD		REDEVELOPMENT OF CURZON RD BARRACKS	
SENIOR ARCHITECT -III 9th FLOOR, JANPATH BHAWAN, JANPATH, NEW DELHI, TEL. NO. 23326230		EXISTING LAY-OUT PLAN DWG. NO. SA III / 148/83/COMP-8/5336	
DATE: DEC. 2011	AVINASH ASSIT.(A.D.)	(S.K. BASHA) DEPUTY ARCHITECT	(PRADEEP KUMAR) ARCHITECT
SCALED TO FIT		(SHASHI TWARI) SENIOR ARCHITECT	(R.K. KAKKAR) CHIEF ARCHITECT
REVISION NO:			



113

TOTAL PLOT AREA = 3.61 ACRES = 14607.87 SQM

GROUND COVERAGE:

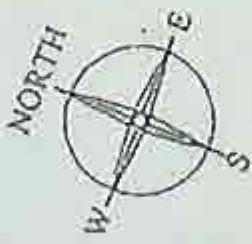
1. DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT (EXISTING)	= 1886 SQM	= 14%
2. ESS (EXISTING)	= 159 SQM	
3. GPOA (PROPOSED)		
BLOCK X	= 1380 SQM	= 15.85%
BLOCK Y	= 935 SQM	
TOTAL	= 4360 SQM	= 29.84%

GROUND COVERAGE PERMISSIBLE = 30% = 4382.361 SQM.
GROUND COVERAGE ACHIEVED = 29.84% = 4360 SQM.

FAR PERMISSIBLE = 200 = 29215.74 SQM.
FAR ACHIEVED = 198.32 = 28971 SQM. (Excluding basement areas)

AREA OF BASEMENT - 1 = 3500 sqm.
AREA OF BASEMENT - 2 = 3500 sqm.
HEIGHT OF THE BUILDING (G + 11) = 44.55 M
FLOOR TO FLOOR HEIGHT = 3.6 M

LADY IRWIN SCHOOL



LAYOUT PLAN

जनरल पूल कार्यालय भवन,
कर्जन रोड, नई दिल्ली।

पारम्भिक नक्शा
माप - १:५००
नक्शा सं. वा. (NDR) 2/120 /110/COMP-13/8772

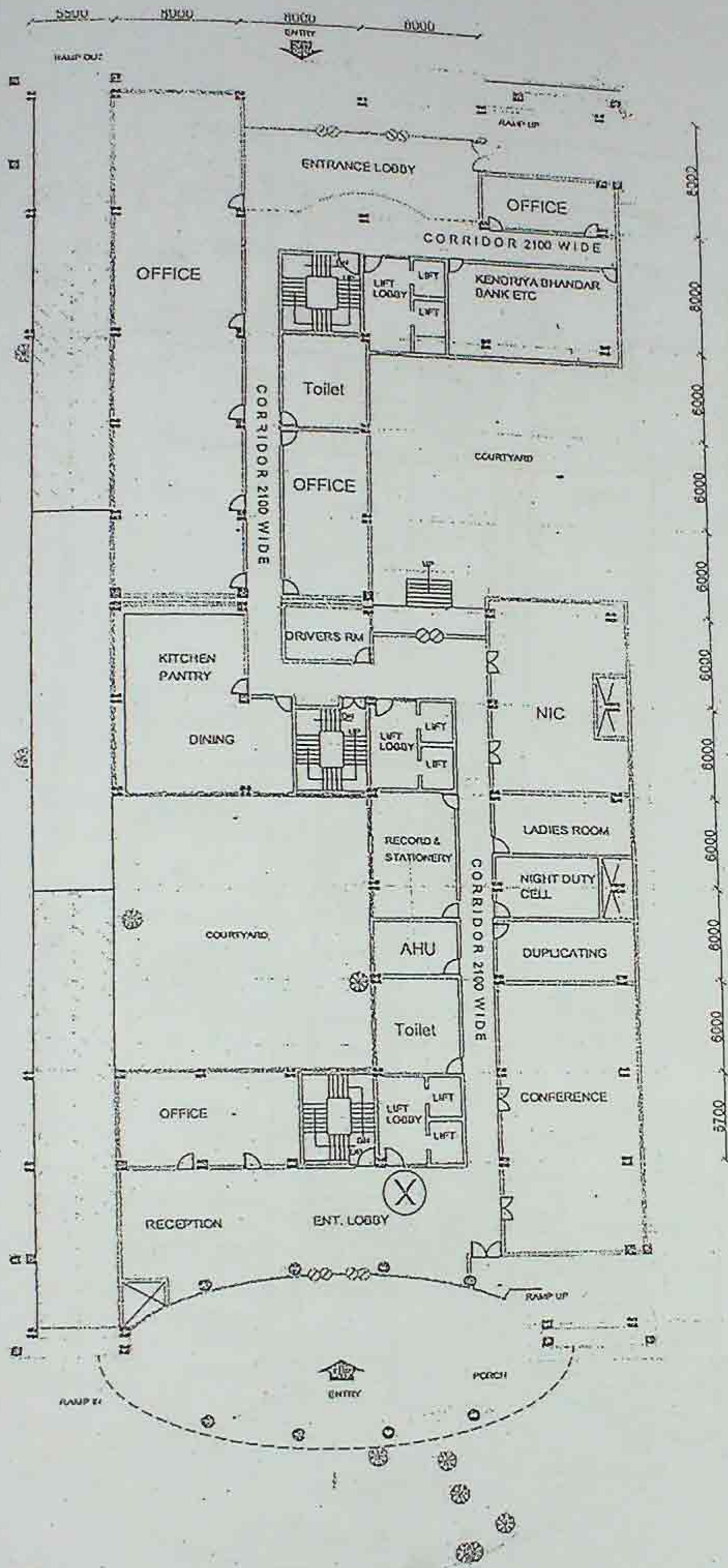
Arundh
आरुणतोष साह (अग्नि तंत्रारे)
वास्तुक बरिष्ठ वास्तुक

व.वा(NDR)2



⊗
⊙

CANNIT ROAD



sample

Handwritten signature/initials

GROUND FLOOR PLAN

जनरल पूल कार्यालय भवन,
कर्जन रोड, नई दिल्ली ।

प्रारम्भिक नक्शा

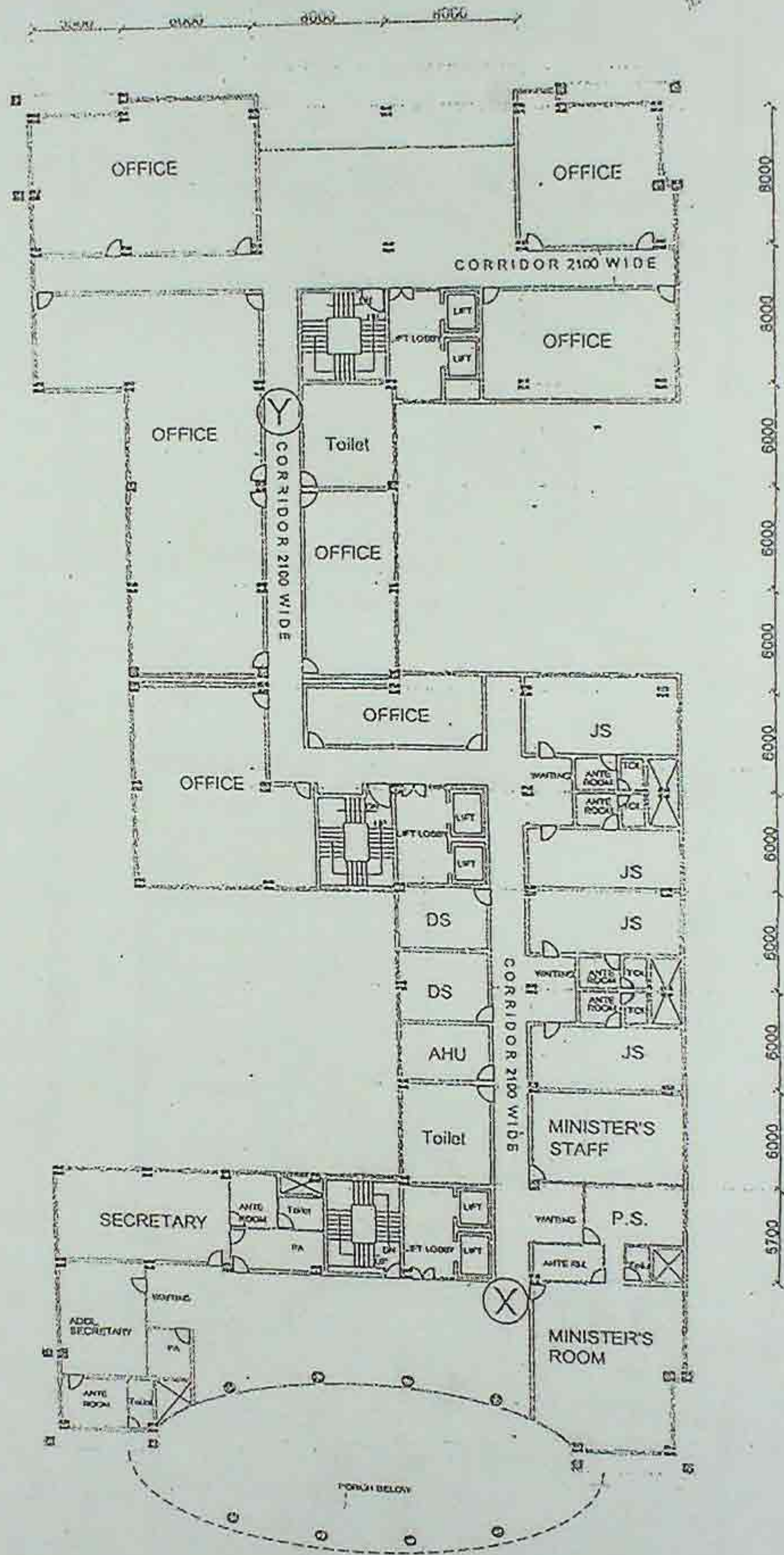
माप - १:३००

नक्शा सं व.वा (NDR) 2/120 /102/COMP-13/6764

Deemoh
आशुतोष साह (शशि तिवारी)
वास्तुक वरिष्ठ वास्तुक

व.वा (NDR) 2





FIRST FLOOR PLAN

जनरल पूल कार्यालय भवन,
कर्जन रोड, नई दिल्ली।

पारिभाषिक संख्या

माप - १:३००

संख्या सं व.वा (NDR) 2/120 /103/COMP-13/6765

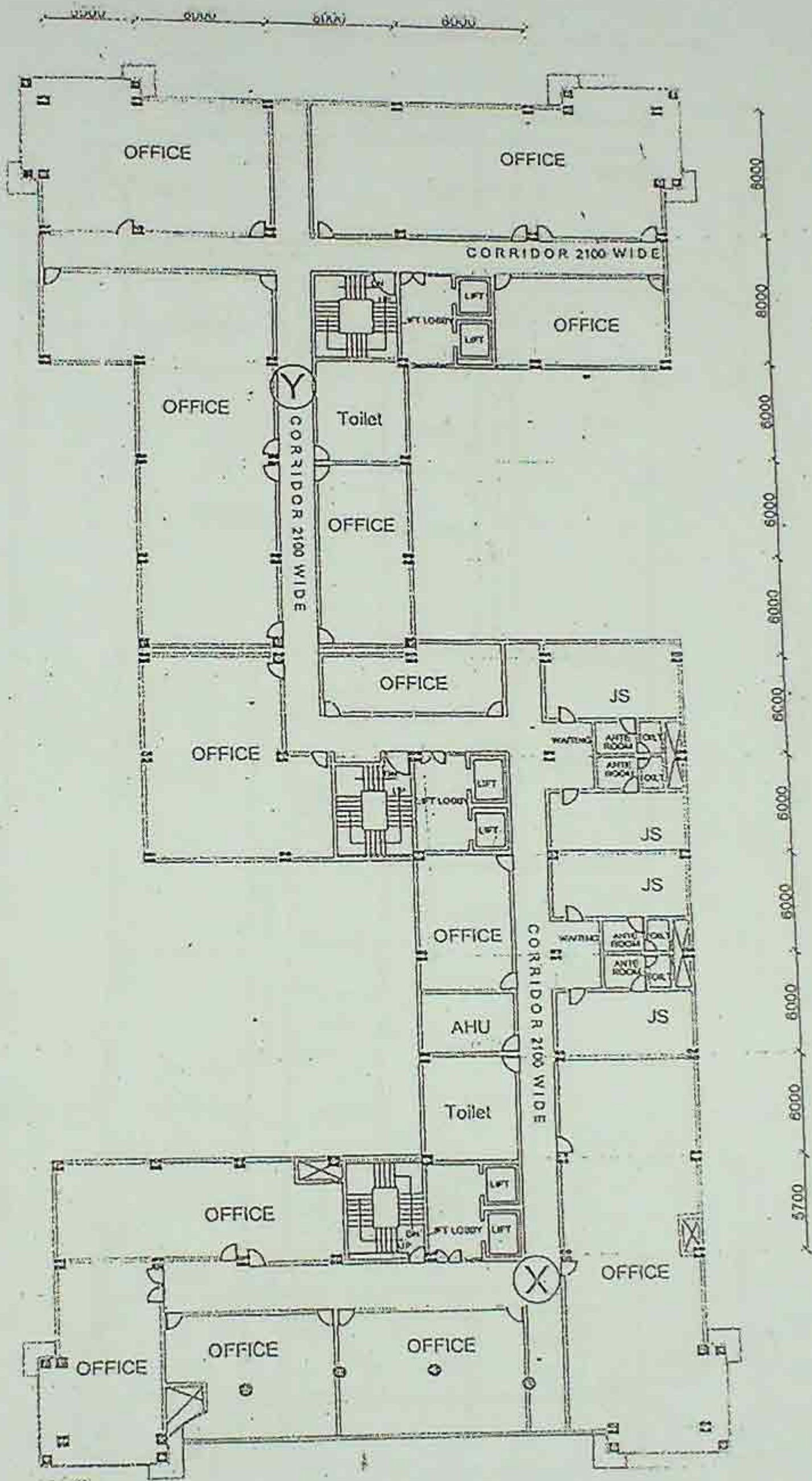
Dunbar

आभुतोप साहू (एशियन इंजीनियरिंग)
- वास्तुकार - चरिष्ठ वास्तुकार

व.वा (NDR) 2



5/2/11



5901

51115

5th & 6th FLOOR PLAN

जनरल पूल कार्यालय भवन,
कर्जन रोड, नई दिल्ली ।

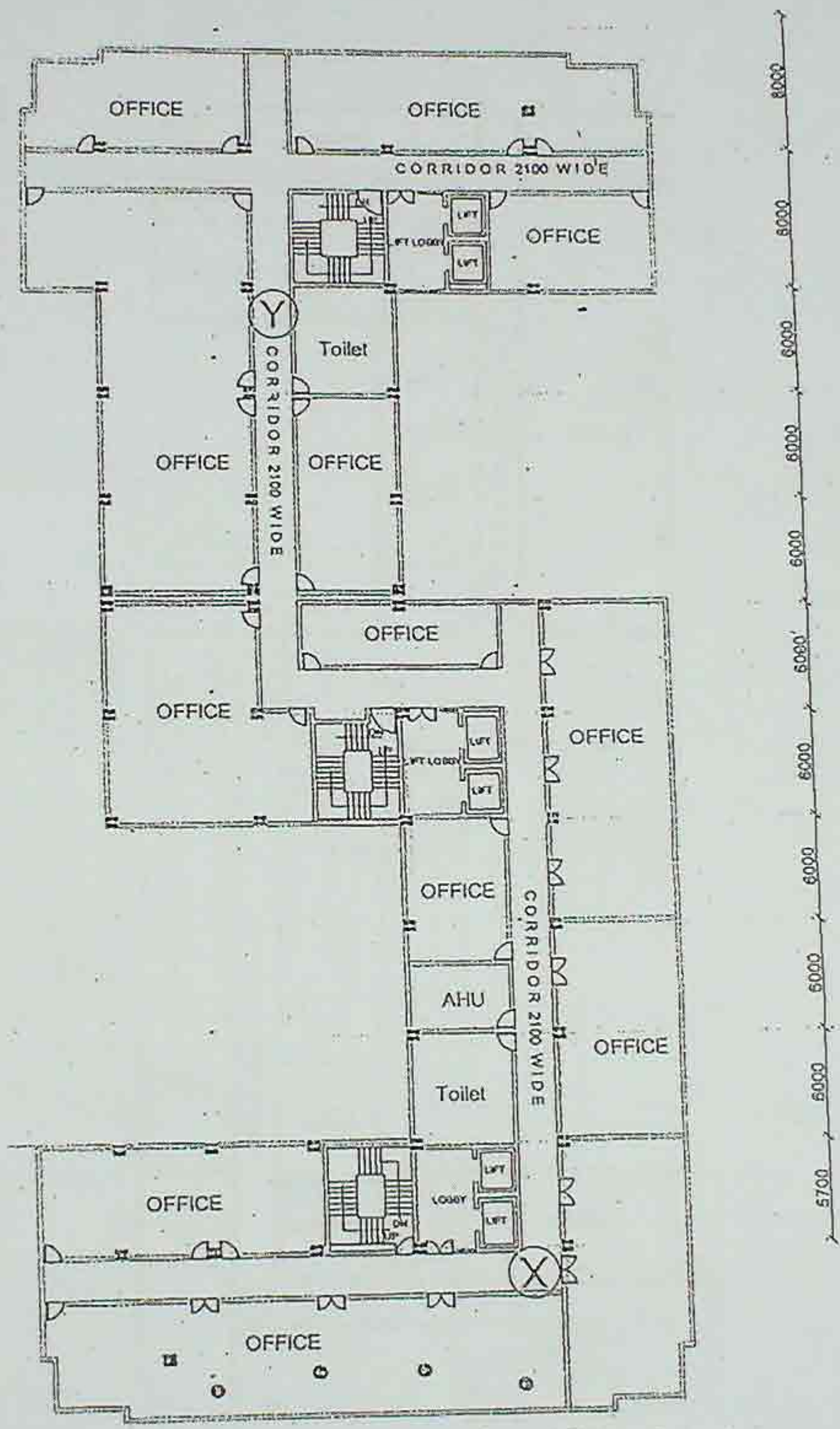
प्रारम्भिक नक्शा माप - १:३००
नक्शा सं व.वा (NDR)2/120 /108/COMP-13/6768

Deewan
आशुतोष साहू (शशि तिवारी)
वास्तुक वरिष्ठ वास्तुक

व.वा (NDR)2



SHAW ROAD BUNKER



10th FLOOR PLAN

जनरल पूल कार्यालय भवन,
कर्जन रोड, नई दिल्ली ।

पारम्भिक नक्शा
नक्शा सं व.वा(NDR)2/120 /108/COMP-13/6770

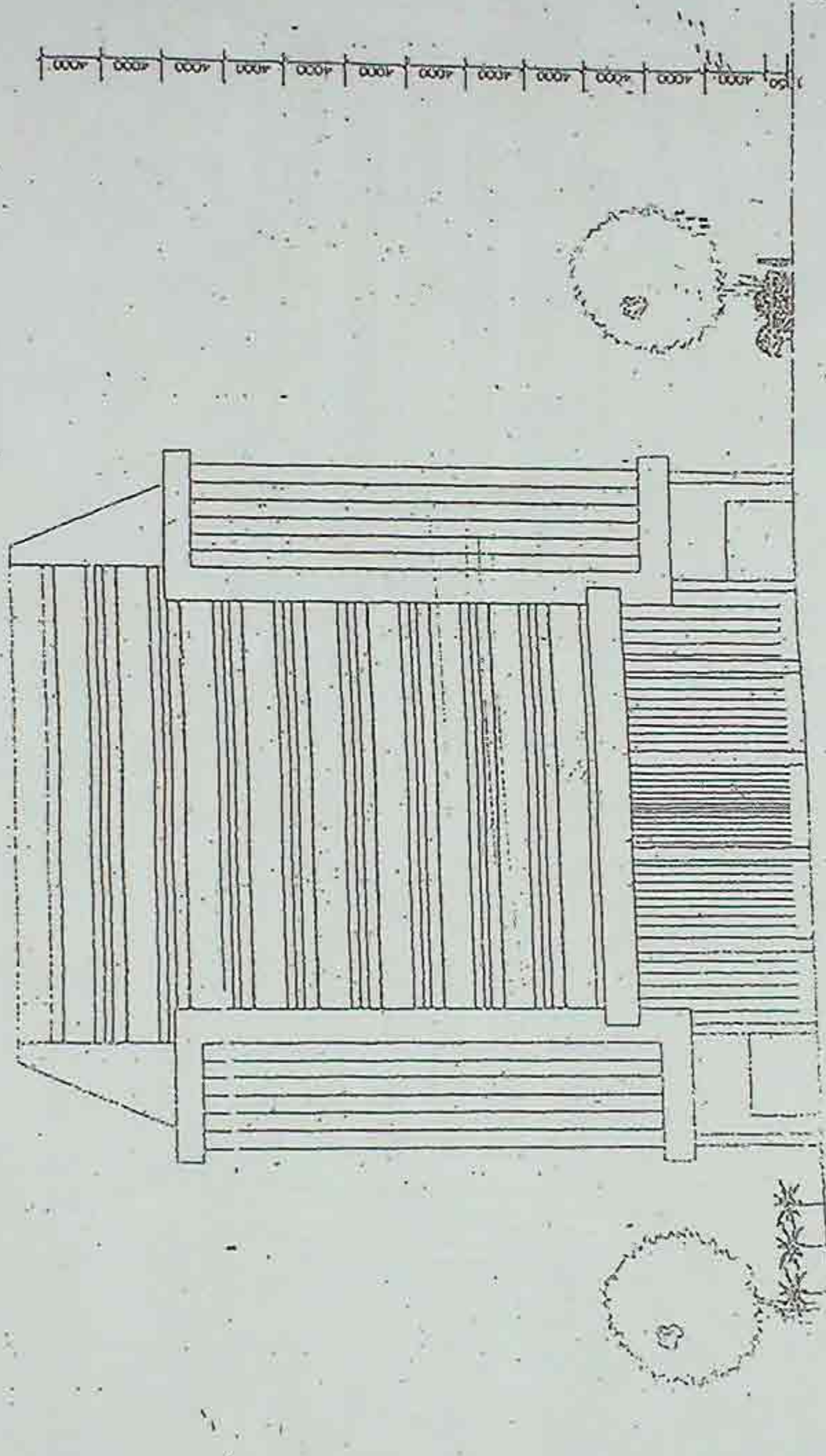
माप - १:३००

Dumbah

आशुतोष साहू (शशि तिवारी)
वास्तुक वरिष्ठ वास्तुक

व.वा(NDR)2





FRONT ELEVATION

जनरल पूल कार्यालय भवन, कर्जन रोड, नई दिल्ली ।

प्रारम्भिक नक्शा

माप - 1:300

नक्शा सं. व.वा (NDR) 2/120 / 111/COMP-13/6805

शुभक
 प्राणलिंगम्
 (एन ईआर)
 सर्वोच्च वास्तुज्ञान

व.वा (NDR) 2

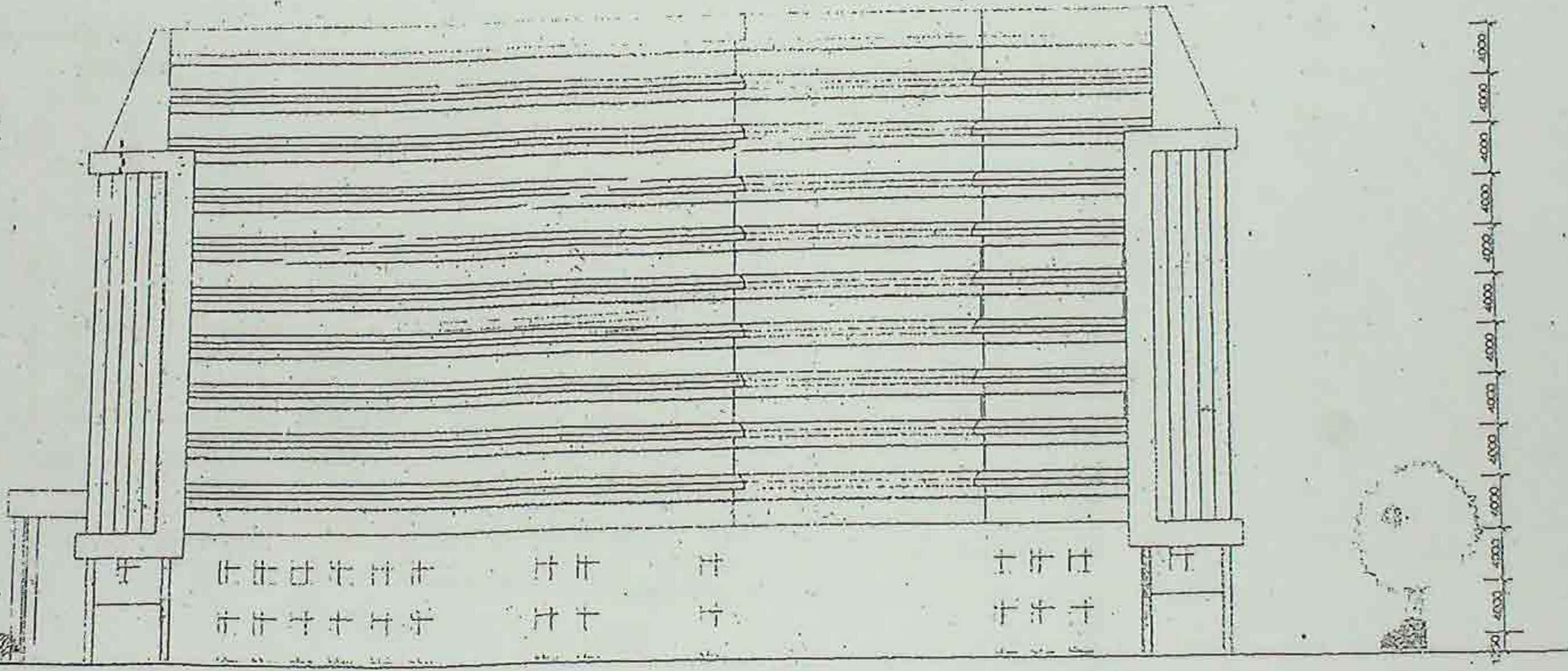


5/10/20

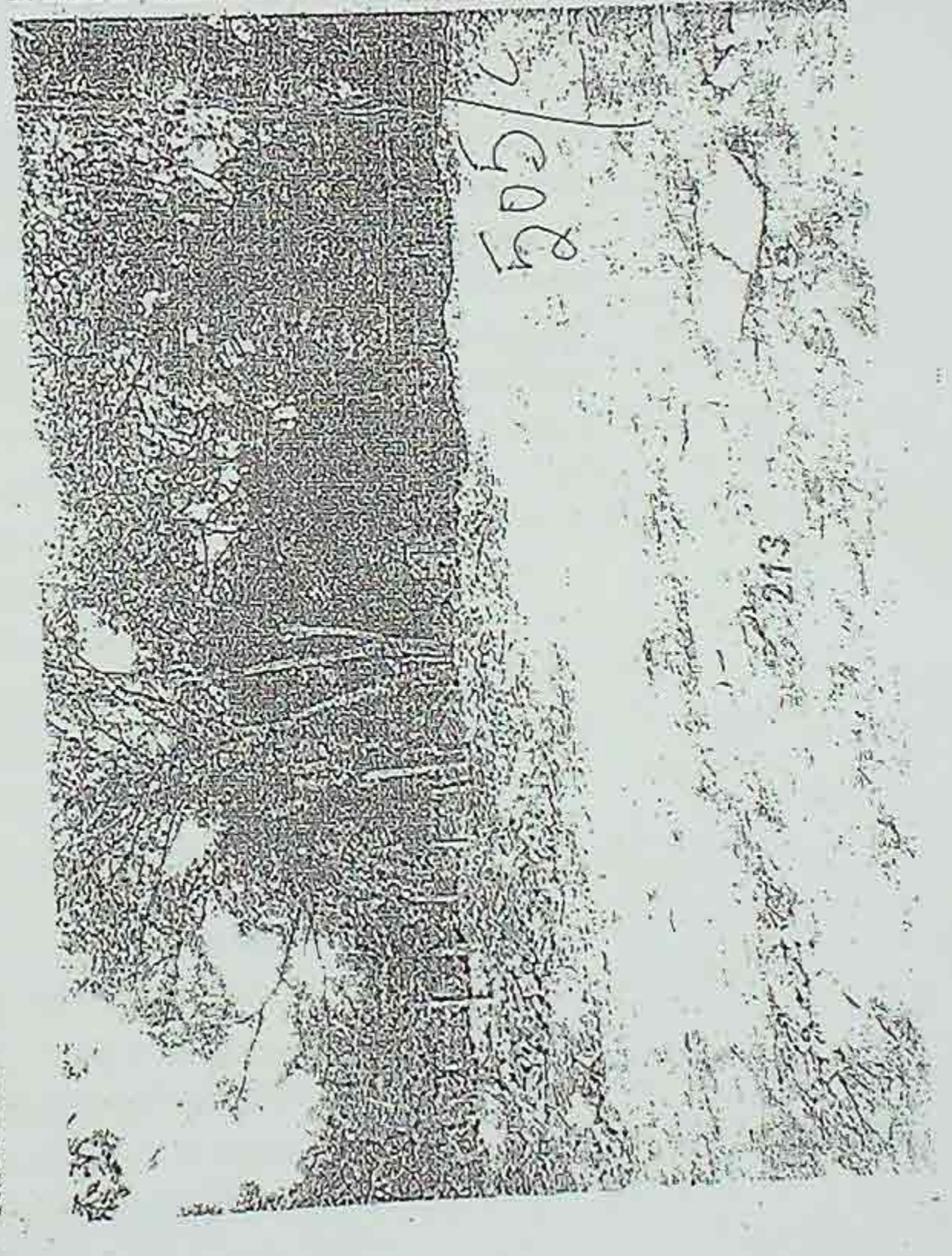
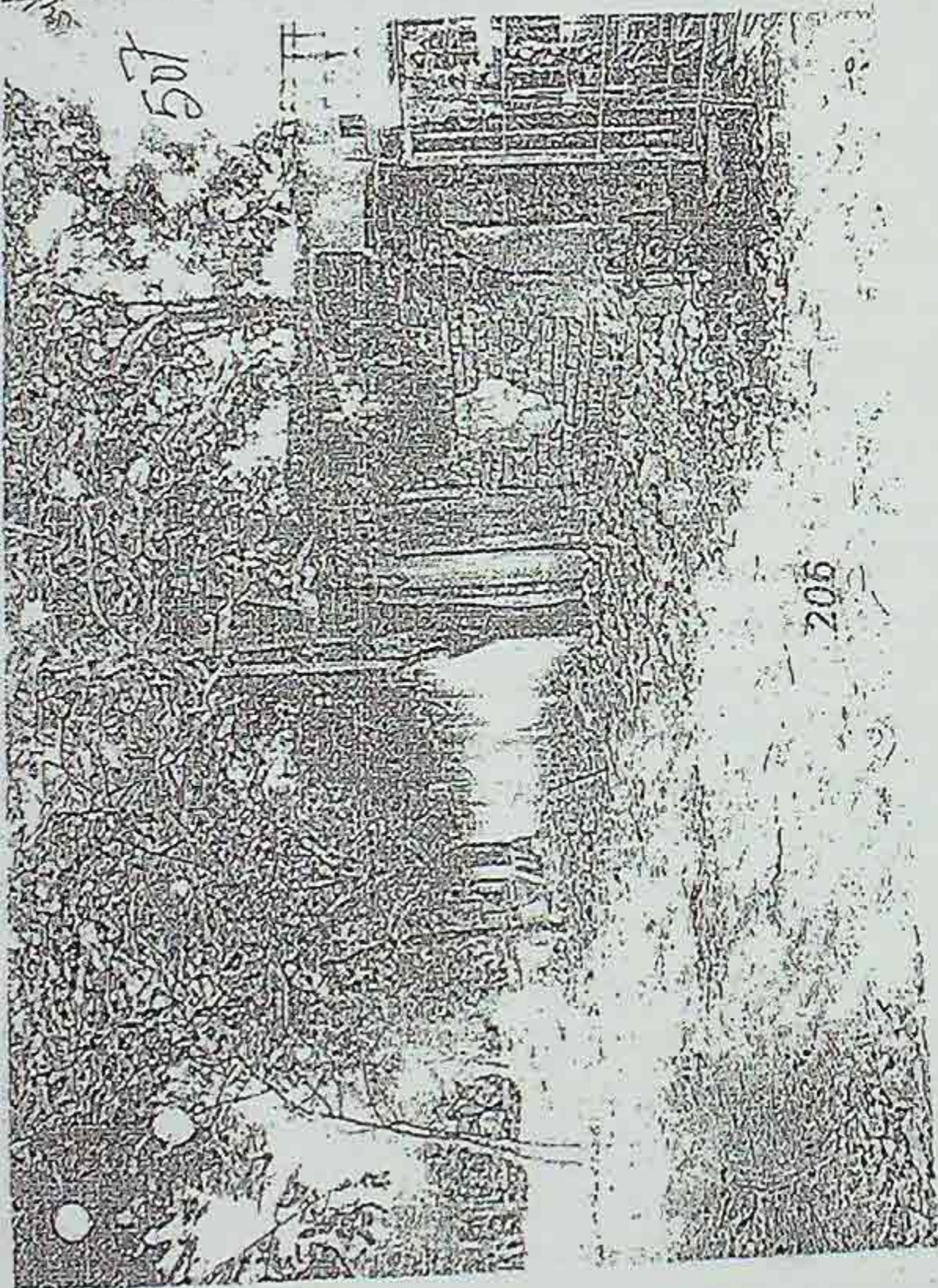
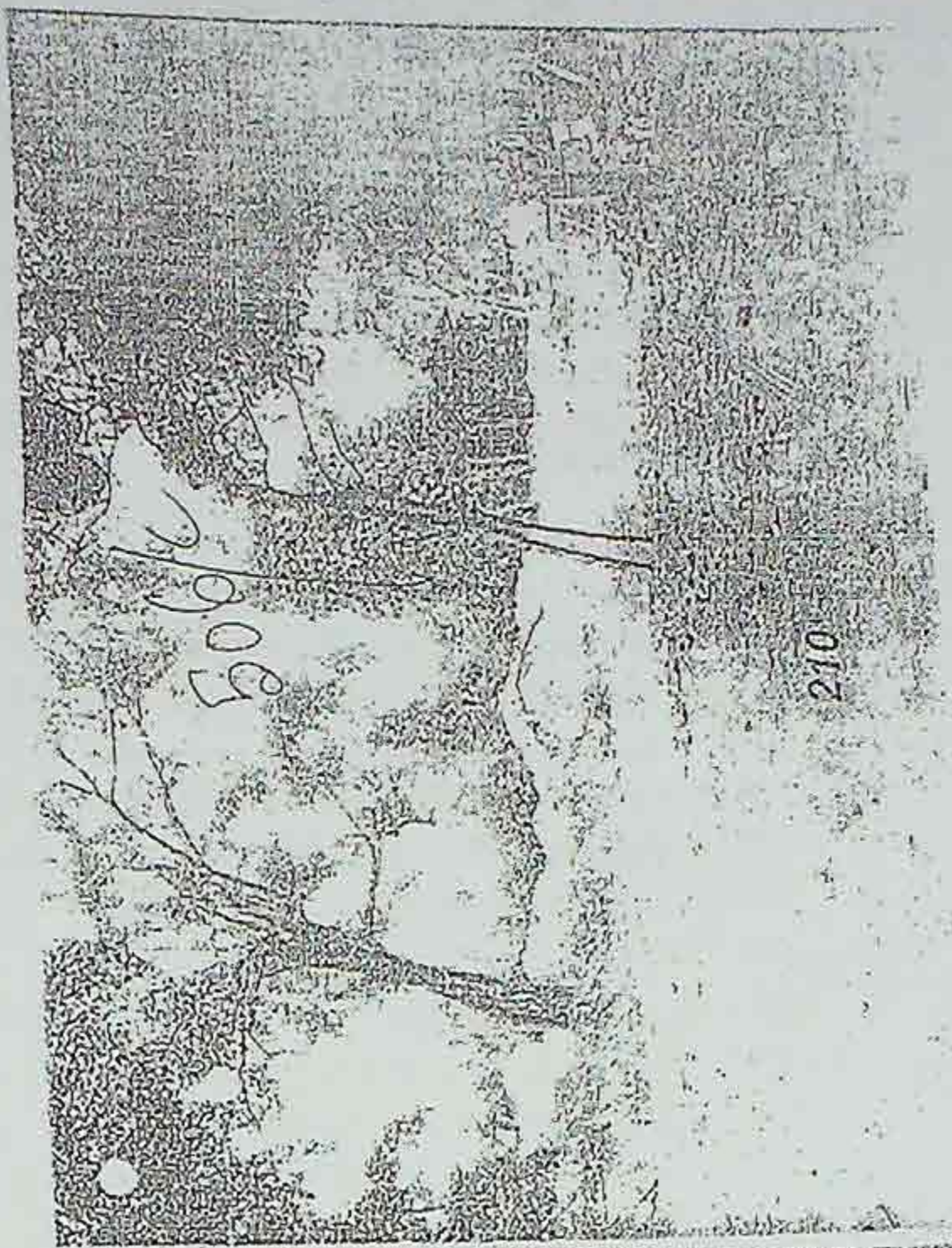
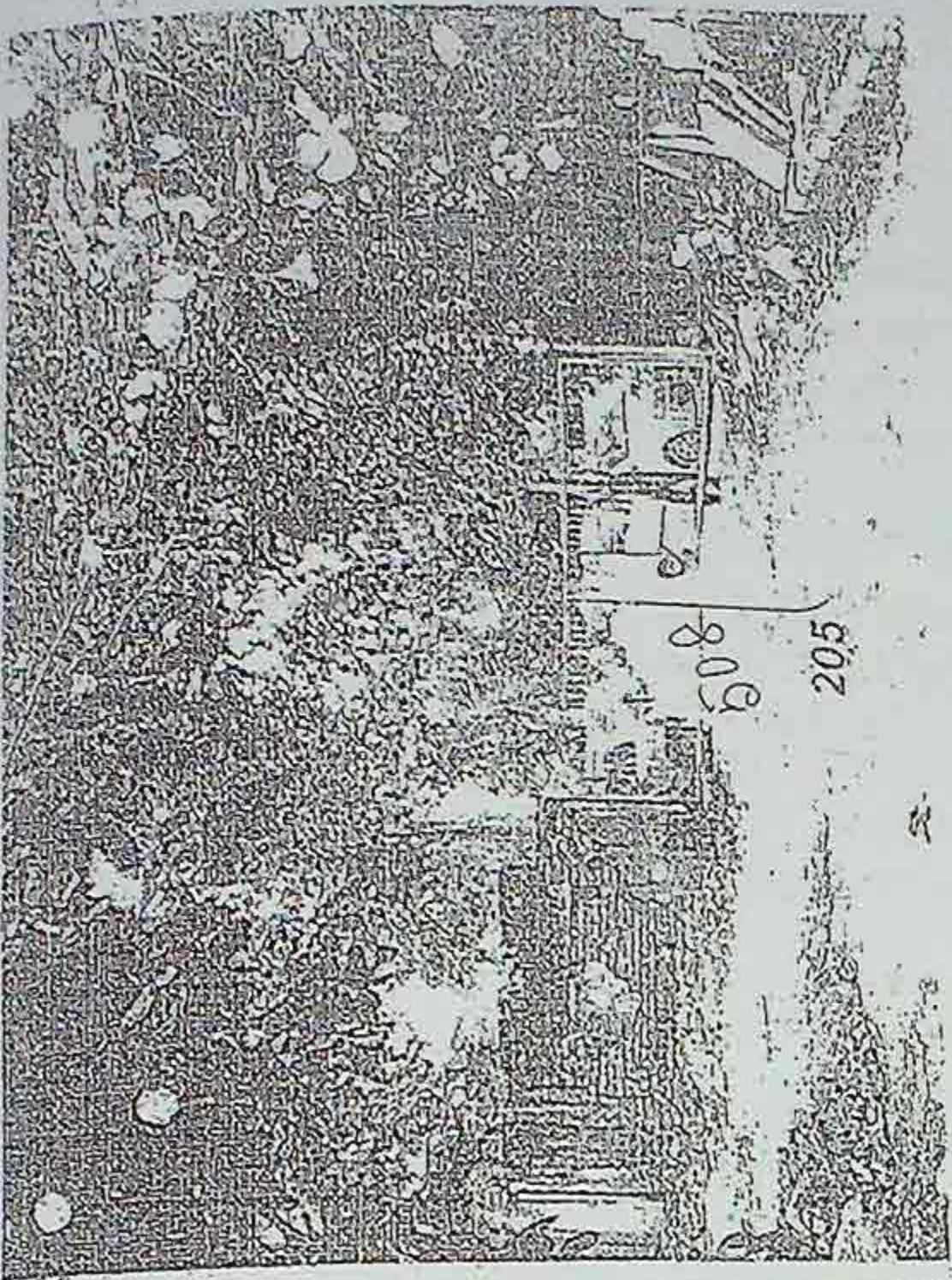
585/c

504/1

123



RIGHT SIDE ELEVATION



57th 583/49

Minutes of the 57th Technical Committee Meeting Held on 31.8.2015. ITEM No. 42/TC/2015

Sub: Proposed change of land use in respect of the area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning, Zone-D.

File No. F.3 (68)2008/MP

1.0 BACKGROUND

- i. A letter D.O. No. D-11012/01/1998-Genl. Dated 21.09.11 was received from Secretary, Ministry of Rural Development (MORD), GOI for the construction of a dedicated office building for housing all the Departments/ organizations of the Ministry under one roof and requested DDA for the change of land use of the plot of land from 'Residential' to 'Government Office'.
- ii. MOUD vide letter No. K-13011/1/2012-DDIB dated 11.02.13 & letter No. K-13011/1/2012-DDIB dated 12.04.13 had directed DDA to process the change of land use of the said plot under Section 11A of DD Act appropriately.

2.0 FOLLOW UP ACTION

- i. On the basis of the requests received from MOUD vide letter dated 11.02.13 & 12.04.13, the proposal for the change of land use of an area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning, Zone-D was approved in the Authority in its meeting held on 26.06.2014 vide item No. 83/2014 as per Section 11A of DD Act, 1957. (Refer Annexure- 'A')
- ii. Public Notice dated 07.08.2014 was issued for inviting objections/ suggestions from the public (Annexure - 'B') and was also published in the four leading newspapers on 07.08.2014.
- iii. In response to the above public notice, no objections/suggestions were received, as no objections/ suggestions were received, no meeting of Board of Hearing and Enquiry was held.
- iv. Thereafter, the above said proposal for change of land use was put up to the Authority meeting held on 07.11.2014 vide item No. 158/2014. Following was decided in the Authority meeting: (Refer Annexure-'C')

"Since this building/site is located in Lutyens Bungalow Zone, as per the instructions issued by the Ministry of Urban Development in the year 1988, approval of Prime Minister's Office is required for change in land use. It was decided that DDA should write to Ministry of Rural Development, Govt. of India to first submit the site plan of the existing building and other details like FAR, ground coverage norms, photographs and copy of the proposed plans etc. for examination. Then the case that is processed by the Authority will be sent to the PMO for final approval. The proposal contained in the agenda item was therefore not approved."
- v. As a follow up action of the decision of the Authority, a letter was sent to Ministry of Rural Development (MoRD), Government of India, Central Public Works Department (CPWD) and Ministry of Urban Development (MoUD) on 05.12.2014 & 29.01.2015 indicating the above mentioned decision of the Authority meeting. Further, a letter dated 29.05.2015 was again sent to CPWD & MoRD in which it has been clearly stated that the above referred decision of the Authority meeting held on 07.11.2014 may be complied with.

570/c

-10-

582/c

- vi. Thereafter, two meetings were held on 10.07.2015 & 11.08.2015 in Ministry of Rural Development, Govt to review the status relating to various issues relating to construction of General Pool Office building (Grameen Vikas Bhawan) at Curzon Road, New Delhi wherein the documents as submitted by CPWD vide letter dated 04.08.2015 were discussed and as discussed these documents/informations are to be examined for placing before the Technical Committee.

3.0 EXAMINATION

- i. The site u/r (i.e Govt. land at Kasturba Gandhi Marg) falls in Planning, Zone-D and within Lutyens Bungalow Zone (LBZ).
- ii. The land use of the site u/r is 'Residential' as per MPD-2021.
- iii. Regarding entry/exit to the site, at present there is only one existing passage of 7-8 m wide approx. which is the only entry/exit point available to the premise (from Ravi Shankar Shukla Marg towards North side) which is not sufficient for an entry/ exit to a Government Office and may create hindrance at the time of emergency.
- iv. L&DO vide letter no. F.L-IIA/11(789)/Pt./301 dated 22.11.2013 has submitted a plan showing the approach road from canning road by land area of 600 sqm. (0.148 acres) has already been resumed from the plot of land allotted to Department of Revenue (which is adjacent to proposed building), to provide the 18 mtrs wide road to General Pool Office Accommodation (GPOA) plot in the area as decided in the Technical Committee meeting held on 20.06.2013.
- v. Further, Delhi Traffic police vide letter no. F.(34/14)/2765/TE(D-III)/Traffic dated 23.05.2014 had granted the permission from traffic point of view for construction of GPOA building at Curzon Road, New Delhi as decided in the Technical Committee meeting held on 22.04.2014.
- vi. As per MPD-2021, the Development Control Norms for the Government Office as per MPD-2021 area is under:

Category	Ground Coverage (%)	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Activities permitted
Integrated Office Complex	30	200	NR, subject to approval of AAI, Fire Department and other statutory bodies	1.8	Government Offices, Watch And Ward Residence/ Residential Maintenance Staff (Maximum 5% of FAR, Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)

- vii. Recently, CPWD vide letter dated 04.08.2015 had sent the following information/documents as decided in the Authority meeting held on 07.11.2014. (Refer Annexure- 'D')

 - a. Layout Plan (proposed plan) showing the proposed building as well as existing building. Also indicating the total area, ground coverage, FAR, Height etc.
 - b. Floors plans from Ground Floor to Eleventh Floor (8 drawings)
 - c. Front & right hand side elevation
 - d. Site Photographs : 4 (Nos.)
 - e. The existing building has been demolished.

589/c-11-581/c

viii. CPWD vide letter dated 04.08.2015 has submitted following information w.r.t. total area, ground coverage, FAR, height etc. of the proposed building

Sl. No.	Item	As per MPD-2021	As proposed by CPWD
1.	Total Area	14607.87 sqm. (3.61 acres)	
2.	Max. Ground Coverage	30%	29.84 % (4360 sqm.)
3.	Max, FAR	200	198.32 (28971 sqm.) excluding basement area
4.	Height	NR, subject to approval of AAI, Fire Department and other statutory bodies	G+11 (44.55 M)
5.	Floor to Floor height	---	3.6 M

ix. MoUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act,1957. The para-wise reply is as follows:

S.No.	Information as sought by MOUD, GOI vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	Land is government and Land & Development Office (L & DO) is the land owning agency..
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	As per the request by Ministry of Rural Development, Government of India letter dated 21.09.2011 & MoUD letter dated 11.02.13 & dated 12.04.13 as stated in para 1.0 (i & ii) above.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Yes, the site under reference was inspected and following was observed: i. Presently, there is only one existing passage of 7-8 m wide approx. which is the only entry/exit point available to the premise (from Pt. Ravi Shankar Shukla Marg towards North side). ii. Also the office of Department of Women and Child Development, GNCTD & 11 KV Electric Sub-Station (ESS) of NDMC is functioning at the site.
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	Offices of Ministry of Rural Development, Ministry of Panchayati Raj & Ministry of Drinking Water Supply will be shifted to this building which are presently scattered.

565A
58/c

5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	This change will be in consonance with Income Tax, Bhawan office building which is adjacent to this building.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	The present premises will be utilized for official purpose and no adverse impact is anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	Not to our knowledge

4.0 PROPOSAL

As a follow up action of the Authority Meeting held on 07.11.2014, CPWD has sent desired information/documents with respect to site plan of the existing building and other details like FAR, ground coverage etc. of the proposed building which is placed before the Technical Committee for its consideration and recommending to the Authority for final notification as per the Section 11-A of Delhi Development Act, 1957.

The boundary description of the above referred proposal of change of land use is given below:

Location	Area	Land use (MPD-2021)	Land use Changed to	Boundaries
1	2	3	4	5
Dedicated Office building at Curzon Road, Kasturba Gandhi Marg, New Delhi in Planning, Zone-D	1.40 ha. (3.462 acres)	'Residential'	'Government (Government Office)'	North: Pt. Ravi Shankar Shukla Marg South: Vacant land allotted to Deptt. of Revenue & 24 m wide R/W Canning Road East: Asia House West: Lady Irwin School

5.0 RECOMMENDATION

The proposal in para 4.0 above is placed before the Technical Committee of DDA for its consideration and recommending to the Authority for final notification as per the Section 11-A of Delhi Development Act, 1957.

"DECISION"

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

DELHI DEVELOPMENT AUTHORITY
 MASTER PLAN SECTION -Action: Director (Plg) Zone 'D'
VERIFIED
 This Proposal was Considered in the... Technical Committee Meeting held on... 31.12.2015...
 Vide Item No... 42/2015...
 Suchofel 11/09/2015
 Asstt. Director Master Plan
 Dy. Director Master Plan

Item No. 104/2015

Sub: Proposed modifications in MPD-2021 regarding provisions for new 'Slaughter House' in Delhi.

File No.: F.3(143)82/MP

1.0 BACKGROUND

- (i) North DMC in its detailed report as submitted to Secretariat of Hon'ble LG have mentioned that "Delhi Meat Merchant Associations has filed a writ petition before the Hon'ble High Court of Delhi (CWP No. 1031/2013) thereby praying for establishment of additional slaughter houses in Delhi to meet out their requirements of meat for the city. The New Delhi Municipal Corporation in its affidavit filed in the above matter before the Hon'ble High Court has supported the demand of Delhi Meat Merchant Associations"
- (ii) This is regarding following directions of Hon'ble LG on 'setting up of additional Slaughter House in NCT of Delhi (Specially in North & South DMCs) based on the detailed report of North DMC with recommendations to make amendment in MPD-2021 as communicated by Pvt. Secretary to LG vide U.O. note No. 14(1)/RN/13/779/4214 dated 27.02.2014:
"Hon'ble Lt. Governor has desired that DDA should initiate necessary steps for amending relevant sections of MPD-2021, thereby making provisions for allotment of land for establishment of additional slaughter houses in Delhi".
- (iii) Further on various representations i.e. (AIJQ & DMA), EDMC requested for requirement of slaughter houses including for pigs and livestock markets at different locations in Delhi vide letter No. Addl. Dir (VS)/GSH/2013/1156 dated 26.02.2014.
- (iv) As per the directions /decision of the competent authority , a meeting was held under the Chairmanship of VC,DDA on 22.04.2014 to discuss amendment of relevant sections of MPD-2021, thereby making provisions for allotment of land for establishment of additional Slaughter Houses in Delhi wherein representatives of all municipal corporations and DDA were present.
- (v) As per the minutes of the meeting circulated vide letter No. F.3(143)82/MP/D-177 dated 08.05.2014 following was decided :
"Following actions were identified.
 1. Inspection of present slaughter house may be done with respect to optimum utilization of space and explore possibility for its expansion.

100%

2. In the meantime, DMC should come out with detailed project report regarding demand of Meat under different categories i.e. sheep, goat, buffalo and poultry.

- i) Whether Gazipur Slaughter House could meet the demand of Delhi.
- ii) Whether, demand of meat in Delhi is being fulfilled from NCR town, what is the mechanism?
- iii) If at all new site is to be carved out, what is the quantum of land required. Since, there is no provision for new slaughter house in Master Plan for Delhi – 2021, therefore, 'DMC (North, East & South) should come out with full justification and clearances from DPCC, Industries Deptt. of Govt. of Delhi and Environment, GNCTD. The proposal of DMC should be categorically based on modern technology of scientific abattoir.'

(vi) Accordingly, with reference to the inspection of present slaughter house, Director (VS), EDMC vide letter No. 362/ADVS/EDMC/2014 dated 30-06-2014 and Director (VS), SDMC vide letter No. 392/DVS/SDMC/2014 dated 18.07.2014 have submitted reports respectively. EDMC in their letter have also mentioned that: "A huge garbage was accumulated on the said SLF site before the inception of the Ghazipur Slaughter House. It is near about 30-40Mtr. in height and the IIT Delhi has also recommended that no construction is feasible on the SLF land site." Whereas Commissioner, SDMC have requested that "a piece of land measuring about 15 acres may kindly be allotted to the SDMC at public utility rates for establishment of a slaughter house for sheep and goats to provide the wholesome and hygienic mutton to the public and also control the illegal slaughtering of animals in Delhi, the cost of land shall be paid by this Corporation."

2.0 Provisions of Master Plan for Delhi – 2021

The following are the various provisions related to Abattoirs / Slaughter Houses:

Annexure –III: PROHIBITED / NEGATIVE LIST OF INDUSTRIES of Chapter 7.0: Industry is as follows:

"Industries manufacturing the following shall be prohibited within National Capital Territory of Delhi. However, Environment Department, GNCTD in consultation with Industries department, GNCTD shall take the final decisions to ascertain a particular activity/Industry/ factory to fall under the said list as per the parameters/ norms set by the CPCB and adopted by the DPCC.

- 9.
- 10. Abattoirs, animal blood processing (except existing and relocation)
- 11.

Further additions / alterations to the list of Prohibited Industries could be made if considered appropriate and in public interest by the Central Government to do so."

3.0 Observations of Planning Units

The matter was further examined by various Planning Units of DDA and the comments and observations are as under:

- **Area Planning E & O:** Ghazipur Slaughter House site (site 1: 1.72 Ha for utilized for Slaughter House and site 2: 12.15Ha adjacent to SLF utilized by EDMC for dumping the malba) utilized completely and EDMC official stated that after removal of malba, soil has become redundant & no construction is possible at the same for Slaughter House. EDMC/GNCTD officials present at site were of the view that, land for extension of Slaughter House is required in different areas of Delhi under jurisdiction of SDMC & NDMC.
- **Dwarka Planning Unit :** Any provision of additional slaughter house in zone K-I, K-II & L require amendment in relevant section of MPD-2021 for making provisions for allotment of land for establishment of additional slaughter houses in Delhi.

4.0 Decision in Technical Committee Meeting:

The matter was discussed in the Technical Committee in its meeting held on 22.01.2015 vide Item No. 04/2015. The decision of the Technical Committee are as under:

"After detailed deliberation Technical Committee recommended the proposal as given in Para 4 of the agenda for further processing under section 11 A of DD Act, 1957 for modification to MPD-2021. The proposal will be put up to the Authority for consideration.

Technical Committee has further decided that the land of Idgah Shelter House (closed down) be given to MCD for developing a multilevel car parking on it."

5.0 Decision of Authority:

Based on the Technical Committee decision, the agenda (Annexure-I) was placed before the Authority and the decision taken by Authority in its meeting held on 24.04.2015 vide Item No. 54/2015 is as under:

"The proposal as contained in the agenda item was approved.

However, the proposed modification in the existing provisions should be read as "Abattoirs , animal blood processing (except existing, relocation and modern abattoir with latest technology shall be permitted subject to all clearances including environmental clearances from concerned agencies). These will be dependent strictly on the need of the NCT of Delhi."

5.0 Public Notice:

On the basis of Authority decision, a Public Notice was issued vide S.O. 2085(E) dt. 31.07.2015 (Annexure -'II') and was published in newspapers for inviting the objections / suggestions from the public within a period of 30 days from the date of issue of Public Notice.

In response to the above Public Notice, no objections / suggestion were received.

6.0 Proposal:

Based on the approval of Authority and the proposed modification to MPD-2021 as contained in the Public Notice, the following is proposed:

Existing Provisions	Proposed Modifications
10. Abattoirs, animal blood processing (except existing and relocation)	10. Abattoirs, animal blood processing (except existing, relocation and modern abattoir with latest technology shall be permitted subject to all clearances including environmental clearances from concerned agencies). These will be dependent strictly on the need of the NCT of Delhi.

5.0 The proposal in Para 4.0 above is put up for consideration of the Authority for submitting the same to the Ministry of Urban Development, Govt for final notification under Section 11-A of the DD Act, 1957 as modification to MPD-

RESOLUTION

The proposal contained in the agenda item was approved.

4/2/19

ITEM NO. 54/2015

24.4.2015

Sub: Proposed modifications in MPD-2021 regarding provisions for new 'Slaughter House' in Delhi.

File No.: F.3(143)82/MP

1.0 BACKGROUND

केवल कार्यालय प्रयोग के लिए
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- (i) North DMC in its detailed report as submitted to Secretariat of Hon'ble LG have mentioned that "Delhi Meat Merchant Associations has filed a writ petition before the Hon'ble High Court of Delhi (CWP No. 1031/2013) thereby praying for establishment of additional slaughter houses in Delhi to meet out their requirements of meat in the city. The North

Delhi Municipal Corporation in its affidavit filed in the above matter before the Hon'ble High Court has supported the demand of Delhi Meat Merchant Associations" (Annexure - I)

- (ii) LG office vide U.O. note No. 14(1)/RN/13/779/4214 dated 27.02.2014 communicated as under:

"Hon'ble Lt. Governor has desired that DDA should initiate necessary steps for amending relevant sections of MPD-2021, thereby making provisions for allotment of land for establishment of additional slaughter houses in Delhi". (Annexure - II)

- (iii) Further on various representations i.e. (AIJQ & DMA), EDMC requested for requirement of slaughter houses including for pigs and livestock markets at different locations in Delhi vide letter No. Addl. Dir (VS)/GSH/2013/1156 dated 26.02.2014 (Annexure - III)

- (iv) As per the directions /decision of the competent authority, a meeting was held under the Chairmanship of VC,DDA on 22.04.2014 to discuss amendment of relevant sections of MPD-2021, thereby making provisions for allotment of land for establishment of additional Slaughter Houses in Delhi wherein representatives of all municipal corporations and DDA were present.

As per the minutes of the meeting circulated vide letter No. F.3(143)82/MP/D-177 dated 08.05.2014 following was decided (Annexure - IV):

"Following actions were identified.

1. Inspection of present slaughter house may be done with respect to optimum utilization of space and explore possibility for its expansion.
 2. In the meantime, DMC should come out with detailed project report regarding demand of Meat under different categories i.e. sheep, goat, buffalo and poultry:
 - i) Whether Gazipur Slaughter House could meet the demand of Delhi.
 - ii) Whether demand of meat in Delhi is being fulfilled from NCR town, what is the mechanism?
 - iii) If at all new site is to be carved out what is the quantum of land required. Since, there is no provision for new slaughter house in Master Plan for Delhi - 2021, therefore, DMC (North, East & South) should come out with full justification and clearances from DPCC, Industries Deptt. of Govt. of Delhi and Environment, GNCTD. The proposal of DMC should categorically based on modern technology of scientific abattoir."
- (vi) Accordingly, with reference to the inspection of present slaughter house, Director (VS), FDMC vide letter No. 362/ADV/S/EDMC/2014 dated 30-06-2014 and Director (VS), SDMC vide letter No. 392/DVS/SDMC/2014 dated 18.07.2014 have submitted reports placed at Annexure - V & Annexure - VI respectively. EDMC in their letter have also that: "A huge garbage accumulated on the said SLF site before the inception of the Ghazipur Slaughter House. It is near about 30-40Mtr. in height and the IIT Delhi has also recommended that no construction is feasible on the SLF land site." Whereas Commissioner, SDMC have requested that "a piece of land measuring about 15 acres may kindly be allotted to the SDMC at public utility rates for establishment of a slaughter house for sheep and goats to provide the wholesome and hygienic mutton to the public and also control the illegal slaughtering of animals in Delhi, the cost of land shall be paid by this Corporation."

2.0 Provisions of Master Plan for Delhi - 2021

केवल कार्यालय प्रयोग के लिए
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The following are the various provisions related to Abattoirs / Slaughter Houses:
Annexure -III: PROHIBITED / NEGATIVE LIST OF INDUSTRIES of Chapter 7.0: Industry is as follows:

"Industries manufacturing the following shall be prohibited within National Capital Territory of Delhi. However, Environment Department, GNCTD in consultation with Industries department, GNCTD shall take the final decisions to ascertain a particular activity/Industry/ factory to fall under the said list as per the parameters/ norms set by the CPCB and adopted by the DPCC.

9.

10. Abattoirs, animal blood processing (except existing and relocation)

11.

Further additions / alterations to the list of Prohibited Industries could be made if considered appropriate and in public interest by the Central Government to do so."

3.0 Observations of Planning Units

The matter was further examined by various Planning Units of DDA and the comments and observations are as under:

- Area Planning E & O: Ghazipur Slaughter House site (site 1: 1.72 Ha for utilized for Slaughter House and site 2: 12.15Ha adjacent to SLF utilized by EDMC for dumping the malba) utilized completely and EDMC official stated that after removal of malba, soil has become redundant & no construction is possible at the same for Slaughter House. EDMC/GNCTD officials present at site were of the view that land for extension of Slaughter House is required in different areas of Delhi under jurisdiction of SDMC & NDMC.
- Dwarka Planning Unit : Any provision of additional slaughter house in zone K-I, K-II & L require amendment in relevant section of MPD-2021 for making provisions for allotment of land for establishment of additional slaughter houses in Delhi.

4.0 Decision in Technical Committee Meeting

The matter was discussed in the Technical Committee in its meeting held on 22.01.2015 vide Item No. 04/2015. The decision of the Technical Committee are as under:

"After detailed deliberation Technical Committee recommended the proposal as given in Para 4 of the agenda for further processing under section 11 A of DD Act, 1957 for modification to MPD-2021. The proposal will be put up to the Authority for consideration.

Technical Committee has further decided that the land of Idgah Shelter House (closed down) be given to MCD for developing a multilevel car parking on it."

5.0 Proposal

In pursuance to above directions and request and facts, following modifications is proposed in S. No. 10. of Annexure III: PROHIBITED / NEGATIVE LIST OF INDUSTRIES of Chapter 7.0: Industry of MPD 2021:

Existing Provisions	Proposed Modifications
<i>Abattoirs, animal blood processing (except existing and relocation)</i>	<i>Abattoirs, animal blood processing (except existing, relocation and modern abattoir with latest technology shall be permitted subject to environmental clearances from all concerned agencies, only for Delhi's requirement)</i>

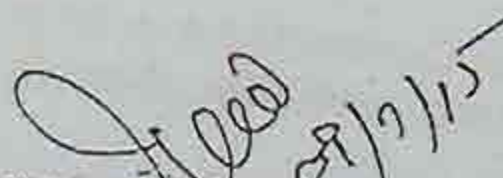
5.0 The proposal in Para 4.0 above is put up for consideration of the Authority for further processing the proposed modifications under Section 11A of DD Act.1957 for inviting objections / suggestions.

केवल कार्यालय प्रयोग के लिए
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RESOLUTION

The proposal contained in the agenda item was approved.

However, the proposed modification in the existing provisions should be read as "Abattoirs, animal blood processing (except existing, relocation and modern abattoir with latest technology shall be permitted subject to all clearances including environmental clearances from concerned agencies). These will be dependent strictly on the need of the NCT of Delhi".


सहायक निदेशक
शेडक नश. दि. वि. प्र.

Subject: Setting up of Slaughter Houses in North & South DMCs in Delhi. Annexure

May kindly see a letter U.O. No.14(1)/RN/13/779/20916 dated 12.12.2013 from Pvt. Secretary to Lt. Governor of Delhi on the subject cited above endorsed by a representation from All India Jamaitul Quresh addressed to Hon'ble Lt. Governor with a letter dated 14/19th Nov, 2013 from DDAs (Plg./MP Divn.). It has been desired to forward specific detailed comments regarding requirement of additional slaughter houses in Delhi so that the matter could be examined for making necessary provisions in MPD-2021 if required.

Following information on the subject is accordingly submitted for kind perusal please;

1. In Delhi, there was only one municipal slaughter house at Idgah for slaughtering of sheep, goats and buffaloes which had been constructed about more than 100 years back when the population of Delhi was limited to the walled city area only. This slaughter house had been constructed for the slaughtering of few hundred animals per day. With the passage of time, the population of the city went on increasing and accordingly the demand of meat also increased.
2. Till 1994, there was no limit on no. of animals for slaughtering at Idgah slaughter house. All the meatshopkeepers were free to slaughter their animals in any no. as per their daily requirement. As per available records, upto 12,000 (maximum) animals in one day had been slaughtered at Idgah slaughter house about 18 years back from now.
3. On 18.03.1994, Hon'ble High Court of Delhi in CWP No. 2961/1992 filed by Ms. Meneka Gandhi issued certain directions to MCD regarding Idgah slaughter house. One of the direction was to restrict the no. of animals to be slaughtered at Idgah slaughter house to 2500 animals per day on the ground of unsanitary conditions that were prevailing their due to slaughtering of animals beyond the capacity of Idgah slaughter house. Out of 2500 animals per day fixed by the Hon'ble High Court of Delhi, 2000 were sheep and goats and 500 were buffaloes. Out of 2000 sheep and goats, 1500 sheep and goats per day were fixed for slaughtering in Halal section and 500 sheep and goats per day in Jhatka section whereas 500 buffaloes per day were assigned for slaughtering in buffaloes section by way of Halal method of slaughtering.
4. The timing for slaughtering of animals at Idgah slaughter house were from 05:00am to 12:00pm (noon) in summer and 06:00am to 01:00pm in winter. There was only one shift for slaughtering of animals by the meatshopkeepers for domestic consumption at Idgah slaughter house.
5. Subsequently, the need was felt that Idgah slaughter house be closed down and a new slaughter house be constructed instead. On 14.07.2004, Hon'ble Supreme Court of India issued directions to MCD for construction of a modern slaughter house at Ghazipur. Accordingly In compliance of directions of Hon'ble Supreme Court of India, the MCD constructed a modern slaughter house at Ghazipur with the slaughtering capacity of 5000 animals per shift i.e. 3000 sheep and goats in Halal section, 1500 sheep and goats in Jhatka section and 500 buffaloes in Buffalo section. In two shifts, 10000 animals can be slaughtered at Ghazipur slaughter house. Out of three shifts fixed for slaughtering at Ghazipur slaughter house, two shifts (11:00pm to 06:00am and 06:00am to 02:00pm) have been allocated for the domestic meatshopkeepers to slaughter their animals for local consumption where as third shift (02:00pm to 10:00pm)

N.D.M.C.

has been allocated to the lessee/operator of the Ghazipur slaughter house to house as the corporation has leased out the Ghazipur slaughter house to a private party (M/s. Frogorrificio Allan Ltd.) for its operations and maintenance for a period of 10 years which would be completed in 2019. The lessee slaughter his own animals in this shift as all kinds of maintenance and payment of electricity bills is the responsibility of lessee. Besides this, the lessee is also paying the lease rent on monthly basis to the corporation (now EDMC).

6. It is expected that the existing demand of the meat in the city may vary between 10,000-16,000 sheep and goats and 500-800 buffaloes per day depending upon the week days as the demand of meat on Sundays, Saturdays and Wednesdays always remain on higher side whereas on Fridays, Mondays and Thursdays remains comparatively on lower side. However, the existing demand of the meat can be worked out only after conducting the survey in Delhi.

7. Due to gap in the slaughtering capacity of Ghazipur slaughter house and demand of meat in the city, the illegal slaughtering of animals is reported in various parts of Delhi which can only be controlled by providing the facilities for slaughtering of animals to meatshopkeepers in morning shift only as it was being practiced at Idgah slaughter house. Since slaughtering of the animals as per the requirements of all meatshopkeepers is not possible in morning shift at Ghazipur slaughter house. There is a need to establish a modern slaughter house in North

DMC to provide wholesome and hygienic meat to the public as per their requirements. Further, the Ghazipur slaughter house is located at one corner of Delhi at UP border and it is very difficult for meatshopkeepers having their shops in far flung areas of North Delhi to approach the Ghazipur slaughter house on daily basis for slaughtering one, two or three animals, as it is not economically viable for them due to transportation cost and time consumed in travelling to Ghazipur slaughter house.

8. It may be pertinent to mention here that Delhi Meat Merchant Associations has filed a writ petition before the Hon'ble High Court of Delhi (CWP No. 1031/2013) thereby praying for establishment of additional slaughter houses in Delhi to meet out their requirements of meat in the city. The North Delhi Municipal Corporation in its affidavit filed in the above matter before the Hon'ble High Court has supported the demand of Delhi Meat Merchant Associations. Next date of hearing in the matter has been fixed on 20.01.2014.

9. It is further submitted that under section 42 (k) of DMC Act 1957, it is an obligatory function of MCD to construct, maintain and regulate slaughter houses for the public.

10. Provisioning of slaughter houses is mandatory function of the municipal corporation under section 405 of the DMC Act which read as under.
"Section 405 provision of municipal market and slaughter houses.

a. The Commissioner, when authorised by the corporation in this behalf, may provide and maintain municipal markets and slaughter houses in such number as he thinks fit together with stalls, shops, sheds, pens and other buildings and convenience for the use of persons carrying on trade or businesses in, or frequenting such markets or slaughter houses and may provide and maintain in any such markets,

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building and plates, machines, weights, scales and measures for the weighment or measurement of goods sold there in.

b. Municipal markets and slaughter houses shall be under the control of the commissioner who may, at any time, by public notice close any municipal market or slaughter house or any part thereof".

11. The DDAs (Plg./MP Divn.) in a letter dated 14/19th Nov, 2013 has informed that as per the provision of Master Plan for Delhi-2021,
- a. Slaughter houses/abattoirs falls under the Prohibited/Negative list of industry in Annexure-III in chapter 7.0 at Sl. No. 10 i.e. "abattoirs, animal blood processing (except existing and relocation)".
 - b. Regarding more no. of meat/poultry/fish shops, it is mentioned that meat/poultry/fish shops are permitted as a part of small shops of maximum 20 sqm. are each under para 15.6 of MPD-2021.

In view of above observations of DDA, there is need to make the amendments in MPD-2021, thereby making a provision for allotment of land for establishment of slaughter house in North DMC as it is essential to meet out the existing as well as further requirement of meat in the city.

Submitted please.

[Signature]
24/12/13
Veterinary Officer(HQ)

Office of the Director (V.S.)
F-449
Dt. No. 26/12/13
Date 26/12/13
North Delhi Municipal Corporation

N.D.M.C.
Addl. Commissioner (LBE)
5932
Dt. No. 29/12/13
North Delhi Municipal Corporation

Director(VS)/North DMC

[Signature]
24/12/13
Dr. S. C. Sharma
Director (V.S.)
North Delhi Municipal Corporation

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ADC(Vety.)/North DMC

[Signature]
24/12/13

आयुक्त कार्यालय
क्रमांक F/5871/NDMC
दिनांक 31/12/13
दिल्ली नगर निगम

Additional Commr.(Vety.)/North

[Signature]
20/12/13
DEEPA HASTIR
Additional Commissioner
Municipal Corporation

Commissioner/North DMC

[Signature]
27/12/13
P. S. GUPTA
Commissioner (V.S.)

WAS Delhi
469
07-01-14

Principal Secretary to Hon'ble Lt. Governor of Delhi

9121c

M/CCD-16 + 872/4C Annexure-II + L-17/Dm/ULC J

Commr. (Plg.)-I's Office
Diary No. J-400
Date 3/3/14



सुधाकराजी कात्यायन
आपरी सं. 862-C
दिनांक 28.2.14

राज निवास
दिल्ली-११००५४
RAJ NIWAS
DELHI-110054

अधि. आ. (यो.) यू. रं. एच पी.
संख्या सं. 25-49
दिनांक 4/3/14

799
9-3-14

Sub : Regarding (Setting up of additional Slaughter House in NCT of Delhi (Specially in North & South DMCs))

Please refer your office letter No.F.3(143)/82-MP/323 dated 14/19.11.2013 (copy enclosed for ready reference) on the subject wherein Local Bodies have been requested to examine the matter.

2. North DMC has examined the matter and furnished a detailed report to this Secretariat (copy enclosed for reference). North DMC has strongly recommended that there is need to make the amendments in MPD - 2021, thereby making a provision for allotment of land for establishment of slaughter house in North DMC as it is essential to meet out the existing as well as further requirement of meat in the city.

3. Hon'ble Lt. Governor has desired that DDA should initiate necessary steps for amending relevant sections of MPD - 2021, thereby making provisions for allotment of land for establishment of additional slaughter houses in Delhi.

Encl. : As above.

~~V. Vishwendra~~
~~Com (P)~~

Vishwendra
(Vishwendra)
Pvt. Secretary to Lt. Governor

V.C. DDA

U.O. No. 14(1)/RN/13/779/42/14 take up immediately
Copy to AC (P) up immediately
Dated: 27/3/2014

- 1. Mr. Sirajuddin Qureshi, President - All India Jamiatul Quresh (Regd.), A-1, Ph-1, Okhla Indl. Area, New Delhi-20.
- 2. President - Delhi Meat Merchants Association, 764, 11nd Floor, Jamiatul Quresh Building, Quresh Nagar, Sadar Bazar, Delhi-6.

DD (MP) Office
Diary No. 14 NTP/14

12/14



ANNEXURE-III
 East Delhi Municipal Corporation
 Veterinary Services Department
 Office of Addl. Director (VS)
 Ghazipur Slaughter House
 E-mail:- addldir-vet-edmc@mcd.gov.in

992/L

456/C
 Annexure-3

No. Addl. Dir (VS)/GSH/2013/ 1156

Dated: - 26.2.2014

To

Rajesh Kumar Jain
 Dy. Director (Plg.)/MP
 Delhi Development Authority, Master Plan Section
 6th Floor, Vikas Minar, I.P. Estate, New Delhi - 110002

DD (MP)'S Office
 Diary No. 460
 Date 7/3/14

Subject: Regarding setting up of additional slaughter house in NCT Delhi by the various civic bodies.

Ref: - Letters from Sh. Sirajuddin Qureshi, President, All India Jamiatul Qureshi (Regd.) vide No. AIJQ/183/2013 dated 09.10.2013 addressed to Hon'ble L.G. Delhi, subsequently forward to DDA. (Copy enclosed).

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Sir,

Please refer to letter No. F.No. AIJQ/183/2013 dated 09.10.2013 of Sh. Sirajuddin Qureshi, addressed to Hon'ble L.G. of Delhi, Raj Niwas Marg, Delhi duly endorsed by Dy. Director (Plg.)/MP bearing file No. F3(143)/82-MP/323 dated 14/11.2013, vide which, Dy. Director (Plg.)/MP has requested to examine the representation forwarded by Raj Niwas after reviewing the assessment of demand for more slaughter houses in other parts of Delhi.

2. In this regard, it is submitted that as per MP-2021, Delhi Development Authority has mentioned in his letter as under

(i) Slaughter House/Abattoirs falls under the Prohibited/Negative list of Industry in Annexure-III in Chapter 7.0 at Sl. No. 10 i.e. "Abattoirs, animal blood processing (except existing and relocation)".

(ii) Regarding more number of meat/poultry/fish shops, it is mentioned that meat/poultry/fish shops are permitted as a part of small shops of maximum 20 sqm area each under para 15.6 of MPD-2021.

It is pertinent to mention here that Sh. Sirajuddin Qureshi has mentioned in his representation that a conscious administrative decision may be taken so that the slaughter house/abattoirs are deleted from the existing prohibited/negative list of industries given in the MPD-2021 of NCDT.

Since, the DDA has formulated MPD-2021 with the provisions aforementioned and may take further decision in this matter. There is a need of 2-3 more slaughter houses and livestock markets in Delhi at different locations. There is also a need for 1-2 slaughter house for Pig in Delhi. Therefore 10-20 acres of land is required for the establishment of each slaughter house. EDMC does not have any land to construct additional slaughter house on its own. DDA is the competent authority to allot the land for the construction of slaughter houses and also have the power to amend the MPD 2021 of NCDT.

Submitted please.

Director (VS)/EDMC

Copy for kind information to:-

1. Addl. Commissioner-II/EDMC UT-I
2. OSD to Commissioner for Commissioner's Information please.
3. Commissioner/NDMC and Commissioner/SDMC are requested to explore possibilities to establish slaughter house within their jurisdiction.
4. Sh. Sirajuddin Qureshi, President, All India Jamiatul Qureshi (Regd.)
 A-1, Phase -I, Okhla Industrial Area, New Delhi - 110020

141

38

13/2/14



99116
 East Delhi Municipal Corporation
 Veterinary Services Department
 Office of Addl. Director (VS)
 Ghazipur Slaughter House
 E-mail:- addldir-vet-edmc@mcd.gov.in

No. Addl. Dir (VS)/GSH/2013/ 1156

Dated: - 26.2.2014

To

Rajesh Kumar Jair
 Dy. Director (Plg.)/MP
 Delhi Development Authority, Master Plan Section
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FOR OFFICE USE ONLY

DD (MP)'S Office
 Diary No. 460
 Date 7/3/14

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Submitted please.

Put up in file

39

Director (VS)/EDMC

142

Copy for kind information to:-

1. Addl. Commissioner-II/EDMC II T.F

142

Delhi Development Authority
(Unauthorized Colonies Cell & Zone-J)
12th Floor, Vikas Minar,
New Delhi

No. F.3 (143)82/MP/ D-177

Dated: 8/5/14

Minutes of the meeting

Sub:- Regarding amendment of relevant sections of MPD 2021, thereby making provisions for allotment of land for establishment of additional Slaughter Houses in Delhi.

A meeting was held under the Chairmanship of Vice Chairman, DDA on 22.04.2014 to discuss the issue regarding New Slaughter Houses for sheep, goat, buffalo and poultry in Delhi, as raised by Meat Merchant Association.

List of officers present is annexed.

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As per request of Meat Merchant Association and further endorsed by DMC officers, new land for Slaughter House is to be identified in various zones of Delhi. It was further informed that Delhi Meat Merchant Association has also filed a writ petition before the Hon'ble High Court of Delhi (CWP No. 1031/2013).

It was further informed during the meeting that by Addl. Commr. (Plg.) UE, MP & LP that Slaughter House / Abattoirs is listed in negative list of industry and there is no provision of New Slaughter House in MPD-2021. On the representation of Meat Merchant Association, "Hon'ble LG has desired that DDA should initiate necessary steps for amending relevant sections of MPD 2021 for making provisions for allotment of land for establishment of additional Slaughter Houses in Delhi".

Addl. Commr. (Plg.) MPR & AP informed that due to unhygienic condition of Slaughter House at Idgah, relocation of this slaughter house was made in Gazipur (East Delhi). During the relocation programme it was envisaged that this slaughter house will cater the future demand of Delhi, therefore, further new site may not be required. In the meeting a view emerged that evaluation of capacity, planned and its utilization with respect to plan and land may be ascertained and explore the possibility of its expansion.

Following actions were identified.

1. Inspection of present slaughter house may be done with respect to optimum utilization of space and explore possibility for its expansion.

Action: Chief Town Planner, DMC, (East Zone) Director (VS), DMC, (East Zone), Director (Plg.) Zone E&O, DDA.

2. In the meantime, DMC should come out with detailed project report regarding demand of Meat under different categories i.e. sheep, goat, buffalo and poultry.

- Whether Gazipur Slaughter House could meet the demand of Delhi.
- Whether demand of meat in Delhi is being fulfilled from NCR town, what is the mechanism?
- If at all new site is to be carved out what is the quantum of land required. Since, there is no provision for new slaughter house in Master Plan Delhi 2021, therefore, DMC (North, East & South) should come out with full justification and clearances from DPCC, Industries Deptt. of Govt. of Delhi and Environment Deptt., GNCTD. The proposal of DMC should categorically based on modern technology of scientific abattoir.

Action: Chief Town Planner, DMC (East, North & South)
Director (VS), DMC, (East, North & South)

contd.

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7/5/14

-2-

Other issues

In the meeting issue about allotment of land for crematorium for pet animals was also raised by DMC. It was informed that this issue was discussed in the 12th Advisory Group meeting held on 18.02.2014 and being put up in the next authority meeting.

Meeting ended with vote of thanks to the Chair.

(Chandu Bhulia)
Director (Plg.) UC & Zone-I

OL

1. OSD to VC, DDA, Vikas Sadan, New Delhi
2. Commissioner, DMC (South Zone), SPM, Civic Centre, JLN Marg near Minto Road, New Delhi.
3. Commissioner, DMC (North Zone), 13th Floor, SPM, Civic Centre, E-Block, New Delhi.
4. Commissioner, DMC (East Zone), Patparganj, Udyog Sadan, Industrial Area, New Delhi.
5. Commissioner/Industries, GNCTD, 419 FIE, Patparganj, Delhi-92
6. Chairman-cum-Managing Director, DSIIDC, N-36, Bombay Life, Connaught Circus, New Delhi.
7. Engineer Member, DDA.
8. Pr. Commissioner (LM), DDA.
9. Pr. Commissioner (Lands), DDA.
10. Commissioner (Plg.), DDA
11. Chief Legal Advisor, DDA.
12. Addl. Commr. (Plg.) UE, MP & LP, DDA.
13. Addl. Commr. (Plg.) MPR & AP, DDA
14. Dir. (Plg.), Dwarka, Rohini & Narela
15. Sr. Law Officer (Plg.), DDA

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OL

(Dir. (Plg.) UC & J)

16/2/14

15564 75/14
913/C 773/C

Delhi Development Authority
(Unauthorized Colonies Cell & Zone-J)
12th Floor, Vikas Minar,
New Delhi

No. F.3 (143)82/MP/ D-177

Dated: 8/5/14

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List of officers present is annexed.

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Action: Chief Town Planner, DMC, (East Zone) Director (VS), DMC, (East Zone), Director (Plg.) Zone E&O, DDA.

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- i) Whether Gazipur Slaughter House could meet the demand of Delhi.
- ii) Whether demand of meat in Delhi is being fulfilled from NCR town, what is the mechanism?
- iii) If at all, new site is to be carved out what is the quantum of land required. Since, there is no provision for new slaughter house in Master Plan Delhi 2021, therefore, DMC (North, East & South) should come out with full justification and clearances from DPCC, Industries Deptt. of Govt. of Delhi and Environment Deptt., GNCTD. The proposal of DMC should categorically be based on modern technology of scientific abattoir.

Action: Chief Town Planner, DMC (East, North & South) Director (VS), DMC, (East, North & South)

A

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-2-

Other issues

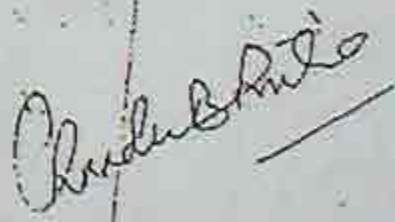
In the meeting issue about allotment of land for crematorium for pet animals was also raised by DMC. It was informed that this issue was discussed in the 12th Advisory Group meeting held on 18.02.2014 and being put up in the next authority meeting.

Meeting ended with vote of thanks to the Chair.

(Chandu Bhulia)
Director (Plg.) UC & Zone-J

1. OSD to VC, DDA, Vikas Sadan, New Delhi
2. Commissioner, DMC (South Zone), SPM, Civic Centre, JLN Marg near Minto Road, New Delhi.
3. Commissioner, DMC (North Zone), 13th Floor, SPM, Civic Centre, E-Block, New Delhi.
4. Commissioner, DMC (East Zone), Patparganj, Udyog Sadan, Industrial Area, New Delhi.
5. Commissioner/Industries, GNCTD, 419 FIE, Patparganj, Delhi-92
6. Chairman-cum-Managing Director, DSIIDC, N-36, Bombay Life, Connaught Circus, New Delhi.
7. Engineer Member, DDA.
8. Pr. Commissioner (LM), DDA.
9. Pr. Commissioner (Lands), DDA.
10. Commissioner (Plg.), DDA
11. Chief Legal Advisor, DDA.
12. Addl. Commr. (Plg.) UE, MP & LP, DDA.
13. Addl. Commr. (Plg.) MPR & AP, DDA
14. Dir. (Plg.), Dwarka, Rohini & Narela
15. Sr. Law Officer (Plg.), DDA.

O/C


(Dir. (Plg.) UC & J)



No. 362/ADVS/EDMC/2014

Dated: 30-06-2014

To
 Shri Chandu Bhutia,
 Director (Plg.) UC&J,
 Delhi Development Authority,
 Unauthorized Colonies Cell & Zone "J",
 12th Floor, Vikas Minar,
 New Delhi-11 00 02.

केवल कार्यालय प्रयोग के लिए
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Subject: Proper utilization of land allotted by the DDA for Ghazipur Slaughter House.

Sir,

In reference to above cited subject, a Team comprising the Officers of DDA, Veterinary Services Department, EDMC,SDMC,NDMC has inspected the entire area of Delhi Food Processing Complex (Meat) Ghazipur on dated 02.05.2014, wherein it was decided during the inspection that a detailed report may be furnished to the Director (Planning) to ascertain the proper utilization of the land allotted for the purpose of construction of Delhi Food Processing Complex (Meat) Ghazipur. Accordingly, the following is submitted:-

ALLOTMENT PLAN FROM DDA:

- | | |
|---|--------------|
| 1. Land for rendering Plant /Effluent Treatment Plant | : 5.11 acre |
| 2. Ultra Modern Slaughter House | : 4.25 acre |
| 3. Land for livestock market | : 10.15 acre |
| 4. Land for hide and skin storage Block | : 1.20 acre |
| 5. SLF land Site | : 30.00 acre |

POSSESSION PLAN:

- | | |
|--|-----------------|
| 1. Rendering Plant, Effluent Treatment Plant & Proposed Biomethanation plant | : 5.11 acre |
| 2. Modern Slaughter House along with ADM Block Residential Units, Utility Block & lairages | : 4.25 acre |
| 3. Sheep/Goat Livestock Market | : 5.00 acre |
| 4. Bufflaow Live Stock market | : 2.90 acre |
| 5. Hide & Skin Gowdown under construction | : 1.20 acre |
| 6. Hutments | : 1.05 acre |
| 7. Road and drain on eastern side of livestock market for Sheep/goat and buffaloes | : 0.80 acre |
| 8. Road from Cremation ground to Livestock Market | : 1.33 acre |
| 9. Road from Livestock market to Slaughter House | : 19400 Sqmtrs. |
| 10. SLF site | : 30.00 acre |

A huge garbage accumulated on the said SLF site before the inception of the Ghazipur Slaughter House. It is near about 30-40 Mtr. in height and the IIT Delhi has also recommended that no construction is feasible on the SLF land site.

Submitted Please.

By Director (VS), EDMC

[Signature]
 07/7/14

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[Signature]
 25/6/14
 Director (VS), EDMC

This file is under movement
 (17)
 25/6/14

AD (P) Office

pl. put up on concerned file
 pl. [unclear] [unclear]

[Signature]
 26/7/14

ANNEXURE
SOUTH DELHI MUNICIPAL CORPORATION
(VETERINARY SERVICES DEPARTMENT)
17th Floor Dr. S.P. Mukherjee Civic Centre,
Jawahar Lal Nehru Marg, New Delhi-110002.

21/7/14 Annexure

No. 392/DVS/SDMC/2014

Dated: -18.07.2014

To,

Shri Chandu Bhutia
Director (Plg.) UC & J
Delhi Development Authority
Unauthorized Colonies Cell & Zone "J"
12th Floor, Vikas Minar,
New Delhi-110002

Copy
21/07/14

Subject: Setting up Additional Slaughter House in Delhi

Reference: Minutes of the meeting issued on 08.05.2014

Sir,

This has reference to your letter No. F-3 (143)/82-MP/D-272 dated 10.07.2014 wherein it has been mentioned that no information has been received in the DDA in reference to the minutes of the meeting held under the Chairmanship of Vice-Chairman DDA on 22.04.2014 on the subject cited above.

It is informed that, in reference to the points discussed in the above meeting held by the Vice Chairman DDA, the information pertaining to this Corporation has been sent by the Commissioner, SDMC to the Vice-Chairman, DDA vide letter No. D-294/COM/SDMC/2014 dated 26.06.2014. A copy of this letter has already been sent by this office to Shri Vikas Verma, Dy. Director (Plg.), Area Planning Zone E&O, 3rd Floor, Vikas Minar, I.P Estate, New Delhi-110002 vide letter No. 384/DVS/SDMC/SDMC/2014 dated 01.07.2014. However, a copy of this letter is further enclosed herewith for ready reference.

Further, in reference to the inspection of Ghazipur Slaughter House conducted jointly by the officers of DDA and the Directors (VS) of all three Corporations, a report has also been submitted by the Director (VS), East Delhi Municipal Corporation to the DDA, a copy of which is also enclosed herewith for ready reference.

If any other information on the subject is still required by the DDA, the same may kindly be informed to this office so that it could be provided by SDMC to the DDA.

Copy
21/07/14

Pl. put in
copy
21/7/14

(Signature)
18-7-14
(Dr. R.B.S. Tyagi)
Director (VS)/SDMC

21/07/14
Plg. J

21/7/14
148

45

2 F-3(143)82/MP

20/7/14

MANISH GUPTA
IAS
COMMISSIONER



SOUTH DELHI MUNICIPAL CORPORATION
Dr. S.S. Mukherjee Complex, J.L.M. Road
New Delhi-110002

Phones: 011-23225901-02

D.O. No. D.294/CCM/SOMC/2014

Dated: 26-06-2014

909/L

Dear Sir,

A meeting was held under the chairmanship of Vice Chairman, DDA on 22.06.2014 to discuss the issue of allotment of land for new slaughter houses for sheep and goat, buffalo and poultry in Delhi. As per minutes of the meeting, certain actions are to be taken by each Municipal Corporation of Delhi. The DDA has sought a report from the Corporation on the points mentioned in the minutes of the meeting (copy enclosed)

The point-wise submissions on the points mentioned in the minutes of meeting are as under:

1. As decided in the meeting held by the Vice Chairman, DDA on 22.4.14, the officers of the DDA and Directors(VS) of all three Corporations had an inspection of the Ghazipur slaughter house complex, wherein it has been observed that the land allotted by the DDA at Ghazipur is being properly utilised by establishing the slaughter house and other associated facilities and as mentioned by the officers of the DDA in the meeting, no land is available at Ghazipur for establishment of new slaughter house for sheep and goats.
2. It is further submitted that as per an estimate, the total consumption of mutton (sheep and goat) in Delhi may vary between 9000-16000 per day depending upon the day to day consumption, as the consumption of the meat is affected by various factors. The slaughtering capacity of Ghazipur slaughter house in respect of sheep and goats does not meet the requirement of the city and the same is being met either by slaughtering of the animals at Ghazipur slaughter house as per its existing capacity or by way of doing illegal slaughtering in various parts of the city.
3. The DDA has further sought the information for quantum of land required for sheep and goats slaughter house. In this regard it is submitted that a land measuring about 15 acres would be required for establishment of slaughter house for sheep and goats for which the request has already been submitted with the DDA.

The DDA has further asked the Municipal Corporations to come out with clearances from DPCC, Industries and Environment Departments for establishment of sheep and goats slaughter house. In reference to this observation of the DDA, it is submitted that once the DDA makes the allotment of the land for establishment of a slaughter house for sheep and goats, the clearances from DPCC would be taken thereafter. Since, no land is available with SOMC for establishment of a slaughter house for sheep and goats as of now it has no relevance to apply/get the clearances from the DPCC or the Deptt. of Environment.

In view of the position explained above, it is again requested that a piece of land measuring about 15 acres may kindly be allotted to the SOMC at public utility rates for establishment of a slaughter house for sheep and goats to provide the wholesome and hygienic mutton to the public and also to control the illegal slaughtering of animals in Delhi. The cost of land shall be paid by this Corporation.

With regards,

Yours sincerely,
(Signature)
(MANISH GUPTA)

Shri Balwinder Kumar, IAS
Vice Chairman,
Delhi Development Authority,
1st Floor, B-Block, Vikas Sadan,
INA, New Delhi

केवल कार्यालय प्रयोग के लिए
FOR OFFICE USE ONLY

o/c

On dated 02.05.2014 at 03:00 PM, some officials of DDA alongwith Directors of Veterinary Services Deptt. of all Three Municipal Corporations and officials of Ghazipur Slaughter House have carried out a joint inspection at Ghazipur Slaughter House to review the status of land allotted by DDA to MCD for setting up of Ghazipur Slaughter House in the year 2004 - 05.

In this regard, It is submitted that DDA had allotted 50.71 acre land to MCD for setting up of Ghazipur Slaughter House and its ancillary units at Ghazipur. The layout plan of Integrated Freight Complex, Pocket -B at Ghazipur in MPD 2001 for 50.71 acre land allotted by DDA is as under:-

Allotment Plan:-

1. Land for Rendering Plant/Effluent Treatment Plant	5.11 acre
2. Ultra Modern Slaughter house phase -I	4.25 acre
3. Land for livestock market	10.15 acre
4. Land for hide & skin storage block	1.20 acre
5. Ultra Modern Slaughter house phase - II	30.00 acre
Total	50.71 acre

Possession Plan:-

1. Rendering Plant, Effluent Treatment Plant & Proposed Biomethanation Plant	5.11 acre
2. Modern Slaughter House alongwith ADM block, Residential Unit, Utility block & lairage	4.25 acre
3. Sheep/goat Livestock Market	5.0 acre
4. Buffalo Livestock market	2.90 acre
5. Skin & hide godown (under construction)	1.20 acre
6. Hutments	1.05 acre
7. Road & drain on eastern side of livestock market for sheep/goat and buffaloes.	0.80 acre
8. Road for cremation ground to livestock market	1.33 acre
9. Road from livestock market to Slaughter house	19400 Sq. Mtr.
	10.15 acre

The land measuring area of 30.00 acre allotted by DDA to MCD at SLF for setting up of ultra modern slaughter house phase -II is not in use at present. It is informed that approx 4.75 acre land from existing SLF have been reclaimed by the efforts of MCD and it has been decided in the minutes of the meeting held under the Chairmanship of Commissioner/EDMC to use the same for parking purpose of vehicles as around 300 trucks/vehicles loaded with animals are reporting daily at livestock market.

The aforementioned figures in respect of allotment of the land by DDA to MCD and accordingly possession plan are hereby submitted as per record available in the office of Ghazipur Slaughter House.

Director (VS)/EDMC

Director (VS)/SDMC

12.5.14
Addl. Director (VS)
Ghazipur Slaughter House


भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1605]

नई दिल्ली, शुक्रवार, जुलाई 31, 2015/श्रावण 9, 1937

No. 1605]

NEW DELHI, FRIDAY, JULY 31, 2015/SHRAVANA 9, 1937

दिल्ली विकास प्राधिकरण

(मुख्य योजना अनुभाग)

सार्वजनिक सूचना

नई दिल्ली, 31 जुलाई, 2015

का.आ. 2085(अ).—दिल्ली विकास प्राधिकरण/केन्द्र सरकार का दिल्ली विकास अधिनियम, 1957 की धारा 11-(क) के अंतर्गत दिल्ली मुख्य योजना-2021 में निम्नलिखित संशोधन करने का प्रस्ताव है, जिसे जनता की जानकारी के लिए एतद्वारा प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो अथवा कोई सुझाव देना हो, तो वे अपनी आपत्ति/सुझाव इस सूचना के जारी होने की तिथि से तीस दिनों की अवधि के अंदर आयुक्त एवं सचिव, दिल्ली विकास प्राधिकरण, 'बी' ब्लॉक, विकास सदन, नई दिल्ली-110023 को लिखित रूप में भेज सकते हैं। आपत्ति करने अथवा सुझाव देने वाले व्यक्ति साफ अक्षरों में अपना नाम, पता और फोन नम्बर भी दें।

संशोधन :

दि.मु.यो.-2021	
अध्याय 7.0 - उद्योग	
अनुबंध III : निषिद्ध/नेगेटिव उद्योगों की सूची	
मौजूदा प्रावधान	प्रस्तावित संशोधन
10. पशु वध गृह, पशु रक्त प्रोसेसिंग (मौजूदा और पुनः स्थान निर्धारण को छोड़कर)	10. पशु वध गृह, पशु रक्त प्रोसेसिंग (मौजूदा और पुनः स्थान निर्धारण को छोड़कर और नवीनतम तकनीक के साथ आधुनिक पशु वध गृह की अनुमति, संबंधित एजेंसियों से पर्यावरणीय क्लीयरेंस सहित सभी क्लीयरेंस के अधीन है)। ये पूरी तरह से स.रा. क्षेत्र दिल्ली, की आवश्यकताओं पर आधारित होंगे।

2. प्रस्तावित संशोधन को दर्शाने वाला दि.मु.यो.-2021 का पाठ निरीक्षण के लिए उपर्युक्त अवधि के दौरान सभी कार्य-दिवसों को उप निदेशक कार्यालय, मुख्य योजना अनुभाग, छठी मंजिल, विकास मीनार, आई.पी.एस्टेट, नई दिल्ली-110002, में उपलब्ध रहेगा।

[फा. सं. एफ. 3(143) 82/एम.पी.]

डी. सरकार, आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY
(MASTER PLAN SECTION)
PUBLIC NOTICE

New Delhi, the 31st July, 2015

S.O. 2085(E).—The following modifications which the Delhi Development Authority/Central Government proposes to make to the Master Plan for Delhi-2021, under Section-11(A) of Delhi Development Act, 1957, are hereby published for public information. 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 Sadan, New Delhi-110023, within a period of thirty days from the date of issue of this Notice. The person making the objections or suggestions should also give his/her name, address and telephone/contact number(s) which should be readable.

Modifications:

MPD - 2021	
Chapter 7.0-Industry	
Annexure III: Prohibited / Negative List of Industries	
Existing Provisions	Proposed Modifications
10. Abattoirs, animal blood processing (except existing and relocation)	10. Abattoirs, animal blood processing (except existing, relocation and modern abattoir with latest technology shall be permitted subject to all clearances including environmental clearances from concerned agencies). These will be dependent strictly on the need of the NCT of Delhi.

2. The text of MPD-2021 indicating the proposed modifications shall be available for inspection 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.

[F. No. F.3(143)82/MP]

D. SARKAR, Commissioner-cum-Secy.

DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

New Delhi, the 31st July, 2015

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[F. No. F.3(143)82/MP]

D. SARKAR, Commissioner-cum-Secy.

DELHI DEVELOPMENT AUTHORITY
(MASTER PLAN SECTION)
PUBLIC NOTICE

New Delhi, the 31st July, 2015

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Modifications:

MPD - 2021	
Chapter 7.0-Industry	
Annexure III: Prohibited / Negative List of Industries	
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2. The text of MPD-2021 indicating the proposed modifications shall be available for inspection 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.

[F. No. F.3(143)82/MP]

D. SARKAR, Commissioner-cum-Secy.

Handwritten signature/initials

Item No. 105/2015

Sub: Change of Landuse for an area measuring 40,000 Sq.mt. from 'Government' to 'Utility'- Electricity (Power House, sub-station) in Zone P-I, Narela.

File No. : F.20 (32)/2014-MP

1.0 Background:

- 1.1 This is regarding 400 KV Electric Sub-station site measuring 40,000 Sq.m (4 Ha.) in Tikrikhurd in the layout Plan of Government Land along 60m ROW road, Zone P-I, Narela. A joint inspection of area was carried out with DTL representative by Narela Planning Office on 04/12/2014. During visit, a site was identified on proposed 60 mt. RW Road in Zone P-I. The proposed site for 400 KV ESS falls in DDA acquired land of Zone P-I. Based on acceptance by Delhi Transco limited (DTL); GNCTD, modification in the Layout Plan was considered and approved by VC, DDA on 09/12/2014. The same was forwarded to Land Disposal Wing for allotment to Power Deptt., GNCTD & Engineering Wing (North Zone) for demarcation on 9/12/2014.
- 1.2 The Landuse of site identified for 400 KV ESS is 'Government' as per MPD-2021 and Zonal Development Plan of Zone P-I, which is required to be Changed from 'Government' to 'Utility'- Electricity (Power House Sub-Station) under section 11-A of Delhi Development Act 1957.
- 1.3 The proposal was considered and approved in the 15th Technical Committee meeting held on 19/12/2014 vide item no. 95:2014.
- 1.4 Authority in its meeting held on 16/2/15 vide items no. 11:2015 has considered and approved the proposal of change of land use of the site measuring 40,000 Sq.mt. (4 Ha.) in the layout plan of Govt. land along with 60 mt. RW road at Tikri Khurd , Zone P-I, Narela.

2.0 Follow up action:

2.1 Public Notice:

As a follow up to the decision of the Authority, public notice was issued in Gazette of India vide S.O. 986(E) dated 10th April 2015 as well as in four Newspapers for calling objections/suggestions from the general public (Annexure-I).

In response to this public notice no objection/suggestion have been received therefore, the meetings of Board of Inquiry & Hearing is not required.

2.2 Status of Site as per MOUD letter dated 7.4.15.

As per direction of MOUD, Govt. of India vide letter dated 7th April 2015, the status of the site under reference is as follows:

S.No.	Queries	Reply
i)	Whether the land is government or private and who is the land owing agency?	The land under reference is a acquired land and under the possession of DDA as per the report submitted by Dy. Dir. (LM) NZ dated 2.9.15.

ii)	On whose request the change of land use case or modification to MPD-2021 has been initiated?	The change of land use has been processed on the request of Pr. Secy. (Power) & CMD, Delhi Transco. Ltd., GNCTD for establishment of 220 KV sub-station.
iii)	Whether a responsible Officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided?	Yes, Dy. Dir.(Survey) Narela project has inspected the site and a report is annexed as Annexure-II.
iv)	What is the public purpose proposed to be served by modification of MPD and /or change of land use?	The proposed modifications will augment the additional power requirement of the sub-city.
v)	What will be impact of proposal on the ZDP/MPD and whether the changes are inconsonance with the approved plans and policies?	This is a utility/facility essentially required for the planned population of that area.
vi)	What will be proposal's impact/implications on general public e.g. Law & Order etc.?	No such impact/implication is assessed however; this is a facility to the surrounding area.
vii)	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	No such Court case is on the land under reference as reported by. Dy. Dir. (LM) NZ vide letter dated 2.9.205.

3.0 Proposal:

In view of the above and considering that no objection/suggestion has been received, the proposal for change of land use of the following area in MPD-2021 and Zonal Development Plan of Zone P-I from GOVT. to UTILITY-Electricity (Power house, sub-station) is proposed under section 11-A of DD Act 1957. The details are as follows:

Location	Area	Land Use (MPD-2021)	Land Use Changed to	Boundaries
The plot earmarked for Government Land use at Government land along 60 m Road Zone P-I, Narela.	40,000 SQ.mt.	'Government'	'Utility'- Electricity (Power House Sub-station)	i) North-Residential ii)South-60mt. Road RW iii)East- Govt. Landuse. iv) West-(Commercial) (Community Centre).

The plan is available at Annexure-III.

4.0 Recommendation:-

The proposal of change of lands use (CLU) as given in Para 3.0 above is to be placed before Authority for consideration and approval. After the approval, the matter will be referred to MOUD, Govt. of India for consideration & issuance of final notification u/s 11-A of DD Act, 1957.

RESOLUTION

The proposal contained in the agenda item was approved.


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 758]

नई दिल्ली, शुक्रवार, अप्रैल 10, 2015/चैत्र 20, 1937

No. 758]

NEW DELHI, FRIDAY, APRIL 10, 2015 / CHAITRA 20, 1937

दिल्ली विकास प्राधिकरण

(मुख्य योजना अनुभाग)

सार्वजनिक सूचना

नई दिल्ली, 10 अप्रैल, 2015

का.आ.986(अ).—दिल्ली विकास प्राधिकरण/केन्द्र सरकार का दिल्ली विकास अधिनियम, 1957 की धारा 11'क' के अंतर्गत दिल्ली मुख्य योजना/जोन-पी-1 की क्षेत्रीय विकास योजना में निम्नलिखित संशोधन करने का प्रस्ताव है, जिसे जनता की जानकारी के लिए एतद्वारा प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो अथवा सुझाव देना हो, तो वह अपनी आपत्ति/सुझाव इस सूचना के प्रकाशन की तिथि से तीस दिन की अवधि के अन्दर आयुक्त एवं सचिव, दिल्ली विकास प्राधिकरण, 'बी' ब्लॉक, विकास सदन, नई दिल्ली-110023 को लिखित रूप में भेज सकते हैं। आपत्ति करने अथवा सुझाव देने वाले व्यक्ति अपने नाम व पते के अतिरिक्त अपना फोन, फैक्स, मोबाइल नम्बर एवं ई-मेल आई.डी. भी दें।

संशोधन:

जोन-पी-1, नरेला में 40,000 वर्ग मीटर क्षेत्रफल के भूमि उपयोग का 'सरकारी' से 'उपयोगिता' विद्युत (पावर हाउस सब स्टेशन) में परिवर्तन, जिसका विवरण निम्नानुसार सूचीबद्ध है:

अवस्थिति	क्षेत्रफल (वर्ग मीटर)	दि.मु.यो.-2021 के अनुसार भूमि उपयोग	जिसमें भूमि उपयोग परिवर्तित किया जाना है	सीमाएं
जोन-पी-1, नरेला में 60 मीटर सड़क के साथ-साथ सरकारी भूमि पर सरकारी भूमि उपयोग के लिए निर्धारित प्लॉट।	40,000 वर्ग मीटर	'सरकारी'	'उपयोगिता'— (विद्युत पावर हाउस सब-स्टेशन)	(i) उत्तर-आवासीय (ii) दक्षिण-60 मीटर सड़क मार्गाधिकार (iii) पूर्व-सरकारी भूमि उपयोग (iv) पश्चिम-(व्यावसायिक) (सामुदायिक केन्द्र)

प्रस्तावित संशोधन को दर्शाने वाला नक्शा निरीक्षण के लिए उपर्युक्त अवधि के दौरान सभी कार्य दिवसों को उप-निदेशक (मुख्य योजना) कार्यालय, छठा तल, विकास मीनार, आई.पी.एस्टेट, दिल्ली विकास प्राधिकरण, नई दिल्ली में उपलब्ध रहेगा।

[फा. सं. एफ.20(32)/2014/एमपी]

डी. सरकार, आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

New Delhi, the 10th April, 2015

S.O 986(E).—The following modification which the Delhi Development Authority /Central Government proposes to make to the Master Plan for Delhi/Zonal Development Plan for Zone-P-I under Section 11-A of Delhi Development Act, 1957, is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection/suggestion in writing to the Commissioner-cum-Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi-110023 within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his/her name and address, in addition to phone, fax, mobile number and E-mail ID.

MODIFICATION:

Change of land use of an area measuring 40,000 Sq.mt. from 'Government' to 'Utility' Electricity (Power House sub-station) in Zone P-I, Narela as per the description listed below :

Location	Area (Sq.mt.)	Land Use As per (MPD-2021)	Land Use Changed to	Boundaries
The Plot earmarked for Government Land use at Government land along 60 m Road Zone P-I, Narela	40,000 Sq.mt.	'Government'	'Utility'- Electricity (Power House Sub- Station)	(i) North-Residential (ii) South-60 mt. Road R/W (iii) East- Govt. Land use (iv) West-(Commercial) (Community Centre).

The plan indicating the proposed modification is available for inspection at the office of Dy. Director (MP), 6th floor, Vikas Minar, IP Estate, Delhi Development Authority, New Delhi on all working days during the period referred above.

[F. No.F.20 (32)/2014/MP]
D. SARKAR, Commissioner-Cum-Secy.

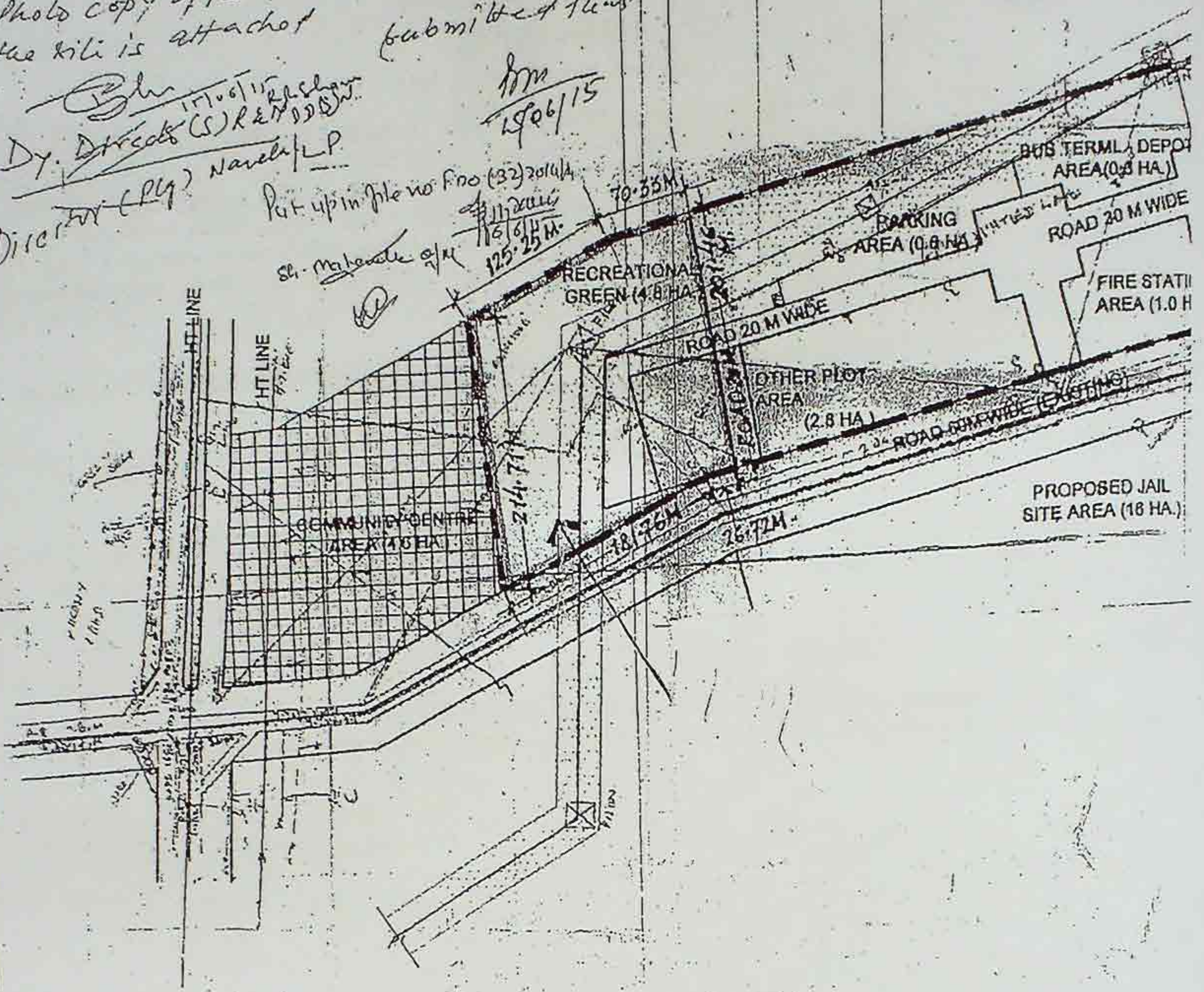
File - 88/C

Visited the site proposed for 400kV ESB along with Dy. Director (S). Site is lying vacant. 21 kV exist 60 mt R/W. HT line is passing over the site shown in photo copy of the plan. Photograph of the site is attached

[Signature]
Dy. Director (S) R&N
Director (P) Navah/LP


mm
15/06/15

Put up in file no. Fno (32) 2014/1
Sl. No. 11/2014
15/06/15
125.25 HA





DELHI
DEVELOPMENT
AUTHORITY

 SITE MEASURING 40,000 SQ.M
IN LAYOUT PLAN OF GOVERNMENT
LAND ALONG 60 M. ROAD ROW ZONE
P-I, NARELA FOR CHANGE OF LAND
USE TO UTILITY (ELECTRICITY
POWER HOUSE SUB-STATION) IN
MPD-2021 & ZDP OF ZONE P-I

DESCRIPTION OF BOUNDARIES :
NORTH : RESIDENTIAL
SOUTH : 60 M. ROAD ROW
EAST : GOVERNMENT LANDUSE
WEST : COMMERCIAL (COMMUNITY CENTRE)

- NOTE :
1. THE LAYOUT PLAN OF GOVERNMENT LAND ALONG 60M. ROAD ROW, ZONE P-I, NARELA WAS CONSIDERED IN 292ND SCREENING COMMITTEE MEETING HELD ON 15/06/2010 VIDE ITEM NO. 72/2010 AND APPROVED IN FILE NO. F.15 (304)2009/NP/P.T.
 2. THE PROPOSAL OF CHANGE OF LANDUSE WAS CONSIDERED AND APPROVED BY 15TH TECHNICAL COMMITTEE MEETING HELD ON 19.12.14 VIDE ITEM NO. 95/2014
 3. The proposal was considered and approved by the authority in its meeting held on 16-2-15 vide item no. 11/2015
 4. A public notice was issued in Gazette of India vide S.O. 984(E) dt. 10-4-15 for calling obj/sugg.
 5. No obj/sugg. were received

CHANGE OF LAND USE FOR AN
AREA 40,000 SQ.M FROM
GOVERNMENT TO UTILITY-
ELECTRICITY POWER HOUSE
SUB STATION) IN MPD-2021 &
ZDP OF ZONE P-I.

FILE NO. : F.20 (32) 1/2014-MP

SCALE : NOT TO SCALE

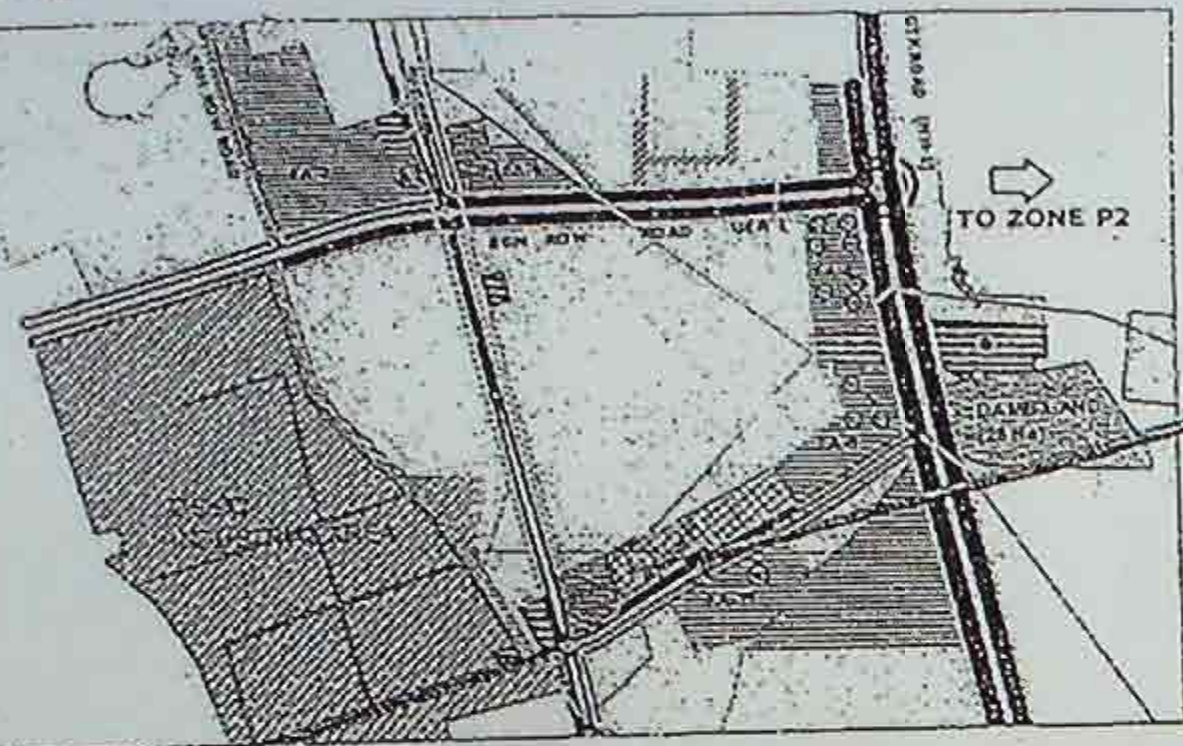
DATE : DECEMBER 2014



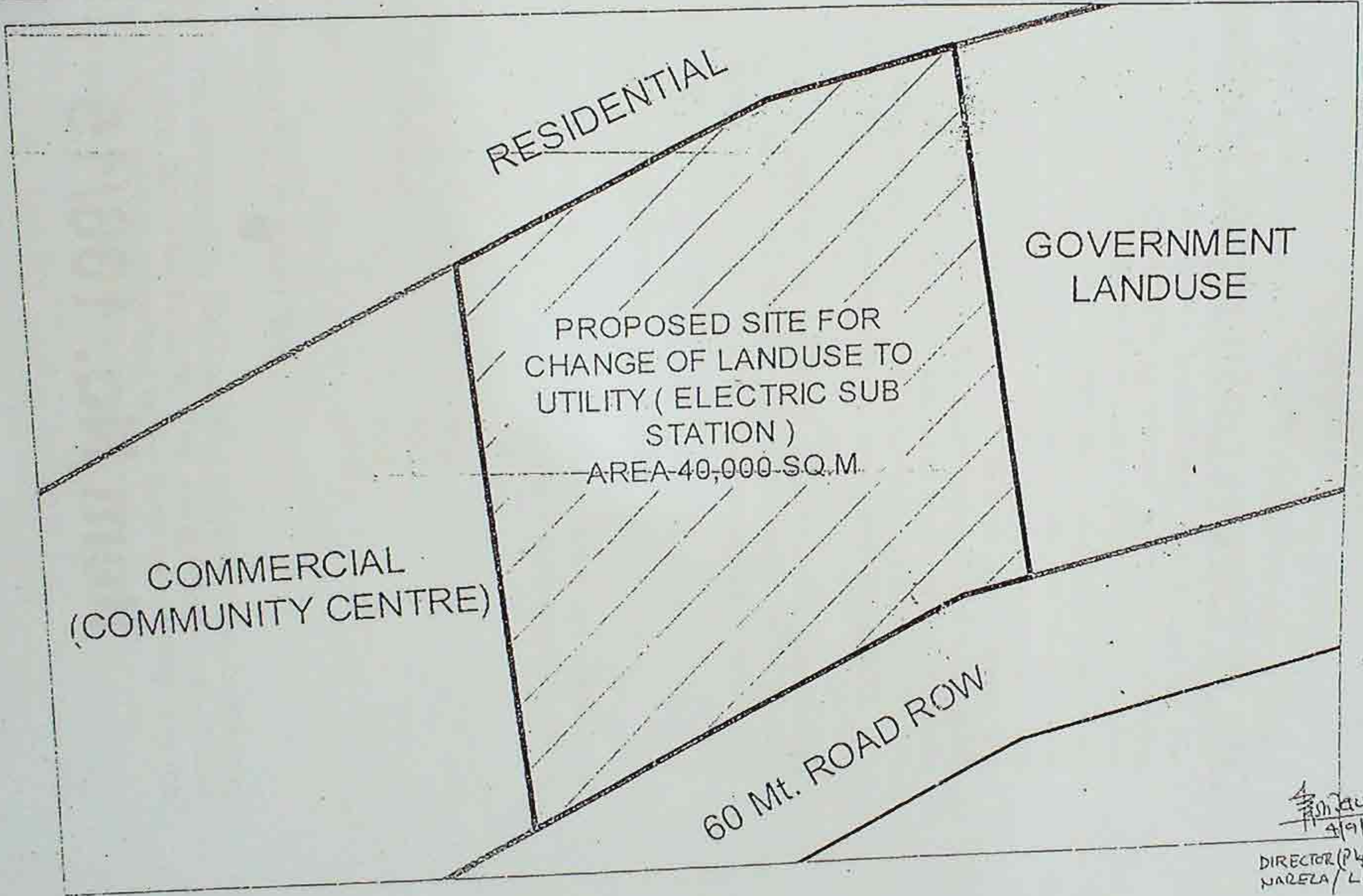
PLG. ASSTT. : ASSTT. DIR. : BY DIR.

A.C. (P.O.) UEBLP *Vinod Kumar*

ZONE P-I (NARELA PROJECT) & P-I NO LAND POOLING



LOCATION OF SITE IN PART ZDP
OF P-I



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Vinod Kumar
4/9/15
DIRECTOR (P&D)
NARELA/LP.

ANNEXURE-III

Item No. 106/2015

Sub: Proposal for modification in MPD-2021 w.r.t. the Development Control Norms of Night Shelters.

File No.: F.3(80)/2007-MP

1.0 BACKGROUND

- A meeting was held under the chairmanship of Hon'ble Minister of Urban Development, Govt. of India on 22.11.2014. In this meeting along with other various issues the issue regarding increase in FAR for Night Shelter complexes was discussed and it was decided that DDA to consider the need to increase FAR for Night Shelter complexes to 200. Accordingly, the DUSIB, GNCTD was requested to provide the justification for increase in FAR. The DUSIB has provided the justification vide their letter dated 12.12.2014 wherein it has been mentioned that Ministry of Housing and Urban Poverty Alleviation recently has issued Mission document and under National Urban Livelihood Mission (NULM) vide which the requirement of space in Night Shelter has been increased to 5.00 sq.mt. per person and in order to fulfill the requirement of NULM and to get more people in Night Shelter, more area need to be constructed in Night Shelter. As such, the FAR of Night Shelter may be increased from 120 to 200.
- Hon'ble High Court of Delhi in the matter of Court in its own motion v/s GNCTD and Ors. of WP(C)29/2010 has passed the order on 14.10.2014 for government departments to take the remedial measures to resolve the deficiencies in the provisions of night shelters.

2.0 PROVISIONS OF MASTER PLAN FOR DELHI-2021

The development control norms for Night Shelter are given under Para 4.4.3 Control for Building / Buildings within Residential Premises which are as given below:

F. Night Shelter	
Min. Plot Size	- 1000 sqm.
Max. Ground Coverage	- 30%
Max. FAR	- 120
Max. Height	- 26 m

3.0 DECISION IN TECHNICAL COMMITTEE

The matter was discussed in the Technical Committee in its meeting held on 19.12.2014 vide Item No. 89/2014. The representatives of DUSIB requested for enhanced ground coverage up to 60% considering that the building will be low rise and without lifts for economy.

29616

Technical Committee agreed to the proposal for enhancement of FAR from 120 to 200 and ground coverage from 30% to 60% subject to clearance from Fire Department and parking be as per requirement and recommended the proposal to be put up to the Authority for modification to the MPD-2021 under section 11 A of DD Act.

4.0 Decision of Authority meeting:

Based on the Technical Committee decision, the agenda (Annexure-'I') was placed before the Authority and the decision taken by Authority in its meeting held on 24.04.2015 vide Item No. 53/2015 is as under:

*"The proposal contained in the agenda item was approved.
The Authority decided that the parking provision mentioned in the Development Control Norms for Night Shelters- will be considered on individual basis. The requirement of each Night Shelter will be assessed individually depending on the size and location of the Night Shelter that may require parking of Service Vehicles."*

5.0 Public Notice:

On the basis of Authority decision, a Public Notice was issued vide S.O. 2071(E) dt. 30.07.2015 (Annexure -'II') and was published in newspapers for inviting the objections / suggestions from the public within a period of 30 days from the date of issue of Public Notice.

In response to the above Public Notice, no objections / suggestions were received.

6.0 Proposal:

Based on the approval of Authority and the proposed modification to MPD-2021 as contained in the Public Notice, the following is proposed:

MPD 2021			
Existing Provisions		Proposed Amendments/Modifications	
Chapter 4.0-Shelter			
4.4.3 Control For Building/ Buildings Within Residential Premises			
F. Night Shelter			
Min. Plot Size	1000 sqm.	Min. Plot Size	1000 sqm.
Max. Ground Coverage	30%	Max. Ground Coverage	60%
Max. FAR	120	Max. FAR	200
Max. Height	26m	Max. Height	26m
Chapter 13.0-Social Infrastructure			
Table 13.19-Development Controls for Other Community Facilities			
Sl. No.	Category	Sl. No.	Category
1.	Old Age Home / Care Centre for differently abled persons / Mentally challenged/ Working women /men hostel / Adult Education Centre / Orphanage / Children's Centre/ Night Shelter.	1.	Old Age Home / Care Centre for differently abled persons / Mentally challenged/ Working women /men hostel / Adult Education Centre / Orphanage / Children's Centre.

5. No. Provisions	Sl. No.	Category	Maximum			Other Controls
			Ground Coverage	FAR	Height	
	5.	Night Shelter	60%	200	26m	The parking provision mentioned in the Development Control Norms for Night Shelters will be considered on individual basis. The requirements of each Night shelter will be assessed individually depending on the size and location of the Night Shelter that may require parking for Service Vehicles.

7.0 The proposal in Para 6.0 above is put up for consideration of the Authority for submitting the same to the Ministry of Urban Development, Govt for final notification under Section 11-A of the DD Act, 1957 as modification to the MPD-2021.

RESOLUTION

The proposal contained in the agenda item was approved with the following modifications which were not part of the public notice in larger public interest:

1. Minimum plot size : 100 sqm

2. Parking : Plot size,

Less than 500 sqmt : Nil

500 sqmt and above : 2 cars/service vehicles

ANNEXURE-IITEM NO. 53/2015

24.4.2015

Sub: Proposal for modification in MPD-2021 w.r.t. the Development Control Norms of Night Shelters.

File No.: F.3(80)/2007-MP

1.0 BACKGROUND

- A meeting was held under the chairmanship of Hon'ble Minister of Urban Development, Govt. of India on 22.11.2014. In this meeting along with other various issues the issue regarding increase in FAR for Night Shelter complexes was discussed and it was decided that DDA to consider the need to increase FAR for Night Shelter complexes to 200. Accordingly, the DUSIB, GNCTD was requested to provide the justification for increase in FAR. The DUSIB has provided the justification vide their letter dated 12.12.2014 placed at Annexure 'A' wherein it has been mentioned that Ministry of Housing and Urban Poverty Alleviation recently has issued Mission document and under National Urban Livelihood Mission (NULM) vide which the requirement of space in Night Shelter has been increased to 5.00 sq.mt. per person and in order to fulfill the requirement of NULM and to get more people in Night Shelter, more area need to be constructed in Night Shelter. As such, the FAR of Night Shelter may be increased from 120 to 200.
- Hon'ble High Court of Delhi in the matter of Court in its own motion v/s GNCTD and Ors. of WP(C)29/2010 has passed the order on 14.10.2014 for government departments to take the remedial measures to resolve the deficiencies in the provisions of night shelters.

2.0 PROVISIONS OF MASTER PLAN FOR DELHI-2021

केवल कार्यालय प्रयोग के लिए
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The development control norms for Night Shelter are given under Para 4.4.3 Control for Building / Buildings within Residential Premises which are as given below:

F. Night Shelter

Min. Plot Size	-	1000 sqm.
Max. Ground Coverage	-	30%
Max. FAR	-	120
Max. Height	-	26 m

केवल कार्यालय प्रयोग के लिए
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3.0 DECISION IN TECHNICAL COMMITTEE

The matter was discussed in the Technical Committee in its meeting held on 19.12.2014 vide Item No. 89/2014. The representatives of DUSIB requested for enhanced ground coverage up to 60% considering that the building will be low rise and without lifts for economy.

Technical Committee agreed to the proposal for enhancement of FAR from 120 to 200 and ground coverage from 30% to 60% subject to clearance from Fire Department and parking be as per requirement and recommended the proposal to be put up to the Authority for modification to the MPD-2021 under section 11 A of DD Act.

4.0 PROPOSAL

Based on the above, the proposal for modification in MPD-2021 w.r.t. Development Control Norms of Night Shelters is as under:

MPD-2021		
Para No. 4.4.3 Control for Building / Buildings within Residential Premises		
F. Night Shelter		
	Existing Provisions	Proposed Modifications
Min. Plot Size	1000 sqm.	1000 sqm.
Max. Ground Coverage	30 %	60 %
Max. FAR	120	200
Max. Height	26 m	26 m

- i) Subject to clearance from Fire Deptt.
ii) Parking provisions to be as per requirements.

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- 5.0 The proposal in Para 4.0 i) & ii) above are put up for consideration of the Authority for further processing the proposed modifications under Section 11A of DD Act.1957 for inviting objections / suggestions.

RESOLUTION

The proposal contained in the agenda item was approved.

The Authority decided that the parking provision mentioned in the Development Control Norms for Night Shelters will be considered on individual basis. The requirement of each Night Shelter will be assessed individually depending on the size and location of the Night Shelter that may require parking of Service Vehicles.

शहायक निदेशक
शहरक कक्षा, दि. वि. प्र

Technical Committee agreed to the proposal for enhancement of FAR from 120 to 200 and ground coverage from 30% to 60% subject to clearance from Fire Department and parking be as per requirement and recommended the proposal to be put up to the Authority for modification to the MPD-2021 under section 11 A of DD Act.

4.0 PROPOSAL

Based on the above, the proposal for modification in MPD-2021 w.r.t. Development Control Norms of Night Shelters is as under:

MPD-2021		
Para No. 4.4.3 Control for Building / Buildings within Residential Premises		
F. Night Shelter		
	Existing Provisions	Proposed Modifications
Min. Plot Size	1000 sqm.	1000 sqm.
Max. Ground Coverage	30 %	60 %
Max. FAR	120	200
Max. Height	26 m	26 m

FOR OFFICE USE ONLY

- i) Subject to clearance from Fire Deptl.
- ii) Parking provisions to be as per requirements.

5.0 The proposal in Para 4.0 i) & ii) above are put up for consideration of the Authority for further processing the proposed modifications under Section 11A of DD Act. 1957 for inviting objections / suggestions.

RESOLUTION

The proposal contained in the agenda item was approved.

The Authority decided that the parking provision mentioned in the Development Control Norms for Night Shelters will be considered on individual basis. The requirement of each Night Shelter will be assessed individually depending on the size and location of the Night Shelter that may require parking of Service Vehicles.

[Handwritten Signature]
 21/7/15
 सहायक निरीक्षक
 शहरक वसा. वि. वि. प्रा

572 / ANNEXURE-A
89/14/Tc
Annexure-A

DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVT. OF NCT OF DELHI
OFFICE OF THE MEMBER (ENGINEERING)

Punarwas Bhowan, I.P. Estate,
ITO, New Delhi-110002
Ph. 23370281

No.

Di.

To

The Vice-Chairman, ODA
Vikas Sadan, New Delhi

(Ref: Para 5 (3) of minutes of the meeting dt. 25/11/2014)

Sir,

DUSIB is constructing permanent night shelters to accommodate homeless people in Delhi for which present FAR available is 120. Ministry of Housing and Urban Poverty Alleviation recently issued Mission Document & under National Urban Livelihood Mission vide which the requirement of space in night shelter has been increased to 500 sqm per person (copy enclosed). In order to fulfill the requirement of NULM and to accommodate more people in night shelters more area needs to be constructed in night shelters.

It is therefore proposed that FAR for night shelters may be increased from 120 to 200.

(M.K. Tyagi)

Member (Engineering), DUSIB

Encl. (As above)

Copy to

- 1. Secy. (UD), Govt. of NCT of Delhi, for kind information pl.
- 2. Member (Admin)

P.T.O

F272 / ANNEXURE-A
89/14/Te
Annexure-A

DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVT. OF NCT OF DELHI
OFFICE OF THE MEMBER (ENGINEERING)

Punarwas Bhiwan, I.P. Estate,
ITO, New Delhi-110002
Ph. 23370281

Di.

No.

To

The Vice-Chairman, DDA,
Vikas Sadan, New Delhi.

केवल कार्यालय प्रयोग के लिए
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Ref: Para 5 (3) of minutes of the meeting dt. 25/11/2014

Sir,

DUSIB is constructing permanent night shelters to accommodate homeless people in Delhi for which present FAR available is 120. Ministry of Housing and Urban Poverty Alleviation recently issued Mission Document 8 under National Urban Livelihood Mission vide which the requirement of space in night shelter has been increased to 5.00 sqm per person (copy enclosed). In order to fulfill the requirement of NULM and to accommodate more people in night shelters more area needs to be constructed in night shelters. It is therefore proposed that FAR for night shelters may be increased from 120 to 200.

(M.K. Tyagi)
Member (Engineering), DUSIB

Encl: (As above)

Copy to

- 1. Secy. (UD), Govt. of NCT of Delhi, for kind information pl.
- 2. Member (Admn).

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Scheme of Shelter For Urban Homeless (SUH)

- 10.1. The main objective of Scheme of Shelter for Urban Homeless (SUH) is to provide shelter and all other essential services to the poorest of the poor segment of urban societies. The shelters should be permanent all-weather 2 x 7 shelters for the urban homeless. For every one lakh urban population, provisions should be made for permanent community shelters for a minimum of one hundred persons. Depending upon local conditions each shelter could cater to between 50 and 100 persons.
- 10.2. Priority would be given to cities with population above one million in census of 2011, and other cities and towns identified by the Government of India/ State Governments to be of special social, historical or tourist importance.
- 10.3. For shelter planning purposes, a space of 50 sq. feet or 4.645 Sq. meters or say, 5 square meters per person may be taken as the minimum space to be provided.
- 10.4. The basic common facilities/amenities such as water, sanitation, electricity, kitchen/cooking space, common recreation space may be provided at the shelters for dignified human living. Also linkage with Anganwadi, PHC, childcare facilities and other social assistance programme, etc. may be ensured.
- 10.5. Linkages with entitlements: Shelters should be a space for convergence and provisioning of various entitlements of social security, food, education and health care systems. All homeless persons in shelters should be given priority under various schemes and Government programmes. This is because the homeless are unable to access many services due to lack of documentary proof such as address and birth proof etc.
- 10.6. Location of Shelters: Location should be close to homeless concentrations and work sites as far as practicable. They may be located close to the areas where the poorest congregate like railway stations, bus depots, terminals, markets, wholesale markets etc. Urban Development Projects Formulation and Implementation (UDFPI) guidelines and Master plans may be suitably amended to permit construction of such shelters in public and non-public use zones, industrial and recreational areas.
- 10.7. Design of Shelters: Where existing infrastructure / public buildings are being used, suitable refurbishment and augmentation to meet requisite services / space requirement should be done. Permanent shelters may be built of concrete or durable and weather proof alternate structures. The State Governments will be encouraged to adopt innovative designs for low cost and energy efficient buildings.
- 10.8. Each implementing Organisation shall set up a Shelter Management Committee (SMC).



देवल कार्यालय प्रयोग के लिए
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रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99


भारत का राजपत्र
The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1591]

नई दिल्ली, बृहस्पतिवार, जुलाई 30, 2015/श्रावण 8, 1937

No. 1591]

NEW DELHI, THURSDAY, JULY 30, 2015/SRAVANA 8, 1937

दिल्ली विकास प्राधिकरण

(मुख्य योजना अनुभाग)

सार्वजनिक सूचना

नई दिल्ली, 30 जुलाई, 2015

का.आ.2071(अ).—दिल्ली विकास प्राधिकरण/केन्द्र सरकार का दिल्ली विकास अधिनियम, 1957 की धारा 11-(क) के अंतर्गत दिल्ली मुख्य योजना - 2021 में निम्नलिखित संशोधन करने का प्रस्ताव है, जिसे जनता की जानकारी के लिए एतद्वारा प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो अथवा कोई सुझाव देना हो, तो वे अपनी आपत्ति/सुझाव इस सूचना के जारी होने की तिथि से तीस दिनों की अवधि के अंदर आयुक्त एवं सचिव, दिल्ली विकास प्राधिकरण, 'बी' ब्लॉक, विकास सदन, नई दिल्ली-110023 को लिखित रूप में भेज सकते हैं। आपत्ति करने अथवा सुझाव देने वाले व्यक्ति साफ अक्षरों में अपना नाम, पता और फोन नम्बर भी दें।

संशोधन

"दि.मु.यो. - 2021			
मौजूदा प्रावधान		प्रस्तावित संशोधन	
अध्याय 4.0 - आश्रय व्यवस्था (शैल्टर)			
4.4.3. आवासीय परिसरों के अंदर भवन / भवनों के लिए नियंत्रण			
च. रैन बसेरा			
न्यूनतम प्लॉट आकार	1000 वर्ग मीटर	न्यूनतम प्लॉट आकार	1000 वर्ग मीटर
अधिकतम ग्राउंड कवरेज	30 प्रतिशत	अधिकतम ग्राउंड कवरेज	60 प्रतिशत
अधिकतम एफ.ए.आर.	120	अधिकतम एफ.ए.आर.	200
अधिकतम ऊंचाई	26 मीटर	अधिकतम ऊंचाई	26 मीटर
अध्याय 13.0 - सामाजिक आधारिक संरचना			
तालिका 13.19 : अन्य सामुदायिक सुविधाओं के लिए विकास नियंत्रण			
क्र.सं.	श्रेणी	क्र.सं.	श्रेणी
1.	ओल्ड ऐज होम/शारीरिक/मानसिक रूप से विकलांग लोगों के लिए देखरेख केन्द्र/नौकरीपेशा महिलाओं/पुरुषों के होस्टल/प्रौढ शिक्षा केन्द्र/अनाथालय/बाल केन्द्र/रैन बसेरा	1.	ओल्ड ऐज होम/शारीरिक/मानसिक रूप से विकलांग लोगों के लिए देखरेख केन्द्र/नौकरीपेशा महिलाओं/पुरुषों के होस्टल/प्रौढ शिक्षा केन्द्र/अनाथालय/बाल केन्द्र

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5. कोई प्रावधान नहीं	क्र. सं.	श्रेणी	अधिकतम			अन्य नियंत्रण
			भूमि कवरेज	एफ. ए. आर.	ऊंचाई	
	5.	रैन बसेरा	60 प्रतिशत	200	26 मीटर	रैन बसेरों के लिए पार्किंग प्रावधानों पर अलग-अलग आंधार पर विचार किया जाएगा। प्रत्येक रैन बसेरे की आवश्यकताओं को अलग-अलग निर्धारित किया जाएगा, जो रैन बसेरे के आकार और अवस्थिति पर निर्भर होगा जिसमें सर्विस व्हीकल के लिए पार्किंग अपेक्षित होगी।

2. प्रस्तावित संशोधन को दर्शाने वाला दि.मु.यो. - 2021 का पाठ निरीक्षण के लिए उपर्युक्त अवधि के दौरान सभी कार्य-दिवसों को उप निदेशक कार्यालय, मुख्य योजना अनुभाग, छठी मंजिल, विकास मीनार, आई.पी.एस्टेट, नई दिल्ली-110002, में उपलब्ध रहेगा।

[फा. सं. एफ. 3(80)/2007-एम.पी.]

डी.सरकार, आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

New Delhi, the 30th July, 2015

S.O.2071(E).—The following modifications which the Delhi Development Authority/Central Government proposes to make to the Master Plan for Delhi-2021, under Section-11(A) of Delhi Development Act, 1957, are hereby published for public information. 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 Sadan, New Delhi-110023, within a period of thirty days from the date of issue of this Notice. The person making the objections or suggestions should also give his/her name, address and telephone/contact number(s) which should be readable.

Modifications:

"MPD 2021"			
Existing Provisions		Proposed Amendments/Modifications	
Chapter 4.0-Shelter			
4.4.3 Control For Building/Buildings Within Residential Premises			
R. Night Shelter			
Min. Plot Size	1000 sqm.	Min. Plot Size	1000 sqm.
Max. Ground Coverage	30%	Max. Ground Coverage	60%
Max. FAR	120	Max. FAR	200
Max. Height	26m	Max. Height	26m
Chapter 13.0-Social Infrastructure			

Table 13.19-Development Controls for Other Community Facilities

Sl. No.	Category	Sl. No.	Category				
1.	Old Age Home / Care Centre for differently abled persons /Mentally challenged/ Working women / men hostel / Adult Education Centre/ Orphanage/Children's Centre/ Night Shelter.	1.	Old Age Home / Care Centre for differently abled persons / Mentally challenged/ Working women /men hostel / Adult Education Centre / Orphanage / Children's Centre.				
5. No. Provisions		Sl. No.	Category	Maximum	Other Controls		
				Ground Coverage	FAR	Height	
		5.	Night Shelter.	60%	200	26m	The parking provision mentioned in the Development Control Norms for Night Shelters will be considered on individual basis. The requirements of each Night shelter will be assessed individually depending on the size and location of the Night Shelter that may require parking for Service Vehicles."

2. The text of MPD-2021 indicating the proposed modifications shall be available for inspection 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.

[F. No. F.3(80)/2007-MP]

D. SARKAR, Commissioner-cum-Secy.

Item No.107/2015

SUB: POLICY FOR INSTALLATION OF LIFT IN (CGHS) CO-OPERATIVE GROUP HOUSING FLATS AND DDA BUILT FLATS.

F.EM.3(7)05/Lift/Pt.

Most of the DDA Group Housing Schemes were 3-4 storey flats. As per building bye laws, it was not mandatory to install the lift, so while designing these complexes, no provision of lift was kept.

With the passage of time, the people grew old and found it difficult to climb the staircase due to various debilitating diseases. Handicapped children & pregnant ladies also faced problem in climbing staircase, so there is a need and it is essential to provide lift, so that upper floor people may reach their flats comfortably.

The Authority vide its Agenda Item No.56/2011 dated 26.05.2011 has approved the lift policy which is placed as per **Annexure 'A'**.

The main feature of this policy is that the consent of the RWAs was not required, however, the consent of majority of the flat owners should be obtained, excluding ground floor owners.

Again, Authority vide its Agenda Item No. 58/2012 dated 03.08.2012 modified the earlier lift policy dated 26.05.2011. In this policy, it was decided that all the allottees of DDA flats (irrespective of the services being transferred to MCD) will apply to DDA for getting NOC for installation of lift, copy placed as per **Annexure 'B'**.

After approval of this policy many allottees, majority of them ground floor allottees approached the Court and various court cases were initiated to stop implementation of this policy on various grounds. After considering their concerns, the draft lift policy has been framed which addresses the following:-

1. The lift well shall be constructed abutting the blind wall so that the natural light, ventilation and movement is not affected.

2. Unauthorized construction has been delinked while processing NOC, it has been mentioned in the policy that the local bodies shall take action at their end against the unauthorized construction.
3. Since we have proposed that a lift well shall be away from the existing structure and it will be an independent structure, so by installing the lift in such a manner the structural stability of the existing structure shall not be affected and no load shall be transferred on any existing structure.
4. The lift policy has been enlarged. Now, in addition to DDA flats it will be applicable to CGHS flats also.
5. In the new lift policy, the NOC stands granted automatically to the CGHS as well as DDA flat owners in de-notified areas. The allottees of these flats need not approach to DDA for NOC The concerned local body shall issue NOC/grant permission at their end.
6. It has also been proposed that the ground coverage/FAR consumed for installation of lift well shall not be counted in the permissible FAR/ground coverage.

After considering the above facts, the draft lift policy was presented before the Hon'ble Lt. Governor on 17.06.2015 and on his advice, the following provisions were further added:

1. The policy now includes CGHS flats, in addition to DDA built flats.
2. The area of lift well is proposed to be free from FAR (para-vii, page 2 of the policy).
3. It is also proposed that in de-notified areas, the NOC from DDA is granted in the policy itself and applicants need not to come DDA for NOC (Para 4.0 (i) Page 4 of the policy).
4. The validity of NOC so granted increased from 3 years to 5 years (Para 6.0 page 5 of the policy).

The modified draft lift policy has been approved by Hon'ble L.G. in file. Now the modified policy is put up before the Authority for consideration and approval.

RESOLUTION

The proposal contained in the agenda item was approved.

Agenda Item No. 56/11
26-5-11

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No:EM.3(7)2005/Lift/

Sub: Installation of lifts in Residential flats constructed by DDA.

This is a proposal for installation of lifts in Residential flats constructed by DDA.

DDA, a premiere housing agency has constructed residential units in National Capital Territory of Delhi for all strata of public. The houses are usually termed as High Income Group, Middle Income Group, Lower Income Group, Janta or EWS houses. These housing pockets are usually ground + 3 storied structure having a system of walk up. These structures do not have provision of lifts in line with the codal provisions existing at that point of time when planning for these houses were taken up for construction.

The users have now grown up and felt a need for provision of lifts to cope up with their advance age, failing health, on medical grounds, to have an easy access from the ground level to their door steps on their floors. This growing public demand has suitably been addressed by DDA. Accordingly, DDA framed a policy for installation of lifts in group housing pockets either by RWA or by group of residents of their blocks.

The policy so framed was observed to be having cumbersome procedures in seeking permission, no objections for installation of lifts and was not practical for implementation.

Number of references were being received from public at large to re-visit the policy in order to make the policy workable and users friendly. The new policy has been framed where some procedural aspects have been made simpler, workable and public friendly. The cumbersome procedure of seeking no objections have been shelved and onus for structural stability, ventilation etc. have been put on the Architect who shall be engaged by the Alloottees/RWA instead of its examination by Departments. The procedure of revised policy is given in the booklet enclosed herewith for convenience of the public at large. *at Page - 6-13*

This new policy will go a long way in mitigating difficulties faced by residents.

The above proposal is submitted for consideration/approval of Hon'ble L.G./Authority.

RESOLUTION

Proposals contained in the agenda item were approved by the Authority with the amendment that the requirement for obtaining consent of RWA should be deleted from the procedure of issue of NOC and consent of majority of owners/legal representatives should exclude ground floor owners/legal representatives.

PROCEDURE OF ISSUE OF NOC FOR INSTALLATION OF LIFTS IN GROUP HOUSING FLATS BUILT BY D.D.A.

A. Purpose :

To seek permission for installation of lift in DDA Group Housing flats where such provision does not exist.

B. How to apply:

The request for seeking NOC for installation of lift shall be forwarded after obtaining necessary consent from the Registered RWA, or in case of installation of lift in individual block, from the majority of owners/Legal Representatives of the flats who shall be the beneficiaries due to installation of lifts. complete with all necessary documents/affidavits and other prerequisites for issue of NOC.

C. Whom to apply:

i. Colonies where services stand transferred to MCD:

Allottee in this case shall apply to MCD for NOC as per MCD procedure.

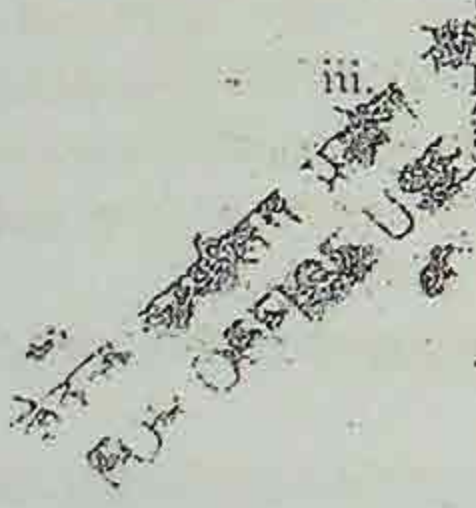
(ii). Colonies where services stans with DDA:

For NOC in respect of colonies not transferred to MCD, group of allottees shall apply to Dir. (Housing) DDA who shall issue the same, after due verification.

D. Pre-requisite for issue of NOC:

While applying for NOC, the following documents/affidavits are required to be submitted:-

- i. Consent for installation of lift in individual block from majority of owners/ Legal Representatives of the flats who shall be the beneficiaries (Annexure-I).
- ii. Consent of Regd. RWA for the installation of lift (Annexure-II).
- iii. Recommendation of the Lift Manufacturing Agency to whom residents are likely to engage for installation of lift with regard to technical feasibility, location of lift well, safety aspects in r/o installation.



- operation, electrical and structural (Annex: Detailed recommendations as above from lift manufacturing agency).
- iv. The request shall be accompanied with necessary architectural and structural drawings of the lift well duly prepared by the Regd. Architect alongwith the qualified structural engineer. While preparing the drawing in consultation with Lift Manufacturing Agency the Architect shall ensure proper light/ventilation of the flats on lower floor and see to it that no hindrance is caused to the circulation/movement area.
 - v. Registered Architect shall give requisite Structural Stability Certificate on a non-judicial stamp paper.
 - vi. The group of allottees who shall be beneficiary of lift installation shall submit a system of maintenance of lift, its operational aspects and safety requirements and get all clearances approved from the concerned Electricity Regulatory Authority, inspector of lift installation as well as Fire Deptt. etc. The group of allottees shall bear all installations, operational, maintenance & safety measures cost & regularly pay electricity charges to the Electricity Regulatory Authority.
 - vii. The group of allottees who are beneficiaries of lift installation shall give undertaking to the effect that in case the services are required to be shifted for facilitating installation and operation of lift then the same shall be coordinated by the group of allottees & RWA with concerned Engg. Deptt. of DDA for its proper and viable relocation and the cost of shifting of services shall be borne by the group of allottees who are beneficiaries due to installation of lift.
 - viii. For common lift, the no charge shall be levied. However, in case of individual lift, the space requirement for the lift will be charged as calculated by Housing Deptt. of DDA, provided entire land cost has not been charged from the residents.
 - ix. After examination of the proposal including all technical aspects by the ~~ACE~~ concerned and on his recommendation, Director (Housing), DDA will issue a 'No Objection Certificate' for installation of lift subject to deposition of requisite charges, if any, raised by DDA as discussed in above paras.

FOR OFFICE USE ONLY

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Check list of documents for N.O.C. Lift Installation

<u>Sl. No.</u>	<u>List of Document</u>	<u>Status</u>
1.	Drawings for lifts well duly signed by approved *Architect.	Yes/No
2.	Structural Safety Certificate duly signed and Approved by *Architect.	Yes/No
3.	Clearance from **Lift Inspector	Yes/No
4.	Request to DISCOM.	Yes/No
5.	Indemnity Bond from Executant	Yes/No
6.	Undertaking from Executant	Yes/No
7.	Affidavit form Executant	Yes/No

*Approved Architect - an architect who is empanelled with council of architect and possess a valid certificate for practicing.

**Lift Inspector - the designated officer of Delhi Government.

FOR OFFICE USE ONLY

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INDEMNITY BOND

This Indemnity Bond is executed on thisday of.....2011 by Sh./Smt./Km.....S/o,W/o,D/o Sh.....resident of (hereinafter called the Executant which term shall include his/her heirs, successors, executants, administrators and legal assigns in favour of President of India/ Delhi Development Authority (hereinafter called the "Lessor" which terms shall include its heirs, successors, executants, administrators and legal assigns.

Whereas the Executant is in physical possession of flat No.....

And whereas the lessor on faith and representation made to it, has agreed to issue NOC to enable the executant to install lift in his block subject to the executant giving such indemnity, indemnifying the lessor as is hereinafter contained, and keep the lessor harmless from any claim which anyone may, at any time, institute against the lessor in respect of above said NOC being issued for installation of lift or any accident that may occur at the time of installation, operation and maintenance of lift.

Now THIS DEED WITNESSES that in consideration of lessor agreeing to issue NOC in respect of installation of lift, the executant hereby indemnifies the lessor and undertakes to keep harmless the lessor from all claims and demands made, all actions and proceedings taken against the said lessor by anyone in respect of installation of lift, operation & maintenance of lift, its safety measures, fire safety & structural stability, payment of electricity charges or any accident that may occur either at the time of its installation, operation and maintenance.

In witness whereof the Executant Sh./Smt/Km.....S/o,D/o. W/o Sh..... has signed and delivered this Bond on the day of.....2011.

EXECUTANT

WITNESSES:

1.

2.

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AFFIDAVIT

I.....S/o,W/o,D/o Sh.....resident
of.....intend to install lift in our Block No..... for the benefit of
flat No.....located at.....do hereby solemnly affirm and declare
as under:-

1. That I am a legal owner of flat No.....and a beneficiary due to installation of lift.
2. That I shall be fully responsible for observance of all safety measures with regard to installation, operation, and maintenance i/c fire safety as per codal /statutory requirements.
3. That in case any mishap occurs or untoward incident happens on account of installation, operation and maintenance of lift, I shall be fully responsible for such incidents in every manner whatsoever and shall not hold DDA responsible in any manner on this account.

केवल दस्तावेज
FOR OFFICE USE ONLY

DEPONENT

Verified at Delhi this.....day of.....2011 that the contents of the above affidavit are correct to my knowledge and belief. Nothing contained herein is untrue and nothing material is concealed therefrom.

DEPONENT

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To

The Director (Housing), DDA,
Vikas Sadan, INA, New Delhi-110 023

Sub: No. Objection Certificate for installation of Lift for premise No. _____
Pocket _____ Block No. _____ DDA Housing at _____
Colony _____

Sir,

We are the residents of above cited DDA Flats in _____ Residentia
Pockets.

We hereby request you to issue me/us a No Objection Certificate f
installation of lift.

We have sought services of M/s _____ an approv
Architect from Council of Architect (copy of Validation Certificate attached).

Following list of documents are submitted for the purpose.

We undertake that we have gone through the policy/ procedure for installa
of lifts and shall work accordingly.

Thanking you

(Name of Applicant)

(Address of Applicant)

FOR OFFICE USE ONLY

58/12
3-8-12
No: EM3(7)2005/LIII

dated

REVISED AGENDA

Sub: Installation of lifts in Residential flats constructed by DDA.

This is a proposal of installation of lifts in Residential flats constructed by DDA.

DDA, a premiere housing agency has constructed residential units in National Capital Territory of Delhi for all strata of public. The houses are usually termed as High Income Group, Middle Income Group, Lower Income Group, Janta or EWS Houses. These housing pockets are usually ground+ 3 storied structures having a system of walk up. These structures do not have provision of lifts in line with the codal provisions existing at that point of time when planning for these houses were taken up for construction.

The users have now grown up and felt a need for provision of lifts to cope up with their advance age, falling health, on medical grounds, to have an easy access from the ground level to their door steps on their floors. This growing public demand has suitably been addressed by DDA. Accordingly, DDA framed a policy of installation of lifts in Group Housing pockets either by RWA or by group of residents of their blocks.

The policy so framed was observed to behaving cumbersome procedures in seeking permission, no objections for installation of lifts and was not practical for implementation.

Number of references were being received from public at large to revise the policy in order to make the policy workable and users friendly. The new policy has been framed where some procedural aspects have been made simpler, workable and public friendly. The cumbersome procedure of seeking no objections have been shelved and onus for structural stability, ventilation etc. have been put on the Architect who shall be engaged by the Allottees/RWA instead of its examination by Departments. The procedure of revised policy is given in the booklet enclosed herewith for convenience of the public at large.

This new policy will go a long way in mitigating difficulties faced by residents.

The above said proposal was approved vide Authority item no 56/11 dt. 26.5.11(copy of same is attached). This policy was framed and

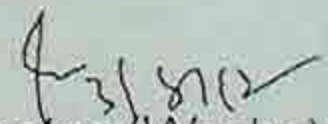
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circulated for its implementation by the Commr.(Housing). A public notice was issued by Dir.(Housing)-II on 28.7.2011(Copy of same is attached). The above said policy was made applicable to the colonies under the jurisdiction of DDA i.e. where the services of the group housing pockets are still with DDA. The issue of non issue of NOC by MCD in the Group Housing pockets where services stands transferred to MCD came to light when some of the allottees of group housing pockets were not entertained by the DDA and were directed to get their NOC from the MCD. This office has already given its broad consent of granting NOC for provision of lifts in policy itself for issue of N.O.C. by MCD in their own colonies/group housing pockets under their jurisdiction as per their procedure, copy of policy is enclosed.

Recently a meeting was held in the chamber of Secretary (UD)/GNCTD wherein number. of difficulties raised by the MCD were discussed and a consensus emerged that DDA should continue to issue NOC to the all allottees being lessor irrespect of services transferred to MCD and MCD will not have any objection of such NOC issued by DDA. The Secretary also consented to send a proposal on the consensus made in the meeting held on 11.7.12 to Hon'ble L.G. for its approval. Though the minutes and approval of proposal is awaited, still the policy made by the DDA needs modifications to the extent that the policy already being implemented by the DDA will also apply to the colonies/housing pockets in which the services stand transferred to MCD.

Para C of earlier draft policy has been modified & para C (i) & (ii) have been merged and modified as "All the allottees of Group Housing flats built by DDA shall apply to DDA for NOC as per DDA procedure".

The revised proposal is accordingly submitted for consideration/approval of the Hon'ble LG/Authority.


Director (Works)

Engineer Member

HT dated 28-07-2011

Ann.

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DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

KIND ATTENTION OF ALLOTTEES OF DDA FLATS

PROCEDURE OF ISSUE OF NOC FOR INSTALLATION OF LIFTS IN GROUP HOUSING FLATS BUILT BY D.D.A.

- I. The request for seeking NOC for installation of lift shall be submitted after obtaining necessary consent from the majority of owners/ legal representatives of the flats, excluding ground floor owners/ legal representatives who shall be the beneficiaries due to installation of lifts. The request should be complete with all necessary documents/ affidavits and other prerequisites for issue of NOC.
- II. Whom to apply :
 - I. Colonies where services stand transferred to MCD :
Allottee in this case shall apply to MCD for NOC as per MCD procedure.
 - II. Colonies where services stand with DDA :
For NOC in respect of colonies not transferred to MCD, group of allottees shall apply to Dir. (Housing) DDA who shall issue the same after due verification.
- III. While applying for NOC, the following documents/ affidavits are required to be submitted :
 - I. Consent for installation of lift in individual block from majority of owners/ Legal Representatives of the flats excluding ground floor owners/ legal representatives who shall be the beneficiaries.
 - II. Recommendation of the Lift Manufacturing Agency to whom residents are likely to engage for installation of lift with regard to technical feasibility, location of lift well, safety aspects in r/o installation, operation, electrical and structural.
 - III. Registered Architect shall give requisite Structural Stability Certificate on a non-judicial stamp paper.
 - IV. The group of allottees who shall be beneficiary of lift installation shall submit a system of maintenance of lift, its operational aspects and safety requirements and get all clearances approved from the concerned Electricity Regulatory Authority, Inspector of Lift Installation as well as Fire Deptt. etc. The group of allottees shall bear all installations, operational maintenance & safety measures cost & regularly pay electricity charges to the Electricity Regulatory Authority.
 - V. The group of allottees who are beneficiaries of lift installation shall give undertaking to the effect that in case the services are required to be shifted for facilitating installation and operation of lift then the same shall be coordinated by the group of allottees & RWA with concerned Engg. Deptt. of DDA for its proper and viable relocation and the cost of shifting of services shall be borne by the group of allottees who are beneficiaries.
 - VI. For common lift, no charge shall be levied. However, in case of individual lift, the space requirement for the lift will be charged as calculated by Housing Deptt. of DDA, provided entire land cost has not been charged from the residents.
 - VII. After examination of the proposal including all technical aspects by the CE concerned and on his recommendation, Director (Housing), DDA will issue a 'No-Objection Certificate' for installation of lift subject to deposition of requisite charges, if any, raised by DDA as detailed in above paras.

Note: Format of Affidavit, Undertaking and Indemnity Bond may please be downloaded from DDA website "dda.org.in".

Director (Housing) II

Visit DDA Website: www.dda.org.in or Dial 39999911

Item No. 108/2015

Sub: Fixation of Pre Determined Rates (PDRs) in respect of Tikri Kalan for the financial year 2015-16

File No. F4 (46)2014/AO (P)/DDA

1. DETAILS OF THE PROJECT

i).	Name of the Project:	Tikri Kalan
ii).	Total Project Area	100.96.00 Hect.
iii).	Total Saleable Area	45.958 Hect.
iv).	Total Project Cost	722.08 Cr

2. PRE-DETERMINED RATES (PDR)

Rule 2(l) of the DDA (Disposal of Developed Nazul Land) Rules 1981 defines the Pre Determined Rates (PDRs) as the rates of premium chargeable from different categories of persons entitled for allotment of land at PDR, as provided in Rule 6 ibid, and determined by notification from time to time by the Central Government. PDRs are fixed having regard to cost of acquisition, development charges and additional charges for use and occupation. The persons who are eligible for allotment of land at pre-determined rates as per Rule 6 include those whose lands have been acquired, socially disadvantaged groups, low and middle income categories and industries which are required to be shifted from non-conforming areas.

3. METHODOLOGY TO WORK OUT PDRs

The methodology adopted for working out the PDR involves computing the Break Even Rate (BER) of the preceding financial year and updating the same by 10%, being the anticipated cost of money. To estimate the BER, discounted cash flow method is used in accordance with prescribed methodology, whereby all expenditure and income cash flows up to the preceding year are discounted to their present values. Anticipated expenditure over the remaining period of the project is added on nominal value basis to this discounted aggregate. BER is then determined by matching the excess expenditure with the available land. The assumptions and other aspects of the methodology have been laid out in sub paras 3.1 to 3.5 as hereunder.

- 3.1. There is no change in Project Area, Saleable Area and in Land Use break-up of the Project as compared to the preceding year.
- 3.2. The discounting rate used for estimating the BER has been taken as the Cost of Money i.e. 10% per annum.
- 3.3. Physical and Price Contingencies: The physical and price contingencies have been taken @5% of the total expenditure to arrive at the project cost.
- 3.4. Service Charges: The capitalized value of charges in respect of services to be provided by DDA till these are handed over to the respective MCD is levied @ 7.5% of the total expenditure.

3.5 Project Cost: Project cost includes total compounded expenditure, physical and price contingencies and service charges.

4 Fixation of Pre-Determined Rates (PDR) for the financial year 2015-16
PDR for any financial year is fixed as per the methodology explained in Paragraph 3 above.

4.1 Accordingly, after taking into account various factors, BER for the financial year 2014-15 works out to Rs.10132.30 per sqm (Annexure-1) which translates to an increase of 8.51% over the BER of Rs.9337.30 per sqm for the financial year 2013-14.

4.2 After marking up the BER of the financial year 2014-15 by 10%, the Pre Determined Rate (PDR) for the financial year 2015-16 works out to Rs.11145.53 per sqm.

5. The category wise Pre Determined Rates (PDRs) for the financial year 2015-16, after applying the multipliers, work out as under:

(Rates in Rs./sqm.)

S. No.	Use	Area of Plot in sqm.	Multiplier	Proposed PDRs for the year 2015-16
1	2	3	4	5
	Pre-determined Rate			11,145.53
1.	Commercial Low Turnover	25.20 - 55.00	2.00	22,296.00
2.	Commercial Low Turnover	124.00	2.40	26,755.00
3.	Commercial Low Turnover	131.75	2.40	26,755.00
4.	Ware Housing	300.00	2.40	26,755.00
5.	Light Industry	300.00	1.50	16,724.00
6.	Light Industry	495.00	1.75	19,510.00

- All Figures have been rounded off to the next rupee.
- The above rates are inclusive of Use and Occupation charges @ Rs.4.80 per sqm.

PROPOSAL

Authority may kindly approve the Break Even Rate, as stated in Para 4.1, and PDRs, as stated in Column (5) of the table in para 5 above, for Tikri Kalan for the financial year 2015-16.

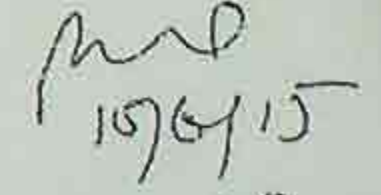
RESOLUTION

The proposal contained in the agenda item was approved.

Annexure-I

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PDR OF TIKRI KALAN 2014 - 15										
TABLE : 1 STATEMENT OF BREAKEVEN / COST BENEFIT ANALYSIS (FIG IN CRORES)										
YEAR	DEVPL. EXP.	DISCOUNTED DEVPL. EXP.	ACQU. COST	DISCOUNTED ACQU. COST	ADDITIONAL COMPENSATION	DISCOUNTED ADDITIONAL COMPENSATION	TOTAL EXPNDR	TOTAL DISCOUNTED EXPNDR	TOTAL REVENUE	TOTAL DISCOUNTED REVENUE
1995-96	6.03	52.52	8.99	78.31	0.00	0.00	15.02	130.84	0.00	0.00
1996-97	6.88	51.24	0.00	0.00	0.00	0.00	6.88	51.24	0.00	0.00
1997-98	3.89	24.75	33.70	214.39	8.70	55.35	46.29	294.49	3.06	15.47
1998-99	3.69	20.08	0.00	0.00	0.00	0.00	3.69	20.08	1.99	9.16
1999-2000	2.02	9.38	0.00	0.00	0.00	0.00	2.02	9.38	1.26	5.28
2000-2001	8.71	34.60	0.00	0.00	0.00	0.00	8.71	34.60	0.20	0.78
2001-2002	6.19	21.86	0.00	0.00	0.00	0.00	6.19	21.86	0.47	1.63
2002-2003	0.99	3.11	0.00	0.00	0.00	0.00	0.99	3.11	0.18	0.55
2003-2004	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.04	0.10
2004-2005	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.07	0.19
2005-2006	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.58	3.72
2006-2007	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11.05	23.69
2007-2008	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.11	0.21
2008-2009	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.02
2009-2010	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.15	0.24
2010-2011	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.54	2.26
2011-2012	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14.22	18.93
2012-2013	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14.00	16.94
2013-2014	1.09	1.20	0.00	0.00	0.00	0.00	1.09	1.20	6.21	6.83
2014-2015	75.05	75.05	0.00	0.00	0.00	0.00	75.05	75.05	616.07	616.07
TOTAL	114.55	293.80	42.69	292.70	8.70	55.35	165.94	641.85	672.23	722.08
Total Discounted Expndr :				641.85				Total Discounted Revenue :		722.08
Provisions:										
@ 5% of expnd. for Physical & Price Cont.)				32.09						
@ 7.5% of discounted expnd for Service Charges				48.14						
				722.08						
				BREAKEVEN RATE :		10132.30				


 10/6/15
 Sr. Av. (Project)

ANNEXURE-I

u/c

PDR OF TIKRI KALAN 2014 - 15

TABLE : 2 Statement of Saleable/Left/Weighted Area and Reveune Expected

USE	AREA OF PLOT (IN SQ. MTRS)	NUMBER OF PLOTS	GROSS AREA SALEABLE		MULTIPLIER	Area Sold	Area Left	Wt. Area Left	Expected Revenue in crore of Rs.
			(IN HECT.)	AREA					
COMMERCIAL LOW TURNOVER	25.20	144.00	0.36	0.36	2.00	4.12	3.90	7.79	78.98
COMMERCIAL LOW TURNOVER	26.40	72.00	0.19	0.19	2.00				
COMMERCIAL LOW TURNOVER	27.80	60.00	0.17	0.17	2.00				
COMMERCIAL LOW TURNOVER	30.00	72.00	0.22	0.22	2.00				
COMMERCIAL LOW TURNOVER	40.00	228.00	0.91	0.91	2.00				
COMMERCIAL LOW TURNOVER	47.00	128.00	0.60	0.60	2.00				
COMMERCIAL LOW TURNOVER	44.00	488.00	2.15	2.15	2.00				
COMMERCIAL LOW TURNOVER	47.50	12.00	0.06	0.06	2.00				
COMMERCIAL LOW TURNOVER	48.00	32.00	0.15	0.15	2.00				
COMMERCIAL LOW TURNOVER	50.00	400.00	2.00	2.00	2.00				
COMMERCIAL LOW TURNOVER	53.30	144.00	0.77	0.77	2.00				
COMMERCIAL LOW TURNOVER	55.00	80.00	0.44	0.44	2.00				
COMMERCIAL LOW TURNOVER	124.00	240.00	2.98	2.98	2.40	0.35	3.47	8.33	84.40
COMMERCIAL LOW TURNOVER	131.75	64.00	0.84	0.84	2.40				
WAREHOUSING	300.00	210.00	6.30	6.30	2.40	0.69	5.61	13.47	136.47
LIGHT INDUSTRY PLOTS	300.00	268.00	8.04	8.04	1.50	0.00	8.04	12.06	122.20
LIGHT INDUSTRY	495.00	96.00	4.75	4.75	1.75	0.00	4.75	8.32	84.26
SHOPPING			0.97	0.97	4.00	0.00	0.97	3.89	39.39
POLICE STATION			0.40	0.40	0.00	0.00	0.40	0.00	0.00
FIRE STATION			1.94	1.94	0.00	0.00	1.94	0.00	0.00
HEALTH SERVICES			0.33	0.33	0.00	0.00	0.33	0.00	0.00
ELEC SUB-STATION(66KV)			1.03	1.03	0.00	0.00	1.03	0.00	0.00
TUBE WELL			0.50	0.50	0.00	0.00	0.50	0.00	0.00
NIGHT SHELTER/REPAIR SHOPS/ U/GROUND RESERVOIR			4.11	4.11	1.00	0.00	4.11	4.11	41.64
DUMPING GROUND			0.20	0.20	0.00	0.00	0.20	0.00	0.00
FACILITIES/ADMN.OFFICES			0.94	0.94	0.00	0.00	0.94	0.00	0.00
SEPTIC TANK			0.38	0.38	2.00	0.00	0.38	0.75	7.60
WEIGHING BRIDGE			0.10	0.10	0.00	0.00	0.10	0.00	0.00
RLU			0.40	0.40	1.75	0.00	0.40	0.70	7.09
IDLE PARKING			0.30	0.30	1.75	0.00	0.30	0.53	5.32
PARKING			3.44	3.44	0.25	0.00	3.44	0.86	8.71
GREEN			14.50	0.00	0.00	0.00	0.00	0.00	0.00
CIRCULATION/OTHERS/UTILITIES			12.50	0.00	0.00	0.00	0.00	0.00	0.00
GRAND TOTAL		2738.00	100.96	45.958		5.154	40.804	60.80	616.07

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M. S. Prasad
Sr. Asst. (Project)

Item No. 109/2015

Sub: Fixation of land rates for the purpose of calculation of Misuse Charges for the year 2015-16

File No: F.2 (14)96-97/AO (P)/DDA/Part-II

The Misuse Charges are levied where any property has been used for the purpose other than that prescribed in the lease deed. The formula to work out the misuse charges is given hereunder:

$$\frac{MA \times (V' - V) \times A \times P}{FAR}$$

Where

MA = Misused Area

FAR = Floor Area Ratio

V' = Present Market Rate of Land for the purpose for which the property is being misused

V = Market Rate of the Land on the date of last transaction for the purpose for which the land was leased out

A = Area of the Plot

P = Percentage Multiplier @ 13.90% (The above formula is based on the borrowing rate of Govt. of India at 11.40% P.A. plus 2.50% PA = 13.90% PA as specified in office order No. 14 Dated 25.08.89. of L&DO, MoUD, GOI.)

1. For working out the Misuse Charges, the market rate adopted was the commercial market rate notified by the L&DO as up to 31.03.1996. Thereafter, for the period up to 2005-06, to arrive at the market rate, the commercial market rate notified by L&DO in the year 1995-96 was increased by DDA every year at a certain percentage after factoring in the market conditions. However, during the years 1999-2001, the market rate was not updated due to slugging market conditions then prevailing.

2. While fixing the rates of misuse charges for the year 2006-07, it was decided to adopt the Zonal Average Auction Rates (ZAAR) of DDA as the basis for market rate instead of the commercial market rate of L&DO. Since the year 2006-07, the rate so determined has been updated @ ranging from 10% to 20% yearly, after appropriately factoring in the market conditions, to arrive at the market rate of the next year. The percentage increases, zone-wise, during the period 2007-08 to 2011-12 have been detailed in the table below:

(TABLE-I)

Year	2007-08	2008-09	2009-10	2010-11	2011-12
Zone	%age increase over the rates of the year 2006-07	%age increase over the rates of the year 2007-08	%age increase over the rates of the year 2008-09	%age increase over the rates of the year 2009-10	%age increase over the rates of the year 2010-11
Central	20%	20%	No increase	10%	10%
South & Dwarka	20%	20%	No increase	10%	10%
North, East, West & Rohini	15%	20%	No increase	10%	10%
Narela	10%	20%	No increase	10%	10%

3. In the year 2012-13, the need was felt to rationalize the market rate adopted for the purpose of calculating misuse charges. As it was viewed as being higher than the prevailing market rate, it was decided to peg it uniformly at $\frac{2}{3}$ rd or 66.67% of the AAR / updated AAR of the relevant year for all zones except for Central Zone. In Central Zone, where DDA has only a few commercial properties and no auction had been held for quite some time, an increase in the land rates was approved @ 10% over the rate of 2011-12.

4. The misuse charges as worked out for the year 2012-13 & 2013-14 on the basis of above analogy are given here under:

(TABLE-II)

(Rates in Rs./Sqm for 100 FAR)

S. No.	Zone	Approved Land Rates of Misuse Charges for the year 2011-12	Approved Land Rates of Misuse Charges for the year 2012-13	Updated AAR of the year 2012-13	Approved Land Rate for misuse charges for the year 2013-14 i.e. @ 66.66% of the AAR for the relevant year as in col. 5 (except Central Zone)
1	2	3	4	5	6
1	Central	193237/-	212600/-	No auction	233860/- (Increased by 10%)
2	South & Dwarka	109771/-	137900/-	232662/-	155100/-
3	East, West, North & Rohini	60113/-	74900/-	126387/-	84250/-
4	Narela	28750/-	28750/-	47260/-	31500/-

5. The land rates for misuse charges as applicable for the year 2013-14 were retained for the year 2014-15 due to the following reasons:
- (i) That property rates in Delhi had not increased during the year 2013-14 as is evident from the National Housing Bank (NHB) Residex which connotes the prices of Residential properties in the various states/ metro cities in India. A glance at Appendix 'A' reveals that index of Residential properties in Delhi in March 2013 was 202 which remained below this figure during all the quarters of the financial year 2013-14 and rested at 199 in March 2014.
 - (ii) Only two plots could get buyers in the auction held in December 2013 against 57 commercial plots which were put to auction by DDA.
6. For the purpose of fixing land rates for working out the Misuse Charges for the current financial year 2015-16, it is pointed out that the position during 2015-16 remains the same as in 2014-15. The Residex as updated up to the quarter ending September 2014 vide Appendix 'A' still shows a

depressive trend, having come down from 199 in March 2014 to 189 in September 2014. No auction of commercial properties has been held during the financial 2014-15 due to sluggish market. In view of the foregoing, it is proposed to retain for the year 2015-16, the rates of land as applicable for the year 2014-15.

7. The table indicating the existing land rates & the proposed land rates for the year 2015-16 for the purpose of working out the misuse charges are tabulated below:

(TABLE-III)

(Rates in Rs./Sqm for 100 FAR)

S. No.	Zone	Existing rates of misuse charges for the year 2014-15	Proposed rates of misuse charges for the year 2015-16.
1	2	3	4
1.	Central	2,33,860/-	2,33,860/-
2.	South & Dwarka	1,55,100/-	1,55,100/-
3.	East, West, North & Rohini	84,250/-	84,250/-
4.	Narela	31,500/-	31,500/-

PROPOSAL

8. The land rates for computation of Misuse Charges for the year 2015-16 as shown in Col.4 of Table-III (Para 7) is placed before the Authority for consideration and approval.

RESOLUTION

The proposal contained in the agenda item was approved.

NHB Residex

398/C

CITY WISE HOUSING PRICE INDEX FOR THE QUARTER APRIL-JUNE, 2014

ES	2007 Index	Apr-Jun 2012 Index	Jul-Sept 2012 Index	Oct-Dec 2012 Index	Jan-Mar 2013 Index	Apr-Jun 2013 Index	Jul-Sept 2013 Index	Oct-Dec 2013 Index	Jan-Mar 2014 Index	Apr-Jun 2014 Index	Jul-Sept 2014 Index
Delhi	100	172	178	195	202	199	190	196	199	198	189
Bhubanes	100	164	168	172	197	195	193	202	195	196	197
Guwahati	100	159	158	166	153	147	149	160	154	159	160
Ludhiana	100	171	168	179	167	157	150	150	145	147	146
Vijayawad	100	186	181	185	184	174	167	161	160	163	161
Indore	100	203	196	194	195	184	180	184	181	187	188
Chandigar	100				194	191	192	188	183	175	174
Coimbatore	100				184	178	178	173	170	176	180
Dehradun	100				183	184	184	186	191	187	188
Meerut	100				191	189	176	171	165	159	159
Nagpur	100				163	168	162	175	180	181	180
Raipur	100				156	155	157	159	166	166	165

Item No. 110/2015

Sub :- ACTION TAKEN NOTE ON PERFORMANCE BUDGET
F.4(3)91/Per. Budget/2014-15

Pursuant to the decision of the Authority Action Taken Note on the Performance Budget(Financial & Physical) for the year 2014-15 (1.4.2014 to 31.03.2015) is placed for the information of the Authority.

RESOLUTION

The action taken note on performance budget for 2014-15 was noted.

Item No. 110/2015

Sub :- ACTION TAKEN NOTE ON PERFORMANCE BUDGET
F.4(3)91/Per. Budget/2014-15

Pursuant to the decision of the Authority Action Taken Note on the Performance Budget(Financial & Physical) for the year 2014-15 (1.4.2014 to 31.03.2015) is placed for the information of the Authority.

RESOLUTION

The action taken note on performance budget for 2014-15 was noted.

SUB:- PERFORMANCE BUDGET FOR THE YEAR 2014-15 (Period 01.04.2014 to 31.03.2015).

F.4(3)91/Per.Budget/2014-15

The Authority has approved the Revised Budget Estimates for the year 2014-15 in its meeting held on 16.02.2015. As per the directions of Authority performance budget will be reviewed in Authority meetings on quarterly basis. Accordingly item wise and project wise performance budget for the aforesaid period has been compiled and divided into two parts i.e. financial performance budget and physical performance budget. The detail of financial budget is given below:-

2. FINANCIAL PERFORMANCE BUDGET:

2.1. To know the financial performance vis-à-vis budget estimates of the year, the comparison has been made with Revised Budget Estimates(RE)of the year 2014-15 and with the actuals on the basis of financial statements for the afore-said period.

ACTIVITY-WISE SUMMARY OF
BUDGET ESTIMATES VIS-A-VIS ACTUALS

[Rs. in crore]

RECEIPTS	BE 2014-15	RE 2014-15	Actuals 2014-15	PAYMENTS	BE 2014-15	RE 2014-15	Actuals 2014-15
Disposal of houses/shops	1695.14	2028.84	556.40	Acquisition of land	400.00	234.30	300.57
--	--	--	--	Dev. of land	2527.34	2039.77	1303.14
Resdl./Incl. & Comm. lands	1000.13	486.97	739.56	Construction of Houses & shops	1668.59	1168.12	821.18
				Cost of land			232.42
Undev. land (GHS/Instl.)	358.00	221.00	412.15	Estt. Expndr. (Pay & Allowances)	938.39	892.80	764.79
Misc. Receipts	3148.05	2479.72	2615.76	Misc. Expndr.	638.20	837.99	623.62
TOTAL:	6201.32	5216.53	4323.87	TOTAL:	6172.52	5172.98	4045.72

Misc. Receipts

Break-up
Misc. Expenditure

RECEIPTS	BE 2014-15	RE 2014-15	Actuals 2014-15	PAYMENTS	BE 2014-15	RE 2014-15	Actuals 2014-15
Ground Rent	167.27	169.12	252.60	Expdr. On works and Dev. Schemes	284.23	290.13	185.69
Composition Fee	50.00	6.24	26.18	Fixed Assets	23.55	27.59	1.79
Interest from Investment	1585.52	2003.14	1687.90	Grant to DMRC	313.50	313.50	313.50
Other revenue Compounding fee, damages etc.	1344.56	296.77	648.87	Misc. (Service tax, Refund of premia, interest on deposits etc.)	16.92	296.77	30.36
Premia, works & Dev. Scheme	0.70	4.45	0.21	Special Rehabilitation package	--	--	92.28
Total	3148.05	2479.72	2615.76	Total	638.20	837.99	623.62

NOTE:- Net amount of actual expenditure of Rs. 821.18 Crore under construction of Houses and Shops has been arrived at by deducting Rs. 232.42 Crore being cost of land included in the actual expenditure of Rs.1053.60 Crore.

2.2 The above table indicates that for the financial year 2014-15, the actual receipt is Rs. 4323.87 Crore as against projected receipt of Rs. 5216.53 Crore. There is shortfall in receipt from disposal of Houses under DDA housing Scheme 2014. The 2360 demand letters for the Dwarka, 9300 demand letters for Narela(Siraspur), 10900 demand letters in Rohini Sector-34-35, were issued on 31-1-2015, 16-2-2015 and 16-3-2015 respectively. In all the demand letters, the allottees were given 90 days time for making payment in respect of Flats allotted to them. Thus, in all the cases the payment of cost of flat became due only in April 2015 although the receipt from these flats was anticipated to be received in RE-2014-15 by 31st of March 2014. It is pertinent to mention here that approximately 4000 allottees have surrendered their flats. Further the flats under CWG were also not sold.

2.3 The above table also indicates that in the FY 2014-15, actual expenditure was only Rs.4045.72 crore as against 5172.98 Crore kept for various activities.

For development of land a provision of Rs. 2039.77 Crore was kept against which an expenditure of Rs. 1303.14 crore was incurred and there was a shortfall in expenditure to the extent of Rs. 736.63 Crore. The shortfall of Rs.736.63 crore includes shortfall of Rs.100.00 crore kept for the scheme "Operationalisation of land police (Land Pooling) by Planning Wing. Also land developing activities could not be carried out due to various reasons. In respect of construction of Houses and Shops, as against the provision of Rs.1168.12 Crore the actual expenditure incurred was Rs. 821.18 Crore.

The scheme-wise reasons for shortfall in expenditure under the above two activities of Engineering Wing have been provided by the E.M., DDA, and are placed at Annexure-A.

3. Head of account-wise details of Receipts and Expenditure are given below:-

Receipts

Sl. No	Head of Account	BE 2014-15	RE 2014-15	Actuals 2014-15	[Rs in Crore]	
					Surplus(+)Deficit(-)	
					Amount	Percentage
1.	Nazul I	4.23	17.47	20.33	(+) 2.86	(+)16.37%
2.	Nazul II	4099.62	2064.35	2925.76	(+) 861.41	(+) 41.73%
3.	B.G.D.A.	2097.47	3134.71	1377.78	(-) 1756.93	(-) 56.05%
	TOTAL:	6201.32	5216.53	4323.87	(-) 892.66	(-) 17.11%

Expenditure

Sl. No	Head of Account	BE 2014-15	RE 2014-15	Actuals 2014-15	[Rs in Crore]	
					Surplus(+)Deficit(-)	
					Amount	Percentage
1.	Nazul I	39.61	35.19	28.55	(-) 6.64	(-) 18.87%
2.	Nazul II	3856.44	3089.12	2433.66	(-) 655.46	(-)21.22%
3.	B.G.D.A.	2276.47	2048.67	1583.51	(-) 465.16	(-) 22.70%
	TOTAL:	6172.52	5172.98	4045.72	(-) 1127.26	(-) 21.79%

3.1 DDA could not spend the amount projected in development of land and construction of houses for achieving target for the year 2014-15. The expenditure under these two heads is the base for earning revenues for the future.

3.2 Nazul A/c-II

Shortfall in development of land is Rs. 736.63 Cr. Out of this Rs. 271.15 Cr. in schemes with budget provision for BE 2014-15 of over Rs. 5.00 Cr. the details of which is given below.

[Figures in Lac]

Sl. No.	Name of Work	BE 2014-15	RE 2014-15	Expndr. incurred from 4/14 to 3/15	Shortfall	
					in absolute amount	in % age
1/56 24025076	D/o 21.18 Hect. land at Rohini Ph-IV Sect. 26	165.00	1940.00	1836.76	-103.24	-5.32%
2/61 24025085	D/o land Ph-IV & V Rohini C/o full R/W of Master Plan Road Rohini Ph-IV & V.	1980.00	1120.00	667.50	-452.50	-40.40%
3/63 24025103	D/o 400 Hect. of land Acqrd. Recently in Ph-IV & V (Sect-27 & 28) Rohini.	2980.00	3575.00	3418.51	-156.49	-4.38%
4/64 24025104	D/o land in sect-29 & 30 Rohini (Pt. land available)	6350.00	8365.00	3920.74	-4444.26	-53.13%
5/66 24025106	D/o land under Acq. In Rohini Ph-IV & V (258.17 Hact of land in sec.-29 & 30)	2460.00	3110.00	2941.81	-168.19	-5.41%
6/68 24025110	C/o 100 M R/W UER-II Connecting in Canal to Railway lines to Mundka NH-10.	3200.00	1650.00	--	-1650.00	-100.00%
7/69 24025112	D/o land in sector-34 Ph-IV & V Rohini.	8605.00	10245.00	9119.67	-1125.33	-10.98%
8/72 24025116	D/o land in sector-36 & 37 Ph-IV & V Rohini.	18005.00	1728.00	966.05	-761.95	-44.09%
9/76 24025130	C/o Roads in DC-1&2, Sec.10 Rohini SH: C/o 40 M R/W CC Road Sec. 10 Rohini	110.00	1085.00	329.29	-755.71	-69.65%
10/79 24025161	C/o Fly-over.UER-I.	3000.00	1850.00	60.80	-1789.20	-48.11%
11/125 24084079	D/o land at sector G-7 & G-8 Narela sub-city.	5075.00	2500.00	2508.72	+8.72	+3.49%
12/135 24095065	D/o 200 Acres of land at Bakkarwala	150.00	2070.00	--	-2070.00	-100.00%
13/140 24095076	D/o Main land and Construction of 60 M & 45 M Master Plan Road Dwarka, Ph-II.	3246.00	3846.00	2777.68	-1068.32	-27.78%
14/137 24095088	D/o land at Dwarka Project SW of Delhi SH: Covering of Palam Drain Sitapuri.	2150.00	1510.00	1459.23	-50.77	-3.36%
15/443 24503027	D/o Coronation Park in Kingsway Camp, North Delhi	560.00	1008.00	296.75	-711.25	70.56%
16/600 24400802	Operationalization of land policy (Land Pooling) by Planning Wing	--	10000.00	--	-10000.00	-100.00%
17/80 24025162	C/o Flyover inter section of 10 Mtr. ide w Road (UER-II) Rohtak Road near Mundaka	3000.00	500.00	0.33	-499.67	-99.93%
18/78 24025132	D/o land Rohini Ph-IV & V SH: C/o Peripheral Storm Water drain	--	500.00	--	-500.00	-100.00%
19/134 24095055	D/o land Dwarka Ph-II (224.90 Hact. of land)	872.00	590.00	281.97	-308.03	-52.21%
20/231 24024150	D/o land for Hotel site west of JNU Ph-II	652.00	617.00	108.32	-508.68	-82.44%
	TOTAL	59560.00	57809.00	30694.13	-27114.87	-46.91%

3.3 G.D.A

Shortfall in Construction of Houses & Shops is Rs. 346.94 Cr. out of this Rs. 158.44 Cr. in schemes with budget provision for BE 2014-15 of over Rs. 5.00 Cr. the details of which is given below.

Sl. No.	Name of Work	BE 2014-15	RE 2014-15	Expndr. incurred from 4/14 to 3/15	[Figures in Lac]	
					Shortfall	
					in absolute amount	in % age
1/962 44003079	In situ Reh. At A-14 Kalkaji Extn. SH: C/o 3000 MS DUs at CC site	10000.00	8010.00	4418.98	-3591.02	-44.83%
2/963 44007251	C/o MIG Houses at Sec-9B, Jasola.	1520.00	1510.00	3.99	-1506.01	-99.74%
3/1003 44086310	C/o 288 EWS Houses at Jahangirpuri	580.00	1205.00	1067.09	-137.91	-11.44%
4/1030 44095356	C/o 2144 LIG/MIG/SFS M.S. Flats sector-18B.	1215.00	1820.00	1758.73	-61.27	-3.37%
5/1033 44095502	C/o houses 1246 HIG (MS) (Proposed) at sector-19, Dwarka Ph-II.	7600.00	3525.00	3254.47	-270.53	-7.67%
6/1034 44095503	C/o 352 houses (Proposed) at sector-19 Dwarka, Pkt-3, Ph-I.	2505.00	1600.00	187.50	-1412.50	-88.28%
7/1037 44105047	C/o SFS Dus in various sectors-O, Vasant Kunj.	1120.00	620.00	170.31	-449.69	-72.53%
8/1038 44105053	C/o 2500 SFS houses at Vasant Kunj D-6, (Behind sample pilot project).	2085.00	1952.00	1377.05	-574.95	-29.48%
9/1042 44105214	C/o SFS/MIG/LIG houses near Spinal Injury Hospital Vasant Kunj (Near Sultangarhi).	5000.00	5591.00	2755.64	-2835.36	-50.71%
10/1043 44105221	C/o 362 LIG/MIG houses at Sultangarhi, Vasant Kunj.	1900.00	1800.00	419.70	-1380.30	-76.68%
11/1045 44105502	C/o one lac houses at Rangpuri and Bhawani Kunj.	1000.00	500.00	--	-500.00	-100.00%
12/1046 44105503	In-situ Development of houses of JJ Cluster at Kusumpur Pahari Near Vasant Vihar.	1000.00	500.00	--	-500.00	-100.00%
13/1048 44156103	C/o 483 MIG houses (MS) in Pkt-I, Sect-A-9, Narela.	1000.00	800.00	528.16	-271.84	-33.98%
14/1050 44156151	C/o 24660 LIG & 4855 EWS Houses in Narela Gr-I & II (Turnkey Project).	60000.00	40925.00	40689.57	-235.43	-0.58%
15/1051 44156214	C/o EWS Houses at Village Siras pur.	10000.00	5375.00	4382.04	-992.96	-18.47%
16/1052 44156219	C/o 18600 EWS Houses in Narela, Rohini, Dwarka (Turnkey Project).	23000.00	20000.00	20373.95	+373.95	+1.87%
17/1080 44007253	C/o HIG Pkt. 9B Jasola in 15745 Sqm. Land i/c int. elect. & int. devl works.	--	1500.00	1.62	-1498.38	-99.89%
TOTAL		129525.00	97233.00	81388.80	-15844.20	-16.30%

Physical Performance Budget Report for the period from 1.04.2014 to 31.3.2015.

Nazul A/c-II

[Figures in Lac]

Sl. No.	Name of Work	BE 2014-15	RE 2014-15	Expndr. incurred from 4/14 to 3/15	Shortfall		Date of accord of AA & ES of the scheme	Date of approval of tender by WAB/CE	Actual date of award of work to agency	Date of rejection of tender, if any, by WAB/CE	Stipulated/ Target Date of completion.	Physical Progress in %age	Reason for slippages	Remedial measures proposed to be taken.
					in absolute amount	in % age								
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14	15
1/56 24025076	D/o 21.18 Hect. land at Rohini Ph-IV Sect. 26	165.00	1940.00	1836.76	-103.24	5.32%							Utilization of fund is within the normal limit of allotment of fund as per RE-2014-15, so no comments.	
2/61 24025085	D/o land Ph-IV & V Rohini C/o full RW of Master Plan Road Rohini Ph-IV & V.	1980.00	1120.00	667.50	-452.50	40.40 %							In this case the Barwala Villagers do not allow execution of work by resorting demonstrations, beating the workers of the contractor and damaging their materials, T&P etc. however, every time it was thought that the problem created by Barwala Villagers is a temporary and it may end soon, but this never happened. Accordingly, the fund allotted could not be utilized fully.	

3/63 24025103	D/o 400 Hect. of land Acqrd. Recently in Ph-IV & V (Sect-27 & 28) Rohini.	2980.00	3575.00	3418.51	-156.49	-4.38%								Utilization of fund is within the normal limit of allotment of fund as per RE-2014-15, so no comments.
4/64 24025104	D/o land in sect-29 & 30 Rohini (Pt. land available)	6350.00	8365.00	3920.74	-4444.26	-53.13%								RE Figure is 3865 instead of 8365 so utilization of fund is within the normal limit of allotment of fund as per RE-2014-15, so no comments.
5/66 24025106	D/o land under Acq. In Rohini Ph-IV & V (258.17 Hact of land in sec.-29 & 30)	2460.00	3110.00	2941.81	-168.19	-5.41%								Utilization of fund is within the normal limit of allotment of fund as per RE-2014-15, so no comments.
6/68 24025110	C/o 100 M RW UER-II Connectin g in Canal to Railway lines to Mundka NH-10.	3200.00	1650.00		-1650.00	-100.00%	25.02 .09	06.12.12	01.01.13	NA	10.04.14 31.12.15	65	In this work the part work could not be executed because its alignment falls in the area of Barwala Village and Villagers did not allow the execution of work, so there is a surrender of funds.	LThe Budget allocated for 2015-16 shall be utilized or else modifications shall be made in RE if required.
7/69 24025112	D/o land in sector-34 Ph-IV & V Rohini.	8605.00	10245.00	9119.67	-1125.33	-10.98%								Utilization of fund is within the normal limit of allotment of fund as per RE-2014-15, so no comments.

8/72 24025116	D/o land in sector- 36 & 37 Ph-IV & V Rohini.	18005.00	1728.00	966.05	-761.95	- 44.09 %												The complete land in which the development works are to be carried out falls in Barwala Village and villagers are not allowing to execute the work. Now Hon'ble Supreme Court of India has ordered DDA to complete the work and have also given directions to Delhi Police to provide police protection to DDA engineers and contractors to carry out development works. In spite of this arrangement the progress of work is very poor because till date we did not get any support from Delhi Police and violent demonstrations are being carried out by Barwala Villagers frequently.
9/76 24025130	C/o Roads in DC-1&2, Sec.10 Rohini SH: C/o 40 M RW CC-Road Sec. 10 Rohini	110.00	1085.00	329.29	-755.71	- 69.65 %												Initially the cost of work, of other works i.e. C/o DC-1 & 2, Sec.10, Rohini has been charged to the work of C/o 40 M RW CC Road Sec.10 Rohini. Subsequently separate A/A & E/S were accorded for C/o Road in DC-1, Sec-10, Rohini and C/o Road in DC-2, Sec-10, Rohini. Accordingly

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13/140 24095076	D/o Main land and Constructi on of 60 M & 45 M Master Plan Road Dwarka, Ph-II.	3246.00	38460.0 0	2777.68	-1068.32	- 27.78 %	10.01 .2002	No single tender. W ork has been taken up in the sectors where plans have been finalized.	NA	NA	-	50%	RE figure should be read as 3846.00 instead of 38460.00. there was a court stay in Sec. 25 & Sec. 26. Dwarka portion so that full fund could not be utilized.	Efforts are being made to get the stay vacated.
14/137 24095088	D/o land at Dwarka Project SW of Delhi SH: Covering of Palam Drain Sitapuri.	2150.00	1510.00	1459.23	-50.77	- 3.36%	27.02 .2012	23.6.2010	29.7.20 10	NA	7.8.2013 31.8.2015	95%	Utilization of fund is within the normal limit of allotment of fund as per RE-2014-15, so no comments.	Very minor variation.
15/443 24503027	D/o Coronatio n Park in Kingsway Camp, North Delhi	560.00	1008.00	296.75	-711.25	70.56 %							The full fund could not be utilized due to late receipt of revised A/A & E/S which was issued in the month of June, 2015, so there is surrender of fund.	
16/600 24400802	Operation alization of land policy (Land Pooling) by Planning Wing	--	10000.0 0	--	-10000.00	- 100.0 0%							The work is related to Commissioner(Plann ing).	

														the year 2014-15 due to civil works.
20/231 24024150	D/o land for Hotel site west of JNU Ph-II	652.00	617.00	108.32	-508.68	- 82.44 %								Payment about Rs. 5.00 Crs could not be released to BSES due to lack of progress in the work of grid station JNU.
	TOTAL	58036.00	55602.0 0	30302.5 1	-25299.49	- 45.50 %								

B.G.D.A

[Figures in Lac]

Sl. No.	Name of Work	BE 2014-15	RE 2014-15	Expendr. Incurred from 4/14 to 3/15	Shortfall		Date of accord of AA & ES of the scheme	Date of approval of tender by WAB/CE	Actual date of award of work to agency	Date of rejection of tender, if any, by WAB/C E	Stipulated/ Target Date of completion.	Physical Progress %	Reason for slippages	Remedial measures proposed to be taken.
					in absolute amount	in %								
1.														
1/962 44003079	In situ Reh. At A-14 Kalkaji Extn. SH: C/o 3000 MS DUs at CC site	10000.00	8010.00	4418.98	3591.02	44.83 %	Em.6(10)/12/Estt./Pt./508 1 dt. 23.10.12 Rs. 21808.13	6.12.12 21.12.12	10.1.13	NIL	36 months	23%	The full fund could not be utilized due to hindrances caused by the local residents frequently in execution of work	
2/963 44007251	C/o MIG Houses at Sec-9B, Jasola.	1520.00	1510.00	3.99	1506.01	99.74 %							In this case at the time of demanding fund, it was anticipated that the successful bidder shall ask for mobilization advance. Accordingly, the provision of fund was kept but the contractor did not ask for mobilization advance so there is surrender of fund.	
3/1003 44006310	C/o 288 EWS Houses at Jahangl	580.00	1205.00	1067.09	-137.91	11.44 %							The full utilization of fund could not be achieved due to late receipt of revised A/A & E/S	

4/1030 44095356	rpuri	1215.00	1820.00	1758.73	-61.27	3.37%	-	-	-	-	-	-	-	-	-	-	-	-	-	which was issued only in the month of June, 2015, so there is surrender of fund.
5/1033 44095502	C/o 2144 LIG/MI G/SFS M.S. Flats sector- 18B.	7600.00	3525.00	3254.47	270.53	7.67%	-	-	-	-	-	-	-	-	-	-	-	-	-	No comments because fund is reasonably utilized.
6/1034 44095503	C/o 352 houses (Propos ed) at sector- 19 Dwarka Ph-II.	2505.00	1600.00	187.50	1412.50	88.28%	-	-	-	-	-	-	-	-	-	-	-	-	-	No comments because fund is reasonably utilized
7/1037 44105047	C/o SFS Dus in various sectors- O, Vasant Kunj.	1120.00	620.00	170.31	449.69	72.53%	-	-	-	-	-	-	-	-	-	-	-	-	-	In this case at the time of demanding fund it was anticipated that the successful bidder shall ask for mobilization advance. Accordi ngly, the provision of fund was keep, but the contractor did not ask for mobilization advance so there is surrender of fund.
																				In both the works initially the height allowed for construction was changed subsequently by Civil Aviation Authority because
																				Shortfall will be covered in next financial year.
																				Shortfall will be covered in next financial year.

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	MIG+56 LIG) Cluster- 3													
	(c) C/o 209 HIG Cluster- 4							13.4.10	20.510	---	29.05.12 31.12.15	32.25%		
	(d) C/o 207 HIG Cluster- 1							27.4.10	24.5.10	---	02.06.12 31.12.15	27%		
10/1043 44105221	C/o 362 LIG/MI G houses at Sultang arhi, Vasant Kunj.	1900.00	1800.00	419.70	- 1380. 30	- 76.68 %	EM6(96)/04/stt./ Pl.764 dt. 7.3.07 Rs. 2990.36	30.4.20 10 7.5.201 0	10.5.10	---	19.05.12 31.12.15	55%	In both the works initially the height allowed for construction was changed subsequently by Civil Aviation Authority because at first stage they asked coordinates from DDA in terms of degree and minutes. After expiry of 3 years The Civil Aviation Authority asked for fresh set of coordinates i.e in terms of degree, minute and second. Due to this reason the site location changed and the height clearance from Airport Authority was not	

	y Project)													
17/1058 44156226	C/o Mixed houses in A-1 & A-4, Narela.	27000.00	10020.00	10018.99	-1.01									
						0.01%								
18/1080 44007253	C/o HIG Pkt. 9B Jasola in 15745 Sq.m. Land i/c int. elect. & int. devl works.	-	1500.00	1.62	-	1498. 38	99.89 %							In this case at the time of demanding fund, it was anticipated that the successful bidder shall ask for mobilization advance. Accor dingly, the provision of fund was kept but the contractor did not ask for mobilization advance so there is surrender of fund.
	TOTAL	156525.00	107253.00	91407.79	-	15845 .21	14.77 %							

Item No.111/2015

No. F.13(127)07/Bldg./Vol.-XII

SUB: Issue of excess area of 12,841.35 Sqm. in Commonwealth Games Village and Club/Community centre.

1. Brief History of the Case:

DDA, apart from developing the Competition Venues of Badminton and Squash at Siri Fort, Table Tennis and Archery at Yamuna, Development of Training facilities at CWG Village and Refurbishment of Training facilities at Siri Fort, Yamuna and Saket, was also assigned the responsibility to construct residential accommodation for 8000 players and officials at Commonwealth Games Village by the Group of Ministers (GoM) constituted by the Govt. of India for the conduct of Commonwealth Games-2010 in Delhi. It was also directed by GoM that as far as possible the facilities should be developed on public private participation mode (PPP mode).

Pursuant to above decision, DDA appointed financial consultant to draft the PPP mode documents for construction and development of the residential accommodation in 11.00 Hect. of Land at Commonwealth Games Village. The requirement of accommodation for 8000 persons was intimated by the Organizing Committee, CWG-2010.

Later on, DDA constituted a High Powered Committee (HPC) headed by the then Finance Member and consisting of the then Engineer Member, Commissioner (Housing), Principal Commissioner (LD), Chief Architect, Commissioner (Plg.), C.L.A., and the then Chief Engineer(SEZ) and Director (Sports) who was the member secretary of the above Committee. The RFQ and RFP were prepared by the financial consultant under the guidance of high powered committee. These were approved by the then Vice Chairman as per the recommendation of above HPC.

Request for qualification (RFQ) was issued by the Residential Land Department, DDA for pre-qualification of developers for the development of residential accommodation on PPP mode. This RFQ was issued in the month of Dec. 2006. 15 Companies / Joint Ventures applied in response to the above RFQ and out of these only 11 Companies / Joint Ventures were declared qualified for submission of Request for Proposal (RFP). The qualified agencies were asked to submit the RFP containing technical and financial proposal by 01.06.2007 but none of the bid was received. As a result of non-receipt of any bid, certain conditions of the RFP were revised and dates for receipt of the RFP was extended upto 15.06.2007.

The original RFP was having following salient provisions:-

- i. The prospective developer was to give Rs. 300.00 crore as upfront payment to DDA before signing of the project development agreement (PDA).
- ii. The constructed residential apartments were to be shared in the ratio of 50:50 between DDA and the Project Developer.

- iii. Whole construction cost and all statutory approvals were to be obtained by the Project Developer.
- iv. Bank guarantees of Rs.500 crores were to be submitted by the successful Project Developer to be released at the different stages of the project.
- v. The liquidated damages conditions of the RFP were Rs.15.00 lacs per day for the first 15 days of not achieving any milestone in times, Rs.20.00 lac per day for the next 15 days and thereafter Rs.50.00 lac per day upto the achieving the particular milestones.

Due to non receipt of any bid on 01.06.2007, these conditions were discussed by the high powered committee threadbare and some of them were amended as under:-

- i. Not amended.
- ii. The sharing of constructed flats was modified from 50:50 to 2/3rd : 1/3rd between Project Developer (PD) and DDA.
- iii. Not amended.
- iv. Amount of bank guarantee was reduced to Rs.400.00 crores.
- v. The liquidated damaged Clause of Rs.50.00 lac per day was deleted.

After amendment of above provisions, the date of receipt of the RFP was rescheduled to 15.06.2007. On this date two bids of M/s Emaar MGF Construction Pvt. Ltd. and M/s D.L.F. Pvt. Ltd. were received. M/s Emaar MGF Construction Pvt. Ltd. has quoted upfront amount of Rs.321 crores against the reserve amount of Rs.300 crores. M/s D.L.F. Pvt. Ltd. has not submitted the technical proposal but only submitted a letter asking DDA to amend many clauses and the same was rejected by the HPC without opening of Financial Proposal being conditional. These conditions were also very impractical and acceptance of these conditions would have led to non-completion of the project. Finally the bid of M/s Emaar MGF Construction Pvt. Ltd. was accepted on 04.07.2007. After taking a final decision of accepting the bid of M/s Emaar MGF Construction Pvt. Ltd., HPC decided to handover the RFP to draw the agreement with the Project Developer by the Engineering Wing.

Finally the project development agreement (PDA) was signed on 14.09.2007 after full payment of Rs.321 crores of upfront amount and bank guarantee of Rs.100 crores was deposited by the PD.

2. Main provision of project development agreement (PDA)with regard to approvals and constructions:

- i. *Exemption of construction of EWS houses on 15% on plot area was granted by the MoUD on 13.04.2007 including relaxation in density being a project of national importance. (Annexure A)*
- ii. **Clause 1.1.2 (Page 5 of PDA):** "Agreement: shall mean this Agreement, and include any amendments hereto made in accordance with the provisions hereof.
- iii. **Clause 1.1.3 (Page 5 of PDA):** "Applicable Permits" shall means all clearances, permits, authorisations, consents, registrations and approvals required to be obtained or maintained by the project developer under the

applicable law, in connection with the construction, operation and maintenance of the project during the subsistence of this agreement.

- iv. **Clause 1.1.4 (Page 5 of PDA): "Clearance"**- means, as on the date of execution of this agreement, any consent, license, approval, permit, ruling, exemption or other authorization of whatsoever nature which is required to be granted by, or any registration or filing with, any Competent Authority as may be necessary in connection with the Project.
- v. **Clause 4 (b)(ii)(Page-19 of PDA): DDA's Role and Responsibilities :**
DDA shall allocate the Project Developer's (M/s Emaar MGF Construction Pvt. Ltd.) 2/3rd share of the residential apartments on the basis of the total residential apartments being divided in to three equal blocks. Three (3) equal sets of blocks including the Units, underground as well as surface parking, kitchen garden etc., as provided by the Project Developer shall be identified by the Project Developer and DDA will get one (1) of these sets determined through draw of lots drawn by the Monitoring committee in the presence of representatives of DDA and the project developer within 9 months from the date of signing of project development agreement, subject to the achievement of all the Project Milestones in this period. The lottery shall be drawn on the basis of the three sets being demarcated in a manner that each of the sets has some apartments towards River Yamuna and some towards Akshardham Temple.
- vi. **Clause 8.8 (Page-31 of PDA):** The project developer shall be solely responsible for arranging all the funds for the construction and development of the project in accordance with the provisions of this agreement and in accordance with the Good Industry Practice. DDA confirms that the project developer has the full right and authority, without requiring any further consent, authorization or "no-objection" from DDA, to enter into Financing Agreements for arranging funds for the development of the Project, the project developer shall execute such agreement within 6 months from the commencement date and ensure that all conditions precedent under the financing agreements has been complied with within the said period.
- vii. **Clause 11.1(a) (Page-41 of PDA): Non Interference by DDA:** DDA covenants with the project developer that DDA or any of its officers, employees or workmen shall not, at any time, during the period of development of the project interfere with or obstruct in the development of the project and in any matter in relation to or connected therewith.

3. Development Control Norms provided in the PDA:

- i. The development control norms provided by the architectural/planning Wing of DDA were made part of the RFP and the same are part of PDA on page-221. From the above provisions of the PDA, it is clear that FAR of 200 was permitted on 11 hectare of land excluding area of one convenient shopping of 1000 Sq. meter, 2 Anganwaris of 200-300 sq. meter each and a milk booth.

- ii. In the pre-bid clarifications given by DDA in the answer to question No. 18 on 15.5.2007 (which is part of PDA on page 123), it was clarified:

18. Please confirm if the FAR of 200% will be applicable for the entire 11 hectares of the plot.	"No, FAR is allowed on the plot size which does not include one convenient shopping and one milk booth site. The total FAR area as per DDA's assessment is 2,05,140 sq.m. The upfront payment quoted by the bidders and DDA's share in the Residential Facility shall be based upon the same. If more FAR area is achieved, the upfront payment and DDA's share in the Residential Facility will be increased on pro-rata basis."
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- iii. It was further clarified by way of addendum, which is part of PDA on page-113 as under:-

5. Response to clarification Number 18.	The bidders shall quote the upfront amount on the basis of FAR of 2,01,280 sqm.
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4. MONITORING OF THE PROJECT:

As per the provisions of the PDA, Clause-5 on page-21, a Monitoring Committee consisting of one Independent Engineer, one Representative of the PD and one representative of DDA, was constituted to monitor the progress of the Project. In this Committee, Sh. B. Majumdar, Ex-D.G., CPWD was Independent Engineer, Sh. Mukesh Dham, Vice President was the representative of the Project Developer and the then Chief Engineer (CWG)/DDA was the nominee of DDA.

5. THIRD PARTY QUALITY ASSURANCE AGENCY:

Central Building Research Institute, Roorkee was the third party quality assurance agency appointed by the DDA to keep a quality check of the work during the construction.

6. DRAW OF LOTS:

As per the provision of clause-4(b)(ii), the draw of lots identifying the 2/3rd and 1/3rd share of PD and DDA respectively was conducted on 12.06.2008 by the Monitoring Committee.

7. BAILOUT PACKAGE:

During the global recession in the real estate market and filing of case by some NGOs in October, 2007, PD approached DDA for financial help to complete the project. After detailed deliberations and due approvals from the competent authorities, DDA purchased 333 flats from the share of PD @11000/- per sq.ft. for total sum of Rs.767 crores. This has been paid to PD.

8. Temporary occupancy Certificate

In order to facilitate the smooth conduct of the games, a temporary occupancy certificate (TOC) for a limited period was issued to Developer. The approval of Hon'ble LG for issuing TOC till the Game Period has been obtained on 16-07-10 and TOC issued on 03-09-10.

9. GRANT OF COMPLETION ISSUE BY THE REGULARITY AUTHORITY (BUILDING SECTION/D.D.A.):

- a. The PD submitted the Building Plans to the Building Section of DDA in August 2007 for a total area of 2,05,140 sq. mtr. This comprises 2,03,087.25 sq. mtr. for the residential component and 2052.75 sq. mtr. in club/community centre. The same was sanctioned by the Building Section of DDA on 18.03.2008.
- b. The Building Plans of the PD were prepared by M/s Sikka Associates, a licensed Architect.
- c. As per the PDA, the excavation of foundation work was permitted to PD after signing of the PDA i.e. after 14.09.2007. This provision was provided in the PDA keeping in view the strict time lines of the project.
- d. In March 2010, the PD applied for the completion-cum-occupancy certificate of the flats to the Building Section. These plans were for the total construction area of approximately 2,30,689 sq. mtr. This included some proposed service apartments in the stilt by the PD which were later on demolished. After demolition of these so called service apartments, the total construction area of the residential as well as community centre / club building 2,28,238.35 sq.mtr. This comprises residential component of 2,25,206.29 sq.mtr. and club/community centre of 3032.06 sq.mtr.
- e. On 20.8.2010 Building Section, DDA issued Sealing-cum-demolition order u/s 30(1) and 31-A of DD Act 1957, against the illegal construction by PD in which was contested by the PD before the Appellate Tribunal. Appellate Tribunal of MCD (ATMCD) had set aside the orders of building section. DDA (Building Section), preferred appeal against the orders of ATMCD before the Court of Hon'ble Lt. Governor. Hon'ble Lt. Governor vide order dt. 7.4.11 reverted matter back to DDA to consider the case under MPD 2021 and unified Building Bye-Laws.
- f. On 28.4.11 PD made an application for necessary directions regarding voluntary removal of 17 unauthorised flats in the stilt area. This request of PD was allowed by the DDA on 2.5.11 and the proceedings were closed pursuant to the remand as per order dt. 7.4.11.
- g. The Vice Chairman DDA recommended 5% compounding on the sanctioned limit of 2,05,140 sqm and to issue Completion Certificate for 2,15,397sqm of FAR

enabling immediate occupancy of the buildings. It was also recommended that for regularizing the excess FAR beyond compoundable limit should be processed for consideration of the Ministry of Urban Development. This was approved by the Hon'ble L.G. on 18.07.2011.

- h. In the meantime, buyers of flats from M/s Emaar MGF Construction Pvt. Ltd., aggrieved by the delay in possession of the flats approached the High court of Delhi in Writ Petition No. 3703 and 6161 of 2011. {WP(C)3703/2011 Commonwealth Games Village Allottees Welfare Association vs DDA an Ors; WP(C) 6161/2011 Anoop Sharma & Ors vs DDA & Anr}
- i. As a result of Court direction's, the area of construction of the residential portion upto 2,13,241.61 sq.mtr. (i.e. 2,03,087.25 + 5%) has been regularized /compounded and PD has deposited the amount of Rs.19.07 crores in March 2012. Now the remaining area which is calculated as excess area / non compoundable by Building Section is 12,841.35 sq.mtr. Including residential and club / community centre. This comprises 11,964.68 sq.mtr. in the residential component and 876.67 in club / community centre.

Details of Area arrived beyond the compoundable limit, is as under:-

i. AREA AS PER SITE		
Residential		2,28,238.35 sq.mtr.
Club/Community Centre		2,25,206.29 sqm mtr.
(above was constructed by M/s. EMMAR MGF Constn. Pvt. Ltd.)		3,032.06 sqm. mtr.
ii. AREA SANCTIONED		
Residential		2,05,140.00 Sq.mtr.
Club/Community Centre		2,03,087.25, sqm mtr.
(above was sanctioned by DDA)		2052.75 sqm.mtr.
iii. COMPOUNDABLE AREA @5% UNDER DEVELOPMENT CODE CLAUSE3(12) OF MPD-2021		10,257.00 Sq.mtr.
Residential		10,154.36 Sq.mtr.
Club/Community Centre		102.64Sq.mtr.
iv. TOTAL AREA WITH COMPOUNDING (ii + iii)		2,15,397.00 Sqm.
Residential		2,13,241.61 Sq.mtr.
Club/Community Centre		2,155.39 Sq.mtr.
v. TOTAL AREA BEYOND COMPOUNDABLE LIMIT (I - iv) i.e. EXCESS AREA		12,841.35 Sqm.
Residential		11,964.68 Sq.mtr.
Club/Community Centre		876.67 Sq.mtr.

- j. The PD's contention is that as per the provisions of the PDA, he is entitled 5% compoundable on total permissible area of 2,20,000 i.e. 2,31,000 sq.mtr. He has also stated that the construction area is around 2,28,000 sq.mtr. and is permissible under clause 3(12) of chapter 17 MPD-2021.
- k. Hon'ble High Court in its order dated 07.02.2013 in para 52 (iii) has directed as under:- *"All proceedings arising out of the present project relating to the FAR will be kept in abeyance for a period of eight weeks. A request will be made by the DDA to the Ministry of Urban Development to regularize the excess construction at the Commonwealth Village Complex. Prior to the request to the MCD, DDA will give a hearing to the Project Developer and the Project Developer will be entitled to produce supporting documents in the hearing as well as written submission and thereafter the DDA will prepare a note in which the stand of the DDA, the submissions of the Project Developer will be extracted at the first instance and thereafter the recommendations of the DDA which would contain reasons as to why the stand of the Project Developer is unacceptable to the, if it is unacceptable and the conclusion of the DDA. This note which would be submitted to the Ministry of Urban Development will be without prejudice to the rights and contentions of the DDA and without compromising the stand taken by them in the show-cause notice dated 13.07.2012, the contents of which shall be kept in abeyance, till final decision by the Ministry of Urban Development"*.

The Court further directed that DDA will be accompanied by necessary plans, calculations sheets, stand of the project developer, which will be submitted by them to the DDA within the stipulated period, and the MOUD will treat this case as a project of national importance, in view of the stand taken by them in the year 2007, when at their instance necessary relaxation was made, with a view to take a holistic view in the matter.

- l. The High Court of Delhi and the High Court in its order dated 07-02-2013 followed by clarification dated 18-03-2013 directed DDA to submit the case to MoUD after taking the version of the PD along with the comments of DDA. As per directions of Hon'ble High Court where few queries were raised; a detailed examination having justification was made and a report was submitted to MoUD on dt. 28.05.14 by DDA. The conclusion of the report is reproduced as under:
- (i) *The Project Developer has violated the MPD-2021, BBL'83 provisions and Project Development Agreement.*
- (ii) *DDA in its bid conference reply to query raised by the Project Developer has already clarified that FAR will not be permissible on the entire plot of 11 Ha.; rather areas covered by convenience shopping centre and milk booth shall be deleted. This implies that FAR for the site in question is applicable only on net residential pockets after deduction of all other components on which is not allowed.*
- (iii) *The compounding of 5% will therefore, be available on the sanctioned areas of 2,05,140.00 sqm.; meaning thereby that the total area would be to the tune of 2,13,241.61 sqm. under Residential Towers. As such the area beyond this limit i.e. 11,964.68 sqm. has been constructed additionally.*
- (iv) *Given under Commonwealth Games Village is a project of National importance which was delivered on time and has enhanced the prestige of the*

nation, MoUD may kindly consider the matter of excess area to the tune of 12,841.35 sqm. including Club/Community Centre and take a view.

The report of DDA was submitted to MoUD on 28.05.2014. Copy of the report is Annexure 'B'.

As advised by MoUD in a letter dated 24.02.2015, the matter was referred to Solicitor General of India (SG) for seeking legal opinion. Accordingly, the opinion of SG was obtained on 26.03.2015 and the same was forwarded to MoUD on 23.04.2015 for appropriate action as per the opinion of SG. Copy of the opinion of SG is as Annexure 'C'. The SG opined ".....as per clause 3(12), Chapter 17 MPD-2021, 5 % compoundable limit is to be calculated on the permitted FAR and not permissible FAR. In the present case, the permitted FAR is 2,05,140 sq. mtr."

The SG again opined "..... that given that the project is a project of national importance and given that reasonable and sufficient grounds may be shown for regularization of excess construction, the MoUD may exercise of such discretionary power".

- m. In response to the letter of CE(CWG) dt. 23.4.15, a reference dated 12.05.2015 has been received from the MoUD conveying its stand on the matter wherein it is stated that "DDA should examine the matter under the purview of law and take further necessary action accordingly under intimation to this Ministry".
- n. Furthermore, in a separate court case WP (C) 4597/2013- Anoop Sharma and Ors vs DDA & Ors, the Hon'ble High Court in its order dated 29.05.2014 vide para 2, 3 and 4 ordered as under:
- " 2. However, learned counsel for the respondent No.1/DDA states that compliances of the directions issued on 29.1.2014, have been made inasmuch as the DDA has forwarded the issue with regard to issuance of a completion certificate in respect of the non-compoundable excess FAR in the common areas of the residential part of the CWG Village Complex to the Ministry of Urban Development, Government of India only aforesaid issue, the issue with regard to issuance of a completion certificate in respect of the non-compoundable excess FAR in the residential part of the CWG Village Complex has also been forwarded to the Ministry of Urban Development for appropriate orders.
3. To substantiate the aforesaid submission, learned counsel for the respondent No.1/DDA hands over a copy of the letter dated 28.5.2014, addressed to the Secretary, Ministry of Urban Development, Nirman Bhawan for the perusal of the court with a copy to the counsel for the petitioners. The same is taken on record.
4. In view of the fact that the respondent No.1/DDA has forwarded the matter pertaining to the issuance of the completion certificate in respect of the residential part and the common areas in the CWG Village Complex to the Ministry of Urban Development, which department is now required to take a decision on the aforesaid aspect, in accordance with law, nothing further survives in the present petition, which is accordingly disposed of".

10. RESULT OF INVESTIGATION BY C.B.I.:

The matter of excess construction by the PD apart from other issues was taken up by the CBI under PE AC 1 2012 A 0001. The CBI in its findings submitted to MOUD on dated 15.04.2013 has concluded as under:-

- (i) During the PE, no mala fide intention, or any other irregularity, could be established in the matter of the "financial bailout" on the part of any official of DDA.
- (ii) The "bailout" decision was taken with the knowledge and approval of LG, Delhi.
- (iii) The allegations related to excess floor area and non-levy of Liquidated Damage could not be substantiated.
- (iv) For the unprofessional attitude shown by the PD i.e. M/s Emaar MGF Construction Pvt. Ltd., the company maybe blacklisted by the Ministry of Urban Development, govt. of India from participation in any contract of PPP Mode for a pre-determined period.

ACTION AGAINST THE PROJECT DEVELOPER:

- i. DDA has already encashed his bank guarantee of Rs. 183 crores due to breach of terms and conditions of PDA and delay in execution of the work. Hon'ble Court has allowed credit of Rs. 90 crore in the favour of DDA and rest of the matter has been referred to an Arbitral Tribunal being presided by a retired High Court Judge where proceedings are in progress.
- ii. A show cause notice has been served upon the Project Developer - M/S Emaar MGF Construction Pvt. Ltd. (including all the consortium members) for banning the company for participation in the Public Private Partnership contracts in the Government Department for the next five years. (Annexure- D)

11. Direction of MOUD

In response to CE (CWG) letter dt. 23.4.15 and other letters of DDA, MoUD vide letter No. N-11014/2/2014-DDVI dt. 20.8.15 (Annexure- E) conveyed that Ministry is not in agreement with the opinion of Ld. Solicitor General of India, as submitted by DDA on the matter of declaring the project to be of 'National Importance' at this stage due to the following reasons:

- a) *Although the CWG Games, 2010 were of national importance, any relaxation to FAR/density of norms should have been sought by DDA before sanctioning the plans and start of construction of CWG flats.*
- (b) *There is no provision in MPD 2021 to regularize constructed FAR beyond compoundable limit.*
- (c) *The provision of declaring a project to be of national importance has not been provided to cover the mistakes in case where construction has been done in violation of the sanctioned plan by constructing FAR beyond compoundable limit.*

- (d) Regularizing the excess FAR by declaring this project to be of national importance at this stage will set a bad precedent by giving the message that violation of statutory plans/rules/regulations pays.
- (e) To resort to declaring the project of national importance after the construction in violation of the sanctioned plans would be grossly unethical, and could even be seen by the public as an instance of corruption.
- (f) Regularization at this stage by resorting to 'national importance' provision would attract proceedings from vigilance angle.
- (g) Regularizing the violation in this manner is not in public interest. Public interest has already been taken care of at the time of codifying the Master Plan, Building Bye-law/Regulations and the laid down procedure for sanction of the plan and issue of completion certificate, which should be respected by one and all.

DDA is, therefore, directed to resolve the matter as per the relevant provisions of MPD, building Bye-laws and other extant rules/regulations and Project Development Agreement by 14.09.2015 under intimation to this Ministry.

Further, on the issue of sharing of payment of VAT by DDA, as claimed by M/s Emaar MGF, DDA is directed to take a final view by 14.09.2015 under intimation to this Ministry.

In the light of Hon'ble High court order dated 07-02-2013 followed by clarification dated 18-03-2013 and order dated 29-05-2014 and Opinion of Ld. Solicitor General dt. 26.03.2015 and direction of MoUD vide letter No. N-11014/2/2014-DDVI dt. 20.8.15; the matter is placed before the authority for appropriate direction.

.....RESOLUTION.....

- i) The matter was discussed in detail. The Members of the Authority expressed great deal of concern on the background of the project and how it had been inadequately monitored.
- ii) It was suggested that since the project developer had violated the law and the Project Development Agreement, the entire excess built-up area of 12,841.35 sqm in the residential and club/community centre components of the Games Village should be forfeited without payment of any compensation to the project developer.
- ii) It was decided that DDA should forfeit the entire excess area. A detailed proposal in this regard should be submitted before the Authority in its next meeting.

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12. ANNEXURE-A

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157/10

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442/212
19/4/7

No. K-20013/20/2006-DDIB
Government of India
Ministry of Urban Development
(Delhi Division B)

Nirman Bhawan, New Delhi
Dated the 13th April, 2007

300-11/11
17-10-07
To

The Vice Chairman
Delhi Development Authority
Vikas Sadan, I.N.A.
New Delhi

484-11
16/4/07

14/11/07

Subject: Development of residential apartments at Commonwealth Games village site - relaxation of norms

Sir,
I am directed to refer to DDA's letter no. F.1(24)2006/LAB/13727 dated 4.12.06 and various correspondence on the above subject resting with the last communication dated 16.3.07 and to convey the approval of the Central Government for the following:-

- i) The requirement of dwelling units is relaxed being a project of national importance and in view of the fact that Central Government is empowered to relax the density as per MPD 2021.
- ii) With respect to relaxation of carpet area requirement, it may not be required under the provisions of MPD 2021. However, administrative approval is hereby accorded.
2. The above approval is subject to the condition that DDA undertake to construct 1100 units of EWS and lower category (25 - 40 sqm) in Kondli Ghazoli which is about 7 km. from the Games Village and complete the construction of these units before April, 2010.
3. This is further subject to the condition that these flats / units must be ready for occupation by the time the Games Village is ready.
4. Subject to complying with the above conditions, approval of the Central Government is hereby accorded to go ahead with the residential group housing in respect of residential project of Commonwealth Games.

Yours faithfully,

(P.K. Santra)

Under Secretary to the Government of India
Telefax : 23061681

Cam(LA)

14/4

18/4/07

DD/LA
PA

संपादन कार्यालय
राज्यी संघ 716 B
दिनांक 13/4/07

Important

Place
put up to DD/LA
on his return on
Monday

19/04/07



बलविन्दर कुमार
BALVINDER KUMAR, IAS
Vice-Chairman

89157 दिल्ली विकास प्राधिकरण
Delhi Development Authority

विकास सदन, नई दिल्ली-110023
Vikas Sadan, New Delhi-110023
Ph: 2469 7900, 2469 9479 Fax: 2462 3968

No. F13(127)07/Bldg./pt. II/325-EP
Dated: 28th May 2014

To

The Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.

Sub: Submission of report on Commonwealth Games Village Complex at Akshardham in compliance of order dated 29-01-2014 read with order dated 21-03-2014 in WPC No. 4597/2013 titled Anoop Sharma and others VS DDA and also orders dated 7.2.13 and 18.3.13 in WP (C) 3703/2011 and 6161/2011 passed by the Hon'ble Delhi High Court.

Sir,

Kindly refer to the orders of the Hon'ble Delhi High Court dated 7.2.2013 and 18.3.2013 in the WP (C) 3703/2011 and WP(C) No. 6161/2011 directing DDA to refer to the Ministry of Urban Development the issue relating to excess non-compoundable FAR in the residential area of CWG Village complex.

It was also directed by the Hon'ble court that prior to this request, DDA would give hearing to the Project Developer and the Project Developer would be entitled to produce supporting documents in the hearing, as well as written submission. Thereafter the DDA would prepare a note in which the stand of the DDA, the submissions of the Project Developer would be extracted in the first instance and thereafter the recommendations of the DDA which would contain reasons as to why the stand of the Project Developer is unacceptable to them, if it is unacceptable and the conclusion of the DDA.

Kindly also refer the order dated 29-01-2014 and order dated 21-03-2014 in WPC No. 4597/2013 titled Anoop Sharma and others VS DDA directing DDA to also refer to the MOUD the issue of excess non-compoundable FAR in the common areas in the CWG Village Complex to the MOUD for a decision alongwith other pending issue with regard to non-compoundable excess FAR in the residential part of the said complex.

CAA

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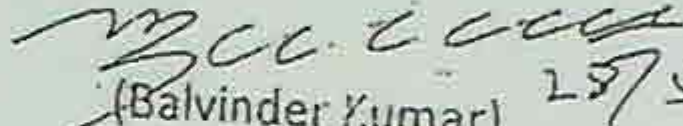
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The issues relating to the aforesaid directions of the Hon'ble Delhi High Court were discussed before the Hon'ble Lt. Governor, Delhi on 26.5.14, where Engineer Member, DDA and Chief Engineer (CWG), DDA were also present. After discussions at length, it was decided that the detailed report on CWG village complex Akshar Dham prepared by DDA in compliance of the aforesaid directions of Hon'ble Court may be submitted to MGUD for appropriate decisions in the matter.

Accordingly, the detailed report prepared as per the directions of Hon'ble Delhi High Court is annexed hereto for kind consideration and appropriate decision by the Ministry of Urban Development.

Yours faithfully


(Balvinder Kumar) 28/5.14
Vice Chairman

Encl : as above

REPORT ON COMMONWEALTH GAMES VILLAGE COMPLEX AT AKSHARDHAM FOR SUBMISSION TO MINISTRY OF URBAN DEVELOPMENT AS PER THE DIRECTIONS OF HON'BLE HIGH COURT VIDE ORDERS DATED 7.2.13 AND 18.3.13 UNDER WP (C) 3703/2011 AND WP (C) 6161/2011

With reference to the judgment given by Hon'ble High Court Delhi on 7.2.13 and 18.3.13 under WP (C) 3703/2011 and WP (C) 6161/2011, under para 52(iii), the Hon'ble Court has ordered as under:

Para 52(iii)

All proceedings arising out of the present project relating to the FAR will be kept in abeyance for a period of eight weeks. A request will be made by the DDA to the Ministry of Urban Development to regularize the excess construction at the Commonwealth Games Village Complex. Prior to the request, DDA will give a hearing to the Project Developer and the Project Developer will be entitled to produce supporting documents in the hearing, as well as written submissions and thereafter the DDA will prepare a note in which the stand of the DDA, the submissions of the Project Developer will be extracted in the first instance and thereafter the recommendations of the DDA which would contain reasons as to why the stand of the Project Developer is unacceptable to them, if it is unacceptable and the conclusion of the DDA. This note which would be submitted to the Ministry of Urban Development will be without prejudice to the rights and contentions of the DDA and without compromising the stand taken by them in the show cause notice dated 13.07.2012, the contents of which shall be kept in abeyance, till final decision by the Ministry of Urban Development.

Accordingly Commissioner(Plg), DDA gave three hearings to Project Developer(PD) and Partner, DDA on 9.5.13, 24.5.13 and 7.6.13. On 9.5.13 Project Developer agreed to submit the written submissions as directed by the Hon'ble High Court vide judgment dated 7.2.13. The Project Developer had submitted the same alongwith annexures to the office of Commissioner(Plg.) on 23.5.13 and Chief

Engineer (CWG) representing as Partner of the Project also submitted written submission(copies of both the submissions are enclosed).

The submissions made by Project Developer (PD) and Chief Engineer (CWG) from Engineering Deptt., DDA have been examined. Therefore, as per examination, the Report in three main Parts is as under:-

Part-I(A) & I(B)

Reflecting the extracts from the written submissions made by the Project Developer(PD) and Partner, DDA.

Part- II

Indicating stand of DDA with respect to ground realities and provisions contained in Project Development Agreement (PDA), Development Control Norms of MPD-2021 and Building Bye-laws-1983.

Part-III

The recommendations of DDA based on the stand taken in Part-II, above.

I(A) EXTRACTS FROM THE WRITTEN SUBMISSIONS MADE BY THE PROJECT DEVELOPER EMAAR MGF CONSTRUCTION PVT. LTD. (EMCPL).

The submissions of the Project Developer dated 23.5.13 state that the controversy is regarding the issue of 5% compounding allowed under clause 3(12) of MPD-2021; whether it is compoundable on the permissible FAR or the sanctioned FAR. Moreover, the Project Developer(EMCPL) emphasized that the Hon'ble Court vide their orders dated 7.2.13 under para 51 states that if there is a factual mistake in the calculations of FAR achieved or in case the law permits the compounding limit to be calculated on the permissible FAR, then DDA would grant the necessary relaxation.

2. The EMCPL is of the view that both the partners are equally responsible and liable under this Project. Since the notice etc. was issued to both the partners, therefore DDA and the partner i.e. Co-Developer may be directed to furnish their stand/written submission in this matter particularly in view of the fact that 50% of the alleged excess FAR falls in DDA's share.

3. The Project Developer(EMCPL) further mentioned that M/s Emaar MGF entered into an agreement under Public Private Partnership (PPP) basis vide Project Development Agreement(PDA) dated 14.9.07 with DDA to develop the Residential Complex on a 11 Ha. of plot in the proposed Commonwealth Games Village(CWG) which was to be used for accommodating the officials and athletes during the Games period. Accordingly the EMCPL has constructed 34 towers having total 1168 flats in addition to the other facilities and services. The total FAR achieved in this construction is 2,27,071.72 sqm this includes Community Centre/Club house, Guard House, Swimming Pool Planters and Sun-shades. The EMCPL also made reference to clause mentioned at page 183 of Project Development Agreement (PDA) under Annexure-I that "Please note that as and when MPD-2021 which is under finalization, is notified, the norms thereof shall be applicable".

4. The EMCPL further states that as per Annexure-II of Project Development Agreement(PDA), the permissible FAR is 200 as can be seen from Clause 4.4.3 of MPD-2021 and also reproduced the same in the written submission.

The contents of the same are as under:-

4.4.3 CONTROL FOR BUILDING, BUILDINGS WITHIN RESIDENTIAL PREMISES

A. Residential plot-plotted Housing.

xxxx

B. Residential Plot-Group Housing

Minimum size of the plot 3000 sqm.

Maximum Ground Coverage 33.3%

Maximum FAR 200

xxxx

Thus on the plot size of 11 Ha.(1 Ha. =10,000 sqm.), the permissible FAR as per MPD-2021 is 2,20,000 sqm. The EMCPL further mentioned that as per Development Code Clause 3(12) under Chapter 17 of MPD-2021 an additional 5% of permissible FAR is allowed to be constructed. The clause is reproduced as under:-

'Authority/Local Body(s) shall be empowered after levying penalty to compound deviations from the limit of coverage/FAR to the extent of 5% of the permissible coverage and FAR, subject to maximum of 13.5 sqm. in building(s)/premises at the time of considering the completion/occupancy certificate. In group housing scheme and public and semi-public facilities 5% FAR beyond permissible FAR can be compounded by the Authority/Local Body at the time of considering the completion-cum-occupancy certificate.'

Accordingly as per above provisions, the EMCPL states that the total FAR allowed to be built as per MPD-2021 on a plot of 11 Ha. is 2,20,000 sqm. +11,000 sqm =2,31,000 sqm. The EMPCL further mentioned that Annexure-2 of PDA at page 221 para no. 12 states that all other developmental controls of MPD-2021 shall be applicable including Chapter 17 of Development Code.

5. The EMCPL also pointed out that in the titled "Urban Design Guidelines for the CWG Village issued by DDA, the DDA has clearly mentioned that FAR is 200 and has reiterated the application of Clause 4.4.3(B) of the MPD-2021 and has further clarified that the CWG Village Master Plan does not override MPD-2021. In the said document, it is clearly mentioned that the permissible FAR is 200 on the total plot area of 11 Ha. and that 5% FAR beyond permissible FAR can be compounded at the time of Completion-cum-Occupancy Certificate (CC).

6. The EMCPL further mentioned that while the parties in the agreement in respect of restricted the FAR to 200 or FAR achievable under the plans as provided by DDA whichever is lower, the law contained in MPD-2021 provides for 200 FAR. It is settled law that agreement can not be override statute. By constructing more than the sanctioned plan, the EMCPL may perhaps be violating the agreement to that extent, but it can not be said at all, by any regulatory authority that any violation of law has been done by constructing FAR of 2,27,071 sqm. which is allowed by law.

7. The DDA has assessed FAR of 2,05,140 sqm. but it was just an assessment of the parties at that time, before MPD-2021 had come into operation and it was well known that actual FAR may be higher. In this context, the EMCPL has further referred the query raised during pre-bid Conference on 15.5.07 at page 123 of Project Development Agreement(PDA) under question no. 18 which is reproduced as under:-

Please confirm if the FAR of 200 will be applicable for the entire 11 hectares of the plot	"No, FAR is allowed on the plot size which does not include Convenience Shopping & one milk booth. The total FAR area as per DDA's assessment is 2,05,140 sqm. The upfront payment quoted by the bidders and DDA's share in the Residential Facility shall be based upon the same. If more FAR is achieved, the upfront payment and DDA's share in the Residential Facility will be increased on pro-rata basis".
--	---

8. The PD has further mentioned that the FAR of 2,05,140 was only an assessment of DDA and that too, only for the purpose of quoting the upfront payment. From the above facts, the EMCPL has presumed that the DDA had clarified that the achieved FAR can be more than the said assessment and in that event upfront payment and DDA's share will be increased on prorata basis. This fact is also supported by a letter dated 12.6.08 of Ex. Engineer of DDA, where it was clarified that the actual achieved FAR is likely to be more than the assessed FAR and that for the excess FAR, the EMCPL will have to pay upfront payment @ Rs. 15,948/- per sqm. It is further mentioned, that DDA clarified that the FAR of 200 is allowed on plot size of 11 Ha. excluding the area of Convenience Shopping and one Milk Booth. In any case, since the law permits higher FAR, the EMCPL is well within its rights under the law to construct higher FAR.

9. The EMCPL also referred para 14 (iv) of its reply in Arbitration case where it is indicated that in calculating the area of 2,05,140 sqm., the DDA had opted FAR of 186.486 whereas the law provides FAR of 200. Thus the figure of 2,05,140 sqm. adopted by DDA is erroneous and contrary to applicable norms.

10. The EMCPL also cited judgment dated 26.10.10 of Hon'ble ATMCD while quashing the Show Cause Notice of DDA, which clarified that total permissible FAR is 2,31,000 sqm. after adding 5% as permissible under MPD-2021 and directed EMCPL to submit the application for regularization and

compounding with the DDA which was done by EMCPL within given time. They have also mentioned that the Appendix 'Q' of Building Bye Laws, applicable in Delhi, which specifies compoundable items as well as non compoundable items. The EMCPL has quoted the relevant para of Appendix 'Q' as under:-

B) (i) Deviations in terms of covered area-If a building or part thereof has been constructed unauthorisedly i.e. without obtaining the requisite building permit from the Authority as required under Clause 6.1 & 6.7.1 of the Building Bye-laws, the same shall be compounded at the following rates provided the building or part thereof so constructed otherwise conforms to the provisions contained in the Building Bye-laws and Master/Zonal Plan Regulations. For this, the party shall have to submit the request for building permit in the prescribed procedure.

Rates

(a) Rs. 25/- per sqm. of the covered area constructed unauthorisedly: the above rate shall apply to the buildings as categorized below:

Residential buildings upto 500 sqm. plot size. All Govt. Public and SemiPublic and utility buildings, Religious, Institutional & Educational Buildings

(b) Rs. 100/- per sqm of the covered area constructed unauthorisedly. Residential buildings above 500 sqm. plot size (Group Housing & Guest Houses) Industrial Buildings, Storage buildings (underground and above ground), Hazardous Buildings.

11. In view of the above provisions, the EMCPL mentioned that they have not constructed any non compoundable item. The only deviation, is that while the plans were sanctioned by DDA for the construction of 2,05,140 sqm., with 2,03,087.25 sqm under Residential towers with the permissible FAR of 2,20,000 sqm the EMCPL has constructed 2,27,071.72 sqm. It is also pointed out that as per sanctioned building plans dated 27.2.08, the permissible FAR is 2,20,000 sqm. Therefore, the achieved FAR of

2,27,071.72 sq. (including Planters & sunshades) is well within the permissible FAR of 2,31,000 sqm (including 5% compounding over and above 2,20,000 sqm.). Thus, the EMCPL is of the view that the construction over and above the sanctioned FAR is $2,25,116 \text{ sqm.} - 2,03,087.25 \text{ sqm} = 22,028.75 \text{ sqm.}$ out of this the DDA by applying 5% compounding erroneously on the sanctioned FAR of 2,03,087.25 sqm. under clause 3(12) of MPD-2021 and has regularized the FAR of 10,154.36 sqm i.e. 5% compounding on 2,03,087.25 sqm. In fact DDA should apply 5% compounding on permissible FAR of 2,20,000 sqm. Thus the balance of 11,874.39 sqm. remains to be regularized.

12. The EMCPL further mentioned that due to the wrong figure taken by DDA as referred to in above para, the extra built up area beyond sanctioned floor area is taken by DDA as $2,28,238.35 \text{ sqm} - 2,05,140 \text{ sqm} = 23,098.35 \text{ sqm.}$, whereas this figure should be $2,27,071.72 - 2,05,140 = 21,931.72 \text{ sqm.}$

13. Whereas the contention of the EMCPL is that the DDA is erroneously calculating the 5% on the sanctioned FAR i.e. 2,05,140 sqm. and not on the permitted FAR i.e. 2,20,000 sqm. Thus 5% compounding has been wrongly calculated by DDA as 10,257 sqm. over and above 2,05,140 sqm. whereas it should be 11,000 sqm. over and above permissible FAR of 2,20,000 sqm. Thus proceeding on the above wrong presumptions, DDA has assumed that 23,098.35 sqm. is extra built up area beyond sanctioned limit and has calculated 5% compounding area to be 10,257 sqm. and has thus wrongly concluded that the balance area measuring 12,841.35 sqm. is beyond compoundable limits. The manner of calculation by DDA is totally contrary to the provisions of MPD-2021 under clause 3(12) and various judgments of Hon'ble Supreme Court. Proceeding on such wrong and erroneous basis, DDA referred the matter to MoUD for exercising their powers under clause 4.4.3(B) of MPD-2021 for compounding an area measuring 12,841.35 sqm.

14. It is also mentioned that the Secretary, MoUD filed an Affidavit dt. 07.03.12 in the Hon'ble High Court, wherein the MoUD opined that there is no occasion for the DDA to seek relaxation from MoUD under the said clause

of MPD-2021 DDA is committing mistake by calculating 5% compounding on sanctioned FAR rather than on the permissible FAR. The Building Section, DDA is not above the law and FAR and compounding charges cannot be calculated at its whims and fancies. As per views of the EMCPL further stated that Hon'ble Supreme Court in Ansal Properties and Industries P. Ltd. vs DDA 1983 suppl.(1) SCC 61 has even gone to the extent of holding that even if a building has been built without even obtaining any sanction, the same should be regularized if it is compoundable under the law i.e. Building Bye-laws & MPD. The same view was also reiterated by Supreme Court in another case i.e. Syed Muzaffar Ali Vs MCD 1995 supp(4) SCC 426 and Muni Suvrat Swami Vs Arun Nathuram Gaikwad (2006) 8 SCC 590. As per all above demonstrations, DDA proceeded on a wrong basis and unnecessarily created the controversy which could have been avoided.

15. The Project Developer further stated other instances of the Group Housing Project of another builder M/s Young Builders Pvt. Ltd. when the DDA reduced the FAR to 100 and subsequently on the intervention of the High Court, DDA allowed FAR 200 for the said housing project. The copy of judgment dated 18.5.11 is under WP(C) 2135/10 is annexed by EMCPL.

16. Project Developer again emphasized that in respect of compounding/regularization of the FAR achieved beyond the permissible FAR, the same are stipulated in Appendix 'Q' of Building Bye-laws. Therefore, as per these provisions, the prescribed rate is Rs. 100 per sqm. of covered area constructed without sanction. Since the covered area of building measuring 21,931.72 sqm. is constructed without sanction, therefore the same should be charged @ 100/- per sqm. against demanded compounded charges of Rs. 10, 15,436/- for the alleged excess coverage of 10,154.33 sqm which was duly deposited by the EMCPL under protest without prejudice to its rights and contentions.

17. EMCPL further states that the provision for EWS flats as contained in para 4.4.3(iv) of Chapter 4 of MPD-2021 authorized Central Govt. to relax, in consultation with DDA, density and other norms for public housing and projects of National importance. The para 4.4.3 B(v) provides that in case of residential plot of minimum 3000 sqm. under group housing, the Developer shall ensure that the minimum 15% of FAR or 35 % of the DUs, whichever is more are constructed for community service personnel/EWS and lower income category. In this regard, DDA requested MoUD to waive off requirements of EWS in CWGV vide letter dated 16.3.07 of Commissioner(LD) with the approval of Vice Chairman, DDA. The DDA undertook to construct 1100 units of EWS and lower income category in Kondli Gharoli area and complete the construction of these flats by April 2010. They have also pointed out the clause 8 in Annexure 2 of PDA, where the community service personnel/EWS norms are not applicable for this project since equivalent units thereof shall be provided by DDA.

18. Now EMCPL further mentioned that by way of Notification dated 19.5.09, the requirement of EWS has been totally done away with-in Govt. Projects, even in the projects other than Govt. Projects, additional area over & above the FAR of 200 has been allowed for purpose of EWS. It is also submitted by the EMCPL that the excess construction over and above sanctioned plan has been consumed in all the flats including all the towers those which have fallen in the share of DDA. However, DDA unilaterally sought to seal 65 flats in tower no. 5, 15 & one flat in tower no. 7 belonging to EMCPL for excess construction of entire complex. This pick and choose act of DDA was set aside by the ATMCD in its judgment dated 14.5.12. Due to the wrong basis adopted by the DDA, the DDA placed wrong figures and wrong proposals before authorities like the Lt. Governor, DUAC & Ministry etc. Naturally these Authorities applied their mind on the figures/proposals placed before them by DDA and gave their decision accordingly. Nobody had an occasion to apply mind as to what is provided in the law i.e. MPD-2021 where clause 3(12) in express terms stipulates that the compounding of 5% has to be calculated on permissible FAR and not on sanctioned FAR. It is stated that

there is no excess coverage and the entire coverage is within the FAR permissible by MPD-2021.

19. The EMCPL also pointed out that the achievement of excess FAR was in the knowledge of DDA all along being a partner in this project and whatever extra FAR has been achieved, the same has been shared by both the partners. They have pointed out that at the time of draw of lots on 12.6.08, the share in the apartments was worked out on the basis of 1168 flats in 34 towers. He has referred the minutes of Monitoring Committee meeting held on 12.6.08 which was attended by EMCPL and the Sr. officers of DDA. EMCPL further mentioned that the reply dated 25.7.12 submitted in response to Notice dated 13.7.12 may also be referred as annexed.

20. They have also pointed out that to take care of the remote contingency of demolition on account of alleged excess FAR of 11,874.39 sqm, the Hon'ble Delhi High Court vide orders dated 7.2.13 has directed to keep aside 28 flats of EMCPL scattered in different towers and equivalent area of 28 flats of DDA.

21. Finally EMCPL has requested as under:-

- i) To calculate 5% compounding on the basis of permissible FAR i.e. on 2,20,000 sqm. and not on the sanctioned FAR.
- ii) Clarify that norms of EWS are not applicable in this project as per the prior exemption given by the MoUD.
- iii) Compound/regularize the alleged excess FAR of 11,874.39 sqm. (achieved FAR of 2,25,116 sqm minus 2,13,241.61 sqm regularized by DDA) and issue demand of compounding charges in accordance with Appendix 'Q' of the Building Bye-Laws, after adjusting the amounts already paid by EMCPL towards compounding /penalty.
- iv) To issue Completion Certificate for Community Centre/Club House at the earliest.

IB WRITTEN SUBMISSION GIVEN ON BEHALF OF DDA AS PARTNER IN THE CONSTRUCTION OF RESIDENTIAL FLATS UNDER PUBLIC PRIVATE PARTENSHIP (PPP)MODEL BY CHIEF ENGINEER (CWG).

Chief Engineer (CWG) informed that the construction of Residential flats under Public Private Partnership (PPP) Model was under the Project Development Agreement (PDA) dated 14.9.07 assigned to M/s EMAAR MGF Constn. Pvt. Ltd. (EMCPL) by DDA. The Project Developer (PD) has paid a sum of Rs. 321 Cr. as upfront payment to obtain the rights of Project Development against the reserved upfront amount of Rs. 300 Cr. The total DUs/Built up area was to be divided in the ratio of 2/3rd in favor of PD and 1/3rd in favor of DDA.

2. As per Project Development Agreement (PDA), the whole construction cost including all necessary approvals have to be obtained by the PD including the Completion-cum-Occupancy Certificate (CC) for the entire construction from the Building Section of DDA. No measurement of construction was to be done by Engineering staff of DDA posted in Commonwealth Games Village Project (CWG) as no payment was to be made by DDA. The staff was only responsible to assist the PD to clear impediments, if any, for smooth implementation of the Project. The Engineering staff was also to provide feed back to Monitoring Committee constituted to monitor the Progress. Based on the provisions of PDA, the Building plans were got sanctioned by PD from Building Section, DDA. The monitoring of the construction work from commencement of work to completion was to be done by the Local Body who sanctioned the building plans i.e. Building Section DDA, in this case. Therefore, it was the responsibility of Building Section to ensure that the construction is going as per the sanctioned plan.

3. Chief Engineer(CWG) further laid emphasis on question no 18 of pre-bid clarifications given on 15.5.07 by DDA which is on page 123 of PDA where the DDA clarified as under:

<p>18. Please confirm if the FAR of 200 will be applicable for the entire 11 hectares of the plot.</p>	<p>"No, FAR is allowed on the plot size which does not include on convenience shopping & one milk booth. The total FAR area as per DDA's assessment is 2,05,140 sqm. The upfront payment quoted by the bidders and DDA's share in the Residential Facility shall be based upon the same. If more FAR area is achieved, the upfront payment and DDA's share in the Residential Facility will be increased on pro-rata basis".</p>
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4. The clarifications mentioned above were further modified by way of addendum which is a part of PDA on page 113 produced as under:

<p>Response to Clarification Number 18.</p>	<p>The bidder shall quote the upfront amount on the basis of FAR of 2,01,280 sqm.</p>
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5. As per the above provisions of PDA, DDA has right to get 1/3rd of the actual construction done at site by PD provided it is as per Building Bye-laws beside prorata upfront payment. The Development Control Norms provided by Architecture/Planning Wing of DDA were made part of the RPF and same are part of PDA at page 221. As per the provisions of PDA, it is clear that FAR of 200 was permitted on 11 Ha. of land excluding area of 1 Convenient Shopping of 1000 sqm., 2 Aganwaris of 200-300 sqm. each and a Milk Booth as per standard design of concerned department.

6. It has further been emphasized that the assessed FAR of 2,01,280 sqm was projected in the PDA only to be on the safer side as it was apprehended that permissible FAR being 200, the PD would try to get maximum of it and in that case, DDA/Govt should also get its share from additional FAR. Therefore, while mentioning the assessed FAR, it has been clarified that if the PDA achieves more area than as mentioned in PDA, he will give additional upfront payment of pro-rata basis for the extra FAR achieved

beyond what has been given in DDA and 1/3rd share of the additional built up FAR to DDA.

7. Chief Engineer, CWG further states that if the area beyond the compoundable limits measuring about 12,000 sqm is not regularized than DDA/Govt. will be at the loss of more than Rs. 100 cr. The obtaining of the optimum FAR is the need of the city provided it is permitted as per Building Bye-laws, MPD-2021. Therefore a holistic view has to be taken in the matter in the interest of the Deptt. The above points are submitted as a co-partner of the Project. May kindly be referred to MoUD.

II. STAND OF DDA WITH RESPECT TO GROUND REALITIES AND PROVISIONS CONTAINED IN PROJECT DEVELOPMENT AGREEMENT, MASTER PLAN FOR DELHI-2021 AND BUILDING BYE LAWS.

In the instance case, it has been gathered from the records that execution of Project Development Agreement (PDA) between EMAAR MGF Constrn. Pvt. Ltd. (EMCPL) and DDA as Co-partner is dated 14.9.2007; as per PDA at page 159, there were clarifications sought by the intended applicants during open house on December 15, 2006. Further response to clarifications sought by intended bidder during Pre Bid Conference on May, 15 2007 at page 117 (PDA) and addendum to RPF document at page 111(PDA) which was coordinated by Chief Engineer(SEZ) in accordance with the schedule.

2. The response to the clarifications were accordingly given by a team constituted for the purpose during open house on December 15, 2006 and further clarifications sought by the intended bidder during the Pre Bid Conference on May, 15 2007 were also replied.

3. Apart from the various administrative and other responsibilities assigned as contained in the PDA, the Annexure-2 of the Project Development Agreement at page 221 relates to the Project Control, Specifications and Requirements (Annexure-'A'). In the said Annexure, apart from the Development Control Norms, other requirements for the Project is given and further at serial no. 12 of the annexure, it is stated that 'all other developmental controls of MPD-2021 shall be applicable including Chapter 17 on Development Code'.

4. From the record, it has been further gathered that Building Plans in the instance case were finally sanctioned & released on 18.3.08 for an area measuring 2,05,140.00 sqm; out of this, an area measuring 2,03,087.25 sqm. was sanctioned for Residential component in 34 Residential Towers and an area measuring 2,052.75 sqm., for Club/Community Centre, Library, Crèche, Society office, Senior Citizen Office etc. with additional 500 sqm. free from FAR for Community Facilities. The 34 Residential Towers having 1161 number of DUs of 12 different types of design. The Building Plans were sanctioned on the basis of

certification made by M/s Sikka Associates Architect, Registered Architect under the Architects Act 1972. The Architect further certified under Building Bye-laws Clause 6.2.7 that Supervision of the Project shall be carried out under his supervision and work shall be carried out according to the Sanctioned Plan. As per the available records after sanction, no notice was given by ^{E.M.C.P.L.} EMPCL to the Building Section for commencement of work as required under the Provisions of Building Bye-Laws, Clause 7.2.1. Further no notice was given to the Building Section under the Provisions of Building Bye-Laws under Clause 7.2.2 for plinth level B-I permit.

5. Since certificate from the Architect was taken with the clear assurance that the construction shall be carried out according to the sanctioned plans, therefore, it was the responsibility of the Project Developer/ Co-Developer and the Architect to make the construction as per the provisions of Building Bye-Laws and sanctioned building plans being Project executed under Public Private Partnership (PPP) Model under Project Development Agreement.

6. After the completion of work EMCPL applied for Completion Certificate in respect of Residential Complex at Commonwealth Games Village on 31.3.10 under the provisions of Building-Bye-Laws under Clause 7.5.2. On receipt of the proposal, various site inspections were carried out by the team of Engineers of Building Section who were deputed for the task. Since there were many irregularities, measurements at site were taken by the team of Engineers of Building Section during Oct. 2010 to Dec. 2010, under a Committee formed by the Vice Chairman, DDA.

7. During the inspection, the team of Engineers of Building Section, found that EMCPL has constructed an area of 2,25,206.29 sqm. under the 34 Residential Towers. Whereas, an area measuring 22,119.04 sqm. was found more than the sanctioned area of 2,03,087.25 sqm. in 34 Residential Towers. It was also found that as against the sanctioned area of 2052.75 sqm. for Club/Community Centre, an area measuring 3032.06 sqm had been constructed at site.

8. During inspection, it was observed that EMCPL had constructed 1168 DUs as against the sanction of 1161 DUs at site under 34 Residential Towers. The type design of the Dwelling Units have been increased from 12 numbers to 27 numbers. Number of DUs of various categories in each Tower were at variance with the sanctioned Building Plan. The footprints of the each tower were also changed from the sanctioned Building Plan. The numbering already given for the towers in sanctioned building plan were also altered extensively. The changes were made without prior permission and approval.

9. From the date of release of the sanction of building plans i.e 18.3.08 to the date of submission of Completion Certificate on 31.3.10, the Project Developer has made no submission to the Deptt./Regulatory Authority for any modification/changes, which is required under clause 8.16.1 and 8.16.4 of Project Development Agreement(PDA). Hence, the Project work had been carried out without any permission/sanction of the plans. Since this was the Project under Public Private Partnership (PPP) Model, therefore, it was the duty of the EMCPL to obtain necessary permission with the help of the Co-partner who was placed in the position to clear impediments. If the constructions were made with the consent of both parties, then it was the responsibility of both to obtain necessary approvals from the Regulatory Authority, also for smooth functioning of the Project. However, the PD was specifically made aware of the Project Development Agreement Clause 8.16.10, that in case the PD violates any Development Norms, including Building Bye-laws and Master Plan Controls then PD shall be liable to pay penalties to the DDA. The PDA clause 8.16.1, 8.16.4 & 8.16.10 reproduced as under;

8.16.1

The Project Developer is responsible for obtaining necessary clearances, approvals and permits from appropriate authorities as might be required to implement the Project

8.16.4

The Project Developer shall obtain all necessary approvals from Municipal and other local bodies including MCD, DJB, Electric

Supply Agencies, Police and Security Agencies, Chief Controller of Explosives, Fire Department, Civil Aviation Department, concerned in accordance to prevailing rules, Building Bye-laws etc., as the case may be.

8.16.10

In case the PD violates any of the Development Norms, including Building Bye-laws and Master Plan Controls then PD shall be liable to pay penalty to the concerned government authority/agency/DDA as determined under the relevant laws.

10. In fact, sanction was given for an area of 2052.75 sqm for Club/Community Centre. This excludes an area of 400 sqm. for community needs like recreational hall, library, crèche, society office etc. and 100 sqm. for Sr. Citizen, total 500 sqm. free from FAR whereas, the EMCPL has constructed 3032.06 sqm. excluding 500 sqm. which is free from FAR. Therefore, an area measuring 979.31 sqm. has been constructed in excess under the Club/Community Centre Building. As per completion drawings submitted by EMCPL during Nov. 2011; these were examined and found that the facilities earmarked/provided in the sanctioned building plans and as prescribed in the PDA have not been fully provided at site as per completion drawings; as a result of which decreased number of facilities have been provided with lesser area of each component. The area of four number of shops as per sanctioned plan is measuring 277.29 sqm. which has been increased as per completion plan. The Swimming pool was never proposed nor sanctioned. However, swimming pool measuring an area of 306 sqm. was constructed at site. The Completion Certificate is considered by the Authority for the entire block/building; this implies that the Completion Certificate cannot be considered for some part excluding excess area which is beyond the compoundable limits.

11. As per Annexure-2 of the PDA (Annexure - 'A') at page 221 as mentioned above, since the clause at serial no. 12 is applicable for Project Development Controls, then the other Developmental Controls of MPD-2021 shall also be applicable. Therefore, the other provisions/controls as applicable for calculating

the permissible coverage shall also be made applicable simultaneously in this case. Therefore, as per MPD-2021 provisions, the scheme has been considered for a housing area population of 5000 persons for the proposed 1161 DUs.

12. Accordingly, the facilities prescribed in Project Development Agreement under Annexure-2 at Sr.No. 11 of Project Controls, Specifications and Requirements (Annexure-'A') are for the said population of 5000 persons i.e. convenience shopping, tot-lots, Housing area park of 5000 sqm. housing area play ground of 5000 sqm, Anganwari and milk booth etc. Therefore, as per Clause 8(1) of Development Code of MPD-2021 i.e., 'sub-division of use zones into use premises' of Development Code, Building Control Regulations shall be as applicable for the respective use premises under the use zone. However, in the instance case, no FAR would be permissible on the housing area park 5000 sqm. and housing area play ground 5000 sqm. as the Development Code Provisions are to be made applicable in this case as per Annexure-2 of Project Development Agreement i.e. Project Controls Specification and Requirements at serial no. 12; as such the deduction of these areas from the total area of 11 Ha. site shall further reduce the overall permissible coverage/floor area from the area already sanctioned. As a matter of practice, always whatever is sanctioned is considered rather than whatever is permissible, unless it is clearly prescribed or specified under the terms and conditions. The relevant clause of MPD-2021 under chapter 17. Development Code, clause 8(1) is reproduced below:

8(1) SUB-DIVISION OF USE ZONES INTO USE PREMISES

The objective of these regulations is to guide the preparation of layout plans for residential and industrial use zones. These regulations include norms for provision of facilities and circulation system. The service plans corresponding to these layout plans for provision of physical infrastructure like water supply, sewerage drainage, etc., shall conform to municipal byelaws.

The use zones other than residential and industrial shall have integrated plans governed by respective building control regulations.

Integrated plan differs from customary layout plan as in the former the regulations are for the total plot and subdivisions are done for the development purpose. The norms for sub-division of residential and manufacturing use zone into use premises are given in respective chapters.

13. Therefore, under the provisions of PDA, FAR as sanctioned on 18.3.08 i.e. measuring 2,05,140 sqm. shall be binding being the project executed under Public Private Partnership (PPP) model with a Partner. Moreover, sanction was accorded after various developments had taken place under Public Private Partnership (PPP) Model i.e. firstly the response to clarifications sought by the intended applicant during open house 15.12.06, thereafter response to the clarification sought by intended bidder during pre-bid conference of May, 15 2007, after these clarifications, the quantum of FAR was sanctioned and released on 18.03.08 and which was projected from 2,01,280 sqm. to 2,05,140 sqm. and based on the 2,01,280 sqm. the EMCPL has deposited the upfront amount for only 2,01,280 sqm. and not for 2,05,140 sqm.

14. Therefore, the response to the clarifications sought by intended bidder during Pre-bid Conference of May 15, 2007 mentions that "if more FAR is achieved, the upfront payment and DDA's share in the residential facility will be increased on pro-rata basis'. After the said clarifications of May 15, 2007, the building plans were submitted to Regulatory Authority i.e. DDA on 14.9.2007 and approved on 18.3.08. As such, the issue of increased or decreased FAR has automatically been frozen, since this is a Project under Public Private Partnership (PPP) Model where consent of both i.e. EMCPL and Partner is essentially required before taking any decision for enhancement of such FAR. Moreover the Annexure 2 of Project Development Agreement (Annexure-'A') at serial no. 2 stipulates the maximum Floor Area Ratio (FAR) assigned for the Project is as under:

2. 'Maximum FAR-200 excluding related to land area under point 11(a), (e) & (f) below or FAR achievable under the plans as provided by DDA, whichever is lower'.

From the above stipulations of Project Development Agreement in the instance case the Maximum Permissible FAR & coverage has been frozen as achieved under the plans which were sanctioned and released on 18.3.08 for an area measuring 2,05,140 sqm. As these provisions were assigned on 24.9.07 when the PDA was executed between M/s. EMMAR MGF Constr. Pvt. Ltd. and DDA as Co-partner and the Building Plans were sanctioned on 18.3.08. Therefore, the FAR as achieved as per sanctioned Building plans shall be the maximum permissible limit.

15. Further in view of Annexure-2 of PDA (Annexure-'A') related with the applicability of other Development Control of MPD-2021, it is further to state that though, as per serial no.8 of the said Annexure-2, 'Community Service Personnel/EWS and lower category norms are not applicable for this Project, since equivalent units thereto shall be provided by DDA', therefore, as per the letter dated 13.4.07 of MoUD to VC, DDA in response to the DDA's letter of Commissioner(LD) whereby the MoUD relaxed/waived the requirements of DUs for EWS subject with the condition that DDA undertakes to construct 1100 DUs of EWS in Kondli Gharoli area and complete the construction of these units by April 2010. As a matter of procedure, the said waiver of construction of EWS Housing shall not mean that the entire clause of the MPD-2021 has been waived off. As per MPD-2021, the PD shall ensure that minimum of 15% of FAR or 35% of the DU whichever is more, are constructed for Community-cum-Service Personnel/EWS and lower income category. Such flats should have an area between 35-40 sqm. This means, that in that event the maximum FAR of 200 would have got reduced by 15% and floor area achieved would have been less than the FAR and coverage sanctioned in the present case i.e. 2,05,140.00 sqm for residential component and Club/Community Centre. Therefore, the issue is restricted to the construction of flats only, but the 15% of area from 11.0 Ha. total land needs to be kept aside and no FAR of 200 on this 15% area is admissible, otherwise, if no relaxation was made in this case, then whole construction is to be made on the 15% of FAR area for EWS Housing at the cost of EMCPL.

16. It is further to mention that the modifications made vide notification S.O. 1277(E) dated 19-05-2009 in MPD-2021 is applicable prospectively but does not have retrospect effect through which the 15% FAR or 35% of dwelling units for community service personnel/EWS and lower category housing would be over and above 200 permissible FAR. This modification shall not be applicable at the later stage, in this case, since the building plans were sanctioned by the authority way back on 18-03-2008 at that time when the 15% of FAR needs to be utilized for EWS and lower category housing from the FAR of 200 as applicable at that time.

17. As regards, the reliance on Hon'ble Appellate Tribunal, MCD orders dated 26.10.2010, it is stated that against these orders, DDA filed an appeal before the Hon'ble Lt. Governor, Delhi. The said appeal was considered by the Hon'ble Lt. Governor and disposed off by his orders dated 7.4.11. The Hon'ble Lt. Governor vide orders dated 7.4.11 remanded the matter to decide the issue & defined the parameters within which the application of Completion Certificate (CC)/construction of the Project was to be considered by DDA. These parameters were sanctioned plan, MPD-2021 and Building Bye-laws-83 provisions. The said contention has been accepted by the Hon'ble ATMCD in its orders dated 14.5.12. As per these orders, DDA has issued further SCN to the Project Developer and Co-Partner on 13.7.12.

18. The proceedings were initiated and six hearings were conducted on 31.7.12, 21.8.12, 11.9.12, 26.9.12, 10.10.12 and 2.11.12. During the Hon'ble High Court proceedings dated 8.11.12 as conveyed by the Standing Counsel, DDA, that the Hon'ble Court orally observed that the proceedings before Jt. Director(Building) may be kept on hold till the Court orders in the matter. Finally the judgment on the above listed matter were pronounced by the Hon'ble Court on 7.2.13 and further clarifications dated 18.3.13 under WP(C) 3703/2011 & 6161/2011. As per these orders the Show Cause Notice (SCN) proceedings have been kept in abeyance till a final decision is taken by the Ministry of Urban Development (MoUD).

19. Consequent to the orders of Hon'ble ATMCD dated 26.10.10, the Project Developer (PD) vide letter dated 08.11.10 referred to the said orders dt. 26.10.10 in appeal no. 549 and 550/ATMCD/2010 and requested the Department for compounding/regularization the construction on payment of compounding fee in accordance with the provisions contained therein and keeping in view the observations made by Hon'ble Tribunal vide its orders dated 26.10.10 (Annexure-'B', copy of letter dated 8.11.10 of PD). Since, DDA made an appeal before the Hon'ble Lt. Governor on these orders dt. 26.10.10 and subsequently the Hon'ble Lt. Governor has passed orders on 7.4.2011 where the orders dated 26.10.10 merged with L.G.'s orders dated 7.4.11., therefore, this letter dated 08.11.10 has no significance as also explained in para 16 above and accordingly as per further orders of Appellate Tribunal dated 7.5.12 further action had been initiated by the Department while issuing fresh Show Cause Notice (SCN) to the Project Developer (PD) on 13.7.2012. The DDA made their contention in a clear-cut manner under para 12 of the said SCN dated 13.7.2012 that excess FAR of 11,964.68 sqm. in 34 Residential Towers cannot be regularized by the Authority under the provisions of MPD-2021 and Building Bye-laws-1983, as such no application for regularization of area has been pending in the Authority. Moreover, the letter dated 08.11.10 of the PD was only in reference to the Hon'ble Appellate Tribunal, MCD orders dated 26.10.10.

20. As regards the applicability of Development Control Norms of MPD-2021 including Chapter 17 on Development Code as per Annexure-2 of Project Development Agreement (PDA), it is to state that under the said stipulation of the clause, the matter has been carefully examined under all other relevant provisions of the Master Plan for Delhi-2021(MPD) and the Department has extended the provisions of Development Code Clause 3(12) where the Authority is empowered, after levying penalty, to compound the deviations from the limit of FAR to the extent of 5% of the permissible coverage and FAR

21. Now the issue is regarding the permissible area and the sanctioned area, in this context, it is further to mention that the permissibility is not given blindly, in the instance case as per above elaborated provisions of Master Plan, the

permissible area, is the area arrived at after considering all provisions and the sanctioned area has become the maximum permissible area in this case. Since in all circumstances, it has a greater value in terms of area, therefore in the instance case, the applicable permissible area has been finally arrived as sanctioned area. Accordingly, the 5% compounding under Development Clause 3(12) was extended to the Developer and an area measuring 10,154 sqm. under 34 Residential Towers were compounded and area measuring 11,964.61 sqm. has been considered as area more than the compoundable limit under Residential Towers. If the permissible area is more than the sanctioned area and the construction is within the permissible limits, then the compounding are obviously made on that area while charging all connected charges under Appendix 'Q' of Building Bye-laws-83.

22. Appendix 'Q' of Building Bye-laws-83 provides compounding for different miscellaneous items apart from the compounding of 5% of area as admissible in the Development Code Clause 3(12) of MPD-2021. The compoundable items like deviations in terms of covered area are charged @ 100/- per sqm. of the covered area constructed, under Appendix Q. In this regard, it is clarified that Rs. 100 per sqm. are charged for the area which is not sanctioned but within the permissible limit of assigned FAR which has been constructed without sanction. As such, in the instance case, the area sanctioned beyond the 2,03,087 sqm. under residential towers and up to the compoundable limit of an area 2,13,241.35 sqm. i.e. on area measuring 10,154.36 sqm. charged @ Rs. 100 per sqm i.e. Rs. 10,15,436.00 under Appendix 'Q' vide this office letter dated 7.3.12 (Annexure-'C') and subsequently another demand was raised on the prescribed rate of upfront charges i.e. Rs. 15,948/- which have been charged for an area measuring 10,154.36 sqm for Rs. 16,19,41,733.28, under Development code clause 3(12) of MPD-2021 conveyed vide this office letter dated 16.3.12 (Annexure-'D') and the same has been deposited by the Developer as per confirmation by Suptdg. Engineer (CWG)/Civil Circle-3, DDA vide letter dated 23.3.12(Annexure-'E'), thereafter the completion for an area measuring 2,13,134.15 sqm. in residential towers have been given upto 18.04.13 in phases tower-wise. The amount so charged under Appendix 'Q' @ Rs. 100/- per sqm. and 5% compounding under Development Code Clause 5(12) of MPD-2021 was

on the area which has been considered as maximum permissible area which is the sanctioned area, in this case, and compounding thereof has been considered, accordingly.

23. Regarding permissible FAR and the sanctioned FAR, it is further to mention that the building plans were sanctioned and released on 18.3.08 for an FAR of 2,05,140 sqm. this was after the pre-bid calculations given in the answer to the question no. 18 on 15.5.07. Therefore, the issue of further increasing the FAR from 2,05,140 sqm does not arise when the prior permission/approval of the co-partner as well as the Regulatory Authority which was required to be obtained being the Project under Public Private Partnership (PPP) Model, but not obtained. Therefore, in the instance case, the sanctioned FAR has finally become the permissible FAR, hence all compounding were admissible on the same FAR. The figure of 2,20,000 sqm. as permissible FAR shall not apply in this case which does not represent the net permissible FAR in accordance with the law, properly examined as explained above. If the permissible FAR is to be calculated on the basis of MPD-2021 provisions as explained above, in such case, the FAR of an area 2,05,140 sqm. already has the greater value. Since the PD finally contemplated for an FAR of 2,01,280 sqm. (for residential towers & community centre/club), this was for the purpose of calculating upfront payment which was earlier duly paid by the Developer i.e. a sum of Rs. 321 cr.

24. It is relevant to mention here that as per Building Bye-laws 6.1 every person who intends to erect /re-erect or make alterations in any place in a building shall give notice in writing to the Authority of his said intentions in the prescribed form. Thereafter under the Building Bye-laws 7.2.1 notice of commencement of building work at site is required for which building permit is granted. Further under Building Bye-laws 7.2.2 the owner through his Architect/Engineer/Supervisor shall give notice to the local body in the proforma, on completion of work upto the plinth level, called B-1 permit. This is to enable the local body to ensure that the work conforms to the sanctioned building plan and Building Bye-laws. Finally on completion of the work under Building Bye-laws 7.5.2., notice of completion is required to be given in the prescribed format by every owner.

25. In this case, the PD gave notice to the Building Section for sanction of the building plans under Building Bye-laws 6.1 on 28.8.07. Accordingly the building plans were sanctioned and released on 18.3.08. No notice was given to Building Section for commencement of work under the provisions of Building Bye-laws 7.2.1. However, the excavation and plinth work had already been started. No further notice was given to the Deptt. for B-1 plinth level permit under Building Bye-laws 7.2.2. However, finally the PD had submitted the completion certificate (CC) under Building Bye-laws 7.5.2 on 31.3.10. Therefore, after receipt of the permit, immediately, inspection related to the Building permit was carried out. Therefore, as per the above applicable provisions of Building Bye-laws, there has been no lapse in performance of duties as far as Building Section is concerned. Moreover, keeping in view of the Building Bye-laws 8.1 the inspection is only made on receipt of any Permit, as reproduced below;

'The Authority shall carry out inspection of the works from the receipt of notice of commencement to Completion Certificate at various stages to ascertain whether the work is proceeding as per the provision of Bye-laws and sanctioned plan. The relevant sections of DD Act, 1957 shall apply for the procedure for inspections by the Authority and for action to be taken by the Authority arising out of the inspections carried out'.

26. Therefore, the monitoring of construction from the Regulatory Authority point of view was confined to the occasions as contained in Para 25 above, when any permit is received and as such on receipt of the completion permit, the excess FAR beyond the compoundable limit was detected and action initiated accordingly. The Engineering Deptt., posted at site could have asked the Project Developer, whether they have applied for B-1 Permit or construction is being carried out as per sanctioned plan or not, when the construction was carried out beyond B-1 permit, the same should have been brought to the notice of the Regulatory Authority, being present at site. This could have possibly checked the unauthorized construction/non-compoundable deviations at a relatively early stage.

27. In view of above, now the status in terms of area arrived beyond the compoundable limit, is as under:-

i. AREA AS PER SITE	2,28,238.35 sq.mtr.
Residential	2,25,206.29 sq. mtr.
Club/Community Centre	3,032.06 sq. mtr. (+500 sq.mtr. free from FAR)
ii. AREA SANCTIONED	2,05,140.00 Sq.mtr.
Residential	2,03,087.25, sq. mtr.
Club/Community Centre	2052.75 sq.mtr (+500 sq.mtr. free from FAR)
iii. COMPOUNDABLE AREA @5%	10,257.00 Sq.mtr.
UNDER DEVELOPMENT CODE CLAUSE 3(12) OF MPD-2021	
Residential	10,154.36 Sq.mtr.
Club/Community Centre	102.64Sq.mtr.
iv. TOTAL AREA WITH COMPOUNDING (ii+iii)	2, 15,397.00 Sq. mtr.
Residential	2,13,241.61 Sq.mtr.
Club/Community Centre	2,155.39 Sq.mtr.
v. TOTAL AREA BEYOND COMPOUNDABLE LIMIT (i-iv)i.e. EXCESS AREA	12,841.35 Sq.mtr.
Residential	11,964.68 Sq mtr.
Club/Community Centre	876.67 Sq.mtr

vi. Completion certificate for 32 towers except tower no. 26 & 28 of DDA have been granted upto 18.4.2013 in phases tower wise as per Hon'ble High Court orders from time to time and orders dated 7.2.13 for an area measuring 2,13,134.15 sqm. with 5% compounding as against the total compoundable area measuring 2,13,241.61 sqm. under Residential Towers.

vii. The tower no. 26 & 28 of DDA measuring an area 11,982.14 sqm. have been kept aside for eventuality of demolition. This area is

equivalent to an area measuring 11,964.68 sqm. under Residential Towers beyond the compoundable limit. These two towers are retained as per Application for clarification/Affidavit (Annexure-'F') filed before the Hon'ble High Court on their orders dated 7.2.13 and Hon'ble High Court further issued clarifications vide their order dated 18.3.13.

viii. As per the Hon'ble High Court orders dated 7.2.13 and further clarification dated 18.3.13 the completion certificate of 28 unencumbered flats measuring an area 6329.52 sqm. of project developer which are scattered in different towers at various levels have been suspended and these flats will be kept in the custody of DDA as security.

ix. The completion certificate for club/community centre site has not been considered as per details given under part II Para 10 above, as the completion certificate cannot be considered for part of the building excluding the excess area. Moreover, the facilities are not as per sanctioned building plan.

28. The sixth report of Controller and Auditor General of India (CAG) on XIX Commonwealth Games under para 20.5.6 has observed that 'Emaar MGF failed to notify DDA, as per Building Bye-Laws, of completion of work up to plinth level to enable DDA to confirm that it was in accordance with the sanctioned plan. All construction in excess of the FAR permissible under Master Plan of Delhi is unauthorized. In the FAR as constructed in excess of sanctioned plan, but within the Master Plan limits is regularized by following due process, DDA should secure its one-third share in it and the proportionate increase in upfront money as contracted, as it should do for FAR achieved in excess of the agreement as well (action on which was still pending as on January 2011). However, the FAR constructed by the Developer is in excess of that permitted under the MPD-2021, valued at Rs.130.17 crore @ Rs.11000/sqft and it amounts to an undue benefit to the Developer, unless DDA decides to impound or demolish it'

III RECOMMENDATIONS OF DDA BASED ON STAND TAKEN UNDER PART II

The submission of EMCPL and Co-partner has been duly examined and based on this, the conclusion is, the stand of EMCPL is incorrect.

2. After the response to the clarifications sought by the intended applicants during open house on December, 15, 2006, the clarifications were sought by the intended bidders during Pre-bid Conference on May, 15, 2007. From the clarifications sought at serial no. 18 on May 15, 2007 in respect of queries as referred by the EMCPL & the Co-partner, it has been gathered that the clarification was given before the submission of building permit to the Regulatory Authority by the Project Developer on 14th Sept., 07 and addendum to RPF document at serial no. 5 which is in response to the said clarification at serial no. 18, where the bidder shall quote the bid amount on the basis of FAR of 2,01,180 sqm and thereafter the bidder has paid upfront amount of Rs. 321 Cr. i.e. on the FAR of 2,01,280 sqm. Thereafter based on the proposal submitted to the Regulatory Authority on 14.9.07, the building plans were sanctioned and released by the Regulatory Authority on 18.3.08 for an area measuring 2,05,140 sqm. this includes 2052.75 sq. mtr. area for club/community centre and an area measuring 2,03,087.25 sqm. against the Residential towers for 1161 DUs.

3. Since the project is executed under Public Private Partnership (PPP) model between EMCPL and DDA, therefore, whenever any modification or changes are required to be made, the same needs to be dealt with the prior permission and approval of the Co-partner. Moreover the Project Developer (PD) was specifically aware of the clause 8.16.1, 8.16.4 & 8.16.10 of Project Development Agreement (PDA) for execution of Project, which provides that if the PD violates the provisions of Master Plan, Building Bye-laws etc. then PD shall be liable to pay penalties to DDA as elaborated under part-II, para 9, (PDA clause 8.16.1, 8.16.4 & 8.16.10). As per the PDA, the ownership of the land was vested with the Co-partner i.e. DDA. Moreover, the issues are also examined with reference to the provisions

contained in the MPD-2021 which is also applicable in this case, as agreed by the EMCPL.

4. The applicability of the provisions are considered for all purposes not for the exclusive and limited purposes/issues, whereas, in this case, the provisions as contained under part -II of para 11, 12, 14, 15 & 16 (i.e stand of DDA) are also required to be made applicable simultaneously while other clauses of Development Code under Chapter 17 of MPD-2021 are applicable as per Annexure-2 of the PDA, prescribing the Project Controls, Specifications & Requirements, the Development Code Clause 3(12), where 5% of FAR beyond the permissible FAR can be compounded by the Authority at the time of considering the Completion-cum-Occupancy Certificate (CC). If the said Master Plan provisions are applicable then simultaneously, the other provisions of Master Plan and Development Code also need to be applied for considering the permissible FAR. The provisions as contained under Development Code Clause 8(1) by which no FAR is permissible on the housing area park of 5000 sqm. and housing area play ground 5000 sqm. and as per clause 4.4.3 (B) -provisions for Residential plot-Group Housing under sub-para (v) as elaborated under part-II of para 14, 15, 16 & 21, the FAR already sanctioned has a greater value than the net FAR. The permissibility indicated in the sanctioned building plan dated 18.3.08 does not represent the net permissible area as required to be calculated based on these provisions also.

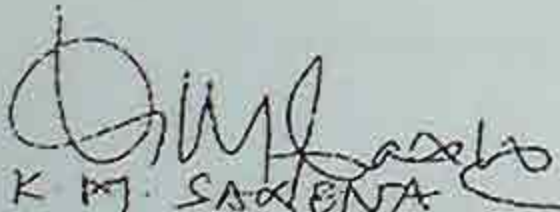
5. The clarification regarding Community Service Personnel/EWS Housing has already been given under various paras and especially under part II Para-15 & 16. Moreover, as regards the Completion Certificate(CC) for Club/Community Centre site, detailed clarifications are given under part II Para-10, the Completion Certificate could not be considered at this stage, as the CC is considered by the Authority for the entire block/building, but the building has also an excess coverage/FAR beyond the compoundable limits.

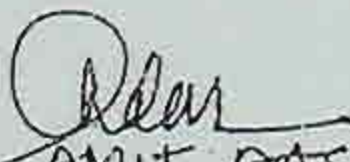
6. Therefore, in the instance case, it is viewed based on the detailed elaboration given under Part II that the building plans sanctioned for an area measuring 2,05,140 sqm., including 2052.75 sq. mtr. area for club/community and the area against the Residential towers measuring 2,03,087.25 sqm is already on the higher side. As already worked out an area measuring 12,841.35 sqm. is beyond the compoundable limits; where an area measuring 11,964.68 sqm.(after 5% of compounding) under Residential Towers and 876.67 sqm. (after 5% of compounding) under club/community Centre. It is reiterated that the PD's contention is that he is entitled to 200 FAR over the entire plot of 11 Ha. DDA is of the view that the PD is not entitled to 200 FAR over the entire plot, as Housing Area Park and Housing Area Play Ground are considered open spaces and do not attract FAR under the provisions of MPD-2021.

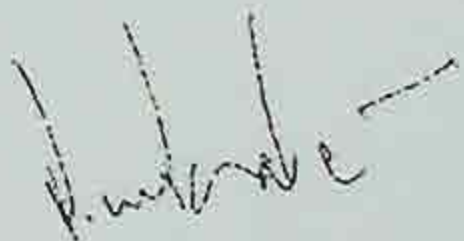
Accordingly MoUD may be requested take a view in reference to the directions of Hon'ble High Court under WP(C) 3703 / 2011 and WP(C) 6161 / 2011 dt. 07.02.2013 and further clarifications dt. 18.03.2013.

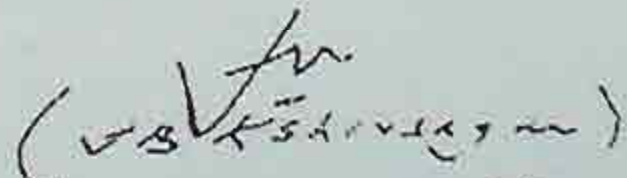
As per examination under part II, it may be summarized that:

1. The Project Developer has violated the MPD-2021, BBL'83 provisions and Project Development Agreement.
2. DDA in its bid conference reply to query raised by the Project Developer has already clarified that FAR will not be permissible on the entire plot of 11 Ha. rather areas covered by convenience shopping centre and milk booth shall be deleted. This implies that FAR for the site in question is applicable only on net residential pockets after deduction of all other components on which FAR is not allowed.
3. The compounding of 5% will therefore, be available on the sanctioned area of 2,05,140.00 sqm., meaning thereby that the total area would be to the tune of 2,13,241.61 sqm. under Residential Towers. As such the area beyond this limit i.e. 11,964.68 sqm. has been constructed additionally.
4. Given under Commonwealth Games Village is a project of National Importance which was delivered on time and has enhanced the prestige of the nation, MoUD may kindly consider the matter of excess area to the tune of 12,841.35 sqm. including Club/Community Centre and take a view.


K.M. SAXENA
JT. DIRECTOR (BULDG)


AMIT DAS
DIRECTOR (BULDG)


P.M. PARATE
ADSL. COMMISSIONER
(PLG) TR & C


COMMISSIONER
(PLG) /c



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ANNEXURE A

Residential Project
Commonwealth Games, 2010 Village

Annex-2 RFP PROJECT CONTROLS, SPECIFICATIONS AND REQUIREMENTS

A. Project Development Controls

1. Land area - 11 hectares
2. Maximum Floor Area Ratio (FAR) - 200 excluding related to land area under point 11(a), (e) and (f) below or FAR achievable under the plans as provided by DDA, whichever is lower
3. Maximum Ground Coverage - 33.3%
4. Maximum Height - Subject to clearance from AAI/Fire Department and other statutory bodies. Further, the height should not exceed the height of the highest dome of the Akshardham Temple (43 m). The same shall be appropriately considered by DUAC in the urban design provided in this RFP by DDA.
5. Parking - Minimum 2 Equivalent Car Space (ECS) / 100sq.m. floor area, with minimum space standards as follows:
 - a. Open - 23sq.m. per ECS
 - b. Ground floor covered - 28sq.m. per ECS
 - c. Basement - 32sq.m. per ECS
 - d. Multi-level with ramps - 30sq.m. per ECS
 - e. Automated multi-level with lifts - 16sq.m. with ECS
6. Density - Provisions of density norms shall not be applicable if approval from the concerned authority is obtained by DDA
7. Additional floor area up to a maximum of 400sq.m. shall be allowed to cater to community needs such as community / recreational hall, crèche, library, reading room and society office. In addition to the above, 100sq.m. area shall be permissible for Senior Citizen Recreation Room.
8. Community Service Personnel/ EWS and Lower Category norms are not applicable for this Project, since equivalent Units thereof shall be provided by DDA.
9. Stilts: If the building is constructed with stilt area of non-habitable height and is proposed to be used for parking, landscaping etc. the stilt floor need not be included in FAR and shall be counted towards height
10. Basement(s), if constructed, and used only for parking, utilities and services shall not be counted towards FAR.
11. The Project Developer shall develop the following facilities integrated with other services of the Residential Facility:
 - a. One (1) Convenience Shopping of 1,000sq.m.
 - b. Totlots aggregating to 2500sq.m. each being at least 1.25sq.m.
 - c. One (1) Housing area Park of 5000sq.m.
 - d. One (1) Housing area Play ground of 5000sq.m.
 - e. Two (2) Anganwadis of 200-300sq.m. each
 - f. Milk Booth as per standard design of the concerned Department.
 The facility mentioned in 11(f) shall be reverted back to DDA for appropriate disposal.
12. All other developmental controls of MPD-2021 shall be applicable including Chapter-17 on Development Code.

A.
C
D
OK
CS



Request for Proposal Document

Joint Director (Building) I & II
Delhi Development Authority
New Delhi

In Re: Order dated October 26, 2010 passed by the Appellate Tribunal, MCD Delhi,
in Appeal Numbers, 549 & 550/ATMCD/2010

Dear Sir,

It may kindly be recalled that by way of our letter dated March 29, 2010, we had applied to the DDA for Completion / Occupation Certificate with respect to the Common Wealth Games Village (CWGV), next to Akshardham Temple. Further vide your letter/s dated September 3, 2010, you had conveyed grant of occupancy permit on the basis of required statutory norms and clearances.

Subsequently, as you are aware that vide order dated October 26, 2010, the Hon'ble Tribunal, while allowing our appeals, has directed us to file an application for regularization / compounding of the extra construction / coverage according to the provisions contained in Appendix Q of the Building Bye Laws & MPD - 2021.

You are therefore requested to kindly compound / regularize the construction on payment of compounding fee in accordance with the provisions contained therein and keeping in view the observations made by the Hon'ble Tribunal vide its order dated 26/10/10

Copies of the following are enclosed herewith through our authorized Architects, M/s SIKKA ASSOCIATES ARCHITECTS for your ready reference:-

1. Form of Sanction / Regularisation.
2. Copy of Application for issue of Completion Certificate dated 29th March 2010
3. Copy of Occupancy Certificate issued by DDA on 3.9.10.
4. Copy of Court Order dated 26th October 2010.

Thanking You

Yours Sincerely

For Emaar MGF Construction Pvt. Ltd

Authorized Signatory

ENCL: As above

Copy to:

1. Vice Chairman, D.D.A
2. Mr. Amar Singh Executive Engineer - DDA, CGD -1, Shakarpur, Sheed Beed Road, New Delhi-92



Emaar MGF Construction Private Limited

Plot No. 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

File No. F. 13 (127)/2007/Bldg. / 107

Date: 7.3.12

To

The Ex. Engineer/CGD-I/DDA,
Seed Bed Park, Shakarpur
New Delhi-110092.

M/s Emaar MGF Constr.(P) Ltd.,
ECE House, No.-28,
Kasturba Gandhi Marg,
Delhi-110001

Sub: Completion Certificate in respect of CWG Village.
Ref Letter No. F.13 127/2007/Bldg./ 54 dated 24.1.12.

This is in continuation to this office earlier letter dated 24.1.12 mentioned above, following short-comings are yet to be complied with for consideration of case for CC up to an area measuring 2,13, 241.61 sqm.(sanctioned area + 5% compoundable area).

1. To deposit the compounding charges as PRIOR TO SANCTION up to 5% of the sanctioned FAR in residential towers i.e. 10,154.36 sqm @ Rs. 100/- sqm = 10,15,436.00 (Action M/s Emaar MGF).
2. NOC is required to be submitted by Ex. Engineer/CGD-I/DDA, in ~~no~~ upfront payments etc. up to the approved compounded area i.e. 2,13, 241.61 sqm. in residential towers as a land owning agency. (Action Ex. Engineer/CGD-I/DDA).
3. Regarding payment of balance amount of labour cess to the Labour Cess Deptt. i.e. Rs., 6,62,52,940/- , the PD has submitted an undertaking that the same shall be deposited as per the decision of the Cess Deptt (copy enclosed for reference). Therefore, this may kindly be taken up with the Labour Cess Deptt., whether in such circumstances, the case for CC could be considered or not. This issue has been conveyed by Commissioner (Plg.) as discussed in the meeting with Hon'ble L.G. and VC,DDA. (Action Ex. Engineer/CGD-I/DDA).

Please expedite the action as early as possible for processing the further cases of completion certificate.

Copy to

1. OSD TO W.C.

2. SE (CWG) CC-3, MUMBAI.

(Rajender Kumar)
Asstt. Engineer-II(Bldg.)L&I

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Asstt. (B) L&I

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DELHI DEVELOPMENT AUTHORITY
(BUILDING SECTION)

C.BLOCK Ist FLOOR,
VIKAS SADAN, INA,
NEW DELHI

File No F 13(127)/2007/Bldg/ 175

Date. 16.3.12

To

The Ex. Engineer/CGD-1/DDA,
Seed Bed Park, Shakarpur
New Delhi-110092.

M/s. Emaar MGF Constn. (P) Ltd.,
ECF House No.28,
Kasturba Gandhi Marg,
New Delhi-110001

Sub: Completion Certificate in respect of CWG Village.

Ref: (i) Letter No.F.13(127)/2007/Bldg/54 dated 07.03.2012.
(ii) EMIGF/DDA/2012/502 dated 15.03.2012 of EMAAR MGF.

In continuation of this office letter as referred above dated 07.03.2012 and with reference to your letter dated 15.03.2012, it is clarified that you are required to pay compounding charges as equivalent to charges calculated on the basis of Rs 321 Crore for an area measuring 2,01,280.00 sqm., for the compoundable area from 2,03,087.25 Sq. Mtr. to 2,13,241.58 sq.mtr. under residential towers (5% of area compoundable under Development Code Clause 3(12)). This amount is Rs.15,948.00 per sqm. x the compoundable area i.e. 10,154.35 sqm. which is Rs.16,19,41,733.28

It is requested that the said amount of Rs.16,19,41,733.28 be deposited urgently by Project Developer to enable to process the case of completion Certificate for the remaining towers covered under the area of 2,13,241.58 Sq. Mtrs. within compoundable limits of 5%.

(Signature)
(Rajender Kumar)
Asstt. Engineer-II(Bldg) L&I

Copy to:

1. Dy. Director(Plg.), VC's office for information.
2. M/s Sikka Associates, Arch, A-3/1, Africa Avenue, Safdarjung Enclave.
3. S.E./CWG/DDA, Municka Office Complex.
4. PS to FM for the kind information of later.

36 259

AE-II/018

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DISPATCHED

DELHI DEVELOPMENT AUTHORITY
Office of SE (CWG)/Civil Circle-3,
Munirka, New Delhi - 110067

Phone Nos. (O) 26180220, Tele-fax (O) 26102598, Cell 9810212084

No. F.4(5)12/SE(CWG)CC-3/DDA/ 281

Dated : 23rd March, 2012

To

M/s Emaar MGF Construction Pvt. Ltd.,
ECE House, 28, Kasturba Gandhi Marg,
New Delhi - 110001.

Subject : Payment on account of Extra FAR upto Compoundable
Limit in respect of, "Construction of Residential Project of
Commonwealth Game Village - 2010 on PPP mode".

Dear Sir,

Please refer to your letter No. EMGF/DDA/2012/504 dated
20.03.2012.

In this respect, pursuant to the order dated 19.03.2012 of the
Hon'ble High Court of Delhi in WP (C) No. 3703 of 2011, the amount
tendered by you has been accepted in payment of Rs. 16,19,41,733.28 as
per letter No. F13(127)/2007/Bldg./175 dated 16.03.2012 of DDA's
Building Section towards the compounding fee for an FAR of 10,154.36
Sqm i.e. (2,13,241.61 - 2,03,087.25) which is upto 5% of the sanctioned
FAR of 2,03,087.25 for the Residential towers. The Balance amount of
Rs 2,88,22,023/- has been accepted towards payment of upfront fee for an
FAR of 1,807.25 Sqm i.e. (2,03,087.25-2,01,280) for the demand as resting
with this office's letter NO.F4(5)12/SE(CWG)/CC-3/DDA/253 dated
16.03.2012 i.e. FAR for which upfront payment was quoted and FAR which
were sanctioned.

Thanking you.

Yours Faithfully,

(D.P. Singh)
SE(CWG)/CC-3/DDA

Copy to :

1. CE(P&CWG)/DDA for kind information.
2. Director(CWG)/DDA for information.
3. Director(Building)/DDA w.r.t. her office letter No.F13(127)/Bldg./175 dated 16.03.2012.
4. EE/CGD-1/DDA for information.

SE(CWG)/CC-3/DDA 23/3/2012

Handwritten circular stamp with date 26/3/12 and other illegible text.

Handwritten notes and signatures in the bottom left area.

Handwritten notes and signatures in the bottom left area.

Handwritten notes and signatures in the bottom center area.

Handwritten notes and signatures in the bottom right area.

IN THE HIGH COURT OF DELHI AT NEW DELHI

CM No. _____ of 2013

In

WP(C) No. 3703 of 2011

In the matter of:

Commonwealth Games Village Allottees
Welfare Association

.....Petitioner

versus

DDA & Ors.

.....Respondents

INDEX

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ARUN VERMA, Advocate
DDA Standing Counsel
I-22 (L.G.F.)
Jangpura Extension
New Delhi - 110014

New Delhi

Dated: 28/8/13

D.No. ~~35382~~
413/13

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4)

IN THE HIGH COURT OF DELHI AT NEW DELHI

CM No. _____ of 2013

In

WP(C) No. 3703 of 2011

In the matter of:

Commonwealth Games Village Allottees
Welfare Association

.....Petitioner

versus

DDA & Ors.

.....Respondents

NOTICE OF MOTION

TAKE NOTICE that the accompanying Application will be listed before Court on 5.3.13
at 10.30 O'Clock in the forenoon, or soon thereafter as may be convenient to the Court.

AJAY VERMA, Advocate
DDA Standing Counsel
I-22 (L.G.F.)
Jangpura Extension
New Delhi - 110014

New Delhi

Dated: _____

To:

1. Lex Chambers
Advocates for Petitioners
A-317, Defence Colony
New Delhi - 110024

2. Mr. Jasmeet Singh
Advocate
M-62, Greater Kailash-I
New Delhi - 110048

3. Karanjawala & Co
Advocates
A-148 (Second Floor)
Defence Colony
New Delhi - 110024

4. Mr. Ravinder Aggarwal

CGSC

Union
2/3/13
FOR REC

Handed
Chandra
via Karanjawala & Co
2/3/13

Amend Copy
Amend Singh
For

2013 AG-GENERAL, 1134
Standing Council
632, Lawyers Chambers
DELHI HIGH COURT
Ph: 011-23384670

2/3/13 R-4

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IN THE HIGH COURT OF DELHI AT NEW DELHI

CM No. _____ of 2013

In

WP(C) No. 3703 of 2011

To.

Deputy Registrar
HIGH COURT OF DELHI
New Delhi

WP(C) No. 3703 of 2011

In the matter of:

Commonwealth Games Village Allottees
Welfare Association

Petitioner

versus

DDA & Ors.

.....Respondents

Sir,

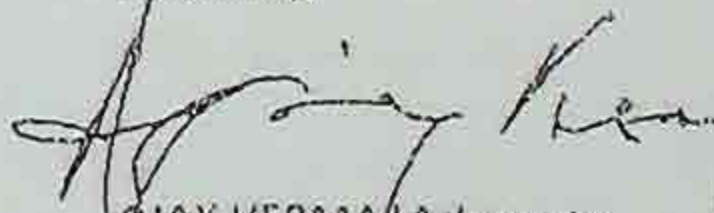
Kindly treat the accompanying Application as urgent in accordance with the High Court Rules and Orders.

2. The grounds of urgency:

Applicant is seeking urgent relief as stated in the accompanying Application.

The matter be kindly listed for 5.3.13

Faithfully,



JAY VERMA Advocate
DDA Standing Counsel
1-22 (L.G.F.)
Jangpura Extension
New Delhi - 110014

New Delhi

Dated: _____

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IN THE HIGH COURT OF DELHI AT NEW DELHI

CM No _____ of 2013

In

WP(C) No. 3703 of 2011

In the matter of:

Commonwealth Games Village Allottees
Welfare Association

.....Petitioner

versus

DDA & Ors.

.....Respondents

APPLICATION U/S 151, CPC, FOR CLARIFICATION/EXTENSION OF
TIME

MOST RESPECTFULLY SHOWETH:

1. This Hon'ble Court, by Order dated 7.2.2013, was pleased to dispose of the captioned Writ Petition along with WP(C) No. 6161/2011 by giving various directions.

These directions, *inter alia*, included the following:

(i) The Project Developer shall keep 28 flats, which are lying unencumbered in different towers, as per Annexure -A, at page 1119 of the paper book, filed along with an affidavit of Sh. Shellen Bajaj, Vice President of respondent no.2. As per this affidavit, the aforesaid flats are unencumbered. The affidavit will be treated as an undertaking made to this court and the same is accepted and taken on record. Respondent no.2 shall remain bound by the undertaking given to this court. In case an order of compounding is passed the 28 unencumbered flats of Emaar MGF would stand as security for making the payment of compounding charges, if any, subject to the order passed today or in the event of demolition.

(ii) The interim order passed by this court on 24.08.2011 stands vacated, with respect to all the flats in possession of the DDA, except 28 flats. DDA will keep 28 flats or the area equivalent thereto unencumbered, details of which will be made available and will be filed in the court as a compliance report within two weeks with the affidavit of an Executive Engineer/Director, in the form of an undertaking. These 28 flats preferably should be of the top floors of tower(s), so as to make it convenient in case of the remote eventuality of demolition. For the remaining flats, it will be open for the DDA to dispose of the same, in accordance with law and as per their policy.

2. In complying with the directions contained in Order dated 7.2.2013, Respondent, DDA is faced with certain difficulties/issues. These, *inter alia*, as highlighted by the Building Section, DDA, are as follows:

1. Building Bye-Laws in clause 7.5.2, i.e., Notice of Completion, provides that

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"Every owner shall have to submit a notice of completion of the Building of the Authority regarding completion of the work described in the building permit. The notice of Completion shall be submitted by the owner through the licenced Architect who has supervised the construction..."

In the proforma prescribed for the purpose i.e. Appendix B-3, the proposal as per this Hon'ble Court's directions needs to be submitted by the Project Developer and Architect in the said proforma certifying that the building has been constructed according to the sanctioned plan etc. However the Project Developer has earlier submitted request for completion for the entire residential towers which have an area over and above compoundable limits to the tune of 11,964.68 sqm.

2. Moreover as per Bye-law 7.5.2 as mentioned above, completion is considered by the Authority for the entire block/ building. This implies that Completion Certificate cannot be considered for some internal part/parts of the building separately. As per this Hon'ble Court's directions in para 52(vi), the Completion Certificate granted to 26 flats out of 28 flats is to be suspended but under the BBL-83, as quoted above, the completion can only be suspended for the total building.

3. The BBL-83 provides the definitions under Clause 2.10 & 2.54.1 for Building & Residential Buildings as follows.

2.10 Building—Any structure for whatsoever purpose and whatsoever material constructed and every part thereof whether used as human habitation or not and includes foundation.

2.54.1 Residential Buildings—These shall include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities. It includes one or two or multi family dwellings, lodging or rooming houses, dormitories, apartment houses and flats and hotels.

4. Further, BBL-1983 provide as follows:

"10. PROCEDURE OF OBTAINING COMPLETION-CUM-OCCUPANCY CERTIFICATE

ii Provisional Occupancy Certificate & Completion-cum-Occupancy Certificate

In continuation of circular dated 12.4.2002, it has been decided that Provisional Occupancy Certificate (POC)/Completion-cum-Occupancy Certificate (C.C.) will be applicable/accepted/approved for Co-op. Group Housing societies, Housing Schemes of Government, Govt. Aided

Institutional and Charitable Trust/Wakf Board only as per Authority Resolution No. 72 dt. 18.6.1991.

Provisional Occupancy Certificate and Completion-cum-Occupancy Certificate will only be applicable/accepted/ approved for Cooperative Group Housing Scheme, Housing Schemes of Govt., Govt. aided Institutional and Charitable Trusts/Wakf Board only. In the present case, this is not applicable.

5. As per Order dated 7.2.13 in Para 52(iii), the FAR proceedings have been kept in abeyance for a period of 8 weeks. The contents of Show Cause Notice (SCN) dated 13.7.12 are also to be kept in abeyance till final decision of the MoUD. Therefore, to continue the proceedings, if required, area measuring 11,964.68 sqm. beyond the compoundable limits under 34 Residential Towers has to be kept aside at this stage.

3. Therefore, in view of the above difficulties/issues, the Building Section of DDA as Regulator, before issuing any Completion Certificate i.e. for remaining towers 5, 15, 26 & 28, is faced with the following

- i. It would have to have available net area of 11,964.68 sqm in the residential towers
- ii. This area of 11,964.68 sqm should be such as may be demolished if the need arises after the issues of Show Cause Notice and concluding proceedings in the matter
- iii. The area measuring 6337.88 sqm. of the unencumbered 28 flats of Respondent No. 2 will not, for the reasons as mentioned above, be available in law for demolition; if required, also being scattered in different towers
- iv. Accordingly, for any balance completion to be granted in effect, DDA would be required to keep aside the entire area of 11,964.68 sqm. from its own flats. This would imply that while Respondent No. 2 would only keep aside as unencumbered 28 flats, DDA may be required to keep aside about 67 flats/ 2 towers, which would be effectively more than double that of Respondent No. 2.

The Order dated 7.2.2013 was apparently not intended to result in such an inequity and disparity to the detriment of DDA and to defeat the proceedings w.r.t. the FAR if they are required to be pursued

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4. Moreover, insofar identification of flats by DDA as directed in Order dated 7.2.2013 is concerned, besides the issues mentioned above it is submitted that:

- i. This Hon'ble court directed that 28 flats to be kept unencumbered by DDA should be preferably on top floors of the towers to make it convenient in case of remote eventuality of demolition. It is submitted that if the top floor flats in the towers, if required to be demolished, in such circumstances the entire services of the towers on all the floors from Ground will be affected and would need to be discontinued till such time the demolition takes place and these services like water supply, overhead tank, solar panels etc. are to be reinstalled after the demolition, to restore the functioning of the flats in the entire towers.
- ii. Moreover, the fire safety system installed for the flats in all towers at the top will also get affected for a substantial time till the desired amount of area on the top floors is demolished and further services are provided.

Therefore, it would be prudent and efficacious to identify the 28 flats (constituting the balance area of 11,964.68 sq.m.) to be kept unencumbered by DDA in a particular tower.

5. Accordingly, clarification is required from this Hon'ble Court of Order dated 7.2.2013 with respect to the issues as mentioned above and for further time to file the Affidavit as directed by this Hon'ble Court.

6. This Application may also be considered as having been moved in WP(C) No. 6161 of 2011 in view of the fact that Order dated 7.2.13 is a common order.

In the facts and circumstances mentioned above, it is, therefore, respectfully prayed that this Hon'ble Court be pleased:

- i. clarify the issues as set out in the Application and extend the time to file the Affidavit with regard to identification of the flats of Respondent, DDA which are to be kept unencumbered.

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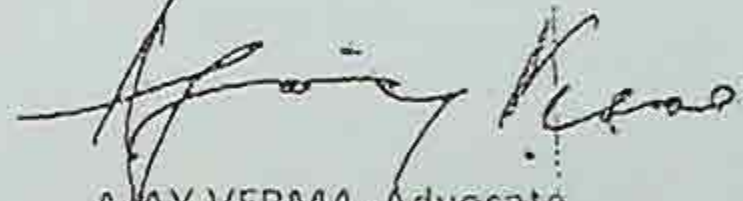
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- ii. pass such other order as may be necessary in the facts and circumstances of the matter.


Respondent, DDA

Through


AJAY VERMA, Advocate
DDA Standing Counsel
I-22 (L.G.F.)
Jangpura Extension
New Delhi - 110014

New Delhi
Dated: _____

IN THE HIGH COURT OF DELHI AT NEW DELHI

CM No. _____ of 2013

In

WP(C) No. 3703 of 2011

In the matter of:

Commonwealth Games Village Allottees
Welfare Association

.....Petitioner

versus

DDA & Ors.


.....Respondents

AFFIDAVIT

I, Amit Das S/o S C. Das, aged about 57 years do hereby solemnly affirm and state on oath as follows

1. That I am the Director (Building) of Respondent, DDA. I am familiar with the facts of this case and am competent to depose this Affidavit.

2. That the accompanying Application under Section 151, CPC for extension of time has been prepared by the Counsel for Respondent under my instructions. The facts stated therein are true and correct based on records of Appellant and the submissions made are based on information received and believed to be true.

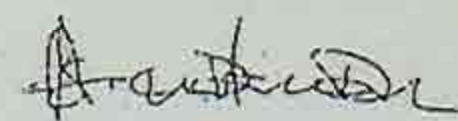

DEPONENT

VERIFICATION

02 MAR 2013

Verified at New Delhi on this _____ day of _____, 2013 that the contents of the above affidavit are true to my knowledge as based on the records of Appellant, no part of it is false, and nothing material has been concealed therefrom.


DEPONENT


S. C. Das
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ANNEXURE-C

-907st-

सूचना प्रणाली
केन्द्र
एन.ए.ए.ए.ए.
एन.ए.ए.ए.ए.



Supreme Court of India
New Delhi
Email : sjoice@scj.nic.in

EX-PARTE OPINION

Querist: Delhi Development Authority

- Queries:**
1. What was the permissible FAR based on a reading of the sanctioned plan and the PDA?
 2. Is it lawful for DDA to assert that notwithstanding the "permissible area" mentioned in the sanctioned plan read along with the provisions of unified Building Bye-Laws and MPD-2021, in effect the FAR could not exceed 2,05,140 sq. m.?
 3. What is the area under compoundable limits and the applicability of clause 3(12) under sanction of plans as per MPD-2021 in case of CWG Village under which the authority/local body is empowered to compound 5% FAR beyond permissible FAR?
 4. Whether it is legally permissible for the DDA to regularize the delay with the approval of the competent authority without carrying any demolition and on charging the regularization charges?
 5. Any other opinion or suggestion which the Ld. Solicitor General may like to give in the facts and circumstances of the matter.

1. BACKGROUND

As indicated in the 'Brief for Opinion', the background in which the above queries have arisen is as follows:



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- (i) That the Querist was mandated by the Government of India to undertake the development of the 'Commonwealth Games Village' for the 19th Commonwealth Games held in India from 03.10.2010 to 14.10.2010. The said 'Commonwealth Games Village' was to be initially used by the athletes etc. during the games and thereafter the Querist could sell the 'residential facilities' as 'residential apartments'. A site admeasuring about 11 hectares was identified near Akshardham Temple at Noida crossing, off NH 24 for the same.
- (ii) A request for proposal (hereinafter referred to as the "RFP") was issued by the Querist inviting eligible developers to bid for the development of the said residential facilities (hereinafter referred to as the "Project"). Annex 2 of the RFP, issued by the Querist, provides certain Project details including the "maximum" FAR contemplated for the Project and other details. Relevant portions of the aforesaid Annex 2 are extracted below:

"Annex 2 PROJECT CONTROLS, SPECIFICATIONS AND REQUIREMENTS

A. Project Development Controls

1. Land area – 11 hectares
2. Maximum Floor Area Ratio (FAR)- 200 excluding related to land area under point 11(a), (e) and (f) below or FAR achievable under the plans as provided by DDA, whichever is lower.
3. ..
6. Density- Provisions of density norms shall not be applicable if approval from concerned authority is obtained by DDA.
7. ...
8. Community Service Personnel/ EWS and Lower Category norms are not applicable for this project, since equivalent Units

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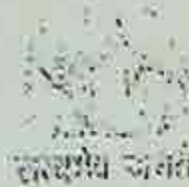


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Location: _____

9. thereof shall be provided by DDA.
11. The Project Developer shall develop the following facilities integrated with other services of the Residential Facility.
- a. One (1) Convenience Shopping of 1,000 sq. m.
 - b. Totlots aggregating to 2500 sq. m, each being at least 125 sq. m.
 - c. One (1) Housing area Park of 5000 sq. m.
 - d. One (1) Housing area Play ground of 5000 sq. m.
 - e. Two (2) Anganwaris of 200-300 sq. m. each
 - f. Milk Booth as per standard design of the concerned Department
- The facility mentioned in 11(f) shall, be reverted back to DDA for appropriate disposal.
12. All other development controls of MPD-2021 shall be applicable including Chapter-17 on Development Code
- 13..." (Emphasis Supplied)

(iii) That *vide* clarification to queries raised by intended applicants at the Open House dated 15.12.2006 and *vide* clarification to queries raised by intended bidders at the pre-bid conference dated 15.05.2007, the Querist had further indicated as under:

Open House dated 15.12.2006	
Clarification Sought	DDA's Response



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"9. Please inform us FAR and other related details for other area apart from buildings. What would happen if there is a change in FAR? Please refer to Annex 2 of the RFQ Document. Maximum FAR for all the development work at the Residential Project Site is 167 only..."

Pre-bid conference dated 15.05.2007

"18. Please confirm if the FAR of 200% will be applicable for the entire 11 hectares of the plots. No. FAR is allowed on the plot size which does not include one convenient shopping & one milk booth site. The total FAR area as per DDA's assessment is 2,05,140 sq m. The upfront payment quoted by the Bidders and DDA's share in the Residential facility shall be based upon the same. If more FAR area is achieved, the upfront payment and DDA's share in the Residential Facility will be increased on pro-rata basis..."

"Addendum to RFP ...

5. Response to Clarification Number 18 The Bidders shall quote the Upfront Amount on the basis of FAR of 2,01,280 Sqm..."

(iv) It can be seen from the above that at this point of time, FAR of 2,05,140 sq. m. / 2,01,280 sq. m. was a tentative estimate/ assessment by the Querist and the possibility of more FAR being achieved (but within the "maximum" FAR of 200%) was not foreclosed by the Querist. If higher FAR i.e. more than 2,05,140 sq. m. / 2,01,280 sq. m. was achieved (but within the "maximum" FAR of 200%), then the upfront fee payable by the Project Developer to the Querist and share of the Querist in the Project would increase proportionally.

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(v) That M/s Emaar MGF Construction Pvt. Ltd. (hereinafter referred to as the "Project Developer") was the successful bidder and accordingly a project development agreement (hereinafter referred to as the "PDA") was entered into between the Querist and the Project Developer on 14.09.2007.

That as per Clause 2.1 of the PDA, the Project Developer is required to develop the Project as per the requirements in the RFP document and specified in Schedule II (Development Specifications and Requirements as agreed with DDA) of the PDA.

That as per item (13) i.e. Area Schedule (Pg 337 of Brief for Opinion, Annexure 1), under the sub-heading (i) "Conceptual Design", Schedule II of PDA, a total of 2100 sq. m. is shown as having been set apart for Anganwaris (2), Milk Booth and Convenience Shopping and the 'balance area for Residential Dev.' is shown to be 21,66,577.92 sq ft. (i.e. approximately 2,01,298.701 sq. m.)

That Clause 3.1 of the PDA also provides that the Project Developer is required to construct such capacity of residential accommodation and meeting such specifications and requirements as specified in greater detail in Schedule II to the PDA. That as per Clause 3.3, the Project Developer is required to submit monthly progress reports to DDA/ Monitoring Committee to apprise of the development of the Project in line with the specifications and Project Milestones (Schedule III of the PDA). It may be noted that as per Clause 1.1.16, the Monitoring Committee is defined as a "committee consisting of one (1) representative each appointed by DDA and the Project Developer and an "Independent Engineer", who would be any person or agency appointed mutually by the representatives of DDA and the Project Developer in the Monitoring Committee for the purpose of the Project Development Agreement".

It is clear from the above, that the Querist was required to be regularly reported to (i.e. on a monthly basis), so as to be in a position, at each Project Milestone to check whether the Project Developer was complying

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OFFICE OF THE
MEMBER SECRETARY

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MEMBER SECRETARY

with the Project specifications, starting from completion of Mock Units to completion of the entire Project (See: Clause 3.5 which provides that reporting to the Monitoring Committee was to continue until the Monitoring Committee issues the completion certificate for the Project; see also Clause 3.4).

Clause 3.6 provides that in the event of non-compliance and failure of the Project Developer to rectify the defects, then besides the option of levying liquidated damages etc., the Querist was entitled to even terminate the PDA.

That, as per Clause 4(b) i.e. 'DDA's Roles and Responsibilities', the Developer was required to prepare a 'Mock Unit' and get it approved by the Querist and the Monitoring Committee and finalize the specifications to be used in all the Residential Apartments.

As per the terms of the PDA, the Project Developer is required to (a) comply with all specifications (See: Clause 3.1), (b) ensure compliance with all relevant laws including building bye-laws etc., and (c) apply for all required approvals including approvals for the construction from DDA (Clause 8.7 and Clause 8.16). The Querist in turn is required to provide support to the Project Developer to obtain some of these approvals (Clause 8.16.3 & 8.16.5). Clause 8.16.10 further indicates that in case the Project Developer violates any of the development norms, including building bye-laws and master plan controls, the Project Developer shall be liable to pay penalty to the concerned government authority/ agency/ DDA as determined under the relevant laws.

It may also be noted that as per the PDA, after completion of the constructions, the Project Developer could sell 1/3rd of the flats/ dwelling units so constructed, whereas the remaining 2/3rd units were to be handed over to the Querist. Though, due to certain financial constraints, the Querist had to ultimately purchase 333 flats from the share of the Project

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Developer in addition to its own share of 378 flats (total 711 flats, identified through a draw of lots).

- (vi) That after entering into the PDA, the Project Developer began construction. That as per letter dated 18.02.2008 the Project Developer certified that no excess usage of FAR is being done by it and accordingly 'upfront payment' was made only for 2,01,280 sq. m. Thereafter the Project Developer however submitted 'building plans' for approval/ sanction for 2,05,140 sq. m. This 'building plan' was approved on 27.02.2008 and released on 18.03.2008 (copy of this building plan has not been placed before me). That therefore, according to the Querist, the permitted/ approved FAR for the Project is 2,05,140 sq. m. In other words, according to the Querist, this is the final permitted FAR for the Project, irrespective of the "maximum" FAR indicated at the RFP/ PDA stage or the FAR estimated to be achieved at the RFP/ PDA stage.
- (vii) That the 'actual' FAR of the Project as completed by the Project Developer is however 2,25,266.29 sq. m. i.e. in excess of the FAR of 2,05,140 sq. m permitted/ approved as per the building plan. Therefore, completion certificate sought for by the Project Developer on the basis of 'completion plans' with such excess construction was withheld.

That even after exercising its power under Clause 3(12), Development Code (Chapter 17) of the Master Plan Delhi-2021. (hereinafter referred to as "MPD 2021"), to compound upto 5% deviations from permissible FAR, the Querist found that there was excess construction of approximately 11,977.06 sq. m*. That according to the Querist it has compounded 5% by taking the base as 2,05,140 sq. m i.e. the FAR permitted/ approved under the building plan. Whereas, it is the case of the Project Developer that the base ought to be the "maximum permissible" FAR i.e. FAR that could have been permitted by the Querist for the Project and that if so calculated, there would be no excess.

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*Note: 5% of 2,05,140 sq. m. is 10,257 sq. m.. After compounding 5%, excess is 9809.29 sq. m., not 11,977.06 sq. m. However, it appears that in order to prevent sealing and demolition in all towers (total 34) and all dwelling units flats, in other words, to prevent disturbance to all allottees, 2 towers (comprising of 65 flats) i.e. tower no. 5 & 15 (11,964.71 sq. m.) and flat no. 601 in tower no. 7 (105.95 sq. m) were identified and sealed and these approximately cover 11,977.06 sq. m. That all these flats are flats falling to the share of the Project Developer.

(viii) That this alleged 11,977.06 sq. m. excess construction has been the issue of contention between the Querist and the Project Developer, before different forums, including:

(a) Appellate Tribunal MCD ("ATMCD") and Lt. Governor:

(1) Initially the Querist issued a **Sealing cum Demolition Order** dated **20.08.2010** (against SCN issued on 20.07.2010) in relation certain unauthorized constructions at the upper basement level, this was challenged by the Developer before the ATMCD, and against the order of the ATMCD the querist filed an appeal before the Lt. Governor. As per the order of the Lt. Governor dated **07.04.2011**, the matter was remanded to the Querist and amongst other issues, the Querist was also directed to resolve the issue of excess FAR.

(2) Pursuant to compliance with the Order of the Lt. Governor dated 07.04.2011, the Querist arrived at the finding that excess construction (after compounding) is 11,977.06 sq. m. Consequently, the Querist issued a **Sealing Order** dated **10.08.2011** against this 11,977.06 sq. m. Simultaneously, on **10.08.2011** the Querist also referred the matter to the MoUD for regularization of the excess construction. That since this 10.08.2011 Sealing Order was issued without Issuing an SCN, the ATMCD directed the Querist to give the Project Developer a hearing. After giving the Project Developer such

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hearing, a final Sealing Order was issued by the Querist on 27.10.2011 (ultimately vacated by ATMCD).

(b) **The Ministry of Urban Development:**

On 10.08.2011 the Querist also referred the matter to the MoUD for regularization of the excess construction. MoUD however rejected the reference on the ground that no special case had been made out by the Querist for allowing such regularization.

(c) **The Hon'ble Delhi High Court:**

That 2 writs were filed before the Hon'ble Delhi High Court, being W.P. (C) No. 3703 of 2011 and W.P. (C) No. 6161 of 2011. While the former was for seeking issue of completion certificate, the latter challenged the aforesaid sealing order dated 10.08.2011 against tower nos. 5 & 15 and sought issue of completion certificate.

That a Learned Single Judge of the High Court vide common final judgment and order dated 07.02.2013, directed vacation of the sealing order dated 10.08.2011 (and the subsequent order dated 27.10.2011) against tower nos. 5 & 15 comprising of flats which have been sold to individual allottees. The Hon'ble High Court further directed that action in relation to excess far ought to be reconsidered by the DDA/ MoUD, since it is the appropriate authority and that any action that is ultimately taken in respect of excess FAR ought to be vis-à-vis un-encumbered flats. The Hon'ble High Court further directed that after giving the Project Developer another hearing, the matter may be referred by the Querist to the MoUD for re-consideration of regularization and/or demolition, as may be deemed appropriate, by treating the Project as a project of national importance and by taking a holistic view of the matter. That accordingly, 28 unencumbered flats belonging to the Project Developer's share were identified which were to be used as security against penalty etc. that may be imposed by MoUD for regularization and 28 flats (situated on topmost floors) belonging to DDA's share

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were identified for demolition, if any is ordered as per MoUD's final decision.

- (i) That in para 34 of the brief for opinion Querist has stated that in compliance with the judgment and order dated 07.02.2013 of the Hon'ble Delhi High Court, the Querist has referred the matter to MoUD. That the papers, note (including submissions of the Project Developer and the recommendations & conclusion of the DDA), plans and calculation-sheets etc. that the Querist was required to place before the MoUD as per the High Court's order dated 07.02.2013 (para 52 (iii) & (iv)), have however not been supplied to me.

I am of the opinion that when the Querist has already complied with the order of the Hon'ble High Court directing reference of the matter to the MoUD for reconsideration of regularisation and/or demolition having recalculated the construction after hearing the project developer it is not at all proper for the DDA to have sought any opinion from me which could influence the decision making process of the MoUD who has been directed by the High Court to take a decision. The Querist having not even challenged the order of the Learned Single Judge either before the Division Bench or the Supreme Court and having on the contrary complied with the directions contained in the High Court order has to my mind exceeded its brief in seeking an opinion on the matter.

I AM HOWEVER GIVING THIS OPINION WHICH IS ONLY FOR THE RECORD OF THE DDA AFTER HAVING HAD A DETAILED MEETING ON 12.01.2015 AND AFTER HAVING RECEIVED A LETTER OF THE MoUD WRITTEN TO THE QUERIST DATED 24.02.2015 THAT THE DDA COULD APPROACH ME FOR SEEKING ADVICE IN THIS MATTER.

This opinion of mine should in no way influence the decision making process of the MoUD lest it be treated as contemptuous of the High Court order. This warning/note be kept in mind at all times while reading my opinion given hereinbelow.



(x) It is at this stage that my opinion has been sought by the Querist in relation to the aforesaid queries.

APPLICABLE LAW AND ANALYSIS

Power to Relax Norms - Regularization

That MPD 2021, Chapter 4 - Shelter, provides as under:

4. SHELTER

1 ...

2 HOUSING STRATEGY

the context of housing strategy, it is essential to optimise utilization of land and space with a view to increasing net residential density. These norms and controls should also be reviewed periodically (preferably every 5 years) by DDA and suitably modified / updated to meet the requirements of the citizens. It has been observed that the practice of relaxing FAR / density norms without distinguishing between housing norms in terms of plinth area, can result in over population or under population in terms of network, on the one hand, and non-optimal design and under-utilisation of land and FAR both in Ground + 3 or 4 storeyed walk-up without lift or in high-rise construction. A fixed density could lead to wastage of FAR or imposition of artificial limits to optimal use of land, a scarce commodity. Therefore, the following density norms, for different category of dwelling unit (DU) sizes are proposed:

- 1 (upto 30 sq.m) - 600 DUs/Ha
- 2 (upto 40 sq.m.) - 500 DUs/Ha
- 3 (upto 50 sq.m.) - 250 DUs/Ha
- 4 (upto 60 sq.m) - 175 DUs/Ha



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The Central Government may relax density and other norms in consultation with DDA for public housing and projects of national importance.

4.4.3 CONTROL FOR BUILDING/ BUILDINGS WITHIN RESIDENTIAL PREMISES

A. ...

B. Residential Plot - Group Housing

<u>Minimum size of plot:</u>	<u>3000 sq.m.</u>
<u>Maximum Ground Coverage</u>	<u>33.3%</u>
<u>Maximum FAR</u>	<u>200</u>
Height NR (Subject to clearance from AAI / Fire Department and other statutory bodies).	
Parking area	2.0 ECS/100 sqm built up area

- (i) The density may vary (10% variation permissible in all categories) for specific categories as given below:
 - a) Category I (upto 40 sq.m) - 500 DUs / Ha.
 - b) Category II (above 40-upto 80 sqm) 250 DUs / Ha.
 - c) Category III - 175 DUs / Ha. (above 80sqm)
- (ii) Plots for group housing should be located on roads facing a minimum width of 18 m ROW (13.5 m ROW for redevelopment areas and 9m ROW for Slum Rehabilitation / Special Area and Villages).
- (iii) Additional floor area up to a maximum of 400 sq.m shall be allowed to cater to community needs such as community / recreational hall, crèche, library, reading room and society office. In addition to above,



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100 sq.m. area shall be permissible for Senior Citizen Recreation Room.

- (iv) The Central Government in consultation with the DDA may relax density and other norms for public housing and projects of national importance.
- (v) The developer shall ensure that minimum 15% of FAR or 35% of the dwelling units, whichever is more, are constructed for Community-Service Personnel / EWS and lower category. Such flats should have a carpet area between 25 - 40 sqm. [This 15% FAR or 35% of the Dwelling Units for Community Service Personnel / EWS and lower category housing would be over and above 200 Permissible FAR and density mentioned at (i) (a), (b) & (c) above. Employer Housing of Central Government, State Government and other Government Agencies are not required to follow the requirement of FAR or Dwelling Units for Community Service Personnel / EWS and lower income category.]
- (vi) Ground coverage up to 40% may be allowed to achieve low-rise high-density housing without lifts.
- (vii) Levy on additional FAR shall be at rates notified with the approval of Government from time to time.
- (viii) Stilts: If the building is constructed with stilt area of non-habitable height and is proposed to be used for parking, landscaping etc. the stilt floor need not be included in FAR and shall be counted towards height.
- (ix) Basement, if constructed, and used only for parking, utilities and services shall not be counted towards FAR." [Emphasis Supplied]

906/c

calculated on the "maximum FAR" that could have been permitted by the Querist for the Project as specified in the RFP.

That according to the Project Developer "maximum FAR" for the project is 2,20,000 sq.m*. This figure seems to have been arrived at by the Project Developer by calculating 200% FAR on the entire 11 hectares.

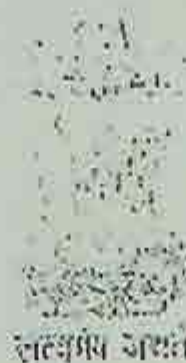
*[11 hectares	=	1,10,000 sq m.
Permissible FAR	=	200%
Permissible FAR	=	2,20,000]

That the above calculation by the Project Developer may also not be correct, since as per the clarification provided at the pre-bid conference dated 15.05.2007, at Sl. No. 18 above, 200% FAR is not to be calculated on the entire 11 hectares, but calculated after excluding from the 11 hectares the items specified in para 11 (a), (e) and (f) of Annexure of RFP.

It can also be seen from the RFP and clarifications issued in relation thereto that at that stage, FAR of 2,05,140 sq. m./ 2,01,280 sq. m. was a tentative estimate/assessment by the Querist and the possibility of more FAR being achieved (but within the "maximum" FAR of 200) was not foreclosed by the Querist. If higher FAR i.e. more than 2,05,140 sq. m./ 2,01,280 sq. m. was achieved (but within the "maximum" FAR of 200) then the upfront fee payable by the Project Developer to DDA and DDA's share in the Project would increase proportionally. *The above implies that it was within the Querist's power to approve/ permit FAR of more than 2,05,140 sq. m. Had the building plan submitted by the Project Developer shown FAR usage of more than 2,05,140 (but within maximum FAR of 200), the Querist would have been within its powers to sanction/ approve/ permit the same. Hypothetically, the compoundable limits would have been calculated on such higher permitted/ approved FAR.*

In fact, even if the construction was found to be in excess of even this limit, the FAR of 200% could be relaxed by the MoUD in consultation with the Querist, if a case was made out for regularization.

(Signature)



- (iv) It would also not be out of place to mention that assuming there is excess FAR (even after making maximum allowance that is possible), such excess construction is in fact spread across uniformly in all the flats and all towers. Therefore, strict compliance would require demolition across all flats and towers. This was however not recommended, even by the Querist in light of the adverse impact on all the allottees. Though identification and demolition of specific unencumbered towers/ flats, will bring FAR within permissible limits, such compliance would only be aesthetic or technical and not strict compliance. In other words, non-compliant flats/ towers are in any event going to be used by the allottees. In such circumstances, it may not make commercial sense to pass orders for demolition.

3. OPINION

In view of the above and the information supplied to me, my considered opinion is as follows:

- (i) *Query 1: What was the permissible FAR based on a reading of the sanctioned plan and the PDA?*

Response: I have not been supplied complete information, including, (a) the approved/ sanctioned building plan; (b) the completion plan on the basis of which completion certificate was sought; and (c) the notes (including submissions of the Project Developer and the recommendations & conclusion of the DDA), plans and calculation-sheets etc. that the Querist was required to place before the MoUD as per para 52 (iii) & (iv) of the final judgment and order dated 07.02.2013 of the Hon'ble High Court. I am therefore not in a position to answer to this query. *In any case, it is not the duty of any lawyer to determine permissible FAR and go into calculations of rupee, anna and pai or sq.ft. and sq.mtr. This is the job of engineers and overseers working with you and not the job of a lawyer and, therefore, the question is entirely misplaced.* In any event, in view of response to Query 4 below, the occasion to answer the same does not arise.

- (ii) *Query 2: Is it lawful for DDA to assert that notwithstanding the "permissible area" mentioned in the sanctioned plan read along with the provisions of*

4350/c

unified Building Bye-Laws and MPD-2021, in effect the FAR could not exceed 2,05,140 sq. m.?

Response: Yes. Assuming that the approved building plan was only for 2,05,140 sq. m., construction could not have exceeded this limit. This is irrespective of the extent that could have been permitted/ approved by the Querist.

(iii) *Query 3: What is the area under compoundable limits and the applicability of clause 3(12) under sanction of plans as per MPD-2021 in case of CWG Village under which the authority/local body is empowered to compound 5% FAR beyond permissible FAR?*

Response: In view of response to Query 4 below, the occasion to answer the same does not arise.

As per Clause 3(12), Chapter 17, MPD 2021, 5% compoundable limit is to be calculated on the permitted FAR and not permissible FAR. In the present case the permitted FAR is 2,05,140 sq. m.

Having said that, given that the Querist could have permitted FAR higher than 2,05,140 sq. m. in the present case, it is well within the ambit of the Querist's powers to regularize the excess construction upto such maximum limit along with an additional 5% calculated on such maximum limit.

(iv) *Query 4: Whether it is legally permissible for the DDA to regularize the delay* with the approval of the competent authority without carrying any demolition and on charging the regularization charges?*

* [It is assumed that this is a typographical error and what was meant was "excess" not delay]

Response: Yes.

If there is excess construction, even after compounding/ regularization that is within the powers of the Querist, then Clause 4.4.3, Chapter 4, MPD 2021, may be invoked for regularization instead of demolition. As per Clause 4.4.3, Chapter 4, MPD 2021, the norms stipulated, including FAR 200 and ground coverage, can be relaxed by the Central Government (MoUD) in

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consultation with the DDA in case of public housing and projects of national importance. This power is discretionary in nature and may be exercised by the relevant authority, if such authority is satisfied that reasonable grounds are made out for exercise of such discretion. That the 'Commonwealth Games Village' project is considered a project of national importance, and this was in fact the reason behind certain other concessions etc. given to the Project. It may also be noted that in case demolition is ordered, the ultimate loss is to the public and the public exchequer since the flats identified for demolition by the Hon'ble High Court are the ones allotted to the Querist. That given that the Project is a project of national importance and given that reasonable and sufficient grounds may be shown for regularization of the excess construction, the MoUD may consider exercise of such discretionary power.

Query 5: Any other opinion or suggestion which the Ld. Solicitor General may like to give in the facts and circumstances of the matter.

Response: I reiterate, what I have stated in bold before the analysis of the law for the instant opinion, that this opinion of mine will not be used by the Querist in any manner in influencing the decision of the MoUD nor will it be forwarded to the MoUD to take a decision in the pending matter, pursuant to the direction of the Hon'ble High Court as forwarded by the Querist-DDA to MoUD.

I have nothing further to add.


[Ranjit Kumar]

New Delhi
26.03.2015

By Speed Post

DELHI DEVELOPMENT AUTHORITY
(Contractor's Registration Board)
1st Floor, Vikas Minar, New Delhi 110 002

No.F.4(8)72/Action Case/2015/Secy.(CRB)/ 551

Dated: 28/8/2015

To

M/s Emaar MGF Construction Pvt. Ltd.
ECE House, 1, Kasturba Gandhi Marg
New Delhi 110 001

AND following Consortium Members:

- (i) Emaar Properties PJSC.
- (ii) Emaar MGF Land Pvt. Ltd.
- (iii) MGF Development Ltd.
- (iv) Discovery Estates Pvt. Ltd.

SHOW CAUSE NOTICE

Chief Engineer (CWG), DDA vide letter No. F.4(5)2015/CE(CWG)/DDA/135 dated 27.8.2015 has reported to this office that you have acted in unprofessional manner as Developer while developing the Commonwealth Games Village Residential Project under Agreement dated 14.9.2007.

You were assigned the construction of Residential Project of Commonwealth Games Village 2010 on Public Private Partnership (PPP) Mode vide Project Development Agreement (PDA) dated 14.09.2007. In accordance with the terms and conditions of the PDA, you were to obtain all applicable permits. In this context, Clause 1.1.3 at Page 5 of the PDA is reproduced below:

"1.1.3 'Applicable Permits' shall means all clearances, permits, authorizations, consents, registrations and approvals required to be obtained or maintained by the Project Developer under applicable law, in connection with the construction, operation and maintenance of the Project during the subsistence of this agreement."

.....contd..#2

In accordance with the provisions contained in the above clause, it was your responsibility to get approval of building plans from the Regulatory Authority i.e. Building Department of DDA.

You have submitted the building plans to the Regulatory Authority in August, 2007 and the approval of the same was granted on 18.03.2008. The building plans submitted by you were for a total construction area of 2,05,140.00 sq. mt. having residential component of 2,03,087.25 sq. mt. and 2052.75 sq. mt. for club and community facilities.

In accordance with the applicable Building Bye-Laws, you were required to notify to the Building Department of DDA under provision of the above laws, Clause 7.2.2 for plinth level B-1 permission. You did not notify to the Building Section at that level of building.

The completion plans were submitted to the Regulatory Authority i.e. Building Section of DDA under Building Bye-Laws 7.5.2 on 31.03.2013. Thereafter, during inspection by the Building Section, it was noticed that the construction done was not in accordance with the sanctioned building plans and the area constructed in both the cases i.e. for residential component and for club and community facilities has increased from the sanctioned building plans. The area of the residential component constructed by you is approx. 2,25,206.29 sq. mt. and for the club and facilities, it is 3032.06 sq. mt. approx. against the sanctioned area of 2,03,087.25 sq. mt. and 2052.75 sq. mt. respectively.


As a responsible Developer, you were required to apply for the revised building plans to the Building Section of DDA before undertaking any deviation from the sanctioned plans, which was not done.

As an experienced Developer, you were required to follow the Building Bye-Laws in true spirit, which have not been done in this case. Therefore, you have shown unprofessional attitude as a Developer.

.....contd..#3

Therefore, you are called upon to explain that why you have deviated the construction from the sanctioned plans without prior approval and why you did not apply for permission under Form B-1 as per Building Bye-Laws 7.2.2 for plinth level inspection by the Building Department.

Therefore, I serve upon you to Show Cause why disciplinary action as laid down under Rule 23 of the Enlistment Rules of DDA shall not be taken against you. Your reply should reach this office within 15 days from the date of issue of this letter. If no reply is received from you, it will be presumed that you have nothing to say and action as deemed fit shall be taken against you.



(Nahar Singh)
Secretary (CRB)
D.D.A.



N.O.O.

Copy to:

1. The Chairman, CRB for kind information please.
2. The Chief Engineer (CWG), DDA with reference to his report dated 27.08.2015 for kind information please.


Secretary (CRB)
D.D.A.



N-11014/2/2014-DDVI
Ministry of Urban Development
Delhi Division

ANNEXURE-E

Nirman Bhawan, New Delhi
Dated: 20th August, 2015

To,
The Vice Chairman,
Delhi Development Authority,
Vikas Sadan, INA,
New Delhi.

2015 13:52 20-8-15 2441-B 20.8.15	2015 13:52 20-8-15 2441-B 20.8.15
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Subject: Issue of regularization of excess FAR of CWG flats and sharing of payment of VAT with M/s Emaar MGF.

Sir,

The undersigned is directed to refer to this Ministry's DO letter of even no. dated 12.05.2015, DDA's letter No.F-4(5)2015/CE (CWG)/DDA/172 dated 23.04.2015 and DDA's letter No. PS/ VC/ DDA/ 2015/ 306-N dated 13.08.2015 and to say that this Ministry is not in agreement with the opinion of Ld. Solicitor General of India, as submitted by DDA vide their letter 23.04.2015, on the matter of declaring the project to be of 'National Importance' at this stage due to the following reasons:

- (a) Although the CWG Games, 2010 were of national importance, any relaxation to FAR/density of norms should have been sought by DDA before sanctioning the plans and start of construction of CWG flats.
- (b) There is no provision in MPD 2021 to regularize constructed FAR beyond compoundable limit.
- (c) The provision of declaring a project to be of national importance has not been provided to cover the mistakes in cases where construction has been done in violation of the sanctioned plan by constructing FAR beyond compoundable limit.
- (d) Regularizing the excess FAR by declaring this project to be of national importance at this stage will set a bad precedent by giving the message that violation of statutory plans/rules/regulations pays.
- (e) To resort to declaring the project of national importance after the construction in violation of the sanctioned plans would be grossly unethical, and could even be seen by the public as an instance of corruption.
- (f) Regularization at this stage by resorting to 'national importance' provision would attract proceedings from vigilance angle.
- (g) Regularizing the violation in this manner is not in public interest. Public interest has already been taken care of at the time of codifying the Master Plan, Building Bye-law / Regulations and the laid down procedure for sanction of the plan and issue of completion certificate, which should be respected by one and all.

As directed

2. DDA is, therefore, directed to resolve the matter as per the relevant provisions of MPD, Building Bye-laws and other extant rules/regulations and Project Development Agreement by 14.09.2015 under intimation to this Ministry.

3. Further, on the issue of sharing of payment of VAT by DDA, as claimed by M/s Emaar MGF, DDA is directed to take a final view by 14.09.2015 under intimation to this Ministry.

Yours faithfully,

शज

(R. K. Varshneya)

Under Secretary to the Govt. of India

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20/8

FM

Com(AS)

*CL CE (CWG)
Dis (B14)*

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OTHER ITEMS

Sub: 100% interest waiver on dues/over-dues of the Kashmiri Migrants allottee of one room flats

No. F.312(3006)/HSRKM/2004/DW

ISSUE:

Ministry of Urban Development vide its letter No. K-20014/06/2014-DD.III dated 14.10.2014 (copy placed as Annexure I) conveyed that Kashmiri Migrants are meeting their livelihood through monthly financial assistance (ad-hoc relief) provided by the Government and they are facing great difficulties in payment of dues/over-dues installments. Hence, it has been decided by the Ministry of Urban Development, Govt. of India to sanction 100% interest waiver on dues/over-dues installments of the Kashmiri migrant allottees of one room flats as a special case as it is a humanitarian and national integration issue.

BACKGROUND

DDA vide Authority Resolution No. 40/2000 had approved a Housing Scheme for rehabilitation of Kashmiri Migrants who were staying in 14 designated Refugee Camps of GNCTD situated at different locations. A copy of the scheme brochure is placed as Annexure II.

Under this Scheme, applications were invited exclusively from 237 identified families/persons migrated from Kashmir and were staying in the designated 14 Refugee Camps of GNCTD for allotment of one room sets. The allotments under this Scheme were on 'Hire Purchase Basis'. In addition, allotment to 08 other persons were also made during 2013, on the directions of Hon'ble High Court of Delhi. Therefore, the total allotments under the Scheme were/are 245.

Built up flats containing one room sets (a kitchen/kitchenette & toilet-cum-bathroom) were allotted in Dwarka, Narela and Rohini to 245 eligible families/persons through computerized draw of lots held on different dates during the period 19.04.2001 to 14.06.2013.

STATUS OF ALLOTTEE

Clause 10 of the scheme brochure made it clear that an allottee taking possession of the house on Hire purchase mode of payment will have the status of a tenant as defined under DDA (Management & Disposal of Housing Estates) Regulations, 1968.

An allottee, who makes full payment of the house, will have the status of "Freehold Owner". DDA will be executing a 'Conveyance Deed' in favour of such an allottee on completion of required documentation.

WAIVER OF INTEREST ON BELATED INSTALLMENTS

As per provision of the Scheme (Clause 5(ii) and (iii)), on receipt of initial payment of Rs.50,000/-, DDA issued the Possession Letter. The allottees were required to pay the remaining amount in 180 EMI with interest of 12.75% (reduced to 11% during pendency of SLP). Any delay in payment will attract a simple interest @ 18% per annum.

On receipt of a letter from Dr. Jitender Singh, Hon'ble Minister of State (PM Office) for waiver of 100% interest on due/over-dues Installments, MOUD sought a report. Accordingly, DDA sent a detailed report vide letter No. A.312(3006)HSRKM/04/574 dated 25.09.2014 (copy placed as Annexure -III). It was inter alia informed to the Ministry that there is no policy for complete waiver of dues/over-dues on account of interest/penalty on delayed installments.

Ministry of Urban Development vide its aforementioned letter dated 14.10.2014 (Annexure I) conveyed its decision to sanction 100% interest waiver on dues/over-dues installments of the Kashmiri migrant allottees of one room flats as a special case as it is an humanitarian and national integration issue.

Since, the allotments were on reduced cost and the rate of interest on delayed payment of interest was also reduced to 11% and there were other similar schemes, a detailed response/reference was again sent by DDA to the Ministry vide letter dated 10.02.2015 (Annexure-IV) requesting to re-consider the directions for waiver of 100% interest on dues/over-dues of the Kashmiri Migrants families.

In reply, MOUD vide letter No. K-20014/06/2014-DD-III dated 23.03.2015 (copy placed as Annexure-V) has advised DDA to comply with its order dated 14.10.2014 of waiver of 100% interest and report compliance with no further delay.

The matter was submitted to the Hon'ble Lt. Governor, and it was desired that the decision of the MOUD be placed before the Authority for information.

PROPOSAL:

Hence the above agenda is placed before the Authority for kind information.

RESOLUTION

Decision of the Ministry of Urban Development was noted by the Authority.



ANNEXURE-1

1742/DDO/14
22-10-14

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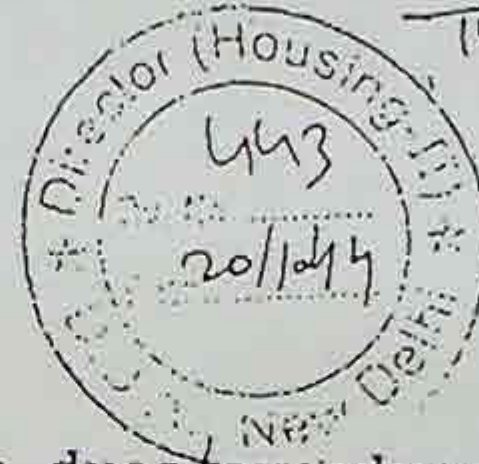
MSHM
15/10/14

No. K-20014/06/2014-DD.III
Government of India
Ministry of Urban Development
(Delhi Division)

उपस्थित कार्यालय
आवरी सं० 3560-B
दिनांक 14.10.14

Nirman Bhavan, New Delhi
Dated: 10th October, 2014

To
The Vice-Chairman
Delhi Development Authority
INA, Vikas Sadan
New Delhi-110023.



आयुक्त (आवास) कार्यालय
प्र आवरी सं० 2744-A
दिनांक 17/10/14

Subject: 100% interest waiver on dues/overdues of the Kashmiri Migrants allottees of one room flats- regarding.

Ref: (i) Letter No. 1027956/MoS(PP)/2014 dated 04.09.2014.
(ii) DDA's letter No. A/312/3006/HSRKM/1574 dated 25.09.2014.

Sir,

Representation has been received from Shri Bharat Bhushan Bhat, allottee of one room flat under Kashmiri Migrants Scheme, regarding 100% interest waiver on dues/overdues of the Kashmiri Migrants allottees of one room flats. 244 such allotments had been made under the scheme for Rehabilitation of Kashmiri Migrants by DDA.

2. Comments have been received from DDA vide their letter No. A/312/3006/HSRKM/1574 dated 25.09.2014. This has been considered in this Ministry. Kashmiri migrants are meeting their livelihood through monthly financial assistance (ad-hoc relief) provided by the Government and they are facing great difficulties in payment of dues/overdues installments.

3. In view of the fact that this is a humanitarian and national integration issue, it has been decided with the approval of the Competent Authority that DDA to sanction 100% interest waiver on dues/overdues installments of the Kashmiri migrant allottees of one room flats as a special case.

Yours faithfully,

Narendra Vashista

(Narendra Vashista)

Under Secretary to the Govt. of India

Tele: 23061478

mediate
A.C.H.

Pl place this
matter before the
next Authority meeting
14.10.
M.C.(H)
21/7
R.N.K.

Most URGENT
Please link
in. Put up
Ques
20/10/14
AD (Housing)

HOUSING SCHEME FOR
REHABILITATION OF
KASHMIRI MIGRANTS

42

कश्मीर के प्रवासियों
के पुनर्वास की
आवास योजना



दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY

(41)

प्रपत्र सं.
Form No.

**HOUSING SCHEME FOR
REHABILITATION OF
KASHMIRI MIGRANTS**

कश्मीर के प्रवासियों
के पुनर्वास की
आवास योजना



दिल्ली विकास प्राधिकरण

DELHI DEVELOPMENT AUTHORITY

दिल्ली विकास प्राधिकरण

Delhi Development Authority

(आवास विभाग)

Housing Department

कश्मीर के प्रवासियों के पुनर्वास की आवास योजना (एच.एस.-आर.के. एम.)
Housing Scheme for Rehabilitation of Kashmiri Migrants (HS-RKM)

1. योजना The Scheme

इस योजना के अंतर्गत केवल कश्मीर से आकर बसे 237 परिवारों/व्यक्तियों से, जो राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार के निर्धारित 14 शरणार्थी कैंपों में निवास कर रहे हैं, एक कमरे के सेटों के आवंटन हेतु आवेदन-पत्र आमंत्रित है। इस योजना के अंतर्गत आवंटन किराया खरीद आधार पर किया जाएगा।

Under this scheme applications are invited exclusively from the 237 families / persons migrated from Kashmir and are staying in the designated 14 refugee camps of GNCTD for allotment of one room sets. The allotments under this Schemes would be on 'Hire Purchase Basis'.

2. फ्लैटों का विवरण Flats Details

निर्मित एक कमरे के फ्लैटों का (जिसमें एक किचन/किचनेट और एक शौचालय-सह-स्नानागार होंगे) जो द्वारका, नरेला और रोहिणी में होंगे, आवंटन किया जाएगा।

Built up flats containing one room sets (a kitchen / kitchentte & toilet-cum-bathroom) are on offer for allotment in Dwarka, Narela and Rohini.

3. पात्रता Eligibility

i) आवेदक उस परिवार का सदस्य होना चाहिए जो कश्मीर से आकर बसे है और निर्धारित 14 शरणार्थी कैंपों में रह रहा है। यह उस संबंधित जिले के उपायुक्त द्वारा सत्यापित होना चाहिए, जिस जिले के कैंप में आवेदक निवास कर रहा हो।

"The applicant must be a person of one family who had migrated from Kashmir and is staying in the designated 14 refugee camps. This should be certified by the Dy. Commissioner of the concerned District in which the camp of the applicant is situated".

ii) आवेदक भारत का नागरिक होना चाहिए और वह आवेदन जमा करने की अंतिम तिथि को 18 वर्ष की आयु पूरी कर चुका हो।
The applicant must be a citizen of India and should have completed 18 years of age on last date of submission of application.

iii) आवेदक का नई दिल्ली, दिल्ली और दिल्ली छावनी के शहरी क्षेत्र में उसके स्वयं के नाम या उसकी पत्नी/पति/नाबालिग अभिभावकों के नाम पर कोई आवासीय फ्लैट या पूरा प्लॉट या उसका कोई हिस्सा लीजहोल्ड या फ्रीहोल्ड आधार पर नहीं होना चाहिए।

The applicant must not own any residential flat or plot in full or in part on lease hold or free hold basis in the urban areas of New Delhi, Delhi and Delhi Cantonment, either in his/her own name or in the name of his/her wife/husband/minor dependent children.

- iv) आवेदक या उसकी पत्नी / पति / अभिमत नाबालिक बच्चों के नाम पर दि.वि.प्रा. अथवा किसी अन्य भूस्वामी विभाग द्वारा राष्ट्रीय राजधानी क्षेत्र दिल्ली में कोई फ्लैट या प्लॉट आवंटित नहीं होना चाहिए ।
The applicant or his/her wife/husband/minor dependent children must not have been allotted a house/plot by the DDA or any other land owning department in the NCT of Delhi.

4. आवेदन शुल्क
Application Fee

इस योजना के अंतर्गत आवेदन-शुल्क 10,000 रु. है । इसका भुगतान "दि.वि.प्रा." (आवास) के पक्ष में देय जो नई दिल्ली में देय होगा. पे-आर्डर / बैंकर्स-चैक / डिमांड-ड्राफ्ट के रूप में आवेदन पत्र के साथ किया जाना चाहिए ।
The Application Fee under the Scheme is Rs. 10,000/-. This is to be paid by way of pay Order/Banker's Cheque/Demand Draft in favour of "DDA (Housing)" payable at New Delhi alongwith the application Form.

5. फ्लैट की निर्माण लागत और भुगतान का तरीका
Construction Cost of the Flat & Mode of Payment

प्रत्येक फ्लैट की कुल निर्माण लागत 1,80,000 रु. आंकी गई है । इस राशि के भुगतान का तरीका निम्न प्रकार होगा
The construction cost per flat has been worked out to Rs. 1,80,000/-. The mode of payment of this amount would be as follows :-

- i) 10,000 रु. आवेदन पत्र के साथ जमा करने होंगे ।
Rs. 10,000/- are to be deposited alongwith the application form.
- ii) 50,000 रु. की राशि का भुगतान निर्धारित समय और मांग एवम् आवंटन पत्र में निर्धारित शर्तों के अनुसार करना होगा । मांग एवम् आवंटन पत्र पात्र उम्मीदवारों के कम्प्यूटरीकृत ड्रा के बाद जारी किए जाएंगे । आवंटित फ्लैट का कब्जा 50,000 रु. के भुगतान के पश्चात् ही किया जाएगा ।
Rs. 50,000/- are to be deposited as per schedule and terms & conditions of demand-cum-allotment letter. The demand-cum-allotment letter would be issued after computerised draw of lots of eligible candidates. The possession of the allotted flat would be handed over after the payment of Rs. 50,000/-.
- iii) शेष 1,20,000 रु. की राशि मांग एवम् आवंटन पत्र में भुगतान के निर्धारित समय के अनुसार 180 समान मासिक किस्तों में 1500 रु. प्रति माह की दर से 12.75% प्रतिवर्ष ब्याज सहित वसूल की जायेगी ।
The remaining Rs. 1,20,000/- will be recoverable with an interest factor of 12.75% per annum, in 180 Equated Monthly Instalments of Rs. 1,500/- per month as per schedule of payment of demand-cum-allotment letter
- iv) दि.वि.प्रा. द्वारा मांगे जाने पर फ्लैट की कीमत / मासिक किस्तें मांग-एवं-आवंटन पत्र में दी गई अंतिम तिथि तक निर्धारित बैंक-ब्रांचों में जमा करनी होगी ।
The cost of the flat/monthly instalments as demanded by DDA has to be deposited in the specified bank/branches before the due dates as given in the Demand-cum-Allotment letter.
- v) भुगतान में कोई भी देरी होने पर 18% वार्षिक की दर से साधारण ब्याज देय होगा और मांग-एवं-आवंटन पत्र में उल्लिखित समय के अनुसार पूर्ण भुगतान न होने की स्थिति में आवंटन रद्द किया जा सकता है ।
Any delay in payment will attract a simple interest @ 18% per annum and in cases where payment is not received in time as mentioned in the demand-cum-allotment letter, the allotment is liable to be cancelled.
- vi) इस योजना के अंतर्गत सभी आवंटन किराया-खरीद आधार पर किये जायेंगे । फिर भी, यदि कोई आवंटनी एकमुश्त भुगतान करना चाहता हो तो वह किराया-खरीद से नकद-भुगतान करने के लिए उपनिदेशक (एच.एस.-आर.के.एम.), आवास विभाग, दि.वि.प्रा. नई दिल्ली-23 को लिखित में अनुरोध करे ।

All the allotments under this Scheme would be on Hire Purchase basis. However, an allottee who wishes to make payment of the demanded amount in lump sum, he can get the mode of payment changed from Hire Purchase to Cash Down by making a request in writing to the Dy. Director (H.S. RKM), Housing Department, DDA, New Delhi.

vii) आवेदकों किसी भी वित्तीय संस्थान से आबंटित किये गए फ्लैट के लिए ऋण प्राप्त कर सकते हैं।
The allottees are entitled to obtain loan from any recognised long paying agency/institution/organisation against the allotted flat.

6 आवेदन कैसे करें
How to Apply

i) पूर्ण रूप से भरे गये आवेदन पत्र 10,000 रु. के शुल्क सहित काउन्टर नं. 4, स्वागत कक्ष, डी. ब्लाक, विकास सदन, निकट आई. एन.ए. कॉलोनी, नई दिल्ली पर प्रस्तुत किए जाएं।
"The complete application form alongwith necessary fee of Rs. 10,000/- is to be submitted at counter No. 4, 'D' Block, DDA Office Vikas Sadan, Near I.N.A Colony New Delhi.

7 आवेदन पत्र के साथ संलग्न किये जाने वाले दस्तावेज
Documents to be submitted alongwith the application form

- i) आवेदक का पासपोर्ट साइज का एक नया फोटो जो राजपत्रित अधिकारी या नोटरी पब्लिक से साक्ष्यकित होना चाहिए, आवेदन पत्र में निर्धारित स्थान पर चिपकाना होगा। साक्ष्यकन फोटो के सामने की ओर होना चाहिए।
One recent passport size photograph of the applicant duly attested by a Gazetted Officer or Notary Public are required to be affixed to the application form at the indicated space. Attestation should be on the front side.
- ii) अनुशंसा संबंधित उपायुक्त/एस.डी.एम. दिल्ली सरकार द्वारा हस्ताक्षर के साथ होनी चाहिए।
"Recommendation" duly signed by the concerned Dy. Commissioner/S.D.M. Govt. of Delhi.
- iii) आवेदन पत्र शुल्क के रूप में 10,000 रु. का डिमांड ड्राफ्ट/पे आर्डर दि.वि.प्रा. (आवास) के पक्ष में नई दिल्ली में देय होना चाहिए।
Demand Draft / Pay order amounting to Rs. 10,000/- in favour of "DDA (Housing)" payable at New Delhi as Application Fee.
- iv) 9" x 4" का एक अपना पता लिखा लिफाफा।
One self addressed envelope of 9"x 4"

नोट : अपेक्षित दस्तावेजों के बिना जमा किये गये आवेदन पत्रों पर विचार नहीं किया जायेगा।
Note : Application submitted without the requisite documents will not be considered.

8 आबंटन प्रक्रिया
Allotment Procedure

आवेदन-पत्र प्राप्त होने की अंतिम तिथि के बाद प्रत्येक पात्र आवेदक को एक भवकन विशेष आबंटित करने के लिए बाहर के जजों की उपस्थिति में कंप्यूटर द्वारा ड्रा निकाला जायेगा।
After the last date of application is over, a computerised draw will be conducted in presence of outside judges to allot a specific house to every eligible applicant

9. छोड़ना/रद्द करना
Surrender/Cancellation

आवेदक द्वारा आवंटित फ्लैट छोड़ने या दि.वि.प्रा. द्वारा निर्धारित नियम एवं शर्तों का पालन न करने अथवा भुगतान न करने के कारण फ्लैट रद्द करने पर उसे 5,000 रु. का जुर्माना देना होगा और इस राशि की कटौती करके शेष राशि बिना किसी व्याज के वापस कर दी जायेगी।

In case, the allotted flat is sought to be surrendered by the applicant, or is cancelled due to non-payment & non-fulfillment of the terms and conditions by DDA, he/she shall have to pay a penalty of Rs. 5,000/- and after deducting this amount, the balance, without interest, shall be refunded to him/her.

10. आबंटी की स्थिति
Status of Allottee

किराया-खरीद आधार पर भुगतान पर मकान का कब्जा मिलने के बाद आबंटी की स्थिति दि.वि.प्रा. (प्रबंध एवं आवासीय सगति का निपटान) विनियम-1968 के अंतर्गत किरायेदार के रूप में होगी।

An allottee taking possession of the house on hire purchase mode of Payment, will have the status of a tenant as defined under the DDA (Management & Disposal of Housing Estates) Regulations-1968.

मकान का कब्जा लेने से पूर्व जो आबंटी मकान का पूरा भुगतान करेगा उसकी स्थिति फ्रीहोल्ड मालिक की होगी। अपेक्षित प्रलेखन के पूरा होने पर दि.वि.प्रा. ऐसे आबंटी के पक्ष में एक हस्तांतरण विलेख निष्पादित करेगा।

An allottee who makes full payment of the house, will have the status of a free hold owner. DDA will be executing a Conveyance Deed in favour of such an allottee on completion of required documentation.

11. हस्तांतरण विलेख का निष्पादन
Execution of Conveyance Deed

यदि आबंटी नकद भुगतान आधार पर फ्लैट का आवंटन लेता है, तो दि.वि.प्रा. द्वारा हस्तांतरण विलेख (फ्री-होल्ड डीड) के कामजात जारी किये जाएंगे। इन्हे कलक्टर आफ स्टाम्पस, राष्ट्रीय राजधानी क्षेत्र दिल्ली से स्टाम्प करवा कर प्रस्तुत करना होगा। इस मामले में स्टाम्प शुल्क और अन्य खर्च आबंटी को वहन करने होंगे।

In case an allottee opts for cash payment, conveyance deed (Free Hold Deed), papers will be issued by DDA. These are required to be duly stamped by the Collector of Stamps, Govt. of NCT. of Delhi. Stamp Duty and other expenses in this regard are to be borne by the allottees.

12. कब्जा देना
Handing over Possession

मांगी गई राशि प्राप्त होने पर और मांग एवं आवंटन पत्र के अनुसार अन्य अपेक्षित औपचारिकताएं पूरी करने पर आवंटिती को फ्लैट का कब्जा दिया जाएगा।

On receipt of demanded payment and completion of codal formalities as per the-demand-cum-allotment letter, the allottee is entitled to take possession of the flat.

13. दुरुपयोग, जोड़ना और फेरबदल आदि
Mis-use, Additions and Alterations, etc.

फ्लैट का उपयोग केवल आवासीय उद्देश्य के लिए किया जायेगा और इसका कोई अन्य प्रयोग नहीं किया जायेगा। आबंटी बिना दि.वि.प्रा. की पूर्व लिखित अनुमति के आवासीय इकाई का विभाजन करने या उसे किसी अन्य आवासीय इकाई के साथ जोड़ने या कोई द्वांचागत जोड़ने-फेरबदल करने का हकदार नहीं होगा।

The flat shall be used only for residential purposes and can not be put to other use. The allottee shall not be entitled to sub-divide the dwelling unit or amalgamate it with any other dwelling unit or to make any structural additions, alterations without prior written permission of DDA.

14. सामूहिक भागों और सामूहिक सेवाओं के रख रखाव की जिम्मेदारी आदि
Responsibility for the Maintenance of Common Portions and Common Services etc.

घनेक सफल आवेदक को इन आवासीय पाकेटों में सामूहिक भागों के रखरखाव और सामूहिक सेवाओं के लिए बनाई गई अपार्टमेंट मालिकों की एसोसिएशन का सदस्य बनना अपेक्षित है ।

Every successful applicant is required to become a member of Association of Apartment Owners to be formed for the purpose of maintenance of common portions and common services for these Housing Pockets.

15. तथ्यों की गलत प्रस्तुति या उन्हें छिपाना
Misrepresentation or Suppression of Facts.

यदि यह पाया गया कि आवेदक की झूठी सूचना दी है या मूल तथ्यों को छुपाया है तो आवेदन/आवंटन सरसरी तौर पर अस्वीकार कर दिया जायेगा और आवेदक को बिना कोई जानकारी दिये उसे रद्द कर दिया जायेगा । ऐसे रद्द करने के मामले में, आवंटन को खण्ड 9 के अंतर्गत निर्धारित जुर्माना देना होगा ।

If it is found that the applicant has given false information or suppressed any material fact, the application/allotment will be rejected summarily and is liable to be cancelled without making any reference to the applicant. In case of such cancellation, allottee will be liable to pay penalty as prescribed under the Clause-9.

16. अन्य सामान्य शर्तें
Other General Conditions

i) दि.वि.प्रा. को योजना के किसी भी नियम एवं शर्तों/खण्ड में अपने विवेक के अनुसार और जब आवश्यक समझा जायेगा, कोई भी परिवर्तन करने का अधिकार है ।
DDA reserves the right to alter any terms and conditions/clause of the Scheme at its discretion as and when considered necessary.

ii) योजना में प्रस्तावित फ्लैटों की संख्या बढ़ाने या घटाने का दि.वि.प्रा. का अधिकार सुरक्षित है । दि.वि.प्रा. को परिस्थितिवश कुछ/सभी फ्लैटों को वापस लेने का भी अधिकार है ।
DDA reserves the right to increase or decrease the number of flats on offer in the scheme. DDA also reserves the right to withdraw some/all flats depending on the circumstances.

iii) कोई भी शर्त आवेदन स्वीकार नहीं किया जायेगा ।
No conditional application form will be considered.

iv) दि.वि.प्रा. की बिना पूर्व अनुमति के 5 (vii) में उल्लिखित किसी भी संस्था/संगठन के पास फ्लैट को गिरावी रखा जा सकता है । फिर भी आवंटित किये गये फ्लैट को संबंधित संस्था/संगठन के पास गिरावी रखे जाने के बारे में दि.वि.प्रा. को सूचना दी जानी आवश्यक है ।
The flat can be mortgaged to any of the Institution/Organisations as given at 5 (vii) without prior permission from the DDA. However, an intimation regarding Institution/Organisation to which the allotted flat has been mortgaged must be sent to the DDA.

v) इस योजना के अंतर्गत आवंटन द्वारा सूचना पुस्तिका और मांग-एवं-आवंटन पत्र में दी गई निबंधन एवं शर्तों और दि.वि.प्रा. (प्रबंध एवं आवासीय सम्पदाओं का निपटान) विनियम, 1968 के अनुसार किया जायेगा ।
The allotment under the scheme will be on the terms and conditions contained in this brochure, demand-cum-allotment letter and the DDA (Management & Disposal of Housing Estates) Regulations, 1968.

- vi) दि.वि.प्रा. (प्रबंध एवं आवासीय सम्पदाओं का निपटान) विनियम, 1968 के विनियम संख्या 17 के प्रावधानों के अनुसार सभी दरें, शुल्क, कर, प्रभार, निगम या अन्य कर निर्धारण और किसी भी तरह की लगानी (लेवी) आबंटनी, किरायेदार या पंजीकृत एजेंसी/एसोसिएशन ऑफ अपार्टमेंट आनर्स को जैसा भी मामला हो वहन करना होगा और उसका भुगतान इस बारे में निर्धारित अवधि में आवंटन विनियमों या एसोसिएशन ऑफ अपार्टमेंट आनर्स या पंजीकृत एजेंसी को करना होगा।
As per provisions contained in Regulation No. 17 of DDA (Management & Disposal of Housing Estates) Regulations, 1968, all rates, fees, taxes, charges, assessment municipal or otherwise and other levies of whatsoever nature shall be borne by the allottee, hirer or the Registered Agency/Association of apartment Owner's as the case may be and shall be payable by the allottee, hirer or Association of Apartment Owner's or Registered Agency within the period specified in this behalf.
- vii) किसी भी विवाद को केवल दिल्ली न्यायालयों के अधिकार क्षेत्र में ही निपटाया जाएगा।
Any dispute shall be subject to the jurisdiction of Delhi Courts only.
- viii) आबंटन आदि के मामले में दि.वि.प्रा. के साथ पत्राचार करते समय आवेदकों को अपनी आवेदन पत्र संख्या और फाईल सं. आदि का उल्लेख करने की सलाह दी जाती है और ऐसा पत्राचार उपनिदेशक (आवास योजना-आर.के.एम.) दि.वि.प्रा. 'डी' ब्लॉक, विकास सदन, नई दिल्ली-110023 को (लिफाफे के ऊपर आवास योजना-आर.के.एम. निर्दिष्ट करने के साथ) संबोधित कर दिया जाना चाहिए।
In all the correspondence with DDA regarding allotment etc., the applicants are advised to quote their application form no. and the file no. etc., and such correspondence be addressed to Dy. Director (Housing Scheme-RPM), DDA 'D' Block, Vikas Sadan, New Delhi-110023 (subscribing on the envelop as "Housing Scheme-RPM")
- ix) कम्प्यूटरीकृत ड्रा जब भी होगा, उसका परिणाम दि.वि.प्रा., विकास सदन, 'डी' ब्लॉक, आई.एन.ए., नई दिल्ली के नोटिस बोर्ड पर लगाया जायेगा।
Results of the computerised draw of lots whenever held will be displayed on the Notice Board of, DDA at Vikas Sadan, 'D' Block, INA, New Delhi.
- x) कोई भी शिकायत होने पर आवेदक निदेशक (आवास-II), वित्त सलाहकार (आवास), आयुक्त (आवास), या उपाध्यक्ष, दि.वि.प्रा. से उनके जन-सुनवाई के दिनों में संपर्क कर सकते हैं।
In case of any grievance, the applicant can contact Director (Housing)-II, Financial Adviser (Housing), Commissioner (Housing), or the Vice-Chairman, DDA during their public hearing days.

(37)

उपायुक्त कार्यालय (..... जिला)
OFFICE OF THE Dy. COMMISSIONER (..... DISTT)

सक्षम प्राधिकारी की सिफारिश
RECOMMENDATION OF THE COMPETENT AUTHORITY

संलग्न आवेदन फार्म के आवेदक श्री/श्रीमती/कुमारी.....

पुत्र/पत्नी/पुत्री श्री..... कश्मीर के प्रवासी हैं जो इस विभाग में कम से..... के अंतर्गत
रिजिस्टर्ड हैं और..... में रह रहे हैं।

उन्हें दिल्ली विकास प्राधिकरण की "कश्मीर के प्रवासियों के पुनर्वास की आवास योजना" के अंतर्गत आवासीय इकाई के आवंटन का पात्र पाया गया है।

The applicant of the enclosed Application Form Sh./Smt./Km..... S/o, W/o, /D/o.....

is a Kashmiri MIGRANT registered with this Department at Sl. No..... and staying at..... Camp
and has been found eligible for allotment of accommodation in dwelling unit under the "Housing Scheme for rehabilitation
of Kashmiri Migrants" of DDA.

दिनांक
Dated.....

उपायुक्त कार्यालय के सक्षम प्राधिकारी
हस्ताक्षर मोहर सहित
COMPETENT AUTHORITY OF THE OFFICE
OF THE Dy. COMMISSIONER
SIGNATURE WITH SEAL



हम गौरव के साथ भारत की राजधानी का निर्माण करते हैं ।
PROUDLY WE BUILD THE CAPITAL OF INDIA

डी. सरकार
आयुक्त
(आवास एवं खेल)
D. SARKAR
COMMISSIONER
(HOUSING & SPORTS)



सि प्राधकरण
DELHI DEVELOPMENT AUTHORITY
विकास सदन, आई.एन.ए.
Vikas Sadan, INA
नई दिल्ली-110023
New Delhi-110023
Tel. : +91 11 24623598
Fax : +91 11 24692962

No A/312/3006/HSRKM/574

Dt. 25.09.2014

To
Sh. Durga Shanker Mishra
Addl. Secretary,
Govt. of India,
Ministry of Urban Development
Nirman Bhawan,
New Delhi-110011.

Sir,

This refers to your DO letter No.K-20014/06/14-DD.III dated 22nd September, 2014 forwarding therewith copy of letter No.1027956/MOS(PP)/2014 dated 4.9.2014 from Hon'ble Minister of State (I/C) Dr. Jitendra Singh regarding 100% waiver of dues/overdues of the Kashmiri Migrants – allottees of one room flats. It has been requested to send detailed report on the points mentioned in your letter under reference.

2. The matter has been examined in detail. Mainly, the grievance of applicant is waiver of interest on the overdue instalments. In this regard, before commenting on the issues raised in your letter, it is necessary to give brief history of the case. DDA launched special housing scheme titled 'Housing Scheme for Rehabilitation of Kashmiri Migrants'. DDA invited applications exclusively from 237 families/persons migrated from Kashmir and are staying in the designated 14 refugee camps of GNCTD for allotment of one room sets. The allotments under the scheme were on 'Hire Purchase Basis'. The flats on offer were in Dwarka, Narela and Rohini. The eligibility of the Kashmiri Migrants was required to be certified by the Dy. Commissioner of the concerned District. As per provisions of the scheme, the eligible applicants were required to pay Rs.10,000/- together with the application form, Rs.60,000/- at the time of allotment and the remaining amount was required to be deposited in 180 monthly instalments. The delay in payment of instalments will carry simple interest @ 18% per annum. A total of 244 allotments were made. Since, as per terms and conditions of allotment, the possession of the flats have been issued/handed over to the allottees who made payment of the initial amount. The terms and conditions of allotment, also stipulate that in case the instalments are not paid within the due date, the allotment is liable to be cancelled. A copy of the scheme brochure as well as allotment-cum-demand letter issued in the case of Sh. Bharat Bhushan – the representationist, is enclosed for ready reference.

3. Now coming on comments on the issues raised in your letter, the point-wise comments are as under:-

S.No.	Issues Raised	Comments
i.	The total amount involved if this waiver is granted.	While the total amount has to be worked out, it will vary from individual to individual depending on how much payment the individual has made and the interest accumulated on the balance amount.

43

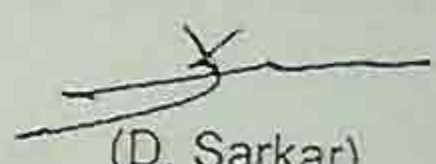
:2:

ii.	Does DDA have any policy for such matters?	There is no policy for complete waiver of dues/overdues on account of interest/penalty on delayed instalments. However, DDA announces penalty relief scheme from time-to-time where the defaulting allottee is given a 25% rebate on outstanding penal interest. The last scheme commenced on 12 th March, 2014 and closed on 11 th Sept., 2014.
iii.	Is there any precedents of similar action in the past?	There are no precedent of similar action in the past.
iv.	Has the matter been considered earlier and what was the outcome?	DDA has not received any request for waiver of dues from the allottees under this scheme.
v.	Who is the competent authority to allow this waiver?	The Penalty Relief Scheme which is a part waiver of the interest, is approved by the Delhi Development Authority. There is no scheme for full waiver of interest.

4. The above report is sent for kind perusal of the Hon'ble Minister of Urban Development, as desired.

With regards,

Yours faithfully,


(D. Sarkar)
Commissioner(Housing)

Encl : As above

ANNEXURE-IV

असना मंजर
असना (असना)

ASMA MANZAR
COMMISSIONER (HOUSING)



58

दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY
ए' ब्लॉक, प्रथम मंजिल
'A' Block, 1st Floor,
विकास सदन, आई एन.ए.
Vikas Sadan, I N A.
नयी दिल्ली-110023
New Delhi-110023
Ph : 24698958

No. F. 312 (3006)/HSRKM/2004/DW/ 119

Dated: 10/02/2015

To

Shri Narendra Vashista,
Under Secretary to Govt. of India,
Ministry of Urban Development,
(Delhi division),
Nirman Bhawan,
New Delhi

Sub: Regarding 100% interest waiver on dues/over dues of the Kashmiri Migrants allottees of one room flats.

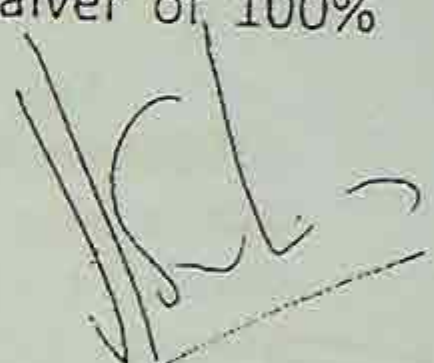
This refers to your letter No. K-20014/06/2014-DD-III dated 14.10.2014 conveying to sanction of 100% interest waiver on dues/over dues installments of the all 244 Kashmiri Migrant-allottee of one room flats as a special case.

In this respect, I am directed to add few more facts related to the issue which were left to be incorporated in the letter dated 25.09.2014, that the allotment to Kashmiri Migrant were made on highly concessional and subsidized terms. The average cost of these flat was Rs. 4,47,200/- and the flats were allotted to the migrants for Rs. 1,80,000/- each. The cost itself involves a subsidy of Rs. 2.67, 200/- for each flat.

DDA earlier has filed an Affidavit before the Hon'ble Supreme Court in the matter J&K Migrants Welfare Association V/S Union of India (WPC-448/2002) pleading that the subsidized cost is a significant amount and it is not feasible to make any further reduction in the cost of flat. However, the authority agreed to reduce the rate of interest on the installments from 12.75% to 11%. By this reduction of interest on installments, the amounts of monthly installments get reduced to Rs. 1364/- per month from 1500/- per month.

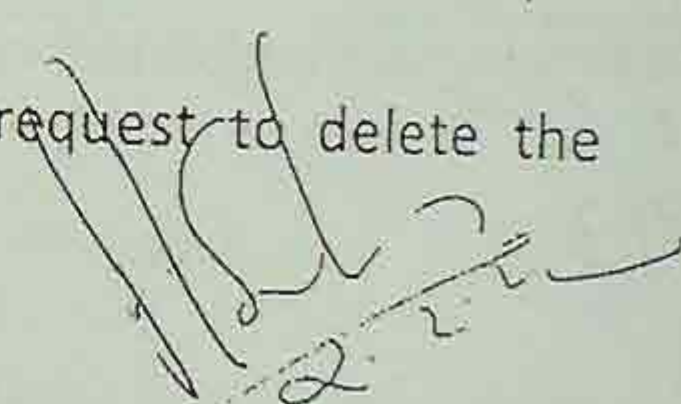
It is relevant to brought that number of the Kashmiri Migrant (out of 244 families) have already paid the cost/installments and got the flat freehold. At the juncture, if the 100% waiver is allowed to the defaulters, it would be injustice for those Kashmiri Migrant who have deposited the timely payment/installments. Further, Punjab Migrant who have also allotted flats on subsidized rates in line with Kashmiri Migrants, may claim for such waiver in the course of time.

The matter is submitted to the Hon'ble Minister of Urban Development, Government of India for re-consideration of the directions for waiver of 100% interest on dues/over dues of the Kashmiri Migrants families.


(ASMA MANZAR)
COMMISSIONER (HOUSING)

Copy to:

Shri V.K. Dayalu, Advisor (SA&GR), DDA with the request to delete the pending Ministry reference.


COMMISSIONER (HOUSING)

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375M 3499/DDC(DM)
25/8/15 6/4/15



SM 7/153



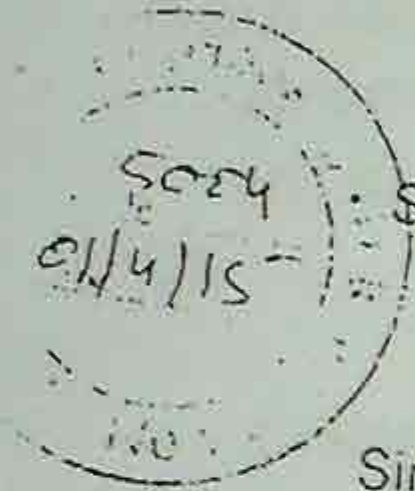
No. K-20014/06/2014-DD.III
Government of India
Ministry of Urban Development
(Delhi Division)

Nirman Bhavan, New Delhi
Dated: 23rd March, 2015

1019
771-B
24.3.15

OFFICE MEMORANDUM

Subject: 100% interest waiver on dues/overdues of the Kashmiri Migrants' allottees of one room flats- regarding.



Sir,

The undersigned is directed to refer to your letter No. F. 312 (3006)/HSRKM/2004/DW/119 dated 10.02.2015 on the subject mentioned above and to say that the Ministry's order issued vide letter of even number dated 14.10.2010, was issued as a special case after considering the inputs given by DDA vide their letter dated 25.09.2014.

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FC(H)

DDA is, therefore, advised to comply with the order and report compliance with no further delay

2/2/15
m/3.

[Handwritten signature]

Yours faithfully,

[Handwritten signature]

(Narendra Vashista)
Under Secretary to the Govt. of India
Tele: 23061478

To

The Vice-Chairman,
Delhi Development Authority,
INA, Vikas Sadan,
New Delhi-110023.

on file

1) Jante - At once
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SUB: ACTION TAKEN REPORTS ON 'OTHER POINTS' RAISED BY MEMBERS OF THE AUTHORITY DURING THE MEETINGS OF THE AUTHORITY HELD ON 24.04.2015 AND 16.06.2015.

24.04.2015

S.NO.	SUBJECT	REMARKS
1.	<p>Shri Vijender Gupta, MLA suggested that conversion of plots (without mandatory construction of area) under Rohini Residential Scheme, 1981 from leasehold to freehold should be permitted.</p> <p>a) Vice Chairman, DDA clarified that currently DDA is allotting plots on freehold basis. However, this scheme pertains to 1981 and proposal has been submitted to Ministry of Urban Development to consider waiver of 25% construction on the plot for conversion from leasehold to freehold.</p> <p style="text-align: center;">ACTION: LAND DISPOSAL</p>	The response of Ministry of Urban Development, GOI, is still awaited.
2.	<p>Shri Vijender Gupta, MLA intimated that though amalgamation of plots has been permitted, the municipal corporations are not approving building plans.</p> <p>a) Shri Shamsheer Singh, CTP, SDMC & NDMC informed that these cases need approval of the Standing Committee.</p> <p>b) Hon'ble Lt. Governor, Delhi suggested that Shri Vijender Gupta could submit a representation in the matter so that all the municipal corporations could be asked to consider delegation of these powers to the Commissioner.</p>	Pertains to Municipal Corporations of Delhi.
3.	<p>Dr. (Mrs.) Rajni Abbi, Councillor, NDMC and Shri Somnath Bharti, MLA requested that problems with regard to</p>	Policy guidelines have already been framed for floor-wise conversion and the procedure has already been

	<p>floor-wise conversion should be resolved. Dr. (Mrs.) Rajni Abbi also suggested that DDA lands lying vacant for several years should either be utilized for civic amenities or transferred to the municipal corporations. Besides, while constructing boundary walls to protect DDA land, it should be ensured that the adjoining properties are not damaged.</p> <p>a) Vice Chairman, DDA clarified that policy guidelines have already been framed for floor-wise conversion. However, problems regarding conversion cases would be examined.</p> <p style="text-align: center;">ACTION: LAND DISPOSAL</p>	<p>simplified. A circular to this effect vide No. S1(2002014/OSB/85 dated 20.08.2014 and also a circular No. F.1(Misc.)/floor wise conversion/2011/DDA/74 dated 5.5.2015 have been issued.</p>
4.	<p>Shri Somnath Bharti, MLA suggested that the school presently functioning on the plot allotted to the society which runs Mothers' International School should be allowed to continue at its present site.</p> <p>a) Vice Chairman, DDA explained that the land had initially been allotted for a college, though it has been used for the school. Now, the society wants to shift the school and utilize the land for construction of a college. The matter has been referred for legal advice. The society could seek clarifications from DDA in the matter.</p> <p style="text-align: center;">ACTION: LAND DISPOSAL</p>	<p>The matter has been submitted to the Competent Authority. File/opinion is awaited.</p>
5.	<p>Shri Somnath Bharti, MLA suggested that a complete survey of all vacant DDA lands should be conducted to prevent them from being encroached. Some big encroachments could be demolished as a deterrent.</p> <p style="text-align: center;">ACTION: LAND MANAGEMENT</p>	<p>The survey of vacant DDA lands has been conducted and details of same have been uploaded on DDA's website.</p>
6.	<p>Shri Satish Upadhyay, Councillor, SDMC suggested that the report of NPC should be re-examined since</p>	<p>The report submitted by the National Productivity Council is under active consideration and shall be</p>

	<p>there is a lot of resentment amongst DDA staff due to the proposed reduction of staff.</p> <p>a) Hon'ble Lt. Governor, Delhi stated that the report of NPC would be placed before the Authority for consideration.</p> <p style="text-align: center;">ACTION: PERSONNEL</p>	<p>implemented as and when the same is approved by the Authority.</p>						
7.	<p>Shri O P Sharma, MLA stated that though he has raised the issue regarding unauthorized structures on DDA roads in his constituency, till date these have not been cleared despite assurances.</p> <p>a) Hon'ble Lt. Governor, Delhi directed Principal Commissioner (LM), DDA to visit the area with the Hon'ble member and, if required, coordinate with DUSIB to shift these unauthorized structures. Time-lines for clearing the roads should be submitted.</p> <p style="text-align: center;">ACTION: LAND MANAGEMENT</p>	<p>The area has been visited by Commissioner (LM) and files have already been sent to Hon'ble Lt. Governor, Delhi.</p>						
8.	<p>Shri O.P. Sharma, MLA informed that an unauthorized construction of a school building at Shreshtha Vihar has been regularized. The same society is running similar schools on illegally encroached lands in the area for which suitable action should be initiated..</p> <p>a) Hon'ble Lt. Governor, Delhi asked Shri O.P. Sharma to provide details in this regard.</p> <p style="text-align: center;">ACTION: LAND DISPOSAL</p>	<p><u>Sr. Secondary School</u> Land Measuring 5450 sq.m. was occupied/encroached by DAV public school (Senior Branch) at Shrestha Vihar. In due course, the I.A.C. Meeting held on 17.01.1997 recommended the case for regularization of the school site. Hon'ble Lt. Governor, Delhi was pleased to regularize the DAV Public School site at Shrestha Vihar, vide order dated 08.03.1999. The ratio of land measuring 5450 sq.m. was regularized in following form:-</p> <table style="margin-left: 20px;"> <tr> <td>Area of Land regularized</td> <td>=5450 sq.m.</td> </tr> <tr> <td>Area of Building portion</td> <td>=2180 sq.m.</td> </tr> <tr> <td>Area of Playfield</td> <td>=3270 sq.m.</td> </tr> </table> <p>Besides the building portion, the society has constructed the school building unauthorisedly on some</p>	Area of Land regularized	=5450 sq.m.	Area of Building portion	=2180 sq.m.	Area of Playfield	=3270 sq.m.
Area of Land regularized	=5450 sq.m.							
Area of Building portion	=2180 sq.m.							
Area of Playfield	=3270 sq.m.							

portion of playfield also. As per decision taken by Competent Authority, it was decided to demolish the existing building structure constructed on the playfield area, as no building activities are permitted on this area.

Accordingly, vide this office letter dated 18.02.2008, the society was directed to remove the unauthorized construction from the playfield area. A letter dated 15.07.2011 was also issued to DD - (LM)/EZ with the request to demolish all the unauthorized construction from the play field area existing in the DAV Public School, Shrestha Vihar. At present "Stay Order" is operative in WPC No. 2020/2013 as per orders dated 22.03.2013 of Hon'ble High Court.

Nursery School

Further, adjacent to the Sr. Sec. School, another piece of land apprx. 1005 sq.m. meant for a nursery school was also encroached, upon which a building is constructed and a nursery school is being run by the society. However, for the purpose of regularization, the society was asked to submit the sponsorship letter from the Education Deptt., GNCTD. Meanwhile the matter could not be processed due to change of policy from allotment to auction mode vide gazette notification dated 19.04.2006, As such, the encroached land of nursery school has not yet been regularized.

Instead of removing un-authorized construction/encroachment, the society approached High Court and filed the case and "Stay Order" have been passed by the Hon'ble High Court in WPC No. 7532/2013, vide order dt. 12.12.2013. Now the case is listed for 4.12.2015.

16.06.2015

S.No.	Subject	Remarks
1.	<p>Shri Vijender Gupta, MLA suggested that instead of directly allotting land to DMRC for metro projects, DMRC should be asked for justification for the quantum of land at various sites as sometimes excess land is requisitioned which is subsequently utilized for commercial activities not directly related with the metro network. Besides, even for provisional allotment of land, approval should be taken from Hon'ble Lt. Governor, Delhi.</p> <p style="text-align: center;">Action: Land Disposal</p>	<p>As per delegation of powers the Competent Authority for allotment of land to provide educational, cultural, social and religious institutions is Hon'ble L.G./Chairman and for allotment of land to government and semi-government organisations like Delhi Admn., DMRC, etc. is VC, DDA. So accordingly allotment of land to DMRC is being done with the approval of VC, DDA.</p> <p>DMRC has been requested to furnish proper justification of land required by them for the project vide letter dated 13.8.2015. It has further been informed to DMRC that no property development at later stage will be allowed to them on the land acquired by them from DDA in excess than actual requirement.</p>
2.	<p>Shri Vijender Gupta, MLA and Dr. (Mrs.) Rajni Abbi, Councillor stated that though decisions are taken in the Authority meetings in the presence of the Commissioners of the municipal corporations, action as per these decisions, even after notifications are issued, are not taken by the concerned municipal corporations like, for instance, sanctioning of building plans, etc.</p> <p>i) Hon'ble Lt. Governor, Delhi directed that since the Commissioners of the municipal corporations are special invitees at Authority meetings, they should personally attend these meetings.</p>	<p>A note was sent on 19.6.2015 to all the Commissioners of municipal corporations for complying with the directions of Hon'ble Lt. Governor.</p> <p>In this regard, a letter dated 26.6.2015 has been received from Chief Town Planner, SDMC conveying that Commissioner, SDMC has been apprised of the direction of the Hon'ble Lt. Governor to attend the meeting. It has also been intimated that as regards sanction of building plans, action has been taken as per applications submitted.</p>

	Action: MCD	
3.	<p>Shri Vijender Gupta, MLA requested that land to Power Grid for four power stations are required to be allotted by DDA on priority.</p> <p>i) In this connection, it was intimated that DDA allots land directly to the Power Grid, the cost of which would be lesser than if it is allotted to GNCTD.</p> <p style="text-align: center;">Action: Land Disposal</p>	<p>Regarding allotment of land to Power Grid, it is submitted that DDA has already allotted land at Tughalkabad (working permission granted as change of land use is involved) and at Dwarka. The site at Karampura is yet to be identified and site at Rajghat is already in possession of Power Department, GNCT, Delhi.</p> <p>As per approved premium rate for institutional land, DDA allots land to Power Grid, a Public Sector Undertaking at market rate while DDA allots land to Power Department, GNCT, Delhi and the applicable rates are :</p> <p>Central, South & Dwarka - Rs. 1069.47 lac per acre (2.25 times of No Profit No Loss Rate)</p> <p>WZ/NZ/EZ & Rohini - Rs. 712.98 lac per acre (1.25 times of No Profit No Loss Rate)</p> <p>Narela & other outlying areas - Rs. 475.32 lac per acre (i.e. at No Profit No Loss Rate)</p> <p>which are much less as compared to the market rate. The issue basically is that Delhi Government after getting the allotment at prescribed rates charges license fee from DISCOM etc. @ 20% of the premium paid to the DDA, which seems to be quite high.</p>

RESOLUTION

Action taken reports on "Other Points" raised by Members of the Authority during the meetings of the Authority held on 24.4.2015 and 16.6.2015 were noted.

DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of the Delhi Development Authority held on 23rd September, 2015 at 10.00 a.m. at Raj Niwas, Delhi.

Following were present:

CHAIRMAN

1. Shri Najeeb Jung
Lt. Governor, Delhi

VICE CHAIRMAN

2. Shri Arun Goel

MEMBERS

3. Shri Venkatesh Mohan
Finance Member, DDA
4. Shri Abhai Sinha
Engineer Member, DDA
5. Shri D.S.Mishra,
Addl. Secretary, MOUD
6. Shri P.K.Tripathi,
Member Secretary, NCRPB
7. Shri Vijender Gupta, MLA
8. Shri S.K.Bagga, MLA
9. Shri O.P.Sharma, MLA
10. Shri Satish Upadhyay
Municipal Councillor, SDMC
11. Dr. (Smt.) Rajni Abbi
Municipal Councillor, NDMC

SECRETARY

Shri D. Sarkar
Commissioner-cum-Secretary, DDA

SPECIAL INVITEES & SENIOR OFFICERS

1. Shri K.K. Sharma
Chief Secretary, GNCTD
2. Shri J.P. Agrawal
Principal Commissioner (LD, Housing & CWG), DDA
3. Shri Puneet Kumar Goel
Commissioner, SDMC
4. Smt. Swati Sharma
Addl. Secretary to Lt. Governor, Delhi
5. Dr. Simi Malhotra
Advisor (Media, Academics, Art, Culture & Language) to Lt. Governor, Delhi.
6. Shri Vishwendra,
PS to Lt. Governor, Delhi
7. Shri S.P. Pathak
Commissioner (Planning), DDA
8. Shri Anil Kumar Sharma
Chief Legal Advisor, DDA
9. Shri D.P. Singh
Chief Engineer (Dwarka)
10. Shri Ramesh Kumar,
Chief Engineer (HQ)
11. Shri V.K.Jain,
CEO, DUSIB
12. Shri Shamsheer Singh
Chief Town Planner, SDMC & NDMC
13. Shri Sunil Kumar Mehra,
Chief Town Planner, EDMC

14. Shri K.K. Joadder,
Chief Planner, TCPO
15. Shri Amardeep Singh,
FA(H), DDA
16. Shri Kamal Joshi,
Director (LC), DDA
17. Shri L.D. Joshi,
Dy. Secretary(Finance), GNCTD
18. Shri P.S. Uttarwar
Addl. Commissioner (Planning), DDA
19. Shri Vinod Sakle
Addl. Commissioner (Planning), DDA
20. Shri Amit Kumar Das,
Addl. Commissioner (Planning), DDA
21. Shri Chandu Bhutia,
Director (Planning), DDA
22. Shri S.B. Khodankar
Director (Planning), DDA
23. Shri H. K. Bharti
Director (Planning) UTTIPEC, DDA
24. Shri Rajesh Kumar Jain
Director (Planning), DDA
25. Shri Surajit Jaradhara,
Director (Bldg.), DDA
26. Shri Jawahar Yadav
EO-II to EM, DDA
27. Smt. NeemoDhar
Advisor (PR), DDA

- I. 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. 90/2015

Confirmation of minutes of meeting of the Delhi Development Authority held on 16.6.2015 at Raj Niwas.

F.2(2)2015/MC/DDA

1. Addl. Secretary, Ministry of Urban Development stated that since he was not present in the meeting of the Authority held on 16.6.2015, certain changes are required in the bicycle sharing policy contained in the agenda item no. 84/2015.
 - i) Hon'ble Lt. Governor observed that this was only confirmation of the minutes of the meeting of the Authority held on 16.6.2015 and the Ministry of Urban Development may write to DDA for re-examination of the policy, if it so desires, so that the same can be deliberated upon in the next meeting of the Authority.
2. The minutes of the meeting of the Authority held on 16.6.2015 were confirmed as circulated.

Item No. 91/2015

Action Taken Reports on the minutes of the meeting of the Delhi Development Authority held on 24.04.2015 at Raj Niwas.

F.2(3)2015/MC/DDA

The action taken report on the minutes of the meeting of the Authority held on 24.4.2015 was noted.

Item No. 92/2015

Re-appropriation of funds for organizing Raahgiri Day.

F.4(3)91/Budget/2015-16/Raahgiri

The proposal contained in the agenda item was approved.

Item No. 93/2015

Adoption of Annual Accounts for the financial year 2014-15.

F.6(6)2015-16/A/cs(M)/DDA/Annual Account 2014-15.

The proposal contained in the agenda item was approved.

Item No. 94/2015

Change of land use of land measuring 8367.10 sq.m. from 'Recreational' (P-2 District Park) to 'Transportation' (T-3-MRTS Circulation) in Shivaji Park at Basai Darapur, Ring Road for construction of Metro Station for Mukundpur-Yamuna Vihar corridor of Delhi MRTS Project, Phase-III.
F.20(05)2013/MP

The proposal contained in the agenda item was approved.

Item No. 95/2015

Proposed change of land use of an area measuring 3019.5 sq.m. from 'Residential' to 'Government (Government Office)' to construct a new office building of Registrar General and Census Commissioner, India (RG&CCI) at 2-A Mansingh Road, New Delhi falling in Planning, Zone-D.
F.20(03)2015/MP

The proposal contained in the agenda item was approved with the following directions:

The Authority was also informed of the observations of the MOUD in which it has been directed as under:

"The Prime Minister's Office vide its letter dated 25.07.2008 had requested to send the draft ZDP, as being prepared by DDA, for prior clearance from PMO in accordance with the extant instructions concerning development plans for LBZ before the public consultation process formally commences.

You are, accordingly, requested to furnish a copy of draft ZDP for Zone-D to this Ministry for onward transmission to PMO before the same is placed in public domain for inviting objections/suggestions."

It was decided that the agenda item would stand approved for forwarding to the Ministry of Urban Development for further processing of the Change of Land Use as per Section 11-A of Delhi Development Act, 1957. It was underlined that any final notification could be issued only after the Ministry of Urban Development has obtained the approval from the PMO.

Item No. 96/2015

Proposed change of land use of an area measuring 809 sq.m. allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket-V, DDU Marg from 'Residential (Nursery School)' to 'Public & Semi-Public facilities', falling in Planning, Zone-D.

F.20(02)2015/MP

Proposal contained in the agenda item was approved.

Item No. 97/2015

Review of provisions in Master Plan for Delhi-2021 for including a separate category for State Bhawan/State Guest House.

F.20(09)2015/MP

Proposal contained in the agenda item was approved on conditions stipulated at agenda item No. 95/2015.

Item No. 98/2015

Change of land use of an area measuring 2.51 ha from 'Recreational Use' (Regional Park) to 'Utility (U-3)' for setting up of 400 KV Grid Sub Station for Delhi Transco Ltd. (DTL) at Tughlakabad in Zone-J, South Delhi-II.

F.20(33)/2014-MP

Proposal contained in the agenda item was approved.

Item No. 99/2015

Change of land use (CLU) for the land measuring 3.48 ha (8.6 acres) from 'Residential Use' to 'Public & Semi-Public Facilities (PS1)' at Village Maidangarhi in Zone-J.

F.20(28)/2014-MP

Proposal contained in the agenda item was approved.

Item No. 100/2015

Change of land use of site measuring 3.74 ha (9.25 acres) from 'Residential' land use and 'Public & Semi Public Facilities (PS1)' to 'Utility (U-4)' for Solid Waste Management facility located at Maidangarhi, near IGNOU Campus in Zone-J.

F.3(12)2014/MP

Proposal contained in the agenda item was approved.

Item No. 101/2015

Proposed modifications in MPD-2021 regarding the area under waiting/reception in the hospitals.
F.13(02)/2013-MP

After detailed discussions, decision on the agenda item was deferred. The specific percentage of built-up area under waiting/reception hall in some prominent government hospitals in Delhi may be put up before Authority in its next meeting.

Item No. 102/2015

Permissibility of Guest House in Residential use zone under sub-clause 8(2) of MPD-2021 in respect of plot No. 25-B, Akbar Road, Delhi, measuring 7066 sq.m. (0.71 ha.), allotted to Government of Gujarat for construction of its second guest house at New Delhi.
F.20(06)2015/MP

Proposal contained in the agenda item was approved on conditions stipulated at agenda item No. 95/2015.

Item No. 103/2015

Proposed change of land use in respect of the area measuring 1.40 ha. (3.462 acres) from 'Residential' to 'Government Office' proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning, Zone-D.
F.3(68)2008/MP

Proposal contained in the agenda item was approved on conditions stipulated at agenda item No. 95/2015.

Item No. 104/2015

Proposed modifications in MPD-2021 regarding provisions for new 'Slaughter House' in Delhi.
F.3(143)82/MP

The proposal contained in the agenda item was approved.

Item No. 105/2015

Change of land use for an area measuring 40,000 sq.mt. from 'Government' to 'Utility' – Electricity (Power House, sub-station) in Zone P-1, Narela.
F.20(32)/2014-MP

The proposal contained in the agenda item was approved.

Item No. 106/2015

Proposal for modification in MPD-2021 with reference to the Development Control Norms of Night Shelters.
F.3(80)/2007-MP

The proposal contained in the agenda item was approved with the following modifications which were not part of the public notice in larger public interest:

1. Minimum plot size : 100 sqm

2. Parking : Plot size,

Less than 500 sqmt : Nil

500 sqmt and above : 2 cars/service vehicles

Item No. 107/2015

Policy for installation of lift in (CGHS) Cooperative Group Housing flats and DDA built flats.
F.EM.3(7)05/Lift/Pt.

The proposal contained in the agenda item was approved.

Item No. 108/2015

Fixation of Pre-determined Rates (PDRs) in respect of Tikri Kalan for financial year 2015-2016.
F.4(46)2014/AO(P)/DDA

The proposal contained in the agenda item was approved.

Item No. 109/2015

Fixation of land rates for the purpose of calculation of Misuse Charges for the year 2015-16.
F.2(14)96-97/AO(P)/DDA/Part-II

The proposal contained in the agenda item was approved.

Item No. 110/2015

Action Taken Note on Performance Budget.
F.4(3)91/Per.Budget/2014-15

The action taken note on performance budget for 2014-15 was noted.

Item No. 111/2015

Issue of excess area of 12,841.35 sq.mt. in Commonwealth Games Village and Club/Community Centre.
F.13(127)07/Bldg./Vol.XII

- i) The matter was discussed in detail. The Members of the Authority expressed great deal of concern on the background of the project and how it had been inadequately monitored.
- ii) It was suggested that since the project developer had violated the law and the Project Development Agreement, the entire excess built-up area of 12,841.35 sqm in the residential and club/community centre components of the Games Village should be forfeited without payment of any compensation to the project developer.
- ii) It was decided that DDA should forfeit the entire excess area. A detailed proposal in this regard should be submitted before the Authority in its next meeting.

Other Items:

i) 100% interest waiver on dues/over-dues of the Kashmiri Migrants allottee of one room flats.
F.312(3006)HSRKM/2004/DW.

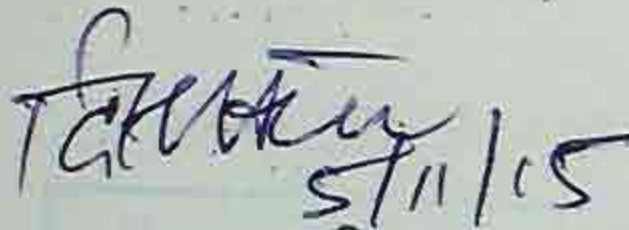
Decision of the Ministry of Urban Development was noted by the Authority.


(ii) Action Taken Reports on 'Other Points' raised by Members of the Authority during the meetings of the Authority held on 24.4.2015 and 16.6.2015.
F.2(2)2015/MC/DDA

Action taken reports on "Other Points" raised by Members of the Authority during the meetings of the Authority held on 24.4.2015 and 16.6.2015 were noted.

Hon'ble Lt. Governor, Delhi thanked all the members, special invitees and senior officers for participating in the meeting.

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


5/11/15
सचिव
दिल्ली विकास प्राधिकरण
नई दिल्ली


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