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4<sup>th</sup> December. 2006

Item No. 124 to 136

DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of the Delhi Development Authority held on 4<sup>th</sup> December, 2006 at 2.30 P.M. at Haryana Bhawan, New Delhi.

Following were present:

CHAIRMAN

1. Shri A.R. Kidwai  
Administrator Delhi

VICE-CHAIRMAN

2. Shri Dinesh Rai

MEMBERS

3. Shri A.K. Patnaik  
Finance Member
4. Shri A.K. Sarin  
Engineer Member
5. Shri Mahabal Mishra, MLA
6. Shri Jile Singh Chauhan, MLA
7. Shri Mange Ram Garg, MLA
8. Shri Ishwar Dass,  
Councillor, MCD
9. Shri Virender Kasana  
Councillor, MCD
10. Shri J.B. Kshirsagar  
Chief Planner, TCPO
11. Dr. M.M. Kutty  
Joint Secretary (D&L)

SECRETARY

Shri V.M. Bansal  
Principal Commissioner-Cum-Secretary

SPECIAL INVITEES & SENIOR OFFICERS

1. Shri R. Narayanswamy  
Chief Secretary, GNCTD
2. Shri S.N. Sahai  
Secretary to L.G., Delhi

3. Shri V V Bhatt  
Principal Secretary (Finance & Plg.), GNCTD
4. Shri. V.K. Sadhu  
Principal Commissioner, DDA
5. Shri U.N. Behera  
Chief Vigilance Officer, DDA
6. Shri A.K. Jain  
Commissioner (Planning), DDA
7. Shri V.D. Dewan  
Chief Architect, DDA
8. Smt. Pramila H Bhargava  
Commissioner (Personnel)
9. Mrs. Asma Manzar  
Commissioner (Housing), DDA
10. Shri C.K. Chaturvedi  
Chief Legal Adviser, DDA
11. Shri Alok Swarup  
OSD to LG, Delhi
12. Shri Shekhar Dey  
Chief Engineer (SWZ), DDA
13. Shri Rajiv Pandey  
Chief Accounts Officer, DDA
14. Shri S.K. Goyal  
Financial Adviser (Housing), DDA
15. Smt. Neemo Dhar  
Director (PR), DDA
16. Shri D. Sarkar  
Director (Sports) DDA
17. Mr. Rajeev Malhotra  
Chief Regional Planner (NCR Planning Board)
18. Shri V.K. Bugga  
Country Town Planner, MCD

ITEM NO. 124/2006

Sub: Confirmation of the Minutes of the Meeting of Delhi Development Authority held on 19.10.2006.  
File No.F.2(2)2006/MC/DDA.

Shri Virender Kasana suggested following additions to the minutes recorded against Item no. 105/2006:

"DDA should provide a multi gym against every one lakh population and sports facilities in every Municipal Corporation ward."

"There should be some New Housing Scheme for the common man i.e. 1 lakh houses for Janta categories and 1 lakh houses for LIG categories. DDA should provide some office complexes all over Delhi and some commercial complexes also, to make the image of DDA in its Golden Jubilee Year."

2. Minutes of the Authority meeting dated 19<sup>th</sup> October, 2006 were confirmed with the above additions.

ITEM NO. 125/2006

Sub: Norms for the Proposed International Convention Centre (ICC) Sector-24, Dwarka.  
File No.F.1(454)2005/DWK/Pt.

- i) Shri Mahabal Mishra pointed out that the proposed parking norms were inadequate. He suggested that parking norms should be such that no vehicle is required to be parked outside the premises.
- ii) Shri Garg pointed out that DDA should learn from its past experience and come out with futuristic parking policy.
- iii) Shri Virender Kasana advised that multi level basements should be permitted on all plots for accommodating all the parking requirements.

iv) The Vice-Chairman pointed out that the proposal in question is linked to creating infrastructure for the Commonwealth games and requires urgent consideration.

2. Proposals contained in the agenda item were approved with the direction that a detailed parking policy shall be brought in the next meeting of the Authority.

ITEM NO. 126/2006

Sub: Improvement of circulation road around newly constructed Round about (R/A) along Domestic Airport road and approach road connecting Dwarka.  
File No. F.SED8/F.299.

Proposal of re-appropriation of Rs.350 lacs was noted by the Authority.

ii) Shri Mahabal Mishra sought information about the cases where re-appropriations have been made by the DDA during the last two years under Rule 17 of the DDA Budget and Account Rules.

ITEM NO. 127/2006

Sub: Policy regarding regularization of delay under alternative allotment and Rohini Residential Scheme, 1981.  
File No.PA/DD/RO/06/35.

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

ITEM NO. 128/2006

Sub: Payment of Belated Construction Interest beyond 30 months upto the bulk date of issue of demand cum allocation letters for SFS flats.  
File NoF.178(184)93/SFS/JL-II.

Shri Mahabal Mishra indicated that the points raised by the Cabinet Secretariat should have been highlighted in the agenda note.

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

ITEM NO. 129/2006

Sub: Setting up of Contingency Fund.  
File No.F.6(67)06-07/Ac(M)/DDA.

Shri Mahabal Mishra appreciated the proposals and suggested that funds should be separately earmarked for 'expenditure on maintenance of projects' and 'on employees'. The Finance Member assured that expenditure on employees will always be given priority over project maintenance.

Shri Mishra suggested that funds should also be earmarked under other similar heads of 'medical re-imbusement' etc.

ii) Shri Mahabal Mishra pointed out that DDA will not be left with any land after 2021. The DDA should, therefore, dispose of its properties on revenue sharing model as adopted by HUDCO and by the DDA in the case of Taj Hotel so that there is assured revenue generation of at least Rs. 1000 cr. per annum to the DDA on regular basis.

All the non-official members supported these suggestions.

iii) Shri Virender Kasana pointed out that in addition, DDA should run at least 50 clubs and 50 banquet halls under the revenue sharing model.

iv) Shri Mange Ram Garg pointed out that in its 50<sup>th</sup> year the DDA should re-assess its strengths and weaknesses and list its priorities for the next five years, launch people friendly schemes and clear the backlog of 1979 HUDCO Housing Scheme.

2. The Vice-Chairman appreciated the suggestions made by the members and assured that DDA could consider disposing of its properties through joint ventures wherever found feasible.

II. After detailed discussions, the proposals contained in the agenda item were approved by the Authority.

ITEM NO. 130/2006

Sub: Development Control Norms for Banquet Hall Sites in Delhi.  
File No. F.3(7)93/MP.

a) Commissioner (Planning) informed that the development control norms are proposed to be further liberalized as follows:

- i) Plot Area 800 to 2000 sq.m. (as per availability of land).
- ii) Development Control Norms:
  - a) Max. Ground Coverage 33.33%
  - b) Max. FAR 100
  - c) Max. Height 26 mt.
  - d) Other controls:
    - i) Min. Parking @ 3 ECS per 100 sq.m. of floor area.
    - ii) Basements within the ground envelope of the plot (after leaving mandatory set backs), and if used for parking and services (max. 30% of the basement area), shall not be counted in FAR.
    - iii) Basement beyond ground coverage shall be kept flushed with ground and shall be ventilated with mechanical means of ventilation.
    - iv) Basements shall be designed to take full load of the fire tender wherever required and subject to adequate safety measures.
    - v) Parking area, if misused, is liable to be municipalized/taken over by the Local body/Authority.

It was clarified that the proposed norms are for the new sites awaiting disposal by the DDA.

b) Shri Mahabal Mishra pointed out that the gist of public objections and suggestions on the subject should have been placed before the Authority. He asked for a rigid parking policy so that there is no overflow of vehicles on roads. He suggested that banquet halls should be maintained and operated by DDA as a social measure or run under the public private participation model. He suggested that banquet halls should be permitted on smaller plots measuring upto

400 sq.mtrs. and less on DDA plots and also permitted on roads which are declared commercial by the local bodies.

c) Shri Jile Singh Chauhan suggested that DDA should have open spaces in various use zones so that the same can be utilized for holding marriages and public functions.

d) Shri Mange Ram Garg pointed out that DDA should not auction any plot till it makes provision for all public utility services.

e) Shri Virender Kasana suggested that liberal norms should be prepared for the banquet halls in unauthorized regularized colonies and on the roads which are now being declared as commercial by the local bodies. He suggested that banquet halls should be permitted on DDA plots measuring 400 sq.mtrs. and above. Shri Kasana questioned the parking norms proposed in the agenda item and suggested increase in the FAR and removal of height restrictions. He sought provision of one banquet hall against every 10,000 population. Shri Kasana insisted that proper assessment of futuristic parking requirements should be made and development control norms so framed that the entire parking is provided inside the plot. He suggested that DDA should not auction these plots and may allot them on public private participation model or the build operate and transfer model. Shri Kasana suggested that DDA should construct banquet halls for the use of the poor people as a social responsibility.

2. The Vice-Chairman appreciated the suggestions made by the members and assured that DDA will consider constructing a number of banquet halls as a social measure.

II. After detailed discussions, it was decided that the proposals made by the members be examined in detail before taking final decision.



ITEM NO. 131/2006

Sub: Change of land use of additional land allotted to Supreme Court of India at Pragati Maidan, New Delhi from 'Recreational' to 'Govt.' Office.  
File No. F.3(81)/2006/MP.

Shri Mahabal Mishra pointed out that the change of land use from District Park to Government office should not be done in a hurry.

II. The Authority, however, approved the proposals contained in the agenda item.

ITEM NO. 132/2006

Sub: Agenda seeking one time relaxation in the recruitment regulations of Surveyors.  
File No. F.1(8)/96/PB-II.

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

ITEM NO. 133/2006

Sub: Allotment of alternative land for re-sitement of Petrol Pumps for war widow.  
File No. F.13(15)90/CRC/DDA.

i) Shri Virender Kasana pointed out that the re-sitement policy which had been approved by the Authority on 20.6.2003 should not be amended to suit individual interests and modification, if necessary, should be carried out uniformly for all categories of applicants.

ii) Shri Mahabal Mishra and other non-official members supported the proposals as these were meant for the welfare of the defence forces.

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

ITEM NO. 134/2006

Sub: Appointment of Consultants for Games Village and Competition Venues to be developed by DDA for the Commonwealth Games, 2010.

File No.F.9(31)SW/Coord/2005/DDA.

- i) Shri Virender Kasana pointed out that the bid given by M/s WSP Management Consultants Limited should be considered, being highly competitive. He wanted to know whether sending the proposals to the Ministry and the Committee of Secretaries was necessary.
- ii) Shri Mange Ram Garg cautioned that the success of the DDA largely depends on the selection of the right consultants. Their antecedents should therefore be properly verified before approval.
- iii). Shri Mahabal Mishra and Shri Jile Singh Chauhan supported the proposals given in the agenda item and pointed out that the selection of consultants had been correctly made.

2. The Finance Member explained that the proposals had been noted by the Committee of Secretaries and that the Ministries of Urban development and Sports have also been kept informed.

After detailed discussions, the proposals contained in the agenda item were approved by the Authority.

ITEM NO. 135/2006

Sub: Payment of Fixed Traveling Allowance/Fixed Conveyance Allowance/Motor Car Allowance to the left out categories and enhancement of current rates of FTA/FCA/MCA and reimbursement of Conveyance Charges.  
File No.FE8(2)2000/Pt.

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

ITEM NO. 136/2006

*Sub: Proposed change of land use for Redevelopment Netaji Nagar (Part) and Moti Bagh East.  
File No. F.3(107/2006/MP.*

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

OTHER POINTS:

- 1. All the non-official members requested that the Regulations on payment of Charges towards Mixed Use Premises and Regulations on Payment of Betterment Levy and Penalty/Compounding Charges should be reviewed as the charges for conversion are beyond the reach of the common man.*
- 2. Shri Mahabal Mishra pointed out that a large number of unauthorised colonies existing on the DDA land are in the process of regularisation. DDA should not count the land under these colonies as part of the 1400 acres land under unauthorised encroachment.*
- 3. Shri Mange Ram Garg made the following suggestions :*
  - i) All essential activities should be permitted in the DDA flats and the Group Housing Society flats.*
  - ii) DDA should not auction any plots till it has made adequate provision for all essential public utilities like hospitals, schools, fire stations, cultural centers, old-age homes etc.*
- 4. Shri Ishwar Dass pointed out that a plot measuring about 1200 sq.yds. near double storey flats of E, F, G blocks in Motia Khan has been lying vacant for a long time. Recently, the unauthorised encroacher on this land has lost the Court case. The DDA should change land use of this plot so that it can be used for providing public facilities. Till then the plot should be developed as green for holding public functions.*

5. *Shri Virender Kasana pointed out that:*

- i) *Shops/kiosks are being constructed on the green land in Okhla Industrial Area, Phase II without any approval by the Chief Architect or the concerned Chief Engineer.*
- ii) *The office of the DDA's Hort. Deptt. functioning from Sheikh Sarai Ph.II should be shifted as it is located on a park.*
- iii) *About Rs.80 lakh were spent on construction of a musical fountain in Hans Raj Sethi Park in Kalkaji by the PWD some years back. Shri Kasana wanted to know who gave the sanction for construction of fountain and why it is not being maintained after making such a huge expenditure. He wanted that it should be made operational.*

II. *It was informed by the Principal Commissioner-cum-Secretary that the Finance Member Shri A.K. Patnaik was going on a foreign posting and relinquishing his charge.*

*The Members and the Secretary listed the contributions made by Shri A.K. Patnaik and the Authority passed a resolution to commend the services rendered by Shri Patnaik to the Authority.*

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

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**DELHI DEVELOPMENT AUTHORITY**

List of agenda items to be discussed in the meeting of the Delhi Development Authority fixed for Monday, the 4<sup>th</sup> December, 2006 at 2.30 P.M. in the Conference hall of Haryana Bhawan, Copernicus Marg, New Delhi -110001.

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## DELHI DEVELOPMENT AUTHORITY

List of Supplementary agenda items to be discussed in the meeting of the Delhi Development Authority fixed for Monday, the 4<sup>th</sup> December, 2006 at 2.30 P.M. in the Conference hall of Haryana Bhawan, Copernicus Marg, New Delhi - 110001.

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Item No. 124/2006

Sub :- Confirmation of the Minutes of the Meeting of  
Delhi Development Authority held on 19.10.2006.

File No. F.2(2)2006/MC/DDA

Minutes of the Meeting of the Delhi Development Authority  
held on 19.10.2006 are submitted for confirmation of the Authority.  
( Appendix "A" page No. 2 to 13)

R E S O L U T I O N

Shri Virender Kasan suggested following additions to the  
minutes recorded against Item No. 105/2006 :-

" DDA should provide a multi gym against every one lakh  
population and sports facilities in every Municipal  
Corperation ward."

" There should be some new Housing Scheme for the common  
man i.e. 1 lakh houses for Janta categories and 1 lakh houses  
for LIG categories. DDA should provide some office complex  
all over Delhi and some commercial complexes also, to make the  
image of DDA in its GOLDEN JUBILEE YEAR."

2. Minutes of the Authority Meeting dated 19th October, 2006  
were confirmed.

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DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of the Delhi Development Authority held on 19<sup>th</sup> October 2006 at 2.30 PM at Raj Niwas.

Following were present:

**CHAIRMAN**

- 1 Shri B.L. Joshi  
Lt. Governor, Delhi

**VICE-CHAIRMAN**

- 2 Shri Dinesh Rai

**MEMBERS**

3. Shri Mahabal Mishra, MLA
4. Shri Jile Singh Chauhan, MLA
5. Shri Mange Ram Garg, MLA
6. Shri Virender Kasana  
Councillor, MCD
7. Shri A.K. Patnaik  
Finance Member
8. Shri A.K. Sarin  
Engineer Member
9. Shri J.B. Kshirsagar  
Chief Planner, TCPO

**SECRETARY**

Shri V.M. Bansal  
Principal Commissioner-Cum-Secretary



**SPECIAL INVITEES & SENIOR OFFICERS**

1. *Shri R Narayanaswamy*  
*Chief Secretary, Govt. of Delhi*
2. *Shri S.N. Sahai*  
*Secretary to LG*
3. *Ms S Aparna*  
*Director (DD), MOUD*
4. *Shri K. S. Mehra*  
*Pr. Secretary, (L&B), GNCTD*
5. *Shri Vivek Rae*  
*Principal Secretary (UD), GNCTD*
6. *Shri V V Bhatt*  
*Principal Secretary (Finance)*
7. *Shri. V.K. Sadhu*  
*Principal Commissioner, DDA*
8. *Shri V.D. Dewan*  
*Chief Architect, DDA*
9. *Shri V K Bugga,*  
*CTP, MCD*
10. *Smt. Pramila H Bhargava*  
*Commissioner (Personnel)*
11. *Shri A.K. Jain*  
*Commissioner (Planning), DDA*
12. *Mrs. Asma Manzar*  
*Commissioner (Housing), DDA*
13. *Shri C.K. Chaturvedi*  
*Chief Legal Adviser, DDA*
14. *Shri Rajiv Pandey*  
*Chief Accounts Officer, DDA*
15. *Shri S.K. Goyal*  
*Financial Adviser (Housing), DDA*
16. *Shri Alok Swaroop*  
*OSD to LG*
17. *Smt. Neemo Dhar*  
*Director (PR), DDA*
18. *Shri D. Sarkar*  
*Director (Sports) DDA*

19. *Shri Prahlad Singh*  
*Director (Land Costing)*
20. *Mr. Rajeev Malhotra*  
*Chief Regional Planner (NCR Planning Board)*
21. *Shri R.K. Jain*  
*Director (Planning) Dwarka/DDA*
22. *Shri N.K. Chakaraborty*  
*Director (Planning)/NP DDA*
23. *Shri C.P. Sharma*  
*Jt. Director (Survey) DDA.*

The Lt. Governor welcomed the members and conveyed his Deepawali greetings.

The meeting started with Shri Mahabal Mishra expressing concern over the sealing operations in the city. He advised that the Govt. should move under Schedule IX of the Constitution of India and protect all the affected persons. Shri Jile Singh Chauhan also expressed the same concern. The Lt. Governor informed them that the Group of Ministers was seized of the matter.

Shri Mange Ram Garg pointed out that DDA was responsible for the present state of affairs in the city and sought immediate steps to save the city from sealings/demolitions starting from 1<sup>st</sup> November. He threatened to stage a walk-out from the meeting to highlight the public agony. The LG assured that the Govt. was taking all possible steps and requested Shri Garg to attend the meeting, which he did.

ITEM NO.101/2006

Sub: Confirmation of the Minutes of the meeting of Delhi Development Authority held on 5.09.2006.  
F.2(2)2006/MC/DDA

Minutes of the meeting of the Delhi Development Authority held on 5.9.2006 were confirmed as circulated.

ITEM NO.102/2006

Sub: Performance Budget 2005-06.  
F.4(3) Budget/PF/2005-06

The Lt. Governor thanked Shri Mahabal Mishra for his suggestions regarding the presentation of Performance Budget in the Authority.

a) Shri Mahabal Mishra started the discussions and expressed concern over shortfall in expenditure against several heads. He sought specific details of activities taken up during the year and non-completion of various projects.

He pointed out that appointment of Consultants for the Common Wealth Games was being delayed for unexplained reasons and the

related projects were also thus getting delayed. Shri Mishra advised that all pending decisions should be immediately taken in accordance with the guidelines of the Ministry of Finance and the CVC.

He also sought appointment of a Monitoring Committee to regularly review performance of DDA under different heads of account and for quarterly Performance Budget reviews by the Authority.

b) The Engineer Member gave details of the flats taken up for construction/completed during the years 2005-06 and 2006-07.

c) The Vice Chairman informed that the matter regarding appointment of Consultants for the Common Wealth Games will be discussed by the Committee of Secretaries on 31<sup>st</sup> October 2006. He assured that all the projects will be completed before the given deadlines.

d) Shri Mange Ram Garg suggested that DDA should compile upto date records of lands under unauthorized encroachment/possession without any further delay. He expressed resentment that letters written by the Authority members were not being replied and there were long delays in completion of various transactions in DDA. He also pointed out that DDA had not removed 260 unauthorized jhuggies inspite of repeated reminders for almost two years.

The Lt. Governor directed immediate action on all the points raised by the members without awaiting formal minutes of the meeting. He assured that separate meetings will be held to review the Budget Performance and appreciated the idea of quarterly reviews by the Authority.

ITEM NO.103/2006

Sub: Development and disposal of Group Housing in Sector A1 to A4 of Narela Sub-city.  
F.15(270)2006/NP

Shri Mahabal Mishra pointed out that similar proposal had earlier been approved by the Authority about two years back and the

current proposals should be discussed along with the decisions earlier taken.

Shri Mange Ram Garg desired to know the mode of allotment of EWS Housing.

Ms. S. Aparna, Director (DD), Ministry of Urban Development explained that these proposals would be further examined in the Ministry.

b) The Vice Chairman informed that, to begin with, a Group Housing project is proposed to be taken up on about 100 hectares of land. After evaluation of this project, further action will be decided.

Proposals contained in the agenda item were approved by the Authority after detailed discussions.

ITEM NO.104/2006

Sub: Deciding the cost of Additional FAR to be given to Hospitals allotted land prior to 12.7.2005.  
F.1(1)FAR/2005-06

Shri Mahabal Mishra pointed out that:

- (a) Looking at the overall shortage of land in Delhi the FAR should be increased for all the Institutional plots and a General policy should be brought before the Authority,
- (b) Most of the hospital plots had been sold out in the market and the benefit of FAR will now go into unintended hands. He pointed out that Escorts Hospital had been sold out to MAX, who had also unauthorisedly purchased hospital plots on Pusa Road and in Saket, which required detailed inquiry.
- (c) The policy of renting out 25% of the built-up area should be withdrawn because the DDA makes allotments as per minimum requirements projected by the applicants,
- (d) Survey should be conducted of all the institutional plots allotted by the DDA regarding their ownership, possession and current activities etc.etc.

b) *Shri Jile Singh Chauhan pointed out that more than 50% of the institutional plots had been unauthorisedly sold out and sought immediate survey of all the plots.*

c) *Ms. S. Aparna, Director (DD), Ministry of Urban Development informed that the Govt. was in the process of taking final view on the policy of sub-letting of institutional plots. She supported the demand of carrying out a survey of all the 3590 institutional plots allotted by the DDA within a period of three months.*

2. *The Lt. Governor directed that survey of all the institutional plots should be immediately taken up and a status report brought before the Authority within three months.*

II. *Shri Virender Kasana sought simultaneous survey of all the DDA lands under unauthorised possession/encroachment and immediate steps to retrieve these lands.*

b) *The Vice Chairman informed that detailed information has already been collected for about 1400 acres of DDA land and a presentation on the same shall be made in the next meeting of the Authority.*

*The Lt. Governor advised that we should regularly update the land data bank and constitute a core committee to review its retrieval.*

III. *After detailed discussions, the proposals contained in the agenda item were approved by the Authority with the direction that the cases, where there was some commitment in the past to charge only 50% of the tender amount, should be examined in detail in consultation with the Law Department.*

ITEM NO.105/2006

Sub: Development of Mini Sports Complex at Chittranjan Park, near Jahan Panah Club.  
F.SWD-5/Budget 06-07/DDA

Proposals contained in the agenda item were noted by the Authority.

2. In addition, Shri Virender Kasana pointed out that:

(i) DDA should provide a multi-gym against every one lakh population and

(ii) The DDA employees' membership fee and entry fee should be much less than other categories

The Lt. Governor assured to get this issue examined in detail.

3. Shri Mange Ram Garg reminded that DDA's decision to set up a multi-gym and indoor games facilities complex between DDA sports complex in Ashok Vihar and Satyavati College had been badly delayed. The Vice Chairman assured early action in the matter.

4. Shri Virender Kasana pointed out that in its 50<sup>th</sup> year, the DDA should come out with new schemes for all categories of people living in Delhi. The LG appreciated the suggestion and advised that the non-official members should be associated with the Committee constituted for finalizing the 50<sup>th</sup> year celebrations.

ITEM NO.106/2006

Sub: Disposal of informal sector shopping spaces developed by DDA in various parts of Delhi.  
F.25(3)2005/CE

After detailed discussions, it was decided that 16 Janta Markets may be handed over to the MCD as proposed in the agenda item and

the matter regarding allotment of informal sector - shopping platforms in Nehru Place be taken up in the next meeting of the Authority.

ITEM NO.107/2006

Sub: Change of land use of site measuring 3923 sqm. from Recreational, (Distt. Park) to PSP facilities, (Burial Ground).  
F.20(13)05/MP

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

ITEM NO.108/2006

Sub: Norms for the proposed International Convention Centre (ICC) Sector-24, Dwarka.  
F.1(454)2005/DWK/Pt.

Consideration of this item was deferred.

ITEM NO.109/2006

Sub: Improvement of circulation road around newly constructed Round about (R/A) along Domestic Airport road and approach road connecting Dwarka.  
F.SED-8/F 299/E.M.3(16)2005/AM/Vol.III

Consideration of this item was deferred.

ITEM NO.110/2006

Sub: Policy regarding regularization of delay under alternative allotment and Rohini Residential Scheme, 1981  
F.PA/DD/RO/06/35

Consideration of this item was deferred.

ITEM NO.111/2006

Sub: Registration of Mixed Use Premises and Payment of Charges Regulations, 2006.  
F.20(4)05/MP/Pt.II



*Registration of Mixed Use Premises and Payment of Charges Regulations, 2006 were approved by the Authority.*

ITEM NO.112/2006

*Sub: Adoption of Annual Accounts for the financial year 2004-05 after certification of Annual Accounts by the office of the Accountant General (Audit) Delhi.  
File No. 6(59)05-06/A/Cs(M)/DDA*

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

ITEM NO.113/2006

*Sub: Change of land use of 37.0 ha land and 1.08 ha land from 'Agricultural & Water body' to 'Residential' & 'Public & Semi Public (graveyard, Cremation ground)'.  
File No. F.3(10)2000-MP*

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

ITEM NO.114/2006

*Sub: Annual Administration Report of D.D.A. for the year 2005-2006.  
File No. F.1(4)2006/P&C/AAR/Pt.I*

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

ITEM NO.115/2006

*Sub: Payment of Belated Construction Interest beyond 30 months upto the bulk date of issue of demand cum allocation letters for SFS flats.  
File No. F.178(184)93/SFS/JL-II*

*Consideration of this item was deferred.*

ITEM NO.116/2006

*Sub: Setting up of Contingency Fund.  
File No. F.6(67)06-07/A/Cs(M)/DDA*

Consideration of this item was deferred.

ITEM NO.117/2006

Sub: Agenda for adoption of Annual Accounts for the Financial Year 2005-06.  
File No. F.6 (69)06-07/A/Cs (M)/DDA

The members appreciated that DDA accounts were now fully updated.

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

ITEM NO.118/2006

Sub: Development Control Norms for Banquet Hall Sites in Delhi.  
File No./ F.3(7)93/MP

Consideration of this item was deferred.

ITEM NO.119/2006

Sub: Landscape Development of Residential area in Jahangirpuri (Zone C).  
File No. PA/Dir.(LS)/2006

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

ITEM NO.120/2006

Sub: Transfer of Commercial Projects in Slum and JJ Areas to MCD.  
File No. 100(302)/2002/CL

Consideration of this item was deferred.

ITEM NO.121/2006

Sub: Allotment of alternative land for resitement of Petrol Pumps for war disabled persons and war widow.  
File No. F.13(15)90/CRC

Consideration of this item was deferred.

ITEM NO.122/2006

Sub: Development control norms for Residential Plotted Development and Payment of Betterment Levy or (Additional FAR Charges) and penalty/Compounding Charges/Special Compounding Charges Regulations, 2006.  
File No. F.20(4)2005/MP/Part.II(Pt.)

Development control norms for Residential Plotted Development and Payment of Charges Regulations, 2006 were approved by the Authority.

ITEM NO.123/2006

Sub: Change of land use of additional land allotted to Supreme Court of India at Pragati Maidan, New Delhi from 'Recreational' to 'Govt. Office'.  
File No. F.3(81)2006/MP

This item could not be taken up for consideration as the Agenda item was not circulated in time but merely "laid on the table".

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The L.G. agreed with the non-official members and cautioned that agenda items should be circulated well in advance so that meaningful discussions can be held. Where, for some pressing reasons, this has to be done, adequate reasons should be given.

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

Item No.125/2006

Sub: Norms for the Proposed International Convention Centre (ICC) Sector-24, Dwarka.

File No.F.1(454)2005/DWK/Pt.

1.0 In the Zonal Plan of Zone 'K' approved by the Govt. of India vide Notification No. K-13011/7/2006/DDIB dated 9.8.06 as well as in the land use of Dwarka Sub City which was notified by the Ministry of Urban Development vide Notification No.K-13011/15/93/DDIB dated 16<sup>th</sup> Oct.,2000, site of about 18 ha has been ear-marked for the Hotel complex. In this site of 18 ha, one International Convention Center has been proposed in an area of 14 ha with two components, 9 ha consisting of International Conventional Center and 5 ha for the Hotel. International Convention Complex is to be developed through private ventures and International bids. In this bid document, the development control norms are to be specified

#### 2.0 Provisions of the MPD-2001 :

(i) In the MPD-2001 definition of International Convention Center has been given as "A premises having all facilities for a conference, meeting, symposium etc. where a number of different countries will be participating". Specific Development Control Norms have not been given of ICC. Master Plan Delhi-2001 also recommends wherever development control norms are not available for Public & Semi Public premise, the general; Development Control Norms applicable to Public, Semi-Public buildings i.e. 25% ground coverage and 100 FAR shall be followed.

(ii) Development Control Norms for the Hotel Complex have been modified vide Notification No.K-20013/13/2004/DDIB dated 27.1.2006 as given below:

Ground coverage: 30%,  
FAR: 150,  
Height - no restriction  
20% of the FAR can be used for the commercial offices, retail and service shops.

#### 3.0 Approval of Technical Committee :

The Proposal for modification in the lay out plan and the norms for the International Convention Centre was considered by the Technical Committee meeting held on 3.5.2006 vide Item No.23/2006 wherein the development control norms for the International Convention Center based on the Development Control Norms of the socio cultural activities were worked out. The Technical Committee had given its approval on the proposal as was suggested in the Agenda,

#### 4.0 Proposal :

The following development control norms for the International Convention Centre are proposed.

Max. Ground Coverage	:	30%
Maximum FAR	:	120
Height	:	No restriction subject to AAI/Statutory Clearance.

The ground coverage of 30% is same as that of Hotel, whereas proposed FAR of 120 is lower as compared to 150 FAR of hotel.

a) Parking: A maximum of 2 ECS/100 Sq.m. of floor area (3ECS for Commercial component).

-A proper scheme for visitors parking and parking and circulation plan may be prepared taking into consideration the expected number of visitors for next 20 years.

-Minimum two level basements for parking be provided.

- b) Maximum 5% additional ground coverage shall be allowed for providing atrium.
- c) Maximum 20% of the FAR can be used for commercial component (Offices, Retail, Service Shops etc.)
- d) Any other provision/control as may be deemed suitable for project with the approval of the VC, DDA/Technical Committee, DDA.

#### 5.0 Recommendation:

Development Control Norms as proposed in para 4.0 are put up for consideration for Authority, so that these norms are followed in bidding process of the project and subsequently, are suitably incorporated in the Master Plan for Delhi.

#### R E S O L U T I O N

- i) Sh. Mahabal Mishra pointed out that the proposed parking norms were inadequate. He suggested that parking norms should be such that no vehicle is required to be parked outside the premise.
  - ii) Sh. Garg pointed out that DDA should learn from its past experience and come out with futuristic parking policy.
  - iii) Sh. Virender Kasana advised that multi level basements should be permitted on all plots for accommodating all the parking requirements.
  - iv) The Vice-Chairman pointed out that the proposal in question is linked to creating infrastructure for the Commonwealth games and requires urgent consideration.
2. Proposals contained in the agenda item were approved with the direction that a detailed parking policy shall be brought in the next meeting of the Authority.

Item No 126 / 2006

Name of work : Improvement of circulation road around newly constructed Round about (R/A) along Domestic Airport road and approach road connecting Dwarka

File No. F.SED 8/F.299

Delhi Traffic Police vide letter from Jt Commr. (Traffic) dated 22.5.06 to VC/DDA (copy enclosed ~~Appendix - A~~ <sup>Page No. 18-19</sup> have pointed out the serious problems being faced for the discharge of increased volume of traffic to and from Domestic Airport after construction of 'Round about' (R/A) on Airport Road. It has been pointed out that the volume of traffic has increased substantially and traffic conflict situation is seen regularly on this R/A. Further, it has been mentioned that in the next two years the traffic is likely to increase further due to impetus being given to low fare to the air travellers.

2. Hon'ble L.G., Delhi vide U.O.No.100(3)/2005/RN/1782/13920 dated 27.12.2005 has also desired to take immediate steps in consultation with Traffic Police and Airport Authorities.

3. The Police Department have further reported that NHA had also constructed a ramp which would merge the Airport road short of this R/A which would further add to the volume of traffic on this road.

4. Keeping in view the utmost urgency involved, efforts have been made to sort out the traffic conflict situation on this R/A. Accordingly, tenders have been floated for appointment of Consultant for the work "Improvement of circulation road around newly Constructed Round about (R/A) along Domestic Airport road and approach road connecting Dwarka".

Contd...2...

5. As the Administrative Approval and Expenditure Sanction can only be processed after the receipt of the Preliminary Reports from the Consultant, the process for undertaking the work has been started after obtaining in anticipation approval of VC/DDA. For undertaking this work, it is estimated that an expenditure to the tune of Rs.350 lacs will have to be incurred. The likely expenditure to be incurred in 2006-07 may be to the tune of Rs.200 lacs.

6. Since there is no budget provision for this scheme/work the appropriation of funds of Rs.2.00 crores has been approved by VC/DDA in terms of Rule-17 of DDA Budget and Account Rules which provides as under:-

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

Provided that the application for additional allotment of funds shall be made to the Authority as soon as possible explaining the circumstances under which the expenditure shall not be incurred unless the scheme has been accepted by the Government and a provision made in the budget".

The case is submitted for kind information of the Authority in accordance with Rule-17 of the DDA Budget and Account Rules.

#### R E S O L U T I O N

Proposals of re-appropriation of Rs.350 lacs was noted by the Authority.

18) Sh. Mahabai Mishra sought information about the cases where there re-appropriations have been made by the DDA during the last two years under Rule 17 of the DDA Budget and Accounts Rules.



QAMAR AHMED  
IPS

संयुक्त आयुक्त पुलिस (यातायात)  
D. O. NO. 1029/Sa  
दिल्ली पुलिस मुख्यालय  
इन्द्रप्रस्थ एस्टेट, नई दिल्ली  
JOINT COMMISSIONER OF POLICE (TRAFFIC)  
DELHI POLICE HEADQUARTERS  
INDRAPRASTHA ESTATE  
NEW DELHI-110002

22.05.2006  
Appendix-A to Item No.126/2006

Please refer to d.o. letter No.2091/T.E.(D-III), dated 18.3.2005 addressed by Commissioner of Police, Delhi to Vice Chairman, D.D.A. regarding construction of approach road to Dwarka flyover. At the time of construction of R/A on Airport road, it was suggested that rotary would not be suitable for better discharge of increased volume of traffic. It was also apprehended that traffic destined to and from Domestic Airport will find it extremely difficult to negotiate the R/A because of the high volume of traffic destined towards Dwarka through this rotary. It was also suggested that in place of a rotary, a vehicular underpass should be constructed which would segregate the Airport Traffic from Dwarka bound traffic. This was followed by meeting with Shri Sajan, the then Chief Engineer, D.D.A., who is understood to have referred the matter to Commissioner(Planning), D.D.A. vide letter No.CE(SEZ)7(177)/05/3871, dated 19.12.2005. Hon'ble L.G., Delhi vide u.o. No.100(3)/2005-RN/1782/13920, dated 27.12.2005 had also desired the D.D.A. to take immediate steps in consultation with Traffic Police and Airport authorities. Thereafter, nothing has been heard. The volume of traffic has increased substantially and traffic conflict situation is seen regularly on this R/A. The volume of traffic to the Domestic Airport has increased manifold. In the next two years, traffic is likely to increase further due to impetus being given to low fare to the air travellers.

It has now been reported that NHAI has also constructed a ramp which will merge this Airport link road short of this R/A which will further add to the volume of traffic on this road. It can be recorded that Mr. Sajan, the then Chief Engineer, D.D.A. had promised that before the construction of the ramp by NHAI, landing up close to the R/A, engineering solution by way of construction of vehicular underpass would be ready, but nothing has been done about the planning and construction of such vehicular underpass.

Contd.....P-2/C



I shall be grateful if you kindly look into this matter personally and direct the Planning and Engineering Division to work out the vehicular underpass or any other engineering facet to solve the traffic conflicting situation on this R/A.

*With regards,*

Yours Sincerely  
*[Signature]*  
(QAMAR AHMED)

श्री दामिनी (दो पूर क्षेत्र) कार्यालय  
दायरी संख्या ... 3486  
दिनांक 6-6-86

Shri Dinesh Rai,  
Vice Chairman,  
D.D.A.,  
Vikas Sadan,  
New Delhi.

Delhi Development Authority  
Encl's Secy.

No. EN-3(104) 2004/Vol II / 1985 dt 2/6/06

Copy to:- 1) Commissioner (Plg) for taking n/a pt  
2) CE (SEZ) for taking n/a pt.

7/6  
SEH  
S.E./Sec-16  
EA-II

21/6/06  
AE 7/EN's office

NO: CE (SEZ) 7 (177) 06/  
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1) S.E./CE-16 } for information  
2) E.E./SED-8 } & further  
n/a pt

*[Signature]*  
EA II (SEZ)

Item No. 127/2006

Sub: Policy regarding regularization of delay under alternative allotment and Rohini Residential Scheme 1981.  
F.No. PA/DD/RO/06/35.

**BACK GROUND**

**PRECISE**

The Authority vide its resolution no. 52/04 dated 24.8.04 and 69/04 dated 22.11.04 (Appendix 21-23) approved the amendments in the case of regularization of allotment made under Rohini Residential Scheme 1981 which are given as under :-

1. In case of delay beyond 180 days Principal Commissioner should have the powers upto 270 days (inclusive 180 days) and upto 360 days (inclusive of 270 days) the case shall be regularized by Vice Chairman, DDA. This regularization will be done on payment of restoration charges and penal rate of interest @ 15% p.a. However, if the fault is of Department then restoration irrespective of the period of delay would be at PDR of the year of allotment+ interest @ of 7 % annually.
2. Beyond 360 days no regularization should be entertained unless on extremely deserving grounds where the power should lie with Hon'ble L.G. Delhi.
3. Within the above scheme, if the deficient amount involved is only upto 10% of the demanded amount or Rs.20,000/- whichever is less then the power to restore the delay would vest with Commissioner (LD) irrespective of the period of delay.

**Proposal in Brief**

On certain occasion, the payment deposited by the allottee is found to be short by an amount which is less than Rs.5000/- In such cases, recovery of restoration charges @ Rs.300/- per sq. mtr. which comes to Rs.18,000/- for MIG category and Rs.9600/- for LIG category and interest for delay on such short payments is considered harsh and unjustified. It is, therefore, proposed that the short payment of premium upto an amount of Rs.5000/- irrespective of the period of delay may be exempted from restoration charges and made subject to payment of interest only.

**Financial implication if any**

There is only marginal financial implication.

**Why the Authority's approval is required ?**

The competency to accept the proposal vests only with the Authority therefore Authority approval is required.

**R E S O L U T I O N**

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

Item No.  
52/2004

Sub: Regularisation of delay under Alternative Allotment and Rohini Residential Scheme

1 Alternative Allotment Scheme: Under the alternative allotment scheme, plots of various sizes are being allotted to some persons whose lands are being acquired on the recommendations of the Govt. of Delhi under the present policy, even after a plot is allotted, the allottees are given two more chances in the event that they do not take the plot allotted to them. In cases where initial allotments are cancelled due to non-payment, etc. the second and third chance is given after a gap of one year each. In such a dispensation, it is frequently observed that the payment schedule stipulated in the policy is not adhered to apparently due to the fact that DDA is routinely regularizing the delay in making the payment after charging 18% per annum interest and restoration charges (in case of delay more than 90 days). It is felt that the present policy is too liberal and gives undue benefit to the allottees who are already being given a facility over and above the very liberal compensation that they get for acquisition of their land.

With the passage of time, keeping in view the remunerative price (compensation) being given to the farmers and the fact that with many villages being given the status of urbanized villages are also being provided various types of infrastructure facilities, an idea has been mooted by the Secretary L&B Deptt, GNCTD to reconsider whether the scheme of allotment of alternative land to the farmers whose land has been acquired for planned development of Delhi under the scheme of Large Scale Development and Disposal of Land in Delhi (1961) is relevant any longer. Though a decision has yet to be taken in this respect at the appropriate level, it is felt that at least the norms and procedures being followed for allotment of alternate land need to be reviewed.

Under the present scheme, due to delays in communicating the acceptance of allotted plots and the gap of one year being these between the chances given to the recommendee, it could take even 5 to 6 years to finalise allotment of plots after completion of all the formalities. This results in hold up of vacant plots without disposal thereby blocking the revenue and also leads to non-availability of sufficient number of plots for those in the waiting list.

In view of the above the following amendments are proposed for the consideration and approval of the Authority.

- i) Payment of 10% of premium

- a) It is proposed that 10% premium to be termed, as earnest money/confirmation amount, should be called within 30 days of issue of demand letter.
- b) The allottee who surrenders the allotment within one month will be considered in the immediate next draw (without any penalty) as and when it is held subject to availability of land.
- c) The cases of allottees who do not deposit the above amount within the stipulated period of 30 days but accept the allotment and request for extension of time to make payment within this period should be considered for extension up to two months with interest @ 12.5% p.a. for the first month and thereafter 15% p.a.
- d) If the acceptance of allotment and request for extension is not made but the amount of earnest money is deposited after the expiry of 30 days and before the expiry of 3 months he will be allowed to do so subject to payment of opportunity charges @ 100/-per sq.mtr. and interest as in C).
- e) In case the allottee does not surrender the allotted plot accept the offer and make payment as above within the stipulated period of three months, no further chance will be given to him on any account and the allotment will be deemed to have been cancelled.

ii) Balance 90% premium

1. Payment of 25% premium within 60 days of issue of demand letter
2. Payment of 50% premium within 120 days of issue of demand letter.
3. Payment of 15% premium within 150 days of issue of demand letter.
4. Differential premium payable if any on account of finalization of PDR by Ministry of Urban Development will have to be deposited within 30 days of demand for the same.

The payments mentioned at Sl. No. 1 to 4 above are to be made as per the schedule given and following procedure will be adopted for regularizing the delay in making the payment.

- A) Penal interest will be charged @ 12.5% per annum if the delay is up to one month and 15% per annum if the delay is more than one month beyond due date.
- B) No restoration shall be allowed beyond 180 days in case of first two chances. However, in case of third draw (last chance) restoration may be allowed subject to payment being made within a maximum period of 360 days after which the allotment would stand automatically cancelled. Regularization up to 270 days shall be done at the level of Principal Commissioner and up to 360 days the case shall be regularized by the Vice Chairman.

- C) In extremely deserving cases where delay was beyond the control of allottee/legal heirs such as death, encroachment on the land allotted, orders of competent court etc. the case can be put up with full justification to Hon'ble L.G. for regularization. However, this stipulation should be used with all precautions and should be used very sparingly.
- D) Within the above scheme, if the deficient amount involved is only upto 10% of demanded amount or Rs. 25000/- whichever is less then the power to restore the delay would vest with Commissioner (LD) irrespective of the period of delay.
- E) In case of differential premium which is being raised after finalization of PDR by Ministry of Urban Development, powers to regularize the delay would rest with Commissioner (LD) irrespective of, period of delay and amount subject to payment of penal interest @ 15% per annum. Generally this amount does not exceed Rs. 50,000/-

## II Amendments proposed in the case of allotments made under Robini Residential Scheme

1. In case of delay beyond 180 days Principal Commissioner should have the powers upto 270 days (inclusive of 180 days). This regularization will be done on payment of restoration charges and penal rate of interest @ 15% per annum. However, if the fault is of the deptt. then restoration irrespective of the period of delay would be at PDR of the year of allotment + interest at 5% annually.
2. Beyond 1 year no regularisation should be entertained unless on extremely deserving grounds where the power should lie with Hon'ble L.G. Delhi.
3. Within the above scheme, if the deficient amount involved is only upto 10% of demanded amount or Rs. 25000/- whichever is less then the power to restore the delay would vest with Commissioner (LD) irrespective of the period of delay.

Proposals I & II put up for consideration and approval of the Authority.

### **Resolution**

The proposals were discussed in detail. It was felt that the existing procedure of offering three chances to the allottees of alternate plots was leading to holding up the disposal of plots for several years. In addition to resulting in long wait for the applicants. Shri Kasper suggested that the formalities and procedures required to be completed for making the payment and taking possession etc. needed further simplification.

After detailed discussions, it was decided that rather than three chances only two chances should be given to the allottees of alternate plots and the DDA officials should personally get in touch with the allottees to explain them various documentation, procedures etc., before effecting cancellation of their plots; the allottees being persons with rural background, unaware of documentation details and the formalities. Subject to these amendments, the proposals contained in the agenda item were approved by the Authority.

The Authority also approved the amendments proposed in Rchini Residential Scheme as contained in para II of the agenda item.

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Item No. 69/2004

Proposed additions to agenda item No. 52/2004 regarding regularization of delay of Rohini Resol. scheme plots beyond 270 days.

No. DDVA (2)2004/July-9

The agenda item No. 52/2004 approved by the Authority in its meeting held on 24.8.2004 consisted of two parts. One related to alternative allotment and the other related to allotment under Rohini Residential Scheme. The main content of the item in both the parts is regarding regularization of delay in remittance of premium.

While proposing the agenda item for Rohini Residential Scheme, the provision for regularization of delay beyond 270 days and upto 360 days has not mentioned due to oversight. According to the resolution adopted in the case of alternative allotment, VC, DDA is the competent authority to allow the regularization of delay in making the payment beyond 270 days and upto 360 days. Accordingly similar amendment to the said agenda Rohini Residential Scheme plots has also been proposed as below :-

"In case of delay beyond 180 days Principal Commissioner should have the powers upto 270 days (inclusive of 180 days) and upto 360 days (inclusive of 270 days) the case shall be regularized by Vice Chairman. This regularization will be done on payment of restoration charges and penal rate of interest @ 15% per annum. However, if the fault is of the deptt. then restoration irrespective of the period of delay would be at P.H. of the year of allotment + interest at 5% annually".

The above proposal is submitted for consideration and approval of the Authority in continuation of agenda item No. Resolution No. 52/2004.

#### Resolution

Proposals contained in the agenda item were approved by the Authority.  
It was pointed out that whereas 5% rate of interest was being proposed in the agenda item for regularization of plots by the lands deptt., housing deptt. was charging 7% rate of interest in similar situations. Suggestion is that uniform rate of interest should be charged both in the housing and the lands departments, the matter was left for the Lt. Governor to take a final decision in the matter at his level.

Item No 128 / 2006

**SUB:- Payment of Belated Construction Interest beyond 30 months upto the bulk date of issue of demand cum allocation letters for SFS flats.**

**File No. F. 178(184)93/SFS/JL - II/**

1. Item No. 71/2005 on the subject Payment of Belated Construction Interest beyond 30 months up to the bulk date of issue of demand cum allotment letters for SFS flats pertaining to S/Sh. Gulshan Rai Chugh, H.P. Wagle and Kulbhushan Suri was placed before the Authority and the same was approved by the Authority. Copy of the Agenda Item and the minutes of the meeting of the Authority held on 19<sup>th</sup> Oct., 2005 are placed at ~~Appendix~~ 'A' and 'B' respectively. ( Page No. 27 - to 29 and 30 to 35 ).
2. In the meeting held on 28.7.2006 chaired by Secretary (P&G) to review the pending DPG references, the cases pertaining to Sh. Gulshan Rai Chugh, Sh. H.P. Wagle and Sh. Kulbhushan Suri were also reviewed. It was decided that the views of DPG relating to the issues pertaining to these three cases would be placed before the DDA Authority for taking a decision.
3. The view of DPG as conveyed by letter.No. DPG/U/2002/99, 233 and 48 dated 21.12.2005 from Sh. Rajeev Talwar, Director, Cabinet Secretariat (DPG) are placed at ~~Appendix~~-C Page No. 36 to 39 .

The matter is placed before the Authority for taking a final decision keeping in view the issues raised by DPG as aforesaid in order to settle these pending DPG references with the Ministry. The following proposal is submitted as under:-

#### PROPOSAL

Keeping in view the modified terms and conditions of payment of BCI as per allocation letter, as were intimated to all the allocatees/allotees of the SFS flats and policy guidelines issued from time to time on the subject, the policy of payment of belated construction interest restricted up to the bulk date of issue of demand cum allocation letters (5<sup>th</sup> and final demand) for SFS flats need not be reviewed.

#### RESOLUTION

Sh. Mahabal Mishra indicated that the points raised by the Cabinet Secretariat should have been highlighted in the agenda note.

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



Item No.  
71/2005

**Sub:- Payment of Belated Construction Interest beyond 30 months upto the bulk date of issue of demand-cum-allotment letters for SFS flats.  
F.178(184)93/SFS/JL-II.**

In order to provide housing facilities to the public at large, DDA, has been floating various housing schemes. One such housing scheme was Self Financing Scheme. Under this scheme, allocatees of a particular SFS were required to pay 90% of estimated cost in four half yearly installments. The balance of 10% of the estimated cost and actual increase in the cost of construction was payable after completion of the flats.

2. Normally, flats under these various SFS were required to be completed by the DDA within a period of two and half years. Sometimes due to unforeseen reasons, completion of the project/houses was delayed. Initially, DDA was allowing interest on account of late construction at the rate of 7% P.A. for the first 6 months and 10% for the subsequent months on the deposits of the allocatees if the DDA was not able to provide specific allotment within 30 months of the allocation. Such interest was payable for the period beyond 30 months of construction time.
3. The registrations for SFS were made on several occasions and every time brochures for the scheme were issued. These different brochures contained different provisions with regard to payment of BCI. In some case, the rate of interest was 7% P.A. and 10% P.A. for first 6 months and subsequent months respectively while in others it was 7% P.A. uniformly. Similarly, while issuing allocation letters, a condition with regard to BCI therein sometimes differed with the provision in the brochures. In order to maintain uniformity, it was decided in the year 1991 to allow BCI @ 7% P.A. for 6 months and 10% P.A. thereafter, beyond a period of two and half year. The BCI was being allowed up to previous months of the issue of 5<sup>th</sup> and final demand letters in bulk in a scheme/pocket.
4. In 1987, a booklet titled as "Principal issues relating to allocatees/allottees of the flats" was published and circulated. Para-14 of this booklet regarding SFS envisaged that if the Department was not in a position to hand over the possession of the flat after the allottee made the payment of the final demand due to non completion of the flat or other reasons attributable to DDA, the interest on deposits of the allottee would be paid up to the date of taking over possession of the flat or the date on which the flat was ready for taking over the possession whichever was earlier. The interest could be paid in such cases only after taking report at the level of Superintending Engineer concerned.

5. Subsequently, the above provision was changed in allocation letters issued in and after 1991, wherein BCI has to be paid up to bulk date only as mentioned in para 3 above.

6. The concept of payment of BCI up to the date of issue of 5<sup>th</sup> and final demand letter in bulk has also been upheld by the Ld. Single Judge of the Hon'ble High Court of Delhi vide his verdict dated 8.5.01 in the case titled as Residents Welfare Association V/S Delhi Development Authority in CW No. 1640/2000. In this judgement, the Hon'ble Court has clearly mentioned that the bulk date of a particular Pocket would continue for a whole year, which in fact, upholds the provisions of our policy dated 31.3.1999.

7. The following three allottees have, however, made references to the Deptt. of Public Grievances, Cabinet Sectt., Govt. of India for making payment of BCI up to the date of handing over of physical possession at site as provided in the brochure for registration of the Self Financing Scheme. The details of these allottees are given below:-

Sl.No	Name	File No.	Remarks
1.	Sh. Gulshan Rai Chugh	F.178(184)/93 /SFS/JL-II	Sh. Gulshan Rai Chugh, a registrant of 6 <sup>th</sup> SFS was allocated a Cat-II flat in Block-8 on 3 <sup>rd</sup> floor in Jasola. The allocation letter was sent in Block dates 6.4.93 - 8.4.93. He made payment of all the four installments as such he was allotted flat No. 23-T, Sector-8 and 5 <sup>th</sup> and final demand letter dated 14.9.98 was issued to him. He made the payment of demanded amount and furnished the required documents on 10.12.98. After completing the formalities, possession letter was issued on 11.2.99. He has taken over physical possession on 10.5.99. The bulk date for Jasola was 4.9.98.
2.	Sh. Kulbhushan Suri	F.178(358)/91 /SF/JL/II	Sh. Kulbhushan Suri a registrant of 5 <sup>th</sup> SFS was allocated a Cat-II flat in Block -8, 2 <sup>nd</sup> floor, Jasola through draw held on 6.12.91. Demand-cum-allocation letter was sent in block dates 26.12.91 - 31.1.2.91. On receipt of all the four installments, he was allotted flat No. 100, Sector-8, Jasola and 5 <sup>th</sup> and final demand letter was issued on 11.9.98. He completed the formalities on 12.11.98 and possession letter was issued to him on 28.1.99. He has taken over physical possession of flat on 26.4.99. The bulk date in this case also was 4.9.98.

3.	Sh. H.P. Wagle	F.160(124)/91 /KL/III	Sh. Wagle, registrant of 6 <sup>th</sup> SFS was allocated a Cat-III flat in Block-G, 1 <sup>st</sup> floor through draw held on 30.4.91 and allocation cum demand letter was issued in block dates 27.5.91 - 31.5.91. He made the payment and was allotted flat No. D-31 B, 1 <sup>st</sup> floor, Kondli Gharoli and 5 <sup>th</sup> and final demand letter dt. 10.9.96 was issued to him. He completed the formalities on 9.4.99 and possession letter was issued on 30.8.99 after completing the formalities. He has taken over physical possession on 23.11.2000. The bulk for this pocket was 9/96.
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8. Perusal of their allotment files reveal that payment of BCI in all the above three cases have been made strictly, as per the terms and conditions appended with the demand cum allocation letter.

9. Moreover, the Self Financing Scheme has since been discontinued and no fresh allocations are being made under this scheme. Any deviation from the policy guidelines in vogue governing payment of BCI at this belated stage will not be desirable and will also have financial implications.

10. In the meeting held on 12.8.05 with Secy.(C&PG), Cabinet Sectt., Govt. of India, a view was taken that the case be placed before the Authority for final decision. In order to settle the old pending few references in the Ministry, the following proposals are submitted please:-

#### PROPOSAL

Keeping in view the modified terms & conditions of payment of BCI as per allocation letter, as were intimated to all the allocatees/allottees of SFS flats and policy guidelines issued from time to time on the subject, the policy of the payment of belated construction interest restricted up to the bulk date of issue of demand cum allotment letters (5<sup>th</sup> and final demand) for SFS flats need not to be reviewed.

#### RESOLUTION

DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of the Delhi Development Authority held on 19th October, 2005 at 10.45 A.M. at Raj Niwas.

Following were present :

CHAIRMAN

- 1 Shri B.L. Joshi  
Lieutenant Governor, Delhi

VICE-CHAIRMAN

- 2 Shri Dinesh Rai

MEMBERS

3. Shri A.K. Patnaik  
Finance Member
4. Shri Mahabal Mishra, MLA
5. Shri Jile Singh Chauhan, MLA
6. Shri Mange Ram Garg, MLA
7. Shri Virender Kasana  
Councillor, MCD
8. Shri P.K. Pradhan  
Jt. Secretary, MOUD

SECRETARY

Shri V.M. Bansal  
Principal Commissioner-Cum-Secretary

SPECIAL INVITEES & SENIOR OFFICERS

1. Shri G.S. Patnaik  
Secretary to LG
2. Mr. V.K. Sadhu  
Principal Commissioner, DDA
3. Shri R.K. Vats,  
Commissioner (LM), DDA
4. Shri R.K. Singh  
Commissioner (LD), DDA
5. Shri Sunil Sharma  
Commissioner (Personnel)
6. Shri A.K. Jain  
Commissioner (Planning), DDA

7. *Shri V.D. Dewan*  
*Chief Architect, DDA*
8. *Mrs. Asma Manzar*  
*Commissioner (Housing), DDA*
9. *Shri R.C. Kinger*  
*Chief Engineer*
10. *Shri S.C. Sharma*  
*Chief Engineer (HQ)*
11. *Shri J.P.S. Chawla*  
*Chief Accounts Officer, DDA*
12. *Shri S.K. Goyal*  
*Financial Adviser (Housing)*
13. *Shri C.K. Chaturvedi*  
*Chief Legal Adviser*
14. *Shri V.P. Rao*  
*Pvt. Secy. & Addl. Secy. to LG*
15. *Shri Alok Swaroop*  
*OSD to LG*
16. *Smt. Neemo Dhar*  
*Director (PR), DDA*
17. *Shri D. Sarkar*  
*Director (Sports) DDA*
18. *Shri D.P. Dwivedi*  
*Director (Vigilance), DDA*
19. *Shri B.K. Jain*  
*Director (Planning), DDA*
20. *Shri Prahlad Singh*  
*Director (LC), DDA*
21. *Shri J.B. Kshirsagar*  
*TCP, TCPO*
22. *Shri J.N. Burman*  
*Jt. Director, NCRPB*
23. *Shri Madhukar*  
*Jt. Secretary (UD, GNCTD)*
24. *Shri R. Srinivas,*  
*Associate TCP, TCPO*
25. *Shri I.P. Grover*  
*AAO (Projects), DDA*

The Lt. Governor welcomed the new Vice-Chairman DDA Shri Dinesh Rai.

LG also expressed a hope that DDA will work efficiently, without any vested interest, and create a better public image for itself.

The LG pointed out that the agenda items should be circulated well in advance and only those items may be circulated at the last minute where there are very urgent reasons.

Shri Mange Ram Garg's comment that DDA's image has improved in the recent times and public now have more confidence in its working was taken note of by the House.

ITEM NO.63/2005

Sub: Confirmation of the Minutes of the Meeting of the Delhi Development Authority held on 19.7.2005.  
F.2(2)2005/MC/DDA

Amendments were proposed by Shri Virender Kasana and Shri Mahabal Mishra to the minutes recorded against item nos. 56/2005 and 61/2005 which were discussed in detail as below:

(a) Item No. 56/2005 - Shri Kasana pointed out that all the suggestions given by him had not been recorded in the minutes. He pointed out that before bringing any cadre review proposals to the Authority it is necessary that 'general principles' are first laid down and the same principles should be uniformly applied on all the cadres/employees so that disparities amongst various cadres of either getting promotions within 5 or 15 years do not crop up.

The Lt. Governor drew attention to para-1 of the draft minutes at page-10 and pointed out that this exercise should have been completed by now. The LG directed that broad principles for conducting cadre reviews should be brought before the next meeting of the Authority, whereafter cadre review proposals of all the cadres should be uniformly framed in the light of such general principles.

(b) Item No. 61/2005 - Shri Mahabal Mishra and all the non-official members pointed out that departmental officers should have the first right to appointment against posts in the DDA if they have sufficient experience, knowledge and skills and that officers from CPWD should not be brought on deputation for the post of Engineer Member, DDA as the DDA Chief Engineers have necessary experience and qualification.

The LG pointed out that these appointments are made by the Central Government and the Authority should accept the Government's decision but that the above views will be conveyed to the Ministry of Urban Development.

II Minutes of the Authority meeting held on 19<sup>th</sup> July, 2005 were confirmed subject to the above amendments/observations.

III The Lt. Governor drew the attention to Para-9 of the draft minutes at page-9 and desired to have a paper on the subject in the next meeting of the Authority.

(i) Informing about action on para (i) of "Other Points" at page-13 the Principal Commissioner informed that amended Circular shall be issued shortly.

(ii) The LG was assured that a report on Para(ii) of "Other Points" a page-14 shall be submitted within a week.

(iii) Commissioner (Lands Management) informed that report on Para (iv) of "Other Points" had been submitted to the LG.

(iv) Chief Legal Adviser assured the LG that time bound review pending Court cases was being conducted and the matter shall be brought in the next meeting of the Authority.

(v) Regarding action on Para-2 of "Other Points" at page-14 - it was decided that DDA may allot alternate residential plots on road with road width upto 13.5 mtrs. so as to clear the backlog. The Vice-Chairman assured of early follow-up action in the matter.

ITEM NO. 64/2005

Sub: Departmental proceedings against Shri Radha Krishan, EE (Retd.) Date of Retirement - 30.6.2004.  
F.27(46)04/Vig./DC

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

- b) The LG expressed his concern over the fact that departmental proceedings remain pending for unduly long periods of time at one or the other level, which was a serious matter and sought information about all cases where major or minor penalty proceedings are pending before the next meeting of the Authority.

ITEM NO. 65/2005

Sub: Departmental proceedings against Shri Vijay Kumar, EE (Retd.), Date of Retirement - 24.2.2003.  
F.26(24)93/Vig./DC.

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

ITEM NO. 66/2005

Sub: Departmental proceedings against Shri G P Pandey, UDC (Now Asstt. Retd.) - Date of Retirement - 31.5.2004.  
F. 27(10)2002/Vig./DC

Proposals contained in the agenda item were approved by the Authority

ITEM NO. 67/2005

Sub: Departmental proceedings against Shri Radha Krishan, AE (now EE, Retd.) Date of Retirement - 30.6.2004.  
F.27 (Misc.)GC-417/2K/AVO/Bldg.

Proposals contained in the agenda item were approved by the Authority



ITEM NO. 68/2005

Sub: *Permission of Govt. Hospital by adjustment of use premises in Resettlement Scheme at Hastal.*  
F.20(12)05-MP.

*Proposals contained in the agenda item were approved by the Authority*

ITEM NO. 69/2005

Sub: *Modification in the MPD-2001 with regard to Development Control norms for Hotels.*  
F.20(4)05-MP/Pt.I

*Proposals contained in the agenda item were approved by the Authority with the direction that these development control norms shall be applicable only to the new hotel sites.*

ITEM NO. 70/2005

Sub: *Departmental proceedings against Shri Nathu Singh, EE (Retd.).*  
Date of retirement - 24.2.2003.  
F.27(91)/92/Vig./DC

*Proposals contained in the agenda item were approved by the Authority*

ITEM NO. 71/2005

Sub: *Payment of Belated Construction Interest beyond 30 months upto the bulk date of issue of demand-cum-allotment letters for SFS flats.*  
F.178(184)93/SFS/JL-II

*After detailed discussions, the Authority approved the proposals contained in the agenda item.*

ITEM NO. 72/2005

Sub: *Change of land use of 1.60 ha. land from Rural (A-3) Public & Semi Public use (PS I Hospital Cat-B) at Burari (Kaushik Enclave) in zone -P.*  
F.13(4)2000-NP

*Proposals contained in the agenda item were approved by the*

D-PC  
CCH  
4(2)2003

भारत सरकार  
लोक शिकायत निदेशालय  
मंत्रिमण्डल सचिवालय  
सरदार पटेल भवन  
नई दिल्ली-110001  
GOVERNMENT OF INDIA  
DIRECTORATE OF PUBLIC GRIEVANCES  
CABINET SECRETARIAT  
SARDAR PATEL BHAVAN  
NEW DELHI-110001

DPG/U/2002/00099  
DPG/U/2002/00233  
DPG/U/2003/00048

21 Dec 2005

226/2/PR  
27/12

To  
Sh. Anil Baijal  
Secretary  
Ministry of Urban Development  
Nirman Bhavan, New Delhi

Attn : S. Aparna, Director (DD)

Sri (P.R.)

Mun

Dear Sir,

Subject: Grievances of Shri Gulshan Rai Ghugh, Sh. HP Wagle & Sh. Kulbhushan Suri

Kind reference is invited to Director (DD), MoUD letters dated 13.12.2005 issued from file Nos. K-11011/04/05-DDIII/VolIII & No.2532/DDR/2003-DDIIA/III drawing reference to DDA letter no. F 178(184)93/SFS/JL-II dated 17-11-2005, enclosing copy of the Minutes of the Authority's meeting held on 19.10.2005 with respect to the above cases. The matter has been examined.

2. The Authority's Minutes dated 19.10.2005 state that para-14 of the booklet published by DDA in 1987 "Principal issues relating to allocatees/allottees of flats" providing for payment of interest beyond the bulk date in certain situations relating to non completion of flat or other reasons attributable to DDA, stood modified by the allocation letters issued on or after 1991 wherein the BCI had to be paid up to the bulk date only.

2a. The claimed policy modification has not been substantiated by DDA. If the Authority had decided earlier that belated construction interest was payable beyond the bulk date in certain well defined situations, there would logically be a subsequent decision of the same Authority specifically amending this policy. No such subsequent specific decision has been placed on record.

2b. Moreover, the claim of DDA that subsequent allocation letters modified the policy published in 1987 is not supported by the terms and conditions of the allocation letters themselves. It is stated in para 4 of the terms and conditions of Self Financing Scheme allocation letters (issued to the complainants) - "No time frame by which the construction of the flat will be completed can be communicated, normally it takes two & a half years period for completion of the project. Sometimes, due to unforeseeable reasons completion of project may get delayed, for delay beyond 30<sup>th</sup> month up to 36<sup>th</sup>"

23/12/05  
27/12/05

Urgent.

Mun  
27/12

AD/PC  
27/12/05  
Mr. MacLach  
27/12/05

*month till issue of demand letter for 5<sup>th</sup> and final installment, the allottees shall be paid interest @ 7% pm and beyond 6<sup>th</sup> month interest will be paid 10% on his/her deposit".*

2c. The said para 4 of allocation letter makes it clear that the issue of the 5<sup>th</sup> and final demand letter (which is determinative of the bulk date) is intrinsically linked to completion of the project i.e. the project should stand completed on the bulk date. If, for any reason, the project is not complete and yet 5<sup>th</sup> & Final Demand letter is issued, it implies that the 5<sup>th</sup> & Final demand letter was issued before completion of the project. The policy relating to payment of interest (in para 4 of the allocation letter) cannot obviously cater to a situation where bulk date has been 'prematurely' determined. In such a situation, it is obviously incongruous to limit BCI to a bulk date when project was not complete. The cut off date would have to be at a point in time after the said bulk date. Thus, even as per the allocation letters the bulk date (date of issue of 5<sup>th</sup> & Final demand letter in bulk) can only follow the completion of the project and a prematurely determined bulk date cannot be used to deem the project as having been completed. It is such situations which the booklet of 1987 covered.

2d. The above logic is further supported by the fact that -

2di. DDA fully recovers the cost of the flat in terms of the 5<sup>th</sup> and Final demand letter. This cost includes not only the cost of the flat *per se* but also costs towards drainage, pump houses, development expenditure, provision of basic amenities like water etc. The (nature of) contract is between the DDA and the individual allottee. Thus, a flat or the project cannot be said to be complete in the absence of electricity and/or water supply.

2dii. Autonomous Organizations under the MoUD, such as the CGEWHO never issue the final demand letter to their self financing clients unless water and electricity is available to their projects. Can DDA issue the 5<sup>th</sup> & Final Demand letter and thereby determine the bulk date prior to water and/or electricity being available for supply to the project / project completion?

2diii. In 2000(3)CPR 4 (MRTP) RS Yadav Vs DDA, the MRTPC directed DDA to pay interest, inter alia, for the period a flat remained without water and electricity even after possession was handed over to the applicant. The MRTPC held in this case that flat could not be considered to be completed and fit for human habitation without water and electricity.

2div. Moreover, the Minutes of the Review Meeting [chaired by Secretary (C&PG), Cabinet Secretariat, Rashtrapati Bhavan on 12-8-2005] clearly recorded the acceptance on the part of Commissioner (Housing), DDA that a flat could not be taken as ready till electricity and water supply are available in the area. The said review meeting was attended, inter alia, by Joint Secretary (Delhi Division), Ministry of Urban Development. The said Minutes were circulated with Secretary (C&PG), Cabinet Secretariat's approval vide letter DPG/U/2005/Review dated 12/17.8.2005, inter alia, to Secretary (MoUD) and VC, DDA.

3. Minutes of the Meeting of the Authority held on 19.10.2005 show that DDA has relied on a judgment dated 8.5.2001 in CW No.1640/2000 of the Hon'ble Delhi High Court, which according to DDA accepted that bulk date would apply to a pocket for a whole year and that this supported DDA policy of 31.3.1999.

3a. Again it may be mentioned that the policy of 31.3.1999 does not change the wording of para 4 of the allocation letters, hence its effect on the three cases at hand is not very clear.

3b. However, as far as the judgment of the Hon'ble Delhi High Court is concerned, it relates to cases of delayed issue of 5<sup>th</sup> & Final Demand letters and, in fact, supports the case of the three complainants. Bulk date was determined (by DDA) in the cases before the Court as 31.8.1994 while issue of the 5<sup>th</sup> & Final demand letters continued over a period of over 3 years beyond 31.8.1997. The Court decided to extend the bulk dates depending on the date of issue of the 5<sup>th</sup> & Final demand letters and thus ordered, with DDA agreeing, to have multiple bulk dates as 31.8.94, 31.8.95, 31.8.96, etc with consequential additional payment of BCI by DDA.

3c. Now, the facts of three cases at hand are that clear evidence has been provided by DDA in its reports to DPG that water and/or electricity were supplied to the flats/project(s) more than a year after their respective bulk dates (as determined by DDA). The details are as follows -

3ci. Gulshan Rai Chugh, Sector 8, Jasola :- Bulk date 4.9.1998, Date of water supply after electrification of pocket 20.12.1999 [water bill raised by DDA and DDA letter No. 178 (184) 1993/SFS/JL - II dated 14.1.05]

3cii. Kulbhushan Suri, Sector 8, Jasola:- Bulk date 4.9.1998, Water supply date 20.12.1999 [water bill raised by DDA and DDA letter No. 178 (184) 1993/SFS/JL - II dated 14.1.05]

3ciii. HP Wagle, Pocket D, Kondli Gharoli :- Bulk date 31.5.1996, Electrification technically available 3.11.1997, Water supply 31.1.1998 [DDA UO No. 160 (124) 91/SFS/KL III dated 19/22.3.04]

3d. In the above circumstances, even if DDA believes that the said judgment dated 8.5.2001 mentions that bulk date of a particular pocket shall continue for a whole year, yet in the cases at hand basic water and/or electricity supply became available after more than 1 year from the respective bulk dates. Therefore, even if one goes by DDA's interpretation of the said judgment of Delhi High Court, BCI would be payable for an additional 1 year in respect of each of the 3 cases under examination.

[Note- If however, the policy of 1987 is applied, the result would be different - Even while further BCI would be payable it can be restricted till the date of taking over possession if this date is prior to the date of completion of project i.e. date of supply of water and/or electricity].

4. The Authority's Minutes of 19.10.2005 indicate that DDA did not place the above issues (which DPG has brought to DDA's/MoUD's notice much earlier) before

the Authority. DDA appears to have presented its own view point alone. We may be corrected if this conclusion is incorrect.

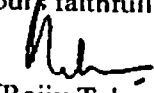
5. It is relevant to mention that DDA had earlier informed that a number of cases filed in the year 2000 and 2001 were pending in MRTP Commission where allottees in Jasola locality were seeking similar relief. DPG had requested MoUD and DDA to substantiate this similarity and provide documentation to support its view. DDA was also asked to inform its stand before the MRTPC and to clarify if its arguments were on merits or on the point of jurisdiction. This aspect has not been replied.

6. Further, DPG had requested MoUD & DDA to provide copies of such Delhi High court orders where the issue was similar to the cases at hand i.e. where the Delhi High Court had dealt with a case where bulk date was determined prior to flats/project being complete in terms of provision of electricity and/or water supply. Information on this aspect has not been received.

7. Lastly, with respect to Sh. Gulshan Rai Chugh, DDA's calculation of BCI payable to him (as per DDA's existing stand) was erroneous in the 5<sup>th</sup> & Final demand letter issued to him in Sep 1998. Therefore, DDA paid him additional BCI Rs.11833/- under its letter dated 13.12.1999. But DDA did not pay him interest on this amount for the period Sep 1998 to Dec 1999. On the other hand, DDA paid interest in a similar situation to Shri Kulbhushan Suri in terms of its Resolution 23/2004 dated 5.7.2004, which had been moved after DPG took up the matter. This dichotomy in stands adopted by DDA may please be examined.

8. All the above aspects were highlighted during review meeting held on 20.12.2005 in DPG. It is relevant to mention that norms require fair, judicious and timely speaking replies on all material aspects in citizens' grievances raised by them. MoUD is requested to keep this in view and to intervene with a speaking reply in the matter which DPG can submitted to Secretary (C&PG), Cabinet Secretariat.

Your faithfully,

  
(Rajiv Talwar)  
Director, Cabinet Secretariat  
Tel 23363886

Copy to -

Shri. Ditesh Rai  
Vice Chairman  
Delhi Development Authority  
Vikas Sadan, INA, New Delhi

Sh. N. Namasivayam  
Deputy Secretary (PG)  
Ministry of Urban Development  
Nirman Bhavan, New Delhi

Item No 129 /2006

**Sub: Setting up of Contingency Fund**

**File No. : F.6(67)06-07/Ac(N)/DDA**

**1. PRECIS**

i. Since its inception in 1957, Delhi Development Authority contributed significantly to the development of Delhi be it housing, development of greens, developments of Sports Complex, development of bio-diversity park etc. Housing colonies after development are handed over to MCD. But other projects like maintenance of greens maintenance of sports complex, etc. have remained with DDA. DDA has even spread its wings to the field of heritage etc. All this requires huge maintenance expenditure.

ii. Delhi Development Authority, formed in 1957, has on its roll 20,606 employees who perform the various functions relating to all projects those are undertaken by DDA. The massive project operations like Asiad '82 etc have necessitated this huge workforce. The annual liability towards establishment expenditure is of the order of Rs.213 crores (apprx.). Due to natural attrition, the workforce will shrivel in a few years; but still DDA will be left and needing a huge workforce to carry out its projects and also for maintenance of the projects which have been executed.

iii. DDA's financial health has been a story of sound health to bare survival. At present, DDA has been riding a wave of real estate boom and is in sound financial position. Land being a scarce and non-renewable source and DDA's projects being huge and numerous, the money at present invested may not last for ever. DDA's other source of revenue is housing, which is done on "no profit no loss" basis. Because of conversion policy the revenue from ground rent, which is annually in the vicinity of Rs.50 crores is drying up, licence fee etc are minor sources.

iv. Keeping the above scenario in view, it is proposed that a Contingency Fund of Rs.500 crores may be created, which will to some extent meet the future liabilities towards maintenance of projects including establishment expenditure for employees. The interest earned on this fund will be invested back in the Fund.

v. DDA should also explore other sources of revenue like joint venture in hotel projects on revenue sharing basis with private entrepreneurs.

vi. The investment of the Fund in different financial instruments will be done by the Investment Committee of DDA with the approval of the Finance Member.

## 2. PROPOSAL

i. It is proposed to set up a contingency fund of Rs. 500 crores to be utilized to meet the liabilities of DDA and / or its employees that would arise in future. Any interest income from investment would become part of the corpus. Any accretion to the fund in future would be made with the approval of VC, DDA.

ii. Committee headed by Hon'ble L.G. as Chairman and consisting of Vice Chairman, Finance Member, Engineering Member, Principal Commissioner, Principal Commissioner & Secretary and Chief Accounts Officer (as Member Secretary) would manage the fund.

3. Approval of the Authority is required on Para-2 above.

## RESOLUTION

Shri mahabal Mishra appreciated the proposals and suggested that funds should be separately earmarked for expenditure on maintenance of projects and on employees will always be given priority over project maintenance.

Shri Mishra suggested that funds should also be earmarked under other similar heads of medical re-imbusement etc.

contd....

ii) Shri Mahabal Mishra pointed out that DDA will not be left with any land after 2021. The DDA should, therefore, dispose of its properties on revenue sharing model as adopted by HUDCO and by the DDA in the case of Taj Hotel so that there is assured revenue generation of at least Rs. 1000 cr. per annum to the DDA on regular basis.

All the non-official members supported these suggestions.

iii) Shri Virender Kasana pointed out that in addition, DDA should run at least 50 clubs and 50 banquet halls under the revenue sharing model.

iv) Shri Mange Ram Garg pointed out that in its 50<sup>th</sup> year the DDA should re-assess its strengths and weaknesses and list its priorities for the next five years, launch people friendly schemes and clear the backlog of 1979 HUDCO Housing Scheme.

2. The Vice-Chairman appreciated the suggestions made by the members and assured that DDA could consider disposing of its properties through joint ventures wherever found feasible.

II. After detailed discussions, the proposals contained in the agenda item were approved by the Authority.

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Item No 130 /2006

Sub : Development Control Norms for Banquet Hall Sites in Delhi.

No:F.3(7)93/MP/

1. Various sites of banquet halls have been identified in lay out plan of Dwarka, Narela, Rohini Project and other areas. The Authority vide Item no. 75/2000 dt. 18.10.2000 laid down the guidelines for existing as well as proposed new banquet hall sites. Subsequently, these were referred to MOUD on 18.12.2000 for approval of issue of Public Notice under Section 11 A of DD act. Further, the matter was discussed in the meeting held under the chairmanship of Secretary(UD) GOI on 19.2.2002 and accordingly, the committee under the chairmanship of Member Secretary, NCRPB was constituted to give its recommendation in the matter. Subsequently, MOUD and PA vide DO.No. K-12016/2/2004-DDIB dated 29.4.04, conveyed that the committee under the chairmanship of Member Secretary, NCRPB was dispensed with and the group constituted by DDA to look into the matter afresh and work out the modalities for formulating policies on banquet halls in consultation with MCD and NDMC. The recommendations of the Committee formed by DDA were considered as a part of draft MPD-2021.
2. In draft MPD-2021, notified for public objections/suggestions vide No. 318(E) dt. 16.3.05, following provisions/development control norms for banquet halls have been given.
  - (i) One Banquet Hall of plot area 800 sqm. for one lakh population.
  - (ii) **Definition** : A premise to hold small public gatherings, community functions, marriages etc.
  - (iii) **Activities permitted** : Hall for small public gatherings, marriages, cooking facilities and other logistics.
  - (iv) **Development Control Norms for banquet halls.**
    - a) maximum ground coverage 33.33%.
    - b) Maximum floor area ratio(FAR) 75.
    - c) Maximum height- 15 Mtr.
    - d) **Other Controls** : In case of Banquet Hall,
      - a) 15% of the total floor area shall be allowed for residential purpose.
      - b) Parking 2 ECS/100 sqm. of floor area.
      - c) Basement below ground floor and to the maximum extent of ground coverage shall be allowed and is to be included in FAR calculations except equivalent to 30% of the ground coverage, if used for services/storage.
      - d) The basement(s) beyond the ground coverage shall be kept flushed with the ground and shall be ventilated with mechanical means of ventilation; and

- e) Basement(s) shall be designed to take full load of the fire tender, wherever required and subject to adequate safety measures.
- f) Parking area, if misused, is liable to be municipalized/taken over by the Local Body/Authority.

The proposed development control norms given above are submitted for consideration of the Authority.

**RESOLUTION**

- a) Commissioner (Planning) informed that the development control norms are proposed to be further liberalized as follows:-

Contd.....

- i) Plot Area 800 to 2000 sq.m. (as per availability of land).
- ii) Development Control Norms:
  - a) Max. Ground Coverage 33.33%
  - b) Max. FAR 100
  - c) Max. Height 26 mt.
  - d) Other controls:
    - i) Min. Parking @ 3 ECS per 100 sq.m. of floor area.
    - ii) Basements within the ground envelope of the plot (after leaving mandatory set backs), and if used for parking and services (max. 30% of the basement area), shall not be counted in FAR.
    - iii) Basement beyond ground coverage shall be kept flushed with ground and shall be ventilated with mechanical means of ventilation.
    - iv) Basements shall be designed to take full load of the fire tender wherever required and subject to adequate safety measures.
    - v) Parking area, if misused, is liable to be municipalized/taken over by the Local body/Authority.

It was clarified that the proposed norms are for the new sites awaiting disposal by the DDA.

- b) Shri Mahabal Mishra pointed out that the gist of public objections and suggestions on the subject should have been placed before the Authority. He asked for a rigid parking policy so that there is no overflow of vehicles on roads. He suggested that banquet halls should be maintained and operated by DDA as a social measure or run under the public private participation model. He suggested that banquet halls should be permitted on smaller plots measuring upto

400 sq.mtrs. and less on DDA plots and also permitted on roads which are declared commercial by the local bodies.

c) Shri Jile Singh Chauhan suggested that DDA should have open spaces in various use zones so that the same can be utilized for holding marriages and public functions.

d) Shri Mange Ram Garg pointed out that DDA should not auction any plot till it makes provision for all public utility services.

e) Shri Virender Kasana suggested that liberal norms should be prepared for the banquet halls in unauthorized regularized colonies and on the roads which are now being declared as commercial by the local bodies. He suggested that banquet halls should be permitted on DDA plots measuring 400 sq.mtrs. and above. Shri Kasana questioned the parking norms proposed in the agenda item and suggested increase in the FAR and removal of height restrictions. He sought provision of one banquet hall against every 10,000 population. Shri Kasana insisted that proper assessment of futuristic parking requirements should be made and development control norms so framed that the entire parking is provided inside the plot. He suggested that DDA should not auction these plots and may allot them on public private participation model or the build operate and transfer model. Shri Kasana suggested that DDA should construct banquet halls for the use of the poor people as a social responsibility.

2. The Vice-Chairman appreciated the suggestions made by the members and assured that DDA will consider constructing a number of banquet halls as a social measure.

II. After detailed discussions, it was decided that the proposals made by the members be examined in detail before taking final decision.

.....

**Item No. 131/2006**

Sub:- Change of land use of additional land allotted to Supreme Court of India at Pragati Maidan, New Delhi from 'Recreational' to 'Govt. Office'. (File No. F.3(81)/2006/MP).

**1. Background**

Vide letter no.L-II-11(396)/05/577 dated 4.8.2006 L&DO has allotted 12.19 acres of land at Pragati Maidan to Supreme Court of India for storage of records, office complex, Auditorium, litigants Hall and parking space etc. DDA has been requested to consider change of land use of the land allotted to Supreme Court from 'District Park' & 'Recreational' to 'Office' by L&DO vide letters dated 24.8.2006 and 12.9.2006

**2. Examination**

2.1 As per MPD-2001 and Zonal Plan of Zone-'D' land use of the site under reference is 'Recreational' (District Park). The site is located at the periphery of Lutyens' Bungalow Zone. Purana Quila which is a protected monument is located in the vicinity of the site. Presently Appu Ghar is running on the site and the ITPO has also requested for change of land use of present Pragati Maidan complex from 'Recreational' to 'Trade Fair Complex'.

The area of the site under reference, as per letter from L&DO, is 12.19 acres. The site has the following boundaries

North	Railway line/ Metro Station
East & South	Pragati Maidan Complex
West	Mathura Road.

2.2 The Site under reference is approachable from Mathura Road. As per L&DO allotment letter dated 4.8.2006, the land has been allotted on 'as is where is basis' subject to change of land use from 'District Park & Recreational' to 'Office'. It further states that the allotment is subject to the final decision of the court in pending litigation between ITPO and Appu Ghar. Recently land in this area was also allotted by the L&DO to DMRC for construction of Metro corridor and station.

**3. Technical Committee Recommendations**

The proposal of change of land use of the site under reference (12.19 Acres) from 'Recreation' to 'Government Office' was put up to Technical Committee on 26.9.2006. **Appendix A Page 45-46:** Technical Committee recommended the following :-

"The proposed change of land use be put up for consideration of the Authority".

**4. Proposal**

The proposal is submitted to Authority for consideration of the proposed change of land use.

**R E S O L U T I O N**

Shri Mahabal Mishra pointed out that the change of land use from District Park to Government office should not be done in a hurry.

II. The Authority, however, approved the proposals contained in the agenda item.

## APPENDIX 'A' to item No.131/2006

Technical Committee Agenda

Item No. 57 dt- 26-9-06

Sub:- Change of land use of additional land allotted to Supreme Court of India at Pragati Maidan, New Delhi from 'Recreational' to 'Govt. Office'. (File No. F.3(81)/2006/MP).

1. Background

Vide letter no.L-II-11(396)/05/577 dated 4.8.2006 L&DO has allotted 12.19 acres of land at Pragati Maidan to Supreme Court of India for storage of records, office complex, Auditorium, litigants Hall and parking space etc. DDA has been requested to consider change of land use of the land allotted to Supreme Court from 'District Park' & 'Recreational' to 'Office' by L&DO vide letters dated 24.8.2006 and 12.9.2006

2. Examination

As per MPD-2001 and Zonal Plan of Zone-'D' land use of the site is 'Recreational' (District Park). The site is located at the periphery of Lutyens Bungalow Zone. Purana Quila which is a protected monument is located in the vicinity of the site. Presently Appu Ghar is running on the site and it is to mention that ITPO is also requesting for change of land use of present Pragati Maidan complex from 'Recreational' to 'Trade Fair Complex'.

The following issues also need to be considered while examining the proposal change of land use :-

- (i) The allotment of land (12.19 acres) has been indicated on a copy of Zonal Plan of Zone -'D' which is under 'Recreational' land use and having the following boundaries

North	Railway line / DMRC corridor
East & South	Pragati Maidan Complex
West	Mathura Road.

- (ii) As per L&DO allotment letter dated 4.8.2006, the land has been allotted on 'as is where is basis' subject to change of land use from 'District Park & Recreational' to 'Office'. It further states that the allotment is subject to the final decision of the court in pending litigation between ITPO and Appu Ghar. It will desirable to ascertain the status of court case before finalizing the change of land use.

- (iii) Recently land in this area was also allotted by the L&DO to DMRC for construction of Metro corridor and station. A National Science Museum/ also existing on Bhairon Road, alongwith a Container Depot along the Railway Line.

- (iv) The proposal for change of land use and redevelopment plan submitted by ITPO were considered by the Technical Committee in its meeting held on 7.8.2006. The ITPO proposal was further discussed in a meeting held in 1.9.2006 under Principal Secretary, PMO where it was decided that an independent Traffic Consultant may be appointed by DDA to study the solutions suggested by the ITPO to decongest the traffic in and around Pragati Maidan.

Complex, which may be completed within three months. However, the central location of the site with surrounding high volume traffic generators, saturated flow conditions on the road network and the intersections, lack of facilities for traffic dispersal and the modality of the city level network configuration evidently do not justify putting up additional activities at the present location. Even with proposed grade separators and traffic management measures, the traffic situation at Tilak Marg - Sikandra Marg - Mathura Road intersection and ITO inter-section will only improve marginally given the constraints.

- (v) It may also be considered whether this change of land use is to be processed separately or alongwith the proposal of the ITPO for change of land use. Since most of the issues are inter related and common, it is suggested that a combined proposal for change of land use for both the cases be taken up after the completion of the comprehensive traffic study. It is also necessary that L&DO may get prepared a comprehensive plan of the area indicating lands with the ITPO, DMRC, National Science Museum allotted to Supreme Court of India and Railways/ Container Depot etc.
- (vi) The proposal would also require clearance from ASI, HCC as it is located close to Purana Quila. It would also require clearance from other statutory bodies such as MOEF etc.

### 3. Recommendations

The above proposal is submitted for the consideration of the Technical Committee.

#### TECH. COMMITTEE DECISION

The proposal was presented by AD (M) & OSD (Plg.) After the detailed deliberation, the Technical Committee recommended that the proposed change of land use, be put up for consideration of the Authority.

Action : OSD (Plg.)

Item No. 132/2006

- 47 -

Sub:- Agenda seeking one time relaxation in the recruitment regulations of Surveyors

File No. F.1(8)/96/PB.II

**Proposal in brief:**

The recruitment regulations for the post of Surveyors were approved by Authority vide resolution No. 43 (copy enclosed as Appindex 'A' Page No. 49 to 51 ) which provide for 100% direct recruitment. The sanctioned strength of Surveyors in DDA is 66 and against this only 33 surveyors are in position. Further 2 (two) posts have been proposed to be reduced by the Cadre Review which is yet to be finally approved by the Ministry. The remaining 31 posts which are required to be filled up, the break up of which are as under:-

Unreserved	:	16
SC	:	05
ST	:	02
OBC	:	08
<b>Total</b>	<b>:</b>	<b>31</b>

To fill up the backlog posts of SC and ST, a press notification has been issued in the leading newspapers as per the guidelines issued by the SC/ST Commission. Since, the post of Surveyor is 100% direct recruitment post, one time relaxation in the recruitment regulations is required to fill up the posts for General Category & OBC from the departmental candidates possessing the required qualifications. Further, one time relaxation is also needed in upper age limit and waiver of the requirement of two years experience condition.

**Background notes -**

In the present case it is proposed to fill up the vacancies of General and OBC categories from within the surplus W/C staff as well as other officials having required qualifications for the post of Surveyor. Further as per letter



dated 21.2.1990 (Appendix 'B' Page No. 52 ) . from the then Dy. Secretary, Ministry of Finance para - 2 states that " In terms of para 1(g) of Ministry of Finance, Department of Expenditure O.M.No.F.1(57)-E (Coord)/80 dated 20<sup>th</sup> November, 1980 surplus staff of Autonomous Bodies like the DDA is required to be adjusted against future vacancies and natural waste such as death, retirement, dismissal etc. Keeping this in view no fresh recruitment/deputation should be made unless otherwise it is inescapable due to statutory obligations or increase in the workload"

Hence in accordance with the above guidelines, surplus W/C staff /officials having required qualification are proposed to be adjusted against the backlog vacancies of surveyors.

**Financial Implications -**

The financial implications as worked out by the Finance Wing is that DDA will have to bear an additional burden of Rs.62220/- per month or say Rs.746640/- annually in case, we appoint the departmental candidates possessing the required qualifications. On the other hand if we appoint the candidates from open market the financial burden will be to the tune of Rs.267024/- per month or say Rs.3204288/- annually. Thus, if we appoint the departmental candidates, DDA can save an amount of Rs. 2457648/- annually. Moreover, we can also utilize our surplus W/c staff for a fruitful purpose. The financial implication as worked out by F&E branch is enclosed as Appendix 'C' Page No. 53 .

**Why the Authority's approval required-**

The recruitment regulations (Appendix 'A' ) does not authorize any officer to relax the eligibility conditions prescribed in the regulation. One time relaxation is sought in this case can be granted by the Authority.

**RESOLUTION**

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

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Sl. No. 43  
A.S. No. 79

Subject:- Recruitment rules for the post 'Surveyor'  
in the pay scale of Rs. 425-15-500-EB-15-560-  
20-700/-... G.O. F.1 (138)/78-GA-II-Pt.

P R E C I S

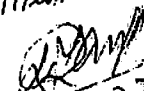
The Delhi Development Authority vide its Resolution No. 272 dated 29.3.1967 laid down certain principles for the recruitment and promotion of various categories in the authority. But the Recruitment Rules for the post of Surveyor could not be framed as no post of Surveyor was available at that time.

2. However, at present, we have 17 sanctioned posts of Surveyor and out of which 10 posts are lying vacant. The vacant posts were filled in by way of regularisation of work charged Surveyors. Now, in order to fill up the remaining posts it has become necessary to frame the recruitment rules first. Accordingly, draft recruitment rules for the posts of Surveyor have been framed in consultation with Director (City Planning) and Director Lands Management, DDA and these draft rules are kept at appendix 'F' pages 46 & 47.

3. The matter is now submitted before the Authority for their approval of the draft Recruitment Rules for the post of Surveyor as mentioned in appendix 'F'.

R E S O L U T I O N

Resolved that the draft Recruitment Rules for the post of Surveyor as appended to the precis, be approved.

Attested  
  
 Assistant Director  
 Meeting Room, DDA  
 7/2/06

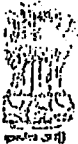
APPENDIX 'F' TO ITEM NO. 43.

RECRUITMENT RULES FOR THE POST OF SURVEYOR

Post	No. of posts	Classification	Scale of pay	Whether selection or non-selection post (for promotion posts only)	Method of recruitment whether by direct or by promotion.
1	2	3	4	5	6
Surveyor	17	Group 'C'	Rs. 425-700. (Rs. 425-15-500-EB-15-560-20-700)	Selection	100% direct Recruitment.

Age limit for direct recruitment only (Yrs).	Educational qualification required for direct recruitment	Period of probation if any.	Whether age & educational qualifications prescribed for direct rectt. will apply in case of duptationists.	In case of recruitment by deputation transfer grades from which deputation transfers to be made.	If a Departmental promotion committee exists what is its compositions.
7	8	9	10	11	12
18 to 25 years. Relaxable upto 5 yrs. in case of SC/ST candi- dates.	1) <u>Educational Qualification</u> One year Diploma/Certificate in Surveying from a recognised institution. 2) <u>Experience</u> 2 years in Survey Work.	One year	Yes	Rs. 425-700/-	Selection will be made by a Committee to be appointed for the purpose.

FOR OFFICE USE



CASIMIR XALIXO  
DEPUTY SECRETARY.  
Tel.No. 698291.

Dear Shri Gupta,

You are perhaps aware that various different Divisions/Wings of D.D.A. are under study by the Staff Inspection Unit of the Ministry of Finance. During the last few years, various studies of different Divisions/Wings of DDA have been completed and agreed reports issued. So far as Engineering Wing is concerned, SIU had issued agreed reports in respect of Horticulture, Circles IV and XIII of West Zone and Circles VIII & X of East Zone. The study of Circles XVII & III of West and East Zones respectively are in progress. You will observe that there is a lot of surplus staff in various categories in almost all Divisions/Wings of DDA. Even then, the DDA have been going ahead with fresh recruitment/deputation. We had requested Commissioner (Per.) vide Shri B.R. Goel, Deputy Secretary's D.O. No. 28/1/84-SIU dated 23.3.1989 not to fill up vacant posts or to create new posts. Recently DDA have issued Press Advertisement (copy enclosed) for recruitment of 14 posts of Assistant Engineers required for the Slum Wing. Perusal of our report pertaining to the Engineering Wing alone reveals that SIU have found inter-alia 3 surplus posts of Assistant Engineers. More such surplus posts are likely to be found by the SIU in other Divisions/Wings under study. There is also a strong possibility of locating surplus staff in other zones not studied by SIU because most of the development/construction works have been completed or are to be completed in the near future. Earlier also instances have come to our notice wherein additional posts (say in the Architectural Wing) were created/filled during the currency of the study or pending implementation of the various SIU reports in spite of our request not to do so.

2. In terms of para 1(g) of Ministry of Finance, Department of Expenditure O.M.No F.1(57)-E(Coord)/80 dated 20th November, 1980 surplus staff of Autonomous Bodies like the DDA is required to be adjusted against future vacancies and natural waste such as death, retirement, dismissal etc. Keeping this in view no fresh recruitment/deputation should be made unless otherwise it is inescapable due to statutory obligations or increase in the workload. Therefore, all proposals regarding creation of new posts or filling up of vacant posts in different Departments of DDA are required to be scrutinized scrupulously having regard to the surplus staff found by SIU and recruitment from outside need not be resorted to as far as possible.

.....P.2/-

-52-A

3. In pursuance of Ministry of Finance O.M. referred to above the SIU reports are required to be implemented within 3 months from the date of their issue. It has been observed that a large number of SIU reports pertaining to Stores Division (8/3/89), Public Relations (8/88), C.A.O. (29/3/89) and Vigilance Deptt. (7/88) remain unimplemented for an unduly long time. The SIU view this with concern. I would, therefore, request you to kindly take expeditious action to implement all the SIU reports. The progress on the implementation of such reports may also please be intimated in the quarterly report furnished to the SIU.

With kind regards,

Yours sincerely,

C. Xalxo

(CASIMIR XALXO)

Shri M.G. Gupta,  
Vice Chairman,  
Delhi Development Authority,  
Vikas Sadan, INA,  
New Delhi.

FINANCIAL IMPLICATION IN RESPECT OF RESEARCH CADRE OF DDA

Post	No. of posts	Existing Pay Scale of the officer	Mid point of the pay Scale +DP (50%) +DA(29%)	Expenditure	Official eligible [Pay Scale/No. : of post ]	Mid point of the pay Scale +DP (50%) +DA(29%)	Expenditure
1.	2.	3.	4.	5.	6.	7.	8.
Surveyors	24	4500-125-7000	MP 5750 DP 2875 DA 2501 <u>Rs. 11126</u>	Rs.267024/-	4000-100-6000 (No. of Post 12)	MP 5000 DP 2500 DA 2175 <u>Rs. 9675</u>	Rs.116100/-
					3050-75-3950-80-4590 (No. of post 12)	MP 3820 DP 1910 DA 1662 <u>Rs. 7392</u>	Rs.88704/-
				Rs.267024/-			Rs.204804/-

Excess Expenditure: Rs.267024/- - Rs.204804/- = Rs.62220/- per month & Rs.746640/- per annum.

M. S. S. S.  
29/1/06  
AAO (F&E)

Agenda Item : 133/2006

Subject: Allotment of alternative land for resitement of Petrol Pumps for war disabled persons and war widow.

File No. F.13(15)90/CRC/DDA

The Authority vide item No.33/2003 dated 20.6.2003 had approved the policy for allotment of Petrol Pump/Gas Godown sites as well as the policy of resitement.

Policy of resitement approved is as under:

1. Resitement will be made only when the existing Petrol Pump/Gas Godown site is utilized for a planning project/scheme which directly necessitates the closing down of the Petrol Pump/Gas Godown site. No resitement will be made on any other grounds as the Petrol Pumps will be disposed on annual license fee basis rather than on upfront payment, if an allottee does not fund the business lucrative due to certain other reasons, he can always chose to surrender the site.
2. In all cases of re-sitement, the existing rates for the new sites will be charged and the possession of the old site will be handed over to DDA.
3. The alternative site will be allotted through computerized draw from the available sites. For holding the draw at least 3 sites must be available on the date of holding the draw.

In pursuance of the above policy of resitement, a draw was held recently in respect of resitement case of one Capt. T.R. Taneja as his existing Petrol Pump site is required for DMRC Project. In the draw, Shri Taneja has got a site in Okhla Industrial Area. A number of representations have been received from Capt. Taneja that the proposed site at Okhla is not economically viable. He had also submitted a petition before the Committee on Petitions, Lok Sabha. Capt. Taneja was disabled in Indo-Pak war in 1971 and was allotted Petrol Pump on



compassionate ground under Directorate General Resettlement (Ministry of Defence) in 1975.

The Committee on Petitions, Lok Sabha took oral evidence of the representatives of the Ministry of Urban Development and DDA on 18.9.06 on the representation of Cap. Tancja. After detailed discussions, it was suggested that the DDA should formulate a policy of resettlement so that cases of war disabled persons who are given extraordinary dispensation at the time of allotment are relocated in a manner that benefit given to them earlier is not completely offset by relocation to a site where the business may not be financially viable. The matter has been deliberated. Petrol Pump sites are carved out as per the norms of Master Plan and not on the norms of economic viability as these sites are carved out considering not only the present demand but also the future requirement of the nearby population of the area. However, at the same time it has to be recognized that financial return at the relocated site will not be of the same magnitude as were of the previous sites where the business was established over a long period of time. Therefore, relocation to a new site will always result in resentment and consequential representations. But at the same time it is not feasible for DDA to allot Petrol Pump sites after carrying out economic viability of such sites. After considering the matter in detail it is considered that some dispensation has to be given to war disabled persons who are initially allotted Petrol Pumps on compassionate grounds at the time of relocation to the new sites. It is, therefore, proposed that following proviso may be added below the existing policy on resettlement :-

**Provided that in case of resettlement of Petrol Pump site operated by a war disabled person or a war widow who were initially given Petrol Pump site on compassionate ground, the draw of lots for resettlement will be held from amongst available Petrol Pump sites in the same zone where he/she is operating a Petrol Pump. Three sites will be included in the draw. Concerned person will be given an opportunity to give option for the three**

sites from within the available sites in the same zone for inclusion in the computerized draw. In case the number of sites available in the same zone are less than three then the draw will be held amongst the available site. Further, in case only one site is available in the same zone then the same will be allotted to the concerned person with the approval of V.C., DDA.

R E S O L U T I O N

- i) Shri Virender Kasana pointed out that the re-sitement policy which had been approved by the Authority on 20.6.03 should be not be amended to suit individual interests and modification, if necessary, should be carried out uniformly for all categories of applicants.
  - ii) Sh. Mahabal Mishra and other non-official members supported the proposals as these were meant for the welfare of the defence forces.
- II. Proposals contained in the agenda item were approved by the Authority.

Item No. 134/2006

SUB: - Appointment of Consultants for Games Village and Competition Venues to be developed by DDA for the Commonwealth Games, 2010.

F.9(31)SW/Coord/2005/DDA

1. PRECIS

The DDA has been assigned the responsibility of developing the Games Village, Competition Venues for table tennis, badminton and squash and some Training Venues for the Commonwealth Games, 2010.

The site for the Games Village measuring approximately 59 ha. is at Noida Mor adjacent to Akshardham temple. The Games Village is required to accommodate 8000 athletes and officials and would comprise of the Residential Zone, International Zone, Village Operations and Support Area (VOSA), Transport Mall and Practice Areas.

The Competition Venue for table tennis is to be developed at Yamuna Sports Complex and for badminton and squash at Siri Fort Sports Complex. Both these complexes would also provide some Training Venues for the Games.

DDA had decided to engage two Design Consultants, one for the Games Village and another for the Competition Venues.

Accordingly, the DDA had prepared a Request for Proposal (RFP) document seeking RFPs from reputed Indian/International companies/firms. Eight bids were received for the Competition Venues and twelve for the Games Village. The parties were technically evaluated on the basis of the Power Point Presentations made by them and RFPs. The financial bids of short-listed parties were thereafter opened for compiling their total combined marks obtained in the technical and financial bids.

Consortium led by M/s Suresh Goel & Associates (M/s SGA) and consortium led by M/s PeddleThorp Associates Pty. Ltd. (M/s PTA) were the highest ranked parties for the Games Village and Competition Venues respectively.

The highest ranked parties were called for negotiations and the negotiated fees are to be accepted for appointment of the Consultants.

2. PROPOSAL

The highest ranked party for the Games village, M/s SGA was called for negotiations during which M/s SGA has reduced their quoted fees of Rs.17.25 crores to Rs.15.66 crores.

The highest ranked party for consultancy of the Competition Venues, M/s PTA were called for negotiations during which M/s PTA has reduced their quoted fees from Rs.21.10 crores to Rs.16.60 crores.

Since the second ranked party for the Competition Venues, M/s WSP Management Consultants Ltd. had quoted fee of only Rs.4.57 crores and as per provisions of the RFP document if negotiations failed with highest ranked party, then DDA could invite the firm whose proposal received the second highest rank to negotiate the contract. CVC has given its concurrence to negotiate with the second ranked party as this provision had been included in DDA's RFP document.

However, a complaint against M/s WSP regarding malpractices of the firm in certain other international contracts was received. M/s WSP was asked to comment on the allegations made against the firm. M/s WSP have not denied the allegations made against them due to which it was not felt advisable to negotiate with M/s WSP.

Earlier the case had been put up to the L.G., Delhi for approval to engage M/s SGA as the Design Consultant for the Games Village. It had been desired that the approvals of the Ministry of Urban Development and the Committee of Secretaries' may be taken in this regard. The Ministry of Urban Development has intimated that functions relating to finalization of the technical and financial bids and engagement of consultants fall within the competence of DDA. The matter was also discussed in the COS meeting held on 31.10.2006. The details of the selection of consultants for the Commonwealth Games projects were intimated to the COS. The COS took note of the development.

As regards the rates for the consultancy work, this was deliberated by the High Powered Committee constituted by the DDA. Since projects of such international significance and magnitude have not been executed in the country in the recent past, it was not possible to compare the reasonableness of rates. Since the DDA had adopted a quality-cum-cost based evaluation procedure and since a competitive and transparent procedure had been followed it was felt that re-inviting tenders may not necessarily lead to offer of lower rates and would instead consume further valuable time.

The COS in its meeting held on 1.9.2006 has also decided that all construction activities should begin around April, 2007 before the onset of the monsoons and should be completed by November, 2009, well in advance of the commencement of the Games.

Opinion of M/s Event Knowledge Services (EKS) who are the consultants for the Organizing Committee (OC) and have expertise in such international events was also sought. Mr. Craig McLatchey, CEO of M/s EKS has intimated through fax that the rates in international bids for such projects in India should vary between 11-15% of the total project cost. The negotiated rate of M/s PTA for a project estimated cost of Rs. 190 crores is approximately 8.7% which is below the rate suggested by M/s EKS. M/s SGA which is the highest ranked party for the Games Village has also incidentally quoted the lowest financial bid.

Considering the above position regarding the rates and also as the time-lines decided for the projects by COS do not permit cushion of time for re-inviting bids at this stage, it is proposed that M/s SGA and M/s PTA may be engaged as Design Consultants for the Commonwealth Games Village and Competition Venues respectively at their negotiated rates.

3. APPROVAL

Since DDA is engaging consultants for projects of this magnitude for the first time approval of the Authority for the above proposal at para 2 is required.

R E S O L U T I O N

- i) Sh. Virender Kasana pointed out that the bid given by M/S WSP Management Consultants Limited should be considered, being highly competitive. He wanted to know whether sending the proposals to the Ministry and the Committee of Secretaries was necessary.
  - ii) Sh. Mange Ram Garg cautioned that the success of the DDA largely depends on the selection of the right consultants. Their antecedents should therefore be properly verified before approval.
  - iii) Sh. Mahabal Mishra and Sh. Jile Singh Chauhan supported the proposals given in the agenda item and pointed out that the selection of consultants had been correctly made.
2. The Finance Member explained that the proposals had been noted by the Committee of Secretaries and that the Ministries of Urban development and Sports have also been kept informed.
- After detailed discussions, the proposals contained in the agenda item were approved by the Authority.

Item No.

135/2006

60

Subject: Payment of Fixed Travelling Allowance/Fixed Conveyance Allowance/ Motor Car Allowance to the left out categories and enhancement of current rates of FTA/FCA/MCA and reimbursement of Conveyance Charges.

File No: FE 8(2)2000/ft.

### PRECIS

#### 1) Proposal in brief

The Vice-Chairman, DDA has constituted a Committee to examine quantum of FTA/FCA rates payable to various touring categories of officers/officials of DDA vide No.PA/F1 (1) 99/OSD(P)/DDA/Vol.II/287 dated 21-04-2006.

A meeting of the committee was convened on 18-09-2006 at 11.30 P.M. in the chamber of Finance Member, DDA (Chairman of the committee). The Committee after examination of facts and due deliberation has recommended that the rate of payment of FTA/FCA/MCA may be enhanced by 25% of the existing rates of FTA/FCA/MCA to all the existing eligible categories in DDA.

#### 2. Background Note:

On the issue of revision of existing rates, it is mentioned that as per Item No. 49/2002 the Authority had approved enhancement of 25% of existing rates w.e.f. 01-01-2002 inclusive of 15% interim increase already made provisionally by the order of Vice-Chairman, DDA.

In July, 2004, FTA/FCA committee reviewed the position of FTA/FCA/MCA being paid to the eligible categories. After detail examination and considering the Petrol price at the time of last increase in FTA/FCA/MCA i.e. on 01-01-2002 vide Authority Item No.49/2002 and considering the petrol price in July, 2004, there was an increase of 24.21% in petrol price. Against 24.21% increase in petrol price, provisional enhancement of 20% of the existing rates was given to all eligible categories – (i) Extensive Touring (ii) Normal Touring (iii) Occasional Touring and (iv) Marginal Touring w.e.f. 01-08-2004 vide E.O. No. 1200 dated 5<sup>th</sup> August, 2004.

Further on the recommendation of the committee dated 18-09-2006 a proposal was submitted to Hon'ble L.G. for provisionally enhancement of 25% in the existing rates to all the eligible categories of employees for FTA/FCA/MCA w.e.f. 01-09-2006. L.G. office has made observation and in reply to the observation made by L.G. office it has been clarified that FTA/FCA in DDA is not comparable with MCD and Delhi Jal Board. Moreover, nature of duties in respect of Engineering Staff and other Civil Staff is not at par with MCD and Delhi Jal Board Staff. In CPWD the staff are being paid FTA/FCA on kilometer basis. DDA Engineering Staff is looking after wider and larger area in comparison to MCD and Delhi Jal

Board. They are traveling much more than the officer of MCD and Delhi Jal Board Staff.

Further rates of FTA/FCA in MCD and Delhi Jal Board have not been revised after 1997 and 2001 respectively. In DDA FTA/FCA rates were enhanced provisionally in August, 2004. There have steep increases in Fuel Price from 2000-01 to 2006, therefore, the enhancement of rates in FTA/FCA/MCA has been proposed.

As recommended by the committee, if increase in FTA/FCA/MCA rates is to be given to all the eligible categories for payment of FTA/FCA/MCA w.e.f. 01-09-2006, i.e. enhancement @ 25% of the existing rates, Financial implication will be Rs.88.93 lac per annum (approximately).

3. WHY NEED AUTHORITY'S APPROVAL

L.G. has seen the case and desired that the matter may be placed before the Authority in its next meeting.

4. PROPOSAL

The approval of the Authority is solicited on the Para 2 above.

RESOLUTION

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

Item No.  
136 / 2006

62

Sub: Proposed change of land use for Redevelopment Netaji Nagar (Part) and Moti Bagh East (File No. F.3(107)/2006/MP).

File No.:- F 3 (107) 2006 MP

1.0 BACKGROUND:

Deputy Land & Development Officer vide letter no. L-II/A-11(657)06/834 dated 17.11.2006 has forwarded a request for the change of land use for an area of 49.80 hact. (about 123 acres) Netaji Nagar (Part) and Moti Bagh East and subsequently NBCC vide letter no. NBCC/RE/Netaji Nagar/2006/1266 dated 23.11.06 informed that the change of land use is required for this project (i) 19.53 hact. (48.25 acres) from 'Govt. Office' to 'Residential' and (ii) 1.62 hact. (4 acres) from 'Govt. Office' to 'Commercial'. In this regard Additional Secretary, UD has also taken meeting on 15.11.2006 and 20.11.2006 on the above subject, where it was desired that DDA may process the proposed change of land use.

2.0 EXAMINATION:

(i) Location -

The site under reference falls in the Zone-'D' (sub-zone of D-13), outside the Lutyens' Bungalow Zone. This site is bounded by

North	Railway Area
East	Netaji Nagar
South	24 mtr. RW Road and part of Ring Road.
West	Shanti Path (45.72 mtr. RW)

(ii) Status of land/site condition -

The L&DO is the Land owning agency and area is under the jurisdiction of the NDMC. As per site report Cement Stores, site office of CPWD, Govt. Quarters, NDMC Staff Quarter, Slums, Wireless Tower etc. are existing at site.

(iii) Land use :- As per MPD-2001 the land use is predominantly 'Government' (Govt. Offices) 35.53 hact. (87.76 acres) and 'Residential' 14.27 hact. (35.24 acres). The density prescribed for the area is 350 PPH (MPD-2001).

(iv) According to L&DO, the change of land use of 49.80 hact. (123 acres) is proposed to be divided as given below:-

- 19.53 hact. (48.25 acres) of area to be changed from 'Govt. office' to 'Residential'.
- 1.62 hact. (4 acres) of area to be changed from 'Govt. office' to 'Commercial'.
- Remaining area, Govt. offices (13.04 hact.) and residential (15.61 hact.) is envisaged to be developed as per MPD-2001.

3.0 TECHNICAL COMMITTEE RECOMMENDATIONS:

The above matter was discussed in the Technical Committee meeting held on 30.11.06. The Technical Committee desired that the proposal may be put up for consideration of the Authority.

4.0 PROPOSAL

The proposal is submitted to the Authority for consideration.

RESOLUTION

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



OTHER POINTS:

1. All the non-official members requested that the Regulations on payment of Charges towards Mixed Use Premises and Regulations on Payment of Betterment Levy and Penalty/Compounding Charges should be reviewed as the charges for conversion are beyond the reach of the common man.
2. Shri Mahabal Mishra pointed out that a large number of unauthorised colonies existing on the DDA land are in the process of regularisation. DDA should not count the land under these colonies as part of the 1400 acres land under unauthorised encroachment.
3. Shri Mange Ram Garg made the following suggestions :
  - i) All essential activities should be permitted in the DDA flats and the Group Housing Society flats.
  - ii) DDA should not auction any plots till it has made adequate provision for all essential public utilities like hospitals, schools, fire stations, cultural centers, old-age homes etc.
4. Shri Ishwar Dass pointed out that a plot measuring about 1200 sq.yds. near double storey flats of E, F, G blocks in Motia Khan has been lying vacant for a long time. Recently, the unauthorised encroacher on this land has lost the Court case. The DDA should change land use of this plot so that it can be used for providing public facilities. Till then the plot should be developed as green for holding public functions.


5. Shri Virender Kasana pointed out that:
- i) Shops/kiosks are being constructed on the green land in Okhla Industrial Area, Phase II without any approval by the Chief Architect or the concerned Chief Engineer.
  - ii) The office of the DDA's Hort. Deptt. functioning from Sheikh Sarai Ph.II should be shifted as it is located on a park.
  - iii) About Rs.80 lakh were spent on construction of a musical fountain in Hans Raj Sethi Park in Kalkaji by the PWD some years back. Shri Kasana wanted to know who gave the sanction for construction of fountain and why it is not being maintained after making such a huge expenditure. He wanted that it should be made operational.


II. It was informed by the Principal Commissioer-cum-Secretary that the Finance Member Shri A.K. Patnaik was going on a foreign posting and relinquishing his charge.

The Members and the Secretary listed the contributions made by Shri A.K. Patnaik and the Authority passed a resolution to commend the services rendered by Shri Patnaik to the Authority.

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

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