

D.D.A.

VOLUME NO. 239

Minutes of Meeting Refd

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To -

**DELHI DEVELOPMENT AUTHORITY
(COMMR. CUM. SECY'S OFFICE)**

List of the agenda items to be discussed in the
meeting of the Delhi Development Authority fixed for 14th 21st
January, 2002 at 11.30 A.M. at Raj Niwas, Delhi.
11'00

I N D E X

S.NO.	Item No.	Subject	Page No.
1.	1/2002	Confirmation of the Draft Minutes of the meeting of the Delhi Development Authority held on 31st August, 2001. <u>F.2(2)2001/MC/DDA.</u>	1-11
2.	2/2002	Amendment/modification in the Recruitment Regulations for the posts of Programmer-Cum-Console Operator, Assistant Director(System), Dy. Director (System) and Director (System) in DDA. <u>F.7(105)96/PB-I.</u>	12-17
3.	3/2002	Amendment of Recruitment Regulations for the posts of Managers/Assistant Managers/ Games Supervisors and Games attendants in Sports Wing in DDA. <u>F.7(94)95/PB-I/Vol. II.</u>	18-34
4.	4/2002	Zonal Development Plan(Draft) for Planning Zone-J (South Delhi-II). <u>F.4(1)98-MP.</u>	35-36 (Booklet)
5.	5/2002	Policy for utilisation of sites earmarked for the approved Layout Plans. <u>F.20(5)2000-MP.</u>	37-43
6.	6/2002	Constitution of 'Delhi Bio-diversity Foundation' under Section 5(A) of Delhi Development Act, 1957. <u>F.Dir. (LS)/Plg./2001/257</u>	44-49

1.	2.	3.	4.
7.	7/2002	The Costing of Flats by DDA- Moving from Actual Cost to Standard Cost. <u>F.21(1671)2001/HAC.</u>	50-55
8.	8/2002	Payment Verification-delegation of enhanced powers. <u>F.22(24)2001/Coordn-(H)/</u>	56-68
9.	9/2002	Rationalization of interest structure. <u>F.21(Misc.9)HAC/2001.</u>	69-76
10.	10/2002	Double allotment. <u>F.177(333)91/SFS/DW-II.</u>	77-86
11.	11/2002	Restoration issues/costing. <u>F.2(Circular)99/N&C(H).</u>	87-90
12.	12/2002	Approval of Survey Report in r/o Demolition of 4 SFS Flats(2Cat.III, 2 Cat.II) in Sector D, Pkt.III, Vasant Kunj. <u>F.EM.15(2)94/Pt.file/DDA</u>	91-98
13.	13/2002	Kathputli Pilot Project. <u>F.17(240)95/LMC/Pt.</u>	99-105 (Booklet)
14.	14/2002	DDA HRD Institute. <u>F.PS/Secy/Misc/2001/1691</u>	106-109
15.	15/2002	Revision of payment of fee to the Panel Lawyers of the Authority. <u>F.18(39)99/Legal/Admn.</u>	110-134

1.	2.	3.	4.
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16.	16/2002	Regularization of allotment of Residential plots in Shalimar Bagh to the allottees of shop plot in New Subzi Mandi Azadpur.	135-151
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F.16(160)75/LSB(R).

DELHI DEVELOPMENT AUTHORITY
(COMM. CUM. SECY'S OFFICE)

A list of supplementary agenda items to be discussed in the meeting of Delhi Development Authority fixed for 14th January, 2002 at 11.30 A.M. at Raj Niwas, Delhi. 21st 11:00

I N D E X

S.NO.	Item No.	Subject	Page No.
1.	17/2002	Introduction of VRS Scheme in DDA.	1-9
		<u>F.1(5)2001/P&G(P)/</u>	
2.	13/2002	Supplement to Kathputli Pilot Project. (Circulated vide page Nos. 99 to 105 of item no.13 main agenda).	10-18
		<u>F.17(240)95/LMC/PT.</u>	
3.	18/2002	Regarding basement for office building of 10C on the plot allotted in Sadiq Nagar by L&DO. & Policy for such provision in similar Govt. Building.	19-24
		<u>F.3(37)2000-MP.</u>	
4.	19/2002	Policy for permitting public and semi public facilities in rural use zone in Delhi within distance of 0.5 K.M. from rural settlement.	25-31
		<u>F.20(19)96-MP.</u>	
5.	20/2002	Regulations for setting up of petrol pumps in Rural use zone/Rural area in National Capital Territory of Delhi and amendments in MPD-2001.	32-42
		<u>F.7(23)67-MP.</u>	
6.	21/2002	Change of land use of an area measuring 28.3 hac (70 acres) from Agriculture and Water body (A-4) to PSP facilities (Police Firing Range) at Wazirabad Delhi.	43-49
		<u>F.3 (20)91-MP.</u>	

DELHI DEVELOPMENT AUTHORITY
(COMMR. CUM. SECY'S OFFICE)

A list of 2nd supplementary agenda items to be discussed in the meeting of Delhi Development Authority fixed for 21st January, 2002 at 11.00 A.M. at Raj Niwas, Delhi.

I N D E X

S.NO.	Item No.	Subject	Page No.
1.	2/2002	Appendix 'A' to item No.2/2002 (Revised).	1-5
2.	22/2002	Change of land use of an area measuring 9596 Sq.m. from 'Manufacturing use' to 'Public and Semi Public Facilities' (Sr. Secondary School 8996 Sq.m. Barat Ghar-600 Sq.m. <u>F.9(7)97-MP.</u>	6-11
3.	23/2002	Fixation of prices for 2001-2002. <u>F.25(29)2000/CE.</u>	12-13
4.	24/2002	Allotment of shops to reserved categories of Ex-servicemen. <u>F.25(23)2001/CE.</u>	14
5.	25/2002	Payment of deferment interest. <u>F.174(Misc.)95/SFS/DW/Pt.</u>	15
6.	26/2002	Payment of Belated construction Interest. <u>F.174(Misc)95/SFS/DW/Pt.</u>	16-17
7.	27/2002	Adjustment of payment on change of allocation and interest on earlier allocation cancelled. <u>F.174(Misc.)95/SFS/DW/Pt.</u>	18-19
8.	28/2002	Proposal to make Green Areas more user friendly and economically sustainable. <u>F.PA/Dir.(LS)/2002.</u>	20-30
9.	29/2002	Benevolent fund scheme for the DDA employees. <u>F.1(5)01/GIS/Policy.</u>	31-33

DELHI DEVELOPMENT AUTHORITY

Draft minutes of the meeting of the Delhi Development Authority held on January 21, 2002 at 11:00 AM at Raj Niwas

Following were present:

CHAIRMAN

- 1 Shri Vijai Kapoor
Lieutenant Governor, Delhi

VICE-CHAIRMAN

- 2 Shri P K Hota

MEMBERS

- 3 Shri Mahabal Mishra, MLA
- 4 Shri Kanwar Karan Singh, MLA
- 5 Shri Puran Chand Yogi, MLA
- 6 Km Devagya Bhargava
Councillor, MCD
- 7 Shri Prithvi raj Chand
Councillor, MCD
- 8 Shri A K Jha
Member Secretary [NCR] Planning Board
- 9 Shri K P Lakshmana Rao,
Finance Member, DDA
- 10 Shri R K Bhandari,
Engineer member, DDA

SECRETARY

Shri V M Bansal
Commissioner-cum-Secretary

SPECIAL INVITEES & SENIOR OFFICERS

- 1 Smt B Prasad
Secretary to LG
- 2 Shri R Narayanaswamy
Principal Secretary (UD)
Government of Delhi

- 3 *Shri V K Bugga*
Chief Planner, MCD
- 4 *Shri B K Arora*
Town & Country Planner, TCPO
- 5 *Shri Parimal Rai*
Chief Vigilance Officer/Commissioner [LM]-I, DDA
- 6 *Shri Sunil Sharma*
Commissioner [Personnel], DDA
- 7 *Shri Vijay Risbud*
Commissioner [Planning], DDA
- 8 *Shri A M Sharan*
Commissioner [LD], DDA
- 9 *Shri R Chauhan*
Chief Accounts Officer, DDA
- 10 *Shri S K Tandon*
Chief Legal Adviser, DDA
- 11 *Shri C L Aggarwal*
Chief Architect, DDA
- 12 *Shri S P Rustogi*
Chief Engineer [Rohini], DDA
- 13 *Shri S C Aggarwal*
Chief Engineer [SWZ], DDA
- 14 *Shri S M Madan*
Chief Engineer [HQ], DDA
- 15 *Shri Alok Swaroop*
OSD to LG
- 16 *Shri Atul Rai*
Director [LC], DDA
- 17 *Shri S K Goyal*
Financial Adviser [Housing], DDA
- 18 *Shri D P Dwivedi*
Director [Housing]-II, DDA
- 19 *Shri Arvind Kadyan*
Director [Vigilance], DDA

[3]

- 20 *Smt Savita Bhandari*
Director [Landscape], DDA
- 21 *Shri Ashok Kumar*
Director [Rohini], DDA
- 22 *Shri D Sarkar*
Director [Sports], DDA
- 23 *Shri B N Singh*
OSD [Housing], DDA

Draft minutes of the meeting of the Delhi Development Authority held on January 21, 2002 at 11:00 AM at Raj Niwas

ITEM NO.1/2002

Sub: Confirmation of the draft minutes of the meeting of the Delhi Development Authority held on 31st August 2001.
F.2[2]2001/MC/DDA

Minutes of the Delhi Development Authority meeting held on 31st August, 2001 were confirmed with the addition of the words "allotment of" before the words "old undisposed of units" in the second line of Item No. 53/2001.

Decision on agenda item no. 53/2001 will now read as under :-

"Proposals contained in the agenda item were discussed in detail and approved, subject to the decision that reserve price in the case of allotment of old undisposed of units should be kept at Rs. 9830/- per square meter, instead of average tender price, in view of the past experience and the market conditions."

ITEM NO.2/2002

Sub: Amendment/modification in the recruitment regulations for the posts of Programmer-cum-Console Operator, Assistant Director [System], Deputy Director [System] and Director [System] in DDA.
F.7[105]96/PB-I

It was felt that acceptance of proposals may block the promotion avenues of the existing staff. Such changes in the Recruitment Regulations should be made only if they were necessary for the nature of responsibility really involved in the job/post. It was, therefore, decided that the proposals should be re-examined by the Vice-Chairman in consultation with outside experts to decide the requisite qualifications needed for the job.

ITEM NO. 3/2002

Sub: Amendment of recruitment regulations for the posts of Managers/Assistant Managers/Games Supervisors and Games Attendants in Sports Wing in DDA.
F.7[04]95/PB-I/Vol.II

Proposals contained in the agenda item were approved with the modification that the applicants "should not merely have reasonable knowledge and interest in sports", they should have played and had some real involvement in the field of sports.

On a suggestion by Shri P.C. Yogi and Shri Mahabal Mishra, the LG informed that DDA was itself exploring the possibility of a full time senior officer looking after sports activities.

ITEM NO.4/2002

Sub: Zonal development plan [draft] for Planning Zone-] [South Delhi-II].
F.4[1]98-MP

Agreeing with the advice of the Member Secretary, N.C.R (Planning Board) and the Joint Secretary, Ministry of Urban Development & Poverty Alleviation, the Authority decided that the Zonal Development Plans should be in conformity with the new Master Plan proposals and should, therefore, be taken up only after the finalisation of the MPD-2021.

It was, however, decided that specific proposals for change of land use in the cases where developmental activities/construction of flats were already under process/proposed to be done in pursuance of specific approvals or orders of the competent authority should not be linked with the above decision and should be approved.

ITEM NO.5/2002

Sub: Policy for utilisation of sites earmarked for the approved layout plans.
F.20[5]2000-MP

Proposals contained in the agenda item were approved by the Authority subject to the following provisions :-

- a) Nursery school plots should be allowed upgradation to the Primary school level if they qualify the rules and regulations of the Directorate of Education; nursery schools not being financially viable,
 - b) Nursery school sites shall be allowed to be converted to greens/parks only if the plots were "internal to the colonies" and not on the periphery,
 - c) Such plots which were internal to the colony and sandwiched between the residential plots should be converted to residential land use only, rather than to greens/parks, in order to avoid possible encroachments,
- II. Decisions taken on this agenda item would not affect the allotments already made.

ITEM NO.6/2002

Sub: Construction of Delhi Bio-diversity Foundation under Section 5 [a] of the Delhi Development Act, 1957.
F.Dir[LS]/Plg/2001/257

Proposals contained in the agenda item were approved in principle. Exact format of the Regulations and the nomenclature of the Committee shall be finalised by the Vice-Chairman in consultation with the Ministry of Urban Development & Poverty Alleviation. Possibility of associating non-official members with this Committee shall also be examined.

ITEM NO.7/2002

Sub: The costing of flats by DDA - Moving from actual cost to standard cost.
F.21[1671]2001/HAC

Proposals of costing of DDA flats on "standard cost" basis were approved by the Authority with the following observations:

- [i] Efforts should be made to have one uniform land rate throughout Delhi, with a possible 20% surcharge on South Delhi lands,
- [ii] Land rates should continue to be subsidised for the flats under LIG/Janta/EWS etc as per existing policy.
- [iii] Standard costing principles should fully dispense with the existing requirement of flat-wise costing by the Finance Department in separate files. Costing of each flat should now be possible through a computerized programme based on plinth area of each flat and the standard cost formula for the relevant period.

ITEM NO.8/2002

Sub: Payment verification - delegation of enhanced powers.
F.22[24]2001/Coordn[H]

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

ITEM NO.9/2002

Sub: Rationalization of interest structure.
F.21[Misc-9]HAC/2001

Proposals contained in the agenda item were approved by the Authority. Possibility of further reduction in interest rates would be examined after six months.

ITEM NO.10/2002

Sub: Double allotment.
F.177[333]91/SFS/DW-II

Proposals contained in the agenda item were approved by the Authority. Commissioner [Housing] assured that responsibility against the delinquent officials was being fixed.

ITEM NO.11/2002

Sub: Restoration issues/costing.
F.2[Circular]99/N&C[H]

Proposals contained in the agenda item were discussed in detail. The Authority authorised the LG to take final decision on the proposals.

It was also decided to increase the restoration charges so as to have deterring effect on the applicants. Final decision to this effect was also left to the Lt. Governor.

ITEM NO.12/2002

Sub: Approval of survey report in respect of demolition of 4 SFS flats [2 Category-III, 2 Category-II] in Sector-D, Pocket-III, Vasant Kunj.
F.EM.15[2]94/Pt.file/DDA

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

ITEM NO.13/2002

Sub: Kathputli Pilot Project.
F.17[240]95/LMC/Pt.

Proposals contained in the agenda item were discussed. The LG advised that detailed discussions may also be held with the Ministry officials and the proposals brought before the Authority accordingly, thereafter.

2 In view of the approval of the Government of India and the GNCTD, the Authority accorded its concurrence to the proposals contained in the supplement (to this) agenda item for dove-tailing of subsidy from different sources like VAMBAY, NSDP etc for the re-location/re-settlement of JJ clusters of Motia Khan.

ITEM NO.14/2002

Sub: DDA HRD Institute.
F.PS/Secy/Misc/2001/1691

Proposals contained in the agenda item were appreciated and approved by the Authority and the Vice-Chairman was authorised to take all administrative and financial decisions for functionalising and expanding the HRD Institute/officers club. It will, however, be ensured that the property was not alienated and continues to be the ownership of the DDA.

ITEM NO.15/2002

Sub: Revision of payment of fee to the Panel Lawyers of the Authority.
F.18[39]99/Legal/Admn

It was decided that the proposals should be re-examined in the light of the rates of fee recently finalised by the Central Government and the GNCTD.

2 Shri Mahabal Mishra, Shri Kanwar Karan Singh and Shri Puran Chand Yogi sought regular monitoring of the disposal of court cases and review of the performance of the panel lawyers. The LG asked the CLA to conduct a detailed review and put up a report to the Vice-Chairman.

ITEM NO.16/2002

Sub: Regularization of allotment of residential plots in Shalimar Bagh to the allottees of shop plot in New Subzi Mandi, Azadpur.
F.16[160]75/LSB[R]

Shri Puran Chand Yogi and Km Devagya Bhargava requested that all the cases should be treated at par and given similar treatment. Shri Mahabal Mishra, however, cautioned that there was no justification for restoration of any case.

After detailed discussions, the Authority authorised the Vice-Chairman to have a fresh look on all the cases, including the four cases, which had earlier been restored and put up his recommendations.

ITEM NO.17/2002

Sub: Introduction of VRS Scheme in DDA.
F.1[5]2001/P&C[P]

The LG advised identification of unattended functions and activities and sought healthy re-deployment of the work force in those areas. After detailed discussions, it was decided that formal consultations may be held with the Ministry and the matter may be brought before the next meeting of the Authority for decision. In the meanwhile, information should be collected about the year-wise anticipated retirements in the next 10 years.

[ii] The Authority reiterated that no recruitment should be made against retirement vacancies. However, keeping in view the necessity to induct specialised and technically qualified manpower at various levels as projected in the agenda item, the Authority approved filling up of 10% of the yearly retirement vacancies through direct recruitment. Identification of skills and the cadres where new recruitment would be made shall be decided by the Vice-Chairman from time to time, keeping in view the organisational requirements.

ITEM NO.18/2002

Sub: Regarding basement for office building of 10C on the plot allotted in Sadiq Nagar by L&DO and policy for such provision in similar Government building.
F.3[37]2000-MP

It was decided to reexamine the matter by VC and put up to LG for orders.

ITEM NO.19/2002

Sub: Policy for permitting public and semi-public facilities in rural use zone in Delhi within distance of 0.5 Km from rural settlement.
F.20[19]96-MP

Postponed.

ITEM NO.20/2002

Sub: Regulations for setting up of petrol pumps in rural use zone/rural area in National Capital Territory of Delhi and amendments in MPD-2001.
F.7[23]67-MP

Postponed.

ITEM NO.21/2002

Sub: *Change of land use of an area measuring 28.3 HAC [70 Acres] from agriculture and water body [A-4] to PSP facilities [Police Firing Range] at Wazirabad, Delhi.*
F.3[20]91-MP

Postponed.

ITEM NO.22/2002

Sub: *Change of land use of an area measuring 9596 sq. m. from 'Manufacturing use' to "Public and Semi-Public Facilities" [Senior Secondary School 8996 sq.m. Barat Ghar 600 sq.m.].*
F.9[7]97-MP

Postponed.

ITEM NO.23/2002

Sub: *Fixation of prices for 2001-2002.*
F.25[29]2000/CE

Postponed.

ITEM NO.24/2002

Sub: *Allotment of shops to reserved categories of Ex-servicemen.*
F.25[23]2001/CE

Approved.

ITEM NO.25/2002

Sub: *Payment of deferment interest.*
F.174[Misc]95/SFS/DW/Pt.

The decision was left to LG and VC was directed to put up the matter in file to LG.

ITEM NO.26/2002

Sub: *Payment of belated construction interest.*
F.174[Misc]95/SFS/DW/Pt.

The Authority discussed the matter and left the decision to the LG.

ITEM NO.27/2002

Sub: Adjustment of payment on change of allocation and interest on earlier allocation cancelled.
F.174[Misc]95/SFS/DW/Pt.

Decision was left to LG.

ITEM NO.28/2002

Sub: Proposal to make green areas more user friendly and economically sustainable.
F.PA/Dir[LS]2002

Postponed.

ITEM NO.29/2002

Sub: Benevolent fund scheme for the DDA employees.
F.1[51]01/GIS/Policy

The Authority approved the proposals contained in the agenda item to raise subscription to the Benevolent Fund from Rs. 3 per month to Rs. 32 per month, instead of Rs. 35 per month as proposed in the agenda item. It was also decided that the deficit, if any, under the scheme should be met by the DDA, as a welfare measure, and pay Rs. Fifty thousand per case as proposed in the agenda.

ITEM NO.30/2002

Sub: Revision of pay-scales of Staff Car Drivers.
F.5[04]2001./P&C[P]

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

OTHER POINTS:

Shri Mahabal Mishra, Shri Kanwar Karan Singh and Shri Puran Chand Yogi requested for early finalisation of land inventory and land records.

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

Item No. Sub: CONFIRMATION OF THE DRAFT MINUTES OF THE
1/2002 MEETING OF THE DELHI DEVELOPMENT AUTHORITY
HELD ON 31ST AUGUST, 2001.

A-21-1-2002

F.2(2)2001/MC/DDA.

Minutes of the Delhi Development Authority meeting held on 31st August, 2001 are submitted for confirmation of the Authority (Appendix- 'A' page 2 to 11). No amendments have been proposed to these minutes.

R E S O L U T I O N

Minutes of the Delhi Development Authority meeting held on 31st August, 2001 were confirmed with the addition of before the words "old undisposed of units" in the second line of Item No.53/2001.

Decision on agenda item no.53/2001 will now read as under:
"Proposals contained in the agenda item were discussed in detail and approved, subject to the decision that reserve price in the case of allotment of old undisposed of units should be kept at Rs.9830/- per square meter, instead of average tender price, in view of the past experience and the market conditions."

DELHI DEVELOPMENT AUTHORITY
[COMMR-CUM-SECY'S OFFICE]

Draft minutes of the Meeting of the Delhi Development Authority held on August 31, 2001 at 11:30 AM at Raj Niwas.

Following were present:

CHAIRMAN

- 1 Shri Vijai Kapoor
Lt Governor, Delhi

VICE-CHAIRMAN

- 2 Shri P K Hota

MEMBERS

- 1 Shri Mahabal Mishra, MLA
- 2 Kanwar Karan Singh, MLA
- 3 Shri Puran Chand Yogi, MLA
- 4 Ms Devagya Bhargava
Councillor, MCD
- 5 Shri Prithvi Raj Chand
Councillor, MCD
- 6 Shri K T Gurumukhi
Additional Chief Planner, TCPO
- 7 Shri K P Lakshmana Rao
Finance Member, DDA

SECRETARY

Shri V M Bansal
Commissioner-cum-Secretary

SPECIAL INVITEES & SENIOR OFFICERS

- 1 Smt B Prasad
Secretary to LG
- 2 Shri R K Singh
Chief Vigilance Officer, DDA
- 3 Shri Sunil Sharma
Commissioner [Personnel], DDA
- 4 Shri Vijay Risbud
Commissioner [Planning], DDA

- 5 Shri Parimal Rai
Commissioner [LM]-I, DDA
- 6 Shri A M Sharan
Commissioner [LD], DDA
- 7 Shri U S Jolly
Commissioner [LM]-II, DDA
- 8 Shri R Chauhan
Chief Accounts Officer, DDA
- 9 Shri S K Tandon
Chief Legal Adviser, DDA
- 10 Shri C L Aggarwal
Chief Architect, DDA
- 11 Shri S P Rustogi
Chief Engineer [HQ], DDA
- 12 Shri Alok Swaroop
OSD to LG
- 13 Shri Atul Rai
Director [LC], DDA
- 14 Shri S K Goyal
Financial Adviser [Housing], DDA
- 15 Shri Surjit Roy
Director [CL], DDA
- 16 Shri D P Dwivedi
Director [Housing]-II, DDA
- 17 Shri B C Dutta
Chief Regional Planner, TCPO

Draft minutes of the Meeting of the Delhi Development Authority held on August 31, 2001 at 11:30 AM at Raj Niwas

ITEM NO. 44/2001

Sub: Confirmation of the Draft minutes of the meeting of the Delhi Development Authority held on 21st May, 2001.
F.2(2)2001/MC/DDA.

Minutes of the Authority meeting held on 21.5.2001 were confirmed, as circulated.

ITEM NO. 45/2001

Sub: Regarding extension of time to the Allottees of SFS flats in Motia Khan.
F.16(7)98/HC/Legal.

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

ITEM NO. 46/2001

Sub: Cost principle to be applied in cases of restoration.
F.1(Misc.)95/Policy File/Motia Khan.

Proposals contained in the agenda item were approved by the Authority, subject to the following stipulations:

- (i) These decisions shall apply only to the future cases of restoration where DDA is at fault.
- (ii) Commissioner (Housing) shall be competent to approve restoration for delays in payment up to one year.
- (iii) No restoration shall be normally allowed where delays are beyond one year. However, the Vice Chairman shall be competent to approve restorations for delays up to three years, in deserving cases.
- (iv) Restorations beyond three years can be permitted only in extremely deserving cases by the Vice Chairman, with the prior approval of the Chairman.

ITEM NO. 47/2001

Sub: Recovery of Demolition charges from the builder/owner.
F.5(52)2000/LM/NZ.

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

2 Responding to the suggestion of Shri Mahabal Mishra, the Chairman pointed out that all unauthorised/illegal constructions should be treated uniformly and the suggestion that demolition charges may not be recovered in the development areas was not tenable.

ITEM NO. 48/2001

Sub: Shifting of Chemical Traders to Holambi Kalan.
F.100(166)2K/CL.

Commissioner [Planning] clarified that each module of 50 square meter shall have permissible built up space of 150 square meters.

The Vice-Chairman assured Shri Mahabal Mishra and Ms Devagya Bhargava that allotments would be made in a fully transparent manner after publicly notifying the allotment procedures. Authority also decided that additional land should be made available at the proposed rates "on demand" and efforts should be made to accommodate all requests for additional land.

ITEM NO. 49/2001

Sub: Annual Accounts of DDA for the year 2000-2001.
F.6(14)2001/DDA/A/Cs(M).

Annual accounts of the DDA for the year 2000-2001 were accepted by the Authority.

2 Ms Devagya Bhargava suggested that DDA should utilise its funds for land acquisition and developmental activities, rather than keeping them in fixed deposits.

ITEM NO. 50/2001

Sub: Penalty Relief Scheme - for defaulting Allottees.
F.22(244)97/HAC.

Proposals contained in the agenda item were approved by the Authority subject to the rate of penalty being fixed at 13% per annum on simple rate of interest, instead of 15% as proposed in para-5 of the agenda item.

2 The Chairman emphasised closer monitoring of the recovery mechanism and expressed his displeasure at the performance of the Assistant Collectors effecting recovery under the Punjab Land Revenue Act. The CHAIRMAN advised that there should be a separate column in the Annual Confidential Reports of the Assistant Collectors for recording their performance under this head.

ITEM NO. 51/2001

Sub: Launching of 'Special Housing Registration Scheme-2001 for Retiring Government Servants.'
F.1(Misc.)2000/RPS/MIG.

Proposals contained in the agenda item were approved by the Authority; however it was informed that interest chargeable by the Central Bank of India should be read as 12.5% per annum and by the DDA as 16.5% per annum in para-6 of the agenda item.

ITEM NO. 52/2001

Sub: Proposal of one time/limited offer to the Central/State Departments, PSUs of GOI Autonomous/Statutory Bodies and Banks under Central Acts to take the vacant flats out of existing 84 SFS flats in Motia Khan.
F.PA/SFS/2000/Misc.

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

2 Suggestion given by Shri Mahabal Mishra for providing additional flats for staff quarters was appreciated by the Chairman. He was informed that necessary steps shall be taken in that direction.

ITEM NO.53/2001.

Sub: Re-fixation of reserve price in respect of commercial built-up units (CBUs) auctioned/tendered for six times or more.
F.25(29)2000/CE.

Proposals contained in the agenda item were discussed in detail and approved, subject to the decision that reserve price in the case of old undisposed of units should be kept at Rs. 9830/- per square meter, instead of average tender price, in view of the past experience and the market conditions.

ITEM NO. 54/2001

Sub: Conversion from Cash down to Hire-purchase.
F.LO55(443)99/DW/NP.

This agenda item was withdrawn with the permission of the Chair.

ITEM NO. 55/2001

Sub: Development Control Norms for Senior Secondary Schools.
F.9(11)99/MP.

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

ITEM NO. 56/2001

Sub: Narela Housing Scheme - 2001.
F.PS/JD(NP)/2001

Proposals contained in the agenda item were discussed in detail. The CHAIRMAN strongly felt that efforts should be made to popularise Narela as a future township rather than merely attempting to dispose of the old left out housing stock. There was consensus of opinion that the left out flats will be acceptable to the public only if sold at the old cost.

It was, therefore, decided that the DDA should study the possibility of floating a new housing scheme of about 10000 [new and old] flats, specifically for Narela, with the old units having differential costing norms.

[b] The Authority also agreed with the proposals of according first priority under the proposed Narela housing scheme to the existing registrants of pending housing schemes of DDA and second priority to the wait-listed registrants of Rohini Residential Scheme [Plotted], before making allotments to the registrants of the new housing scheme.

2 Chairman also advised that adequate number of residential plots of sizes up to 500 square meters should be carved out in Narela, for disposal through auction through a scheme so that the plotted development would act as a magnet for attracting investors activities to the area.

ITEM NO. 57/2001

Sub: Report on the follow-up action on the resolutions passed by the Authority in its meetings held on 26.12.2000, 19.2.2001 and 30.3.2001 and on the issues raised by the non-official members in the following meetings held on 26.12.2000, 19.2.2001 and 30.3.2001.
F.2.(2)2001/MC/DDA.

The Chairman expressed dissatisfaction at the manner in which follow-up action on the Authority resolutions was being reported. He advised the HODs to personally pursue the follow-up action on the Authority resolutions and on the issues raised by the members. He directed that, henceforth, each HOD would personally explain the action taken information on the points pertaining to his department in the Authority meetings and also make a brief presentation on important developments in his area.

ITEM NO. 58/2001 [Laid on the Table]

Sub: Housing Scheme for rehabilitation of Motia Khan jhuggi dwellers.
F.2[56]AO[P]2000

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

The VC cautioned that allotments should be made only after certification by the concerned Chief Engineer that the flats were ready for possession. The Chairman advised expediting the whole process and early holding of the draw of lots.

OTHER POINTS

1 Agreeing with the members, the VC assured that agenda items for the Authority meetings should be circulated at least 10 days in advance.

[ii] The VC also informed that he would be taking monthly meetings with the non-official members to discuss important issues.

[iii] The CHAIRMAN advised maintaining of good working relationship between the officers and the non-official members and reminded that all must work like one team.

2 Shri Puran Chand Yogi and Shri Prithvi Raj Chand drew the attention of the Chairman to penal action on pick and choose basis in individual cases. The Chairman advised uniform action in all cases, as far as possible. Shri Yogi and Shri Chand were requested to furnish details of specific cases cited by them in Rajinder Nagar and Dilshad Garden for appropriate action.

3 Shri Yogi drew the attention of the Authority to the appearance of vertical cracks in the DDA built flats in Vivekanand Apartments in Rohini. The VC assured Shri Yogi of early inspection and necessary action in the matter.

4 Shri Puran Chand Yogi sought Chairman's intervention in the irregularities in the purchase of equipment for the multi-gyms. He also alleged wrongful payments of huge electricity bills in the Sports Complexes by the DDA, whereas these were the responsibility of private contractors.

The Chairman directed the CVO to conduct a detailed inquiry into the allegations levelled by Shri Puran Chand Yogi at personal level and submit a report to him within 7 days.

5 Shri Puran Chand Yogi and Shri Mahabal Mishra alleged that investigations into the alleged medical scam should not be conducted by junior officials as they were not capable of making unbiased recommendations.

VC assured that a thorough and transparent inquiry was already in progress and each voucher was being scanned. VC informed that mischievous trend in the alleged medical and watch & ward scams had already been arrested.

6 Sri Mahabal Mishra suggested that timely completion of projects should be closely monitored to avoid possible time lags. He specifically quoted delays in the construction of shops in Rajinder Nagar and consequent cost escalation.

7 The Chairman informed Shri Mahabal Mishra that stamp duty on registration of documents had been revised through an Ordinance; the applicants registering their freehold documents would, therefore, have to pay the stamp duty at revised rates.

8 Shri Mahabal Mishra and Shri Puran Chand Yogi sought Chairman's kind intervention against issue of notices to the people renovating/ reconstructing their old houses in Village abadis/Development areas. They pointed out that in the absence of any machinery to sanction building plans in these areas, the residents should not be penalised for carrying out bonafide construction/renovation activities.

The Chairman expressed concern against issue of show cause notices in village abadis/lal-dora lands in the development areas. He pointed out that although no legal sanctity or protection is available to the residents of these areas, yet the DDA should follow the same policy in these areas as is followed by the MCD.

9 Shri Mahabal Mishra pointed out delays in denotifying the Development areas 171 and 172. Commissioner [Planning] informed that the matter was being pursued with the GNCTD.

The Chairman expressed serious concern over such delays and pointed out that it was the responsibility of the concerned department of the DDA to follow-up the matter with the other agencies so that the decisions taken by the Authority and the Chairman were implemented in a time bound manner. He pointed out that the delay of 18 months in the issue of the denotification order

was only helping the land speculators and the vested interests. He ordered that his displeasure and utter disappointment about the manner in which this case had been handled should be recorded in the minutes.

10 Shri Mahabal Mishra suggested that in view of the falling interest rates in the market, DDA should also lower down its rates of interest on its allottees.

The VC informed that a policy paper on the subject was under finalisation.

11 Shri Kanwar Karan Singh drew the attention to the unauthorised colonisation on DDA's institutional land at Laxmi Narain Bagh, CC Colony, Kalyan Vihar. Commissioner [LM]-I informed that this land had not been acquired and was under the jurisdiction of the MCD.

The LG asked the Commissioner [Planning] and Commissioner [LM]-I to verify the title of land and send a factual report to Kanwar Karan Singh. He also advised that MCD should be asked to take appropriate action in the matter, if the land in question was under their jurisdiction.

12 Commissioner [LD] was asked to examine the compassionate case cited by Shri Puran Chand Yogi where a heavy penalty had been levied for running an STD booth from a small residential premises.

13 The VC assured that the issue regarding conversion of residential plots from leasehold to freehold will be discussed with the Ministry and sorted out at an early date.

14 The LG agreed with Ms Devagya Bhargava that the Facility Centre at Rampura should be taken up for immediate allotment. He asked Commissioner [LD] to call a meeting of all concerned from the DDA and the GNCTD, including Delhi Police, Delhi Vidyut Board, Chief Fire Officer etc. to ensure functionalising the area in a time bound manner.

15 Ms Devagya Bhargave drew the attention to Plot No.C-33, "C" Block, Lawrence Road Industrial Area where a basement had recently been allowed to be constructed, even when the construction of basement had been specifically prohibited at the time of auction. She also reiterated her earlier request for an inquiry into the irregularities in the auction of this plot.

Ms Bhargava also requested for early allotment of the designated land for the DVB sub-station. The LG asked Commissioner [Planning] and Commissioner [LD] to take early action in the matter.

16 Ms Devagya Bhargava sought early allotment of the vacant plot near Maharaja Attar Sen Hospital and immediate auction of vacant industrial plots in the Lawrence Road Industrial Area to save them from encroachments. Commissioner [LD] and Commissioner [LM]-I were requested to take early action in the matter.

17 The VC informed Ms Devagya Bhargava that the pros and cons of dispensing away with the system of issue of C & D forms were being examined in detail.

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

Item No. Sub: Amendment/modification in the Recruitment Regulations for the posts of
2/2002 Programmer-cum-Console Operator, Assistant Director (System), Dy. Director
(System) and Director (System) in DDA.

A-21-1-2002

F.7(105)96/PB-I

PRECIS

1. PROPOSAL IN BRIEF

The Delhi Development Authority vide its Resolution No.76/93 dated 8.6.93 has approved the Recruitment Regulations in respect of various categories of posts in Computer Cell namely Jr. Data Assistant, Sr. Data Assistant, Programmer-cum-Console Operator, Assistant Director (System), Dy. Director (System) and Director (System). It is now proposed by the Administration to bring the R.Rs in line with those prescribed in Department of Electronics as far as educational qualifications are concerned. The specific amendment/modification in the RRs incorporating therein the revised pay scale has been detailed in (App. 'A' at Page 14-17).

2. BACKGROUND NOTE

In the R.Rs approved in 1993, the educational qualifications are not in line with those prescribed by Department of Electronics. It has been considered desirable to adopt the educational qualification prescribed by Deptt. of Electronics for better cadre management and proficiency.

In addition, it has been felt that with the improvement in the Computer Technology the computers are now very user friendly and specialised posts of Data Assistant are no longer relevant as the normal staff can very well do this job with minimum training. Therefore, it has been decided to abolish the 12 posts of Jr. Data Assistant and Sr. Data Assistant. The present incumbents will however, be retained till they vacate these posts either on promotion or retirement/resignation etc. The posts vacated by them will then be abolished. However, there will be requirement of senior professionals to manage the systems which are being installed in different departments of DDA. Therefore, an increase of 4 posts has been suggested in the category of Programmer-cum-Console Operator who will be handling and operating these systems. The creation of posts, however, will be done with the prior approval of the Ministry.

Further, keeping in view the recommendations of Tikku Committee in regard to channel of promotion of Sr. Statistical Assistant which is an isolated category, the Ministry vide its letter no.K-11011/23/98-DD-1A dated 15.10.99 has conveyed the approval for making Sr. Statistical Assistant eligible for promotion to the post of Assét. Director (Systems) subject to the condition that the Sr. Statistical Assistant possesses the requisite educational qualification for direct recruits and the requisite experience as is required from the other feeder cadre i.e. Program-cum-Console Operator. Accordingly, in the proposed RRs, channel of promotion has been provided to Sr. Statistical Assistant for the post of Assistant Director(Systems).

2. WHY THE APPROVAL OF AUTHORITY IS NECESSARY

The proposal for amendments in the RRs approved by the Authority in 1993, was put up before the Authority on 18.10.2000 vide item No.81/2000, Authority, however, did not agree to the proposal and commented that there is no need to fill up the posts in System Directorate in view of the nature of their work.

However, later on, on pursuance of the matter by the Authority Members with the Hon'ble Lt. Governor, Delhi/Chairman, DDA, the matter was again placed before the Hon'ble L.G., who has agreed/approved that the agenda for amendments in the RRs of

Systems Directorate be placed again before the Authority. Hence, fresh approval of the Authority is necessary.

3. IMPLICATIONS, IF ANY.

With the approval of these R.Rs, there will be an increase of 4 posts in the number of sanctioned posts in the category of Programmer-cum-Console Operator and the 4 vacant posts of Jr. Data Assistant will be abolished and the balance 8 posts (4 Jr. Data Asstts. + 4 Sr. Data Asstts.) will be earmarked for abolition as and when they are vacated by the present incumbents by promotion, retirement or resignation, etc.

The financial implication for the above will be as follows :

- | | |
|--|---------------|
| a) Extra expenditure on account of proposed creation
Of 4 posts of Programmer-cum-Console Operator
(only 2 to be filled by direct recruitment) | Rs. 2.42 lacs |
| b) Saving on account of proposed surrender of posts: | |
| i) 4 vacant posts of Jr. Data Asstt. | Rs.3.74lacs |
| ii) Abolition of 4 posts of Jr. Data Asstts.(in future) | Rs.4.77 lacs |
| iii) Abolition of 4 posts of Sr. Data Asstts.(in future) | Rs.5.40 lacs |

4. SPECIFIC RECOMMENDATION REQUIRING AUTHORITY'S APPROVAL

Authority is requested to approve the revised Recruitment Regulations for the posts in System Directorate as Annexure-I and proposal in para 1 & 2 above.

RESOLUTION

It was felt that acceptance of proposals may block the promotion avenues of the existing staff. Such changes in the Recruitment Regulations should be made only if they were necessary for the nature of responsibility really involved in the job/post. It was therefore, decided that the proposals should be re-examined by the Vice-Chairman in consultation with outside experts to decide the requisite qualifications needed for the job.

CHANGES PROPOSED IN RECRUITMENT REGULATIONS

APPENDIX 'A' TO ITEM NO.2/2002.

S.No.	Name of post.	Existing.	Changes proposed.
1.	<u>Programmer-cum-Console Operator</u>	<p>Essential:</p> <p>i) Master Degree in Statistics/ Mathematics/Operational Research/ Physics/Electronics/Computer Science/Computer applications.</p> <p>OR</p> <p>Master's Degree in Economics / Commerce with statistics.</p> <p>OR</p> <p>Degree in Electronics/Computer Engineering.</p> <p>ii) One year programming experience in a high level language.</p> <p>iii) Should have passed 'B' level or 'C' level examination from the department of Electronics Accreditations of Computer Course (DCEACC).</p>	<p>Essential:</p> <p>M.E./M.Tech. OR B.E./B.Tech in Computer Science/ Application from a recognised University or Engineering College/Institute.</p> <p>OR</p> <p>Should have passed 'B' level or 'C' level examination from the Deptt. of Electronics Accreditations of Computer Course(DOEACC).</p>
Item 7 of RRs	Educational and other qualifications required for direct recruits.		
Item 8 of RRs	Whether age and educational qualification prescribed for the direct recruits will apply in the case of promettes and deputationists.	<p>Age : No</p> <p>Educational qualification: No</p>	<p>Age : No</p> <p>Educational qualification : Yes</p>

Contd...

S.No.	Name of post	Existing	Changes proposed
Item 11 of RRs.	In case of recruitment by promotion/transfer/deputation, grades from which promotion/transfer/deputation is to be made.	Promotion: From Sr. Data Assistant with atleast 8 years regular service in the grade.	Promotion: from Sr. Data Assistant with atleast 5 years regular service in the grade and educational qualifications as prescribed for direct recruitment.

2. Assistant Director(System)

Item 7 of RRs	Educational and other qualifications required for direct recruitment.	Essential : i) Master's Degree in Computer applications / M.Tech.(with specialisation in Computer applications) from a recognised University or equivalent. OR Master's Degree in Statistics/ Mathematics/ operational Research/ Physics/ Economics/ Commerce with statistics or Degree in Engineering/ Computer Science from a recognised University or equivalent ; ii) Should have passed 'B' level or 'C' level examination from the Department Electronics Accreditations of Computer course (DOEACC). iii) Four years experience of Electronic Data processing work, out of which atleast one year experience should be in actual programming on an Electronic Computer.	Essential : M.E./M.Tech. in Computer Science/Application from a recognised University or Engineering College/ Institute. OR Should have passed 'B' level or 'C' level examination from the Deptt. of Electronics Accreditations of Computer Course(DOEACC).
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Item 8 of RRs	Whether age and educational qualification prescribed for the direct recruits will apply in the case of promotees and deputationists.	Age : No Educational qualification : No	Age : No Educational qualification : Yes
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Item
11 of
RRs

In case of recruitment by promotion/transfer/deputation, grades from which promotion/transfer/deputation is to be made.

Promotion :

From Programmer-Cum-Console Operator with atleast 8 years regular service in the grade.

Promotion :

- a) From Programmer-cum-Console Operator with atleast 5 years regular service in the grade and with educational qualifications as prescribed for direct recruitment.
- b) From Sr. Statistical Assistant with atleast 5 years of Regular service in the grade and with educational qualification as prescribed for direct recruitment.

3.

Deputy Director(System) :

Item
7 of
RRs

Educational and other qualifications required for direct recruits.

Essential :

- A. i. Master's Degree in Computer Applications/ M.Tech.(with specialisation in Computer applications)/Master's Degree in Computer Engineering from recognised University or equivalent.
 - ii. 5 years experience of Electronic Data Processing work, out of which atleast 2 years experience should be in actual programming on an Electronic Computer.
- OR
- B. i. Master's Degree in Statistics/Mathematics/ Operational Research/ Physics/ Economics/ commerce with statistics or Degree in Engineering/Computer Science from a recognised University or equivalent.
 - ii. 7 Years experience of Electronic Data processing work, out of which atleast 3 years experience should be in actual programming on an Electronic computer.

Essential :

M.E./M.Tech. in Computer Science/ Application from a recognised University or Engineering College/ Institute.

OR

Should have passed 'B' level or 'C' level examination from the Deptt. of Electronics Accreditations of Computer Course (DOEACC).

C. Should have passed 'B' level or 'C' level examination from the deptt. of Electronics Accreditations of Computer Course (DCEACC).

4. Director (System)

Item 7 of RRs	Educational and other qualifications required for direct recruitment.	Not applicable	M.E./M.Tech. in Computer Science/ Application from a recognised University or Engineering College/ Institute.
			OR Should have passed 'B' level or 'C' level examination from the deptt. of Electronics Accreditations of Computer Course (DOEACC).
Item 10 of RRs	Method of recruitment whether by direct recruitment or by promotion or transfer or by deputation and percentage of the vacancies to be filled by various methods.	By promotion, failing which by deputation.	By promotion, failing which by deputation, failing both by direct recruitment.

-1-

ITEM NO.
2/2002

Subj: Amendment/modification in the
Recruitment Regulations for the
posts of Programmer-Cum-Console
Operator, Assistant Director (System),
Dy. Director (System) and Director
(System) in DDA.

File No. E.7(105)96/PB-I

Appendix 'A' to Item No. 2/2002 earlier circulated
in the main agenda vide page nos. 12 to 17 may kindly be
replaced with the enclosed Appendix 'A'. (Page 2 to 5)

Inconvenience caused in the matter is regretted.

RECRUITMENT REGULATIONS

APPENDIX 'A' ITEM NO.2/2002

S.No.	Name of Post	Existing	Changes proposed
1.	Programmer-cum-Console Operator		
Item 7 of RRs	Educational and other qualifications required for direct recruits	<p>Essential:</p> <p>i) Master Degree in Statistics / Mathematics / Operational Research / Physics / Electronics / Computer Science / Computer Applications</p> <p>OR</p> <p>Master's Degree in Economics / Commerce with statistics</p> <p>OR</p> <p>Degree in Electronics / Computer Engineering</p> <p>ii) One year programming experience in a high level language.</p> <p>iii) Should have passed 'B' level or 'C' level examination from the department of Electronics Accreditations of Computer Course (DOEACC)</p>	<p>Essential:</p> <p>i) M.E./M.Tech. OR B.E./B.Tech in Computer Science / Application OR MCA from a recognised University or Engineering College / Institute.</p> <p>OR</p> <p>Should have passed 'B' level or 'C' level examination from the Deptt. of Electronics Accreditation of Computer Course (DOEACC).</p> <p>ii) One year programming experience in a high level language</p>
Item 8 of RRs	Whether age and educational qualification prescribed for the direct recruits will apply in the case of promotees and deputationists.	Age: No Educational Qualification: No	Age: No Educational Qualification: Yes

S.No.	Name of Post	Existing	Changes proposed
Item 11 of RRs	In case of recruitment by promotion/ transfer/ deputation, grades from which promotion/ transfer/ deputation is to be made	<u>Promotion:</u> From Sr.Data Assistant with atleast 8 years regular service in the grade	<u>Promotion:</u> From Sr.Data Assistant with atleast 5 years regular service in the grade and educational qualifications as prescribed for direct recruitment.
2.	Assistant Director(Systems)	<p><u>Essential :</u></p> <p>i) Master's Degree in Computer applications / M.,Tech.(with specialisation in Computer applications) from a recognised University or equivalent</p> <p align="center">OR</p> <p>Master's Degree in Statistics/Mathematics/ Operational Research / Physics / Economics / Commerce with statistics or Degree in Engineering / Computer Science from a recognised University or equivalent</p> <p>ii) Should have passed 'B' level or 'C' level examination from the department of Electronics Accreditations of Computer Course (DOEACC)</p> <p>iii) Four years experience of Electronic Data Processing work, out of which atleast one year experience should be in actual programming on an Electronic Computer</p>	<p><u>Essential:</u></p> <p>i) M.E./M.Tech. OR B.E./B.Tech in Computer Science / Application OR MCA from a recognised University or Engineering College / Institute.</p> <p align="center">OR</p> <p>Should have passed 'B' level or 'C' level examination from the Deptt. of Electronics Accreditation of Computer Course (DOEACC).</p> <p>ii) Four years experience of Electronic Data Processing work, out of which atleast one year experience should be in actual programming on an Electronic Computer</p>
Item 8 of RRs	Whether age and educational qualification prescribed for the direct recruits will apply in the case of promotees and deputationists.	Age: No Educational Qualification: No	Age: No Educational Qualification: Yes

S.No.	Name of Post	Existing	Changes proposed
Item 11 of RRs	In case of recruitment by promotion/ transfer/ deputation, grades from which promotion/ transfer/ deputation is to be made	<u>Promotion:</u> From Programmer-cum-Console Operator with atleast 8 years regular service in the grade	<u>Promotion:</u> a) From Programmer-cum-Console Operator with atleast 5 years regular service in the grade and with educational qualifications as prescribed for direct recruitment. b) From Sr. Statistical Assistant with atleast 5 years regular service in the grade and with educational qualifications as prescribed for direct recruitment.
3.	Deputy Director(System):	<p>Essential :</p> <p>A. i) Master's Degree in Computer applications / M.,Tech.(with specialisation in Computer applications) from a recognised University or equivalent</p> <p style="text-align: center;">OR</p> <p>ii) 5 years experience of Electronic Data Processing work, out of which atleast 2 years experience should be in actual programming on an Electronic Computer.</p> <p>B. i) Master's Degree in Statistics / Mathematics / Operational Research / Physics / Economics / Commerce with Statistics or Degree in Engineering / Computer Science from a recognized University or equivalent.</p>	<p><u>Essential:</u></p> <p>i) M.E./M.Tech. OR B.E./B.Tech in Computer Science / Application OR MCA from a recognised University or Engineering College / Institute.</p> <p style="text-align: center;">OR</p> <p>Should have passed 'B' level or 'C' level examination from the Deptt. of Electronics Accreditation of Computer Course (DOEACC).</p> <p>ii) 5 years experience of Electronic Data Processing work, out of which atleast 2 years experience should be in actual programming on an Electronic Computer.</p>

ii) 7 years experience of Electronic Data processing work, out of which atleast 3 years experience should be in actual programming on an Electronic computer.

C. Should have passed 'B' level or 'C' level examination from the deptt. of Electronics Accreditation of Computer Course (DOEACC)

4. Item 7 of RRs	Director (Systems): Educational and other qualifications required for direct recruitment	Not applicable	i) M.E./M.Tech. or B.E./B.Tech in Computer Science/ Application OR MCA from a recognized University or Engineering College/Institute
			OR Should have passed "B" level or "C" level examination from the deptt. Of Electronics Accreditations of computer course (DOEACC)
			ii) Ten years Experience in EDP out of which atleast 3 years experience should be in actual programming on an Electronic Computer.
Item 10 of RRs	Method of recruitment whether by direct recruitment or by promotion of transfer or by deputation and percentage of the vacancies to be filled by various methods	By promotion, failing which by deputation	By promotion, failing which by deputation, failing both by direct recruitment

Item No.

3/2002

A-21-1-2002

**Sub: -Amendment of Recruitment Regulations for the posts
Of Managers/Assistant Managers/Games Supervisors
And Games Attendants in Sports Wing in DDA**

F.7(84)95/PB-I/Vol.II.

P R E C I S

1. Proposal in Brief

The Recruitment Regulations for the posts of Managers/Assistant Managers/Games Supervisors and Games Attendants at the DDA Sports Complexes were approved by the Authority vide its Resolution No.67/95 dated 18.7.95. These posts are filled up on selection of officials from the DDA (Main) and are ex-cadre posts with special pay for a tenure of one year extendable upto 4 years. However, as in the meanwhile the number of sports complexes have increased, the pay scales have changed after implementation of the recommendations of the 5th Central Pay Commission and recruitment in the feeder cadres in DDA have stopped, there is need to amend the Recruitment Regulations, as otherwise very few officials are eligible for selection.

2. Background note

The Recruitment Regulations for the posts of Managers, Assistant Managers, Games Supervisors and Games Attendants were approved by the Authority vide its Resolution Nlo. 67/95 dated 18.7.95 for 7 sports complexes of DDA. These posts are filled up on selection basis of officials from the DDA (Main) and are ex-cadre posts with special pay for a tenure of one year extendable upto 4 years. In the meanwhile, however, several changes have occurred for which the following amendments in the recruitment regulations are required:-

- (i) The number of sports complexes which was earlier 7 has now increased to 12 and the 13th complex is likely to be in operation shortly. Hence, it is necessary to proportionately increase the sanctioned strength of Managers, Asstt. Managers, Games Supervisors and Games Attendants.
- (ii) For the posts of Managers, Asstt.Managers and Games Supervisors an age limit criteria of 25 to 40 years is stipulated in the existing Recruitment Regulations. As fresh recruitment in the feeder cadres is not being made in DDA, very few officials are within this age limit.

from pre-page

Besides, these are managerial posts and the job entails more of supervisory, maintenance and House-keeping duties. Hence, it is proposed to have no age limit for eligibility for these posts.

- (iii) Due to the implementation of the recommendations of the 5th Central Pay Commission, the revised pay scales need to be indicated in the Recruitment Regulations. Officials will be eligible to these posts from the cadres with analogous scale with atleast three years experience in the scale or in one lower pay scale with five years experience in the scale.
- (iv) As per the existing Recruitment Regulations these officials should have represented in any sports discipline at University/State level. However, as the recruitment in DDA against sports quota has long since stopped, it is unlikely that there will be many officials with sports background to man these posts. Besides, as the job requirement is supervisory in nature, it is proposed that desirable qualification may be read as 'having reasonable knowledge of and interest in sports'.
- (v) All these posts are to be filled in from the regular cadres of DDA. However, in most of the sports complexes the posts of Games Attendants are being manned by Work-charge(Regular)staff. It is proposed that the posts of Games Attendants may be filled from both Regular cadres with analogous pay scale or with one lower pay scale and also from Work-charge (Regular) cadre.

Proposed Recruitment Regulations for the posts of Managers, Asstt. Managers, Games Supervisors and Games Attendants alongwith the existing Recruitment Regulations are placed **at (Appendix 'A' P- 21-24 and Appendix 'B' p- 25-34)**.

3. Why approval of the Authority is necessary

The Authority is empowered under the provisions of Delhi Development Act, 1957 to make and amend Recruitment Regulations and relaxation thereof. Therefore, the approval of the Authority is necessary.

from pre-page

4. In pursuance of provisions of Section-57 of DD Act, 1957, DDA has been vested with the powers to make and amend Recruitment Regulations and relaxation thereof.

5. Implications , if any

There is no implication of any kind

RESOLUTION

Proposals contained in the agenda item were approved with the modification that the applicants "should not merely have reasonable knowledge and interest in sports", they should have played and had some real involvement in the field of sports.

On a suggestion by Shri P.C. Yogi and Shri Mahabal Mishra, the LG informed that DDA was itself exploring the possibility of a full time senior office looking after sports activities.

**Proposed Recruitment Regulations for the post of Manager (Sports) in
Delhi Development Authority**

- 1 Name of Post : Manager (Sports)
- 2 No. of Posts : 13 (Subject to variation dependent on work load)
- 3 Classification : Group - 'B' (Non-Gazetted)
- 4 Scale of Pay : Rs.5500 - 9000/-
- 5 Whether selection or non-selection post : Selection
- 6 Age Limit : NA
- 7 Educational and other Qualifications. : v) Graduate from recognised university;
ii) Desirable
Should have reasonable knowledge and interest in sports.
- 8 Whether age & qualifications prescribed for the direct recruits will apply in the case of promotees and deputationists. : NA
9. Method of recruitment whether by direct recruitment or by promotion or transfer or by deputation and percentage of the vacancies to be filled by various methods. : By selection from officials working in the regular cadres of DDA only who have put in minimum 3 years service in the pay scale of Rs.5500-9000/- or 5 years service in the pay scale of Rs.5000-8000/- or Rs.4500-7000/-.
10. In case of recruitment by promotion/transfer/deputation , grade from which promotion/transfer/deputation is to be made. : Same as above
11. If a D.P.C. exists what is its composition. : Selection Committee comprising of the following:-
i) Commissioner (Personnel) : Chairman
ii) C.A.O. : Member
iii) Director (Sports) : Member
iv) Director(Personnel) : Member Secy.
12. Saving : N.A.
13. Disqualification : No person who has entered into or contracted a second marriage when his/her spouse is alive.
14. Power to relax : When the Chairman is of the opinion that it is necessary to expedient so to do, he may by order, for reasons to be recorded in writing relax any of the provisions of these regulations in respect of any class or category or persons or posts.

**Proposed Recruitment Regulations for the post of Asstt. Manager (Sports) in
Delhi Development Authority**

- 1 Name of Post : Asstt. Manager (Sports)
- 2 No. of Posts : 26 (Subject to variation dependent on work load)
- 3 Classification : Group - 'C' (Non-Gazetted)
- 4 Scale of Pay : Rs.4500 - 7000/-
- 5 Whether selection or non-selection post : Selection
- 6 Age Limit : NA
- 7 Educational and other Qualifications :
 - iv) Higher Secondary/10+2 from a recognised Board/University or equivalent.
 - ii) **Desirable**
Should have reasonable knowledge and interest in sports.
- 8 Whether age & qualifications prescribed for the direct recruits will apply in the case of promotees and deputationists. : NA
9. Method of recruitment whether by direct recruitment or by promotion or transfer or by deputation and percentage of the vacancies to be filled by various methods. : By selection from officials working in the regular cadres of DDA only who have put in minimum 3 years service in the pay scale of Rs.4500-7000/- or 5 years service in the pay scale of Rs.4000-6000/.
10. In case of recruitment by promotion/transfer/deputation, grade from which promotion/transfer/deputation is to be made. : Same as above
11. If a D.P.C. exists what is its composition. : Selection Committee comprising of the following:-
 - i) Commissioner (Personnel) : Chairman
 - ii) C.A.O. : Member
 - iii) Director (Sports) : Member
 - iv) Director(Personnel) : Member Secy.
12. Saving : N.A.
13. Disqualification : No person who has entered into or contracted a second marriage when his/her spouse is alive.
14. Power to relax : When the Chairman is of the opinion that it is necessary to expedient so to do, he may by order, for reasons to be recorded in writing relax any of the provisions of these regulations in respect of any class or category or persons or posts.

**Proposed Recruitment Regulations for the post of Games Supervisor in
Delhi Development Authority**

- 1 Name of Post : Games Supervisor
- 2 No. of Posts : 52 (Subject to variation dependent on work load)
- 3 Classification : Group - 'C'
- 4 Scale of Pay : Rs.4000 - 6000/-
- 5 Whether selection or non-selection post : Selection
- 6 Age Limit : NA
- 7 Educational and other Qualifications. :
 - iii) Higher Secondary/10+2 from a recognised Board/University or equivalent.
 - ii) **Desirable**
Should have reasonable knowledge and Interest in sports.
- 8 Whether age & qualifications prescribed for the direct recruits will apply in the case of promotees and deputationists. : NA
9. Method of recruitment whether by direct recruitment or by promotion or transfer or by deputation and percentage of the vacancies to be filled by various methods. : By selection from officials working in the regular cadres or the work-charge establishment of DDA only who have put in minimum 3 years service in the pay scale of Rs.4000-6000/- or 5 years service in the pay scale of Rs.3050-4590/.
10. In case of recruitment by promotion/transfer/deputation , grade from which promotion/transfer/deputation is to be made. : Same as above
11. If a D.P.C. exists what is its composition. : Selection Committee comprising of the following:-
 - i) Commissioner (Personnel) : Chairman
 - ii) C.A.O. : Member
 - iii) Director (Sports) : Member
 - iv) Director(Personnel) : Member Secy.
12. Saving : N.A.
13. Disqualification : No person who has entered into or contracted a second marriage when his/her spouse is alive.
14. Power to relax : When the Chairman is of the opinion that it is necessary to expedient so to do, he may by order, for reasons to be recorded in writing relax any of the provisions of these regulations in respect of any class or category or persons or posts.

**Proposed Recruitment Regulations for the post of Games Attendant in
Delhi Development Authority**

- 1 Name of Post : Games Attendant
- 2 No. of Posts : 104 (Subject to variation dependent on work load)
- 3 Classification : Group - 'D'
- 4 Scale of Pay : Rs.2650-4000/-
- 5 Whether selection or non-selection post : Non Selection
- 6 Age Limit : No age limit
- 7 Educational and other Qualifications. :
 - i) At least 8th pass from a recognised Board/school or equivalent.
 - ii) Preference will be given to those who have worked/are working in sports complexes from the last 2-3 years.
- 8 Whether age & qualifications prescribed for the direct recruits will apply in the case of promotees and deputationists. : NA
9. Method of recruitment whether by direct recruitment or by promotion or transfer or by deputation and percentage of the vacancies to be filled by various methods. : By selection/transfer from officials working in the regular cadres or work-charge establishment in DDA in the pay scale of Rs.2650-4000/-, Rs.2810-3540 & Rs.2550-3200/-.
10. In case of recruitment by promotion/transfer/deputation, grade from which promotion/transfer/deputation is to be made. : Same as above
11. If a D.P.C. exists what is its composition. : Selection Committee comprising of the following:-
 - i) Commissioner (Personnel) : Chairman
 - ii) C.A.O. : Member
 - iii) Director (Sports) : Member
 - iv) Director(Personnel) : Member Secy.
12. Saving : N.A.
13. Disqualification : No person who has entered into or contracted a second marriage when his/her spouse is alive.
14. Power to relax : When the Chairman is of the opinion that it is necessary to expedient so to do, he may by order, for reasons to be recorded in writing relax any of the provisions of these regulations in respect of any class or category or persons or posts.

ITEM NO. 67/95
A-18.07.95

SUB:- Recruitment Regulations for the post of Manager, Assistant Manager, Games Supervisor and Games Attendant in the Directorate of Sports in Delhi Development Authority.

F.No. F.7(84)/95/PB-I.

P R E C I S

The Delhi Development Authority has 6 posts of Manager (Sports), 7 posts of Assistant Manager (Sports), 12 posts of Games Supervisor and 156 posts of Games Attendant under the Directorate of Sports for which Recruitment Regulations have not been framed so far.

2. Draft Recruitment Regulations for the post of Manager (Sports), Assistant Manager (Sports), Games Supervisor and Games Attendant have now been framed and are placed at (App. 'BB', 'CC', 'DD', & 'EE' to F.No. 97-98, 99-100, 101-102 & 103-104).

3. These Recruitment Regulations have been framed to suit the requirements of the Delhi Development Authority. It is, therefore, not proposed to create any new cadre or take people on deputation because the D.D.A. already has a surplus of staff.

4. It is also proposed that these posts will be treated as deputation posts within the D.U.A. and the entitlement of pay will be fixed as per rules treating these posts as deputation posts. The deputation will be initially for a period of one year extendable upto 4 years.

Contd:11/-

5. These Recruitment Regulations have been framed keeping in view the special functions of Sports Complexes in the D.D.A., and also the requirements of these posts in the D.D.A.

6. The matter is placed before the Authority for approving the draft Recruitment Regulations placed at (Appendix 'BB', 'CC', 'DD' & 'EE' To P.No. 97-98, 99-100, 101-102 & 103-104).

R E S O L U T I O N

Resolved that the proposals contained in para - 6 of the agenda item be approved subject to the following amendments:

- i) Desirable qualifications indicated in para 7 of the Appendices BB, CC, DD & EE shall read as "should have represented in any of the sports disciplines at University/State level".
- ii) The following words shall be added in paras 9 & 10 of the appendices 'BB, CC, DD, & EE "the post will be filled-up from within the DDA staff only".
- iii) Only those members of the staff shall be eligible who have put up in a minimum period of three years of service in the feeder scale.

APPENDIX 'BB' TO ITEM NO. 67/95

RECRUITMENT REGULATIONS FOR THE POST
OF MANAGER (SPORTS) IN DELHI DEVELOPMENT
AUTHORITY.

-
1. Name of Post : Manager (Sports)
(Ex-cadre post)
 2. No. of posts : 6 (six)*
 3. Classification : Group 'B'
 4. Scale of Pay : Rs. 1640-60-2600-EB-75-2900/-
 5. Whether selection or non-selection post : Selection.
 6. a) Age limit : 25 to 40 years
b) Whether benefit of any added years of service admissible under Rule 30 of CCS (Pension) Rules, 1972 : No
 7. Educational and other qualifications : i) Graduate from recognised University.
ii) Desirable:- Should have played in any of the sports disciplines at University/State Level.
 8. Whether age and qualifications prescribed for the direct recruits will apply in the case of promotees and deputationists. : N.A.
 9. Method of recruitment whether by direct recruitment or by promotion or transfer or by deputation and percentage of the vacancies to be filled by various methods. : By selection/transfer from officials working in the regular cadres of DDA in the scale of pay of Rs. 1400-2300/- & Rs. 1400-2600/-.
100% by transfer.

*subject to variation dependent on work-load.

contd....p/

10. In case of recruitment by promotion/transfer/deputation, grade from which promotion/transfer/deputation is to be made. : By selection/transfer from officials working in the regular cadres of DDA in the scales of pay of Rs. 1400-2300/- & Rs. 1400-2600/-.
11. If a D.P.C. exists what is its composition. : Selection Committee comprising of the following :-
i) Commissioner - Chairman (Personnel)
ii) C.A.O. - Member
iii) Director (Sports) - Member
iv) Director (Personnel) - Member-Secretary
12. Saving : N.A.
13. Disqualification : No person who has entered into or contracted a second marriage when his/her spouse is alive.
14. Power to relax : When the Chairman is of the opinion that it is necessary or expedient so to do, he may by order, for reasons to be recorded in writing relax any of the provisions of these regulations in respect of any class or category or persons or posts.

APPENDIX 'CC' TO ITEM NO. 67/95

RECRUITMENT REGULATIONS FOR THE POST OF
ASST. MANAGER (SPORTS) IN DELHI
DEVELOPMENT AUTHORITY

-
1. Name of Post : ASST. MANAGER (SPORTS)
(Ex-cadre post)
 2. No. of Posts : 7 (seven)*
 3. Classification : Group 'C'
 4. Scale of Pay : Rs. 1400-40-1800-EB-50-2300/-
 5. Whether selection or non-selection post : Selection
 6. a) Age limit : 25 to 40 years
b) Whether benefit of any added years of service admissible under Rule 30 of CCS (Pension) Rules, 1972 : No
 7. Educational and other qualifications : Higher Secondary/10+2 from a recognised Board/University or equivalent.
Desirable:- Should have played at Board/State level in any of the Sports disciplines.
 8. Whether age and qualifications prescribed for the direct recruits will apply in the case of promotees and deputationists. : N.A.

*Subject to variation dependent on Work-load.

contd....p/

9. Method of recruitment whether by direct recruitment or by promotion or transfer or by deputation and percentage of the vacancies to be filled by various method.

: By selection/transfer from officials working in the regular cadres of DDA in the scale of pay of Rs.1200-2040/-.

100% by transfer.

10. In case of recruitment by promotion/transfer/deputation, grade from which promotion/transfer/deputation is to be made.

: By selection/transfer from officials working in the regular cadres of DDA in the scales of pay of Rs.1200-2040/-.

11. If a D.P.C. exists what is its composition.

: Selection Committee comprising of the following :-

i) Commissioner - Chairman (Personnel)

ii) C.A.O. - Member

iii) Director (Sports) - Member

iv) Director (Personnel) - Member-Secretary

12. Saving

: N.A.

13. Disqualification

: No person who has entered into or contracted a second marriage when his/her spouse is alive.

14. Power to relax

: When the Chairman is of the opinion that it is necessary or expedient to do, he may by order, for reasons to be recorded in writing relax any of the provisions of these regulations in respect of any class or category of persons or posts.

APPENDIX 'DD' TO ITEM NO. 67/95

RECRUITMENT REGULATIONS FOR THE POST
OF GAMES SUPERVISOR IN DELHI DEVELOPMENT
AUTHORITY

-
1. Name of Post : GAMES SUPERVISOR
(Ex-cadre post)
 2. No. of Posts : 12 (twelve)*
 3. Classification : Group 'C'
 4. Scale of Pay : Rs. 1200-30-1560-EB-40-2040/-
 5. Whether selection or non-selection post : Selection
 6. a) Age limit : 25 to 40 years.
b) Whether benefit of any added years of service admissible under Rule 30 of CCS (Pension) Rules, 1972 : No
 7. Educational and other qualifications : Higher Secondary/10+2 from a recognised Board/University or equivalent.
Desirable:- Should have played School/Board/State level in any of the Sports disciplines.
 8. Whether age and qualifications prescribed for the direct recruits will apply in the case of promotees and deputationists. : N.A.

*Subject to variation dependent on Work-load.

contd...p/

9. Method of recruitment whether by direct recruitment or by promotion or transfer or by deputation and percentage of the vacancies to be filled by various method.

: By selection/transfer from officials working in the regular cadres of DDA in the scale of pay of Rs.950-1500/-.
100% by transfer.

10. In case of recruitment by promotion/transfer/deputation, grade from which promotion/transfer/deputation is to be made.

: By selection/transfer from officials working in the regular cadres of DDA in the scale of pay of Rs.950-1500/-.

11. If a D.P.C. exists what is its composition.

: Selection Committee comprising of the following :-

- i) Commissioner (Personnel) - Chairman
- ii) C.A.O. - Member
- iii) Director (Sports) - Member
- iv) Director (Personnel) - Member Secretary

12. Saving

: N.A.

13. Disqualification

: No person who has entered into or contracted a second marriage when his/her spouse is alive.

14. Power to relax

: When the Chairman is of the opinion that it is necessary or expedient so to do, he may by order, for reasons to be recorded in writing relax any of the provisions of these regulations in respect of any class or category or persons of posts.

RECRUITMENT REGULATIONS FOR THE POST
OF GAMES ATTENDANT IN DELHI DEVELOPMENT
AUTHORITY

1. Name of Post : GAMES ATTENDANT
(Ex-cadre post)
2. No. of Posts : 156*
3. Classification : Group 'D'
4. Scale of Pay : Rs.800-15-1010-EB-15-1150/-
5. Whether selection or non-selection post : Non-selection
6. a) Age limit : N.A.
- b) Whether benefit of any added years of service admissible under Rule 30 of CCS (Pension) Rules, 1972 : No
7. Educational and other qualifications : Essential: Atleast 8th pass from a recognised Board/School or equivalent.
- Desirable:- Preference will be given to those who are working in Sports Complexes for the last 2-3 years.
8. Whether age and qualifications prescribed for the direct recruits will apply in the case of promotees and deputationists. : N.A.

*subject to variation dependent on work-load.

contu...p/

9. Method of recruitment whether by direct recruitment or by promotion or transfer or by deputation and percentage of the vacancies to be filled by various method. : By selection/transfer from officials working in the regular cadres of DDA in the scale of pay of Rs.775-1025/-.
100% by transfer.
10. In case of recruitment by promotion/transfer/deputation, grade from which promotion/transfer/deputation is to be made. : By selection/transfer from officials working in the regular cadres of DDA in the scale of pay of Rs.775-1025/-.
11. If a D.P.C. exists what is its composition. : Selection Committee comprising of the following.:
- i) Commissioner - Chairman (Personnel)
 - ii) C.A.O. - Member
 - iii) Director (Sports) - Member
 - iv) Director (Personnel) - Member-Secretary
12. Saving : N.A.
13. Disqualification : No person who has entered into or contracted a second marriage when his/her spouse is alive.
14. Power to relax : When the Chairman is of the opinion that it is necessary or expedient so to do, he may by order for reasons to be recorded in writing relax any of the provisions of these regulations in respect of any class or category or persons or posts.

ITEM NO.

4/2002

A-21-1-2002
Sub: Zonal Development Plan (Draft) for Planning Zone-J (South Delhi-II)
F.4(1)98-MP.

P R E C I S

1. The Zone-J(South Delhi-II) covers an area of 15178 Hac. as per MPD-2001 for which a draft zonal plan has been prepared. The zonal plan is within the proposed Urban Extension framework of MPD-2001. The proposed land use break up of proposed urban area of zonal plan is as under :-

LAND USE BREAK-UP :

LANDUSE	AREA IN HAC.	PERCENTAGE
Residential	2393	54.00
Commercial	267	06.00
PSP Facilities	443	10.00
Govt. Use:		
(i) Govt. Offices	66	01.50
(ii) Use Undetermined	109	02.46
Utilities	110	02.50
Recreational Use	555	12.54
Circulation	487	11.00
TOTAL:	4430	100.00

Note: Proposed land uses i.e. Commercial, PSP Facilities, Govt. Use, Utilities and Recreational shall be provided in the facility belt/area running along major roads, at the time of preparation of detailed area plans.

APPENDIX 'A' TO ITEM NO.4/2002.

(DRAFT)

ZONAL DEVELOPMENT PLAN FOR ZONE -J
(SOUTH DELHI-II)

NOVEMBER 2000
ROHINI PROJECT (PLANNING & DESIGN) OFFICE
DELHI DEVELOPMENT AUTHORITY

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APPENDIX 'A' TO ITEM NO.4/2002.

(DRAFT)

ZONAL DEVELOPMENT PLAN FOR ZONE -J
(SOUTH DELHI-II)

NOVEMBER 2000
ROHINI PROJECT (PLANNING & DESIGN) OFFICE
DELHI DEVELOPMENT AUTHORITY

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ZONAL DEVELOPMENT PLAN FOR ZONE -J
(SOUTH DELHI-II)

NOVEMBER 2000
ROHINI PROJECT (PLANNING & DESIGN) OFFICE
DELHI DEVELOPMENT AUTHORITY

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CONTENTS

- 1.0 Background
- 2.0 Statutory Provisions and Objectives
- 3.0 Location Boundaries and Area
- 4.0 Urban Extension Plan Provisions
- 5.0 NCR Plan Provisions
- 6.0 Physical Characteristics
 - 6.1 Ridge
 - 6.2 Wild Life and Bird sanctuary
 - 6.3 Water Harvesting Sites
- 7.0 Development Area No.176 of DDA
- 8.0 Population and Work Force
- 9.0 Change of Land use
- 10.0 Land use Plan
- 11.0 Land Uses
 - 11.1 Residential Development
 - 11.2 Commercial
 - 11.3 Petrol Pumps and Gas Godowns
 - 11.4 Public and Semi Public Facilities
 - 11.5 Utilities
 - 11.6 Circulation
 - 11.7 Recreational

Annexure I

Maps

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1.0 BACKGROUND

The National Capital Territory of Delhi has been divided into 15 Planning Zones / Divisions as per MPD-2001, out of which 8 zones ('A' to 'H') are in the Urban Area and 6 zones ('J' to 'P') are in Urban Extension / Rural Area, whereas zone 'O' is designated for river Yamuna. MPD-2001 further emphasizes that the zonal plans for zones 'J' to 'P' shall be prepared as per the development needs.

The Zonal Development Plan is a statutory document under the provisions of the Master Plan and is to be prepared and processed under the Delhi Development Act 1957. The Zonal Plans shall detail out the policies of the Master Plan and act as a link between the layout plans and Master Plan. The development schemes / layout plans indicating use premises should conform to the Master Plan / Zonal Plan.

2.0 STATUTORY PROVISIONS AND OBJECTIVES

The Delhi Development Act 1957 under Section 8 provides a list of features that can be included in the Zonal Development Plan. A Zonal Plan may contain a site plan and landuse plan with approximate locations and extent of landuses such as public and semi public buildings, work centres, roads, utilities, housing, recreational areas, industries, markets, open spaces, etc. It may also specify standards of population density and various components of development of the zones. Section 10 of the Act prescribes the procedure to be followed in preparation of the Zonal Development Plans.

2.1 OBJECTIVES

The basic objectives of the Zonal Development Plan for the planning zone-J are as follows:

- i) Improve and provide accessibility / connectivity to both, Urban Extension and the Rural Area;
- ii) Balanced overall integrated development of the zone;
- iii) Preservation and conservation of the natural heritage; resources and Eco- system.

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3.0 LOCATION, BOUNDARIES AND AREA

Planning zone-J located in the South Delhi, is bounded by Mehrauli Badarpur road in the North, National Highway No.8 in the West, and National Capital Territory of Delhi boundary in the South and East. The total area of the zone as per MPD-2001 is about 15,178 Ha., out of which around 6,200 Ha. comprises of the 'Regional Park / Ridge'. There are 30 villages falling in the zone, some of them have been declared urbanized by the Delhi Administration from time to time, whereas some form part of the Urban Extension Area.

4.0 URBAN EXTENSION PLAN PROVISIONS

As per the Urban Extension Plan approved by the Authority on 30.6.1987, an area measuring 5,121 Hect. was proposed for Urban Extension in the zone-J (South Delhi II), which included part of the Regional park / Ridge, falling in the area. The Plan envisaged to accommodate a population of 300,000 persons in the Urban Extension area.

5.0 NCR PLAN PROVISIONS

The statutory Board for NCR set up in 1985 prepared the first Regional Plan 2001, which extends over an area of 34,242 sq. kms. in four states of Haryana, Rajasthan, Uttar Pradesh and National Capital Territory of Delhi. The Plan has recommended the Urban Extension in addition to the MPD 2001 provisions in zone-J. The relevant recommendations are as follows:

- i) The NCR Plan has identified nine major corridors in transport network system with the prime objective of controlling growth of Delhi. The National Highway-8 forms one of the boundaries of this zone.
- ii) The Plan has suggested provision of 100 mts. green belt along the National Highways and Expressways and 60 Mts. along the State Highways.

6.0 PHYSICAL CHARACTERISTICS

Most of the area in the zone under Regional Park landuse forms part of Aravali ranges. The general topography of the zone is undulating and rocky in nature with valleys towards the south

and depression in the centre forming a bowl shape. Abandoned stone quarries exist near the southern boundary of the zone.

6.1 THE RIDGE

The Delhi Ridge is defined as the rocky out-crop and extension of Aravali ranges. The South Central Ridge was zoned as Regional Park at the time of notification of Master Plan to protect the historical character and monuments in the area. The area of the Regional Park/ Ridge as per MPD 2001 is 6,200 Hect.

In accordance with the orders of the Hon'ble Supreme Court of India, the Delhi Government issued a notification in May 1996, declaring the Southern Ridge and the other three constituents of the Ridge as Reserved Forest under the Forest Act. Subsequently the Hon'ble Supreme Court directed the Govt. and the Ridge Management Board to take control of the area and start fencing of the same. The Technical Committee of DDA has recommended that the Southern Ridge is a very critical area for which policy for conservation / development should be evolved with due sensitivity and taking into cognizance the Supreme Court orders in respect of the environmental impact.

A large area of the Regional Park is under encroachment in the form of Sangam Vihar and other unauthorized colonies. These will be dealt as per the policy on the unauthorized colonies, to be finalized and approved by the Govt. of India.

6.2 WILDLIFE AND BIRD SANCTUARY

A Wild Life Advisory Board constituted in Sept. 1984 under the Wild Life Protection Act 1972, decided to establish a National Botanical Garden and Bird Sanctuary in the Union Territory of Delhi. Accordingly an area comprising of about 906 Ha.(2238 Ac.) was identified in the South Delhi near Sharurpur/Asola villages, forming part of this zone.

The Authority vide its Resolution dated 29.12.86 had approved the proposal for setting up of the Wild Life Sanctuary in South Delhi near Bhati Mines area on the terms that i) the character of the area shall be retained and conserved as a whole; ii) proper arrangement of water is made; iii) no construction within the Sanctuary is permitted and iv) pucca boundary wall is constructed with the design approval of DUAC.

6.3 WATER HARVESTING SITES

INTACH in a study entrusted by the Irrigation & Flood Control Deptt., Govt of Delhi, has prepared a comprehensive report on various aspects of water augmentation through advanced techniques of water harvesting. The agency with the help of satellite imageries, field survey, historical data, old survey of India maps and hydro-geological mapping, carried out by the Central Ground Water Board, has identified several sites for water harvesting in Delhi.

The study recommends use of abandoned quarries available in the vicinity by shaping of their catchment areas, or linkage with some nearby channels. 12 major pits have been identified in Bhati, Tajpur and Rajokri for storage of rain water or flood water. In addition, several sites for small or large check-dams have been identified in the zone for storage of water and recharging of ground water table. The study recommends for integration of the identified sites and catchment areas in the proposed Master Plan of Delhi so as to prevent their use for functions other than water harvesting and re-charge.

7.0 DEVELOPMENT AREA NO. 176 OF DDA

An area measuring about 1983 Ha., part of which falling in the South of Mehrauli Mahipalpur road, was declared as Development area No.176 of DDA in 1993. The predominant landuse of the land is 'Rural use' as per MPD-2001, except some of the pockets, for which landuse have been notified / under process. A large number of farm houses exist in the Development Area. In compliance to the Technical Committee decision vide Item No.15 dated 15.2.2000, the urban landuse has been proposed in the Development Area.

8.0 POPULATION AND WORKFORCE

As per MPD-2001, the Urban Extension area is proposed to be planned with an overall gross density of 180 to 200 persons per hect. The total population of the 30 villages existing in the zone, as per 1991 Census is 2,36,465. The present population of the villages is estimated to be around 300,000. Based on the gross density of 200 PPH, proposed population in the Urban Extension area will be about 9,00,000 persons. The total population for the zone is proposed to be 12,00,000. The MPD-2001 has envisaged

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work force participation @ 32 % and accordingly the work force in the zone is estimated to be about 2,88,000.

9.0 CHANGE OF LAND USE

The notified landuse changes with respect to IAAI, IGNOU, C-DOT, and VSNL in the zone have been incorporated in the draft Zonal Development Plan. The status of remaining landuse proposals is as follows:

- i) Change of landuse of an area measuring 13.97 Ha. from 'Recreational use (Regional Park)' to 'Residential use' at village Pul Pehladpur was approved by the Authority vide its Resolution No.58 dtd. 27.7.89. Final Notification is to be issued by the Govt. of India.
- ii) Change of landuse of an area measuring 25.50 Ha. from 'Rural use' to 'Residential use' at village Jaunapur was approved by the Authority in 1996. The same is under process.
- iii) Change of landuse of an area measuring 56 Ha. comprising of three pockets, in the south of Mehrauli Mahipalpur road from 'Rural use' to 'Residential, Public and semi public facilities and Recreational use' was approved by the Authority vide its Resolution No.53 dtd. 26.10.99 and is under process.
- iv) Change of landuse of an area measuring 3.1 Ha. from 'Rural use' to 'Residential use' at Siad-ul Ajab' in the south of Saket, approved by the Authority vide its Resolution No.78 dtd.18.7.85 is under process. The approval from Ministry of Urban Development, to invite public objections / suggestions has been received on 9.11.2000.

10.0 LAND USE PLAN

The landuse plan for the zone is proposed on the area recommended in the Urban Extension Plan of DDA and NCR plan, including the Development Area No.176, and the existing and proposed circulation system and the residential density pattern. The Urban Extension area is proposed to be increased. The landuse break-up proposed for the zone is as follows:

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(a) Land use at zonal level:

Total area of the Zone as per MPD 2001	15,178 Ha.
Area under Regional Park /Ridge	6,200 Ha.
Area under proposed Urban Extension (including MPD-2001, NCR Plan, Development Area No.176, notified landuses and change of landuses under process)	4,430 Ha.
Area under Rural Use	4,548 Ha.
Population in Urban Extn. Area @ 200 PPH	9,00,000
Population in Rural Area	3,00,000
Total Projected population for the zone	12,00,000

(b) Land use break up of Urban Extension area:

Landuse	Area in Hect.	Percentage
Residential	2393.00	54
Facilities Area	1550.00	35
(a) Commercial	267.00 (6.0%)	
(b) Public & Semi Public	443.00 (10.0%)	
(c) Govt. Use		
(i) Govt. Offices	66.00 (1.50%)	
(ii) Use Undetermined	109.00 (2.46%)	
(d) Utilities	110.00 (2.5%)	
(e) Recreational Use	555.00 (12.54%)	
Circulation	487.00	11
Total	4430.00	100

11.0 LAND USES**11.1 Residential Development:**

The rural area in the zone is predominantly occupied by the farm houses, sanctioned by MCD from time to time. The

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development of residential areas through public / private participation is expected to provide dwellings for about 1.8 Lac families of all income groups. Land for squatter resettlement will be reserved as per the policy, in the zone. The village abadi areas and unauthorized colonies like Sainik Farms, Sangam Vihar etc, would be dealt as per the statutory provisions and policy decisions of the Government, while working out detailed plans.

11.2 Commercial:

As per the MPD-2001, provision is made for accommodating two District Centres and 9 Community Centres in the zone. These will have a component of Service Centres, which will be suitably identified at the time of detailed planning, for accommodating permissible activities at the sector level.

11.3 Petrol Pumps & Gas Godowns:

As per the Master Plan standards a total number of 28 petrol pumps are required in the zone. The existing petrol pumps would form part of the total proposed / required sites.

Standard	Area in Ha.	No. of Petrol Pumps
One petrol pump per 150 Ha. of gross residential area	2293	15
Two petrol pumps in each Distt. Centre	...	4
One petrol pump (only filling station) in each Community Centre	...	9
Total		28

A total number of 23 gas godown sites including the existing are required to be provided @ one site for 40,000 population. These will be suitably located in the Service Centres and other use zones as per MPD-2001 provisions.

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11.4 Public & Semi Public Facilities:

The requirement of public and semi public facilities upto the zonal level have been identified based on the MPD-2001 norms, which would be located in the facility areas / belts, 100 to 300 Mt. width, proposed along the major roads. These will include zonal level recreational uses and utilities, besides all other facilities. Location specific landuses shall be determined at the time of detailing of the area plans.

11.5 Utilities:

i) Water Supply

At present water supply requirement is met through individual sources / tubewells as no water supply system exists except in the Vasant Kunj housing scheme. The water harvesting / augmentation techniques proposed by INTACH may meet water requirement to the extent of 10 MGD. Provision of water supply @ 70 MGD will be required for the proposed population in the Urban Extension area.

ii) Sewerage

Presently no sewerage system exists in the zone except in the Vasant Kunj housing area and one STP existing in the vicinity of Ghitorni village. Provision for sewerage system and treatment plants will be required to be made for the proposed population in the Urban Extension area.

iii) Storm Water Drainage

Provision of appropriate storm water drainage will be required to be made in the Urban Extension area, after conducting detailed feasibility studies, considering the undulating topography of the terrain. Presently no drainage system exists in the zone.

iv) Power

In the zone one 220 kV Grid Sub station at Mehrauli Mahipalpur road and two 66 kV Sub stations exist in the zone. The main power line passes through the zone. To cater to the needs of proposed population, provision of suitable sites for grid sub stations could be made in the facility area.

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11.6 Circulation:

The existing circulation system in the zone is based on surface transport, which needs to be upgraded to meet the requirement of the proposed population. A 100 Mt. R/W road along the existing H.T. line, connecting National Highway No.8 to the National Highway No.2 had been approved by the Authority while considering the Urban Extension Plan in 1987. The road alignment is proposed to be modified in view of the existing unauthorized residential development along the H.T. line and in the surrounding areas. Part of the proposed road passes through the Asola Wildlife Sanctuary due to the locational constraints. The R/W will also accomodate proposed future MRTS connecting Faridabad Delhi Rewari railway line.

A major road network of 45 M and 30 M road R/W has been proposed to effectively cater to the circulation requirements of the zone. This road system would be further connected to a hierarchy of roads of 20 M. and 12 M R / W as per the detailed plans. It is envisaged that the proposed road system would successfully segregate different traffic modes and the green buffer along the roads would contain the air and noise pollution in the area.

11.7 Recreational:

Around 40% of the zone area is under the 'Regional Park' use as per the MPD-2001. As per the directions of Hon'ble Supreme Court, this area is to be preserved in its natural state, for which necessary actions are to be taken by the Ridge Management Board. The hierarchy of district parks, neighborhood parks and play areas is proposed to be provided in the facility area as per the Master Plan provisions.

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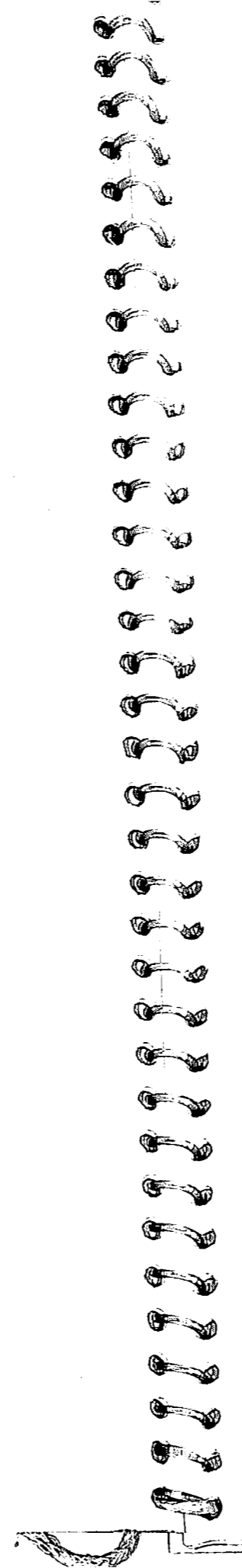
Annexure I











CENSUS TREATED / RURAL VILLAGE POPULATION IN ZONE - J

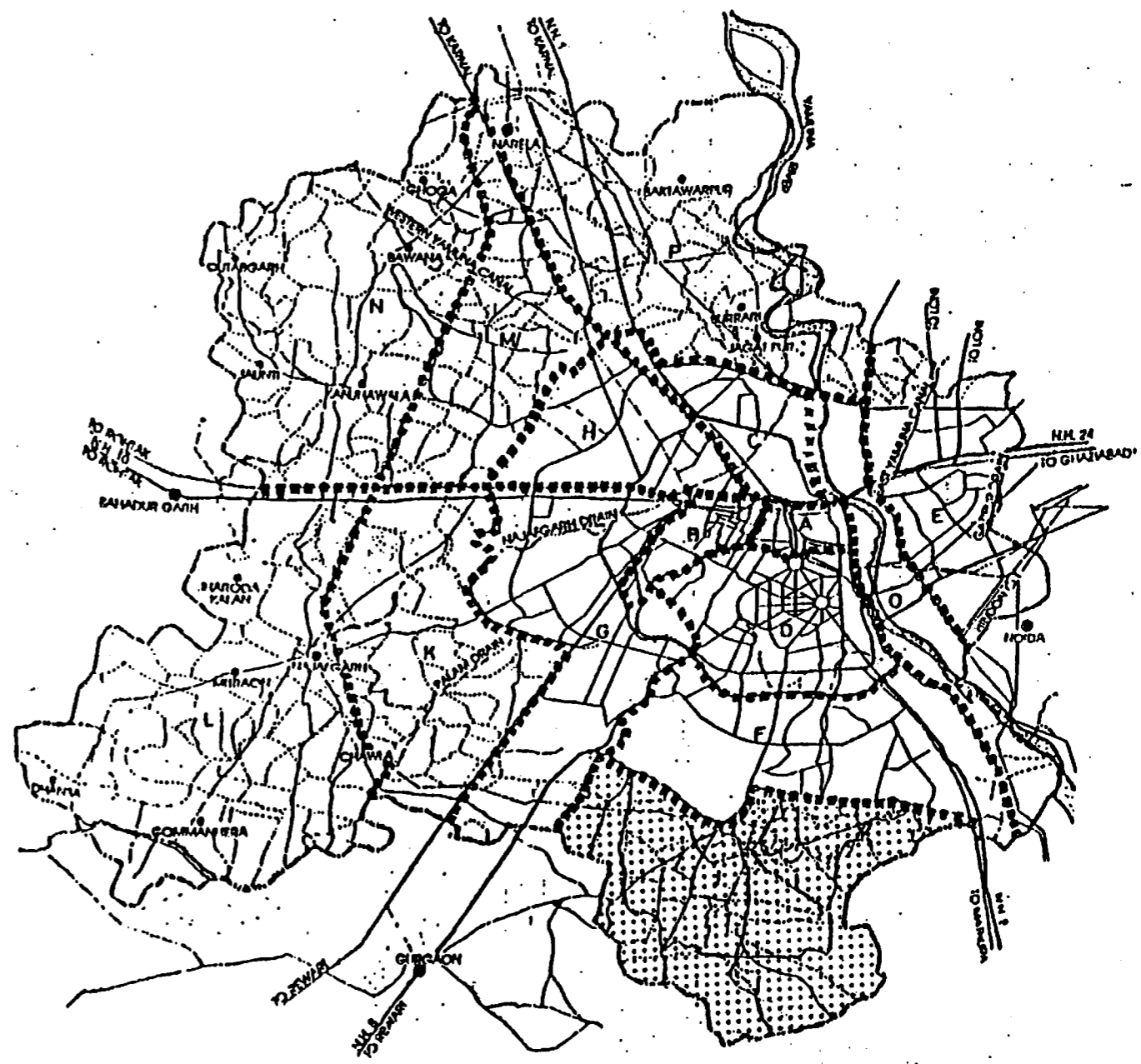
S.No.	Name of Village	Status	Population 1981	Population 1991
1.	Arya Nagar	Rural Village	4763	405
2.	Asola	-do-	5173	4812
3.	Bhati	-do-	4816	14255
4.	Chandan Hula	-do-	1383	2468
5.	Chhatarpur	Census Treated	6504	11657
6.	Deoli	-do-	5788	33112
7.	Fatehpur Beri	Rural Village	2228	1982
8.	Gadaiapur	-do-	2400	1296
9.	Ghitorni	-do-	3120	6253
10.	Hauz rani	-do-	4279	8293
11.	Jaunapur	-do-	2762	4879
12.	Khanpur	Census Treated	9864	4373
13.	Khirkhi	Rural Village	1752	2197
14.	Lado Sarai	Census Treated	6079	10499
15.	Ladha Sarai	Rural Village	-	-
16.	Maidan Garhi	-do-	3476	2759
17.	Mandi	-do-	4296	6705
18.	Masudpur	-do-	1539	1482
19.	Mehrauli	Census Treated	21993	30476
20.	Neb Sarai	Rural Village	1715	2722
21.	Pul Pehlادpur	-do-	8788	13907
22.	Rajokri	Census Treated	5759	11462
23.	Rajpur Khurd	Rural Village	821	2100
24.	Rangpuri	-do-	4273	3250
25.	Said-ul-Ajab	-do-	1098	4466
26.	Sarurpur	-do-	1618	1281
27.	Sat Bari	-do-	646	2154
28.	Sultanpur	-do-	4177	8244
29.	Tigri	Census Treated	17228	33207
30.	Tughlakabad	-do-	3701	6759
TOTAL			1,41,979	2,36,465

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







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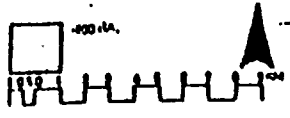
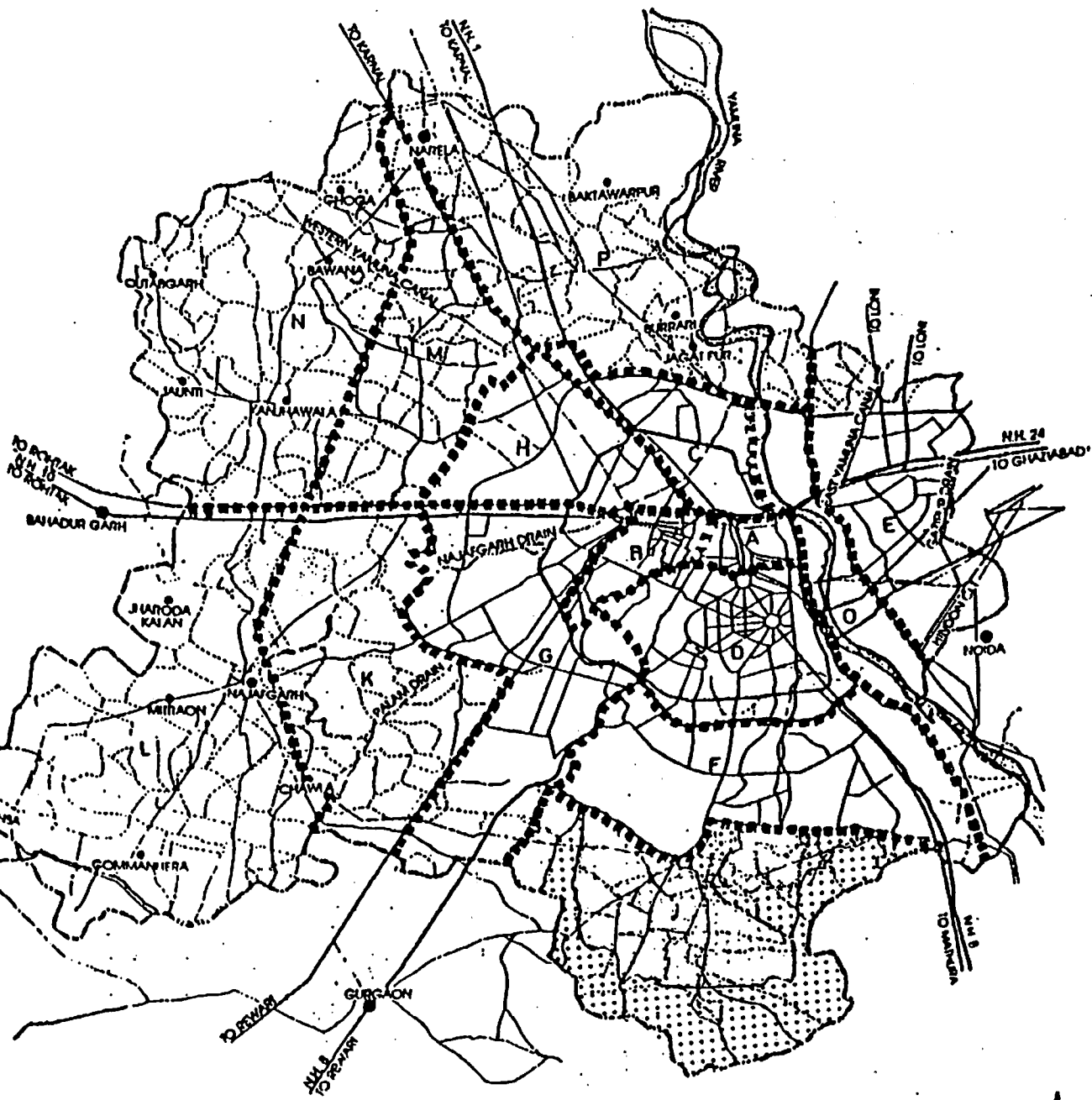


-  UNION TERRITORY
-  ZONES
-  VILLAGE BOUNDARY
-  N.H./MAJOR ROADS
-  OTHER ROADS
-  RAILWAYS
-  MAIN POWER LINE
-  RIVER
-  MAJOR DRAINS
-  ZONE - J



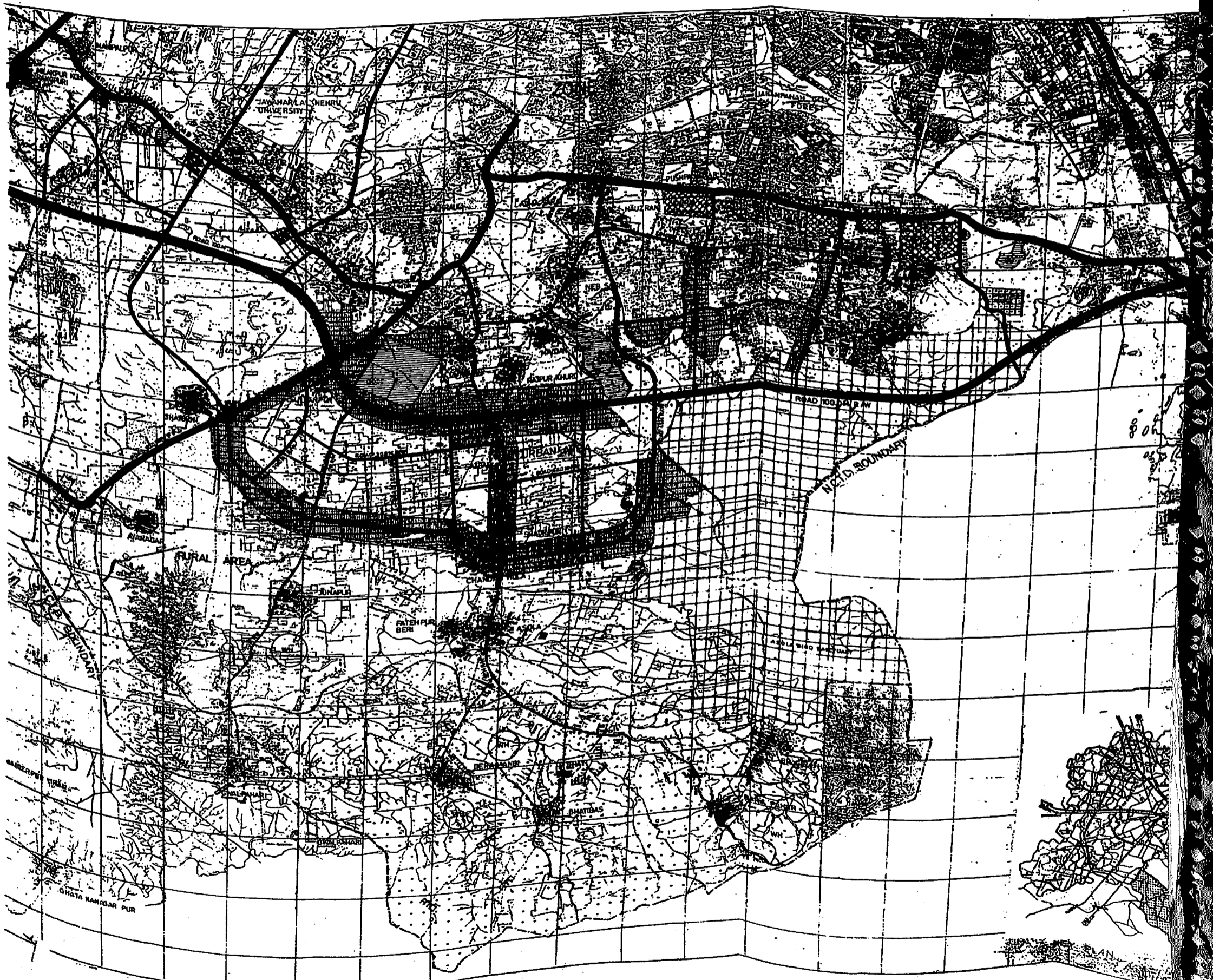
ZONAL PLAN FOR ZONE - J (South Delhi II)

-  UNION TERRITORY
-  ZONES
-  VILLAGE BOUNDARY
-  N.H./MAJOR ROADS
-  OTHER ROADS
-  RAILWAYS
-  MAIN POWER LINE
-  RIVER
-  MAJOR DRAINS
-  REGIONAL PARK / RIDGE



ZONAL PLAN FOR ZONE-J (South Delhi II)

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2. Draft Zonal Development Plan for Planning Zone-J was placed before Authority on 19.2.2001 for consideration and approval vide Item No. 5/2001. The Authority resolved that:

"The L.G. desired to know whether the proposed plan was in conformity with the ground realities and the extent to which the proposals were implementable on ground. He also wanted to know whether the planning was in accordance with the pending proposals of land acquisition and the judgement of various courts on the subject."

3. The draft Zonal Development Plan has been prepared with the help of latest Survey of India base maps available. The proposed road network is practical and best possible in relation to ground realities.

The land has been notified/under acquisition mainly in two areas.

- I. The urbanization proposed in the Urban Extension plan approved by the Authority on 30.6.1987, and
- II. Development Area No. 176 declared in 1993.

(App. 'A'
booklet).

4. The proposed landuse plan and the detailed report for the Draft Zonal Development Plan for Zone 'J' are placed for consideration and approval of the Authority. Proposal is accordingly submitted for:

- I. approval of the proposed Zonal Development Plan of Zone 'J' and
- II. recommending for processing of change of landuse from "Rural" to all other major landuse as stated in para-1.

R E S O L U T I O N

Agreeing with the advice of the Member Secretary, N.C.R. (Planning Board) and the Joint Secretary, Ministry of Urban Development & Poverty Alleviation, the Authority decided that the Zonal Development Plans should be in conformity with the new Master Plan proposals and should therefore, be taken up only after the finalisation of the MPD-2021.

It was, however, decided that specific proposals for change of land use in the cases where developmental activities/construction of flats were already under process/proposed to be done in pursuance of specific approvals or orders of the competent Authority should not be linked with the above decision and should be approved.

Item No.
5/2002

Sub : Policy for utilisation of sites earmarked for the Approved Layout Plans

F. 20 (5) 2000-MP.

PRECIS

1.0 Proposal in Brief

This is a proposal for allotment/utilisation of the nursery school sites in the approved layout plan. Briefly given as under :-

- i) Nursery school sites which are located on the road less than 9 mt. R/W be allowed to be converted into open spaces/parks etc. for the use of the residents.
- ii) Nursery school sites located on road of 9 mt. R/W be examined by a Committee comprising the representatives of Planning/ Architecture and Land Depts. of the concerned areas.
- iii) Sites located on road more than 9 mt. be continued to be allotted for nursery school purposes or alternatively other uses as permitted in the Master Plan.
- iv) MOUD be requested to allow use of nursery school sites as per the Master Plan provisions.

2.0 Details of Examination

2.1 A number of representations are received/decisions taken for conversion of public and semi-public facilities in the developed residential areas to green areas in DDA.

2.2 It is found difficult to either accept or reject such requests in the absence of a policy decision.

2.3 In view of the above, the whole issue is examined.

2.4 This was discussed in the Authority Meeting held on **19.2.2001** vide item No.6/2001 (**APP. 'A'**) wherein following was decided :-

at P-39-41).

"The Authority postponed this item for next meeting and would also like to examine in detail the utilization of areas allotted for primary school, nursery school. Directorate of Education norms of space for upgradation of the schools etc. It was stated in the meeting that it is not only floor space but the various other facilities which are required in the school which includes administrative and extra curricular activities areas for healthy development of child. The extracts of the norms of Directorate of Education, which were given to me by CLD, are enclosed to examine the matter in detail. A detailed audio presentation will be made during the next meeting of the Authority."

- 2.5 The issue of conversion of the nursery school sites into non remunerative areas i.e parks etc. have also been examined by the Finance Deptt. of the DDA and it has been observed that at an average conversion of nursery school site would incur a loss of Rs.28 lakhs as per current zonal variant rates.
- 2.6 The issue has been further examined and a view has been taken that "Revenue loss cannot be a determining factor as sites located on road below 9 mt. R/W are prima facie unsuitable for nursery school. Compensatory conversion of unusable/suitable green land will minimise revenue loss."
- 2.7 Also, if we allow the nursery school sites to be used as per the provisions of MPD-2001 (App. 'B') after seeking the clearance from the Ministry with reference to the order of Hon'ble Minister of Urban Development dated 2.12.99 (App. 'C') we may be able to meet the requirement of facilities of the residential areas. However, while allotting these sites care will be taken that the activities located are not high volume traffic generating.
- (at P-42).
- (at P-43).
- 2.8 Looking into the feeling expressed by residents for causing inconvenience to them due to traffic generated by school on narrow roads, Chairman, DDA has agreed for the following:-
- i) We may request MOUD to reconsider/suitably modify instructions contained in the order dated 2.12.99. so as to meet the requirements of the community also keeping in view the fact that the activities on the nursery school sites do not generate traffic which may cause inconvenience to the residents of the surrounding area.
 - ii) As a policy we may consider allotment of nursery school site located on roads less than 9 mt. R/W to MCD if they require for setting up of nursery schools or else could be maintained green till the time they use them for the low intensity uses permissible as per MPD-2001 to meet the requirement of the community.
 - iii) In case of sites which are located on 9 mt. road, a case to case decision needs to be taken by a Committee comprising of representatives of Planning, Architecture and Lands Deptts. of the concerned areas and if some sites are required to be converted into green due to circulation system etc. Simultaneous attempt should be made to use undeveloped non-remunerative areas to compensate the financial losses by way of such conversion to the DDA. Nursery school sites on above than 9 mt. road be allowed to continue to be allotted for nursery school purposes.

Submitted for information of members of the Authority.

RESOLUTION

Proposals contained in the agenda item were approved by the Authority subject to the following provisions:-

- a) Nursery school plots should be allowed upgradation to the Primary school level if they qualify the rules and regulations of the Directorate of Education, nursery schools not being financially viable,

Contd...

- b) Nursery school sites shall be allowed to be converted to greens/parks only if the plots were "internal to the colonies" and not on the periphery,
 - c) Such plots which were internal to the colony and sandwiched between the residential plots should be converted to residential land use only, rather than to greens/parks, in order to avoid possible encroachments,
- II. Decisions taken on this agenda item would not affect the allotments already made.
-

Item No.
6/2001

Subject : Conversion of Public and Semi Public Facilities into Recreational Areas.

19.2.2001

P R E C I S

1. DDA is receiving a number of requests/directions for conversion of public and semi public facilities into recreational areas (parks). Broadly these facilities relate to provision of school sites (higher secondary school, primary school and nursery school) which have been provided in the layout plans as per norms and remain unallotted for one reason or the other. These sites are being used/protected as open spaces/parks and thereby the residents of nearby areas do not allow to construct the buildings on these approved sites allotted by the DDA as they often resort to litigation.

2. The whole issue was considered by the Technical Committee in its meeting held on 24.10.2000 vide serial No.5/Item No.52/2000/TC (App. 'A' at wherein following decision was taken: / 2-36-37)

"The proposed policy of conversion of public and semi public facilities into recreational areas was agreed in principle. It was recommended that the proposal with details of specific cases be put up for consideration of the Authority for wider discussion on all the related issues."

3. With a view to rationalise the utilisation of these facilities sites as per layout plan viz-a-viz the revenue generation of the DDA in terms of the non-disposal of the saleable area which otherwise could have been source of revenue, the whole issue has been examined and it has been decided that the matter be placed before the Authority for its consideration and accordingly the following details are put up to the authority for its consideration:-

- i) A close scrutiny of layout plans of residential areas have revealed that the nursery school sites, keeping in view the concept as envisaged in the Master Plans are at times located on pedestrian path ways, 3 mt. 6 mt. & 9 mt. and above wide roads and also such sites are located amidst a cluster of plots or a cluster of houses and have remained unallotted for quite a long time and thereby the people in the housing cluster/plot have continued to enjoy them as open space and the allotment of the same is not only resisted to but also at times challenged in the Court of law.

- ii) MPD-2001 did provide for utilisation of nursery school site for various other uses to meet the need of the Community but as per the decision taken by the Minister of Urban Development the allotment of these nursery school sites for the purposes other than nursery school is to be kept in abeyance.
- iii) Often public representatives like MLC, M.L.A. Minister etc. and also the senior officers take cognisance of the inconvenience faced by the residents and ask DDA to convert these nursery school/P.S. sites into the park/open spaces.
- iv) At the same time since the facility sites are allotted thereby getting revenue to DDA and if these sites are converted into open spaces it would be a financial loss and therefore, Planning Deptt. has been finding it difficult to recommend conversion of the school sites into the parks and open spaces.
- v) Similarly some requests are received to convert the primary school/sr. sec. School sites into the open spaces but they are very few in number.

4. In view of the above it would be more appropriate to take a policy decision as put up for consideration below:-

- a) Nursery school sites located on streets/roads of less than 9 mt. r/w if unallotted could be considered to be converted into parks and open spaces and the sites located on roads of 9 mt. and above R/W be continued to be allotted for nursery schools.
- b) No conversion of primary/sr. sec. school site be effected to and the site should be continued to be allotted, for the purposes as per approved plans.
- c) Wherever the school sites area is more than the norms prescribed in MPD-2001 and as per the norm of MPD-1962, the total school site should be allotted rather than allotting only prescribed size and then keeping reserve the balance area as open spaces.
- d) At this stage it would be difficult to ascertain as to what could be the extent of the loss of revenue to the DDA and if the above proposal is agreed in principle the views of the Finance Deptt. could also be taken.

5. The proposal contained in para 4 above is placed before the Authority for its consideration.

R E S O L U T I O N

Shri Puran Chand Yogi and Shri Prithvi Raj Chand welcomed the proposals and sought early identification of the plots which could be converted as 'greens' so that they may utilise their development funds for the purpose.

b] Shri Mahabal Mishra and Shri Puran Chand Yogi requested for allotment of additional land to the 'nursery' schools which have, over the years, been upgraded to the level of 'primary' schools. They also sought their regularisation as 'primary' schools on the ground that 'nursery' schools alone could not generate sufficient revenue to sustain their infrastructure.

The LG appreciated their concern and pointed out that the schools have to adhere to standard guidelines, laid down by the Department of Education.

c] The Finance Member pointed out that the exact number of institutional plots should be ascertained which would thus stand converted as 'greens' in order to arrive at the exact revenue implications of the proposals.

After detailed discussions it was decided that the proposals require further in-depth examination of the issues raised by the non-official members and the Finance Member.

APPENDIX 'B' TO ITEM NO.

078 Voluntary Health Service

A premises having medical facilities for treatment of outdoor patients and other like blood bank etc. by voluntary institutions. This service may also take the form of temporary camp with charitable motive.

079 Creche and Day Care Centre

A premises having nursery facilities for infants during day time. The centre may be managed by an individual or an institution on commercial or non-commercial basis.

080 Nursery and Kindergarten School

A premises with facilities for training and playing for children preparatory to the school.

The following neighbourhood facilities are permissible in nursery school sites according to the layout plan, where no such facilities are available in the vicinity:

- i) Post Office
- ii) Community Hall cum Library.
- iii) Dispensary
- iv) Health Centre.
- v) Creche and Day Care Centre
- vi) Electric Sub-Station (11 kV)
- vii) Cooperative Store.
- viii) Milk Booth.
- ix) Fine Arts School.
- x) Maternity Home
- xi) Child Welfare Centre (Charitable)

081 Primary School

A premises having educational and playing facilities for students upto V standard.

082 Secondary School

A premises having educational and playing facilities for students from VI to X standard. It shall include existing cases of middle school which are upto VIII standard for the purpose of this code.

083 Senior Secondary School

A premises having educational and playing facilities for students from VIth to XIIth standard.

084 Integrated School

A premises having educational and playing facilities for students upto XII standard.

085 Integrated Residential School

A premises having educational and playing facilities for students upto XII standard. It shall have boarding facilities for students and may have residences for faculty members.

086 College

A premises with educational and playing facilities for students of under-graduate & post-graduate courses under a university. It includes all professional disciplines.

087 Vocational Training Institute

A premises with training facilities for short-term courses for discipline, preparatory to the employment in certain profession and trade. It shall be run by public or charitable institution on non-commercial basis. It includes training-cum-work centre.

088 Social Welfare Centre

A premises with facilities for welfare and promotion of community development. It shall be run by a public or charitable institution.

089 Research and Development Centre

A premises providing facilities for research and development for any specific field.

090 Library

A premises having a large collection of books for reading and reference for general public or specific class.

091 Technical Training Centre

A premises with facilities for training in discipline of technical nature. It includes technical school and industrial training institute etc.

092 Commercial and Secretarial Training Centre

A premises having training facilities for stenography, correspondence, record keeping etc.

MINISTER OF URBAN DEVELOPMENT

Allotment of sites earmarked for Nursery Schools in
the approved lay-out of various colonies.

A number of complaints have been received by me from Residents' Welfare Associations and Cooperative House Building Societies regarding allotment of Nursery School sites for purposes other than the Nursery School. Most of them pleaded that construction on these sites would cause further congestion and create a number of environmental problems. They wanted these areas to be kept open as park.

2. Yesterday, Shri Sahib Singh Verma, MP and former Chief Minister of Delhi, brought to my notice a case in which a Nursery School site in Rohini has been allotted for what he termed as 'semi-commercial activity'. Earlier in the day, another deputation of Pitampura had met me with similar grievances.

3. "I think, in the present condition, wherein over-crowding and congestion is becoming a menace in Delhi, allotment of Nursery School sites for purpose other than the purpose specified in the lay-out plan, would not be in public interest. Such allotment should cease forthwith. The area should be used for the Nursery School, which is meant for the small children in the neighbourhood, or developed/kept as green park. If there is any case of exceptional nature which requires special consideration, specific orders of the Ministry should be obtained.

(Jagnohan)
02.12.1999

Secretary(UID)
JS(UID)
VC, DDA
Commissioning (Institutional Planning), DDA

Item No.
6/2002

Sub: Constitution of "Delhi Bio-diversity Foundation" under Section 5 (A) of
Delhi Development Act, 1957.

A-21-1-2002 F.D.R. (LS)/Plg./2001/257

PRECIS

Delhi Development Authority had initiated the project of Bio-diversity Park in collaboration with Delhi University, Centre for Environmental Management of De-graded Eco-systems (CEMDE). The Noble idea ^{has been} floated by Hon' ble LG for developing a Bio-diversity Park which will be specialised in the flora & fauna of the River bed. Hon' ble LG desired that a Bio-diversity Foundation should be formed to take care of the heritage of Bio-diversity thriving in the various environmental regions of Delhi. Delhi is a heritage city with distinct topographic features including alluvial uplands, rocky tracts (ridge) and flood plains. It is in this context that a committee is proposed to be constituted under section 5 (A) of Delhi Development Act, 1957 consisting of the members of the Authority and other eminent persons of Delhi.

The Foundation is proposed to be named as Delhi Bio-diversity Foundation and its office to be located at Vikas Minar, I. P. Estate, New Delhi. The foundation with Hon' ble LG as its Chairman is proposed to have 12 members of which 4 members are to be co-opted. It aims to frame policies for creation, arrangement & maintenance of repository & heritage of Bio-diversity along natural features/ assets of NCTD with ecological, cultural & educational benefits to the urban society and having conservation values.

The Foundation is proposed to have powers to alter, modify or relax provisions of existing regulations with the approval of the Govt./ Authority where necessary for creation, protection, conservation, preservation or retention of ecological, aesthetical & cultural quality of in Bio-diversity sides in the areas of natural assets of the Capital city. It may also create a co-ordination & monitoring committee for quick, smooth implementation of schemes and an Technical Advisory Committee comprising of members from other relevant departments and institutions etc. as may be necessary within rules & regulations of DDA.

PREAMBLE

Bio-diversity forms the basis of human survival on the earth. Living resources (plants, animals and microbes) and their habits form an integral component of the bio-diversity. Mutual interaction between them provide stream of tangible and intangible benefits to the human society. Living resources, land, air and water are the natural capital that is utilised for economic development. Unscientific use of these resources will lead to unsustainable economic growth. Thus, conservation of biodiversity is of prime importance for the sustainable development of human societies.

The unique landscape and biodiversity of Delhi is under continuous threat due to various anthropogenic pressures, which include rapid population growth, industrial development and pollution. Population of Delhi has increased almost six folds from 1.74 million in 1951 to 11.5 million in 1996, and is estimated at about 13.3 million in 2001. Coupled with the pressures of increasing population, industries have grown more than 12 folds (from 8160 industries to around 1 lakh industries) since 1951. These developments have led to rapid degradation of the ecology and environment of Delhi and the environmental resources have almost lost their life supporting potentials in some ecosystems. The native flora and fauna have been rapidly replaced by exotics and the biological invasions altering the landscape. For example, native medicinal herbs that used to grow along roadsides and near habitation sites have disappeared.

The concept of creating "Delhi Bio-diversity Foundation" thus embraces such a vision to safeguard the built and natural heritage of the city through our collaborative efforts. The Foundation thus created will encourage the participation of individuals, institutions, local bodies and NGOs in our endeavour to save our common Heritage.

DELHI BIODIVERSITY FOUNDATION
(A Committee set up under Section 5 (A) of Delhi Development Act)

I. NAME :

The name of the Committee shall be "DELHI BIODIVERSITY FOUNDATION" hereinafter called the Foundation.

II. OFFICE

The office of the Foundation/ Committee shall be located in the National Capital Territory of Delhi (NCTD) at the address " Office of the Director (Landscape), Vikas Minar, I.P. Estate, New Delhi-110002."

III. FOUNDATION :

The Foundation shall have Lt. Governor of NCTD as its Chairman. It shall comprise of Administrators, Scientists, Professional Landscape Architects & Planners and Renowned Citizens of Delhi.

IV. AIMS & OBJECTIVES :

To act as governing council to frame and implement policies for cr^eation, management & maintenance of repository and heritage of biodiversity along natural features/ assets of NCTD with ecological, cultural & educational benefits to the urban society & having conservation values and pass it on to the coming generations. The aim of the Foundation can be achieved through following objectives :

- i) To replicate the various ecosystems together with its plant, animal and microbial communities.
- ii) To develop flood plains, forests together with a mosaic of wetlands that serves as bird sanctuaries and preserves aquatic genetic resources besides prevention of siltation of reservoirs waterpurification and recharging of ground water.
- iii) To conserve the keystone species and other species that are threatened.
- iv) To preserve the biodiversity of any habitat that is likely to be used for urban development now and/or in future.
- v) To create field gene bank for the threatened land races and wild genetic resources.
- vi) To promote education on environmental awareness and nature conservation.
- vii) To serve as Nature Reserve and Field Laboratory for short and long-term ecosystem research.
- viii) To promote Ecotourism.
- ix) To protect and improve environmental assets of the city such as river front, ridge, city forests, banks of major drains etc.

V) STRUCTURE OF FOUNDATION:

The foundation shall comprise of following members :

- | | | |
|-----|---|------------------|
| 1. | Hon'ble LG, Delhi | Chairman |
| 2. | Vice-Chairman, DDA | Vice- Chairman |
| 3. | Chief Secy, NCTD | Member |
| 4. | Vice-Chancellor of his Nominee
University of Delhi | Member |
| 5. | Engineer Member, DDA | Member |
| 6. | Finance Member, DDA | Member |
| 7. | Commissioner (Plg.), DDA | Member |
| 8. | Director (Landscape), DDA | Member Secy. |
| 9. |) | |
| 10. |) | Co-opted Members |
| 11. |) | |
| 12. |) | |

Co-opted members ^{shall be} from the following fields :

1. Renowned citizen of Delhi
2. Scientists/ Botanists / zoologists
3. Landscape Architect/ Environmental Planner
4. NGOs
5. Experts from IARI and other such Institutions.

The Chairman shall be authorised to co-opt more members if deem necessary. The tenure of the co-opted members shall be two years extendable further periodically.

VI) FUNCTIONS & POWERS OF FOUNDATION:

The Foundation shall have the following powers :-

- i) To alter, modify or relax provisions of existing regulations with the approval of Govt./ Authority if it is needed for creations, protection, conservation, preservation or retention of ecological, aesthetical, cultural quality of any bio-diversity sites in the areas of natural assets of the Capital City.
- ii) To do all such other acts & things either along or in conjunction with other Organisations or persons as the Foundation may consider necessary incidental or conducive to the attainment of the objectives.
- iii) To form a Co-ordination & Monitoring Committee for the projects specific for quick and smooth implementation of scheme.
- iv) To form an Advisory Committee comprising of members from other relevant departments, institutes NGOs etc. associated with environmental improvement of Delhi and connected activities.

v) Subject to such controls and restrictions as may be prescribed by the authority the foundation may create such number of administrative, technical, ministerial and other posts and make appointment their against through Personnel Branch of DDA and may determine the designation & grades of such officers & staff.

VII) POWERS TO THE CHAIRMAN OF THE FOUNDATION :

The Chairman shall have the powers to use his discretion and to take any step on his own as he may deem fit in any matter provided all such steps taken by him are within the framework of these Rules. Appropriate changes be made in the rules & regulations with the approval of Chairman. The Chairman be authorised to co-opt more members if deem necessary. However, the same shall be subject to the confirmation by the Foundation in its next meeting.

VIII) VICE CHAIRMAN OF THE FOUNDATION:

The Vice- Chairman shall work in co-ordination with the Chairman and oversee the general functions of the Foundation. He shall have the powers to exercise all the rights of the Chairman in his absence.

IX) MEMBER SECRETARY:

The Member Secretary shall perform all the duties connected with the functioning of the Foundation.

X) FINANCE & ACCOUNTS :

- i) Expenses for setting up the Foundation and to meet its operation activities shall be met by the DDA from Urban Development Fund, other receipts from Central Government, GNCTD/ Local Bodies and donations etc.
- ii) Separate bank account shall be opened to record various receipts and payments relating to Delhi Biodiversity Foundation Fund account. The receipts and payments relating to Delhi Biodiversity Foundation Fund shall be classified under Nazul Account II as below :

RECEIPT HEAD :

- A. Nazul A/C II
- VII C- Deposits and Advances.
- b) Other suspense items
- II) Deposits
- c) Other advances- DDA Biodiversity Foundation.
- 1) Receipts from central and State Governments.
- 2) Receipts from Biodiversity Fund.
- 3) Receipts from DDA/ Other agencies
- 4) Other receipts/donations.

PAYMENT HEAD

- A- Nazul A/c. II
- 9-C Deposits/Advances
- iv] Advances
- I] Other advances - DDA Biodiversity Fund
- [1] Payment of Awards
- [2] Estt. Expenses
- [3] Other payments

iii] The Foundation shall maintain proper account and other relevant records and prepare annual statement of accounts including the balance sheet in such form as the authority may prescribe.

OPERATION OF ACCOUNTS

The Bank account of the foundation will be operated by an Officer authorized by Finance Member, Delhi Development Authority.

XI] POWER TO INCUR EXPENSES

The Foundation shall have the power to incur such expenses from time to time as it considers necessary for the promotion and maintenance of the Aims and Objects of the Foundation. The Member Secretary shall have the power to incur contingent expenses up to the limit from time to time as fixed by the Foundation.

XII] Proposals to create Delhi Bio-diversity Foundation may kindly be approved by the Authority under Section 5 [a] of the Delhi Development Act, 1957.

RESOLUTION

Proposals contained in the agenda item were approved in principle. Exact format of the Regulations and the nomenclature of the Committee shall be finalised by the Vice Chairman in consultation with the Ministry of Urban Development & Poverty Alleviation. Possibility of associating non-official members with this Committee shall also be examined.

Item No: 7/2002. Sub: The Costing of Flats by DDA-Moving from Actual Cost to Standard Cost
F.21(1671)2001/HAC
PRECIS

I Present Methodology for Costing of Flats (Agenda Item No.28/94 and 151/93).

The present elements of costs are as follows:-

S.No.	Particulars	Remarks
A.	Cost of Construction	As intimated by Engineering Wing.
B.	Maintenance Charges	3.5% on (A) above for SFS, MIG and 3.25% for Janta, LIG
C.	Community Facilities charges	Rs.1 per square ft. subject to a maximum of Rs.750 for MIG/SFS and Rs.500 for LIG. No charges for Janta.
D.	Departmental Charges	10% for MIG/SFS and LIG 6.5% for Janata
E.	Administrative Charges	1% on MIG/SFS and LIG, no charges for Janata
F.	Interest Charges	@ 15% for 15 months for single or double storeyed flats and 18 months for 3 or more storeyed flats. Nil for SFS
G.	Cost of land	As approved from time to time
H.	Floor Equalization Charges	4.5% extra from allottees of ground floor Discount for First Floor 1% Discount for Second Floor 1.5% Discount for Third Floor 2%
I.	Surcharges	20% on flats in South Delhi for SFS flats
J.	Service Charges	2.5% of cost of land from the date of allotment till handing over of services to M.C.D.
K.	Actual Period Interest	In case of SFS flats 10% charged from the original start to the date when allottee joins the scheme.
L.	Other Charges	Documentation charges Rs.75 Share Money Rs.100 Water Charges Levied at the time of possession
M.	Ground Rent in respect of Hire-Purchase allotment	2.5% per annum of cost of land after two years

II. The Present system of Costing by DDA:

The costing is done by Housing Finance Wing with the approval of FM and VC. The method is that of actual cost or approved cost whichever is higher and not standard costs. Actual costs form the basis because the overall assumption is that of no profit no loss, which has been paraphrased to mean that each unit must be on no profit no loss. The data on actual expenditure and area of the housing units are supplied by the Engineering Wing to the Finance Department for costing purposes. On this Community Facilities, Departmental charges, Administrative charges, interest and land cost is added. This is at present the cost of the unit to which other charges, such as, document charges, service charges, share money, water charges etc. are further added on.

III. Need for Reform

- a. There is lack of synchronization and consequently delays in raising the demand.
- b. Data input on final cost often takes considerable time resulting in delay in receipt of basic data.

IV. Actual Cost to Standard Cost: Agenda for Reform.

1. The costing system would be restructured as follows:-
 - a. Finance Wing may fix costing on the basis of standard costing and not actual costing for each housing unit or cluster.
 - b. The Plinth Area Rate of construction would be announced twice in a year and would apply as on 1st April and 1st October each year.
 - c. The cost would be expressed in Rs. per square meter of plinth area.
 - d. The list of overheads would be pruned to only two elements i.e. departmental charges and service charges.
 - e. No floor equalization charges would be levied or discount for different floors may be given.
2. Standard Costing may mean the following:
 - a. $\text{Cost of a unit} = \text{Cost of construction} + \text{Departmental Charges} + \text{interest} + \text{Cost of land} + \text{Service Charges capitalized} + \text{Ground Rent capitalized or Free hold charges as the case may be} + \text{share money} + \text{cost of court yard (if any)} + \text{Cost of car/scooter garage, (if any)}$

i. **Cost of construction:-** The cost of construction per Square meter may be based on weighted average of actual cost of construction for the current year and total plinth area of the flats. This will be referred to as plinth area rate (PAR), it will include maintenance charges.. Separate PAR may be worked out for flats with lift and flats without lift. PAR for EWS/Janta/LIG/MIG/HIG/SFS may remain same within overall classification of with lift and without lift. The PAR so arrived will be updated by 5% for future increase and will remain valid till 31.3.2002. After this PAR will be decided on half yearly basis and will be applicable from 1st April and 1st October. PAR of 1st April will be based on actual costing data received upto 28/29th Feb and PAR of 1st October will be based on costing data received upto 31st August preceding 1st April and 1st October respectively. PAR of with lift flats are based on approved PEs of current year as actual costing has not been done in recent past. The PAR would be rounded off to multiple of 100.

ii. **Departmental charges** Departmental charges will include prepossession charges at present divided into Community Facilities, Departmental charges, Administrative charges, Documentation Charges and cost of water connection charges levied at the time of possession, which is proposed to be as under:-

Sl.No.	Category	%age of Construction Cost
1.	EWS/Janta	10%
2.	MIG/LIG/HIG	15%

iii. **Interest-** Interest during construction period may continue to be provided at the rate of 15% per annum on cost of construction and departmental charges for the following months:-

S.No.	Particulars	Number of months
i.	Single & double storey	18 months
ii	Three & four storey flats	24 months
iii	More than 4 storey flats	24 months (without lift) 30 months (with lift)

iv. **Cost of land:-** The cost of land per square meter will depend on developmental status of the area. This would be given by the Land

Costing Wing. Since the gross area of the scheme to the plinth area of the flats will depend on the number of storeys/ground coverage, hence the land rate may be multiplied with the following factors:-

Sl.No.	Particulars	Factor
1	One Storey	2.5
2	Two Storey	2.0
3	Three Storey	1.5
4	Four /Five Storey	1.0
5	More than Five Storey	0.6

- v. **Service charges:-** Service charges are presently collected @ 2.5% per year of land cost till services are handed over to MCD. If out of 2.5 % recovered as service charges, 0.75% is taken as transaction cost, the balance will be 1.75% of the land cost. Service charges would be charged in one lump sum for five years, being the average length of time taken for services to be transferred to MCD, it comes to 8.75% of land premium. It needs to be discounted at 9% per annum and discounting factor is 0.848. It gives 7.42% that would be rounded off to 7.5% of the land premium as capitalized value of service charges. In respect of old cases, the allottees would have paid at least 2.5% as service charges, included in the demand letter, hence option would be given to them to opt for capitalization of service charges in respect of unpaid and future charges, which would be 5% of the land premium. Where the allottee comes for conversion and the services are not transferred to the M.C.D. 5% of the land premium would be collected as capitalized value of service charges for unpaid and future dues. However, where he has already paid capitalized service charges, no further demand for the same will be raised. This will apply to Residential Housing Properties only.
- vi) **Ground Rent:-** Where Ground Rent is payable on lease hold properties being disposed off on installment basis it is charged at the rate of Rs.1 per year for first two years and thereafter @ 2.5% of the land cost, if 0.75% is taken as transaction cost the balance will be 1.75% of the land cost. This may be capitalized by discounting it @ 9%per annum. Discounting factors for 180 installments by taking first two years ground rent as nil works out to .528 and on 144 installments 0.589 and on 120 installments 0.635. The effective rate on land cost for 180 installments work out to 12%, 144 installments 10.3%, and for 120 installments 8.9%. However, for the purpose of simplification only one rate will be adopted i.e. 12% of the land cost. In respect of old cases, allottees will have the option to pay

capitalized value of ground rent @12% of the land cost in respect of unpaid and future dues of ground rent. This will apply to Residential Housing Properties only.

- vii) **Cost of court yard:-** Construction cost (PAR) of court yard would be taken as 25% of the PAR for the cost of flat including departmental charges and interest and land cost would be at 100% of land rate multiplied with Plinth area of court yard.
 - viii) **Cost of scooter/car garage:-** Construction cost (PAR) of scooter/car garage would be taken as 60% of the PAR for the cost of flat including departmental charges and interest. Land cost would be worked out by multiplying land rate with Plinth area of scooter/car garage and applicable land factor.
 - ix) **Share money:** This money go to Residents Welfare Association. It would be increased to Rs 500/- per flat for Janta/EWS/LIG flat and Rs.1000/- per flat for others.
- b. **Surcharge:** Surcharge for localities declared as prime localities by the Management will be levied @ 20% on total disposal cost which will include, Cost of construction + Departmental Charges + interest + Cost of land + +cost of court yard (if any) + Cost of car/scooter garage if any). This will be currently applicable for SFS/HIG scheme and not applicable to other flats.
3. After the completion of the scheme, variation in actual cost with standard cost will be worked out and duly accounted for in the next exercise.
- V. **Moving to standard cost: Related issues**
- 1. As a weighted average forms the basis of the standard cost arrived at, in some cases the actual cost may be more than that realized under the standard cost.
 - 2. There may be resentment, as some allottees would end up paying higher cost of construction than what their specific scheme may have cost under the earlier formula.
 - 3. Adjustment in costs would be done twice in a year so as to achieve an overall break-even position over the long run.

VI.

Standard Costing Rates for construction upto 31.3.2002 including maintenance, deficiency and rectification charges works out to:

PAR with lift = Rs.8000 per sq.mtr.
PAR without lift = Rs.5100 per sq.mtr.

VII. The above costing formula will also apply to all pending SFS schemes except for the interest portion. As far as the interest portion is concerned the existing procedure of charging of API and BCI wherever applicable will apply.

VIII. Approval for authority

Approval of the authority is required on Para IV, VI & VII of the note above.

RESOLUTION

Proposals of costing of DDA flats on "standard cost" basis were approved by the Authority with the following observations:-

- (i) Efforts should be made to have one uniform land rate throughout Delhi, with a possible 20% surcharge on South Delhi lands,
- (ii) Land rates should continue to be subsidised for the flats under LIG/Jants/EWS etc. as per existing policy.
- (iii) Standard costing principles should fully dispense with the existing requirement of flat-wise costing by the Finance Department in separate files. Costing of each flat should now be possible through a computerized programme based on plinth area of each flat and the standard cost formula for the relevant period.

Item No **Sub: Payment Verification –delegation of enhanced powers.**

8/2002

No. F.22(24)2001/Coordn.(H)/

A-21-1-2002

PRECIS

I. Background

1. Verification of payments by the allottees is being performed by Finance Wing as an important control function to ensure that the allottees have discharged the dues of the authority. The dues may pertain to disposal of flat, initial payment, installment, ground rent, conversion charges etc. Management Wing are required to obtain the no dues certificate in all cases but primarily before possession and conversion.
2. The payments record is maintained by the Finance Wing. Part of the payment record is supposed to be on electronic data base which is maintained /operated by considerable initiative on the part of Management Wing for computerization of records , the payments are made by allottees in the designated branches of the banks. The banks are supposed to send to the Authority a record of payments received along with the copy of challans. These challans are to be posted in the files. The major weaknesses are that a number of challans are not verifiable because the old relevant data/or files stand misplaced.
3. In cases where the payment is not verifiable,the allottees are -
Required to submit a bank certificate, which is then used to verify the payment. The matter is time consuming and bothersome. Banks do not keep record of older vintages and therefore, in old cases, the bank certificate is not forthcoming.

II. Suggested Reform-Delegation

There is some existing delegation of powers to facilitate verification in the existing cases. Copy of the relevant circulars dated 13th July 2001

∠ 'A' & 'B'
P-59-60 & 61)

∠ 'C' P-62
to 69).

- and 1st August 2001 at (App.∠ It is now proposed to streamline the standard procedure for verification in cases by enhancing delegation of powers, Office Order dated 6.12.2001 at (App.∠ salient features are:-
1. Final outstanding dues in respect of any flat are upto Rs.200/-, will be treated as written off and NOC will be issued by Zonal AO/Dy. Director (Housing) without insisting for this payment
 2. All the payments made by the allottees are required to be verified from the D&C register or Cash (Housing). However, in the cases where the allottees are asked to deposit some outstanding dues and if the payment involve is upto Rs.5000/- the procedure of verification of payments will be dispensed with by Director (H) and the payment will be treated as received by the Management Wing on submission of original 3rd/4th copy of challan as proof of payment. This would be applicable only in respect of final dues for the purpose of conveyance deed/NOC after possession.
 3. Where the payments made are more than 3 years old, the same may be treated as verified on production of proof of payment as 3rd/4th copy of challan or bank certificate and Indemnity Bond duly attested by the Notary. However, the overall limit upto J.F.A. level enhanced from Rs.25, 000/- to Rs.50, 000/- in each individual case. For amount over Rs.50,000/- irrespective of number of installments decision will be taken by FA(H)/Commissioner (Housing) for an amount upto Rs. 2 lakhs.
 4. In all cases under paragraph 2 & 3 above, a register would be maintained at the level of Dy. Director (H)/AO concerned indicating the entries of such unverified challans for audit by Internal Inspection Cell and for reconciliation by a separate unit. In-case of any loss,

the provisions of Indemnity Bond shall be invoked and money recovered from the Indemnifier.

5. Powers delegated for refund of registration amount and interest thereon are delegated to AO/Sr.AO for full amount subject to ensuring of completion of required formalities before refund.

Further, the following enhanced powers are decided to be delegated to different officers in respect of refund of other deposits.

Aos/Sr.Aos - Rs.25,000/-
Dy./Jt.FA(H) - Rs.50,000/-
FA(H) - Rs. 2 lakhs
F.M. - Full powers.

6. Where possessions has been given upto 31.12.1995, prepossession payments need not be verified.

III. Monitoring

1. In order to ensure that the cases are dealt with expeditiously at all level and there are no grievances to allottees on these pending cases regarding No Dues Certificate, the exercise shall be monitored by a Committee on weekly/fortnightly basis. The Committee will comprises, Commissioner (H), FA(H), Director (System), Representative from I.I. Cell & Jt.FA(H)-I - Member Secretary.
 2. The Committee may monitor the cases as well as suggest timely changes.
- IV. Information in Paras II and III above is submitted for kind perusal and further guidance by the Authority.

RESOLUTION

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

DELHI DEVELOPMENT AUTHORITY
(Housing Accounts Wing)

No.PA/Jt.F.A(H)II/Conversion/2000/

Dated: 13th July, 2000

Office Order

Subject: Simplification of procedure and delegation of enhanced powers for disposal of conversion cases.

In order to cope with the increased work of conversion scheme it has become necessary to simplify our existing procedure for working out the outstanding dues/issue of N.O.Cs. so as to expedite the disposal of pending conversion applications. Hon'ble Lt. Governor/Chairman, DDA has been pleased to approve the following simplifications and delegation of the enhanced powers to the Officers of the Housing Accounts Wing for the above purpose :-

1. In case the final outstanding dues in respect of any flat are upto Rs 50/- the same will be treated as written off and NOC will be issued by the Zonal A.O. without insisting for this payment.
2. All the payments made by the allottees are required to be verified from D&C Registers or Cash (Housing). However in the cases where the allottees are asked to deposit some outstanding dues and if the payment involved is upto Rs. 4000/- (Rupees Four Thousands only) the procedure of verification of payment will be dispensed with and the payment will be treated as received on submission of original third/fourth copy of challan as proof of payment.
3. As per F&A Circular No.40/96 dated 3.9.1996 the Officers of Housing Accounts Wing have been delegated powers for acceptance of bank certificates in the absence of credit verification from the records of DDA. The procuring of bank certificates for old payments is causing problems to the allottees. Now it has been decided that where the payments made are more than three years old the same may be verified on production of proof of payments and the Indemnity Bond duly attested by the Notary Public. It has also been decided to delegate the following enhanced powers to the Officers of the Housing Accounts Wing for the above purpose:-

Sr.No.	Officers to whom powers delegated	Existing Powers	Enhanced Powers
1.	Monthly instalments:		
	i) Zonal A.Os.(II)	Upto 2 instalments	Upto 5 instalments.
	ii) Dy./Jt.FA(II)	Upto 5 instalments	Upto 10 instalments
	iii) F.A.(H)	Upto 10 instalments	Upto 20 instalments.
2.	Ground Rent, service charges etc:		
	i) Zonal A.Os.(H)	Upto Rs. 2000/-	Upto Rs. 2500/-
	ii) Dy./Jt.FA(H)	Upto Rs. 5000/-	Upto Rs. 7500/-
	iii) F.A.(H)	Upto Rs. 10,000/-	Upto Rs. 15,000/-

From pre-page:

For exercising the powers in respect of monthly instalments the overall limit will be Rs.25,000/-. A.Os. will maintain detailed record and once the actual verification cycle is completed, this would be got tallied and report sent to the respective Jt. F.A.(H) for onward transmission to F.A.(H) and F.M.



(Ila Singh)
Financial Advisor (II)

Copy to :-

1. V.C., DDA.
2. F.M., DDA.
3. Commssioner(H).
4. C.A.O., DDA.
5. Director(H) I/
6. Jt.F.A.(II) I & II.
7. Jt. Director (LAB).
8. All Sr.A.Os./A.Os(II)



(V.D. Nanda)
Jt. Financial Advisor (II) II

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE COMMISSIONER (HOUSING)

No.F.2[10]2001/Co-ordn.(H)/C.1

Dated 1st August, 2001


OFFICE ORDER

SUB: Simplification of procedure and delegation of enhanced powers for issue of NOC for possession.

An Office Order No. PA/Jt.FA(H)III/Conversion/2000 dated 13.7.2000 was issued by FA(H) to simplify the procedure for working out the outstanding dues/ issue of No Objection Certificate so as to expedite the disposal of pending conversion applications.

In order to simplify the procedure for issue of No Objection Certificate for other purposes, it has been decided to extend the circular dt.13.7.2000 referred earlier to the NOCs for any other purposes, provided application has been received from the original allottee and genuineness is verified by the officer not below the rank of Dy. Director, in the Management wing.

This bears approval of FMVC on file No. MO.24[1245]87/RO/NP.


[Devendra Bhushan Gupta]
Commissioner(Housing)

1. PS to V.C., DDA.
2. PS to FM, DDA.
3. Financial Advisor(Housing)
4. Director(Housing)-I
5. Director(Housing)-II
6. All Jt./Dy. Directors of Housing Department.
7. Jr. Law Officer(Housing).
8. Guard File.

**DELHI DEVELOPMENT AUTHORITY
OFFICE OF COMMISSIONER (HOUSING)**

No.F.2(10)/Circular/N&C(H)/350

06.12.2001
7

OFFICE ORDER

In super session of Office Order No. PA/Jt.FA(H)II/ Conversion/ 2000 dt. 13.7.2000 regarding simplification of procedure and delegation of enhanced powers for disposal of conversion cases. It is decided that in order to mitigate the public grievances as also expedite the disposal of cases urgently, it has become necessary to liberalize our existing procedure so that the delay in issue of NOCs for conversion or other purposes could be minimized and refund to the allottees wherever required is made expeditiously. To meet out the above purpose it has been decided to delegate the following enhanced powers to the officers of Housing Accounts and Management Wing.

PRESENT DELEGATION	ENHANCED DELEGATION
1. In case the final outstanding dues in respect of any flats are upto Rs.50/-, the same will be treated as written off and NOC will be issued by the zonal AO without insisting for this payment.	In case the final outstanding dues in respect of any flat are upto Rs.200/-, the same will be treated as written off and NOC will be issued by Zonal AO/Dy. Director (Housing) without insisting for this payment.
2. All the payments made by the allottees are required to be verified from the D&C register or Cash (H). However, in the cases where the allottees are asked to deposit some outstanding dues and if	All the payments made by the allottees are required to be verified from the D&C register or Cash (Housing). However, in the cases where the allottees are asked to deposit some outstanding dues and if the payment involve is upto

<p>the payment involve is upto Rs.4000/- the procedure of verification of payments will be dispensed with and the payment will be treated as received on submission of original 3rd/4th copy of challan as proof of payment.</p>	<p>Rs.5000/- the procedure of verification of payments will be dispensed with by Director (H) and the payment will be treated as received by the Management Wing on submission of original 3rd/4th copy of challan as proof of payment. This would be applicable only in respect of final dues for the purpose of conveyance deed/NOC after possession.</p>
<p>3. Where the payments made are more than 3 years old the same may be treated as verified on production of proof of payment and Indemnity Bond duly attested by the Notary Public. It has also been decided to delegate the following enhanced powers to the officers of Housing Accounts Wing for the above purposes:-</p> <p>a)</p> <ul style="list-style-type: none">i. Zonal A.Os upto Five installmentsii. Dy./Jt.FA(H): upto ten installmentsiii. FA(H) : upto twenty installments <p>(subject to overall monetary limit of Rs.25,000/-)</p>	<p>Where the payments made are more than 3 years old, the same may be treated as verified on production of proof of payment as 3rd/4th copy of challan or bank certificate and Indemnity Bond duly attested by the Notary Public in respect of number of monthly installments already decided and existed in each individual cases to be exercised by different officers. However, the overall limit is decided to be enhanced from Rs.25, 000/- to Rs.50, 000/- in each individual case at DFA/JFA level. For amount over Rs.50,000/- irrespective of number of installments decision will be taken by FA(H)/Commissioner (Housing) for an amount upto Rs. 2 lakhs.</p>

<p>b) GROUND RENT, SERVICE CHARGES, ETC.</p> <p>i. Zonal AO & upto Rs.2500/-</p> <p>ii. Dy./Jt. FA(H): Upto Rs.7500/-</p> <p>iii. FA(H) : Upto Rs.15,000/-</p>	<p>No change in the existing delegations.</p>
<p>c) For exercising the powers in respect of monthly installments, AOs will maintain a detailed record and once the actual verification cycle is completed, this will get tallied and report is sent to the respective Jt.FA(H)s for onward transmission to FA(H)/FM.</p>	<p>The existing system of follow up verification may be discontinued. However, entries of such unverified challans will be made in a register in each unit for audit by Internal Inspection Cell and for reconciliation by a separate unit. In case of any loss, the provisions of Indemnity Bond shall be invoked and money recovered from the Indemnifier.</p>
<p>4. The present delegations are applicable for conversion cases issued by office order No. PA/Jt.FA(H)II/Conversion/2000 dt. 13.7.2000. The delegations were made applicable for issue of NOCs for any purposes provided application has been received from the original allottee and the genuineness is verified by the officer not below the rank of Dy. Director in the Management Wing vide</p>	<p>It is now decided that the delegation may be made applicable to NOCs to be issued for conversion cases, penalty relief cases or Amnesty cases and all other purposes. The delegation may also apply in all cases whether pertains to original allottees or SPA/GPA cases where GPA has applied for conversion in his own name subject to verification of genuineness by Management Wing.</p>

office order No.	
<p>5. At present the powers delegated to various officers in Housing Accounts Wing for refund of registration and other deposits are as follows:</p> <ul style="list-style-type: none">i. AOs/Sr.AOs : Upto Rs.15,000/-ii. Dy./Jt.FA(H): Upto Rs.25,000/-iii. FA(H): Upto Rs. 1 laciv. FM: Full powers	<p>It is decided that powers delegated for refund of registration amount and interest thereon are delegated to AO/Sr.AO for full amount subject to ensuring of completion of required formalities before refund.</p> <p>In case of refund of registration deposits, if it is claimed by the registrant that FDR was not issued to him and no indication of issue of FDR exist in the registration register and payment cannot be verified at this stage being very old case, the refund will be processed for approval of FA(H) by AO on the basis of challan/registration certificate and the following certificates/documents:</p> <ul style="list-style-type: none">i. An affidavit to the effect that the applicant is registered with DDA vide Registration No. ___ for allotment of a flat and the FDR has not been issued by DDA and received by him (to be given by the applicant on stamp paper).ii. Furnishing of Indemnity Bond duly attested by Notary Public by the

	<p>applicant against any loss/fraud to DDA.</p> <p>iii. A certificate from Management Wing that no allotment has been made against the registration to the applicant.</p> <p>Further, the following enhanced powers are decided to be delegated to different officers in respect of refund of other deposits.</p> <p>Aos/Sr.Aos - Rs.25,000/- Dy./Jt.FA(H) - Rs.50,000/- FA(H) - Rs. 2 lakhs F.M. - Full powers.</p>
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In the past, possession of the flats in a few schemes were handed over to the allottees by the Management Wing without verification of the initial deposit, the cash down payments and other payments due for possession. This practice perhaps was adopted to facilitate expeditious handing over possession to the allottees to minimize harassment. However, now when the allotted flat is proposed to be transferred legally through execution of conveyance deed, it would be appropriate to get such pre-possession payments verified. This may take some additional time i.e. a few days but keeping in view the final transfer of property by DDA to the allottee, this should not be dispensed with. A few chances have come to the notice in the past where the forged challans have been submitted by the allottees and it is to be ensured that no such case goes through in the process of liberalization of procedure. There may also be cases where the allottee has made the payment but Bank might not have credited that to the DDA's account. In case some payments could not be got verified the procedure of Indemnity Bond can be adopted and case disposed off with the orders of the Competent Authority.

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Hence it is decided that pre possession payments need not be verified where possession has been given upto 31.12.1995. It will apply to all cases including cash down allotments, SFS, initial deposit of Hire Purchase allottees.

PRACTICES

It is decided that all the NOCs which shall henceforth be issued by the Accounts Wing shall indicate the dues viz. cost, installment, ground rent, service charges, interest, etc. The element of interest shall be worked out presuming that the payment shall be made within next three months and interest for the next three months shall be added in the balance dues while issuing No Dues Certificate. In addition the rate of interest payable for delay shall also be indicated simultaneously. This would facilitate the allottee as well as Management Wing to work out delayed payment interest without referring the case to the Finance Wing. The Accounts Wing shall henceforth issue No Dues Certificate in cases where the final dues on account of ground rent/service charges/cost/installment/interest, etc. are up to Rs. 5,000/- subject to the payment to be made by the allottee by the prescribed date as indicated in the certificate itself and further action may be taken by Management Wing subject to their satisfaction of receipt of payments from allottee.

In cases of Self Finance Scheme where allocations have been made and the allocattees have made payment of four installments as per demand-cum-allocation letter the files shall be sent by the Management Wing to the Accounts Wing, in batches for verification of payments made and working out interest on late payments, etc., if any. The completion of this exercise in advance shall facilitate the timely issuance of the final demand letters once the specific draw of flats held and costing of the flats is finalized.

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MONITORING

In order to ensure that the cases are dealt with expeditiously at all level and there are no grievances to allottees on these pending cases regarding No Dues Certificate, the exercise shall be monitored by a Committee on weekly/fortnightly basis. The Committee will be comprises of the following members:

1. Commissioner (H)
2. FA(H)
3. Director (System)
4. Representative from I.I. Cell
5. Jt.FA(H)-I – Member Secretary

The Committee shall select one case each from one unit in every week and shall see that the exercise of delegation of powers for expeditious clearance of cases is being done. The Committee shall also study the system bottlenecks and shall come up with suggestions of their removal, on a regular basis.

ON LINE VERIFICATION

It is decided that Director (System) will make endeavor to improve upon the discrepancies/errors in the present data operation work. In order to ensure that data base is accurate. Further the on line system of verification of payments in the Housing Accounts Wing or by Management Wing under the direct control of AO/AD respectively will be introduced expeditiously on the recommendation of the Director (System) in order to cut short the delays in verifications.

This issues with the approval of VC, DDA on file No.22(24)2001/Coordn.(H)/F.


(D.B. Gupta)
Commissioner (Housing)

ITEM NO. Sub: RATIONALIZATION OF INTEREST STRUCTURE

9/2001

No F. 21(Misc.9)INT/HAC/2001

PRECIS

DDA is charging simple rates of interest. However in the case of allotment on Hire purchase basis, interest is collected monthly. Interest charged by banks/Financial Institutions/ Housing Finance Companies are compounded monthly/quarterly/half yearly and in some cases yearly. Simple rate of interest charged by DDA if charged on compounded basis, its equivalent rate on monthly/quarterly/yearly compounded basis are given in App. 'A' P - 75) The rate of interest charged by banks/Financial Institutions/ Housing Finance Companies on monthly/quarterly/yearly compounded basis if converted into simple rate of interest, its equivalent simple rate of interest -76) , is given in App. 'B' P. The interest charged by the DDA are as follows:

1. Interest charged in case of Hire purchase schemes:

a. At present EMI (equated monthly installments) are fixed after taking into account the following:

i.	Interest	15% p.a
ii.	Group Insurance	1%
iii.	Installment collection charges	0.5%

b. It has been observed that banks are charging interest rates in the range of 12.25% to 13.5% and that Group Insurance has not benefited the allottees much, hence there is no need of group insurance. DDA is planning to appoint collection agents on commission basis, hence collection charges needs to be increased.

c. It is proposed to reduce interest to 14% p.a. from 15% p.a. in respect of Hire purchase schemes. It is also proposed that no group insurance be taken and collection charges be increased to 1% p.a.. Thus effective rate of interest

will be 15% p.a. against 16.5% p.a. to be charged monthly on reducing balance as is charged at present.

2. Interest during construction period for working out cost of the flats:

a. Interest during construction period is calculated by taking the rate of interest at the rate of 15% for the following months:

Single or double storey flats	15 months
3 or more storey flats	18 months

b. DDA is constructing multi storey buildings also which take longer duration than 36 months, as envisaged while fixing 18 months period for 3 or more storey flats. Normally flats upto 4/5 storeys are without lift and above these are with lift. More over, some time is taken in providing basic amenities because of fault of DVB, DJB etc. Hence this period needs to be taken as construction period. It is assumed that it will take six months in providing these facilities after completion of flats.

c. It is proposed that interest during construction period may be charged @ 15% for the following periods:

i.	Single & double storey	18 months
ii	Three & four storey flats	24 months
iii	More than 4 storey flats	24 months (without lift) 30 months (with lift)

3. As per Authority Resolution No.78 OF 1992, the lending rates of National Housing Bank (NHB) would be adopted by DDA for the purposes of costing and for fixing hire purchase installments. It is

submitted that NHB does not do retail lending but only refinances. It is proposed to delink these rates from NHB.

4. Interest on restoration and working out current cost:

a. SFS Flats:

When a flat is restored, its cost is taken either old cost + interest or current cost. In old cost + interest formula interest is charged @ 18% per annum from the bulk date of issue of 5th and final demand letter in the scheme and upto 5th installment API (Actual Period Interest) is charged @ 10% p.a. upto 5th and final demand but on defaulted installments; interest is charged @ 18% per annum. In current cost current land rate is charged and cost is updated by taking API @ 10% p.a. This will give cost of flat on the date of restoration.

b. MIG/LIG/JANTA:

When a flat is restored, its cost is taken either old cost + interest or current cost. In case of restoration at current cost, cost is worked out on the basis of approved PAR (Plinth Area Rate).

c. It is proposed that interest at the rate of 12% compounded at yearly intervals to be charged before issue of demand letter and thereafter @ 15% p.a. compounded yearly.

5. Interest on default of payments:

Interest on default payments is charged differently depending upon terms of the schemes, court orders and whether default is on the part of DDA/allottee. Following interest rates are charged for default payments:

- a) In the case of Hire Purchase Schemes and Expendable Houses Scheme 1996, the rate of interest as penalty charged in case of default on monthly installments is as under:

First month	1% p.m. or Rs 2/-
Second month	2% p.m. or Rs 5/-
From third month onward	4% p.m. or Rs 10/- (which ever is higher)

and in cash down payment it is 12% p.a. for the first month and 18% p.a. for subsequent months.

- b) In the case of Expendable Houses Scheme 1995, the rate of interest charged as penalty in case of default on monthly installments is as under:

First Month	: 12% p.a.
Next month	: 18% p.a.
Beyond 90 days	: 24% p.a.

- c) In case of other defaults, the interest rate is charged at the rate of 12% p.a. for the first month and 18% p.a. for the subsequent months, if the default is on the part of the allottee.

- d) It is proposed to charge simple rate of interest @ 12% p.a. for the first month and @ 18% p.a. for the subsequent period, in the case of default in installments of Hire Purchase Schemes and @ 15% p.a. compounded yearly in case of defaults by allottees in respect of any other scheme excluding SFS. In case of defaults by allocattees/allottees of SFS interest @ 15% p.a. compounded yearly may be charged. However if the allottee had already deposited interest penalty as per original terms of the schemes or under any penalty relief schemes and interest penalty under this Resolution is less than the amount deposited, no refund will be given and amount

deposited will be treated as penalty upto the date of deposit

6. Payment of interest by DDA

- a. In case of SFS flats, DDA is paying interest if the construction is delayed beyond 30 months. Interest is normally paid at the rate of 7% for the first 6 months and at the rate of 10% thereafter till the date of issue of bulk demand letters. DDA works the costing of the flats at cost on no profit and no loss basis. The amount received from the allottees is invested in the housing schemes in the form of land, building material, departmental charges, etc. As there is no element of profit involved in working out the cost of the flats, there seems to be no justification in paying interest on belated construction.
- b. Hence approval of authority is required that no belated construction interest will be paid in future schemes except where DDA has already made a commitment and also no belated construction interest will be paid on cancelled and restored flats where final demand letters are to be issued.

7. Interest on deferment:

- a. Some times payment of installments are deferred keeping in view the progress of the construction but some of the allottees deposit their installment money before notice for deferment is given in the newspapers. DDA has earlier paid 10% p.a. simple interest in such cases. Finance Member keeping in view falling interest rates in the market reduced it to 7%p.a. recently.
- b. It needs confirmation from Authority, also that no deferment interest be paid on deposit made after deferment is announced in newspapers.

8. Interest on registration deposit:

a. DDA also pays interest on deposits on the registration money at following rates:

<u>Scheme</u>	<u>Percentage</u>
NPRS 1979	7% compounded annual
Janta Housing Scheme 1996	10% p.a. simple interest
Ambedkar Yojna	7% p.a.
4 th , 5 th & 6 th SFS	7% p.a.

b DDA will pay simple interest at the rate of 7% on registration deposit on future schemes where deposit has been kept for more than three months for a period above three months.

9. The proposals containing Para 1c, 2c, 3, 4c, 5d, 6b, 7b, 8b are submitted for consideration and approval before the Authority.

R E S O L U T I O N

Proposals contained in the agenda item were approved by the Authority. Possibility of further reduction in interest rates would be examined after six months.

**EQUIVALENT COMPOUNDED INTEREST RATES COMPARABLE TO
SIMPLE INTEREST RATES**

Year	Compounded interest rates equivalent to simple interest rates @18%				Compounded interest rates equivalent to simple interest rates @15%			
	Monthly	Quarterly	Half yearly	Yearly	Monthly	Quarterly	Half yearly	Yearly
1	16.666	16.899	17.256	18.000	14.058	14.223	14.476	15.000
2	15.473	15.674	15.981	16.619	13.190	13.336	13.558	14.018
3	14.479	14.655	14.923	15.480	12.450	12.579	12.777	13.185
4	13.635	13.791	14.028	14.520	11.808	11.924	12.102	12.468
5	12.906	13.045	13.258	13.697	11.245	11.350	11.511	11.843
6	12.268	12.394	12.586	12.982	10.745	10.842	10.989	11.291
7	11.705	11.819	11.994	12.354	10.299	10.387	10.522	10.799
8	11.202	11.307	11.467	11.795	9.896	9.978	10.103	10.358
9	10.750	10.846	10.993	11.296	9.531	9.607	9.722	9.959
10	10.340	10.430	10.566	10.845	9.198	9.269	9.376	9.595

Year	Compounded interest rates equivalent to simple interest rates @12%				Compounded interest rates equivalent to simple interest rates @10%			
	Monthly	Quarterly	Half yearly	Yearly	Monthly	Quarterly	Half yearly	Yearly
1	11.387	11.495	11.660	12.000	9.569	9.645	9.762	10.000
2	10.804	10.901	11.050	11.355	9.151	9.221	9.327	9.545
3	10.293	10.382	10.517	10.793	8.777	8.842	8.940	9.139
4	9.841	9.922	10.045	10.297	8.441	8.501	8.591	8.776
5	9.437	9.511	9.624	9.856	8.137	8.192	8.276	8.447
6	9.073	9.142	9.246	9.460	7.859	7.911	7.989	8.148
7	8.743	8.806	8.903	9.102	7.604	7.653	7.726	7.875
8	8.441	8.501	8.591	8.776	7.370	7.415	7.484	7.624
9	8.165	8.221	8.305	8.478	7.153	7.196	7.260	7.392
10	7.911	7.963	8.042	8.204	6.952	6.992	7.053	7.177

EQUIVALENT SIMPLE INTEREST COMPARABLE TO
COMPOUNDED INTEREST

Year	Simple interest equivalent to compounded interest @10%				Simple interest equivalent to compounded interest @12%			
	Monthly	Quarterly	Half yearly	Yearly	Monthly	Quarterly	Half yearly	Yearly
1	10.471	10.381	10.250	10.000	12.683	12.551	12.360	12.000
2	11.020	10.920	10.775	10.500	13.487	13.339	13.124	12.720
3	11.606	11.496	11.337	11.033	14.359	14.192	13.951	13.498
4	12.234	12.113	11.936	11.603	15.306	15.118	14.846	14.338
5	12.906	12.772	12.578	12.210	16.334	16.122	15.817	15.247
6	13.627	13.479	13.264	12.859	17.452	17.213	16.870	16.230
7	14.399	14.238	13.999	13.553	18.667	18.399	18.013	17.295
8	15.227	15.047	14.786	14.295	19.991	19.689	19.254	18.450
9	16.116	15.917	15.629	15.088	21.433	21.092	20.604	19.701
10	17.070	16.851	16.533	15.937	23.004	22.620	22.071	21.058

Year	Simple interest equivalent to compounded interest @15%				Simple interest equivalent to compounded interest @18%			
	Monthly	Quarterly	Half yearly	Yearly	Monthly	Quarterly	Half yearly	Yearly
1	16.075	15.865	15.563	15.000	19.562	19.252	18.810	18.000
2	17.368	17.124	16.773	16.125	21.475	21.105	20.579	19.620
3	18.798	18.515	18.110	17.363	23.638	23.196	22.570	21.434
4	20.384	20.056	19.587	18.725	26.087	25.559	24.814	23.469
5	22.144	21.763	21.221	20.227	28.864	28.234	27.347	25.755
6	24.099	23.657	23.030	21.884	32.019	31.267	30.211	28.326
7	26.273	25.761	25.035	23.715	35.608	34.710	33.453	31.221
8	28.694	28.100	27.260	25.738	39.698	38.625	37.129	34.486
9	31.392	30.704	29.731	27.976	44.363	43.082	41.301	38.172
10	34.402	33.604	32.479	30.456	49.693	48.164	46.044	42.338

Item No.

10/2002

11-21-1-2002
Subject: Double allotment.

PRECIS

F.177(333)/91/SFS/DW-II.

At present there are two resolution on the above issue i.e. 103/91 (App. 'A' P-79-82), P-83-86) and 144/93 (App. 'B' Z. The later resolution has modified the former upto certain extent and all other basic issue remain unchanged. For deciding the double allotment cases, resolution No. 103/91 provides "As per present practice where one flat is consecutively allotted to two persons and both have deposited the demanded amount, one of the allottee is offered another flat and the updated cost for the subsequent flat is worked taking into account the current cost of construction and revised land rates."

Thus it is clear from the above, that only those cases are covered in double allotment where "both have deposited the demanded amount". It has been noticed that it is not so in many cases. It has not covered the possibility where the allottee as soon as he comes to know about the allotment of a specific flat, goes to the site without making payment of 5th and final demand letter (in cases of SFS) cash down payment (in cases of cash down allotments other than SFS) and monthly instalments (in cases of hire purchase allotments) and finds that somebody else is living in the house. After finding that the flat was already allotted to somebody else sometimes back, he does not deposit the money and contacts DDA about this aspect and for alternative allotment. There might be cases where DDA on its own finds out that mistake has occurred and the flat allotted now stands already allotted to someone. In both these cases it is difficult to contend that the allottee should pay the money in time without even getting a proper alternative allotment and then only benefits of Authority Resolution No. 144/93 would be given to them. Once the process is ab inito wrong leading to no title of the allotted flat resulting into another allotment later on, it would be proper and fair to give him another allotment first and charge the same price which prevailed at the time of original allotment.

Therefore, it is felt that the benefit of double allotment cases should be given to such type of allottees also and cost of alternative flat should be based on the same land rate and cost of construction which existed during the time of previous allotment based on which earlier demand letter was issued. However, on the unpaid amount 12% simple interest would be charged for the intervening period. However, time for 90 days are given to the allottee to pay the demanded amount after which the clause of automatic cancellation lies. Therefore, in cases of double allotment, the allottee

must inform the DDA about this fact of double allotment before the date of automatic cancellation. The responsibility of the erring official should also be fixed in this case.

It is, therefore, proposed that the words "and both have deposited the demanded amount" may be deleted from the resolution NO. 103/91. Other terms and conditions of the original resolution remained unchanged.

RESOLUTION

Proposals contained in the agenda item were approved by the Authority. Commissioner (Housing) assured that responsibility against the delinquent officials was being fixed.

APPENDIX 'A' TO ITEM No. 10/2002.

Item No.

103

A-13,2.91

Subject: Price of flats in cases where change is allowed on the request of the allottee and in cases of subsequent allotment to victims of double allotment.
F.No. 22(6)/71/HAC/Pt file.

P R E C I S

The Authority vide its Resolution No.51 dated 9.7.1990 decided that the cost of left out flats on their re-allotment should be worked out taking into account the current cost of construction. The land rates being charged for the flats were revised as per LG's orders of November, 1990. The revised land rates came into effect from 6.12.90. Thereafter while working out the revised cost of flats the revised land rates have also been given effect to. There are two types of cases where the costing of left out flats requires further consideration these are:

- 1) Where a ready built flat is provided by way of change on the request of an allottee.
- 2) In case of double allotment i.e. one flat being allotted to two persons consecutively where an alternative flat has to be provided by way of change but for no fault of the second allottee. The present practice in respect of charging of revised cost in these cases is as under:

1. Cases where change is at the request of the allottee.
In such cases the allottee is liable to pay the following charges:

- (i) The updated cost of the subsequent flat based on revised land charges and current building costs;
- (ii) Normal interest, i.e. @ 12.6 per annum on the total cost of the earlier flat upto the date of

change by the competent authority in case the cost of the earlier flat was not paid in accordance with the demand letter of the DDA. In respect of allotment on hire purchase basis, the allottee is required to pay interest on the differential amount (Total cost - initial deposit), provided he has paid the amount of initial deposit in time, as per the demand letter issued by DDA. Otherwise in case of hire purchase also the allottee is required to pay interest on total cost of the flat.

(iii) Change charges at the following rates :-

SFS	Rs. 10,000/-
MIG	Rs. 7,500/-
LIG	Rs. 5,000/-
Janta	Rs. 2,000/-

In case change is allowed in the same pocket, change charges are recovered as Rs. 1,000/- only uniformly for all categories of flats.

(iv) As the change is allowed to the benefit/

advantage of the allottee no interest on his deposits against earlier flat is allowed.

In cases of this type since the change of floor/area is made exclusively on the basis of a request received from the allottee, the existing policy is fully justified and need not be modified.

II. Double allotment cases (where one flat is allotted to two persons) :

As per present practice where one flat is consecutively allotted to two persons and both have deposited the demand amount, one of the allottees is offered another flat and the updated cost for the subsequent flat is worked

taking into account the current cost of construction + revised land rates. No interest on the deposits made by the allottee against the earlier flat is allowed. It has been observed that there is substantial increase in the disposal cost of the left out flats worked out on current cost of construction and current land rates as compared to the original disposal cost worked out during the past years. The case of double allotment occur due to inefficiency or corruption in the allotment process. In other words such cases occur due to fault and not that of the allottee. of the D.D.A. / As much, it is felt that the allottee should not be made to suffer unduly. On the other hand it has to be kept in mind that any adjustment on a liberal scale might also serve to encourage such inefficient or corrupt practices, to the detriment of DDA's interests unless recovery of the whole or part of the loss sustained thereby by DDA is effected from those responsible for the said lapse. In view of the above and in the interest of equity and justice, it is proposed that in such cases the cost of the alternative flat should be worked out on the basis of current cost of construction + original land premium as charged while working out the initial disposal cost. In addition interest on the payment already made at the disposal cost of the original flat may be paid @ 7½% p.a. subject to recovery of a part or whole thereof from the pockets of those responsible for the double allotment. These initial payments will be calculated from the date of payment for the original

flat allotted till the date of the fresh allotment and adjusted against the disposal cost of the new flat allotted.

R E S O L U T I O N

The Authority resolved that the proposals be approved subject to the following :-

- i) Interest @7-1/2% p.a. will be payable to the victim of double allotment on the amount paid by him towards the price of the original flat allotted to him, in case the alternative allotment is not made within six months from the date of payment;
- ii) Major penalty proceedings should be initiated against the defaulting official(s) in each case involving double allotment.

ITEM SUB : Implications of recent High Court Judgement -
NO. regarding pricing of DDA flats.
144/93 (F.1(1)93/MIG/NP).

P R E C I S

A-16.11.93

The term double allotment signifies a situation where one flat is allotted to two different registrants either inadvertently or due to inefficiency or corruption in the allotment process. It takes place because of incomplete property records and lack of coordination between various branches of the management wing. The process of allotment of a specific flat involves conduct of a draw by computer on the basis of information about vacant flats made available to it by the management wing. This information is fed into the computer by verifying the property registers which contains information about all the flats made available to management wing by the engineering wing after their completion. The management wing is supposed to keep it updated by filling details of allotment and possession. If property register is not updated there is every probability that a flat which is already allotted and where possession has also been taken over, would be shown as vacant and this is fed into the computer at the time of draw. It would be again allotted to another registrant causing double allotment. The cases of double allotment take place only because a flat which is allotted is shown as vacant and fit for allotment by the management wing of the Housing Department. Such wrong information can be fed to the computer either inadvertently or deliberately by a corrupt official for harassing registrants. Whatever may be the case the registrant is not at fault and responsibility of double allotment solely lies with the DDA.

2. The allottee comes to know about double allotment when he approaches DDA for taking over possession of the flat. Since the flat in question already stands allotted to some other person, the other allottee has to wait for a fresh allotment which takes time. It has been seen that in many cases of double allotment, subsequent fresh allotment was made after lapse of more than a year. In case the formalities of subsequent allotment are completed within six months from the date of 1st allotment, though the allottee had to wait, there was no adverse financial implication for him. He was allotted another flat at the same price provided he was allotted a flat in the same locality and on the same floor. However, if fresh allotment was not made within six months, the allottee had to pay revised cost of the flat which was higher than the original cost at which he was allotted flat. The cost varied depending upon when he was allotted the other flat. In other

Contd.....

words, a victim of double allotment not only had to wait for fresh allotment but used to pay higher cost without getting any interest on the amount he had deposited towards the cost of first allotment.

3. In as much as double allotments occurred due to the fault of the DDA, it was felt that allottee should not be made to suffer. Thus in the interest of equity and justice the Resolution No.103 was passed by the Authority on 13.9.1991 (App. 'J' P.No. 52-55). It was resolved that while working out the cost of subsequent flat in double allotment cases, current cost of construction should be taken into account alongwith land premium at the rate at which it was included in the cost of the earlier flat. It was also resolved that 7.5% per annum interest will be payable to the victim of double allotment on the amount paid by them towards the price of the original flat allotted to the registrants in case the alternative allotment is not made within six months from the date of payment.

4. While resolving about the relief package for victims of the double allotment, it was also resolved that since any liberal approach might encourage inefficiency and corrupt practices, the whole or the part of the loss sustained by the DDA shall be recovered from those responsible for such lapses.

5. Though, Resolution No.103 provided significant and substantial relief to the victims of double allotment, the victims were not satisfied with the quantum of relief and many of them agitated the matter in High Court and Consumer Forum, seeking further relief. Hon'ble High Court in Smt. Krishan Sharda Vs. DDA, CWP No.736 of 92* which was a case of double allotment, set aside the provisions contained in Resolution No.103 of 1991 and directed DDA to charge the rate as on the date on which draw for original allotment was held and allot a flat on the terms and conditions applicable on that date. The judgement held that because mistake of double allotment was committed by the DDA it can not charge anything more than the price of the flat prevalent on the date the draw was held to allot the original flat. Similarly, in Suraj Bhan Chaudhary Vs. DDA, CWP No.3827 & C.M. 7070/92, the Hon'ble High Court again quashed the provisions of resolution No.103 directing DDA to charge the price as on the date when original allotment was made and pay interest @ 10% per annum on the amount deposited towards the cost of the flat from the date it was deposited because despite having paid towards the cost of the flat the petitioner did not get the possession of the flat and the money remained with the respondent which must have been utilised

* (App. 'K')
P.No. 56-59

* (App. 'L')
P.No. 60-64

6. In CW No.2844/92 CM No.5330/92* N.D. Gupta Vs. DDA (App.
High Court in an order passed on August 18, 1993 ordered DDA 'M'
to apply the principle decided in CWP No.736/92 uniformly to P.No. 65-
all cases of double allotment. The Court directed DDA to make 71
a statement in this regard i.e. as to whether DDA is going
to apply the principle decided by High Court in CW No.736/92
in all cases of double allotment. With the approval of VC,
the Court was apprised on 27.9.1993* that a decision has been
taken to approach authority for review of Resolution No.103
of 1991. (Appendix 'N' P.No. 72-73).

7. Besides High Court, the State Commission (Consumer
Disputes Redressal Commission, Delhi) also in case No.C423/92, (App. 'O'
Nitya Prakash Jain Vs. DDA in an order passed on 17.5.1993
quashed the provision of Resolution No.103 of 1991 and directed P.NO. 74-
DDA to allot a flat at the price at which original flat was 80
allotted and also pay interest @ 18% p.a. to the consumer on
the amount deposited for purchase of the flat from the date
it was deposited, the State Commission hold that since the
double allotment is a mistake of DDA, the consumer should not
suffer.

8. The adverse order passed against the DDA in cases
of double allotment were referred to the legal department for
their opinion as to whether an appeal be filed or not. The
opinion given by Chief Legal Adviser advising against filing
the SLP, as no useful purpose would be served, are at (App. 'P', 'Q' & 'R'
P.No.81-85,86-89 & 90-93). Moreover, in case of Hem Chand Jain which was
also a case of double allotment, Finance Department, keeping
in view the order passed by various courts endorsed amending
Resolution No.103 of 1991 which was also approved by VC, DDA.
(Appendix 'S' P.No. 94-95).

9. It is in the above background that it is proposed
to amend the provisions regarding double allotment contained
in Resolution No.103. In various judgements, announced by the
High Court and also by State Commission (Consumer Disputes
Redressal Commission, Delhi) directions have been issued to
charge price as on original/first allotment and also pay interest
on the deposit made by the allottee against the original
allotment. The rate of interest varies from 10% awarded by
High Court to 18% awarded by State Commission.

10. It is, therefore, proposed that in cases of double
allotment, cost of alternative flat should be the same as on the
date of original allotment provided the allotment is made in
the same locality and on the same floor. In case, there is
any upward/down ward variation due to change of locality or

floor, the same would be chargeable as it is inevitable cost. In addition, interest on the payment already made at the disposal cost of the original flat may be paid interest at prevailing bank deposit rate till the date of fresh allotment. Though in one case, State Commission has ordered payment of interest @ 18%, the Commission can be informed that even the market rate of interest for long term deposit does not exceed 10% p.a. This being a reasonable explanation, it is presumed that we can satisfy the commission in this regard. Besides aforesaid amendments, other provisions regarding double allotment cases contained in Resolution No: 103 would remain unchanged.

RESOLUTION

The Authority resolved that :-

1. Interest @ 10% be paid on the amount received by DDA towards the price of the original flat allotted to the victims of double allotments, in case the alternative allotment is not made within six months from the date of payment; and
2. In case there is any change of locality or floor arising from double allotment, allottees be charged comparable cost at the old rates prevalent at the time of original allotment worked out on per sq.mtr. basis.
3. Disciplinary action be taken against the erring staff as per the earlier Authority Resolution.

Item No.

11/2002

Sub: Restoration Issues/Costing

A-21-1.2002

P-2(Circular)99/NFC(H)

PRECIS

In the cases of restoration the costing principles are covered under the policy of 31.3.99 which said the following:-

1. In cases where demanded amount were received prior to 22.8.96 by DDA, the restoration of allotment would be on "old cost plus interest".
2. If the allotted/allocated flat is in South Delhi i.e. where the construction has been undertaken by the South East Zone and South West Zone of the Engineering Wing except Dwarka, the allotment of the flat, if restored, would be on "old cost plus interest or current cost, whichever is higher". This clause will be applicable in cases for which the demanded amount by the DDA is received after 22.8.96 and the delay is regularised.
3. In all other cases of all categories flats, the restoration shall be at "old cost plus interest".

It would be clear from the above that distinction is made on two grounds :-

1. A cut off date of 22.8.96 and
2. The location i.e. South Delhi Versus other areas.

In the last Authority Meeting a resolution was passed vide Item No.46/2001 where it was stipulated that "old cost plus interest or current cost, whichever is lower" will be charged in all those cases where DDA is at fault. Though, it has given relief to these allottees in whose cases cancellation took place because of the fault of the DDA. However, there are still some cases where though allottees are at fault, yet they have been penalised very harshly as the old cost plus interest sometimes is very high as compared to current cost.

There are various court cases, references from higher authorities like Prime Minister's office, UDM office, L.G.'s office etc. where requests have been made to review the very high cost charged in the restored cases. In order to give proper relief to the allottees without injuring the financial interests of the

DDA. The following recommendations are made for the consideration of the Authority :-

1. In cases where first four instalments [except deferred ones] were received prior to 22.8.96 by DDA, the restoration of allotment would be on "old cost plus interest whichever is lower."
2. In case of those allocations/allotments where cancellations took place because of DDA's fault, "old cost plus interest or current cost, whichever is lower" will be charged (as per Authority Resolution No.46/2001). (App. 'A' P-89-90).
3. In cases where allottee is at fault but the flat is located in a place other than South Delhi or Motia Khan, "old cost plus interest or current cost, whichever is lower" will be charged.
4. In cases of flats located in South Delhi and Motia Khan, in cases of allottee's fault "old cost plus interest or current cost, whichever is higher" will be taken (as per 31.3.99 policy).

Thus, there will only be two types of costs, first "old cost plus interest or current cost, whichever is higher" for South Delhi and Motia Khan Flats where allottee is at fault and payments are after 22.8.96 and secondly "old cost plus interest or current cost, whichever is lower" for all other cases.

RESOLUTION

Proposals contained in the agenda item were discussed in detail. The Authority authorised the LG to take final decision on the proposals.

It was also decided to increase the restoration charges so as to have deterring effect on the applicants. Final decision to this effect was also left to the Lt. Governor.

Item No. 46/2001
Sub: A. 31.8.2001
Cost principle to be applied in cases of restoration.
 P.16(70)/98/HC/Legal.

PRECIS

As per the present policy of DDA enunciated vide our office order dated 31/3/99, if the allocated/allotted flat in South Delhi is restored, the price of the flat would be "old cost plus interest or current cost, whichever is higher". This clause will be applicable in cases for which demanded amount is received after 22.8.96 and delay is regularised. In other cases of all categories of flats, the restoration shall be at old cost plus interest. Accordingly, once the cancelled allotment is restored, apart from restoration charges, we charge the cost of the flat on the above principle.

However, due to the above principle, we have found so many cases where even for delay of two days, the allottee has to pay the current cost for South Delhi Area and in certain other cases old cost plus interest sometimes exceeds the current cost by a substantial amount. We come across cases where the fault was of the DDA like abnormal delay in opening the mutation in cases of death of the original allottees, wrong addresses on the demand letters, double allotment etc., where a long time has been taken to finalise the matter and due to that the old cost plus interest has substantially exceeded the current cost. Once we ask for this higher price, the allottees agitate before the various authorities of the DDA and many of them have also gone to courts and invariably we have been forced to reduce the final cost.

Furthermore, also keeping in mind the opportunity cost of the flat, the above decision has to be reviewed. If the money due from the allottee is not deposited in time and cancellation takes place because of this reason, then if we allot the flat to some other person at best we can take the current cost of the flat. Thus, charging any cost beyond the current cost does not seem very justifiable.

We have restricted our restoration policy to one year except in those cases where delay is due to the fault of the DDA, such cases can only be regularised at the level of Vice-Chairman, DDA. Therefore, due to this restricted policy, it is unlikely that in many cases of restoration old cost plus interest will exceed the current cost in future. Once we allow restoration upto one year then DDA may confine to charge the restoration charges along with old cost plus penal interest. Since only those cases, where it is established that DDA was at fault, will be considered for restoration having a delay of more than one year, there is no justification asking from the allottee any amount more than the current cost. Looking to that it is proposed that now the principle for charging the cost in cases of restoration may be amended to "old cost plus interest or current cost, whichever is lower."

PROPOSAL

It is proposed that in cases of restoration of allotment, in supersession of previous orders, henceforth, the cost of the flat would be calculated on the basis of "old cost plus interest or current cost, whichever is lower." This would come into effect from the date of approval given by the Authority and no settled cases would be reopened.

RESOLUTION

Proposals contained in the agenda item were approved by the Authority, subject to the following stipulations:

- (1) These decisions shall apply only to the future cases of restoration where DDA is at fault.

(ii) Commissioner (Housing) shall be competent to approve restoration for delays in payment up to one year.

(iii) No restoration shall be normally allowed where delays are beyond one year. However, the Vice Chairman shall be competent to approve restorations for delays up to three years, in deserving cases.

(iv) Restorations beyond three years can be permitted only in extremely deserving cases by the Vice Chairman, with the prior approval of the Chairman.

ITEM NO.:

12/2002

SUB.: Approval of Survey Report in r/o Demolition of 4 SFS Flats(2 Cat. III, 2 Cat. II) in Sector D, pkt. III, Vasant Kunj.

FLAT NO.(D-III/ 3346
G.F./Cat.III

3348,
F.F./Cat. III

3350,
S.F./Cat.II

3352
T.F./Cat.II

AND

Write off of total loss sustained by Delhi Development Authority
On providing alternate accommodation & repairs/rectification
work.

File No. : EM 15(2)94/Pt. File/DDA.

PRECIS

648 houses in Sector-D, Pkt. III, Vasant Kunj were taken up in 1984 and completed in 1988. The flats were allotted in 1988. Four of these houses developed cracks in July, 1990. The matter was referred to I.I.T., Delhi vide No. F27(77)/SWD-I/1767 dt. 1.8.90 for the complete block with a common staircase, having 8 Dus. (i.e. flat no. 3345 to 3352 in D-3, Vasant Kunj) for investigation and advising remedial measures. As advised by I.I.T., Delhi the soil investigation of the area around the affected block was got conducted through M/s Geo-Engineers. The net allowable bearing capacity of the soil was found to be between 5.4 to 7.85 MT/Sq.M under the affected walls while the bearing capacity of other part of the block was O.K. I.I.T., Delhi vide its report dated 18.9.90 stated its findings that the cracks had developed due to unequal settlement of foundation on account of inadequate bearing capacity of soil under these affected flats for the type of foundation. This settlement had aggravated due to the external wall being close to the roads having heavy vehicular traffic. The I.I.T Delhi suggested strengthening of soil beneath, the foundation of affected walls by grouting with a mixture of cement and water. It also suggested strengthening of brick wall by grouting cement slurry.

2. As per the recommendation of I.I.T. Delhi, the works of strengthening of Soil under the foundation of the affected walls and strengthening of brick walls were completed in Dec., 1990 by grouting cement slurry. Thereafter the I.I.T Delhi conducted full load test and vide its report dated 16.4.91 declared the walls/ houses safe.

3. After a lapse of a period of about two years, cracks again re-appeared in Sept., 1992. The matter was again referred to I.I.T, Delhi, which in its preliminary report dt. 15.1.93 reiterated earlier measures of soil strengthening with different methods to achieve additional bearing capacity, which as per earlier measures could be improved from 5.4t/m² to 5.9t/m² only against 10.0T/m² considered in design. DDA, however, being not satisfied, decided to go in for detailed Geophysical soil investigation to determine the existing soil profile below foundation level. M/s National Consultant and Civil Engineering were assigned the job of thorough geophysical investigation i/c SPT Test up to a depth of 10 meters below ground level in Sept. 1993. It was observed that loose fill is existing up to 10.0 mtr. below the ground level under the walls under distress. It was again desired to conduct further investigation upto 20.0 mtr. depth below the ground level through the same soil consultant. As per this Geo-physical investigation report, the soil strata was found weak between the depths from 4.0 mtr. to 13.0 mtrs. The report further stated that the cracked flats were located over a former depression filled with dump material interspersed with boulders and rocks.

On the basis of this report matter was further discussed with experts and it was suggested that deeper chemical grouting could be conducted meter by meter, to consolidate the soil strata up to 13.00 Meter below the ground level. The case was put up to E.M/V.C who desired that specialized firms like AFCONS should be consulted to suggest strengthening measures. M/s AFCONS vide its report dated 18.5.96 suggested providing approx. 15.5M deep micro piling around the external cracked walls, also if required, around the internal walls instead of grouting. The estimated cost for deep micro piling for external walls only came to Rs. 34.06 lacs.

4. Addl. Chief Engineer(Design), DDA vide his Note dated 28.5.97 had suggested that, in view of the fact that M/s AFCONS, Bombay did not give any guarantee against the settlement of foundations/re-appearance of cracks at a later date, it was not considered advisable to take rectification work without guarantee and further stated that such rectification was not commensurate with the cost involved. As such the flats were recommended to be demolished.
5. Chief Engineer (SWZ) was of the view that "considering the uncertain soil treatment involving substantial expenditure it was prudent to allot alternate flats on permanent basis to the affected allottees and avoid reconstruction of the flats at the original spot. ACE(Design) vide his note dated 28.10.98, expressed his view that there should be no construction at the demolished site.

E.M and V.C., DDA concurred with the views of CE(SWZ) and ACE (Design) not to re-construct these houses at the same location after demolition.

6. All the 4 allottees of cracked houses have been provided with the equivalent alternative accommodation in Sec. D, Pkt. IV, Vasant Kunj vide letter no. F126(5855)83/SFS/VK-III dated 24.4.98 by the Housing Wing, DDA, and they have already shifted.
7. Regarding fixing up responsibility, it is to apprise that the soil investigation is carried out at random, spread over the entire area as per the provisions contained in IS Code 1892 of 1979 Para 2.3.1, according to which each and every block is not covered. As such the possibility of an isolated small pocket going un-noticed is obvious. In this particular case out of a total 648 flats (81 blocks), only half block of 4 flats was found affected. Thus, it is evident that it is not a case of faulty soil investigation or faulty foundation design. It would be further observed, as brought out in detailed investigation report that the weak soil conditions have been from 3 mtr. below ground level to 13 mtr. below ground level whereas the depth of foundation was only about 2 mtr. Thus, there was no possibility of observing weaker strata by visual inspection during the course of construction. It was a deceptive site condition. It is, therefore, to be treated as an accidental occurrence and no individual can be held responsible for the same.
8. A proposal for demolishing these cracked houses and writing-off the loss suffered by the Deptt. which includes the cost of alternative accommodations provided to allottees and other incidental expenses incurred by the Deptt on investigations, essential repairs, rectifications etc. amounting Rs. 33,89,938/- is placed before the Authority for consideration and approval.
9. The Survey Report showing details of expenditure incurred on the structures under demolition is at (Appendix 'A' P-94-98).

ISSUES FOR THE DECISION OF THE AUTHORITY

The case is put up to the Authority for approval of dis-mentalling of four houses as well as approval of Survey Report to write off the loss of Rs. 33.90 lacs., as referred in para 8 & 9, as such, this agenda is put up for consideration and approval.

RESOLUTION

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

SURVEY REPORT OF 4 Nos. SFS (2 CAT-III, 2 CAT-II)
 FLATS AT SECTOR-D, PKT-III, VASANT KUNJ.
 (i.e. FLATS WHICH HAVE BECOME UNSAFE)

मण्डल का सर्वेक्षण रिपोर्ट
 (के.लो.नि.ते. संविदा पैरा 7-2-41, 7-3-17 तथा 7-4-1)
 (अनुपयोगी मण्डल की सर्वेक्षण रिपोर्ट)
 SURVEY REPORT OF 4 Nos. SFS FLATS AT SECTOR-D, PKT-III C.P.W.A.-18
 VASANT KUNJ.
 (Central P.W.A Code Paragraphs 7-2-41, 7-3-17 and 7-4-1).

मण्डल
 Division... SWD-1/CC-I/S. W. Zone
 उप-मण्डल
 Sub-Division

संख्या या मात्रा Number or Quantity	वस्तुओं का विवरण Description of Articles	मूल्य Value on the Books		प्राप्ति तारीख Date of Const.	वस्तुओं के अनुपयोगी होने का कारण बताते हुए प्रभारी अधिकारी की अभ्युक्ति Remarks by the Officer incharge explaining the cause of flat becoming unsafe for Habitation/Live in.	मण्डल अधिकारी की अभ्युक्ति या आदेश Remarks of orders of the Divisional Officer	उपरीकृत अधिकारी का आदेश Order of the Superintending Engineer
		दर Rate	राशि Amount				
4 Nos SFS Flats (2 cat-III 2 cat-II)	SFS FLATS AT SECTOR-D, PKT-III, VASANT KUNJ. BEARING NOS. // @ 3346 (GF), 3348 (FF), 3350 (SF) & 3352 (T.F) G.F.&F.F. Cat-III S.F.&T.F. Cat-II.	PAR Cost Index As per the details enclosed	Rs. 1197464/- (embar)	Dec. 1988	The houses were completed in 1988. In 1990 cracks developed in the flats (i.e. 4 Houses as mentioned in the description column). The cracks re-appeared even after strengthening the foundation as suggested by I.I.T. New Delhi was carried out. The competent decided that since these flats have been become unsafe to live in, and are to be demolished. Alternate accommodations to these allottees have been made as under :-	1) The cracks developed in the flats in 1990. The matter was referred to I.I.T. Delhi, which suggested strengthening of the foundation and the same was carried out. The crack re-appeared. Detailed soil investigation was done and the matter was again referred to I.I.T. Delhi. On re-occurrence to the flats and cracks extending upto the top most floor, the competent authority decided to get these 4 unsafe flats demolished. 2) Alternate accommodation in Sec-D, Pkt-4 Vasant Kunj have been	The houses were taken up in 1984 and completed in 1988. 4 houses developed cracks in Dec. 1990. The matter was got investigated through I.I.T. Delhi, for one complete stair-case having 8 flats i.e. flat No. 3345 to 3352. Strengthening of foundation strata carried out as suggested by I.I.T. Delhi. The cracks re-appeared and the matter was again referred
			Rs. 3389938/- Amount to be written off - 14/4, 15/4 As per detail - 37/c.P.				

Available from: CAPITAL

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भण्डार का सर्वेक्षण रिपोर्ट
SURVEY REPORT OF
 (के.सो.नि.ते. संहिता पैरा 7-2-41, 7-3-17 तथा 7-4-1)
 (Central P.W.A Code Paragraphs 7-2-41, 7-3-17 and 7-4-1)
 (अनुपयोगी भण्डार की सर्वेक्षण रिपोर्ट)

उप विभाग का नाम
 C.P.W.A.-11

मण्डल
 Division

(REPORT OF SURVEY OF STORE WHICH HAVE BECOME UNSERVICEABLE)

उप मण्डल
 Sub-Division

संख्या का मात्र Number or Quantity	वस्तुओं का विवरण Description of Articles	आभा मूल्य Value on the Books		प्राप्ति तारीख Date of	वस्तुओं के अनुपयोगी होने का कारण बताते हुए प्रभारी अधिकारी की अभिवृत्तियाँ Remarks by the Officer incharge explaining the cause of flat becoming unsafe for habitation/Live in.	मण्डल अधिकारी की अभिवृत्तियाँ या आदेश Remarks of orders of the Divisional Officer	अधीनस्थ प्रभारी का आदेश Order of the Superintendent Engineer																
		दर Rate	राशि Amount																				
					<p>3.No. Cracked Alter Cat. given to all the flat nate agry. 4 allottees. D-III -- Flat D-IV</p> <table border="1"> <tr> <td>1.</td> <td>3346</td> <td>4244</td> <td>III</td> </tr> <tr> <td>2.</td> <td>3348</td> <td>4243</td> <td>III</td> </tr> <tr> <td>3.</td> <td>3350</td> <td>4245</td> <td>II</td> </tr> <tr> <td>4.</td> <td>3352</td> <td>4247</td> <td>II</td> </tr> </table> <p>All the four (4) cracked flats are vacant.</p> <p>(J. P. SHARMA) Assistant Engr. I S. W. D-1/D. D. A., Vasant Kunj, New Delhi.</p>	1.	3346	4244	III	2.	3348	4243	III	3.	3350	4245	II	4.	3352	4247	II	<p>3) The demolition will be taken up on approved of the survey report by the competent authority.</p>	<p>to I.T.T. Delhi which suggest that extensive cement grouting mtr. by mtr. to consolidate the loose soil str. 13.00mtr. below Ground level to be done, though though not considered a full proof method of soil consolidation.</p> <p>2) These 4 flats being unsafe for habitation Live-in, the competent authority decided to get these 4 flat demolished</p> <p>(ER. J. C. GROVER) Executive Engr. SWD-1/D. D. A. Vasant Kunj, N. Delhi.</p>
1.	3346	4244	III																				
2.	3348	4243	III																				
3.	3350	4245	II																				
4.	3352	4247	II																				

(A)

भण्डार का सर्वेक्षण रिपोर्ट
SURVEY REPORT OF
 (के.लौ.नि.ले. संहिता पैरा 7-2-41, 7-3-17 तथा 7-4-1)
 (Central P.W.A Code Paragraphs 7-2-41, 7-3-17 and 7-4-1)
 (अनुपयोगी भण्डार का सर्वेक्षण रिपोर्ट)

के.लौ.नि.ले.
 C.P.W.A.

मण्डल
 Division.....

(REPORT OF SURVEY OF STORE WHICH HAVE BECOME UNSERVICEABLE)

उप-मण्डल
 Sub-Division.....

संख्या या मात्र Number or Quantity	वस्तुओं का विवरण Description of Articles	मूल्य Value on the Books		प्राप्ति तारीख Date of	वस्तुओं के अनुपयोगी होने का कारण बताते हुए प्रभारी अधिकारी की अभ्युक्तियां Remarks by the Officer incharge explaining the cause of becoming	मण्डल अधिकारी की अभ्युक्तियां या आदेश Remarks of orders of the Divisional Officer	अधीक्षक अभियंता का आदेश Order of the Superintendent Engineer
		दर Rate	राशि Amount				
							3) On the recommendation of the accommodation of the CE (Design) DDA the competent authority decided not to re-build these houses at the same location (copy enclosed). 4) Alternate accommodation in equivalent accommodation in Sec-D, Pkt-IV, Vasant Kunj to these allottees were made by the housing wing DDA in April-1998 (copy enclosed). 5) One of these allottees have power of attorney and the housing wing allowed the

Available from: CAPS...

3 Contd. P-4

भण्डार का सर्वेक्षण रिपोर्ट
SURVEY REPORT OF
 (के.लो.नि.ले. संहिता पैरा 7-2-41, 7-3-17 तथा 7-4-1)
 (Central P.W.A Code Paragraphs 7-2-41, 7-3-17 and 7-4-1)
 (अनुपयोगी भण्डार की सर्वेक्षण रिपोर्ट)

के.ए.नि.ले.
C.P.W.A.

मण्डल
Division

(REPORT OF SURVEY OF STORE WHICH HAVE BECOME UNSERVICEABLE)

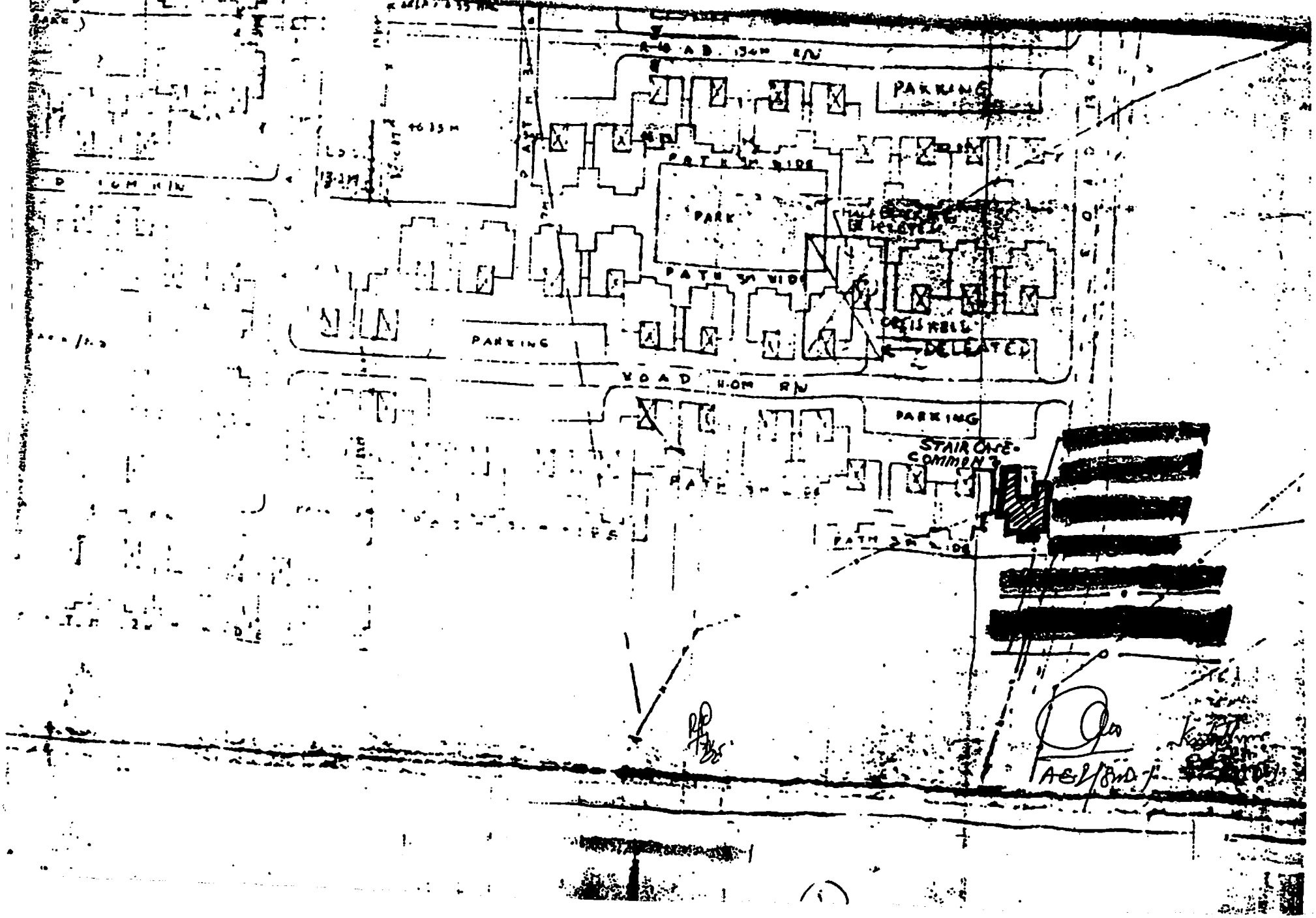
उप-
Sub-Div:

संख्या या मात्र Number or Quantity	वस्तुओं का विवरण Description of Articles	खता मूल्य Value on the Books		प्राप्ति तारीख Date of	वस्तुओं के अनुपयोगी होने का कारण बताते हुए प्रभारी अधिकारी की अभ्युक्ति Remarks by the Officer incharge explaining the cause of becoming	मण्डल अधिकारी की अभ्युक्ति या आदेश Remarks of orders of the Divisional Officer	अधीक्षक अभियन्ता का आदेश Order of the Superintending Engineer
		दर Rate	राशि Amount				
							possession the alterna: i.e.4247) f on to the A. of the original fiat (3552, D-IT) in Oct.99. All cracked flat have been vacated. 6) The dem: tion will taken up a: approval of the survey r report by th competent au rity.

Availability from: CA/...

2

Signature
 (Sr. R. K. SOO...)
 SB/CG-1/DDA,
 Munirka, N. Delh



SLUM REDEVELOPMENT

ITEM NO.

13/2002

KATHPUTLI PILOT PROJECT

P.17(240)95/LMC/Pt.

A-21-1-2002 Delhi High Court is monitoring a programme of slum redevelopment by the major land owning agencies in the Capital. A committee under the chairmanship of Secretary (Urban Development), Government of India has been set up to devise the guidelines for slum redevelopment in Delhi.

Currently, DDA has a two pronged strategy for slum redevelopment. For removal of slums from the DDA's land, DDA pays around Rs.29,000 to Slum & JJ Wing for each slum unit. However, this has been found to be of limited satisfaction as the Slum & JJ Wing has not been able to remove slums from the DDA's land in the number that payment has been made to it. Lack of land, high cost of relocation and other organizational problems have led to limited performance by the Slum & JJ Wing. Thus DDA was forced to go for the second option, that of relocating slums on its own from "high value" land to "low value" land. In such a scheme there are some in-built costs and disadvantages. According to the current Government policy slum dwellers before January 1990 are to be relocated on a developed plot of 18 sq. mtr. and for the slum dwellers up to 31.12.1998, 12.5 sq. mtr. is being allotted. In both the cases the allottee pays only Rs.7,000/- and Rs.5,000/- respectively. The Delhi Government pays Rs.10,000/- from its plan fund. Rest of the cost is to be borne by DDA. On the average DDA spends about Rs.70,000 for a 18 sq. mtr. plot. Thereafter other agencies of the Delhi Government have also to come forward with social amenities like dispensary, ration shops, school, community hall, toilets, electricity connection to houses and water supply connection to individual houses. So these costs are also to be incurred from the public

realm. Further, the land exchange in the long run is not beneficial for the city's land use balance because in the current method of resettlement of slum dwellers on plots leads to use of average 2 acres of land to clear slums currently occupying about 1 acre of land as the density of population in slums is high and there no planning norms need to be followed. Thus, to clear about 2000 acres of land of DDA under JJ DDA may end up using 4000 acres of land if it follows the current policies.

The committee under the chairmanship of the Secretary (Urban Development) has held wide ranging consultations and has approved certain pilot projects. In the meantime Government of India have announced the Valmiki Ambedkar Malin Basti Awas Yojana (VAMBAY) which have opened up a possible source of cheap finance for providing shelter to the urban poor. A copy of the VAMBAY is enclosed. Keeping the directions of the Coordination Committee under the chairmanship of the Secretary (Urban Development) and the provisions of the VAMBAY in view, the following proposal for slum redevelopment may kindly be approved in principle -

1. If the subsidy/loan benefit under VAMBAY is available to any of the schemes of the DDA, DDA should intermediate with Government and offer the same to the eligible slum dwellers.
2. DDA proposes to take up a major pilot project in Kathputli colony area near Sadipur Depot on a landmass of 5.4 hectares inhabited currently by about 2950 JJs. The major problem in relocating the slum dwellers is the limited capacity of the slum dwellers to afford a housing product. The subsidy etc. under VAMBAY are not enough to cover the cost. As explained above, the cheapest plotted scheme is currently beyond

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sustainable cost. In Kathputli Colony the strategy to be followed offering three types of housing products:

a) The poorest slum dweller, who cannot afford much money will be first taken to a transit camp. From there he would be relocated within an expected period of 18 months in a unit to be built up as part of four-story one room set tenement of 24 sq. mtr., each estimated at a total cost of Rs.1.25 lakhs including the land cost (the land cost for slum relocation being computed at a concessional rate of Rs.16 lakh per acre). This Rs.1.25 lakh is proposed to be raised as follows :

- i) Rs.30,000 – Valmiki Ambedkar Malin Basti Awas Yojana subsidy
- ii) Rs.30,000 – Soft loan through Valmiki Ambedkar Malin Basti Awas Yojana (repayable in 15 years in EMI Rs.400/-)
- iii) Rs.29,000 – From DDA as land owing agency
- iv) Rs.10,000 – From Delhi Government Plan Fund
- v) Rs.11,000 – From the slum dweller
- vi) Rs.15,000 – by DDA through cross subsidization from the eventual land developer at Kathputli.

Total Rs.1,25,000

(It is expected that around 1000 slum dwellers at Kathputli may opt for this scheme).

As the housing products for this group are not ready, there will be provision of a transit camp built in to the scheme of Kathputli Colony and this transit camp may be created

and handled through the developer to be inducted into the scheme. However, DDA and Slum & JJ Wing are also exploring the possibility of creating such transit facility for a larger slum rehabilitation programme for the city.

- b) There would be a middle group of slum dwellers who may not like to undergo the rigor of transit camp and wait for a product which is likely to be located in a distant area of the city. They, perhaps, would have some economic ability to prefer a product in a relatively more developed area with standard planning parameters. From preliminary discussions in Kathputli such a response has been elicited that a considerable number of them may be willing to pay a down payment of Rs.25,000/- and undertake a loan repayment responsibility of about Rs.850/- per month. We are currently constructing about 3000 EWS units in Dwarka which are expected to be completed in January 2002. These units were planned to be used in slum relocation programme as in Motia Khan-Rohini scheme. The expected cost is around Rs.1,80,000/- per unit. If we deduct the subsidy of Rs.29,000/- of VAMBAY and another Rs.44,000/- from DDA (Rs.30,000/- as land owing agency and Rs.15,000/- as cross subsidy from the developer) and Rs.10,000/- from Delhi Government's Plan Fund, the house will be available for Rs.96,000/- to the slum allottee. Out of this, he will be asked to make a down payment of Rs.25,000/- with Rs.71,000/- to be paid over a period of 15 years (EMI around Rs.850/- per month. Out of 2950 slum dwellers in Kathputli it is expected that about 1,000 will opt for this.

- c) There will be a natural tendency to demand resettlement in situ at Kathputli by a sizable number of slum dwellers. Theoretically, if we are to resite all the 2950 slum dwellers at Kathputli, even though multi-story single room units giving extra FAR up to 2.5 against current 1.67, the entire land will be used up for these units. Nothing will be left of this prime land to leverage it to generate resources for cross subsidizing the activity and also give DDA some revenue towards this valuable land. On the other hand if we use up the entire land through the developer and relocate everybody away from this site, it may be considered inequitable by some social activists who may term our effort as a way of making land available to the builders lobby at the cost of slum dwellers. We have to strike a balance. We should use up to 50% to 55% of the land for creating low cost housing in situ including a space of 1000 sq. mtrs. with a built up space of 500 sq. mtrs. with ground coverage of 25% as common facility for rehabilitation as part of overall 2.5 FAR of the scheme and the remaining 50% to 45% of the land envelop should be used as mixed land use and through a developer to generate resources for developing the area to proper standards, cross subsidizing affordable products for slum dwellers of all categories and generate at least around 50% of the land cost that DDA would have normally got if the land was free from encumbrances. This division of 50% is site specific and may vary suitably in future schemes based on considerations of revenue, density, equity and feasibility of the particular scheme.

In an inner city, in the prime area the low cost housing should be a product between LIG and EWS, i.e., somewhere around 30 sq. mtr. (LIG being 38 sq. mtr. and EWS being 24 sq. mtr.). The 30 sq. mtr. product in Kathputli considering its prime location land value, finishing etc. should be priced at around Rs.2,50,000. It has to have better finish to be integrated with the rest of the development to avoid being a drag on the inner city properties. Practically speaking, the benefit of Valmiki Ambedkar Malin Basti Awas Yojana (VAMBAY) subsidy may not be available to such a product as a BPL allottee is not likely to have the financial capacity for such a product and as there is no resitment, the fund from Delhi Government or DDA as the land owner may not be available. However, In Kathputli scheme it has been proposed to levy Rs.25,000/- cross subsidy from the developer for each unit. Thus the product can be made available around a total cost of Rs.2,25,000/-. If the allottee makes a down payment of Rs.75,000/- he can be permitted to repay the remaining Rs.1,50,000/- through an EMI for 15 years of about Rs.2,000/-. Effort will be made to locate a willing financial institution to act as an intermediary and extend loans to the allottees for this amount. Alternatively, DDA will have to come forward at least in this pilot project. It is proposed to generate about 1250 such units of 30 sq. mtr. each at Kathputli. There are some relatively better off slum dwellers in Kathputli who have been contacted and have shown interest in such a product. If some of the units remain unsold, the same can

**VALMIKI AMBEDKAR MALIN BASTI
AWAS YOJANA (VAMBAY)**

**GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT
AND POVERTY ALLEVIATION**

1. Introduction

Shelter is a basic human requirement. For a shelterless person, getting a house brings about a profound social change in his status and welfare, endowing him with an identity and integrating him with his social milieu.

In the past urban housing for the poorest of the poor or those living below the poverty line did not receive adequate attention of Government. The population of urban India which was 21.75 crores as per the 1991 Census is 28.53 crores (provisional) as per the 2001 Census. The population of urban slums by 2001 is projected to be around 62 million (TCPO). The provisional estimates made from 2001 Census indicate that while India is urbanising markedly, slums in urban India are increasing alarmingly, census data (2001) place annual growth of urban population at 2.7%; however, growth of population in urban slums is much higher at 9%.

It had been projected by the Planning Commission (Working Group on 9th Plan) that by the end of the 9th Plan and at the beginning of the 10th Plan, the shortage of housing in urban areas would be 15.76 million houses; of this 10 million houses would be needed for the economically weaker sections alone, who can be broadly categorised as below poverty line beneficiaries.

The slum population in urban India being around 62 million and the average family size being around 5, the number of urban households living in slums is about 12 million.

Though all slum dwellers are not necessarily below the poverty line, we may infer that much of the shortage of housing for the urban poor is slum related. The twin problems of shelter delivery for the urban poor and upgradation of urban slums are inextricably linked.

There is at present no housing scheme in the Central sector for the ^{slum dwellers} urban poor. There are two Central sector programmes targeted towards the urban poor, namely the Swarna Jyanti Shahari Rojgar Yojana (SJSRY) and National Slum Development Programme (NSDP). The SJSRY attempts to bring the urban poor above the poverty line through self-employment, wage employment and capacity building. The NSDP is basically a programme for the environmental improvement of urban slums. If the concept of poverty alleviation includes 'Roti, Kapara aur Makan', the urban poverty alleviation strategy will be incomplete without a

significant component pertaining to housing delivery for the slum dwellers. The Vaimiki
 -risedhar Malin Easti Awasi Yojana (VAIMBAY) is aimed to fill this gap. VAIMBAY is also a
 reiteration of the target of "Housing for All" fixed in the National Agenda for Governance and a
 concrete step in the implementation of the National Housing and Habitat Policy (NHHP).

Housing and slum improvement are primarily State subjects. Until now urban
 housing for the poor has been taken up through subsidised lending by the Housing and Urban
 Development Corporation (HUDCO). However, it has been noticed that not all States are able
 to afford even the subsidised loan made available by HUDCO. Many States which have been
 availing the loan and have grounded successful urban housing projects in the past, are
 finding it increasingly difficult to take further loans due to financial stringency. This is reflected
 in the poor progress of urban housing projects. This is also reflected in the relatively slow
 progress of the 2 million Housing Programme in the urban areas. Though, HUDCO is
 achieving the sanction targets and sanctioning loans to the respective States, the States on
 their part are not always able to avail of this sanction, due to their inability to afford HUDCO
 loans. This is largely because of the inability of the States to return recover housing loans
 from EWS beneficiaries. Therefore, there is a need to provide some incentive to the State
 Governments to enable them to come forward with greater vigour for housing the urban poor.
 As shelter delivery for the urban poor and slum upgradation are closely linked, the VAIMBAY
 is a scheme, which intends to provide such an incentive.

In the rural areas, shelter delivery for the poorest of the poor is done through Indira
 Awas Yojana (IAY). Though, IAY has a credit cum subsidy option, IAY is largely, fully
 subsidised. The VAIMBAY while being similar to the IAY is different in as much as the subsidy
 for all the beneficiaries is restricted to 50% of the unit cost. A slightly different model has been
 adopted for VAIMBAY as compared to IAY for the following reasons:

- i. The unit cost of an urban house is considerably higher than a house of similar size in
 rural areas. A 100% subsidy along the lines of IAY will entail huge allocations.
- ii. Urban slum dwellers even if they are below poverty line, often have some capacity
 for repayment unlike the rural poor.

iii. As the aim of 'Housing for All' is to be achieved in a finite time and as resources are a constraint, reducing the subsidy to 50% will enable Government to take up more houses.

The HUDCO is already providing lower cost loans to the Economically Weaker Sections. States which do not want to avail of the HUDCO loan will also be the given option for matching Govt. of India subsidy through internal mobilisation of resources either from the beneficiaries, from urban local bodies, State Finances, other loans or any other method of resource mobilisation.

2. Objectives

The objective of VAMBAY is primarily to provide shelter or upgrade the existing shelter for people living below the poverty line in urban slums, with a view to achieving the goal of 'Housing for All' as outlined in the National Housing and Habitat Policy and the National Agenda for Governance.

The objective is also to utilise this initiative to achieve the Habitat goal of slumless cities as visualised by United Nations Conference on Human Settlement. Equally important is the objective to provide not just shelter for the urban poor but also a healthy and enabling urban environment, to help them to come out of their poverty level. To this end, there is need to dovetail VAMBAY with NSDP and SJSRY to ensure that shelter delivery, environment improvement and income upgradation for the urban poor are synergised.

3. Target Group

The target group under the VAMBAY will be all slum dwellers in urban areas who are below the poverty line and members of EWS who do not possess adequate shelter. However, preference is to be given to people below poverty line.

3.1 Slum - Definition

Different definitions of a slum exist in different statutes and in urban poverty literature. For the purpose of VAMBAY, it is proposed to adopt the definition given in the 2001 Census, which is as follows:

- a. All areas notified as 'Slum' by State/Local Government and UT Administration under any Act;

- b. All areas recognised as 'Slum' by State/Local Government and UT Administration which have not been formally notified as slum under any Act;
- c. A compact area of at least 300 population or about 60-70 households of poorly built congested tenements, in an unhygienic environment usually with inadequate infrastructure and lacking in proper sanitary and drinking water facilities.

3B *Nirmal Bharat Abhiyan*

The definition of malin basti or slum is to be taken in a wider sense to cover not only inadequacy of houses or tenements but also other basic amenities such as water supply, toilet facilities, disposal system-etc. which make habitation livable and environment friendly. It is for the local authorities to see that the water supply in the slum areas is suitably augmented either by providing connections or at least increasing the number of stand posts to take the availability to the minimum desired level of one public source for 20 families.

Another very important basic amenity for slum dwellers especially in congested metropolitan cities is the lack of rudimentary toilet facilities. A new National City Sanitation Project under the title of "Nirmal Bharat Abhiyan" is being launched in the slums all over the country. Existing public toilets developed by local bodies in and around slums often become non-functional on account of lack of day-to-day maintenance. Drawing upon the recent experiments in Pune Municipal Corporation it has been found that both the cost of construction and the cost of maintenance can be significantly reduced and the project made self-supporting if the tasks are entrusted to community based organisations of slum dwellers themselves. The sanitation units, notably urinals, WCs and bath units – may be constructed by the local body or the State PWD or any other agency preferably with the aid of NGOs and community participation. A caretaker selected by the community of slum dwellers will be entrusted the job of maintaining the toilet block in a clean condition against a monthly salary of Rs.1500-2000. In some cases, a residential quarter for him may be built on the first floor of the toilet block. It has been found that this involvement of the community based organisation not only leads to better upkeep of the toilet but also makes it self financing at a cost much less than that made available by other private organisations. 20% of the total allocation under this VAMBAY will be used for infrastructure at the rate of Rs.200 crores as

grant and Rs.200 crores as loan from HUDCO. The state Governments/ Local Bodies of course will be free to supplement this amount with their own grant or subsidy as the case may be.

The need for such community based toilets is particularly acute in six megacities, metrocities and State capitals where land is scarce and the density of slum population is very high. Since in many slum areas, some form of public toilet may be already in existence, the possibility of retrofitting/repairing and upgrading the existing toilet complex which have become unserviceable for various reasons such as lack of sewerage system, lack of septic tanks, inadequate water supply etc. should be explored, since it significantly reduces the per unit cost of construction vis-à-vis units that may be constructed by the local body or the State PWD or any other agency preferably with the aid of NGOs and participation through labour by the local slum dwellers but the design and implementation of the toilet units may be made in such a way that they can be kept in good hygienic condition with access to water supply and electric power connection. The average cost per such a community toilet unit or seat has been estimated to be Rs.40,000/- per seat. Therefore, a 10-seat or a 20-seat toilet block meant for men, women and children with separate compartments for each group and special design features will cost around Rs.4 lakhs or Rs.8 lakhs respectively.

The existing 'pay and use toilets scheme' operated by HUDCO which allows a subsidy per seat to NGOs, Clubs, registered and unregistered societies, etc. can also be availed of in the vicinity of slums. Similarly, the wage employment component of the existing Swarna Jayanti Shahari Rozgar Yojana (SJSRY) can also be utilised for augmenting the resources for construction of toilets. Such convergence of existing plan and centrally sponsored schemes will make the project cost effective.

Each toilet block will be maintained by the slum dwellers who will make a monthly contribution of Rs.20 per family and obtain a monthly pass or family card. The over all programmes can then be construction of new toilets and retrofitting where only improvement is required. The existing Integrated Low Cost Sanitation (ILCS) programme can be suitably dovetailed into this programme.

4. Reservations

All other things being equal, the following priorities shall prevail and VAMBAY houses will be earmarked and allotted as below:

- i. SC/ST - not less than 50%
- ii. Backward classes - 30%
- iii. Other weaker sections - 15%
(OBC, BC etc. as defined in any particular State)
- iv. Physically and mentally disabled & handicapped persons - 5%.

Within this reservation, preference will be given to women headed households, urban poor who are members of self-help groups and persons eligible for old age pension as defined by the State Government.

As the population of the various categories described above may vary from slum to slum, if a sufficient number of beneficiaries of a particular category are not available in a city or a slum, the houses under VAMBAY may be constructed for other categories after due certification by a competent authority to be designated by the State Government that beneficiaries under a particular category are not available.

5. Identification of Beneficiaries

State Urban Development Agencies (SUDAs) and District Urban Development agencies or other State Government - designated implementing agencies in consultation with municipal bodies will identify the beneficiaries and formulate projects, prepare estimates and submit the same for sanction to the State Govt., which will send the same to the Govt. of India/HUDCO for release of funds (subsidy and loan) allocated for each State. The beneficiaries so identified and the projects so prepared shall be done in consultation with the municipalities, the neighbourhood groups, neighbourhood committees and community development societies already existing in that particular city. The identification of below poverty line beneficiaries will be on the basis of the baseline survey already conducted/to be conducted under SJSRY.

6. Allotment of Houses

Allotment of dwelling units should be in the name of the female member of the household. Alternatively, it can be allotted in the name of husband and wife jointly.

Land will be provided by the State Government either in-situ, partly in-situ, or by relocation. The title to the land will be in the name of the selected beneficiary (preferably women). The title will be conditional on repayment of loan if any. Till the repayment of loan, if any, the house built with VAMBAY funds along with land shall be mortgaged to the State Government/ Implementing Agency.

7. Location of VAMBAY

VAMBAY dwelling units shall be made available to all slum/malin basties in urban areas as defined in para 3A.

8. Upper Limit of Construction

The upper financial limit for construction of VAMBAY units under normal circumstances will be maximum of Rs. 40,000/-* including provision for sanitary latrine for an area of not less than 15 sq. metres.

The Ceiling on construction assistance under VAMBAY would be as below:

	Normal areas (in Rupees)	Difficult areas (low lying, water logged etc.) (in Rupees)
Construction of house including sanitary latrine	35,000	37,500
Cost of providing infrastructure and common facilities	5,000	7,500
TOTAL	40,000*	45,000

* This will be increased to Rs.50,000 in metrocities and Rs.60,000 in megacities

VAMBAY will have a component of rental housing to accommodate migrant labour. In the case of rental housing, the 50% grant will be released to State Urban Development Agency (SUDA)/State-designated Implementing Agency and the balance 50% will be given as loan or State agency share. The implementing agency will also be responsible for construction, maintenance, rent recovery, supporting infrastructure and provision of other facilities like water supply, electricity etc. in respect of rental houses.

8A. Upper limit for upgradation assistance

A portion of VAMBAY, say 20% may utilised also for upgrading existing houses in slums. The upper limit for upgradation of an existing unit should not be more than 50% of the ceiling specified for the construction of new houses, in Para 8 above.

Upgradation of existing constructions and construction of new houses shall only be taken up after approval of the lay out by the urban local body. Respective State Govts. may relax some town planning norms for sanction of such layout Plans, to facilitate VAMBAY, however, minimum acceptable standards of Town Planning will need to be set and followed.

10. Funding Pattern

The Government of India will release the subsidy under VAMBAY to HUDCO, which will match the subsidy on a 1:1 basis with a loan. The rate of interest on this loan will be same as the rate of interest charged by HUDCO under its EWS housing portfolio. HUDCO will release the subsidy and the loan directly to the implementing agency. The implementing agency will be selected by the State Government and will be the SUDA, DUDA or any other designated-implementing agency. Each State will notify an Implementing Agency and communicate a designated Account Number to which HUDCO will release the money directly.

In case any State Government does not wish to avail HUDCO loan, the State can mobilise its matching portion either from the beneficiary, loan sources other than HUDCO, urban local body or state finances. However, HUDCO will release its grant component only after the State share of 50% is deposited in the designated account of the Implementing Agency.

11. Tenure

Unlike rural areas, land is scarce in urban areas particularly in large metropolises. Under VAMBAY, the responsibility for providing land for the project rests with the State Government or its agencies. Typically, three types of tenure are conceived :

- i. Title to the slum dwellers in-situ i.e. title to the land on which they are currently dwelling. If this is conceded by the State Government then the title or tenure rights must be given duly keeping in view town planning norms and layout rules. If land is scarce, such regulations and land use patterns can be revised within reasonable norms to ensure denser land use through innovative town planning.
- ii Tenure or title can also be given partly in-situ where the part of the land on which the slum exists is utilised for upgradation and resettlement and the rest is put to other use or not used at all in deference to the public interest. If land is scarce, the

- project can be planned vertically i.e. multi-storied complexes, in such cases the title to the land will not rest with the beneficiaries – they shall have title to the dwelling unit.
- iii Land/tenure can also be provided by the State Government by relocation either on land already available or through acquisition. In case of relocation, the convenience of slum dwellers so relocated should be paramount and as far as possible their consent should be taken.

No provision is made for land acquisition in VAMBAY.

12. Involvement of Beneficiaries

The beneficiary should be as far as possible involved in the construction of the house. To this end, the beneficiaries may make their own arrangements for construction material, engage skilled workmen and also contribute family labour. The beneficiaries will have complete freedom as to the manner of construction of the houses. This will result in economy in cost, ensure quality of construction, lead to greater satisfaction and acceptance of the house by the beneficiary. The responsibility for the construction of the house will thus be on the beneficiary himself/herself. A Committee of the beneficiaries may be formed, if so desired, to coordinate the work.

13. Appropriate Construction Technology and Use of Local Materials

Abundant information and technology is now available within India for building cost-effective, environment friendly, energy efficient and disaster resistant houses. This information is available with the Building Materials & Technology Promotion Council (BMTPC) and Housing and Urban Development Corporation (HUDCO). Such technologies and techniques should invariably be used in the construction of VAMBAY units and HUDCO shall not release any loan or grant unless the project submitted, certifies and illustrates, how such technology is being put to use. Where necessary, for the larger projects, HUDCO and BMTPC may also set up Building Centres to assist in construction of VAMBAY houses. Wherever possible local materials will be used.

14. Type Design

As in the case of Indira Awas Yojana, no type design is prescribed for VAMBAY dwelling units. However the plinth of the new house constructed should not be less than 15 sq mt. (under IAY this is 20 sq.mtr.; due to constraints of land in urban areas this has been

pegged at 15 sq m. The layout, size and type design of VAMBAY dwelling units would depend on the local conditions and the preferences of the beneficiary. The houses, should be designed in accordance with the desire of the beneficiaries, keeping in view the climatic conditions and the need to provide ample space, kitchen, ventilation, sanitary facilities, etc. and the community perceptions, preferences and cultural attitudes.

The barrier-free concept may be incorporated in all the VAMBAY houses. In areas frequented by natural calamities such as fire, flood, cyclones, earthquakes etc. incorporation of disaster resistant features in design should be made compulsory.

15. *Dovetailing with other Urban Poverty Alleviation Programmes*

The implementation of VAMBAY would be dovetailed and synergised with other programmes such as SJSRY and NSDP. The funds available to the State under NSDP should be used for environmental improvement and funds under SJSRY shall be utilised for income upgrading activities through self-employment ventures, particularly for women who are members of self-help (DWACUA) groups.

To this end, the guidelines of NSDP and SJSRY would be modified suitably to make them complementary to VAMBAY. Efforts would be made to increase the allocations under these programmes so that their coverage will match the coverage of VAMBAY.

16. *Urban Infrastructure*

Though there is a provision in the unit cost of a VAMBAY unit for provision of infrastructure the State Govt. will need to mobilise other resources for provision of water supply, sanitation, electricity etc. Community infrastructure and availability of social infrastructure such as schools, hospitals, transport links etc. are mandatory for sanction of VAMBAY projects. The VAMBAY projects should be on approved lay outs with assured infrastructure facilities such as electricity, water supply, sanitation, roads, drainage etc. Community infrastructure and social infrastructure including green areas, open spaces and recreational areas, must be an integral part of VAMBAY design, to the extent feasible.

17. *Drinking Water Supply*

The availability of drinking water supply should be ensured by the agencies responsible for the implementation of the VAMBAY. Where necessary, a hand-pump should be installed on the site before the work is started from the funds available under Urban Water.

22. On completion of VAMBAY Display of VAMBAY concerned showing indicating the 22.

Supply programmes, other similar programmes or through municipal resources. 25 % of the funds under the scheme may be spent in providing water supply and sanitation, which includes 20% earmarked for community sanitation project – Nirmal Bharat Abhiyan.

18. Sanitation and Sanitary Latrines

A sanitary latrine forms an integral part of a VAMBAY dwelling unit. The Govt. of India attaches considerable importance to the construction of sanitary latrines as a health-enhancing measure. A system of drainage from the houses should also be provided to avoid overflow from the kitchen, bathroom etc. with proper linkages to the city drainage. When, however, individual toilets are not possible or affordable, the community toilets as part of the Nirmal Bharat Abhiyan will be encouraged and established.

19. Environment Improvement and Open/Green Spaces

Plantation of trees in the entire habitation or around the individual house should be taken up simultaneously. Trees may be planted near the housing clusters so that, in due course, enough trees are available nearby. Such plantations can be taken up under the social forestry programme.

20. Involvement of Non-Government Organisations

Suitable Non-government Organisations with proven good track record wherever available may be associated with the construction of VAMBAY dwelling units. The supervision, guidance and the monitoring of construction can be entrusted to these non-governmental organisations. In particular, non-governmental organisations should be made use of to popularise the use of sanitary latrines and appropriate technology. The selection of the NGO would be responsibility of the State Govt.

21. Inventory of Houses

The implementing agencies should have a complete inventory of houses constructed/upgraded under the VAMBAY, giving details of the date of start and the date of completion of construction of dwelling unit, area in which the house is located, name of the city, occupation and category of beneficiary and other relevant particulars.

22. Display of VAMBAY Board and Logo

On completion of a VAMBAY dwelling unit, the designated-implementing agency concerned should ensure that for each house/colony so constructed, a display board is fixed indicating the Govt. of India/HUDCO Logo, year of construction, name of the beneficiary etc.

23. Monitoring

Officers dealing with VAMBAY at the State headquarters should visit the cities regularly and ascertain through field visits whether the programme is being implemented satisfactorily and whether the construction of houses is in accordance with the prescribed norms. Likewise, officers at the district and urban local body levels must closely monitor all aspects of VAMBAY through visits to work sites. A schedule of inspection which prescribes a minimum number of field visits for each supervisory level functionary from the State level to the corporation level should be drawn up and strictly adhered to.

The State Governments should prescribe the periodical reports/returns through which it would monitor the performance of VAMBAY in the districts. The monitoring of the programme at the State level will be the responsibility of a State level co-ordination committee (SLCC) for urban housing. A representative or nominee of the Ministry of Urban Development and Poverty Alleviation, Govt. of India should invariably be invited to participate in the meetings of the Committee.

The following reports and returns should be submitted to the Govt. of India by the States/UTs separately in respect of VAMBAY.

- i. Quarterly Progress Report as is furnished under NSDP and SJSRY.
- ii. A detailed Annual Progress Report to be submitted by 25th of April of the succeeding financial year.

24. Evaluation Studies

The States/UTs should conduct periodic evaluation studies on the implementation of VAMBAY. Evaluation studies should be got conducted by reputed institutions and organisations on issues identified during concurrent evaluation and reviews by the States/UTs as well as by the Govt. of India. Copies of these studies should be furnished to the Govt. of

India. Remedial action should be taken by the States/UTs on the basis of the findings of these studies.

25. Transparency in Implementation of VAMBAY

It is of utmost importance that the Central Sector scheme is properly implemented and mis-utilisation of funds and other irregularities are prevented. This requires transparency in the implementation of VAMBAY at various levels and hinges on the assumption that people have access to information about implementation of these programmes. Disclosure of information should be the rule and withholding of information not an available option.

The List of items on which information should invariably be made available to people to bring about greater transparency at the State, District and Corporation levels is given below:

State level

- i. List of people below poverty line in the urban area.
- ii. List of beneficiaries identified during the preceding year and current year including details of SC/ST, BC, women beneficiaries and physically and mentally challenged persons under VAMBAY.
- iii. Allocation made to the State under VAMBAY
- iv. Guideline of VAMBAY/ Criteria for selecting beneficiaries.
- v. Display of VAMBAY sign board/logo on the allotted houses.

District/City level

- i. Details of houses taken up in the district level with details of cost, source of funds and implementing agency.
- ii. Access to muster rolls
- iii. Distribution of funds slumwise under the scheme.
- iv. Allocation/ availability of funds under VAMBAY.

Corporation/Ward level

- i. Distribution of VAMBAY fund for each slum.
- ii. Criteria for selection of slum under VAMBAY.
- iii. List of beneficiaries.

Central assistance under VAMBAY will be initially allotted to the State/UTs on the basis of poverty ratio, housing shortages and the population of urban slums. Based on these allocations, States will submit their projects for the 50% grant from HUDCO, clearly indicating the source from where they propose to raise the balance 50% of the fund required for the project i.e. beneficiary, local body, State resources or loans other than HUDCO. These proposals will be processed and submitted by HUDCO to a Committee headed by Secretary (UEPA) in the Deptt. of Urban Employment and Poverty Alleviation under the Ministry of Urban Development & Poverty Alleviation. The composition of the Committee will be decided by Urban Development Minister. After sanction by this Committee, HUDCO will intimate sanction to the State Government, which will first deposit the State Share of 50% in the designated account of the Implementing Agency. On receipt of such certification, HUDCO will release the grant portion to this designated account and thereafter monitor completion, submit progress reports and utilisation certificates.

If sufficient proposals as prescribed under VAMBAY are not forthcoming from a particular State, the fund could be diverted to other States, which have submitted proposals fit for approval. The Ministry of Urban Development & Poverty Alleviation will decide on such diversions.

27. Demonstration Projects – One Model Slum in each State

A fund equal to 2% of the allocation under VAMBAY will be retained by Ministry of Urban Development & Poverty Alleviation and deposited in a separate account in HUDCO for taking up model demonstration slum improvement/upgradation projects under VAMBAY. These projects will act as replicable examples to the States. The objective is that in every State, there should be at least one model slum to be emulated by all other cities and towns in that State. These projects will also demonstrate the concept of sustainable human settlement technology and attempt to replicate best practices in the area of slum upgradation, documented within India and internationally.

28. Maintenance of Accounts

The State Urban Development Agency (SUDA) or state-designated implementing agency will follow the accounting procedures prescribed by the Ministry of Urban

Development & Poverty Alleviation. The SUDA/ state-designated implementing agency will open a separate designated account for VAMBAY. SUDAs/ state-designated implementing agencies will submit utilisation certificate to the HUDCO based on which further funds will be released. HUDCO in turn will keep the Govt. of India informed of the physical and financial progress of VAMBAY State-wise. HUDCO will ensure that the unspent balances are kept to the minimum and there is no accumulation of unspent funds.

29. Utilisation of Interest Earned on Deposits

The interest amount accrued on the deposit of VAMBAY funds shall be treated as part of the VAMBAY resources.

30. Target and Role of HUDCO

The annual allocation under VAMBAY is expected to be Rs. 1000 crores. The average cost of a VAMBAY house being around Rs. 40,000 to Rs.60,000, HUDCO would be expected to complete at least 4 lakhs additional houses annually in urban areas for the urban poor after matching this grant with an equal loan of Rs. 1000 crore.

HUDCO's role under VAMBAY would be pro-active as it will not only sanction loan and release grant under the scheme but would also assist the State Governments in project design and scheme formulation. In co-operation with BMTPC, HUDCO would facilitate transfer of cost-effective, environment friendly and disaster resistant technology to the States through VAMBAY projects.

be used for other slum relocation programme and/or be sold in the market to our existing registrants.

The Authority may kindly approve the above strategy and permit DDA to use up to 1200 units from the EWS houses under construction in Sector 16 of Dwarka for resettlement of the slum dwellers in category 2 above. The Authority may also permit the VC, DDA to conduct a detailed survey-cum-registration among the existing slum dwellers in Kathputli to ascertain the exact demand and obtain firm applications on payment of registration money so that the project can be properly designed. It is proposed thereafter to induct a real estate developer through an open bidding system, who would create the necessary transit camp, build the in situ houses in Kathputli Colony, build the 24 sq. mtr. product in tenements as proposed in proposal (a) above and so on. The Authority may also note the decisions arrived on the subject of the slum redevelopment in the Coordination Committee under the chairmanship of the Secretary (Urban Development), Government of India wherein a higher FAR up to 2.5 with maximum land use permission is being envisaged to generate resources and create appropriate density for optimal use of land for slum redevelopment. The same principle will be followed by DDA in Kathputli Colony. In this proposal the density achieved will be such that DDA will use 1 acre of land for relocating slums currently occupying 1 acre.

The other two slum redevelopment pilot projects of DDA namely, the ongoing Motia Khan - Rohini relocation scheme and the proposed NGO project through Mata Amritanandmayee will also be suitably redesigned in light of the above, particularly the Valmiki Ambedkar Malin Basti Awas Yojana.

RESOLUTION

Proposals contained in the agenda item were discussed. The LG advised that detailed discussions may also be held with the Ministry officials and the proposals brought before the Authority accordingly, thereafter.

2. In view of the approval of the Government of India and the GNCTD, the Authority accorded its concurrence to the proposals contained in the supplement (to this) agenda item for dovetailing of subsidy from different sources like VAMBAY, NSDP etc. for the relocation/re-settlement of JJ clusters of Motia Khan.

While confirming the Minutes of the meeting of the Authority held on 21.1.2002, the Authority further modified the Resolution No.13/2002 through Item No.31/2002 dated 28.3.2002, which may now be read as follows:-

" Minutes of the Delhi Development Authority meeting held on 21st January, 2002 were confirmed as circulated with the deletion of words "Motia Khan" in the last line of para-2 of the recorded minutes on Item No.13/2002."

Item No. SUB: SUPPLEMENT TO KATHPUTLI PILOT PROJECT.
13/2002 (Circulated vide page Nos. 99 to 105 of
A-21-1-2002 item No.13 main agenda).

F. 17(240)95/LMC/Pt.

PRECIS

Govt. of India has launched a new scheme, Valmiki Ambedkar Malin Basti Awas Yojana (VAMBAY) for the benefit of slum dwellers (App. 'A' P-12 to 14). The objective of the scheme is primarily to provide shelter or upgrade the existing shelter for people living below the poverty line in urban slums, with a view to achieve the goal of "Housing for All". The objective is also to utilize this initiative to achieve the habitat goal of "slumless" cities as visualised by the United Nations Conference on Human Settlement. Equally important is the objective to provide not just the shelter for the urban poor but also a healthy and enabling urban environment, to help them to come out of their poverty level. To achieve this end, the Govt. of India, in this scheme, has recognised the need to dovetail VAMBAY with National Slum Development Programme (NSDP) and Swarna Jayanti Shahari Rozgar Yojana (SJSRY) to ensure that shelter delivery, environment improvement and income upgradation for the urban poor are synergised.

2. The target group under VAMBAY will be slum dwellers in urban areas living below the poverty line and members of the economically weaker sections who do not possess adequate shelter. The identification of beneficiaries is supposed to be done by the state urban development agencies/district urban development agencies or the State Govt. The allotment of dwelling units is to be done in the name of female members of the households or in the name of husband and wife jointly. The subsidy or grant to be released by the Central Government through HUDCO for each slum household in Delhi (Delhi being a mega city) will be a maximum of Rs. 30,000/- subject to a making share being available from the State Govt. or through HUDCO as loan and the land has to be provided by the implementing agency, wherein the title of the land/property will be either in the name of selected female beneficiaries (or in the joint name). However, the title will be conditional on repayment of loan, if any.

3. DDA has taken up with the Govt. of India for getting funds released under VAMBAY for the shifting of Motia Khan JJ cluster in Pahar Ganj, as a pilot project. The shifting of Motia Khan JJ cluster was got approved by the Authority vide its resolution No. P-15 to 17). 58/2001 (App. 'B' L and vide this resolution, it was agreed to provide one room EWS tenement in Sector-IV, Rohini. Govt. of India has conveyed its approval in principle vide its letter No. J-13036/2/2000-DDIB/292 dt. 24.12.2001 (App. 'C' L and has informed P-18). that DDA can implement the VAMBAY for slum dwellers in Delhi subject to 'no objection' from GNCTD and observance of other formalities as required under the scheme. As the scheme provides for the state urban development agencies or the State Govt. to be designated as the implementing agency, DDA can also be implementing agency for slums existing on its land as majority of the slums in Delhi are on DDA's land.

4. The matter is accordingly submitted before the Authority for concurrence regarding dovetailing of subsidy from different sources like VAMBAY, NSDP etc. for the relocation/resettlement of JJ clusters.

RESOLUTION

Valmiki Ambedkar Awas Yojana (VAMBAY)

Shelter is a basic human requirement. For a shelterless person, getting a house brings about a profound social change in status and welfare, endowing him with an identity and integrating him with his social milieu. The provisional estimates made from 2001 Census indicate that while India is urbanising markedly, slums in urban India are increasing alarmingly. The slum population in urban India is estimated to be about 62 million.

There is at present no housing scheme in the Central sector for the urban poor. There are two Central sector programmes targeted towards the urban poor, namely the SJSRY and NSDP. The SJSRY attempts to provide employment in order to bring the urban poor above the poverty line while NSDP is basically a programme for the environmental improvement of urban slums. The urban poverty alleviation strategy is incomplete without a significant component pertaining to housing delivery for the slum dwellers.

In order to fill this gap in a major policy initiative, the Prime Minister of India announced a new Centrally Sponsored Scheme called the **Valmiki Ambedkar Awas Yojana (VAMBAY)** on the 15th August, 2001 to ameliorate the conditions of the urban slum dwellers living below poverty line.

The objective of VAMBAY is primarily to provide shelter or upgrade the existing shelter for people living below the poverty line in urban slums in a march towards the goal of slumless cities with a healthy and enabling urban environment. The target group under the VAMBAY will be all slum dwellers in urban areas who are below the poverty line including members of EWS who do not possess adequate shelter.

Another very important basic amenity for slum dwellers especially in congested metropolitan cities is the lack of rudimentary toilet facilities. A new National City Sanitation Project under the title of "**Nirmal Bharat Abhiyan**" is an integral sub component of VAMBAY. 20% of the total allocation under VAMBAY will be used for the same at the rate of Rs.200 crores as loan from HUDCO and Rs.200 crore as subsidy. The State Governments/Local Bodies of course will be free to supplement this amount with their own grant or subsidy as the case may be. The average cost for a community toilet seat has been estimated to be Rs.40,000/- per seat. Therefore, a 10-seat or a 20-seat toilet block meant for men, women and children with separate compartments for each group and special design features will cost around Rs.4 lakhs or Rs.8 lakhs respectively. Each toilet block will be maintained by a group from among the slum dwellers who will make a monthly contribution of about Rs.20 or so per family and obtain a monthly pass or family card.

During the current financial year, 2001-02, a modest beginning may be made with a limited sum of Rs.100 crore made available out of the savings of the Ministry of Urban Development. However, during the 10th Plan period when VAMBAY will be launched in full swing, the annual allocation will be Rs.1000 crores which will be matched with a long-term loan by HUDCO of Rs.1000 crore on a 1:1 basis. The rate of interest of this loan will be the same as the rate of interest charged by HUDCO for EWS housing. State Government has the option to mobilize its matching portion of 50% from other sources, such as their own budget provision, resources of local bodies, loans from other agencies, contributions from beneficiaries or NGOs etc. In all cases, however, the Government of India subsidy will only be released after the States' matching share of 50% has been released. Both the subsidy and the loan (when it is required) will be released by HUDCO. The funds will be released by HUDCO either to the State Urban Development Agency (SUDA), District Urban Development Agency (DUDA) or any other agency designated by the State Government.

The implementation of VAMBAY will be dovetailed and synergised with other existing programmes such NSDP and SJSRY. The availability of drinking water, sanitation and drainage facilities should be ensured under these programmes. On an average, 25% of the funds under the Scheme will be spent for providing water and sanitation facilities including approximately 20% of the amount for community sanitation project - Nirmal Bharat Abhiyan.

Selection of beneficiaries will be made by the SUDA/DUDA in consultation with the local authorities. Help of reputed NGOs may be enlisted. They will also formulate projects, prepare estimates and submit the same for sanction to the State Government which will in turn recommend them to the Govt. of India for release of funds allocated for each State.

In selecting the beneficiaries the following reservation/percentage will be followed:

- | | |
|--|-----------------------|
| 1. SC/ST | - not less than 50% |
| 2. Backward classes | - 30% |
| 3. Other weaker sections | - 15% (OBC, BC, etc.) |
| 4. Physically & mentally disabled & handicapped persons and others | - 5% |

After identification of the beneficiaries, the latter must be provided title as a pre-condition for the loan or subsidy. This may be done by the State Government/local body either by regularization in-situ or by relocation. The title to the land should be in the name of the husband and wife jointly or preferably in the name of the wife. Till the repayment of the loan, if any, the house built with VAMBAY funds along with the land shall be mortgaged to the State Government/implementing agency. **It may please be noted that no provision is made for land acquisition in VAMBAY.** No hard and fast type/design is prescribed for VAMBAY dwelling units. However, the plinth area of a new house should normally be not less than 15 sq. mts.

The upper financial limit for construction of VAMBAY units normally will be Rs.40,000/- with provision for sanitary toilet also. However, for metro cities with more than 1-million population, it will be Rs.50,000/- and mega cities (Delhi, Mumbai, Kolkata, Chennai, Hyderabad and Bangalore) it will be Rs.60,000/- per unit. In hilly and difficult areas this ceiling may be enhanced by 12.5%. A portion, say, 20% of the funds may be used also for upgrading existing dwelling units in slums. The upper limit for upgradation of an existing unit shall not be more than 50% of the ceiling specified for construction of a new house. The norms for Town & Country Planning of the State Government and the rules and bye-laws of the Local Bodies should, of course, be kept in view.

Monitoring of VAMBAY will be done by the State Government and status report submitted to GOI regularly.

Entitlement of State/UT under VAMBAY will be initially determined on the basis of slum population in the State or UT. The State Governments are required to allocate the share for cities and towns within the State/UT also on the same norm i.e. in proportion to the slum population as a percentage of the total slum population of the State.

The detailed proposals with cost estimates will be processed and submitted by HUDCO to a Committee headed by the Secretary, Deptt. of Urban Employment & Poverty Alleviation, Ministry of Urban Development & Poverty Alleviation. If, however, sufficient proposals under VAMBAY are not forthcoming from some of the States, the balance funds can be reallocated to other States which have submitted their proposals.

ITEM NO.

S812001

A-31-8-2001

Sub: Housing Scheme for rehabilitation of Motia Khan jhuggi dwellers.F.No.F2(56)AO(P)/2000.

1. Delhi Development Authority vide its Resolution no.88/2000 dt.26.12.2000 approved the scheme for allotment of one room EWS tenements in Sector-4, Rohini constructed on 23.56 sq.mtr. area (average) to the eligible jhuggi squatters. For each flat cost of land/construction of flats and amount payable by squatter approved vide above Resolution is given as under :

1	Cost of land	-	33414
2.	Cost of construction including disposal charges etc.	-	1,26,795
	Total	-	<u>1,60,209</u>
	Less cost of removal of jhuggis	-	39,000
	Net amount to be paid by squatters	-	1,21,209,
			1,21,000 per unit

Recovery of the cost of the flat has been approved as under:

- Rs.10,000/- at the time of registration alongwith application.
- Rs.30,000/- after issue of demand-cum-allotment letter.
- Remaining amount of Rs.81,000/- to be recovered in 180 monthly instalments.

It was further approved that those eligible squatters who are not willing for allotment of flats shall be allotted 25 sq.mtr. plot at Dwarka and Narela by Land Department and ineligible squatters may be allotted 12.5 sq.mtr. plots in the holding zones as they are not eligible for flat or 25 sq.mtr. plots.

2. There are 2246 squatter families at Motia Khan Jhuggi cluster as per survey conducted by the team headed by Shri S.P. Bhardwaj, Jt. Director (Area Planning) DDA during 1999. Details is given as under :

1.	Jhuggies being used for residential purposes	-	2073
2.	Residential-cum-commercial shops	-	86
3.	Commercial/shop	-	81
4.	Other use (such as Mandir etc.)	-	6
	Total	-	<u>2246</u>

Eligible squatter families (In or before 1990)	-	1770
Ineligible squatter families (after 1990)	-	476
Total	-	<u>2246</u>

3. Recently, DDA has received instructions from the Ministry of U.D., Govt. of India on allotment of alternate plots to jhuggie dwellers. Squatters who are residing since 31.1.90 or before are eligible for 18 sq.mtr. plot and the squatters who are residing after 31.1.90 and up to 31.12.98 are eligible for 12.5 sq.mtr. plots. Now both categories of squatters are eligible for plots as per Govt. of India's instructions.

4. The case of shifting of jhuggie jhompri dwellers from Motia Khan to one room tenements in Sector-4, Rohini was taken up with Ministry of U.D., Govt. of India pursuant to the Authority Resolution no. 88/2000 dt. 26.12.2000. After detailed examination it has been decided to view this scheme as an EWS Housing Scheme and not as a scheme of J.J. relocation. This scheme is being treated as a pilot project and information of the scheme has also been filed in the form of an affidavit in the high Court in C.W.P. No. 6553/2000, Samudiak Vikas Samiti Vs. U.O.I. & Ors. The Ministry of U.D. has also agreed to this EWS Housing Scheme of relocation of these JJ dwellers to the one room tenements in Sec. 4, Rohini vide its letter no. K-11011/86/2000-DDIA dated 30.7.2001.

5. However, as no land is available for allotment of alternative plots at present, it is proposed that all the jhuggie dwellers who are residing since 30.1.90 or prior to that and who are residing after 30.1.90 and as on 31.12.98 may be allotted flats in Sector-4, Rohini as all the squatters will be eligible for plots as per the Govt. of India norms in view of the fact that the survey was conducted in early 1999.

6. The cost of each flat would be subsidized to an extent of Rs. 39,000/- (Rs. 29,000/- being the charges to be borne by the land owning agencies for shifting of JJ Clusters and Rs. 10,000/- as the plan allocation component from the Government of NCT for the resettlement of JJ Clusters. The actual cost of the flat based on total relevant data excluding subsidy as above, will be recovered in a payment plan to be approved by the VC. Cost currently worked out is given in Annexure 'A'.

7. Above revised scheme for allotment of flats to the jhuggie dwellers of Motia Khan Cluster is submitted for consideration and approval of the Authority.

RESOLUTION

Proposals contained in the agenda item were approved by the Authority. The VC cautioned that allotments should be made only after certification by the concerned Chief Engineer that the flats were ready for possession. The Chairman advised expediting the whole process and early holding of the draw of lots.

NISHA SINGH,
DIRECTOR (DD)
TEL. NO. 3019280

D.O.No.K-11011/86/2000-DDA

Dated: 30.7.2001

Dear Shri

This is in reference to letter No. F-201/2001/M/Coord/Pl. Dated July 20, 2001 and in continuation of our letter of even number dated 4.2.2001 and 17.7.2001.

2. On recommendation of the proposal received from the DDA, the Government has approved the proposal of the DDA as made out in the aforesaid letter. This scheme is to be considered strictly as a economically weaker section scheme and not as a slum relocation scheme. You are requested to take further action in the matter accordingly.

With regards,

Yours sincerely,

(NISHA SINGH)

Shri P.K. Hota,
Vice-Chairman,
DDA, Vikas Sadan, INA,
New Delhi

12

No.J-13036/2/2000-DDIIB(292)
Government of India
Ministry of Urban Development & Poverty Alleviation

New Delhi, the December 24, 2001.

To

The Secretary (UEPA),
Department of Urban Employment &
Poverty Alleviation,
Ministry of Urban Development &
Poverty Alleviation,
Nirman Bhavan,
New Delhi.

Sub: DDA's proposal for implementation of Valmiki Ambedkar Malin Basti
Awaz Yojana (VAMBAY) in Delhi.

Sir,

This refers to your D.O. letter No.B-12011/1/2001-H.II dated 21.12.2001
addressed to Secretary (UD) and also the proposal submitted to you directly by
the Vice-Chairman, DDA vide D.O. letter No.F.17(240)95/LMC/Pt./2971-L
dated 12/14 December, 2001. The DDA can implement the VAMBAY for
slum dwellers in Delhi subject to their obtaining 'No Objection' from the
GNCTD and observance of other formalities as required under the Scheme.
The proposal submitted by DDA directly to you vide D.O. letter referred to
above, may also be considered.

Yours faithfully,

(P.K. PRADHAN)

Joint Secretary to the Government of India

Copy forwarded to the Vice-Chairman, DDA, Vikas Sadan, INA Colony,
New Delhi with reference to his D.O. letter No.F.17(240)95/LMC/Pt./71 dated
14.12.2001. DDA may kindly obtain the 'No Objection' from the GNCTD for
implementation of VAMBAY in Delhi by them. They should also obtain the
concurrence from the Authority regarding dovetailing or subsidy from different
sources for the relocation of JJ cluster at Motia Khan.

(P.K. PRADHAN)

Joint Secretary to the Government of India

QMI
Top Print Letter to CS GNCTD Pl.
24/12/01

3106-A/CLM-I
26/12/01

2437B

24-12-01

Item No.

14/2002

A-21-1-2002

Sub: DDA HRD Institute
F.PS/Secy/Misc/2001/1691

PRECIS

DDA has a built-up Infrastructure of 1200 square meters in Siri Fort on 2.5 hectares of land. This was primarily constructed for DDA Officers' Club for its Group A & B officers. The Infrastructure has not been put to full & proper utilisation.

Proposal

It is proposed that it could be used for social inter-action and family activities of DDA officers after the office hours/the weekends/and for running training/ consultancy/urban policy research for the DDA during the working hours so that it also serves the purpose of a complete Resource Centre for various activities of the DDA.

DDA is a premier and the oldest urban development authority in the country constituted under an Act of the Parliament; it has been carrying out planned development of Delhi in Independent India. Equipped with this vast and rich experience ranging from construction of Janta flats to Asian Games Infrastructure, small roads to flyovers, parking lots to multi-storied commercial complexes, play fields to International level stadiums and swimming pools, city level greens to protected forests, DDA must now use this vast practical experience and human potential in the field of urban governance and Urban development for meeting the urban development requirements of the emerging developmental authorities/agencies in India and the developing world. It is high time that DDA utilizes its experience and dedicates a part of its energy towards Consultancy Programmes in the field of Heritage Conservation, Urban Engineering, Urban Management and various branches of Urban Planning & Architecture and other areas. This Infrastructure earlier constructed for DDA officers' club is now proposed to be utilised for these activities also.

2 Till date DDA's Training Department had been limiting its resources to the training of lower level functionaries, restricted to basic official procedures. However, no useful training programmes have ever been drawn for the middle management or the senior level management, inspite of Instructions of DOP&T, Govt. of India that senior officials should undergo regular training every year.

With its vast resources and huge experience in all the aspects of urban development, DDA must look beyond its frontiers. It must become the training hub for Urban Planning, Urban Engineering, Urban Architecture, Urban Environment and Urban Management to meet the vacuum in other development authorities within India and world over. The Infrastructure is proposed to be used for these purposes also.

3 The infrastructure is also proposed to be used for Policy Research on all the Urban development related issues. For this we would seek the help and services of our retired colleagues who have done pioneering work in DDA. They would be equipped with a good library where they come at their convenience and contribute to Urban Research and new policy initiatives. The Institute can co-opt consultants from market on full time or part time basis on contract for a limited period depending on the need that arises from time to time.

II In short, the existing DDA Officers' Club is proposed to be made a complete Resource Centre for the DDA for all the Urban Development and Management related emerging requirements in this part of the world, specially when it has all the resources at its command with vast Urban Development background in addition to serving as a social interaction ground for DDA officers and their families who virtually have no time or place for social interaction with their superiors or colleagues. Interaction with the colleagues' families is almost absent in DDA. Whereas, Officers Clubs have been provided by several organizations/services viz., NDMC, Airport Authority of India, Indian Revenue Service (Customs), All India/Civil Services (headed by Secretary Personnel Govt. of India), Defence Services etc; DDA inspite of providing land and infrastructure to all these agencies has not provided a common meeting ground for its own employees/families. This infrastructure is necessary not only for social or intellectual interaction, it is necessary for building camaraderie and synergy amongst them.

The infrastructure would simultaneously cater to all the club related requirements of the DDA's Group A & B officers as available in the comparable Clubs in Delhi.

III Since the premises are proposed to be utilized for carrying out training activities on regular basis, and for carrying out Urban/Policy Research, in addition to being the DDA's Resource Centre during the working hours and on

the working days, its maintenance has been entrusted to the concerned Division/Circle/Horticulture Department and payment of water/electricity/ day-to-day running expenditure bills shall be met like other DDA office buildings. Concerned offices will also dedicate necessary staff and budget specifically for maintenance and upkeep of this infrastructure and for providing additional infrastructure from time to time. Apart from the salary of the Chief Manager/Manager, the remaining staff would mainly perform the official responsibilities of the Resource Centre/Training/Policy Research. They would, therefore, be posted to the premises on diverted capacity basis as a full time regular arrangement.

IV The entire infrastructure is thus proposed to be run and maintained as an office building of the DDA. Separate account would, however, be kept for income and expenditure relating to social activities of the Members/Club related activities. All decisions regarding additions to the existing infrastructure, alterations, maintenance, including all financial and administrative sanctions of the HRD Institute/Officers Club for all the existing and new activities shall be taken by the Advisory Committee/Vice-Chairman so that the DDA HRD Institute lives up to its expectations.

App. 'A'
(109).

V Use of the infrastructure would be permitted for social get-togethers and functions of the Members by taking due care of noise pollution, traffic congestion, disturbance to others. The Management Committee will take all decisions about such activities and functions shall be permitted at the premises only to the immediate family members of the Members at a nominal payment to be decided by the VC/Advisory Committee. Outsiders would be discouraged to use the venue and the VC/Advisory Committee would lay down the rates for use of the premises by the outsiders from time to time. The rates would be such as to discourage the outsiders. The premises would be used for all such activities as are permitted in the comparable Institutes/Officers' Clubs. The infrastructure shall be furnished and upgraded by the DDA in a time bound manner so as to compare with the finest Institutes/Comparable Clubs. Various Committees have been constituted for administration and day-to-day running of the Institute as at Annexure.

This is a new initiative taken by the DDA and is put up to the Authority for their kind information and approval.

RESOLUTION

Proposals contained in the agenda item were appreciated and approved by the Authority and the Vice-Chairman was authorised to take all administrative and financial decisions for functionalising and expanding the HRD Institute/officers club. It will, however, be ensured that the property was not alienated and continues to be the ownership of the DDA.

ADVISORY COMMITTEE/MANAGEMENT COMMITTEE

1 Advisory Committee:

- [a] Vice-Chairman, DDA
 - [b] Finance Member, DDA
 - [c] Engineer Member, DDA
 - [d] All Members of Managing Committee
 - [e] Chief Manager
- Chairman
 - Member
 - Member
 - Members
 - Member Secretary

2 Managing Committee:

- [a] Engineer Member
 - [b] Commissioner-cum-Secretary
 - [c] Chief Accounts Officer
 - [d] SE, Incharge of the Area
 - [e] Director [Sports]
 - [f] Senior Architect [SZ]
 - [g] Chief Manager
 - [h] Any other member nominated by the Advisory Committee
 - [i] 4 selected representatives as elected by the General Body [The representatives will be elected after initial 2 years]. The 4 elected members of the Managing Committee shall be elected from amongst the members of the Club at a General Body Meeting to be presided over by the Chairman of the Managing Committee.
- President
 - Member
 - Member
 - Member
 - Member
 - Member
 - Member Secretary

[j] The Advisory Committee shall have the powers to nominate or co-opt not more than 5 members from amongst the members of the Club for the Managing Committee.

[k] Elected/nominated members of the Committee shall hold office for a period of one year or till elections by General Body are held.

3 The Academic/Policy Research/Training Group:

- [a] Vice-Chairman, DDA
- [b] Finance Member, DDA
- [c] Engineer Member, DDA
- [d] Commissioner-cum-Secretary
- [e] Commissioner [Planning]
- [f] Commissioner [Systems & Training]

Item No. subject: Revision of payment of fee to
15/2001 the Panel Lawyers of the Authority

A-21-1-2002 F.18(39)99/Adm./Legal.

P R E C I S

The Authority vide its Resolution No.38 dt. 7.5.90 had formulated a policy regarding the payment of fee to the Advocates empanelled by the Authority for defending the cases for and against the Authority. A copy of the aforesaid Resolution is annexed as (Appendix-'A' P-119 to 125).

On 7.9.99 in a meeting under the chairmanship of the then Vice-Chairman, DDA with the Advocates on the panel of the DDA doing High court cases Hon'ble Vice-Chairman had agreed to re-consider the revision of fee bill policy on the ground that the advocate were not being paid adequate fee. In view of the assurance given by the then Hon'ble Vice-chairman, the following proposal of payment of fee is submitted for the approval of the Authority.

A) HIGH COURT, NATIONAL COMMISSION, STATE COMMISSION & MRTP PANEL LAWYERS:

It is proposed that in all the writ petitions under Article 226 & 227 of the Constitution or Appeals including Second Appeals from orders made in such petitions; Civil or criminal revision petitions; O.M. applications; cases under Arbitration Act; Appeals from Declaratory Suits including second appeals; original suits; Petitions under Article 132 & 133 of Constitution of India; Contempt Petitions filed by/against DDA in High Court; Petitions/Contempt petitions/Appeals from

the orders of Distt. Forums filed by/against ODA in the State Commission; petitions/appeals from the order of State Commission and Contempt Petitions filed by or against the Authority in National Commission, National Commission for SC & ST and petitions before MHPP, we may pay Rs.440/- per effective hearing (including clerkage) to our panel lawyers and Rs.150/- per case per effective hearing (including clerkage) in the connected matters where separate pleadings are filed provided the same are certified by the concerned H.O.D. subject to a maximum of ten matters only. In addition to above, we may pay Rs.350/- for drafting per pleading and Rs.200/- for each connected matter, if separate pleadings materially different in nature are filed, to be certified by the concerned H.O.D. The typing charges @ Rs.15/- per original page plus Rs.5/- per page per copy and other misc. expenses i.e. the Court fee, photostat charges actually incurred by the P/L will also be paid. It is made clear that effective appearance will be necessary for the Counsel to claim fee and only a hearing in which either one or both the parties involved in a case are heard by the court, shall be considered as effective hearing. If, the case is mentioned and adjourned or only directions are given or pleadings are filed or only judgement is delivered by the Court, it would not constitute an effective hearing. It is also suggested that where counsel does not argue himself but only assist the Attorney General/ Solicitor General/ Additional Solicitor General or Senior counsel, a fee of Rs.440/- per appearance (including clerkage) & in the connected matters Rs.100/- per appearance (including clerkage) subject to a maximum of ten matters may be paid to the Panel lawyer. It is also proposed that we may pay Rs.100/- as

inspection charges in the case where no date of hearing is mentioned by the previous Panel Lawyer and Rs.150/- as drafting charges for lodging caveat on behalf of the Authority.

B) Distt.Courts Panel Lawyers

It is proposed that for the conduct of all the cases pending in the Distt. Courts, including ATMCD, Labour courts, MACT, before the court of Hon'ble L.G., Rent Controller, A.R.C. and other Courts/Forums/Tribunals etc.. we may pay Rs.330/- per effective hearing(including clerkage) and Rs.100/- per effective hearing per case in connected matters subject to a maximum of ten matters where separate pleadings are filed provided the same are certified by the concerned H.O.D. We may also pay Rs. 300/- as drafting charges per pleading and Rs.200/- per pleading for each connected matters, if separate pleadings are filed, (provided the same are certified by the concerned H.O.D.) It is also proposed that we may pay Rs.150/- for drafting each miscellaneous applications and reply to the miscellaneous applications filed for/against the Authority and pay Rs.100/- for each connected matters. It is also proposed that we may pay Rs.150/- each for drafting the statutory notice sent to the opposite party before filing of the suit as well as for lodging caveat for and on behalf of the Authority. In addition, we may pay the typing charges @ Rs.15/- per original page plus Rs.5/- per page per copy and the other miscellaneous expenses etc. as actually incurred by them. It is made clear that effective appearance will be necessary for the Counsel and only a hearing in which pleadings/reply to the applications are filed, either one or both

the parties involved in a case are heard by the court, shall be considered as effective hearing. If, the case is mentioned and adjourned or only directions are given or only judgement is delivered by the court, it would not constitute an effective hearing.

C.) Consumer Courts Panel Lawyers

It is proposed that for the conduct of all the cases pending in the various Distt. Forums, we may pay a consolidated fee of Rs.2000/- per case with Rs.500/- for the entire miscellaneous work which includes drafting of pleadings, filing of reply of interim applications/misc. applications etc. Out of the aforesaid amount 50 % of fee alongwith miscellaneous expenses shall be paid after the completion of the pleadings and the remaining 50% shall be paid after the decision of the case.

D) Proceedings before Arbitrators:

The Panel Lawyers are being appointed on the request of the concerned Engineering Department to conduct cases before the Arbitrators. These P/Ls are supposed to appear before the Arbitrators, as and when required. These P/Ls who are generally conducting the cases either at Distt. Courts or at High Court have to leave their offices early for conducting the cases before Arbitrator and have to travel a long distance as Arbitrators generally sit at far off places. We have been receiving suggestions from the P/Ls that they should be paid some conveyance charges also for attending the cases before the Arbitrators. It is, therefore, suggested that we may pay to these Panel Lawyers Rs.440/- per appearance (including clerkage) before the Arbitrators. In addition, it is also

suggested that we may pay Rs.350/- for drafting pleadings and Rs.150/- for drafting misc. applications /reply to misc-applications/additional affidavits/reply to additional affidavits. In addition, we may also pay typing charges @Rs.15/- per original page plus Rs.5/- per page per copy and the out of pocket expenses including the court fee, photostat charges etc. actually incurred by them. It is, however, made clear that the above fee will be payable irrespective of whether the Panel Lawyer so appointed is on the Panel of High Court or District court.

E) Advocate on Record

The policy regarding the payment of fee to the Advocates on Record in Supreme Court of India was approved by the Vice-Chairman, DDA, in the year 1990. A copy of the same is annexed as (App. 'B' P-126)
2 The Advocates on Record are also pressing for the revision of the said policy. It is, therefore, suggested that in the writ petitions and appeals they may be paid Rs.1500/- per case per day and in the Special Leave Petitions, they may be paid Rs.800/- per case per day and for the misc. applications and appearance before the Hon'ble Court chamber Judge & Registrar; they may be paid Rs.500/- per case per day. It is also suggested that for drawing or settling pleadings (including Affidavts); drawing or settling statement of cases or settlement of index, they may be paid Rs.500/- per case and Rs.700/- per case as acting fee in the Writ petitions and Appeals only. In the connected matters, if appearance is put in by an Advocate on Record before the Hon'ble court, half of fee in the writ petition, appeals and Special Leave Petitions and half of the acting fee in the Writ petitions

and appeals, as referred to above shall be paid subject to a maximum of ten matters. Similarly, for misc. applications and appearance before Hon'ble Judges in chamber and before Registrar in the connected matters, half of the fee shall be paid subject to a maximum of ten matters only. An Advocate on Record is also required to hold conferences with the Senior Advocate, before the case is listed for hearing. It is, therefore, suggested that they may also be paid Rs.500/- per conference. In addition, they may also be paid clerkage @ 10% on fee for appearance before court in S.L.Ps.; Writ Petition; and Appeals only. They may also be paid Rs.350/- for lodging caveat for and on behalf of the Authority. In addition, they shall also be paid out of pocket expenses i.e. typing charges, cyclostyling charges, photostate charges, court fee stamps etc. as actually incurred by the Advocates on Record.

F) Panel Lawyers appearing before the Estate Officers, C.O.(D)

The Panel lawyers so appointed for conducting the cases under P.P.Act, in the courts of Estate Officers and C.O.(D) may be paid Rs.5500/- p.m. in lump sum (including clerkage and drafting charges.) They shall also be paid typing charges @ Rs.15/- per original page and Rs.5/- per page per copy and other misc. expenses i.e. Court fee, photostat & other charges etc. as actually incurred by them.

G) Nominated Counsel in the High Court

In the year 1976, Hon'ble High court has amended Rule I-A of chapter 4-F(b) of High court Rules and Orders, Vol.V. The said Rules were amended by the Hon'ble High Court to mitigate the delay caused in effecting the service of the writ petitions and also to hear the Counsels for the Govt. Departments and Public Authorities well in advance before making any order in the Writ Petitions and to oblivate grant of exparte stay. For this purpose to enable the Advocate of DDA to object to the grant of stay on the very first date of hearing itself, at present, we have two nominated counsels in the High Court. The nominated counsel have made a grievance that all of their fee bills of the first date of hearing are not being paid. The reason being that as soon as the copy of the Writ Petitions which are served upon the nominate counsel, when alongwith note indicating therein the status of the case is received in the Law Department, the matter is entrusted to some other Panel Lawyer and the file is sent to the concerned department for taking appropriate action. In order to oblivate the grievance of the Nominated Counsel, it is proposed that we may pay Rs.7500/- per month in lump-sum to each nominated counsel. It is, however, made clear that no fee for their appearance on the first date of hearing shall be paid to the nominated counsels.

H). Panel Lawyers visiting the site in pursuance to the directions of the Hon'ble Court.

Local Commissioners are being appointed by the Hon'ble Courts in order to ascertain the present position of the suit premises and in some of the cases, the panel lawyers of the Authority are also directed by the court to remain present at

site at the time of inspection by the Local commissioners. Whenever, the Panel Lawyer visit the site alongwith the Local Commissioner, we have been paying Rs.300/- per visit and in the connected matters, we have been paying Rs.100/- for each matter. It is proposed that a fee of Rs. 350/- per visit may be paid to the Panel Lawyer whenever he visits the site in pursuance to the directions of the court and in connected matter, if any, we may pay Rs. 150/- for each visit subject to a maximum of 10 matters only. The above fee will be payable irrespective of whether the Panel Lawyer is on the panel of High Court or District Court.

1) Standing Counsel/Addl.Standing Counsel/
Sr.Standing Counsel

Since, 1998 we have been paying Rs.1100/- per appearance to Addl.Sr.Standing Counsel and Rs.550/- per appearance to Standing Counsel, besides the drafting charges being paid to other panel Lawyers. It is proposed that the same fee should continued to be paid to Addl.Sr.Standing Counsel and Standing Counsel besides the revised drafting charges and other expenses which have been proposed for the other panel counsels as stated above.

Since 1999, we have been paying Rs.4400/- per appearance to the Sr.Standing Counsel. We are also paying retainership fee of Rs.5000/- per month and Rs.1100/- for drafting each pleadings, if any, by the Sr.Standing Counsel. They are also required to tender the opinion on the matters assigned to them for which they are not being paid any separate fee. It is proposed that the same fee besides the revised expenses which has been proposed for other panel Avocates as above should continued to be paid to the Sr.Standing Counsel.

J) Engagement of Sr. Advocates/Spl. Counsel

The Sr. Advocates, are being engaged on the request of advocate on record/ concerned HOD to argue the matter before the Hon'ble Supreme Court /High court. At present they are normally being paid Rs.16,500/- to Rs.32,000/- per appearance. Similarly, Special counsels are also being engaged to conduct important matters before the Distt. Court/National Commission/MRTP Commission etc. and are being paid Rs.11,000/- to 18,500/- for conducting the entire case depending on the merits of each case.

It is proposed that we may continue to engage the Sr. Advocate/Special Counsels only on the basis of the CLA's recommendations and VC's approval.

K) It is also suggested that for any other work not covered under the aforesaid proposal, CLA may also be delegated the powers to pay fee as deemed appropriate with the approval of F.M./V.C., DDA.

A comparative chart showing the fee being paid at present and fee which shall become payable if, the aforesaid suggestions are accepted is given in Appendix 'C' to 'G' (P-127 to 134).

The above proposal is submitted to the Authority for consideration and approval.

RESOLUTION

It was decided that the proposals should be re-examined in the light of the rates of fee recently finalised by the Central Government and the GNCTD.

2. Shri Mahabal Mishra, Shri Kanwar Karan Singh and Shri Puran Chand Yogi sought regular monitoring of the disposal of court cases and review of the performance of the panel lawyers. The LG asked the CLA to conduct a detailed review and put up a report to the Vice-Chairman.

No. 38. Sub: Payment of fee to Panel Lawyers in High Court and Distt. Court.

A- 7.5.90.

P R E C I S

1. HIGH COURT PANEL LAWYERS

As per Authority Resolution No. 92 dt. 14.7.87, we have been paying fee, to our Panel Lawyers, in accordance with the Provisions contained in Govt. of India O.M. No. 24(1)87-Judicial dt. 21.5.87, containing the terms and conditions for engagement of counsels in Delhi High Court, w.o.f. 1.4.87.

The Govt, of India has formulated 2 schemes one for Sr. Counsels and the other for pleaders etc. Sr. Counsels are paid Rs.1000/- per case per hearing in suits, writ petitions and appeals including oral application for leave to appeal to Supreme Court in writ petitions. They are paid Rs.375/- per case for application for leave to appeal to Supreme Court in matters other than writ petitions. They are also paid Rs.300/- per case for settling pleadings, Rs.300/- per case for miscellaneous applications and Rs.100/- per conference subject to one conference for settling pleadings and maximum 3 conference in respect of hearing of matters. They are not entitled to payment of clerkage. Out of pocket expenses are paid to them additionally.

The pleaders etc. are paid Rs.750/- per case in civil or criminal cases in Article 226 and 227 of the Constitution, Special appeal from orders made in such petitions including appearance on admission stage or in civil miscellaneous petitions, If a case hearing or a writ petition goes on for more than 3 days, an additional fee of Rs.150/-

per day (not exceeding 3 in no.) may be paid by way of refresher fee. They are paid Rs.300/- per case per day subject to a maximum of Rs.600/- for a petition under Article 132 or 133 of the Constitution in Civil or Criminal cases. Advalorum fee is paid in respect of original suits and civil appearance not otherwise specifically provided under these terms. The advalorum fee is subject to maximum of Rs.4500/- Similar fee is paid for appeals from decree in suits and proceedings, except LPA from petitions under Article 226 and 227 and appeal from declaratory decrees or such decrees in which there is no valuation or valuation is notional or which are mainly on question of law and such appeals which have been specifically or separately provided. They are paid Rs.350/- per case for Civil or Criminal revision petition and Rs.250/- per case for Civil Miscellaneous applications or petitions under Indian Succession Act, Contempt of Court proceedings and other proceedings of an original nature not specifically provided otherwise. They are paid Rs.100/- per petition in all cases of the nature where no substantial legal work is involved and no such substantial work is actually done till the disposal of the case and miscellaneous petition or work not otherwise provided for. Regarding cases under Arbitration Act, in case under Sec.14,17 and 20 of the Arbitration Act, the fee payable is 1/4th of the fee according to the scales mentioned for original suits/civil appeals, if the case is uncontested, subject to a minimum of Rs.350/- and maximum of Rs.1000/- and half of the advalorum fee, where the case is contested. In other cases, it is Rs.400/- per case. In cases where no legal work is involved and the case is disposed of an oral submission, the minimum fee is Rs.150/- and maximum Rs.450/- They are paid Rs.150/- for written opinion

and Rs.250/- per pleadings for drafting etc. This is in addition to the prescribed fee. Fee for appearance in the case in subordinate court is Rs.250/- for the first day and Rs.150/- for each subsequent day. In addition to the fee, they are entitled to 10% of the fee subject to a maximum of Rs.600/- by way of clerkage.

It is being felt by Law Deptt. as well as other Departments of DDA that the fee being paid to our panel Lawyers, particularly in writ petitions, CM(Main) Appeals in writ Petitions and Revision petitions is grossly inadequate, as a result of which, Competent and dedicated lawyers do not want to come on the panel of DDA and even those who come to our panel, hardly devote enough time, attention and dedication to the cases assigned to them by DDA. It may be appreciated that mostly, the matters by/against DDA involve immovable properties and due to steep appreciation in the value of immovable properties, the stakes involved in such matters are quite high. Private persons engage Sr. Competent lawyers in litigation against DDA. It is imperative that we should have, lawyers of matching ability and integrity, to represent us in the courts. Unless, we give attractive fee to our panel lawyers, we are hardly likely to get competent lawyers on our Panel. Being a statutory body, we cannot pay, to our panel lawyers, the fee normally charged by competent lawyers from Private litigations. Even then, in order to safeguard the interest of the Authority, and ensure that court cases by/against DDA are properly represented by lawyers, it is suggested that we should pay Rs.330/- (including clerkage) per effective hearing, to our panel lawyers, in Civil or Criminal writ petitions, CM(Main) under Article 226 & 227 of the Constitution or special appeals from orders made in

....contd.

such petitions including appearance on admission stage or in Civil Miscellaneous petitions. In Civil or Criminal Revision Petitions, also we should pay Rs.330/- (including clerkage) per effective hearing to our panel lawyers. Regarding other matters, we may continue to pay fee to our panel lawyers as per the provisions contained in Govt. OM No.24(1)87-Judicial dt. 21.5.87. It is made clear that effective appearance will be necessary for the counsel to claim fee and only a hearing in which wither one or both the parties involved in a case are heard by the court, shall be considered as effective hearing. If the case is mentioned and adjourned or only directions are given or pleadings are filed or only judgement is delivered by the court, it would not constitute an effective hearing. The fee for drafting, pleadings, written opinion, out of pocket expenses etc. shall remain unchanged. A comparative chart showing the fee being paid at present and fee which shall become payable if the suggestions contained in this note are accepted, is enclosed for ready reference (Appendix 'B' pages 20-23).

2. DISTT. COURTS PANEL LAWYERS.

In Distt. Courts, we are paying fixed Rs.2000/- per month to our panel lawyers, in addition to miscellaneous expenses viz. typing charges, court fee etc. It has been observed that as the lawyers get a fixed amount per month, they are interested in conducting as less cases as possible. It has also been observed that on a number of hearings they do not appear at all. They also do not apply for certified copies etc. in time and do not send their opinion on the orders passed by the Courts. The lawyer gets fixed monthly amount irrespective of whether one case or 10 cases are assigned to him in a month. We have to assign cases to all the panel lawyers, irrespective of their performance, because

contd....

We are paying fixed monthly fee to them. In my view, instead of monthly payment, we should pay fee per hearing, in addition to fee for drafting etc. to our lawyers in District Courts. If it is done, they will not be reluctant to accept the cases assigned to them and as a matter of fact, would like to do more and more cases and shall also give due attention to them. We also will not be assigning cases to lawyers who donot perform well.

It is, therefore, suggested that in Distt. Courts we should pay Rs.200/- (including clerkage) per effective hearing in Civil suits, arbitration cases under Sec.14 & 17 of Arbitration Act and claims before motor accident claims tribunal. We should pay Rs.300/- (including clerkage) per effective hearing in appeals arising out of civil suits, whether against interim order or against final judgments. In Arbitration cases other than petitions under Section 14 & 17 of Arbitration Act as well as in all other cases in/ before Distt. Court/Labour Courts/Labour Commissioners/Distt. Forum and State Commission under Consumer Protection Act/ before the L.G./Rent Controller/Addl. Rent Controller/Rent Control Tribunal and other courts/forums, we should pay Rs.150/- (including clerkage) per effective hearing to our panel lawyers. It is made clear that effective appearance will be necessary for the counsel to claim fee and if the case is mentioned and adjourned, or only directions are given, or only pleadings are filed or judgement is delivered by the Court, it would not constitute an effective hearing. Obj. hearing in which eitherone or both the parties involved in the case are heard by the court or on which evidencu is recorded by court, shall be considered as effective hearing. We should also pay Rs.200/- per case for drafting of plaint/written statement/appeal/reply

contd.....

to appeal/reply to the main petition. No fee shall be payable for drafting of replication/rejoinder, miscellaneous applications, reply to miscellaneous applications etc.

For any other work not covered under this proposal, the panel lawyers in High Court as well as in Distt. Courts may be paid fee, as deemed appropriate by Chief Legal Adviser, DDA. Out of pocket expenses shall be payable extra. A chart showing the fee payable to panel lawyers in Distt. Courts under this proposals is enclosed for ready reference (Appendix 'C' pages 24)

3. PROCEEDINGS BEFORE ARBITRATORS

At present, we have 4 arbitration counsels to whom we pay monthly retainership of Rs.700/- alongwith conveyance allowance at the rate of Rs.475/- per month. These panel lawyers are supposed to appear before the arbitrator, as and when required. But our experience has been that usually the lawyers do not appear at all before the arbitrators. Even if they appear occasionally they insist upon using the vehicle of the Authority, to be provided by the concerned engineer. We have been receiving frequent complaints from the Engineers that lawyers do not appear at all before the arbitrators. Even if they appear occasionally they insist upon using the vehicle of the Authority, to be provided by the concerned engineer. We have been receiving frequent complaints from the Engineers that lawyers do not appear before the arbitrators. Obviously, the reason is that as the lawyers get a fixed monthly sum, they have no incentive to appear before the arbitrators and they want to attend as less hearings as possible. It is, therefore, suggested that we need not pay any monthly retainership or conveyance allowance to any panel lawyer and we pay Rs.330/- per effective hearing for appearance before the arbitrators, in addition to Rs.250/- for drafting etc., as we propose to pay in writ petitions.

contd...

The same fee will be payable irrespective of whether the lawyer is on panel of High Court or of Distt. Courts.

The proposal is submitted to the Authority for consideration & approval.

R E S O L U T I O N

The proposal contained in agenda item was approved. However, the Authority desired that the detailed study be carried out regarding Arbitration cases in DDA and a proposal should be brought before the Authority for streamlining the entire procedure with a view to safeguarding the interest of DDA.

DELHI DEVELOPMENT AUTHORITY
LEGAL DEPARTMENT

ANNEXURE- R.2

No. F.2(301)86/Legal/Pt.

Dt: 12.7.90

OFFICE ORDER

The Vice-Chairman, DDA has been pleased to revise the fee payable to the Advocates on record in Supreme Court of India as mentioned below:

- | | |
|---|------------------------------|
| 1) Writ Petition & Appeals | Rs. 1000/-per case per day. |
| 2) Special Leave Petition | Rs. 500/-per case per day. |
| 3) Mis.Applications & appearances before Court, Chamber Judge & Registrar | Rs. 300/-per case per day. |
| 4) Drawing or settling pleadings (including Affidavits) | Rs. 350/-per case |
| 5) Drawing or settling statement of case or settlement of index. | Rs. 375/-per case. |
| 6) Acting fee in Writ petitions & Appeals | Rs. 500/-per case. |
| 7) Lodging Caveat | Rs. 250/-per case per caveat |

The fee for other works not specifically mentioned in the above schedule, will be regulated as per Supreme Court Rules Schedule I & II.

Sd/-
(J.P. Aggarwal)
Sr. Law Officer (A)

Copy to:

- 1) P.S. to V.C., DDA.
- 2) P.S. to E.M., DDA.
- 3) P.S. to F.M., DDA.
- 4) P.S. to C.L.A., DDA.
- 5) C.A.O., DDA.
- 6) A.O. (E), DDA
- 7) M/s. Saharya & Co. Advocates, Supreme Court.

Sd/-
(J.P. Aggarwal)
Sr. Law Officer (A)

APPENDIX 'C' TO ITEM NO. 15/2002.

COMPARATIVE TABLE REGARDING PAYMENT OF FEE TO THE PANEL LAWYER IN DISTT. COURT.

Sl. No.	Particulars	Fee payable hitherto	Payable as per proposal
1.	Civil Suits/Arbitration cases u/S 14 & 17 of Arbn. Act/Claims before MACT.	Rs. 200/- (including clerkage) per effective hearing.	
2.	Appeals arising out of civil suits whether against interim orders or against final judgment.	Rs. 300/- (including clerkage) per effective hearing.	
3.	Arbn. cases other than Petitions u/S 14 & 17 of Arbn. Act and all other cases in/before Distt. Courts including appeals under P. P. Act/D. D. Act/Labour Court/Distt. Forum/State Commission/before Hon'ble L. G./Rent Controller/Addl. Rent Controller/Rent Control Tribunal & other Courts/Forums/Tribunals.	1) Rs. 150/- (including clerkage) per effective hearing. 2) Rs. 50/- per case in the connected matter.	i) Rs. 330/- per effective hearing (including clerkage). ii) Rs. 100/- per case per effective hearing in the connected matters (including clerkage) subject to a maximum of ten matters. iii) The fee for conducting the matter before "State Commission" shall be paid at the rate paid to the panel lawyers of High Court. 1) Rs. 300/- per pleading. ii) Rs. 200/- for each connected matter subject to a maximum of ten matters if separate pleadings are filed.
4.	Fee for drafting of plaint/written statement/Appeals/Contempt/Reply to ex. appn./main petition/Reply to Contempt/ Affidavit by way of evidence.	Rs. 200/- per case.	
5.	Fee for drafting of Replication/Rejoinder/Additional Affidavit by way of evidence.	NIL.	

Sl.No.	Particulars	Fee payable hitherto	Payable as per proposal
6.	Fee for drafting of each Misc. applications/Reply to Misc. Applications.	Rs. 100/-	1) Rs. 150/- for each drafting ii) Rs. 100/- for each connected matter subject to a maximum of ten matters, if separate pleadings are filed.
7.	Drafting of Statutory notice sent to the opposite party before filing of suit etc.	NIL	Rs. 150/- for each notice.
8.	Inspection charges in the cases when no date of hearing is mentioned by previous P/Ls.	Rs. 100/- per case.	Rs. 100/- per case.
9.	Typing charges	Rs. 5/- per page.	Rs. 15/- per original page plus 5/- per page per copy.
10.	Out of pocket expenses including charges for obtaining certified copies, photostat charges, court fee, stamps etc.	As actually incurred.	As actually incurred.
11.	Lodging Caveat	Nil.	Rs. 150/- per Caveat
12.	Fee payable to the P/L if visits the site with Local Commissioner	1) Rs. 300/- per visit ii) Rs. 100/- for each connected matter per visit.	1) Rs. 350/- per visit ii) Rs. 150/- per visit for each connected matter subject to a maximum of ten matters.

COMPARATIVE TABLE REGARDING PAYMENT OF FEE TO PANEL
LAWYERS IN HIGH COURT/NATIONAL COMMISSION/M.R.T.P.

APPENDIX 'D' TO ITEM NO.15/2002

Sl.No.	Particulars	Fee Payable Hitherto	Payable as per proposal
1.	2.	3.	4.
1.	Civil/Criminal Writ Petitions; Civil/Criminal Revision Petitions; CM(Main) under Art. 226/227 of the Constitution or special appeals from orders made in such petitions including appearance on admission stage; civil Misc. Petitions; LPA/Appeal/Petitions before National Commission; Petitions before M.R.T.P.; National Commission for S.C. & S.T.	Rs. 550/- per effective hearing including clerkage.	i) Rs. 440/- per effective hearing (including clerkage). ii) Rs. 150/- per case per effective hearing in the connected matters (including clerkage) subject to a maximum of ten matters only.
2.	Contempt Petitions before High Court/ National Commission/M.R.T.P.	-do-	
3.	Petitions under Art. 132 & 133 of the constitution.	Rs. 300/- per case per day subject to a maximum of Rs. 600/- per case.	
4.	Original Suits in High Court; Appeals from decrees from suits and proceedings including 2nd appeals except LPA.	(a) Value upto Rs. 5000/- 7% (b) <u>Thereafter</u> value upto Rs. 20000/- 3% (c) <u>Thereafter</u> value upto Rs. 50000/- 1.5% (d) <u>Thereafter</u> value over Rs. 50000/- 0.75%	
		The Ad valorem fee shall be subject to a maximum of Rs. 4500/-	

1.	2.	3.	4.
5.	O.M. Application	Rs. 250/- per case.	
6.	Cases under Arbitration Act in High Court: (a) Cases covered u/S 14, 17 & 20 (b) Cases contested (c) Cases other than these those covered u/S 14, 17 & 20 (d) Cases where no legal work is involved.	1/4th of fee according to the scale mentioned in 4 above, if the case is uncontested subject to min. of Rs. 350/- and max. Rs. 1000/- fee payable will be 1/2 of advalorem according to scale mentioned in 4 above. Rs. 400/- per case. Rs. 150/- min. Rs. 450/-max.	i) Rs. 440/- per effective hearing (including clerkage) ii) Rs. 150/- per case per effective hearing in the connected matters (including clerkage) subject to a maximum of ten matters only.
7.	Appeals from declaratory decrees or such decrees in which either is on valuation or valuation is national or which are mainly on question of law.	Rs. 450/- per appeal.	
8.	Appeals against awards given under the statues relating to the acquisition or requisitioning of landed property and appeals in Arbitration cases.	Fee shall be calculated on half advalorem according to the scale mentioned in Sl.No.4 above subject to a min. of Rs. 350/-	
9.	Drafting Counter Affidavit; written statement; Appeals; Writs; Reply to the Main Petition; reply to the contempt Petition.	Rs. 250/- per pleading.	i) Rs. 350/- per pleading.
10.	Drafting Additional Counter Affidavit /Rejoinder/ Addl. Affidavit/Misc. Applications to be filed on behalf of the Authority or for drafting reply to any misc. applications filed by opposite party.	Rs. 250/- per pleading.	ii) Rs. 200/- for each connected matter subject to a maximum of ten matters, if separate pleadings are filed.

1.	2.	3.	4.
11.	Written Opinion	Rs. 150/-	NIL.
12.	Where Counsel does not argue himself but only assist the Attorney General, Solicitor General or Addl. Solicitor General or Sr. Counsel	Rs. 330/- per effective hearing including clerkage.	1) Rs. 440/- per appearance (including clerkage). ii) Rs. 100/- per appearance (including clerkage) in the connected matters subject to maximum of ten matters.
13.	Out of pocket expenses including charges for obtaining certified copies, photostat charges, court fee stamps etc.	As actually incurred by the Panel Lawyer.	As actually incurred by the Panel Lawyer.
14.	Inspection charges in the cases where no date of hearing is mentioned by the previous Panel Lawyer.	Rs. 100/- per case.	Rs. 100/- per case.
15.	Typing charges including dictation charges.	Rs. 5/- per page.	Rs. 15/- per original page plus Rs. 5/- per page per copy.
16.	Lodging Caveat	NIL.	Rs. 150/- per Caveat.
17.	Fee payable to the P/L if visits the site with Local Commissioner.	1) Rs. 300/- Per visit ii) Rs. 100/- for each connected matter per visit.	i) Rs. 350/- per visit. ii) Rs. 150/- per visit for each connected matter subject to a maximum of ten matters.

COMPARATIVE TABLE REGARDING PAYMENT OF THE PANEL
LAWYERS APPEARING BEFORE ARBITRATORS.

APPENDIX 'E' TO ITEM NO. 15/02

1. Appearance before arbitrators as and when required by the department.	Rs. 330/- per effective hearing including clerkage.	Rs. 440/- per appearance (including clerkage)
2. Drafting the objections/claims/ Affidavits by way of evidence.	Rs. 250/- per pleading	Rs. 350/- per pleading.
3. Typing Charges including dictation charges	Rs. 5/- per page	Rs. 15/- per original page. plus Rs. 5/- per page per copy
4. Out of pocket expenses including charges for obtaining certified copies, photostat charges, court fee stamps etc.	As actually incurred by the Panel Lawyer.	As actually incurred.
5. Fee for drafting each misc. application/reply to each misc. application/addl. affidavit/reply to addl. affidavit.	NIL	Rs. 150/- per pleading.

COMPARATIVE TABLE REGARDING PAYMENT OF FEE TO THE PANEL
LAWYERS APPEARING BEFORE C.O.(D); E.Os UNDER P.P. ACT.

Sl.No.	Particulars	Fee payable Hitherto	Payable as per proposal
1.	Appearance including Drafting charges.	Rs. 4000/- per month including clerkage.	Rs. 5500/- per month including clerkage.
2.	Typing charges including dictation charges.	Rs. 5/- per page.	Rs. 15/- per original page plus Rs.5/- per page per copy.
3.	Out of pocket expenses including charges for obtaining certified copies, photostat charges, court fee stamps etc.	As actually incurred by the Panel Lawyer.	As actually incurred by the Panel Lawyer.

COMPARATIVE TABLE REGARDING PAYMENT OF FEE TO THE
ADVOCATES ON RECORD IN THE SUPREME COURT OF INDIA.

APPENDIX 'G' TO ITEM NO. 15/2002

Sl. No.	Particulars	Fee Payable Hitherto	Payable as per proposal
1.	Writ Petition and Appeal	Rs. 1000/- per case per day.	Rs. 1500/- Per case Per day.
2.	Special Leave Petitions	Rs. 500/- per case per day.	Rs. 800/- per case per day.
3.	Misc. Applications and appearance before Court, Chamber-Judge & Registrar	Rs. 300/- per case per day.	Rs. 500/- per case per day.
4.	Drawing or Settling pleadings (including affidavits)	Rs. 350/- per case.	Rs. 500/- per case.
5.	Drawing or settling statement of cases or settlement of Index	Rs. 375/- per case.	Rs. 500/- per case.
6.	Acting fee in Writ Petition & appeals	Rs. 500/- per case.	Rs. 700/- per case.
7.	Lodging Caveat	Rs. 250/- per case, per Caveat.	Rs. 350/- per Caveat.
8.	Conference with the Sr. advocate	Rs. 250/- per conference	Rs. 500/- per conference.
9.	Clerkage	10% on fee for appearance before Court in Special Leave Petition, Writ Petition & Appeals only.	10% on fee for appearance before Court in Special Leave Petition; Writ Petition & Appeals only.
10.	Typing Charges	Rs. 5/- per Page.	As actually incurred.
11.	Out of pocket expenses including charges for obtaining certified copies, photostat charges, cyclostyle charges, court fee, stamps etc.	As actually incurred.	As actually incurred.

N.B.: In the connected matters if appearance is put in by the Advocate on record before the Hon'ble court, half of fee in the Writ Petition, Appeals & Special Leave Petitions & half of the acting fee in Writ Petitions & Appeals as referred to at Sl. No. 1, 2 & 6 above shall be paid to him subject to a maximum of 10 matters only. Similarly, for misc. applications & appearance before Hon'ble Court, Chamber, Judge & Registrar in the connected matters, half of the fee as referred to at Sl. No. 3 above shall be paid to the Advocate on record subject to a maximum of 10 matters only.

Item No. Sub: Regularization of allotment of Residential plots in
15/2002 Shalimar Bagh to the allottees of shop plot in New Subzi Mandi
H-21-1-2002 Azadpur

F.16(160)75/LSB(R)

PRECIS

The below mentioned cases pertain to the allotment of residential plots in Shalimar Bagh to the evictees of Old Subzi Mandi to whom shop/plots were allotted in New Subzi Mandi, Under Special Scheme launched during 1975. The allotments were cancelled in these cases on various grounds but the affected persons were pursuing for restoration. In this regard Authority vide its Resolution No.93/85 had decided not to reopen the old cases and finally by a decision dated 4.4.90 of the Hon'ble LG, cases pertaining to the year 1975-76 were closed. Since the allottees, 9 in number were frequently representing for restoration of the allotment, the cases were again submitted before the Authority in its meeting held on 29.9.97 and it was decided by the Authority vide its Resolution No.24/97 to examine all the cases afresh in consultation with the non-official members of the Authority and findings be submitted. Therefore, the then Commissioner (Housing) examined all the nine cases and proposed not to re-open the same and the then VC agreed not to re-open these cases, but unfortunately the matter has not been brought before the Authority.

In the meantime, one of the allottees, namely Shri Rahul Raj Kishore, who was vigorously perusing his case for the restoration represented to Hon'ble LG, Delhi. The case was examined again and submitted to the Hon'ble LG, Delhi who after due consideration had ordered to restore the allotment in favour of Shri Rahul Raj Kishore. In the case of S.R. Kapoor allottee of plot No BM-81, Shalimar Bagh also, Hon'ble L.G. restored the allotment subject to payment of 50% Un Earned Increase (U.E.I.). Apart from the cases of Sh. Rahul Raj Kishore & sh. S.R. Kapoor Permanent Lok Adalat, DDA had recommended two cases for restoration of allotment. The Hon'ble LG, Delhi, duly accepted the recommendation of Hon'ble Lok Adalat. Hence, out of the nine cases, four cases have already been decided and allotments restored by the Hon'ble LG, Delhi.

Recently, two cases in which the allottees have filed petitions before the Permanent Lok Adalat, DDA were forwarded to Hon'ble LG for taking a decision on recommendations of Permanent Lok Adalat, DDA. The Hon'ble LG, Delhi had examined these cases and passed orders which is as under:

"I have examined the case.

The seven cases out of the nine which had earlier been referred to the Authority may first be examined to see whether the facts are similar to the two other cases which had been recommended by the Presiding Officer Lok Adalat, and approved for regularization. If the facts are found to be similar, then a common view can be taken and these cases may be brought up before the Authority".

I. All the cases, which were considered during Authority meeting held on: 29.9.95 are mentioned below:

Sr. No	Name	Plot No.	Remarks
1.	Smt. Veera Wali	BP-123 ShalimarBagh	
2.	Smt. Santosh Dhawan	BP-154 Shalimar Bagh	
3.	Sh. S.R.Kapoor	BM-81 Shalimar Bagh	Restored by Hon'ble LG subject to payment of 50% unearned increase.
4.	Sh. M.S. Kapoor	BM-122 Shalimar Bagh	Restored by Hon'ble LG, Delhi on the recommendations of Hon'ble Lok Adalat
5.	Sh. Rahul Raj Kishore	BP-128 Shalimar Bagh	Allotment restored by Hon'ble LG
6.	Sh. Baso Mal	BK-1/126 Shalimar Bagh	
7.	Sh. Mulakh Raj	BK-1/61 Shalimar Bagh	Restored by Hon'ble LG, Delhi on the recommendations of Lok Adalat
8.	Sh. Mohinder Singh	BP-119 Shalimar Bagh	
9.	Sh. Bhullan Singh	BJ-47 Shalimar Bagh	

Now the remaining five cases are to be submitted before the Authority for consideration as per its decision taken in the last meeting held on 29.9.1997, in view of the decision of the then Ld. VC not to re-open these cases thereafter, in view of the recommendations of Hon'ble Lok Adalat in some cases for restoration of allotment and the latest orders of the Hon'ble LG as already mentioned above. The brief facts of these five cases are mentioned as below.

1. Case of Smt. Veera Wali:

- i) Application No. 506
- ii) Plot Allotted BP-123 Shalimar Bagh
- iii) Area of the plot 100 sq.yds.
- iv) Date of issue of demand letter 30.9.1975
- v) Date of receipt of payment 15.10.1975
- vi) **Brief facts of the case:**

Shop/Plot No.C-27 New Subzi Mandi Azadpur was allotted in the name of M/s. Darshan Lal and Company, one residential plot was also to be allotted in Shalimar Bagh Resdl.Scheme. Accordingly, plot no.BP-123 Shalimar Bagh was allotted in favour of Smt. Veerawali on her application. But it was found that Smt. Veera Wali was neither a partner in the firm M/s. Darshan Lal and Company to whom shop/plot was allotted nor she was allottee of shop/plot. As such, the allotment was liable to be cancelled. However, her husband Shri Balwant Rai was partner and who was missing since 11.9.1971 as informed by her. Smt. Veera Wali was asked to get the shop/plot mutated in her name before her request for allotment of the residential plot was considered. The 1/3rd share in shop/plot subsequently mutated in her name on 17.12.90, by that time these cases have been closed with the approval of LG dt. 4.4.90. Smt/ Veera Wali expired on 1.12.1994 and her legal heirs are representing for allotment of plot.

The legal heirs of late Smt. Veera Wali had now represented before the Permanent Lok Adalat, DDA. The department had taken above stand as per approval of the Hon'ble LG. Dt. 4.4.90 not to re-

open the case as already mentioned in opening paragraph. However, Hon'ble Lok Adalat has made recommendation in favour of the petitioner on following reasons:

That Smt. Veera Wali has applied for allotment of plot and made full payment of the premium but she was asked to get the mutation of shop/plot in her favour in order to make the allotment of the residential plot but the same has been done on 24.1.90. Thus, the delay in sanctioning the mutation from 1978 to 1990 was not on the part of Smt. Veera Wali but was on the part of bureaucratic working and therefore, the petitioner or his late mother could not be blamed or penalized. Hon'ble Permanent Lok Adalat has also mentioned that Authority Resolution no.93 dt. 4.10.1985 did not apply to the present case due to the reason that the Authority Resolution was not to re-open the old cases where the allottee did not deposit the earnest money of the plot and the allotment has been cancelled on this ground. Hon'ble Lok Adalat has also mentioned that the petitioner cannot be deprived of the legitimate right on account of order dated 4.4.90 stating that allotment made in 1975-76 cannot be regularized for obtaining the PDR rates of 1975-76 in 1990 when the current market rate was about Rs.8000/- per sq.yds. Hon'ble Lok Adalat has further mentioned that the petitioner being the son of Smt. Veera Wali (died on 1.12.94) and relinquishment deed has been executed by all the brothers and sisters on 15.9.95 and it was duly registered therefore, entitled for issuance of letter of possession of plot no. BP-123 Shalimar Bagh. The Hon'ble Lok Adalat has desired to submit the copy of recommendation to the Hon'ble LG for approval. However, Hon'ble LG, has passed the order that case may be brought up before the Authority.

2. Case of Smt. Santosh Dhawan

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|------|--------------------------------|----------------------|
| i) | Application No. | 424 |
| ii) | Plot allotted | BP-154 Shalimar Bagh |
| iii) | Area of the plot | 200 sq.yds. |
| iv) | Date of issue of demand letter | 30.9.1975 |
| v) | Date of receipt of payment | 29.1.1976 |

Brief facts of the case are:

Shri Radhey Shyam Dhawan applied for allotment of residential plot and the possession of the plot was handed over to the allottee on receipt of the demanded amount of premium within the stipulated period. After handing over the possession of the residential plot, the allottee was asked to furnish the copy of partnership deed. Later on, it came to notice that he was not partner of the firm M/s. Niranjani Dass and Company to whom shop/plot no.D-1310 was allotted. Therefore, allotment of residential plot was cancelled as per order of Commissioner (H) on 16.10.79 and the party was informed that the allotment can be restored in favour of Sh. Niranjani Dass, who was partner of the firm and who was allotted shop/plot in Azadpur Subzi Mandi. Shri Niranjani Dass was the father of Sh. Radhey Shyam Dhawan who applied for allotment of plot. Sh. Radhey Shyam Dhawan was asked vide letter dt. 25.1.80 to get the shop/plot mutated in his favour and then the matter regarding allotment of residential plot can be considered. Subsequently, both Sh. Radhey Shyam Dhawan and Sh. Niranjani Dass expired. The widow of Radhey Shyam Dhawan, has been pressing for mutation of the plot in her favour on the basis of fact that shop/plot has already been mutated in her name. The shop/plot was mutated in favour of Smt. Santosh Dhawan on 10.2.87, but the case of allotment of residential plot was closed as per order of Hon'ble LG dt. 4.4.90.

Since, Smt. Santosh Dhawan has got a shop/plot mutated in her name, she has now requested for mutation of the residential plot in her favour as per the commitment made to Sh. Radhey Shyam Dhawan, the deceased allottee vide letter dt. 25.1.80. Smt. Santosh Dhawan widow of the deceased claimant moved to the District Forum against the cancellation of allotment. The case was discussed by the Hon'ble Forum, being the time barred case and observed that Smt. Santosh Dhawan has strong ground for obtaining the residential plot mutated in her favour as per commitment made by the DDA.

The case was called for by the VC, DDA as a result of representation of Mrs. Santosh Dhawan for allotment for a residential plot to which her father in law was entitled to. The then VC, DDA vide his observation dated 8.7.99 observed as under:

"The allottee, who is in possession of the plot or his successor was not entitled to it at the time of allotment of the shop. Therefore, a view can be taken that his demand cannot be

considered and further observed that there are certain facts which are in favour of the applicant, viz-

- a) the persons who were allotted shops in New Sub zi Mandi were entitled to a residential plot, therefore, if not Radhey Shyam, Shri Niranjan Dass was entitled to such an allotment,
- b) in the normal course, after the death of Sh. Niranjan Dass, the things have come to Radhey Shyam by way of succession,
- c) they are in physical possession of the land and to evict them would be a very lengthy procedure,
- d) the nephew concerned has relinquished his interest in favour of Sh. Radhey Shyam,
- e) finally, the shop allotted to Shri Niranjan Dass has already been mutated in favour of Mrs. Santosh Dhawan.

The then VC, DDA further observed that in view of the facts mentioned above, it would be better to agree in principle to mutate the residential plot in the name of Smt. Santosh Dhawan, but before that it would be necessary to call Shri Bhupinder Kumar, nephew of the deceased, along with the relinquishment deed and to see whether the plot has changed hands or not. Finally, it was observed by the then VC, that a question would also arise whether to charge unearned increase or surrender of share of Sh. Bhupinder Kumar as well as other legal heirs and for the said purpose, advised Commissioner (LD) to call Shri Bhupinder Kumar as well as the other legal heirs of Sh. Niranjan Dass along with original relinquishment deed, Will and other related documents and in the meantime, the question of payment of UEI be got examined in consultation with the Finance Department and also a responsible officer be sent to the site to know what exactly was happening at site. Accordingly, site was inspected by the DD(LA) on 20.7.99 and reported that plot was lying vacant. Simultaneously, letter to Sh. Bhupinder Kumar for appearing in the public hearing was also issued. Sh. Bhupinder Kumar appeared before the Deputy Director on 30.10.2000 and filed copy of release deed in favour of Smt. Santosh Dhawan and copy of ration card as proof of residence and also clarified that he relinquished his share in favour of Smt. Santosh Dhawan. On the other hand, the matter of charging of UEI was referred to Finance Department and it has been opined by the Finance Department to seek the legal opinion in this regard. Though, the legal department has given its opinion that UEI is not chargeable in this case, yet the matter is to be decided administratively. However, Hon'ble LG ordered to place the matter before Authority.

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3. Case of Shri Basho Mal:

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| i) | Application No. | 851 |
| ii) | Plot allotted | BK-1/126 Shalimar Bagh. |
| iii) | Area of the plot | 80 sq./yds. |
| iv) | Date of issue of demand letter | 29.9.75 |
| v) | Date of receipt of payment | 15.10.75 |
| iv) | <u>Brief facts of the case are:</u> | |

A shop/plot No.B-1120, New Subzi Mandi was allotted in the name of M/s. Murli Mal Basho Mal. Shri Basho Mal S/o Sh. Minho Mal applied for allotment of a residential plot as per the scheme. A plot No.BK-1/126 Shalimar Bagh was allotted to him. After receipt of payment of premium, it came to notice that Sh. Basho Mal was not the allottee of shop/plot allotted in New Subzi Mandi Azadpur and the same was allotted to M/s. Murli Mal in individual capacity and hence the allotment of residential plot was cancelled as per the order of the then Commissioner(Lands) and VC dt. 19.12.78. The earnest money was forfeited and the balance amount was refunded to Sh. Basho Mal vide letter dt. 1.1.79 but the refund was not accepted by the applicant.

Subsequently, Sh. Basho Mal informed that Sh. Murli Mal was out of station at that time so, he preferred the application for allotment of residential plot. Shri Basho Mal further informed that Murli Mal is his real son they were carrying on the business jointly and as they are illiterates there was no written partnership deed being the father and son. Since the application of Sh. Basho Mal was rejected in Oct., 1978 i.e. prior to order of the LG dated 4.4.90. As such, the restoration of the allotment could not be acceded to at that stage. However, the cheques sent to Sh. Murli Mal S/o Basho Mal towards refund of the premium had not been accepted to and received back in DDA. After the death of Shri Basho Mal his wife Smt. Putli Bai requested for allotment of plot in favour of her son Murli Mal, who filed NOC from other legal heirs. But his case could not be considered in view of the Authority Resolution No.93 of 4.10.85 and subsequent orders of LG dt. 4.4.90.

Shri Murli Mal S/o Basho Mal made a representation before the Presiding Officer, Permanent Lok Adalat DDA for restoration of allotment of plot no. BK-1/126 Shalimar Bagh, citing the case being similar to cases of S/Shri Sumit Kapoor and Mulakh Raj which have been restored by the Hon'ble LG. The Hon'ble Lok Adalat considered the request of the petitioner. In one of the hearings, petitioner alleged that the plot no. BK-1/126 Shalimar Bagh New Delhi measuring 83.612 sq.mtr. did not exist at site and therefore, the question of his cancellation did not arise. The Presiding Officer, Permanent Lok Adalat, DDA directed the department to submit site inspection report. Accordingly, the site report of AE(R) was submitted showing no such plot is existed and directions were again issued by the Permanent Lok Adalat for checking availability report as plot no. B-1/126 Shalimar Bagh and some other adjoining plots have been converted into larger size of plot on which three storied Janta Flats have been built.

After hearing the case, the Hon'ble Lok Adalat has made the recommendations for allotment of plot bearing no. BQ-111 Shalimar Bagh or any other plot of the same size in the same area or adjoining area after charging such dues as were charged in two such cases i.e. plot no. BM-122 and BK-1/126 Shalimar Bagh, which have been recommended by the Hon'ble Lok Adalat and have been regularized by the Hon'ble LG.

4. Case of Sh. Mohinder Singh:

This case was dealt in file no. F.16(227)/75/LSB(R) regarding allotment of plot no. BP-119 Shalimar Bagh to Sh. Mohinder Singh under the special scheme launched by DDA in 1975 for the evictees of old Subzi Mandi. Unfortunately, this file is not traceable even after the best efforts made in this case. It is pertinent to mention here that the file opened in Commercial Estate Branch for allotment of shop/plot in New Subzi Mandi to the applicant M/s. Mangal Singh Gujjar Singh is also not traceable in Commercial Estate Branch. However, on the basis of available records, the Management Wing, Finance Department and Commercial Estate Branch, the information about the case is given as under:

i) Application No.	943
ii) Plot Allotted	BP-119 Shalimr Bagh
iii) Size of plot	100 sq.yds.
iv) Date of issue of demand letter	30/9/75(probable date)
v) Date of receipt of payment	31.10.75

Facts of the case are:

A shop/plot No.1219 Block-D New Subzi Mandi was allotted in favour of M/s. Mangal Singh Gujjar Singh. As per the scheme, Shri Mohinder Singh S/o Mangal Singh applied for allotment of residential plot. The applicant deposited of Rs.3000/- towards earnest money vide application No.943 dt. 10.8.75. The plot under reference BP-119 Shalimar Bagh was allotted to him and demand for balance premium raised. The demanded amount of Rs.3011/- was deposited by the applicant vide challan no.2159 dt. 31.10.75. Thereafter, the case was examined by the office and vide letter dt. 25.6.76, Sh. Mohinder Singh was asked to submit attested copy of lease deed of the shop/plot allotted in new Subzi Mandi. Subsequently, he was asked to submit the copy of partnership deed between his father and other partners of the firm titled as M/s. Mangal Singh Gujjar Singh vide letter dt. 30.12.76. Again a letter was sent to him on 16.10.78 asking the partnership deed executed prior to the allotment of shop/plot in New Subzi Mandi and other authenticated proof to state the fact that he was partner in the firm M/s. Mangal Singh-Gujjar Singh. Vide his letter dt. 13.2.79, Sh. Mohinder Singh clarified that the shop no.D-1219 was allotted in the name of M/s. Mangal Singh Gujjar Singh. Sh. Mangal Singh was his father, who expired on 3.7.68 i.e. before the allotment of shop/plot. The shop was purchased by him and Sh. Gujjar Singh but he mentioned the name of his father late Sh. Mangal Singh. He further stated that he was the owner of the shop, but the firm was carrying on its business in the name of late Sh. Mangal Singh i.e. M/s. Mangal Singh-Gujjar Singh and there was no interest in the shop for late Sh. Mangal Singh as he was not alive at the time of allotment of shop. He has further stated house tax in respect of shop No.D-1219 New Subzi mandi Azadpur, was being paid by him.

Apart from the above, Sh. Mohinder Singh also filed affidavit to the effect that no partnership deed was there between the parties and the business was being carried out without any written partnership deed and Sh. Mangal Singh died and after the death of Sh. Mangal Singh, he had been substituted in his place. Prior to the above submissions furnished by the applicant, he had requested the Dy. Director (Residential), that the case of residential plot may be kept pending till the shop is transferred in his name, vide his letter dated 29.1.79.

Vide this office letter dt. 13.11.80, Shri Mohinder Singh was informed that since the change in constitution in respect of shop/plot was not made in his favour by the Commercial Estate Branch, he should approach Dy. Director (CE) and get change in constitution in his favour so that further action in the matter regarding allotment of residential plot could be initiated. Vide letter dt. 30.12.80, Shri Mohinder Singh was again asked to get the change in constitution finalized and to submit an affidavit on non-judicial stamp papers of Rs.2/- duly attested by the Executive Magistrate giving the name of legal heirs of deceased, Sh. Mangal Singh, which was followed by letter dt. 3.1.82.

Since then, Sh. Mohinder Singh had been representing for allotment of plot no. BP-119 Shalimar Bagh in his favour. From the available records, it is revealed that the file pertaining to allotment of shop/plot bearing no. D-1219 is also not traceable and the shop/plot has been mutated on the basis of part file constituted by the Commercial Estate Branch, the mutation had been allowed in the joint names of Sh. Mohinder Singh his brother Sh. Balbir Singh, Sh. Mangal Singh and Gujjar Singh jointly vide letter dt. 12.7.96 issued by the DD (CE). As such, the case of Sh. Mohinder Singh for allotment of plot no. BP-119 Shalimar Bagh Resd. Scheme had to be examined further, in the light of our letter dt. 20.6.84, vide which he was asked to get the shop/plot mutated in his name in the first instance.

Since Shri Mohinder Singh had been representing through different corners for handing over physical possession of residential plot, but the allotment file bearing no. F.16 (227)/75/LSB(R) of plot no. BP-119 Shalimar Bagh and the file of shop/plot no. D-1219 New Subzi Mandi Azadpur were not traceable, as such part file was constructed. It is gathered the shop/plot was mutated through part file constructed on the basis of the documents supplied by the allottee.

But the part file sent to Hon'ble LG, Delhi on 6.11.98 but the said file have not been received back.

In the meantime, Shri Mohinder Singh had represented before the Permanent Lok Adalat DDA for redressal of his grievances. The office had taken the stand that as soon as the reconstructed files are received back from the LG house, the case of Sh. Mohinder Singh will be taken up. However, the Presiding Officer, Hon'ble Lok Adalat DDA while deciding the case recommended that the petitioner cannot be held responsible for the loss of files, therefore, the case may be submitted before the Hon'ble LG for kind approval as the petitioner had again submitted photocopies of relevant documents w.r.t. allotment of residential plot and other correspondence which are necessary for reconstruction of the file of the petitioner.

5. Case of Sh. Bhullan Singh

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| i) | Application no. | 523 |
| ii) | Plot allotted | BJ-47 Shalimar Bagh |
| iii) | Area of the plot | 200 sq.yds. |
| iv) | Date of issue of demand letter | 30.9.1975 |
| v) | Date of receipt of payment | 9.10.1975 |
| vi) | <u>Brief facts of the case are:</u> | |

A shop/plot no. B-216 New Subzi Mandi Azadpur was allotted to M/s. Bhullan Singh and company. As per the scheme, one Sh. Bhullan Singh applied for allotment of residential plot and a plot no. BJ-47 Shalimar Bagh was allotted to him. As Sh. Bhullan Singh applied for residential plot in individual capacity being partner of the firm and before the possession of the plot handed over to him, it has been noticed that shop allotted stood cancelled. As per the scheme only those persons who have been allotted shop/plot are eligible for residential plot. As shop/plot was cancelled, the allotment of residential plot was also cancelled and Shri Bhullan Singh was accordingly informed on 26.6.87 and the amount refunded. Subsequently the allotment of shop/plot was restored, in view of the orders of the court, on 16.5.88. Department obtained legal opinion on the issue of restoration of allotment of residential plot and the legal

branch opined that, there is no specific direction from the court in this regard and hence it was decided administratively to close the case on 10.7.89. The subsequent orders of LG dt. 4.4.90 had already been mentioned. The plot had already been allotted to the next eligible allottee.

Now Shri Bhullen Singh has represented before the Permanent Lok Adalat, DDA . The Deputy Director (LA)/Resd, appeared before the Permanent Lok Adalat and apprised the facts of the case. However, Hon'ble Lok Adalat has desired to submit the detailed history of the case chronologically and also directed to produce the file of shop/plot from the Commercial Estate Branch. As this case is one of the 9 cases referred earlier before the Authority, the same is again submitted in view of the orders of Hon'ble LG.

II. There are two other cases which were not placed earlier before the authority, but have come before Hon'ble Lok Adalat and are similar in nature of the cases mentioned above and permanent Lok Adalat had already recommended to regularize the allotment by obtaining the approval of Hon'ble LG. The brief facts of these cases are as under:

I. Case of Sh. Shanti Swaroop:

- i) Application No. 913
- ii) Plot allotted BP-167 Shalimar Bagh
- iii) Area of the plot 100 sq.yas.
- iv) Date of issue of demand letter 30.9.75
- v) Date of receipt of payment 15.10.75 along with application
- vi) **Brief facts of the case are:**

A shop/plot no.C-623 was allotted in favour of M/s. Phiraya Ram Kishan Lal in old Subzi Mandi. As per the scheme, in this case the residential plot has been allotted to Sh. Shanti Swaroop in the name of M/s. Phiraya Ram Kishan Lal and the total payment have been received. The allottee was asked to furnish the partnership deed, income proof, attested copy of allotment letter, in respect of the shop allotted to him in New Subzi Mandi Azadpur. As he could not be able

to submit the same, the allotment has been cancelled. Thereafter, his brother Kishan Lal has filed an affidavit stating that both the brothers were sharing the business after the death of his father and his shop no.63 was allotted in New Subzi Mandi Azadpur as an equal ownership of both the brothers and also an affidavit was also filed by Shri Shanti Swaroop declaring his annual income of the year 1974-75 and stating that he was the partner of the firm M/s. Phiraya Ram Kishan Lal. Whereas, the income tax assessment order clearly shows that the said Shri Shanti Swaroop is working in footpath and paying no rent for his house which belongs to his brother and accordingly assessed for a total income of Rs.6500/-. Moreover, it was also established that the said petitioner was not a partner of the firm under which he sought the allotment of the residential plot. It was also established that the shop was allotted in the name of M/s. Phiraya Ram Kishan Lal which is owned by Shri Kishan Lal, the brother of the petitioner. It has also been reported by the Deputy Director (CE), wherein, it has been mentioned that after allotment of the shop subsequently request has been made by Kishan Lal to include his real brother Shri Shanti Swaroop as a partner of the firm, thus, clearly showing that he was not the partner of the said firm and the petitioner also could not be able to prove his contention that he was the partner of the firm. Thus, he was not entitled for the allotment of the residential plot and the DDA has rightly cancelled the allotment. Moreover, the above said plot after cancellation has already been re-allotted to one Shri Manji S/o Sh. Attar Singh vide lease deed executed on 23.3.87.

Shri Shanti Swaroop had filed a petition before the Lok Adalat requesting for regularization of the allotment but the department has taken the stand as per the details mentioned above. However, Hon'ble Lok Adalat recommended his case for restoration of the allotment and directed to put up the case before the Hon'ble LG. While making the recommendations, Hon'ble Lok Adalat drew the parallels of other cases such as BK-103, BP-25 BP-7 Shalimar Bagh Residential Scheme and also the acceptance of the recommendations of the Lok Adalat by the Hon'ble LG in respect of the plot no. BM-122, BK-1/61 Shalimar Bagh. The Hon'ble Lok Adalat has further mentioned that department cannot raise objection for regularization of the allotment of residential plot by taking shelter of Authority Resolution No.93 of 4.10.85 and general decision taken by Ld. VC with the approval of Hon'ble LG on 4.4.90 for closure of old cases of 1975 due to the fact that two of such cases recommended by the Lok Adalat have been approved by the Hon'ble LG. Hon'ble Lok Adalat had also

cited that there is additional reason for regularization of the plot in favour of the Shanti Swaroop as a mutation in his favour by way of addition of his name in the lease hold rights of the allotted shop as already been approved by the DDA.

II) Case of Shri Gulab Rai

- i) Application No. 276
- ii) Plot allotted BM-105 Shalimar Bagh
- iii) Area of the plot 100 sq.yds.
- iv) Date of issue of demand letter 30.9.75
- v) Date of receipt of payment 15.10.75 along with application
- vi) **Brief facts of the case are:**

Shri Gulab Rai applied for allotment of alternative residential plot under the special scheme although he was not eligible and had not been allotted any shop/plot in Old Subzi Mandi and has purchased the shop/plot in New Subzi Mandi Azadpur in open auction. The physical possession of the plot no. BM-105 Shalimar Bagh was handed over to him after recovery of demanded amount of Rs.6000/-. The case of Sh. Gulab Rai was regularized and he was asked to deposit an additional amount of Rs.17520/- vide this office letter dated 17.10.79. He was issued demand letter on 28.1.80 and finally letter dated 12.3.80 was issued to him asking him to deposit the required amount of Rs.17520/- within 10 days from the date of issue of the letter. The applicant was issued another letter on 30.5.80 and given final opportunity to deposit the said amount. The applicant failed to avail the opportunity given to him and finally the allotment of plot was cancelled vide this office letter dt. 4.11.80.

The Petitioner Sh. Gulab Rai approached the District Court and the case was decided in favour of DDA. He filed an appeal in the Hon'ble High Court against the judgement of the Hon'ble District Court where the case is still pending. The petitioner also approached this office for restoration of the plot in his favour subject to the payment of usual rates and penalties as has been done in other cases. But the request of the petitioner was not agreed to, since in this case allotment of the plot had already been cancelled in the year 1980 and

also the Authority vide Resolution No.93 dt. 4.10.85 decided that the old cases of 1975-76 may not be reopened and closed finally. The case of the petitioner was also considered for out of court settlement of the Committee constituted by the then Hon'ble Vice Chairman, DDA and the committee considered the request of the petitioner during Feb.,1992 for restoration of plot in his favour but was not acceded to. This case has also been re-examined by the Hon'ble Vice Chairman, DDA on 6.12.93 and has approved the stand already taken in this case.

Shri Gulab Rai made the petition before the permanent Lok Adalat and Presiding Officer, Lok Adalat did not agreed with the stand of the department and made a recommendation in favour of Sh. Gulab Rai and desired to submit the case before the Hon'ble LG for consideration. The Hon'ble Lok Adalat while making the recommendation relied on other such cases of plot no.AE-100 and BM-69 Shalimar Bagh stating that the only difference is that the petitioner pursued his legal remedies which is a law of this land entitled to him by approaching the Hon'ble High Court. The Hon'ble Lok Adalat also questioned the competency of Commissioner {L} for cancellation of the allotment. It is further mentioned by the Lok Adalat, the reasoning given by the department that the petitioner cannot be given the same benefit as were given to the allottee of AE-100 and BM-69 Shalimar Bagh on the plea that he did not accept the judgement of District Judge is a mere excuse and cannot be cogent, just and fair ground to deny him the benefit. He further mentioned that Authority Resolution No.93 does not apply to the case of the petitioner. He further questioned the ground taken by the Department on the basis of the decision of Out of Court Settlement Committee and the then VC dated 6.12.93.

III In view of the above details, it is submitted before the Authority for kind consideration and necessary orders as per the details below:

Out of the 9 cases as referred at P-2 which have already been brought before the Authority's meeting held on 29.9.97 in which the Authority desired to examine the cases and findings be submitted. As such a decision was taken at the level of VC not to re-open the old cases in view of the orders of Hon'ble LG dt. 4.4.90. But in the case of Sh. Rahul Raj Kishore, Plot No.BP-128 Shalimar Bagh allotment was restored by the Hon'ble LG on the request of the allottee. In respect of the case of Sh. S.R. Kapoor, plot No.BM-81 Shalimar

Bagh, Hon'ble LG had restored the allotment subject to payment of 50% unearned increase which is under process. In respect of the other two cases i.e. case of Sh. M.S. Kapoor, Plot no. BM-122 and Mulakh Raj, Plot No. BK-1/61 Shalimar Bagh, the Department has taken a stand before the Hon'ble Lok Adalat not to re-open the case but Hon'ble Lok Adalat recommended for restoration of these cases and Hon'ble LG accordingly accepted the recommendations by restoring the allotment. Out of the remaining 5 cases, Hon'ble Lok Adalat has recommended for restoration of allotment in respect of i) Smt. Veera Wali, Plot No. BP-123, ii) Sh. Basho Mal, Plot No. BK-1/126 and iii) Shri Mohinder Singh, Plot No. BP-149 Shalimar Bagh Residential Scheme, despite the department taking the same stand not to re-open the cases, and Hon'ble LG desired to put up all such cases before the Authority. In respect of the case of Shri Bhullan Singh, Plot no. BJ-47 Shalimar Bagh, the case is pending before the Lok Adalat and in respect of Smt. Santosh Dhawan, Plot No. BP-154 Shalimar Bagh, no such reference has been made by the applicant to the Lok Adalat but the then V.C. desired for mutation and examine the case on the question of charging, unearned increase in consultation with the Finance Department and also verifying the original documents and site inspection.

In addition to the above referred cases another two cases viz:-

- i) Shri Shanti Swaroop, plot No. BP-167 Shalimar Bagh and
- ii) Shri Gulab Rai, Plot No. BM-105 Shalimar Bagh have also come up before Hon'ble Lok Adalat and the department has taken the stand not to consider these cases, but Hon'ble Lok Adalat has recommended for restoration of allotment. As these cases are more or less similar to the above-referred nine cases, the same are also submitted for Authority for consideration.

In view of the above details and as desired by the Authority in its meeting held on 29.9.97, the above referred 9 cases have already been examined by the Department and Ld. V.C. ordered not to re-open the cases in view of the orders of the Ld. LG dated 4.4.90. (However, in respect of 4 cases as already mentioned above, the allotments have been restored by the Hon'ble LG). In addition to the above cases, the case of Sh. Shanti Sarup,

Plot No. BP-167 and Sh. Gulab Rai, plot No. BM-105 Shalimar Bagh are also of the similar nature and fits into the same category and the same decision of not to re-open the old cases is also applicable to them. Moreover, in the case of Shri Gulab Rai it has been decided to wait for the decision of Hon'ble Court where appeal is pending.

It is, therefore, proposed before the Authority not to re-open the cases of i) Smt. Veera Wali, Plot No. BP-123, ii) Smt. Santosh Dhawan, Plot No. BP-154, iii) Shri Baso Mal, Plot No. BK-1/126. iv) Shri Mohinder Singh, Plot No. BP-119 v) Sh. Bhullan Singh, Plot No. BJ-47, vi) Shri Shanti Sarup, Plot No. BP-167 and vii) Sh. Gulab Rai, Plot No. BM-105 Shalimar Bagh Residential Scheme so that they are closed once for all.

Submitted for kind consideration and necessary orders of the Authority.

RESOLUTION

Shri Puran Chand Yogi and Km. Devagya Bhargava requested that all the cases should be treated at par and given similar treatment. Shri Mahabal Mishra, however, cautioned that there was no justification for restoration of any case.

After detailed discussions, the Authority authorised the Vice-Chairman to have a fresh look on all the cases, including the four cases, which had earlier been restored and put up his recommendations.

Item No. Sub: Introduction of VRS Scheme in DDA.
17/2002

F.1(5)2001/P & C(P)

A-21-1-2002

P R E C I S

1) PROPOSAL IN BRIEF:

It is proposed to introduce a VRS scheme in DDA with the aim to trim down and restructure the organization which is not only saddled with the problem of surplus manpower as well as over-aged work force, but also is in urgent need of modern skilled manpower in key areas and induction of young qualified work force for carrying out the organizational goals in a sustainable manner in the coming years. The VRS package has been drawn out on the pattern of the package formulated by Deptt. of Public Enterprises for PSUs. A draft VRS scheme is placed as APPENDIX 'A' P-7 to 9).

The salient features of the above VRS package are brought out below:

a) Eligibility :

The Scheme will be open to all permanent/Work-charged employees of the DDA, who have put in 15 years of service or have completed 40 years of age as on the date on which the scheme would be notified except those specifically mentioned as "eligible".

Age will be reckoned on the basis of the date of birth, as entered in service record.

b) Amount of Ex-gratia:-

The compensation package will consist of an ex-gratia amount in addition to other usual pensionary benefits which an employee is entitled to on retirement. The ex-gratia amount is to be determined in the following manner:-

- i) The ex-gratia will consist of salary of 35 days for every completed year of service and 25 days for the balance of service left until superannuation. The compensation will be subject to a minimum of Rs.25,000/- or 250 days salary whichever is higher. However, this compensation shall not exceed the sum of the salary that the employee would draw at the prevailing level for the balance of the period left before superannuation.
- ii) Salary for purpose of VRS will consist of basic pay and DA only.
- iii) Arrears of wages due to revision etc. will not be included in computing the eligible amount.
- iv) Income Tax shall be deducted at source in respect of ex-gratia exceeding Rs.5 lakhs or such other ceiling as may be prescribed under the Income Tax Act as on the relevant date.

c) Other Features :

- (i) The DDA intends to control the outflow according to its requirements. Towards this end, the DDA retains the discretion to limit the number of employees allowed to retire in each category of staff viz. Officer/clerical-cash/subordinate, to be covered under DDAVRS. As such the DDA will have the sole discretion as to the acceptance or the rejection of the request for retirement under DDAVRS depending upon the requirements of the DDA.

- (ii) No voluntary retirement shall be deemed to have come into effect unless the decision of the Competent Authority has been communicated in writing.
- iii) Staff member retired under this scheme will not be eligible for employment in DDA or its subsidiary/associates/joint ventures or in any other Govt. department. In case they wish to seek employment, they will be required to refund the VRS compensation.

2) **BACKGROUND NOTE:**

The Expenditure Reforms Commission in its report has recommended that DDA should review its role and functioning in the present context. An extract of the above report was recently forwarded to DDA by Secretary (UD), Govt. of India with directions to DDA to carry out necessary review. In the above report of Expenditure Reforms Commission, reduction of surplus staff and abolition of vacant posts has been recommended with the advice to review the role of DDA keeping in view the fact that land is becoming scarce in Delhi. The report also recommends that DDA should bring in officers-oriented working procedures. It has also been indicated in the report that work-charged staff strength on DDA prima facie appears to be too large and needs scaling down.

Review of the position brings out following staff strength in Group 'A', 'B', 'C', 'D' & work-charged cadre:

	<u>As on 31.3.2001</u>
Group 'A'	459
Group 'B'	1250
Group 'C'	6258
Group 'D'	3334

Total:	11301
Work-charged	11309

Grand total:	22610

It is also well-known in the history of DDA that bulk recruitment were made just before ASIAD, 1982 when a number of major projects were taken up and completed in a short span of time. A large number of work-charged staff was also recruited in the process out of which, on date there exist surpluses almost to the tune of 4500.

With the awareness of existence of excess staff in many areas, since 1985 fresh intake in DDA has been restricted to only such areas as Planning & Architecture where there was need for fresh professional input. This induction has also been kept to bare minimal level.

As a strategy, above measure has helped reduce the surpluses, however, the process has been rather slow, there still remaining large chunks of surpluses in several categories.

It is relevant to mention here that the pattern of activities of DDA has also changed over a period of time. From being an agency which carried out development and construction activities by itself, DDA is adopting more and more partnership type of

arrangements involving developers, cooperative societies and other agencies with the result that substantial chunk of physical activities which were being performed hitherto by DDA, are now being carried out by its partners in the development process. Further, DDA has already come into collaborative relationships with banks also wherein banks take care of transactions that take place between the DDA and its customers. The introduction of 'freehold' would also reduce public transactions in future. In the process, the number of transactions being handled by DDA is expected to reduce substantially. Again, computerization of transactions processing will also have an impact on the manpower requirement of DDA in the long run.

The above is indicative of the fact that large number of staff are surplus in DDA. While a detailed analysis could establish an accurate figure, one could make a safe overall assessment that roughly 20% work force in DDA is surplus.

A prima facie look at the physical fitness standard of DDA's work force would also suggest that at the time of mass recruitment that were made in the past, rigorous checks in regard to accuracy and authenticity of date of birth could not be exercised with the result that on date a large number of our employees appear much older than their recorded age being physically incapable of performing their duties properly.

Going even by the recorded age alone, one finds that the age profile is quite tilted towards the higher age side, indicative of the fact that work force on DDA is aging out very fast. An age profile chart of regular employees of DDA is placed below which reveals that almost 90% of the work force is above 42 years of age and more than 55% of the staff are in the age group of 46 years of age and above.

Age Profile of Regular Staff of DDA

Age	Numbers	Percentage
18-30 Years	18	00.15
31-35 Years	174	01.53
35-40 Years	1013	08.91
41-45 Years	3666	32.27
46-50 Years	3405	29.97
50-56 Years	2486	21.88
57-60 Years	598	05.26

Saddled with the problem of surplus staff, coupled with the problem of over-age work force, a part of which is physically not fit to perform their duties, there is pressing need to take drastic measures to trim and restructure the organization if at all it is to be rejuvenated.

Besides the above problems, there are several other areas of concerns which need to be addressed to in the overall context of the restructuring of the organization. A few of such issues are highlighted below:

- (i) The Accounting System in DDA was hitherto based on grossly outdated Single entry system. It is now only that DDA has undertaken the project of adopting Double entry accounting system. The human resource available in the organisation is lacking in the professional competencies required to bring about the transition from Single entry system to Double entry system.

The remedy would essentially involve a major re-skilling exercise coupled with induction of a few key professionals like C.As/M.B.As/I.C.W.As at fairly senior level.

- (ii) Engineering cadre also suffers from the problem of low management and technical competencies. For example, there is complete lack of professional approach toward project management, resulting in delays and accompanying cost overruns. Faulty recruitment policy has been responsible for low management skill levels. In the last 20 years most of the recruitment has been at the level of JE, direct induction at the level of A.E. having been less than 01 percent.

It is desirable to have direct induction to the extent of 25% at AE level, preferably group 'A' on the pattern of CPWD, so that in the long run the organisation has repository of competent personnel to man senior management positions. In this connection a separate proposal for amending in the RRs is proposed to be moved.

- (iii) Another area which is of concern is the field of Computer and Systems. DDA has been mandated by Hon'ble P.M. himself to adopt e-governance system. To comply the Hon'ble P.M. mandate major computerisation initiatives need to be taken. To manage the computerisation efforts induction of computer professionals at appropriate levels would be essentially required.
- iv) DDA sooner or later has to operate in a competitive environment rather than in the present monopolistic mould. It needs skills in management, scheme finalisation and marketing. It has been getting some skills on deputation, but the organisation needs young professionals who can be groomed by the senior deputationist to lead the organisation in future.
- v) DDA needs to strengthen its Legal Department with modern skills in view of very high number of legal cases it has to face.

Above concerns are proposed to be addressed by taking extensive restructuring initiatives which would essentially involve :

1. Shedding excess fat through V.R.S.
2. Extensive training/reskilling and placement to bridge the gaps between manpower availability and requirement.
3. Bringing professional inputs from outside in key areas of concerns mentioned above.
4. Recruiting selective and better qualified young work force for future continuity.

It is mentioned here that as component of the over all re-structuring initiative, the provision of VRS package may not strictly conform to the guideline laid down by Department of Public Enterprises in so much so that the post vacated by person seeking voluntary retirement under the scheme may not remain vacant as the same may be filled up by lateral/upward movement of a surplus staff. However, the basic spirit of the VRS would be followed, as, in the process, surplus staff would get eliminated on one to one basis. In any case, for re-skilling purpose, the recruitment would be linked in number to not more than 10% of the posts falling vacant through VRS.

As part of the comprehensive restructuring initiatives, a suitable VRS package has been designed on the pattern of the one formulated by the Department of Public Enterprises for PSUs as notified by Deptt. Of Public Enterprises vide following OMs:

- 1) Deptt.'s OM No.F.2(32)97-DPE(WC) dated 5.5.2000
- 2) Deptt.'s OM No.F.2(32)97/DPE(WC)GXXXV Dated 8.12.2000
- 3) Deptt.'s Modification OM No.F.2(32)97-DPE(WC) GL-LVI dated 6.11.2001

The other elements of re-structuring the initiatives including bringing professional inputs from outside in key areas and selective recruitment are proposed to be acted upon as per requirement for which proposals will be placed before the authority in due course.

3) **WHY THE APPROVAL OF THE AUTHORITY IS ESSENTIAL:**

Govt. of India has not yet come up with its VRS scheme and no directions in this regard have been issued by Ministry of Urban Development. For adoption of the VRS scheme, approval of the Authority as well as of the administrative Ministry i.e. MOUD is required.

4) **IMPLICATIONS IF ANY:**

It is proposed to bear the expenditure on account of payments involved as part of the VRS package out of DDA's own kitty. The financial implications of the above proposed scheme has been worked out with the basic assumptions that 20% of the workforce will ultimately be retired under the scheme. The quantum of anticipated expenditure and anticipated savings has been determined on the basis of following broad factors:-

1. The salary for the purpose of Ex-gratia has been taken into account by adding 70% of the difference between minimum and the maximum to minimum of the scale.
2. 25 years service rendered and 8 years balance service has been taken into account to work out the financial implication.
3. A) Monthly pension and DCRG have been determined on the basis of 25 years qualifying service.
B) Average emoluments for pension have been taken as at (1) above.
C) Financial implication on account of pension is inclusive of DA 45% for 1st year and increased by 4% every year.
D) Commutation value of pension have been worked out on the basis of commutation factor applicable in respect of 48 years (age next birthday) as per commutation table.
4. Leave encashment i.e. cash equivalent to leave salary has been worked out taking the Earned Leave at credit @ 200 days.

The position of anticipated expenditure vis a vis anticipated savings as determined as per above, is indicated below:-

Anticipated Expenditure

NPV of Ex-gratia component of VRS scheme : Rs. 111.55 Cr.

NPV of Pensionary dues

Pension commutation	Rs. 54.23 Cr.
DCRG	Rs. 37.80 Cr.
Leave Encashment	Rs. 20.17 Cr.
Monthly Pension payment (for 8 years discounted at 9%)	Rs. 70.74 Cr.

Sub total Rs. 182.94 Cr.

Grand total: (Rs.111.55+182.94)= Rs.294.49 Cr.

Anticipated Savings

NPV of the saving in salary and related allowances for next 8 years discounted at 9% : Rs.402.24 Cr.

5) SPECIFIC RECOMMENDATION REQUIRING AUTHORITY'S APPROVAL

Authority is requested to approve and recommend VRS scheme as annexed at Appendix 'A' for necessary approval of MOUD.

RESOLUTION

The LG advised identification of unattended functions and activities and sought healthy re-deployment of the work force in those areas. After detailed discussions, it was decided that formal consultations may be held with the Ministry and the matter may be brought before the next meeting of the Authority for decision. In the meanwhile, information should be collected about the year wise anticipated retirements in the next 10 years.

(ii) The Authority reiterated that no recruitment should be made against retirement vacancies. However, keeping in view the necessity to induct specialised and technically qualified manpower at various levels as projected in the agenda item, the Authority approved filling up of 10% of the yearly retirement vacancies through direct recruitment. Identification of skills and the cadres where new recruitment would be made shall be decided by the Vice-Chairman from time to time, keeping in view the organisational requirements.

DDA VOLUNTARY RETIREMENT SCHEME

1. **Title:** DDA Voluntary Retirement Scheme (DDAVRS)

2. **Objectives :**

- (i) To have overall reduction in the existing strength of the employees and to increase productivity and profitability.
- (ii) To have a balanced age profile providing for mobility, training, development of skills and succession plans for higher-level positions.
- (iii) To provide an exit for employees who have an honest feeling that they should now retire and take rest or that there are better opportunities elsewhere.

3. **Eligibility :**

The Scheme will be open to all permanent/Work-charged employees of the DDA who have put in 15 years of service or have completed 40 years of age as on the date the scheme is notified except those specifically mentioned as "ineligible".

Age will be reckoned on the basis of the date of birth as entered in service record.

Ineligible :

The following categories of employees are **ineligible** under the Scheme :

- i) Staff members who have executed bonds and have not completed it; staff members serving abroad under the special arrangements/bonds. The competent Authority may, however, waive this, subject to fulfilment of the bond/other requirements.
- ii) Employees against whom Disciplinary Proceedings are contemplated/pending or who are under suspension. This will also include employees against whom action has been initiated by Government Agencies/other law enforcing agencies.
- iii) Employees appointed on contract basis.
- iv) Specialist officers.
- v) Highly skilled and qualified staff.

4. **Period :** The Scheme will remain open from _____ to _____. No application for VRS will be accepted after the due date.

5. **Amount of Ex-gratia :**

- (i) The ex-gratia compensation will consist of salary of 35 days for every completed year of service and 25 days for the balance of service left until superannuation. The compensation will be subject to a minimum of Rs.25,000/- or 250 days salary whichever is higher. However, this compensation shall not exceed the sum of the salary that the employee would draw at the prevailing level for the balance of the period left before superannuation.
- (ii) Salary for purpose of VRS will consist of basic pay and DA only.
- (iii) Arrears of wages due to revision etc. will not be included in computing the eligible amount.

- (iv) Income Tax shall be deducted at source in respect of ex-gratia exceeding Rs.5 lakhs or such other ceiling as may be prescribed under the Income Tax Act as on the relevant date.

6. Other benefits :

- (a) Gratuity as payable under the extant instructions on the relevant date.
- (b) Provident Fund contribution as per DDA Employees Provident Fund Rules as on relevant date.
- (c) Pension in terms of DDA Employees Pension Rules on the date (including commuted value of pension).
- (d) Encashment of balance of Earned Leave, as applicable, on the relevant date.
- (e) Respective facilities extended to officers/others such as retention of accommodation, telephone, car, continuation of housing loan etc. will be extended to officers/others retiring under DDAVRS as per present dispensations, at the discretion of Competent Authority. However, in such cases of retention of physical facilities, 50% of the amount of ex-gratia payable will be released only after the employees surrenders the facility. No interest, however, will be paid for the amount so withheld. All other outstanding loans/advances will have to be repaid before date of retirement under DDAVRS, failing which the amount of ex-gratia and other terminal benefits payable to the employee will be appropriated towards the outstanding loans/advances and the balance amount only will be payable to the employee.

7. Other Features :

- (i) The DDA intends to control the outflow according to its requirements. Towards this end, the DDA retains the discretion to limit the number of employees allowed to retire in each category of staff viz. Officer/clerical-cash/subordinate, to be covered under DDAVRS. As such the DDA will have the sole discretion as to the acceptance or the rejection of the request for retirement under DDAVRS depending upon the requirements of the DDA.
- (ii) No voluntary retirement shall be deemed to have come into effect unless the decision of the Competent Authority has been communicated in writing.

8. General Conditions :

- (i) Staff members desirous of availing benefits under the Scheme will have to submit a written application to the Competent Authority, through proper channel, in the specified format, within the period for which the Scheme is kept open.
- (ii) Staff member retired under this scheme will not be eligible for employment in DDA or its subsidiary/associates/joint ventures or in any other Govt. department. In case they wish to seek employment, they will be required to refund the VRS compensation.
- (iii) The employees seeking retirement under DDAVRS will not be entitled to dispute the payments received under the Scheme on any ground whatsoever. The retiring staff members and/or their nominees or legal heirs shall have no right/claim/demands against the DDA on any matter relating to the Scheme.
- (iv) As DDAVRS is voluntary, it shall not be negotiable and shall not be deemed or construed as a subject matter of right or contract of service. It will not be a subject of any industrial dispute under the provisions of Industrial Disputes Act, 1947 and shall not be cited as precedent, custom, convention, usage or practice anytime in future.

- (v) As DDAVRS is voluntary in nature, the employee seeking retirement under the DDAVRS will not be eligible for any retrenchment compensation payable under the provisions of the Industrial Disputes Act.
- (vi) DDAVRS is independent of any without prejudice to the rights of the DDA to dispense with the services of an employee either under the contract of employment, service rules, Awards or under the applicable Standing Orders/Law/rules/terms and conditions of service as may be applicable to the employee concerned.
- (vii) The DDAVRS shall not be construed as a revision of any of the previous retirement Schemes of the DDA and as such no claim from any employee who has retired/will be retiring under existing Schemes shall be entertained.
- (viii) In case of disputes as to the interpretation of any of the terms and conditions of the Scheme, the decision of the DDA shall be final and binding on all the parties concerned.
- (ix) DDA reserves the right to modify, amend or cancel any or all of the aforesaid clauses and to give effect thereto from any dates if may deem fit.

Item No. 18/2002
SUB: Regarding basement for office building of IOC on the plot allotted in Sadiq Nagar by L&DO. & Policy for such provision in similar Govt. Building.

A-21-1-2002
No. F.3(37)2000-MP

1.0 Proposal in Brief:

The proposal is regarding the provision of two basement for building of IOC at Sadiq Nagar for which the land has been allotted by Land & Building Deptt. Ministry of Urban Development.

2.0 Background :

(i) Ministry of Urban Development Land & Development office vide letter no. L-II-1(1305)2000/90 dated 29.3.2000 allotted the land measuring an area 5447.00 sq.mt. in Sadiq Nagar Institutional area. A reference no. L-II-1(1305)96/697 dated 20.11.2001 has been received from Ministry of Urban Development Land & Development Office, along with the representation of Indian Oil Corporation addressed to Jt. Secy. Ministry of Urban Development Govt. of India for construction of two basement for the IOCL govt. office building at Sadiq Nagar. (App. 'A' P-22 to 23).

(ii) The issue of provisions of basement in government complex / building or buildings in commercial and institutional area housing government offices came up for discussion in the Ministry where a view emerged that there should be a little more flexibility regarding provision of basement beyond 50% of the plot area as well as more than one basement particularly in view of rise in density of cars in such complexes / buildings. It was pointed out that these modifications shall be of minor nature and will not affect the structural change in the density or in the land use in Master Plan and, therefore, would be processed by taking the matter before the Tech.Committee / Authority.

3.0 Master Plan for Delhi 2001 provision :

(i) In the Master Plan for Delhi 2001 the development control norms for public and semi public buildings have been given wherein only one basement up to the envelope line and to the maximum extent of 50% of the plot area is permitted and the basement area shall not be counted in FAR if it is used for parking and services, (App. 'B' P-24).

(ii) For Government Office, Integrated Office complex The provision is as under

Basement upto the building envelope line to the maximum extent of plot area shall be allowed and if used for parking and service should not be counted in FAR.

(iii) In case of Hotel the provisions is : "basement(s) up to the building envelope line to the max. extent of the plot area shall be allowed if used for parking and services should not be counted in FAR.

4.0 Detail Examination :

The representation dt. 7.11.2001 from IOCL has been examined in detail.

As per IOCL, the building requires to provide space for parking of 73 vehicles and another area of about 1980 sq.m. to house various equipments such as electrical sub station, DG Set Water treatment Plant, sewerage treatment plant, equipment for solar power etc. and therefore, double basement is absolutely necessary.

5.0 Decision of the Tech. Committee.

The proposal of two basements was discussed in the meeting of the Tech. Committee held on 24.12.2001 wherein Tech. Committee has taken the following decision :

"Tech. Committee agreed for the two basements each equivalent to 50% of the plot area for the building of the Indian Oil Corporation located at Sadiq Nagar for which the land was allotted by L&DO of Ministry of Urban Development These two basement shall be used only for the purpose of the services & parking"

6.0 Provision of Delhi Development Act 1957

As per the provisions of the section 11 A (i) of Delhi Development Act 1957 the minor modification is within the competency of the Delhi Development Authority The section states that " Authority may take any modifications to the Master plan or the Zonal plan as it thinks fit, being modifications which, in its opinion, do not effect important alterations in the character of the plan and which do not relate to the extent of land users or the standards of populations density."

7.0 Proposal :

(i) Looking into the requirements to accommodate the parking as well as services two basement each equivalent to 50% of the plot area for the building of the IOCL located at Sadiq Nagar for which the land was allotted by the Land & Development Office of the Ministry of Urban Development may be allowed. These two basements shall be used only for the purposes of the services and parking.

(ii) Such provision of two basement shall be allowed in all similar buildings of government, government undertaking located in Public semi public use zone & Govt. office use zone as this permission shall not affect the structural change in the density or in land use in Master Plan.

8.0 Recommendations :

The proposal given in above paras (6&7) is put up for consideration and approval of the Authority.

RESOLUTION

It was decided to re-examine the matter by VC and put up to LG for orders.

No.L-II-1(1305)/96/697
Government of India
Ministry of Urban Development & Poverty Alleviation
(Department of Urban Development)
Land & Development Office

Nirman Bhawan, New Delhi.
Dated: 20th November, 2001.

To
Sh. Vijay Risbud,
Commissioner (Planning),
Delhi Development Authority,
I.P. Estate,
New Delhi.

Sub: Permission for construction of 2 basements for Govt. office building of IOCL on the Sadiq Nagar plot of land allotted by L&DO.

Sir,

I am directed to refer to Dy. General Manager (Administration)'s DO letter No. IOCL/CO/2001-2002/4 dated 7th November, 2001 (copy along with enclosures enclosed) regarding the subject mentioned above and to request you to kindly give your specific comments with regard to IOCL's request for construction of 2 basements for their office building on the plot of land allotted to them at Sadiq Nagar keeping in view the Master Plan norms as well as the objections raised by the MCD etc. in this regard.

2. Since the matter is urgent, an early reply in the matter is requested.

Yours faithfully,

(Devinder Kumar)
Deputy Land & Development Officer

Encl: As above.

Pl. Speak

21/11/01

Dist/DC

J.D. (10/11/01)

22/11

Put up with ltr. Dist 23/11

Director (Control)
10/11/01
21/11/01

COMMR.
DATE: 21/11/01
A 3693

2001-2002
L&DO

3019028

इंडियन ऑयल कॉर्पोरेशन लिमिटेड
रिफाइनरी प्रभाग : रकोप कॉम्प्लेक्स, कोर-2
7, इस्टिड्यूशनल एरिया, लोधी रोड, नई दिल्ली-110 003

Indian Oil Corporation Limited
Refineries Division : SCOPE Complex, Core-2
7, Institutional Area, Lodhi Road, New Delhi-110 003
Gram : OILREFIN Telex : 031-65675
Internet Site : www.indianoilcorp.com



इन्फ्री प्रभाग
Refineries Division

6595-D / IS(D&L)
10/11/2001

No.IOCL/CO/2001-2002/4

7.11.2001

Jt. Secretary,
Ministry of Urban Development
Nirman Bhawan
NEW DELHI

L. 1000
11. 11. 2001
10/11/2001
14/11/01

Attn.: Mr. D.K. Pradhan.

Sub: Permission for construction of 2 basements for Govt. office Building of IOCL on the Sadiq Nagar Plot of land allotted by L&DO.

100/8865/PS
12th Nov, 2001

Dear Sir,

We invite your kind attention to the following facts :

- 1.0 Indian Oil Corporation Ltd. (IOCL) purchased an area of land measuring 5447.00 Sqm. (actual area) from the Ministry of Urban Development vide their letter No.L-II-I(1305)/2000/190 dated 29.03.2000 (copy enclosed).
- 2.0 This land was allotted to IOCL for construction of an Govt. Office and the land use was specified for this purpose only as per Item No.(III) of above letter of the Ministry.
- 3.0 The development norm for the premises is governed under the Development Code Clause 8 (III) 'Uses/Use Activities Permitted in Use Premises' and Clause 8(IV) 'Control of Building/Buildings within Use Premises' of the Master Plan for Delhi Perspective 2001 (MPD).
- 4.0 Subsequent to the Meeting held in your chamber on 4.6.2001 which was attended by CA, CPWD, Chief Town-Planner, MCD and L&DO, the Chief Architect, CPWD modified the lay-out plan and the revised lay-out plan drawing was sent to MCD vide their letter no. SA (H&TP)/312/10/5/1019-21 dated 9.8.2001 (copy enclosed).
- 5.0 We received a letter from DDA vide their letter No.F.3(37)/2000-MP/2207 dated 22.9.2000 (copy enclosed), wherein they have changed the Ground Coverage, FAR and Height with a reference from 'PUBLIC AND SEMI PUBLIC PREMISES' as per following norms :

Maximum Ground Coverage	25%
Maximum Floor Area Ratio	100
Maximum Height	26 m

पंजीकृत कार्यालय : जी-9, अली यावर जंग मार्ग, बान्द्रा (पूर्व) मुम्बई-400051 (भारत)
Regd. Office : G-9, Ali Yavar Jung Marg, Bandra (East) Mumbai-400 051 (India)

Extract from Master Plan for Delhi 2001

PUBLIC & SEMI-PUBLIC PREMISES

(for which specific regulation have not been given)

Maximum ground coverage	25%
Maximum floor area ratio	100
Maximum height	26m

Other Controls :

- (i) 15% of the total floor shall be allowed for residential purpose.
- (ii) Basement upto envelope line and to the maximum extent of 50% of the plot area shall be allowed and if used for parking and services should not be counted in FAR.

GOVT. OFFICES INTEGRATED OFFICE COMPLEX (066, 067, 068 & 070)

Maximum ground coverage	25%
Maximum floor area ratio	150
Maximum height	37m

Other Controls :

- (i) The integrated offices complex shall include Central Government Office, Local Government Office, Public Undertaking Office and Courts.
- (ii) Basement upto the building envelope line to the maximum extent of plot area shall be allowed and if used for parking and service should not be counted in FAR.

HOTEL (032)

Maximum ground coverage	30%
Maximum floor area ratio	150
Maximum height	50m

Other Controls :

- (i) 5% of the FAR can be used for the commercial space related to hotel function.
- (ii) Basement(s) upto the building envelope line to the maximum extent of plot area shall be allowed and if used for parking and services should not be counted in FAR.

Item No. SUB: POLICY FOR PERMITTING PUBLIC AND SEMI-PUBLIC FACILITIES IN
19/2002 RURAL USE ZONE IN DELHI WITHIN DISTANCE OF 0.5 K.M. FROM
RURAL SETTLEMENT.

A-21-1-2002

F.20(19)96-MP

1.0 PROPOSAL IN BRIEF:

This proposal is about formulation of the policy / guide lines and regulations regarding implementation of the MPD 2001 provisions for permitting public and semi public facilities in rural use zone.

2.0 BACKGROUND:

This proposal was discussed in the meeting of the Authority held on 28.10.98 vide item no. 84/98 wherein Authority resolved the following (App 'A' P-27 to 28).

i) Authority decision ;

"After detailed discussions, the Authority decided that since conversion of lands in agricultural and rural use zones beyond 0.5 k.m. of the rural settlement of public and semi public uses was not in accordance with the Govt. of India, policy on Institutional lands, proposal should therefore, be rejected".

LG desired that a policy paper with all necessary implications should be brought before the next Authority meeting in consultation with all the Wings of the DDA and in particular the Finance Wing for levying conversion and betterment charges on land within 0.5 k.m. of rural settlements, where public and semi public use is permitted under the MPD 2001 in the agricultural and rural zones".

ii) Provision of MPD 2001 :

As per MPD 2001, use premises that are permissible in Rural use Zone (including green belt) are as follows :

Rural Centre, Public and semi public facilities (within 0.5 k.m. of the settlement) Orchard plant nursery wire-less and transmission, forest and extractive industry in zones (divisions) L N & P The extraction shall be to the maximum extent of 1.2 m. depth Farm Houses, Motel Petrol Pump.

Park, parking circulation and public utility are also permitted in all use zones.

3.0 CONVERSION FEE AND THE BETTERMENT CHARGES.

(i) Finance Deptt. of the DDA after examining the various orders and approval of the govt. about the rates to be levied in case of the motel, land compensation rate has finally worked out the following rates of conversion fee for public and semi public facilities.

- a) General Rs. 20 lakhs / ha
- b) Charitable Purpose Rs. 6 lakhs / ha.

(ii) These conversion charges are on the basis of land rates notified by MOUD & PA. The same are liable to change in conformity with the Rates notified by the MOUD & PA or any successor thereof.

(iii) No conversion fee shall be chargeable from the Govt. / semi govt. agencies for allowing public / semi public facilities on the land already owned by them.

(iv) The Public / semi public facilities if allowed on the privately owned land, conversion fee shall be chargeable as per contained in Regulations.

4.0 DEVELOPMENT CONTROL FOR VARIOUS PUBLIC & SEMI PUBLIC FACILITIES.

(a) This permission shall be applicable to the area which are either falling within the distance of 0.5 k.m. from the Rural area or at least 40-50% of the plot should be falling within the limit of 0.5 k.m. distance.

(b) The development control norms for public and semi public facility as specified in the Master Plan for Delhi 2001 shall be applicable for the plot as per the use permitted there upon i.e. health education and others etc.

5.0 REGULATIONS ABOUT PERMISSIBILITY OF PUBLIC SEMI PUBLIC USES.

The draft regulations have been prepared in consultation with the Legal Deptt. of the DDA placed at (App. * B * P29 to 31). Once this policy is approved by the Authority these regulations shall be notified.

6.0 PROPOSAL:

The proposal as given above para (3, 4 & 5) regarding the conversion fee development control norms and the regulations are put up for consideration and approval of the Authority.

RESOLUTION

Postponed.

ITEM NO. Sub : Policy for Change of land use from 'rural use' zone to 'public and semi-public uses' on the request of Govt. Organisations, Semi-Govt. Organisations and Charitable Trusts.
84/98

No.F.13(2)/95-MP

PRECIS

Reference is invited to Authority Resl.No.160/97 dated 23.12.97 vide which it was resolved that detailed guidelines and norms be worked out for permitting change of land use to private parties and the procedure thereof should be placed before the next meeting of the Authority.

Accordingly, policy guidelines and procedure for change of land use from rural use zone to public and semi-public uses on the request of Govt. Organisations, Semi Govt. Organisations and charitable trusts have been detailed as below:-

2. All the change of land uses are being process under Section 11 (A) of Delhi Development Act-1957. MPD-2001 provides that, in rural use zone, public and semi-public uses within 0.5 km. of the settlement are permitted (refer page 155 of Gazzette of the India dated 1st Aug.,1990). On the basis of this provision of MPD-2001, it is proposed that permission may be granted by the Delhi Development Authority for permitting public and semi -public uses, such as, hospital, school etc. within the radius of 0.5 km. from the rural settlement. This permission may be granted by the DDA only to the Govt. Organisations, Semi-Govt. Organisations and Charitable Trusts. Delhi Development Authority will recover the conversion fees as decided by the Authority time to time for the conversion of use with an undertaking that necessary services and physical infrastructure will have to be provided by the applicant himself and no claim will be made any time by the applicant for provision of services and physical infrastructure from the concerned local body. The Authority may also decide levying betterment charges while granting such permission. The development control norms as per MPD-2001 for various public and semi public facilities will be applicable.

3. The permission for change of land use from rural use zone to public and semi-public uses may be granted beyond the radius of 0.5 km. to 1 km. from the rural settlement after processing change of land use under Section-11 (A) of the Delhi Development Act - 1957. Such change of land use may only be processed for the request received from Govt. Organisations, Semi-Govt.

Organisations and Charitable Trusts after charging conversion fees and betterment charges as decided by the Authority from time to time. The development control norms will be the same as stipulated in MPD-2001 for various public and semi-public facilities. The services and physical infrastructure will be provided by the applicant himself and they will not claim for provision of such services and physical infrastructure from the concerned local bodies.

4. The NCR plan provides for permitting public and semi-public facilities in the green belt/green wedge.
5. The proposal has contained in paras 2 & 3 above is placed before the Authority for consideration and approval.

R E S O L U T I O N

After detailed discussions, the Authority decided that since conversion of lands in agricultural and rural use zones beyond 0.5.KM of the rural settlements for public & Semi-public uses was not in accordance with the Government of India's policy on institutional lands, proposal should, therefore, be rejected.

2. LG desired that a policy paper with all necessary implications should be brought before the next Authority meeting in consultation with all the wings of the DDA and in particular the Finance Wing for levying conversion and betterment charges on lands within 0.5. km of rural settlements where public and semi-public use is permitted under the MPD-2001 in the agricultural and rural use zones.

DELHI DEVELOPMENT AUTHORITY (CONVERSION OF AGRICULTURAL LAND IN RURAL ZONES FOR PUBLIC SEMI PUBLIC FACILITIES) REGULATIONS 2001.

1. These regulations are framed under section 57 of Delhi Development Act 1957 and may be called DELHI DEVELOPMENT AUTHORITY (CONVERSION OF AGRICULTURAL LAND IN RURAL ZONES FOR PUBLIC & SEMI PUBLIC FACILITIES / REGULATIONS, 2001

2. DEFINITIONS:

IN THESE REGULATIONS, UNLESS THE CONTEXT OTHERWISE REQUIRES :

A) "ACT" MEANS THE DELHI DEVELOPMENT ACT 1957 AS AMENDED FROM TIME TO TIME

B) AUTHORITY MEANS THE DELHI DEVELOPMENT AUTHORITY CONSTITUTED UNDER SECTION 3 OF THE ACT

C) "MASTER PLAN" MEANS THE MASTER PLAN FOR DELHI FOR THE TIME BEING

D) "PUBLIC AND SEMI PUBLIC FACILITIES" SHALL MEAN SUCH FACILITIES AS THE SAME DEFINED IN THE MASTER PLAN

E) "CHAIRMAN" MEANS THE CHAIRMAN OF DELHI DEVELOPMENT AUTHORITY

3. The Manner to Allow conversion

a) The conversion shall not be general to the zone or the area but shall be case specific

b) the conversion shall be granted only after the requirements of the requisite public / semi public facility is assessed by the Vice Chairman, DDA in consultation with Commr. (Plg.) in respect of a specific case

c) the public / semi public facility shall be allowed only within 0.5 k.m.s of the rural settlement

d) the public semi public facility shall be allowed only a road of minimum 30 mts width.

e) No conversion fee shall be chargeable from the Govt. / semi govt. agencies for allowing public / semi public facilities on the land already owned by them.

f) The Public / semi public facilities if allowed on the privately owned land, conversion fee shall be chargeable as per table contained in Regulation.

4.0 Competent Authority

a) Chairman, DDA shall be the competent authority to grant such conversion under these regulations. His decision shall be final and binding with respect to the permission and any interpretation which may be involved. The requirement for the public / semi public facility shall be assessed by the Vice Chairman, DDA in consultation with Commr. (Plg.) who shall examine, each case taking into consideration all the necessary requirements of the settlement, the provisions of the Zonal Development Plan / Master Plan for Delhi and all the relevant Rules / Regulations / Policy decisions and Guidelines.

5. Application:

a) Application for conversion shall be made in the specific format as may be prescribed by the Authority along with site plan and the documents of title / ownership along with the processing fee as may be laid down from time to time. It is made specifically clear that any person purporting to derive title on the basis of power of Attorney, Agreement of Sale, Agreement to built etc shall not be treated as an owner / title holder.

b) The application in the necessary format shall be submitted to the Commr. (Plg.) and shall be entered in a Register kept for that purpose.

6 Conversion Charges

The conversion shall be allowed by the competent Authority only on payment of the following amount as conversion and other charges for different public and semi public facilities.

- | | |
|-----------------------|------------------|
| a) General | Rs. 20 lakhs /ha |
| b) Charitable Purpose | Rs. 6 lakhs /ha |

These conversion charges are on the basis of land rates notified by MOUD & PA. The same are liable to change in conformity with the Rates notified by the MOUD & PA or any successor thereof.

7. Building / Structure on site

The building for the public & semi public facilities for which the permission is granted shall be put up only after getting the building plan approved from the concerned local authority in accordance with the Rules and Regulations of the Zonal Development Plan / Master Plan for Delhi.

It is made specifically clear that any building or structure raised without prior sanction, or in violation of the sanction and Rules & Regulations, shall result in automatic cancellation / withdrawal of the conversion permission.

8.0 Development control for various Public & Semi Public facilities :

(a) This permission shall be applicable to the plots which are either falling within the distance of 0.5 k.m. from the Rural area or at least 40 - 50% of the plot should be falling within their limit of 0.5 k.m. distance.

(b) The development control norms for public and semi public facility as specified in the Master Plan for Delhi 2001 shall be applicable for the plot as per the use permitted there upon i.e. health education and others etc.

9. FEE:

For the purpose of maintenance of various facilities provided by Delhi Development Authority including Roads, Sewerage, as also peripheral services etc., an annual fee, as determined by DDA from time to time, shall be payable. Such fee shall be commensurate with the expenses incurred by Delhi Development Authority in that behalf. The decision of the Vice Chairman DDA in that behalf shall be final.

Such fee, if not paid shall be recoverable as arrears of Land Revenue.

Item No. SUB: Regulations for setting up of petrol pumps in Rural use zone // Rural area in
20/2002 National Capital Territory of Delhi and amendments in MPD 2001.
A-21-1.02- NO. F.7(23)67-MP

1.0 Proposal in brief:

This proposal is about grant of planning permission for petrol pumps sites in the rural use zones in Delhi and regulations thereof including the conversion fee to be applicable.

Ministry of Urban Development vide letter K-13011/7/96 dated 8.8.97 conveyed the approval of the govt. on these regulations. These regulations were discussed by the Authority in its meeting held on 28.3.2000

2.0 Urgency of the matter :

The proposal for petrol pump in rural area earlier was put up for consideration of the Authority on 13.10.95 vide item no. 129/95 and since than regulations are being processed.

The Civil Writ Petition no 2866/95 dated 8.2.2000 was also filed by Model Cooperative Goods Transport Co. vs GNCTD wherein the High Court had ordered DDA to finalise the policy. (App. 'A' P-35).

3.0 Background :

Policy regarding permissibility of petrol pump in Rural area was discussed in Authority meeting dated 28.3.2000 as well as in the meeting of the Tech Committee dated 17.1.96.

Authority decision : The Authority vide its resolution no. 129/95 dated 16.10.95 recommended permission of running petrol pumps on private lands both in urban areas (including urban extension) and in the rural use zone and Licence fee be realised for granting Planning Permission It resolved as follows:

- i) Proposal contained in the agenda item be approved in principle in order to secure overall development of Delhi.

5.0 Regulations for petrol pump in rural area

(i) The proposal of Planning Permission and regulations for petrol pumps sites in rural use zone in Delhi was considered and approved by the Tech. Committee in its meeting held on 9.1.96 vide item no. 5/96 (App. 'C' P-39 to 41).

(ii) The regulations approved by Tech. Committee were subsequently referred to the Ministry on 15.2.96 by Principal Commissioner DDA for approval of the Govt. of India.

(iii) Ministry of Urban Development vide letter no. K-13011/7/96 dated 8.8.97 conveyed the approval on the regulations (App. 'D' P-42). In these regulations the minimum size of the petrol pump has been indicated as 30 mt x 36 mt. and while the max. plot 60 mt x 45 mt.

6.0 Conversion Fee :

Finance Deptt. of the DDA has suggested conversion fee @ 16.5 lakh per hect. In case the land is located on National Highway the conversion fee could be charged double to the rate of Rs. 16.5 lakh per hect. i.e Rs. 33.0 lakh per hect.

7.0 Development control norms for the petrol pump in the rural area :

(a) The development control norms which are applicable for the site of the petrol pump in urban area which were approved by Competent authority shall also be applicable to the site of the petrol pump in the rural area.

(b) The plots measuring more than 33x45 sq.mtrs. shall be eligible for FAR / coverage etc on 30x45 sq.mt. plot. The remaining area of the plot shall be maintained as open space / green. No permanent / temporary structure shall be permitted on this additional land.

(c) With above conditions there will be no necessity for modification in Master Plan for Delhi 2001.

8.0 Proposal :

The proposal regarding the development control norms & size of the petrol pump in the rural area and the conversion fee as given in the above para (6) & (7) are put up before the Authority for its consideration & approval so that the regulations in this regard may be published in the official gazette.

RESOLUTION

Postponed.

APPENDIX 'A' TO ITEM NO. 20/2002.

Date	Moolat Copy Cases TP7 Orders - CWF-2866/95 S.L.T. 1/2 Grant of NCT
8.2.2000	<p>Present: Mr. Ravi Gupta for the petitioner. Ms. Ansuuya Salwan for the respondent C.W. 2866/1995.</p> <p>Pursuant to the order passed on 7.10.1998, affidavit was filed on 12.2.1999 on behalf of DDA stating that the matter with regard to conversion fee for change of land use payable by the applicant was under consideration and was to be finalised by the finance department of DDA. Number of opportunities were allowed to DDA to finalise the policy, if any, on the subject. Today it is stated by Ms. Ansuuya Salwan, learned counsel for DDA that matter is still under consideration of the finance department of DDA. Four weeks' further time as prayed is allowed to DDA-respondent no.2 by way of last opportunity, falling which we will have no other option except to issue appropriate direction on the petitioner's prayer for 'No Objection Certificate' without any charges.</p> <p>List on 19.4.2000.</p> <p>Copy of the order will be given 'Dasti' to learned counsel for the respondent</p>
8th. February, 2000 mg	<p>sd/- DEVENDER GUPTA JUDGE</p> <p>sd/- B.A. KHAN JUDGE</p> <p>TRUE COPY EXAMINER</p>

के लिए ONLY



APPENDIX 'B' TO ITEM NO. 20/2002.

ITEM NO. SUB:
38/2000

Regulations for setting up of petrol pumps in Rural use zone \ Rural area in
National Capital Territory of Delhi and amendments in MPD-2001
F.7(23)67-MP-PT.III

28.3.2000

PRECIS

1.0 **PROPOSAL IN BRIEF:** This is a proposal to consider grant of planning permission for petrol pump sites in rural use zone in Delhi. The item was considered by the Authority vide its resolution no. 129/95 dt. 16.10.95. Accordingly, draft regulations were prepared for consideration of the Ministry of Urban Affairs & Employment. The Ministry conveyed its approval vide letter dt. 8.8.97 with certain conditions.

These regulations require concurrence of Authority, under section 57 (i) of DD Act 1957. Accordingly, proposed regulations were put up as item no. 13/2000 in its meeting held on 9.2.2000. The item was deferred, since the issue of conversion fee specifically in this case could not be resolved, during discussions.

2.0 **URGENCY OF THE MATTER :** The proposal to consider grant of permission for petrol pump sites in rural use zone, in Delhi has been under consideration since 1995. Recently, in CW 2866/95 between Model Gop. Goods Transport Ltd. Vs Govt. of NCT, the Hon. High Court have ordered to give last opportunity of 4 weeks to DDA to finalise the issue of conversion fee, failing which the Court would have no other option except to issue appropriate directions for NCT to the petitioner without any charges. The matter is due to be listed again on 19.4.2000. The Court orders dt. 8.2.2000 are placed at Appendix - 'A' Page- 124).

3.0 **BACKGROUND:** (i) Master Plan Provisions: In the Master Plan for Delhi petrol pumps are permitted along National Highway. These may also be considered in the villages identified as growth centre and on major interstate rural roads.

(ii) Authority decisions: The Authority vide its resolution no. 129/95 dated 16.10.95 (App. No. P.125-126) recommended permission of running petrol pumps on private lands both in urban areas (including urban extension) and in the rural use zone and Licence fee to be realised for granting Planning Permission. It resolved as follows:

"i) Proposal contained in the agenda item be approved in principle in order to secure overall development of Delhi.

ii) Detailed scheme for implementation of these proposals and the regulations thereof be formulated in consultation with the MCD and approval of the Ministry be sought for these regulations."

The regulations were again put up for consideration of the Authority as item no. 13/2000 in its meeting held on 9.2.2000. The item was deferred.

(iii). Draft Regulations: The proposal of Planning Permission and regulations for petrol pumps sites in rural use zone in Delhi was considered and approved by the Technical Committee in its meeting held on 9.1.96 vide item no. 5196 (App. 'C' P-127 to 129).

The regulations approved by Technical Committee were subsequently referred to the Ministry on 15.2.96 by Principal Commissioner, DDA for approval of the Govt. of India.

4.0 REGULATIONS FOR PETROL PUMP IN RURAL AREA AS APPROVED BY MOUA&E : Director (DD) MOUA&E vide letter no. K-1301117196-DDIB dated 8.8.97 conveyed the approval of the regulations, in this regard (App. 'D' P. 130-132). It is observed that there are few variations in the regulations approved by the Govt. of India as compared to the regulations recommended by the Technical Committee. As per conditions (8) of the regulations the conversion fee for change of land use shall be payable by the applicant as per the rates laid down by DDA from time to time.

Difference in views about Regulations

S.NO.	AS PER DDA'S TECHNICAL COMMITTEE DT. 9.1.96	AS PER MOUA&E LETTER DT. 8.8.97
1	The min. size will be 30 m x 17 m as in case of urban areas.	The min. size for such petrol pumps will be 30 m x 36 m and max. plot area 60 x 45 mtrs.
2	One time permission equivalent to one year licence fee chargeable in the urban areas will be realised.	A conversion fee for change of land use shall be payable by the applicant as per rates laid down by DDA from time to time.
3	NIL	A non-refundable processing fee of Rs.5000/- shall be chargeable by DDA for scrutinising the application for Planning Permission.
4	The Oil Co. will apply to DDA for Planning Permission and simultaneously seek clearance from DCP(Lic.) the approval of the bldg. plan from local authority will be sought.	The Oil Co. will apply to DDA for Planning Permission and seek clearance from all other concerned agencies including DCP(Lic.) competent authority under ULCR, Delhi Fire Services, the concerned local body etc.

5.0 CONVERSION FEE \ PERMISSION FEE: Finance Department of the DDA has suggested the following options for conversion fee \ permission fee applicable to the petrol pump in the rural area.

1. Use conversion charges to be a fraction or a multiple of land acquisition rate which may be taken to be Rs. 15 lakh per acre.

II. The rates prescribed by the Ministry of Urban Affairs & Employment for the setting up motels in rural area. MOUA&E has prescribed the following charges-

For 1st ha.	Rs. 20 lakhs
For 2nd ha.	Rs. 10 lakhs
For 3rd ha.	Rs. 5 lakhs

केवल कार्यालयीन उपयोग के लिए
FOR OFFICE USE ONLY

III. 50% of the MOUA&E rates at which the institutions are eligible for allotment of land in urban areas of Delhi. A flat rate could be used, instead of making distinction between government, semi government and charitable institutions. The rate for Govt. departments is Rs. 44 lakhs per acre. There is no rate for semi government institutions. The rate for charitable institutions is Rs. 12 lakhs per acre.

6.0 **DEVELOPMENT CONTROL NORMS FOR PETROL PUMP IN THE RURAL AREA:** The development control norms which are applicable to the sites of the urban area for the petrol pump shall also be applicable to the site for the petrol pump in the rural area. The necessary amendments required in MPD-2001 are given in (App. 'E' Page No. 133).

7.0 **PROPOSAL :** Due to the urgency of the matter as highlighted above, the regulations as approved by MOUD, and amendments in MPD-2001, as contained in para 5 & 6 are placed before the Authority for its consideration, so that following follow up actions could be taken up:

- i) Publishing of approved Regulations in the official Gazette.
- ii) Processing of amendments in MPD-2001 as given in para. 6.
under section II- A of Delhi Development Act - 1957.

R E S O L U T I O N

After detailed deliberations, the proposals contained in the agenda item were approved by the Authority with the advice that the rates as proposed in para 5(iii) should be accepted. It was also decided that the lands located on the National highways should be charged at double the rates.

On a query made by Shri Mahabal Mishra, the Vice-Chairman clarified that the Regulations shall apply on all the lands in the "rural use zone", including the lands in the development areas.

-40-

v) Premises will have a defined boundary. As regards its location in growth centre and national highway are concerned, there should not be any ambiguity.

vi) Premise use of the site will be governed as per MPD-2001 i.e. for sale of petroleum products to consumers and may include servicing of automobiles.

b) Size and Building Controls :

i) In rural areas considering the type of activity, maximum size of petrol pump is recommended to be increased to 60m x 45m, which will be a change in the Master Plan.

ii) Building norms shall be the same as applicable to Delhi Urban Area and wherever the plot is more than 33m x 45m, ground coverage & FAR will be restricted to the permissible ground coverage, FAR of this size.

Other conditions :

i) The one time licence equivalent to one year licence fee chargeable in urban area will be realised from the Oil Company as decided by the Authority.

ii) The Oil Company will apply to DDA for planning permission;

iii) Oil Company will simultaneously seek clearance from DCP (Licencing).

iv) After issue of clearance from DDA and DCP, Oil Company will seek approval of building plans from the local authority.

4. Proposal contained in para '3' above is submitted for consideration of the Technical Committee.

DECISION

After detailed discussion, the Technical Committee approved the scheme for implementation/planning permission and regulations for running petrol pumps in rural use zones with following recommendations:

- i) Minimum road right of way will be 30 mtrs. in case of major rural road. Wherever right of way is not approved, minimum set back will be 15mtrs. from the centre line of the existing road.
- ii) The land between the existing road right of way and the property line of the proposed retail outlet will be owned and maintained by Oil Company and no construction will be allowed in this area,

contd.....

except approach from the retail outlet site.

iii) The minimum size will be 30 m. x 17 m. as in case of urban areas.


iv) One time permission equivalent to one year licence fee chargeable in urban areas will be realised from Oil Company as decided by the Authority.

v) The Oil Company will apply to UDA for planning permission and will simultaneously seek clearance from UCP(L). After issue of clearance from UDA and UCP, the approval of the Bldg. Plans from the local authority will be sought.

vi) Necessary amendment in the MPD-2001 recommending maximum size of 60m x 45m alongwith applicable building norms may be processed.

Checked
17/1/96


D.1.96


17/1/96
Member Secretary
Technical Committee
Delhi Development Authority

APPENDIX 'D' TO ITEM NO. 20/2002.

DR. NIVEDITA P HARAN
DIRECTOR (DD)
TEL: 3019028
FAX: 3014459

भारत सरकार
शहरी कार्य और रोजगार मंत्रालय
शहरी रोजगार और गरीबी उपशान्त विभाग
Government of India
Ministry of Urban Affairs and Employment
Department of Urban Employment and Poverty Alleviation

नई दिल्ली-110011, तारीख 199
Dated New Delhi-110011, the 199

D.O. No. K-13011/7/96-DDIB

Date: 8.8.1997

Dear Shri Sharma,

Please refer to the correspondence resting with your
D.O. F.11/194/LMA/D-668 dated 2nd January, 1997 regarding
regulations for setting up of petrol pumps in Rural Use
Zone in the National Capital Territory of Delhi.

The guidelines as approved by the Government in this
regard are enclosed for further necessary action.

With regards,

Yours sincerely,

(DR. NIVEDITA P HARAN)

Shri Shashi Kant Sharma,
Principal Commissioner,
Delhi Development Authority,
Vikas Sadan, New Delhi.

Handwritten notes: 1397/mb, 4/8/97, 10/8/97

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**Item No. SUB: Change of land use of an area measuring 28.3. hac (70 acres) from
21/2002 Agriculture and Water body (A - 4) to PSP facilities (Police Firing Range) At
Wazirabad Delhi.**

~~A-21.1.02~~

No. F3(20)91-MP

1.0 Proposal in brief :

The proposal is for the change of land use of an area measuring 28.3. hac (70 acres) from Agriculture and Water body (A - 4) to PSP facilities (Police Firing Range) At Wazirabad Delhi for which objections suggestions have already been invited and case is being processed under section 11 A of DD Act for final notification.

2.0 Background :

The Authority vide its resolution no. 157/97 dt. 23.12.97 had recommended the processing of change of land use of an area measuring 28.3 ha. (70 acres) from Agriculture and water body (A - 4) to Public and semi public facilities (Police firing Range) at Wazirabad, subject to obtaining clearances from Yamuna committee. Central Water Commission, National Capital Region Planning Board Irrigation and Floor Deptt, Deptt. of Explosives and Fire Deptt; Department of Environment, Conservator of Forests, GNCTD and Environment Impact Assessment Authority. (App. 'A' P. 45 to 46).

3.0 Objections / Suggestions :

The Authority Resolution was forwarded to the Under Secretary, MOUD & PA Govt. of India on 29.1.98 for conveying approval of the Central Govt. under section 11 A of Delhi Development Act 1957 to issue a public notice for inviting objections / suggestions from the public for the proposed change of land use.

Ministry of Urban Development vide letter no. K-13011/6/98-DDIB dt. 16.1.2001 already conveyed the approval of the govt. for the change of land use subject to conditions that no permanent structure for administration or other allied use should be allowed. (App. 'B' P-47).

In response to this public notice no objections suggestions have been received.

4.0 Examination and the clearance from the various govt. depts. and the agencies

As per the authority resolution the proposal was referred to the various agencies and necessary no objection / clearance have been received from the various agencies as per the details given in Annexure. The clearance from Yamuna Standing Committee is yet to be received. (App. 'C' P- 48).

5.0 Decision of the Tech. committee.

The proposal was discussed in the meeting held on 24.12.2001 wherein Tech. committee agreed that in principle processing for the change of land use of the land measuring 28.3 hect. The suggestions received from the Ministry with respect to the temporary construction in the area shall also be applicable. The case may be processed further for final notification and consideration of the Authority.

6.0 Proposal

The proposal of change of land use of an area measuring 28.3 ha. (70 acres) from Agriculture and Water body (A-4) to Public and semi public facilities (Police Firing Range) at Wazirabad, subject to the condition that no permanent structure for administrative or allied uses should be allowed. Copy of site plan at (App. 'D' P-49).

7.0 Recommendations :

The proposal given in above para (6) is put up for consideration and approval of the Authority and there after it shall be referred to the Ministry of Urban Development for final notification.

RESOLUTION

Postpones.

ITEM NO.
157/97

A-23-12-97

Sub : Proposed change of land use of an area measuring 28.3 ha (70 acres) from 'agricultural and water body' (A-4) to 'Public and semi-public facilities' (Police firing range) at Wazirabad, Delhi.
F.3(20)91-MP

P R E C I S

An area measuring 28.3 ha (70 acres) towards north of Wazirabad Road and west of marginal bund in the Revenue Estate of village Biharpur, Karawal Nagar, Delhi was identified after a joint inspection and land was handed over to the Police Deptt. in 1995.

2. The Police Deptt. has proposed to utilise this land (28.3 ha/70 acres) as Firing Range. The land under reference falls in Zone 'P' (North Delhi II) and the preparation of zonal plan is yet to be taken up. The land falls in use zone A-4 'Agricultural and Water Body' where Shooting/Firing Range is not a permitted use and will require change of land use, besides clearances from concerned agencies.

3. The salient details of proposed construction of the Project submitted by the Police Deptt. are as follows:-

i)	Proposed ground coverage	6,140 sqm. (2.178)
ii)	Proposed FAR	2.17
iii)	Protected area of shooting range.	140 x 140m
iv)	Max. height of the bldg.	6m (single storey)
v)	Details of proposed constructions:	
	a) Barracks (7 nos.)	5040 sqm. (80x9m each)
	b) Office block	300 sqm.
	c) Officers room	300 sqm.
	d) Toilets	400 sqm.
	e) Medical room	100 sqm.
	Total Area :	<u>6,140-sqm.</u>

4. The proposal has been examined and the land is proposed to be utilised for the following two major activities:-

i)	Administrative area	8 ha
ii)	Shooting/Firing Range	20.3 ha

Proposed development controls:

a)	Maximum ground coverage	5%
b)	Maximum FAR	5
c)	Maximum height	6 M (Single Storey)

contd...../-

- d) Other controls:
- i) No covered building will be constructed in Shooting Range area besides Watch and Ward tower(s).
 - ii) 4-6 Watch & Ward residences upto 20 sqm. area be permitted and no other residential area will be allowed.
 - iii) Basement will not be permitted

5. The proposal was considered by the Technical Committee in its meeting held on 17.7.97 under item no.36/97 and it was recommended to process the change of land use of an area measuring 28.3 ha (70 acres) from 'Agricultural and Water Body' (A-4) to 'Public and Semi-public facilities' (Police Firing Range) subject to obtaining clearances from Yamuna Committee, Central Water Commission, National Capital Region, Planning Board, Irrigation and Flood Deptt., Explosives and Fire Deptt., Department of Environment and Forests, GNCTD and Environment Impact Assessment Authority.

6. The proposal as contained in Para '5' is placed before the Authority for its consideration and approval.

R E S O L U T I O N

The Authority resolved that the proposals contained in para 5 of the agenda item be approved.

No. K-13011/6/98-DD-II
Government of India
Ministry of Urban Development & Poverty Alleviation
(Delhi Division)

Nirman Bhavan, New Delhi-110011,
Dated the 16th January, 2001.

To

✓ Shri R.K. Jain,
Joint Director (MP),
Delhi Development Authority,
Vikas Minar, IP Estate,
New Delhi-110092.

Sub: Change of land use of an area, measuring 28.3 ha. from 'agricultural and water body' (A-4) to 'public and semi-public facilities' (Police Firing Range) at Wazirabad, Delhi.

Sir,

This is in continuation of our letter of even number dated the 5th Oct., 2000. The Government has approved the proposal of change of land use of an area measuring 28.3 ha. from 'agricultural and water body' to 'public and semi-public facilities' (Police firing range) at Wazirabad subject to the condition that no permanent structure for administrative or other allied user should be allowed. Further action may be taken accordingly under intimation to this Ministry.

Yours faithfully,

Shyam Sunder
(Shyam Sunder)

Under Secretary to the Govt. of India
Tel.No.301 6681

Copy to:

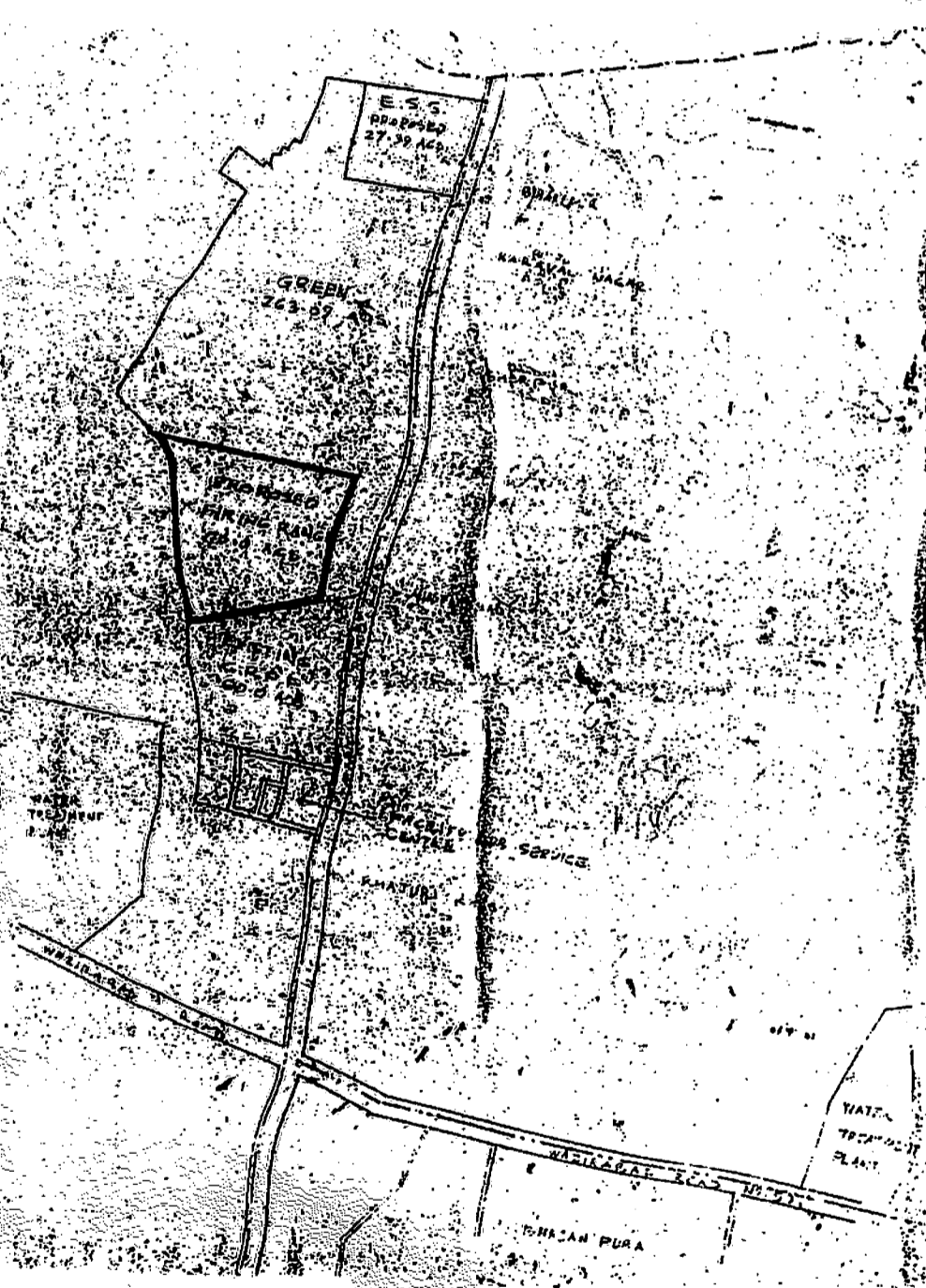
✓ The Chief Regl. Planner,
NCR Planning Board,
India Habitat Centre, Lodhi Road,
New Delhi-110 003.

2001-17-11
12/1

Clearances received in respect of the proposed change of land use from various Departments / Agencies.

Sl.No. Deptt./Agency	Reference No. & date	Status/Remarks
1. Deptt. Of Explosives, Govt. of India.	35703/A-III/L&B PHQ, dated 10.09.98	NOC received.
2. Delhi Fire Service, GNCTD.	126/D-129/MS/Misc/ 98/2060, dt. 09.10.98	Clearance from DFS not required.
3. Chief Engineer(I&F) GNCTD)	No.43400-A/III/ L&B-PHQ, dt. 13.11.98.	NOC received.
4. NCR Plg. Board - Minutes of 46 th Meeting of Planning Board held on 23.02.01	K-14011/78/80/ 2000-NCR PE, dtd. 08.03.2001	Change of land use approved subject to condition that no permanent structure for administrative or other allied uses would be allowed.
5. Conservators of Forests GNCTD	18857-58 A III/L&B/PHQ dated 31.05.99	NOC received for the proposed change of land use subject to requirement of Tree Officer/Conservator of Forests.
6. Central Pollution Control Board	III/59/72/Pt.XIII/ 7653/L&B Cell/PHQ Dated 11.09.01.	NOC received in respect of proposed change of land use.
7. Yamuna Standing Committee	No.16/1/YC/2000/ FM/1/52	Discussed in the 59 th meeting of YSC held on 19.04.99 The clearance is awaited.

APPENDIX 'D' TO ITEM NO 21/2002.



AREA PLANNING - III

DISCRIPTION:

- NORTH - GREEN / UP BOUNDRY
- SOUTH - C.R. P.P. / WAZIRABAD RD
- WEST - MARGINAL BOUNDH /
- EAST - MARGINAL BOUNDH RD / KARAWAL NAGAR

NOTES:

1. THE PROPOSAL WAS CONSIDERED BY TECHNICAL COMMITTEE IN ITS MEETING HELD ON 11-7-78 UNDER ITEM NO. 36/77 AND IT HAS RECOMMENDED TO PROCEED THE CHANGE OF LAND USE OF AN AREA BEARING FROM 1200/1-4 TO PUBLIC AND SEMI PUBLIC FACILITIES (POLICE FIRING RANGE) SUBJECT TO OBTAINING CLEARANCES FROM URBAN COMMITTEE, CENTRAL WATER COMMISSION, NATIONAL CARBON DIOXIDE REGULATORY AUTHORITY, TRAFFICATION DEPT., ENVIRONMENT AND FOREST DEPT., DEVELOP. ENVIRONMENTAL AND FOREST DEPT. AND MUNICIPALITY. THE PROPOSAL IS SUBJECT TO THE APPROVAL OF THE PROPOSED BY THE LOCAL AUTHORITY. THE PROPOSAL IS SUBJECT TO THE APPROVAL OF THE LOCAL AUTHORITY. THE PROPOSAL IS SUBJECT TO THE APPROVAL OF THE LOCAL AUTHORITY.

LAY-OUT PLAN OF POLICE FIRING RANGE NORTH OF WAZIRABAD ROAD, S.W. OF MARGINAL BOUNDH ROAD

LAY-OUT PLAN

SCALE	DATE	DESIGNER	DWG. NO.

Item No. / A-21-1-2002
22/2002
SUB: Change of land use of an area measuring 9596 sq m. from 'Manufacturing use' to 'Public and Semi Public Facilities' (Sr. Secondary School 8996 sq.m., Barat Ghar - 600 sq.m.).
F.No. 9(7)97-MP

PRECIS

1.0 PROPOSAL IN BRIEF :

The proposal is for change of land use of an area measuring 9596 sq.m. from 'Manufacturing use' to 'Public and Semi Public' Facilities (Sr. Secondary School 8996 sq.m., and Barat Ghar 600 sqm.) in village Tehkhand. The public objections / suggestions have already been processed and now the proposed change of land use is put up for consideration of the Authority for recommending it to the Govt. of India for final notification.

2.0 BACKGROUND:

The Authority vide item no. 85/98 in its meeting held on 28.10.98 resolved as follows :

"It was noted with concern that the land already transferred to the Railways had earlier been proposed by the Land Management and Planning Department for construction of a Senior Secondary school. LG wanted responsibility to be fixed on this serious lapse, specifically when the land had been identified after a joint survey. LG also expressed displeasure that the land records in DDA were still incomplete and desired to have a report in the matter.

The proposals contained in para 9 of the agenda item were approved". App. 'A' P-8 to 10).

3. FOLLOW UP ACTION :

The decision of the Authority was referred to the Lands Deptt. as well as the concerned Planning Unit. It was observed by the Area Planning Unit that the land was identified by way of a joint inspection carried out by the officers of Lands Deptt., Engg. Deptt., Hort. Deptt. and Planning Department of the DDA, including the area MLA. As the ownership records of the land were not available at the time inspection and the land was lying vacant, it was considered appropriate for locating such facility in the Village Tehkhand.

These observations were sent by the Planning Deptt. to the Secretary, DDA (Commr. - cum - Secy) for forwarding the same to the competent authority in March 99.

Land Deptt. of the DDA vide U O Note no F14(71)69/CRC/DDA dated 5.10.91 forwarded the reports stating therein that 'As regards preparation of the land record is concerned Land Management Deptt. gives its record. All land acquired is property brought on record.

4.0 OBJECTIONS / SUGGESTIONS:

The Ministry of Urban Development vide letter dt. 3.5.99 (APP. 'B' P-11) approved the proposed change of land use for inviting objections / suggestions. A public notice in this regard was issued on 2.8.99 for modification in land use plan.

The gist of objections / suggestions received along with the observations of the DDA's Planning Deptt are as given below:

S.no.	Objections / suggestions (gist)	Observations of DDA
1	<u>Land & Building Deptt. of GNCTD:</u> Following observations of NCRPB be suitably considered "while indicating execution of any development programme / project. It may be ensured that such project do not violate the provisions of the Regional Plan specially the land use prescribed by it".	Since village Tehkhand is located in the vicinity of Okhla Industrial area and also that the villagers of Tehkhand and the adjoining population need such public and semi-public facilities; this proposals was initiated. The proposed change of land use is in conformity with the Regional Plan of NCR.
2	<u>Delhi Urban Arts Commission</u> Contents of the Public Notice have been noted.	No action is required.

5.0 DECISION OF THE TECHNICAL COMMITTEE:

After considering the objections \ suggestions received on the public notice, Technical Committee in its meeting on 15.2.2000 recommended the change of land use of 9596 sqm falling in zone F (South Delhi) and bounded by the existing nallah in the North, Telephone Exchange \ Store in the South, Railway line in the East and 24 m Wide road (FCI godowns) in the West from 'manufacturing use' to 'public and semi public facilities' (Sr. Secondary School 8996 sqm, and 600 sqm for Barat Ghar) in village Tehkhand for further processing as per Section 11 A of Delhi Development Act with the Authority and the Ministry.

6.0 RECOMMENDATIONS:

An area measuring 9596 sqm falling in zone 'F' is proposed to be changed from 'manufacturing use' to 'public semi public facility' (senior secondary school (8996 sq.m.) and barat ghar 600 sq.m.) in village Tehkhand, for final change of land use under section 11 A of Delhi Development Act.

RESOLUTION

Postponed.

ITEM NO.

Sub:

85/98

28.10.98

Change of landuse of an area measuring 0.95 ha from "Industrial" to "Public and Semi-Public facilities" (Sr. Sec. School - 0.89 ha and Barat Ghar - 0.06 ha) in village Tehkhand New Delhi.

File No. F9(7)97/MP

P R E C I S

.....

1. (One of the reference received from Sh. Ram Vir Singh Bidhuri M.A. and Member of Authority is regarding allotment of land for the construction of a Govt. Sr. Secondary school and Community Hall-cum-Barat Ghar for the residents of village Tehkhand. The village Tehkhand is located within Okhla Indl. Area.) The Education Deptt. of Delhi Govt. have paid Rs.15 lac against the cost of land in the year 1986 but due to one reason or the other, the land could not be handed over.

2. With a view to identify the land, a joint site inspection was held on 30.9.97, which was attended by E.M., Commr. (LM), Commr. (Plg.), Addl. Commr. (AP), Director (Hort.) and Dy. Director (Land) besides Sh. Bidhuri. (Some vacant land towards the east of the village were identified) The land use of this land as per MPD-2001/Zonal Plan, however is "Distt. Parks" and, therefore, (Involved change of land use.)

3. (Based on the detailed survey, a proposal for (1.66 ha) i.e. 1.60 ha for Sr. Sec. School and 0.06 ha (for community hall-cum-Barat Ghar was considered by the Technical Committee on 3.3.98 under Item no. 12/98 and subsequently by Authority on 30.3.98 under Item No. 42/98. The proposal of change of land use was recommended to Govt. with the following observations :

- i) Change of land use for entire school site including play area be processed.
- ii) Allotment of Sr. Sec. School site shall be done only to GNCTD.
- iii) Change of land use will be subject to verification that recreational area is not part of protected/Reserved forest.

4. (The decision of the Authority was conveyed to MOUA&E on 4.5.98 requesting the Ministry to convey the approval of Govt. for issue of public notice for inviting objections/suggestions

for the proposed amendment in MPD-2001. The approval has been conveyed by Ministry on 4.6.98.

5. However, while processing the case further for allotment, the following reports were received :

- i) This land stands handed over to Railways long ago and does not belong to DDA.
- ii) The Recreational area is protected/Reserved Forest and no construction is permissible (though apparently no forest exists at site, there are pre-dominantly wild keekar trees.

6. In view of the above position, the proposal was not found feasible and had to be dropped. Sh. Bidhuri met VC, DDA and made request for an alternative allotment of land for locating these facilities.

7. (The matter was further examined to locate alternate land.) However, there is no land available which can be utilised for this purpose in an around the village. (The only possibility is to consider out of the vacant industrial land/plots bearing plot no. 2 (Part) and 3 in Block 'G' of Okhla Indl. Area Ph.I.) This land (measuring about 9500 sq.mts.) and is in close proximity to the village Aradi. Therefore, the area of 9500 sq.mts. can be considered for a Community Hall-cum-Barat Ghar and Sr.Sec. School within this limited area and as per MPD-2001 land required for Sr.Secondary school is 1.6 ha (0.6 ha for building and 1.0 ha for play field). (The details of the proposal are given below:

- | | | |
|------|--|----------------|
| i) | Total area of the vacant plots (comprising of C/2 (Part) and 3 Okhla Indl. Area Ph.I | - 9500 sq.mts. |
| ii) | Proposed area for Community Hall -cum-Barat Ghar | - 600 sq.mts. |
| iii) | Area for Sr.Sec. School | - 8900 sq.mts. |
| | (a) Building area | - 5000 sq.mts. |
| | (b) Play area | - 3900 sq.mts. |

8. The Public and semi-public facilities like schools are neither permitted in the Industrial use zone nor specific industrial use premises as per MPD-2001. Therefore, it will again invite processing of change of landuse of 0.95 ha from

'Industrial' to 'Public and Semi-Public Facilities' as per the provision of D.D.Act, 1957.

9. The following proposals therefore are placed before Authority for its consideration and approval :-

- i) Dropping of the proposal for change of land use of an area measuring 1.66 ha from 'Recreational' (Distt. Parks) to 'Public and semi-public facilities' (Sr.Sec. school - 1.60 ha to Barat Ghar - 0.06) in village Tehkhand, New Delhi approved by Authority vide Resolution No.42/98 dated 30.3.98.
- ii) The proposal for change of land use of an area measuring 0.95 ha from 'Industrial' to 'Public and Semi-public facilities' (Sr.Sec. School - 0.89 ha and Barat Ghar - 0.06 ha) in village Tehkhand, New Delhi.

RESOLUTION

It was noted with concern that the land already transferred to the Railways had earlier been proposed by the Land Management and Planning Departments for construction of a senior secondary school. LG wanted responsibility to be fixed on this serious lapse soocially when the land had been indentified after a joint survey. LG also expressed the apprehension that the land records in DDA were still incomplete and desired to have a report in the matter.

2. The proposals contained in para 9 of the agenda items were approved.

Attended

J

26/11/98

OFFICE
OF THE
MEMBER
IN CHARGE
LAND MANAGEMENT
AND PLANNING
DDA, N. DELHI

-11-

Appendix 'B' to Item No.22/2002

No.K-13011/4/98-DDIB
GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT
(DELHI DIVISION)
.....

New Delhi, dated the 3rd May, 1999.

To

✓ Shri R.K. Jain,
Joint Director(MP),
Delhi Development Authority
Vikas Minar, I.P. Estate,
New Delhi.

Sub: Change of land use of an area measuring 0.95
ha. from industrial use to public and semi public
facilities Sr. Sec. School 0.89 ha and Barat
Ghar 0.06 ha. in village Tehkhand, New Delhi.

Sir,

With reference to your letter No.F.9(7)97-MP/412
dated 26th March, 1999 on the above mentioned subject,
I am directed to convey the approval of the Central
Govt. to the proposal contained in the subject noted
above. You are requested to take further necessary
action to issue public notice for inviting objections/
suggestions from the public.

Yours faithfully,

N.K. Chadha
(N.K. Chadha)
Under Secretary to the Govt. of India

Item No.

23/2002

A-21.1.2002

SUB :- Fixation of prices for 2001 - 2002.

P. 25(29) 2000/CE.

PRECIS

1. As per Authority Resolution No. 28, the reserve price of shops is fixed on the basis of the average auction rate/average tender rate for the previous year (i.e. in this case 2000-01). In case the average cost/tender rate for a particular locality is not available, the rates of the nearest locality/comparable locality is to be taken into consideration for fixing the reserve price. However, while fixing the rates for 2001 - 2002 was observed that rates were available only for 4 markets based on which it was not possible to determine the reserve prices of shops in different areas all over Delhi.
2. It was therefore decided to refer this matter to the committee framed under the Chairmanship of the Commissioner (Land Disposal) vide Authority Resolution No. 54 dated 18.8.2000 to go into this issue.
3. The committee noted that DDA has piled up a stock of more than 2500 shops, which could not sold despite being put to auction/tender a number of times. Finally, during 2000 - 01, a decision had to be taken to dispose off these old properties on cost plus basis. The Committee felt that a similar situation should not be allowed to recur and this should be kept in mind while determining the reserve price. It also noted that in an auction/tender scenario, it is the market forces which ultimately determine the price at which a particular unit sells and, therefore, fixing a prohibitive reserve price does not really serve any purpose. On the other hand, it is counter productive as it makes the entire process unattractive leading to a scenario where the properties remain undisposed over several years and depreciate very quickly. There is also an added cost of holding on to such properties in terms of maintenance etc. so as to prevent them from falling into a state of decay.
4. The committee after considering the matter decided under the circumstances to recommend that the lowest rates in the 4 Zones in the past three years be made the criteria for fixing reserve price for auction/tender cases. Committee also agreed that Dwarka and Rohini may be included in West Zone for the purpose of fixing reserve price for auction/tender. It was also decided that rates may be rounded off to the nearest 1000.

F.A. (Housing) informed that these rates after 10% deduction are as under :-

West Zone(including Dwarka & Rohini)	Rs. 36,040/- Per sq. mtr. (or say Rs. 36,000/- per sq.mtr.)
North Zone	Rs. 36,942/- Per sq.mtr. (or say Rs. 37,000/- per sq.mtr.)
East Zone	Rs. 27,505/- Per sq.mtr. (or say Rs. 28,000/- per sq.mtr.)
South Zone	Rs. 55,355/- Per sq. mtr. (or say Rs. 55,000/- per sq. mtr.)

5. It was decided that these rates be applied to the plinth area of the shops as per information with the commercial estate branch and the reserve price of each unit be worked out accordingly as far as tenders/auctions was concerned.
6. The Committee also clarified that the reserve price as determined above be made applicable only in the context of auction/tender and not in the context of allotments to be made out of these properties to the reserved categories. The Committee recommended that the average tender prices achieved after disposal of the properties in the forthcoming auction / tender programme be made the basis of calculating the market price/reserve price for allotment during 2001 - 2002.
7. The above proposal was approved by Hon'ble Lt. Governor and accordingly the shops were put to tender.
8. As directed by Lt. Governor the proposal in Para-6 above is placed before the Authority for ratification.

RESOLUTION

Postponed.

Item No. 24/2002 SUB :- ALLOTMENT OF SHOPS TO RESERVED CATEGORIES OF EX-SERVICEMEN.

F. 25 (23) 2001/CE.

PRECIS

1. As per Resolution No. 130 dt. 22/9/1980, 2% of shops which come into the disposal under every year are reserved for Ex. Servicemen. 1% of shops so reserved are disposed off through tender in which any Ex.-Servicemen irrespective of their rank can participate while the other 1% of shops reserved for this category are allotted by computerised draw after inviting applications from the officers upto the rank of NCO's. Moreover, the authority has also vide this resolution fixed the maximum annual limit in case of allotment at Rs. 24,000/- per annum.
2. A reference has now been received from the Secretary of Rajya Sainik Board, NCT of Delhi that the Rajya Sainik Board during its meeting has recommended that DDA consider the matter of removal of income limit and all the ex-Servicemen & their widows below officer rank be considered for allotment of shops by DDA under the allotment scheme
3. This proposal has been examined. It is seen that in the present scenario while even the pension for the lowest ex-Servicemen would be more than Rs. 2000/- per month (Rs. 24,000/- per annum) and when the allotment is in any case restricted to the Ex-Servicemen upto the rank of NCO, there does not seem to be any need in retaining the income limit of Rs. 24000/- per annum.
4. The matter is accordingly placed before the Authority for consideration and approval of the proposal for deletion of income limit in case of allotment to Ex-Servicemen against the 1% reserved quota for them as explained above.

RESOLUTION

Approved.

Item No. Sub:
25/2002

Payment of deferment interest
F.174(Misc.)95/SFS/DW/Pt.

In the case of SFS flats normally 90% of the estimated disposal cost is recovered in 4 instalments before the name of the allottee is put to draw for allotment of specific flat. In these cases in case construction is delayed beyond two and a half years Belated Construction Interest (BCI) is paid at the prescribed rates. To avoid the payment of BCI where construction is not going as per schedule the instalments have been deferred in the past. But there were some allottees who have paid their instalments without knowing about the fact of deferment. A decision was taken to pay the deferment interest @ 10% per annum in all such cases, this interest was later on reduced to 7% per annum.

In May 2001, it was decided that where the allottee has deposited the instalment amount after the publication of deferment notice in the newspapers no deferment interest will be paid. After this decision allottees who have deposited money after the publication of notice in the newspaper interest has not been paid. In all the demand letters prior to May, 2001, deferment interest has been allowed where the allottee has paid instalments before the publication or after publication of the deferment notice in the newspapers. In some cases allottee had asked for refund and DDA had informed him that he will be paid deferment interest and there is no need for him to take a refund.

It is proposed that in all such cases where DDA has committed to pay deferment interest either conveying him in writing or it has been allowed in the demand letters issued prior to May, 2001, this may be honoured.

Therefore, the following proposal is submitted for approval of the Authority:-

In all cases where the allottee has deposited the instalment amount after the publication of the deferment notice in the newspapers, no deferment interest will be paid to them in all cases after May, 2001. However, in cases where DDA has committed to pay deferment interest by either conveying the allottee in writing or it has been allowed in the demand letters issued prior to May, 2001, the commitment may be honoured.

RESOLUTION

The decision was left to LG and VC was directed to put up the matter in file to LG.

Item No.
26/2002

Sub: Payment of Belated construction Interest.

A-21.1.2002

F.174(Misc)95/SFS/DW/Pl.

PRECIS

As per terms & conditions of the respective brochures of Self Financing Scheme as well as according to the policy of 31.3.99, DDA allows Belated Construction Interest (BCI) in cases where construction of flats under SFS is delayed beyond 30 months. The BCI is paid @ 7% per annum on the amount paid upto 36 months and @ 10% thereafter to the allottees. This interest is paid for the period after 30 months till the date of issue of 5th and final demand letters in bulk of the same sector/pocket/scheme and the amount is adjusted in the cost of the flat in 5th and final demand letter. Though, there are certain variations in the terms & conditions of the brochure, however, this is more or less DDA's policy for SFS flats.

In the SFS-IX, differences are there in the terms & conditions of the brochure of the scheme, terms & conditions of the allocation letter of the scheme and the rates given in the policy of 31.3.99.

- [a] As per terms & conditions of the brochure which is the starting point of the offer given to the general public the BCI is to be paid @ of 7% per annum on the total cost of the flat for any delay beyond 30 months.
- [b] As per terms & conditions of the allocation letter of SFS-IX, the rate of BCI is 7% per annum for first six months [beyond 30 months] and 10% per annum for the subsequent months on the cost of the flat excluding land premium.
- [c] As per 31.3.99 policy, it is 7% and 10% per annum respectively on the total cost of the flat i.e. construction cost and land premium.

From the perusal of the 3 conditions, it is very clear that there are differences which have given rise to confusion and allottees keep on representing for payment of more BCI. Opinion of the Legal Department of DDA was taken and as per that terms & conditions as laid down by the latest policy, which is the policy of 31.3.99, in regard to BCI is to be followed. Accordingly, in recent allotments in Vasant Kunj, payment of BCI was given as per 31.3.99 policy. This has been our general policy also in the past years.

Now the Finance Department has put up the case saying that conditions of 31.3.99 policy are very much favourable to the interests of the allottees and not that of DDA. They have recommended that we should give BCI as per the rates prescribed in the terms & conditions of the allocation letter, where the amount generally comes to be the least out of the 3 formulae given above.

Here it is pointed out that very few demand letters are now to be issued under the Self Financing Scheme and decision has already been taken to wind up allotment as per SFS. In future three bed room flats will be allotted under Higher Income Group (HIG) Scheme. About 500 demand letters of Dwarka and Shalimar Bagh only are to be issued to the allocatees of SFS-IX. If we differ from our policy then a situation might arise when in the same locality different prices are charged for the same type of flat on the same floor. This might cause heart burn amongst the allocatees. Therefore, once we have permitted a certain relief to majority of allottees then denying it or modifying that which adversely affect the interests of the allottees might also result into future court cases. Therefore, we may not change the policy in the dying stages of the SFS and continue to pay the BCI @ 7% per annum for the delays for construction between 30 and 36 months and 10% per annum for delays beyond 36 months. This BCI will be on the total cost of the flat including land premium.

A policy decision was taken not to allow the BCI in restored cases where the allocation earlier stood cancelled due to non-payment of the demanded amount or non-deposition of documents. This decision was followed since 1st April, 2001. However, in the cases where decisions were taken prior to 1.4.2001 to allow BCI as per the then existing policy and where in the final demand letters amount of BCI was shown and the allottee paid the demanded amount, we should honour our commitment. Moreover, there are cases where restoration was made prior to 1.4.01, but the demand letter was not issued by the DDA for some reason or the other. Here question is whether we should pay the BCI or not. If we take the date of restoration as the crucial date then BCI is to be paid. However, if we take the date of issuance of 5th and final demand letter, BCI cannot be allowed. To clear this confusion, it is proposed that we may take the date of restoration as the appropriate date for deciding the issue of BCI. Once the competent authority has restored the allocation/allotment of any date prior to 1.4.01, we may pay the BCI as per the then existing policy. However, if the date of restoration is on or after 1.4.01, no BCI may be allowed.

In the light of the aforementioned analysis, the following proposal is submitted for approval of the Authority :-

1. BCI shall be payable beyond initial 30 months @ 7% per annum for first six months of delay and then @ 10% per annum thereafter upto the bulk date of issue of 5th and final demand letter in the same sector/pocket/scheme. No BCI shall be payable in cases where allocation/allotment was cancelled and restored later on after 1.4.01. However, past commitments made on the earlier policy shall be honoured and the date of restoration will be the crucial date for finalising the BCI.

RESOLUTION

The Authority discussed the matter and left the decision to the L.G.

Item No. Sub: Adjustment of payment on change of allocation
27/2002 and interest on earlier allocation cancelled.

A-21-1-2002 F.174(Misc)95/SFS/DW/Pt.

PRECIS

There are a number of cases in Self Financing Scheme where allocatees are shifting from original allocated scheme to some other scheme due to various reasons like non-availability of sufficient number of houses in the original allocated scheme, cancellation and subsequent restoration due to default on the part of the allottee in making payment or on the request of the allottee himself etc. There might be some deposited amount by an allottee in the scheme where he was originally allocated a flat. However, since he has been allocated/allotted a flat under a different scheme, old deposits should be adjusted against the payment schedule of a later scheme. As per present practice, this amount is not adjusted in cases where allottee/allottee got change from one scheme to another on their own request. The logical course of action should be to allow any previous payment made by the allottee against the total demanded amount of the later allocation/allotment, of course, after deducting change or any other charges as per policy. Therefore, it is proposed that henceforth the old amount after deducting necessary charges should be adjusted against the payment schedule of the later allotment. However, no interest will be paid if the allottee has either paid prior to the schedule of ultimately allotted flat or in excess of the demanded amount.

When an allottee/allottee request for a change of sector/locality, the change charges amounting to Rs.7,500/- for Cat.II SFS/MIG flats, Rs.10,000/- for Cat.III SFS flat, Rs.5,000/- for LIG flats and Rs.2,000/- for Janta flats are taken. When an allottee/allottee wants to revert back to the old allotment then two change charges are taken from him/her. It is now proposed to have the following change charges in cases of approval of change by the competent authority in respect of floor/sector/locality/scheme :-

1. Rs.25,000/- for HIG/SFS Cat.III flat.
2. Rs.15,000/- for MIG/SFS Cat.II flat.
3. Rs.10,000/- for LIG flat.
4. Rs. 5,000/- for Janta flat.

However, even in cases where allottee/allottee reverts back to the old allotment due to any reason then the change charges will remain the same i.e. only one time change charges will be taken and not two times change charges as per the present policy.

In the SFS, in cases where the original allotment is cancelled and later on after restoration some other flat is given to the allottee/allottee, he is charged

current/old cost plus interest for the later allotment. However, in addition, he also has to pay the penal interest in respect of the previously allocated flat, which was never given to him. This is greatly resented by all the allocatees/allotees since they are paying full money for the newly allotted flat. It would be appropriate if lump sum penalty of Rs.5,000/- is charged for previous allocations in all such cases. Such allocatees shall still be liable for Actual Period Interest (API) as per the schedule of payment of the later scheme.

In the light of the aforementioned analysis, the following proposals are submitted for approval of the Authority :-

1. If an allocatee/allottee shifts/ is shifted from one scheme to another, his/her deposits in the previous scheme shall be adjusted against the schedule of payment of later scheme for working out API. However, no interest will be paid if the allottee has either paid prior to the schedule of ultimately allotted flat or in excess of the demanded amount.
2. In case of change on the request of the allocatee/allottee, change charges of Rs.25,000/- for Cat.III SFS/HIG flat, Rs.20,000/- for Cat.II/MIG flat, Rs.10,000/- for LIG and Rs.5,000/- for Janta flat shall be levied. Even in cases where the allocatee/allottee reverts back to the original allocated/allotted flat, one time change charges will be taken as per these rates.
3. The interest penalty on account of default in previous allocation shall be maximum of Rs.5,000/-.

RESOLUTION

Decision was left to L.G.

Item No.
28/2002

Sub: Proposal to make GREEN AREAS more user friendly and economically sustainable.
F. PA/D.L. (LS)/2002.

Precis

Delhi Development Authority is the first development authority which prepared a Master Plan for a city. The integrated plans are prepared for various aspects of urban development in Delhi. Master Plan has given due emphasis on 'creation of physical & social environment for improved quality of life'.

As per the policy, the green areas at the Master Plan level are under the control of DDA for care & maintenance even if the areas are denotified, the green areas remains with the DDA. However, the areas at colony level are handed over to the other civic agencies along with the colonies after the development works are completed. The Master Plan greens are developed as per the norms prescribed in the Master Plan and the use permissibility in each area is considered while designing & planning the greens areas. The use permissibility in the various categories of greens is annexed.

Delhi is one of the greenest cities compared to all other major cities of the country.

Percentage of green area in Delhi as well as in other States.

Delhi	19.0%
Bangalore	13.57%
Bikaner	2.63%
Kanpur	16.80%
Calcutta	1.75%

USE PERMISSIBILITY OF GREENS AS PER MASTER PLAN

P1 REGIONAL PARK: Regional Park, Residential Flat (for watch and ward), Picnic Hut, Park, Shooting Range, Zoological Garden, Bird Sanctuary, Botanical Garden, Local Govt. Offices (maintenance), Open Air Theatre, Police Post, Fire Post, Orchard, Plant Nursery and Forest.
Any Structure in this zone shall be of temporary nature.

P2: DISTRICT PARK: District Park, Residential Flat (for watch and ward & maintenance staff), Play Ground, Swimming Pool, Recreational Club, Children Traffic Park, Specialised Park/Ground, National Memorial, Bird Sanctuary, National Garden and Zoological Garden.

P3 PLAY GROUND, STADIUM & SPORTS COMPLEX: Play Ground, Outdoor Stadium, Indoor Games Stadium, Indoor Games Hall, Swimming Pool, Recreational Club, Residential Flat (for watch & ward and maintenance staff), Boarding and lodging House, Restaurant, Bank, Local Govt. Office (maintenance), Library, Sports Training Centre, Auditorium, Police post, Fire Post, Posts & Telegraphs Office and Health Centre.

AREA STATEMENT - DELHI

(in hectares)

**TOTAL AREA OF
UNION TERRITORY OF
DELHI** 148639.0

URBAN AREA 44777.0

**RECREATIONAL AREA
AS PER MPD 2001** 8722.0

**RECREATIONAL AREA
under DDA** 4520.0 (app) 51.82%

Urban area is extended
by urban ext. project
of Rohini, Narela &
Dwarka and increased
to 72,000 Hac. approx.

In urban extension proj.
recreational area is
proposed in the tune of
15-20% of total area.

+ all green areas in
urban extension projects.

GREENS IN DELHI UNDER DDA

REGIONAL PARKS	4nos
DISTRICT PARKS	126nos
CITY FOREST	25nos
NEIGHBOURHOOD PARKS	120nos.
PLAY AREA	26nos.
SPORTS CENTER	14nos.

Preamble:

The green areas under the DDA are presently in the categories of Regional Parks, City Forests, Distt. Parks, N.H. Parks, Sports Complexes, Play Fields etc. Presently, the green areas are utilised mainly by the morning & evening walkers and Sr. citizens. Only a small proportion of the greens which have been developed as Sports Complexes & play fields are used by the citizens throughout the day. The growing cost towards the maintenance and upkeep of the greens is seen from the Annual Hort. Budget in the last three years shown as per below :

<u>Year</u>	<u>Budget (In crores)</u>
1999-2000	67.2
2000-2001	78.8
2001-2002	90.0

Seeing to the growing upward trend in the budget, it is suggested that the activities in the green areas to be encouraged so that the utilisation of the greens is there throughout the day and growing cost can be curtailed by opening avenues for maintenance & upkeep by Public Sector Undertakings, Recognised Institutions and even Residential Welfare Associations. An attempt has also been made to encourage such activities which can earn revenues for the DDA to some extent. Presently all the greens are used free by the citizen and only a very small proportion of the greens has been put to such uses which brings some revenue to the DDA.

1. Sports Complexes & Play fields.
2. Hort. Nurseries.
3. Old Orchards existing in various green areas in the north Delhi predominantly.

Seeing to the present scenario, there is a need to make green areas more user friendly and economically sustainable. The green areas in DDA under various categories can be letout for public participation/privatisation as presented below:

Total area under DDA as green : 12,000 acres (approx.)
Annual Horticulture Budget : 90.0 crores

PRIVATISATION OF GREEN AREAS

- o Maintenance & Upkeeping of greens - Parks, Playgrounds, Traffic Islands etc.
- o Ticketing some important parks.

CITY FORESTS/ REGIONAL PARKS. :

- o Camping sites.
- o Guided nature trails/ heritage trails.
- o Orchards.
- o Yoga & Meditation Centre

MAJOR GREENS.

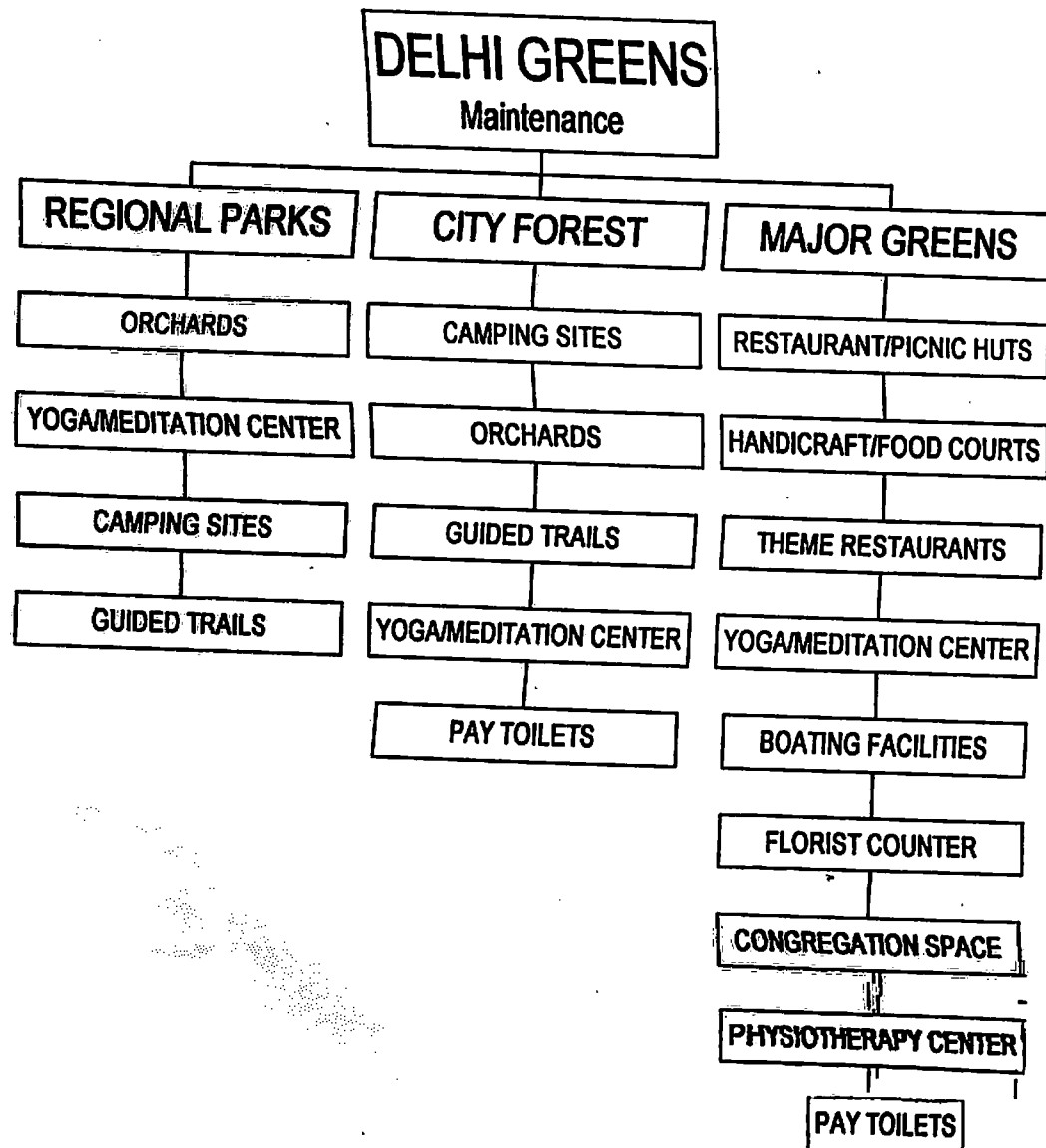
- o Restaurants/ Picnic Hut Complex.
- o Handicrafts courts along with food courts.
- o Theme Restaurants.
- o Horticulture display counters at strategic locations with florist shops and pay & use toilet facilities.
- o Boating facilities in Lake Areas.
- o Congregation areas for cultural functions, melas, exhibitions etc.
- o Physiotherapy centre.

ADVENTURE GAMES

- o Rock climbing.
- o Adventure aqua sports along River front.
- o Go carting.
- o Horse Riding
- o Amusement Parks.

JOINT VENTURE PROJECTS

- o Horticulture Nursery with private entrepreneur
- o Bio-diversity Park with Delhi University who will develop various eco-systems and landscape design by DDA.
- o Tourist Resorts/ Boating with DTTDC.
- o Floriculture/ Tissue culture with experts in the fields.



PROPOSED ATTRACTIONS

- ADVENTURE
GAMES

- Rock climbing
- Aqua sports
- Go carting
- Amusement Park

- JOINT
VENTURES

- Horticulture Nursery
- Floriculture
- Bio-diversity Park
- Tourist Resort

The main points towards privatisation of green areas are as follows:-

1. Ticketing some important Parks

Certain green areas which are popular amongst the citizens can be upgraded and made a model park so that these areas can be ticketed and maintained properly. Presently, all green areas under the DDA have no entry fee except at Deer Park at Hauz Khas, only an entry fee of 50 paise is practiced which also should be abolished since it serves no purposes and proper ticketing to be introduced as per policy.

2. Camping sites in larger green areas.

Camping sites can be encouraged in large green areas and at a nominal fee can be sublet to Educational Institutions and other Organisations like Scout & Guides and Mountaineering & Trecking Institutions etc..

3. Trails in Urban forest/Woodlands.

The large greens within the city are not used mainly due to lack of routes and directions. Trails with appropriate vantage points would encourage the citizens to frequent the place more often.

4. Orchards.

Orchards are presently existing in north pocket of Delhi predominantly and are leased out by the Hort. Deptt. which gives a very nominal revenue to the department. Orchards can generate revenue in the most natural form:

- They can be sublet for crop.
- They can be ticketed for tourist interaction.

5. Yoga.

DDA has predominantly taken care of providing facilities like fitness trail, yoga flat forms. These can also be given on nominal fee to certain organisations.

6. Restaurants & Picnic Huts

Restaurants & Picnic Huts have been provided in certain green areas as per Master Plan norms. These can be upgraded and properly utilised for earning revenue from such activities.

7. **Craft Bazaars & Food Courts.**

Revenue can be generated from organising Craft Bazaar in the greens. An informal arrangement around tree platforms may provide a setting. The Bazaar can have a theme according to season & festivals.

8. **Enhancement Thro' Lighting.**

The night time life can enhance the attraction of the greens. Areas near restaurants, sit outs and play field can have a better ambience with lighting.

9. **Boating - A pleasant Experience.**

Introducing activities along the water front would increase the logistics of the existing water bodies. The responsibility of maintaining these areas can be shared.

10. **Floriculture - A treat to the eye.**

Flowers of various kinds can be cultivated in the greens as a joint commercial venture. The floriculture area can become an visual asset without any extra cost.

DDA had earlier attempted a scheme of Adoption of Parks where maintenance of small parks at the neighbourhood level, traffic islands, green belts, play fields etc. was given to private agencies for upkeep and maintenance where the agency could put up a display board and the land was under the control of DDA and DDA could cut the cost of maintenance accordingly. The copy of the brochure is enclosed giving the terms & conditions for Adoption of the Parks which was duly approved by the Authority. Accordingly DDA can now go for further privatisation and joint ventures with various agencies for better upkeep & maintenance and qualitative greening of the areas. Certain agencies which have high tech technologies and equipments can be encouraged to take up the maintenance of the greens.

Terms & conditions and eligibility criteria can be worked out in details as per norms for different categories as per below :

1. Maintenance of Parks by corporate bodies etc.
2. Joint venture projects with Govt. Agencies.
3. Adventure games.
4. Restaurants/ Theme garden/ Craft bazar etc. within green areas.

II. The above position is placed before the Authority as an up-to-date information on the subject. Various possible options on the subject are put up for further consideration and advice of the Authority.

RESOLUTION

Postponed.

Item No.
29/2002

Subject: Benevolent fund scheme for the DDA employees.

F.1(51)01/GIS/Policy. PRECIS

1) Proposal in brief:

The Benevolent Fund scheme was introduced in 1979 with a view to provide relief to the aggrieved families of employees who died while in service. As per the scheme, an amount of Rs.10,000/- was paid to the family of deceased employee to generate fund for this purpose. Subscription of Rs.1/- per month per employee was stipulated. Later on, in 1987, the amount of monthly subscription was increased to Rs.3/- per month.

It is more than 20 years now since the scheme was introduced and with the lapse of time much of the real value of the payable amount of Rs.10,000/- has since got eroded. The various Employees' Associations have been demanding enhancement of the quantum of money payable in the event of death. It is proposed to upward revise the quantum of money payable from Rs.10,000/- to Rs.50,000/-. The enhanced amount of expenditure is proposed to be met by suitably increasing monthly subscription from Rs.3/- to Rs.35/- per month.

2) Background note

The scheme of Benevolent fund was introduced from 1st January, 1979 vide Authority's Resolution No.90 dated 21st August, 1979. All categories of DDA employees including work charged were required to contribute to Benevolent fund @ Rs.1/- per month. In the event of death of an employee while in service a sum of Rs.10,000/- is paid to the family of the deceased employee. The scheme did not contemplate any budgetary support from the funds of the DDA as it was thought that contribution of Rs.1/- per month received from the employees will be more than adequate to meet the payments @ Rs.10,000/- to be paid in the event of death occurring during the service. On review it was observed that the scheme was under deficit. Therefore, the subscription was raised to Rs.2/- per month w.e.f. April, 1984 and later on to Rs.3/- per month w.e.f. 1.8.87 with the approval of the Authority vide Resolution No.150 and 108 dated 3.9.84 and 21.9.87, respectively. At present recovery is being affected @ Rs.3/-pm and payment of Rs.10,000/- is being paid to the family of the deceased employee.

As indicated above, the above Benevolent Fund scheme was introduced way back in January, 1979. It is more than 20 years now and with the lapse of time much of the real value of the payable amount of Rs.10,000/- has since got eroded.

The various Employees' Associations have also been representing for effecting an increase in the quantum of money payable in the event of death on the ground that in today's price levels, an amount of Rs.10,000/- is too meager to provide any relief to the aggrieved family of the deceased employee.

It is also of relevance that the existing compassionate appointment scheme which provides for appointment of ward of the employees who die while in service, also remains no more than a paper assurance in today's context as number of jobs becoming available is grossly inadequate to take care of the demand of compassionate appointments. As against an average accrual of 110 compassionate appointment cases, the finalization is barely 5-6 cases. This extremely low finalization is due to non-availability of vacancies. In fact, the waiting list of compassionate appointment

candidates has swelled to more than 750 and wards of even such employees are waiting for appointment who died while in service, way back in 1992. The scheme of compassionate appointment, therefore, does not give any relief to the family in distress at a time when it is required most.

With the above back ground, a need has been felt to enhance the quantum of money payable to family under the Benevolent Fund scheme.

Analysis of the payment and receipt position under the above scheme also reveals that DDA administration is incurring deficit in running the Benevolent Fund Scheme at present level. The deficit till date has reached the level of Rs.9.69 lakhs till 31.2.2001

It is further submitted that while receipt trend would be downwards due to decrease in number of subscribing employees due to retirements and deaths, payments may go up as number of death may increase with the increasing age of the employees. Any financing from the Authority fund is not permissible, the deficit under the scheme is proposed to be met out of the excess of receipt over expenditure.

It is proposed to increase the payable amount from Rs.10,000 to Rs.50,000/- and employees' subscription amount from Rs.3/- per month to Rs.35/- per month. The proposal may be implemented w.e.f. the next financial year i.e. 1st April,2002 under the existing scheme of the Benevolent Fund, same amount of subscription is recovered from all group of employees and same amount is paid to the family of the deceased employee of all the groups. The same pattern is proposed to be followed.

Out of above mentioned sum of Rs. 50,000/- which is payable to the family of deceased employee who dies while in service, it is proposed to make minimum payment of Rs.5,000/- to take care of funeral etc. as soon as the intimation of death of the employee is received. This amount will be adjustable from the total amount of Rs.50,000/-.

3) Financial Implication

Since it is a Benevolent Fund Scheme, the receipts from the scheme should take care only of the payments under the scheme. An assessment of the receipts and payments has been made taking into consideration the average death rate. The position of estimated receipts and payments is indicated below:-

Estimated Receipt

No. of employees	21800
Monthly subscription	Rs.35/- per month
Total Receipts	Rs.91.56 lakhs

Estimated payment

Likely no. of deaths	180 per year
Quantum of payable amount	Rs.50,000/-
Total payment	Rs.90 lakhs

4) Why approval of the Authority is necessary:

The earlier Benevolent Fund scheme was brought into force with the approval of Authority vide Authority's Resolution no.90 dated 21st August, 1999 modified from time to time vide Resolution no.150 of 3.9.1984 and Resolution no.108 of 21.9.87.

For the above proposed modification, again, Authority's approval is required.

The matter is placed before the authority for consideration and approval of the proposal as above.

RESOLUTION

The Authority approved the proposals contained in the agenda item to raise subscription to the Benevolent Fund from Rs.3 per month to Rs.32 per month, instead of Rs.35 per month as proposed in the agenda item. It was also decided that the deficit, if any, under the scheme should be met by the DDA, as a welfare measure, and pay Rs. Fifty thousand per case as proposed in the agenda .

ITEM NO. 30/2002
H-21.1.2002
PROPOS
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ITEM NO.

30/2002

A-21.1.2002

Subject: REVISION OF PAY SCALES OF STAFF CAR DRIVERS

F. 5(04) 2001/P&C(P)

PRECIS

PROPOSAL IN BRIEF:

The proposal is to introduce a promotion scheme for Staff Car Drivers and revision of scale from 8.11.1996 on the pattern of the promotion scheme introduced for Staff Car Drivers by Govt. of India, Ministry of Personnel, P.G. & Pension (Deptt. Of Personnel & Training) and Govt. of India, Ministry of Urban Development and Poverty Alleviation

BACKGROUND NOTE:

The promotion scheme and the pay scales of Staff Car Drivers in DDA were earlier brought in line with ones prevailing in Govt. of India as per Authority's Resolution No.16/99. However, Govt. of India has further modified the promotion scheme and the pay scale of the Staff Car Drivers vide Govt. of India DOPT's OM no.4301954/96-Estt.(D) dated 15.2.2001 (App. A/L). The promotion scheme as revised in Govt. of India vide O.M. referred above is proposed to be adopted in DDA to remain in line with the pattern of Govt. of India.

∠ P-3-4

SPECIFIC ISSUES/RECOMMENDATIONS REQUIRING AUTHORITY'S APPROVAL/CONCURRENCE:

It is proposed to adopt the revised Govt. of India scheme as promulgated vide their OM No.4301954/96-Estt.(D) dated 15.2.2001 mutatis mutandis on DDA. The above would involve redistribution of post in various grades as indicated in the table below. A new grade of Rs.5000-8000 will get introduced which will be called "Special grade".

Promotion to the special grade shall be by non-selection (seniority-cum-fitness) from grade-I with 3 years regular service in Grade I of Staff Car Drivers. The revised ratio in which the posts of Staff Car Drivers shall be placed in different grades of Staff Car Drivers shall be as follows:-

Grades	Pay scales	Existing %age	Proposed %age of post in various grades
Ordinary Grade	Rs.3050-4590	55%	30
Grade II	Rs.4000-6000	25%	30
Grade I	Rs.4500-7000	20%	35
Special Grade	Rs.5000-8000	NIL	5

These orders shall take effect from 8.11.96. Hence, the posts of Staff Car Drivers as on 8.11.96 should be apportioned among the four grades in terms of the ratio mentioned above and promotions made to different grades accordingly w.e.f. 8.11.96 to the extent of shortfall in the relevant grade(s). Arrears of pay and allowances will also be allowed with effect from 8.11.96.

If as on the date of issue of the Office Memo, there is excess regular promotion already made in any grade as compared to the revised ratio mentioned above, such promotion shall be allowed to the excess incumbents on personal basis from the date of their initial promotion to that grade till they are covered within revised ratio prescribed above, but the period of such promotion on personal basis shall not count towards the eligibility service for further promotion.

The general policy of Govt. of India with regard to Seniority-cum-Fitness will continue to be followed strictly alongwith the ratio given w.e.f. 8.11.96.

This resolution modifies the Authority's earlier resolution No.16/99 dated 30.3.99 in file No.F.7(28)98/P&C(P).

The above proposal is now placed before the Authority for approval.

RESOLUTION

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

F.No.43019 54/96-Estt.(D)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi - 110001
February 15, 2001

OFFICE MEMORANDUM

Subject:-Promotion Scheme for Staff Car Drivers

20/2
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The undersigned is directed to say that the Principal Bench of the Central Administrative Tribunal (CAT), New Delhi in their judgement dated 5.5.2000 in the case of Central Government Staff Car Drivers' Association and Bikram Singh Vs. Union of India in O.A.No.2529/96 has directed as under:-

"...to grant the applicants the pay scale of Rs.1400-2300/- for the Master Craftsman/Head Staff Car Driver, presently existing in the Railways, from the date of filling of the O.A and to grant arrears and to allow consequential benefits."

2. Accordingly, the matter has been examined in consultation with the Ministries of Law, Finance and Railways and it has been decided to implement, with effect from 8.11.1996 (which is the date of filing of the O.A.No.2529/96). the above mentioned direction of CAT as in the succeeding paragraphs, in modification of the existing orders (copies enclosed) on the subject:-

- (i) DoP&T O.M.No.22036 1-92-Estt(D) dated 30.11.1993;
- (ii) DoP&T O.M.No.22036 1-92-Estt(D) dated 27.7.1995; and
- (iii) DoP&T O.M.No.35034-3-97-Estt(D) dated 1.6.1998.

3. A new Grade for Staff Car Drivers to be called "Special Grade" shall be introduced in the scale of pay of Rs.5000-8000.- with effect from 8.11.1996.


4. Promotion to the Special Grade shall be by non-selection (seniority-cum-fitness) from Grade I with 3 years' regular service in Grade-I of Staff Car Drivers. The revised ratio in which the posts of Staff Car Drivers shall be placed in different grades of Staff Car Drivers shall be as follows:-

S. No.	Grade	Pay scales	Percentage
1.	Ordinary Grade	Rs.3050-4500	30
2.	Grade-II	Rs.4000-6000	30
3.	Grade-I	Rs.4500-7000	35
4.	Special Grade	Rs.5000-8000	5

5. These orders shall take effect from 8.11.1996. Hence, the posts of Staff Car Drivers as on 8.11.1996 should be apportioned among the four grades in terms of the ratio mentioned above and promotions should be made to different grades accordingly with effect from 8.11.1996 to the extent of short fall in the relevant grade(s). Arrears of pay and allowances should also be allowed with effect from 8.11.1996 as directed by the CAT.

6. If as on the date of issue of this Office Memorandum there is excess regular promotion already made in any grade as compared to the revised ratio mentioned above, such promotion shall be allowed to the excess incumbents on personal basis from the date of their initial promotion to that grade till they are covered within the revised ratio prescribed above but the period of such promotion on personal basis shall not count towards the eligibility service for further promotion.

7. All Ministries/Departments are requested to bring the above decisions to the notice of all concerned for immediate action including necessary amendments in the Recruitment Rules.


(K.K. JHA)

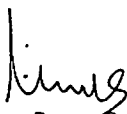
DIRECTOR(Establishment)


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14. All Sections in the Ministry of Personnel, Public Grievances and Pensions.
15. The Secretary, Staff Side, National Council (JCM), 9, Ashoka Road, New Delhi.
16. The General Secretary, Central government Staff Car Drivers' Association, G-86, Kirti Bagh-II, New Delhi 110021.
17. Shri Bikram Singh s/o Sarit Umesh Singh, H.No.348, Sector-XII, R.K. Puram, New Delhi 110022.
18. NIC (DOP&T) for placing this Office Memorandum on the website of DOP&T.
19. Establishment(1) Section, DOP&T (500 copies)


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ITEM NO.

30/2002

A-21.1.2002

Subject: REVISION OF PAY SCALES OF STAFF CAR DRIVERS

F.5(04)2001/P&C(P)

PRECIS

PROPOSAL IN BRIEF:

The proposal is to introduce a promotion scheme for Staff Car Drivers and revision of scale from 8.11.1996 on the pattern of the promotion scheme introduced for Staff Car Drivers by Govt. of India, Ministry of Personnel, P.G. & Pension (Deptt. Of Personnel & Training) and Govt. of India, Ministry of Urban Development and Poverty Alleviation

BACKGROUND NOTE:

The promotion scheme and the pay scales of Staff Car Drivers in DDA were earlier brought in line with ones prevailing in Govt. of India as per Authority's Resolution No.16/99. However, Govt. of India has further modified the promotion scheme and the pay scale of the Staff Car Drivers vide Govt. of India DOPT's OM no.4301954/96-Estt.(D) dated 15.2.2001 (App. 'A' & L). The promotion scheme as revised in Govt. of India vide O.M. referred above is proposed to be adopted in DDA to remain in line with the pattern of Govt. of India.

∠ P-3-4

SPECIFIC ISSUES/RECOMMENDATIONS REQUIRING AUTHORITY'S APPROVAL/CONCURRENCE:

It is proposed to adopt the revised Govt. of India scheme as promulgated vide their OM No.4301954/96-Estt.(D) dated 15.2.2001 mutatis mutandis on DDA. The above would involve redistribution of post in various grades as indicated in the table below. A new grade of Rs.5000-8000 will get introduced which will be called "Special grade".

Promotion to the special grade shall be by non-selection (seniority-cum-fitness) from grade-I with 3 years regular service in Grade I of Staff Car Drivers. The revised ratio in which the posts of Staff Car Drivers shall be placed in different grades of Staff Car Drivers shall be as follows:-

Grades	Pay scales	Existing %age	Proposed %age of post in various grades
Ordinary Grade	Rs.3050-4590	55%	30
Grade II	Rs.4000-6000	25%	30
Grade I	Rs.4500-7000	20%	35
Special Grade	Rs.5000-8000	NIL	5

These orders shall take effect from 8.11.96. Hence, the posts of Staff Car Drivers as on 8.11.96 should be apportioned among the four grades in terms of the ratio mentioned above and promotions made to different grades accordingly w.e.f. 8.11.96 to the extent of shortfall in the relevant grade(s). Arrears of pay and allowances will also be allowed with effect from 8.11.96.

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The general policy of Govt. of India with regard to Seniority-cum-Fitness will continue to be followed strictly alongwith the ratio given w.e.f. 8.11.96.

This resolution modifies the Authority's earlier resolution No.16/99 dated 30.3.99 in file No.F.7(28)98/P&C(P).

The above proposal is now placed before the Authority for approval.

RESOLUTION

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

F.No.43019 54/96-Estt.(D)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

New Delhi - 110001
February 15, 2001

OFFICE MEMORANDUM

Subject: Promotion Scheme for Staff Car Drivers

Handwritten signature and date: 20/2
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".....to grant the applicants the pay scale of Rs.1400-2300/- for the Master Craftsman/Lead Staff Car Driver, presently existing in the Railways, from the date of filling of the O.A. and to grant arrears and to allow consequential benefits."

2. Accordingly, the matter has been examined in consultation with the Ministries of Law, Finance and Railways and it has been decided to implement, with effect from 8.11.1996 (which is the date of filing of the O.A.No.2529/96). the above mentioned direction of CAT as in the succeeding paragraphs, in modification of the existing orders (copies enclosed) on the subject:-

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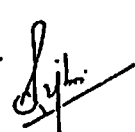
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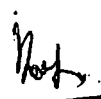
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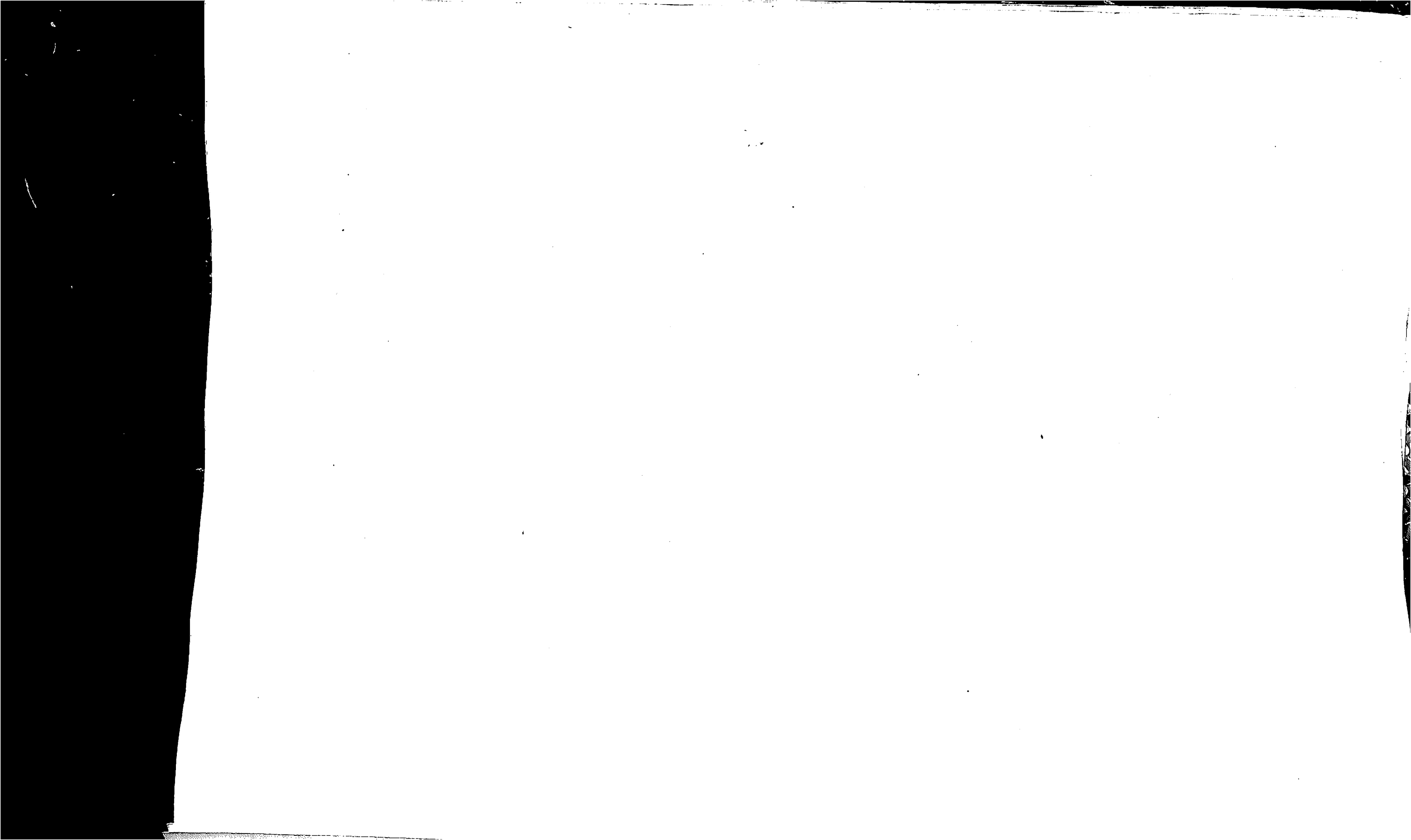
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