

255

Date of Meeting 19-1-06

Item No. 1 to 12.

Date of Meeting 24.3.06

Item No. 13 to 33

DELHI DEVELOPMENT AUTHORITY
(Office of the Pr. Commr. Cum. Secretary)

List of the agenda items to be discussed in the meeting of the Delhi Development Authority fixed for Thursday, the 19th January, 2006 at 3.30 P.M. at Raj Niwas, Delhi.

INDEX

Sl.No.	Item No.	Subject	Page No.
1	1/2006	Confirmation of the Minutes of the meeting of the Delhi Development Authority held on 19 th October, 2005 F.2(2)2005/MC/DDA	1-15
2	2/2006	Delegations of powers to the Full Time Mebers of the Authority for issuing Govt. Displeasure in the cases of Retired officers/officials of the Authority. F.27(7)04/Vig.II	16-17
3	3/2006	Disciplinary case of Shri R S Nimesh, Asstt. (Retd.) F.2(480)/69/PB-III	18
4	4/2006	Principles for conducting cadre rcviews. F.5(6)2005/P&C(P)	19
5	5/2006	Proposed utilization of land in Buland Masjid Area(Shastri Park Extn.) in River Yamuna bed, Zone 'O'. F.9(10)99-MP	20-32
6	6/2006	Change of land use of old Police Lines Rajpur Road (Zone-C) from 'Residential' to 'Public and Semi Public Facilities' (Police Headquarters Police Lines). F.8(2)2002-MP	33-34
7	7/2006	Relaxation in the length of service for promotion to the post of Chief Engineer in DDA. F.7(76)94/PB-I/Pt.	35
8	8/2006	Change of landuse of a piece of land measuring 3440 sq. mts. At Ashok Vihar from Residential to Public and Semi Public facilities. F.3(20)87-MP	36-37.
9	9/2006	Counting of period of work charge service rendered by the work charge (Regular) staff towards ACP benefit. F.7(12)99/P&C(P)/Pt.	38-46
10	10/2006	Policy for disposal of school sites of DDA. F.PS/Dir.(L)2003/DDA/291 Cases.	47-52
11	11/2006	Agenda for adoption of Annual Accounts for the financial year 2001-02 after Certification of Annual Accounts by the Office of the Accountant General (Audit) Delhi.	53-70
12	12/2006	Report of the follow-up action on the resolutions passed by the Authority in its Meeting held on 19.10.2005. F.2(2)2006/MC/DDA	71-89

-1-

Item No. Sub: Confirmation of the Minutes of the meeting
1/2006 of the Delhi Development Authority held on
19th October, 2005.
F.2(2)2005/MC/DDA

Minutes of the meeting of the Delhi Development Authority held on 19th October, 2005 are submitted for confirmation of the Authority (Appendix 'A' Page 2 to 15).

RESOLUTION

Request of the Chief Legal Adviser to delete para (iv) of para (b)III of item no. 63/2005 of the minutes was placed before the Authority. The LG however, indicated that even if such a decision had not been taken in the last meeting, it would still be desirable to conduct a review of the pending court cases and bring the same before Authority in the next meeting.

Minutes of the Authority meeting held on 19.10.2005 were confirmed with the above observations and with the directions that complete Action Taken Notes on all the points should be brought as a regular agenda in the next meeting of the Authority.

DELHI DEVELOPMENT AUTHORITY

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

Following were present :

CHAIRMAN

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

VICE-CHAIRMAN

- 2 Shri Dinesh Rai

MEMBERS

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

SECRETARY

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

SPECIAL INVITEES & SENIOR OFFICERS

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

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

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

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

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

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

ITEM NO.63/2005

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

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

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

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

.....

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

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

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

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

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

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

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

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

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

- (vi) The LG sought a report in the next meeting of the Authority about water logging at the back of bio-diversity park near village Jagatpur and about cleaning of Bhalaswa Lake and the nearby water body.
 - (vii) The Commissioner (Lands Management) informed that field inquiry had been completed for clearance of jhuggies from Outram Lines as per para-2 (iii) of "Other Points" of the minutes.
 - (viii) The LG asked the Vice-Chairman to submit a time bound programme and a plan of action by the next meeting of the Authority about proper upkeep of records/files for which necessary manpower/infrastructure could be arranged as per requirement, this being a key area in which Authority must act immediately.
- Shri Mange Ram Garg highlighted the importance of completion of land records and their proper maintenance.
- (ix) The LG reiterated his earlier decision that there should be a Vigilance inquiry in every case of missing file and responsibility fixed.
 - (x) Commissioner (Planning) assured the LG that proposals regarding Shazada Bagh Industrial Area as pointed out in para 3 (v) at page-15 of "Other Points" shall be put-up in the next meeting of the Authority.
 - (xi) Commissioner (Housing) informed that necessary compliance has been done.
 - (xii) The LG desired that Authority meetings be held more frequently as and when required, keeping in view the stipulation that they be normally held every month.

ITEM NO. 64/2005

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

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

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

ITEM NO. 65/2005

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

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

ITEM NO. 66/2005

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

Proposals contained in the agenda item were approved by the Authority

ITEM NO. 67/2005

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

Proposals contained in the agenda item were approved by the Authority

ITEM NO. 68/2005

- 8 -

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

Proposals contained in the agenda item were approved by the Authority

ITEM NO. 69/2005

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

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

ITEM NO. 70/2005

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

Proposals contained in the agenda item were approved by the Authority

ITEM NO. 71/2005

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

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

ITEM NO. 72/2005

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

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

- 9 -

ITEM NO. 73/2005

Sub: *In-situ Rehabilitation at Village Tehkhand (Change of Landuse).*
F.3(60)2005/MP

Commissioner (Planning) informed that one objection/suggestion from Shri Chetan Dutt had been received against the proposed change of land use, after the circulation of the agenda item.

This objection was also discussed by the Authority and after detailed discussions, the Authority approved the proposals contained in the agenda item.

ITEM NO. 74/2005

Sub: Policy for disposal of School Sites of DDA.

The LG pointed out that lands allotted at zonal variant rates/concessional rates to different categories viz. charitable societies, cooperative group housing societies, hospitals and schools were not fulfilling the desired social objectives and it had therefore become necessary to think of new modes of allotment of land to schools. He informed that all the available school sites had been offered to the Govt. of NCTD and the MCD and only those sites which had not been accepted by them are now proposed to be disposed of through auction/tender.

(ii) Shri Mange Ram Garg pointed out that MCD has 11 school sites in Ashok Vihar where the pass-percentage of students is ranging from 2% to 11%. He further pointed out that DDA should come up with such new proposals which enhance the quality of education in the city, rather than depriving the middle/lower income groups to get admissions at very high rates of fee in such schools which come up on auctioned land. He further pointed out that the Govt. of NCTD and the MCD did not have necessary physical and financial infrastructure to provide quality education in their existing schools and that they shall not be in a position to ensure finest standards of education in their new schools.

(III) Shri Mahabal Mishra and other non-official members sought deferment of the item so that alternative proposals could be examined.

II The LG advised all the members of the Authority to come up with their suggestions if any on the subject and send them to the VC, DDA. He also desired that a final view be taken in the next meeting of the Authority.

ITEM NO. 75/2005

Sub: Allotment of land to the evictees of Old Subzi Mandi
F.16(160)75/LSB(R)/DDA

Shri Mahabal Mishra sought an enquiry into restoration of 4 plots by the LG against specific decision contrary to the one taken by the Authority. He pointed out that Lok Adalat recommendations were advisory in nature and could not be made the basis for superceding the decisions of the Authority.

After detailed discussions, it was decided by the Authority to close the matter.

ITEM NO. 76/2005

Sub: Cadre review proposal of Planning & Allied categories.
F.7(136)90/PB.-I

The LG expressed concern that some of the members of the sub-committee were themselves the interested parties in the proposed cadre reviews and advised that a new committee should be constituted. It was thus decided to withdraw the cadre review proposals accordingly for re-examination.

(ii) The Jt. Secretary, MOUD advised that an official from the Finance Department should be associated with the proposed Cadre Review Committee.

(iii) Shri Mange Ram Garg pointed out that the cadre review of the Research cadres require fresh examination.

(iv) Shri Mahabal Mishra and Shri Jile Singh Chauhan sought early review of all the cadres alongwith these cadres.

- 11 -

(v) Shri Virender Kasaha pointed out that review of all the cadres should be conducted strictly according to same general principles, which are approved by the Authority, so that imbalances are not created amongst different cadres of DDA and uniform yardsticks are observed in all the cadre reviews.

ITEM NO. 77/2005

Sub: Report on the follow-up action on the resolution passed by the Authority in its meetings held on 27.2.2004, 5.7.2004, 24.8.2004, 22.11.2004, 10.1.2005, 28.2.2005 & 29.3.2005.
F.2(2)2005/MC/DDA

Noted.

ITEM NO. 78/2005

Sub: Standard Costing for flats - Plinth Area Rate from 1st October 2005 to 31st March, 2006.
F.21(1671)2001/HAC.

Shri Jile Singh Chauhan and other members of the Authority pointed out that increase in the plinth area rates should be kept at the bare minimum in the case of Janta, EWS and LIG flats.

The Finance Member informed that there was only notional increase in these categories. Proposals contained in the agenda item were thereafter approved by the Authority.

ITEM NO. 79/2005

Sub: Fixation of Rates for Institutional Land Premium for the year 2005-06.
F.2(4)96/AO(P)/DDA.

Shri Mahabal Mishra pointed out that there were a large number of unconstructed institutional plots waiting for disposal in the market and their allottees will take undue advantage of such a steep increase in rates by disposing of their plots at revised rates if the proposals are approved. He pointed out that the policy of disposal of school plots through auction will further help such allottees to unauthorisedly dispose of their existing allotments at unduly higher rates. Shri Mahabal Mishra cited the examples of Jessa Ram Hospital, Gujjar Mal Modi Hospital and Escorts Hospital alleging that they had recently

changed hands unauthorisedly and that DDA could not take any action inspite of a number of media reports of their proposed sale during the last two years.

(ii) Shri Virender Kasana pointed out that whereas increase in the rates was justified, DDA must take concrete steps to check unauthorised transfer of institutional lands by the existing allottees so that they do not take undue advantage of the new policies/decisions of the Authority.

(iii) The Finance Member sought an early decision in the matter so that institutional rates for the year 2005-06 are notified at the earliest. He informed that the rates of DDA's institutional lands were far less than market rates and the rates in the adjoining States.

II The LG informed that in most cases extensions for construction beyond one year were not being permitted so that the allottees can be compelled to construct immediately.

III The LG agreed with Shri Mahabal Mishra that notices should be served in all the cases where plots had been kept vacant all these years.

LG also directed that fresh surveys should be conducted within one month to identify all vacant institutional plots so that cancellation proceedings can be undertaken wherever necessary in a time bound manner.

(b) After detailed discussions, the Authority approved the proposals contained in the agenda item, subject to maximum increase in land rates in any area being restricted to 2 times of the existing rates rather than 2.5 times, as proposed in the agenda item.

ITEM NO. 80/2005

Sub: Commonwealth Games - 2010: Change of landuse of 16.5 Ha. in Zone 'O'.

The proposals contained in the agenda item were approved by the Authority.

ITEM NO. 81/2005

Sub: Agenda for adoption of Annual Accounts for the financial year 2004-05

The LG advised that DDA should engage renowned Chartered Accountants for in-house auditing. The Finance Member informed that Chartered Accountants have been engaged by the DDA through a panel given by the CAG's office for tax compliance purposes.

The Lt. Governor also advised that although the DDA had reduced the number of items of discrepancy pointed out by the AG's office from 27 to 14, efforts should be made to bring it down further.

(b) The Authority approved the proposals as contained in the agenda item and appreciated that the annual accounts for the Financial Year 2004-05 had been finalized and that the accounts of the DDA were now fully up to date.

ITEM NO. 82/2005

Sub: Permission for installation of Dish Antenna/Communication Towers.

This item was withdrawn.

OTHER POINTS

I Shri Mange Ram Garg pointed out the following:

i) Water harvesting should be introduced in a big way and the action plan should be put up to the LG.

ii) Good work had earlier been done in maintenance of DDA greens in pursuance of the regular reviews conducted by the Committee of non-official members headed by the Engineer Member and we should again come up with further detailed plans on the subject so that the work can continue in the same manner.

- iii) DDA should develop Old Age Homes/Community Centres and their management can be entrusted to private parties, if necessary. A report should be brought before the Authority whether the number of requests for conversion to freehold are increasing or decreasing.
- iv) DDA should safeguard its prime vacant plots measuring about 1500 sq.yds. in J Block of Ashok Vihar, about 2000 sq.yds. near the Water Tank and another plot lying near SFS Housing in Phase-IV, Ashok Vihar.
- v) Conversions to freehold should be approved without any inspections if the properties are located in the denotified areas and if the building activities of the area have already been transferred to the MCD.

II Shri Jile Singh Chauhan pointed out the following :

- i) The progress of finalisation of Zonal Plans should be expedited and completed in a time bound manner. If necessary, new Committees should be constituted to finalise the plans.
- ii) Change of land-use for the graveyard in Shastri Park should be expedited.
- iii) Development of Bhalaswa Lake should be expedited.
- iv) The work on sanitary landfill and development of Dheerpur needs to be speeded up.

III Shri Virender Kasana pointed out the following:

- i) DDA should take up upgradation and maintenance of the shopping markets developed and disposed of in the past.
- ii) All the common areas, including toilets and parking areas in these markets should be essentially used for common purposes. The toilet areas should be allotted on pay and use basis and the parking areas duly auctioned/tendered so that these facilities are available to the users rather than being encroached upon as at present. He

specifically drew attention to the parking areas/toilets of Alakhanda and Sheikh Sarai markets which had been taken over by unauthorized persons.

iii) The lands allotted to schools were being grossly misused for residential and hostel purposes. Major portions of these lands were being used for running technical education and higher education institutes/programmes for which immediate action for cancellation should be taken and the Delhi Government advised for withdrawing their affiliations rather than the DDA acting only under the orders of the Courts as at present.

IV Shri Mahabal Mishra pointed out the following:

i) Half yearly performance budget should be put up in the meetings of the Authority.

ii) Land for graveyard in Okhla should be provided at the earliest.

iii) Follow up action should be taken on the suggestions given by the members on MPD-2021 and necessary report brought before the Authority.

The LG agreed with this suggestion and advised a special meeting of the Authority for the purpose.

iv) Follow up action should be taken on the suggestions given by the members on the procedures to be adopted for bringing in the private developers and necessary report brought before the Authority.

v) Pay scales of the Superintendents should be revised w.e.f. 1.1.1986 on the pattern of Senior Stenographers, Assistants and PAs, to avoid unnecessary litigation.

The meeting ended with a vote of thanks to the Lt. Governor.

Item No.

2/2006

Sub.: Delegations of powers to the Full Time Members of the Authority for issuing Govt. Displeasure in the cases of Retired officers/officials of the Authority.
F.27(7)04/EE/Vig.I/*****

Major penalty proceedings under Regulation 25 of DDA Conduct, Disciplinary & Appeal Regulations 1999 were initiated against Sh.N.K. Gupta, SE (now Retd.) vide memo dated 27.1.2005. Sh.NK Gupta while functioning as EE/WD-8 during the year 2002-2004 and incharge of the work of "Constn. of Service Centre at Sect.9 Dwarka, SH: C/O Roads for Service Centre, Sect.9 Dwarka" failed to ensure adequate supervision and control over the work which resulted into less thickness and less volumetric quantity of stone aggregate in various layers of Water Bound Macadam with stone aggregate 90 : 44, 6.3 : 45, and 53 : 22.4 mm in Road No.2 and road No.8 (18mm R/W). The shortfall in material and sub-standard quality of the said work was observed but payment was made for the entire thickness resulting into over payment of Rs.2,42,354/-.

Sh.NK Gupta, SE(Retd.) also failed to ensure adequate supervision and control as unacceptable gradation of stone aggregate of all layers was allowed to be used in Road No.2 & Road No.8 as per the report of Q C Lab for the sample collected by vigilance branch. He also failed to ensure adequate supervision & control as standard stacking system was not followed in violation of CPWD Specifications.

Sh.N.K.Gupta, SE(Retd.) submitted his reply vide his letter dated 2.2.2005 wherein he has accepted the charges framed against him. He has also submitted other aspects about his work and responsibility.

Sh.N.K. Gupta, SE has retired on attaining the age of superannuation on 31.01.2005 as such his case is to be decided under the provisions of Rule 9 of Pension Rules which provides that "The departmental proceedings, if instituted while the Govt. servant was in service whether before his retirement or during his re-employment shall, after the final retirement of the Govt. servant, be deemed to be proceedings under this rule and shall be continued and concluded by the Authority by which they were commenced in the same manner as if the Govt. servant had continued in service.

The Departmental Proceedings if not instituted while the Govt. servant was in service, whether before his retirement, or during his re-employment :-

- (i) shall not be instituted save with the sanction of the President,

- (ii) shall not be in respect of any event which took place more than four years before such institution, and
- (iii) shall be conducted by such authority and in such place as the President may direct and in accordance with the procedure applicable to the departmental proceedings in which an order of dismissal from service could be made in relation to the Govt. servant during his service".

The VC, DDA being the disciplinary authority after considering the fact that Sh.N.K. Gupta SE(Retd.) has retired from the services of the Authority on attaining the age of superanation and other aspects about his work and responsibility recommended a lenient view in the case.

The CVC vide its communication dated 29th April, 2005 advised to take action as deemed fit or convey Govt. Displeasure to Sh.NK Gupta, SE (Retd.). The advice of conveying displeasure of the Authority give by CVC has since been accepted by the disciplinary authority vide minutes dated 27.5.2005.

It may be mentioned here that conveying of Govt. Displeasure is not a specified penalty under the Regulations. It is further mentioned that there is no policy regarding placing the matter before the 'Authority' for conveying the displeasure; in some cases the displeasure of the 'Authority' has been communicated by V.C. whereas in other approval of Authority has been obtained.

It is proposed that henceforth the displeasure of the 'Authority' to the retired employees of the 'Authority' may be conveyed with the approval of any Full Time Member of the Authority (i.e. V.C., F.M. or E.M.).

Now, therefore, the above proposal is submitted to the Authority for its consideration so that the displeasure of the 'Authority' henceforth will be conveyed to the retired employees of the Authority with approval of any Full Time Member (V.C., F.M. or E.M.) of the Authority.

RESOLUTION

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

Item No. Sub:
3/2006

-18-
Disciplinary case of Shri R.S.Nimesh, Asstt.
(Retd.).
F.2(480)/63/FB-III

ITEM NO. 13/2006

- 18-A -

Sub: Confirmation of the Minutes of the meeting of the Delhi
Development Authority held on 19th January, 2006.
F.2(2)2005/MC/Pt./DDA

Minutes of the Authority meeting held on 19th January, 2006
were confirmed with the following additions against different items as
detailed below:

i) Addition to item 3/2006:

"The Principal Commissioner -cum- Secretary informed that the
non-official members had suggested in the last meeting that there was
no need to continue their Committee which examines the quantum of
penalty in the vigilance cases, which was agreed to"

ii) Addition to item no. 4(a)(i) moved by Shri Mahabal Mishra:

"All those officers who do not have further channel of
promotion should be given the next higher Govt. of India scale of
pay along with suitable re-designation on their reaching
maximum of the pay scale".

iii) Amendment to item No. 10/2006 moved by Shri Mahabal
Mishra, Shri Jile Singh Chauhan, Shri Mange Ram Garg and Shri
Virender Kasana:

"They had reservation to this proposal and they left final
decision in the matter to the LG."

Amended minutes against this item will read as under:

"The proposal of auction of school sites of DDA was discussed in
detail. Shri Mahabal Mishra and Shri Virender Kasana expressed
certain reservations in respect of the proposal about auctioning of
school sites. But after discussions they left final decision in the matter
to the L.G. who advised that all the primary school plots should be
offered to the MCD and 50% of the senior secondary school sites in
every neighbourhood should be offered to Govt. of Delhi and 50%
disposed of by way of auction.

Nimesh,
pses that
dev Park
ff quarter
enty five
the staff

y Officer
vide EO
and held
he charge

Nimesh,
sensation,
bmit any

ee of non-
.36(A) 97
d with the
iod of five

hority and,

25% cut in
bmitted for

approved

Item No. Sub:
3/2006

-18-

Disciplinary case of Shri R.S. Nimesh, Asstt.
(Retd.).
F.2(480)/69/PB-III

Proposal in brief :

Major penalty proceedings were initiated against Sh. R.S. Nimesh, Asstt.(Retd.) vide Memo No.F.2(480)69/PB.III dated 10.12.2002 for the lapses that he was allotted staff quarter No.45 at Ber Sarai in lieu of flat No.107, Jaidev Park but he did not vacate the said staff quarter. Moreover, he subletted the staff quarter No.45, Ber Sarai and did not pay the licence fee of Rs.25065/-(Rupees Twenty five thousand sixty five only) for the period he was in possession of both the staff quarters.

Sh. B.K. Roy, Chief Engineer(Retd.), who was appointed as Inquiry Officer to enquire into the charges framed against Sh. R.S. Nimesh, Assistant vide EO No.563 dated 29.4.2003, submitted his findings vide report dated 7.4.04 and held the charges as proved against Sh. R.S. Nimesh, Assistant(Retd.), except the charge of non-payment of licence fee amounting to Rs.25,065/-.

Accordingly notice dated 8.6.04 was issued to Sh. R.S. Nimesh, Asstt.(Retd.) forwarding therewith a copy of IO's report for making representation, if any, against the findings of Inquiry Officer, but he did not submit any representation/submission against the findings of Inquiry Officer.

AND WHEREAS, the matter was considered by the sub-Committee of non-official members of the "Authority" constituted under Resolution No.36(A) 97 dated 16.7.97, in its meeting held on 8.12.04. The committee agreed with the proposal of imposition of the penalty of 25% cut in pension for a period of five years on Sh. R.S. Nimesh, Asstt.(Retd.) for the above said lapses.

Financial Implications : :

NIL

Why Approval of the Authority is required:

Sh. R.S. Nimesh, Asstt.(Retd.) is an ex-employee of the Authority and, therefore, competency to impose any penalty lies with the Authority.

NOW THEREFORE, the proposal for imposition of penalty of 25% cut in pension for a period of five years on Sh. R.S. Nimesh, Asstt.(Retd.) is submitted for consideration of the Authority.

RESOLUTION

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

Item No. Sub : PRINCIPLES FOR CONDUCTING CADRE REVIEWS
4/2006 F.5(6) 2005/P&C(P)

As was directed in the Authority meeting held on 19.10.2005, broad guiding principles for conducting of cadre review followed in DDA are spelt out in the following paras for kind information/approval of the Authority :

- (a) In DDA, we have been broadly following the same guidelines/principles for cadre review as followed under the Govt. of India.
- (b) These principles have been laid down by DOPT which are brought out below in brief :

- (i) Cadre review is to be seen as an exercise to restructure a cadre in such a way as to remove the deficiencies which might be existing at the time of constitution of service or have crept in subsequently and ensure that the cadre structure satisfies the functional, structural and personnel consideration.

- (ii) The main objectives of the cadre review are to :

- (a) estimate future manpower requirements on a scientific basis for a period of 5 years at a time.
- (b) plan recruitment in such a way as to avoid future promotional blocks and at the same time prevent gaps building up.
- (c) so restructure the cadre as to harmonise the functional needs with the legitimate career expectations of its members and thus
- (d) to enhance the effectiveness of the service.

- (iii) General principles of economy in expenditure are also required to be kept in view.

It is to bring out here that in DDA, there is no organized service. Further, there was earlier no system for conducting cadre review at a periodical interval of 5 years or so. In fact, in several cadres a proper cadre review exercise is being carried out for the first time. Absence of the system of cadre review at regular interval has led to distortions, all of which cannot possibly be rectified in one cadre review. Periodical cadre reviews will have to be carried out to completely address the problems.

Keeping in view the broad guidelines for economy in expenditure, as a policy, the possibility of managing different activities by outsourcing is extensively explored and there has been an endeavor to keep the cadre size to the bare minimum required levels as considered necessary to carry out the functions that cannot be outsourced and, thus, have to be essentially performed departmentally.

The matter is placed before the Authority for its kind consideration and approval of the guiding principles as spelt out above for carrying out the cadre reviews in DDA.

RESOLUTION

- a) (i) Shri Mahabul Mishra mentioned that while no cadre review has

been conducted for some of the cadres of DDA, in other cadres reviews are being made at regular intervals. It was mentioned by Shri Mishra that all the left out as well as isolated cadres should be covered under cadre review on priority in a time bound manner.

Shri Mishra also cited specific cases of Shri V.K. Dutta, Director (Systems) and Mrs. Meena Pahwa, Dy. Director (PG) mentioning that they have not got their promotion in their respective cadres since long whereas officers in similar position in other cadres have got their promotions long back and suggested that while carrying out the cadre review it also needs to be kept in view that some kind of inter cadre parity is maintained so that the promotional opportunities across various cadres are similar and there are no disparities or imbalances in this regard amongst the employees working in different cadres. He mentioned that the broad principles of cadre review need to take care of this aspect.

Shri Mahabal Mishra also suggested that the cadre structure should provide for time bound re-designation/promotion in a uniform manner across the cadres, if necessary, by giving the scale on 'personal/supernumerary' basis.

- (ii) Shri Jile Singh Chauhan suggested that all cadre reviews and promotions should be done expeditiously, in a time bound manner.
- (iii) Shri Virender Kasana echoed the same views as expressed by Shri Mahabal Mishra and suggested that non-official members should also be associated in the cadre review exercise.

- b)(i) *It was apprised to the Authority that the 'broad principles' of cadre review as indicated in the agenda are the same as are followed in Govt. of India.*

The Authority resolved that the broad principles of the cadre review as indicated in the agenda be approved.

- ii) *L.G. directed that the cadre reviews of all the cadres should be carried out in a time bound manner. He also directed that the time schedule for finalization of cadre review of various cadres as exist in DDA should be brought before the Authority in its next meeting.*

Item No.
5/2006

Subject: Proposed utilization of land in Buland Masjid Area (Shastri Park Extn) in River Yamuna bed, Zone 'O'.

ITEM NO. 13/2006

- 19 - c -

Sub: Confirmation of the Minutes of the meeting of the Delhi Development Authority held on 19th January, 2006.
F.2(2)2005/MC/Pt./DDA

Minutes of the Authority meeting held on 19th January, 2006 were confirmed with the following additions against different items as detailed below:

i) Addition to item 3/2006:

"The Principal Commissioner -cum- Secretary informed that the non-official members had suggested in the last meeting that there was no need to continue their Committee which examines the quantum of penalty in the vigilance cases, which was agreed to"

ii) Addition to item no. 4(a)(i) moved by Shri Mahabal Mishra:

"All those officers who do not have further channel of promotion should be given the next higher Govt. of India scale of pay along with suitable re-designation on their reaching maximum of the pay scale".

iii) Amendment to item No. 10/2006 moved by Shri Mahabal Mishra, Shri Jile Singh Chauhan, Shri Mange Ram Garg and Shri Virender Kasana:

"They had reservation to this proposal and they left final decision in the matter to the LG."

Amended minutes against this item will read as under:

"The proposal of auction of school sites of DDA was discussed in detail. Shri Mahabal Mishra and Shri Virender Kasana expressed certain reservations in respect of the proposal about auctioning of school sites. But after discussions they left final decision in the matter to the L.G. who advised that all the primary school plots should be offered to the MCD and 50% of the senior secondary school sites in every neighbourhood should be offered to Govt. of Delhi and 50% disposed of by way of auction.

ea
a
A
nd
an

of

ent

ver
dy'
) E

een Lat page 24)

Item No. **5/2006** **Subject: Proposed utilization of land in Buland Masjid Area (Shastri Park Extn) in River Yamuna bed, Zone 'O'.**

F.9 (10)99-MP

Background:

The Municipal Corporation of Delhi and the public representative of the area have made requests to the DDA for allotment of land for provision of a Primary School, Park and a Graveyard (Kabristan) in the vacant land of DDA in Zone "O". The land is located on the western side of the Marginal bund Road, adjacent to Shastri Park Extension and IT Park (DMRC). Location Plan is placed at (Appendix 'A' & 'B' at page 22 & 23).

2.0 Existing Situation:

2.1 The land is surrounded by bunds on all sides and located in the west of existing DMRC Depot & IT Park.

2.2 As informed by Lands Department on 8.12.2005, the land is Government land and under possession of DDA.

2.3 As per MPD-2001 the land use is 'Agriculture & Water body'.

2.4 Change of land use of adjoining area i.e. 51.9 ha land from 'River bed/Green' to 'Transportation' & 6.0 ha land from 'Agriculture & Water body' to 'Commercial (IT Park)' has been notified vide notification No. SO (1273) E dt. 5.11.2003 & SO (573) E dt.25.4.2005 respectively.

3.0 Proposal

3.1 Keeping in view the above, a Layout Plan (~~App. 'C'~~) has been ~~at~~ page 24) prepared which proposes the following:

A) Public & Semi-public Facilities	1.7ha
i) Primary School	0.4ha
ii) Grave yard	0.4ha
iii) OCF/future uses	0.9ha
b) Park	1.36ha
c) Circulation	0.66ha

TOTAL	3.72 ha

3.2 The existing land use is 'Agriculture & Water body'. Since parks & circulation are permitted in all use zones, the proposed Public & Semi public Facilities (1.70 Ha) requires change of land use from 'Agriculture & Water body' to 'Public & Semi-public facilities'.

4.0 Recommendation of Technical Committee:

4.1 The above proposal was considered by Technical Committee in its meeting held on 22.7.05 vide item no. 26/2005 (App. 'D' / which /at page 25) decided that 'Keeping in view that the change of landuse of the surrounding area towards the River bed has already been notified for the DMRC's IT park (Shastri Park), the proposed change of land use of land situated between IT Park and Marginal bund Road (Shastri Park Extension) was recommended for approval, subject to approval of Yamuna Standing Committee (CWC) and NOC from the MCD for the proposed Graveyard/Burial Ground.'

5.0 In pursuance of the decision taken in the Technical Committee Meeting on 27.07.2005, the proposal was referred to Yamuna Committee, CWC. The proposal was discussed in the 70th Meeting of the Yamuna Committee held on 11.11.2005 in which Yamuna Committee has agreed to clear the proposal (App. 'E' / /at page 26 With regard to the NOC from MCD, Commissioner, MCD vide to 31) D.O letter No CE II /2004/618, dated 13.12.2004 has requested to allot this land to MCD to construct a kabristan (App. 'F' at Page 32).

5.0 In view of above, the proposal as explained at para 3, and shown in the Layout Plan with change of Land use of 1.7 Ha. of land from 'Agriculture and Water Body' to 'Public & Semi-Public facilities', is placed before the Authority for consideration.

RESOLUTION

Proposals contained in the agenda item were approved by the Authority after the Commissioner (plg.) informed that the matter had already been discussed with the public representatives of the area.

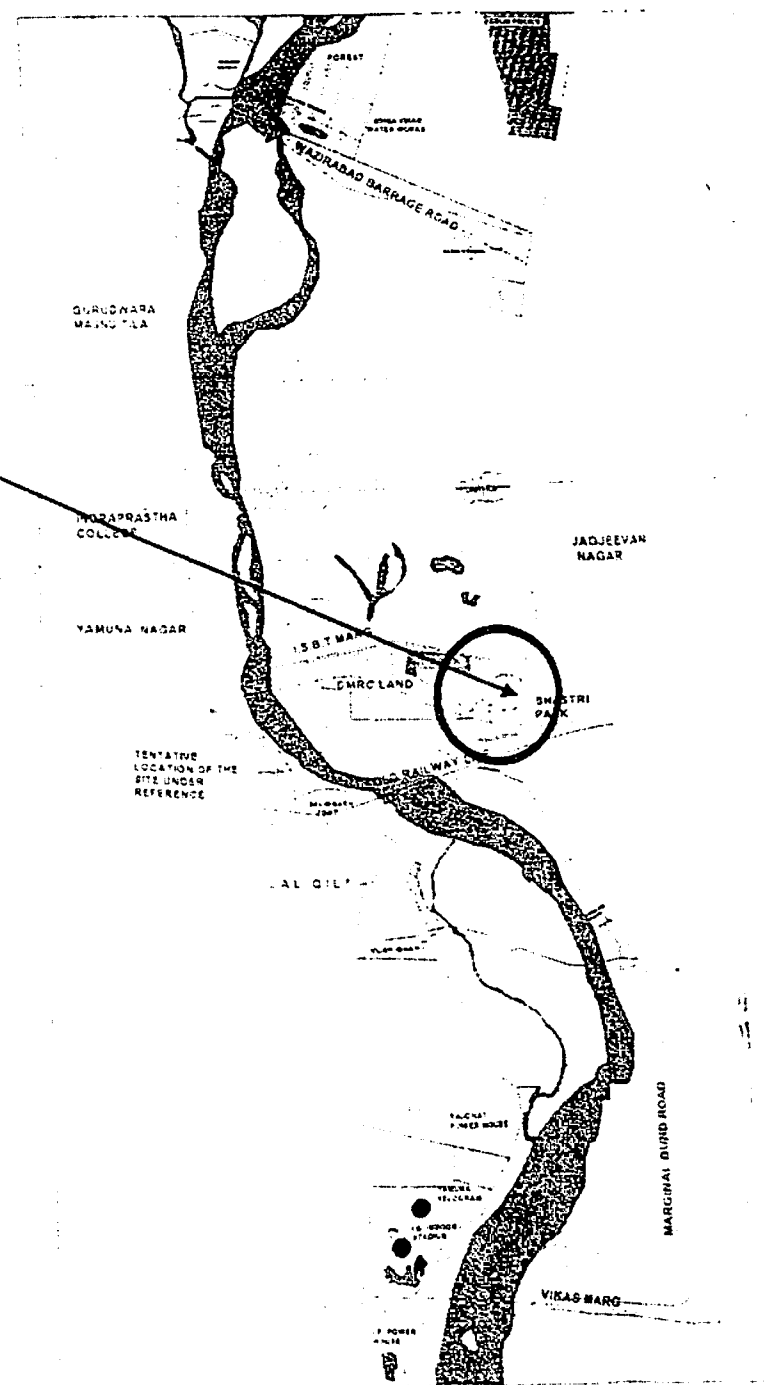
-22- APPENDIX 'A' TO ITEM NC,5/2006.
LOCATION OF THE SITE

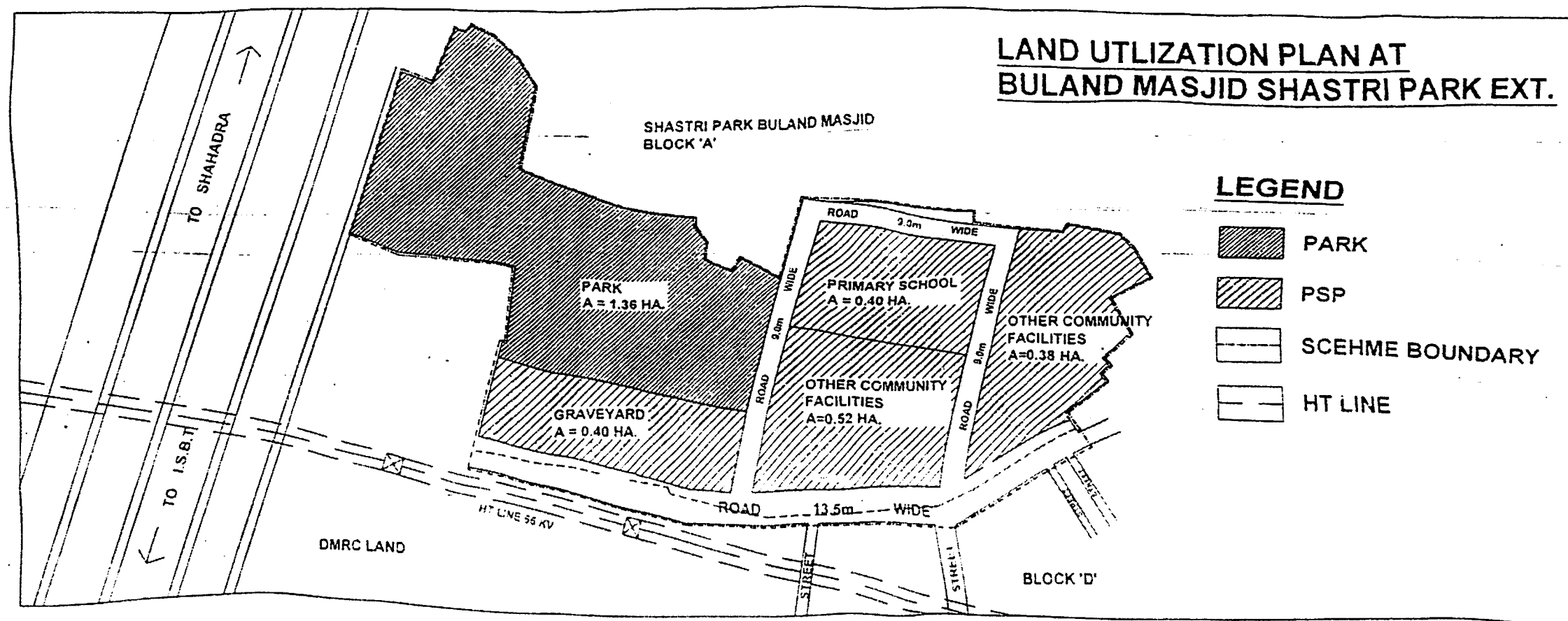


LAND UTILISATION PLAN



SITE





Item No. 23/2005

Sub: **Construction of Road under Bridge (RUB) connecting Road No. 58 & 64 passing below Delhi - Ghaziabad Railway Line.**
F.5(4)96- MP

The proposal for construction of Road under bridge connecting road no. 58 & 64 passing below Delhi - Ghaziabad Railway Line was approved. PWD agreed that they will remove the encroachments on their own for implementation of the proposal. It was also noted that the proposal had also been earlier recommended for approval by the Technical Committee in its meeting held on 25.3.97 with the observation that the detailed intersection design of road no. 58 & 64 below the Bridge and cross section may be worked out.

Item No. 24/2005

Sub: **Alignment Plan of proposed 60 m R/W road from GT Karnal Road (NH-1) - Singhu Border to Narela Town.**
F.15(11)2004-MP

Technical Committee observed that in view of the various other UERs, this road may not be constructed as major Urban Extension Road but as an internal connection. As such the proposed width (60m) of the road be reviewed keeping in view the volume of traffic envisaged and to discourage unauthorized construction along the green belt towards north of the proposed road. It was felt that 30 m width may be sufficient which should be planned so as to integrate with the overall plan of Narela sub-city and to minimize the requirement of land.

Item No. 25/2005

Sub: **Proposed 22 m wide road under via-duct in Sector 16(b), Dwarka, Phase II.**
F.4(16)95/DWK/Plg./Part IV

The proposal of the DMRC for construction of 22 M wide road under via-duct in a stretch of about 750 Mtr. between Sector 14 to 16(a), alongwith improvement of the intersections on both ends, was approved.

Item No. 26/2005

Sub: **Proposed utilization of land in Buland Masjid Area (Shastri Park Extn.) in River Yamuna Zone 'O' for Primary School and Graveyard.**
F.9(10)99-MP

Keeping in view that the change of land use of the surrounding area towards the River bed has already been notified for the DMRC's IT Park (Shastri Park), the proposed change of land use of land measuring 3.74 Ha. situated between IT Park and Bund Road (Shastri Park Extension) was recommended for approval, subject to approval of the Yamuna Standing Committee (CWC) and NOC from the MCD for the proposed Graveyard/Burial Ground.

16/1/वाई.सी./2005/बा.प्र. एक/ 1138

भारत सरकार
केन्द्रीय जल आयोग
बाढ़ प्रबन्ध निदेशालय, एक

कमर, सं 805, ज, सेवा भवन,
आर.के.पुरम, नई दिल्ली-110066.

दिनांक :- 21 नवम्बर, 2005

सेवा में,

1. महा निदेशक, सड़क,
जहाज व परिवहन मंत्रालय,
ट्रांसपोर्ट भवन, संसद मार्ग,
नई दिल्ली - 110001.
2. मुख्य अभियन्ता,
यमुना जल सेतुएं,
हरियाणा सिंचाई विभाग, सिंचाई भवन,
सेक्टर-5, पंचकुला, हरियाणा.
3. प्रमुख अभियन्ता, जल संसाधन, उत्तर प्रदेश
सिंचाई विभाग, कैंट रोड लखनऊ, यू.पी.
4. मुख्य पुल अभियन्ता,
उत्तर रेलवे, बडौदा हाउस,
नई दिल्ली-110001.
5. रादस्य योजना,
गंगा बाढ़ नियंत्रण आयोग,
तीसरा तल, सिंचाई भवन,
पटना-800015
6. मुख्य अभियन्ता,
सिंचाई व बाढ़,
दिल्ली राज्य सरकार,
अंतर्राज्य बस अड्डा भवन, चौथा तल,
कश्मीरी गेट, दिल्ली - 110007.
7. निदेशक, जल विज्ञान निदेशालय, उत्तर,
केन्द्रीय जल आयोग, सेवा भवन, रामकृष्ण
पुरम, नई दिल्ली-110066.

विषय:- यमुना समिति की 70वीं बैठक के मसौदा कार्यवृत्त

महोदय,

यमुना समिति की 70वीं बैठक जो कि दिनांक 11 नवम्बर, 2005 को सुबह 1100 बजे केन्द्रीय जल आयोग के समिति कक्ष, संख्या 307 (दक्षिण), सेवा भवन, रामकृष्ण पुरम, नई दिल्ली-110066 में हुई थी के मसौदा कार्यवृत्त अग्रिम कार्यवाही हेतु संलग्न हैं।

संलग्न: यथाउपरोक्त

भवदीय,

चन्द्रपाल सिंह

निदेशक एवं सदस्य सचिव यमुना समिति
दूरभाष :- 26100457

प्रतिलिपि मसौदा कार्यवृत्त के साथ जानकारी एवं उचित कार्यवाही हेतु भेजी जा रही है ।

1. सदस्य, नदी प्रबन्ध, केन्द्रीय जल आयोग, सेवा भवन, नई दिल्ली-110066.
2. आयुक्त, इन्डस, जल संसाधन मंत्रालय, सी.जी.ओ. कोम्प्लेक्स, ब्लॉक न.11, 8वाँ तल, लोधी रोड, नई दिल्ली.
3. निदेशक, केन्द्रीय जल एवं विद्युत अनुसंधान शाला, पूणे, खडकवासला अनुसंधान स्टेशन, पूणे - 411024.
4. सदस्य इंजीनियरिंग, दिल्ली विकास प्राधिकरण, विकास सदन, नई दिल्ली-110023.
5. मुख्य अभियन्ता, बाढ़ प्रबन्ध, केन्द्रीय जल आयोग, सेवा भवन, नई दिल्ली-110066
6. सदस्य 'जल वितरण' दिल्ली जल बोर्ड, दिल्ली सरकार, वरुणालय, फेज-2 करोल बाग, नई दिल्ली ।
7. योजना प्रबन्धक, वजीराबाद पुल योजना, दिल्ली टूरिज्म और ट्रांसपोर्टेशन डेवलपमेंट निगम लि० प्रोजेक्ट, प्लानिंग कार्यालय, सी०एम० जी० स्टेशन के नजदीक अपोजिट पंजाब कोसरी, प्रेमवारी अन्डर पास प्रोजेक्ट साइट, पीतमपुरा, नई दिल्ली-110099
8. सदस्य, 'डेनेज' दिल्ली जल बोर्ड, दिल्ली सरकार, वरुणालय, फेज-2 करोल बाग, नई दिल्ली ।
9. मुख्य अभियन्ता 'गंगा', उत्तर प्रदेश, सिचाई विभाग, गंगा भवन, विक्टोरिया पार्क, मेरठ, यू०पी०-226001
10. श्री सी०एम० पंडित, सदस्य सचिव, अपर यमुना नदी बोर्ड, बी०-4, कम्युनिटी सेन्टर, बी०1 ब्लॉक, जनकपुरी, नई दिल्ली ।
11. मुख्य अभियन्ता, लोक निर्माण विभाग जोन १, जी०ओ०डी०, एम०एस०ओ० बिल्डिंग, नई दिल्ली-110 002
- ✓ 12. श्री ए० के० मन्ना, संयुक्त निदेशक 'एम०पी०', दिल्ली विकास प्राधिकरण, विकास गीनार, आई०पी० स्टेट, नई दिल्ली-2

works to YSC for consideration of the proposal in the next meeting.

The representative of Delhi Jal Board informed in 70th meeting that details are yet to be finalized. The Committee decided to delete the item from the Agenda and that the proposal as and when received from D.J.B. would be considered as a new item.

(Action: Delhi Jal Board)

Item No. 70.3.0 New Items

Item No. 70.3.1 Construction of a bathing ghat in d/s of Shank No. 2 on left bank of river Yamuna at Bagpat town, U.P.

Superintending Engineer(Drainage Circle), Meerut, U.P. has submitted a proposal for construction of a bathing ghat in d/s of Shank No. 2 on left bank of river Yamuna at Bagpat Town, (U.P.) costing Rs.339 lac for clearance of YSC. The proposal envisages construction of a bathing ghat of size 180mx12m along with steps on the slope of the river bank.

This proposal was considered in the meeting and cleared by the Committee from interstate angle

Item No.70.3.2 Proposed utilization of land in Buland Masjid area (Shastri Park Extension) in river Yamuna Bed Zone 'O' for Primary school and Graveyard.

Shri A.K.Manna, Joint Director(MP), DDA, New Delhi had informed that the Municipal Corporation of Delhi and the Public representatives of the area have made requests to the DDA for allotment of land for provision of a Primary school, Park and a Graveyard (Kabristan) in the vacant land of DDA in zone 'O'. The land is located in

western side of the bund road, adjacent to colony named Shastri Park extension and I.T Park (DMRC) The details of land are follows:

1. The land is surrounded by bunds on all sides and located in the west of existing DMRC Depot & IT Park.
2. The land is with DDA & is prone to encroachment.
3. As per MPD-2001 the land use is 'Agriculture & Water body'
4. Change of land use of adjoining area i.e. 51.9 ha land from 'River bed/Green' to 'Transportation' & 6.0 ha land from 'Agriculture & Water body' to 'Commercial (IT Park)' has been notified vide notification No. SO(1273)E dated 5.11.2003 & SO(573)E dated 25.4.2005 respectively.

Layout plan has been prepared by the DDA which provides the following:

a)	Area under graveyard	0.4ha
b)	Area under Primary School	0.4ha
c)	Area under PSP uses	0.9ha
d)	Area under Park	1.36ha
e)	Area under circulation	<u>0.66ha</u>

Total 3.72 ha

Technical Committee of DDA has recommended for proposed change of land use of land measuring 3.72 ha situated between IT Park and Bund road (Shastri Park Extension) subject to approval of YSC and 'NOC' from the Municipal Corporation of Delhi for the proposed Graveyard.

A presentation on the proposal was made by the representative of DDA. In view of the fact that with development of adjoining land on western side by the DMRC for Depot & I.T. Park, plot of land for the proposed change of land use would not get inundated due to river Yamuna, it was agreed to clear the proposal.

(Action: DDA)

Item No.70.4.0 Any other item with the permission of the Chair.

Item No.70.4.1 Project estimate for providing protection to village Abadi and agriculture land d/s of Palwal Aligarh Road on right side of river Yamuna, district: Faridabad.

Chief Engineer, Haryana vide his letter dated 28.10.2005 has submitted a project estimate for providing protection to village Abadi and agriculture land d/s of Palwal Aligarh Road on right side of river Yamuna in the district: Faridabad amounting to Rs. 21.77 crores in pursuance of the decision taken in the 69th meeting of YSC under item 69.2.1. This proposal envisages construction of 16 km long embankment on the right bank of the river d/s of Palwal-Aligarh Road alongwith 51 nos. stone studs and 295.7 m(9700 ft.) long edge protection works.

Chief Engineer, U.P., stated that in view of lack of details it was not possible to ascertain the distance of the bund from river edge, length and design of studs and protection works and whether the works fall entirely within Haryana territory. He further stated that they had no objection to the proposal provided that the embankment and protection works were constructed as per the norms

of YSC. and were located entirely in Haryana. He wanted to know whether Atwa Bund which is closer to the active river edge is 600 m away from the river edge.? The representative of Haryana stated that the norms would be adhered to.

The matter was discussed at length and the proposal was cleared with a condition that the embankment and the protection works would be constructed as per norms of YSC and works would be carried out in Haryana territory only.

Item No.70.4.2. Project estimate for construction of Mandewala - Ballewala-Nawajpur Embankment and Bed Bars on right side of river Yamuna to Protect various villages of Chhahhraul Block in District Yamuna Nagar, Haryana.

Chief Engineer, Haryana vide his letter dated 28.10.2005 submitted a Project estimate for construction of Mandewala-Ballewala-Nawajpur Embankment and Bed Bars on right side of river Yamuna to Protect villages of Chhahhraul Block in District Yamuna Nagar cost amounting to Rs. 864.53 lacs; The proposal envisages extension of the Mandawala embankment on right bank of river Yamuna from its existing d/s end for a length of 11.60 km (38050 ft.) alongwith two bed bars of length 213.4m (700 ft.) & 457.3m (1500ft) respectively.

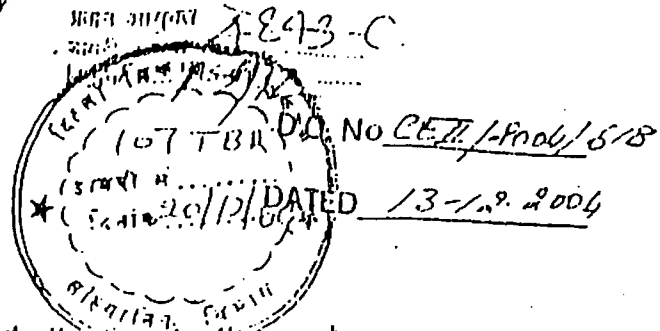
Chief Engineer, I&FC Delhi mentioned that map attached to the proposal was not to the scale and it was difficult to understand the proposal. The Chief Engineer, U.P. opposed the construction of embankment and long bed bars, as these were in violation of norms of YSC. It was observed that the

RAKESH MEHTA
IAS
COMMISSIONER



MUNICIPAL CORPORATION OF DELHI
TOWNHALL, CHANDNI CHOWK
DELHI-110006

Tel.: 23961012, 23967315 (TH)
23312652, 23739363



Dear Shri Gupta

I would like to draw your kind attention to the previous letters dated 17.10.97, 03.06.98 and 10.08.2000 issued by Shri V.K. Duggal and Shri S.P. Aggarwal, the then Commissioner, M.C.D. A requisition of D.H.O. (Health) dated 02.07.1997 in response to letter of Director (Land) dated 14.07.1997 is enclosed.

You are requested to kindly allocate a piece of land measuring 4.00 acres minimum to M.C.D. at Buland Masjid, Shastri Park and A, B, C & D Block Shastri Park marked A & B in plan so that a Qabristan be constructed at site. This area is thickly populated by Muslim Bahul Community and there is only one Qabristan at Welcome Seelampur Area.

With regards,

Encl: As above

Yours sincerely,
Rakesh Mehta
(RAKESH MEHTA)

Shri Madhukar Gupta,
VICE CHAIRMAN,
DELHI DEVELOPMENT AUTHORITY,
VIKAS SADAN, INA, NEW DELHI.

Item No. Sub: Change of land use of old Police Lines Rajpur Road (Zone-C)
6/2006 from 'Residential' to 'Public and Semi Public Facilities' (Police
Headquarters Police Lines)
File No.: F.8(2)2002-MP

1. Deputy Commissioner of Police vide letter no. 9544-47/L&B Cell/PHQ dated 1.10.2003 requested for change of land use of old Police Lines, Rajpur Road (Zone-C) from 'Residential' to 'Public and semi Public'.
2. Technical Committee in its meeting held on 30.9.2003 vide item no. 26/2003 recommended for submission and consideration of Authority for further processing of the proposal under Section -- 11-A of the DD Act, 1957.
3. Delhi Development Authority meeting held on 15.12.2003 approved the proposal of change of land use.
4. Under Secretary to the Govt. of India, MOUD vide letter No. 13011/1/2004-DDIs dated 11.2.2005 conveyed the approval of the Govt. to issue public notice under Section 11-A of the DD Act for the proposed amendment in MPD-2001 for effecting change of land use of 7.99 hac. Of land at Old Police Lines, Rajpur Road from 'Residential' to 'Public and Semi Public Facilities'.
5. Accordingly, a public notice had been issued in the leading newspapers and also notified vide Gaz. Of India no. 317 dated 30.3.2005 in the Gazette of India for inviting objection / suggestion (A pp. 'A'Z. It has been reported that no objection/suggestion has been received in response to the public notice.
6. The proposal is placed before Authority for approval so that MOUD could be requested to issue final notification for the proposed amendment.

(at page 34).

RESOLUTION

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

भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITYसं. 317/
No. 317नई दिल्ली, बुधवार, मार्च 30, 2005/चैत्र 9, 1927
NEW DELHI, WEDNESDAY, MARCH 30, 2005/CHAITRA 9, 1927

दिल्ली विकास प्राधिकरण

(मुख्य योजना अनुभाग)

सार्वजनिक सूचना

नई दिल्ली, 30 मार्च, 2005

का.आ. 447(अ).—दिल्ली विकास प्राधिकरण/केन्द्र सरकार का दिल्ली मुख्य योजना/क्षेत्रीय विकास योजना में निम्नलिखित संशोधन करने का प्रस्ताव है, जिसे जनता की जानकारी के लिए एतद्वारा प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो/कोई सुझाव देना हो, तो वे अपनी आपत्ति/सुझाव इस सूचना के जारी होने की तारीख से तीस दिनों की अवधि के अंदर प्रधान आयुक्त एवं सचिव, दिल्ली विकास प्राधिकरण, 'बी' ब्लॉक, विकास सदन, नई दिल्ली-110023 को लिखित रूप में भेज सकते हैं। आपत्ति करने/सुझाव देने वाले व्यक्ति अपना नाम और पता भी दें। प्रस्तावित संशोधन :

“पुरानी पुलिस लाइन्स, राजपुर रोड (जोन-सी) में 7.99 हैक्टे. भूमि क्षेत्र जो उत्तर एवं पूर्व में कोर्ट रोड (24 मीटर मार्गाधिकार), दक्षिण में बुलवर्ड रोड (60 मीटर मार्गाधिकार) और पश्चिम में राजपुर रोड (24 मीटर मार्गाधिकार) से घिरा हुआ है, का भूमि उपयोग 'आवासीय' से 'सार्वजनिक एवं अर्ध सार्वजनिक' (पुलिस मुख्यालयों और पुलिस लाइन्स) में परिवर्तित करने का प्रस्ताव है।”

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

[सं. एफ. 8(2)2002/एम.पी.]

1045 GI/2005 विश्व मोहन बंसल, प्रधान आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

New Delhi, the 30th March, 2005

S.O. 447(E).—The following modification which the Delhi Development Authority/Central Government proposes to make to the Master Plan/Zonal Development Plan for Delhi is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection/suggestion in writing to the Principal Commissioner-cum-Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi-110023 within a period of thirty days from the date of this notice. The person making the objection or suggestion should also give his/her name and address.

PROPOSED MODIFICATION:

“It is proposed to change the land use of an area measuring 7.99 ha of land at Old Police Lines, Rajpur Road (Zone C) bounded by Court Road (24 m R/W) in the North & East, Boulevard Road (60 m R/W) in the South and Rajpur Road (24 m R/W) in the West from 'Residential' to 'Public & Semi Public Facilities' (Police Head Quarters and Police Lines)”

The Plan indicating the proposed modification is available for inspection at the Office of Joint Director (MP) 6th floor, Vikas Minar, I.P. Estate, New Delhi on all working days during the period referred above.

[No. F. 8(2)2002/MF]

V.M. BANSAL,

Principal Commissioner-cum- Secy.

Item No. Sub: Relaxation in the length of service for promotion to the post of Chief Engineer in DDA.
7/2006
F7(76)94/PB-I/Pt.

This proposal is for relaxation in the length of service criteria by 2 ½ (from 7 years to 4 ½ years) for promotion to the post of Chief Engineer (Civil) / (Electrical). The need for relaxation has arisen on account of non-availability of sufficient number of officers having 07 years in the feeder cadre of S.E. for promotion to the post of Chief Engineer which is the required service as per the RRs. This has resulted in the vacancies of Chief Engineer remaining unfilled. There are total 9 sanctioned posts of Chief Engineers against which 8 officers are in position and there is one vacancy. Another vacancy arises in February, 2006 due to superannuation of Shri R.K. Sood.

Presently, officers with only 4 ½ years of service are available and, therefore, in order to consider them for promotion relaxation in the length of service criteria by 2 ½ years is required. It is proposed that the promotions may be made on ad hoc basis till the officers complete 05 years of service as S.E. including the service they may render as Chief Engineer on ad hoc basis, whereafter the promotions may be made on regular basis. It is mentioned that earlier also relaxation was given by the Authority allowing regular promotion to SEs with 05 years of service vide resolution against Agenda No. 28/2004.

The proposed relaxation is in reference to the DPCs that may be held to fill up the vacancies having arisen or likely to arise during the year 2005-2006.

The RRs of Chief Engineer were approved by the Authority vide Agenda No. 35 dated 5.3.1991. Power of relaxation in any provisions in the RRs in regard to a category or group of persons has been vested in the Authority. Approval of the Authority is, therefore, requested for the above relaxation.

The issue involved here is relaxation in provision of RRs. There is no financial implication.

Approval is accordingly sought for relaxation in the length of service criteria by 2 ½ years (from 7 years to 4 ½ years) for promotion to the post of Chief Engineer in reference to vacancies likely to arise during the current financial year. The promotions on the basis of this relaxation are proposed on ad hoc basis till the officers complete the 5 years of service as S.E. whereafter such candidates will be considered for promotion on regular basis.

RESOLUTION

- i) Shri Mahabal Mishra pointed out that he had always favoured promotions for the departmental officers and suggested that promotions should be made on adhoc basis if there was any difficulty in relaxing the Recruitment Regulations.

ii) Shri Virender Kasana drew the attention of the Authority to the fact that the Superintending Engineers were in the same rank and pay scale as Directors of DDA and pointed out that anomalies would be created if the Superintending Engineers are promoted as Chief Engineers after 4½/5 years of service, without providing similar avenues to those Directors who had already put in more than 8 to 10 years of service. He sought proposals to resolve such situations.

iii) The LG agreed with Shri Kasana and advised that the impact of such promotions/adhoc promotions on other cadres/employees must be studied and necessary steps taken to remove the resulting anomalies and imbalances.

After detailed discussions, the Authority resolved that the promotion against the proposed vacancies of Chief Engineer be made on ad-hoc basis only until the candidates complete the required length of service as per RRs, whereafter promotion on regular basis be made.

Item No.

8/2006

Sub : Change of landuse of a piece of land measuring 3440 sq.mts at Ashok Vihar
From Residential to Public and Semi Public facilities

File No: F.3(20)87-MP

1.0 INTRODUCTION

- 1.1 In pursuance to the Authority meeting held on 20.6.2003 approving the proposal for change of landuse vide item No. 29/2003, public objections/suggestions were invited vide Gazette notification dt. 30.3.2005 within a period of 30 days from the date of publish of the notice. Since no objections/suggestions have been received, the change of landuse is to be processed further.

2.0 EXAMINATION

- 2.1 Based on the request of the then Minister of Industries-Govt. of Delhi, for provision of a Burial Ground in Ashok Vihar Phase-IV for the Muslim Community living in the vicinity, the Technical Committee in its meeting held on 22.10.2002 vide item No. 27/2002 approved the proposal for further processing.
- 2.2 The matter was placed before the Authority which in its meeting held on 20.6.2003 approved the proposal vide item No. 29/2003
- 2.3 Vide public notice published in the Gazette notification dt. 30.3.2005, objections/suggestions were invited to the proposed modification from the public within a period of 30 days from the date of publication of the notice. (Appendix 'A' at page 37)
- 2.4 No objections/suggestions on the subject matter have been received.

3.0 PROPOSAL

- 3.1 The proposal for change of landuse of above referred piece of land from Residential to Public and Semi Public facilities (Burial Ground) is placed before the Authority for its consideration.

RESOLUTION

Shri Mange Ram Garg pointed out that the notice inviting objections/suggestions had possibly not been seen by the

- 36-A -

affected people. He sought reconsideration of the proposals also because of the fact that the complexion of the entire area had changed with the arrival of the Metro and because the site proposed for Kabristan was very near to the DDA's function site and the primary school.

The Authority considered these suggestions and decided to get the location of the Kabristan re-examined.

रजिस्ट्री सं० डी० एल-33004/99

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



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)प्रधिकार से प्रकाशित
PUBLISHED BY AUTHORITYसं. 318]
No. 318]नई दिल्ली, बुधवार, मार्च 30, 2005/चैत्र 9, 1927
NEW DELHI, WEDNESDAY, MARCH 30, 2005/CHAITRA 9, 1927

दिल्ली विकास प्राधिकरण

(मुख्य योजना अनुभाग)

सार्वजनिक सूचना

नई दिल्ली, 30 मार्च, 2005

का.आ. 448(अ).—दिल्ली विकास प्राधिकरण/केन्द्र सरकार का दिल्ली मुख्य योजना/क्षेत्रीय विकास योजना में निम्नलिखित संशोधन करने का प्रस्ताव है, जिसे जनता की जानकारी के लिए एतद्वारा प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो/कोई सुझाव देना हो, तो वे अपनी आपत्ति/सुझाव इस सूचना के जारी होने की तारीख से तीस दिनों की अवधि के अन्दर प्रधान आयुक्त एवं सचिव, दिल्ली विकास प्राधिकरण, 'बी' ब्लॉक, विकास सदन, नई दिल्ली-110023 को लिखित रूप में भेज सकते हैं। आपत्ति करने/सुझाव देने वाले व्यक्ति अपना नाम और पता भी दें। प्रस्तावित संशोधन :

"अशोक विहार में उत्तर में 24.0 मीटर चौड़ी सड़क से, दक्षिण में पार्क की चारदीवारी से, पूर्व में मौजूदा 15 मीटर चौड़ी सड़क से, पश्चिम में पार्क में चारदीवारी से घिरे 3440 वर्ग मीटर क्षेत्र के भूमि उपयोग को 'आवासीय' से 'सार्वजनिक एवं अर्ध-सार्वजनिक सुविधाओं (कब्रिस्तान)' में बदलने का प्रस्ताव है।" प्रस्तावित संशोधन को दर्शाने वाला नक्शा निरीक्षण के लिए उक्त अवधि के दौरान सभी कार्य दिवसों में संयुक्त निदेशक (मुख्य योजना) कार्यालय, छठा तल, विकास मीनार, आई.पी.एस्टेट, नई दिल्ली में उपलब्ध रहेगा।

[सं. एफ 3(20)/87-एम.पी.]

विश्व मोहन बंसल, प्रधान आयुक्त एवं सचिव

1046 GI/2005

DELHI DEVELOPMENT AUTHORITY

(Master Plan Section)

PUBLIC NOTICE

New Delhi, the 30th March, 2005

S.O. 448(E).—The following modification which the Delhi Development Authority/Central Government propose to make to the Master Plan/Zonal Development Plan for Delhi is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection/suggestion in writing to the Principal Commissioner-cum-Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi-110023 within a period of thirty days from the date of this notice. The person making the objection/suggestion should also give his/her name and address.

PROPOSED MODIFICATION :

"It is proposed to change the land use of an area measuring 3440 sqm. at Ashok Vihar, bounded by 24.0 m wide road in the North, boundary wall of the park in the South, existing 15 m wide road in the East, boundary wall within the park in the West from 'Residential' to 'Public and Semi Public Facilities (Burial Ground)."

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

[No. F. 3(20)/87-MP]

V.M. BANSAL, Principal Commissioner-cum- Secy.

Item No.

9/2006

Sub: Counting of period of work charge service rendered by the work charge (Regular) staff towards ACP benefit.

F.7(12)99/P&C(P)/Pt.

This is regarding counting of period of work charge service rendered by the Work charge (Regular) staff towards ACP benefit. The Ministry had earlier approved extension of ACP scheme in favour of Work charge (Regular) employees of DDA vide their letter dated 31.10.2003 (App. 'A' at page 41). However, for the purpose of extending the ACP benefit, only work charge (Regular) service was to be counted excluding the service rendered as work charge.

In the face of demands from various employees associations for also counting of work charge period of service besides the work charge (Regular) period of service, the matter was placed before the Authority vide Agenda Item no. 40/2004. After detailed discussions, it was decided by the Authority that total service rendered as work charge employees may be counted towards grant of ACP and the pensionary benefits and the ACP benefits may be made applicable from the date fixed by the Govt. of India, subject to concurrence of MOUD. A copy of the Agenda Note No. 40/2004 alongwith the resolution of the Authority is placed as (App. 'B' at page 42 to 45).

It would be relevant to bring out here that the above decision to count the work charge period in full towards pensionary benefit as well besides for ACP benefit was in partial modification of its earlier decision against Agenda no. 16/95 to count only 50% of the service rendered as work charge for pensionary benefits.

In the light of above decision of the Authority, the matter was referred to Ministry for necessary approval for counting service rendered as work charge for the purpose of ACP scheme. The Ministry was also requested to concur in the proposal for counting of full work charge service in stead of 50% for the purpose of pensionary benefits.

In response to the above, the Ministry vide its letter No. K-11011/8/2004-DDIA dated 25.10.2005 has observed that any service rendered by the work charge staff prior to 10.1.1991 (i.e. the date on which all the work charge staff were converted into work charge (Regular) should not be taken into account for grant of benefit under the ACP scheme unless the service of the work charge staff in question are regularized with appropriate approvals from a date prior to 10.1.1991. It has been advised by the Ministry to examine the matter in the light of these observations and if necessary, send further proposal in the matter (Letter of Ministry at (App. 'C' at page 46).

In the light of the above directions of the Ministry, the background of order of regularization of the work charge staff as work charge (Regular) issued in 1991 has been examined from which following position emerges:-

- (i) DDA had earlier passed an order in 1983 deciding that all the staff which were recruited on work charged basis upto December, 1978 would form a part of the regular work charged establishment of the DDA. Moreover, it was also decided that 50% of the posts on the work charged establishment would be treated in the regular work charged establishment of permanent nature. Further, it was also decided that only those posts in the work charged category which are in continuous existence for 3 years would be treated to be in the permanent regular work charged establishment.

6. It may be mentioned here that the above would not lead to any additional expenditure over and above what was envisaged in the proposal placed before the Authority vide Agenda no. 40/2004 referred above vide which approval for counting total service of work charge period for ACP as well as pensionary benefits was sought. Rather, there would be marginal reduction in the expenditure as the initial three years of continuous service of work charge would not be counted for ACP as well as pensionary benefits. The financial implications of the earlier proposal placed before the Authority vide Agenda no. 40/2004 is re-iterated below:-

"Extension of ACP scheme to work charged employees would lead to additional recurring expenditure of Rs.4 Crores per annum approximately. In case, it is considered to extend the scheme w.e.f. 9.8.1999 and it is also considered to count the work charge service also for grant of ACP scheme, likely amount of arrears of wages that would become additionally payable for the period from August, 1999 till March, 2004, would be of the tune of Rs. 18.7 Crores approximately as one time expenditure (@ approximately Rs.4 crores per annum for 4 years and 8 months).

So far as the issue of counting 100% of work charge service for the purpose of pensionary benefits is concerned, it is not feasible to work out financial implications. In case, it is decided to count 100% of the work charge service, old pension cases finalized since 1995 may also need to be re-determined."

In the above assessment, one time arrears was calculated upto March, 2004, however, as we are already in December, 2005, therefore, one time arrear payment amount would further go up by Rs. 7 crores approximately (Rs. 4 Crores per annum for another one year and 9 months). Thus, the one time arrear payment would become Rs.25.7 Crores, besides the annual recurring expenditure of Rs. 4 Crores approximately.

The above financial implications are in respect to the first ACP promotion. It has not been possible to assess the financial implications for the second ACP promotion as the same lies in distant future.

7. The matter is placed before the Authority for consideration of the proposal under Para (5) above. The financial implications are given under Para (6) above.

- (ii) On the basis of the above decision, a reply was sent to Parliament Question No. 2626 on 30.11.88 stating that the information about the work charged employees was being collected and shall be placed on the table of the House. In reply to this assurance, the Ministry vide their letter No. II-11016/40/88-DDVI/IA dated 13.6.90 gave following assurance :

" Posts in work charged category which are continuously in existence for the last 3 years are treated in permanent regular work charged establishment."

In another Lok Sabha Question No. 2144 fixed for 2.1.1991, a reply based upon the above assurance has been sent which reads as under:-

"DDA has already taken a decision to treat all those posts in work charged category which are continuously in existence for the last 3 years or more as in regular work charged establishment."

- (iii) The decision to bring all the work charge employees under Work charge (Regular) estt., was taken in January, 1991 under the above compelling circumstances in the face of the Parliamentary assurance stated above. The orders in this regard were issued on 10.1.1991 stipulating that the said conversion will have immediate effect.

It may be noted from the above position that the decision to convert such of the posts in the work charge, as were in continued existence for 03 years, into Regular work charge (Estt) had been taken in 1983 itself. This decision was with a rider that 50% of the posts under work charge (Estt) would be treated in the Regular work charge (Estt) of permanent nature. However, after 1983, no such conversion from work charge to work charge (Regular) Estt. was made until January, 1991 when it was decided to bring all the work charge staff under work charge (Regular) Estt. en-block as stated above.

5. One of the pleas taken by various employees Associations while demanding counting of work charge service for ACP benefit is that large number of employees have rendered long years of service as work charge as they were not regularized for many years until January, 1991. It has been argued that the exclusion of work charge service has put all these staff to a great loss.

In the above circumstances, one approach to redress the employee grievances could be given effect to the regularization w.e.f. the date the respective employee completed 03 years of continuous service as work charge which entitled them for regularization in terms of 1983 decision of DDA mentioned above, or w.e.f. 1983, whichever is later.

If above is agreed to, the demands of the various Employees' Associations would be met to a substantial extent as this would, in turn, imply that excluding only the initial three years of continuous service as work charge, rest of the service would be counted for pensionary benefits as well as for ACP benefits.

RESOLUTION

Shri Mahabal Mishra pointed out that the Work-Charged

Class-IV employees must be given their due and the proposals should be approved. All other non-official members also supported approval of the proposals.

It was, however, decided that the impact of the proposed regularization on similar employees/cadres of the Delhi Jal Board, MCD, Delhi PWD and the CPWD should be examined before a final view could be taken in the matter.

No. K-11011/8/2002-DDIA
Government of India
Ministry of Urban Development and Poverty Alleviation
(Delhi Division)

Nirman Bhawan, New Delhi
Dated the 31st October, 2003

Shri Sunil Sharma
The Commissioner (Personnel)
DDA, Vikas Sadan
New Delhi

Subject: Grant of financial up-gradation under ACP Scheme to
Work Charged Employees of DDA.

Sir,

I am directed to refer to DDA's letter no. F7(12)/P&C(P)/279 dated 09.10.2003 on the above subject and to convey the concurrence of the Ministry to the grant of financial up-gradation under ACP Scheme to Work Charged employees of DDA, whose services has been regularized w.e.f. 10.01.1991, subject to fulfillment of conditions laid down in Department of Personnel, Public Grievances and Pensions (DOPT) OM No. 35034/1/97-Estt. (D) dated 03.08.1999.

2. This issues with the concurrence of Finance Division vide their Dy. No. 2106/DFA/W&E/2003 dated 30.10.2003.

Yours faithfully,


(Parmjit Singh)
Desk Officer (DDIA)

40/2004

Sub: Assured Career Progress Scheme for Work Charge (Regular) staff.

Ref: F.7(12)99/P&CP(P).

Proposal in brief:

This agenda seeks to place before the Authority the issue of counting of work charge period of service also for the purpose of extending ACP benefits to DDA employees, for its consideration. The occasion to consider the matter arises in the wake of demands being made by several of employee associations for allowing benefit of work charge service also following the orders regarding the implementation of the ACP scheme in DDA recently.

2. Earlier, the Authority had approved a proposal for extending ACP scheme in favour of work charged employees vide Agenda no. 50/2003, (copy at App. 'A' / In the said agenda note while proposing extending of ACP / at P- 24 to 25) scheme to work charged (Regular) employees, it was also stipulated that only work charged (Regular) service would be counted excluding work charge service.

The proposal duly approved by the Authority as per above was referred to the Ministry which communicated its approval for extension of ACP scheme to work charged (Regular) employees vide their letter no. K-11011/8/2002-DDIA dated 31.10.2003.

On receiving the approval of the Ministry for implementation of ACP Scheme in favour of Work-charge (R) employees, notification for carrying out the implementation was also issued.

3. However, several of the employees associations have made representations demanding that the entire Work-charge service should also be counted along with Work-charge (Regular) period for determining the qualifying service for grant of ACP promotion. It has been brought out by the associations that a substantial number of work-charge (Regular) employees are such as have spent considerable length of service as work-charge. Therefore, exclusion of work-charge service for the purpose of ACP would put them at a great loss. It has also been said that, from time to time some work charged employees had been made regular while others appointed around the same time had not, which creates a situation of discrimination vis-a-vis such persons. Further, it has been mentioned that many of the employees are on the verge of retirement and would not be in a position to avail second ACP benefit if the work-charge portion of service is excluded from consideration.

4. On the issue of counting of work-charge service for the purpose of grant of ACP benefit, following are the relevant considerations:

- (i) Most of the recruitment in work charge took place during the period from 1976 to 1986. Major chunk of work charged employees appointed in or after 1979 have finally been regularized as work charged (Regular) in 1991. Thus, they have put in 5 to 12 years of service as work charge before being made work charge (Regular). There is, therefore, merit in the contention made by the associations that a large number of work-charge (Regular) employees would be deprived of the second

ACP promotion as their length of service will fall short of 24 years if work-charge service is excluded from the consideration

- (ii) The DOPF guidelines in regard to entitlement of ACP benefit to work-charge staff indicate the following -

"If, in the matter of service conditions, work-charged staff is comparable with the staff of regular establishment, there is no objection in extending the ACP scheme to the work-charged staff."

- (iii) So far as DDA is concerned, the work-charge (R) staff and work-charge staff are placed on more or less comparable footing in regard to their terms & conditions of service in the following respects :-

a) Work-charge staff are entitled for regular scales of pay, annual increment and all allowances such as D.A., HRA, Transport Allowance etc. as are admissible to work-charge (R)/Regular employees.

b) Before the introduction of the Pension Scheme, the work-charge employees were also covered under Contributory Provident Fund Scheme

- (iv) There is, however, a dis-similarity between Work-charge and Work-charge (R) staff in regard to entitlement of pension. While the full service rendered as work-charged (R) staff is to be counted as qualifying service for pension, only 50% of the service rendered by them as work-charge before that is being counted for pension. This stipulation was made vide Authority's Resolution Item No.16/95 under the competency of the Authority. However, various employees associations have been representing against this decision also since the time the above decision was taken.

- (v) It would also be pertinent to mention here that DDA has, in the past, broadly followed the CPWD systems in respect to the corresponding cadres in DDA

In the CPWD, the work charge service rendered by the employee has been counted in full towards pensionary benefits. Thus, in CPWD, the work charge service has been treated at par with regular service and the ACP benefit has accordingly been extended in full to the CPWD employees counting 100% of work charge service also.

- (vi) The Ministry's approval for implementation of ACP scheme in favour of work charged (Regular) employees of DDA is silent about exclusion/inclusion of the work-charge service for counting the qualifying service for ACP purpose.

5. In the above circumstances, the following issues arise for consideration:-

- (i) Whether the work charge service rendered by the staff be allowed to be counted for the purpose of grant of ACP scheme benefits to work charge (Regular) employees.

This has to be considered in the context of the criteria indicated by the Govt. as mentioned under para 4(ii) above.

- (ii) Related issue to the above would be the date of entitlement of the ACP benefit to the work charged (Regular) employees. The original scheme of Govt. of India was notified vide OM No 35034/1/97-Estt.(D) dated 9.8.1999. The scheme has an inbuilt clause that irrespective of the date of DPC if an employee is found fit for ACP, the benefit of ACP promotion would be admissible w.e.f. 9.8.1999.

The MOUD while communicating approval of extending of ACP scheme to work charged employees of DDA has advised that the same may be extended subject to fulfillment of conditions laid down in the aforesaid DOPT OM dated 9.8.1999. MOUD's approval has been communicated vide their no K-11011/8/2002/DDIA dated 31.10.2003.

- (iii) The allied issue which will arise if we consider the aspect of inclusion of the service rendered in work charge for purposes of ACP, relates to the issue of counting of 100% of work charge service for the purpose of pensionary benefits also, about which the position has been indicated in Para 4(iv) above.

A detailed background note in the matter is also enclosed as App. 'A' at p. 20 to 23.

2. Financial implications, if any.

Extension of ACP scheme to work charged employees would lead to additional recurring expenditure of Rs.4 Crores per annum approximately. In case, it is considered to extend the scheme w.e.f. 9.8.1999 and it is also considered to count the work charge service also for grant of ACP scheme, likely amount of arrears of wages that would become additionally payable for the period from August, 1999 till March, 2004, would be of the tune of Rs. 18.7 Crores approximately as one time expenditure (@ approximately Rs.4 crores per annum for 4 years and 8 months).

So far as the issue of counting 100% of work charge service for the purpose of pensionary benefits is concerned, it is not feasible to work out financial implications. In case, it is decided to count 100% of the work charge service, old pension cases finalized since 1995 may also need to be re-determined.

3. Why the Authority's approval is required:

Earlier, while placing the matter before the Authority vide agenda no. 50/2003 it was recommended that the work Charge (Regular) employees may be covered under the ACP scheme for which the service rendered by them as work charge (Regular) only be considered. The present proposal now being considered, would be a deviation from the earlier proposal as it is now proposed to count work charge service also as per para 5 above approve of the and therefore, would approval of the Authority.

The issue regarding counting of 50% of work charge service for the purpose of pension was earlier decided by Authority vide Agenda no 16/95. Any deviation from the same would also require approval of Authority.

RESOLUTION

After detailed discussions, it was decided by the Authority that total service rendered as work charged employee may be counted towards grant of ACP's and the pensionary benefits and the ACP benefits may be made applicable from the date fixed by the Govt. of India, subject to concurrence of the Ministry of Urban Development.

No.K-11011/8/2002-DDIA
Government of India
Ministry of Urban Development
(Delhi Division)

Nirman Bhawan, New Delhi-110 011.
Dated the 25th October, 2005

To

✓
Shri Sunil Sharma,
Commissioner (Personnel),
DDA, Vikas Sadan,
New Delhi.

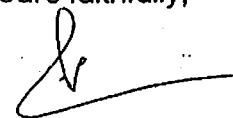
Subject: Grant of benefit of ACP Scheme to Work Charged Employees of
DDA.

Sir,

I am directed to refer to your letter no.F.7(12)/99/P&C(P)/Pl./175 dated 7.09.05 on the above subject and to state that the matter was again taken up with the Finance Division of the Ministry. They have observed that any service rendered by the Work Charged Staff prior to 10.1.91 should not be taken into account for grant of benefit under the ACP Scheme unless the service of the Work Charged Staff in question are regularized, with appropriate approvals from a date prior to 10.1.91.

2. You are requested to examine the matter in the light of above observations of the Finance Division and if necessary, send a further proposal in the matter.

Yours faithfully,


(Parmjit Singh)
Desk Officer

Item No.
10/2006

SUBJECT: POLICY FOR DISPOSAL OF SCHOOL SITES OF DDA.

File No.PS/Dir(L)2003/DDA/291 Cases.

1.0 Background

- 1.1 The Nazul Rules 1981 provide for allotment of institutional land for various purposes to Public Institutions (as defined in Section 5 of the Nazul Rules). Over a period of time these rules have been amended to provide for disposal of land for certain purposes by auction instead of allotment at concessional rates. As per the Resolutions passed by the Authority and/or orders of the Ministry of Urban Development land for hospitals, Professional/Technical Institutions, Clubs and Community Halls are to be disposed off through auction (in the case of Community Hall 50% of the lands/plots have to be disposed of by auction and the balance to be given to/developed by civic agencies). The remaining categories for which lands are still being disposed of by way of allotment include Schools, Religious Institutions and other Residual/Institutions pertaining to social, charitable and other institutional uses of an unspecified nature.
- 1.2 In the Authority meeting held on 15.12.2003, when it was decided that sites for various types of professional/technical institutions should be disposed of by way of auction in future, it had also been desired that the issue of auctioning land for schools which are being run on a commercial basis should also be examined in depth for a policy decision.
- 1.3 The issue has, accordingly, been further examined. The allotment of land for schools inter alia includes the following conditions:-
- "The society shall ensure that percentage of free ship from the tuition fee as laid down under a rule by the Delhi Administration

from time to time is strictly complied with. They will ensure admission to the students belonging to weaker section to the extent of 25% and grant free ship to them."

- 1.4 In addition to the above, it was also felt during the discussions that, henceforth, plots for primary schools, wherever earmarked, should be exclusively kept for use by Government/MCD because it has been practically observed that private bodies generally do not use such sites only for primary schools and invariably extend them to the secondary/higher secondary school level, thus causing a variety of problems in the concerned areas. Therefore, wherever a primary school is to be set up by a non-Government body it should be a part of an integrated school from pre-primary level upwards. The experience with respect to nursery school sites has also often been similar. It was, therefore, felt that we should consider not allotting any separate sites for nursery schools in future and those schools should either be part of integrated secondary/higher secondary schools, or should be allowed to be set up in residential premises, with suitable conditions, as a part of mixed land use policy.

- 1.5 In the above background, it is felt that the following policy, should, henceforth, be adopted in respect of allotment/disposal of sites for schools:-

(i) Identified sites for schools should be listed and sent to the Government of Delhi with a view to:-

- (a) vetting by the Directorate of Education with reference to the need and essentiality in the concerned areas; and
- (b) enabling the Government to identify the sites which should be set apart for construction/development of schools by the Government/MCD in a reasonable time frame.

- 1.6 In actual fact, it has been found that a very large number of institutions have not been adhering to this condition and there have also been practical difficulties in actual enforcement of these conditions. There have also been complaints that societies to whom such lands have been allotted for purposes of schools have been indulging in unauthorized transfer of such land through the mechanism of changing the promoters/Members of the Society, thereby leading to a situation where subsidized land is being cornered by persons masquerading as charitable societies but whose real motive is profiteering. Besides, all this, there have also been complaints of subjectivity in the process of allotment/identification of plots for specific societies.
- 1.7 Thus, the present system of allotment has led to enrichment at the cost of public exchequer besides bringing disrepute to the DDA and there have been frequent adverse reports in the media, questions in the Parliament, and criticism in Parliamentary Committees and CAG reports, as well as inquiries about the whole system.
- 1.8 The issue was also recently discussed in a meeting at the level of the Hon'ble LG with the Hon'ble Chief Minister, Government of Delhi, and the concerned officers of DDA and the Delhi Administration, and the view emerged that it would be desirable that plots for educational institutions should be disposed of by auction since this would ensure that there are no hidden subsidies which are misused and the sale would be at the market value, and the whole process of disposal would be much more transparent. However, in order to ensure that the needs and interests of the poorer sections of the society can also be protected, it was felt that sufficient number of sites should be kept available for the Government/MCD for the development of Government educational institutions. The possibility of utilizing a part of the funds generated from

sale of sites for schools in an appropriate manner for providing upfront financial assistance to poor students would be explored.

- (ii) All the sites which are not identified/earmarked for the Government/MCD should be disposed of through tender/auction.
- (iii) For the purpose of purchase through auction, any individual who is not a minor, association of individuals or any registered society would be eligible to participate in the auction. The terms of auction would inter alia lay down strict conditions for utilization of the site within a definite time frame. The property would be given on lease basis, and the lease would be liable for termination if the site is not utilized within the stipulated time frame.
- (iv) No sites would be earmarked/disposed of to non-governmental bodies for the exclusive purpose of setting up a primary school or a nursery school.
- (v) A separate proposal would be considered and put up for the use of residential property for nursery schools as a part of mixed land use policy.
- (vi) Once a decision is taken to change the mode of disposal of all school sites to auction as indicated above, all pending proposals/IAC recommendations for allotment of school sites would automatically abate.
- (vii) If the proposal is approved, the Ministry of Urban Development will be requested to make the necessary amendments in the Nazul Rules.

The non-official members voicing their disagreement with the policy proposed in the agenda stated that DDA/Government should, instead, lay more emphasis on enforcement of the terms and conditions of allotment

rather than changing the policy. Shri Kasana also pointed out the need to take action against, including cancellation of the allotment, in cases where the allottees had not constructed the buildings within the stipulated time.

The Authority's decision was deferred after observations by the non-official members who suggested that the DDA should lay more emphasis on enforcement of terms and conditions of allotment rather than changing the policy. It was also pointed that there is a need to take action against the societies including cancellation of the allotment in cases where allottees had not constructed the building within stipulated time.

- 1.9 An exercise was taken up by DDA in the context of a query by the Public Accounts Committee (PAC) regarding action against non-constructed school sites. The factual status is that only 2 school sites out of the 27 cases referred to in the PAC report; are vacant, and all the other sites are either built up or under construction.

Allotment of land to the schools is being made with a stipulation of 25% free ship to the weaker sections so far, but the majority of the schools under the banner of Action Committee of unaided recognized private schools are contesting the freeship condition even to the extent of stating that they are not liable since the condition is not imposed in lease document though it is mentioned in allotment letter.

- 2.0 DDA on its part cannot enforce the condition on such a large scale due to lack of sufficient machinery. Even if there is a sufficient machinery, this results in inspector raj, where school will be subject to frequent harassment. Even if any school is noticed as a defaulter, DDA cannot do much because the cancellation of the school will result in de-recognition and consequentially the students cannot give exam and this course of action will have far more serious implications.

- 2.1 It was replied before the Public Accounts Committee that DDA proposes to adopt a two pronged approach of allotment on pre-determined (concessional) rates to Government agencies and local bodies for setting up a school in public sector and disposal of land by auction to other eligible organization desiring to set up schools in private sector.
- 2.2 The purpose of concessional allotment being followed till now was that the Societies setting up schools would operate on charitable lines and provide affordable education, but it has been noticed that in due course, many Societies start functioning on commercial lines. If the mode of allotment for such organizations is through auction, accurately reflecting the market value of the land, it is reasonable to expect that self-correcting market forces would come into play and schools would have to offer competitive education at reasonable fee structure, in order to survive.
- 2.3 The new Educational bill proposed by Govt. of India will make it mandatory for all schools to provide free education to poor and weaker sections. Besides this, our auction condition will also incorporate a stipulation that the auctioneer will follow the free ship as prescribed under rules by DSE Act.

Proposal:

In this background, the proposal for auction is resubmitted to the Authority for reconsideration.

RESOLUTION

The proposal of auction of school sites of DDA was discussed in detail. Shri Mahabal Mishra and Shri Virender Kasana expressed certain reservations in respect of the proposal but after discussions, the Authority agreed with the LG that all the primary school plots should be offered to the MCD and 50% of the senior secondary school sites in every neighbourhood should be offered to Govt. of Delhi and 50% disposed of by way of auction.

Item No.
10/2006

SUBJECT: POLICY FOR DISPOSAL OF SCHOOL SITES OF DDA.

File No.PS/Dir(L)2003/DDA/291 Cases.

1.0 Background

- 1.1 The Nazul Rules 1981 provide for allotment of institutional land for various purposes to Public Institutions (as defined in Section 5 of the Nazul Rules). Over a period of time these rules have been amended to provide for disposal of land for certain purposes by auction instead of allotment at concessional rates. As per the Resolutions passed by the Authority and/or orders of the Ministry of Urban Development land for hospitals, Professional/Technical Institutions, Clubs and Community Halls are to be disposed off through auction (in the case of Community Hall 50% of the lands/plots have to be disposed of by auction and the balance to be given to/developed by civic agencies). The remaining categories for which lands are still being disposed of by way of allotment include Schools, Religious Institutions and other Residual/Institutions pertaining to social, charitable and other institutional uses of an unspecified nature.
- 1.2 In the Authority meeting held on 15.12.2003, when it was decided that sites for various types of professional/technical institutions should be disposed of by way of auction in future, it had also been desired that the issue of auctioning land for schools which are being run on a commercial basis should also be examined in depth for a policy decision.
- 1.3 The issue has, accordingly, been further examined. The allotment of land for schools inter alia includes the following conditions:-
- "The society shall ensure that percentage of free ship from the tuition fee as laid down under a rule by the Delhi Administration

from time to time is strictly complied with. They will ensure admission to the students belonging to weaker section to the extent of 25% and grant free ship to them."

- 1.4 In addition to the above, it was also felt during the discussions that, henceforth, plots for primary schools, wherever earmarked, should be exclusively kept for use by Government/MCD because it has been practically observed that private bodies generally do not use such sites only for primary schools and invariably extend them to the secondary/higher secondary school level, thus causing a variety of problems in the concerned areas. Therefore, wherever a primary school is to be set up by a non-Government body it should be a part of an integrated school from pre-primary level upwards. The experience with respect to nursery school sites has also often been similar. It was, therefore, felt that we should consider not allotting any separate sites for nursery schools in future and those schools should either be part of integrated secondary/higher secondary schools, or should be allowed to be set up in residential premises, with suitable conditions, as a part of mixed land use policy.
- 1.5 In the above background, it is felt that the following policy, should, henceforth, be adopted in respect of allotment/disposal of sites for schools:-
- (i) Identified sites for schools should be listed and sent to the Government of Delhi with a view to:-
 - (a) vetting by the Directorate of Education with reference to the need and essentiality in the concerned areas; and
 - (b) enabling the Government to identify the sites which should be set apart for construction/development of schools by the Government/MCD in a reasonable time frame.

- 1.6. In actual fact, it has been found that a very large number of institutions have not been adhering to this condition and there have also been practical difficulties in actual enforcement of these conditions. There have also been complaints that societies to whom such lands have been allotted for purposes of schools have been indulging in unauthorized transfer of such land through the mechanism of changing the promoters/Members of the Society, thereby leading to a situation where subsidized land is being cornered by persons masquerading as charitable societies but whose real motive is profiteering. Besides, all this, there have also been complaints of subjectivity in the process of allotment/identification of plots for specific societies.
- 1.7. Thus, the present system of allotment has led to enrichment at the cost of public exchequer besides bringing disrepute to the DDA and there have been frequent adverse reports in the media, questions in the Parliament, and criticism in Parliamentary Committees and CAG reports, as well as inquiries about the whole system.
- 1.8. The issue was also recently discussed in a meeting at the level of the Hon'ble LG with the Hon'ble Chief Minister, Government of Delhi, and the concerned officers of DDA and the Delhi Administration, and the view emerged that it would be desirable that plots for educational institutions should be disposed of by auction since this would ensure that there are no hidden subsidies which are misused and the sale would be at the market value, and the whole process of disposal would be much more transparent. However, in order to ensure that the needs and interests of the poorer sections of the society can also be protected, it was felt that sufficient number of sites should be kept available for the Government/MCD for the development of Government educational institutions. The possibility of utilizing a part of the funds generated from

sale of sites for schools in an appropriate manner for providing upfront financial assistance to poor students would be explored.

- (ii) All the sites which are not identified/earmarked for the Government/MCD should be disposed of through tender/auction.
- (iii) For the purpose of purchase through auction, any individual who is not a minor, association of individuals or any registered society would be eligible to participate in the auction. The terms of auction would inter alia lay down strict conditions for utilization of the site within a definite time frame. The property would be given on lease basis, and the lease would be liable for termination if the site is not utilized within the stipulated time frame.
- (iv) No sites would be earmarked/disposed of to non-governmental bodies for the exclusive purpose of setting up a primary school or a nursery school.
- (v) A separate proposal would be considered and put up for the use of residential property for nursery schools as a part of mixed land use policy.
- (vi) Once a decision is taken to change the mode of disposal of all school sites to auction as indicated above, all pending proposals/IAC recommendations for allotment of school sites would automatically abate.
- (vii) If the proposal is approved, the Ministry of Urban Development will be requested to make the necessary amendments in the Nazul Rules.

The non-official members voicing their disagreement with the policy proposed in the agenda stated that DDA/Government should, instead, lay more emphasis on enforcement of the terms and conditions of allotment

rather than changing the policy. Shri Kasana also pointed out the need to take action against, including cancellation of the allotment, in cases where the allottees had not constructed the buildings within the stipulated time.

The Authority's decision was deferred after observations by the non-official members who suggested that the DDA should lay more emphasis on enforcement of terms and conditions of allotment rather than changing the policy. It was also pointed that there is a need to take action against the societies including cancellation of the allotment in cases where allottees had not constructed the building within stipulated time.

- 1.9 An exercise was taken up by DDA in the context of a query by the Public Accounts Committee (PAC) regarding action against non-constructed school sites. The factual status is that only 2 school sites out of the 27 cases referred to in the PAC report, are vacant, and all the other sites are either built up or under construction.

Allotment of land to the schools is being made with a stipulation of 25% free ship to the weaker sections so far, but the majority of the schools under the banner of Action Committee of unaided recognized private schools are contesting the freeship condition even to the extent of stating that they are not liable since the condition is not imposed in lease document though it is mentioned in allotment letter.

- 2.0 DDA on its part cannot enforce the condition on such a large scale due to lack of sufficient machinery. Even if there is a sufficient machinery, this results in inspector raj, where school will be subject to frequent harassment. Even if any school is noticed as a defaulter, DDA cannot do much because the cancellation of the school will result in de-recognition and consequentially the students cannot give exam and this course of action will have far more serious implications.

2.1 It was noted before the Public Accounts Committee that DDA proposes to adopt a two pronged approach of allotment on pre-determined (concessional) rates to Government agencies and local bodies for setting up a school in public sector and disposal of land by auction to other eligible organization desiring to set up schools in private sector.

2.2 The purpose of concessional allotment being followed till now was that the Societies setting up schools would operate on charitable lines and provide affordable education, but it has been noticed that in due course, Societies start functioning on commercial lines. If the mode of allotment for such organizations is through auction, accurately reflecting the market value of the land, it is reasonable to expect that self-correcting market forces would come into play and schools would have to offer competitive education at reasonable fee structure, in order to survive.

2.3 The new Educational bill proposed by Govt. of India will make it mandatory for all schools to provide free education to poor and weaker sections. Besides this, our auction condition will also incorporate a stipulation that the auctioneer will follow the free ship as prescribed under rules by DSE Act.

Proposal:

In this background, the proposal for auction is resubmitted to the Authority for reconsideration.

RESOLUTION

The proposal of auction of school sites of DDA was discussed in detail. Shri Mahabal Mishra and Shri Virender Kasana expressed certain reservations in respect of the proposal but after discussions, the Authority agreed with the LG that all the primary school plots should be offered to the MCD and 50% of the senior secondary school sites in every neighbourhood should be offered to Govt. of Delhi and 50% disposed of by way of auction.

Sub: Confirmation of the Minutes of the meeting of the Delhi Development Authority held on 19th January, 2006.
2(2)2005/MC/Pt./DDA

Minutes of the Authority meeting held on 19th January, 2006 were confirmed with the following additions against different items as detailed below:

i) Addition to item 3/2006:

"The Principal Commissioner -cum- Secretary informed that the non-official members had suggested in the last meeting that there was no need to continue their Committee which examines the quantum of penalty in the vigilance cases, which was agreed to"

ii) Addition to item no. 4(a)(i) moved by Shri Mahabal Mishra:

"All those officers who do not have further channel of promotion should be given the next higher Govt. of India scale of pay along with suitable re-designation on their reaching maximum of the pay scale".

iii) Amendment to item No. 10/2006 moved by Shri Mahabal Mishra, Shri Jile Singh Chauhan, Shri Mange Ram Garg and Shri Virender Kasana:

"They had reservation to this proposal and they left final decision in the matter to the LG."

Amended minutes against this item will read as under:

"The proposal of auction of school sites of DDA was discussed in detail. Shri Mahabal Mishra and Shri Virender Kasana expressed certain reservations in respect of the proposal about auctioning of school sites. But after discussions they left final decision in the matter to the L.G. who advised that all the primary school plots should be offered to the MCD and 50% of the senior secondary school sites in every neighbourhood should be offered to Govt. of Delhi and 50% disposed of by way of auction.

ITEM NO. 13/27

Sub: Conf

Item No.
10/2006
SUBJECT: POL

File No.PS

- 2.1 It was replied before the Public Accounts Committee that DDA to adopt a two pronged approach of allotment on concessional rates to Government agencies and local bodies to set up a school in public sector and disposal of land by auction to eligible organization desiring to set up schools in private sector.
- 2.2 The purpose of concessional allotment being followed till now by DDA Societies setting up schools would operate on charitable lines and provide affordable education, but it has been noticed that in due course of time these Societies start functioning on commercial lines. If the mode of disposal for such organizations is through auction, accurately reflecting the market value of the land, it is reasonable to expect that self-corrective forces would come into play and schools would have to offer cost effective education at reasonable fee structure, in order to survive.
- 2.3 The new Educational bill proposed by Govt. of India will be mandatory for all schools to provide free education to poor and backward sections. Besides this, our auction condition will also incorporate stipulation that the auctioneer will follow the free sale as prescribed rules by DSE Act.

Proposal:

In this background, the proposal for auction is resubmitted to the Authority for reconsideration.

RESOLUTION

The proposal of auction of school sites of DDA was discussed in detail. Shri Mahabal Mishra and Shri Virender Kasana express certain reservations in respect of the proposal but after discussion, the Authority agreed with the LG that all the primary school plots should be offered to the MCD and 50% of the senior secondary school sites in every neighbourhood should be offered to Govt. of Delhi and 50% disposed of by way of auction.

1.0 Background

1.1 The Nazim's purpose (Rules). for disposal of concessional lands and/or - Professions disposals lands/ to/develop are s Institutions and

1.2 In the site dis is b

1.3

Sub: Confirmation of the Minutes of the meeting of the Delhi Development Authority held on 19th January, 2006.
F.2(2)2005/MC/Pt./DDA

Minutes of the Authority meeting held on 19th January, 2006 were confirmed with the following additions against different items as detailed below:

i) Addition to item 3/2006:

"The Principal Commissioner -cum- Secretary informed that the non-official members had suggested in the last meeting that there was no need to continue their Committee which examines the quantum of penalty in the vigilance cases, which was agreed to"

ii) Addition to item no. 4(a)(i) moved by Shri Mahabal Mishra:

"All those officers who do not have further channel of promotion should be given the next higher Govt. of India scale of pay along with suitable re-designation on their reaching maximum of the pay scale".

iii) Amendment to item No. 10/2006 moved by Shri Mahabal Mishra, Shri Jile Singh Chauhan, Shri Mange Ram Garg and Shri Virender Kasana:

"They had reservation to this proposal and they left final decision in the matter to the LG."

Amended minutes against this item will read as under:

"The proposal of auction of school sites of DDA was discussed in detail. Shri Mahabal Mishra and Shri Virender Kasana expressed certain reservations in respect of the proposal about auctioning of school sites. But after discussions they left final decision in the matter to the L.G. who advised that all the primary school plots should be offered to the MCD and 50% of the senior secondary school sites in every neighbourhood should be offered to Govt. of Delhi and 50% disposed of by way of auction.

1 year 2001-02 after
Accountant General

accounts Rules 1982,
formats as prescribed
ation in consultation
dia.

are prepared in the
ncial statement
nt

2001-02 mentioned

r 2001-02 mentioned

l above.

01-02 mentioned

-02 was placed before
and were forwarded to
5.9.2004.

t to the office of AG
d on 26.10.2005 with

f the Authority for the
Page 55 to 66).

DELHI DEVELOPMENT AUTHORITY

Item No:- 11 /2006

SUB:- Agenda for adoption of Annual Accounts for the financial year 2001-02 after certification of Annual Accounts by the office of the Accountant General (Audit) Delhi.

Precise:

- 1) As per the provisions contained in DDA Budget and Accounts Rules 1982, DDA is required to prepare the Annual Accounts in the formats as prescribed by the Ministry of Urban Development & Poverty Alleviation in consultation with the office of Comptroller and Auditor-General of India.
- 2) Annual Accounts for the financial year 2001-02 were prepared in the prescribed formats which comprised of the following financial statements,
For Nazul Account-I and B-General Development Account
 - (i) Receipt and Payment Account for the year 2001-02 mentioned above.
 - (ii) Income & Expenditure Account for the year 2001-02 mentioned above.
 - (iii) Balance sheet for the year 2001-02 mentioned above.For Nazul Account - II
 - (i) Receipt and Payment Account for the year 2001-02 mentioned above.
- 3) The above stated financial statements for the year 2001-02 was placed before the Authority for adoption vide Resolution no. 55/2004 and were forwarded to the office of the AG(Audit) Delhi for statutory audit on 6.9.2004.
- 4) The Annual Accounts for the year 2001-02 were sent to the office of AG (Audit) Delhi and the audit certificate has been received on 26.10.2005 with some observations on the accounts.
- 5) The Audit Certificate, Audit Report on the Accounts of the Authority for the year 2001-02 is placed opposite as Appendix "A". at page 55 to 66).

- 6) Action Taken Note on the Audit report has been prepared and is placed as Appendix "B". at page 67 to 69)
- 7) The Audit Report & Annual Accounts for the year 2001-02 after having being certified by the Audit is to be placed before both the Houses of Parliament under Section 25(4) of the DD Act, 1957.
- 8) For improvement in Accounts to meet with the requirement in Income Tax provisions as well as audit requirement, DDA engaged a firm of Chartered Accountant namely M/s K.N. Goyal & Co., for preparation of Annual Accounts on accrual basis. They have started preparing accounts as per the requirement of Audit along with certain subsidiary records. The list of records as generated by the firm of Chartered Accountants - M/s K.N. Goyal & Co. is placed as Appendix "C". at page 70).
- 9) The office of AG (Audit) Delhi has also acknowledged the improvement in the system of accounting of DDA, which is evident from the SAR of subsequent years wherein few paras appearing in the year 2001-02 have not been taken therein.

PROPOSAL

- 10) Following proposal is placed before the Authority for consideration and approval
 - (i) The Annual Accounts for the financial year 2001-02 as certified by the office of AG(Audit), Delhi may be adopted
 - (ii) Approval for submission of these certified Annual Accounts for the year 2001-02 after adoption by the Authority, to the Ministry of Urban Development for placing the same before the Parliament.

RESOLUTION

The proposals contained in the agenda item were approved by the Authority and Annual Report on Annual Accounts for the year 2001-02 along with Audit Certificate were adopted.

Finance Member informed that Annual Accounts for the year 2004-2005 had already been adopted by the Authority and sent to the A.G.(Audit) on 2.12.2005 and that the Annual Accounts of DDA were now upto date.

Finance Member also informed that DDA had secured Orders of Registration under Section 12A read with 12AA of the Income Tax Act, 1961 and that the DDA was now exempt from making recurring payment of income tax on its income and may also get back refund of the Income Tax already paid since 2002. This was appreciated by the LG and the Authority.

NO. DDA/SAR/2001-02/240



र. कु. घोष
R. K. GHOSE

गाकार (लेखा परीक्षा), दिल्ली
ACCOUNTANT GENERAL (AUDIT), DELHI
ए० जी० सी० आर० भवन, आई. पी. एस्टेट
A.G.C.R. BUILDING, I.P. ESTATE
नई दिल्ली-110002
NEW DELHI-110002

Dear Sir,

I enclose a copy of the certified accounts of the Delhi Development Authority for the year 2001-02, Audit Certificate and Audit Report (English Version) to be laid before Parliament after getting them adopted by the Delhi Development Authority. Hindi version of the Audit Report and Audit Certificate, will follow shortly. It is requested that five copies of the documents as laid before Parliament may please be forwarded to this office as well as to the Office of the Comptroller & Auditor General of India. The date(s) on which these are laid in the Parliament may also be intimated in due course.

Yours sincerely

Sd/-

Encl: As above

Shri Anil Baijal,
Secretary,
Ministry of Urban Development,
Government of India,
Nirman Bhawan, . . .
New Delhi.

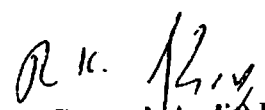
AG(A) DDA Cell/SAR/2005-06/24)

1. Copy forwarded to Shri Dinesh Rai, Vice Chairman, Delhi Development Authority, Vikas Sadan, I.N.A., New Delhi, along with copies of the certified accounts, Audit Report and Audit Certificate on the accounts of Delhi Development Authority for the year 2001-02 for necessary action. The report and accounts may please be got adopted by the Authority before submission to Parliament. In order to prepare the "Delay Statement" to be laid before the Parliament, the following dates may be kept in view:

- | | | |
|------|---|---------------------|
| i) | Submission of Accounts for certification | 06 September, 2004. |
| ii) | Audit work completed | 23 December, 2004. |
| iii) | Draft Audit Report sent to DDA for comments | 08 February, 2005. |
| iv) | Comments sent by DDA | 18 May, 2005. |
| v) | Verification of replies conducted by Audit | 06 June, 2005 |

2. Copy forwarded to the office of the Comptroller & Auditor General of India, 10, Bahadur Shah Zafar Marg, New Delhi with reference to their office letter No. 357-Rep(AB)159-2005 dated 27-9-2005 along with copies of Audit Report and Audit Certificate on the account of DDA for the year 2001-02. Replies to Headquarter's queries are also enclosed.

Encl: As above


Accountant General (Audit) Delhi.

**Separate Audit Report on the accounts of Delhi Development Authority
for the year 2001-02.**

1. Introductory

The Delhi Development Authority (DDA) was established in 1957 under the Delhi Development Act to promote the planned development of Delhi. The Authority has prepared and submitted the following sets of separate accounts under the Delhi Development Authority (Budget and Accounts) Rules, 1982:

- i) Receipt and Payment Account, Income and Expenditure Account and Balance Sheet in respect of General Development Account ;
- ii) Receipt and Payment Account, Income and Expenditure Account and Balance Sheet in respect of Nazul Account-I ; and
- iii) Receipt and Payment Account in respect of Nazul Account-II ;

These accounts were audited under Section 19(2) of the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971, read with the provisions of Section 25(2) of the Delhi Development Act, 1957.

2. Introduction to the Accounts

The three sets of accounts viz. General Development Account (GDA), Nazul Account-I (NA-I) and Nazul Account-II (NA-II) incorporate transactions relating to the following:

(i) General Development Account (GDA)

This account records the transactions relating to the management of the Authority's acquired property, work connected with the preparation and implementation of the Delhi Master Plan and Zonal Plans and other functions assigned under the Act.

(ii) Nazul Account-I (NA-I)

This account records the transactions pertaining to the Old Nazul Estates entrusted to the Authority for management and development.

(iii) Nazul Account-II (NA-II)

This account records the transactions relating to the scheme of large scale acquisition, development and disposal of land in Delhi. All transactions under this account are ultimately adjustable in Government Accounts under the appropriate major heads.

3. Original Accounts

As per the time schedule prescribed in para 3.03.08 of the Manual of Instructions for Audit of Autonomous Bodies, the Authority is required to submit the accounts latest by 30th June every year. However, the accounts for the year 2001-02 were finalised and submitted to Audit after a delay of two years and two months (6.9.2004). The Authority attributed the delay to reconstruction of its accounts to comply with various observations of Audit and also the amendments in Income Tax Act, 1961.

4. Persistent Irregularities

Most of the audit observations on the accounts of the Authority, included in this report, were also pointed out in the previous Audit Report for 2000-01.

Comments on Accounts

Points relating to all accounts

5 Bank Reconciliation Statement

The following shortcomings were noticed in the Bank Reconciliation Statement for the period ended 31 March 2002.

5.1.1 A.O.(Sports)

Rupees.9,26,717.50 depicted under column 4 against AO(Sports) includes Rs.29,028.50 which represents cheques collected by the Authority and accounted for but credit not afforded by the bank. This amount pertains to the period prior to 1992-93, however, no steps have been taken to get it credited into their account. The Authority should make more efforts to sort out this issue. The Authority stated in May 2005 that efforts are being made to link up old records to sort out the issue.

5.1.2 Cash (Housing)

As per schedule 'B' attached to the Balance Sheet of the GDA, Rs.24,27,11,286.49 appears against cash (Housing) in col.6. It was informed by the Authority that Bank Reconciliation work was in progress. In absence of bank reconciliation done, Audit could not verify Rs.1,14,619.24 (net) out of Rs.4,27,11,286.49 from the cash book of Cash (Housing). The Authority stated in May 2005 that efforts are being made to reconcile the pending accounts.

5.1.3 Minus Cash and Bank Balances

Scrutiny of details of closing balances of cash and bank as per cashbook as on 31-03-2002 revealed the following minus(-) balances against DDA (Main) and DDA (Housing) :-

(Rs in lakh)	
Name of Bank	Amount
SBI Vikas Minar	(-)24.757
SBI I.P. Estate	(-)4.390
PNB	(-)0.043
Canara Bank	(-)0.004
SBI Rohini	(-)0.079
Cash(Housing)	
S.B.I., I.P.Estate	(-)0.196

Despite the same being pointed out in the earlier SARs, no effort was made by the Authority to reconcile the aforesaid minus figures. The Authority stated in May 2005 that efforts are being made to confirm the position.

5.2 Depreciation

The Authority approved depreciation to be charged on fixed assets vide Resolution No. 677 dated 16 October 1967 at the following rates:

(Per cent)	
Furniture Fixtures and Office equipment	10
Survey and drawing instruments	10
Staff-cars	20
Residential buildings/shops	2.5

In this regard, the following observations are made:

Depreciation charged on land mentioned at Serial No. 6 of Schedule 'Q' is wrong as depreciation on land is inadmissible as per Income Tax Act. Moreover the same is also not covered under the Resolution No.677 dated 16-10-1967 of the Authority. The Authority stated in May 2005 that depreciation charged on item No.6 has been deleted from 2002-03.

General Development Account

5.3 Property - Balance Sheet (Schedule 'F')

Closing value of property amounting to Rs. 103.60 crore as shown in the Balance Sheet of GDA could not be verified due to non-furnishing of title deeds and supporting documents in respect of adjustments (additions to properties made Rs.39.10 crore and deductions made Rs.42.27 crore, net deductions Rs.3.17 crore). The Authority failed to show files relating to property, viz., Taj Palace Land, Taj Hotel Land, Land on Sardar Patel Marg, Tourist Complex, Tughlakabad)

5.4 Deposits

The following figures were booked on the liability side of the Balance Sheet of GDA under the head deposits pertaining to various schemes of DDA;

Sl.No.	Name of Scheme	Amount
1.	Regd. Money HUDCO Scheme	299.35
2.	Janita Regn. Scheme	1,304.01
3.	Deposits from SFS/RPS	10,093.63
4.	Deposits from Ambedkar, Awas Yojana	1,611.84
5.	Expendable House	198.25
6.	Securities (a) Staff (b) Others	0.19 4.06
7.	Deposit work	128.02
8.	Regd. Deposit E.M. for Spl. Housing	14.96
9.	NCR Deposit	3.49
10.	ACC Shopping Centre	150.47

5.4.1 In order to ensure that Registration fee is being adjusted on account of flats, DDA was asked to furnish the details of Registration Fee adjusted at the time of allotment of

houses under the above schemes mentioned during 2001-02. The DDA did not show the records to the satisfaction of Audit that adjustments were made in respect of these houses which have been allotted. In the absence of such details, correctness of figures appearing in the Balance Sheet could not be verified.

5.4.2. Deposits from Sl.No.6 to 10 were being depicted in the Annual Accounts of the DDA for the past many years without any change of figures. Audit asked DDA for the yearwise break up of figures, reason of their outstanding, steps taken for their clearance and necessary registers/records. DDA did not furnish the informations called for except in respect of deposits at Sl.Nos 6 & 7. It is further stated that these deposits were very old and the records relating to that were not made available to audit. In the absence of information, these figures depicted in the Annual Accounts could not be verified.

5.5 Non verification of figures in the Balance Sheet

The following figures were booked on the assets side of the Balance Sheet of General Development Account under the head "Construction of House/Shops".

(Rs. in crore)		
1.	Built up flats /houses	1,805.72
2.	Houses under construction	229.42
3.	Built up shops	474.15
4.	Shops under construction	0.98
	Total	2,510.27

Four assets registers prepared and were submitted to audit for scrutiny which were not signed by any responsible officer of the Authority. In these registers, the Authority has arrived at final figures without taking into accounts the closing balances of the previous year.

Authority stated in May 2005 that the details have been completed from the information available with the Engineering and Housing Management after reconciling the details obtained from the two wings. The Authority's reply is not tenable because no supporting documents from the Engineering and Housing Management wing were produced to Audit for verification of the figures depicted in the aforesaid four registers. As such the correctness of the figures (stock in trade worth Rs.2510.27 crores) incorporated in accounts remained unverified.

5.6 Pension Fund

Any change in accounting system is to be disclosed by way of Notes to Accounts attached to the Balance Sheet. From 2001-02, a separate balance sheet was prepared for Pension Fund. This fact has not been mentioned in "Notes to Account" attached to the balance sheet of GDA.

5.7 Sundry Creditors

5.7.1 A liability of Rs.309.37 crore had been shown under the Head 'Sundry Creditors' in the Balance Sheet as on 31.3.2002. The year wise breakup of the liability as well as reasons for its non-liquidation were not made available to audit. In the absence of complete details, reasons for their non clearance could not be ascertained in Audit.

The authority stated that except fee of Rs.11.74 crore, all other liabilities were current. Reply is not acceptable as no breakup/details of above amounts were furnished to audit.

5.7.2 The following liabilities were shown in Schedule 'A' attached to G.D.Account for the year 2001-02.

		(Rs. in lakh)
1	Cost of land payable to Ministry of Rehabilitation	381.96
2	Cost of Land of District Centre payable to Delhi Administration	93.94
3	Cost of land in respect of Hotel at Sardar Patel Marg	698.00
4	Community Centre at Karampura	0.97
	Total	1,174.87

The liabilities mentioned at Sl.Nos.1 & 2 above had been shown in the Balance Sheet since 1982-83 and the liability mentioned at Sl.No.3 above since 1992-93. Liability at S.No.4 is also very old (it was the same figure in the Balance Sheet from the year 1997-98)

Records relating to the cost of land in respect of arrears mentioned from Sl. Nos.1 to 3 above were not made available to Audit. Despite being pointed out in the previous Audit Report, the Authority had not taken any corrective steps to liquidate the aforesaid liabilities except that it had reversed the entry of Rs.9.68 crore in respect of land belonging to Ministry of Rehabilitation as the Ministry could not make available this land to the Authority. The Authority stated that item no.1 and 3 were under dispute. No

explanation was furnished in respect of item no.2 and 4. Reply is not acceptable as no specific efforts were made to liquidate the long outstanding liabilities.

5.8 Non-recovery of advances amounting to Rs. 4.11crore

Balance Sheet of GDA revealed that huge amount of Rs.4.11. crore was outstanding against Slum Department. The amount was advanced to Slum Department at the time its accounts were being maintained by Authority. The accounts of the department were transferred to MCD in the year 1992-93. The outstanding advance should have been recovered/adjusted at the time of transfer. The Authority has not initiated any action for its recovery despite lapse of more than ten years. The Authority stated in May 2005 that the matter is being pursued at highest level.

NAZUL ACCOUNT-I (NA-I)

5.9 Irregular retention of surplus funds

As per clause 9 of Nazul Agreement 1937, any surplus fund at the end of each financial year shall be at the disposal of Central Government and shall not be applied until further orders of the Government for the improvement and development of the said Nazul Estate or for the repayment of loan made for the erstwhile trust, as the Government may decide.

Balance sheet of N.A.-I showed a liability of Rs. 22.66 crore on account of accumulated surplus fund at the end of 31st March 2002. The balance amount of the fund should have been refunded when it was no longer required for the purpose specified in the agreement or permission of the Government should have been obtained for its retention. The Authority stated that the figure of Rs.22.66 crore is not a liability and can rather to be said to be nature of capital accounts of Nazul-I under the 'Accumulated Surplus Funds'. This is not represented by any hard cash which can be refunded to the Government. The reply of the Authority was not convincing because the amount is shown as payable to the Government which indicates that it is refundable. Therefore correct head of Account should be depicted in the Balance Sheet of Nazul-I.

5.10 Property

Closing value of property amounting to Rs.2.32 crore as shown in Schedule "Q" attached with the Balance Sheet of Nazul-I Account could not be verified due to non availability of details and other supporting records. No consolidated and centralised register showing the details of the properties, additions made during the financial year 2001-02 was maintained. Physical verification report was also not made available. The Authority stated in May 2005 that there is no addition to fixed assets and the capitalization was done on adhoc basis in the past. Therefore there could be no question of listing of fixed assets or physical verification there on. The Authority's reply is not tenable because the closing value of the property should be shown in the balance sheet as per physical availability and value of the fixed assets.

5.11 Opening and Closing value of land and works remained unverified

The Income and Expenditure Account of Nazul-I showed opening and closing balances of land and works as on 1-4-2000 and 31-3-2001 as Rs.17.55 crore in both cases. However, no records in support thereof were made available to Audit. In the absence of the concerned records, this could not be verified.

5.12 Provision for bad debts of Rs.12.53 lakh

A provision for bad and doubtful debts of Rs.12.53 lakh was initially made in the year 1979-80. The position as indicated in Schedule 'P' attached to the Balance Sheet of Nazul Account-I has continued since then without any change. Neither any review was undertaken since 1979-80 to include new bad debts, nor had these bad debts been cleared by treating them as expenses of the Authority though, a sufficiently long time (22 years) has elapsed since they were first considered as bad debts. The Authority stated that review of bad debts is in progress.

5.13 Outstanding 'Deposits' held since 1992-93

The following liabilities under the head "Deposits" were being carried forward year after year

	Rs. in lakh
Securities	0.23
Other charges	118.63
Development charges	0.12
Total	118.98

The Authority could not offer any reasons for showing these "Deposits" outstanding in accounts. Like previous year this year also, the Authority stated that efforts were being made to trace out old records. As per extant rules if any deposit remains unclaimed for three consecutive financial years after it becomes due for payment, it should be considered as 'lapsed deposit' and should be taken as revenue of the department. The Authority has stated in May 2005 that the necessary efforts are being made to sort out the matter at the earliest.

5.14 Non-adjustment of advance of Rs.0.27 lakh

Balance Sheet of Nazul-I Account showed an outstanding advance of Rs.0.27 lakh. As per details given in Schedule 'N', this amount had been advanced to NDMC for providing car parking at Nigam Bodh Ghat. DDA has not been able to adjust his amount which is outstanding in the accounts since 1992-93. The Authority stated in May 2005 that the details are being obtained from NDMC to adjust the same.

R. K. K.

Accountant General (Audit), Delhi

AUDIT CERTIFICATE

I have examined the Receipts and Payments Account, the Income and Expenditure Account for the year ending 31st March 2002 and the Balance Sheet as on 31st March 2002 of Delhi Development Authority, New Delhi. I have obtained all the information and explanations that I have required and subject to the clarifications furnished in note attached to and forming part of accounts and observations in the appended Audit report which inter-alia contains the following major audit observations:

1. Appearing of minus Cash & Bank balances of Rs 0.29 crore (Para 5.1 (iii)) ;
2. Closing value of property amounting to Rs.103.60 crore and Rs.2.32 crore could not be verified due to non-availability of details and connected records. (Para 5.3 & Para 5.11) ;
3. Value of built up and under construction flats/shops of Rs.2510.27 crore could not be verified for want of proper records. (Para 5.6) ;
4. Non-recovery of advances amounting to Rs 411.30 crore (Para 5.9) ;
5. Value of land and works amounting to Rs.17.55 crore could not be verified since the value of each land was not exhibited in the register. (Para 5.12).

I am of the opinion that these accounts and Balance Sheet cannot be said to exhibit a true and fair view of the state of affairs of Delhi Development Authority as shown by the books of the organisation.

Place: New Delhi

Date:

R. K. Ghose
(R. K. Ghose)

Accountant General (Audit), Delhi

SL. NO.	PARA NO.	BRIEF DESCRIPTION OF PARA	ACTION TAKEN
1.	5.1.1	Non - affording of credit by the Bank for the cheques amounting to Rs. 29028.50 collected by office of AO(Sports) pertaining to the year 1992-93.	The outstanding amount appearing in the Accounts has been written off with the approval of Competent Authority during the current Financial Year. Para has also not been repeated in the SAR of 2004-05.
2.	5.1.2	Cash (Housing) non-verification of Rs. 114611.24 due to non-completion of Reconciliation work.	Reconciliation work is in final stage which is likely to be completed within a month. Thereafter, verification will be got done to Audit.
3.	5.1.3	Minus Cash and Bank Balances in the Accounts of SBI.	These are quite old records which are not traceable. Matter has been taken up by AO(Cash)Main with SBI, Vikas Minar and SBI, IP Estate / Parliament street to intimate the details of closing Balances & actual date of transfer of funds. In this process Accounts has been settled with Parliament Street Branch and work is in progress with other Branches.
4.	5.2	Depreciation on fixed assets & Fixtures (Not admissible on land as claimed by DDA)	Depreciation is being charged as per Income Tax Act. For the portion pertaining to land at Sl. No. 6 in schedule Q wherein depreciation was wrongly charged as pointed out by Audit has been rectified in 2002-03 and para has not been repeated in subsequent years.
5.	5.3	Non-Verification of Property in Balance Sheet (Schedule -F)	The Property Register has been prepared and up dated by the Consultants and para has not been repeated by Audit in the year 2003-04
6.	5.4 5.4.1 5.4.2	Non-verification of balances of Registration Money	The amount outstanding in the balance sheet represents the registration money collected at the launch of the schemes and are adjustable only against amounts demanded from allottees on allotment or when refund is sought. Efforts are being made to clear the maximum outstanding amount of Registration money.

SL. NO.	PARA NO.	BRIEF DESCRIPTION OF PARA	ACTION TAKEN
7.	5.5	Non verification of figures of Houses/Shops in Balance Sheet	Registers regarding Built up flats/houses, shops and houses and shops under construction have been prepared by the Consultants for succeeding years and will be shown to Audit Party conducting the audit of 2004-05. It is hoped that para may not be taken by Audit in the current year.
8.	5.6	Pension Fund	A separate Balance Sheet is being prepared for Pension fund after creation of Trust and a note is being recorded in note to Accounts as pointed out by the Audit. The para has not been repeated by the Audit subsequently.
9.	5.7.1 5.7.2	Breakup of Sundry Creditors pertaining to land at Taj Palace, Sardar Patel Marg and non-liquidation of outstanding liabilities.	The details of creditors are given the Annual Accounts of the Authority of each year. What ever amount is paid is reflected in the current year and net balance carried over. As regards, Sundry Creditors pertaining to Taj Palace Hotel, Sardar Patel Marg land, Matter is under Arbitration and liability will be discharged after settlement of dispute.
10.	5.8	Non recovery of Advance of Rs. 4.11 Cr. from Slum & JJ	This has been taken up at the highest Ministerial level but pending the decision in the matter no adjustment or recovery has been made. Matter is being pursued vigorously.
11.	5.9	Irregular retention of surplus funds under Nazul A/c-I	The amount shown under head does not represent the liability rather it is a nature of capital Account under Accumulated surplus fund. This does not represent any hard cash which can be refunded to Govt. The para has not been repeated in the SAR of subsequent years.

SL. NO.	PARA NO.	BRIEF DESCRIPTION OF PARA	ACTION TAKEN
12.	5.10	Property (non-verification of property worth Rs.2.32 Cr. belonging to Nazul-I)	These are all old Nazul properties which were entrusted to the Authority for management as per Nazul Agreement of 1937. Details of the properties and verification report are available with the respective Management / DD (NL) /Tehsildars/Engineering Wings which are entrusted with the Management of the properties. Additions made during the year have been got verified to Audit Party conducted the Audit for the year 2003-04.
13.	5.11	Opening and closing value of land & works remained unverified	All the details, scheme-wise are available in the Consolidated Register of Receipt & Expenditure. However the vouchers are available in respective accounting centres. Details of Nazul Properties are available with Tehsildars/DD(NL). These figures were got verified to audit during current year and it is hoped that this para my not be repeated in the SAR of 2004-05.
14.	5.12	Provision for bad debts of Rs. 12.53 lacs.	These are quite old bad debts pertaining to the year way back to 1976-77. The records are not traceable. Efforts are being made to get these bad debts written off with the approval of competent authority.
15.	5.13	Outstanding Deposits since 1992-93	The nature of the deposit and terms are being obtained from respective wing and needful shall be done at the earliest.
16.	5.14	Non adjustment of advance of Rs. 0.27 lacs.	There was an error in the initial stage for booking the expenditure which is being rectified by preparing the Transfer Entry and para will not be repeated in the Audit report of 2004-05.

The following record is being generated /maintained by Tax Consultant, DDA.

1. Transfer Entries Book for the year 2004-05
2. General Ledger
3. Journal Book
4. Cash/Bank Book
5. Trial Balance for the year 2004-05
6. Fixed Assets Register as at 31st March, 2005
7. Quantitative Tally of Finished Goods – Houses as at 31st March, 2005
8. Valuation Sheet of Finished Goods – Houses as at 31st March, 2005
9. Commercial Stock Valuation as at 31st March, 2005
10. Valuation of Stores for 31st March, 2005
11. Statement of Work in Progress – Houses as at 31st March, 2005
12. Statement of Work in Progress – Shops as at 31st March, 2005
13. Working of sundry Debtors as at 31st March, 2005
14. General Provident Fund Account as at 31st March, 2005
15. Pension fund Account as at 31st March, 2005
16. Gratuity Fund Account as at 31st March, 2005
17. Working of Interest Accrued on Investments as at 31st March, 2005
18. Details of Advances to Contractors as at 31st March, 2005
19. Details of materials with Contractors as at 31st March, 2005
20. Details of Sundry Creditors – Provision for Works as at 31st March, 2005
21. Details of License Fees Register for the year ending 31st March, 2005

Item No.
12/2006

Sub: Report on the follow-up action on the resolutions passed
by the Authority in its meeting held on 19.10.2005.
F.2(2)2006/MC/DDA.

PRECIS

On the basis of information forwarded by the Heads of
Departments, report about the follow-up action taken on the
resolutions passed by the Authority in its meeting held on
19.10.2005 is submitted for kind information. (Page 72 to 89)

RESOLUTION

*Shri Mahabal Mishra pointed out that he could not study the
agenda item as it had been laid on the table.*

*The LG pointed out that a fresh agenda item should be brought
in the next meeting of the Authority with up-to-date status of action
taken on all the points.*

APPENDIX 'A' TO ITEM NO. 12/2006

REPORT OF THE FOLLOW UP ACTION AND THE RESOLUTION PASSED BY THE
DELHI DEVELOPMENT AUTHORITY IN ITS MEETING HELD ON 19.10.2005

Sl. No.	Item No.	Subject	Resolution	Remarks
1	63/2005	Confirmation of the Minutes of the Meeting of the Delhi Development Authority held on 19.7.2005.	<p>Amendments were proposed by Shri Virender Kasana and Shri Mahabal Mishra to the minutes recorded against item nos. 56/2005 and 61/2005 which were discussed in detail as below:</p> <p>(a) Item No. 56/2005 - Shri Kasana pointed out that all the suggestions given by him had not been recorded in the minutes. He pointed out that before bringing any cadre review proposals to the Authority it is necessary that 'general principles' are first laid down and the same principles should be uniformly applied on all the cadres/employees so that disparities amongst various cadres of either getting promotions within 5 or 15 years do not crop up.</p> <p>The Lt. Governor drew attention to para-1 of the draft minutes at page-10 and pointed out that this exercise should have been completed by now. The LG directed that broad principles for conducting cadre reviews should be brought before the next meeting of the Authority, whereafter cadre review proposals of all the cadres should be uniformly framed in the light of such general principles.</p> <p>(b) Item No. 61/2005 - Shri Mahabal Mishra and all the non-official members pointed out that departmental officers should have the first right to appointment against posts in the DDA if they have sufficient experience, knowledge and skills and that officers from CPWD should not be brought on deputation for the post of Engineer Member, DDA as the DDA Chief Engineers have necessary experience and qualification.</p> <p>The LG pointed out that these appointments are made by the Central Government and the Authority should accept the Government's decision but that the above views will be conveyed to the Ministry of Urban Development.</p>	Agenda circulated.

	<p>II Minutes of the Authority meeting held on 19th July, 2005 were confirmed subject to the above amendments/observations.</p> <p>III The Lt. Governor drew the attention to Para-9 of the draft minutes at page-9 and desired to have a paper on the subject in the next meeting of the Authority.</p> <p>(i) Informing about action on para (i) of "Other Points" at page-13 - the Principal Commissioner informed that amended Circular shall be issued shortly.</p> <p>(ii) The LG was assured that a report on Para(ii) of "Other Points" at page-14 shall be submitted within a week.</p> <p>(iii) Commissioner (Lands Management) informed that report on Para (iv) of "Other Points" had been submitted to the LG.</p> <p>(iv) Chief Legal Adviser assured the LG that time bound review of pending Court cases was being conducted and the matter shall be brought in the next meeting of the Authority.</p> <p>(v) Regarding action on Para-2 of "Other Points" at page-14 - it was decided that DDA may allot alternate residential plots on roads with road width upto 13.5 mtrs. so as to clear the backlog. The Vice-Chairman assured of early follow-up action in the matter.</p> <p>(vi) The LG sought a report in the next meeting of the Authority about water logging at the back of bio-diversity park near village Jagatpur and about cleaning of Bhalaswa Lake and the nearby water body.</p>	<p>File is under submission.</p> <p>Water logging around the surrounding of bio- diversity park, besides the unauthorised colonies, is not under the control of DDA. As far as cleaning of Bhalaswa Lake, this is to be done by DTTDC.</p>
--	---	--

			<p>(vii) The Commissioner (Lands Management) informed that field inquiry had been completed for clearance of jhuggies from Outram Lines as per para-2 (iii) of "Other Points" of the minutes.</p>	<p>It has been ascertained after inquiry by the field officers concerned that two number of identified JJ clusters exist on Outram Line and Hudson Line (Kindsway Camp area) village Rajpur Chhavni. Outram Line cluster consists of approx. 350 jhuggies upon DDA land. Hudson Line is consisting of 17 jhuggies upon DDA land. Land in both these cases is under OSB and under care and maintenance of Engg. Divn. New Delhi-3.</p> <p>VC, DDA has directed Engineer Member, DDA and Commissioner [Planning] DDA to make plans for clearance of JJ clusters on valuable land providing either insitu rehabilitation or relocation at suitable sites. However, it has been ascertained that in above mentioned clusters encroachment is upon land which was to be used for open space (park). Since adequate number of relocation plots are</p>
--	--	--	---	--

			<p>(viii) The LG asked the Vice-Chairman to submit a time bound programme and a plan of action by the next meeting of the Authority about proper upkeep of records/files for which necessary manpower/infrastructure could be arranged as per requirement, this being a key area in which Authority must act immediately.</p> <p>Shri Mange Ram Garg highlighted the importance of completion of land records and their proper maintenance.</p> <p>(ix) The LG reiterated his earlier decision that there should be a Vigilance inquiry in every case of missing file and responsibility fixed.</p> <p>(x) Commissioner (Planning) assured the LG that proposals regarding Shazada Bagh Industrial Area as pointed out in para 3 (v) at page-15 of "Other Points" shall be put-up in the next meeting of the Authority.</p> <p>(xi) Commissioner (Housing) informed that necessary compliance has been done.</p> <p>(xii) The LG desired that Authority meetings be held more frequently as and when required, keeping in view the stipulation that they be normally held every month.</p>	<p>not readily available, clearance of these clusters will be taken up as per schedule.</p> <p>Agenda is being put up to the Technical Committee.</p>
--	--	--	--	---

REPORT OF THE FOLLOW UP ACTION THE RESOLUTION
PASSED BY THE DELHI DEVELOPMENT AUTHORITY IN
ITS MEETING HELD ON 19.10.2005

S.NO. Item No.	Subject	Resolution	Remarks
1. 64/2005	Departmental proceedings against Shri Racha Krishan, SE (Retd.) Date of Retirement-30.6.04.	Proposals contained in the agenda item were approved by the Authority. b) The LG expressed his concern over the fact that departmental proceedings remain pending for unduly long periods of time at one or the other level, which was a serious matter and sought inform- ation about all cases where major or minor penalty proceedings are pending before the next meeting of the Authority.	Information has been submitted to the LG.
2. 65/2005	Departmental proceedings against Shri Vijay Kumar, EE(Retd.) Date of Retirement 24.2.03.	Proposals contained in the agenda item were approved by the Authority.	Implemented:
3. 66/2005	Departmental proceedings against Shri G.P.Pandey,UDC (Now Asstt.) Retd. Date of Retirement 31.5.04.	Proposals contained in the agenda item were approved by the Authority.	Implemented:--

1.	2.	3.	4.	5.
4.	67/2005	Departmental proceedings against Shri Radha Krishan, AE (Now EE, Retd.) were approved by the Authority. Date of Retirement 30.6.04.	Proposals contained in the agenda item	Implemented.
5.	68/2005	Permission of Govt. Hospital by adjustment of use premises in Resettlement Scheme at Hastal.	Proposals contained in the agenda item were approved by the Authority.	-
6.	69/2005	Modification in the MFD-2001 with regard to Development Control norms for Hotels.	Proposals contained in the agenda item were approved by the Authority with the direction that these development control norms shall be applicable only to the new hotel sites.	Referred to Ministry on 26.10.05.

1.	2.	3.	4.	5.
7.	70/2005	Departmental proceedings against Shri Nathu Singh, EE(Retd.). Date of Retirement 24.2.03.	Proposals contained in the agenda item were approved by the Authority.	Implemented.
8.	71/2005	Payment of Related Construction Interest beyond 30 months upto the build date of issue of demand -cum-allotment letters for SFS Flats.	After detailed discussions, the Authority approved the proposals contained in the agenda item.	Implemented.
9.	72/2005	Change of land use of 1.60 Ha. land from Rural (A-3) Public & Semi Public use (PS I Hospital Cat-B) at Burari (Kaushik Enclave in zone-P.	Proposals contained in the agenda item were approved by the Authority.	Referred to Ministry on 26.10.05 for final notification.

1.	2.	3.	4.	5.
----	----	----	----	----

- | | | | | |
|-----|---------|---|---|-----------------------|
| 10. | 73/2005 | In-situ Rehabilitation at Village Tehkhend (Change of Landuse). | Commissioner (Planning) informed that one objection/suggestion from Shri Chetan Dutt had been received against the proposed change of land use, after the circulation of the agenda item. | Referred to Ministry. |
|-----|---------|---|---|-----------------------|

This objection was also discussed by the Authority and after detailed discussions, the Authority approved the proposals contained in the agenda item.

- | | | | | |
|-----|---------|---|--|-------------------------|
| 11. | 74/2005 | Policy for disposal of School Sites of DDA. | The LG pointed out that lands allotted at zonal variant rates/concessional rates to different categories viz. charitable societies, cooperative group housing societies, hospitals and schools were not fulfilling the desired social objectives and it had therefore become necessary to think of new modes of allotment of land to schools. He informed that all the available school sites had been offered to the Govt. of NCT and the MCD and only those sites which had not been accepted by them are now proposed to be disposed of through auction/tender. | Policy item circulated. |
|-----|---------|---|--|-------------------------|

ii) Shri Mange Ram Garg pointed out that MCD has 11 school sites in Ashok Vihar where the pass-percentage of students is ranging from 2% to 11%. He further pointed out that DDA should come up with such new proposals which enhance the quality of education in the city, rather than depriving the middle/lower income groups to get admissions at very high rates

1.

2.

3.

4.

5.

of fee in such schools which come up on auctioned land. He further pointed out that the Govt. of NCTD and the MCD did not have necessary physical and financial infrastructure to provide quality education in their existing schools and that they shall not be in a position to ensure finest standards of education in their new schools.

iii) Shri Mahabal Mishra and other non-official members sought deferment of the item so that alternative proposals could be examined.

II) The LG advised all the members of the Authority to come up with their suggestions if any on the subject and send them to the VC, DDA. He also desired that a final view be taken in the next meeting of the Authority.

12. 75/2005 Allotment of land to the evictees of Old Subze Mandi.

Shri Mahabal Mishra sought an enquiry into restoration of 4 plots by the LG against specific decision contrary to the one taken by the Authority. He pointed out that Lok Adalat recommendations were advisory in nature and could not be made the basis for superceding the decisions of the Authority.

1.	2.	3.	4.	5.
13.	76/2005	Cadre review proposal of Planning & Allied categories.	<p>The LG expressed concern that some of the members of the sub-committee were themselves the interested parties in the proposed cadre reviews and advised that a new committee should be constituted. It was thus decided to withdraw the cadre review proposals accordingly for re-examination.</p> <p>(ii) The Jt. Secretary, MCD advised that an official from the Finance Department should be associated with the proposed Cadre Review Committee.</p> <p>(iii) Shri Mange Ram Garg pointed out that the cadre review of the Research cadres require fresh examination.</p> <p>(iv) Shri Mahesh Mishra and Shri Jile Singh Chauhan sought early review of all the cadres along with these cadres.</p> <p>(v) Shri Virender Kasana pointed out that review of all the cadres should be conducted strictly according to some general principles, which are approved by the Authority, so that imbalances are not created amongst different cadres of DDA and uniform yardsticks are observed in all the cadres reviews.</p>	<p>Committee is being constituted.</p> <p>New policy item circulated.</p>

1.	2.	3.	4.	5.
14.	73/2005	Standard Costing for flats -Plinth Area Rate from 1st October 2005 to 31st March, 2006.	<p>Shri Jile Singh Chauhan and other members of the Authority pointed out that increase in the plinth area rates should be kept at the bare minimum in the case of Janta, EWS and LIG flats.</p> <p>The Finance Member informed that there was only notional increase in these categories. Proposals contained in the agenda item were thereafter approved by the Authority-</p>	
15.	79/2005	Fixation of Rates for Institutional Land Premium for the year 2005-06.	<p>Shri Mahabal Mishra pointed out that there were a large number of unconstructed institutional plots waiting for disposal in the market and their allottees will take undue advantage of such a steep increase in rates by disposing of their plots at revised rates if the proposals are approved. He pointed out that the policy of disposal of schoolplots through auction will further held such allottees to unauthorisedly dispose of their existing allotments at unduly higher rates. Shri Mahabal Mishra cited the examples of Jessa Ram Hospital, Gujjar Mal Modi Hospital and Escorts Hospital alleging that they had recently changed hands unauthorisedly and that DDA could not take any action in spite of a number of media reports of their proposed sale during the last two years.</p>	Matter referred to Ministry.

1. 2. 3. 4. 5.

Shri Virender Kasana pointed out that whereas increase in the rates was justified, DDA must take concrete steps to check unauthorised transfer of institutional lands by the existing allottees so that they do not take undue advantage of the new policies/decisions of the Authority.

iii) The Finance Member sought an early decision in the matter so that institutional rates for the year 2005-06 are notified at the earliest. He informed that the rates of DDAs institutional lands were far less than market rates and the rates in the adjoining States.

II, The LG informed that in most cases extensions for construction beyond one year were not being permitted so that the allottees can be compelled to construct immediately.

III. The LG agreed with Shri Mahabul Mishra that notices should be served in all the cases where plots had been kept vacant all these years.

Noted.

1.

2.

3.

4.

5.

LG also directed that fresh surveys should be conducted within one month to identify all vacant institutional plots so that cancellation proceedings can be undertaken wherever necessary in a time bound manner.

Under process.

(b) After detailed discussions, the Authority approved the proposals contained in the agenda item, subject to maximum increase in land rates in any area being restricted to 2 times of the existing rates rather 2.5 times, as proposed in the agenda item.

1.	2.	3.	4.	5.
16.	80/2005	Commonwealth Games-2010: Change of landuse of 16.5 Ha. in Zone 'C'.	The proposals contained in the agenda item were approved by the Authority.	Referred to Ministry for notification 28.10.05.

17. 81/2005 Agenda for adoption of Annual Accounts for the financial year 2004-05.

The LG advised that DDA should engage renowned Chartered Accountants for in-house auditing. The Finance Member informed that chartered Accountants have been engaged by the DDA through a panel given by the CAG's office for tax compliance purposes.

The LG. Governor also advised that although the DDA had reduced the number of items of discrepancy pointed out by the AG's office from 27 to 14, efforts should be made to bring it down further.

(b) The Authority approved the proposals as contained in the agenda item and appreciated that the annual accounts for the financial year 2004-05 had been finalized and that the accounts of the DDA were now fully up to date.

OTHER POINTS ON 19.10.2005

S.NO.	Para No.	Subject	Remarks
1.	1(i)	Water harvesting should be introduced in a big way and the action plan should be put up to the LG.	Water harvesting is being done.
2.	1(ii)	Good work had earlier been done in maintenance of DDA greens in pursuance of the regular reviews conducted by the Committee of non-official members headed by the Engineer Member and we should again come up with further detailed plans on the subject so that the work can continue in the same manner.	Noted.
3.	1(iii)	DDA should develop Old Age Homes/Community Centres and their management can be entrusted to private parties, if necessary. report should be brought before the Authority whether the number of requests for conversion to freehold are increasing or decreasing.	Under process.
4.	1(iv)	DDA should safeguard its prime vacant plots measuring about 1500 Sq. yds. in J Block of Ashok Vihar, about 2000 sq. yds. near the Water Tank and another plot lying near SFS Housing in Phase-IV, Ashok Vihar.	Vacant plot in Ashok Vihar fenced which is partly encroached by jhuggies. No plot is lying vacant near SFS Housing in Ashok Vihar.

- | 1. | 2. | 3. | 4. |
|----|--------|--|-----------------------------|
| 5. | 1(v) | Conversions to freehold should be approved without any inspections if the properties are located in the demarcated areas and if the building activities of the areas have already been transferred to the MCD. | |
| 6. | 2(i) | The progress of finalisation of Zonal Plans should be expedited and completed in a time bound manner. If necessary, new Committees should be constituted to finalise the plans. | Under process. |
| 7. | 2(ii) | Change of land use for the graveyard in Shastri Park should be expedited. | Item circulated. |
| 8. | 2(iii) | Development of Ehalaswa Lake should be expedited. | Under the control of DTTDC. |
| 9. | 2(iv) | The work on sanitary landfill and development of Dheerpur needs to be speeded up. | Noted. |

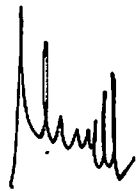
1.	2.	3.	4.
10.	3(i)	DDA should take up upgradation and maintenance of the shopping markets developed and disposed of in the past.	Being done.
11.	3(ii)	All the common areas, including toilets and parking areas in these markets should be essentially used for common purposes. The toilet areas should be allotted on pay and use basis and the parking areas duly auctioned/tendered so that these facilities are available to the users rather than being encroached upon as at present. He specifically drew attention to the parking areas/toilets of Alakhanda and Sheikh Sarai markets which had been taken over by unauthorized persons.	Under process.
12.	3(iii)	The lands allotted to schools were being grossly misused for residential and hostel purposes. Major portions of these lands were being used for running technical education and higher education institutes/programmes for which immediate action for cancellation should be taken and the Delhi Government advised for withdrawing their affiliations rather than the DDA acting only under the orders of the Courts as at present.	Under process.
13.	4(i)	Half yearly performance budget should be put up in the meetings of the Authority.	Noted.

1.	2.	3.	4.
14.	4(ii)	Land for graveyard in Ckhla should be provided at the earliest.	Under process.

15.	4(iii)	Follow up action should be taken on the suggestions given by the members on MFD-2021 and necessary report brought before the Authority. The LG agreed with this suggestion and advised a special meeting of the Authority for the purpose.	Noted.
-----	--------	---	--------

16.	4(iv)	Follow up action should be taken on the suggestions given by the members on the procedures to be adopted for bringing in the private developers and necessary report brought before the Authority.	
-----	-------	--	--

17.	(v)	Pay scales of the Superintendents should be revised w.e.f. 1.1.1986 on the pattern of Senior Stenographers, Assistants and PAS, to avoid unnecessary litigation.	
-----	-----	--	--



सचिव
दिल्ली विकास प्राधिकरण
सई दिल्ली



अध्यक्ष
दिल्ली विकास प्राधिकरण
सई दिल्ली