



PROPOSAL

This is a proposal for revision of scales of the posts of Legal Assistant and Jr. Law Officer of DDA pursuant to the direction of the High Court. The background of the case is brought out below :

2. The Legal Assistants of DDA who are presently in the scale of Rs. 5500-9000 filed a writ petition in High Court bearing No. 6637/02 seeking revision of their scale to Rs. 6500-10500/-. Similar writ petition was filed by the Jr. Law Officers who are in the scale of Rs. 6500-10500/- bearing No. 5728/03 seeking revision of their scale to Rs. 7500-12000/-. Both the above petitions were clubbed by the Court and a common judgment was passed on 17.12.2004 accepting the claim of the petitioners. The Court passed directions to the DDA to revise the pay scale as per above w.e.f. 1.1.1996 (copy of Court Orders).

The Hon'ble Court gave a common decision in both the above petition on 17.12.2004 to grant the pay scale on the following grounds :

- i) The essential qualification and nature of duties of Legal Asstt. in DDA and Asstt. (Legal) in Central Govt. are similar. The functions & duties performed by Legal Asstt. And Jr. Law Officer in DDA and Asstt. (Legal) and Supdt. (Legal) in the Ministry of Law, Justice & Company Affairs are almost the same.
- ii) DDA has operated Rules & Regulations/pay-scales of their employees including Engineers, Architects, Supdts. & Asstts. etc. as applicable to Central Govt. employees.
- iii) Applying the principle of parity (equal pay for equal work) the Legal Asstt. and Jr. Law Officer in DDA are entitled to have the scale of the corresponding post of Assistant (Legal) and Supdt. (Legal) respectively of the Ministry of Law.
- iv) The Dandapani Committee report on which reliance was placed by the respondent (DDA) cannot be said to be on any sound footing. The rejection of petitioner's demand for parity on the basis of Dandapani Committee's report in the absence of any cogent reason, discussions or deliberations cannot be sustained.

3. It is mentioned here that a Committee by the name Dandapani Committee had been set up by DDA in 1997 with a view to consider claims for revision of scales in reference to the recommendations of the Govt. of India for revision of scales under 5th Pay Commission. This Committee had held that the functions performed by Legal Assistants and Jr.Law Officers in DDA were not comparable to the functions performed by the Assistant (Legal) and Supdt.(Legal) of the Ministry of Law respectively.

4. DDA preferred LPA No. 640/2005 against the above orders dated 17.12.2004 of the High court which was also dismissed by the High Court vide its orders dated 11.4.2005 (copy of judge). The Panel Lawyer and Legal Department of DDA have opined that there is no merit in further legal re-course and have accordingly advised that the judgment may be implemented. The matter has also been administratively examined and it is viewed that there would not be any merit in further contesting the matter in the Supreme Court and therefore, the scales of Legal Assistants and Jr.Law Officers may be revised. **ment**

5. The comparative position of the scales of Legal Assistants and Jr.Law Officers existing in DDA and scales of Assistant (Legal) & Supdt.(Legal) existing in Ministry of Law, prior to adoption of 5th Pay Commissioner is indicated below :

Post	Scales prior to 5 th Pay Commission	Scales on adoption of 5 th Pay Commission
DDA Posts		
Legal Assistant	Rs. 1640-2900	Rs. 5500-9000
Jr.Law Officer	Rs/ 2000-3500	Rs. 6500-10500
Posts in Ministry of Law & Justice		
Assistant (Legal)	Rs. 1640-2900	Rs. 6500-10500
Supdt.(Legal)	Rs. 2375-3500	Rs. 7500-12000

As may be seen from the above, the scales of Legal Assistant in DDA and of Assistant (Legal) in the Ministry of Law prior to 5th Pay Commission revision were similar. However, under 5th Pay Commission, the scales of the respective officials came to be at variance. In DDA, only replacement scales were assigned in the light of the recommendations of the Dandapani committee based on the appreciation that the duties of the Legal officials in DDA were not similar to the duties of the legal officials in the Ministry of Law, whereas, in the Ministry of Law, the scales were revised upwards in terms of relevant GOI orders.

6. In view of the orders of the Court as stated above, the scales of Legal Assistants and Jr. Law Officers in DDA may be revised to bring them at par with the scales of Assistant (Legal) and Supdt. (Legal) respectively of the Ministry of Law as follows :

	<u>Existing Scale</u>	<u>Proposed Scale</u>
Legal Assistants	Rs. 5500-9000	6500-10500
Jr. Law Officer	Rs. 6500-10500	7500-12000

This revision would have to be effected from 1.1.1996 in term of the directions of the Court.

7. That the above revision is not likely to have any direct implication for the ministerial and other cadres of DDA in view of the following :

- i) The pay scale of Assistants and Supdts. on the Ministerial side have already been revised in line with the scales existing under Govt. of India. Thus, presently, their scales are already in line with the scales of corresponding posts under Govt. of India.
- ii) In the Govt. of India also, the scales of Assistants and Section Officers on the Ministerial side and Assistant (Legal) and Supdt. (Legal) on the legal side are dissimilar as indicated below :

Post	Scale
<u>Ministerial cadre of GOI</u>	
Section Officer	Rs. 6500-10500
Assistant	Rs. 5500-9000

Legal Cadres of GOI under Ministry of Law

Superintendent (Legal)	Rs. 7500-12000
Assistant (Legal)	Rs. 6500-10500

- iii) The issue of internal parity has been losing its relevance in DDA in the light of the fact that over the years, the revision in the scale in various cadres in DDA have been based on the scales existing in the corresponding cadres under Govt. of India.
- iv) The required educational qualification and mode of recruitment etc. for the respective posts in the Ministerial and Legal side in DDA are also dissimilar.

8. Financial Implications :

The following is the sanctioned strength in the cadre of Legal Assistant and Jr.Law Officer :

Legal Assistant	:	15
Jr.Law Officer	:	14

The extending of revision of scale on the above strength would involve following financial implications :

- (i) One time expenditure on account of payment of arrears - Rs. 14.48,895/-
- (ii) Recurring annual expenditure - Rs. 2.15 lacs per annum approximately.

9. The matter is placed before the Authority for approval of the proposal at para 6 above.

RESOLUTION

During discussions on the agenda item, the Members, Shri Jile Singh Chauhan, Shri Mahabal Mishra and Shri Virender Kasana sought a review of the existing panel of lawyers and strict monitoring of the Court cases.

(ii) During discussions on the proposal it was observed by the Director (D.D.) Mrs. S Aparana that generally, the guidelines of the Department of expenditure, Govt. of India, should be kept in view by the DDA while considering such proposals. After detailed discussions, and keeping in view the specific situation and urgency of the present case the proposals contained in the agenda item were approved by the Authority.

Item No.
55/2005

DENOTIFICATION OF DA-40 UNDER THE DELHI DEVELOPMENT
ACT, 1957 (FILE No.F.5(102)03/DD/LM/NZ/PT.IV)

Section 12 of the Delhi Development Act, 1957 gives powers to the Central government to declare any area as development area. After declaration of the development area, no development of the land can be carried out without the permission from the Authority. After coming into operation of any of the plans in any area no development shall be undertaken or carried out in that area unless such development is in accordance with such plans.

2. Development according to the act, means carrying out Building, Engineering, Mining or other operations in, on, over under land or the making of any material change in any building of land and includes redevelopment.

3. The Development Areas have been declared with the basic intention of developing the area as per the Master Plan/Zonal Plan. After the declaration of development area, building activity in that area, regulated by the DDA, either to, make construction or re-construction or any change by any private individual/agency. Seen in conjunction with the policy of Large Scale Acquisition and Development, the intention behind the policy and provisions of the law apparently was to declare an area as development area for a specific period of time so that the land in that area could be acquired and developed as per the provisions of the master Plan/Zonal Plans, and after development the area could be denotified. The implications of denotification in such a situation would essentially relate to transfer of building control activities and maintenance and services in the area to the concerned civic agency. In practice it has been observed that several areas have remained as development areas for long periods of time. This has had the following consequences:

Non transfer of service to the MCD/Local body leading to various problems of water supply, Sewage management and maintenance .

Unauthorised construction particularly in and around the villages, where DDA does not approve building plans in absence of approved layout plan.

4. The other consequence has been that confusion has continued to persist about the jurisdiction of the DDA or MCD over various areas leading to complaints and inconvenience to the Public. Serious practical problems and difficulties have been experienced in this regard also.

5. Section 22(A) also empowers DDA to develop any land which has been transferred or placed at its disposal even if such land is not situated in any development area. Hence there is no inevitable necessity to declaring specific individual areas as development area for purposes of planned development.

6. Over a period of time several Development areas have become almost fully developed. On the other hand, in some cases, in spite of the area remained as a Development Area for many years no planned scheme was prepared or implemented. Some of these areas have also become part of unauthorized colonies which government proposes to regularize.

7. In this background there have been persistent demands from various sources and public representatives to denotify various Development Areas. The matter was considered by the Technical Committee in its meeting held on 29th January, 2004 and the broad guidelines were framed for denotification of Development Area. Thereafter, a number of meetings were held at the level of Vice-Chairman, and it was noted that a systematic exercise may be carried out by the Land Management Wing, in consultation with the Planning Department, with a view to identifying those areas which merit consideration for being denotified. It was decided that this may be done with reference to specific parameters viz. the extent of land which is built up/vacant, current proposals for land acquisition, and status of preparation and implementation of Zonal/Development Plans for the area, so that objective decisions in respect of denotification could be taken. After examination as above, it is proposed that the de-notification of Development Area-40, should be undertaken. Details of this DA are given below:

Development Area-40 was declared vide notification No.F.42(7)66/L&B dt.6.4.67 covering 432 Hects. It is bounded by G.T. Road to Karnal and the Outer Ring Road proceeding towards East alongwith Outer Ring Road upto a distance of 7629 ft. then proceeding 8215 ft. towards South West with many short irregular turns then proceeding 5865 ft. towards North West along GT Road thus meeting the original point. Land under DA-40 comprises of built up structures and includes village Ramgarh & Bhalaswa. At present Delhi Development Authority is not involved in any major development Scheme in this area.

9. Accordingly, it is proposed to denotify the Development Area No.40. The de-notification would not mean that this area will remain un-attended. The MCD will immediately take over control of the building activities as per the building bye-laws, and provision of Municipal Corporation Act will apply.

In view of the above, the proposal to denotify the DA-40 placed before Authority for consideration and approval.

RESOLUTION

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

1. Proposal in brief

This is an agenda for cadre review of Planning Department. A Committee was constituted by the Ministry of Urban Development in this regard in the year 1995. The constitution of the Committee was changed from time to time and presently, the same stands constituted as follows:-

Vice Chairman, DDA	-	Chairman
Finance Member, DDA	-	Member
Engineer Member, DDA	-	Member
Commissioner (Planning)	-	Member
Director General, CPWD	-	Member
Shri S.K. Sharma, Former CMD, HUDCO.	-	Member
Commissioner (Personnel)	-	Member-Secretary

The Ministry of Urban Development gave following directions to DDA in this regard:-

- i) Commissioner (Planning) should spell out the work programme of the Planning Department for the remainder of the Eighth Five Year Plan period. He should then subject each item in the work programme to close scrutiny and make a three-fold classification items of work which, because of their inherent nature, should be done in-house; items of work which, though capable of being privatized, may be done in-house so as to keep the available staff gainfully employed; and items of work which can and should be privatized.
- ii) Once Commissioner (Planning) has completed the exercise indicated at (i) above, his recommendations may be considered by a Committee headed by the Vice-Chairman, DDA and the classification proposed by Commissioner (Planning) accordingly finalized.
- (iii) In the light of the finalized classification, Commissioner (Planning) may work out a plan for redeployment of the available personnel resources in the Planning Department, adhering as closely as possible to the norms used by SIU for working out the staff requirement of the Department in 1988-89.
- (iv) The staff re-deployment proposal thus formulated by Commissioner(Planning) may be considered by the Committee and finalized.
- (v) The staff re-deployment scheme should then be implemented and, simultaneously, steps may be taken to go to the open market for the items of work selected for privatization."

In the light of above directions of the Ministry, proposals were framed by Commissioner (Planning) as well as by Chief Architect and Director (Landscape) for Planning, Architecture and Landscape Wings of DDA respectively, which were deliberated by the aforesaid Committee over several sittings. Shri S.K. Sharma, former CMD, HUDCO did not attend these meetings. Further, D.G., CPWD was represented by Shri K. Srinivasan, ADG (F&P), CPWD.

The activities being handled by the respective Wings as well as new activities that are expected to be assigned were gone into in detail by the Committee. The Committee has observed that the workload of all the three Wings has increased over the years in reference to their areas of work as well as the activities being handled by them. The assessment of the increased volume of work in the aforesaid three Departments has been assessed by it in detail under Para (4) of the Cadre Review Report placed as App. 'A' to this agenda.

at page 198 to 208)

In the light of the appreciation that the workload in the above Departments has undergone substantial increase over the years while no cadre review exercise as such has been undertaken earlier, enhancement in the cadre size along with re-structuring of the departments in terms of work distribution etc. has been spelt out under Para (6) of the Cadre Review Report placed as App. 'A'. Under this cadre review, the Research and Survey Cadres which also basically have formed part of the overall Planning & Architectural set up, have also been reviewed.

'A' at Page 198 to 208)

So far as the Survey Cadre is concerned, the Committee observed that this cadre also extends to Land Management, Land Disposal and Housing Wings besides the Planning and Architecture Departments. The Committee has made an assessment of the required size of this cadre in reference to the Planning, Architecture and Landscape Architecture Departments only. The Committee viewed that a separate exercise would need to be taken up to assess the requirements of Survey personnel in Land Management, Land Disposal and Housing Departments and the cadre size would need to be proposed in totality keeping in view the requirement in the above Departments.

Guiding principles for cadre review.

While carrying out the cadre review exercise, the Committee has kept in view the following broad guiding principles / imperatives:-

- i) The augmentation, if at all required, should be confined to only highly skilled professional levels.
- ii) Possibility of outsourcing the tasks should be explored and augmentation proposed taking into consideration only those activities which cannot be outsourced.
- iii) Likely impact of future computerization such as use of CAD system etc. need to be also kept in view.
- iv) The issue of decentralization in reference to activities having public interface, as recommended in the ICRA report, need to be also taken into consideration.
- v) Looking at the nature of activities and the Organization structure of DDA as a whole, it would be more appropriate to separate out the structure segregating Area based function and Sectoral / Core functions.

Proposed cadre size

The requirement of manpower has been assessed by the Committee under Para (5) of the Cadre Review Report keeping in view the increased workload as well as the guiding principles / imperatives mentioned above.

The summarized position of the proposed cadre size vis-à-vis existing cadre size as recommended by the Cadre Review Committee is brought out below.

Planning Cadre

Post	Existing sanctioned posts including frozen posts	Proposed sanction	Increase/decrease	Frozen posts out of Column (2) which would also need to be defrosted
Commissioner (Planning)	1	1	0	0
Addl. Commr. (Plg.)	3	6	+3	0
Director (Plg.)	12	16	+4	0
Jt. Dy. Director (Plg.)	27	33	+6	4
Asstt. Dir. (Plg.)	39	66	+27	7
Planning Asstt.	55	66	+11	3
Planning Draftsment	52	00	-52	0

Research Cadre

Posts	Pay-scale	No. of existing posts	No. of proposed posts
Sr. Research Officer	10000-15200	02	01
Research Officer	8000-13500	05	01
Research Asstt.	5500-9000	08	02
Field Investigator	4500-7000	116	36

No change has been proposed so far as the Survey set up in Planning, Architecture and Land Scape Architecture Department is concerned.

Architecture Cadre

Post	Existing sanctioned posts including frozen posts	Proposed sanction	Increase(+)/Decrease(-) proposed	Frozen posts out of Column (2) which would also need to be defrosted
Chief Architect	1	1	-	0
Addl.Chief Architect	2	4	+2	0
Sr.Architect	5	8	+3	0
Architects	14	17	+3	1
Asstt.Architects	27	33	+6	0
Arch.Asstt.	33	32	-1	05
Arch.Draftsmen	01	00	-1	0

Landscape Architecture

Posts	Existing sanctioned posts including frozen posts	Proposed sanction	Increase(+)/Decrease(-) proposed	Frozen posts out of Column (2) which would also need to be defrosted
Addl.Commr.(Landscape)	Nil	1	+1	0
Dir.(Landscape)	1	2	+1	0
Dy.Dir.(Landscape)	2	4	+2	0
Asstt.Dir.(Landscape)	5	8	+3	2
Architectural Asstt.(Landscape)	6*	8	+2	0
Draftsman	6*	0	-6	0

The Cadre Review Committee viewed that in the light of the additional requirement as assessed above, above frozen posts would also need to be defrosted. Necessary action for defreezing of the posts is being taken separately.

So far as the Survey Cadre is concerned, certain number of posts of this cadre have also been pin pointed in Land Management, Land Disposal and Housing Department. It was decided by the VC that the man-power requirement of survey personnel for these departments be also reviewed. This review has also been carried out, the detailed position regarding which is placed at (App. 'A' 2. Additional requirements of survey personnel for these Departments is summarized below:

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Department	Existing				Proposed			
	Dir.	DD	AD	Surveyor	Dir.	DD	AD	Surveyor
Land Disposal	-	1	2	0	0	2	5	0
Land Management	0	1	4	20	0	2	6	20
Housing	0	0	2	0	0	0	2	0
Total	0	2	8	20	0	4	13	20

With above additional requirement, the proposed size of the survey cadre would be as follows :

Post	Pay scale	Total No. of posts in the cadre	No. of posts proposed	Increase/Decreased proposed
Dir. (Survey)	12000-16500	01	01	No Change
Dy. Director/ Jt. Director (Survey)	10000-15200	06	8	+2
Asstt. Dir. (Survey)	6500-10500	22	27	+5
Surveyors	4500-7000	66	66	No Change

2. Financial Implications, if any

The creation of additional posts at different levels would lead to an additional annual financial expenditure of Rs. 1.24 crores approximately while the reduction in the sanctioned strength in various categories as indicated above would lead to annual savings of Rs. 1.26 crores approximately. Thus, there would not be net saving of Rs. 2 lacs per year approximately.

3. Why the approval of Authority is required

Since this proposal involves creation of posts at various level in group 'A' and group 'B', this will require approval of the Ministry. The matter is accordingly placed before the Authority for approving cadre review proposal before it is referred to Ministry.

RESOLUTION

The Chief Secretary pointed out that there were anomalies in the educational qualifications of the post of Asstt. Director (Planning) which laid down Post Graduate qualification for the direct recruits and diploma qualification for the promotees, which needed to be looked into.

Shri Virender Kasana pointed out that there were anomalies in different cadres with reference to the total cadre strength and the number of posts at senior officer levels, and thus aspect needs to be considered.

It was suggested by the other members that consideration of this item may be deferred due to paucity of time.

On the suggestion of Vice-Chairman, it was agreed that the cadre review proposals may be further examined by a Committee which should include the Chief (TCFC) and a senior official of the Govt. of NCTD.

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Report of the Cadre Review Committee for cadre review of Planning, Architecture and Landscape Architecture Departments.

1. A Committee was constituted by Ministry of Urban Development vide no. K-11011/63/90-DDIA dated 2.6.1995 in exercise of its powers under Section 41(1) of D.D. Act, 1957 to review the Planning & Architecture cadres as follows:-

Vice Chairman, DDA	-	Chairman
Commissioner (Planning), DDA	-	Member
Sh. E.F.N. Riberio, Former Director, School of Planning and Architecture, Delhi.	-	Member
Shri S.K. Sharma, CMD, HUDCO	-	Member

Later on, the Ministry approved inclusion of Engineer Member, DDA as Co-opted Member and Commissioner (Personnel) as Member-Secretary and further nominated Shri B.S. Duggal, D.G., CPWD in place of Shri Riberio.

Further to the above, nomination of Engineer Member, DDA was made as full fledged Member rather than Co-opted Member vide Ministry's letter no. K-11011/63/90-DDIA dated 28.1.2000.

Later on, since Shri B.S. Duggal, Director General, CPWD had retired, on a clarification sought from the Ministry, the Ministry conveyed its approval to the nomination of Director General (Works), CPWD as Member of the Committee vide its letter no. K-11011/63/90-DDIA dated 25.9.2001.

As of now the Cadre Review Committee stands constituted as follows:

Vice Chairman, DDA	-	Chairman
Finance Member, DDA	-	Member
Engineer Member, DDA	-	Member
Commissioner (Planning)	-	Member
Director General, CPWD	-	Member
Shri S.K. Sharma, Former CMD, HUDCO.	-	Member
Commissioner (Personnel)	-	Member-Secretary

2. Vide references above, the following directions were given to the DDA by the Ministry:-
 - i) Commissioner (Planning) should spell out the work programme of the Planning Department for the remainder of the Eighth Five Year Plan period. He should then subject each item in the work programme to close scrutiny and make a three-fold classification items of work which, because of their *inherent nature*, should be done in-house; items of work which, though capable of being privatized, may be done in-house so as to keep the available staff gainfully employed; and items of work which can and should be privatized.
 - ii) Once Commissioner (Planning) has completed the exercise indicated at (i) above, his recommendations may be considered by a Committee headed by the Vice-Chairman, DDA and the classification proposed by Commissioner (Planning) accordingly finalized.

- (iii) In the light of the finalized classification, Commissioner (Planning) may work out a plan for redeployment of the available personnel resources in the Planning Department, adhering as closely as possible to the norms used by SIU for working out the staff requirement of the Department in 1988-89.
- (iv) The staff re-deployment proposal thus formulated by Commissioner(Planning) may be considered by the Committee and finalized.
- (v) The staff re-deployment scheme should then be implemented and, simultaneously, steps may be taken to go to the open market for the items of work selected for privatization.
3. In the light of above direction of the Ministry, proposals were framed by Commissioner (Planning) as well as by Chief Architect and Director (Landscape) for Planning, Architecture and Landscape Wings of DDA respectively, which were deliberated by the aforesaid Committee over several sittings. Shri S.K. Sharma, former CMD, HUDCO did not attend these meetings. Further, D.G., CPWD was represented by Shri K. Srinivasan, ADG (F&P), CPWD.

4. Analysis of the workload.

The activities being handled by the respective Wings as well as new activities that are expected to be assigned were gone into in detail. The Committee has observed that the workload of all the three Wings has increased over the years in reference to their areas of work as well as the activities being handled by them. The position in this regard is analysed below:-

4.1 Planning Wing

The volume of work was assessed against following parameters:-

- Population
- Urban Extension Project
 - Dwarka
 - Narela
 - Rohini
 - Dheerpur Phase-I
 - Jasola
- Total Urban Area
- Flyovers
- MRTS Corridors
- River Bed

Comparative position under previous plan and current plan (2001-2021) brings out that there has been increase in work volume in respect to all the above parameters. A comparative position in this connection is as under:-

	Projects upto 1991	1991-2001	2001-2021
Population	9.12. million	13.8 million	23 million
Urban Extn. Projects	2400 Ha.	16368 Ha.	22-25,000 Ha.
Total Urban Area	500 sq. km.	700 sq. km	1100 sq km.
Flyovers	15	40	48
MRTS Corridors	-	20-25 km.	250 km.
River Bed (Zone-O)	Conceptual Planning Stage	Conceptual Planning Stage	Plan Implementation
Commonwealth Games, 2010	-	-	To be implemented

In 1991 the Planning Department was handling development relating to 9.1 million population, which increased to 13.8 million in the year 2001 and is likely to increase upto 23 million by the year 2021. Similarly, the urban area which was about 500 sq. km. in 1991 is to increase to about 1100 sq. km. by the year 2021. It is estimated that 22000-25000 ha. area will be added in form of urban extension to the existing urban area for which planning schemes are to be prepared and its further details in form of Zonal Development Plans, Area Plans and Layout Plans etc. are to be done. Besides the above, work relating to following major activities has been added to the work of Planning Department increasing the workload of the department substantially.

Planning for Commonwealth Games 2010
Re-development of area around MRTS Corridors
Regularization of unauthorized colonies.
Urban renewal and re-development plans
In-situ Slum & JJ Rehabilitation
Integrated Freight complexes and wholesale markets
Development multi-level parking
Development of city forest / green buffer along NCTD border
Planning of villages
Planning of 5000 Ha. Land between Rohtak Road and Najafgarh Road.

4.2 Architecture Wing (Housing & Urban Project Wing (HUPW)).

- (i) The present strength of Housing & Urban Projects Wing was determined as per the recommendations of Staff Inspection Unit of Ministry of Finance in the year 1989. Since then the strength has remained static though there has been considerable increase in the work of the unit qualitatively as well as quantitatively. In 1989 when the SIU carried out its study, the emphasis was mainly towards planning of Housing. Some commercial projects were also being planned but these were very few and out of them also large commercial projects like District Centre were assigned to private consultants. At present HUPW is planning/designing not only Housing Projects but also large Commercial Complexes, Sports Complexes & Stadias and is playing an important role in Conservation and Heritage Projects. The main responsibility for planning of Commonwealth Games Village, various Stadias/Sports Complexes which will be developed by DDA will also lie with Housing & Urban Projects Wing. The type of job presently being handled by HUPW includes

- Housing – diverse typologies
- Commercial – hierarchical and non hierarchical
- Sports complex and stadia
- Community halls
- Conservation and heritage
- Commonwealth games
- Upgradation Projects
- In-situ re-development
- Renewal Projects
- Special projects such as: Haj house, Cremation grounds, burial grounds, Area improvement.

(ii) The increase in workload since 1988-89 can be gauged from the following:

- 3 fold increase in residential area related works.
(Residential area of Rohini, Dwarka and Narela adds upto 8000 Ha.)
- 4 fold increase in number of Commercial Projects.
District Centres increased from 5 to 20.
Community Centres increased from 18 to 80.
Corresponding increase in LSC and CSC.
- Expected increase in residential/commercial and other facilities as per MPD 2021.

- (iii) The housing which was being planned in 1988-89 was mainly low rise and being confined to 3 categories of Janta, LIG & MIG was mostly of repetitive nature. With the increase in permissible FAR, parking requirements and pressures for optimum utilization of land, housing solutions include multi-storeyed designs. Therefore, every site requires location specific solutions.
- (iv) It has been calculated that various commercial complexes which are in planning stage or are to be planned in near future will generate approximately 450000 sqm of commercial space.
- (v) There has been a change in the administrative setup of DDA and the work is now divided into specific zones and this functioning on zonal basis is likely to be strengthened further which would place additional demand on manpower resources.

4.3 Landscape Wing

- (i) The landscape unit is designing and planning all the green areas under the jurisdiction of DDA and most of these works are done in house. Important City level projects have been designed in house like Yamuna Biodiversity Park, Aravali Biodiversity Park, Aastha Kunj, River front (Pushta Park), Indraprastha Park, Swarn-Jyanti Park, Bhalswa Recreational Complex, all Sports complexes. Over a period of years, the workload in the landscape unit has also witnessed considerable increase without corresponding increase in the manpower. The staff strength in the landscape unit includes six technical experts at the officers level i.e. Director -1, Dy. Director -2, Asstt. Director -3 which was sanctioned in 1988 after the work review of all the departments was done. The workload has increased over the years since then, however, there has been no augmentation of the manpower is brought out in the table below:-

Year	Area under landscape cover	Number of posts created in Landscape Unit
1988	5050 Ha. proposed green area as per MPD-2001	Senior Landscape Unit created as per SIU study in 1988 as stated above.
1995	223 Ha. Rohini, Ph.I & II added in urban extension	No increase in strength
1997	1034 Ha. Dwarka Ph.I	No increase in strength
2000	1029 Ha. Narela	No increase in strength
Till date	Approx. 1214 Ha. of land in Rohini, Ph.IV, V, Dwarka, Ph.II and in Narela to be planned in the next 5 years	No increase in strength

- ii) Besides the above, the Master plan has laid emphasis on initiation of Sports activity for development of Sports Complexes, fitness trails, play grounds etc. As of now, 5050 hac. is the green area within the urban limits and 3500 Ha. as green area is in the urban extension i.e. Rohini, Dwarka & Narela. As per requirement, 40 % area within the urban limits needs to be planned immediately as per the site conditions /physical status and more than 50 % of the area in urban extension needs to be planned in near future. Thus, there exist large areas yet to be planned. Many important projects like- Yamuna Riverfront beautification (Pushta Park) Aravali Biodiversity park, Yamuna Biodiversity park, Bhalswa Recreational complex are over and above the above figures. Future Landscape planning of critical and important areas like along the Nalas, Yamuna River front, Zonal Plan - O (6081 Hac. mostly recreational use) and planning and designing in proposed Zonal Plans J to P (Total Zonal Area 89984 Hac.), also needs to be taken up of which about 19% is recreational area i.e. 17096 Hac will be recreational. In addition to this, the upgradation and enhancement of Existing Greens is an ongoing process.
- (iii) The sports activities were taken up as a new dimension in Master Plan - 2001 and since then DDA has been providing sports facilities like sports complexes, play fields, multigyms, fitness trails in all green areas. The site planning and the schemes are prepared in-house by the Landscape Unit. Besides, in light of the Commonwealth Games approaching in 2010, DDA has been assigned the task of providing various facilities in different venues along with an active role in the beautification of the City for the Commonwealth Games. Landscape Deptt. has to play an important role in the same.

5. Guiding principles / imperatives

Against the above backdrop of increased workload / activities, both in qualitative and quantitative terms, it has been viewed that there is need to augment the existing structures in all the three Wings viz. Planning, Architecture and Landscape Wings. While assessing the required structure size, following guiding principles/imperatives have been kept in view :

- i) The augmentation, if at all required, should be confined to only high skilled professional levels. Further, the augmentation need not be brought about in the support ministerial staff or Draftsmen category and any increased workload in their spheres of work should be managed by re-distributing the existing strength in these cadres in Planning & Architecture Wings.
- ii) Possibility of outsourcing the tasks should be explored and augmentation proposed taking into consideration only those activities which cannot be outsourced.
- iii) Likely impact of future computerization such as use of CAD system etc.
- iv) The issue of decentralization in reference to activities having public interface, as recommended in the ICRA report,
- v) Looking at the nature of activities and the Organization structure of DDA as a whole, it would be more appropriate to separate out the structure segregating Area based function and Sectoral / Core function

6. Proposed cadre structures

The Committee recommends following structure for the three Wings keeping in view the guiding principles stated under Para 5 above. The outsourcing issue has also been dealt in the following paras:-

6.1 Planning Department

COMMISSIONER (PLANNING)

AREA PLANNING			SECTORAL PLANNING		
Additional Commr. (1)	Additional Commr (2)	Additional Commr (3)	Additional Commr.(4)	Additional Commr.(5)	Additional Commr. (6)
Narela (Zones N & P) + Rohini Zones (M & part H)	Zones A,B,C, E,F,G & part H, Assembly Questions ,Industries & Court cases.	Zones K ,J & L (Dwarka)	MPD-2021 & T & T Plg.	Head Quarters, Monitoring, & Bldg. & Zone D & O	U/a Colonies, Parliament Questions, Spatial Data Infrastructure, Research & survey
1.Director (Narela)	3.Director Zones A,B,F & G	6.Dir.Zones --K & J Dwarka	8. Dir.MP D-2021	12.Dir. Dev. Control/ Plg. Admn./ CW- Games & Zone-D & O	15.Dir.U/a Colonies, & Parliament Questions.
2.Director (Rohini)	4.Director Zones E & H Industries & Court cases	7.Dir.Zone- L Nawada/ Najafgarh	9.Dir.Zonal Plans(UE & policy review.	13.Director. Monitoring	16.Dir.- Spatial Data Infrast. (SDI)
	5.Director Zone-E		10.Dir.(MR TS/Flyover s,etc	14.Dir.Bldg.	
			11.Dir.(TT)		

(ii) The strength of Planning professionals in each Directorate may be as follows:-

Deputy Director	-2
Assistant Director	-4
Planning Asstts.	-4

- (iii) A Cell headed by one Deputy Director supported by 02 Assistant Directors and 02 Planning Assistants to be provided under Commissioner (Planning) directly to assist him in his administration.
- (iv) All the posts of Planning Draftsmen may be abolished as in the present Information Technology age, they do not have much relevance and their function can very well be performed by the Planning Assistants and superior officers themselves using computer systems. 34 vacant posts could be surrendered forthwith, while the balance 18 posts, which are not incumbent free may be surrendered as and when these fall vacant on account of promotion of incumbents/retirement.

- v) A comparative chart summarizing the existing and proposed structure is given below :

Designation	Sanction including frozen posts	Proposed sanction	Increase (+) /decrease (-) proposed	Frozen posts out of Column (4) which would also need to be defrozeed
(1)	(2)	(3)	(4)	(5)
Commissioner (Planning)	1	1	0	0
Addl. Com. (Plg.)	3	6	+3	0
Director (Plg.)	12	16	+4	0
Jt./Dy. Dir. (Plg.)	27	33	+6	4
Asstt. Dir. (Plg.)	39	66	+27	7
Planning Asstt.	55	66	+11	3
Planning Draftsmen	52	00	-52	0

- vi) At different levels the outsourcing of work has also been suggested. The urban planning works are inter-related with different aspects of development, both in terms of their locational spread over in area as well as their surroundings, hence, for appropriate coordination, outsourcing of work is possible mostly at local area level. The following is the proposed mode and extent of outsourcing of work

CONSULTANCY	Village Redev. Plan/urban renewal Sector Plans, MRTS corridor Restructuring, IFC/Service Centre, Spl. Projects, RDP/Flyovrs etc.	Consultancy for projects above Rs. 5 crore to be processed through Project Manager Consultancy Fee above Rs. 50000/- to be approved by VC/EM/FM/Project Committee Consultancy fee Upto Rs. 50000- may be approved by Commr. (Plg)
CONTRACT PROFESSIONALS	<ul style="list-style-type: none"> • Zonal/Sector Plans • Urban Renewal/ MRTS Corridor restructuring • Slum/JJ • Industrial/Institutional area redevelopment • Auto workshops • RPD/parking, Cycle Tracks • Informal Sector Development Area etc. 	1 Planning Officer per 10 Ha.(3 to 4 schemes per yr.) Detailed Schemes/Layout Plan lvl.(to be outsourced to outside agencies i.e. AMDA, SPA etc.) 1 Planning Officer per 100 Ha.(2 schemes per yr.) Sector Plan lvl.(to be outsourced to outside agencies i.e. AMDA, SPA etc.) 1 Sr. Plg. Officer + 2 Plg. Officers per zone (1 Plan per yr.)-Zonal Plan level (to be outsourced to outside agencies i.e. AMDA, SPA etc.)
PRESENTATION/ MODELS/ COMPUTERISATION	Digitisation of Drgs./Records Preparation of Drgs. Presentation Reports Models	Upto Rs. 20000 - to be approved by AC (Plg) Upto Rs. 10000 - to be approved by Dir (Plg)

6.2 Research Cadre

The Committee observed that there is hardly any work relating to socio-economic survey & research for which purpose this cadre was created originally. However, there do exist some miscellaneous works for which a small strength would need to be retained as follows:-

A Central pool consisting of following manpower may be created which may carry out special assignment :-

Senior Research Officer	:	1
Research Officer	:	1
Research Assistant	:	2
Field Investigators	:	20

This group may be assigned following responsibilities:-

- In-situ regularization of industrial clusters & unauthorized colonies
- Any other special work / assignment that may come up from time to time.

In addition, one F.I. may be attached with each Directorate of Planning. This would translate to a requirement of providing 16 more FIs against 16 proposed posts of Director. Rest of the manpower may be treated as surplus which may be suitably deployed as per requirement in other Departments.

The proposed cadre strength as per above vis a vis the present cadre size of the Research cadre is as follows:-

Posts	Pay scale	No. of existing posts	No. of proposed posts
Senior Research Officer	10000-15200	02	01
Research Officer	8000-13500	05	01
Research Asstt.	5500-9000	08	02
Field Investigator	4500-7000	116	36

6.3 Survey Cadre

Existing sanctioned strength of physical survey personnel in Planning & Architect Wings of DDA is as follows:

Name of Unit	Dy. Director	Asstt. Director	Surveyor	Total	Remarks
Area Planning Wing	01	04	12	17	
Narela Project	-	02	08	10	
Dwarka Project	01	03	12	16	
Traffic & Transport	01	02	04	07	
Rohini Project	-	01	04	05	
Architecture HUPW	01	02	08	11	
Total	04	14	48	66	1 Dy. Director is working on diverted capacity from the sanctioned strength of Land Management under Commissioner (LM).

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Presently, there is no separate survey set up for the Landscape Wing which causes practical difficulties as the Landscape Wing has to depend on the Architecture or Planning Wing whenever it requires Survey personnel even for small works.

There has been demand from the Planning and Architecture Departments for enhancement of the Survey set up. The Committee has, however, viewed that the present set up is adequate and additional workload that may arise in reference to special projects may be handled by suitable outsourcing on case to case basis.

Director (Landscape) has proposed separate Survey set up for Land scape Deptt. The Committee recommends that the requirement of Landscape Wing may be met by re-distributing Survey personnel by diverting 01 Asstt. Director (Survey) and 02 Surveyors from Area Planning Wing and 02 Surveyors from Dwarka Project. In this way, the Landscape Wing will have a Survey set up consisting of 01 Assistant Director and 04 Surveyors.

The Committee also takes note of the fact that presently, personnel of Survey cadre are deployed in Land Disposal / Land Management and Housing Departments also and views that requirement of the Survey cadre personnel in other Departments may be reviewed separately since the present proposal is confined to the cadre review relating to the activities performed by Planning Architecture and Landscape Architecture Departments. However, the requirement of Land Disposal, Land Management and Housing Departments as assessed may be suitably incorporated so as to arrive at the required cadre size of Survey cadre.

6.4 Architecture Cadre

CHIEF ARCHITECT

TERRITORIAL ACTIVITIES Zonal works in parity with Engg. Deptt.			FUNCTIONAL ACTIVITIES HQ., Monitoring, Admn., Heritage, Sports, Common wealth.
ACA-I	ACA-II	ACA-III	ACA-IV
Dwarka & SWZ	Rohini & North	SEZ & East	HQ, Heritage & Sports Complexes
1.Sr.Arch.(Dwarka) 2.Sr. Arch.(SWZ)	3.Sr.Arch.(North) 4.Sr Arch.(Rohini)	5.SrArch.(SEZ) 6.Sr. rch.(East)	(7)Sr Arch(HQ) (8)Sr.Arch (Sports Complex & Commonwealth)

- (ii) Each Architectural unit under Sr. Architect (Director (Architecture) may have 02 Architects, 04 Assistant Architects and 04 Architectural Assistants.
- (iii) One post of Architect and one of Assistant Architect may continue for the Building Section activities.
- (iv) The Comparative Chart summarizing the existing and the proposed structure is given below :

Designation	Sanction including frozen posts	Proposed Sanction	Increase (+)/Decrease (-) proposed	Frozen posts out of Column (2) which would also need to be defrozed.
(1)	(2)	(3)	(4)	(5)
Chief Architect	1	1	-	0
Addl.Chief Architect	2	4	+2	0
Senior Architect	5	8	+3	0
Architects	14	17	+3	1
Asstt. Architects	27	33	+6	0
Arch. Asstt.	33	33	-1	05
Arch. Draftsmen	01	0	-1	0

- (v) The above proposal takes into consideration outsourcing of jobs wherever possible to keep the permanent staff strength to minimum possible numbers. Outsourcing of work has been envisaged at 3 levels:

- a) By awarding of Consultancy work: Only for prestigious/special projects. This will be for development of conceptual plans and complete consultancy of the projects is to be avoided as it has been seen in the past that this is more time consuming and has not given desired results. The consultancy for such projects will be proposed by concerned Senior Architects and wherever involving a fee of above Rs.50,000 will be awarded with the approval of VC/EM/FM/Project Committee. The consultancy fee upto Rs.50,000 can be approved by Chief Architect.
- b) By engagement of Professionals on contract basis: These will be employed for drafting work and development of drawings from given sketch on contract basis. Normally, these will be employed for specific projects. However, if need is felt in a particular unit to employ such professionals on regular basis this will be done for a specific period.
- c) By outsourcing of specific jobs such as Presentation drawings, Models, 3-D, Simulations, digitization of old records etc. - upto Rs. 30,000 with the approval of Chief Architect, upto Rs.20,000 with the approval of Addl.Chief Architect and upto Rs.10,000 by Senior Architect.

6.5. Landscape Architecture

Designation	Sanction including frozen posts	Proposed Sanction	Increase (+)/Decrease(-) proposed	Frozen posts out of Column (2) which would also need to be defrosted
(1)	(2)	(3)	(4)	(5)
Addl. Commr. (Landscape)	Nil	1	+1	
Dir. (Landscape)	1	2	+1	
Deputy Director (Landscape)	2	4	+2	
Asstt. Director (Landscape)	5	8	+3	2
Architectural Assistant (Landscape)	6*	8	+2	
Draughts Man	6**	0	-6	

*These six number of posts belong to Architecture cadre which are presently deployed in Land scape Wing in diverted capacity.

**These six number of posts belong to Architecture cadre and are presently deployed in Land scape Wing in diverted capacity.


- (ii) Outsourcing of work is possible in Landscape Department upto a limited level/scale, as the planning, designing, detailing and implementation works are inter-related for appropriate co-ordination.


Outsourcing is envisaged in following areas:-


Landscape/Environmental Consultants on contract for City level projects.	<ul style="list-style-type: none"> • Digitization of Landscape Plans. • Working drawings • Construction details • Planting Plan • Drainage Plan • Electrical Plan 	<ul style="list-style-type: none"> • One Landscape / Environmental Consultant/ 50 Ha for details • One senior Consultant for large Environment projects for three to four Schemes per year.
Survey works	Total station survey giving all physical and contour details.	As per approved rates for city level projects, which are charged to the project.
Presentation Model	<ul style="list-style-type: none"> • Presentation panels, digitized, laminated & mounted. • Power point presentation. • Model for projects. 	As per approved rates.

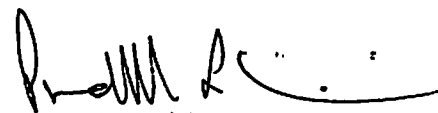
7.0 Dealing with the frozen posts

As stated in the above paras, certain posts in Planning, Architecture and Landscape Architecture presently stand frozen. These posts were frozen in the year 1992. In the light of the requirement as assessed above, these posts would need to be de-frozen. Since this exercise will not involve creation of post, Committee views that the de-freezing exercise can be carried out separately for which proposal may be moved for approval of the Ministry separately.



(Sunil Sharma)
Commr.(Personnel)
(Member Secretary)


(K. Srinivasan)
A.D.G.(F&P) CPWD
(Member)


(A.K. Jain)
Commissioner (Planning)
(Member)


(Prabhash Singh)
Engineer Member
(Member)


(A.K. Patnaik)
Finance Member
(Member)


(Madhukar Gupta)
Vice Chairman
(Chairman)

This is regarding Cadre review of Survey cadre which is being considered alongwith the Cadre review of Planning and Architecture Department since major chunk of the posts of Survey Cadre are pin-pointed in the Planning Department. The cadre review of the component of Survey Cadre, which is under the Planning and Architecture Deptt., has already been done by the Cadre Review Committee for Planning Department.

2. There also exists small survey set up in Land Management, Land Disposal and Housing Deptts. It was decided by the V.C. that the man-power requirement of Survey personnel for these Departments be reviewed at the level of P.C. In this connection the comments of the respective H.O.Ds were obtained regarding their requirement of survey personnel which was critically examined and discussed with respective H.O.Ds.

3. The review conducted as per above brings out that additional survey personnel are required in Land Disposal and Land Management Departments in the light of the increased geographical area to be covered and consequent increased work load. The following was the assessment for the respective Departments:

(i) Land Management Wing:

The existing survey set up in this Department consists of following:

Dy. Director - 1
Asstt. Director (Survey) - 4 (2 in Survey & Settlement and 2 in Enforcement Land)
Surveyors - 20 (10 in Survey Settlement and 10 in Enforcement Branch)
A.E. (Civil) - 2
J.E. (C) - 10

It was viewed that the above set up was inadequate to effectively check the growing mis-use and encroachments of land, in the light of the fact that the area under control of DDA has increased over the years and land at much larger scale is being acquired now. It was considered that there was need to augment the set up by having one more post of Dy. Director (Physical Survey) and two more post of A.D. (Physical Survey) to facilitate effective supervision.

The proposal for Land Management Wing is summarized below:

Department	Existing			Proposed			Proposed Increase		
	DD	AD	Surveyor	DD	AD	Surveyor	DD	AD	Surveyor
Enforcement Branch	1	2	10	1	4	10	0	2	0
Survey & Settlement Br.	0	2	10	1	2	10	1	0	0
Total:	1	4	20	2	6	20	1	2	0

(ii) Land Disposal Department:

The present survey set up consists of following personnel:

Dy. Director (Physical Survey) - 1
Asstt. Director (Physical Survey) - 2 (Residential - 1, Industrial - 1)

Considering the work load of the Department it is viewed that an independent D.D.(Survey) alongwith 2 A.D.(Survey) needs to be provided for Institutional Branch of the Land Disposal Wing. It is also viewed that on the residential side the set up needs to be strengthened by having one more A.D.(Survey).

The proposal for Land disposal Wing is summarized below :

Department	Existing DD AD Surveyors			Proposed DD AD Surveyors			Proposed Increase DD AD Surveyors		
Resdl.Land Branch	1	1	0	1	2	0	0	1	0
Indl.Land Branch	0	1	0	0	1	0	0	0	0
Institutional Land Branch	0	0	0	1	2	0	1	2	0
Total :	1	2	0	2	5	0	1	3	0

(iii) Housing Department

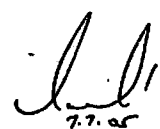
On the Housing side, the existing set up was considered adequate in the light of the fact that there was limited land survey work as the Department primarily dealt with encroachments in Housing pockets/flats.

3. Accordingly, the summarized position of the proposed strength vis-à-vis the existing strength for the Land disposal Housing and Land management Deptt. is indicated below :

Department	Existing DD AD Surveyor			Proposed DD AD Surveyor			Proposed Increase DD AD Surveyor		
Land Disposal	1	2	0	2	5	0	1	3	0
Land Mgt.	1	4	20	2	6	20	1	2	0
Housing	0	2	0	0	2	0	0	0	0
Total :	2	8	20	4	13	20	2	5	0

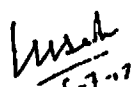
We may incorporate the above proposed augmentation in the cadre review of Survey cadre.

May kindly approve.


(SUNIL SHARMA)
Commissioner (Personnel)

Pr. Commr.

V.C.


5-7-77

Item No. **AGENDA FOR AUTHORITY MEETING**
57/2005 DATE FOR DE-NOTIFICATION OF DA-125,174,136
& 32 - UNDER THE DELHI DEVELOPMENT ACT,1957
P.SW(23)/03/LM/SWZ.

Section 12 of the Delhi Development Act delegates powers to the Central Government to declare any area as development area. After declaration of the development area, no development of the land can be carried out without the permission from the Authority. After coming into operation of any of the plans in any area no development shall be undertaken or carried out in that area unless such development is in accordance with such plans.

Development according to the Act, means carrying out building, engineering, mining or other operations in, on, over under land or the making of any material change in any building or land and includes redevelopment.

The development areas have been declared with the basic intention to develop the area as per the zonal plan and for the development of that area there is requirement of land acquisition. After the declaration of development area, building activity in that area, effectively gets frozen as no permission is being granted by the DDA either to, make construction or re-construction or any change. Seen in conjunction with the policy of Large Scale Acquisition and Development, the intention behind the policy and provisions of the law apparently was to declare an area as development area for a specific period of time so that the land in that area could be acquired and developed as per the provisions of the Master Plan/Zonal Plans, and after acquisition/development the area could be denotified. The implications of denotification in such a situation would essentially relate to transfer of building control activities, maintenance and services in the area to the concerned civic agency. In practice it has been observed that several areas have remained as development areas for long periods of time. This has had two major consequences. It is practically impossible to freeze the building activities for such a long time in any area. Section 12 describes that permission has to be obtained from the authority in development areas, but no regulation has been made as how to provide permission in the

development area and effectively DDA did not grant permission for any type of construction in DA. Consequently unauthorized constructions have taken place and several unauthorized colonies have come up in these development areas. The need of family members also demanded reconstruction of the building/division of the building but no permission was granted by the DDA in a Development Area. Consequently people have chosen the path of unauthorized construction.

If any construction has been carried out in violation of the provisions of section 12 of DD Act the competent authority can pass demolition-cum-sealing orders. Hence a large number of demolition orders have been passed every year but percentage of implementation of demolition orders is quite low due to various reasons including non availability of police force, protest from the public and stay orders by various courts, etc. Some major reasons for the public resistance and protests relates to the on-going consideration in respect of regularization of unauthorized colonies and natural extension of the village abadis with the growth of population.

The other consequence has been that confusion has continued to persist about the jurisdiction of the DDA or MCD over various areas leading to complaints and inconvenience to the public. Serious practical problems and difficulties have been experienced in this regard also.

Section 55 of DD Act reads as under

"Plans to stand modified in certain cases

(1) Where any land situated in any area in Delhi is required by the master plan or a zonal development plan to be kept as an open space or unbuilt upon or is designated in any such plan as subject to compulsory acquisition, then, if at the expiration of ten years from the date of operation of the plan under section 11 or where such land has been so required or designated by any amendment of such plan, from the date of operation of such amendment, the land is not compulsorily acquired the owner of the land may serve on the Central Government a notice requiring his interest in the land to be so acquired.

(2) If the Central Government fail to acquire the land within a period of six months from the date of receipt of the notice, the master plan or, as the case may be, the zonal development plan shall have effect, after the expiration of the said six months as if the land were not required to be kept as an open space or unbuilt upon or were not designated as subject to compulsory acquisition".

In view of the Section 55 it is clear that any private individual cannot be compelled to keep his land un-built or vacant after 10 ½ years of coming into existence of any zonal development plan. In the case of south west zone, all the development areas have been notified as such more than 11 years ago.

Section 22(A) empowers DDA to develop any land which has been transferred or placed at its disposal even if such land is not situated in any development area. Hence there is no necessity of declaring any area as development area, as DDA can develop any land which is not even in development area. It is the prime responsibility of the civic authority/MCD to regulate/control the building activity in Delhi. DDA can only declare a development area for short period for the purpose of planning and then release the building activity and consequently building activity can be controlled by MCD.

Over a period of time several development areas have become almost fully developed. In some cases in spite of the area remained a Development Area for many years no planned scheme was prepared or implemented. Some of these areas have also become part of unauthorized colonies which government proposes to regularize.

In this background there have been persistent demands from various sources and public representatives to denotify various Development Areas. The matter was considered by the Technical Committee in its meeting held on 29th January, 2004 and the following decision was taken. Thereafter a number of further meetings were held at the level of the Vice Chairman, and it was noted that a systematic exercise may be carried out by the Land

Management Wing, in consultation with the Planning Department with a view to identifying those areas which merit consideration for being denotified. It was decided that this may be done with reference to specific parameters viz. the extent of land which is built up/vacant, current proposals for land acquisition, and status of preparation and implementation of Zonal Plan/Development Plans for the area, so that objective decisions in respect of denotification could be taken. After examination as above it is proposed that the de-notification of Development Area-125, which includes DA-174, DA-136 and DA-32 should be undertaken. Details of these DAs are as follows:

DA-125:

DA-125 was notified in the year 1973. The area comprises of Revenue Estates of Mehrauli, Kishan Garh, Laddha Sarai, Katwaria Sarai and some portions of village Adchini and Lado Sarai. The description of DA-125 is as follows

- North:** Southern boundary of Institutional area in the South of IIT, which is same as the Southern boundary of Zone F-11.
- East:** First along the proposed Mehrauli Bypass road and then afterwards a boundary showing the regional park as proposed in the Master Plan.
- South:** 200' wide Mehrauli Mahipalpur Road and boundary of District Parks, play grounds and open spaces including hospital site.
- West:** Proposed 100' Master Plan road along Eastern boundary of Nehru University.

In the year 1987 it was decided to denotify the urban villages of Lado Sarai, Katwaria Sarai (part), Kishangarh and Mehrauli but a formal de-

notification of this Development Area has not been issued till date. However, the land Management branch is not taking action in this Development Area.

DA-174: This area was declared a Development Area in the year 1989. This DA includes village Mehrauli and some adjoining areas as per the boundaries described below :

- North:** Quila Lalkot & Master plan Green
- South:** 24.00 Master road & Master Plan Green Cremation Ground.
- East:** 24.00 Metre road of master plan green and Ashoka Mission Vihar.
- West:** 24.00 Metre road and Kishan Garh village.

As can be seen from the above, DA-174 was earlier part of DA-125. At present DA-174 is almost 100% built up and planning branch has no specific development plan for this area. In fact after notification of this area as a Development Area, no re-development plan was put in operation. No large scale acquisition is being planned in this area, as land has already been acquired as per the requirement earlier. The area mainly consists of the Lal Dora of Mehrauli village, and has been a Development Area since 1973 except for 2 years from 1987 to 1989. It is practically impossible to freeze the building activities for such a long time of 31 years, as the old buildings need renovation/repairs/reconstruction etc. due to normal population and family growth, etc.

DEVELOPMENT AREA-32: DA-32 consists of portions of Katwaria Sarai and Adchini village. This area was declared as Development Area in the year 1987. The description of DA-32 is as follows :

- North:** IIT
- South :** Master Plan Regional Parks & Rocky land.

West: 100 feet wide road meeting outer Ring Road & Mahipalpur Road
East: Mehrauli Road

Now the left over portion is basically village abadi of Adchini which is 100% built up and it is not possible to make any new planned scheme in this built up area. There is no planned scheme for this area and there is also no plan for acquisition in the area.

DA-136: It comprises Mohammadpur, Bhikaji Cama Place and its adjoining areas and a portion of R.K. Puram. This area was declared as development area in the year 1981. After development of the Bhikaji Cama Place and Central Government offices, the left over portion comprises mainly of the Mohammadpur village and its extension. The description of DA-136 is as follows:

North: Ring Road
South: 100 feet M.P. Road
West: Nallah
East: M-Avenue.

The area is almost fully built up and no development scheme is planned for the area. Besides no such general planned development scheme appears to be feasible.

Recently the Appellate Tribunal, MCD has held that DDA has no jurisdiction to regulate and to control the building activities within in any *lal dora*/extended *lal dora*/extended abadi area of any village in Delhi and it is only the MCD which is vested with these powers, As would be seen from the details given earlier the DA's in question mainly consist of built up/abadi areas.

The de-notification of these areas would not mean that they will remain un-attended. The MCD will immediately take over control of the building activities as per the building bye-laws, and provision of Municipal Corporation Act will apply to them. Further as stated earlier, the DDA can acquire and undertake development even in the areas which are de-notified under section 22(A) of the DD Act. It would be worthwhile that DDA should concentrate on protection of its own land and on planned development of that rather than controlling the building activities in these areas, where there appears to be little or no potential for large scale acquisition and planned development.

In view of the above the proposal to denotify the Development Areas 125, 174, 136 and 32 was placed before the Authority in the meeting dated 29.3.05 for consideration and approval.

However members desired to have more information about the proposed area for denotification including map of the area. Accordingly a meeting was arranged in the chamber of the Pr. Commissioner & Secy., DDA on 29.4.05 whereupon required information was supplied to the members and the proposal was adequately explained to their satisfaction by the Comm.(Plg.). The members agreed that the proposal may be placed in the next Authority meeting.

Accordingly the proposal to denotify the Development Areas 125,174,136 and 32 is placed before the Authority for consideration and approval.

RESOLUTION

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

Item No. Sub: Fixation of Rates for Institutional land premium for the year 2005-06
58/2005
File No. F.2(4)96/AO(P)/DDA

PRECIS

1. The Institutional land rates for the year 1994-96 as circulated by the Ministry were updated by DDA from year to year at the following percentages with the approval of competent authority.

Year	Percentage increase over previous year	Cumulative percentage increase over rates for 1994-96
1	2	3
1996-97	30%	30%
1997-98	30%	69%
1998-99	30%	120%
1999-00	Nil	120%
2000-01	Nil	120%
2001-02	10%	142%
2002-03	Nil	142%
2003-04	5%	154%
2004-05	10%	179.40%

2. It is clear from the above that there has been very nominal increase in the allotment rates of the Institutional land during the last few years. This has resulted in wide gap between the market prices of the land in general and the Institutional Allotment rates of the land. It is therefore, pertinent that the Institutional rates should be kept at realistic levels.

3. The minimum average market rates of auctionable land in different zones in 2004-05 were as given below:-

Zone	Rate Per Sqm
Central, South & Dwarka	Rs.45,000/-
North, East, West and Rohini	Rs.30000/-
Narela and Other outlying areas	Rs.10000/-

3.1 The Institutional Zonal Variant Rates for the year 2004-05 were as given below:-

Zone	Rate Per Sqm
Central and South	Rs.5526/-
North, East and West	Rs.3453/-
Narela and Other outlying areas	Rs.2418/-

Correction Slip

Item No: 58/2005 Subject: Fixation of Rates for Institutional Land Premium for the year 2005-06

File No: F.2(4)96/A.O.(P)/DDA

In Para 3.1 of the proposed Agenda item i.e. Institutional Zonal Variant Rates for the year 2004-05, East Zone appearing in second line of the table has been included inadvertently alongwith North and West Zone. East Zone should appear in third line of the table. As such East Zone may be read alongwith Narela and Other Outlying areas.

Other contents of the Agenda shall remain unchanged.

3.2. Thus it may be seen that the Institutional Zonal Variant Rates are almost 10% of the market rates of the land which do not reflect the market situation even after giving discount for the social obligation element. Moreover, the institutions like public schools etc. with their enrolment policy are not short of funds as they used to be in earlier years. Many of these institutions have been charging exorbitant fees circumventing the provisions of the law.

4. In this scenario, it has been thought appropriate to increase the Institutional Zonal Variant Rates by 2.5 times to rationise the same. This will also make up for the years when there was no increase in rates because of administrative considerations.(Para-1)

5. With the increase of 2.5 times and further zonal reclassifications made on the basis of market trends, the Zonal Variant Rates will read as follows.

Zone	Rate Per Sqm
Central, South & Dwarka	Rs.13808/-
North ,East, West and Rohini	Rs. 8630/-
Narela and Other outlying areas	Rs. 6040/-

5.1. It may be seen that with this revision, the institutional Zonal Variant Rates will be in the range of 25% - 30% of the market rates except Narela, which seems to be a correct indicator of their relative value taking all factors into account.

6. It may be worth mentioning that the stage of development and trend of Residential and Commercial rates as on today in East Delhi is no less than that in the North and West Delhi and Rohini. Institutional Rates of East Zone can be taken at par with West and North Zone. Consequently, the rates on existing pattern applicable to East Zone, Narela & other outlying areas can be restricted to Narela and outlying areas only. Dwarka is proposed to be taken alongwith South Zone as per the market perception.

7. The increase in other rates relating to local bodies/governmental - medical and educational institutions and private charitable institutions is kept at 10% only and no change has been made for the categories where the rates are either notional or at nominal rate of Rs.1/- only.

8. A statement indicating the proposed increases has been kept in the Appendix at Page 22

9. In view of above, the proposals contained in para 4,5,6 and 7 are submitted for kind consideration and approval of the Authority to22

RESOLUTION

Consideration of this item was deferred.

RATES OF PREMIUM FOR INSTITUTIONAL LANDS IN DDA AREAS
(Rates Per Acre)

Purpose	Basic Premium (Rs. /Acre) 1994-96	Approved Rates for 2004-05 179.4% above the 1994 circular	Proposed 2005-06
2	3	4	5
Rate for Transfer of Land between Central Govt. Dept.	Rs.20 lakh (Extent of land to be determined by the Screening Committee keeping in view the availability and MP norms)	Rs.55.90 lakh	Rs.61.50 lakh
Charitable Institutions			
Land for Medical Institutions run by local bodies	Rs.10,000 (Extent of land to be determined by the Screening Committee subject to availability and MP norms)	28,000	Rs.30750/-
Land for Educational Institutions run by local bodies, Kendriya Vidyalaya Sangathan and GNCTD	Nominal charge of Rs. 1/- per annum	Rs.1 per annum	Rs.1 per annum
Land for entirely charitable institutions like charitable hospitals, orphanages and schools etc.	Rs.5 lakh for first two acres and for land in excess of two acres at the Zonal Variant Institutional Rates.	Rs.14.00 lakh	Rs.15.40 lakh
Land for charitable institutions serving lower strata of society running partially on the grant received from the Government and charging to the extent of running the	Rs.15 lakh for first one acre and rest at the Zonal variant institutional rates (Extent of land to be determined by the Screening Committee subject to availability and provision in MP/Zonal Plan)	Rs.41.90 lakh	Rs.46.10 lakh

installation			
Purpose	Basic Premium (Rs. /Acre) 1994-96	2004-05	2005-06
Other Institutions at Zonal Variant Rates.	Zonal Variant Rates Central and South Zone Rs.80 lakh West and North Rs.50 lakh East Zone, Narela and Outlying areas Rs. 35 lakh	Variant Rates Central and South Zone Rs.223.65 lakh West and North Rs.139.75lakh EastZone,Nar ela and Outlying areas Rs. 97.85 lakh	Variant Rates Central, South Zone and Dwarka Rs.558.80 lakh West ,North East & Rohini Rs.349.25 lakh Narela and Outlying areas Rs.244.50 lakh
Local Bodies			
Land for hospital buildings as well as unremunerative services such as maternity centers, community centers, libraries, public conveniences(such as public hydrants, community bathrooms, public lavatories and urinals, dhobi ghats and fire stations, service personnel quarters/dhobisjanitors, Malis, domestic servants, safai karamcharies, cobblers and byres)	Rs.10000 per acre	Rs.28000	Rs.30750/-
Land required for Staff	10% of the residential rates.	10% of the	10% of the

Quarters for schools and hospitals		residential rates.	residential rates.
Land required for semi remunerative purposes etc. such as Staff Quarters for local bodies.	10% of the residential rates.	10% of the residential rates.	10% of the residential rates.
Land required for remunerative purposes such as Office and Shopping Centers	Full Market Value	Full Market Value	Full Market Value
Land for play grounds, parks and road/road widening by local bodies	Nil	Nil	Nil
Play Grounds for schools run by local bodies	Nil	Nil	Nil
Water Supply and drainage other those serving entirely or overwhelmingly Government Colonies	Rs.20 lakh per acre	Rs.55.90 lakh	Rs.61.50 lakh
Water Supply and drainage other infrastructure which serve entirely or overwhelmingly Government Colonies	Rs.20lakh per acre	Rs.55.90 lakh	Rs.61.50 lakh
Land Required for Water Supply and Drainage exclusively for DDA Colonies.	Nil	Nil	Nil
Land Allotment to Power Distribution Companies for setting up Electric SubStations etc.	At Zonal Variant Rates.	CZ Rs.223.65 - WZ/NZ Rs.139.75 East & Other 97.85	CZ/SZ and Dwarka Rs.245.80 WZ/NZ/EZ & Rohini Rs.153.70 Narela & Other outlying areas

				Rs.107.60
Sl. No.	Purpose	Basic Premium (Rs. /Acre) 1994-96	2004-05	
E	Political Organization	Predetermined Full Market Value	Predetermined Market Value	Predetermined Market Value
F	Land required for DTC			
(i)	Exclusive for Bus Terminus and Bus Depots	Rs.20 lakh Per acre	Rs.55.90 lakh per acre	Rs.61.50 lakh per acre
(ii)	Land for other activities such as depots. offices etc.	Full Market Value	Full Market Value	Full Market Value
(iii)	Land for residential accommodation	Residential rate	Residential rate	Residential rate
G	Foreign Missions	3 times of the Market Value	3 times of the Market Value	3 times of the Market Value
H	NewsPaper concerns	Full Market Value	Full Market Value	Full Market Value
I	State Governments including Guest Housses	Residential / Commercial Rate as per activity undertaken	Residential / Commercial Rate as per activity undertaken	Residential / Commercial Rate as per activity undertaken
J	Land for Graveyards and crematoria	Nil	Nil	Nil
K	Institutions to be charged as per activity undertaken	Residential / Commercial Rate as per activity undertaken	Residential / Commercial Rate as per activity undertaken	Residential / Commercial Rate as per activity undertaken
L	Land for any other purpose not mentioned in this letter/schedule	Full Market Value	Full Market Value	Full Market Value
M	Land to PSUs including MTNL	Full Market Value	Full Market Value	Full Market Value

Item No.
59/2005

Sub: CONSTRUCTION OF DDA OFFICERS CLUB AT SIRI FORT
(NOW KNOWN AS DDA HRD INSTITUTE)

In the year 1989, an idea was mooted to construct the Club at Siri Fort for the DDA employees. A note was put up by the then Vice Chairman, DDA, to the LG seeking his approval for the same. The LG approved the idea. Accordingly, DDA constructed the Club building near Asiad Tower, in the Siri Fort Institutional area on land earmarked for use as a play ground, recreational area, boarding and lodging houses etc. in the Master Plan 2001. The Archaeological Survey of India was kept in picture regarding the construction of the building right from its start and many letters exchanged hand between DDA and ASI on the subject. ^{227 to 231} The ASI asked DDA to maintain sanctity of the Siri Fort Wall while constructing the club building and suggested to do proper landscaping of the area near the wall. Though there are no traces of any wall in the vicinity of the club building since it lies buried deep in the ground, except for 3-4 small mounds of stones lying scattered on a small mound approximately 50 meters from the club building, the DDA earmarked a sum of Rs 37 lacs for the development and beautification of the area. The total cost on construction of the building came to Rs 2.62 crores. The premises were declared to be used as DDA HRD Institute vide Authority resolution agenda item No. 14/2002. HRD Institute is registered with the Registrar of Societies.

2. A civil writ petition was filed in the Delhi High Court by Sh. VP Singh, former Prime Minister, in the year 2002. In the petition it was alleged that the Club was standing near the historic Siri Fort Wall and its construction was in violation of the provisions of Ancient Monuments and Archaeological Sites and Remains Act, 1958 which inter-alia states that no construction activity can take place within 100 meters of a protected monument, which is the Siri Fort Wall in this case. The ASI never objected to the construction of the Institute building as is evident from the above.

3. The said petition was disposed of vide judgment dated 25-9-2002 wherein the High Court held that the land on which the Club had been constructed, had been earmarked for recreational purposes. As regards alleged violation of the provisions of

Ancient Monuments and Archaeological Sites and Remains Act, 1958, the High Court directed the ASI to inspect the site to find out whether there existed the Siri Fort wall which needed protection or whether the 1992 Notification was applicable to the same. The ASI was also directed to issue Notice to DDA on the basis of the said enquiry and pass appropriate orders in the matter.

4. After holding three hearings with the representatives of DDA, by an order dated 10-7-2003, the Director General ASI held that the Officers' Club had been constructed in violation of the provisions of provisions of Ancient Monuments and Archaeological Sites and Remains Act, 1958. The basis of the order passed by the ASI was that the Siri Fort wall was notified as protected monument under the Ancient Monuments Preservation Act, 1904; by virtue of Section 126 of the States Re-organisation Act, the provisions of Ancient Monuments and Archaeological Sites and Remains Act, 1958 were applicable to the said monument; by a notification issued in 1992, the area around the said monument was declared to be a prohibited/ regulated area and therefore the construction carried out by DDA is not in accordance with law, and hence the building should be demolished. The demolition was to be carried out by or before 20th Aug 2003.

5. A request was submitted by the VC, DDA, on 01-09-2003 to the Secretary, Department of Culture, Ministry of Tourism & Culture with approval of LG (**App. 'B' at page 232 to 235).** in which the following recommendations were made:-

- a) The order passed by the Director General, ASI regarding demolition of the officers' club may be set aside;
- b) The offer by DDA for placing the club building at the disposal of the ASI/Department of Culture may be accepted;
- c) Pending the consideration of the petition, the order of demolition may be kept in abeyance and be not given effect to.

6. The proposal to take over the building was accepted as intimated by DG, ASI vide Do letter dated 7th Feb 2005 wherein a suitable date for handing over the building was sought from DDA (**App. 'C' at page 236).**

7. VC, DDA, later vide Do letter dated 23rd Feb 2005, addressed to DG, ASI, with copies to Secy. Culture and Secy. MOUD, highlighted the concern of DDA in preserving the heritage of Delhi and proposed that the said building be developed as a heritage

centre as a collaborative venture between DDA and ASI. DG, ASI, vide DO letter dated 1st March 2005 intimated that a detailed discussion was held with Secy. Culture in the light of DDA's new proposal, and it was decided that the said building would be taken over by ASI and used for requirements relating to conservation and preservation of heritage. (APP. 'B' at page 237 to 239).

8. Thereafter, the Hon'ble LG vide DO letter dated 1st/4th April 2005, referred the matter to the Minister for Culture, for his kind intervention in the matter as the building was also proposed to be used in connection with the forthcoming Common wealth Games 2010.

9. DG, ASI, vide DO letter dated 19th May 2005, while citing the reference of the meeting held in the chamber of Secy. Culture, stated that as the issue was discussed with the Minister of Culture in the background of the LG's DO letter to him, the Minister had directed that the building should be taken over by ASI without any further delay. The DG, further asked for the date of handing over the building to them. (APP. 'B' at page 240).

10. In view of the above, the site was inspected by the VC along with the concerned officers and it was felt that land measuring about 6 acres out of the total area of 6.175 acres may be retained by DDA, and only the built up portion may be handed over to ASI. The open area will have independent access and boundary demarcation. This land can be used for various activities as may be decided including staff welfare activities. It may be mentioned here that at present there are 554 primary members (Total approx 1600 members including spouses and children) and a sum of Rs 3,87,455/- has been collected from them towards membership fee.

11. Submitted for kind information of the Authority.

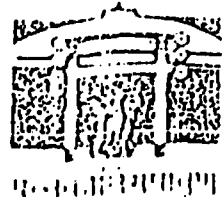
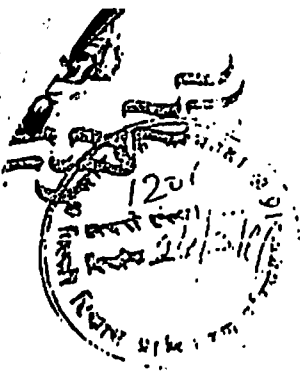
RESOLUTION

The LG informed that he had made personal efforts to retrieve the DDA officers Club building but there is no alternative but to hand over its possession immediately keeping in view the Court orders and related subsequent developments. The Vice Chairman informed that proposals had also been made for using the premises jointly with the ASI for a Heritage Centre and that these will be further pursued with ASI.

While noting the position, it was decided an alternate site/location may be identified where a club could be established.

सिरी सरदार
GOVERNMENT OF INDIA

3017293 (O) 301434
3010005 (O) 292870



अध्यक्ष पुरातत्त्वविद्
भारतीय पुरातत्व सर्वेक्षण
सिरी सरदार मण्डल, नया
दिल्ली 110003

SUPERINTENDING ARCHAEOLOGIST
ARCHAEOLOGICAL SURVEY OF INDIA
DELHI CIRCLE, SAIDAMJUNDA
NEW DELHI 110003

सं. नं.
DLH-15697-M-5/98

24/3/99

99

To,

The Superintending Engineer/ CC-16
Delhi Development Authority
Munakha, New Delhi

Subject:- Development/ landscaping of green strip on either side of Siri
Fort wall behind Siri Fort Auditorium and DDA officer club at
Siri Fort- reg.

Sir,

With reference to your proposal for development/land scaping of green strip on either side of the Siri Fort wall a Centrally Protected Monument received in this office vide your letter no F.15(7)98/CC-16/3809 dated 31.12.1998, I have been directed to convey the approval of the Director General, Archaeological Survey of India subject to the following conditions:-

1. The DDA shall do the proper land scaping after exposing the original wall covered under debris under the supervision of the Superintendent, Archaeologist, Archaeological Survey of India, Delhi Circle.
2. Proper grill fencing of appropriate design shall be provided on either side of the wall.
3. The plantation shall be done for which a list of selected plants shall be made available by the Archaeological Survey of India.

The remains of the wall to be exposed by the DDA would be conserved by the DDA in consultation with the Superintending Archaeologist, Archaeological Survey of India, Delhi Circle

The width of the B.T. Road be restricted to 7 m instead of 9 m as proposed and wherever the road crosses the Siri Fort wall, the DDA shall provide a suitable elevated road so that the ancient wall is not affected.

It is therefore requested to please ensure that the terms and conditions as laid down above strictly adhered to and the progress of the work may also be intimated from time to time to this office so that technical staff could be deputed during the execution of the work as and when required.

Yours faithfully



(P.B.S. Sengar)
Superintending Archaeologist

दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY

उत्तर पार्क
मुम्बई

नई दिल्ली - 110 067
NEW DELHI - 110 0467

PHONE OFFICE 180220 HRS. : 5730398

31/12/82

No.F. 15(7)98/CC-16/ 3809

Sh. P. B. S. Sengar,
Suptdg. Archaeologist,
Safdarjung Tomb,
NEW DELHI.

SUB: Development/landscaping of green strip
on either side of Siri Fort wall behind
Siri Fort Auditorium and DDA Officers'
Club at Siri Fort.

A portion of Siri Fort ^{wall} is passing through
a green strip between Siri Fort Auditorium and DDA
Officers' Club/Tower Restaurant in Asian Games
Village Complex. In the particular stretch of
land, in between the roads leading to Asian Games
Village Complex and Siri Fort Club, the Siri Fort
wall is practically non-existent above ground level
except in a small portion near the entry side of
Asian Games Village Complex. The strip of land is
lying derelict for the last many years and is presently
being used as dumping/defecation ground by squatters
of the nearby jhuggi clusters.

In order to give a facelift to the derelict
strip, DDA proposes to properly develop/landscape
the same on either side of Siri Fort wall as per
the development plan enclosed. It is hereby assured
that while carrying out the development/landscape
works, including construction of approach road, walk

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दिल्ली विकास अधिकरण
DELHI DEVELOPMENT AUTHORITY
उत्तर पार्क
UDAY PARK
नई दिल्ली - 110 049
NEW DELHI - 110 049
PHONE OFF. : 662821, HCS. : 5730398

- 2 -

ways etc., the foundation or any portion of the Siri Fort wall visible above ground will not be disturbed at all.

In view of the position explained above, it is, therefore, requested that necessary 'No Objection' be granted to carry out development/landscape works in the public interest.

Encl: Copy of the development plan as stated above.

3/11/58
(SAJAN)
S.E./C.C.-15

Copy to:-

1. E.M.
2. C.E.(SEZ)
3. Commissioner(Plg.) for information alongwith copy of plan mentioned above. He is requested to issue the approved landscape plan of the area under reference so that approval could be obtained and works taken up at site accordingly to beautify the area adjoining DDA Officers' Club.
4. E.E. SEZ-9 for inf. & rec.

3/11/58
S.E./C.C.-16

भारत सरकार.
GOVERNMENT OF INDIA
D.V. SHARMA

-231-

Phones : Off. : 3514100
3518005
Res. : 2822811
2970776

अधीक्षक पुरातत्त्वविद्
SUPERINTENDING ARCHAEOLOGIST
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ARCHAEOLOGICAL SURVEY OF INDIA
दिल्ली मंडल साफदरजंग मकबरा
DELHI CIRCLE, SAFDARJUNG TOMB
नई दिल्ली
NEW DELHI-110003

10. DLH-155/17-M 148

Dated, the 7/4/72

To

Shri C. Banerjee,
Chief Engineer,
South East Zone,
Delhi Development Authority,
Asian Games Village Complex,
Shahpur Jat, New Delhi-110049.

Sub: Unauthorised digging operation by DDA near centrally
protected Siri Fort Wall - regarding.

Sir,

Reference your D.O.No. CE/SEZ/12(22)/57-55, dated 6.1.07,
on the subject cited above I am to inform you that the site was
inspected by the Director General, Additional Director General,
Director (Monument), Director (Exploration) and the undersigned thrice
alongwith DDA officers.

After discussion it has been decided by the Director
General that remains of Ancient Wall visible near staff club should
be preserved and the area should not be disturbed, keeping in view the
visibility of ancient remains above the ground. The Delhi Circle of
Archaeological Survey of India will expose these structures and under
take excavations work for further details of the same. The excavation
work of Badminton Stadium has already been carried out by the DDA for
foundation. You may go ahead with construction of 'Badminton Stadium'
within the excavated area at present. So further excavation shall be
carried out without the permission of the Archaeological Survey of
India. Site Plan of the excavated site duly marked is enclosed herewith.
This issue with the approval of the Director General.

Encl: As above

Yours faithfully,
Superintending Archaeologist.

Delhi Development Authority

- 232 -

Ph. 2637 7900

29th Aug. 2003

1st Sept. 2003

FILE NO. DDA - HI/1(C) 2003/GEN/1666

APPENDIX 'B' TO ITEM NO. 59/2005

The Secretary,
Department of Culture,
Ministry of Tourism & Culture,
New Delhi.

Subject: Representation on behalf of Delhi Development Authority against the demolition order dated 10.7.2003 passed by Director General, Archaeological Survey of India (ASI) in respect of building known as DDA Officers' Club.

Sir,

In the year 1997 Delhi Development Authority had constructed an Officers' Club, near the Asiad Tower, in the Siri Fort Institutional area. The building was constructed on land earmarked for use as a play ground, recreational club, boarding and lodging house, etc. in the Master Plan 2001. The Club was constructed pursuant to a resolution passed by DDA. The total cost of construction of the Club building came to Rs.2.62 crores. The Club now houses the DDA HRD Institute.

At the time club and adjoining structures were being constructed, the site was inspected by the Director General and other senior officials of ASI. Subsequent thereto a letter dated 7.4.1997 was sent by ASI to DDA wherein it was stated that it had been decided by the Director General that remains of an ancient wall visible near the Officers' Club should be preserved and the area should not be disturbed. A copy of the said letter is annexed as Annexure-A to this representation. The directions issued by the Director General, ASI were duly carried out and a sum of Rs.36 lac was allocated by DDA for beautification and preservation of the area.

Contd.2

In the year 2002, a petition came to be filed in the High Court of Delhi alleging that the Club had been constructed in violation of the provisions of Master Plan. In the petition it was alleged that the Club was standing near a historic wall and its construction was in violation of the provisions of Ancient Monuments and Archaeological Sites and Remains Act, 1958.

The said petition was disposed of vide judgement dated 25.9.2002 wherein the High Court held that the land on which the Club had been constructed had been earmarked for recreational purposes. As regards the matter relating to the alleged violation of the provisions of the Ancient Monuments and Archaeological Site and Remains Act, 1958, the High Court directed the ASI to inspect the site to find out whether there existed the Siri Fort Wall which needed protection or whether the 1992 Notification was applicable to the same. The High Court also directed that on the basis of the said inquiry ASI shall issue a notice to DDA.

Subsequently, without making an enquiry, an order of demolition dated 14.11.2002 was passed by ASI in respect of Officers' Club, which was challenged by way of a writ petition. The said writ petition was disposed of by an order dated 3.12.2002 where it was recorded that the demolition order would be treated to be a show cause notice. Thereafter, hearings were held by the Director General, ASI in which a reply was filed by DDA, a copy whereof is annexed as *Annexure-B*. By an order dated 10.7.2003, the Director General, ASI held that the DDA Officers' Club had been constructed in violation of the provisions of Ancient Monuments and Archaeological Sites and Remains Act, 1958 and the rules framed and notifications issued hereunder. The basis of the order passed by the DG, ASI is that the Siri Fort wall and a structure known as 'Bulbul ki Majid' were notified as

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protected monuments under the Ancient Monuments Preservation Act, 1904; by virtue of Section 126 of the States Reorganisation Act, the provisions of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 were applicable to the said monuments; by a notification issued in 1992, the area around the said monuments was declared to be a prohibited/regulated area and therefore the construction carried out by the DDA is not in accordance with law.

However, what was not properly taken note of was the fact that the 1992 notification was an omnibus notification, which did not properly identify the monuments either at the stage of inviting objections or at the stage of final notification. In view of the provisions in the Act regarding a notification being preceded by invitation of objections as well as law on the point, the 1992 notification is void. Further, if the area was in fact a prohibited area, ASI should have stopped construction in the very first instance, instead of advising as to how the construction should take place, thereby committing DDA to the allocation of substantial public funds to the project. The order passed by the DG, ASI also ignores the fact that there are a large number of structures nearer to the two monuments than the Officers Club. If those structures do not endanger the monuments it is not understandable as to how the Officers Club endangers them. The order also ignores the fact that even today a number of structures are under construction within the same area and limits, regarding which no action has been taken. One of the said structures is a proposed office of the Bar Council of India.

From what has been stated above, it is evident that the DDA Officers' Club was constructed pursuant to a resolution passed by DDA. Substantial public funds have been invested in the said building. The Officers' Club does not in any manner whatsoever, endanger the Siri Fort Wall or any other monument. In fact, there are existing structures such as the office of BHEL

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etc., which are nearer to the Siri Fort Wall than the Officers' Club. Further at the time when the DDA Officers' Club was being constructed, ASI was in the picture and did not object to the same. There is a serious doubt as to the validity of the 1992 notification and the order dated 10.7.1992 is even as to the validity of the 1992 notification and the order dated 10.7.1992 is even otherwise not sustainable, having regard to the objections raised by DDA, in the reply filed by it.

Be that as it may, without prejudice to all its rights, DDA submits that it is willing to place the Club building at the disposal of the ASI or the Department of Culture so that the same may be utilized for the activities of ASI and or the Department of Culture, especially activities relating to the preservation of ancient monuments and promotion of culture. Such a course of action would be in public interest and would avoid wastage of substantial public funds, which have already been spent on the project.


It is, therefore, requested that this representation may be considered in the proper perspective and: -

- i. the order passed by the Director General, ASI regarding demolition of the Officers' Club may kindly be set aside;
- ii. the offer by DDA for placing the Club building at the disposal of the ASI/Department of Culture may be accepted;
- iii. pending the consideration of the representation, the order of demolition may kindly be kept in abeyance and be not given effect to.

The above mentioned proposal may kindly be considered and DDA informed about the decision of the Ministry of Culture & Tourism, Govt. of India.

Encl. As above.

Yours faithfully,


(Anil Bajjal)
Vice Chairman, DDA

बाबू राजीव, भा.प्र.स.
अतिरिक्त और अपर सचिव
Babu Rajeev, I.A.S.
Director General and
Additional Secretary
Tel. : 23013574
Fax : 23019487
email: dgaesl@vsnl.net



प्रत्यक्ष निदेशावली

-236-

आर्य समाज संस्थान
संस्कृति मंत्रालय
भारत सरकार
जनपथ, नई दिल्ली-110011
ARCHAEOLOGICAL SURVEY OF INDIA
MINISTRY OF CULTURE
GOVT. OF INDIA
JANPATH, NEW DELHI-110011

APPENDIX 'C' TO ITEM NO. 59/2005.

D.O. No.35/DO(ASI)/2005
February 7, 2005

7 FEB 2005

Dear Mr. Gupta,

Kindly refer to the letter dated 31.12.2005 from the office of Secretary (Culture) communicating the orders of Secretary (Culture) in the an appeal against demolition of the Officers' club building at Siri Fort.

The Delhi Development Authority has offered that this building may be taken over by the Archaeological Survey of India. I have considered this matter and it has decided that ASI may take over the building and use it for requirements relating to the conservation and preservation of heritage.

You may kindly intimate a suitable date for the taking over of the building by the Archaeological Survey of India.

With regards,

Yours sincerely,

(C. Babu Rajeev)

Shri Madhukar Gupta,
Vice Chairman,
Delhi Development Authority,
Vikas Sadan,
New Delhi.



उपाध्यक्ष
Vice-Chairman
दिल्ली विकास प्राधिकरण
Delhi Development Authority

- 237 -

Vikas Sadan
मई दिल्ली - 110023
New Delhi - 110023
Ph. 2469 7900
Fax 2469 3968

APPENDIX 'D' TO ITEM NO. 59/2005.

D.O. No. DDA-HI(1)2003/Gen./Part File/

Dated: February 23, 2005

Kindly refer to your D.O. letter No. 35/DG(ASI)2005 dated 6.2.05 regarding taking over of DDA Officers' Club/ HRD Institute building at Siri Fort for activities relating to conservation and preservation of heritage. In this context, you may kindly recall our discussion after the order of Secretary Culture had been received when I had suggested that we may meet to discuss possible courses of action in the light of the same.

As you are already aware, DDA is engaged in a number of projects for the conservation/development of urban heritage in close coordination with ASI and discussions have also been held at the level of Secretary Culture in respect of some such projects/proposals. In this context, I would also like to inform you that DDA has also set up an 'Urban Heritage Foundation' under the Delhi Development Act, which is headed by the Lt. Governor, Delhi for identifying, preserving and protecting the non-listed monuments, hitherto unknown. A number of projects have been taken up for restoration of urban heritage under the auspices of the foundation. Heritage Awards have also been instituted. In other words heritage conservation has been an area of significant importance in the activities of DDA.

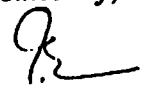
For the last many years we had also been trying to identify a suitable space for conserving and displaying the Urban history/heritage of Delhi as planned and built since 1911, which can be open to the public, students of urban education and urban experts. In fact, a small space in the basement of Vikas Minar had been identified for the purpose in the year 1994 when some efforts had been initiated in this direction. The space

however proved to be inappropriate and unsuitable for the purpose. There has, therefore, been a debate that the DDA's HRD Institute building would be an ideal building for conservation/preservation and display of Delhi's Urban Heritage, which could also showcase independent India's quest and achievements in the urban field. We had not been able to take any further concrete steps in this direction in view of the uncertainty arising from the proceedings which have now culminated in the order of Secretary, Culture referred to above.

In this background it is proposed that the building in question be developed as a Heritage Centre as a collaborative venture between DDA and, ASI. It is suggested that a meeting may be arranged to discuss this proposal further. I would look forward to hearing from you so that further action could be finalized/taken at the earliest.

I am also endorsing a copy of this letter to Secretary, Ministry of Culture, and Secretary, Ministry of Urban Development.

Yours sincerely,

 28/11

(MADHUKAR GUPTA)

Shri C. Babu Rajeev,
Director General & Additional Secretary,
Archaeological Survey of India,
Ministry of Culture,
Janpath, New Delhi.

Contd..p/3

I am forwarding a copy of the above letter for your kind information.



(MADHUKAR GUPTA)

1. Smt. Neena Ranjan,
Secretary,
Department of Culture,
Govt. of India,
Shastri Bhawan,
New Delhi.
2. Shri Anil Baijal,
Secretary,
Ministry of Urban Development &
Poverty Alleviation,
Government of India, Nirman Bhawan,
New Delhi-110001.

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C. Babu Rajeev, I.A.S.
Director General and
Additional Secretary
Tel. 2301 2774
Fax 2301 2777
email dgr.1@delhi.gov.in

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ARCHAEOLOGICAL SURVEY OF INDIA
MINISTRY OF CULTURE
GOVT. OF INDIA
JANAPATH, NEW DELHI 110011

APPENDIX 'E' TO ITEM NO. 58/2005.

D.O.No.141/DG(ASI)/2005
Dated: 19th May, 2005

Shri Madhukar Gupta,

Kindly recall the discussions held in the room of Secretary (Culture) regarding handing over of the DDA Officers' Club building to the Archaeological Survey of India.

In the meeting, the Secretary (Culture) clarified that issue was discussed with the Minister for Culture in the background of a letter from Lt. Governor, Delhi addressed to him on the subject, and that Minister (Culture) has directed that the building should be taken over by Archaeological Survey of India without any further delay. The requirement of the DDA in the context of the Commonwealth Games due in 2010 will be considered in due course.

In view of the above, I would request you to please indicate the date for handing over of the building formally to the ASI along with all concerned documents. This may be considered as "Most Urgent".

With regard,

Yours faithfully,

(C. BABU RAJEEV)

Shri Madhukar Gupta,
Vice Chairman,
Delhi Development Authority,
I.N.A. Vikas Sadan,
New Delhi

Item No.
60/2005

Sub:- Declaration of two pockets of Narela Project as Development Area of DDA.

F.3(56)2004/MP.

Proposal for declaration of two pockets [i.e. Pkt. I – 75 Ha and Pkt II – 925 Ha] as Development Area in Narela Sub-city was placed before the Authority on 29.03.2005 (App. 'A' at page 244 to 249 for approval. During discussion, Authority members raised certain issues. The main issues raised and status position/observations thereon are as under:

2. Sh. Mahabal Misra suggested inter alia that

- i) Development Area be declared for the land to be acquired.
- ii) Vacant land needs to be protected and notified leaving built up areas.
- iii) Wide publicity should be given to acquisition and declaration of development areas to prevent sale and purchase of land by unscrupulous elements.

In this connection, it is mentioned that the entire Narela Sub-city has been planned for integrated development with provisions for various Community, Recreational, Commercial facilities and Transportation / Circulation Network to facilitate higher quality of life for the future population as well as the existing village population. Notification for acquisition of Pkt II of Development Area (925 Ha) has already been issued and is under various stages of the acquisition process. Change of Land use has been notified by the Central Government. Notification for Acquisition of Pkt. I of proposed Development Area (75 HA) is under process. Both the pockets are part of Zonal Development plan of Narela Sub-city, which was approved by the Authority in 2000.

However, as far as the issue regarding leaving the built up area from the declaration of Development Area is concerned, it is clarified that initially the Sanoth Village (falling within Pkt – II) was proposed to

be left out of the Development Area in the original proposal placed before the Technical Committee [TC]. However, the TC decided, on the suggestion by MCD, that the village be also declared as part of the Development Area to integrate such village / settlements with the surrounding planned development. As far as acquisition of land is concerned, action for acquisition / taking possession of the vacant pockets and unauthorized structures would be taken up on priority, while the issue of acquisition / taking possession of built up village abadi/ extension could be considered separately in the light of any policy that may be decided.

In the above background, it does not appear to be practicable to identify and leave out isolated pockets from the notification of the Development Area at this stage separately in the light of any policy that may be decided.

3. Sh. Mange Ram Garg had desired to know the status and future policy in respect of 2501 Ha of land indicated as Green Belt. It is pointed out that this land is to be considered as 'green belt' as proposed in the approved Zonal Development Plan, and activities would be permitted as per the provision made in the MPD 2021 already notified for public objections / suggestions. This land is not proposed to be acquired.

4. Sh. Jile Singh Chauhan had suggested that strict prevention measure to check unauthorized construction should be taken. In this context Hon'ble LG directed the Delhi Govt., Delhi Police and DDA to take immediate steps against new construction. DDA will take necessary steps in this regard.

5. **Proposal**

Out of 7365 hact. about 6118 hact is already declared as part of Development Area [DA - 175] and 247 hact. of land as part of Narela - Bawana Industrial Area is not covered under DA - 175.

The remaining land i.e. about 1000 hact., in two Pkts is now proposed for declaration of Development Area.

Details are given below:

Pkt I - 75 hact. - Area bounded by GT Karnal [NH I]
road in the East Old GT road in the
West.
Merging areas with GT Karnal road in
North and South.

Pkt II - 925 hact. - Proposed 80 m UER I - North (It is
also proposed to include the 40 mt.
wide green belt along the road.)
100 m UER II - South
Existing HT Line - East
Western Yamuna Canal - West.

RESOLUTION

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

Item No.
37/2005

Sub: Declaration of two pockets of Narela Project as Development Area of DDA.

F3(56)2004 MP/

1. Background

The total area of Narela Subcity Project is 9866 Hects out of which 2501 hect is proposed as green belt/ buffer between the urban area and the GNCTD boundary. The balance area of 7365 hect is proposed as urbanizable area under the Narela Subcity Project.

at page
8-19).

As per the Land & Building Deptt Notification dated 06.05.1992 (App. L an area of 9000 hect was notified as Development Area No. 175 .

2. Examination

Development Area 175 covers Rohini and Narela Projects. An area of about 6118 hect is covered under the Narela Project. Following areas/pockets are not forming part of Development Area 175 but are forming part of Narela subcity/Industries being developed by DSIDC.

Pkt. I

Due to the diversion of the G.T. Karnal Road (NH-1) near Alipur village, on the eastern side an additional area of about 75 hect has been made available. This area is not covered under Development Area -175.

Pkt. II

A pocket of about 925 hect (approx) is part of the Narela-Bawana industrial area which is not covered under the Development Area -175.

Pkt. III

247 hect. under DSIDC Narela Industrial area is not covered under the said development area. The layout has since been developed & there is no need to notify this area.

3. Proposal

Now, the all round development of Narela Project is being expedited, the area along the G.T. Karnal Road is of prime importance and accordingly the pkt. of about 75 hect. made available by the shifting of highway needs to be included in the development area. The Narela-Bawana industrial area which is contiguous to the Bawana Industrial area is also being proposed to be developed on priority. Section 4 & 6 of Land Acquisition has been notified in this area. Further the pkts to be proposed for development area have the following details (App. 'B' at Page- 20)

Pkt. I

This area is bounded by:

- a) G.T. Karnal Road bypass in the East)
 - b) Old G.T. Karnal Road abutting Alipur village in the West) 75 ha.
 - c) Merging areas with G.T. Karnal Road in the North and South.) Ref. (App. 'B')
- (This includes the unauthorised structures/encroachments).

The area is yet to be acquired. The proposed landuse of this pocket is partly Public & Semi Public and partly "Recreational" as shown in the zonal development plan of Narela Subcity.

Pkt. II.

This area is bounded by:

- a) Narela-Bawana Road (proposed 80 mt. R/W UER-I) in the North)
- b) Proposed 100 mt. R/W UER II/I.T. line in South) 925 ha.
- c) Extension of the H.T. lines in the East) Ref. (App. 'B')
- d) Western Yamuna Canal & 60 mt. R/W road in the West.)

The above said areas are proposed for notification as "development area" of DDA excluding the following:

1) B81DC Industrial Area.

The above said proposals were referred to Commr. (MCD) and CLM, BDA vide letter dated 03.08.04. The comments of CLM (HQ) are as follows.

Pkt I

The land has not been acquired. The proposal received for this pocket is under process. It is also informed that a BDO office college etc. is functioning there.

Pkt. II

The land has been notified under Section 4&6 of LA Act and some awards have also been announced but copies of the awards are still awaited.

Comments from MCD have not been received.


4. Decision of the Technical Committee

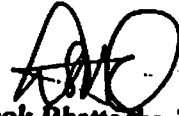
The case was discussed in the Technical Committee meeting held on 25.10.04 in which the following decision was taken:

The proposal of notification of the two areas in Narela Project measuring 1000 ha. (details in para 3 of the Agenda) for declaration of Development Area was approved. On the suggestion made by the representative of MCD, it was agreed that the existing village Sanath may also be notified as Development Area.

5. Recommendations

The proposal as contained under para 3 for declaration of the two pkts as Development Area is placed before the Authority for approval.


(D.K. Saluja)
Director (Plg.)NP


(Ashok Bhattacharjee)
Jt. Director (NP)

RESOLUTION

- The agenda item was discussed in detail.
- I. Shri Mahabal Mishra pointed out that:
- i) The proposal of declaration of Development Area should be seen alongwith land acquisition in the related area;
 - ii) A survey of the available vacant areas should be immediately done and the land simultaneously acquired/ taken possession of, and construction should not be allowed to come up on such identified areas, and only such lands should be notified where possession can be simultaneously taken;
 - iii) Built up areas should be left out;

Contd....

iv) Wide publicity should be given to acquisition and declaration of development areas so that unscrupulous elements do not indulge in sale/purchase of land;

v) Isolated and vacant land pockets of Gaon Sabha should be identified and handed over to BDA for speedy development and reducing possibilities of encroachment;

vi) Construction in the 1071 unauthorized colonies which are under regularization, should not be stopped.

II. Shri Mange Ram Garg desired to know the status of 2501 hect. of land, proposed for the green belt and the future policy in respect of this land.

III. Shri Jile Singh Chauhan pointed out that strict preventive measures should be taken to check unauthorized construction in the land proposed to be declared as Development Area.

After detailed discussions, it was decided that details regarding the area proposed/notified for acquisition with reference to the area proposed to be declared as Development Area may also be provided, and the proposal brought up again with the information.

The Lt. Governor directed that Delhi Govt., Delhi Police and the BDA should take immediate steps against new construction in the area.

During discussions, a proposal was also made by the planning Deptt. proposed to include the area on both sides of Master Plan roads in the Development Area. It was decided that a separate proposal may be brought on the issue before the Authority.

(To be published in part IV of the Delhi Gazette)

Delhi Administration (Delhi.)
Land & Building Department

No. F16(2)/91-1&11/1A/P1p/15399-474

Dated: 6.5.92

Notification

In exercise of the power conferred by sub section (1) of Section 12 of the Delhi Development Act, 1957 (61 of 1957) read with notification of the Govt. of India in the Ministry of Health, Family Planning and Urban Development No. 18011 (28)/67-UD, dated 14th Feb. 1969, the Administrator of the Union Territory of Delhi, hereby declaring the area of 9,000 hecst. described in the schedule given below to be a "Development Area" for the purpose of the said Act.

Schedule

Development Area No.	Zonal Area per zonal plan	Area in Hecst. 9000 hecst.	Description
175			Area bounded by G.T. Road in the east existing 220 KV High Tension Line in the north and north west and the existing road between Mangolpur Khurd, Pukalan, Mohanpur Mazra, Konjawa and the existing limits of the Rohini Scheme in the south., excluding the following four locations: 1. Sanjay Gandhi Transport Nagar. 2. Badli Industrial Estate, Ph. I, II & III 3. Complex of Delhi Engineering College Badli 4. DSIDC Indl. Complex Narain.

By order

Sd/-

Handwritten signature

Y.P. Singh
18.6.93

आई. पी. सिंग
सहायक नि. 73 (बोचला)
दिल्ली विकास प्राधिकरण

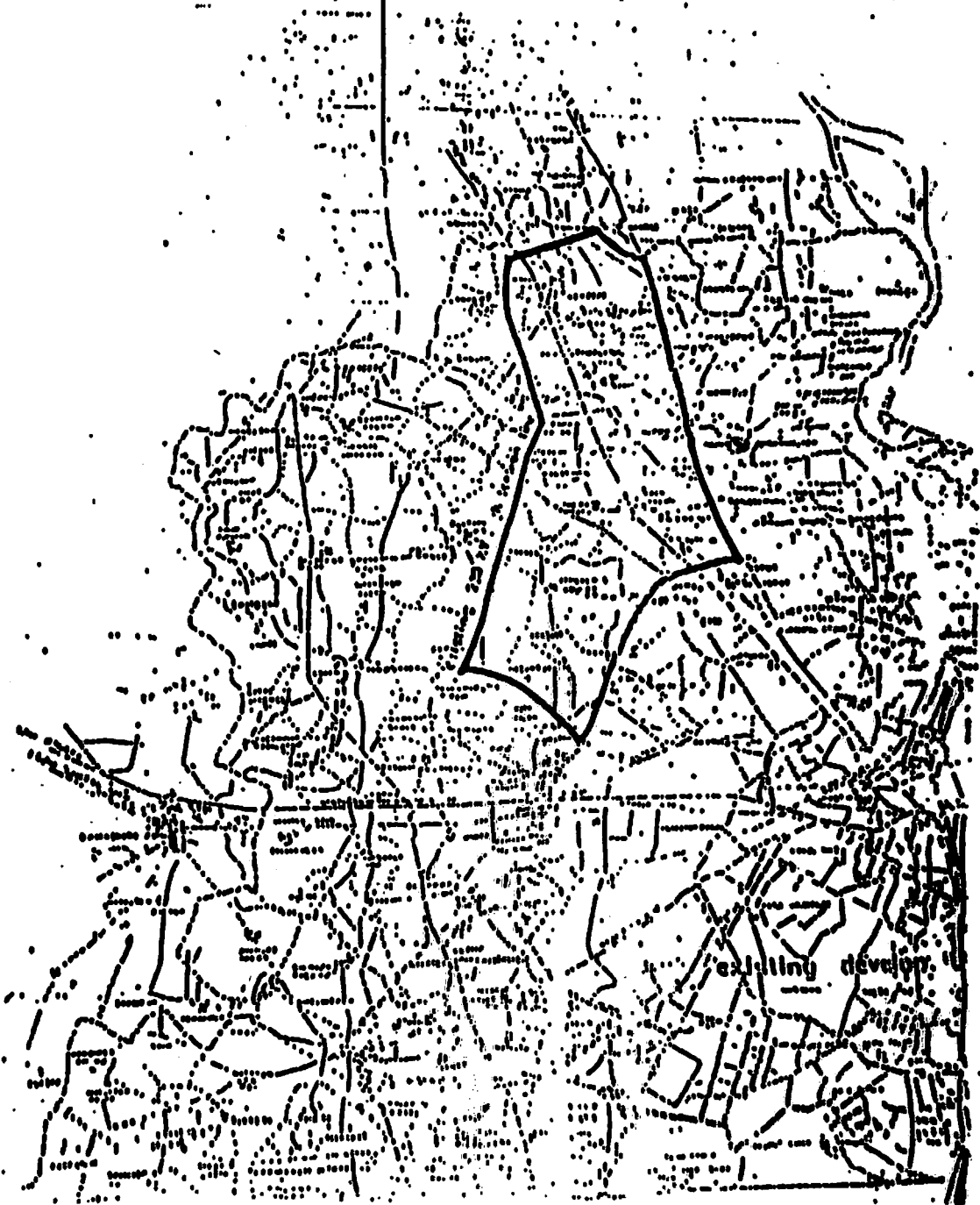
(G.K. Dixit)
Jt. Secretary (Land & Bldg)
Delhi Administration (Delhi)

Contd...P/2

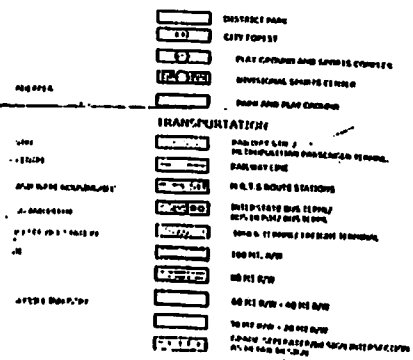
AREA PROPOSED TO BE DECLARED
AS DEVELOPMENT AREA



(Area 3000 Hect. approx.)



existing develop.



THE DECISION IN THE T. C. MEETING FOR THE YEAR 2004 HELD ON 25/10/04:-
THE PROPOSAL OF NOTIFICATION OF THE TWO AREAS IN NARELA PROJECT MEASURING 1000 HA. (DETAILS IN PARA-2 OF THE AGENDA) FOR DECLARATION OF DEVELOPMENT AREA WAS APPROVED. ON THE SUGGESTIONS MADE BY THE REPRESENTATIVE OF M.C.D. IT WAS AGREED THAT THE EXISTING VILLAGE OF SANOTH MAY ALSO BE NOTIFIED AS DEVELOPMENT AREA.
VIDE ITEM NO. 38/2004 IN FILE NO. F3(56)2004-MP (PG. 96C)

ZONAL DEVELOPMENT PLAN
ZONES M(Part), N(Part), P(Part)
Narela Sub City

SCALE: 1:50,000

PG DMAN
Roushik
PG ASSII
DIRECTOR PG

<p>ASST. DIR.</p>	<p>COMM. DIV.</p>
<p>ADD. COMM. (PLG.)</p>	<p>COMMISSIONER</p>

REVISED SEP. 99 OCT. 99

SUB CITY : ZONAL DEVELOPMENT PLAN - DELHI DEVELOPMENT AUTHORITY

LAI D ON THE TABL E

Item No. Subject : Recruitment Rules for the post of Engineer Member in DDA
61/2005 F.9(72)91/PB-I

Proposal

This is regarding framing of Recruitment Rules for the post of Engineer Member, DDA. DDA has so far not framed RRs for the post of Engineer Member and appointment on the post have been made by the Central Govt. in the past without having RRs. The Ministry has now directed to have the RRs framed.

The existing rule framework in regard to filling up the post of Engineer member is mentioned below :

Section 3 (3) (d) of the Delhi Development Act, 1957 provides that the Engineer Member who would be a Member of the Authority is to be appointed by Central Govt. Further, Notification No. 1801(28)/67-UD dated 14th February, 1969 provides that the powers of Central Govt. in respect of aforesaid Section may also be exercised by the Administrator of the Union Territory of Delhi (LG, Delhi) with the proviso that this power under aforesaid Section be exercised with the prior approval of the Central Govt.

In the light of the above framework, since the appointment of Engineer Member is to be made by the Central Govt., the RRs for the post would also need approval of Central Govt.

In the light of directions of the Ministry, draft RRs have been prepared which are placed at App. A/L. Approval of the Authority is sought for the same before sending the draft RRs to the Ministry for necessary approval. 251 to 252. (at page

RESOLUTION

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

SCHEDULE

- | | | |
|-----|---|---|
| 1. | Name of Post | Engineer Member |
| 2. | Number of Post | 01 |
| 3. | Classification | Group 'A' |
| 4. | Scale of Pay | Rs. 18,000 – 22,400/- |
| 5. | Whether Selection Post or non-Selection Post | Selection |
| 6. | Age limit for direct recruits | Not applicable |
| 7. | Whether benefit of added years of service admissible under rule 30 of the Central Civil Services (Pension) Rules, 1972. | Not applicable |
| 8. | Education and other qualification required for direct recruits | Not applicable |
| 9. | Whether age and educational qualification prescribed for direct recruits will apply in the case of promotees | Not applicable |
| 10. | Period of probation of any | Two years for promotees |
| 11. | Method of recruitment whether by direct recruitment or by promotion or by deputation or absorption and percentage of the posts to be filled by various methods. | By way of selection by a Selection Committee to be nominated by the Central Govt. |

.../-

12. In case of recruitment by promotion or deputation or absorption grades from which promotion or deputation or absorption to be made.
- (i) From amongst DDA officers holding the post of Chief Engineer (Civil)/Chief Engineer (Elect.) having minimum 3 years of service in the grade. Such appointments will be on promotion basis.
- (ii) From amongst officers under the Central Govt. or State Govt. or Union Territories working on the post of Chief Engineer (Civil) or equivalent in scale of Rs. 18,400-22,400/- (Scale of Jt. Secy. to GOI) or equivalent having a minimum of 5 years of service in the grade. Such appointments will be on deputation basis.
13. If a Departmental Promotion Committee exists, what is its Composition.
- Not applicable

Item No. Report on the follow-up action on the resolutions passed by the
62/2005 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.

PRECIS

On the basis of information furnished by the Head of Departments, report on the follow-up action on the resolutions 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 is submitted for kind information of the Authority. The report is appended at Appendix-'A' (page- 254 to 287).

RESOLUTION

This item was laid on the table. This shall be discussed later, if necessary.

REPORT OF THE FOLLOW UP ACTION ON THE RESOLUTION PASSED BY THE
DELHI DEVELOPMENT AUTHORITY IN ITS MEETING HELD ON 27.2.2004

Sl. No.	Item No.	Subject	Resolution	Action Taken
1	3/2004	Pre-Occupancy charges for occupation of building/premises without obtaining Provisional Occupancy Certificate (POC)/ Completion cum Occupancy Certificate (CC).	The Vice Chairman emphasized the need to simplify the existing systems and procedures regarding issue of Completion Certificate. He, however, cautioned that distinction needs to be drawn between the properties meant for self-occupation and the properties like Group Housing Societies, Institutional, Commercial and Industrial etc. where sub-allottees were the end users. Issue of pre-occupancy certificates on the later properties could held the developers pass on these properties to the sub-allottees without complying with the requirements of life safety measures and other essential pre-requisites and the end users would not be able to provide these essential features at a later date. The VC pointed out that provisions like DUAC clearance at the time of issue of completion certificates also required to be re-looked into, specially because the DUAC clearance is obtained at the time of sanction of the building plans. Self-certification for self-occupied buildings was also suggested by the VC. He agreed with the Jt. Secretary, MOUD that introduction of pre-occupancy certificates would perhaps require amendment to the building bye-laws.	Implemented. A proposal has already been sent to MOUD to amend the Bye Laws with a view to doing away with the need for prior approval of DUAC for issue of Completion Certificates. The matter is under consideration in the Ministry.
2	5/2004	Regularization of delay in Land Disposal Wing.	The Vice Chairman suggested that the existing policy of offering three chances to the eligible applicants of alternate plots needed a review. He felt that extension in time should be considered only in the cases where the allottees make some fixed initial payment in lieu of their acceptance. He also suggested that a system of waitlisted allottees should be introduced so that the surrendered/cancelled plots could be allotted to them without waiting for the next draws. This held faster rotation of the available plots. The LG endorsed threes suggestions and asked the Vice Chairman to re-examine all the points and come back to the Authority.	A detailed proposal on the subject was put up to the Authority and decisions taken vide Agenda Item No. 52/2004.

3	6/2004	Fixation of cancellation/surrender charges for the Rohini registrants under the Rohini Registration Scheme 1981.	<p>Proposals contained in the agenda items were approved by the Authority.</p> <p>The Chief Legal Adviser suggested that similar policy should be introduced for the commercial flats which had been allotted by the DDA in the past because they too had similar problems. It was decided that this matter may be examined and, if necessary, put up before the Authority.</p>	The matter is being examined.
4	9/2004	Pay fixation etc. for the posts of Personal Assistants and Superintendents.	The Vice Chairman explained pros and cons of the proposal. After detailed discussions, it was decided that it would be appropriate to seek guidance from the Ministry of Urban Development & Poverty Alleviation, Government of India, as the proposal was not directly covered under the recommendations of the 5 th Pay Commission.	The matter was referred to the MOUD who did not agree. A Writ Petition was also filed which was decided in favour of the concerned employees and the final orders of the Ministry are awaited.

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REPORT OF THE FOLLOW UP ACTION ON THE RESOLUTION PASSED BY THE
DELHI DEVELOPMENT AUTHORITY IN ITS MEETING HELD ON 5.7.2004

Sl. No.	Item No.	Subject	Resolution	Action Taken
1	25/2004	Policy on providing essential community facilities in the villages surrounded by DDA's planned development.	<p>Shri Virender Kasana, member of the Authority appreciated the proposals and requested that these facilities should be provided in all parts of the City and preference should be given to these villages the lands of which had been acquired in the 60s and 70s. He suggested that since the MCD had already provided Primary schools in the villages, DDA should given emphasis on developing Barat Ghars/Community halls and Dispensaries. It was informed that DDA had already started such developmental works in a number of villages, and the suggestions of Shri Kasana would be given due consideration.</p> <p>Secretary (L&B), GNCTD mentioned that there a number of villages which had not been declared as urban, and the gaon Sabha lands had not yet been vested in the Authority. Vice Chairman said that the matter would be pursued with the Ministry of Urban Development with a view to expedite physical transfer of gaon Sabha lands in the villages yet to be declared urbanized so that the same could also be put to effective use.</p> <p>With these observations, the proposals contained in the agenda item were approved by the Authority.</p>	<p>a) A list of works taken up in various villages is enclosed as Annexure-I. •</p> <p>b) Studies have been assigned for preparation of village Development Plans (VDPs) in respect of three villages in Dwarka viz i) Dhulsiras, ii) Pochanpur & iii)Bharthal. It has also been decided to similarly take up work for preparation of VDPs for three villages each in Rohini and Narela. Action in this regard is underway.</p> <p>c) It has also been decided by MOUD that MCD would similarly prepare VDPs for 25 villages, and DDA has offered to pay the cost of preparation of these Plans.</p> <p>d) Several proposals integrated development of villages as a part of development of Urban Extension areas have also</p>

2	28/2004	Relaxation in the length of service for promotion to the post of Chief Engineer in DDA.	<p>It was informed by the Chief Planner, MCD that the UPSC had recently suggested increase in the qualifying service form 7 to 8 years for promotion to the post of Chief Engineer in the MCD and the CPWD. It was explained to the Authority that the proposals under consideration were in the nature of ex-post facto approval and for one time relaxation and that the recommendations of the UPSC shall be separately examined in the DDA.</p> <p>Proposals contained in the agenda item were thus approved by the Authority.</p>	<p>been made in the Draft MPD-2021.</p> <p>Keeping in view the shortage of officers in the feeder cadre, the proposal does not appear to be practical at the present juncture.</p>
3	30/2004	Change of land use of 252.4 acres of land at Savda-Ghevra for relocation of Slum/JJ Squatters.	<p>Proposals contained in the agenda item were approved by the Authority. The Vice-Chairman assured the Member Secretary of NCR Planning Board that the proposals shall be sent to the Board in addition to the Ministry of Urban Development for their consideration.</p>	<p>The Public Notice was issued on 30.3.2005. No Objections/suggestions received. MOUD has been requested on 22.6.05 for issue of final notification.</p>
4	31/2004	Change of land use for an area of 3.36 ha. from 'Recreational' to 'Commercial' in Tri nagar for DMRC Project.	<p>The Lt. Governor mentioned that the lands to be used for commercial purposes by DMRC should be based on their specific requirement at each location rather than uniform requirements being followed for every station. It was pointed out that the DMRC proposals were in pursuance of the approved pattern of financing where under revenues have also to be raised from property development, and the area involved in respect of different stations was different. However, the observations of Lt. Governor would be duly kept in view when fresh proposals are received.</p> <p>The Chief Planner (TCPO) was of the view that a detailed study should be conducted to assess the quantum of additional traffic likely to be generated in the area as well as the impact of reduction in the green cover in the area after permitting the change of land use. The</p>	<p>The Public Notice was issued on 10.3.2005. The matter of issue of final notification was referred to MOUD on 19.5.2005 after approval of Authority. MOUD sought certain clarifications, which are being sent.</p>

			<p>Vice Chairman mentioned that these issues are discussed in details in the Technical Committee meeting, where representatives of all the concerned agencies are invited.</p> <p>After detailed deliberations, it was decided to leave out the un-acquired land portion measuring 3585 sq. mtr. from the process of change of land use and to recommend the change of land use from 'recreational' to 'commercial' for the remaining area, which had already been acquired.</p> <p>The Lt. Governor further advised that the DMRC should be asked to keep the ecological aspects in mind while developing their commercial areas/stations and the DMRC must provide adequate green cover at all locations.</p>	
5	32/2004	Change of land use from 'Public and Semi Public'(FC-53) to 'Commercial' area measuring 2.84 hac. at Wazirpur DMRC Project.	Proposals contained in the agenda item were approved by the Authority.	-do-
6	33/2004	Change of land use for the DMRC project in Vishwavidyalaya area from 'Public and Semi Public" facility to 'Residential" (3.05 hac.) and 'Residential' to 'Commercial' (0.77 hac.)	Proposals contained in the agenda item were approved by the Authority.	-do-

REPORT OF THE FOLLOW UP ACTION ON THE RESOLUTION PASSED BY THE
DELHI DEVELOPMENT AUTHORITY IN ITS MEETING HELD ON 24.8.2004

Sl. No.	Item No.	Subject	Resolution	Action Taken
1	40/2004	Assured Career Progress in Scheme for work charge (Regular).	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 Government of India subject to concurrence of the Ministry of Urban Development.	Matter has been referred to Ministry of Urban Development for approval, and is being regularly followed up with them.
2	41/2004	Cadre review of Horticulture Department.	<p>Proposals contained in the item were discussed in detail. Some members were of the view that priority should be given to strengthening of their field level functionaries in terms of upgradation of their skills and effective supervision should be ensured for improving the upkeep and maintenance of the DDA greens. A view was, however, expressed that creation of new posts at higher levels, particularly at the level of Addl. Commissioner, would need to be examined in greater detail regarding their need and ramifications.</p> <p>The logic underlying the proposals was explained in detail and after discussions the Authority decided to set-up a sub-Committee of about seven persons, comprising of a non-official member, officials of the DDA and a representative each of the Delhi Government and the CPWD to examine the proposals in the light of the above observations and submit its recommendations in the next meeting of Authority.</p>	After taking action as decided by the Authority, the proposal was put up again vide Agenda Item No. 63/2004.
3	42/2004	Pre-occupancy charges, simplification of procedure of obtaining Completion-cum-Occupancy Certificate (CC) in respect of Cooperative Group Housing Societies (CGHS), Government Buildings by doing away-with Provisional Occupancy	The Authority appreciated the proposals for liberalizing the process of sanctioning the building plans and issuance of Completion Certificates. On query, the Vice Chairman informed that DDA had tried to address all the questions and the issues that had arisen when similar measures were sought to be implemented in the past, and that several checks and balances had now been introduced to ensure	Guidelines have been prepared for this purpose, but they will be finalized only after consultation with Council of Architecture and the Institution of

		Certificate (POC) and Insert Building Sanction, for Residential plots (upto 500 sqm.).	<p>fixation of responsibility on the private architects, structural engineers and other professionals, while taking care of their concerns also.</p> <p>In the light of the observations made by some of the members, the Vice Chairman assured that more steps will be taken towards further streamlining of the procedures, including fixing the time limit for holding joint inspections for issue of completion certificates etc. in all types of building permits. With the above observations the proposals contained in the agenda item were approved by the Authority.</p>	Structural Engineers. Meanwhile, the matter is also being dealt with in the context of the ongoing exercise by MCD for comprehensive revision of Building Bye-Laws.
4	43/2004	Change of land use for an area measuring 3.0 acres (1.21 hect.) from Rural to Public and Semi Public Facilities (health ANUSTHAN at Alipur, Delhi).	Proposals contained in the agenda item were approved by the Authority.	The matter was referred to the Ministry on 2.9.2004 for final notification. Ministry sought certain clarification.
5	45/2004	Agenda for adoption of Annual Accounts for the financial year 1997-98, 1998-99, 1999-2000 and 2000-2001 after certification of Annual Accounts by the Office of the Accountant General (Audit), Delhi.	<p>The Authority adopted the Annual Accounts for the Financial years 1997-98, 1998-99, 1999-2000 and 2000-2001.</p> <p>The LG, however, pointed out that follow-up action on the observations of the AG(Audit) should be regularly monitored, and if necessary, the services of outside experts may be engaged to study the reports and systems so that strict financial discipline could be ensured in DDA. The LG was informed that several steps had been taken in this direction and a detailed report in the matter shall be placed in the next meeting of the Authority.</p>	Notes in this regard are placed at Annexure II & III.
6	52/2004	Regularization of delay under Alternative Allotment and Rohini Residential Scheme.	The proposals were discussed in detail. It was felt that the existing procedure of offering three chances to the allottees of alternate plots was leading to holding up the disposal of plots for several years, in addition to resulting in long wait for the applicants. Shri Kasana suggested that the formalities and procedures required to be completed for making the payment and taking possession etc. needed further simplification.	Implemented.

			<p>After detailed discussions, it was decided that rather than three chances only two chances should be given to the allottees of alternate plots and the DDA officials should personally get in touch with the allottees to explain them various documentation, procedures etc.. before effecting cancellation of their plots, the allottees being persons with rural background unaware of documentation details and the formalities. Subject to these amendments, the proposals contained in the agenda item were approved by the Authority.</p> <p>The Authority also approved the amendments proposed in Rohini Residential Scheme as contained in para II of the agenda item.</p>	
7	55/2004	Agenda for adoption of Annual Accounts for the financial year 2001-02, 2002-03.	<p>Annual Accounts for the financial years 2001-02 and 2002-03 were approved by the Authority. The LG was informed that DDA had recently taken a number of steps to improve its financial management by strengthening the internal audit systems and by initiating several new measures in this direction. The Vice Chairman asked the Finance Member to put up a detailed report in the matter in the next meeting of the Authority.</p>	Notes in this regard are placed at Annexure II& III.
3	58/2004	Fixation of reserve price for petrol pump sites on DDA land.	<p>The Chief Legal Adviser pointed out that the Authority vide its resolution no. 23 dated 13.3.1987 had laid down that maximum period of license for allotment of Nazul land for Petrol Pumps, fuel depots, shops, offices etc., cannot be more than years at a time. In view of the fact that the agenda item had proposed allotment of land on license fee basis to the petrol pumps for much longer periods, it was decided that this point may again be examined on the file and placed before the Lt. Governor for taking an appropriate decision.</p>	The matter was further examined as desired by the Authority and the proposal was approved by Hon'ble LG. It is expected that the available Petrol Pump sites will be put up for auction in the near future.

REPORT OF THE FOLLOW UP ACTION ON THE RESOLUTION PASSED BY THE
DELHI DEVELOPMENT AUTHORITY IN ITS MEETING HELD ON 22.11.2004

Sl. No.	Item No.	Subject	Resolution	Action Taken
1	63/2004	Cadre Review of Horticulture Deptt.	<p>Non-official members of the Authority pointed out that a suitable action Plan needs to be drawn for improving the work culture and efficiency of the Horticulture department. Considering the sizeable expenditure being incurred on horticulture, Shri Mahabal Mishra suggested that an evaluation of the work done in the Horticulture department during the last five years should be done. He also suggested that the local elected representatives should be associated at the time of inspections by senior DDA officials. He also mentioned that cadre review for the Survey and the Planning departments should be done.</p> <p>Shri Mange Ram Garg sought on inspection of the DDA park on his Wazirpur Assembly constituency and pointed out that up-keep of the parks needed upgradation and regular monitoring. He suggested that a senior official should be assigned to each Assembly constituency for better coordination of all DDA activities in the area.</p> <p>After detailed discussions, the Authority approved the proposals contained in the agenda item and decided to set-up a Committee to study the working of the horticulture department and for working out a strategy for improving its performance.</p> <p>On a query by Director [DD], MOUD it was mentioned that the aspect of matching savings shall be incorporated while sending the formal proposal regarding the Cadre Review of the Horticulture Department to the Ministry.</p>	<p>a) The proposal has been referred for approval to MOUD, and is being actively followed up with them.</p> <p>b) As regards review in respect of other cadres, it is mentioned that proposals in respect of the Planning, Architecture, Landscape and Survey Departments have been finalized and submitted to the Authority for consideration.</p>

2.	64/2004	<p>Shri Mahabal Mishra pointed out that the member of eligible vendors at Dabri Mor-Payment in instalments by the allottees.</p> <p>Shri Mange Ram Gard wanted to know the number of markets/shops constructed by the DDA over the years and the number of units still lying vacant. He pointed out that a big market developed by DDA near Swami Narain Temple in Ashok Vihar was lying vacant.</p> <p>After detailed discussions, the Authority decided to leave the final decision regarding the rates for the land and interest to the Lt. Governor to whom a detailed proposal shall be submitted shortly.</p>	<p>The matter stands referred to the Ministry on 20.5.2005 for issue of final notification.</p> <p>Shri Mahabal Mishra further suggested that parking norms should be formulated keeping in view the long term futuristic requirements of the city. It was pointed out by Shri Mishra, Shri Mange Ram Garg and Shri Virender Kasana that private hospitals were not complying with the terms of allotment, specially with regard to free medical treatment to the poor, and in view of this benefit of increased FAR and the new building control norms should not be extended to the privately run hospitals.</p> <p>The Vice Chairman informed that the proposals in respect of hospital norms had been twice approved by the Authority in the past and the Ministry has desired that the same should be finalized at the earliest. Therefore, it would not be desirable to link this issue with the</p>
3	66/2004	<p>Shri Mahabal Mishra asked about the need for the proposal since preparation of the MPD-2021 was underway and the new norms could be incorporated in that. He also said that increase in the FAR should be provided in other categories of institutional lands also in view of the scarcity of land. Shri Mishra further suggested that parking norms should be formulated keeping in view the long term futuristic requirements of the city. It was pointed out by Shri Mishra, Shri Mange Ram Garg and Shri Virender Kasana that private hospitals were not complying with the terms of allotment, specially with regard to free medical treatment to the poor, and in view of this benefit of increased FAR and the new building control norms should not be extended to the privately run hospitals.</p> <p>The Vice Chairman informed that the proposals in respect of hospital norms had been twice approved by the Authority in the past and the Ministry has desired that the same should be finalized at the earliest. Therefore, it would not be desirable to link this issue with the</p>	<p>The matter stands referred to the Ministry on 20.5.2005 for issue of final notification.</p> <p>Shri Mahabal Mishra asked about the need for the proposal since preparation of the MPD-2021 was underway and the new norms could be incorporated in that. He also said that increase in the FAR should be provided in other categories of institutional lands also in view of the scarcity of land. Shri Mishra further suggested that parking norms should be formulated keeping in view the long term futuristic requirements of the city. It was pointed out by Shri Mishra, Shri Mange Ram Garg and Shri Virender Kasana that private hospitals were not complying with the terms of allotment, specially with regard to free medical treatment to the poor, and in view of this benefit of increased FAR and the new building control norms should not be extended to the privately run hospitals.</p> <p>The Vice Chairman informed that the proposals in respect of hospital norms had been twice approved by the Authority in the past and the Ministry has desired that the same should be finalized at the earliest. Therefore, it would not be desirable to link this issue with the</p>

			<p>finalization of the MPD02021 which could take some time to be finalized. He also informed that increase in the FAR was being separately considered in respect of various other categories such as schools, etc.</p> <p>After detailed discussions, it was decided to approve the proposals contained in the agenda item with the deletion of the word 'flexible' in para 2.2(ii) at page 59 of the item. The Authority also decided that while scrutinizing individual applications of the hospitals for sanction of increased FAR under the proposed norms, it should be ensured that the applicant had been complying with the terms and conditions of allotment, etc.</p>	
4	69/2004	Proposed additions to agenda item No. 52/2004 regarding regularization of delay of Rohini Residential Scheme beyond 270 days.	<p>Proposals contained in the agenda item were approved by the Authority.</p> <p>It was pointed out that whereas 5% rate of interest was being proposed in the agenda item for restoration of plots by the lands deptt., housing deptt. was charging 7% rate of interest in similar situations. Suggesting that uniform rate of interest should be charged both in the housing and the lands departments the matter was left for the Lt. Governor to take a final decision in the matter at his level.</p>	Implemented.
5	70/2004	Change of land use of approx. 1.6 ha. (4 acres) earmarked for District Court Complex at Saket.	Proposals contained in the agenda item were approved by the Authority.	The proposal was finally notified vide notification no. K-13011/5/2003-DDIB dated 20.1.2005.
6	71/2005	Norms for Recreational Clubs in Delhi.	The non-official members pointed out that recreational clubs were presently not subjected to any defined controls or guidelines and no limit had been fixed on the number of members or on the membership fee and the purpose of giving these allotment at concessional rates in the past was thus being defeated. After detailed discussions, it was	Final Notification has been issued on 12.7.05 by the MOUD.

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			<p>decided that the proposals regarding building control norms had been extensively discussed at all levels and should therefore be approved, however a regulatory mechanism for running the recreational clubs should be separately considered and put up to the competent authority.</p> <p>(The work s. mt. mentioned in 8th line at page-3 of the agenda item was a typing mistake and thus omitted as it would lead to some confusion at a later date).</p>	
7	72/2004	Master Plan amendment for property Development proposal of DMRC.	Proposals contained in para 8 of the agenda item were approved by the authority with the advice that parking norms/provisions, in para 8.2(ii) of the item should be more specifically defined.	The proposal was finally notified vide notification no. K-13011/15/2003-DDIB dated 20.1.2005.
8	73/2004	Change of land use of land measuring about 13 acres from recreational (Distt. Park) to Residential for the CRRI Campus on Mathura Road in Zone-F.	Proposals contained in the agenda item were approved by the Authority.	The matter was referred to the Ministry on 8.4.2005. Ministry has sought some clarifications which are being sent.
9	75/2004	CVC vide UO No. 002-W&H-88 dated 6 th Sept., 2004 advised for initiation of major penalty proceedings against Shri Kiran Pal Singh, Joint Director (Hort.) - Retired and action under Pension Rules in the case of temporary allotment of contracts for various facilities in Swaran Jayanti Park, Rohini at very low and non competitive rates without the approval of the competent authority i.e. VC, DDA.	Proposals contained in the agenda item were approved by the Authority, with the permission to serve the charge-sheet without waiting for formal approval of minutes.	Implemented.

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OTHER POINTS (22.11.2004)

Sl. No.	Para No.	Action Taken
1	ii) Shri Mange Ram Garg pointed out that about 50 acres of land leased to RITES near Laxmi Bai College was being further allotted by the lessee in spite of original lease having expired. The issue whether such sub-leasing is in order needs to be examined.	The matter has been enquired into and it has been ascertained from on the spot enquiries that the land in question was reportedly allotted to the Ministry of Railways in exchange for certain railway lands that were to be used by DDA and that this exchange was probably done in 1978. An extent of about 40 acres of land was reportedly allotted to the Railways on a part of which Railways had built residential units. It has also been reported that the Ministry of Railways apparently leased portion of the allotted land for agricultural use and in respect of such temporary allotments, there is apparently a dispute between the Ministry of Railways and the occupants and eviction proceedings have been initiated by the Ministry of Railways against such occupants. It has also been reported that Railways have imposed damages running into crores of rupees on these occupants, which has been challenged in the High Court. However, further enquiries are being made to ascertain the exact details in respect of the allotment as well as reported encroachments.
2.	iii) Shri Mishra pointed out that allotment of prime residential plots located on wide roads were being made in the form of alternate allotments rather than auctioning such plots, which gives undue benefit to some allottees, which was not appropriate, and needs to be looked into. He also pointed out that such allotments were being made through 'mini draw' which was against the guidelines.	It has been decided that a) draws will be held whenever at least 10 plots are available in each category; and b) alternate plots will be located only on internal roads.
3	vii) Shri Mahabal Mishra pointed out that around 500 institutional allotments had been approved in the last 3 years and alleged that there had been various irregularities, including not observing inter-se seniority, etc.	The matter has since been deliberated in various fora. During discussion on a Private Member's

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	He sought on enquiry into institutional allotments made during the last 5 years.	Resolution to the same effect, the Ministry took the stand that no general inquiry is necessary, and specific complaints will be inquired into.
4.	viii) Shri Mahabal Mishra pointed out some individual cases where allotment/planning norms had not been adhered to and asked that these may be enquired into.	Report in the cases mentioned were submitted to Hon'ble LG.

REPORT OF THE FOLLOW UP ACTION ON THE RESOLUTION PASSED BY THE
DELHI DEVELOPMENT AUTHORITY IN ITS MEETING HELD ON 10.1.2005

Sl. No.	Item No.	Subject
:	10/2005	Draft Master Plan for Delhi - 2021.

Resolution

The Lt. Governor welcomed the members and informed that the basic draft of the Master Plan 2021 had been finalized after extensive deliberations, consultations and inter-action at various levels, including public representatives, professional groups, non-governmental organizations and the concerned Government Departments. he pointed out that, bases on the experience of the previous master Plans, some important issues needed to be considered at this stage, both at the policy and the implementation levels. Referring to the experience of the land acquisition and development under the existing policy, he mentioned that we would, perhaps, now need to go in for need-based acquisition, and ways would also need to be found for the involvement of private sector in the process of land assembly and development as also in the field of housing. The Lt. Governor emphasized the need for timely preparation of Zonal Plans so that speedy development could be ensured. He mentioned that there was also need to take note of various developments in the economic field, for example, the proposal to introduce VAT and to see how such developments would affect the process of planning so that necessary provisions could be made accordingly. he stressed on the need for regular review and close monitoring of implementation of the Master Plan which, inter alia, would also enable mid-term correctives as may be necessary and pointed out that the draft document provides for a structured mechanism for this purpose. After his brief introductory remarks, the Lt. Governor requested the members to give their views and suggestions so that the MPD-2021 could become a realistic and meaningful document.

The Vice-Chairman, DDA, informed the Authority that the process of formulation

Action Taken

After incorporating the various suggestions, the Draft Master Plan was sent to MOUD, a Public Notice was issued in the Gazette of India on 16.3.2005 to invite objections/ suggestions. This was published on 8.4.2005. A Board of Inquiry to examine the objections and suggestions constituted and has already held two meetings. Around 800 objections and suggestions have been received from various sources. These will now be examined and considered by the Board as per the procedure laid down in the Rules.

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Subject

Resolution

Remarks

Authority/Government separately.

He also mentioned that during the process of finalization of the Master Plan, DDA shall simultaneously try to prepare the detailed Structure/Zonal Plans for the proposed urbanizable areas so that delays and resultant unplanned/unauthorized development and construction are avoided. The Vice-Chairman emphasized the need for better coordination, linkages and synergy between the MPD-2021 and the proposed Regional Plan of the NCR so that development in the entire region could be dove-tailed and fine-tuned. In this context, it was being suggested that Delhi and the Central NCR should be seen as a continuum.

The Vice Chairman informed the Authority that in the context of "Shelter", a distinction had been made between the "Urban Poor", comprising mainly of slum dwellers and informal service providers, and the other Economically Weaker Sections in the context of housing typologies like L.I.G., etc. The suggestions given by the Committee constituted by the Govt. of India on making Delhi Slum Free had also been included in the draft Plan. An important element of these is to go in for multi-storeyed built up accommodation instead of plotted rehabilitation, and in situ upgradation, wherever feasible, and involvement of the private sector in the process. Possible models for this were being prepared. Provisions had also been made for the informal sector with reference to the development of commercial areas.

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Subject

Resolution

Remarks

The VC informed that the new Master Plan also carried a provision of its regular review and monitoring and for this purpose the setting up of a high level Committee had also been proposed.

After the general briefing by the VC about the highlights as above, Commissioner (Planning) DDA made a detailed presentation of the proposals contained in the draft Master Plan 2021 to the Authority. The Commissioner (Planning) also requested that FAR/development control norms for various uses such as hotels, school sites etc., etc., may be taken up for inviting objections/suggestions without waiting for finalisation of the MPD- 2021 so that the process of development does not suffer.

Thereafter, the Chairman invited the Members to give their views and suggestions. The Members appreciated the efforts put in by the officers of the Authority in preparing a comprehensive Draft Plan, and gave the following suggestions :

Shri Mahabal Mishra:

- i] There were no elected MLA's in Delhi when the previous Master Plan had been finalized. Now since there is a duly elected State Government, all its suggestions should be made a part of the Master Plan because the elected Government is answerable to the public of Delhi for whatever happens in the city.
- ii] Maintenance of colonies should also be entrusted to the private sector.

Item No.	Subject	Resolution	Remarks
iii]	22% land in Delhi is Forest land. Efforts should be made to develop a part of these greens for public recreational areas.		
iv]	All entry points to Delhi should be beautified.		
v]	Big recreational parks like India Gate lawns should be developed in each Sub-City.		
vi]	Development of Dwarka has suffered because of non-availability of water/electricity in the past. DDA should make adequate provision for these services so that 24 lac dwelling units envisaged under MPD-2021 do not suffer the same difficulties. NOC for water/ electricity should be taken from the GNCTD before starting any big projects.		
vii]	DDA should improve design of its flats. Most of the flats under the Expanded Housing Scheme were lying unsold.		
viii]	More emphasis should be given on constructing flats for the poorer sections.		
ix]	Ways and means should be found for providing facilities like hospitals/schools etc. in the unauthorized colonies because no individual plot holders in these colonies will ever come up to surrender their lands for setting up of these facilities.		
x]	Building byelaws should promote and ensure the concept of water conservation/harvesting.		

Item No.	Subject	Resolution	Remarks
		xi] Water harvesting should be introduced in all the green areas/parks.	
		xii] Parking provisions should be strictly enforced. Presently, all the vehicles were being parked along the roadside, may it be near the Banquet halls, schools, hotels or hospitals. Parking provisions should be strictly enforced and norms should not be flexible.	
		xiii] Development areas should be de-notified. The provisions pertaining to notification of Development areas had, in fact, hampered development particularly in the villages which were several hundred years old. These provisions were also being misused, and individual properties being selectively picked for demolition.	
		xiv] In the proposed scheme for involvement of the private sector in land development and housing DDA should remain a partner / shareholder, in order to ensure that the private developers can be made to honour all their commitments.	
		xv] Multi-storeyed flats should be constructed for the JJ dwellers in the existing locations wherever lands were not earmarked for specific projects, on the Bombay pattern.	
		xvi] There should be a Nodal Agency to ensure that the flats/ plots allotted as a measure of resettlement are not sold/ transferred.	
		xvii] Specific provisions for Banquet halls should be added in the draft MPD.	

Item No.	Subject	Resolution	Remarks
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xviii] *Proposed norms for regularization of unauthorized colonies should be reviewed. DDA and other Local bodies should take-up their planning and development, including their maintenance.*

Shri Mange Ram Garg:

- i) *It would be useful if suggestions of all the major political parties and elected representatives are also taken before finalisation of the Master Plan.*
- ii) *Greater emphasis should be given to the futuristic development of the Walled city and the Trans-Yamuna areas.*
- iii) *Steps should be taken to ensure enforcement and effective implementation of the Master Plan provisions.*
- iv) *MPD-2021 should synchronize with the Plan of the NCR.*
- v) *FAR for all residential plots should be increased so that 4 floors can be legally constructed.*

Shri Jile Singh Chauhan:

- i) *The draft MPD is merely the reproduction of the guidelines circulated by the former LG two years back.*

Item No.

Subject

Resolution

Remarks

- ii) *There should be some nodal agency to review the implementation of the Master Plan.*
- iii) *All the Zonal plans should be finalized within a fixed time frame. However, considering the delays that take place, some interim arrangements should be made to implement the provisions of the Master Plan.*
- iv) *Change of land use for the hospital proposal in his constituency should be expedited.*
- v) *Special Economic Zone should be carved out in his constituency.*
- vi) *A site for Science & Technology park should be marked in his constituency.*
- vii) *Shifting out of Chemical and other wholesale trades should be made a mandatory part of the MPD.*
- viii) *New industrial areas should be clearly marked in the Master Plan.*
- ix) *The Master Plan should clarify how the problem of drinking water shall be solved.*
- x) *MCD's Plan of solid waste management as annexed to the draft MPD has provided a large number of sanitary landfill sites, compost plants and similar other activities in Burari, Bhalaswa, Jahangirpuri and other areas in Zone-P, which is his constituency, which is highly objectionable and should be reviewed.*

Item No.	Subject	Resolution	Remarks
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Shri Virender Kasana.

- i] As per the proposed provisions, services will not be provided where the roads are less than 4.5 mtrs. in the unauthorized colonies and villages. This provision should be withdrawn. There should be no limit of 4.5 mtrs. Services should be provided along the village roads wherever feasible and provisions in the Plan should be made accordingly.
- ii] Sports facilities/centres should be provided in the villages also. Gaon Sabha lands should be used for hospitals, education centres, sports centres etc., and villages developed on the pattern of urban areas.
- iii] Water-harvesting must be made compulsory in every building. This should be taken up as a separate project in every old and new colony and mandatory provision for this must be made in the Master Plan. Water harvesting should be introduced in all green areas/parks. Private sector may be associated for collection and maintenance of rain water.
- iv] Sports complexes should be accessible to all sections of Society/poor students at nominal fee.

Shri P.K. Mishra
Member-Secretary, NCR Planning Board

- i] There has been regular interaction with the DDA and all the points suggested by

Item No.	Subject	Resolution	Remarks
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| | | the Board have been incorpo | |
| | | ii] There should be synergy betw | |
| | | iii] There should be convergenc | |
| | | Regional Plans made by the N | |
| | | iv] Transport Plan/ Corridors proposed in the MPD-2021 should have linkages with the Transport Plan of the NCR. | |
| | | v] Some more points will be communicated in writing at a later stage.. | |

Shri Rakesh Mehta
Commissioner - MCD

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| | | i] Suggestions given by the MCD have been incorporated in the Draft Plan by the DDA. | |
| | | ii] Rural / urban villages should be made an integral part of the plan development so that development in all the 236 villages becomes a part of the total urban plan. | |
| | | iii] Provision for water/ sewerage treatment and its utilization should be made possible in a dispersed manner near the housing neighbourhoods rather than carrying waste water to distant places. | |
| | | iv] Suitable provisions should be made for attending to construction / demolition waste. | |

C. Item No.	Subject	Resolution	Remarks
		vi] Building Byelaws and the procedures thereof are being finalized in consultation with the DDA and, wherever, necessary suitable matching provisions should be there in the Master Plan.	
		vii] There should, however, be a proper Institutional mechanism to implement the Building Byelaws.	
		vii] Parking should be on self-financing basis.	
		viii] Responding to the observations of Shri Jile Singh Chauhan regarding Sanitary Landfills, he pointed out that all these were not landfills but included various types of composting/processing plants which will be set up through latest technology, without creating any pollution.	

Shri P.K. Pradhan
Joint Secretary, MOUD

- i] There should be strong emphasis on Redevelopment.
- ii] DDA should prepare redevelopment plans for each area by engaging outside experts.
- iii] There should be rethinking on Development control norms which would be applicable to redevelopment.

Item No.	Subject	Resolution	Remarks
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Shri K.T. Gurumukhi
Chief Planner, TCPO

- i] All major wholesale trades should be shifted out.
- i] Road side parking should be heavily penalized.
- iii] 2/3rd of the Delhi population belongs to the poorer sections. Housing requirements should, therefore, be planned accordingly.

Shri S. Regunathan
Chief Secretary, GNCTD

- i] There should be neighbourhood / community participation in maintaining community facilities.
- ii] Old areas of Delhi should be taken up for total rejuvenation as in Birmingham.

Shri O.P. Kelkar
Principal Secretary (UD), GNCTD

Views of the GNCTD Departments and the Chief Minister have already been communicated to the DDA and these may be appropriately incorporated in the Draft Plan.

2. Authority also considered and took note of the recommendations/suggestions given by the Advisory Council on the draft MPD-2021.

Item No.	Subject	Resolution	Remarks
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3. After detailed discussions, the Authority approved the draft MPD-2021 alongwith the recommendations/suggestions made by the Authority members and the Advisory Council. The Authority also accepted the proposal of the Commissioner (Planning) that FAR/development control norms of various uses such hotels, schools etc. may be finalized without waiting for finalisation of the overall MPD-2021 so that the process of development does not suffer. The Authority decided that after incorporating all these recommendations/suggestions, the Draft Master Plan 2021 should be forwarded to the Ministry of Urban Development, Govt. of India for publication to invite objections and suggestions.

The Authority also advised that the issues raised by Shri Jile Singh Chauhan, with respect to the future plans of the MCD, should be communicated to the Commissioner (MCD) for appropriate action.

REPORT OF THE FOLLOW UP ACTION ON THE RESOLUTION PASSED BY THE
DELHI DEVELOPMENT AUTHORITY IN ITS MEETING HELD ON 28.2.2005

Sl. No.	Item No.	Subject	Resolution	Action Taken
1	9/2005	Change of land use of 6.0 ha. of land in Shastri Park area for Agriculture & Water body' to 'Commercial (IT Park).	Shri Mahabal Mishra and Shri mange Ram Garg pointed out that construction of building by the DMRC without securing the change of land use was not appropriate. They pointed out that 150 objections/suggestions made by the public have thus been rendered inconsequential and the Authority has been presented with a fait-accompli. After detailed discussions, the Authority approved the proposals contained in the agenda item since no other option was available at this stage, with the observation that in future such post facto proposals should not be considered.	The proposal was finally notified vide Notification no. K-13011/1.2002-DDIB dated 25.4.2005.
2	10/2005	Allotment of residential plots for rehabilitation of evictees of Old Subzi Mandi- Detailed note prepared as per directions of the Authority in its meeting held on 21.1.2002 and 27.2.2004.	Shri Mahabal Mishra pointed out that these allotments were to be made under the scheme of rehabilitation in the year 1971. Allotment of plots at this stage cannot be termed as rehabilitation and should not therefore be made on these grounds. He pointed out that the Authority and the Lt. Governor had repeatedly decided not to reopen any of these cases and therefore there was no justification for reconsideration of these cases at this stage. After discussion it was decided that the LG would take a decision at his level in respect of all the cases in respect of which proposals had been put up.	The matter has been put up to Hon'ble LG and he has already had some preliminary discussions.
3	13/2005	Regarding change of land use for Judicial Academy at Sector-14, Phase-II, Dwarka.	Shri Mahabal Mishra pointed out that only 15% of the institutional land could be utilized for residential purposes and that giving permission for such a large area measuring 23180 sq. mt. for conversion to residential use implies that the land allotted to the academy had been far in excess of its actual requirements. He pointed out that giving such a permission could become a precedent. After	MOLD has conveyed the approval to issue public notice. The same is under the process of publication.

				<p>detailed discussions, the proposals contained in the agenda item were approved by the Authority as a special case, to honour the repeated requests of the Delhi High Court and it was decided that this shall not be seen as a precedent in the future.</p>
4	14/2005	<p>Proposal to change the land use of land measuring 6.95 ha. from Govt. land (Use undetermined) to 'Commercial' in Mahipalpur village Zone-F.</p>	<p>After discussion, the proposals contained in the agenda item were approved by the Authority.</p>	<p>The final notification has been issued by the Ministry on 26.5.2005.</p>
5	15/2005	<p>Provision of Community Facilities/Utilities and Burial and Cremation Ground at Madanpur Khadar Resettlement Colony.</p>	<p>Shri Mahabai Mishra suggested that instead of the term burial ground, the terms graveyard should be used so that there is no scope for any confusion about its user. He also suggested that allotment of lands for public and semi public facilities as proposed in the agenda item should not be taken up in anticipation of the change of land use.</p> <p>The Authority accepted the suggestions of Shri Mahabai Mishra and approved the proposals contained in the agenda item accordingly.</p> <p>ii) In the light of the intervention and request by Member Secretary, NCR Planning Board, the LG desired that the Commissioner (Planning) should urgently provide necessary information to the group constituted by the Board so that clearance of the DDA's proposal of change of land use could be expedited.</p>	<p>In a subsequent proposal on the subject, the Authority, it was decided that plots for community use may be allotted to GNCTD and MCD in anticipation of land use change. Accordingly, action has been taken to allot 2200 Sq. mtr. plot in Madanpur Khadar for cremation ground and 5700 sq. mtr. for graveyard burial ground to MCD.</p>
6	16/2005	<p>Change of land use of pockets from Recreational (District Park) to other uses in village Lado Sarai.</p>	<p>Shri Mahabai Mishra questioned the allotments made for public and semi-public facilities in the area without change of land use.</p> <p>The Vice-Chairman stated that some of the land pockets had already been put to various uses and that allotments had already been made over a long period of time and the matter was therefore a fait-accompli, and was now intended to regularize the actual land use so that further action could be taken in a planned manner.</p>	<p>The matter was referred to the Ministry on 2.6.2005 to issue Public Notice for inviting objections/suggestions. Approval of Ministry is awaited.</p>

			After detailed discussions, the Authority approved the proposals contained in the agenda item. It was also directed that in future allotments should not be made without effecting change of land use.
7	17/2005	Change of land use of land identified for new industrial area pursuant to Hon'ble Supreme Court orders dated 7.5.2004 and meetings taken by Chief Secretary, GNCTD dated 27.5.2004 & 23.7.2004.	<p>Proposals contained in the agenda item were approved by the Authority.</p> <p>The Authority also agreed with the suggestion of Shri Jile Singh Chauhan that more land pockets for rehabilitating these industries should be identified and earmarked, on priority.</p> <p>The matter was referred to the Ministry for issuing Public Notice under Section 11A.</p>

OTHER POINTS (28.2.2005)

Sl. No.	Para No.	Action Taken
1	<p>i) Shri Jile Singh Chauhan and Shri Mahabal Mishra sought early denotification of some villages regarding which they had already written. They also asked for early action to finalise the lease deeds in favour of Chulha Tax payers in Todapur and some other villages. They were joined in this by Shri mange Ram Garg and it was decided that survey should be completed by the concerned Committee at an early date, and pending survey, demolitions should not be carried out.</p> <p>The Vice Chairman assured that all the villages should be treated similarly and survey of all the 5 villages would be expedited. After discussion, it was decided that demolitions in these areas should be stopped except in respect of new constructions.</p>	<p>a) Proposals regarding denotification of Development areas No. 40, 125, 174, 136 & 32 have been submitted to the Authority.</p> <p>b) Regarding Chulha Tax payers, survey is being done by Land Disposal Department of DDA. The decision of Authority regarding demolition has been noted.</p>
2	<p>ii) Shri Mange Ram Garg suggested that about 5 acres of land had been lying unused in Janak Garden, a part of which should be utilized for setting up an office of the Transport Authority for the Ashok Vihar area, after carrying out necessary change of land use.</p>	Under process.
3.	<p>iii) Shri Mange Ram Garg pointed out that jhuggies were multiplying in the 17 J.J. clusters existing around various residential pockets in his constituency in Ashok Vihar. He requested that atleast seven small clusters should be shifted out/relocated on priority, in the first instance.</p>	L.M. Wing is actively pursuing this and will carry out demolition as and when relocation plots are made available.
4	<p>v) Shri Jile Singh Chauhan pointed out that jhuggies were multiplying on the DDA's land in Outram Line and sought early clearance of the entire area.</p>	Keeping in view recurring complaints of encroachments/unauthorized construction on public land, CVC had issued instructions to take steps for land protection and ensure accountability of the concerned officials. Accordingly, the following measures have been taken.

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(i) Listing of officials responsible for specific areas has been done and made available to the Govt. of Delhi.

(ii) Each such field functionary has been tasked to keep a diary with a complete inventory of DDA land in his area with a view to keeping track of the status of the land acquired by DDA from time to time, its protection and planned utilization.

(iii) The inventory of land so prepared has been sent to the Planning and user Departments (Engineering) with the objective of taking protective measures (fencing) and ensure timely planned use and development of the land.

(iv) The vacant DDA lands have been video graphed and CD prepared. Similar action in respect of encroached lands is underway.

(v) The progress and action taken in this regard by the concerned departments is being regularly reviewed at the level of the Vice Chairman.

The encroachments/unauthorised constructions are mainly in the form of Slum (Jhuggi Jhopri) clusters on DDA land and unauthorised colonies which have come up on lands notified for acquisition. Both these issues are under consideration/discussion at the level of the State Government/Government of India for taking policy decisions. As far as JJ Clusters are

		concerned a proposal is also now under consideration wherein relocation/rehabilitation of eligible JJ dwellers would be done by provision of built-up accommodation in multi Storeyed blocks rather than by way of allotment of plots which, inter alia, were vulnerable to alienation and other malpractices DDA has also prepared a pilot project for in situ rehabilitation with involvement of the private sector using the concept of land as a resource..
5	vi) Shri Mahabal Mishra suggested that report should be prepared in respect of DDA's land inventory and should be put up before the Authority. It was decided that this should be done expeditiously.	
6	vii) Shri Mahabla Mishra sought review of the pending court cases and sought information about the number of cases in which recommendations made by the Lok Adalat had been accepted/rejected.	Information is being compiled.
7	viii) Shri Mahabal Mishra pointed out that mega projects had been awarded in Vasant Kunj on green land, without changing its land use and that DDA was now paying heavy penalty of crores of rupees for delays on this account. The LG asked that a status report in the matter may be put up before the Authority.	Information as per Annexure-IV.

**REPORT OF THE FOLLOW UP ACTION ON THE RESOLUTION PASSED BY THE
DELHI DEVELOPMENT AUTHORITY IN ITS MEETING HELD ON 29.3.2005**

Sl. No.	Item No.	Subject	Resolution	Action Taken
1	21/2005	Annual Accounts for the year 2003-2004.	The LG pointed out the need to improve compliance of audit paras and further strengthen the system of audit. The Finance Member informed that a number of steps had been taken in this matter and will be given more attention. Proposals contained in the agenda item were approved by the Authority.	
2	26/2005	Sanction of funds for projects DDA Metro extension of Metro line No. III Barakhamba Road Connaught Place - Dwarka Corridor into Dwarka sub-City.	Proposals contained in the agenda item were approved by the Authority with the advice that the Airports Authority of India should also be persuaded to contribute to the funding of the project as indicated in para-6 of the agenda item.	The matter has been referred to the Ministry and is under consideration there.
3	32/2005	Change of land use of 1.60 ha. land from Rural (A3) to Public & Semi-Public use (PS 1 Hospital Cat. 'B') at Burari (Kaushik Enclave) in Zone 'P'.	Proposals contained in the agenda item were approved by the Authority.	The Ministry vide letter dated 11.7.05 has conveyed approval of Public Notice. Publication is under process.
4	33/2005	Change of land use of an area measuring 3.00 hact. in Tri Nagar in Zone-H for DMRC Project from 'Recreational' to 'Commercial'.	Proposals contained in the agenda item were approved by the Authority.	The public notice was issued on 10.3.2005. The matter of issue of final notification was referred to MOUD on 19.5.2005 after approval of Authority. MOUD sought certain clarifications which are being sent.

5	34/2005	Change of land use from 'Public and Semi-Public Facilities' to 'Commercial' area measuring 2.84 hact. at Wazirpur for DMRC Project.	Proposals contained in the agenda item were approved by the Authority.	-do-
6	35/2005	Change of land use of approximately 31.707 sq.m. (3.1 ha. approx.) land from 'Transportation and Recreational' to Public-Semi Public Facilities" (Motor Driving Training Centre).	Proposals contained in the agenda item were approved by the Authority.	Final Notification issued in Gazette of 29.6.05.

Community Facilities developed in various Villages by DDA

Sl No.	Name of Village	Community Hall	Park	Playground
1	Nasirpur	Constructed in Isolated Pkt 21A (Dwarka)	Existing	Existing
2	Palam	Constructed in Sec-7, Dwarka	Existing	Existing
3	Bindapur	Constructed in Isolated Pkt 3 (Dwarka)	Existing	Existing
4	Bharthal	Constructed, 20M ROW Phirni road around village i/c parking.	Existing	Existing
5	Masoodpur	Completed	Existing	-
6	Kishangarh	Tender Invited	Existing	Existing
7	Adchini	Constructed	Existing	Existing
8	Basant Gaon	Constructed	Existing	-
9	Bagdola	Constructed	Existing	Existing
10	Amberhai	Constructed	Existing	Existing
11	Mohammadpur	Constructed	Existing	-
12	Badli	Tenders due on 21.8.05	-	-
13	Naharpur	Tenders due on 15.8.05	Existing	To be taken up
14	Poothkalan	Tenders received	-	-


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DELHI DEVELOPMENT AUTHORITY
[Internal Inspection Cell]

File No DC/IR/ATR/Annual Accounts/2004/

Item No

Sub: Steps taken to improve Financial Management by strengthening Internal Audit System.

1. During discussions on Annual Accounts of the Authority for 2001-02 and 2002-03 in the meeting held on 24.08.2004, the honorable LG had directed that a brief on functioning of Internal Audit in DDA may be put up before Authority as Internal Audit is an important tool of financial management.

STEPS TAKEN FOR STRENGTHENING THE INTERNAL AUDIT SYSTEM

2. Since, there has been acute shortage of staff in the Internal Audit Cell which resulted in accumulation of arrears. Efforts are being made to wipe out the arrears in auditing of various auditable Units. During the last two years, number of Units covered by Internal Audit has gone up. A comparative position for the last three years is detailed below :-

Sl No.	Financial Year	No. of Units Audited	Remarks
1.	2002-03	15	Includes special audit of 7 Units
2.	2003-04	37	Includes special audit of 8 Units
3.	2004-05 (upto 28.2.05)	53	Includes special audit of 3 Units

3. At present, there are five Audit Parties which are functioning against the sanctioned number of six. We have not been able to get officers on deputation from other organizations at the level of Accounts Officer / Sr. Accounts Officer inspite of our best efforts. This is also because of diversion of officers for Special Audits, etc.
4. With a view to settle Audit Paras of statutory audit expeditiously, the Zonal Audit Committees headed by HODs like Chief Engineers, Commissioners, etc. with concerned Jt / Dy Chief Accounts Officers as Member, have been constituted. These Zonal Audit Committees would meet quarterly and would monitor the progress closely. The scope of these Committees is under consideration to be extended for settlement of outstanding Internal Audit Paras.
5. Recently, DDA has initiated an exercise for reconciliation of funds released to various LACs (Land Acquisition Collectors) through Secretary (Land & Buildings) towards compensation and enhanced compensation for acquisition of land under the scheme of Large Scale Acquisition. The details for the last four years (2000-01 to 2003-04) have been reconciled. Further reconciliation is in progress. After this reconciliation work is completed, two Audit Parties deputed for this purpose would be available for regular audit of auditable units. This will definitely help in reducing the arrears.
6. For efficient and effective internal control system, three more Internal Inspection Parties are likely to be formed by internal arrangement to cope up with the work load. The Audit programs and its periodicity are also being redrawn / rationalized with a view to ensure effective internal control.
7. At present, there are 60 Auditable Units at Head Quarter and 134 Units at Field Offices. Some are either Administrative or supportive units which are not directly connected with financial dealings. With a view to have a meaningful and effective internal control on Auditable Units, the programmes of auditing have been restructured on a three tier basis to have annual, biennial and triennial units as per their financial and administrative weightage.
8. The first Audit Manual was compiled in August, 1985. The same is being revised / updated.

ANNEXURE III

The Authority in its meeting held on 24.8.2004 adopted the annual Accounts for the financial years 1997-98, 1998-99, 1999-2000 and 2000-01 after certification of Annual Accounts by the office of the Accountant General (Audit), Delhi vide Agenda Item No.45/2004.

While adopting the Annual Accounts, the L.G., however, pointed out that follow-up action on the observations of the A.G.(Audit) should be regularly monitored, and if necessary, the services of outside experts may be engaged to study the reports and systems so that strict financial discipline could be ensured in DDA. The L.G. was informed that several steps had been taken in this direction and a detailed report in the matter shall be placed in the next meeting of the Authority.

ACTION TAKEN REPORT

1. DDA has appointed a firm of Chartered Accountant as Tax Consultants who are compiling and reconciling the records keeping in view the requirements of the audit as well as from the Income Tax angle.
2. A Task Force Committee headed by Dy. CAO(HQ)II consisting of 3 members has been constituted which is monitoring follow-up action on the observations of A.G.(Audit), Delhi on the Annual Accounts for the financial year 1997-98, 1998-99, 1999-2000 and 2000-01.

Following is the Summary of the progress made further on the Audit Report on the Accounts of DDA for the aforesaid years:-

Sl. No.	Brief Para	Action Taken
1	Depreciation Charges	From the year 2002-03, DDA has come under the provision of Income Tax. Now, the depreciation is being levied as per the provisions of Income Tax Act.

9	Stock value in minus	The book balance and ground balance of the stock of the store division has been fully reconciled and register of violation has also been maintained. Now the stock value is in plus, so the para has not been taken further.
10	<u>Nazul Account-1</u> a) Undue increase in the value of the assets increase of assets in Nazul A/c-1 by 20% b) Property not verifiable	This practice has been dispensed with from the year 2001-02, so the para has not been taken in the report of the year 201-02 & 2002-03. As a result of restructuring of accounting system w.e.f. 01.04.2001, no addition has been made in the property Nazul Account from the year 2001-02 & 2002-03.

It is submitted that Audit Reports of the Authority for the year 1998-99, 1998-99, 1999-2000 and 2000-01 have since sent to the Ministry on 21.12.04. During the last one and a half year, 9 Audit Reports have been laid before the Parliament by the Ministry. The Annual Accounts for the year 2001-02 & 2002-03 have been audited by the External Audit Party & Audit report received from A.G., Audit. The reply to the Audit reports have since been sent to the A.G., Audit. Accounts and Auditing is current

As a result of vigorous efforts made for regular monitoring/follow up action on the Audit observations, A G (Audit has dropped many paras and these have not been repeated in the SAR on the accounts of DDA for the year 2002-03. The year-wise position is as under:-

STATEMENT SHOWING POSITION OF A.G.(AUDIT) OBSERVATIONS FOR 1997-98, 1998-99, 1999-2000 AND 2000-01

S. N.	Year	No. of Paras made by A.G.(Audit)	No. of Paras dropped by A.G.(Audit)	Balance Paras
1	1997-98	27	13	14
2	1998-99	27	13	14
3	1999-2000	27	13	14
4	2000-01	27	13	14

The interim report is submitted for information of authority as per resolution vide agenda item No. 45/2004.

2	Non-investment of G.P. Fund to the extent of total liability of GPF accumulation	DDA is now making investment in G.P. Fund regularly on the basis of yearly accumulation under GPF. That is why this para has not been taken further in the Draft Audit report in the Annual Account for the year 2001-02 & 2002-03.
3	Non-recovery of advance from JIR Rs. 139.07 lacs and ISBT Rs. 131.57 lacs.	ISBT and JIR were transferred from DDA on "As is where is basis" which means that all the assets and liabilities also stand transferred along with the scheme. Necessary rectification has been done in the year 2001-02, so this para has not been taken in the report of 2001-02 and 2002-03.
4	Liabilities of Pension Fund Reserve has not been raised to the extent of Pension Fund Investment.	Balance sheet of Pension fund is being prepared separately from the year 2001-02 onwards and pension fund reserve has been raised to the extent of pension fund investment. Moreover, DDA pension fund trust has also been created and registered with the registrar in March, 2005. In view of this A.G. Audit revised this para in the report of 2001-02 and not taken in 2002-03.
5	Supporting records of sundry debtors not maintained	Individual allottee-wise debtors, based on allotment and collection record on available has been completed as on 31.3.04. Deferred debts that is future installment due on hire-purchase allotment as on 31.3.2004, has been completed. In view of this, the para has not been taken further in the report of 2001-02.
6	Record of Property not maintained	109 property registers including Fixed Assets and floating Assets have been prepared and given for validation to the respective Engineering Wing and Commissioner Housing. About 60% validated registers received back with corrections. The A.G. Audit has revised this para in the Audit Report of 2001-02.
7	Non-verification of the following assets in the Balance Sheet a) Built-up Houses b) Houses under construction c) Built-up shops d) Shops under construction.	Details of built-up houses, housing under construction and shops (built-up and under construction) have been maintained from the year 2001-02. That is why the para has been revised by the A.G., Audit in the year 2001-02.
8	Unjustified increase in the value of land	Register of valuation has been maintained from 2001-02. So this para has not been taken further in the report of 2001-02 & 2002-03.

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ACTION TAKEN NOTE IN RESPECT OF DDA'S MEETINGS

Sl.No.	Reference to Meeting	Issues Involved	Action Taken												
1.	OTHER POINTS: (Sl. No.(viii) / Page-10 of the Minutes of the Meeting held on 28 th February, 2005)	Sh. Mahabal Mishra pointed out that Mega Projects had been awarded in Vasant Kunj on green land, without changing its land use & that DDA was now paying heavy penalty of crores of rupees for delays on this account. The LG asked that a status report in the matter may be put up before the Authority.	<p>The following two Mega Housing Projects were awarded under 4 & 2 different contracts respectively.</p> <table> <tr> <th>S.No.</th><th>Name of the Project</th><th>Scheduled date of start</th><th>Scheduled date of completion</th></tr> <tr> <td>1.</td><td>2304 HIG/MIG/LIG Houses behind Pkt.D-6 at Vasant Kunj.</td><td>Dec.,2001</td><td>June , 2004</td></tr> <tr> <td>2.</td><td>852 HIG/MIG/LIG Houses at Vasant Kunj at Mehrauli, Mahipalpur Road, near Sultan Garhi Tomb.</td><td>March, 2002</td><td>December,2004</td></tr> </table> <p>During the progress of the work. A PIL writ Petition No. 4978/02 was filed before Hon'ble High Court of Delhi against taking up the construction of these two Mega Housing Projects without change of land use from "Rural" to "Residential". Hon'ble High Court of Delhi vide judgment dated 16/9/2002 had directed as under : "We, therefore, at this stage have no other option but to direct that no further constructions should be allowed to be raised on the land in question. The order shall not however, prevent the respondent's herein from taking steps for preventing any encroachment on the land in question and / or use the material collected at the site for any other purpose. It will also be open to the parties herein to proceed with the matter of obtaining approval from the Central Government in accordance with law. There cannot be any doubt whatsoever that, if any, approval is granted by the Central Government, permission is obtained, first respondent herein would be entitled to resume</p>	S.No.	Name of the Project	Scheduled date of start	Scheduled date of completion	1.	2304 HIG/MIG/LIG Houses behind Pkt.D-6 at Vasant Kunj.	Dec.,2001	June , 2004	2.	852 HIG/MIG/LIG Houses at Vasant Kunj at Mehrauli, Mahipalpur Road, near Sultan Garhi Tomb.	March, 2002	December,2004
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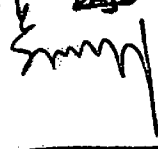
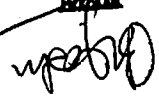
<p>the construction."</p> <p>On receipt of Legal advice in the matter, the construction agencies were requested by the concerned Executive Engineers in October, 2002 to stop the works till further orders. In this context, it is to intimate that with the approval of the authority a proposal was submitted to Govt. of India on 17th Nov., 1999 for change of land use of this area measuring 56 Hect. However, in the mean time, the process of inviting tenders and award of works was initiated with the prior approval of the then Hon'ble L.G. Delhi. Subsequently, on receipt of change of land use, by Government of India, vide Notification No. 121 dated 30/01/2004 vide letter No. K-13011/3/2000-DDIB dated 11th Feb. 2004, the agencies were requested in June, 2004 to re-start the work immediately. As the agencies failed to re-start the work, their contracts were rescinded in Jan, 2005 with the prior approval of Work Advisory Board. Now a proposal is under consideration for recall of tenders for the balance work at the risk and cost of the original agencies.</p> <p>As regards the issue of paying of heavy penalties by DDA for delays on this account, it is submitted that these works were awarded at the rates prevailing in 2002. These works would have been awarded at much higher rates, if the tenders had been invited after the change of land use i.e. after 29/01/2004, because of increase in rates of cement and steel during the last two years.</p>			
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ACTION TAKEN NOTE IN RESPECT OF DDA'S MEETINGS

Sl.No.	Reference to Meeting	Issues Involved	Action Taken	Remarks												
1.	OTHER POINTS: (Sl. No.(viii) / Page-10 of the Minutes of the Meeting held on 28 th February, 2005)	Sh. Mahabal Mishra pointed out that Mega Projects had been awarded in Vasant Kunj on green land, without changing its land use & that DDA was now paying heavy penalty of crores of rupees for delays on this account. The LG asked that a status report in the matter may be put up before the Authority.	<p>The following two Mega Housing Projects were awarded under 4 & 2 different contracts respectively.</p> <table><thead><tr><th>S.No.</th><th>Name of the Project</th><th>Scheduled date of start</th><th>Scheduled date of completion</th></tr></thead><tbody><tr><td>1.</td><td>2304 HIG/MIG/LIG Houses behind Pkt.D-6 at Vasant Kunj.</td><td>Dec.,2001</td><td>June , 2004</td></tr><tr><td>2.</td><td>852 HIG/MIG/LIG Houses at Vasant Kunj at Mehrauli, Mahipalpur Road, near Sultan Garhi Tomb.</td><td>March, 2002</td><td>December,2004</td></tr></tbody></table> <p>During the progress of the work. A PIL writ Petition No. 4978/02 was filed before Hon'ble High Court of Delhi against taking up the construction of these two Mega Housing Projects without change of land use from "Rural" to "Residential". Hon'ble High Court of Delhi vide judgment dated 16/9/2002 had directed as under : "We, therefore, at this stage have no other option but to direct that no further constructions should be allowed to be raised on the land in question. The order shall not however, prevent the respondents herein from taking steps for preventing any encroachment on the land in question and / or use the material collected at the site for any other purpose. It will also be open to the parties herein to proceed with the matter of obtaining approval from the Central Government in accordance with law. There cannot be any doubt whatsoever that, if any, approval is granted by the Central Government, permission is obtained, first respondent herein would be entitled to resume</p>	S.No.	Name of the Project	Scheduled date of start	Scheduled date of completion	1.	2304 HIG/MIG/LIG Houses behind Pkt.D-6 at Vasant Kunj.	Dec.,2001	June , 2004	2.	852 HIG/MIG/LIG Houses at Vasant Kunj at Mehrauli, Mahipalpur Road, near Sultan Garhi Tomb.	March, 2002	December,2004	
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			<p>the construction."</p> <p>On receipt of Legal advice in the matter, the construction agencies were requested by the concerned Executive Engineers in October, 2002 to stop the works till further orders. In this context, it is to intimate that with the approval of the authority a proposal was submitted to Govt. of India on 17th Nov., 1999 for change of land use of this area measuring 56 Hect. However, in the mean time, the process of inviting tenders and award of works was initiated with the prior approval of the then, Hon'ble L.G. Delhi. Subsequently, on receipt of change of land use, by Government of India, vide Notification No. 121 dated 30/01/2004 vide letter No. K-13011/3/2000- DDIB dated 11th Feb, 2004, the agencies were requested in June, 2004 to re-start the work immediately. As the agencies failed to re-start the work, their contracts were rescinded in Jan., 2005 with the prior approval of Work Advisory Board. Now a proposal is under consideration for recall of tenders for the balance work at the risk and cost of the original agencies.</p> <p>As regards the issue of paying of heavy penalties by DDA for delays on this account, it is submitted that these works were awarded at the rates prevailing in 2002. These works would have been awarded at much higher rates, if the tenders had been invited after the change of land use i.e. after 29/01/2004, because of increase in rates of cement and steel during the last two years.</p>	<p> [Illegible text]</p> <p> [Illegible text]</p>
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