AGENDA ITEMS

FOR THE

MEETING

OF THE

DELHI DEVELOPMENT AUTHORITY

DATE : 19.09.2014

TIME : 10.00 AM

VENUE : RAJ NIWAS

DELHI

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DELHI

INDEX

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2.	129/2014	Action Taken Reports on the minutes of the meeting of the Delhi Development Authority held on 11.07.2014. F.2(3)2014/MC/DDA	CCS
3.	130/2014	Proposed modifications in MPD-2021 as per the recommendations of the Board of Enquiry & Hearing. F.15(8)/2012-MP	PLANNING
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Supplementary Agenda for the meeting of the Delhi Development Authority fixed for 19.09.2014

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3.	138/2014	Regarding allowing conversion from lease hold to freehold in case of missing linkage of GPA/Agreement to Sell. F.2(10)/2011/N&C/Pt.III	PC (LD)

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

No. F.2 (2)2014/09/MC/DDA/169 Dated: the 17th September, 2014

Sub: Agenda for the meeting of the Delhi Development Authority.

Kindly find enclosed agenda for the meeting of Delhi Development Authority fixed for Friday, the 19th September, 2014 from 10.00 a.m. to 1.00 p.m. at Raj Niwas, Delhi.

You are requested to kind attend.

17/09/14
(Brijesh Kumar Mishra)
Commissioner-cum-Secretary
Phone No. 24624487

Encl: As above.

CHAIRMAN

1. Shri Najeeb Jung
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri Balvinder Kumar

MEMBERS

3. Shri Venkatesh Mohan
Finance Member, DDA

4. Shri Abhai Sinha
Engineer Member, DDA

5. Shri D.S. Mishra
Additional Secretary
Ministry of Urban Development
Govt. of India

6. Smt. Naini Jayaseelan
Member Secretary
NCR Planning Board

7. Shri Jitender Kumar Kochar

Contd/....page..2

SPECIAL INVITEES

1. Shri D.M. Spolia
   Chief Secretary
   Govt. of NCT of Delhi
2. Smt. Nutan Guha Biswas
   Principal Secretary to Lt. Governor, Delhi
3. Dr. M.M. Kutty
   Principal Secretary (Finance)
   Govt. of NCT of Delhi
4. Shri Dharam Pal
   Principal Secretary (L&B)
   Govt. of NCT of Delhi
5. Shri Rajendra Kumar
   Secretary (UD)
   Govt. of NCT of Delhi
6. Shri J.B. Kshirsagar
   Chief Planner, T.C.P.O.
7. Shri Manish Gupta
   Commissioner
   South Delhi Municipal Corporation
8. Shri S. Kumaraswamy
   Commissioner
   East Delhi Municipal Corporation
9. Shri P. K. Gupta
   Commissioner
   North Delhi Municipal Corporation
10. Shri T. Srinidhi
    Principal Commissioner (LD, Housing & CWG), DDA
11. Shri Dayanand Kataria
    Principal Commissioner (Personnel, LM &.Systems), DDA

Copy also to:

1. Smt. Swati Sharma
   Addl. Secretary to Lt. Governor, Delhi
2. Smt. Neemo Dhar
   Advisor (PR), DDA

DELHI DEVELOPMENT AUTHORITY

Item No. 128/14

Item No. 128/2014

Sub: Confirmation of the minutes of the meeting of the Delhi Development Authority held on 21.8.2014.
File No. F.2(2)/08/2014/MC/DDA

Minutes of the meeting of the Delhi Development Authority held on 21.8.2014 at Raj Niwas are submitted for confirmation of the Authority.

RESOLUTION

Minutes of the meeting of the Delhi Development Authority held on 21.8.2014 were confirmed as circulated.

DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of the Delhi Development Authority held on 21st August, 2014 at 3.00 p.m. at Raj Niwas, Delhi.

Following were present:

CHAIRMAN

1. Shri Najeeb Jung,
   Lt. Governor, Delhi

VICE CHAIRMAN

2. Shri Balvinder Kumar

MEMBERS

3. Shri Venkatesh Mohan
   Finance Member, DDA

4. Shri Abhai Sinha
   Engineer Member, DDA

5. Shri D.S. Mishra
   Addl. Secretary
   Ministry of Urban Development, Govt. of India.

6. Smt. Naini Jayaseelan
   Member Secretary, NCR Planning Board

7. Shri Jitender Kumar Kochar

SECRETARY

Shri Brijesh Kumar Mishra
Commissioner-cum-Secretary

SPECIAL INVITEES & SENIOR OFFICERS

1. Shri S.K. Srivastava
   Chief Secretary, GNCTD

2. Smt. Nutan Guha Biswas
   Principal Secretary to Lt. Governor, Delhi

3. Dr. M.M. Kutty
   Principal Secretary (Finance), GNCTD

4. Shri Rajendra Kumar
   Secretary (UD), GNCTD

5. Shri S.S. Yadav
   Secretary (TSM), GNCTD

6. Shri S.K. Gulati
   Chief Vigilance Officer, DDA

7. Shri T. Srinidhi
   Principal Commissioner (Housing, LD & CWG), DDA

8. Shri Dayanand Kataria
   Principal Commissioner (LM, Pers. & Systems), DDA

9. Shri S. Kumaraswamy
   Commissioner
   East Delhi Municipal Corporation

10. Smt. Swati Sharma
    Addl. Secretary to Lt. Governor, Delhi

11. Dr. Simi Malhotra
    Advisor (Media, Academics, Art, Culture & Language) to Lt. Governor, Delhi

12. Shri R.N. Sharma
    Addl. Secretary to Lt. Governor, Delhi

13. Shri Ajay Chaudhary
    OSD to Lt. Governor, Delhi

14. Shri M.K. Gupta
    Commissioner (LD), DDA

15. Shri D. Sarkar
Commissioner (Housing), DDA

16. Shri S.N. Gupta
Commissioner (Incharge)/LM & IL, DDA

17. Shri P.M. Parate
Commissioner (Incharge)/Planning, DDA

18. Shri Om Prakash
Chief Engineer (NZ & QAC), DDA

19. Shri Sandeep Mehta
Chief Engineer (Rohini), DDA

20. Shri Shamsher Singh
Chief Town Planner, SDMC & NDMC

21. Shri Anil Kumar Sharma
Chief Legal Advisor, DDA

22. Shri Amardeep Singh
Financial Advisor (Housing), DDA

23. Shri Amar Singh
Superintending Engineer, DDA

24. Shri R.K. Jain
Addl. Commissioner (Planning)MP&UE, DDA

25. Shri S.P. Pathak
Addl. Commissioner (Planning) AP&MPR, DDA

26. Smt. Savita Bhandari
Addl. Commissioner (Landscape), DDA

27. Shri Partho Dhar
Addl. Commissioner (Planning)UC&I, DDA

28. Shri S. Das
Director (Planning), DDA

29. Dr. K. Srirangan
Director, UTTIPEC, DDA

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30. Shri H.K. Bharti
Director (Planning), DDA

31. Smt. Neelima Soni
Dy. Director (Landscape), DDA

32. Smt. Neemo Dhar
Advisor (PR), DDA

Hon'ble Lt. Governor, Delhi/Chairman, DDA welcomed all the members of the Authority, special invitees and senior officers present at the meeting of the Authority.

Item No. 111/2014:

Confirmation of minutes of the meeting of the Delhi Development Authority held on 11.7.2014 at Raj Niwas.
F.2(2)2014/MC/DDA

Commissioner-Cum-Secretary, DDA informed that two amendments had been received in respect of Item No. 55/2014 and 106/2014.

Item No.55/2014:

Regarding Item No. 55/2014, a letter has been received from Smt. Rita Menon, Chairperson & Managing Director, India Trade Promotion Organization for deletion of para 5 (i) & (ii) from the minutes of the meeting of the Authority held on 9.5.2014 and inclusion of provision of hotel facility in the description of permitted activities for International Convention Centre in MPD-2021.

After deliberations, it was decided that the said para 5 (i) & (ii) should not be deleted from the minutes, at this stage. However, the following actions need to be taken in pursuance to the decision taken in the meeting held on 09.05.2014:

(i) Comments from Ministry of Commerce and ITPO should be obtained as decided during the Authority meeting held on 09.05.2014.

(ii) Comments from Delhi Traffic Police should also be obtained.

(iii) A presentation should be made on all relevant issues. Chairperson & Managing Director, ITPO and representatives of Delhi Traffic Police should be invited during the presentation.

Proposed amendment in the minutes was not therefore approved by the Authority.

Item No.106/2014:

Regarding Item No. 106/2014, Principal Commissioner (LD, H & CWG) stated that there was a typographical error in the agenda and it should be 'institutional plots' instead of 'institutional built-up properties' as there are no institutional built-up properties.

The proposed amendment was not approved by the Authority . Hon'ble LG directed that the file in r/o the Agenda Item should be first submitted to this Secretariat for taking a decision.

With these amendments, the minutes of the meeting of the Delhi Development Authority held on 11.07.2014 were confirmed as circulated.

Item No. 112/2014:

Action Taken Reports on the minutes of the meeting of the Delhi Development Authority held on 26.06.2014.
F. 2(3)2014/MC/DDA

Hon'ble Lt. Governor directed that in future, all the ATRs should be in detail indicating the stage of compliance and time frame.

ATRs on the minutes of the meeting of the Delhi Development Authority held on 26.6.2014 were noted by the Authority.

Item No. 113/2014:

Action Taken Note on Performance Budget.
F.4(3)91/Per/Budget/2013-14.

Finance Member, DDA explained the agenda item.

Principal Secretary (Finance), GNCTD raised the following issues:

(i) Regarding work at Sl. No.4 & 14 at Page No.23, allotment of funds in RE has significantly been enhanced but these funds have not been utilized.

(ii) Regarding work at Sl. No.7 at Page No.24, RE has significantly been reduced. Still, the funds have not been utilised.

(iii) In some of the works, expenditure is more than the RE.

Engineer Member, DDA explained that for the work at Sl. No.4, contract was awarded for execution of work and release of advance was anticipated. Regarding work at Sl. No.14, contract for execution of work was awarded but advance could not be released due to non finalization of drawings. Engineer Member further assured that quarterly review would be drafted to ensure that such type of situation does not arise in future.

Hon'ble Lt. Governor directed that budgetary discipline should be maintained.

Action taken note (ATN) on performance budget was noted by the Authority.

Item No. 114/2014:

Recommendations of Advisory Group in its 13th meeting held on 11.06.2014. Modifications in MPD-2021 as part of mid-term review of the Plan.
F.20(19)2014-MP.

1. Principal Secretary (Finance), GNCTD suggested that the language of Para No. 2.1 & Para 2.2 of agenda item may be amended.

Para/ Sl. No.	Proposed Amendments/ Modifications as per Agenda	Modified based on the suggestions by Authority
9.0 iv)	To make Delhi into a wise and minimal resource use city. The best environmental practices of optimal and efficient use of resources will be introduced in all sectors.	*To make Delhi into an optimum resource use city. The best environmental practices of optimal and efficient use of resources will be introduced in all sectors.*
9.0 v)	To make Delhi into a maximum reuse and recycling city by adopting relevant policy strategies in all sectors.	*To adopt relevant policy strategies in all sectors of natural resources to maximize their reuse and recycling.*
9.3.1.1/ Sl. No. 6	Following measures.... Treatment technologies.	*Addition of new bullet in the last:* • *Promoting bio-degradable material to be used for preparation of idols for immersion in the River*

		Yamuna.
9.3.2.1	There are discrepancies between the area notified and the physical boundaries of the total area owned by various agencies – DDA, CPWD, NDMC, North & South Delhi Municipal Corporations, Forest Department and the Ministry of Defence. Under the Master Plan, the area notified as proposed reserve forest is classified as Regional Park. The permissible land use of the Regional Park is in variance with the provisions of Reserve Forest under the Indian Forest Act 1927. In case of overlap between the two land categories, the permissible land use under the Forest Act will apply.	There are discrepancies between the area notified and the physical boundaries of the total area owned by various agencies – DDA, CPWD, NDMC, North & South Delhi Municipal Corporations, Forest Department and the Ministry of Defence. ***Till the exact boundaries are identified by the Forest Department, the boundary indicated in the Master Plan for Delhi (land use plan) as Regional Park shall continue.*** Under the Master Plan, the area notified as proposed reserve forest is classified as Regional Park. The permissible land use of the Regional Park is in variance with the provisions of Reserve Forest under the Indian Forest Act 1927. In case of overlap between the two land categories, the permissible land use under the Forest Act will apply.

2. Member Secretary, NCRPB observed that at page 63 of the agenda, there should be a provision for all conservation zones of Delhi in place of only bio-diversity parks. She also suggested that there should be more clarity in the framing of the sentence.

Hon'ble Lt. Governor desired that Member Secretary, NCRPB could assist DDA in drafting the required provision.

Proposal contained in the agenda item was approved by the Authority, with the above observations/suggestions as well as directions that issues raised by the members and the officers of Delhi Government should be taken into account before inviting objections/suggestions from the public.

Item No. 115/2014:

Recovery of outstanding amount (cost along with interest) from the allottees of Kondli Gharoli where amounts of EMI were not intimated and evictees of Raja

Park where possessions were given but Demand-cum-Allotment Letters (DALs) were not issued by DDA.
F.21(1970)2011/HAC/DDA

After due deliberations, the following decisions were taken:

(i) Matter should be re-examined.

(ii) It should be clearly brought out that who was at fault for not raising the demand at appropriate time.

(iii) Opinion of Chief Legal Advisor should be taken.

After detailed discussions, proposal contained in the agenda item was not approved by the Authority.

Item No. 116/2014:

Amalgamation of Residential Plots in Plotted Development.
F.20(01)2013/MP

After detailed deliberations, agenda item was approved by the Authority with a provision for amalgamation of ONLY two plots up to 200sqm. maximum with following conditions:-

- Local Body will simultaneously modify the Layout Plan.
- The maximum Ground Coverage, setbacks, parking, Dwelling Units etc. shall be for the amalgamated plot size.
- The maximum FAR permissible shall not be less than that permissible in case of two individual plots.

Item No. 117/2014:

Regularization of belated period of payment in respect of Blooming Buds Educational and Welfare Society.
F.19(122)2001/IL

Principal Commissioner (LD, H & CWG) explained that the payment was deposited by the Society to DDA 12 years back and balance payment was only 4-1/2 months' late. He also stated that there was a direction from the Ministry of Urban Development to consider this matter under Nazul Rules.

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

Item No. 118/2014:

Proposed Change of landuse of area measuring 3900 sq.m. from 'Recreational' (Community Park) to 'Utility' (RSS) in Layout Plan of Facility Centre No. 8 at Wazirabad Road and Loni Road Crossing for construction of RSS for Mukundpur – Yamuna Vihar Corridor (Line-7) of Delhi MRTS Project Phase-III.
F.21(04)2011/MP-YV

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

Item No. 119/2014:

Change of land use of 15.02 ha. (37.11 acres) of land at Revenue Estate of Village Jonapur from "Residential use" to "Public & Semi Public Use" for establishment of Green Field World Class Skill Centre.
F.3(02)2012/MP

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

Item No. 120/2014:

Proposed change of land use in respect of the following:

i Area measuring 11.71 ha (117091 sq. M) from "Recreation (District Park) to 'Transportation (ISBT) ' in respect of the 2nd Inter-State Bus Terminal at Sarai Kale Khan, Delhi.

ii Area measuring 3.1 ha (31,707 sq.m.) from "Public and Semi-Public Facilities (Motor Driving Training Centre)' to 'Transportation (Depot)' in respect of Millennium Depot at Sarai Kale Khan, Delhi, falling in Planning Zone-D.
F.5(03)97/MP

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

Item No. 121/2014:

Change of Landuse from "Residential" to "Public and Semi Public Facilities" (Cemetery for the site measuring 4198.12 sq.mt. for Cemetery in Pocket R-17 and adjoining to proposed Cremation Ground (ShamshaanGhat) & Burial Ground (Kabristasn) in Sector-40. Rohini, Phase-V.
F.20(12)2010/MP)

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

Item No. 122/2014:

Change of Land use of Dangal Maidan in Zone A (Walled City) from 'Recreational' (Park/Open space) to 'Transportation' (multi Level parking).
F.3(02)2006/MP

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

Item No. 123/2014:

Change of Land Use of land measuring 6.80 Ha. for expansion of AIIMS Trauma Centre in Planning Zone-F.
F.20(2)2010/MP

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

Item No. 124/2014:

DDA Housing Scheme – 2014.
F.1(303)N&C/(H)/2013

Principal Commissioner (LD, H & CWG) explained the agenda item and made a Power Point Presentation. In the beginning, he clarified that income criteria to apply for EWS flats has inadvertently been mentioned as ₹ 1.5 lacs in the draft brochure and it should be ₹ 1.00 lacs.

2. Hon'ble Lt. Governor asked whether these flats would be disposed of on 'as is where is basis' as mentioned in the draft brochure.

Shri Jitender Kumar Kochar complained that old flats are not in a good condition and should be inspected before including in the scheme.

Principal Commissioner (LD, H & CWG) explained that old flats would be repaired before handing over to the allottees. Engineer Member also opined that flats should be repaired so as to avoid complaints at the time of handing over the flats.

Hon'ble Lt. Governor directed that old flats must be restored in the condition as at the time they were built. Besides, Hon'ble LG instructed to ensure the following:-

1) A certificate by the Chief Zonal Engineer(Civil/Electrical) to the effect that each of the flat is ready to use in all respects which should be countersigned by EM, DDA.
2) The allotment of flats should be on ***"Ready to Use"*** basis.
3) DDA should separately inform LG Secretariat as to how the number of flats has come down from 26091 to 25034. The reason for reduction in number of old flats from 851 to 811 should also be given.

3. Matter regarding Memorandum of Understanding (Appendix-III of the draft brochure) to be signed for 700 No. flats being offered by DLF came up for discussion.

After discussions, it was decided that the issue regarding agreement/MoU should be put up for approval separately and file should be submitted after vetting from Legal Department.

4. As regards the proposed condition of reservation of 80% number of flats for residents of Delhi and 20% for outsiders, after detailed discussions, the Authority did not agree, in principle, with this clause of reservation to Delhi residents. Hence, this condition should be removed from the terms and conditions of this scheme.

Proposal contained in the agenda item was approved by the Authority with the above modifications. Vice Chairman, DDA was authorized to finalize terms and conditions to be incorporated in the brochure of the scheme and submit copy of the same to LG office for information.

Item No. 125/2014:

Permissibility of Media/News Agencies and Media Training Centre in Public & Semi-Public Use – proposed modifications in MPD-2021.
F.20(07)/2014-MP

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

Item No. 126/2014:

Inscription of Delhi to World Heritage City by UNESCO - Incorporation of boundaries of Imperial City of New Delhi in Zonal Development Plan of Zone 'D'.
F.16(06)2014/MP

Secretary (Tourism), GNCTD stated that there is need to change Para No.10.3 (ii) of the MPD-2021 as under:-

"Specific heritage complex within Imperial City of New Delhi and the Lutyens Bungalow Zone."

Proposal contained in the agenda item was approved by the Authority with the above modification.

Item No. 127/2014:

Inscription of Imperial City of Delhi i.e. Shahjanabad as World Heritage City by UNESCO - Incorporation of boundaries of this Imperial City of Delhi in Zonal Development Plan of Zone 'A' (Walled City).
F.3(02)2006/MP/Pt.I

Secretary (Tourism), GNCTD stated that there is need to change Para No.10.3 (i) of the MPD-2021 as under:-

"Specific heritage complex within Imperial City of Shahjahanabad (Walled City), Delhi."

Proposal contained in the agenda item was approved by the Authority with the above modification.

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

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

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DELHI DEVELOPMENT AUTHORITY

Item No. 129/14

ITEM NO. 129/2014

ACTION TAKEN REPORTS ON THE MINUTES OF THE MEETING OF DELHI DEVELOPMENT AUTHORITY HELD ON 11.07.2014 AT RAJ NIWAS.

SUBJECT	ACTION TAKEN REPORTS
Item No. 102/2014: **Proposed Change of Landuse (CLU):-** **i. Area measuring 1,99,005.10 sqm in Planning Zone –'E' from partly 'Recreational' and partly 'Residential' to 'Transportation' (Depot and two Fuel Stations/Petrol Pump) for construction of Car Maintenance Depot and relocation of Petrol Pumps at Vinod Nagar (East) for MRTS, Phase-III.** **ii. Area measuring 18,396.96 sqm from 'Recreational' to 'Transportation' (Bus Depot).** **iii. Area measuring 11635.34 sqm from 'Recreational' to 'Utility' for allotment to EDMC for Solid Waste Management Facility.** **F.20(4)2012/MP** Proposals contained in the agenda item were approved by the Authority. ACTION : PLANNING	Public Notice has been issued on 13.9.2014 in Gazette of India (Extra Ordinary) and in 4 News Papers for inviting objections/suggestions from general public.
Item No. 103/2014: **Proposal for CNG Station at Okhla Industrial Area, Phase-II by IGL.** **F.3(30)/2006-MP** Proposal contained in the agenda item was approved by the Authority. ACTION : PLANNING	The file was submitted by Area Planning Wing on 01.09.2014 for authentication of Drawing as per the decision Technical Committee meeting held on 12.08.2014. The file has been referred to Director (Plg.) AP-I on 02.-09.2014 after authentication of Drawings. Further follow-up action as per Authority decision will be taken up by concerned Planning Unit.
Item No. 104/2014: **Standard costing of Flats –Plinth Area Rates of Construction effective from 1st April, 2014 to 30th September, 2014.** **F.21(1671)2001/HAC/Pt.II** Proposal contained in the agenda item was approved by the Authority. ACTION : FINANCE	The approved Plinth Area Rates effective w.e.f. 01.04.2014 to 30.09.2014 have been circulated to all concerned vide F.21(1671)2001/ HAC/Pt.II/68 dated 12.08.2014.

Item No. 105/2014: **Change of Land Use of land measuring 6.80 Ha. for expansion of AIIMS Trauma Centre in Planning Zone-F.** **F.20(2)2010/MP/D** Hon'ble Lt. Governor desired to know the extent of green area & the number of trees that would be affected by this decision. After detailed discussions, consideration of the agenda item was 'deferred' for further examination. Besides, the Board desired that spot inspection of this plot/area should be carried out by some senior officer of Planning Deptt. ACTION : PLANNING	The agenda item was further examined and approved by the Authority in its meeting held on 21.8.2014 vide Item No. 123/2014.
Item No. 106/2014: **Fixing of reserve price in respect of commercial plots in DDA.** **F.PS/PC)LD)2014/Commrl. Properties/5/Pt. File** After detailed discussions, the proposal contained in the agenda item was 'approved by the Authority. However, it was also decided that this policy will be re-assessed after 6 months. ACTION : LD	The revised proposal will be put up for consideration of the Hon'ble Lt. Governor.
Item No. 107/2014: **Policy for purchase of land by DDA through negotiation with owners of the private lands.** **F.9(6)/2014/NL-1/DDA** After detailed discussions, consideration of the agenda item was 'deferred' for further examination. ACTION : LM	The agenda item was deferred.
Item No. 108/2014: **Allotment of EWS Houses – special package for rehabilitation of JJ clusters.** **F.PS/PC/DDA/2013/EWS/H-4** Hone'ble Lt. Governor enquired about para 6 of the agenda item regarding cut-off date. After deliberations, the Board decided that DDA should refer the matter to the GNCTD and a joint committee should be formed by DDA and GNCTD. A common policy should be drawn within two months' time. After detailed discussions, consideration of the agenda item was 'deferred. ACTION : PC(LD)	The revised proposal regarding slum rehabilitation has been submitted by Principal Commissioner (LD & Housing) to Raj Niwas.

Item No. 109/2014: **Fixation of Predetermined Rates (PDRs) in respect of Rohini Ph. IV & V for the year 2013-14 & 2014-15.** **F.4(43)2013/AO(P)/DDA** Proposal contained in the agenda item was approved by the Authority. ACTION : FINANCE	The Pre-determined Rates as approved by the Authority for the year 2013-14 & 2014-15 in respect of Rohini Ph. IV & V have been circulated on provisional basis pending approval of the Ministry vide Circular No. 42 dated 05.08.2014. Ministry vide this office letter No. 4(43)2013/ AO(P)/DDA/414 dated 25.08.2014 have been requested to accord the approval.
Item No. 110/2014: **Proposed Change of landuse from 'Recreational' to 'PSP (school & graveyard)' in respect of part lands out of the land measuring 42713.52 sq.m. at Mandoli, East Delhi.** **F.20(6)/2006/MP** Proposal contained in the agenda item was approved by the Authority. ACTION : PLANNING	As a follow up to the decision of the Authority, the proposal has been sent to MoUD for final Notification, on 27.8.2014

RESOLUTION

Action taken reports on the minutes of the meeting of the Authority held on 11.7.2014 were noted by the Authority.

DELHI DEVELOPMENT AUTHORITY

Item No. 130/14

Item No. 130/2014

Sub: **Proposed modifications in MPD-2021 as per the recommendations of the Board of Enquiry & Hearing**

File No.: F15(8)/2012-MP

1.0 Background:

1.1 This is regarding additional modifications suggested by the public regarding increase in Ground Coverage and FAR on the residential plot of Category 750-1000 sqm. and 1000-1500 sqm., which were not part of the Public Notice dated 30.05.2013, however, the Board of Enquiry & Hearing in its meeting held on 08.08.2013 recommended additional modifications in MPD-2021.

1.2 As per the decisions of the Authority in its meetings dated 05.09.2013 (Item No.130/2013), 19.09.2013 (Item No.140/2013) and directions from the competent authority, these additional recommendations were put up as an agenda in Part B - *Proposed modifications in MPD-2021 as per the recommendations of the Board of Enquiry & Hearing to issue Public Notice under Section 11-A of DD Act, 1957.* which was considered by the Authority in its meeting held on 31.01.2014 vide item No.25/2014 and same was approved for processing under Section 11-A of DD Act, 1957.

1.3 Accordingly, a Public Notice for inviting objections/suggestions on proposed modifications to the MPD-2021 as part of review of the Plan was published in the ~~in the~~ leading local newspapers notified vide S.O.497(E) dated 21.02.2014 for a period of 45 days.

2.0 Follow-up Action:

2.1 In response to this public notice, 109 objections/suggestions were received. The letters were sent to all the persons to present their suggestions in person in addition to the already sent written submission. Meeting of the Board of Enquiry & Hearing under the chairmanship Engineer Member, DDA was held on 30.07.2014 at 12.00 pm in the Conference Hall, DDA, Ground Floor, B-Block, Vikas Sadan, New Delhi. Summary report was circulated before hand to all the members of the Board and special invitees. About 17 letters were returned back on account of not receiving, address change, etc. The said meeting was chaired by FM, DDA as EM, DDA could not attend the same due to unavoidable reasons. The meeting on behalf of EM, DDA was represented by Chief Engineer (HQ), DDA. During the meeting about 33 persons either individually/representative or in groups appeared before the Board.

2.2 After hearing the persons appeared before the Board and referring the summary report of the objections/suggestions, the Board recommended increase in Ground Coverage & FAR of residential plot i.e., Ground Coverage from 40 to 50 & FAR from 120 to 200 in plot size 1000 sqm & above. In case of plot size falling in category 750 to 1000 sqm increase in FAR from 150 to 200, the modifications in Para 4.4.3 A of MPD-2021 will be as under (recommendations of the Board of Enquiry & Hearing meeting are placed at **Annexure-I**):

	Area of Plot (Sq.m.)	Max Ground Coverage %	FAR	No. of DUs
1.	Above 750 to 1000	50	200	9
2.	Above 1000 to 1500	50	200	9
3.	Above 1500 to 2250	50	200	12

	Above 2250 to 3000	*50*	*200*	15
	Above 3000 to 3750	*50*	*200*	18
	Above 3750	*50*	*200*	21

2.3 The Public Notice dated 21.02.2014 was for modifications in the Ground Coverage in plot size 1000 & above and FAR in plot size 750 & above. However, many issues were raised which were not within the purview of this public Notice (refer para 2 (d) to (l) of the Annexure-I). On the issue of 'Enhanced the FAR from 180/225 to 350 as per Residential Norms for shops (Plot Area 83.61sqm. & 55.74sqm) at Hudson Line /mall Road & Outram Lines, Kingsway Camp', the Authority had already approved that '*The issue regarding applicability of development control norms for residential plots located in Hudson Lines, Mall Road and Outram Lines, Kingsway Camp be bring at par with provisions of MPD-2021 for similar category and size of plots, it is proposed that being an implementation issue, the same to be examined case by case in detail by the concerned local bodies.*' vide item No.25/2014 in its meeting held on 31.01.2014. However, 100% Ground Coverage in respect of plot size between 100 to 175 sqm and its regularization up to 22.09.2006 is already provided in the MPD-2021. Further, extending this provision for plot size up to 250 as per the directions of MoUD, GOI was rejected by the Board in its one of the meeting held on 26.04.2011. Regarding issue of 'enhanced norms to the residential plot may not be made applicable to the Bungalow Plots with LBZ', in the MPD-2021 it is already provided that LBZ area is to be governed as per the LBZ Guidelines. Hence, all these issues were not considered by the Board.

3.0 Proposal:

3.1 As per the recommendations of the Board of Enquiry and Hearing, the proposed modifications in the MPD-2021 as part of review of the Plan are placed as **Annexure-II** having 1 (one) page, containing the existing provisions of MPD-2021 (column 2), proposed amendments/amendments as per the public notice dated 21.02.2014 (column 3) and proposed amendments/modifications in MPD-2021 as per recommendations of the Board of Enquiry and Hearing (column 4).

4.0 The para 3.0 above, is put up for consideration of the Authority to process modifications in the MPD-2021 under Section 11A of DD Act, 1957 as part of review exercise, which will be subsequently forwarded to MoUD, GOI for its final notification of the proposed modifications.

RESOLUTION

Shri R.K. Jain, Addl. Commissioner (Planning)MP&UE made a Power Point presentation on the agenda item. He informed that the Authority had already approved this agenda item in January, 2014. After that, when the public notice was published for inviting objections/suggestions, a suggestion came for increase in ground coverage and FAR for bigger plots. In view of that, this agenda item has been placed before the Authority.

Principal Secretary (Finance), GNCTD suggested that the number of dwelling units should also be allowed to be increased. However, it was clarified that there were directions from the Hon'ble Court not to increase the number of dwelling units.

After detailed deliberations, the Authority decided that Commissioner (Planning) would request the Hon'ble Court to allow additional dwelling units and the outcome may be submitted in the next meeting of the Authority. In the meanwhile, the proposal contained in the agenda item was approved by the Authority.

ANNEXURE -I.

Delhi Development Authority
Office of Addl. Commr. (Plg.)/MP & UE

File No. F.15(8)/2012-MP

1. A Public Notice was published in leading newspapers and notified vide S.O.497(E) dated 21.02.2014 regarding proposed modifications in MPD-2021 as per the recommendations of the Board of Enquiry & Hearing in its earlier meeting held on 08.08.2013 on Public Notice dated on 30.05.2013. This was as a follow-up to agenda Part B - *Proposed modifications in MPD-2021 as per the recommendations of the Board of Enquiry & Hearing – to issue Public Notice under Section 11-A of DD Act, 1957* was considered and approved by the Authority in its meeting held on 31.01.2014 vide item No.25/2014. The said Public notice was published for a period of 45 days for submission of objections/suggestions. The details of Public Notice are as under:

<table>
<tr><th rowspan="2">Para/ S. No.</th><th colspan="2">MPD 2021</th></tr>
<tr><th>Existing Provisions</th><th>Proposed Amendments/Modifications</th></tr>
<tr><td>1</td><td>2</td><td>3</td></tr>
<tr><td colspan="3">A. CHAPTER 4.0-SHELTER</td></tr>
<tr><td colspan="3">Para 4.4.3 CONTROL FOR BUILDING/ BUILDING WITHIN RESIDENTIAL PREMISES
A. Residential Plot-Plotted Housing</td></tr>
<tr><td>1.</td><td>Maximum ground coverage, FAR, number of dwelling units for different size of residential plots shall be as per the following table:
<table>
<tr><th></th><th>Area of Plot (Sq.m)</th><th>Max Ground Cover age %</th><th>FAR</th><th>No. of DUs</th></tr>
<tr><td>1.</td><td>Below 50</td><td>90*</td><td>350</td><td>3</td></tr>
<tr><td>2.</td><td>Above 50 to 100</td><td>90*</td><td>350</td><td>4</td></tr>
<tr><td>3.</td><td>Above 100 to 250</td><td>75**</td><td>300**</td><td>4</td></tr>
<tr><td>4.</td><td>Above 250 to 750</td><td>75</td><td>225</td><td>6</td></tr>
<tr><td>5.</td><td>Above 750 to 1000</td><td>50</td><td>150</td><td>9</td></tr>
<tr><td>6.</td><td>Above 1000 to 1500</td><td>40</td><td>120</td><td>9</td></tr>
<tr><td>7.</td><td>Above 1500 to 2250</td><td>40</td><td>120</td><td>12</td></tr>
<tr><td>8.</td><td>Above 2250 to 3000</td><td>40</td><td>120</td><td>15</td></tr>
<tr><td>9.</td><td>Above 3000 to 3750</td><td>40</td><td>120</td><td>18</td></tr>
<tr><td>10.</td><td>Above 3750</td><td>40</td><td>120</td><td>21</td></tr>
</table>
Note: Text highlighted in grey is under process of final notification.</td><td>Maximum ground coverage, FAR, number of dwelling units for different size of residential plots shall be as per the following table:
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<tr><td>10.</td><td>Above 3750</td><td>50</td><td>200</td><td>21</td></tr>
</table>
Note: Text highlighted in grey is under process of final notification.</td></tr>
</table>

2. In response to this public notice, 109 objections/suggestions were received. The letters were sent to all the persons to present their suggestions in person in addition to the already sent written submission. Meeting of the Board of Enquiry & Hearing under the

chairmanship Engineer Member, DDA was held on 30.07.2014 at 12.00 pm in the Conference Hall, DDA, Ground Floor, B-Block, Vikas Sadan, New Delhi. Summary report was circulated before hand to all the members of the Board and special invitees. About 17 letters were returned back on account of not receiving, address change, etc. The said meeting was chaired by FM, DDA as EM, DDA could not attend the same due to unavoidable reasons. The meeting on behalf of EM, DDA was represented by Chief Engineer (HQ), DDA. During the meeting about 33 persons either individually/represented or in groups appeared before the Board.

3. Based on the summary report as well as hearing all persons, the basic issues which arose in the objections/suggestions are as under:

a) Enhanced the FAR from 180/225 to 350 as per Residential Norms for shops (Plot Area 83.61sqm. & 55.74sqm) at Hudson Line /mall Road & Outram Lines, Kingsway Camp.
b) Max. Ground Coverage for plot size above 750sqm. to 1000sqm. should be 75% & 225 FAR whereas for plot size above 1000 to 1500 sqm.: Max. Ground Coverage should be 60%.
c) Max. Ground Coverage for plot size above 1500 sqm. to above 3750 sqm. should be 60%.
d) 100% coverage in respect of plots of less than 50sqm. to 250sqm. may be considered in view of the growing needs of the public in Delhi.
e) Number of units should also be increased commensurate with the increase in FAR so that sizes of dwelling units can be kept smaller.
f) The setbacks norms be relooked in the categories where the FAR has been increased so that the ground coverage of the plot can be increased to actually be able to avail the increased FAR.
g) The plot sizes may be revisited and accordingly the Ground Coverage FAR be increased along with number of dwelling units.
h) FAR in the fourth category i.e., plot size above 250 to 750 sqm may be increased by 33.33% and be raised from 225 to 300 or fourth category of the plots may be merged in the third category i.e., plot size above 100 to 250sqm.
i) The increased Ground Coverage /FAR shall put a tremendous pressure on existing infrastructure/resources and shall lead to increased requirement for Car parking while the increased Ground Coverage will lead to less available space for surface parking.
j) One row for Servant Quarters should be allowed at the back, area of Electric Panel/Back-up, One Security Room should also be allowed on the stilt floor, free for FAR.
k) Set-back provision of Upper Ground Floor, should be set aside for garden/Green Area.
l) Total Building Height of 18.00m with Stilt Floor Height of 3.00meters or Building Height of 17.5 meters with Stilt Floor height 2.5meters should be allowed in all categories.
m) The enhanced norms to the residential plot may not be made applicable to the Bungalow Plots with LBZ (New Delhi & Civil Lines) as these areas are governed by the LBZ Guidelines issued by MoUD in the year 1988.

4. The Public Notice dated 21.02.2014 was for modifications in the Ground Coverage in plot size 1000 & above and FAR in plot size 750 &. above. The issues raised at (d) to (l) above, were not within the purview of this public Notice. Regarding the issue at (a) above, the Board in its earlier meeting have given its recommendations put up to the Authority and it approved that '*The issue regarding applicability of development control norms for residential plots located in Hudson Lines, Mall Road and Outram Lines, Kingsway Camp be bring at par with provisions of MPD-2021 for similar category and size of plots, it is proposed that being*

an implementation issue, the same to be examined case by case in detail by the concerned local bodies.' vide item No.25/2014 in its meeting held on 31.01.2014. However, 100% Ground Coverage in respect of plot size between 100 to 175 sqm and its regularization up to 22.09.2006 is already provided in the MPD-2021. Further, extending this provision for plot size up to 250 as per the directions of MoUD, GOI was rejected by the Board in its one of the meeting held on 26.04.2011. Regarding issue at (m) above, in the MPD-2021 it is already provided that LBZ area is to be governed as per the LBZ Guidelines.

5. After hearing the persons appeared before the Board and referring the summary report of the objections/suggestions, the Board recommends increase in Ground Coverage & FAR of residential plot i.e., Ground Coverage from 40 to 50 & FAR from 120 to 200 in plot size 1000 sqm & above. In case of plot size falling in category 750 to 1000 sqm increasing FAR from 150 to 200. The modifications in Para 4.4.3 A of MPD-2021 will be as under:

	Area of Plot (Sq.m.)	Max Ground Coverage %	FAR	No. of DUs
5.	Above 750 to 1000	50	200	9
6.	Above 1000 to 1500	50	200	9
7.	Above 1500 to 2250	50	200	12
8.	Above 2250 to 3000	50	200	15
9.	Above 3000 to 3750	50	200	18
10.	Above 3750	50	200	21

PROPOSED MODIFICATIONS IN THE MPD-2021

Annexure-II

(As per the recommendations of the Board of Enquiry and Hearing on the Public Notice dated 21.02.2014 in its meeting held 30.07.2014)
[Texts highlighted in 'underline' are to be replaced by '***italic bold***' or deleted and text in '~~italic bold highlighted~~' are further amendments]

Para/ S. No.	MPD 2021		
	Existing Provisions	**Proposed Amendments/Modifications** (as publish in Public Notice dated 21.02.2014)	**Proposed Amendments/Modifications** (as per the recommendations of the Board)
1	2	3	4
A) CHAPTER 4.0-SHELTER			
Para 4.4.3 CONTROL FOR BUILDING/ BUILDING WITHIN RESIDENTIAL PREMISES A. Residential Plot-Plotted Housing			
1.	Maximum ground coverage, FAR, number of dwelling units for different size of residential plots shall be as per the following table:	Maximum ground coverage, FAR, number of dwelling units for different size of residential plots shall be as per the following table:	Maximum ground coverage, FAR, number of dwelling units for different size of residential plots shall be as per the following table:

	Area of Plot (Sq.m)	Max. Ground Coverage %	FAR	No. of DUs
1.	Below 50	90*	350	4
2.	Above 50 to 100	90*	350	4
3.	Above 100 to 250	75**	300**	4
4.	Above 250 to 750	75	225	6
5.	Above 750 to 1000	50	150	9
6.	Above 1000 to 1500	40	120	9
7.	Above 1500 to 2250	40	120	12
8.	Above 2250 to 3000	40	120	15
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1.	Below 50	90*	350	4
2.	Above 50 to 100	90*	350	4
3.	Above 100 to 250	75**	300**	4
4.	Above 250 to 750	75	225	6
5.	Above 750 to 1000	50	*200*	9
6.	Above 1000 to 1500	*50*	*200*	9
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	Area of Plot (Sq.m)	Max. Ground Coverage %	FAR	No. of DUs
1.	Below 50	90*	350	4
2.	Above 50 to 100	90*	350	4
3.	Above 100 to 250	75**	300**	4
4.	Above 250 to 750	75	225	6
5.	Above 750 to 1000	50	*200*	9
6.	Above 1000 to 1500	*50*	*200*	9
7.	Above 1500 to 2250	*50*	*200*	12
8.	Above 2250 to 3000	*50*	*200*	15
9.	Above 3000 to 3750	*50*	*200*	18
10.	Above 3750	*50*	*200*	21

Note: Text highlighted in grey is under process of final notification.

~***~

DELHI DEVELOPMENT AUTHORITY

Item No. 131/14

Item No. 131/2014

File No. F.20 (6)2011/MP

Sub: Change of Land Use of an area measuring 21.58 ha. (53.31 Acres) situated in Revenue Estate of Village Ghitorni, Delhi for the National Institute of Communication & Finance (NICF), New Delhi from "Residential' to "Public & Semi Public Use (PSP)" including Facility Corridor, as approved in Zonal Development Plan of Zone J.

1. **Background:**

   i. Proposal for Change of Land Use of an area measuring 21.58 ha. (53.31 acres) situated in Revenue Estate of Village Ghitorni, Delhi has been received from the National Institute of Communication & Finance (NICF), New Delhi vide letter No. K-13011/4/2011-DDIB dt. 3rd August 2011 for setting up "Institutional cum Residential Complex" of National Institute of Communication & Finance (NICF), Govt. of India.

2. **Provisions of Master Plan for Delhi 2021 & Zonal Development Plan of zone-J:**

   i. As per Master Plan for Delhi 2021, the activities as mentioned in Para 1 above are permitted under 'Public & Semi Public' land use and land under reference falls partly in "Residential" and partly in "Facility Corridor" as per the notified Zonal Development Plan of Zone-J **(Annexure -I).**

   ii. As per sub – clause 5.7.1 of MPD – 2021 "Such Corridors will have non – residential uses like Commercial, Recreational, Public and Semi-public, Utilities, Service and Repair, etc."

3. **Decision of the Technical Committee:**

   i. The proposal was approved by Technical Committee in its meeting held on 29.06.2012 vide item no. 26/12 with recommendation for the change of land use for the area measuring 53.31 Acres from "Residential' to "Public & Semi Public Use (PSP)" for consideration of the Authority and to process the amendment in MPD-2021 / Zonal Development Plan of Zone 'J' under Section 11A of DD Act 1957.

   ii. On the draft agenda submitted for approval from Hon'ble Lt. Governor condition was added for verification of land, if any part of the lands is "Ridge Land".

   iii. Geospatial Executive/Nodal officer, GSDL vide letter No. GSDL/FOREST/299/6886-689 dated 21.01.2014 addressed to Dy. Conservator of Forest, West forest Division has conveyed as under:

(Contd...)

*"As per request, GSDL has spatially observed in GIS Lab, Vikas Bhawan II at Civil Lines and noticed that given desirable area of **Khasra numbers are not falling on Morphological Ridge area.** Spatial Information of above subject of hard copy of map in A0 size also attached with letter.*

Morphological Ridge-GSI boundary is tentative and yet to be validated by the concern department. Ghitorini village Khasra Map provided and validated by Special Task Force (STF), Forest Department."

The terminology "Morphological Ridge" is neither defined nor notified in the land use categorization of Master Plan for Delhi – 2012.

4. Decision of the Authority:

The proposal for the change of landuse was earlier placed before the Authority vide Agenda item no- 69/2014 in its meeting held on 09.05.2014, where Proposal was approved by the Authority.

5. Public Notice:

As a follow up of approval of Authority decision, a public notice was issued on 08.07.2014 for inviting objections/ suggestions from the public within a period of 30 days from the date of publication of the notice. Copy of the Gazette notification dt. 08.07.2014 is annexed as **Annexure-II.** In response to public notice, no objection/suggestion has been received in the matter. Therefore, meeting of the board of Enquiry & Hearing has not be conducted.

6. Proposal:

i) The proposal is for change of land use of an area measuring 21.58 ha. (53.31 Acres) situated in Revenue Estate of Village Ghitorni, Delhi with the following details **(Annexure-III):**

Subject	**Existing Land Use as per MPD 2021 / ZDP of Zone 'J'**	**Proposed Land Use**	**Boundary of the Site/ Area**
Change of land use of an area measuring 21.58 ha (53.31 Acres). situated in Revenue Estate of Village Ghitorni, Delhi for setting up of "Institutional cum Residential Complex" of National Institute of Communication & Finance (NICF), Ministry of Communication & IT, Govt. of India	**"Residential"**	**"Public & Semi Public (PS1)"**	**North:** Farm Houses & Vacant Land **West:** Farm Houses & Vacant Land **East:** Farm Houses & Vacant Land **South:** National Highway No. 236 (Mehrauli – Gurgaon Road)

(Contd...)

Conditions:

ii) Provisions shall be kept for widening of exisiting MehraulI – Gurgaon Road (NH-236) 90 mt. RoW as per notified Zonal Development Plan of Zone J.

iii) The location of site under reference is in the proposed urbanizable area where essential municipal services are not available. Till such time these facilities are extended to the site, the concerned agency/allottee will have to make their own necessary arrangement to support the proposed development and is required to develop the area as a zero discharge zone.

7. Recommendation:

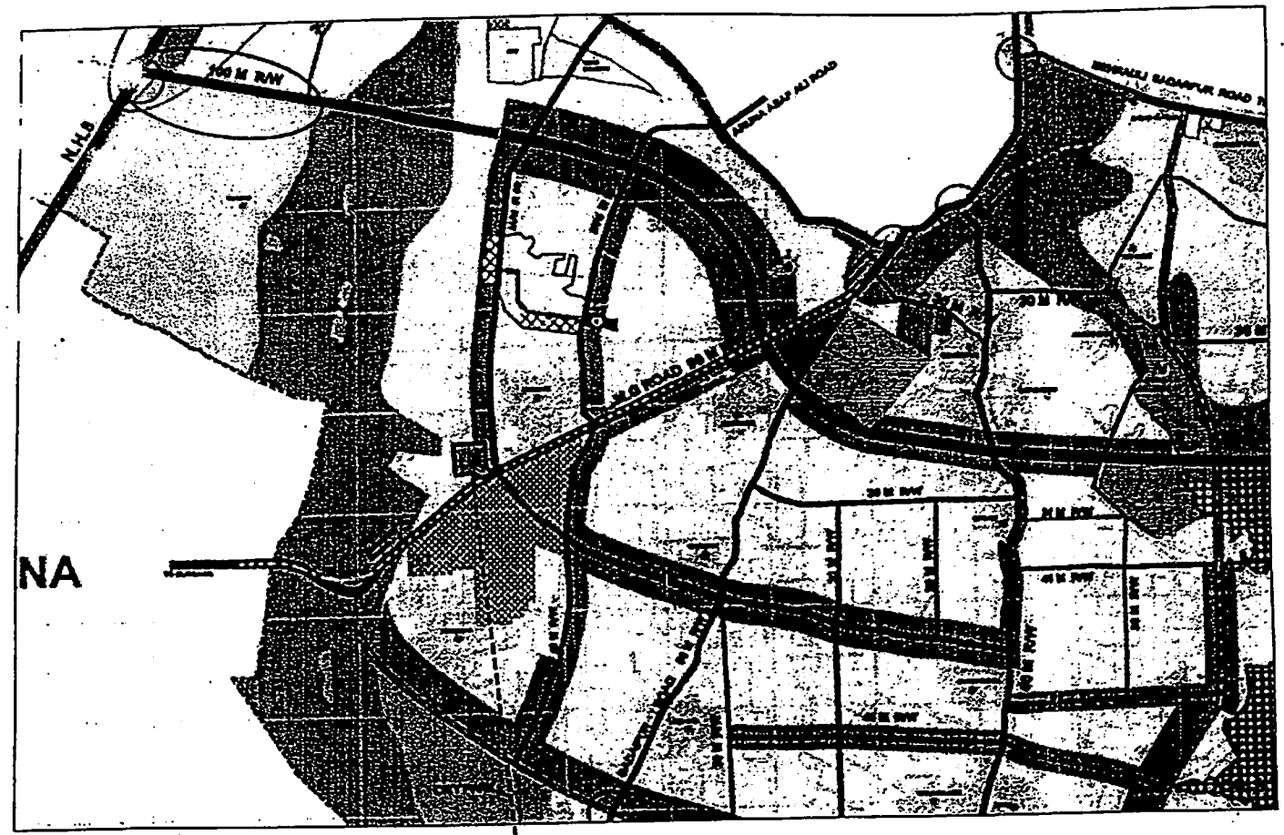
Proposal as given in Para 6 (i) along with conditions at (ii) & (iii) above are put up for consideration of Authority.

RESOLUTION

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

LOCATION OF THE LAND UNDER REFERENCE ON PART ZONAL DEVELOPMENT PLAN OF ZONE 'J'

Annexure -I



Land under reference proposed for change of land use(NICF)

File no F. 20(6)11/MP

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ANNEXURE-II

2. प्रस्तावित संशोधन को दर्शाने वाला नक्शा निरीक्षण के लिए उपर्युक्त अवधि के दौरान सभी कार्य–दिवसों को उप–निदेशक (मुख्य योजना) कार्यालय, दिल्ली विकास प्राधिकरण, छठी मंजिल, विकास मीनार, आई.पी. एस्टेट, नई दिल्ली–110002 में उपलब्ध रहेगा।

[फा. सं. एफ. 20(6)2011/एम.पी.]

एस. एन. गुप्ता, आयुक्त (प्रभारी) एवं सचिव

DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

New Delhi, the 8th July, 2014

S.O. 1704(E).—The following modification which the Delhi Development Authority/Central Government proposes to make to the Master Plan for Delhi – 2021/Zonal Development Plan of Zone 'J' under Section 11A of DD Act, 1957, is hereby published for public information. Any person having any objection /suggestion with respect to the proposed modification may send the objection / suggestion in writing to the Commissioner (Incharge)– cum – Secretary, Delhi Development Authority, 'B' Block, Vikas Sadan, New Delhi – 110023 within a period of thirty days from the date of this notice. The person making the objections or suggestions should also give his/her name, address on addition to Phone, Fax, Mobile No. and E-mail ID.

Modification

Change of land use from "Residential" to "Public & Semi Public (PS-I)" in Master Plan of Delhi-2021/Zonal Development Plan of Zone-J, situated at Revenue Estate of Village Ghitorni, Delhi, for setting up of "Institutional –cum- Residential Complex" of National Institute of Communication Finance (NICF), Ministry of Communication & IT, Govt. of India

Location	Area (In acre)	Land Use as per MPD 2021 / ZDP - 'J'	Land Use Changed to	Boundaries
Site near Village Ghitorni on MG Road (NH-236) opposite Arjangarh Air Force Station.	53.31	"Residential"	"Public & Semi Public (PS1)"	**North:** Farm Houses & Vacant Land **West:** Farm Houses & Vacant Land **East:** Farm Houses & Vacant Land **South:** National Highway No. 236 (Mehrauli – Gurgaon Road)

2. The plan indicating the proposed modification is available for inspection at the office of Dy. Dir. (MP), DDA, 6th floor, Vikas Minar, I.P. Estate, New Delhi-110002 on all working days during the period referred above.

[F. No. F.20 (6)2011/MP]

S.N. GUPTA, Commissioner (Incharge)-Cum-Secy.

Pr... by the Manage... ...ment of India Press, Ring Road, Mayapuri, New Delhi-110064
and Publishe... ...y the Controller of Publications, Delhi-110054.

रजिस्ट्री सं० डी० एल०-33004/99 REGD. NO. D. L.-33004/99

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 1430] नई दिल्ली, मंगलवार, जुलाई 8, 2014/आषाढ़ 17, 1936
No. 1430] NEW DELHI, TUESDAY, JULY 8, 2014/ASHADHA 17, 1936

दिल्ली विकास प्राधिकरण

(मुख्य योजना अनुभाग)

सार्वजनिक सूचना

नई दिल्ली, 8 जुलाई, 2014

का.आ. 1704(अ).—दिल्ली विकास प्राधिकरण/केन्द्र सरकार का दिल्ली विकास अधिनियम, 1957 की धारा 11—'क' के अंतर्गत दिल्ली मुख्य योजना–2021/ज़ोन 'जे' की क्षेत्रीय विकास योजना में निम्नलिखित संशोधन करने का प्रस्ताव है, जिसे जनता की जानकारी के लिए एतद्द्वारा प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति हो अथवा कोई सुझाव देना हो, तो वे अपनी आपत्ति/सुझाव इस सूचना के जारी होने की तिथि से तीस दिनों की अवधि के अंदर आयुक्त (प्रमारी) एवं सचिव, दिल्ली विकास प्राधिकरण, 'बी' ब्लॉक, विकास सदन, नई दिल्ली–110023 को लिखित रूप में भेज सकते हैं। आपत्ति करने अथवा सुझाव देने वाले व्यक्ति अपना नाम और पते के साथ फोन नम्बर, फैक्स नम्बर, मोबाइल नंबर और ई–मेल आई.डी. भी दें।

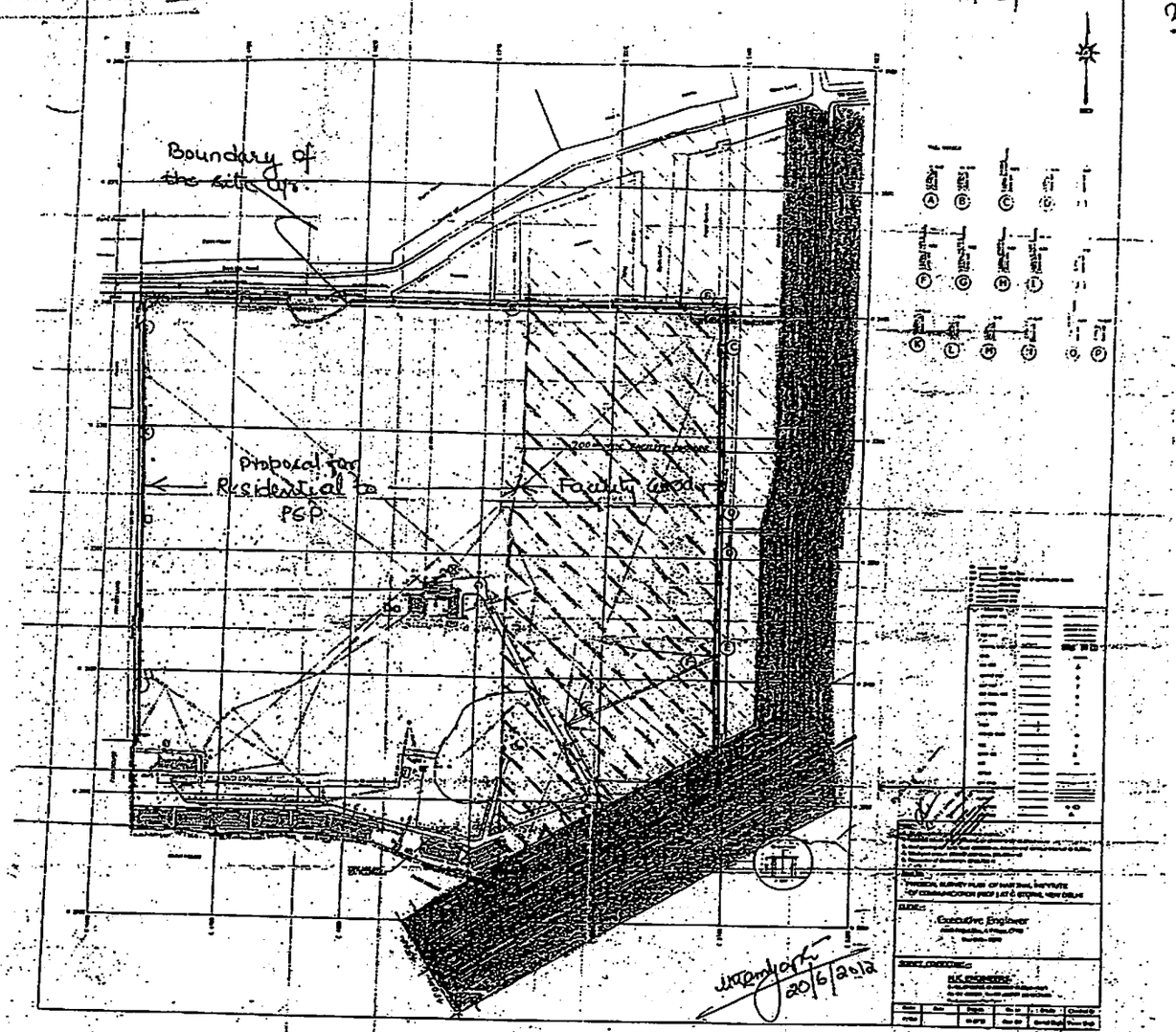
संशोधन :

राष्ट्रीय संचार वित्त संस्थान (एन.आई.सी.एफ.), संचार एवं सूचना प्रौद्योगिकी मंत्रालय, भारत सरकार के "सांस्थानिक एवं आवासीय परिसर" की स्थापना हेतु दिल्ली मुख्य योजना–2021/ज़ोन 'जे' की क्षेत्रीय विकास योजना में, घिटोरनी गाँव, दिल्ली, की राजस्व सम्पदा में स्थित भूमि के भूमि उपयोग का "आवासीय" से सार्वजनिक एवं अर्ध सार्वजनिक (पी.एस.–1) में परिवर्तन ।

अवस्थिति	क्षेत्रफल (एकड़ में)	दि.मु.यो.–2021/क्षे. वि.यो.–जेके अनुसार भूमि उपयोग	भूमि उपयोग निम्नलिखित में परिवर्तित	सीमाएं
एम.जी. रोड (एन. एच.–236) पर घिटोरनी गाँव के पास, अर्जनगढ़ एयर फोर्स स्टेशन के सामने स्थित स्थल ।	53.31	"आवासीय"	"सार्वजनिक एवं अर्ध सार्वजनिक (पी.एस. 1)	उत्तर : फार्म हाउस एवं खाली भूमि पश्चिम: फार्म हाउस एवं खाली भूमि पूर्व : फार्म हाउस एवं खाली भूमि दक्षिण : राष्ट्रीय राजमार्ग सं. 236 (महरौली–गुड़गांव रोड)

ANNEXURE - III

79/C



ANNEXURE - III

31/C

The Proposal for change of Land use was placed before the 3rd Technical Committee Meeting held on 29.6.12 vide item no. 26/2012.

The decision of T.C. is as under:-

"The proposal was presented by Dir. (Plg.) UC & Zone-J, Tech. Committee recommended the change of Land use of the area measuring 53.31 acres from 'Residential' to 'Public & Semi Public (PSP)' for consideration of the Authority and to process the amendment in MPD-2021 under section 11A of the DD Act-1957.

DELHI DEVELOPMENT AUTHORITY
Approved in 3rd Technical Committee Meeting Dt. 29.6.12
Vide Item No. 26/2012
Dy. Director (Planning) Director (Planning)

DELHI DEVELOPMENT AUTHORITY
MASTER PLAN SECTION
VERIFIED
This Proposal was Considered in the 3rd Technical Committee Meeting held on 29.06.2012
Vide Item No. 26/2012
Asstt. Director Master Plan

File no. F20(6)11/MP

29

AD(MP)

DELHI DEVELOPMENT AUTHORITY

Item No. 132/14

Item No. 132/2014

Sub: Proposal for expansion in the Baha'i House of Worship, Lotus Temple Complex at Kalkaji. (file No. F13(50)/78/Bldg.)

1.0 BACK GROUND

Baha'i House of Worship (Lotus Temple) at Kalkaji requested Vice Chairman, DDA vide their letter dated 12.02.2014 & 24.4.2014 **(Annexure-I)** and also requested Commissioner (Plg.) and Chief Planner, MCD, vide letter dated 4.7.13 & 6.3.13 respectively for approval of layout plan for expansion of Baha'i House of Worship Complex in the form of expansion for Building for Training of Junior Youth for an area measuring 2445 sqm out of which an area 1470 sqm.mtr. at Ground floor and 975 sqm. mtr. at upper floor for construction to accommodate Junior Youth Training Facilities. This expansion is required in the existing Baha'i House of Worship for the land measuring 26 acres in their possession out of which change of land use for an area measuring 8 acres were made from **'Recreational' to 'Public and semi Public' (Religious).** Out of 8 acres of land 2 acres of land was permitted to be used as covered area.

2.0 EXAMINATION

The organization had land in possession measuring 26 acres in Kalkaji, out of which, change of land use for an area measuring 8 acres was made from **'Recreational' to 'Public and semi Public'(Religious),** vide Notification No. K-13012/7/71-UD dated 15.2.78. The Notification was issued after the Authority's Resolution no. 31 dated 20.1.78. As per Notification, out of 8 acres of land 2 acres (measuring 8096 sqm.) of land was permitted to be used as covered area and 6 acres of land an appurtenant to the building. The change of land use was made since the entire area of 26 acres were fall under the reserve Forest. This inclusion of land was done from forest area after making various correspondences with the Ministry of Environment & Forest at that time.

Thereafter building plans were sanctioned on 21.2.79 for an area measuring 7725.86 sqm. as against the restricted area measuring 8096 sqm. (2 acres) for temple. The completion certificate was accorded during the year 1986. On account of further requirement for construction by the organization, the matter was taken up to Technical Committee vide item No. 7/93 dated 21.1.93. After certain observations the matter was again discussed in the Authority meeting vide item no. 72/93 dated 8. 6.93 and the request was considered and resolved as under:

> *"Resolved that the proposal for construction of Auditorium and Dormitory building with maximum built up area of 3000 sqm. by the National Spiritual Assembly of Baha'i of India be approved subject ot the following:*
> *iii) Clearance from the Ministry of U.D. in term of Agreement be obtained.*
> *iv) Modification in notification under Forest (Conservation) Act, 1980 for exclusion of the land from the forest area be got done."*

Accordingly, the building plans were sanctioned for Auditorium and staff quarters on 06.10.93 for ground coverage 2996.32 sqm. and total FAR 4244.18 sqm. The organisation further submitted the proposal for completion of Auditorium and staff quarters for ground coverage of 3434.67 sqm. and FAR of an area measuring 5371.15 sqm. As per completion plan the organization has covered 3434.67 sqm. as ground coverage against the sanctioned of 2996.32 sqm. and total FAR 5371.15 as against the FAR 4244.18 sqm. which was sanctioned . Since the construction raised as per completion plan was more than the permission accorded by the Authority vide Resolution dated 8.6.93, therefore the matter was put up before Hon'ble L.G., Delhi. Hon'ble L.G. accorded the approval in file on 13.1.2003, thereafter the completion was accorded on 27.2.03. From the perusal of the record, it has been observed that as against restriction of 8096 sqm.(2 acres) the temple authorities has already made construction for an area measuring 13096.95 sqm. as per the details given as under:

S. No	Feature	Ground coverage/ FAR restricted as per Authority Resolution No. 72/93 dated 8.6.93		Ground coverage/ FAR as per sanction		Ground coverage/ FAR achieved as per completion certificate		Excess ground coverage and FAR permitted		Remarks
1.	2.	3.		4.		5.		6.		7.
		Ground coverage (M^2)	FAR (M^2)	Ground coverage (M^2)	FAR (M^2)	Ground coverage (M^2)	FAR (M^2)	Ground coverage (M^2)	FAR (M^2)	
1.	Temple	8096	8096	7725.80	7725.80	7725.80	7725.80			Ground coverage/FAR 370.20Sqm. is available with respect to restriction as per Authority Resolution. Comple-tion Certificate accorded on 8.12.86.
2.	Auditorium and staff quarters	3000	-	2996.32	4244.18	3434.67	5371.15	438.35	1126.97	Completion Certificate Accorded On 27.2.03
3.	TOTAL	11096	-	10722.12	11969.98	11160.47	13096.95	438.35	1126.97	

2.01 Now the Baha'i House of Worship (Lotus Temple) has requested Vice Chairman, DDA vide letter dated 24.4.14 and 12.02.14 to allow Baha'I House of Worship (Lotus Temple) to construct an area measuring about 2445 sqm. for Building for Training of Junior Wing The main objective of the proposed building is to provide space for Moral and Value Education of Junior Youth. The proposed building will facilitate to conduct continuous programme of training for Junior Youth. It has also been stated that the requirements of additional space without effecting the aesthetic and urban design of Lotus Temple Complex, applicability of MPD-2021 Development Control Norms, specifically the ground coverage 35% may be considered in their case. The MPD-2021 provides ground coverage of 35% for building associated to social and cultural activities. The proposed building falls within this category. This building will be used as place of worship or any religious activities as mentioned in their referred letter. The representatives of Baha'i House of Worship(Lotus Temple) visited this office many occasions and informed that approx. 6.0 million people yearly visit the Lotus Temple being it is a unique religious Institution.

2.02 However, as per MPD-2021 the 35% Ground coverage is permitted for 'Religious' at neighborhood level for maximum plot area 400 sqm. whereas in this case the overall land is 26 Acres, where change of land use was given for an area measuring 8 acres.

2.03 The Baha'i House of Worship(Lotus Temple) earlier representations were forwarded by MCD vide their letter dated 12.6.13. Further the request was also forwarded by Under Secretary, MoUD vide letters dated 2.8.13 and 21.8.13. After examination, with reference to change of land-use and the permissibility of Ground Coverage & FAR, the detailed reply was given as per table of area given above by Director(Bldg.) vide letter dated 18.11.13 to Under Secretary, MoUD and copies endorsed to Shri Farhand Suri, Leader Opposition, South Delhi Municipal Corp., Mr. Shaheen Javid, General Manager, Baha'i House of Worship (Lotus Temple) and Commissioner, South Delhi Municipal Corp.

2.04 Moreover, it was also informed that the area under reference has already been de-notified vide Notification no. 12(49)/09/L&B/Plg./516 dated 19.4.11. Therefore the Commissioner, South Delhi Municipal Corp. was requested to take over the permit file for further necessary action.

2.05 The representation of Dr. Behnam Ta'I, Chairman, Temple Committee, was duly examined and put up in file with the request that the comments of Development Control Wing /Master Plan is also needed being the issue related with the permissibility of FAR on the earlier restrictions. In turn the additional Commnr.(MP&UE) given their comments as under:

> *"concerned Area Planning unit may please see w.r.t. area & change of land use. This is a PSP(religious) family as such the Development Control Norms applicable MPD-2021 shall be as per table 13.19 for religious. Whereas already 100 FAR and 25% Ground Coverage for 2 acres of land has been given in the instant case subject to conditions.*

2.06 As per above comments and as per table 13.19 of MPD-2021 for religious at sub-city level in urban extension 25% Ground coverage and 50 FAR has been suggested to be considered as Development Control Norms. As per the said controls it has been observed that the Ground coverage as permissible on 8 acres of land has already been more at site which is 11160.47 sqm. existed against permissible of 8096 sqm.(2 acres) i.e 25% of 8 acres as per norms given in the table 13.19 i.e. Development Control Norms for Other Community Facilities in MPD-2021 **(Annexure-II)**.

2.07 Since, the representation of Baha'i House of Worship (Lotus Temple) made to Vice Chairman, DDA and MoUD on number of occasions, therefore, a meeting was also called in the Chamber of Vice-Chairman, DDA on 21.4.14 and this matter was discussed at length on the above facts and it was deemed proper that the matter be placed before the Technical Committee.

3.00 PROPOSAL PUT UP TO TECHNICAL COMMITTEE

The Baha'i House of Worship (Lotus Temple) vide their request dated 24.4.14 submitted that "The main objective of the proposed building is to provide space for Moral and Value Education of Junior Youth. the proposed building will facilitate to conduct a continuous programme of training for (Junior Youth). The programme, which is called Junior Youth Empowerment Programme (JYSEP) aims to empower young people to understand the purpose of life and to become conscious participants in the process of their own growth and development of their peers and friends. This building will not be used as place of worship or any religious activities. The details of their proposal is as under:

Youth Area	**Ground floor 1470 sqm.**
1st floor area	**975 sqm.**
Total area	**2445 sqm.**

The drawings as submitted by the The Baha'i House of Worship (Lotus Temple) is placed. **(Annexure-III).**

4.00 TECHNICAL COMMITTEE DECISION

The matter was discussed in Technical Committee meeting held on 24th June, 2014 and recommended the following:-

- **"After detailed deliberation the Technical Committee recommended relaxation in ground coverage for construction of building for training of junior youth for an area measuring 2445 sqm. out of which 1470 sqm on ground floor and 975 sqm on first floor as part of expansion in the Bahai's house of workship, Lotus Temple Complex at Kalkaji. This will need an approval of the Authority under clause 8.0, sub/clause 8(2) of Development Code-MPD-2021. Technical Committee further recommended that, no future expansion proposal in this complex will be considered".**

972/C

5.00 Proposal

The recommendations of the Technical Committee at Para 4.00 above is submitted for consideration of the Authority. It is also to state that in the instance case earlier also, the Authority had granted permission for construction of Auditorium and Dormitory building with maximum built up area of 3000 sqm. for the Baha'i House vide item no. 72/93 dated 08.06.93. But organization submitted the Completion plan of Auditorium & Staff quarters for ground coverage of 3434.67 sqm. against sanctioned ground coverage of 2996.32 sqm. and FAR of 5371.15 sqm. against the sanctioned FAR 4244.18 sqm. Since the construction was more as per Completion plan, the matter was put up before Hon'ble L.G., Delhi and the permission accorded by Hon'ble L.G. in file on 13.1.2003 and accordingly the Completion was accorded on 27.2.03.

The decision of the Authority will be communicated to the South Delhi Municipal Corporation (SDMC) for Building activities and file will be sent accordingly, being the area has already been de-notified vide Notification no. F12(49)/09/L&B/Plg./516 dated 19.04.2011.

RESOLUTION

Commissioner (Planning) explained the agenda item regarding expansion of Lotus Temple Complex at Kalkaji.

After detailed deliberations, proposal contained in the agenda item was approved by the Authority subject to obtaining an undertaking from the temple management for not exceeding the permissible/sanctioned area, once their proposal is approved.

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ANNEXURE-I

उपाध्यक्ष कार्यालय
आवक सं० 1990-A
दिनांक 24/4/14

BAHÁ'I HOUSE OF WORSHIP

Dy. No. 1088
Date 28/4/14
D.D.A.

To

April 24, 2014

24/4/14
Dir (Bldg.)

The Vice Chairman
Delhi Development Authority
INA Vikas Bhawan
New Delhi 110003

Sub: Proposal for minor expansion in the Báhá'i House of Worship, Lotus Temple Complex, by availing MPD-2021 Norms.

Ref: Office Letter No. F.13(50)/78/Bldg/84 dated 18/11/2013.

For early processing, pl. in Tech. Committee - For 'x' above.
25.04.14
DD(M)/LE,I

Dear Sir,

This is to bring to your kind information the following please:

1. Lotus Báhá'i House of Worship, submitted a proposal to the Building Department, MCD (South) for permission to construct a building for Training of Junior Youth (copy enclosed).

2. Chief Planner MCD wide his letter no.TP/G/SDMC/2013/2402 dated 10/05/13 informed that the approval of DDA was required, since the earlier proposal was considered and approved by the Building Department DDA and the matter pertained to relaxation of the Development Control Norms. Accordingly the clarifications / permission were sought by the MCD from DDA before processing the matter further.

3. This matter was taken up by the Lotus House of Worship with the DDA subsequently. However, the proposal was rejected as communicated by the DDA vide letter No.F.13(50)/78/Bldg/84 dated 18/11/2013 (copy enclosed). The basis of rejection does not appear to be justified and therefore, needs to be reviewed for grant of relaxation.

4.The representatives from the Lotus Bahai House of Worship met with the Hon'ble Lt. Governor of Delhi and made a request to purchase a piece of land owned by DDA, adjoining to the Lotus Temple for construction of the proposed building.

URGENT
AE-III

BAHAPUR KALKAJI, P.O. BOX NO. 4365, NEW DELHI-110019

28/4/14

5. A delegation from DDA visited the Lotus Temple and examined the feasibility of the adjoining land for the proposed building. We were informed that the said land will not be suitable for construction of a building as it falls within the Recreational Zone (District Park)as per the Master Plan. The delegation advised the management of the Lotus Temple that it will be more appropriate to request DDA for permission to construct the building within the premises of the Lotus Temple.

6. We contacted the Lt. Governor's office for an appointment to submit application for relaxation in MPD-2021 norms for approval of Layout Plan. LG's office informed us to first meet with Vice Chairman, Delhi Development Authority in this regard.

7. In view of the above, we request your esteemed office to review our application for minor relaxation in MPD-2021 norms for approval of Layout Plan to enable us to construct the building for this noble cause based on the following grounds:

i. The main objective of the proposed building is to provide space for moral and value education of junior youth.

ii. The proposed building will facilitate to conduct a continuous programme of training for Junior Youth. The programme, which is called Junior Youth Empowerment Programme (JYSER) aims to empower young people to understand the purpose of life and to become conscious participants in the process of their own growth and development of their peers and friends.

iii. We have obtained completion certificates from Building Department, DDA for all the buildings constructed so far. During previous construction we were permitted additional coverage as per MPD-2001. However, since MPD 2021 provides for enhanced Development Control Norms for Socio-cultural use, our request is to make use of this new provision for the proposed expansion.

iv. In view of the necessary requirement of additional space, without affecting the aesthetics and urban design of the Lotus temple Complex, applicability of the MPD-2021 Development Control Norms, specifically the Ground Coverage (35%) may be considered in our case. The MPD 2021 provides ground coverage of 35% for building associated to Social & Cultural activities (extracts attached).The proposed building falls well within this category. This building will not be used as place of worship or any religious activities.

v. It is pertinent to mention that considering the sensitivity requirement of the complex, the proposed building has to be maximum two stories, which could be achieved by permitting the Ground Coverage as per the MPD-2021, which is in force. Although, we possess additional FAR and are able to increase height, but we do not like to do so as it will disturb the existing profile of the surroundings. Therefore, we request a minor relaxation in the coverage to maintain the beauty and the profile of the existing surroundings.

vi. The usage of the proposed building will not be limited to youth from any single religion. The building and its facilities are open to youth of all religions, backgrounds, social status and cultures.

In view of the above submissions, we request you to kindly consider the proposal as per the MPD-2021 Norms so that the proposed building plans could be approved by the concerned local body i.e., MCD (South).

Thanking you,

Sincerely yours,

respectfully

Dr. Behnam Ta'i
Chairman – Temple Committee
Lotus Báhá'í Temple
Mobile: 9811114038

Encl: As above

ANNEXURE- II

ANNEXURE-II

...row variation in plot size is permitted.

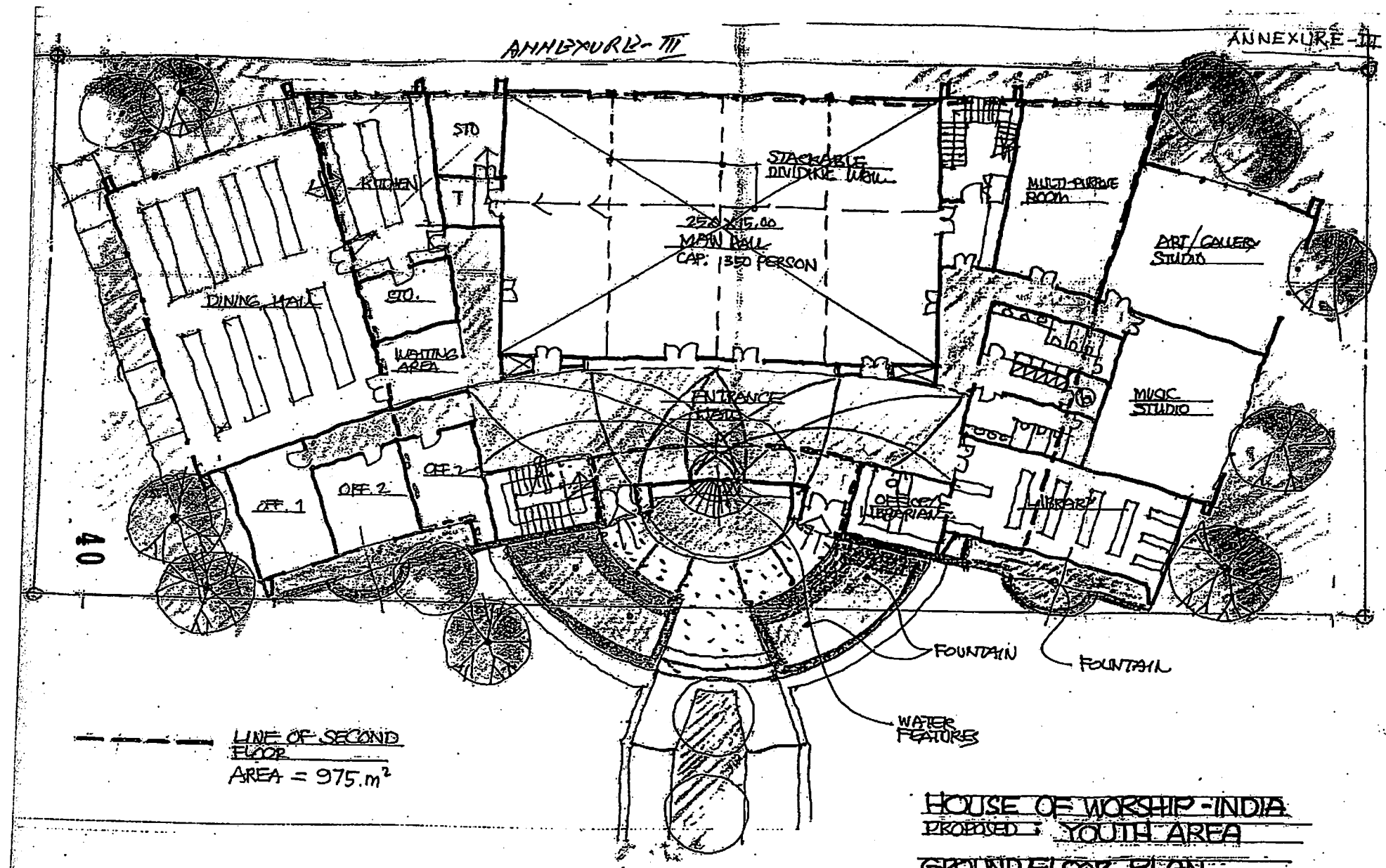
Table 13.19: Development Controls for Other Community Facilities

S. No.	Category	Maximum Ground Coverage	FAR	Height	Other Controls
1	Old Age Home / Care Centre for Physically / Mentally challenged / Working women / men hostel / Adult Education Centre / Orphanage / Children's Centre / Night Shelter.	30%	120	26m.	1. Parking standard @ 1.8 ECS / 100 sqm of floor area. 2. Other controls related to basements etc. are given in the Development Code chapter.
2	Religious				
	a) At neighbourhood level	35%	70	15 m. including shikhara	
	b) At sub city level in urban extension*	25%	50	26 m.	
3	Anganwari				
	a) At Housing area / cluster level	30%	60	15 m.	

* *These facilities should be developed in a composite manner to accommodate a number of religious institutes / premises with common facilities.*

Note: Sites for Dhobi ghats / laundry shall be provided in Residential use zone / PSP facility areas as per the norms of local body.

ANNEXURE-III



LINE OF SECOND FLOOR

AREA = 975.m²

HOUSE OF WORSHIP - INDIA

PROPOSED : YOUTH AREA

GROUND FLOOR PLAN

SCALE 1:200 @ A3 - APRIL 24, 2014

GROUND FLOOR AREA = 1470 m²

DELHI DEVELOPMENT AUTHORITY

Item No. 133/14

Item No. 133/2014

F5(17)2012/P&C(P)

Sub: **Agenda for amendment in the Recruitment Regulations for the post of Assistant Director (Ministerial)**

Pursuant to the DoPT's O.M. No. AB 14017/61/2008-Estt (RR) dated 24.3.2009**(Annexure 'A')** the R.R. Committee under the chairmanship of Principal Commissioner (Personnel), DDA has considered the issue of qualifying service for promotion as well as Limited Department Competitive Examination (LDCE) for the post of Assistant Director (Ministerial) and unanimously decided that:

"In promotion from amongst Assistant to Assistant Director (Ministerial) as well as Limited Department Competitive Examination (LDCE) from amongst Assistants and Stenographer grade 'C'/PA; the qualifying service should be 02 years." **(Annexure 'c')**

Accordingly, it is proposed to amend the provisions contained in para-12 (col.4) of RRs **(Annexure-'B')** for the post of Assistant Director (Ministerial) as under:

Para-12	Existing Provisions	Proposed Amendment
12. In case of recruitment by promotion/deputation/absorption, grade from which promotion/deputation/absorption is to be made.	1. Limited Department Competitive Examination from amongst Assistants and Stenographer grade 'C'/PA who have completed 4 years of regular service in the respective grade and posses a Graduate qualification or equivalent from a recognized university. 2. By promotion from amongst Assistants with 6 years of regular service.	1. For promotion from amongst Assistants to Assistant Director (Ministerial) with two years of regular service in the Grade. 2. For Limited Department Competitive Examination (LDCE) from amongst Assistants and Stenographer grade 'C'/PA who have completed 02 years of regular service in the respective grade and posses. a Graduate qualification or equivalent from a recognized university.

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

RESOLUTION

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

Annexure 'A'

No. AB.14017/61/2008-Estt. (RR)
Government of India
Ministry of Personnel Public Grievances and Pensions
Department of Personnel and Training
New Delhi

Dated: 24th March, 2009

OFFICE MEMORANDUM

Subject : **Sixth Central Pay Commission's recommendations - revision of pay scales - amendment of Service Rules / Recruitment Rules**

The recommendations of 6th CPC have been considered by the Government and the CCS (Revised Pay) Rules2008 have since been notified on 29th August, 2008. Consequently, in palce of the pre-revised pay scales, the revised pay structure comprising the Pay Band and Grade Pay / Pay Scales has come into effect. Some of thepre-revised pay scales have been merged and some others are upgraded / likely to be upgraded. In the light of these, it has been decided that the following consequential steps to amend the existing Service Rules / Recruitment Rules shall be undertaken on a priority basis:

(i) Substituting the existing scales by the Grade Pay along with the Pay Band

The existing pay scales have to be substituted by the new pay structure (Pay Band and Grade Pay / Pay Scale)straightaway without making a reference to the Department of Personnel and Training (DOP&T) / Union Public Service Commission (UPSC). The heading of column No. 4 of the Schedule on RRs may be modified to :Pay Bandand Grade Pay / Pay Scale". In cases where deputation is also one of the methods of recruitment, the field of selection for deputation, which might include various grades, should also reflect the corresponding Grade Pay along with the Pay Band / Pay Scale, and the minimum eligibility service as per the revised guidelines, as enclosed in Annexure.

(ii) Where there is an upgradation of posts

The instructions issued by Department of Expenditure under OM No. 1/1/2008-iC dated 13 th September, 208 and DoPT OM No. AB- 14017/66/08-Estt (RR) dated 9th March, 2009 may be applied in such cases. However, for each of the merged grades, a single set of Recruitment Rules may be formulated and notified.

(iii) Consequential changes

It is necessary to make consequential changes in the Recruitment Rules / Service Rules so as to prescribe eligibility conditions with reference to the revised Grade Pay / Pay Scale. It is also necessary to review other columns of the Recruitment

Rules / Service Rules, where some minimum service in a particular scale / grade is prescribed for consideration for appointment on deputation / absorption etc., keeping in view particularly the merger of a number of pre-revised scales, upgradation of some scales and the consequential changes in the minimum eligibility service in a grade.

(iv) Department Promotion Committee (DPC)

Where two or more scales have been merged, the existing DPC for the higher / highest grade will be the DPC for the merged grade.

(v) Regulation of regular rendered in the pre-revised scales

The revised pay structure approved includes a number of 'merged grades' with a common grade pay and the concept of pay bands with grade pay introduced effective from 1.1.2006. Insofar as the issue of regulation of service rendered prior to 1.1.2006 is concerned, while the general rule may be that such regular service be deemed to be service rendered in the corresponding grade pay / pay scale approved effective from 1.1.2006 or from a subsequent date, as the case maybe, this formulation cannot apply in cases where there has been merger of more than one grade into one with a single grade pay/ pay scale. Since the merger is effective from 1.1.2006 only, even notional benefits of the merger cannot be extended for periods falling prior to 1.1.2006. A Note to the following effect may, therefore, be inserted under col.12 of the Schedule on RRs, and under relevant provisions in Service Rules, to take care of the requirements:

Note:

For the purpose of computing minimum qualifying service for promotion, the service rendered on a regular basis by an officer prior to 1.1.2006 / the date from which the revised pay structure based on the 6th CPC recommendations has been extended, shall be deemed to be service rendered in the corresponding grade pay / pay scale extended based on the recommendations of the Commission. For purposes of appointment on deputation / absorption basis, the service rendered on a regular basis by an officer prior to 1.1.2006 / the date from which the revised pay structure based on the 6th CPC recommendations has been extended, shall be deemed to be service rendered in the corresponding grade pay / pay scale extended based on the recommendations of the Commission except where there has been merger of more than one pre-revised scale of pay into one grade with a common grade pay / pay scale, and where this benefit will extend only for the post(s) for which that grade pay / pay scale is the normal replacement grade without any upgradation.

2. The Recruitment Rules / Service Rules are of statutory nature. Therefore, the changes brought out by other relevant instructions have to be incorporated in the Recruitment Rules / Service Rules by suitable amendments so that the necessary

steps like holding of DPC etc. are taken to fill the post carrying the revised Grade Pay / Pay Scale on regular basis. All the Ministries / Departments are, therefore, requested to effect necessary amendments to the Recruitment Rules / Service Rules notified by them after following the normal procedure of furnishing proposals to the Department of Personnel and Training and the UPSC in the format prescribed in the general guidelines on Recruitment Rules circulated by the DOPT OM No. 14017/12/87-Estt.(RR) dated 18.3.1988, and also in consultation with the Legislative Department.

3. Ministries/Departments may initiate action to complete the review in this regard and furnish necessary amendment proposals to the DOPT and the UPSC in the case of Group A and Group B posts within six months from the date of issue of this Office Memorandum. They may also, simultaneously, take similar action in respect of Recruitment Rules for Group C and D posts, which are within their delegated powers. Appropriate action to update the Service Rules for organized Group A, B Services,etc. shall also be taken up with DOPT / UPSC within a period of Six Months.

4. Hindi version will follow.

(S.J.Kumar)
Deputy Secretary to the Government of India

Annexure:

Sl.No.	Grade Pay (from)	Grade Pay (to)	Minimum Qualifying Service for Promotion
1	1800	1900	Placement as per 6th CPC recommendations
2	1900	2000	3 Years
3	1900	2400	8 Years
4	2000	2400	5 Years
5	2400	2800	5 Years
6	2400	4200	10 Years
7	2800	4200	6 Years
8	4200	4600	5 Years
9	4200	4800	6 Years
10	4200	5400	8 Years

11	4200	6600	10 Years
12	4600	4800	2 Years
13	4600	5400	3 Years
14	4600	6600	7 Years
15	4800	5400	2 Years
16	4800	6600	6 Years
17	5400	6600	5 Years
18	6600	7600	5 Years
19	6600	8700	10 Years
20	7600	8700	5 Years
21	7600	8900	6 Years
22	8700	8900	2 Years
23	8700	10000	3 Years
24	8900	10000	2 Years
25	10000	12000	3 Years
26	12000	HAG+Scale	1 Year
27	12000	Apex scale	2 Years
28	HAG+Scale	Apex scale	1 Year

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Annexure 'C'

Matter regarding qualifying service for promotion as well as Limited Departmental Competition Examination for the post of Assistant Director (Min) was considered by the R.R Committee under the Chairmanship of Pr. Commissioner (Per),DDA. The following members of the committee were participated in the meeting:

1. Commissioner (Per),DDA
2. Director(Pers)-I, DDA
3. C.A.O, DDA
4. Consultant (Pers),R.R. Committee.

The Committee observed that in the existing R.Rs of Assistant Director(Min.) the qualifying service for promotion from Assistant to Assistant Director (Min) has been mentioned as 06 years of regular service as Assistant and for the Limited Departmental Competitive Examination from Assistants and Stenographers Grade 'C'/PA who have completed 04 years of regular service in the respective grade and posses a graduate qualification or equivalent from a recognized university.

The committee was apprised that in DDA, the post of Assistant has the grade pay of Rs 4600 in the pay band-2, Rs 9300-34,800/- and the post of Assistant Director (Min.) having the grade pay of Rs 4800/-. In the guidelines for amendment in R.Rs regarding qualifying service issued vide O.M. AB 14017/61/2008-Estt(RR) dated 24/3/2009 by DoPT has prescribed 02 years of qualifying service for promotions from the post having grade pay of Rs 4600/- to the post having grade pay of Rs 4800/-.

In view of above, the qualifying service for promotion from Assistant to Assistant Director (Min.) should be 02 years instead of 06 years service as mentioned in the existing R.Rs of Assistant Director (Min.) which is contrary to the Guidelines of DoPT.

R.R committee considered all aspects of the above cited O.M. on qualifying service for promotion as well as Limited Departmental Competition Examination and decided as under :

"In promotion from amongst Assistant to Assistant Director(Min.) as well as Limited Departmental Competition Examination from amongst Assistant and Stenographers grade 'C'/P.A, the qualifying service should be 02 years".

A

12/n

F.5(17)2012/P&C(Pers.)

Committee has directed to modify the above decision in the R.R of Assistant Director (Min) and place before 'Authority' for its approval.

In view of above we may send the file to Dy. Director (P)-I, DDA for taking further action in the matter.

07/08/2014
(M.K. Sharma)
Consultant(Personnel)

2864/Dir.(P)-I
7/8/14

4631
7.8.14

Director (P)-I

Commissioner (Pers)

P.C. (P)

7/8/14

7/8/14
Dr. S. S. Dagar
Director (Pers.)-I

7/8/14

Office of the P.C. (L.M. Pers. & Sys.)
Diary No. 335
Date 7/8/14
Delhi Development Authority

उपायुक्त (कार्मिक)

V.C.

Agreed. Have this was decided by the Authority in Dec 12. Why it took about 2 yrs to issue these orders

12/8

Comm (Pers)

Dir(P)-I

12/8

7/8/14

Comm (Pers) Dy Dir (P)-I may kindly see

दिल्ली विकास प्राधिकरण

Dy Dir (P)-I

Annexure 'B' 77

MINISTRY OF URBAN DEVELOPMENT

DELHI DEVELOPMENT AUTHORITY

(Personnel Branch-I)

NOTIFICATION

New Delhi, the 18th December, 2013

G.S.R785(E).—In partial modification of the Notification dated 06-08-1999 amended vide notification dated 04.06.2001 published in the Extraordinary Gazette of India Part-II, Section 3, Sub-section (i) the amended/modified Recruitment Regulations for the post of Assistant Director (Ministerial) are given as under:

RECRUITMENT REGULATIONS FOR THE POST OF Assistant Director (Ministerial), DELHI DEVELOPMENT AUTHORITY

Sl. No.	Standard format/col. RR	Provision in the existing RRs of, DDA	Proposed modification in the RRs of DDA
1.	2.	3.	4.
1.	Name of Post	Assistant Director	Assistant Director (Min.)
2.	Number of Post	204* *Subject to varintion dependent on workload	265 (subject to variation dependent on workload)
3.	Classification	Group-'B'	No change
4.	Pay Band & Grade Pay/Pay Scale	1. Rs. 2000-60-2300-EB—3200-100-3500 (pre-revised) and revised to Rs. 6500-200-10,500 2. Rs. 8000-13500 (on Completion of 4 years)	1. PB-2 i.e. Rs. 9300-34800 with grade pay of Rs. 4800 2. Non functional scale / Pay band -3 i.e. Rs. 15600-39100 with Grade Pay of Rs. 5400 (On completion of 4 years approved / regular service in the grade subject of Vigilance Clearance)
5.	Whether Selection Post or Non-Selection Post	Selection	No change
6.	Whether benefit of added years of service admissible under rule 30 of the Central Civil Services (Pension) Rules, 1972	Not Applicable	No change
7.	Age Limit for direct recruits	Not applicable	Not exceeding 30 years. Relaxation in accordance with the instructions or orders issued by the Central Government.
8.	Educational and other Qualifications required for direct recruits	Degree or its equivalent from a recognized University	Master of Business Administration or equivalent.
9.	Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotes & deputationists	Age: No Educational Qualification: Yes, but only for 25% limited promotion	Age: No Educational Qualification: Yes, but only for 25% quota for limited department competitive examination for which the educational qualification is Graduate or equivalent from a recognized University.
10.	Period of probation, if any	Two years	No change

11.	Method of recruitment, whether by direct recruitment or by promotion or by deputation or by absorption and percentage of the vacancies to be filled by various methods	1. 25% promotion through limited departmental examination from among graduates who have completed 5 years regular service in the cadre of Assistant and Stenographers (equivalent to Assistants) 2. 75% by promotion from Assistant who have put in 6 years in regular service in the grade	1.25% of the posts through limited departmental Competitive Examination. 2. 65% of the posts by promotion. 3. 10% of the posts by direct recruitment.
12.	In case of recruitment by promotion/deputation/absorption, grade from which promotion /deputation/ absorption is to be made.	-do-	1. Limited Department Competitive Examinations from amongst Assistants and Stenographers Grade 'C'/PA who have completed 4 years of regular service in the respective grade and posses a Graduate qualification or equivalent from a recognized University. 2. By promotion from amongst Assistant with 6 years of regular service in the grade.
13.	If a DPC exists, what is its composition	Sr. Level DPC for Group 'A' Officers 1. Principal Commissioner – Chairman 2. Chief Vigilance Officer – Member 3. Commissioner (P)- Member Secretary 4. Chief Accounts Officer – Member 5. HOD : Member to be opted. 6. Rep. of SC/ST to be nominated by VC.	Senior Level DPC form Group 'B' Officers as notified by DDA from time to time (for promotion only)

[No. F. 7(65)/2012/PB-I/DDA/4344]
D. SARKAR, Commissioner-cum-Secy.

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DELHI DEVELOPMENT AUTHORITY

Item No. 134/14

Item No. 134/2014

File No.F.11(648)86/LSB(Resdl.)Part

Sub: Policy/ guidelines for regularisation of delay in taking over the possession of alternative plots.

As per provision contained in possession letter, about one month free period is given to take over the physical possession of the plot. In case the allottee does not turn up on the date and time fixed for taking over the possession, the next date for handing over the possession is fixed only on payment of Rs.50/- per month upto six month after which the allotment will be cancelled and earnest money shall be forfeited.

It has been noticed in some cases of alternative allotment that inspite of passage of one month free period + six months penalty period, some allottees are found unable to take possession at the site due to various unforeseen reasons. They come forward after expiry of the said both periods.

A policy regarding grant of extension of time for taking over possession beyond six months in respect of plots allotted under Rohini Residential Scheme,1981 was approved with the approval of Hon'ble L.G., Delhi and circulated vide circular No. PADD(Ro)04/4/31841 dated 12/19-7-2009 which provides as under:

"In case where possession letters issued to the Rohini registrants on or after 29th July, 2004 but could not take possession within the normal extended period of 6 months for various reasons and the possession letters are received back from the PPR Office, it has been decided that the revalidated possession letter will be issued after recovering restoration charges @ Rs.300/- per sq.mtr. + penalty @ Rs.500/- P.M. for Janta category, Rs.750/- P.M. for LIG and Rs.1000/- P.M. for MIG category from the date of start of delay after the given period of 30 days in the possession letter till the possession is taken over by the allottee.

The powers to grant extension in such cases are delegated as under:

i) Delay upto 1 year beyond the stipulated period of 6 months: Director(RL)

Contd. Page- 2...

ii) Delay beyond 1 year will be decided on merit with the approval of VC, DDA. 'However, before DDA resorts to cancellation after the revalidated period of 6 months the names of such allottees who have not taken possession will be published in the newspapers."

The alternative plots are allotted to the farmers whose land have been acquired for planned development of Delhi, on the basis of recommendation received from Land & Building Department, GNCTD. The recommendations are made for allotment of plots of the size of 40, 80, 100, 150, 200, 250 and 400 sq. yards alternative plots in South/West Zone/Dwarka, North Zone/ Rohini and Narela Residential Schemes.

It has been noticed in some cases of alternative allotment that inspite of passage of one month free period plus six month penalty period, some allottees are found unable to take over possession at the site due to various unforeseen reasons. They come forward after expiry of the said both periods. There is policy/guidelines in such cases in respect of Rohini registrants/allottee(s) as mentioned above but there is no specific guidelines to deal with such cases of alternative allotment. Thus it is proposed to formulate a policy in this regard in cases of alternative allotment. The proposed policy is as under:

'In case where possession letters issued to the allottees but could not take possession within the normal extended period of 6 months for various reasons and the possession letters are received back from the Planning/Survey Office, it has been proposed that the revalidated possession letter will be issued after recovering restoration charges @ Rs.300/- per sq.mtr. plus penalty as under:

Size of plots (in sq. mtrs.)	Rate of penalty(in rupees) per month
Upto 60	1000
61-180	1250
181-300	1500
301-480	1750
>480	2000

2. The allottee will be informed of the cancellation by means of public notice in leading national dailies (in English, Hindi & Urdu). Further, the office shall also upload the details on its website.

Contd. Page- ..3...

3. **The issue of delegation of powers require to be modified as under:**

Sl. No.	Delay period	Delegation of powers
1.	Delay upto 1 year beyond the stipulated period of 6 months	Director(RL)
2.	Delay beyond 1 year upto 2 years	Commissioner(LD)
3.	Delay beyond 2 years upto 3 years	Vice-Chairman

4. **In extremely deserving cases, the office shall submit the file to Hon'ble Lt. Governor, Delhi/Chairman, DDA, if the period of delay is beyond three years.**

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

RESOLUTION

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

DELHI DEVELOPMENT AUTHORITY

Item No. 135/14

Item No. 135/2014

F. No F3(103)96/MP/Pt-VII

SUBJECT: Inclusion of 17 villages as part of the Green Belt and partial modification to 06 existing villages as a modification to the Gazette Notification bearing S.O. No. 1744 (E) dated 18.06.2013.

1.0 Introduction: Dy. Secretary, (Delhi Division) vide letter No K-12016/3/2008-DD-I (Vol-V) dated 03.07.2014 has conveyed that the proposal for inclusion of 17 Villages as part of the Green Belt notified vide S.O. No. 1744 (E) dated 18.06.2013 be referred to Ministry after following the due procedure for notification.

2.0 MPD-2021 amendments: As per clause 3.2.1 of MPD-2021 *"the land upto the depth of one peripheral village revenue boundary along the border of NCTD, wherever available, would be maintained as Green Belt"*. The Green Belt has been indicated In the Land Use Plan of MPD-2021 notified on 07.02. 2007. The proposal for modification in MPD- 2021 regarding permissibility of Farm Houses (Low Density Residential Plot) in Green Belt and Low Density Residential area and the modification to the regulation notified on 30.10.2012 were approved by the authority in its meeting held on 08.05.2013 vide Item No. 78/2013.

The Agenda included the list of Villages falling in the Green Belt is placed at **Annexure - 1** The name of the villages under the Green Belt were taken from the notified Zonal Development Plan 2021. Some of these villages touching the boundary of the State of Haryana, located in the Planning Zone – J, are part of the Regional Park and as such these villages have been excluded from the list. The approved proposal was referred to MoUD and a final Notification on Low Density Residential Area including the list of 45 Villages falling in the Green Belt was issued on 18.06.2013 **(Annexure 2)**.

After notification of the policy, various representations were received on non-inclusion of Village Kulakpur in the list of villages in the Green Belt were examined by the concerned Planning Unit. GNCTD vide letter dated 09.11.2013 confirmed the existence of the Revenue state of Kulakpur which was omitted as its name was not indicated in the Annexure of the notified Zonal Development Plan of Zone- P-II.

3.0 Follow-up Action:

(A) As a follow up to the inclusion of village Kulakpur to the list of villages in the Green Belt and based on decision of VC, DDA vide note dated 11.01.2014, for a comprehensive examination of all villages based on Revenue records, an exercise was undertaken to identify all the villages on a map of revenue villages obtained from Geospatial Delhi Limited (GSDL), GNCTD (map at **Annexure 3**) based on identified villages falling in the Green Belt as per Land Use Plan of MPD 2021. It was observed that during the process of identification and its subsequent notification dated 18.06.2013, some of the villages could not be included in the list villages in the Green Belt as their details were not available either in the Zonal Plans nor in the notified land use plan of MPD 2021 specifically in Zones P-I, P-II & E.

Based on the examination/observations, by the respective planning zones, the list of the villages falling under the Green Belt, which require modifications in the notification S.O. No. 1744(E) dt. 18.06.2013 are as under:

Sr. No.	Plg. Zone	Name of Villages (As per Gazette Notification)	Proposed Modified List	Remarks
1.	Zone G	1. Bijwasan (Part) 2. Kapashera 3. Salahpur	1. Bijwasan (Part) 2. Kapashera 3. Salahpur	No Change
2.	Zone J	4. Rajokri (Part)	4. Rajokri (Part)	No Change
3.	Zone K-II	5. Bamnoli (Part) 6. Bijwasan Part)	5. Bamnoli (Part) 6. Bijwasan Part)	No Change
4.	Zone L	7. Badusarai 8. Bakargarh 9. Deorala 10. Dhansa 11. Ghalibpur 12. Ghumanhera 13. Isapur 14. Jainpur 15. Jharoda Kalan (Part) 16. Jhatikara 17. Kair 18. Kanganheri 19. Mitraon (Part) 20. Mundhela Kalan 21. MundhelaKhurd 22. Nanakheri 23. Raghopur 24. Rauta 25. Shikarpur 26. Surekhpur (Part) 27. Tikri Kalan (Part)	7. Badusarai 8. Bakargarh 9. Deorala 10. Dhansa 11. Ghalibpur 12. Ghumanhera 13. Isapur 14. Jainpur 15. Jharoda Kalan (Part) 16. Jhatikara 17. Kair 18. Kanganheri 19. Mitraon (Part) 20. Mundhela Kalan 21. Mundhela Khurd 22. Nanakheri 23. Raghopur 24. Rauta 25. Shikarpur 26. Surekhpur (Part) 27. Tikri Kalan (Part)	No Change Part of the Village Tikri Kalan falls in Zone N
5.	Zone P-I	28. Bakaner 29. Ghoga 30. Lampur 31. Mamurpur	28. Bakaner **(Part)** 29. Ghoga 30. Lampur 31. Mamurpur**(Part)** 32. **Bawana (Part)** 33. **Bhorgarh (Part)** 34. **Daryapur Kalan (Part)** 35. **Narela (Part)** 36. **Sanooth (Part)** 37. **Hareoli (Part)**	Part of the Villages falls in the urbanized Narela Sub city. 6 Nos, of villages added Part of villages Hareoli Falls in Zone –N
6.	Zone P-II	32. Hamidpur 33. Jhangola 34. Palla 35. Singhu 36. Tajpur Kalan	38. Hamidpur 39. Jhangola **(Part)** 40. Palla **(Part)** 41. Singhu 42. Tajpur Kalan 43. **Kulakpur (Part)** 44. **Singhola (Part)** 45. **Sungarpur (Part)**	3 Nos. of villages added. Part of the Village Singhola falls in Urbanised Narela Sub City and Part of the remaining villages falls in Zone

				- O
7.	Zone N	37. Auchandi 38. Mungeshpur 39. Qutabgarh 40. Khor Punjab 41. Chatesar 42. Jaunti 43. GarhiRindhala 44. Nizampur-Rashidpur 45. Tikri Kalan (Part) 46. Hareoli	46. Auchandi 47. Mungeshpur 48. Qutabgarh 49. Khor Punjab 50. Chatesar 51. Jaunti 52. Garhi Rindhala 53. Nizampur-Rashidpur 54. Tikri Kalan (Part) 55. Hareoli (Part)	No Change Part of the Village Tikri Kalan falls in Zone L and part of the village Hareoli falls in Zone P-I,
8.	Zone E	47. Mandoli	56. **Mandoli (Part)** 57. **Biharipur (Part)** 58. **Gokulpur (Part)** 59. **Jeevanpur Joharipur** 60. **Karawal Nagar (Part)** 61. **Khajuri Khas (Part)** 62. **Mirpur Turk** 63. **Mustafabad** 64. **Saboli (Part)** 65. **Ziauddinpur (Part)**	

(B) 62 villages were identified for inclusion in the Green Belt i.e addition of 17 villages to the list of 45 villages notified vide Notification dated 18.06.2013. The proposal for issuing Corrigendum to the Notification dated 18.06.2013 was approved by Hon'ble LG, vide note dated 13.03.2014 and the proposal was sent to MoUD for issue of corrigendum to the Gazette Notification dated 18.06.2013 for inclusion of the 17 villages and the modifications therein vide letter dated 19.05.2014 **(Annexure 4)**

As per decision conveyed by MoUD vide letter dated 03.07.2014 **(Annexure 5)**, the proposal for inclusion of 17 Villages is being put up as per due procedure under Section 11-A of DD Act, 1957.

4.0 PROPOSAL: Based on the decision conveyed by MoUD vide letter dated 19.05.2014, following is proposed for inclusion in the list of Villages in Green Belt at **Annexure II** of Para 4.2.2.1(D) of MPD- 2021 under section 11-A of DD Act, 1957.

Addition of 17 villages to the list of villages in Green Belt notified vide S.O. dated 18.06.2013

List of Villages proposed for inclusion in the Annexure II: List of Villages in Green Belt (17 No.s of Villages)

Planning Zone	Villages
Zone P-I	1. **Bawana (Part)** 2. **Bhorgarh (Part)** 3. **Narela (Part)** 4. **Sanooth (Part)** 5. **Daryapur Kalan (Part)**
Zone P-II	6. **Kulakpur (Part)** 7. **Singhola (Part)** 8. **Sungarpur (Part)**

Zone E	9. **Biharipur (Part)** 10. **Gokulpur (Part)** 11. **Jeevanpur Joharipur** 12. **Karawal Nagar (Part)** 13. **Khajuri Khas (Part)** 14. **Mirpur Turk** 15. **Mustafabad** 16. **Saboli (Part)** 17. **Ziauddinpur (Part)**

4.0 Recommendations: The proposal as contain in the Para 4.0 above is put up for consideration of the Authority. After its approval, it shall put in the public domain for inviting objections / suggestions as per the procedure laid down in section 11-A of DD Act.

RESOLUTION

Shri R.K. Jain, Addl. Commissioner (Planning)MP & UE made a Power Point presentation on the agenda item.

Hon'ble LG clearly spelt out that approval was only for "inclusion/declaration of 17 villages" (that were left out in the earlier list of 45 villages) as part of Green Belt in the MPD-2021 which was notified earlier vide S.O. NO. 1744(E) dated 18/06/2013. Hon'ble LG had not approved the proposal for partial modification pertaining to 6 existing villages. He added that directions were issued for detailed examination of the proposed partial medication of 6 Villages from Zone P-I, P-II, Zone-N & Zone-E in the Green Belt to be declared as 'Part Green' before the same is brought up before the Authority.

ANNEXURE 1

DRAFT

AGENDA FOR AUTHORITY MEETING

Item No.78/2013

File No. F 3(103)96-MP

Sub: Modification in MPD-2021 regarding Farm Houses in Green Belt and Low Density Residential Area & modification in Regularisation

1.0 Background

The policy on Farm Houses in Delhi was considered by the Authority in its meeting held on 3.8.12 vide item No. 50/12. As a follow up of the decision of the Authority, the case was referred to Ministry of Urban Development, GoI . The Ministry vide letter No. K-12016/3/2008-DDIB dated. 3-10-12 conveyed the approval for further processing a) in terms of Issue Public Notice under Section 11 A of DD Act for inviting objections / suggestions and b) for issue of regulations for regularization of Farm Houses under section 57 of DD Act. The regulations for regularization of existing Farm Houses have been notified on 30-10-12 under section 57 of DD Act.

2.0 Follow Up Action

2.1 As referred in the public notice dated 26.10.12, a Low Density Residential Area was also to be identified and accordingly a separate public notice was issued as an addendum to the public notice dated 26.10.2012 on 11.12.12. & 03.01.2013 for delineating the Low Density Residential Area and the list of villages under Low Density Residential Area giving 90 days time from the date of issue of public notice. In the addendum, 32 villages partly or total were proposed to be designated as Low Density Residential areas.

3.0 Recommendation of Board of Enquiry & Hearing

In response to the addendum dated 3.01.13 regarding delineation of Low Density Residential Area and the villages under it w.r.t Farm Houses in Delhi, total 433 objections/suggestions have been received. The meeting of the Board of Enquiry.& Hearing was held on 17.04.2013 in which all persons who had filed objections/suggestions were invited to appear before the Board. All the objections/suggestions received on the proposed amendment were put to the Board of Hearing and Enquiry. 70 persons appeared in person before the Board to explain their suggestions. After due consideration of the objection/suggestions and hearing the persons the Board recommended the following:

3.1 In the Planning Zone J, the villages Sayurpur, Satbari, Chattarpur, Khanpur, Devli are part of the 13 villages covered under the Supreme Court Orders shall be regulated as per conditions imposed by the Authority arising from the Supreme Court orders and denotification of land is beyond the scope of Board.

3.2 The villages Chhawla, Pindwalan Khurd, Rewla Khanpur, Paprawat have concentration of Farm Houses between 5% to 10% of the total village land, therefore, these villages require to be excluded from the declaration of the Low Density Residential Area , however existing Farm Houses upto 7.2.2007 shall continue under the provision of NCTD (Special Provision) 2nd Act, 2011.

3.3 The villages Kapashera, Ghuman Hera, Jhatikara, Kanganheri, Salahpur are already falling in green belt where Farm Houses are already permitted.

envisaged in the urbanizable area through Land pooling, and services such as water supply, sewerage, power and solid waste disposal are already deficient or not available, thus it is necessary that these villages be declared as development area of the DDA.

3.5 The Board agreed for the modification of clause 1.1 of the regulations notified 30.10.12 by deleting the word 'sanctioned' and it may be read as "Farm houses falling in the notified forest or in the Regional Park area other than farm houses built on privately owned land in Regional Park up to 7.2.2007 subject to orders of the Supreme Court of India in this regard."

3.6 Farm Houses below HT line also be considered for regularization by conforming to provisions of Electricity Act.

3.7 Farm houses in villages identified under LDRA and falling in proposed Facility Corridor, may also be regularized as Residential use and necessary amendments be taken up in MPD-2021, clause 5.7.1.

3.8 As proposed by the Board, the list of villages designated as LDRA in Urban Extension shall be as under:

1. Sayurpur
2. Satbari
3. Chattarpur
4. Khanpur
5. Devli
6. Bhatti
7. Fatehpur Beri
8. Asola
9. Jounapur
10. Chandan Hula
11. Gadaipur
12. Sultanpur
13. Mehrauli
14. Rajokri
15. Samalkha
16. Ghitorni
17. Rangpuri
18. Holambi Khurd
19. Bakoli
20. Bakatawarpur
21. Hiranki
22. Bijawasan
23. Bamnoli

NOTE: In case if Metro Corridor is passing through villages in LDRA, development along Metro Corridor and Metro influence zone shall also be allowed in LDRA villages as per TOD Policy

3.9 The Board also suggested including the list of villages falling in the green belt as part of annexure to MPD-2021. The list is annexed.

The minutes of the meeting of the Board of Hearing and Enquiry are placed at Annexure

4.0 Proposal

4.1 Based on the Recommendations of Board of Enquiry and Hearing, the following modifications are proposed in the Master Plan 2021 under section 11-A of DD Act, 1957

The following is added in the first row, column 3 of the table of Public Notice at proposed para 4.5 after the paragraph. 'The majority of Farm Houses....."Low Density Residential Area" as under

List of villages to be declared as Low Density Residential Area in Urban Extension:

1. Sayurpur*
2. Satbari*
3. Chattarpur
4. Khanpur
5. Devli*
6. Bhatti*
7. Fatehpur Beri*
8. Asola*
9. Jounapur
10. Chandan Hula

11. Gadaipur
12. Sultanpur
13. Mehrauli*
14. Rajokri
15. Samalkha
16. Ghitorni*
17. Rangpuri*
18. Holambi Khurd
19. Bakoli
20. Bakatawarpur
21. Hiranki
22. Bijawasan
23. Bamnoli

Note:

i. In case if Metro Corridor is passing through villages in LDRA, development along Metro Corridor and Metro influence zone shall also be allowed in LDRA villages as per TOD Policy
ii. Low Density residential area in 5 villages mentioned at Sr. No. 1 to 5 shall be subject to relevant stipulations imposed by the Authority arising from Supreme Court orders.
iii. *Villages where low density residential development may be allowed in the areas other than those falling under Regional Park.
iv. Any approved Layout / scheme falling in the above villages shall be deemed to have been approved under Clause 3(4) of Development Code of MPD-2021.
v. The term "Village" refers to "Revenue Village Boundary".

4.2 The following amendments to be taken up in the Regulations for Regularization of Farm Houses in Delhi notified vide S.O No. 2622(E) dated 30.10.12

i. Deletion of the word "sanctioned" in clause 1.1 and it may be read as *"Farm houses falling in the notified forest or in the Regional Park area other than farm houses built on privately owned land in Regional Park up to 7.2.2007 subject to orders of the Supreme Court of India in this regard."*

ii. Farm Houses below HT line also be considered for regularization by conforming tp provisions of Electricity Act

iii. Farm houses sanctioned prior to 7.02.2007 located in LDRA proposed villages which have been designated for Facility Corridor as per the approved ZDP may also be regularized and necessary amendments be taken up in MPD w.r.t Facility corridor where Non- residential activity is not allowed, it should be amended by allowing residential activities in Facility Corridor. A separate public notice will be issued for inviting objection/suggestions for the proposed ammendment

4.3 The list of all villages falling in the green belt shall also be annexed to the Master Plan

4.4 W.r.t para 3.7, following modifications are proposed in MPD-2021

Para	Existing provisions	Existing provisions
5.7.1	In Urban Extension, District Centers and community centers could be developed wherever possible, in a linear form as commercial cum facility corridors along major transport networks. Such corridors will have non-residential uses like Commercial, Recreational, Public and Semi public, Utilities, Service and repair, etc. with	In Urban Extension, District Centers and community centers could be developed wherever possible, in a linear form as commercial cum facility corridors along major transport networks. Such corridors will have Residential uses, Commercial, Recreational, Public and Semi

ANNEX – I

List of villages in Green Belt - updated on 01.05.2013
(Source: Zonal Development Plan-2021)

S. No.	Planning Zone	Name of Village
1)	Zone G	1. Bijwasan (Part) 2. Kapashera 3. Salahpur
2)	Zone J	4. Rajokri (Part)
3)	Zone K-II	5. Bamnoli (Part) 6. Bijwasan (Part)
4)	Zone L	7. Badusarla 8. Bakargarh 9. Deorala 10. Dhansa 11. Ghalibpur 12. Ghumanhera 13. Isapur 14. Jainpur 15. Jharoda Kalan (Part) 16. Jhatikara 17. Kair 18. Kanganheri 19. Mitraon (Part) 20. Mundhela Kalan 21. Mundhela Khurd 22. Nanakheri 23. Raghopur 24. Rauta 25. Shikarpur 26. Surekhpur (Part) 27. Tikri Kalan (Part)
5)	Zone P-I	28. Bakaner 29. Ghoga 30. Lampur 31. Mamurpur
6)	Zone P-II	32. Hamidpur 33. Jhangola 34. Palla 35. Singhu 36. Tajpurkalan
7)	Zone N	37. Auchandi 38. Mungeshpur 39. Qutabgarh 40. Khor Punjab 41. Chatesar 42. Jaunti 43. Garhi Rindhala 44. Nizampur – Rashidpur 45. Tikri kalan (Part) 46. Hareoli
8)	Zone E	47. Mandoli

Note: i) Village Bijwasan has been shown at Sl. No. 1 & Sl. No. 5 & 6
ii) Village Tikri Kalan has been shown at Sl. No. 27 & Sl. No. 45

	detailed Urban Design and landscape schemes. The aim is to prevent unintended and unplanned ribbon development. The proposed MRTS stations ad Bus terminals, as the case may be, shall be integrated within these facility corridors	public, Utilities, Service and re etc. with detailed Urban De and landscape schemes. The a to prevent unintended unplanned ribbon developm The proposed MRTS station Bus terminals, as the case ma shall be integrated

5.0 Recommendation

i. The proposal as contained in sub-para 4.1 is put up for the consideration of the Auth After its approval, it will be forwarded to Ministry of Urban Development for Notification for amendment in MPD 2021.

ii. The proposal as contained in sub-para 4.2 & 4.3 is also placed for consideration o Authority

ANNEXURE 2

-20-

ANNEXURE- 2.

iv. उपर्युक्त गाँवों में आने वाले किसी भी अनुमोदित लेआउट/स्कीम को दिल्ली मुख्य योजना-2021 के विकास कोड के खण्ड 3(4) के अंतर्गत अनुमोदित समझा जाएगा ।

v. "गाँव" शब्द का अभिप्राय "राजस्व गाँव सीमा" से है ।

अनुलग्नक – II

हरित पट्टी में आने वाले गांवों की सूची, जिनमें कम घनत्व वाले रिहायशी प्लॉटों की अनुमति है :

क्र.सं.	योजना जोन	गांव का नाम
(1)	जोन जी	1. बिजवासन (भाग) 2. कापसहेड़ा 3. सलाहपुर
(2)	जोन जे	4. रजोकरी (भाग)
(3)	जोन के-II	5. बामनोली (भाग) 6. बिजवासन (भाग)
(4)	जोन एल	7. बदुसराय 8. बक्करगढ़ 9. देवरांला 10. ढांसा 11. गालिबपुर 12. घुम्मनहेड़ा 13. ईसापुर 14. जैनपुर 15. झडोदाकलां (भाग) 16. झटीकरा 17. कैर 18. कंगनहेडी 19. मित्रऊ 20. मुंधेलाकलां 21. मुंधेलाखुर्द 22. नानखेड़ी 23. राधोपुर 24. राठता 25. शिकारपुर 26. सुरेखपुर (भाग) 27. टिकरीकलां (भाग)
(5)	जोन पी-I	28. बाकनेर 29. घोघा 30. लामपुर 31. मसूरपुर
(6)	जोन पी-II	32. हमीदपुर 33. झंगोला 34. पल्ला 35.सिंघु 36. ताजपुरकलां
(7)	जोन एन	37. औचंदी 38. मुंगेशपुर 39. कुतुबगढ़ 40. खोड पंजाब 41. घनेसर 42. जौंटी 43. गढ़ी रिंधाला 44. निजामपुर-रशीदपुर 45. टिकरी कलां (भाग) 46.हरोली
(8)	जोन ई	47. मंडोली

स्रोत: क्षेत्रीय विकास योजना-2021 के अनुसार ।

MINISTRY OF URBAN DEVELOPMENT

(DELHI DIVISION)

NOTIFICATION

New Delhi, the 18th June, 2013

S.O.1744(E).—Whereas certain modifications which the Central Government proposed to make in the Master Plan for Delhi-2021 as mentioned here under were published in the Gazette of India, Extraordinary, as Public Notice (addendum) vide S.O. No. 34 (E) dated 3.1.13 (in supersession of Addendum issued vide Public Notice S.O. No. 2871 (E) dated 11.12.12) by the Delhi Development Authority in accordance with the provisions of Section 44 of the Delhi Development Act, 1957 (61 of 1957) inviting objections/suggestions as required by sub-section (3) of Section 11-A of the said Act, within ninety days from the date of the said notice,

2. Whereas, objections/suggestions received with regard to the proposed modifications have been considered by a Board of Enquiry and Hearing, set up by Delhi Development Authority and also approved at the meeting of the Delhi Development Authority,

3. Whereas, the Central Government has, after carefully considering all aspects of the matter, decided to modify the Master Plan of Delhi-2021.

4. Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi-2021 with effect from the date of publication of this Notification in the Gazette of India.

Modification:

A new para at 4.2.2.1 (D) is inserted after para 4.2.2.1 (C) as under:

4.2.2.1 (D) LOW DENSITY RESIDENTIAL AREA

The majority of Farm Houses in the urban extension areas are located on lands where ground water has already been severely depleted or close to such depletion. Further, intensification of residential density and heavy additional load on civic infrastructure such as water supply, Drainage, Sewerage, Parking, etc. is highly undesirable in such areas from environmental considerations. Therefore, Villages containing existing farm houses clusters are notified as "Low Density Residential Area" (list of village at Annexure-I). Low Density Residential Plots are also allowed in the village falling in Green belt (List of villages in Green Belt at Annexure-II).

[F. No. K-12016/3/2008-DD-I]

SUNIL KUMAR, Under Secy.

ANNEXURE-I

List of villages declared as Low Density Residential Area (LDRA) in Urban Extension:

1.	Sayurpur*	13.	Mehrauli*
2.	Satbari*	14.	Rajokri
3.	Chattapur	15.	Samaikha
4.	Khanpur	16.	Ghitorni*
5.	Devli*	17.	Rangpuri*
6.	Bhatti*	18.	HolambiKhurd
7.	FatehpurBeri*	19.	Bakoli
8.	Asola*	20.	Bakatawarpur
9.	Jounapur	21.	Hiranki
10.	Chandan Hula	22.	Bijawasan
11.	Gadaipur	23.	Bamnoli
12.	Sultanpur		

Note:

i. In case if Metro Corridor is passing through villages in LDRA, development along Metro Corridor and Metro influence zone shall also be allowed in LDRA villages as per TOD Policy.

ii. Low Density residential area in 5 villages mentioned at Sr. No. 1 to 5 shall be subject to relevant stipulations imposed by the Authority arising from Supreme Courts orders.

iii. *Villages where low density residential development may be allowed in the areas other than those falling under Regional Park.

iv. Any approved Layout/scheme falling in the above villages shall be deemed to have been approved under Clause 3(4) of Development Code of MPD-2021.

v. The term "Village" refers to "Revenue Village Boundary".

RE-II

List of villages in Green Belt where Low Density Residential Plots are permitted :

Sl.No.	Planning Zone	Name of Village
(1)	Zone G	1. Bijwasan (Part)
		2. Kapashera
		3. Salahpur
(2)	Zone J	4. Rajokri (Part)
(3)	Zone K-II	5. Bamnoli (Part)
		6. Bijwasan (Part)
(4)	Zone L	7. Badusaria
		8. Bakargarh
		9. Deorala
		10. Dhansa
		11. Ghalibpur
		12. Ghumanhera
		13. Isapur
		14. Jainpur
		15. JharodaKalan (Part)
		16. Jhatikara
		17. Kair
		18. Kanganheri
		19. Mitraon (Part)
		20. MundhelaKalan
		21. MundhelaKhurd
		22. Nanakheri
		23. Raghopur
		24. Rauta
		25. Shikarpur
		26. Surekhpur (Part)
		27. TikriKalan (Part)
(5)	Zone P-I	28. Bakaner
		29. Ghoga
		30. Lampur
		31. Mamurpur
(6)	Zone P-II	32. Hamidpur
		33. Jhangola
		34. Palla
		35. Singhu
		36. Tajpurkalan
(7)	Zone N	37. Auchandi
		38. Mungeshpur
		39. Qutabgarh
		40. Khor Punjab
		41. Chatesar
		42. Jauntl
		43. GarhiRindhala
		44. Nizampur-Rashidpur
		45. TikriKalan (Part)
		46. Hareoli
(8)	Zone E	47. Mandoli

Source: As per Zonal Development Plan-2021.

2696 GI/13-2

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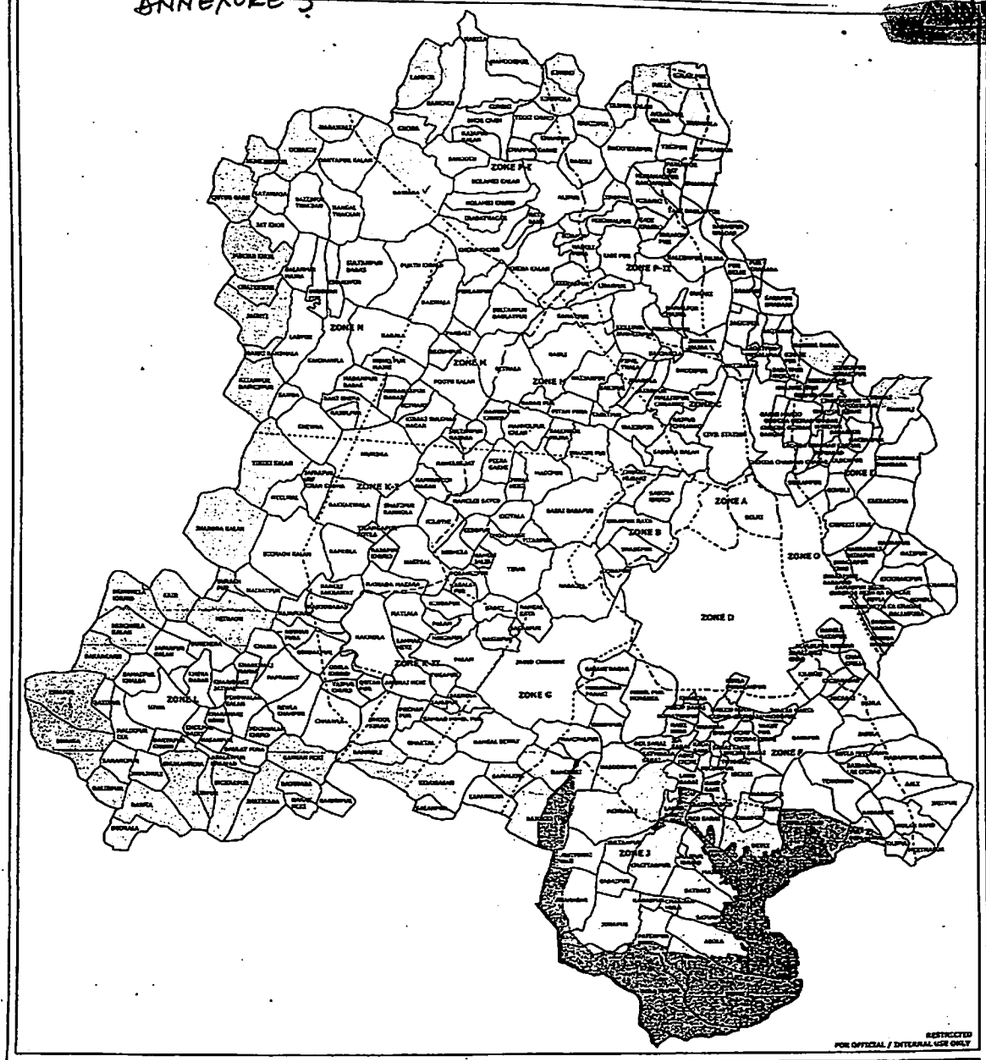
ANNEXURE-3



REVENUE VILLAGES IN NCT.OF DELHI

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C to MoUD-134

101/C 101/C

ANNEXURE-4

OFFICE OF DY. DIRECTOR (PLG)MP
MASTER PLAN SECTION,
6TH FLOOR,VIKAS MINAR,
I.P. ESTATE, NEW DELHI – 110002

F.3(103)96/MP/Pt-VII/D-191-C

Dated 9.05.2014

From:

Rajesh Kumar Jain
Dy. Director (Plg) MP

To,

Under Secretary to the Govt. of India
Delhi Division-IB
Ministry of Urban Development, GoI,
Nirman Bhawan, New Delhi.

Sub.: Inclusion of 17 Villages as a part of green Belt in the Gazette Notification bearing S.O. No. 1744 (E) dated 18.06.2013

Sir,

This is with reference to the Gazette Notification bearing S.O. No. 1744 (E) dated 18.06.2013 wherein MoUD, Govt. of India notified the villages of low density Residential Area and the names of 47 villages which were falling in the Green Belt where the low density residential plot has been allowed. Subsequently, on examination with reference to the map of Revenue villages obtained from Geospatial Delhi Limited (GSDL), Govt. of NCT of Delhi, it was noted that about 17 villages could not be included in the list as the details of these villages were not available neither in the respective notified Zonal Development Plan Reports not in the land use plan of MPD – 2021. Further, in few villages only a portion of the revenue estate forms a part of Green Belt and rest is a part of urbanized areas. The list of such villages is enclosed.

Hon'ble Lt. Governor, Delhi has accorded the approval on file for inclusion of the above referred 17 villages as a part of Green Belt and the modifications in the list annexed in Gazette Notification. Accordingly, it is requested that the Ministry may issue the corrigendum to the Gazette Notification S.O. No. 1744 (E) dated 18.06.2013 for inclusion of the 17 villages and modifications therein.

Encl: Modified List of Villages falling in the Green Belt.

Photocopy of page 97/C

Yours faithfully

16/5/14

(Rajesh Kumar Jain)
Dy. Director (Plg) MP

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Modified list of Villages falling in the Green Belt in Gazette Notification S. O. No 1744 (E) dt. 18.06.2013

Sr. No.	Planning Zone	Proposed Modified List
1.	Zone G	1. Bijwasan (Part) 2. Kapashera 3. Salahpur
2.	Zone J	4. Rajokri (Part)
3.	Zone K-II	5. Bamnoli (Part) 6. Bijwasan Part)
4.	Zone L	7. Badusarai 8. Bakargarh 9. Deorala 10. Dhansa 11. Ghalibpur 12. Ghumanhera 13. Isapur 14. Jainpur 15. Jharoda Kalan (Part) 16. Jhatikara 17. Kair 18. Kanganheri 19. Mitraon (Part) 20. Mundhela Kalan 21. MundhelaKhurd 22. Nanakheri 23. Raghopur 24. Rauta 25. Shikarpur 26. Surekhpur (Part) 27. Tikri Kalan (Part)
5.	Zone P-I	28. Bankaner **(Part)** 29. Ghoga 30. Lampur 31. Mamurpur**(Part)** 32. **Bawana (Part)** 33. **Bhorgarh (Part)** 34. **Daryapur Kalan (Part)** 35. **Narela (Part)** 36. **Sanoth (Part)** 37. **Hareoli (Part)**
6.	Zone P-II	38. Hamidpur 39. Jhangola **(Part)** 40. Palla **(Part)** 41. Singhu 42. Tajpur Kalan 43. **Kulakpur (Part)** 44. **Singhola (Part)** 45. **Sungarpur (Part)**
7.	Zone N	46. Auchandi 47. Mungeshpur 48. Qutabgarh 49. Khor Punjab 50. Chatesar 51. Jaunti 52. GarhiRindhala 53. Nizampur-Rashidpur 54. Tikri Kalan (Part) 55. Hareoli **(Part)**
8.	Zone E	56. Mandoli **(Part)** 57. **Biharipur (Part)** 58. **Gokulpur (Part)** 59. **Jeevanpur Joharipur** 60. **Karawal Nagar (Part)** 61. **Khajuri Khas (Part)** 62. **Mirpur Turk** 63. **Mustafabad** 64. **Saboli (Part)**

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ANNEXURE 5

उपाध्यक्ष कार्यालय
डायरी सं० 1685-B
दिनांक 7-7-14

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9.7.14

MOST IMMEDIATE

No. K-12016/3/2008-DD-I (Vol. V)
भारत सरकार/Government of India
शहरी विकास मंत्रालय /Ministry of Urban Development

Commr (Plg.)-I's Office
Diary No I-970
Date 8/7/14

निर्माण भवन/Nirman Bhavan
नई दिल्ली/New Delhi
Dated, the 2nd July, 2014

PA (MP)'S Office
Diary No. 116-G
Date 10/7/14

To

The Vice Chairman,
Delhi Development Authority,
Vikas Sadan, INA,
New Delhi.

P-105/Cor.

Subject: Request for inclusion of 17 villages as a part of green belt in the Gazette Notification bearing S.O. No. 1744(E) dated 18.6.2013.

Sir,

I am directed to refer to DDA's letter F. No.F3(103)96/MP/Pt. VII/126-G dated 16.6.2014 on the subject mentioned above and to say that in the case of 47 villages notified on 18.6.2013 falling in green belt were permitted for LDRA plots after following the due procedure under Section 11A of DD Act. In the instant case of the proposal for inclusion of 17 villages DDA has not followed the said procedure.

2. DDA is therefore requsted to follow the due procedure for notifications before referring the matter to the Ministry for consideration.

Yours faithfully,

(Abhijit Bakshi)
Dy Secretary (Delhi Division)
Tel.No.23061916

Com (B/S) (in mtg)
7.7.

For urgent n.a.M.
8/7/14

Put up in file on priority
AC (MP)
9/7/14

DD MP 10/07/14

PA
(MP)

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OUD 244

105/c

OFFICE OF DY. DIRECTOR (PLG)MP
MASTER PLAN SECTION;
6TH FLOOR,VIKAS MINAR,
I.P. ESTATE, NEW DELHI – 110002

F. 3(103)96/MP/Pt.VII /126-G

Dated 16.06.2014

From:

Rajesh Kumar Jain
Dy. Director (Plg) MP

To,

Dy. Secretary (DD)
Ministry of Urban Development, GoI,
Nirman Bhawan, New Delhi.

Sub.: Request for Inclusion of 17 Villages as a part of green belt in the Gazette Notification bearing S.O.No. 1744(E) dated 18.06.2013..

Sir,

This is in continuation to this office letter No. F.3(103)96/MP/Pt. VII/D/91-G dated 19.05.2014 regarding inclusion of 17 villagers as part of Green Belt by making amendment to the Gazette Notification bearing No. S.O. No.1744(E) dated 18.06.2013.

I am directed to send once again the copy of the letter containing proposal for inclusion of 17 villages for ready reference and further necessary action on Priority.

Yours faithfully

Encl: Copy of letter dated 19.05.2014
alongwith enclosures.

16/6/14

(Rajesh Kumar Jain)
Dy. Director (Plg) MP

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Most Immediate

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

No. F.2 (2)2014/09/MC/DDA/172

Dated: the 18th September, 2014

Sub: Supplementary agenda for the meeting of the Delhi Development Authority.

Kindly find enclosed supplementary agenda for the meeting of Delhi Development Authority fixed for **Friday, the 19th September, 2014 from 10.00 a.m. to 1.00 p.m.** at Raj Niwas, Delhi.

18/09/14

(Brijesh Kumar Mishra)
Commissioner-cum-Secretary
Phone No. 24624487

Encl: as above.

CHAIRMAN

1. Shri Najeeb Jung
   Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri Balvinder Kumar

MEMBERS

3. Shri Venkatesh Mohan
   Finance Member, DDA

4. Shri Abhai Sinha
   Engineer Member, DDA

5. Shri D.S. Mishra
   Additional Secretary
   Ministry of Urban Development
   Govt. of India

6. Smt. Naini Jayaseelan
   Member Secretary
   NCR Planning Board

7. Shri Jitender Kumar Kochar

SPECIAL INVITEES

1. Shri D.M. Spolia
   Chief Secretary
   Govt. of NCT of Delhi

Contd/....page..2

2. Smt. Nutan Guha Biswas
Principal Secretary to Lt. Governor, Delhi

3. Dr. M.M. Kutty
Principal Secretary (Finance)
Govt. of NCT of Delhi

4. Shri Dharam Pal
Principal Secretary (L&B)
Govt. of NCT of Delhi

5. Shri Rajendra Kumar
Secretary (UD)
Govt. of NCT of Delhi

6. Shri J.B. Kshirsagar
Chief Planner, T.C.P.O.

7. Shri Manish Gupta
Commissioner
South Delhi Municipal Corporation

8. Shri S. Kumaraswamy
Commissioner
East Delhi Municipal Corporation

9. Shri P. K. Gupta
Commissioner
North Delhi Municipal Corporation

10. Shri T. Srinidhi
Principal Commissioner (LD, Housing & CWG), DDA

11. Shri Dayanand Kataria
Principal Commissioner (Personnel, LM & Systems), DDA

Copy also to:

1. Smt. Swati Sharma
Addl. Secretary to Lt. Governor, Delhi

2. Dr. Simi Malhotra
Advisor (Media, Academics, Art, Culture & Language) to Lt. Governor, Delhi

3. Shri R.N. Sharma
Addl. Secretary to Lt. Governor, Delhi

4. Shri Ajay Chaudhary
OSD to Lt. Governor, Delhi

5. Shri Vishwendra
PS to Lt. Governor, Delhi

6. Smt. Neemo Dhar
Advisor (PR), DDA

SUPPLEMENTARY AGENDA ITEMS

FOR THE

M EETING

OF THE

DELHI DEVELOPMENT AUTHORITY

DATE : 19.09.2014

TIME : 10.00 AM

VENUE : RAJ NIWAS

DELHI

Supplementary Agenda for the meeting of the Delhi Development Authority fixed for 19.09.2014

INDEX

Sl. No.	Item No.	Subject	Department
1.	136/2014	Proposed change of land use of an area measuring 7830 sq.m. (0.78 ha.) from 'Transportation (Rail Circulation)' to 'Residential', located adjacent to Hotel Leela in Moti Bagh, New Delhi, falling in Planning, Zone-D. F.20(02)2012/MP	PLANNING
2.	137/2014	South Delhi Greenway/Eco-Mobility Corridor Project along Barapullah Nallah. F.2(7)13/UTTIPEC/Part-I	PLANNING
3.	138/2014	Regarding allowing conversion from lease hold to freehold in case of missing linkage of GPA/Agreement to Sell. F.2(10)/2011/N&C/Pt.III	PC (LD)

****

****

Supplementary Agenda for the meeting of the Delhi Development Authority fixed for 19.09.2014

INDEX

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3.	138/2014	Regarding allowing conversion from lease hold to freehold in case of missing linkage of GPA/Agreement to Sell. F.2(10)/2011/N&C/Pt.III	PC (LD)

****

DELHI DEVELOPMENT AUTHORITY

Item No. 136/14

Item No. 136/2014

Sub: Proposed change of land use of an area measuring 7830 sq.m. (0.78 ha.) from 'Transportation (Rail Circulation)' to 'Residential', located adjacent to Hotel Leela in Moti Bagh, New Delhi, falling in Planning, Zone-D.

File No. F.20 (02)2012/MP

1.0 BACKGROUND

1.0 A D. O. letter No. L-IIA-11(657) dated 15.03.2012 was received from Ministry of Urban Development (MOUD) enclosing therewith a request letter dated 14.03.2012 received from Ministry of Railways regarding the change of land use of a plot near Hotel Leela Palace, New Delhi measuring 7830 sq.m. (0.78 ha.) with respect to the residential accommodation of Railway Officers. MOUD vide letter dated 15.03.2012 had stated that *the proposal of change of land use for Railway land plot measuring 7830 sq.m. (0.783 ha.) located adjacent to Hotel Leela in Moti Bagh Government residential area needs to be processed by L & DO in consultation with NDMC and DDA, for which MOUD had advised L & DO to initiate action expeditiously.*

1.1 Further, a letter dated 08.11.2012 was received from MOUD, GOI enclosing therewith a letter No. L-IIA-11(657)/2/2012-PC-138 dated 05.11.2012 received from Deputy Land & Development Officer (L & DO), MOUD, GOI addressed to MOUD, GOI mentioning the following:

"At present, the said plot is categorized as 'Railway Operational' under Zonal Development Plan of Zone-D of Master Plan of Delhi (MPD). Therefore, to optimum utilization of land and space the railways have proposed to use the plot under reference for 'Residential' use of Railway Officers. The proposal of the Railways to build multi-storeyed Residential accommodation after the change of land use from railway operational to residential is justified since the new Moti Bagh area has been re-developed as a multi-storeyed residential area. It is therefore, requested to take appropriate action in the matter."

MOUD vide letter dated 08.11.2012 requested DDA to examine the matter and take appropriate action in the matter.

1.2 In response to DDAs letter No. F.20(02)2012/MP/D-68 dated 02.04.2013, L & DO vide letter dated 19.06.2014 has stated the following:

1. *"That the Joint marking of the site in question has been done by L & DO and RVNL.*
2. *As regards the access from the road of the Redevelopment of Netaji Nagar and Moti Bagh (East) project (the approach road from Africa Avenue Road towards the western side) to the area under reference, this office has 'no objection' to the access to the proposed railway residential complex from the road falling in between Leela Hotel and New Moti Bagh Club."*

Contd.....

2.0 FOLLOW UP ACTION

2.1 The proposed change of land use was considered by the 10th Technical Committee in its meeting held on 12.08.2014 vide item no. 43/2014. The decision of the Technical Committee is reproduced below:

"The proposal was explained by Director (Plg.) Zone 'D'. Technical Committee recommended the proposal of change of land use of an area measuring 7830 sqm. (0.78 ha.) from 'Transportation (Rail Circulation)' to 'Residential' located adjacent to Hotel Leela in Moti Bagh, New Delhi falling in Planning Zone 'D' for further processing under section 11A of DD Act, 1957"

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

3.0 PROPOSAL

As recommended by the Technical Committee in its meeting held on 12.08.2014, the following proposed change of land use in respect of an area measuring 7830 sq.m. (0.78 ha.), located adjacent to Hotel Leela in Moti Bagh, New Delhi may be changed from 'Transportation (Rail Circulation)' to 'Residential' for Railway land under Section 11A of DD Act, 1957. The boundary description of the same is as under **(Refer location map at Annexure 'B'):**

Location	Area	Land use (MPD-2021)	Land use Changed to	Boundaries
1	2	3	4	5
Plot adjacent to Hotel Leela in Moti Bagh, New Delhi, falling in Planning, Zone-'D'	7830 sq.m. (0.78 ha.)	'Transportation (Rail Circulation)'	'Residential'	North: Existing Railway Track South: Developed Landscaped Green Area by L & DO and Hotel Leela Palace East: Africa Avenue Road West: Existing approach road

4.0 RECOMMENDATION

Proposal as given in para 3.0 above is put up for the consideration of the Authority.

RESOLUTION

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

Minutes of the 10th. Technical Committee Meeting Held On 12.8.2014.

35/C - ~~25~~ - 30/C ANNEXURE-A ANNX

Item No. 43/14/7

Sub: Proposed change of land use of an area measuring 7830 sq.m. (0.78 ha.) from 'Transportation (Rail Circulation)' to 'Residential', located adjacent to Hotel Leela in Moti Bagh, New Delhi, falling in Planning, Zone-D.

File No. F.20 (02)2012/MP

1.0 Background

1.0 A D. O. letter No. L-IIA-11(657) dated 15.03.2012 was received from Ministry of Urban Development (MOUD) enclosing therewith a letter dated 14.03.2012 received from Ministry of Railways regarding the change of land use of a plot near Hotel Leela Palace, New Delhi measuring 7830 sq.m. (0.78 ha.) with respect to the residential accommodation of Railway Officers. MOUD vide letter dated 15.03.2012 had stated that *the proposal of change of land use for Railway land plot measuring 7830 sq.m. (0.783 ha.) located adjacent to Hotel Leela in Moti Bagh Government residential area needs to be processed by L & DO in consultation with NDMC and DDA, for which MOUD had advised L & DO to initiate action expeditiously.*

1.1 Further, a letter dated 08.11.2012 was received from MOUD, GOI enclosing therewith a letter No. L-IIA-11(657)/2/2012-PC-138 dated 05.11.2012 received from Deputy Land & Development Officer (L & DO), MOUD, GOI addressed to MOUD, GOI mentioning the following:

"At present, the said plot is categorized as 'Railway Operational' under Zonal Development Plan of Zone-D of Master Plan of Delhi (MPD). Therefore, to optimum utilization of land and space the railways have proposed to use the plot under reference for 'Residential' use of Railway Officers. The proposal of the Railways to build multi-storeyed Residential accommodation after the change of land use from railway operational to residential is justified since the new Moti Bagh area has been re-developed as a multi-storeyed residential area. It is therefore, requested to take appropriate action in the matter."

MOUD vide letter dated 08.11.2012 requested DDA to examine the matter and take appropriate action in the matter.

1.2 In response to DDAs letter No. F.20(02)2012/MP/D-68 dated 02.04.2013, L & DO vide letter dated 19.06.2014 has stated the following:

1. *"That the joint marking of the site in question has been done by L & DO and RVNL.*
2. *As regards the access from the road of the Redevelopment of Netaji Nagar and Moti Bagh (East) project (the approach road from Africa Avenue Road towards the western side) to the area under reference, this office has 'no objection' to the access to the proposed railway residential complex from the road falling in between Leela Hotel and New Moti Bagh Club."*

Contd.....

Dir D.

34/c 29/c -26-

2.0 Examination

2.0 The site under reference is located very near to Railway Track on one side and there is only one 7.0 m wide existing access/ approach to the site under reference.

2.1 The eastern side of the plot under reference faces Master Plan road near Railway under pass with level difference.

2.1 As per MPD-2021 & Zonal Development Plan for Zone –D prepared under MPD-2001, the land use of the site under reference is 'Transportation (Rail circulation)'.

2.2 The site under reference falls outside the 'Lutyens Bungalow Zone (LBZ)', hence, MPD-2021 norms will be applicable for development.

2.1 As per MPD-2021, *Plots for group housing should be located on roads facing a minimum width of 18 m ROW.*

2.2 The said proposal was examined in Planning Department, Zone-D unit with respect to the accessibility/ approach road to the site under reference for which L & DO vide letter dated 19.06.2014 has stated the following:

i. "That the Joint marking of the site in question has been done by L & DO and RVNL.

ii. As regards the access from the road of the Redevelopment of Netaji Nagar and Moti Bagh (East) project (the approach road from Africa Avenue Road towards the western side) to the area under reference, this office has 'no objection' to the access to the proposed railway residential complex from the road falling in between Leela Hotel and New Moti Bagh Club."

3.0 Proposal

As communicated by MOUD, GOI vide letter dated 15.03.2012 & as per L & DO, MOUD, GOI letter dated 05.11.2012, the land use in respect of an area measuring 7830 sq.m. (0.78 ha.), located adjacent to Hotel Leela in Moti Bagh, New Delhi may be changed from 'Transportation (Rail Circulation)' to 'Residential' for Railway land under Section 11A of DD Act, 1957. The boundary description of the same is as under (Refer location map at Annexure 'A'):

Location	Area	Land use (MPD-2021)	Land use Changed to	Boundaries
1	2	3	4	5
Plot adjacent to Hotel Leela in Moti Bagh, New Delhi, falling in Planning, Zone-'D'	7830 sq.m. (0.78 ha.)	'Transportation (Rail Circulation)'	'Residential'	North: Existing Railway Track South: Developed Landscaped Green Area by L & DO and Hotel Leela Palace East: Africa Avenue Road West: Existing approach road

4.0 Recommendation

Proposal as given in para 3.0 above may be considered by the Technical Committee for further processing under Section 11A of DD Act,1957.

The proposal was explained by Director (Plg) Zone D. Technical Committee recommended the proposal of change of land use of an area measuring 7830 m2 (0.78 Ha) from Transportation (Rail Circulation) to Residential, located adjacent to Hotel Leela in Moti Bagh, New Delhi falling in Planning Zone D for further processing under section 11A of DD Act 1957.

Action: Director (Plg.) Zone D

DEVELOPMENT AUTHORITY
MASTER PLAN SECTION
VERIFIED
Proposal was Considered in 10th Technical Committee ting held on 12.08.2014
Vide Item No. 431.2.14
Asstt. Director Master Plan
Dy. Director Master Plan

DELHI SAFDARJUNG STATION YARD

ENTRY

7.0 mtr. WIDE ROAD

RAILWAY TRACK

ROAD

RAILWAY TRACK

DELHI DEVELOPMENT AUTHORITY

PROPOSED CHANGE OF LANDUSE OF AN AREA MEASURING 0.78 HA. (7830 SQ.M.) FROM "TRANSPORTATION (RAILWAY OPERATIONAL)" TO "RESIDENTIAL" LOCATED IN MOTI BAGH GOVERNMENT RESIDENTIAL AREA, ADJACENT TO HOTEL LEELA , NEW DELHI, , FALLING IN PLANNING ZONE 'D'

PROPOSED 7.0 MTR. WIDE ROAD

TOWARDS SHANTI PATH

CIRCULATING AREA

EXISTING ROAD

NIZAMMUDIN

NORTH

179.5

ROAD UNDER RAILWAY BRIDGE

WEST

ELECTRIC SUBSTATION

SITE UNDER PROPOSED CHANGE OF LAND USE
AREA OF PLOT - 7831.00 SQ. MTR. (0.78 HA.)

EAST

PROPOSED EMERGENCY ENTRY/EXIT TO FIRST BASEMENT

MW HUT 8.7x4.0

MW TOWER 6.0x6.0

160.00

SOUTH

NEW MOTI BAGH RESIDENTIAL COMPLEX

GREEN AREA LANDSCAPED BY L & D.O.

GREEN AREA LANDSCAPED BY L & D.O.

GATE

PROPOSED ROAD
AS PER PLAN NO.LA0182 OF MOUD, GOVT. OF INDIA

MOSQUE

61.0 mtr. WIDE ROAD

AFRICA AVENUE ROAD

NURSERY

ANNEXURE-'A'.
KEY MAP

KEY PLAN SHOWING APPROACH TO PROPOSED 1YPE-V FLATS NEAR SAFDARJUNG RAILWAY STATION SHOPS

HOTEL LEELA

ROAD

GATE

MOTI BAGH CLUB

ROUND ABOUT

SINGH MARG
HOSHIAR BRIGADIER

BRIG. HOSHIYAR SINGH MARG

SAROJINI NAGAR

to college of arts

to ring road

NORTH –	EXISTING RAILWAY TRACK
SOUTH –	DEVELOPED LANDSCAPED GREEN AREA BY L & DO AND HOTEL LEELA PALACE
EAST –	AFRICA AVENUE ROAD
WEST –	EXISTING APPROACH ROAD
FILE NO.:F.20(02)2012/MP	

LOCATION MAP

SCALE: NOT TO SCALE

DATED 08.III.2014

ZONE 'D' UNIT

ANNEXURE 'B'

33/C

28/

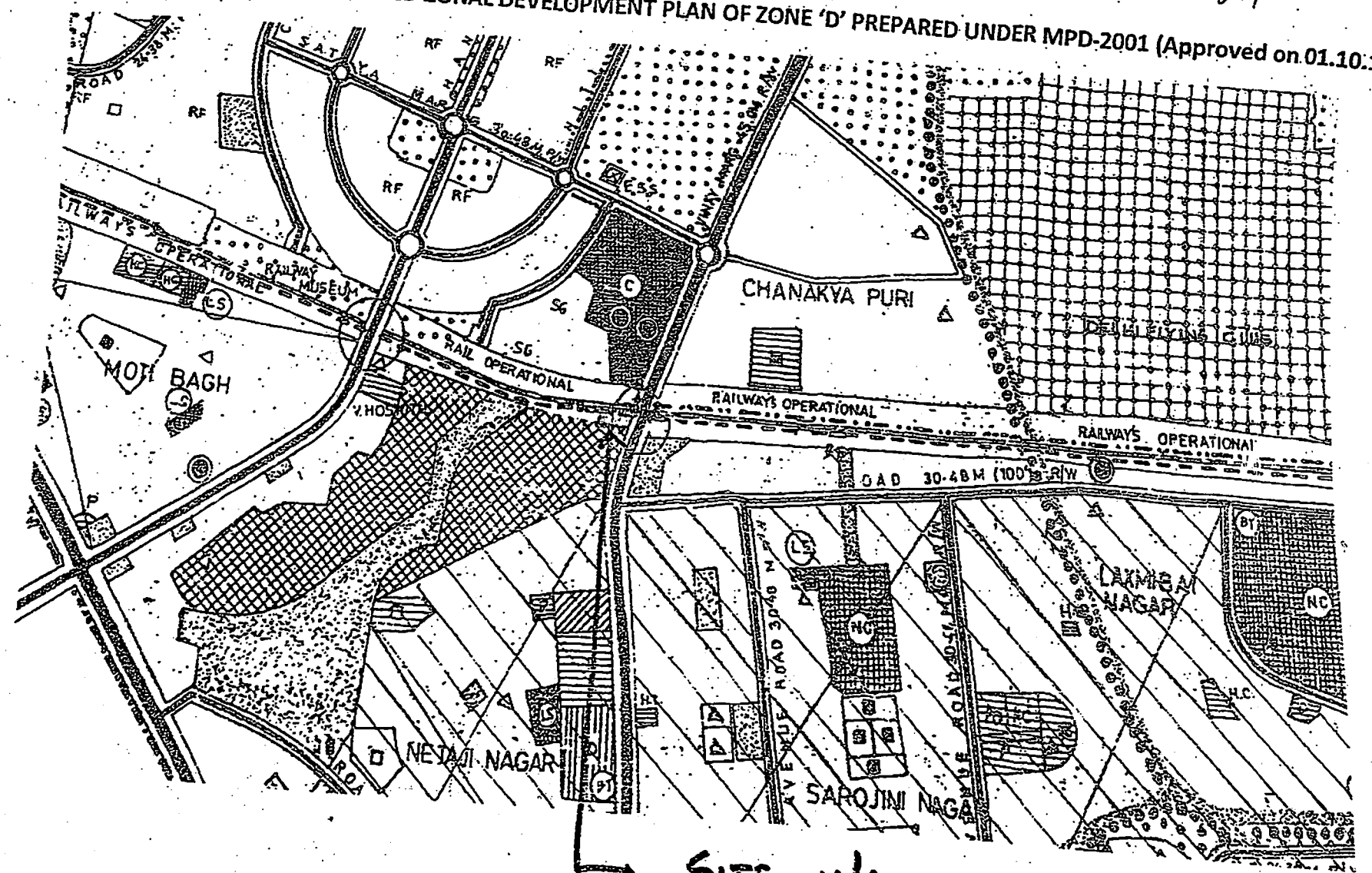
32/C 27/C -26- Extracts from MPD-25

No.	Use Premises	Activities Permitted	Development Controls (4)			
			Area under Operation (%)	Area under building (%)	FAR *	Floor area that can be utilised for passenger accommodation
3.	Rail Circulation	All facilities related to Railway Tracks, operational areas including watch & ward.		-NA-		
4.	Bus Terminal/ Bus Depot	All facilities related to Bus & Passengers, parking including watch & ward, Soft Drink & Snack Stall, Administrative Office, Other Offices, and Hotel.	50	50	100	25%
5.	ISBT	All facilities related to Bus & Passengers, parking including watch & ward, Bus Terminal, Soft Drink & Snack Stall, Administrative Office, hotel.	a. Ground coverage: 25% b. FAR: 100, subject to the following: (I) FAR shall be available on a maximum area of 10 ha. or area of site whichever is less. (ii) ISBT, including operational structures Maximum FAR 70 (iii) Hotel / passenger accommodation and facilities Maximum FAR 30. c. Parking: In addition to the requirement of parking for ISBT / buses, parking for Hotel/ passenger accommodation and facilities shall be at the rate of 2 ECS per 100 sq.m. of floor area. d. The development shall be undertaken in a composite manner.			
6.	Toll Plaza	Toll collection booth, utilities, facilities and required infrastructure.		-NA-		
7.	Road Circulation	All types of road, street furniture, bus shelters, under ground & over ground services utilities, signals, metro tracks as part of r/w, sub-ways, under-passes, ROB & RUB including watch & ward.		-NA-		
8.	Metro Yards	Idle parking of coaches, washing and cleaning facilities, maintenance related facilities, watch & ward and staff related facilities.	80%	20%	100	15%

* *The F.A.R. is to be calculated on the Building Plot. Area under Bus Shelter not to be included in FAR.*

-29-

PART PHOTOCOPY OF APPROVED ZONAL DEVELOPMENT PLAN OF ZONE 'D' PREPARED UNDER MPD-2001 (Approved on 01.10.1999)



SITE U/R
[Land use:- Railway operational]

DELHI DEVELOPMENT AUTHORITY

Item No. 137/14

Item No. 137/2014

Sub: South Delhi Greenway/ Eco-Mobility Corridor Project along BarapullahNallah.
F.2(7)13/UTTIPEC/PART-I.

1. Background

1.1 The South Delhi Greenway Master Plan was commissioned by the Delhi Government as a partnership project between MCD, DDA and DTDDC in 2005. The final report was approved in 2007 by the Government of NCT of Delhi (GNCTD) by the Chief Secretary. The project was included in the City Development Plan (CDP) of Delhi prepared by GNCTD, recommending that all other drains be also taken up for eco-restoration in a similar fashion(relevant pages of the approved CDP are enclosed as **Annexure 1**).

1.2 In 18th Governing Body Meeting of UTTIPEC held on 30.09.2009, a presentation on Eco-mobility Corridor was presented by Sh. Akash Hingorani, Architect and it was decided that *"as a Pilot project about 4.5 Km of Barapullah drain corridor or any other suitable stretch could be taken up using the concept of Eco-mobility corridor"*(minutes enclosed at **Annexure-2**).

2. Examination

2.1 Project Description

2.1.1 The South Delhi Greenway Project area is located within the Zone J and Zone-F of DDA,Zonal Development Plan and the total length of the Barapullah Drain is about 12.5 km long, originating near Saib-ul-ajab near Mehrauli and endingat the confluence with the River Yamuna near the Barapullah bridge. Map showing the South Delhi Greenway Corridor is exhibited as **Annexure 3**.

2.1.2 Some of the neighborhoods along the Greenway Corridor are Saib-ul-ajaib,Qila Rai Pithora, Saket, PushpaVihar, Satpula, Sheikh Sarai, Chirag Dili, Panchsheel Extension, Swomi Nagar, Siri Fort Green, GK 1, Nehru Place,Andrews Ganj, Defence Colony, Delhi Haat, Jawaharlal Nehru stadium, Jangpura, LodhiRoad,Nizamuddin and Barapullah.

2.2 Parts of Barapullah drain (viz. KushakNalla and SunheriPulla) are now covered by concrete structures causing ecological damage, and these need to be retrofitted. Further, there are observations of Green Tribunal and from Hon'ble High Court of Delhi on the matter. The Project would need to remain compliant with aforesaid requirements, instruction, orders and guidelines issued in this regard, which are expected to provide long term sustainable ecologically sensitive solution.

2.3 Landscape Department, DDA has prepared landscape designs for a part of area which is going to be part of the South Delhi Greenway EcoMobility Corridor. Examination of these designs indicate that critical integrating provisions contributing to mobility, waste water management, safety and security aspects, etc. have also need to be addressed. Further, the landscaping work done by the Landscape Dept. DDA, will need to be integrated into the overall masterplanbased on aforesaid aspects to deliver a well prepared and comprehensive project solution.

2.4 Green areas already developed as part of Commonwealth Games beautification projects in 2010 have not yet been integrateddue to construction of Barapullah Phase-I & II elevated corridors. Again, issues such as mobility and connectivity, ecology, decentralized waste water treatment and bio-remediation needs to be addressed, which need to be integrated/ taken up in a holistic manner.

2.5 A review was undertaken in a meeting held under the Chairmanship of VC, DDA on 25.05.14 and it was decided to takeup the matter with Hon'ble LG, wherein following policy matters related to the project could be taken up for discussion and decision :

- Implementing Agency
- Project Funding
- Phasing of the Project
- Appointment of executing agency for the Project
- Engagement of consultants
- Terms of Reference for engagement of consultant

2.6 During the meeting held under the Chairmanship of Hon'ble LG on 10.07.14 to review the status and discuss issues relating to implementation of the South Delhi Greenway Eco-Mobility Corridor Project, the following decisions were taken:
"

i.) The project is to be placed at the next Authority meeting and the UTTIPEC was directed to prepare the detailed agenda note for Authority providing the details of all aspects of the project including project area, environmental engineering strategies, ecology aspects, costing, traffic & transportation issue, sewage treatment strategies and phasing of the project, etc., the key aspects of the project as follows need to be explained in detail:

(a) Ecological landscape design with environmental engineering
(b) Transport planning with network development and multi-modal integration
(c) Urban design for women safety and activity generation within the corridor
(d) *Business model for implementation and maintenance*

ii.) It was decided that the project would be implemented by DDA from its own funds.

iii.) It was further decided that the consultant team who prepared the original DPR on the Project concept for GNCTD / DDA would continue to work on this Project. VC, DDA would decide further course of action as far as engagement of consultant team and finalization of the TOR etc. is concerned.

iv.) It was decided that after approval of DDA, the Project will be referred to GNCTD for contribution towards funding of the Project, and request to exempt SDMC from sharing the Project cost. However, SDMC is to ensure the maintenance, cleaning and activity generation along the entire stretch for upkeep of assets created along the Greenway, as envisaged by the Detailed Project Report.

v.) DDA with its expertise in implementing ecological projects like biodiversity parks should be the primary implementing agency for this Project. Requisite NOCs will be obtained by DDA, PWD, SDMC, DJB, I&FC for smooth implementation of the project.

vi.) A multi-disciplinary Project Implementation Unit (PIU) is to be formed in DDA consisting of representatives from Landscape Department, UTTIPEC, PWD, MCDs, DJB, I&FS, IITs, NEERI, INTACH, ASI and any other departments of State and Central Govt. The PIU shall meet as part of UTTIPEC Working Group II-A under the Chairmanship of EM, DDA so that all stakeholders like Traffic Police, ASI, Environment & Forest, etc., may be consulted and kept on board for smooth implementation of the project.

vii.) *Hon'ble LG directed UTTIPEC to focus on this Project on highest priority and coordinate and monitor the implementation of the Project on mission mode. Based on the aforesaid, it was decided that the UTTIPEC would monitor and review the progress of the project at least every three months and brief the same to the Lt. Governor."*

2.7 From aforesaid aspects, it is imperative that a detailed implementation strategy is evolved with following objectives:

- Environmental Engineering solutions to polluted urban drains :
  - To rejuvenate the natural drain system through innovative waste water treatment and modify the cross section of drains.
- Ecological Landscape Design :
  - Provide connectivity to green areas and parks to form an integrated, connected park, recreation and open space system.
  - Increase the opportunities of recreation and provide accessibility to more people to places, neighborhoods and cultural resources in the city.
  - Develop recreational assets such as biking and hiking trails, and connections to heritage walks and urban marketplaces, even while being just simple ecological nature walks.
- Transport Planning with network development and Multi-modal integration :
  - Develop safe and uninterrupted pedestrian and non-motorized transportation between community destinations including parks, schools, markets and sports facilities.
- Urban design keeping in view public safety especially women and children, and activity generation within the Corridor
- Business model for implementation and maintenance

2.8 A detailed summary of the Project features is set out in **Annexure 4.**

3. Proposal

3.1 Monitoring Unit

UTTIPEC would monitor and review the progress of the project at least every three months and brief the same to the Vice Chairman DDA/ Lt. Governor.

3.2 Project Implementation Unit (PIU)

It is proposed that as decided in the previous meetings, the PIU is to be constituted under the Chairmanship of EM, DDA. DDA will be the Implementation Agency with Chief Engineer (South), DDA as the Nodal Officer with following members/ stakeholders:

a. **EM, DDA – Chairman**
b. Commissioner (Plg.) DDA
c. **Chief Engineer (South Zone) DDA – Member Secretary**
d. Addtl. Commissioner (Landscape) DDA
e. Director (Plg.) VC Office,
f. Director (**UTTIPEC**), DDA or nominee
g. CEO, **DJB** or nominee
h. Secretary, **PWD** or nominee
i. Secretary (**UD**), GNCTD or nominee

j. Commissioner (**SDMC**) or nominee
k. Engineer-in-Chief (**SDMC**) or nominee
l. Chief Engineer (**NDMC**) or nominee
m. Chief Engineer (**I&FC**)or nominee
n. Prof. A.K.Gosain, HOD, Department of Civil Engineering, IIT Delhi
o. Director, **NEERI** or nominee
p. Principal Director, **INTACH** or nominee
q. Director General, **ASI**or nominee
r. DDA Consultant team for the project
s. Traffic Police and NMA as suggested by IDFC
t. Any other State or Central Govt. agencies may be co-opted by Chairman of PIU

3.2.1 The PIU to decide the further approvals if any required by convening the meetings of concerned departments, approvals of funds including the annual budget and any other requirement for the implementation of this project.

3.2.2 The convener of PIU/ nodal officer of this project to process extension of MOU & appointment of consultants for DPR and Good for Construction (GFC) drawings, various approvals, preparation of RFP's, tendering, hiring of contractors, budget approvals, procurement, recycling of materials, quality control & audits and all other studies, etc. required for holistic implementation of the project.

3.2.3 DPR shall be prepared for the entire stretch of 12.5 KM and phasing and implementation will be decided in the PIU.

3.3 Consultant

3.3.1 The consultant team who prepared the original DPR on the project concept for GNCTD/ DDA i.e. IDFC would continue to work on this project.

3.3.2 Based on decision taken, UTTIPEC has written to **Infrastructure Development and Finance Company (IDFC),** with whom DDA has an MoU towards providing advisory services which would need to be extended. IDFC while agreeing has informed that *"the Project would be undertaken through Delhi Integrated Multimodal Transit System Limited (DIMTS) which is a specialized urban transport development and management company, and a joint venture of IDFC foundation with Government of NCT of Delhi. DIMTS has specialized domain knowledge in urban transport management solutions and related engineering, IT and project structuring capabilities of the highest order. Development of South Delhi Greenway Eco-Mobility Corridor Masterplan fits well with the urban transport focus and capability profile of DIMTS. DIMTS would lead the assignment and undertake the requisite coordination work, eco-mobility and IT interface work. It would also retain the original team of Oasis Designs Inc. for visioning and landscape designs and IIT Delhi for waste water treatment and storm water management designs, to ensure continuity in the planning and project preparation process."*

3.4 Project Cost and Funding

3.4.1 It is proposed that as decided in earlier meeting, the project would be implemented by DDA, from its own funds.

3.4.2 Original South Delhi Greenway Master Plan for the project was prepared and approved more than seven years ago and therefore the project cost needs to be revised based on

the updated Master Plan. This project costing will be undertaken as part of preparation of the DPR for the project. However indicative project cost estimated by IDFC as part of their proposal is 250 crores for Phase1 from Sarai Kale Khan to INA.

4. **RECOMMENDATION:**

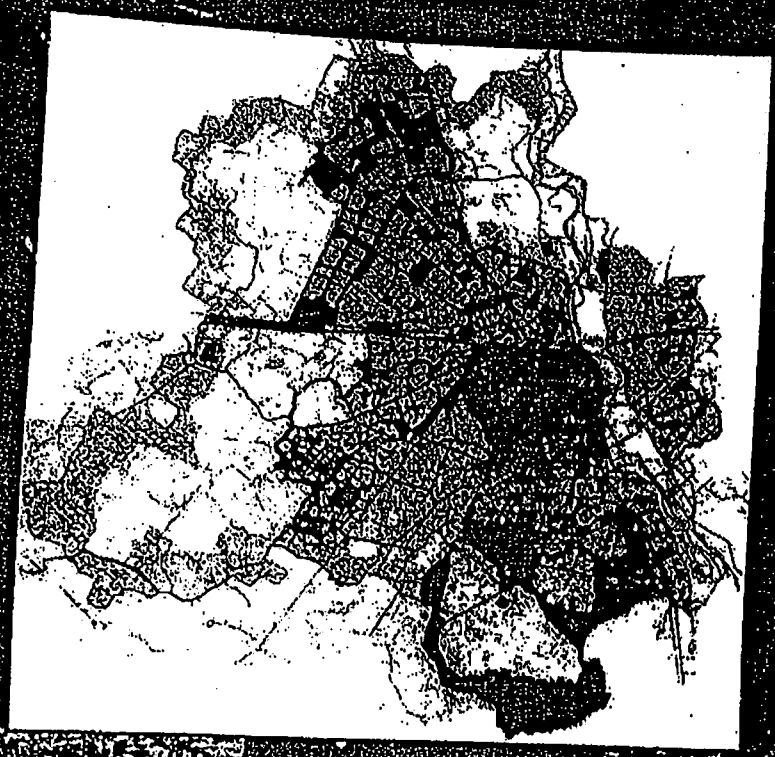
The proposal at para 3.0 is placed before the Authority for its consideration and approval.

RESOLUTION

Proposal contained in para 3 of agenda item was approved by the Authority.

Annexure - I

CITY DEVELOPMENT PLAN
DELHI



October, 2006

Department of Urban Development
Government of Delhi

IL&FS Ecosmart Limited, New Delhi

11. That in case of any breach regarding the terms and conditions of the JNNURM, the Part-I shall be entitled to withhold subsequent installments of the grant on giving 30 days notice to the Part-II, Part-III, Part-IV or the Part-V. However, in this regard decision taken by the Part I shall be final and binding on the Part-II, Part-III, Part-IV or Part-V though, before making such orders, opportunity of hearing shall be given to the Part-II, Part-III, Part-IV or the Part-V.

IN WITNESS HEREOF all the parties have put their hands on these presents of Memorandum of Agreement in the presence of witnesses.

SIGNATORIES

For

1. Ministry of Urban Development (Govt. of India)
   Shri M. Rajamani, I.A.S.
   Joint Secretary (UD) &
   Mission Director (JNNURM)

Subject to further negotiation of Stamp duty.

एम0 राजमणि
M. Rajamani
संयुक्त सचिव, भारत सरकार
Joint Secy., Govt. of India
शहरी विकास मंत्रालय
M/o Urban Development
नई दिल्ली / New Delhi

11/09/07

2. Government of NCT of Delhi (Part II)
   Shri. S.K. Saxna,
   Additional Secretary (UD/P)
   Govt. of NCT of Delhi

S.K. SAXENA
Additional Secretary
Govt. of Urban Development
Secretary
Development
Govt. of Delhi

3. Municipal Corporation of Delhi (Part III)
   Shri Naresh Kumar
   Additional Commissioner (Engg.). MCD

NARESH KUMAR
IAS
Addl. Commissioner (Engg.)
Mpl. Corporation of Delhi

4. Delhi Jal Board (Part-IV)
   Shri X.K. Mahto
   Member (Administration) (DJB)

5. New Delhi Municipal Council (Part-V)
   Shri Anurag Goyal
   Director (Project), NDMC

Anurag Goyal
Director (Projects)
New Delhi Municipal Council
New Delhi

WITTNESES:

1. (Ravi Dass) Sr. C MCD

2.

This AGREEMENT is made on this 11th day of September, 2007 between the Government of India through the Ministry of Urban Development or the Ministry of Urban Employment and Poverty Alleviation, of the Part-I

AND

The Government of NCT of Delhi, through its Lt. Governor, of the Part-II

AND

The Municipal Corporation of Delhi through its authorized person, of the Part- III.

AND

The Delhi Jal Board, of the Part-IV

AND

New Delhi Municipal Council,of the Part-V

WHEREAS the Part-II, Part-III, Part-IV & Part-V seek financial assistance from the Part-I under the Jawaharlal Nehru National Urban Renewal Mission (JNNURM);

WHEREAS the Part-II, in pursuance of the requirements for assistance has developed a City Development Plan (CDP) and submitted for approval of Ministry of Urban Development, Govt. of India, the Executive Summary of which is in Annexure -I;

AND

WHEREAS the Part-II, Part-III, Part-IV & Part-V have formulated detailed project reports in respect of the projects included in the CDP, as per the list, with details on its feasibility, fully detailed in Annexure-II;

AND

WHEREAS the Part-II, Part-III, Part-IV and Part-V have undertaken to implement the reform agenda, as per the timeline indicated therein, fully detailed in Annexure-III & IV;

AND

WHEREAS the Part-I has considered the documents mentioned in Annexure-I, II, III, and IV and found them consistent with the goals and objectives of JNNURM;

AND

WHEREAS the Part-I agrees to release a grant under JNNURM during the mission period, in accordance with the terms and conditions specified in this agreement.

NOW THE PARTIES WITNESSED as follows:

1. That the Part-I shall release the first installment of 25% of admissible Additional Central Assistance (ACA) upon signing of the Memorandum of Agreement (MOA) and submission of the above mentioned documents i.e., Annexure-I, II, III and IV;

2. That the Part-I may release the second installment of Rs. ...../- upon submission of a satisfactory Progress Report indicating –

   (a) Utilization of 70% of the funds released by Government of India and Government of NCT of Delhi.
   (b) Implementation of reforms as per timelines contained in the MOA.

3. That the Part-I may release the third installment of Rs. ...../- upon submission of a satisfactory Progress Report indicating -
   a) Utilization of 70% of the funds released by Government of India and Government of NCT of Delhi.
   b) Implementation of reforms as per timelines contained in the MOA.

4. That the Part-I may release the final installment of Rs. _____/- upon submission of a satisfactory Progress Report indicating -
   a) Utilization of 70% of the funds released by Government of India and Government of NCT of Delhi.
   b) Implementation of reforms as per timelines contained in the MOA.

5. That the Part-I or an Institution nominated by it, may undertake a site visit to ascertain the progress of the ongoing projects and also the reforms agenda through designated representatives periodically;

6. That apart from the Progress Report, the Part-II, Part-III, Part-IV & Part-V shall submit a Quarterly Report of the spendings of the grant to the Part-I. In case Part-II, Part-III, Part-IV & Part-V fail to submit such a report further installment of grant may be withheld until such submission;

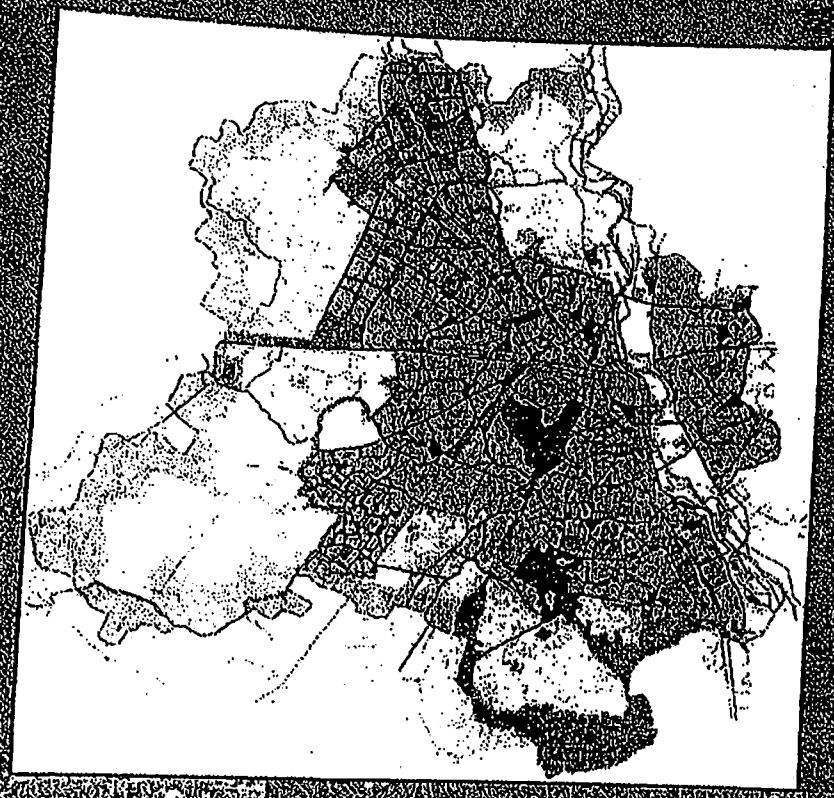
7. Similarly, the Part-II shall submit a Half-yearly Report of the progress in respect of the implementation of the reform agenda as detailed out in Annexure- III.

8. That Part-II, Part-III, Part-IV and Part-V shall submit a complete report regarding the outcome of the JNNURM on the completion of the project;

9. That the Parties to the agreement further covenant that in case of a dispute between the parties the matter will be resolved to arbitration within the provisions of the Arbitration and Conciliation Act, 1996 and the rules framed there under and amended from time to time. The matter in dispute shall be referred to _____ [Insert a name of an arbitrator] as arbitrator, however, in case such person refuses to act as arbitrator, or is rendered, unable because of sickness or otherwise, or dies, _____ [name of the second person for arbitrator] shall act as arbitrator between the parties and the dispute shall be referred to such person and still in case this second person is not available for any reason to act as arbitrator between the parties, both parties shall name one person of their choice as arbitrator and decision of such arbitration shall be final and binding on the parties.

10. That in case there is any delay in the implementation of the reforms agenda or submission of any periodic reports, etc. at the State level by the Part-II or Urban Local Body or Parastatal level by the Part-III, due to the circumstances beyond the control of Part-II, Part-III, Part-IV or Part-V i.e., Force Majeure or any other reason, the decision on the matter of extension of time for the implementation of the goals and objectives of the JNNURM shall be at the discretion of Part-I.

CITY DEVELOPMENT PLAN
DELHI



October, 2006

Department of Urban Development
Government of Delhi

IL&FS Ecosmart Limited, New Delhi

Strategy for Economic Development: The city needs to make the best use of its resources, foremost among which is the high level of entrepreneurial ability of its people. In order to unleash the city's true economic potential, the govt. needs to encourage and nurture these abilities through forward looking policies and interventions. The following strategies are recommended for sustaining the growth of the city well into the future:

- *Encourage high value-add services;*
- *Organizing Low End Services;*
- *Enhancing Quality;*

The key areas identified as having most potential for driving the economic growth of the city are: (i) IT & ITES Sector; (ii) Life Style Sector; (iii) Logistics Sector; (iv) Heritage & Tourism Sector; (v) Education Sector.

Strategies for Civic Infrastructure Development:

Strategies identified to improve water supply system and enhance consumer satisfaction are *(i) minimize water losses in transmission and distribution and enhance overall management of distribution; (ii) Augmentation of water supply and (iii) Promotion of efficiency in service delivery and strengthening of cost recovery mechanisms.*

Strategies for sewerage include *(i) Extension and up-gradation of sewage network to intercept sewage (abatement of pollution); (ii) Provision of Sewer Network in un-sewered area; (iii) Augmentation of Sewage Treatment Capacity.*

The strategies for mitigating key issues in solid waste management are (i) *Maximizing effective treatment processes for different waste streams, in order to minimize land required for land fill sites; (ii) Safeguarding the environment by ensuring well developed and sufficient land fill sites for disposal, and increasing efficiency of service delivery.* These broad strategies have to be complemented by initiatives at resource-use reduction, waste minimization and pollution prevention.

The strategies suggested for improvement of drainage system in the city are *(i) Creation of an appropriate, integrated authority to deal with the sewer drains, the storm water drains and the natural drainage basins of the NCT area; (ii) Short-term repair and de-silting of all the drains on emergency basis; (iii) After monitoring the functioning of the South Delhi Greenway Project for Barapulla drain, initiating the same in the medium term for Najafgarh drain, which is by far the largest contributor in terms of discharge into river Yamuna (51.75%).*

The strategies suggested for improvement of road network and transport system in the city are *(i) Provision of safe and efficient public transport system; (ii) Encouraging the use of non-motorized modes of passenger transport in select localities; (iii) Ensuring equitable use of space on road and priority to pedestrians; (iv) Efficient use of existing infrastructure - removal of impediments - including enhancement of road infrastructure and provision of efficient parking facilities; (v) Redevelopment of Connaught Place and Walled City as special areas; (vi) Development of goods and passenger terminals on the basis of directional needs; (vii) Enhancement of road infrastructure and (viii) Awareness and enforcement drives.*

Four main strategies have been identified, for management of urban heritage. These strategies are *(i) Capacity Building & Provision of Technical Support for Conservation & Heritage Management;(ii) Heritage Resource Information Management System for integration of heritage concerns within the development plans - Master Plan, Zonal, Sub-Zonal, Area Level; (iii) Area Level Conservation, revitalization and Regeneration strategies which include supportive and linked sub-strategies for adaptive reuse; (iv) heritage sensitive infrastructure up-gradation, provision of essential community facilities, commercial areas, guidelines for new development in historic areas, strengthening of linkages with surrounding contemporary development; Strategies for heritage tourism, enhanced visitor experience and revenue generation, and awareness generation*

- There should be strict instructions to the construction agencies to clear all debris and construction material from within the drains before covering the slabs. This is crucial for proper functioning of the drains.

- For cleaning / desilting of major covered drains, 6 nos. of 'Super Sucker's are recommended.

- A report entitled 'Waste Water Management : South Delhi Greenway Project' prepared by the IIT, Delhi has outlined an innovative way to rejuvenate the natural drainage system for Barapulla drain through waste water treatment and modification of the cross section of the drain. Similar projects should be prepared for all the major drains mentioned at Table 10.3 above so that the problem can be solved from the very root in a long term sustainable way.

- An appropriate 'Drainage Authority of NCT' should be created to deal with all sewer, storm water and natural drains within the NCT area in a comprehensive manner.

Action Plans. An effective time bound implementation of YAP II could achieve the required improvements. Lessons learnt from the YAP I should be included in the YAP II and the YAP III which is in the pipeline.

YAP II has focussed on preparation of master plans and DPRs for the non point sources of pollution, including the dhobhi ghats, crematoria, dairy farms, slaughter houses and slum rehabilitation. Further augmentation of the plans and schemes under YAP II have been proposed under the CDP, including studies related to surface water bodies and recharge of ground water. Proposals for augmentation of ground water monitoring have also been proposed.

Although there is a huge requirement for control and treatment of water, the city needs to practice cleaner best management practices to minimize water pollution and conserve water. For this community participation and creating awareness amongst the citizens is imperative. Awareness of the regulations relating to noise pollution in the city also has to be created and promoted amongst the citizens. Projects targeting both these areas have been included.

If the overall environment of the city improves there would be decrease in the incidence of the disease related to the pollution. Awareness drives amongst the community, to adopt measures to keep their surroundings clean so that the incidence of diseases can be controlled, have also been proposed.

Thus the main strategies, under which projects have been proposed, relate to:

- Outreach and capacity building
- Enhancement of forests and green cover
- Mitigation of air, water and noise pollution

Table 17.8: Integration of Proposals contained in MDP-2021 with Strategies for Environmental Management

MASTER PLAN REFERENCE	INCORPORATION INTO CDP (THROUGH RELEVANT STRATEGY)
i)Management of Natural Resources and the related environment infrastructure and services in a manner that would lead to optimization of use of natural resources, reduction/abatement of pollution ii) Conservation and Development of the natural features with a view to enhancing their environmental value iii) Protection of the Ridge	A Outreach and Capacity Building i) Create awareness for water conservation and the techniques, training programmes for the RWAs, display & promotional material & schools, hospitals, change institutions. B. Forest & Green Cover ii) Detailed study of the biodiversity and ecology of the city. To include a complete inventorisation of all the species of flora and fauna (iii) Protection of Delhi ridge iv) GIS based Database of natural resources of the city
iii) Development and preservation of open spaces, greens and landscape/recreational areas	B. Forest & Green Cover i) South Delhi Greenway Project

The best management practices for environment management in city are presented in Table 18.8.

Table 18.8: Investment Options- Urban Environment (2021)

Strategy/Project	Short Term Investments (2007-12)	Medium Term Investments (2012-2017)	Long Term Investments (2017-21)	Grand Total
	RS IN CRORE			
A Outreach and Capacity Building				
i) Create awareness for water conservation and the techniques, training programmes for the RWAs, display & promotional material & schools, hospitals, change institutions.	16	17.6	19.2	52.8
B. Forest & Green Cover				
i) South Delhi Greenway Project	227	40	10	277
ii) Detailed study of the biodiversity and ecology of the city. To include a complete inventorisation of all the species of flora and fauna	0.7	1	1.5	3.2
(iii) Protection of Delhi ridge including restoration of ecology and for demarcation of bunds.	5	1	1	7
iv) GIS based Database of natural resources of the city including forest and vegetation cover, land use pattern, water bodies and others	2	0.8	1	3.8
C. Mitigation of Air, Water and Noise Pollution				
i) Installation of 9 web linked continuous air quality monitoring stations	15	2	10	27
ii) Action projects of the Master Plan for Dhobighats Sudhar Yojna under the YAP II. Creating alternate better infrastructure for the dhobis, treatment facility for the waste water and drainage in to the river	50	10	-	60
iii) Action projects for the collection, transport and treatment of the dairy waste under the YAP II.	50	15	-	65

14.	Barapulla Drain	3.50	S
15.	Maharani Bagh Drain	5.00	M
16.	Kalkaji Drain	0.18	M
17.	Tehkhand Drain	0.42	M
18.	Tughlaqabad Drain	0.22	M
19.	Shahdara Drain	12.00	M
20.	Sarita Vihar Drain	8.00	M
21.	Drain at LPG Bottling Plant	0.80	M
22.	Drain near Sarita Vihar Bridge	4.00	M
	Total	83.43	

Cross section modification cost = - 0.12 Crores / Km (in addition to treatment cost)For 400 km total length of these drains, the cost for cross section modification, as per above rate - Rs. 48 crore, Grand total - Rs. 131.43 crore, (say Rs. 132 crore)

Table 18.5: Investment Options-Storm Water Drainage System (2021)

Strategy/Project	Short Term Investments (2007-12)	Medium Term Investments (2012-2017)	Long Term Investments (2017-21)	Grand Total
	RS IN CRORE			
A. COMPREHENSIVE STUDY OF DRAINAGE SYSTEM				
i) Comprehensive study and GIS based drainage mapping and planning for all drainage systems within the NCT of Delhi	10	-	-	10
B. SHORT IMPROVEMENT MEASURES				
i) Remodeling of drains having outfall into Yamuna	42	40	40	122
ii) Provision of outfall treatment plants at outfall drains-15 Nos.	15	-	-	15
iii) Repair and Desilting of Drainage Network-2100km	20	12	20	52
iv) Provision of Pump houses in low lying areas with power backup	5	5	5	15
v) Augmentation of storm water drainage	40	48	40	128
C. REVIVAL AND MANAGEMENT OF MAJOR DRAINAGE NETWORK				
i) Revival and landscaping of major drains (on the line of South Delhi Greenways project)	54	78	-	132
ii) Design of Check dams and depressions for Ground Water Recharge	20	10	10	40
iii) Pilot project on Sub	25	10	10	45

B) ESTABLISHMENT OF A SELF-SUSTAINING TECHNICAL SUPPORT CONSERVATION CENTRE	1.0	0	0.1	0.2	0.3	0.3
C) PRIORITISATION OF IDENTIFIED HERITAGE ZONES AND PRECINCTS AND AREA REGENERATION PROGRAMMES						
(i) Government	24.4	0	0.8	3.6	9.6	10.4
(ii) Private	15.5	0	0.1	1.2	4.5	9.7
D. ADAPTIVE REUSE OF BUILDING OR PRECINCT	3.2	0	0.2	0.8	1.0	1.1
E) REINTEGRATING PREVIOUSLY OVERLOOKED HERITAGE COMPONENTS INTO THEMATIC HERITAGE TOURISM CIRCUITS						
(I) Government	2.1	0	0.2	0.5	0.6	0.8
(II) Private	3.7	0	0.5	0.8	1.1	1.3
TOTAL	51.2	0	2.1	7.3	17.6	24.1

19.8 URBAN ENVIRONMENT

The main agencies responsible for environmental management in Delhi are the Delhi Pollution Control Committee (DPCC), Central Pollution Control Board (CPCB).

19.8.1 Summary of Strategies

Projects have been proposed under the following strategies:

i. Outreach and capacity building

ii. Enhancement of forests and green cover

iii. Mitigation of air, water and noise pollution

(i) Outreach and capacity Building

(a) The creation of awareness on noise pollution regulations; training in best practices for the reduction in air and water pollution; & techniques of water conservation; these would cover citizens, community groups and RWAs.

(ii) Enhancement of Forests and Green Cover

Projects proposed include:

(a) South Delhi Greenway Project: aiming at the rejuvenation of selected drains in South Delhi through the development of a continuous stretch of green along their course.

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(d) **Environmental Health:** Awareness drives amongst the community to adopt measures to keep their surroundings clean so that the incidence of diseases may be controlled will also be included in the outreach and training programmes.

Strategy/Project	Cost in Rs	2007-08	2008-09	2009-10	2010-11	2011-12	Agencies Responsible for	
							Cap. Invt.	O&M
	RS IN CRORE							
A Outreach Capacity Building								
i) Create awareness for water conservation and the techniques, training programmes for the RWAs, display & promotional material & schools, hospitals, change institutions.	16	8	8	-	-	-	DJB & NGO	-
B. Enhancement of Forest & Green Cover								
i) South Delhi Greenway Project	227	40	70	67	50	-	Private	SPV
ii) Detailed study of the biodiversity and ecology of the city. To include a complete inventorisation of all the species of flora and fauna	0.7	0.7	-	-	-	-	Forest Department	Forest Department
iii) Protection of Delhi ridge including restoration of ecology and for demarcation of bunds.	5	2	2	1	-	-	Forest Department	Forest Department
iv) GIS based Database of natural resources of the city including forest and vegetation cover, land use pattern, water bodies and others	2	1	1	-	-	-	Forest Department	Forest Department
C. Mitigation of Air, Water and Noise Pollution								
i) Installation of 9 web linked continuous air quality monitoring stations	15	8	7	-	-	-	CPCB & DPCC	Pvt.
ii) Action projects of the Master Plan	50	25	25	-	-	-	MCD	Pvt.

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JNNURM (DELHI)

Memorandum of Agreement (MoA)

Jawaharlal Nehru National Urban Renewal Mission
(JNNURM)

Memorandum of Agreement (MoA)

Between

The Ministry of Urban Development

or

The Ministry of Urban Employment and Poverty Alleviation

(Government of India)

and

The Government of NCT of Delhi

and

The Municipal Corporation of Delhi

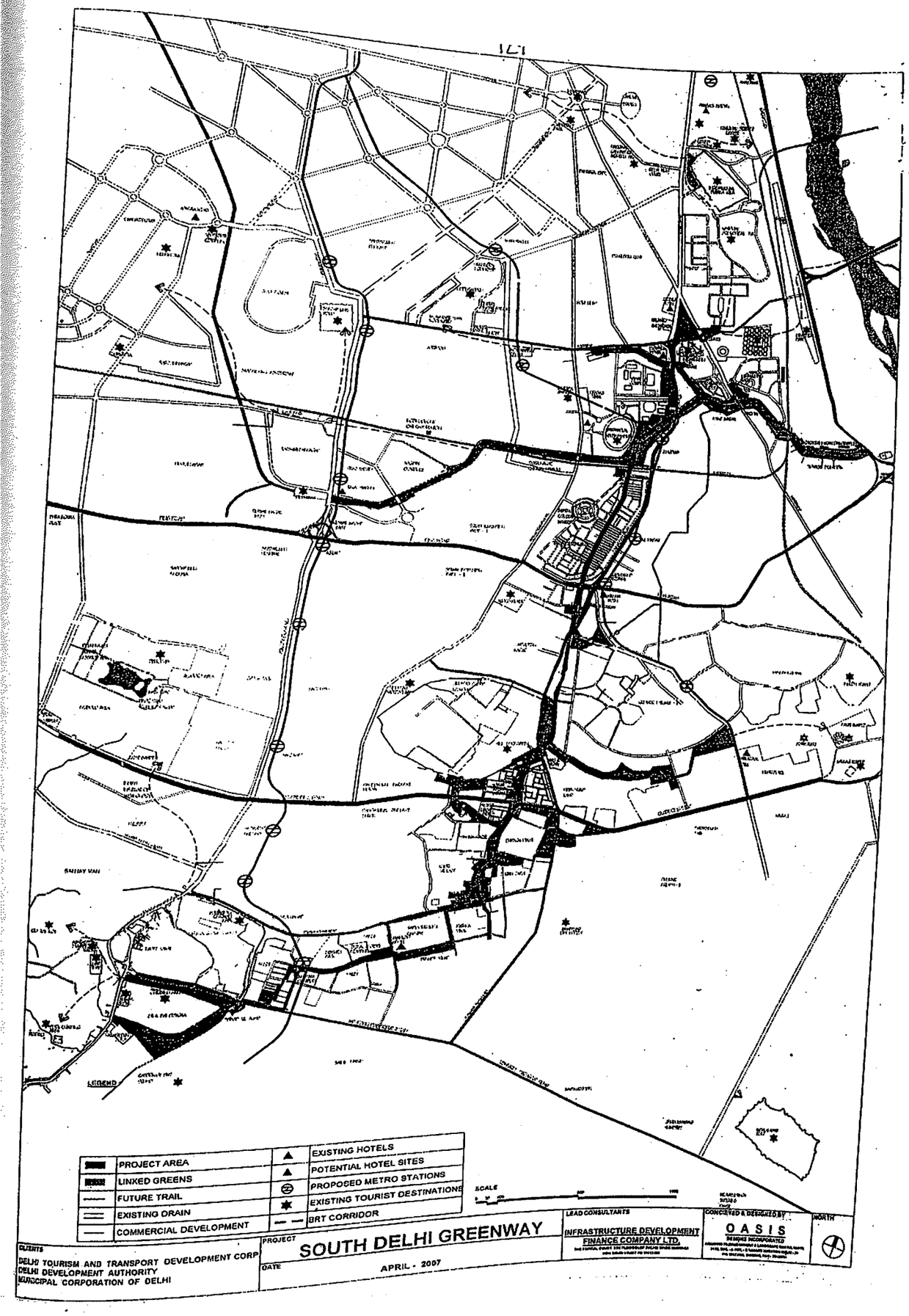
and

DJB (Parastatal Agency)

And

NDMC (Parastatal Agency)

Dated 11/9/07


PROJECT AREA
LINKED GREENS
FUTURE TRAIL
EXISTING DRAIN
COMMERCIAL DEVELOPMENT
EXISTING HOTELS
POTENTIAL HOTEL SITES
PROPOSED METRO STATIONS
EXISTING TOURIST DESTINATIONS
BRT CORRIDOR
SCALE
NORTH
CLIENTS
DELHI TOURISM AND TRANSPORT DEVELOPMENT CORP
DELHI DEVELOPMENT AUTHORITY
MUNICIPAL CORPORATION OF DELHI
PROJECT
SOUTH DELHI GREENWAY
DATE
APRIL - 2007
LEAD CONSULTANTS
INFRASTRUCTURE DEVELOPMENT FINANCE COMPANY LTD.
CONCEIVED & DESIGNED BY
OASIS

ANNEXURE II

DELHI DEVELOPMENT AUTHORITY
UTTIPEC, 6th FLOOR: VIKAS MINAR
New Delhi: Phone No.23379931

No.F.1.(2)09/Dir./UTTIPEC/18th /D-510 Dated 15.10.2009

MINUTES OF THE 18th UTTIPEC GOVERNING BODY MEETING, HELD ON 30.09.09 AT 11.00 A.M., UNDER THE CHAIRMANSHIP OF THE HON'BLE LT. GOVERNOR OF DELHI.

1. A Governing Body meeting of the UTTIPEC was held on 30.09.2009 at 11.00 A.M. at Vikas Minar, under the Chairmanship of the Hon'ble Lt. Governor of Delhi. The detailed agenda points for discussion laid on table contained: I)Minutes of 17th Governing Body meeting dated 28.8.09, as Annexure 'A', (ii) Minutes of WG II-B meeting dated 11.9.09 as Annexure 'B' & (iii) Status note of 62 road improved works & copies of references/news items listed as agenda item No.4(b) , 5(b) to 5(f) and 7(a). The list of members and participants, who attended the meeting, is placed as Annexure 'X'.

2 Addl.Commr.(Plg.)III welcomed Hon 'ble L.G.- Chairman, UTTIPEC; Vice Chairman, DDA; Chairman NDMC; UTTIPEC members & other special invitees including Sh.Kuldip Singh, Sh.Rajiv Kakria to the 18th UTTIPEC Governing Body meeting. The Governing Body acknowledged the contributions made by Sh.Bhaskar Mitra, Advisor(Spl. Projects) to Hon'ble L.G. particularly in WG-V of UTTIPEC.

The Governing Body while confirming the minutes of the 17th UTTIPEC meeting approved correction of the typographic error in para 5(b) on page 3 of the minutes i.e." 4(a) (i) & (iii) to (vi) " to be read as "5(a) (i) & (iii) to (vi). With the above amendment, the minutes of the 17th UTTIPEC Governing Body meeting held on 28.8.09 & circulated on 16.9.09, were confirmed.

3. ***Brief review of actions arising out of UTTIPEC meetings:***

Action taken report, as given in detailed agenda points (laid on the table) at Sl.No.2(i) to 2(xv), was briefly reviewed . The Governing Body showed

2...

in–Chief -PWD & Eng.-in Chief- MCD to expedite the progress as per the time frame already fixed by WG-II-B on 11.9.09. Action taken note on the same be provided to Member Secy., UTTIPEC for uploading the same on UTTIPEC website before the next Governing Body meeting.

6. Other presentations: **(Action: Eng.-in–Chief –PWD, Eng.-in Chief- MCD)**

a) Eco-mobility corridor(Non-motorized public transport corridor)for Delhi

Architect Akash Hingorani highlighted traffic congestion, pollution and the neglect of open drains in the city as a major concern & proposed non-motorized transportation strategy through an audio visual presentation. The presentation covered references to the best practices of Paris, Japan, Korea, Canada & 'Solekshaws'. Drawing lessons from these experiences, Shri Hingorani urged that NMT corridors be created along the existing drains. The presentation also suggested few potential NMT corridors in support of the concept. Chairman UTTIPEC thanked Architect Akash Hingorani for the presentation & appreciated the concept, which further substantiated the presentation by Architect Manit Rastogi at the last Governing Body meeting held on 28.8.09. After hearing the views of other members of the Governing Body, it was decided to constitute an inter departmental Committee under EM, DDA with Eng.-in–Chief –PWD, Eng.-in Chief- MCD & CE-NDMC as members to further examine the technical feasibility & financing model for the proposed concept. As a Pilot project about 4.5.k.m.of Barrapullah drain corridor or any other suitable stretch could be taken up using the concept.

(Action: EM, DDA, Eng.-in–Chief -PWD & Eng.-in -Chief- MCD & CE-NDMC)

b) Proposed Subway work of NDMC at Connaught place-

It was informed that based on the news item in The Times of India of 16th Sept.2009- Ms.Paromita(Romi)Roy together with others, had sent a mail on 23.9.09 to L.G., Delhi opposing the construction of new pedestrian subways in Connaught Place. The Governing Body members were also informed that the proposed subways work of NDMC (as part of revival & redevelopment of Connaught Place)

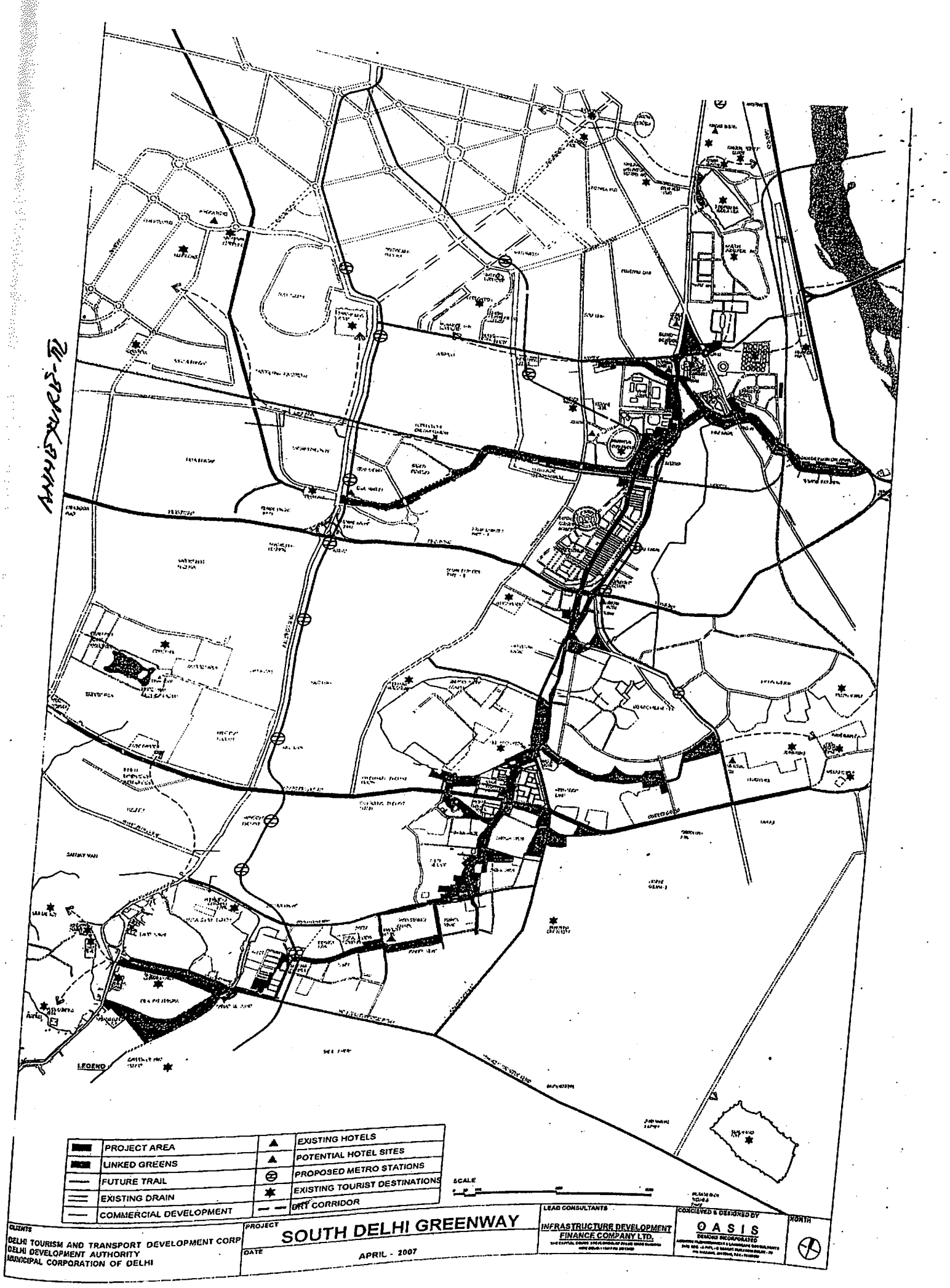
9. It was decided that the next meeting of Governing Body of the UTTIPEC be held on Friday 6th November 2009 at 11.00 A.M.

10. The meeting ended with best wishes for a Very Happy & Prosperous Deepawali to all the UTTIPEC members/invitees & thanks to the chair.

Sd/
(Vinod Sakle)
Director(Plg.)Member Secretary/
15.10.09/UTTIPEC

To

All present/ members/ concerned.


LEGEND
PROJECT AREA
LINKED GREENS
FUTURE TRAIL
EXISTING DRAIN
COMMERCIAL DEVELOPMENT
EXISTING HOTELS
POTENTIAL HOTEL SITES
PROPOSED METRO STATIONS
EXISTING TOURIST DESTINATIONS
BRT CORRIDOR
SCALE
CLIENTS
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DATE
APRIL - 2007
LEAD CONSULTANTS
INFRASTRUCTURE DEVELOPMENT FINANCE COMPANY LTD.
CONCEIVED & DESIGNED BY
OASIS
DESIGNS INCORPORATED
NORTH

1241C ANNEXURE - 4

Delhi Development Authority

South Delhi Greenway Eco-Mobility Corridor : Preparation of DPR and Implementation Strategy for Phase 1 (Sarai Kale Khan to INA)

Proposal

August 19, 2014

Submitted by :
IDFC Foundation/ DIMTS
Oasis Design Inc.
& IIT, Delhi

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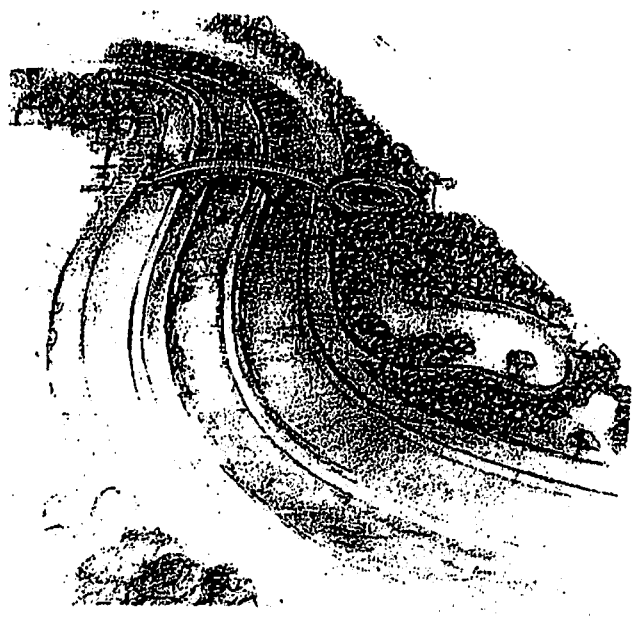
1. Introduction

1.1 Background

South Delhi Greenway Eco Mobility Corridor Master Plan was proposed in 2007 by the Government of National Capital Territory of Delhi (GNCTD), based on a study jointly commissioned by DTTDC, DDA and MCD. A consortium comprising IDFC, Oasis Design and IIT Delhi undertook the study. The report was approved by Governing Body of UTTIPEC in 2009 for implementation.

In a meeting held under the chairmanship of Hon'ble Lt. Governor of Delhi, it was decided that DDA shall be the implementing agency of the project for the first phase of about 9 km between Sarai Kale Khan and INA of Barapullah drain out of a total estimated length of about 19 km.

Accordingly, based on record notes of aforesaid meeting of July 08, 2014, consortium of consultants namely IDFC, Oasis Design and IIT Delhi have been requested to submit their proposal towards Preparation of DPR and Implementation Strategy for Phase 1 of the Development of South Delhi Greenway Eco-mobility Corridor (the "Project"). This proposal outlines the broad project concept and provides information on the scope of services envisaged and timelines for the Project, proposed to be undertaken by the consultants.



In a meeting held on the 11th of August, 2014 at DDA, it was informed that IDFC had set up a joint venture company Delhi Integrated Multimodal Transit Systems Ltd (DIMTS) with Government of NCT of Delhi which has specialized knowledge and expertise in the areas of comprehensive mobility solutions spanning different modes of transport, related urban planning and engineering capability, IT system and solutions, project structuring, management and advisory services. DIMTS has the requisite capability to undertake the DPR and Implementation Strategy work of South Delhi Greenway Eco- Mobility Corridor. Accordingly IDFC has proposed that DIMTS on IDFC's behalf would be the lead Consultant for undertaking overall coordination, design supervision and management, eco-mobility and IT interface work along with the original team of Oasis Designs Inc. taking up visioning and landscaping design work and IIT Delhi working on waste water

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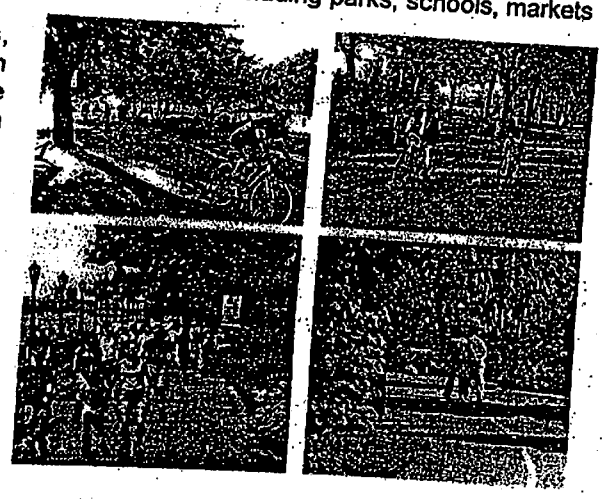
treatment and storm water management solution (together referred as the "Consultants").

1.2 Concept of Greenway

Main components of a Greenway are:

- A Greenway is linear open space that connects green areas and parks to form an integrated, connected park, recreation and open space system.
- It expands recreational opportunities and aids in the protection of natural and scenic areas of the city.
- A greenway allows for safe and uninterrupted pedestrian and non-motorized transportation between community destinations including parks, schools, markets and sports facilities.
- Appearing as green ribbons, the greenway being linear in nature increases the opportunities of recreation and provides accessibility to more people to places, neighborhoods and cultural resources in the city.
- Greenway can include recreational assets such as biking and hiking trails, and connections to heritage walks and urban marketplaces, even while being just simple ecological nature walks.



2. Project Components

The proposed Phase I of the South Delhi Greenway Eco-Mobility Corridor is envisaged to transform the less utilized land along the Barapullah Drain to deliver the following components:

a) Ecological Landscape Design
b) Environmental Engineering solutions to polluted urban drains
c) Transport Planning with network development and Multi-modal integration
d) Urban design keeping in view public safety especially women and children, and activity generation within the Corridor
e) Business model for implementation and maintenance

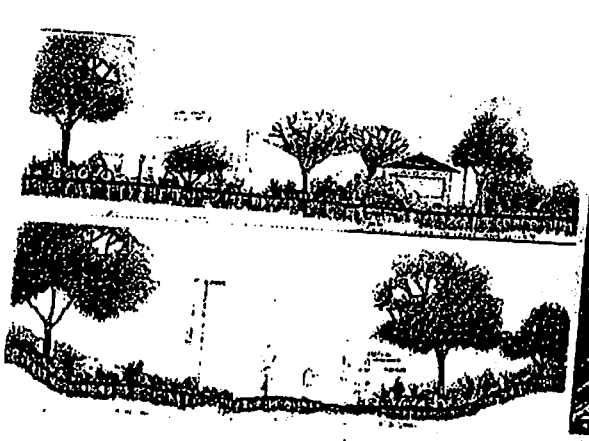
To achieve the aforesaid objectives, the plan will address a number of urban design challenges that include blocked access to the drain, underutilized waterfront, and the absence of amenities for public use. The Consultants propose to undertake the following activities:

- Lead Consultant, Eco mobility solutions and IT Interface : DIMTS

- Greenway visioning and landscaping : Oasis Designs Inc.
- Waste water treatment and Storm water management : IIT Delhi

2.1 Ecological Landscape Design

We propose to deliver a unique landscape design solution for sustainable ecological development with an enhanced quality of urban life in south Delhi.



Good quality walkways dedicated to non-motorized / pedestrianized mobility would be focus.

The primary components shall be the:

a) trail design
b) steam design
c) drain cross section

This would offer recreational opportunities as well as alternate choice of transport to public at large as well as residents staying in the vicinity of the project area.

2.2 Environmental Engineering

The pollution of the River Yamuna and its tributary streams along with declining ground-water tables is the biggest environmental concern of the city. The proposed project could adopt a continuous on-line biological waste-water treatment process to clean up the waste water flowing in the streams and help in reducing the pollution load on the river.

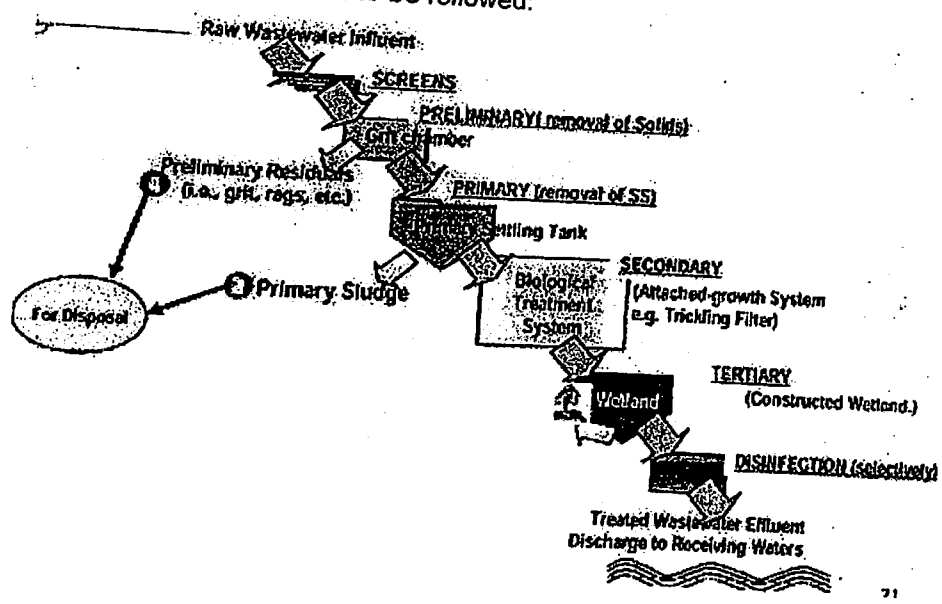
Our study would suggest a creation of an integrated storm water management plan addressing rainwater harvesting and ground water recharge of the Nalla's watershed and strive to achieve the 'zero-run-off' policy visualized in the Master Delhi 2021.

It is proposed to manage waste water by effectively treating it through the course of the drain by making on-course natural treatment units such as sedimentation tanks, trickling filters, wetland etc., and aesthetically improving upon the drain area so that the drain and its surrounding area can be used for recreational activities.

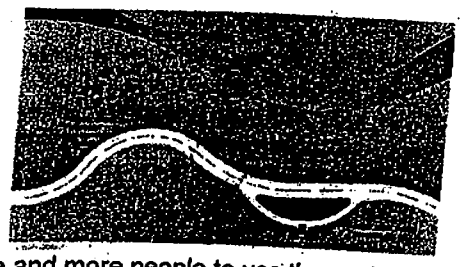
This process involves following steps:

- Data collection & analysis
- Review of suitable technologies for the treatment of wastewater.
- Assessment of the candidate technologies for suitability in the local conditions.
- Detailed environmental and hydraulic design of the selected technology

Indicative Treatment Process to be followed:



2.3 Transport Planning with network development and Multi-modal integration



To increase the popularity of the public transport system, connect neighborhoods to the different public transportation hubs like bus-stops, metro stations etc. would be done. This would also encourage the people to get out of their cars into open green areas.

Short-cuts, easy pedestrian and cycling access to various neighborhood destinations shall make more and more people to use the corridor, by avoiding small car trips, and helping out in reducing the overall traffic congestion of our city roads.

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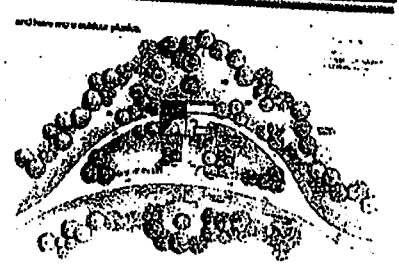
The proposed plan could suggest linkages from residential areas to workplaces, local markets, clubs, schools etc. The various linkages could allow people of different interests, skill and age to find new connections.



2.4 Urban design for public safety and security with focus on women and children and activity generation within the Corridor

This would have various components such as:

- Recreational outlets for hiking, walking, jogging and biking
- Improved access to all markets and businesses and enhanced tourist activity.
- Educational opportunities to learn more about our cultural and natural heritage.
- Safeguard and showcase the natural areas.
- Studies across the world have shown that the most popular outdoor recreation activities are walking, sight-seeing, boating, outings with friends etc. The proposed project could offer all of these together, and become a new recreation spine, and a green artery for the city.
- The proposed project envisages beautifully landscaped walking trails, areas for picnicking and connections to the tourist destinations in the vicinity like old monuments and other sight-seeing spots in the city. The proposed plan could provide a beautiful landscape tourism corridor to connect the identified tourist destination points in and around the corridor

2.5 Business Model for Implementation and Maintenance

A thorough-going analysis would be carried out to formulate an appropriate project structure that addresses the legal, operational, and commercial aspects of the project.

The risks involved in the project would be enumerated and analyzed. The objective of the exercise would be to identify the risks associated with the project, assess the impact of the same, and thereafter allocate appropriate risks with suggested mitigation measures to identified agencies which can best bear the risk.

It is understood that the above analysis is required for the operations phase of the project, post its implementation, which would be undertaken by DDA on its own. The project could, upon completion of construction, be handed over to suitable entity within or outside DDA to take up operations and maintenance work. It may be noted that unlike many infrastructure projects, being a city level green and open area meant for public

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use, this project would require a very aggressive and active operations and management. The following activities are required to be taken up for financial analysis:

i. Based on the risk profile, financial model(s) could be prepared to review the financial viability of the Project with focus on the operations and management.
ii. Options for user fee to access identified recreational activities would be explored
iii. A statistical financial approach shall be used to test the key variables in the assumptions against target output parameters, and probabilistic summaries of outcomes shall be assessed to quantify risk impacts.
iv. Sensitivity analysis under varied conditions of key project variables that might impact project financials could be carried out. The analysis would involve the project's financial aspects.
v. Financial viability analysis, assessment of Operations Gap Funding (OGF)

3. Scope of Work

3.1 Updating the Existing Master Plan

The study would commence with a review followed by an update of the existing master plan prepared for the project in year 2007. This could entail:

- Site Survey and Analysis
- Review of secondary data related to various activities / functions such as transport, multimodal integration, water treatment systems planned by other agencies, irrigation and flood control agencies etc.
- Further, a detailed evaluation w.r.t land ownership needs to be undertaken to verify land ownership for unencumbered possession. DDA would need to facilitate NOC towards use of land for the project.
- Further, this study would aim to delineate the project area for Phase 1.
- It is expected that a Nodal Officer for the Project would be appointed by DDA for periodic/ day to day inter-agency and project related coordination.

3.2 Prepare DPR for Phase 1 i.e. INA to Sarai Kale Khan

3.2.1 Detailed Concept Plan

This would involve detailing out each of the components and sub-components of the project, as is enumerated in the following table. Detailed drawings and reports would be prepared as part of this phase as the work progresses.

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Transport & mobility plan	Access facilities, pedestrian and cycling network, multimodal connectivity, FOB, parking
Environmental Engineering (Water treatment)	Site levelling, lakes, wet lands, fountains
Ecological & Landscape	For entire project area
Urban Design and Place making	Integration with neighborhoods, edge conditions, public plazas, waterfront promenades, heritage and tourism integration, women/ public safety and security – lighting, visual connectivity, eateries, vendor zones

In accomplishing this task, the following activities would need to be undertaken:

- Catchment area/ neighborhood analysis
- Site appraisal and suitability.
- Site planning.
- Landform and grading
- Surface drainage design and water management.
- Irrigation design
- Open space design - hard and soft areas.
- Planting design.
- Landscape structures and features.
- Garden Furniture design.
- Illumination design.
- Graphic design and signage.
- Co-ordination of external services.

Detailed data analysis and base map preparation will be undertaken to identify study area physical features and socio economic impacts.

3.2.2 EIA/ SIA Reports

These will be undertaken for the entire project area and not limited to the Phase area only, since complete waste water treatment work is planned to be undertaken in the Phase 1 itself.

3.2.3 Field Surveys and Investigations

Following field surveys/ investigation would need to be undertaken as part of the project:

- Transport related assessment
- Geo-technical investigations
- Hydrological tests
- Topographic survey

- Rapid Environment Impact Assessment Study
- Social Impact assessment Study.

The aforesaid survey work will be continued in parallel with updating the existing master plan in order to provide critical inputs for master plan as well as to save on the time to completion of the project.

3.2.4 Cost Estimates

Estimates of cost will be prepared and submitted to DDA.

3.2.5 Options for Implementation and Maintenance Strategy

A strategy for implementation and maintenance will be prepared.

3.2.6 Final DPR

Aforesaid reports forming part of DPR will be submitted to DDA for their approval to obtain go ahead for the next stage of the project.

3.3 Approvals, Detail Designs and Tendering

Key activities during this phase of the project are set out below:

- The Consultants will provide assistance to obtain regulatory approvals from concerned agencies.
- Tender Design and specifications (GAD) will be prepared based on which Bill of Quantity can be prepared to issue tender documents.
- Detailed Design (GFC drawings) drawings shall be prepared and provided with the progress of the project implementation.
- Operation Plan & Strategy shall be finalized based on actual costs arrived at from the project. The report will focus on the options and strategies available with DDA to ensure good upkeep and maintenance of the project.

3.4 Project Implementation Facilitation

The consultant will provide on-site visits, once in fortnight, to provide guidance, assistance w.r.t management of overall project concept, clarification on drawings, as may be required.

4. Exclusions

Project Management Consultancy is excluded from the present proposal, since DDA proposes to implement the project in-house.

5. Indicative Project Cost

At this stage, the project cost is estimated to be about Rs. 250 Crore.

6. Time Frame & Payment Schedule

S. No	Activity Description	Elapsed Time from Zero Date (months)	% of Total Fee
1	Issue of Award Letter to the Consultant	Zero Date	20%
2	Approval of Updated Master Plan	4	5%
2	Detailed Concept Plan Report	6	10%
3	Completion of Field Surveys	6	10%
4	Submission of EIA/ SIA Reports	8	5%
5	Submission of Draft DPR	10	5%
6	Approval of final DPR	12	10%
7	Preparation Tender Design and specifications	8	5%
8	Preparation of BOQ, Construction Plan and Issue Tender	10	5%
9	Approval by DDA for the contractor	12	5%
10	Preparation of Detailed Design & Drawings	10 to 24	1% per quarter for a total of 5 quarters (5%)
11	Implementation Facilitation	13 to 30	2.5% per quarter for a total of 6 quarters (15%)

7. Fees

7.1 The Consultant shall charge 4% of the actual Project cost plus service tax and education cess.

7.2 Service tax, withholding tax, education cess, and any other levies currently in practice or that may be imposed by the Government of India, the State Government or any Authority in future, would be payable by DDA, at the prevailing rates, in addition to the aforesaid indicated Fees.

8. General Terms and Conditions

8.1 All fees payable to the Consultant are non-refundable. Wherever required by applicable laws, the Client shall deduct taxes at source, from the amounts payable,

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and shall promptly provide to the Consultant the appropriate tax deduction certificate evidencing payment of such taxes.

8.2 The Client shall nominate one Project Officer for day-to-day co-ordination with the Consultant.

8.3 The Client shall provide to Consultant such documents/ information/ reports as may be required by the Consultants to enable them to provide the services to the Client. The Client undertakes and agrees to furnish to Consultant from time to time such other documents/ reports/ information in its possession and/or knowledge as it may consider relevant to perform the Services, as and when such information is received by/ available with the Client.

8.4 Consultant shall perform the services based on information furnished to it by the Client and Consultant shall be entitled to rely upon such information as authentic. The Consultant shall not be required to check the veracity of the information provided and therefore not liable for any deficiency of service due to erroneous or incomplete information received. Consultant shall have the discretion to adopt such methodology and procedure as it may deem fit for rendering the Services.

8.5 Consultant may agree to perform any additional services which are not within the scope of services mentioned herein above, in the event the Client desires Consultant to perform such additional services, on such renegotiated, modified and new terms and conditions relating to such additional services as may be mutually acceptable to the Client and Consultant

8.6 This proposal has been submitted at the specific request of the Client. In case Client seeks a competing quote from the market for the same assignment Consultant reserves the right to revise its quoted fee.

8.7 Consultant would submit to the Client three (3) copies of all reports to be delivered as per the Deliverables.

8.8 Consultant shall submit the subsequent deliverables, only on receipt of payment for the previous milestone.

8.9 All documents and reports prepared by Consultant and delivered to the Client while rendering the Services shall become the property of the Client, provided due payments are made for the same. Consultant shall in no way be liable for any defect, damage or loss thereof, once the same have been delivered to the Client by Consultant.

8.10 All intellectual property conceived, originated, devised, developed or created by Consultant, its sub-Vendors, agents or consultants, specifically for the purpose of rendering the Services, shall vest with Consultant, unless otherwise agreed, between Consultant and the Client. The Client as sole beneficial owner shall be entitled to use such intellectual property for the purposes relating to the project only.

8.11 Unless otherwise agreed, Consultant shall have the copyright on all the reports, documents, and maps etc., authored, prepared or generated during the course of the assignment including those prepared by Consultant with the assistance of its technical consultants.

8.12 Consultant undertakes and agrees to keep the documents/ information received by it from the Client for performing the services secret and strictly confidential except in the following cases where the confidential information:-

- is already known to Consultant as of the date of the disclosure thereof;
- becomes publicly available
- is required to be disclosed under applicable laws and regulations or by Governmental order, legal process; and

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- is acquired from a third party that represents that it has the right to disseminate such information.

8.13 This obligation of confidentiality will extend up to a period of six (6) months after expiry or termination of the proposed Agreement for providing the Services.

8.14 In case of early termination of the proposed Agreement to be entered into by Consultant and the Client, Consultant shall be entitled to receive payment from the Client for the Services performed up to the date of such termination, and any reasonable costs incurred by Consultant as a result of such termination.

8.15 If due to reasons beyond control of Consultant, any of the Services to be undertaken by Consultant are not carried out for a period of six months, and the Client requires that Consultant should continue with the assignment, Consultant shall then reserve the right to re-negotiate the quoted fee.

8.16 Consultant would evaluate the bid submissions made by the Bidders during the bid process based on the documents submitted by Bidders. Consultant would not be carrying out an audit or due diligence to verify the authenticity of the contents of the documents submitted. In case, Client desires to undertake any audit or due diligence of the same, it would need to be carried out by a competent third party at the cost and expense of the Client.

8.17 During the bid process, if the Client decides to suspend the bidding process for reasons of non-receipt of bid or inadequate response or any changes that may be desired by Client to the bid documents after its issue to the prospective bidders, or for any reason whatsoever, and a fresh bidding process is required to be carried out, the same shall be considered as additional scope of services. In such eventuality, Client will pay to Consultant re-negotiated advisory fee as may be mutually acceptable to the Parties.

8.18 The Services of Consultant would terminate with the successful signing of the agreement with the selected developer. However in case Consultant is required to provide additional services after the signing of agreement, then a separate fee would be charged for such additional services, on such renegotiated, modified and new terms and conditions relating to such additional services as may be mutually acceptable to the Client and Consultant.

8.19 The Services of Consultant is envisaged to be completed within a period of 30 months from the date of award of mandate or signing of agreement with the Client provided the timely approval from the Client.

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DELHI DEVELOPMENT AUTHORITY

Item No. 138/14

Item No. 138/2014 No.F.2(10)/2011/N&C/Pt.III

Sub: Regarding allowing conversion from leasehold to freehold in case of missing linkage of GPA/Agreement to Sell

ITEM No.

In the Authority meeting held on 9th May, 2014, an agenda item on the above mentioned subject was placed. After detailed discussion, the Authority decided that advice of the Ld.Solicitor General of India should be obtained and the matter be placed before the Authority for decision. A copy of the note is at Annexure-1 and the minutes of the meeting is at Annexure-2.

2. Very briefly the proposal was that DDA may allow conversion in the case of missing links subject to the following conditions.

(i) Only one GPA/Agreement to Sell is missing;
(ii) The first and last GPA and Agreement to Sell assigned by the lessor must be available;
(iii) The applicant must be in physical possession of the property for a period of 3 years. For this applicant will submit proof of physical possession of property since more than three years;
(iv) Submission of Indemnity Bond by the applicant indemnifying DDA and keeping it harmless of all the consequences that may result in any loss to DDA.

3. Accordingly a note was sent for the opinion of Ld.Solicitor General of India seeking opinion on the following:-

a. Whether DDA can allow the conversion of those properties in case any document (other than first and last document) in the property linkage is missing, on the basis of applicant being able to prove the possession of the property and other documents in his/her favour except the missing link.

b. Whether DDA should allow the conversion on the basis of the documents executed after 26.9.2001 and was unregistered but subsequently, duly stamped after adjudication of stamp duty by the Collector of Stamps.

c. Where the GPA/Agreement to Sell have been executed after pronouncement of the Suraj Lamp case (supra) on requisite stamp papers but for exigencies/death of the executant or allied reasons, these documents are still unregistered, so, can DDA allow conversion on this basis?

d. Whether the approval of Central Government would be required in allowing conversion in the aforesaid cases on account of the fact that the conversion policy was approved by the Central Government.

(A copy of the detailed note is at Annexure-3).

4. In response Solicitor General of India has given detailed opinion, copy of which is placed at Annexure-4. He has opined as under:-

(i) The DDA could allow conversion of leasehold properties to freehold properties by executing a sale deed even in cases where the property linkage is missing on the basis of the applicant being able to prove the possession of the property alongwith other significant documents in favour of the last holder of the document but as a safeguard this should be done after giving a public notice as stated above.

(ii) The DDA could allow the conversion of leasehold to freehold on the basis of unregistered documents executed after 26.9.2011 but duly stamped after adjudication of stamp duty by the Collector of Stamps.

(iii) The death of the executant or any other incapacity of the executant should not deter the conversion of leasehold to freehold where the GPA/Agreement to Sell have been executed after the pronouncement of the Suraj Lamp case on requisite stamp papers but on unregistered documents with the caution that a public notice could again be issued as stated in point (1) above.

(iv) Any amendment to the policy of the Central Government will require the further approval of the Central Government.

Authority may kindly like to deliberate on the issues for suitable direction in this regard. After the approval of the Authority, the same will be referred to Ministry of Urban Development for their considered opinion.

RESOLUTION

Shri Atul Kumar Sharma, Chief Legal Advisor explained the agenda item.

After detailed discussions, the Authority decided that the matter be referred to Central Government on the basis of clause (iv) of the opinion given by Solicitor General of India i.e. "Any amendment to the policy of the Central Government will require the further approval of the Central Government."

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

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

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ANNEXURE-I

DELHI DEVELOPMENT AUTHORITY
HOUSING DEPARTMENT
No. F.2(10)/2011/N&C/Pt.III

Item No.
Dated :

Sub: Regarding allowing conversion from lease hold to free hold in case of missing linkage of GPA/Agreement to Sell

1. While processing conversion from lease hold to free hold, it has been observed that in some of the cases where GPA/Agreement to Sell have been executed a number of times, the one instrument i.e. Agreement to Sell or GPA is not available with the applicant, but shows linkage in the subsequent execution of GPA/Agreement to Sell.

2. There is no guidelines on the subject as per conversion policy circulated by the Ministry of Urban Development on 14.02.1992 but as per policy, vide para No. 1.17, the application for conversion is made by a person holding power of attorney from the lessee/sub-lessee to alienate sell/transfer of property of the property; and proof of possession of the property in favour of the person in whose name conversion is sought.

   In the Brochure, in clause No. 13-(c), it is mentioned that where there are successive power of attorneys, conversion will be allowed after verifying the factum of possession provided that the linkage of original lessee/sub-lessee allottee with the last power of attorney is established and attested copies of power of attorneys are submitted. The para No. 13 (c) is incorporated in the Brochure by DDA whereas there is no mention in the policy issued by the Ministry of Urban Development.

3. Since a number of cases are pending on this issue and the applicants are approaching regularly during public dealing hours, therefore, to avoid any harassment to the applicants, we may allow conversion in case of non-availability of one of the documents i.e. GPA/Agreement to Sell but in support, the applicant may have the receipt of payment or Will of missing linkages and also having first and last GPA & Agreement to Sell as well as proof of possession subject to furnish an Indemnity Bond indemnifying DDA and keeping it harmless of all the consequences that may result in any loss to DDA.

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4. This issue was also referred to CLA but CLA has returned the file with the opinion that the referred note does not raise any legal issue. It is the administrative jurisdiction of the department to formulate policy in respect of the stated circumstances at place.

5. In view of the above, it is submitted that we may allow conversion in the case of missing links as proposed above subject to following conditions:

(i) Only one GPA/Agreement to Sell is missing;

(ii) The first and last GPA and Agreement to Sell assigned by the lessor must be available;

(iii) The applicant must be in physical possession of the property for a period of 3 yrs. For this applicant will submit proof of physical possession of property since more than 3 yrs;

(iv) Submission of Indemnity Bond by the applicant indemnifying DDA and keeping it harmless of all the consequences that may result in any loss to DDA.

The matter is placed before the Authority for taking a decision in the matter as proposed in para-5 above.

RESOLUTION

ANNEXURE-II

DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of the Delhi Development Authority held on 9th May, 2014 at 3.00 p.m. at Raj Niwas, Delhi.

Following were present:

CHAIRMAN

1. Shri Najeeb Jung,
   Lt. Governor, Delhi

VICE CHAIRMAN

2. Shri Balvinder Kumar

MEMBERS

3. Shri Venkatesh Mohan
   Finance Member

4. Shri Abhai Sinha
   Engineer Member

5. Shri D. Diptivilasa
   Addl. Secretary, MOUD

6. Smt. Naini Jayaseelan
   Member Secretary, NCRPB

7. Shri Jitender Kumar Kochar

SECRETARY

Shri D. Sarkar
Commissioner-cum-Secretary

SPECIAL INVITEES & SENIOR OFFICERS

1. Shri S. K. Srivastava,
   Chief Secretary, Govt. of NCT of Delhi

2. Smt. Nutan Guha Biswas,
   Principal Secretary to Lt. Governor, Delhi

Dr. M. M. Kutty
Principal Secretary (Finance), GNCTD

4. Shri Sunil K. Gulati,
Chief Vigilance Officer, DDA

5. Shri T. Srinidhi,
Principal Commissioner (LD, Housing & CWG), DDA

6. Shri D. Kataria
Principal Commissioner (LM, P & S), DDA

7. Shri Rajinder Kumar
Secretary (UD), GNCTD

8. Shri Kumaraswamy
Commissioner, EDMC

9. Smt. Swati Sharma,
Addl. Secretary to Lt. Governor, Delhi

10. Shri Ajay Chaudhary
OSD to Lt. Governor, Delhi

11. Shri Vishwendra
PS to Lt. Governor, Delhi

12. Dr. Simi Malhotra
Advisor (Media, Academics, Art, Culture & Language) to Lt. Governor, Delhi

13. Shri A. K. Sharma
Director, Delhi Fire Service

14. Shri M. K. Gupta
Commissioner (Land Disposal), DDA

15. Shri Brijesh Kumar Mishra
Commissioner (Land Management), DDA

16. Shri Anil Kumar Sharma
Chief Legal Advisor, DDA

17. Shri D. P. Singh
Chief Engineer (East Zone & CWG), DDA

18. Dr. G. C. Misra
Chief Fire Officer, Delhi Fire Service

19. Shri R. K. Jain
Addl. Commissioner (Planning), DDA

Addl. Commissioner (Planning), DDA

21 Shri S. P. Pathak,
Addl. Commissioner (Planning), DDA

22. Shri Shamsher Singh
Chief Town Planner, MCD

23. Dr. K. Srirangan
Director (UTTIPEC), DDA

24. Smt. Neemo Dhar
Advisor (PR), DDA

I. Hon'ble Lt. Governor, Delhi/Chairman, DDA welcomed all the members of the Authority, special invitees and senior officers present at the meeting of the Authority.

Item No. 52/2014:

Confirmation of the minutes of the meeting of the Delhi Development Authority held on 24.2.2014.
F.2(2)2013/MC/DDA

i) Commissioner-cum-Secretary, DDA informed that Land Disposal Department had desired partial amendment in the minutes for item No. 38/2014 regarding policy on renewal of term lease in Old Scheme branch vide its note dated PS/C(LD)/2010/OSB/Pt. dated 7.5.2014 which has been received after the agenda items for the present meeting were circulated. It had been mentioned in the agenda that properties whose leases had expired were mostly in Karol Bagh, Daryaganj and Paharganj and accordingly, the proposed premium to be recovered had also been calculated for these areas. However, since leases of such properties in other areas of Delhi might also have expired, the approval of the Authority may be made applicable mutatis mutandis for all such other areas and premium chargeable may also accordingly be calculated.

ii) The above requested amendment in the minutes of the Authority meeting held on 24.2.2014 was approved and the remaining minutes were confirmed as circulated.

Item No. 53/2014:

Action Taken Reports on the minutes of the meeting of the Delhi Development Authority held on 31.1.2014.
F.2(3)2014/MC/DDA

Action taken reports (ATR) on the minutes of the meeting of the Authority held on 31.1.2014 were noted by the Authority.

Item No. 54/2014:

Modification in the layout Plan of Socio-Culture Centre of Plot No. 4 from 'Religious Site' to 'Religious-cum-Socio Cultural' Use Premise (at sub-city level) of plot size 0.8 ha. in Sector-13, Dwarka as special case under Sub Clause 8 (2) and as per MPD-2021.
F.4(13)2011/Plg./Dwk/

After detailed discussions, the proposal contained in the agenda item was not approved.

Item No. 55/2014:

Regarding proposed modifications as per the recommendations of the 10th meeting of the Advisory Group with respect to Hotel, International Convention Centre and the Basement in residential plot – Follow up to the Agenda Item No. 26/2014.
F.20(13)2013-MP

1. With regard to the proposal regarding basements contained in para 4.4.3A Residential Plot Plotted Housing, Terms and Conditions (Chapter 4.0- Shelter), it was decided that the existing provision regarding basements contained in MPD-2021 should continue without any amendment.

2. With regard to parking norms for hotels in table 5.4: Development Controls – Commercial Centres (Chapter 5.0 – Trade and Commerce), after detailed deliberations, the proposed relaxation in parking norms for hotels was not approved.

3. With regard to percentage of residential units, commercial office, retail and service shops in table 5.4: Development Controls – Commercial Centres (Chapter 5.0 – Trade and Commerce), after detailed discussions, it was decided that the total commercial component for hotels would be 40% of the FAR. However, residential units in hotels would be permissible upto a maximum of 20% of the total FAR. After detailed

discussions. It was decided that these would function as service apartments and if these are to be used as residential units with or without transfer of ownership rights in table 5.4. Development Controls – Commercial Centres (Chapter 5.0 – Trade and Commerce), DDA should first frame the rules after seeking legal advice in the matter so that the value of lands in such cases is not reduced in case the leased property is put up for fresh lease/sale at any later point of time. These rules should be clearly spelt out and should be put up before Authority for final approval. The transfer of ownership of residential units in hotels will be permissible only in cases where the hotel land is entirely freehold and not in cases of leased lands.

5. With regard to Development Controls and activities permitted in International Convention Centre in Tables 13.17 and 13.27 (Chapter 13.0 – Social Infrastructure), a member observed that the proposal was essentially to facilitate construction of such a facility by ITPO at Pragati Maidan, though it has already been allotted a large plot of land at Haryana for the purpose. It was also informed that earlier a detailed impact study had been carried out on the request of ITPO for enhancement of FAR for a Convention Centre at Pragati Maidan, according to which traffic in the entire area would get choked if the proposal is approved. As already basement parking at the Appu Ghar site has been approved, this would lead to further traffic congestion.

ii) It was decided by the Authority that ITPO and the Ministry of Commerce, Govt. of India should be asked for further details alongwith the impact study report so that the same could be examined. The decision on the proposal was deferred.

Item No. 56/2014:

Fixation of Pre Determined Rates (PDR) of land premium for allotment in Plastic Bazar Tikri Kalan for the year 2013-14 & 2014-15.
F.4(42)2013/AO(P)/DDA

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

Item No. 57/2014:

Proposed modifications in MPD-2021 with respect to height of residential plot-plotted housing in para 4.4.3 (A).
F.20(1)2013-MP/Pt.I

i) Director, Delhi Fire Service explained that buildings with height of more than 15 meters pose many challenges in ensuring fire safety. Apart from this, minimum width of approach roads to such buildings along with open spaces on all sides have been clearly specified in MPD-2021. He said that **the existing basic requirements should not be relaxed till a comprehensive review exercise is undertaken on fire safety measures and the extant provisions of Building Bye Laws 1983, National Building Code 1983 and Delhi Fire Safety Rules 2010 etc.**

ii) Consequently, the proposal contained in the agenda item was accordingly **not approved.**

Item No. 58/2014:

Amendments in the recruitment regulations of the revenue cadre in Delhi Development Authority.
F.7(135)2010/PB-I

After discussions, the Authority decided that RRs of revenue cadre should be re-examined and also decide whether to follow guidelines of the Delhi Government or of the Department of Personnel and Training (DOPT) in this regard.

Item No. 59/2014:

Fixation of market rates for the purpose of calculating misuse charges for the year 2013-14.
F.2(14)96-97/AO(P)/DDA

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

Item No. 60/2014:

Proposed modifications in MPD-2021 as part of its review exercise (as a follow-up to the recommendations of Advisory Group on review of MPD-2021 in its 12th meeting held on 18.02.2014).
F.20(09)2014-MP

The proposal contained in the agenda item was approved by the Authority.

Item No. 61/2014

Grant of ownership right/regularization of chullah tax payee villages.
F.TN-2(10)2014

Proposal contained in the agenda item for **first**, original chullah tax payers and their descendants and **second**, for purchasers from **chullah** tax payers and their descendants was **approved** by the Authority. For the remaining two categories, i.e., original occupants/their descendants/purchasers occupying land more than the permitted limit and the encroachers on government land, it was decided that a Committee will be constituted by DDA to suggest modalities regarding **encroachers on govt. land.**, regularization and applicable rates as well as cut-off date for consideration of regularization/grant of freehold rights.

Item No. 62/2014:

Mutation/Transfer/Substitution in respect of DDA properties.
F.1(2)DRL/2014

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

Item No. 63/2014:

Regularisation of 12,841.35 sq.m. of additional FAR at Commonwealth Games Village of flats and club/community centre.
F.4(5)2014/CE(CWG)/DDA

Discussion on the agenda item was deferred **for further examination.**

Item No. 64/2014:

Action taken note on Performance Budget
F.4(3)91/Per.Budget/3rd Qtr./2013-2014/31

Information contained in the agenda item was noted by the Authority.

Item No. 65/2014:

Regarding allowing conversion from leasehold to freehold in case of missing linkage of GPA/Agreement to Sell.
F.2(10)/2011/N&C/Pt.III

i) After detailed discussions, it was decided that advice of the Solicitor General of India should be obtained in the matter and placed before the Authority for a decision.

Item No. 66/2014:

Amendment in the recruitment regulations for various grades in the legal cadre in DDA.
F.7(134)2010/PB-I

i) It was decided that the post of Deputy Chief Legal Advisor should be re-designated as Legal Advisor instead of Director (Legal).

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

Item No. 67/2014:

Amendment in recruitment regulations for various grades in architecture cadre.
F.7(20)2013/PB-I

i) It was observed that in para 2(vii) of the agenda item, it was decided that the existing method of recruitment for this post should be retained in the recruitment regulations.

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

Item No. 68/2014:

Fixation of rates for the purpose of calculating conversion charges from leasehold to freehold in respect of commercial & industrial properties for the years 2013-14 & 2014-15.F.2(34)99/AO(P)/DDA/Pt.

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

Item No. 69/2014:

Change of land use of an area measuring 21.58 ha. (53.31 acres) situated in revenue estate of village Ghitorni, Delhi for the National Institute of Communication & Finance (NICF), New Delhi from "Residential" to "Public & Semi Public Use (PSP)" including Facility Corridor, as approved in Zonal Development Plan of Zone J.
F.20(6)2011/MP

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

Item No. 70/2014:

Modifications related to editing and updating in MPD-2021 as recommended by Advisory Group in its 12th meeting held on 18.02.2014.
F.20(15)/2014-MP

Proposal contained in the agenda item was approved by the Authority with the direction that these modifications should be placed in the public domain for incorporation in MPD-2021.

Item No. 71/2014:

Scheme for charging capitalized ground rent in respect of plotted properties using lease year and term linked multiplier.
PS/CLD/2014/Recovery of GR

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

Item No. 72/2014:

Transfer of building activities from DDA to MCD – Rehabilitation Ministry Employees Cooperative House Building Society Ltd., Malviya Nagar, Zone F-10, New Delhi.
F.4(AE-1)Bldg./Resdl./Misc./06-07/Pt.

(i) Chief Town Planner, MCD (South) stated that initially the layout plan had been approved for 650 plots. However, there are some private lands within the cooperative house building society as a result of which building activities have not been released for all the plots. Hence, the layout plan should accordingly be modified by DDA before handing over the building activities to MCD.

ii) After deliberations, it was decided that DDA and MCD should resolve the matter mutually and, thereafter, bring it back before the Authority.

Item No. 73/2014:

(1) Change of land use from "Industrial" to "Transportation" (T-2, Bus Depot) for land measuring 8.0 ha. (20 acres) at Industrial Area, Ranikhera, Rohini, Ph.-V.
(2) Change of land use from "Industrial" to "Transportation" (T-3, Roads) for proposed 30 m wide road for land measuring 6.47 ha. at Industrial Area, Ranikhera, Rohini, Phase-V.
F.20(14)2014/MP

A2

Proposal contained in the agenda item was approved by the Authority with the direction that working permission should be granted to Transport Department, GNCTD in view of the urgency of the matter.

Item No. 74/2014:

Proposed change of land use in respect of the following:
1. Area measuring 11.71 ha. (117091 sq.m.) from 'Recreational (District Park)' to 'Transportation (ISBT)' in respect of the 2nd Inter-State Bus Terminal at Sarai Kale Khan, Delhi.
2. Area measuring 3.1 ha. (31,707 sq.m.) from 'Public and Semi-Public Facilities (Motor Driving Training Centre)' to 'Transportation (Depot)' in respect of Millennium Depot at Sarai Kale Khan, Delhi, falling in Planning, Zone-D.
F.5(03)97/MP

Proposal contained in the agenda item was approved by the Authority with the direction that working permission should be granted to Transport Department, GNCTD in view of the urgency of the matter.

Item No. 75/2014:

Special Rehabilitation Package (SRP) for the farmers of five villages, i.e., Singhu, Alipur, Bakoli, Mamoorpur and Tikri Khurd.
F.14(1)2009/CRC/DDA

i) This item was tabled before the Authority due to urgency of the matter.

ii) The Authority after detailed deliberations approved payment of enhanced compensation as per SRP.

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

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

****

In such cases a surcharge of 33 1/3 % on the conversion fee would be payable over and above the one time conversion charges applicable for a regular lessee.

The brochure, issued by DDA after approval of Central government, states as under:-

Where there are successive power of attorneys, conversion will be allowed after verifying the factum of possession provided that the linkage of original lessee/sub-lessee/ allottee with the last power of attorney is established and attested copies of power of attorneys are submitted

The brochure also lays down the list of documents required alongwith the conversion application. These are:-

1. Affidavit in prescribed format
2. Undertaking in prescribed format
3. Indemnity Bond in prescribed Format
4. Copy(s) of POA(s) alongwith copy of sale Agreement
5. Copy of Completion Certificate/D Form/ house tax receipt
6. Proof of Physical Possession by the person in whose name the conversion is sought.
7. 1 attested passport size photograph and 4 attested specimen signatures of the person in whose favour the conversion is sought.
8. Copy of lease deed/sub-lease deed/ conveyance Deed/ allotment letter/ demand letter
9. Copy of NOC from Mortgage
10. Details of Ground Rents
11. In case of allotment on hire- purchase basis, copy of the No Due Certificate, or copies of all the challan vide which the payment of

ANNEXURE- III

Note for the opinion of Ld. Solicitor General of India

BACKGROUND

The Government of India vide its letter no. J. 20011/12/77-211 dated 14.02.1992 conveyed the assent of the President to the policy of conversion of leasehold tenures into freehold in respect of residential leasehold properties in Delhi for conversion into Freehold on payment of conversion charges. Later on, the Ministry of Urban Development and Poverty Alleviation vide its letter no. 24(372)/2000-CDN dated 24.06.2003, extended the conversion policy to all built up industrial, commercial and mixed land use leases also.

That as per the conversion policy, all the lease hold property **except institutional land** can be converted into free hold irrespective of the use i.e whether it is a residential plot or flat, industrial or commercial property, on the payment of conversion charges and other charges such as surcharge, restoration charges etc.

Conversion from leasehold tenures into free hold requires filing of a prescribed application alongwith requisite documents as per policy. The conversion application could be submitted by the original allottee/lessee/sub-lessee in respect of the property in question but an exception is spelt out at para no. 1.17 of the said policy which inter-alia provides that in cases where lessee/sub-lessee/ allottee has parted with the possession of the property, the conversion application shall also be allowed provided:-

a. Application for conversion is made by a person holding power of attorney from lessee/sub-lessee/allottee to alienate (sell/transfer) the property.

b. Proof is given of possession of property in favour of the person in whose name conversion is being sought.

In such cases a surcharge of 33 1/3 % on the conversion fee would be payable over and above the one time conversion charges applicable for a regular lessee..

The brochure, issued by DDA after approval of Central government, states as under:-

Where there are successive power of attorneys, conversion will be allowed after verifying the factum of possession provided that the linkage of original lessee/sub-lessee/ allottee with the last power of attorney is established and attested copies of power of attorneys are submitted

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1. Affidavit in prescribed format
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3. Indemnity Bond in prescribed Format
4. Copy(s) of POA(s) alongwith copy of sale Agreement
5. Copy of Completion Certificate/D Form/ house tax receipt
6. Proof of Physical Possession by the person in whose name the conversion is sought.
7. 1 attested passport size photograph and 4 attested specimen signatures of the person in whose favour the conversion is sought.
8. Copy of lease deed/sub-lease deed/ conveyance Deed/ allotment letter/ demand letter
9. Copy of NOC from Mortgage
10. Details of Ground Rents
11. In case of allotment on hire- purchase basis, copy of the No Due Certificate, or copies of all the challan vide which the payment of

premium, initial deposit and monthly instalments etc., had been made by the allottee/applicant.

Subsequent to implementation of conversion policy from leasehold tenures to freehold, the querist, DDA has received and processed thousands of application for conversion. However, while processing of conversion applications the DDA has noted the following two situations where it is difficult for the DDA to take a decision to dispose the conversion application as per the Policy.

(1) Some of the documents in chain/linkage of transaction of sale/purchase are missing being not available with the applicant therefore making it difficult to the DDA to establish a complete linkage with the last transaction of sale/purchase with the applicant, as required under the Conversion policy.

(2) Some of the documents in the linkage/chain are unregistered though they were required to be registered in view of amendment in the Registration and Other Related Laws (Amendment) Act, 2001 which came into force w.e.f. 24-09-2001. These documents though unregistered but they are duly stamped after adjudication of stamp duty by the Collector of stamps.

(3) Where the General Power of Attorney, Agreement to Sell have been executed after pronouncement of the Suraj Lamp case (supra) on requisite stamp papers but for exigencies/ death of the executant or allied reasons, these documents are still unregistered.

The above three situations have been explained by the following strations:-

Illustration

DDA allotted a plot in Sector 10, Rohini to one Sh. Mohan Lal. Thereafter, Mohan Lal sold the said plot through GPA/ agreement to sell to Sh. Subhash Chand, who later on sold it to Sh. Krishan Lal, then Krishan Lal sold it to Sh. Mukesh and eventually, he sold it to one Smt. Usha Goel.

Thereafter, Smt. Usha Goel applied for the conversion on the basis of GPA/ Agreement to Sell. DDA after receiving the application found that Sh. Usha Goel has not filed agreement to sell and General power of attorney in favour of Krishan Lal as a part of the chain of documents for the said property rather she has filed an affidavit/FIR stating the agreement to sell and General power of attorney of Sh. Krishan Lal have been lost. The applicant has proved that the possession of the property is with her but the missing documents result that requirement of establishment of chain of transactions of sale/purchase is not established as required under the policy of conversion.

In the circumstances of illustration no. 1 the DDA has a number of cases where due to non-establishment of link with the last transactions in favour of the applicant the DDA is unable to take any decision on the conversion application.

2. **Illustration**

DDA allotted a plot in Sector 10, Rohini to one Sh. Mohan Lal. Thereafter, Mohan Lal sold the said plot through GPA/ agreement to sell to Sh. Subhash Chand, who later on sold it to Sh. Krishan Lal, then Krishan Lal sold it to Sh. Mukesh and eventually, he sold it to one Smt. Usha Goel.

Thereafter, Smt. Usha Goel applied for the conversion on the basis of GPA/ Agreement to Sell. DDA after receiving the application found that Sh. Usha Goel has filed agreement to sell in favour of Krishan Lal which was executed on 01.01.2002 but the same was unregistered. Thereafter, in the year 2013, the aforesaid agreement to sell was duly stamped after adjudication of stamp duty by the Collector of stamps.

3. Illustration

DDA allotted a plot in Sector 10, Rohini to one Sh. Mohan Lal. Thereafter, Mohan Lal sold the said plot through GPA/ agreement to sell to Sh. Subhash Chand, who later on sold it to Sh. Krishan Lal, then Krishan Lal sold it to Sh. Mukesh and eventually, he sold it to one Smt. Usha Goel.

Thereafter, Smt. Usha Goel applied for the conversion on the basis of GPA/ Agreement to Sell. DDA after receiving the application found that Sh. Usha Goel has filed agreement to sell and GPA in her favour which was executed on 12.10.2012 but the same though duly stamped are unregistered on account of the fact after signing the documents in favour of Smt. Usha Goel executant Mukesh unfortunately died.

In the circumstances of illustration no. 2 and 3, the agreement to sell which are duly stamped are still unregistered and as per sec.17 (1A) of the Registration Act, 1908 *(amended by Registration and Other Related Laws (Amendment) Act, 2001),* if such documents (agreement to sell) are not registered then, such document shall have no effect and therefore, is devoid of any legal sanctity.

But recently the Hon'ble Supreme Court of India has clarified the object of registration in the case of **Rajni Tandon vs Dulal Ranjan Ghosh Dastidar and Anr.(2009) 14 SCC 782** wherein it has held that:-

Quote

"... the object of registration is designed to guard against fraud by obtaining a contemporaneous publication and an unimpeachable record of each document."

Unquote

The Hon'ble Court further held that the Registering Officer is under duty as per Section 32 of the Act to satisfy himself that the document was executed by the person by whom it purports to have been signed. The Registrar upon being so satisfied and upon being presented with a document to be registered had to proceed with the registration of the same.

The clarification laid down by the Hon'ble Supreme Court in Rajni Tandon case *(Supra)* clearly establishes that the object of registration of documents is to prevent fraud and nothing else. In other words, it can be said that the registration is a legal formality and it cannot establish whether an instrument is valid or invalid. In this regard the Hon'ble Apex court has made following observations in the case of **Avinash Kumar Chauhan vs Vijay Kumar Mishra AIR 2009 SC 1489:**

Quote

"Although the same was not registered, but registration of the document has nothing to do with the validity thereof as provided for under the provisions of the Indian Registration Act, 1908."

Unquote

Under the aforesaid circumstances, the DDA is unable to take any decision on the conversion application received by such applicant having a document (agreement to sell) which was executed after 24.09.2001 but remained unregistered but thereafter the same was duly stamped after adjudication of stamp duty by the Collector of stamps.

PROPOSED POLICY

That in order to safe guard the interest of genuine buyer and to avoid inconvenience to them in line with the above policy, the DDA contemplates to relax certain norms where a intermediary document (other than first and last document) in linkage of a property is missing. The DDA also seeks legal guidance as to whether it may accept duly stamped unregistered documents for mutation and conversion of properties where the last intending convertee (applicant) is ready and willing to prove the possession of the said property and documents in his/her favour on the basis of Gas connection Bill, Electricity/ Telephone bill, House Tax receipts and other allied supporting documents.

REQUEST FOR OPINION

In view of the forging facts and circumstances, DDA seeks your valuable opinion on the following issues:-

a. Whether DDA can allow the conversion of the those properties in case any document (*other than first and last document)* in the property linkage is missing, on the basis of applicant being able to prove the possession of the property and other documents in his/her favour except the missing link.

b. Whether DDA should allow the conversion on the basis of the documents executed after 26.09.2001 and was unregistered but subsequently, duly stamped after adjudication of stamp duty by the Collector of stamps.

c. Where the GPA/ Agreement to Sell have been executed after pronouncement of the Suraj Lamp case (*supra)* on requisite stamp papers but for exigencies/ death of the executant or allied reasons, these documents are still unregistered, so, can DDA allow conversion on this basis?

d. Whether the approval of Central Government would be required in allowing conversion in the aforesaid cases on account of the fact that the conversion policy was approved by the Central Government.

T.SRINIDHI

PRINCIPAL COMMISSIONER

रंजीत कुमार
भारत के सॉलिसिटर
RANJIT KUMAR
Solicitor General of India

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OPINION

Querist : Delhi Development Authority

Subject: Opinion on Conversion Policy from leasehold tenure to freehold tenure dated 14.02.1992.

The queries posed for consideration are as under:-

(i) Whether DDA can allow the conversion of those properties in case any document (other than the first and the last document) in the property linkage is missing, on the basis of applicant being able to prove the possession of the property and the other documents in his/her favor except the missing link

(ii) Whether DDA should allow the conversion on the basis of the documents executed after 26.09.2001 and was unregistered but subsequently, duly stamped after adjudication of stamp duty by the Collector of Stamps.

(iii) Where the GPA/Agreement to Sell have been executed after the pronouncement of the Suraj Lamp case on requisite stamp papers but for exigencies/death of the executants or allied reasons, these documents are still unregistered, so, can DDA allow the conversion on this basis

(iv) Whether the approval of the Central Government would be required in allowing conversion in the aforesaid cases on account of the fact that the conversion policy was approved by the Central Government

Background

The Government of India through its Letter (No. J 20011/12/77-211) dated 14.02.1992 conveyed the assent of the President on the policy of conversion of leasehold tenures into freehold tenures in respect of residential leasehold properties

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in Delhi on payment of conversion charges. Subsequently, the Ministry of Urban Development and Poverty Alleviation through its letter (No. 24(372)/2000-CDN) dated 24.06.2003 extended this conversion policy to all built up industrial, commercial and mixed land use leases, though this conversion policy was not extended to institutional land.

The conversion into freehold tenure is permissible by filing of a prescribed application along with requisite documents required as per the policy. The policy requires the application of conversion to be submitted by the original allottee/lessee/sub-lessee of the property in question. But Para 1.17 of the policy carves an exception to the above rule, which provides that if the lessee/sub-lessee/allottee has parted with the possession of the property in question then the conversion application shall also be allowed if –

a. Application of conversion is filed by the a person holding the power of attorney from the lessee/sub-lessee/allottee to alienate (sell/transfer) the property
b. The proof of possession is given in favor of a person in whose name the conversion is sought.

The brochure issued by the DDA after approval of the Central Government states:

> *Where there are successive powers of attorneys, conversion will be allowed after verifying the factum of the possession provided that the linkage of original lease/sub-lessee/allottee with the last power of attorney is established and attested copies of power of attorney are submitted.*

On implementation of the policy the Querist received a lot of conversion application but after processing the same, it became difficult for Querist to allow the conversion applications in terms of the policy with respect of the following situation:

1. Some of the documents in chain/linkage of transaction of sale/purchase are missing being not available with the applicant therefore making it difficult for

RANJIT KUMAR
Solicitor General of India

the Querist to establish a complete linkage with the last transaction of sale/purchase with the applicant, as required under the Conversion policy.

2. Some of the documents in the linkage/chain are unregistered though they are required to be registered in view of the amendment in the Registration and other Related Laws (Amendment) Act, 2001, though these documents are unregistered but are duly stamped after adjudication of stamp duty by the Collector of Stamps.

1. In order to answer the queries, it is important to first understand the nature of property in question, the kind of document available with the last person (if the linkage is missing) and the rights which a person applying for conversion possesses.

2. Section 54 of the Transfer of Property Act, 1882 defines sale and also puts a condition that a sale of a tangible immovable property of the value of one hundred rupees and upwards can only be made by a registered instrument. Though the Delhi High Court in the case of **J.K. Bhartiya v. Union of India, 126 (2006) DLT 302** while analyzing the policy in question observed "*Since land was allotted at pre-determined rates (not on market rates) perpetual leases were executed. The form of the lease was statutorily prescribed by the Nazul Land Rules. All leases had a clause to the effect that in case the perpetual lessee transfers the lease hold rights the Lesser was entitled to recover up to 50% unearned increase in the value of the land. Prior permission had to be taken before transfer. Who likes to be shackled? Much less trade and business. Restrictive covenants are disliked in a free economy. People found a way out to circumvent the restrictive covenant in the perpetual lease deeds. The way out found was to transfer possession of the land to a general attorney who, by virtue of an irrevocable power of attorney was vested with the*

power to possess the land and utilise the same in whatever manner he felt like, including power to let out the land or building, appropriate the rent with further power to sub-delegate his authority. It was nothing but a sale."

3. Even though the High Court has called it a kind of sale but the properties in question (DDA property) are leasehold properties, given on lease and thus cannot be sold till the sale deed is executed on conversion. There is no requirement for the lease agreement to be registered under Section 105 of the Transfer of Property Act, which defines lease. The requirement of getting the lease document registered is under Section 17 of the Registration Act, 1908 and a creation of the apex Court in **Suraj Lamps & Industries Pvt. Ltd. v. State of Haryana and Anr. (2009) 7 SCC 363,** where in para 16 the Court observed:

> *"We therefore reiterate that immovable property can be legally and lawfully transferred/conveyed only by a registered deed of conveyance. Transactions of the nature of 'GPA sales' or 'SA/GPA/WILL transfers' do not convey title and do not amount to transfer, nor can they be recognized or valid mode of transfer of immoveable property. The courts will not treat such transactions as completed or concluded transfers or as conveyances as they neither convey title nor create any interest in an immovable property. They cannot be recognized as deeds of title, except to the limited extent of Section 53A of the Transfer of Property Act. Such transactions cannot be relied upon or made the basis for mutations in Municipal or Revenue Records. **What is stated above will apply not only to deeds of conveyance in regard to freehold property but also to transfer of leasehold property. A lease can be validly transferred only under a registered Assignment of Lease.** It is time that an end is put to the pernicious practice of SA/GPA/WILL transactions known as GPA sales."*

4. The Scope of Power of Attorney was discussed by the Court in para 13, which stated

> *"A power of attorney is not an instrument of transfer in regard to any right, title or interest in an immovable property. The power of attorney is creation of an agency whereby the grantor authorizes the grantee to do the acts specified therein, on*

behalf of grantor, which when executed will be binding on the grantor as if done by him (see Section 1A and Section 2 of the Powers of Attorney Act, 1882). It is revocable or terminable at any time unless it is made irrevocable in a manner known to law. Even an irrevocable attorney does not have the effect of transferring title to the grantee. In ***State of Rajasthan v. Basant Nehata, 2005 (12) SCC 77*** *this Court held: "A grant of power of attorney is essentially governed by Chapter X of the Contract Act. By reason of a deed of power of attorney, an agent is formally appointed to act for the principal in one transaction or a series of transactions or to manage the affairs of the principal generally conferring necessary authority upon another person. A deed of power of attorney is executed by the principal in favor of the agent. The agent derives a right to use his name and all acts, deeds and things done by him and subject to the limitations contained in the said deed, the same shall be read as if done by the donor. A power of attorney is, as is well known, a document of convenience. Execution of a power of attorney in terms of the provisions of the Contract Act as also the Powers-of-Attorney Act is valid. A power of attorney, we have noticed hereinbefore, is executed by the donor so as to enable the donee to act on his behalf. Except in cases where power of attorney is coupled with interest, it is revocable. The donee in exercise of his power under such power of attorney only acts in place of the donor subject of course to the powers granted to him by reason thereof. He cannot use the power of attorney for his own benefit. He acts in a fiduciary capacity. Any act of infidelity or breach of trust is a matter between the donor and the donee." An attorney holder may however execute a deed of conveyance in exercise of the power granted under the power of attorney and convey title on behalf of the grantor."*

5. It is pertinent that bona fide cases of GPA are made an exception. In this context is relevant to note para 19 of the judgment

> *"We make it clear that our observations are not intended to in any way affect the validity of sale agreements and powers of attorney executed in genuine transactions. For example, a person may give a power of attorney to his spouse, son, daughter, brother, sister, or a relative to manage his affairs or to execute a deed of conveyance. A person may enter into a development agreement with a land developer or builder for developing the land either by forming plots or by constructing apartment buildings and in that behalf execute an agreement of sale and grant a Power of Attorney empowering the developer to execute agreements of sale or conveyances in regard to individual plots of land or undivided shares in the land relating to apartments in favour of prospective purchasers. In several States, the execution of such development agreements and powers of attorney are already regulated by law and subjected to specific stamp duty. Our observations regarding*

'SA/GPA/WILL transactions' are not intended to apply to such bona fide/genuine transactions"

6. The Court itself has carved out an exception to the rule, that if the GPA is bona fide then the observations made by the Court would not be attracted. If the GPA is valid/genuine then the conversion ought to be allowed.

7. If there are questions regarding the said GPA, or the grantor of the GPA does not wish to perform its part then also the transferee gets protected by Section 53A of the Transfer of Property Act, 1882. Even the Supreme Court in para 16 recognized that the General Power of Attorney, though incapable of transferring any title, interest in the property shall be recognized for the purpose of Section 53A[1], which deals with part performance. It clearly states that when there is an instrument of transfer and the said transfer has not yet been completed in the manner prescribed by law for the time being in force, the transferor or any other person claiming under him shall be debarred from enforcing any right against the transferee in respect of the property of which the transferee has taken or continued to be in possession. Thus if there is a valid power of attorney in the favor of the person seeking conversion of the property in question and is duly in possession of the property, then it should be allowed. The person in possession not only has possessory title, which is considered to be a good title as against everybody other than the lawful owner[2] but have rights under Section 53A and Section 202 of the Indian Contract Act, 1872. The Delhi High Court in the case of **Phiraya Lal Kapur v. Jia Rani, AIR 1973 Delhi 186** observed *"possession has always been regarded as a good title of right against any one who cannot show a better. As observed by Salmond in his "Jurisprudence", Ninth Edition, page 408, "a wrongful possessor has the rights of an owner with respect to all persons except earlier possessors and except the true owner*

[1] Scope of Section 53A explained in Rambhau Namdeo Gajre v. Narayan Bapuji Dhotra, (2004) 8 SCC 614, para 11 and 12
[2] Somnath Barman v. Dr. S.P. Raju, 1970 SCR (2) 869

himself". This theory was adopted in Indian law and embodied in section 8 of the Specific Relief Act, 1877 now succeeded by section 5 of the Specific Relief Act, 1963. As distinguished from section 9 of the old Specific Relief Act and section 6 of the new one, suits under section 8 of the old Act and section 5 of the new Act could be filed on the basis of title by owners as well as non-owners. In respect of owners, this remedy could be said to be proprietary while in respect of non-owners the remedy could be viewed as possessory".

The person if able to show through various documents, like voter's identity cards, Aadhar cards, passport, tax returns that he is in lawful possession of the property in question, then he could be allowed to apply for conversion.

It may be stated here that the tenor of this note prepared for my opinion appears to be that the Querist would like to be guarded against any fraud which may occur in successive sales. My suggestion in this regard, additionally, is that if the person who is applying for conversion of leasehold property to freehold with execution of a sale deed on payment of requisite charges, before executing the sale deed, the Querist ought to issue an advertisement in the newspaper in circulation in the area in which the property is situate giving 30 days time for anybody to object to the proposed conversion. This public notice will ensure that if there is a genuine transaction, there will be no objections while if there are transactions which are not genuine, objections will be filed which objections the DDA must decide on its own merits or the parties will go to Court and the decision of the Court will decide the Querist's decision. With this, at least the element of any uncertainty on account of certain missing linkages or otherwise would be taken care of and the Querist will not be put to any trouble or litigation.

8. The Registration and other related Laws (Amendment) Act, 2001 inserted Section 17(1A) and 32A to the registration Act, 1908 on 26.09.2001. While the provisions of Section 17(1A) requires registration of documents containing transfer of an immovable property for the purposes of Section 53A of the Transfer of Property Act, 1882 the latter's

proviso requires that passport size photograph and the finger prints of the buyer and the seller to be affixed on the document relating to transfer of an immovable property.

9. It is important to first understand the objective of getting a document registered. It is primarily for the purpose for making it public. The apex Court while dealing with the scope of Section 32 and 33 of the Registration Act in the case of **Rajni Tandon v. Dulal Ranjan Ghosh Dastidar, (2009) 14 SCC 782,** observed that "*the object of registration is designed to guard against fraud by obtaining a contemporaneous publication and an unimpeachable record of each document*".

10. The registration of the document is to safeguard one-self against fraud and has got nothing to do with the validity of the document. But the document might become invalid if its registration is a pre-requisite for its validity. Section 17 of the Registration Act, 1908 enumerates the documents for which registration is compulsory. The lease of an immovable property is covered under Section 17(1)(d), thus making the lease document to be mandatorily registered. The apex court in the case of **Satish Chand Makhan v. Givardhan Das Byas (1984) 1 SCC 369** observed "*the unregistered draft lease agreement was ineffectual to create a valid lease for a renewed period of 9 years for want of registration as required under Section 17(1)(d) of the Registration Act. That was also inadmissible in evidence to prove transaction of lease.*"

11. The unregistered documents are inadmissible as evidence under Section 49 of the Act and become admissible for only collateral purpose by virtue of its proviso[3]. The documents processed by the Querist are unregistered but subsequently duly stamped. The documents are stamped under the India Stamp Act, 1899 after paying the required duty when the agreement is executed. The documents are required to be stamped first before

[3] **K.B.Saha v. Development Consultant Ltd, (2008) 8 SCC 564**

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they are registered. The instruments not duly stamped are inadmissible as evidence in the court of law under section 35 of the Act. If the documents are duly stamped after proper adjudication by the Collector and are those, which are not covered by Section 17, then the Querist should consider them.

12. But the question arises if the document is one which is covered by Section 17 then whether the Querist should consider it as its registration is an important condition for its validity. The apex court in the case of **Avinash kumar Chauhan v. Vijay Kumar Mishra AIR 2009 SC 1489** referred to the case of **Firm Chuni Lal Tukki Mal v. Firm Mukat Lal Ram Chanda and others[4], and Chandra Sekhar Misra v. Gobinda Chandra Das[5],** and stated "*It is now well settled that there is no prohibition under Section 49 of the Registration Act, to receive an unregistered document in evidence for collateral purpose. But the document so tendered should be duly stamped or should comply with the requirements of Section 35 of the Stamp Act, if not stamped, as a document cannot be received in evidence even for collateral purpose unless it is duly stamped or duty and penalty are paid under Section 35 of the Stamp Act*"

13. Thus it can be seen that the prohibition under Section 35 of the Stamp Act is of an absolute nature. Thus a stamping of the document is absolutely necessary. The prohibition under Section 49 is not a blanket prohibition, as a document though not registered could be produced (though for limited purposes) as evidence by virtue of its proviso.

14. The stamping of the document leads to payment of taxes to the revenue department, which accords certain legal sanctity to the document and makes a transaction legal. In light of this the Querist could consider such documents, which are stamped but not registered.

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[4] AIR 1965 All. 164
[5] AIR 1966 Ori. 18

15. The death of the executants does not affect the validity of the GPA. The illustration provided for Section 202 of the Indian Contract Act, 1872 explains it.

> *"202. Termination of agency, where agent has an interest in subject matter.- Where the agent has himself an interest in the property which forms the subject-matter of the agency, the agency cannot, in the absence of an express contract, be terminated to the prejudice of such interest.*
>
> *Illustrations: (a) A gives authority to B to sell A's land, and to pay himself, out of the proceeds, the debts due to him from A. A cannot revoke this authority, nor can it be terminated by his insanity or death.*

16. The Delhi HC in **Ramesh Agarwal v. R.L.Sharma**[6], which was remanded back to be decided in view of *Suraj Lamp case* while analyzing the above mentioned section observed "*The object of giving validity to a power of attorney given for consideration even after death of the executants is to ensure that entitlement under such power of attorney remains because the same is not a regular or a routine power of attorney but the same had elements of a commercial transaction which cannot be allowed to be frustrated on account of death of the executant of the power of attorney.*"

17. The scope of getting a GPA/agreement to sell registered under the Suraj Lamp case has already been discussed. Though the document is required to be registered, but the same is exempted in bona fide cases. Thus if the GPA are duly stamped but unregistered then the Querist can consider them for conversion, and if the said documents are not stamped then the Querist should not consider at all.

18. The Querist is a creation of the statute and as a result is bound by the statute creating it. Section 6 of the Delhi Development Authority Act, 1957 states the objects of the Authority, which primarily states that the Authority would do acts to promote and

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[6] RFA No. 358/2000

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secure the development of Delhi according to the plan. It in no way empowers the Authority to amend the policy in place by the Central government. Section 21 further provides that the land, which is placed at the disposal of the DDA is to be utilized as per the direction of the Central government. The policy was assented by the President, which was subsequently extended by the Ministry of Urban development. The brochure regarding the conversion policy was also issued after getting approval of the Central Government. Thus an amendment in the existing policy ought to be passed by the Central Government only.

Conclusion

In the light of the above, the following are the conclusions to the queries posed:-

(1) The DDA could allow conversion of leasehold properties to freehold properties by executing a sale deed even in cases where the property linkage is missing on the basis of the applicant being able to prove the possession of the property along with other significant documents in favour of the last holder of the document but as a safeguard this should be done after giving a public notice, as stated above.

(2) The DDA could allow the conversion of leasehold to freehold on the basis of unregistered documents executed after 26.9.2011 but duly stamped after adjudication of stamp duty by the Collector of Stamps.

(3) The death of the executant or any other incapacity of the executant should not deter the conversion of leasehold to freehold where the GPA/Agreement to Sell have been executed after the pronouncement of the Suraj Lamp case on requisite stamp papers but on unregistered documents with the caution that a public notice could again be issued as stated in point (1) above.

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(4) Any amendment to the policy of the Central Government will require the further approval of the Central Government.

I have nothing further to add.

[RANJIT KUMAR]

New Delhi
6.9.2014

DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of the Delhi Development Authority held on 19th September, 2014 at 10.00 a.m. at Raj Niwas, Delhi.

Following were present:

CHAIRMAN

1. Shri Najeeb Jung
   Lt. Governor, Delhi

VICE CHAIRMAN

2. Shri Balvinder Kumar

MEMBERS

3. Shri Venkatesh Mohan
   Finance Member, DDA

4. Shri Abhai Sinha
   Engineer Member, DDA

SECRETARY

Shri Brijesh Kumar Mishra
Commissioner-cum-Secretary

SPECIAL INVITEES & SENIOR OFFICERS

1. Smt. Nutan Guha Biswas,
   Principal Secretary to Lt. Governor, Delhi

2. Dr. M.M. Kutty
   Principal Secretary (Finance), GNCTD

3. Shri Dharam Pal
   Principal Secretary (L&B), GNCTD

4. Shri Rajendra Kumar
   Secretary (UD), GNCTD

5. Shri T. Srinidhi
   Principal Commissioner (Housing, LD & CWG), DDA

6. Shri Dayanand Kataria
Principal Commissioner (LM, Pers. & Systems), DDA

7. Smt. Swati Sharma,
Addl. Secretary to Lt. Governor, Delhi

8. Dr. Simi Malhotra
Advisor (Media, Academics, Art, Culture & Language) to Lt. Governor, Delhi

9. Shri Ajay Chaudhary
OSD to Lt. Governor, Delhi

10. Shri M.K. Gupta
Commissioner (LD), DDA

11. Shri P.M. Parate
Commissioner (Incharge)/Planning, DDA

12. Shri Shamsher Singh
Chief Town Planner, SDMC & NDMC

13. Shri Sunil Mehra
Chief Town Planner, EDMC

14. Shri Anil Kumar Sharma
Chief Legal Advisor, DDA

15. Shri R.K. Jain
Addl. Commissioner (Planning), DDA

16. Dr. K. Srirangan
Director, UTTIPEC, DDA

17. Smt. Neemo Dhar
Advisor (PR), DDA

Hon'ble Lt. Governor, Delhi/Chairman, DDA welcomed all the Members of the Authority, special invitees and senior officers present at the meeting of the Authority.

Item No. 128/2014:

Confirmation of minutes of the meeting of the Delhi Development Authority held on 21.8.2014 at Raj Niwas.
F.2(2)08/2014/MC/DDA

Minutes of the meeting of the Delhi Development Authority held on 21.8.2014 were confirmed as circulated.

Item No. 129/2014:

Action Taken Reports on the minutes of the meetings of the Delhi Development Authority held on 11.07.2014 at Raj Niwas.
F. 2(3)2014/MC/DDA

Action taken reports on the minutes of the meeting of the Authority held on 11.7.2014 were noted by the Authority.

Item No. 130/2014:

Proposed modifications in MPD-2021 as per the recommendations of the Board of Enquiry & Hearing.
F.15(8)/2012-MP

Shri R.K. Jain, Addl. Commissioner (Planning)MP&UE made a Power Point presentation on the agenda item. He informed that the Authority had already approved this agenda item in January, 2014. After that, when the public notice was published for inviting objections/suggestions, a suggestion came for increase in ground coverage and FAR for bigger plots. In view of that, this agenda item has been placed before the Authority.

Principal Secretary (Finance), GNCTD suggested that the number of dwelling units should also be allowed to be increased. However, it was clarified that there were directions from the Hon'ble Court not to increase the number of dwelling units.

After detailed deliberations, the Authority decided that Commissioner (Planning) would request the Hon'ble Court to allow additional dwelling units and the outcome may be submitted in the next meeting of the Authority. In the meanwhile, the proposal contained in the agenda item was approved by the Authority.

Item No. 131/2014:

Change of Land Use of an area measuring 21.58 ha. (53.31 Acres) situated in Revenue Estate of Village Ghitorni, Delhi for the National Institute of Communication & Finance (NICF), New Delhi from "Residential" to "Public &

Shri R.R. Jain, Addl. Commissioner (Planning)MP & UE made a Power Point presentation on the agenda item.

Hon'ble LG clearly spelt out that approval was only for "inclusion/declaration of 17 villages" (that were left out in the earlier list of 45 villages) as part of Green Belt in the MPD-2021 which was notified earlier vide S.O. NO. 1744(E) dated 18/06/2013. Hon'ble LG had not approved the proposal for partial modification pertaining to 6 existing villages. He added that directions were issued for detailed examination of the proposed partial medication of 6 Villages from Zone P-I, P-II, Zone-N & Zone-E in the Green Belt to be declared as 'Part Green' before the same is brought up before the Authority.

Item No. 136/2014:

Proposed change of land use of an area measuring 7830 sq.m. (0.78 ha.) from 'Transportation (Rail Circulation)' to 'Residential', located adjacent to Hotel Leela in Moti Bagh, New Delhi, falling in Planning, Zone-D.
F.20(02)2012/MP

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

Item No. 137/2014:

South Delhi Greenway/Eco-Mobility Corridor Project along Barapullah Nallah.
F.2(7)13/UTTIPEC/Part-I

Proposal contained in para 3 of agenda item was approved by the Authority.

Item No. 138/2014:

Regarding allowing conversion from lease hold to freehold in case of missing linkage of GPA/Agreement to Sell.
F.2(10)/2011/N&C/Pt.III

Shri Anil Kumar Sharma, Chief Legal Advisor explained the agenda item.

After detailed discussions, the Authority decided that the matter be referred to Central Government on the basis of clause (iv) of the opinion

given by Solicitor General of India i.e. "Any amendment to the policy of the Central Government will require the further approval of the Central Government".

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

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

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दिल्ली विकास प्राधिकरण
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दिल्ली विकास प्राधिकरण
नई दिल्ली
9/x/2014

दिल्ली विकास प्राधिकरण Delhi Development Authority