

**16**

**STANDING COMMITTEE ON  
URBAN DEVELOPMENT  
(2005-2006)**

**FOURTEENTH LOK SABHA**

**MINISTRY OF URBAN DEVELOPMENT**

**THE DELHI DEVELOPMENT AUTHORITY**

*[Action Taken by the Government on the Recommendations contained in  
the Eighth Report (14th Lok Sabha) on the subject 'Delhi Development  
Authority (DDA)' of the Ministry of Urban Development]*

**SIXTEENTH REPORT**



**LOK SABHA SECRETARIAT  
NEW DELHI**

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(2005-2006)

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*[Action Taken by the Government on the Recommendations contained in  
the Eighth Report (14th Lok Sabha) on the subject 'Delhi Development  
Authority (DDA)' of the Ministry of Urban Development]*

*Presented to Lok Sabha on .....*

*Laid in Rajya Sabha on .....*



LOK SABHA SECRETARIAT  
NEW DELHI

*July, 2006/Asadha, 1928 (Saka)*

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COMPOSITION OF THE STANDING COMMITTEE ON  
URBAN DEVELOPMENT (2005-2006)

Mohd. Salim — *Chairman*

MEMBERS

*Lok Sabha*

- \*2. Shri Pawan Kumar Bansal
3. Shri Avtar Singh Bhadana
4. Shri Surendra Prakash Goyal
5. Shri Pushp Jain
6. Shri P. Mohan
7. Shri Shripad Yesso Naik
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18. Shri Ravi Prakash Verma
19. Shri Suresh Ganpatrao Wagmare
20. Shri Akhilesh Yadav
21. Shri Baleshwar Yadav

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\*Ceased to be the member of the Committee consequent upon his becoming Minister  
*w.e.f.* 29.1.2006.

*Rajya Sabha*

22. Shri Varinder Singh Bajwa
23. Shri Jayantilal Barot
24. Shri Urkhao Gwra Brahma
25. Shri Prasanta Chatterjee
26. Shri B.K. Hariprasad
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28. Shri Laxminarayan Sharma
29. Shri Shahid Siddiqui
30. Smt. Syeda Anwara Taimur
31. Shri Nandi Yellaiah

SECRETARIAT

- |                         |   |                           |
|-------------------------|---|---------------------------|
| 1. Shri K. Chakraborty  | — | <i>Director</i>           |
| 2. Smt. Neera Singh     | — | <i>Under Secretary</i>    |
| 3. Shri A.K. Srivastava | — | <i>Assistant Director</i> |

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\*\*Ceased to be the member of the Committee consequent upon his retirement from Rajya Sabha *w.e.f.* 2.4.2006.

## INTRODUCTION

I, the Chairman of the Standing Committee on Urban Development (2005-2006) having been authorized by the Committee to submit the Report on their behalf, present the Sixteenth Report on the action taken by the Government on the recommendations contained in the Eighth Report (14th Lok Sabha) of the Standing Committee on Urban Development on the subject 'Delhi Development Authority (DDA)' of the Ministry of Urban Development.

2. The Eighth Report was presented to Lok Sabha on 2 August, 2005. The Replies of the Government to all the recommendations contained in the Report were received on 21 November, 2005.

3. The replies of the Government were examined and the Report was considered and adopted by the Committee at their sitting held on 23rd June, 2006.

4. An analysis of the action taken by the Government on the recommendations contained in the Eighth Report (Fourteenth Lok Sabha) of the Committee (2005-06) is given in Appendix-II.

NEW DELHI;  
27 June, 2006  
6 Asadha, 1928 (Saka)

MOHD. SALIM,  
*Chairman,*  
*Standing Committee on Urban Development.*

## CHAPTER I

### REPORT

This Report of the Committee on Urban Development (2005-2006) deals with the action taken by the Government on the recommendations contained in their Eighth Report on the Delhi Development Authority (DDA) of Ministry of Urban Development, which was presented to Lok Sabha on 2 August, 2005.

2. Action taken notes have been received from the Government in respect of all the 58 recommendations which have been categorised as follows:

- (i) Recommendations which have been accepted by the Government:

Para Nos.: 1.31, 1.32, 1.33, 2.34, 3.13, 3.14, 3.20, 3.21, 4.12, 4.13, 4.14, 4.33, 4.43, 4.63, 4.64, 5.25, 6.11, 6.44, 6.45, 6.46, 6.47, 6.50, 6.60, 6.62 and 6.66.

- (ii) Recommendations which the Committee do not desire to pursue in view of Government's replies:

Para Nos. 1.27, 1.28, 2.30, 4.22, 4.41

- (iii) Recommendations in respect of which replies of the Government have not been accepted by the Committee:

Para Nos. 1.29, 1.30, 2.29, 2.33, 2.36, 3.24, 5.21, 5.22, 5.23, 6.10 and 6.24

- (iv) Recommendations in respect of which final replies of the Government are still awaited:

Para Nos. 2.28, 2.31, 2.32, 2.35, 4.23, 4.31, 4.32, 4.42, 4.44, 4.65, 5.24, 6.13, 6.25, 6.35, 6.41, 6.55 and 6.56

**3. The Committee desire that final replies in respect of the recommendations for which only interim replies have been given by the Government should be furnished to the Committee within three months of the presentation of the Report. They observe that final replies in respect of most of the recommendations categorised under Chapter V depend upon the finalisation of MPD-2021. They, therefore recommend that MPD-2021 should be finalised at the earliest and**



**action as suggested by the Committee, should be taken without any further delay. The Committee, would like to be informed in this regard.**

4. The Committee will now deal with action taken by the Government on some of these recommendations in the succeeding paragraphs.

#### **A. Basic Amenities in Resettlement Colonies**

##### **Recommendation (Para No. 1.29)**

5. The Committee had noted as below:

The Committee needs hardly mention that the problems faced in Delhi in accommodating the migratory population from rural/small towns and townships are manifold. The city is not only required to provide 'Housing' to the incoming population, but also water supply, sanitation, sewerage, treatment of sewers, electricity, garbage disposal and environmental management. While the Committee appreciates that the draft MPD 2021 envisions to make Delhi a global metropolis and a world class city, they are however of the firm view that unless coordinated efforts are made by DDA, the NDMC, Municipal Corporation of Delhi, Delhi Jal Board and urban bodies to ensure proper garbage disposal and curtail open-defecation in the squatter settlements, this objective would be very difficult to be achieved. The Committee recommends that DDA should develop suitable housing structures for the urban poors with proper sanitation facilities and re-locate people living in squatters and slum tenements in appropriate areas.

6. The Government have replied as under:

The provision of the basic amenities in relocation sites is the responsibility of the relocating agency, mainly the Slum and JJ Wing of MCD. However services such as water supply, roads and drains etc., are to be provided by DJB, MCD etc. However, as observed by the Committee, there is often a backlog of sanitation and other services in the Resettlement Schemes. This is mainly due to delay in the provision of the services by the concerned agencies namely DJB, MCD etc. However as far as possible, while relocating squatters to different relocation colonies, both DDA and the Slum and JJ Deptt. of MCD provide basic facilities like roads, electricity, water schools, dispensaries, toilet complexes etc. In addition, Slum and JJ Deptt. also provides Basti Vikas Kendras, Community Halls and Shishu Vatikas in the resettlement pockets

developed by them. Moreover, in order to plan for better provisioning for basic amenities, Draft MPD-2021 proposes the following for Resettlement Colonies:

“The immediate need is of individual services i.e. water, sewerage and electricity. Regular sewerage network provision may not be possible immediately in many areas because of non-availability of connecting lines and financial constraints. In such cases, the low cost sanitation on individual or collective basis should be adopted. To ensure healthy and better environment, the construction of houses needs to be based on approved/standard building plans. Co-operative societies/private developers/govt. agencies may come forward for redevelopment based on the incentives as applicable for the Squatter Rehabilitation Scheme.”

**7. The Committee note that provision of basic amenities in relocation sites is the responsibility of slum and JJ wing of MCD and Delhi Jal Board. It has been argued by the Government in their action taken reply that backlog of sanitation and other services in the Resettlement colonies is mainly due to delay in the provision of services by the concerned agencies i.e. MCD and DJB. However, the Committee are not convinced by this reply of the Government. Although the MPD-2021 proposes for basic amenities in Resettlement colonies, the Committee are of the firm view that the urban local bodies and DDA have a bounden duty/responsibility of providing the basic amenities in all the urban areas including Resettlement Colonies in Delhi. The Committee, therefore, desire that DDA should make integrated efforts in coordination with MCD and DJB to provide the much needed civic amenities, and also alleviate the problems faced by the urban poor, who cannot afford to construct toilets in their Resettlement Colonies. They also recommend that before rehabilitating slum dwellers in resettlement colonies, all infrastructural arrangements should be made so as to ensure public health and hygiene beside providing them with electricity and water. The Committee may be apprised about the action taken in this regard.**

#### **B. Deterrent laws for Non-Permissible Land use**

##### **Recommendation (Para No. 1.30)**

8. The Committee had noted as below:

The Committee are informed that specific provisions for Mixed Land Use had been made by Government in the residential areas

along with Non-permissible Mixed Land use in MPD 2001. In this regard, the Committee desire that proper and earnest steps are taken by the concerned governmental authorities to ensure that non-permissible limits of Mixed Land Use are adhered to in the urban areas of Delhi so as to ensure security, safety and environmental quality of residential areas. The Committee also desire that the provisions/limits of permissible and non-permissible Mixed Land Use be reviewed in the light of latest developments and necessary amendments be made in these limits, if found necessary. The Committee would like to be apprised of the action taken in this regard.

9. The Government have replied as under:

The provisions of mixed land use as given in Master Plan have been worked out so as to maintain a balance between the ground realities/provision of self-employment opportunities, with the need to ensure security, safety and environmental quality of the residential areas. DDA is responsible for administering the provisions relating to mixed use in development areas and local bodies namely NDMC and MCD are responsible for this function in those development areas that have already been de-notified and transferred to them by DDA. The relevant statutes namely, DD Act and the MCD Act provide for prosecution and limited financial penalty in cases of misuse or violation of provisions relating to mixed use. There are no provisions for sealing the premises in cases of misuse under the Master Plan. Therefore, there is no effective deterrent to prevent and tackle the problem of misuse of properties beyond the extent of mixed use provided for under the Master Plan. It is proposed to undertake revision of these provisions in the Act to provide for more stringent and effective deterrence against misuse and violation of provisions relating to mixed land-use.

However, within the statutory provisions available at present, DDA has been undertaking action in cases of violation of mixed land-use provisions. The year-wise number of prosecution cases launched and fine imposed by MM court are as under:

Sl.No.	Year	Prosecution launched	Fine imposed by MM Court
1.	2002-03	599	Rs. 4.21 Lakh
2.	2003-04	199	Rs. 13.69 Lakh
3.	2004-05	408	Rs. 17.31 Lakh

Further, the draft MPD-2021, which has been published for inviting objections/suggestions from the public in April 2005 has proposed the following with respect to Mixed Land Use:

1. Non-residential activity on residential premises should be permitted selectively and carefully taking into consideration community needs, environmental impact and provision for safe and easy traffic circulation and adequate parking.
2. In case of new developments, planned mixed residential and non-residential activity should be introduced right at the time of preparation of layout plans along with planning of Commercial Centres for which appropriate provision of parking, circulation and services be kept in view. Norms for parking and commercial use on different floors be specified.
3. Notified provisions made in the earlier plan may be continued within the overall framework of the approved plan.
4. Mixed use may be permitted on residential plot facing streets/roads of minimum 18.0m ROW in regular residential plotted development with prescribed development norms, such streets should be notified and given wide publicity.
5. The bungalow areas of Lutyens Delhi and Civil Lines, Government housing institutional/staff housing and areas of heritage and national importance shall not be covered under the mixed use policy.

**10. The Committee note that MPD-2021 proposes certain provisions for mixed land use in residential areas subject to public need, environmental impact and provision for safe and easy traffic circulation and adequate parking. While keeping in view the needs of residents and their safety and convenience, they are of the view that mixed land use should be judiciously permitted with great caution. Otherwise, the quality living of residents of Delhi may be adversely affected. The Committee reiterate their earlier recommendation and desire that the provision/limits of permissible and non-permissible mixed land use must be reviewed in a wholesome manner so as to clearly demarcate commercial and non-commercial areas of a given land and the permissible limit of commercial or non-commercial or other use of the land in residential areas. The Committee also desire that appropriate action should be taken against those, who do not abide by set limits of use of the**

urban land. In this regard, the Committee feel that the feasibility of providing suitable power to DDA and other Urban Local Bodies to 'seal' a given premises may be explored in cases of infringement of the limits in 'Mixed Land Use'.

### **C. Participation of Private Sector in Mega Housing Project**

#### **Recommendation (Para No. 1.33)**

11. The Committee had noted as below:

The Committee note from 'Print Media' reports that DDA has, recently, approved in principle the participation of private sector in mega housing projects across the Delhi city. It envisages to engage the private sector in constructions in a minimum area of 10 hectares or 50,000 square meters of built-up areas and above. Keeping in view of the repeated complaints about the alleged nexus between DDA officials and the private builders, the Committee contain their apprehension as to whether the construction of dwelling units by these private builders would be in accordance with the Zonal and Master Plan. The Committee are of the firm view that the DDA must be primarily responsible for the residential housing development in Delhi. Participation of private builders in a large scale would lead to cost escalation of the dwelling units and such dwelling units will be beyond the purchasing power of the common urban population in Delhi. The Committee, therefore, desire that the DDA and the GNCT of Delhi should give a fresh look towards their decision of inviting private builders in a large scale in taking up mega projects in Delhi.

12. The Government have replied as under:

As envisaged under Delhi Development Act, DDA has been discharging the primary responsibility of development of land in Delhi. For undertaking such development, DDA has been acquiring land under the Scheme of Large Scale Acquisition of Land. The land is acquired through Land Acquisition Collector, GNCTD under the provisions of the Land Acquisition Act, 1894. Experience indicates that there is considerable delay in acquiring and taking possession of land due to the elaborate procedures required to be followed as also the litigation associated with the process. DDA takes up construction of housing on acquired land and allots these houses to the citizens for meeting the shelter needs of the population of Delhi. However, due to delay in obtaining land, and the growing pressure of population, it has not been possible to keep pace to fully meet the housing needs in Delhi. The draft MPD-2021 estimates a backlog of 4 lakh dwelling units and as well as additional requirement of 20 lakh dwelling units by 2021.

In order to meet the requirement of housing units, and to overcome the weaknesses in the procedure hitherto being followed by DDA and GNCTD, it is proposed to permit participation of private sector in land assembly and housing development. While permitting such private participation, checks and balances will be introduced to ensure compliance with provisions of Master Plan as well as building Byelaws, the latter being administered by local bodies. At the same time it is also proposed to make it mandatory for the private developers to provide housing to EWS categories so that the overall objectives of planned development are achieved. It is also expected that private developers in the housing sector will introduce an element of competitiveness and innovation in this sector in Delhi, which will automatically counter any speculative tendencies or profiteering at the expense of the citizen.

Procedural details in the matter and further fine-tuning of the proposed models would however be worked out after detailed deliberations and interaction with the stake holders so that the new policy can be implemented in a transparent and realistic manner.

**13. The Committee are concerned to note the tedious and cumbersome procedure involved in acquisition of land which leads to delay in meeting the target fixed for housing. Noting that the private participation is an outcome of this cumbersome procedure, the Committee would like that DDA should address this aspect whole heartedly and streamline and ease the procedure in close coordination with the authorities concerned. They should find out a solution instead of bypassing the malaise. So far as the involvement of private sector in land assembly and housing, the Committee are of the firm view that private sector should work under strict supervision and control of DDA in order to restrain them from any unauthorized construction and resort to the sole aim of profit making. The Committee would like to be apprised about the procedural details in this regard.**

#### **D. Non Confirming use of DDA Lands**

##### **Recommendation (Para No. 2.29)**

14. The Committee had noted as below:

As regards, non-conforming use of the DDA lands, the Committee note that DDA has initiated counteractive action under the provisions of Section 29 (ii) of the Delhi Development Act, 1957 in 140 cases in 2003, 144 cases in 2004 and 332 cases in 2005. While

the Committee note with satisfaction that DDA has taken certain remedial actions in cases of non-conforming use of their lands, with the Master Plans, they desire that DDA should devise suitable in-built mechanism to check misuse of their lands and ensure the developed areas remain intact with the Master Plan.

15. The Government have replied as under:

Regarding on-conforming use of DDA land, the provision of section 29 (2) of the DD Act 1957 has already been incorporated in the lease deed (s) of properties. The violation of the terms and conditions of the said provision in the lease deed attracts termination of the lease deed and subsequent eviction proceedings against defaulting lessee of the property. In addition, DDA has an in-built mechanism to detect violations of section 29 (ii) of DD Act through the Enforcement Branch and Survey Wing. These wings of the DDA conduct periodical inspection of the sites under their jurisdiction to ascertain the nature, quantum and period of non-conforming use of DDA land, after which the action stipulated in the lease deed follows.

The Enforcement Branch (Lands) of DDA takes action under section 14 read with Section 29 (2) of DD Act 1957 regarding detection of misuse in residential areas in contravention of the provisions of Master Plan and issues show cause notices to the misuser of the premises. Simultaneously, other Govt. Departments such as House Tax, Licensing and Health Deptt. of MCD, Sales Tax Deptt. and ROC are approached for verification of the ownership of the premises/constitution of the misuser companies. On receipt of verification, prosecution is launched against the misuser of the premises in the court of Metropolitan Magistrate, Patiala House, New Delhi.

Moreover, DDA imposes misuse charges for non conforming use of the property as and when conversion applications are received in respect of such properties. In such cases, the past misuse charges are also recovered and non payment of the misuse charges amounts to termination of lease deed and subsequent eviction from the property.

**16. Despite the fact that sufficient penal provisions exist legally to forestall or prevent the non-conforming use of DDA land, it is a cause for concern that the cases of non-conforming in the use of land is rising day by day. This shows that the enforcement Department has to do much more than what is being done. Action taken should be result oriented and not a compromise. Simple**



penalty for misuse charges will encourage further violation as the defaulter can escape by paying the penalty. The Committee, therefore, recommend that strict monitoring and vigilance should be resorted to thwart such attempt and exemplary action, as per law, should be taken against the defaulters. The onus lies with the Enforcement Department, and they should be made accountable for violation undetected with proper disciplinary actions. The Committee also recommend that DDA should make periodic and surprise check of their colonies to prevent such misuse and the officers concerned should be held responsible for any such misuse.

#### **E. Compensation to the Land losers**

##### **Recommendation (Para No. 2.33)**

17. The Committee had noted as below:

The Committee note that the Land Acquisition Collector acquires land in Delhi from farmers and villagers and hands over such acquired lands to DDA for development. At the time of acquisition of these lands, the LAC fixes the acquisition rate to be paid as compensation to the land losers. The Committee also note that alternative plots are allotted to the recommended farmers whose land has been acquired under large scale acquisition and development of land in Delhi. The Committee, however, would like to point out that a number of complaints have been received from such land losers by the Committee in response to their 'Press Communiques'. These complaints pertain to fixation of low rate of compensation to the land losers, and denial of allotment of alternative plots to certain land losers, specifically in Rohini and Wazirpur areas. Apart from these, a number of cases are pending in courts of law by complainants or land losers for suitable compensation. The Committee recommend that keeping in mind the needs of the farmers/villagers who have lost their lands, which were their means of livelihood, the DDA as well as the concerned Government authorities must take substantial steps so as to give adequate monetary compensation and alternate lands to such land losers with a positive perspective. The Committee strongly feel that whenever any land is acquired by DDA from anyone, the process should be so simplified that the land loser without any hassle and delay, is able to get compensation on alternative land/flat/shop within a specific time frame and is not made to wait for years together as is the case now. The Committee also recommend that whenever any land is acquired, the landless labourers working on the same land should be suitably rehabilitated, as they get deprived of their means of livelihood.



18. The Government have replied as under:

The Delhi Development Act envisages planned development of Delhi through the agency of DDA. In order to undertake this planned development DDA has been acquiring land in areas earmarked under the Master Plan for urbanization. Acquisition of land is undertaken by GNCTD on the basis of requisition given by DDA. The Land Acquisition Collector (LAC), GNCTD carries out the acquisition under the provisions of the Land Acquisition Act, 1894. Further to provide for the peculiar nature of acquisition in Delhi for planned development, a scheme for Large Scale Acquisition, Development and Disposal of Land, was also formulated by the Govt. in 1961. While the Land Acquisition Act provides for compensation to land owners at the rates approved by the Govt. from time to time, the Scheme for large scale acquisition provides for allotment of alternate residential plots to land owners, by DDA, based on the certification of eligibility by GNCTD. For the simplification of land acquisition process, a standard operating procedure has been finalized between DDA and Land & Building Department of GNCTD.

As far as monetary compensation is concerned, LAC/L&B Deptt./ Dy. Commissioner of GNCTD are competent to acquire land as per the Land Acquisition Act. The compensation rate is fixed and award is passed by the LAC. The award is also approved by the Competent Authority in GNCTD, after which the amount of compensation is released by DDA. Land owners who are aggrieved by the rates fixed by LAC, can file references before the Court of Addl. District Judge.

So far as the allotment of alternative land to the farmers whose land has been acquired for the planned development of Delhi is concerned, the role of DDA arises only after receipt of recommendations from L&B Deptt. There is a clear cut policy for allotment of alternative land which has been revised from time to time, keeping in view the changes in land cost/market value and also the availability of sufficient land. The policy for awarding compensation to land owners and grant of alternate plots to them does not cover agricultural labourers that may have been dependent on the acquired agricultural land. Any such policy would have to be evolved by the L&B Deptt. of Govt. of NCT of Delhi for rehabilitation of the labourers working on the said land, after taking into account various factors such as availability of land, nature of employment, and avenues for employment in non-agricultural sector of urbanization of the acquired land.

19. The Committee note that the Government provides compensation to land losers, whose land are acquired by DDA for planned development, either in the form of the monetary compensation or allotment of alternative land to farmers. However, the Committee are not convinced with the stand taken by the Ministry in respect of compensation to labourers working in such agricultural fields, as it has been stated that it is unto the Land and Building Department of GNCT of Delhi to evolve a policy for rehabilitation of the labourers who were working on the agricultural land acquired for DDA. They recommend that Ministry of Urban Development should take up the matter with GNCT Delhi and DDA to review the compensation policy so as to benefit peasants and workers who worked in the acquired agricultural land in and around Delhi.

#### **F. Reclamation of unauthorized land**

##### **Recommendation (Para No. 2.36)**

20. The Committee had noted as below:

The Committee are concerned to note that out of a large area of about 1400 acres of DDA lands encroached upon by unauthorized colonies, DDA has been able to reclaim only 433.98 acres of land which means that less than one third of the encroached land could only be reclaimed by DDA. This is because unauthorized colonies have come up on the remaining areas. The Committee feels that a clear cut policy needs to be evolved by the Central Government with regard to the treatment of unauthorized colonies. The Committee note that though DDA has been vested with powers of demolition, stopping and sealing powers, but not much has been achieved in reclaiming encroached lands. The Committee, therefore, recommend that DDA and the Ministry of Urban Development must take concrete measures in consultation with local bodies, so as to reclaim all the encroached lands of DDA, expeditiously. The Committee also recommend that a suitable policy-framework be adopted so as to curb cropping up of new unauthorized colonies. Regularization of unauthorized colonies in course of time provides an incentive to such acts and legitimises a step which was considered illegal and was in violation of the law.

21. The Government have replied as under:

The DDA is maintaining regular vigil in respect of its land with a view to strengthen preventive and protection arrangements. Specific responsibilities have been entrusted to field functionaries

in different areas. Action for removal of encroachments is undertaken on a continuous basis. Videography of the vacant lands belonging to DDA has been done. Periodical videography of the DDA lands will help prevent unauthorized encroachments. Security guards have been deployed for safeguard of the DDA land. They are reporting to the concerned SHO for unauthorised encroachments in the area as well as to the controlling officers of DDA.

As per the recent scrutiny of unauthorised colonies it has come to notice that out of 1432 unauthorised colonies, 145 are partly or fully on DDA acquired/awarded land and 228 unauthorised colonies are on land notified as Development Area, which are under control of DDA. The issue of regularization of the unauthorised colonies is under consideration of Government of India.

**22. The Committee note with concern that out of 1433 unauthorized colonies, 145 colonies are partly or fully on DDA acquired/awarded land and 228 unauthorized colonies are on land notified as Development Area. They feel though some measures have been taken by DDA to reclaim the land from unauthorized habitation, but a lot of work is required to be done. They, therefore, recommend that at the time of taking over of land from GNCTD, the land should be without any encroachment and after acquiring the land, DDA should be responsible for any further encroachment/unauthorized occupation. They also recommend that in case of any unauthorized occupation, the responsibility should be fixed on the officials of DDA. The Committee would also like to know how such a large area could be allowed to be encroached upon in course of time without being detected and taking further steps to reclaim them at the right time.**

#### **G. Maintenance and Infrastructure Development of Green Areas and Water Bodies**

##### **Recommendation (Para No. 3.13)**

23. The Committee had noted as below:

The Committee note that DDA has extensively developed green areas in Delhi and has helped Delhi to grow as one of the greenest cities in the country. While appreciating the achievements made by DDA in developing the forests, woodland, green belts, district parks, zonal parks, neighbourhood parks and children parks etc., the Committee desire that maintenance of such green areas and water bodies etc., should be carried out from time to time and all

the basic facilities *viz.* toilet, drinking water, eateries, etc. should be provided for the welfare of public at large. The Committee are also of view that co-ordinated efforts be made by the Ministry of Urban Development with the Ministry of Environment and Forests so as to maintain the water-bodies clean. The Committee desire that all public places especially parks should have 'Pay and Use' toilets facilities as for instance the 'Sulabh' toilets. Such toilet facilities would help in the maintenance of environment. The Committee further recommend that the viability for opening up food counters/eateries be examined by DDA in or around the 'public parks'. The Committee also recommend that demands of the local residents for development of the already existing Parks be met by DDA with a positive perspective in mind.

24. The Government have replied as under:

The maintenance and upkeep of green areas and water bodies is an ongoing process being carried out regularly. The suggestion to maintain clean water bodies has been noted for compliance. Providing 'Pay & Use' toilet facility in public places, specially parks is now being considered and in most of the popular green areas, B.O.T. toilets have been provided/are being provided.

The list of parks where this facility has been provided is as under:

1. Indraprastha Park (2 nos. provided & 2 nos. more to be provided)
2. Park opposite LSR College
3. Rose Garden, Hauz Khas
4. Park at Savitri Nagar
5. District Park, Paschim Vihar

The list of parks where this facility is being provided is as under:

- (1) Ashoka Garden, Ashok Vihar
- (2) District Park, Pitampura
- (3) Tughlakabad Recreational Complex
- (4) Green Area near Siri Fort on Joseph Broz Tito Marg
- (5) District Park, Sarita Vihar
- (6) Lala Lajpat Rai Memorial Park at Vinoba Puri

- (7) District Park, Sector-14, Rohini
- (8) Swarna Jayanti Park, Rohini
- (9) District Park, Avantika, Sector-1, Rohini
- (10) Green Area, Sector-14, Dwarka
- (11) Vasant Vatika, Vasant Kunj
- (12) District Park, Janakpuri
- (13) Salvage Park, Mayapuri Phase-II
- (14) Satya Park, Naraina Road
- (15) Priyadarshini Vihar

In addition to above, the feasibility to provide such facilities at other places is examined from time to time.

Regarding opening of food counters/eateries in and around Public Parks—as per Master Plan norms, restaurant/food kiosks are permitted in any park having an area of more than 40 Hectares subject to other development control norms.

Parks in which Restaurants have been provided and are operational:

- (i) Hauz Khas Recreational Complex
- (ii) Mehrauli Archeological Complex
- (iii) Swarn Jayanti Park, Rohini
- (iv) Paschim Vihar G-17 (Not operational)
- (v) Sanjay Lake Complex (Not operational)

Parks which have been provided with food kiosks/food courts:

- (i) Indraprastha Park (Millennium Park)
- (ii) District Park, Janakpuri
- (iii) District Park, Pitampura
- (iv) District Park, Gulabi Bagh
- (v) Sector-VI, Dwarka
- (vi) Sanjay Lake Complex

25. The Committee note that DDA has provided toilets and food counters in the DDA parks. While appreciating these efforts of DDA, they would like to be apprised regarding the steps taken by DDA to clean and maintain the 'Green Areas' and parks and its surrounding areas, so that the 'Green areas' etc., are not used for dumping wastes of the food counters and ensure pleasant appearance of the premises. They would also like to emphasize that steps be taken by DDA in coordination with other Government Department to maintain water bodies neat and clean in 'Green Areas' or Parks keeping in view of the public health and hygiene. They feel that such a move would give a facelift to DDA parks and people would be able to use the parks endowed with a healthy and hygienic environment for children and others.

#### **H. Propagation of Sports Activities**

##### **Recommendation (Para No. 3.21)**

26. The Committee had noted as below:

As regards the training aspect of sportsmen/women, the Committee also recommend that DDA should propagate its sports and coaching facilities, fellowship facilities etc. for the knowledge of common sports-loving persons so that people are encouraged to indulge in sports activities. The Committee would like to be apprised of the action taken in this regard.

27. The Government have replied as under:

Information about all the activities of the DDA Sports Wing and the facilities available at the various sports complexes are regularly published in a Sports Newsletter on a quarterly basis. The Sports Newsletter is widely circulated amongst the sports fraternity including schools, colleges, sports persons, Sports Federations/Associations, sports clubs, etc., to inform them about the available facilities so that people are informed and encouraged to indulge in sports activities.

28. The Committee note that information about all the activities of DDA sports wings and the facilities available at the various sports complexes are regularly published in sports newsletter on a quarterly basis. While acknowledging this, the Committee feel that it is inadequate. They recommend that sports activities of DDA sports complexes and facilities thereto should be published in National dailies and local newspapers so that common people would know

about such activities and more and more people are enabled to avail of the aforesaid facilities. In this regard, it is also imperative that such information should also be displayed on billboards at several vantage points.

#### **I. Acquisition and Development of Land for Commonwealth Games**

##### **Recommendation (Para No. 3.24)**

29. The Committee had noted as below:

The Committee express their concern over the fact that only five years are left for the commencement of Commonwealth Games 2010 and the construction of the Commonwealth Games village at Akshardham is yet to be begin. They also note that a small portion of site belongs to Government of Uttar Pradesh for which negotiations are going on with the State Government of Uttar Pradesh. The Committee, therefore, recommend that matter should be sorted out expeditiously and the construction of the “Games village” should commence without any delay. The Committee desire that prudent and scientific techniques be adopted in development of ‘Commonwealth Games Village’ at Akshardham in line with the international standards of sports facilities. In the beginning itself it should be kept in mind that the facilities to be created should be such that even after the Commonwealth games 2010 are over, these can be made use of subsequently also.

30. The Government have replied as under:

Development work of the Games Village will be taken up by the DDA after final decision of the Government is conveyed. DDA is also pursuing with the Government of Uttar Pradesh for acquiring a portion of the Games Village site which belongs to the Government of Uttar Pradesh. Recommendations of the Committee on developing the Games Village of international standards and its future utilization would be incorporated while preparing final plans for the Games Village.

The status of efforts made to acquire land from Government of Uttar Pradesh for the Commonwealth Games Village is as follows:

- A proposal was sent by the DDA to the Government of Uttar Pradesh for providing 41.3 acre land in village Chiraga Janobi for the purpose of Commonwealth Games Village. The land which belongs to Irrigation Deptt. of UP Govt., is bounded by Akshardham Temple on the South, Marginal Bund (now a road) from Vikas Marg to Noida on the East,

New Railway line on the North and Road (adjoining Yamuna River) on the West. This land was found to be suitable for Commonwealth Games Villages.

- The first communication was sent to Chief Secretary Govt. of UP by VC, DDA on 21st November, 2002. Several meetings were held in the chamber of VC, DDA in which Principal Secretary, Irrigation Deptt. of UP was also present. The site inspection was also conducted by the Principal Secretary, Irrigation Department in which Sr. officers of DDA were present.
- Govt. of U.P. has proposed that the rate of land should be par with the rate at which the agricultural lands are being acquired by DDA. The L&B Deptt. of GNCTD was requested to communicate the rate of this land proposed for Commonwealth Games Village. In response the Land Acquisition Collector (East) in his letter dtd. 7.12.2004 has informed DDA that keeping in view the status of the required land, the rate of Rs. 5,05,000/-per acre be fixed in accordance with the letter dtd. 9.8.2001 of L&B Deptt., GNCTD, a copy of which was sent to Irrigation Deptt. of UP Govt.
- A meeting was held in the chamber of VC on 10th March, 2005 in which Secretary, Irrigation Deptt. Govt. of UP was present. He requested DDA for market rates for allotment of the required land.
- VC, DDA clarified that the land in the Akshardham Complex was allotted at the Institutional zonal variant rates. He further clarified that these rates for other categories of use and allotment are based on the effect that various peripheral infrastructure services and facilities like water supply, sewerage, electrical sub-stations, roads, STP, etc. are provided by the DDA and various elements of cross subsidization for different uses are involved. Hence these rates could not form the basis in deciding upon the issue of rates for transfer of land by the U.P. Govt. to DDA for Commonwealth Games Village. However normal acquisition rates (Rs. 15.70 Lakh/acre) could be considered in view of possible agricultural use of land due to construction of bundh by DDA. Moreover, this land cannot be put to any use other than permissible use under Master Plan, which is largely green. The proposed land cannot be exploited commercially. The minutes of the meeting were sent on 21st March, 2005 followed by reminders.



- Govt. of UP thereafter nominated the CEO of NOIDA for further negotiations. In this regard another meeting was held in the chamber of VC on 15th June, 2005 in which Chairman & CEO, NOIDA and other officers were present. VC, DDA has reiterated the whole issue once again in the meeting and also informed that the normal acquisition rate fixed by Govt. of Delhi which is around Rs. 15.70 lakh per acre could be considered. The minutes were sent on 27.6.05. New CEO of NOIDA met VC on 27.7.05 in this regard. The position of DDA was reiterated.
- DDA is awaiting a positive response from UP Govt.

31. The Committee, while noting the efforts made by DDA with the top officials of Government of Uttar Pradesh for acquiring land, desire at the same time that the matter should be sorted out expeditiously at the highest level due to time constraint and importance of Commonwealth Games. The Committee have their apprehension that if the land from the Government of Uttar Pradesh is not acquired at the earliest, it would be very difficult to carry out development work within a short span of five years. They, therefore, are of the view that the Cabinet Secretary may intervene to sort out the issue, or if found necessary, the matter could be sorted out at the Ministerial level also. Here, they recommend that whatever the land the DDA posses right now, should be developed without waiting for the acquisition of land from the Government of Uttar Pradesh.

#### **J. Backlog in New Pattern Registration Scheme and Rohini Registration Scheme**

##### **Recommendation (Para No. 4.12)**

32. The Committee had noted as below:

The Committee strongly deprecates that a tangible number of backlog of 8668 and 2,883 in respect of the New Pattern Registration Scheme still exist with the DDA. Although more than two and half decades have elapsed when the New Pattern Registration Scheme (NPRS) was launched in 1979 but the *bonafide* registrants of this scheme are still waiting for the allotments. The Committee need hardly emphasize that as the New Pattern Registration Schemes, 1979 (NPRS) had been open-ended, it was imperative that such a scheme is cleared in time and with no backlog. The Committee, therefore, express dissatisfaction that timely, honest and

pragmatic measures have not been taken by DDA in making the NPR Scheme a model and a successful one.

33. The Government have replied as under:—

As on 30.9.2005, the backlog of 8668 under NPRS—79 and 2883 under Ambedkar Awas Yojana-89 has been brought down to 8327 under NPRS-79 and 2771 under Ambedkar Awas Yojana-89. It is expected to clear the said backlog within a period of one year.

**Recommendation (Para No. 4.13)**

34. The Committee had noted as below:—

As regards the Rohini Registration Scheme, 1981 the Committee are further distressed to learn that a backlog of 27,043 still exists. The Committee need hardly emphasize that such a situation hampers the credibility of DDA and sullies its public image.

35. The Government have replied as under:—

It is stated that 1155 plots have already been allotted to the registrants in the draw held on 21.9.2005. At present there are 25858 registrants in the waiting list under MIG/LIG/Janta category. Action has been initiated for acquisition of land by the DDA on priority basis so that the same may be developed/allotted to the respective registrants by the end of 2006.

**Recommendation (Para No. 4.14)**

36. The Committee had noted as below:—

The Committee are informed that an action plan has been chalked out by DDA for liquidation of the backlog of flats by December 2005 and of Plots by 2006. The Committee, therefore, strongly recommend that as assured to them, the backlog of the New Pattern Registration Scheme, 1979 must be cleared expeditiously. The Committee also recommend that the backlog in the Rohini Registration Scheme, 1981 is cleared by taking concerted action for acquisition of land by LAC of Government of Delhi in a time bound manner. The Committee may be apprised of the action taken in this regard.

37. The Government have replied as under:—

As informed in reply to para 4.13, so far as liquidation of backlog of plots by 2006 is concerned, action is underway by DDA.

As on 30.9.2005, there is a backlog of 8327 Registrants under NPRS—79 scheme and 2771 under Ambedkar Awas Yojna-89 as against 8668 and 2883 shown in the recommendations/observations. It is expected to clear the said backlog within a period of one year.

38. While noting the assurance given by the Government to clear the backlog in the Rohini Registration Scheme within a period of one year, the Committee fail to understand as to why excess time was taken by DDA since 1979 to clear the backlog. They, therefore, express their displeasure over such a long delay and hope that DDA would fulfil their promised to clear the backlog by the end of year 2006. They feel that this would help in safeguarding the image of DDA. The Committee is of the opinion that DDA should have anticipated the probable issues well in time and accordingly acquire the land well in advance so as to avoid the suffering caused to registrants. They feel that the DDA will be able to clear the backlog expeditiously and take remedial steps to that the registrants do not suffer in future because of lack of planning and anticipation of the probable issues beforehand.

#### **K. Quality Control and Maintenance of DDA Flats**

##### **Recommendation (Para No. 4.33)**

39. The Committee had noted as below:—

The Committee note with concern that in many 'Resettlement Colonies' for the slum dwellers, the selling units constructed are grossly sub-standard and these units appear to be in a dilapidated condition. This is because the material used is sub-standard and there is hardly any quality control. The Committee would like to know, as to why it is so and what remedial steps are proposed to repair these houses. The Committee, therefore, recommend that thorough checks be carried out at construction stage itself. The inspection team should see to it that contractors assigned the job are adhering to the requisite standards. This is extremely desirable so as to ensure that the dwelling units for relocating the JJ clusters are of firm and livable standard.

40. The Government have replied as under:—

The relocation of jhuggi dwellers is primarily done by Slum & JJ Department of MCD. As per the represent relocation policy, eligible jhuggi dwellers are allotted alternate plots. Earlier DDA had constructed some dwelling units for the resettlement of slum dwellers when the Slum Wing was under its control. These

dwelling units have since been transferred to Slum & JJ Department, which is presently under the control of MCD. DDA has very exhaustive quality control systems for ensuring proper quality of the houses being constructed by DDA. In addition to day to day supervision of construction of houses by the concerned field staff right from the level of Junior Engineer to Chief Engineer, there is an independent Quality Control Wing working under the charge of a Chief Engineer on deputation from outside department, who is directly reporting to Vice Chairman, DDA. Besides this, DDA works also fall within the purview of checking/inspection by CTE's organization of C.V.C.

DDA has also decided to engage the services of reputed Institutions like IIT, Delhi, CBRI, Roorkee and CRRI, New Delhi etc. for third party quality assurance in r/o housing and other major works so as to ensure quality construction.

**41. The Committee note that the quality control of DDA housing units is supervised at the level of Junior Engineer to Chief Engineer. The Committee is also informed that DDA has also decided to engage the services of reputed institutions like IIT Delhi, Central Building Research Institute, Roorkee and Central Road Research Institute New Delhi. While appreciating the steps taken by DDA to adhere to quality control in their housing units, the Committee desire that in addition to adhering to quality control, DDA should also provide periodic maintenance in their housing units so as to avoid damage due to inclement weather. The Committee here also recommend to protect unoccupied flats of DDA from sabotage and anti social elements. They feel that such a move would enhance the image of DDA in the eyes of public.**

**L. Delay in Transfer Services to MCD, DJB and DISCOMS**

**Recommendation (Para No. 5.21)**

42. The Committee had noted as below:—

The Committee are concerned to note that colonies developed for residential purposes by DDA are being handed over to MCD for maintenance in a piecemeal manner. In many areas as for instance Dwarka, the Delhi Jal Board (DJB) has not taken over the area for regular supply of water supply. The Committee are of the firm view that areas developed and houses constructed by DDA should be de-notified and handed over to MCD in one go rather than taking up the process of transfer part by part. In regard to calculation of deficiency charges at the time of transfer of DDA

developed areas to MCD, the Commissioner, MCD has conceded during evidence that there is an administrative problem in the matter in view of a number of departments involved. He has stated that there are vertical departments and they do not have proper integration with each other. The Committee recommend that concerted efforts should be made in consultation with the senior officials of MCD and DJB so that the basic civic amenities of water supply, electricity etc., are provided in dwelling units before handing over the possession to the allottees. The Committee also recommend that DDA should intervene in rectifying the complaints of allottees on this count.

**Recommendation (Para No. 5.22)**

43. The Committee note that payment of deficiency charges to the local bodies and concerned authorities are made in a routine manner. The Committee are of the firm view that if the DDA areas are developed in a wholesome manner, the question of payment of 'deficiency charges' to the urban local bodies should not arise. The Committee therefore, recommend that purposeful steps be taken by DDA so as to obviate deficiencies in the developed areas and the consequent payment of the 'deficiency charges'. The Committee also recommend that the Ministry of Urban Development should devise suitable mechanism to ensure proper integration and coordination between DDA, MCD, DJB and local bodies.

**Recommendation (Para No. 5.23)**

44. The Committee desire that the much needed civic amenities of sewerage, water supply, electricity, storm drains, garbage disposal and proper maintenance to all the DDA developed colonies/areas should be provided hassle-free and within a given time frame. The Committee would like to be apprised about the action taken in this regard.

45. The Government have replied as under:

To streamline the procedure of transfer of services of DDA colonies to MCD and other local bodies, a meeting was held under the Chairmanship of Hon'ble LG at Raj Niwas on 02.01.2003. In general the following procedures were agreed to:—

It will be ensured that the transfer of the services is effected within three months from the date of DDA's request and submission of plans with the following schedule:

- (a) The work of scavenging and removal of garbage etc. will stand taken over by the MCD after a month of submission of request/plans by the DDA.

- (b) Within 30 days of the submission of plans, joint inspections will be carried out, the concerned local agency shall intimate the deficiency, if any, immediately thereafter alongwith detailed estimate. However, no claim about deficiencies shall be entertained if it is received after three months from the submission of request and plans by DDA.
- (c) In case of total agreement of deficiency estimates, the DDA shall arrange the payment of the same within four weeks. In case total agreement is not arrived at, then part acceptable to the DDA shall be released within four weeks and the dispute on the remaining shall be settled at the level of administrative head of the two organizations.
- (d) After the receipt of the payment, the local agency shall take over the physical services alongwith staff as per prescribed norms within two weeks and the notification to this effect shall be issued by DDA for information of the public and all concerned.
- (e) In any case all these formalities must be completed within three months of DDA's submission of plans and making a request for transfer of services, so that the services should stand transferred and a notification to the effect shall be issued with the prior approval of Hon'ble LG. In case any work is carried out by the concerned agency on behalf of DDA as a "Deposit Work", the same shall stand transferred to the agency without any claim of deficiency or otherwise.
- (f) Convenient Shopping Centres will be made integral part of the residential pocket and shall not be treated as a separate entity.
- (g) The electrical services developed by DVB in the colonies/ pockets as "Deposit Work" shall stand transferred to the respective DISCOMS, after completion of the work, without any deficiency charges.

**46. The Committee note that in order to streamline the procedure of transfer of the services to DDA colonies to MCD and other local bodies, a meeting was held under the Chairmanship of Hon'ble Lt. Governor on 2.1.2003 and in that meeting, certain procedural steps were agreed to. But, the Committee finds to their dismay that nothing substantial has been done to resolve the imbroglio, even after three years of agreement. While noting down the suggested procedural steps of handing over functions of DDA colonies to MCD, DJB and**

electricity supply Companies (DISCOMS), the Committee are dismayed to note that nothing concrete is still visible. They, therefore, recommend that synergic and coordinated efforts should be made by all the concerned in respect of transferring and handing over colonies to ULBs and DISCOMS and transparency should be maintained as far as possible. In this regard, it is imperative that Ministry of Urban Development will monitor the progress and work done by all the agencies for the speedy delivery.

**M. Treatment of People belonging to BPL Category in Private Hospitals which have been provided land by DDA**

**Recommendation (Para No. 6.10)**

47. The Committee had noted as below:

The Committee express their distress over the fact that some hospitals have violated the norms for free treatment of 25 per cent patients belonging to BPL categories. Moreover, there have been instances where the actual BPL categories of people were unable to get their treatment done in such hospitals and others have taken the benefit of the same by misrepresentation. The Committee, therefore, firmly recommend that a mechanism to identify BPL category by Government of NCT Delhi and issue of certificates to such people alongwith their photo identity cards needs to be devised so that genuine BPL persons are able to avail of medical facilities in hospitals. It should be ensured that the hospitals strictly provide free treatment to the stipulated percentage under BPL category. The Committee should be kept informed of the steps taken in this regard as also the punitive action taken/proposed for violation thereof.

48. The Government have replied as under:—

The Govt. of NCT of Delhi has reported that patients belonging to 'below poverty line (BPL)' category can be identified from the BPL ration card or a certificate issued by Area SDM in this regard. Even in the absence of any of these two documents, a persons can be considered to belong to BPL category, if he furnishes a proforma declaration, in this respect.

**49. While accepting the reply of the Government that patients belonging to BPL category can be identified from BPL ration card or a certificate issued by area SDM, the Committee express their doubt on the veracity of proforma declaration. They have apprehension that BPL proforma declaration may be misused by Above Poverty**



**Line (APL) people by misrepresentation, depriving actual BPL people from availing medical facilities in private hospitals which have been provided land by DDA. They therefore reiterate their earlier recommendations that some accurate and convenient methodology should be devised by Government of Delhi so that the genuine BPL patients may avail free medical facilities in private hospitals without any inconvenience.**

**N. Expeditious Clearance of Society Flats by RCS Office and DDA**

**Recommendation (Para No. 6.24)**

50. The Committee had noted as below:—

The Committee feel that even though the office of the Registrar, Cooperative Societies does not come under the jurisdiction and control of Ministry of Urban Development however, the cooperative group housing is being linked to housing sector, it is very much related to the Ministry of Urban Development. They note that in Delhi, allotment of land to Cooperative Group Housing Societies is done by DDA. A large area of land *i.e.* approximately 1900 acres of land has been allotted to 877 Housing Societies. The Committee, therefore feel that DDA cannot wash of their hands if some misuse or misappropriation in Cooperative Group Housing Societies takes place. While admitting that Cooperative Group Housing Societies are regulated by RCS office under Cooperative Societies Act and Rules, the Committee feel that DDA has a major role to play and to oversee that the land allotted to Cooperative Group Housing Societies is actually utilized in the interest of society members, who mainly consist of middle and service class people and who had invested all their earnings and borrowing for getting a house of their own. While appreciating the move taken by DDA and RCS to ward-off any misappropriation and to ensure that Societies do not become the fiefdom of a selected few, the Committee recommend that interest of bulk of society members should not be neglected. The Committee understand that management of Society should not flout any of the provisions enshrined in Cooperative Societies Act and Rules. At the same time, they recommend that RCS office should not be too rigid in such matters and should keep in mind the interests of genuine members. The Committee note that there are several Societies whose members are waiting for a long time for their draw of lots but due to the mistake of their management and rigidity of RCS office, most of them are suffering. They, therefore, recommend that an institutional mechanism should be devised which is people's friendly, less time consuming and at the same time deterrent to law breakers.



51. The Government have replied as under:—

DDA (Disposal of Developed Nazul Land) Rules 1972 provide for allotment of land at predetermined rates to cooperative group housing societies for construction of dwelling units for their members. This provision is intended to encourage the cooperative movement as far as housing sector is concerned, so as to facilitate home ownership among the middle class which may not be otherwise in a position to acquire houses in the open market. In this approach the role of DDA is to make available land for housing and allot the same to cooperative group housing societies. The role of RCS GNCTED is to register cooperative group housing societies, and oversee their management as provided for under the Delhi Cooperative Act, 2003 and Rules and Policy guidelines framed by GNCTED in this behalf. DDA has been informing RCS after ascertaining availability of land for allotment to CGHS and calling for names of societies eligible for such allotments. RCS have been forwarding such names after due verification of membership as required under the Delhi Cooperative Act and Guidelines made thereunder.

So far DDA has allotted land to 877 CGHS. Meanwhile the issue of allotment of land to CGHS has been agitated in the High Court of Delhi in CWP No. 10066/204; Yogiraj Krishna CGHS Vs. DDA & Ors. The High Court has in its various directions issued in the matter asked the Govt. of India to formulate a comprehensive policy for allotment of land to CGHS to counter the takeover of societies by builders' mafia and speculation in land allotment. The High Court has also directed that provision should be made for the weaker sections of the society by formulating such policies.

Accordingly the Ministry and DDA have formulated policy guidelines for allotment of land to Cooperative Group Housing Societies (CGHS) and the said policy has been submitted to the Hon'ble High Court. The policy provides for measures to reduce the gap in price between price of allotment to CGHS and market price of land. It is expected that such measures would reduce the incentive for intervention by unscrupulous elements and reduce speculative tendencies, without putting the land beyond the reach of the middle class which is the intended beneficiary of the cooperative housing movement. In its policy guidelines the Ministry has also suggested that steps should be taken by the Registrar of Cooperative Societies to ensure better management of CGHS, to reduce takeover by builders, bogus membership, etc.

52. The Committee note that Government has adopted a policy to reduce the gap in price between price of allotment to Cooperative Group Housing Societies (CGHS) and market price of land in order to reduce the intervention by unscrupulous elements. The Committee hope that such a move would reduce the takeover of CGHS flats by builders, speculators and bogus members, While appreciating such a move for future, the Committee also note that there is no time bound and effective mechanism with the DDA and RCS office regarding the allotment of society flats to its genuine members. The Committee feel that housing is a big need for Delhi and depriving genuine Society members at the cost of others would be an overzealous attitude of Office of RCS which would diminish the objective of Housing need of Delhi as the built up houses would remain unoccupied. As already recommended, an institutional mechanism should be devised, which is people's friendly less time consuming and at the same time deterrent to law breakers. Such a move should be taken expeditiously. Here they also recommend to allow draw of lots to genuine members at the earliest.

#### **O. Customers' Friendly Offices**

##### **Recommendation (Para No. 6.60)**

53. The Committee had noted as under:—

The Committee are perturbed to note that a number of complaints have been received by the general public on the cumbersome and lengthy procedure adopted for conversion of property from lease-hold to free-hold. The Committee fail to understand as to why the DDA does not bother to look into its own records and expects people to submit and re-submit the same documents on several occasions for getting their final approval for conversion from lease hold to free hold of property. The Committee observe that certain documents like photocopy of lease-deed, Plinth Area Certificate, Possession Certificate and Proof of physical Possession should be available in DDA records. Such a situation speaks volume of lack of coordination between different 'wings' of same organization. The Committee therefore, firmly recommend that the procedure for conversion of property from lease hold to free hold be simplified by minimizing the number of documents to be submitted as well as by fixing a time-frame for completion of the whole procedure by DDA. DDA should also computerize this system and hold periodical camps in the DDA colonies itself, for easy access to the public and to mitigate their grievances on this count.

54. The Government have replied as under:

In pursuance of conversion policy issued by the Ministry of Urban Development, DDA had decided to convert residential flats as well as residential built up plots from leasehold to free hold on payment of conversion charges. Accordingly, a brochure was prepared and got published incorporating the salient features of the scheme, amount of conversion charges payable for flats, category-wise and zone-wise. The documents required to be submitted alongwith the conversion application have also been clearly mentioned in the said brochure. These documents are essential requirement and are in accordance with the approved guidelines of the Government of India for processing the application forms from leasehold to freehold. Though documents like letter of possession and perpetual lease deed/conveyance deed (in few cases) are available in file but other documents i.e. proof of physical possession, no objection certificate regarding mortgage and receipt of ground rent are normally not available. For conversion of properties from lease hold to free hold, the practice of obtaining the photocopy of the lease papers has since been dispensed with. As regards the plinth area certificate from the Group Housing Societies, efforts are now being made that if in any particular Society a flat of the same category has been converted into free hold, then its plinth area copy can be obtained from any DDA file itself without bothering the applicant for this purpose.

On the issue of dispensing with the requirement of proof of physical possession, it is informed that in respect of the original allottees, the letter of possession is required from the society and in respect of the GPA holders a copy of the letter of possession is required, so as to verify the signatures of the original allottee in the GPA and Agreement to Sell. However, DDA is making efforts to expedite conversion by simplification of its policies and procedures. Several important proposals in this regard on issues such as misuse charges, cases of share transfers etc., are under review. As suggested by the Committee, Conversion camps are being held in Group Housing Societies to meet proper requirements at their door. Consequently, the number of conversion cases in 2004-05 was 7228 as compared to 2455 in 2004.

DDA is in the process of holding periodical camps in DDA colonies for the purpose of expediting the conversions. Also a detailed computerization proposals is presently underway in DDA which includes in its ambit the computerization of various processes involved in conversion of property from leasehold to freehold. As

regards the fixing of time frame for completion of conversion, it is pointed out that DDA already has a time frame of three months for finalizing such conversion cases.

55. The Committee note that various measures have been taken by DDA for conversion of leasehold property to freehold, which seem to be customers friendly. In reality however, the people are still facing the problem and running from pillar to post for conversion and other works. The Committee are seized with several complaints from public in this regard. They, therefore, recommend that all the requisite documents and formalities etc. required for conversion from leasehold to freehold and in respect of other related issues, should invariably be displayed in bold letters in billboards of DDA's office and people should not be asked to come again and again for a simple document. In this regard, it is imperative that e-governance should be implemented in DDA for documentation and records which would serve the customers in a friendly and transparent manners.

#### **P. Malpractices by Property Dealers**

##### **Recommendation (Para No. 6.62)**

56. The Committee had noted as under:

The Committee have received a number of Memoranda from the General Public about the menace of property dealers who work in DDA lands in connivance with DDA officials. Even before allotments are made of the DDA's dwelling units, boards and hoardings of property dealers come up in the area. The Committee feel that such commercialisation of the DDA's Units shall defeat the main purpose of giving cost effective housing to the weaker sections of the society. They therefore, recommend that strict action be taken against the field staff and officers of DDA, who operate hand-in-glove with private property dealers and encourage sale of dwelling units on 'Power of Attorney' at higher prices thereby, earning unwarranted profits and periodical inspection is done in this regard.

57. The Government have replied as under:

DDA has informed that before allotment of flats, fixing of Boards and Hoardings by the property dealers is not permitted. However, if any case regarding connivance of property dealers with DDA employees comes to the notice, the same is referred to the Vigilance Department for necessary action. In order to bring transparency in

system and to avoid any manipulation, computerized draws for the flats are held in the presence of independent Judges who are senior officers from different organizations and also the media. The process of draws is also displayed in parallel on a big screen and also posted on the notice board in the reception area, web site and in the Newspapers.

All these arrangements have had a salutary impact and have substantially minimized the scope of any complaint. The procedures & arrangements are being regularly reviewed for further improvement.

58. The Committee has been informed that vigilance Department of DDA takes action in case any complaint pertaining to connivance of DDA officials with property dealers come to their notice. The Committee are not fully satisfied with this causal reply. The Committee are of the view that the Vigilance Department should also take *suo-motto* action in this regard and make surprise checks instead of waiting for a formal complaint which may not be always forthcoming. In this regard it is also imperative that Vigilance Department become more effective, enhance their surveillance and intelligence network substantially. They also desire that perfect transparency should be maintained to avoid any manipulation in the computerized draw of DDA flats. The Committee would like to know about the number of complaints received during the last three years and the punitive steps taken by Vigilance Department as a consequence thereof.

## CHAPTER II

### RECOMMENDATIONS THAT HAVE BEEN ACCEPTED BY THE GOVERNMENT

#### **Recommendation (Para No. 1.31)**

As regards urbanized village in Delhi are concerned, the Committee are informed that in MPD 2021, all these villages will come into urban expansion areas, which will be developed/re-developed. During the course of evidence before the Committee the Vice-Chairman, DDA assured that all amenities and facilities would be provided in the urban expansion areas with the maximum extent of planning that is possible. The Committee feel that in order to upgrade, assimilate and integrate these villages with the rest of the urban areas, it is extremely necessary that the amenities, services and facilities provided to these villages should not be less than those provided to their counter-part urban localities and efforts should be made to take care of their livelihood. The Committee, therefore, recommend that as proposed in MPD 2021, effective steps within a specific time frame be taken by DDA to provide the maximum civic amenities and facilities in the aforesaid urban expansions and the urbanized villages falling in Delhi region.

#### **Reply of the Government**

*Vide* Delhi Admn. Order No. F. 12 (4) Plan/86/R/L&B of 11-12 March 1987, all the urban villages under DDA were transferred to the MCD on, as is where is basis. Likewise orders were also issued by CE (SEZ) DDA (Dt. 12.3.87) and E-in-C, MCD dated 19.3.87.

About 246 rural villages are under the jurisdiction of MCD and GNCTD. MPD-2001 recommends that the villages need a sensitive treatment in the planning and development process. The settlement should get the modern services and amenities and should also be catered for their traditional cultural styles. It recommends that, comprehensive schemes for the development of villages should be prepared by the concerned local bodies with the aim of providing optimal facilities and services within the abadis and their integration with the surrounding areas.

Government is also seized of the need to provide adequate civic facilities and urban infrastructure in the urban villages in order to

keep them at par with other urbanized areas in terms of basic amenities. DDA and MCD have been advised to initiate action in this direction so as to integrate these urban villages with the other planned areas of Delhi. MCD has decided to take up studies in 25 urban villages in its jurisdiction with professional inputs with a view to develop an action plan for providing urban infrastructure in these villages. DDA has also taken up similar measures in urban villages in its jurisdiction. The villages so selected for development would first be studied to assess the current status of requirement and availability of infrastructure and thereafter an action plan would be prepared for providing the gaps in infrastructure, keeping in mind the availability of land and resources for this purpose.

For the villages falling in DDA projects, DDA has already undertaken for provision of civic amenities and facilities as provided under Authority resolution No. 25/2004 dated 15.7.2004. DDA has also undertaken preparation of Development Plans for urban villages (3 each in Rohini, Narela and Dwarka Projects) for their integrated development.

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#### **Recommendation (Para No. 1.32)**

Regarding the MPD 2021, the Committee note that the draft MPD 2021 has been approved by DDA in their meeting held on 10th January, 2005. Thereafter, the Ministry of Urban Development permitted to notify the Draft MPD 2021 for inviting objections/suggestions from the public and accordingly a Gazettee Notification has been issued on 16th March, 2005 alongwith a Public Notice on 8th April, 2005. The Committee recommend that the Draft MPD 2021 should be well contained with the suggestions from the public, who are the actual recipients of the benefits of MPD 2021. The Committee also desire that the Draft MPD 2021 is finalized and launched, expeditiously.

#### **Reply of the Government**

The Delhi Development Act 1957 provides for preparation of Master Plan for Delhi. Accordingly DDA had earlier prepared and notified MPD 1962 and MPD 2001. DDA has notified the Draft MPD-2021 on 8/4/05 through a public notice, for inviting objections and suggestions from the public within 90 days. A large number (around 7000) of objections and suggestions have been received. These are being proposed and placed before the Board of Inquiry and hearing



constituted under the chairmanship of VC, DDA which has already had 4 meetings.

The procedure for finalization of Master Plan provides for consideration of each of the objections and suggestions received in response to the public notice notifying the draft Master Plan-2021. The Board of Enquiry is at present holding meetings to provide an opportunity to stakeholders and persons who have submitted objections and suggestions to present their view before the Board. Thereafter the Board will submit its recommendations on the objections and suggestions to the Authority, for its consideration. The Authority after considering these recommendations will recommend modifications as required to the draft Master Plan for Delhi, 2021. The revised draft will then be examined by the Govt. and approved for final notification under Section 11 of DD Act, 1957. As per the schedule laid down for approval of draft MPD-2021, the final notification is expected by March, 2006.

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Dated: 16th November 2005]

#### **Recommendation (Para No. 1.33)**

The Committee note from 'Print Media' reports that DDA has, recently, approved in principle the participation of private sector in mega housing projects across the Delhi city. It envisages to engage the private sector in constructions in a minimum area of 10 hectares or 50,000 square meters of built-up areas and above. Keeping in view of the repeated complaints about the alleged nexus between DDA officials and the private builders, the Committee contain their apprehension as to whether the construction of dwelling units by these private builders would be in accordance with the Zonal and Master Plan. The Committee are of the firm view that the DDA must be primarily responsible for the residential housing development in Delhi. Participation of private builders in a large scale would lead to cost escalation of the dwelling units and such dwelling units will be beyond the purchasing power of the common urban population in Delhi. The Committee, therefore, desire that the DDA and the GNCT of Delhi should give a fresh look towards their decision of inviting private builders in a large scale in taking up mega projects in Delhi.

#### **Reply of the Government**

As envisaged under Delhi Development Act, DDA has been discharging the primary responsibility of development of land in Delhi.



For undertaking such development, DDA has been acquiring land under the Scheme of Large Scale Acquisition of Land. The land is acquired through Land Acquisition Collector, GNCTD under the provisions of the Land Acquisition Act, 1894. Experience indicates that there is considerable delay in acquiring and taking possession of land due to the elaborate procedures required to be followed as also the litigation associated with the process. DDA takes up construction of housing on acquired land and allots these houses to the citizens for meeting the shelter needs of the population of Delhi. However, due to delay in obtaining land, and the growing pressure of population, it has not been possible to keep pace to fully meet the housing needs in Delhi. The draft MPD-2021 estimates a backlog of 4 lakh dwelling units and as well as additional requirement of 20 lakh dwelling units by 2021.

In order to meet the requirement of housing units, and to overcome the weaknesses in the procedure hitherto being followed by DDA and GNCTD, it is proposed to permit participation of private sector in land assembly and housing development. While permitting such private participation, checks and balances will be introduced to ensure compliance with provisions of Master Plan as well as building Byelaws, the latter being administered by local bodies. At the same time it is also proposed to make it mandatory for the private developers to provide housing to EWS categories so that the overall objectives of planned development are achieved. It is also expected that private developers in the housing sector will introduce an element of competitiveness and innovation in this sector in Delhi, which will automatically counter any speculative tendencies or profiteering at the expense of the citizen.

Procedural details in the matter and further fine-tuning of the proposed models would however be worked out after detailed deliberations and interaction with the stake holders so that the new policy can be implemented in a transparent and realistic manner.

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#### **Comments of the Committee**

(Please See Paragraph No. 11 of Chapter I of the Report)

#### **Recommendation (Para No. 2.34)**

Under Section 21 of the Delhi Development Act, 1957, the DDA's Land Disposal Department disposes land meant for various uses such

as residential, industrial, institutional and commercial purposes. The Committee are informed that for residential purposes, the DDA disposes plots by way of allotment and auction. In case of Group Housing Societies, the DDA allots lands on the basis of the recommendations received from the Registrar Cooperative Societies (RCS) of Government of Delhi. The RCS verifies the lists of members and the Group Housing Societies and sends them to DDA for allotment of lands. DDA disposes commercial properties as commercial plots or as built-up shops by way of auction and tender. The built-up shops are sold by calling of sealed tenders alongwith EMD of 25%. The commercial plots are disposed by way of open auction. About 43% of the built-up shops are allotted to the special categories of SC/ST/LAC, physically handicapped, ex-Servicemen and freedom fighters. While the Committee note that DDA has taken steps to curb malpractices relating to allotment of plots and houses, the Committee urge that a high level body comprising of senior officials of DDA, RCS, Ministry of Urban Development and NCRPB may be formed so as to devise suitable mechanism to check malpractices in allotment of plots and flats to individuals and Group Housing Societies and ensure transparency in the working of DDA. The Committee also recommend that the 43% allotments are made to the special category persons as per rules and the 'built-up shops' are allotted in a time bound manner.

### **Reply of the Government**

To ensure transparency in allotment, the draw for allotment of plots held by DDA has been computerized. For the purpose, the applicants' data and plots' data are randomised through computer.

*Randomization of Applicant's Data:* The data is sorted on application number. A random number is assigned to each of the applicants through computer. Data, after assigning random number, is sorted on random number. A serial number is assigned to each applicant in the randomised list.

*Randomization of plots' data:* The plot data is sorted on plot details-sector, block, pocket, plot Number. A random number is assigned to each plot in the data. Data, after assigning random number, is sorted on random number. A serial number is assigned to each plot in the randomised list.

*Draw:* Draw is held from the two randomised lists as drawn above. For triggering the draw, starting position in both the above lists is selected by draw by a panel of judges. In the applicant data, allotment starts from the serial number drawn from the randomized applicant's

data and plot with the serial number drawn above is allotted to this applicant. The process continues in the sequences of the serial numbers assigned.

Wherever choice or option is applicable, allotment is made in the sequence of serial number keeping in view the choice of the applicant i.e in the randomised list, next available plot of choice in the randomised list is allotted.

In order to bring transparency in the system and avoid any possibility of manipulation, the computerized draws for the flats are held in the presence of Sr. Officers, Independent Judges drawn from different organizations and the media. The process is also displayed in parallel on a big screen outside. The results of the draws are immediately pasted on the notice board in the Reception area, the web site and published in the newspapers. All these arrangements have had a salutary impact and have substantially minimized the scope for any complaint. The procedure and arrangements are being continually reviewed to bring further improvement wherever possible.

The recommendation of the Committee for time bound allotment of shops have been noted 43% of the shops are kept reserved for allotment to special category persons, as per rules.

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#### **Recommendation (Para No. 3.13)**

The Committee note that DDA has extensively developed green areas in Delhi and has helped Delhi to grow as one of the greenest cities in the country. While appreciating the achievements made by DDA in developing the forests, woodland, green belts, district parks, zonal parks, neighbourhood parks and children parks etc., the Committee desire that maintenance of such green areas and water bodies etc., should be carried out from time to time and all the basic facilities viz. toilet, drinking water, eateries, etc. should be provided for the welfare of public at large. The Committee are also of view that co-ordinated efforts be made by the Ministry of Urban Development with the Ministry of Environment and Forests so as to maintain the water-bodies clean. The Committee desire that all public places especially parks should have 'Pay and Use' toilets facilities as for instance the 'Sulabh' toilets. Such toilet facilities would help in the maintenance of environment. The Committee further recommend that the viability for opening up food counters/eateries be examined by

DDA in or around the 'public parks'. The Committee also recommend that demands of the local residents for development of the already existing Parks be met by DDA with a positive perspective in mind.

### **Reply of the Government**

The maintenance and upkeep of green areas and water bodies is an ongoing process being carried out regularly. The suggestion to maintain clean water bodies has been noted for compliance. Providing 'Pay & Use' toilet facility in public places, specially parks is now being considered and in most of the popular green areas, B.O.T. toilets have been provided/are being provided.

The list of parks where this facility has been provided is as under:

1. Indraprastha Park (2 nos. provided & 2 nos. more to be provided)
2. Park opposite LSR College
3. Rose Garden, Hauz Khas
4. Park at Savitri Nagar
5. District Park, Paschim Vihar

The list of parks where this facility is being provided is as under:

- (1) Ashoka Garden, Ashok Vihar
- (2) District Park, Pitampura
- (3) Tughlakabad Recreational Complex
- (4) Green Area near Siri Fort on Joseph Broz Tito Marg
- (5) District Park, Sarita Vihar
- (6) Lala Lajpat Rai Memorial Park at Vinoba Puri
- (7) District Park, Sector-14, Rohini
- (8) Swarna Jayanti Park, Rohini
- (9) District Park, Avantika, Sector-1, Rohini
- (10) Green Area, Sector-14, Dwarka
- (11) Vasant Vatika, Vasant Kunj
- (12) District Park, Janakpuri

- (13) Salvage Park, Mayapuri Phase-II
- (14) Satya Park, Naraina Road
- (15) Priyadarshini Vihar

In addition to above, the feasibility to provide such facilities at other places is examined from time to time.

Regarding opening of food counters/eateries in and around Public Parks—as per Master Plan norms, restaurant/food kiosks are permitted in any park having an area of more than 40 Hectares subject to other development control norms.

Parks in which Restaurants have been provided and are operational:

- (i) Hauz Khas Recreational Complex
- (ii) Mehrauli Archaeological Complex
- (iii) Swarn Jayanti Park, Rohini
- (iv) Paschim Vihar G-17 (Not operational)
- (v) Sanjay Lake Complex (Not operational)

Parks which have been provided with food kiosks/food courts:

- (i) Indraprastha Park (Millennium Park)
- (ii) District Park, Janakpuri
- (iii) District Park, Pitampura
- (iv) District Park, Gulabi Bagh
- (v) Sector-VI, Dwarka
- (vi) Sanjay Lake Complex

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#### **Comments of the Committee**

(Please See Paragraph No. 25 of Chapter I of the Report.)

#### **Recommendation (Para No. 3.14)**

The Committee note that DDA spends about Rs. 40 crore every year for developing new green areas and for maintaining the areas

already developed. Moreover, in 2004-2005 a provision of Rs. 114.19 crore has been made by DDA for maintenance of parks. The Committee recommend that all the funds yearly earmarked for maintenance of Parks be utilized prudently for improving the conditions of the existing Parks/green areas in Delhi. Also, new green areas, be developed in a time bound manner.

#### **Reply of the Government**

The recommendations of the Committee have been noted for compliance.

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#### **Recommendation (Para No. 3.20)**

The Committee are happy to note of the efforts made by DDA in the construction and development of Sports Complexes, play fields, swimming pools, golf courses etc. for the purpose of sports activities for the inhabitants of Delhi. They also note that some sports activities are in progress. The Committee trust that such activities would be continued and completed in a stipulated time frame.

#### **Reply of the Government**

The recommendations have been noted and the Engineering Department of DDA would issue instructions that all sports related projects should have a time schedule and these works should be executed within this time frame.

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#### **Recommendation (Para No. 3.21)**

As regards the training aspect of sportsmen/women, the Committee also recommend that DDA should propagate its sports and coaching facilities, fellowship facilities etc. for the knowledge of common sports-loving persons so that people are encouraged to indulge in sports activities. The Committee would like to be apprised of the action taken in this regard.

#### **Reply of the Government**

Information about all the activities of the DDA Sports Wing and the facilities available at the various sports complexes are regularly

published in a Sports Newsletter on a quarterly basis. The Sports Newsletter is widely circulated amongst the sports fraternity including schools, colleges, sports persons, Sports Federations/Associations, sports clubs, etc., to inform them about the available facilities so that people are informed and encouraged to indulge in sports activities.

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#### **Comments of the Committee**

(Please See Paragraph No. 28 of Chapter I of the Report)

#### **Recommendation (Para No. 4.12)**

The Committee strongly deprecates that a tangible number of backlog of 8668 and 2,883 in respect of the New Pattern Registration Scheme still exist with the DDA. Although more than two and half decades have elapsed when the New Pattern Registration Scheme (NPRS) was launched in 1979 but the bonafide registrants of this scheme are still waiting for the allotments. The Committee need hardly emphasize that as the New Pattern Registration Scheme, 1979 (NPRS) had been open-ended, it was imperative that such a scheme is cleared in time and with no backlog. The Committee, therefore, express dissatisfaction that timely, honest and pragmatic measures have not been taken by DDA in making the NPR Scheme a model and a successful one.

#### **Reply of the Government**

As on 30.9.2005, the backlog of 8668 under NPRS-79 and 2883 under Ambedkar Awas Yojana-89 has been brought down to 8327 under NPRS-79 and 2771 under Ambedkar Awas Yojana-89. It is expected to clear the said backlog within a period of one year.

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#### **Comments of the Committee**

(Please See Paragraph No. 38 of Chapter I of the Report.)

#### **Recommendation (Para No. 4.13)**

As regards the Rohini Registration Scheme, 1981 the Committee are further distressed to learn that a backlog of 27, 043 still exists. The Committee need hardly emphasize that such a situation hampers the credibility of DDA and sullies its public image.

### **Reply of the Government**

It is stated that 1155 plots have already been allotted to the registrants in the draw held on 21.9.2005. At present there are 25858 registrants in the waiting list under MIG/LIG/Janta category. Action has been initiated for acquisition of land by the DDA on priority basis so that the same may be developed/allotted to the respective registrants by the end of 2006.

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### **Comments of the Committee**

(Please See Paragraph No. 38 of Chapter I of the Report.)

### **Recommendation (Para No. 4.14)**

The Committee are informed that an action plan has been chalked out by DDA for liquidation of the backlog of flats by December 2005 and of Plots by 2006. The Committee, therefore, strongly recommend that as assured to them, the backlog of the New Pattern Registration Scheme, 1979 must be cleared expeditiously. The Committee also recommend that the backlog in the Rohini Registration Scheme, 1981 is cleared by taking concerted action for acquisition of land by LAC of Government of Delhi in a time bound manner. The Committee may be apprised of the action taken in this regard.

### **Reply of the Government**

As informed in reply to para 4.13, so far as liquidation of backlog of plots by 2006 is concerned, action is underway by DDA.

As on 30.9.2005, there is a backlog of 8327 Registrants under NPRS-79 scheme and 2771 under Ambedkar Awas Yojna-89 as against 8668 and 2883 shown in the recommendations/observations. It is expected to clear the said backlog within a period of one year.

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### **Comments of the Committee**

(Please See Paragraph No. 38 of Chapter I of the Report.)



### **Recommendation (Para No. 4.33)**

The Committee note with concern that in many 'Resettlement Colonies' for the slum dwellers, the dwelling units constructed are grossly sub-standard and these units appear to be in a dilapidated condition. This is because the material used is sub-standard and there is hardly any quality control. The Committee would like to know, as to why it is so and what remedial steps are proposed to repair these houses. The Committee, therefore, recommend that thorough checks be carried out at construction stage itself. The inspection team should see to it that contractors assigned the job are adhering to the requisite standards. This is extremely desirable so as to ensure that the dwelling units for relocating the JJ clusters are of firm and livable standard.

### **Reply of the Government**

The relocation of jhuggi dwellers is primarily done by Slum & JJ Department of MCD. As per the present relocation policy, eligible jhuggi dwellers are allotted alternate plots. Earlier DDA had constructed some dwelling units for the resettlement of slum dwellers when the Slum Wing was under its control. These dwelling units have since been transferred to Slum & JJ Department, which is presently under the control of MCD. DDA has very exhaustive quality control systems for ensuring proper quality of the houses being constructed by DDA. In addition to day-to-day supervision of construction of houses by the concerned field staff right from the level of Junior Engineer to Chief Engineer, there is an independent Quality Control Wing working under the charge of a Chief Engineer on deputation from outside department, who is directly reporting to Vice Chairman, DDA. Besides this, DDA works also fall within the purview of checking/inspection by CTE's organization of C.V.C.

DDA has also decided to engage the services of reputed Institutions like IIT, Delhi; CBRI, Roorkee and CRRI, New Delhi etc. for third party quality assurance in r/o housing and other major works so as to ensure quality construction.

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### **Comments of the Committee**

(Please See Paragraph No. 41 of Chapter I of the Report.)

#### **Recommendation (Para No. 4.43)**

As regards the water supply problem in Dwarka Area, the Committee urge that suitable measures be taken to distribute water supply.

#### **Reply of the Government**

To meet with the shortage of water in Dwarka, it is proposed to augment the water supply through tubewells. DDA has taken up the work of boring of additional 29 new tubewells in Dwarka. Water is also being supplied through 18 tubewells out of 28 existing tubewells as an interim arrangement. The remaining 10 tubewells are located in the different pockets of Dwarka where there is no occupancy at present. Thus in another few months, DDA will be able to supply water through 57 tubewells. The supply will be augmented to the extent of additional 2.8 MGD (approx.) of water. This is expected to ease the water scarcity in Dwarka till the time DJB augments the supply fully.

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#### **Recommendation (Para No. 4.63)**

The Committee are informed that DDA publicized a list of 'Condonable Items' in connection with alteration/addition in DDA Flats. The Committee however express their concern about their inconveniences, if any, caused to co-residents/neighbours where additions/alterations have been carried out in DDA flats by occupants. During the course of oral evidence the Secretary, Ministry of Urban Development has stated that the list of 'Condonable Items' would be expanded and revised. The Committee, recommend that the list of 'condonable Items' be revised by an 'expert body' in a scientific and technical manner. The Committee are of the firm view that while checking the list of 'condonable Items', adequate steps be taken to ensure proper width of service lanes; sun-light; ventilation and safety requirements of the colony. The Committee recommend that particular attention be given towards 'fire safety' and rescue operations in event of fire in DDA colonies. The Committee would like to be apprised about the action taken in this regard in due course.

#### **Reply of the Government**

The Ministry of Urban Development and Poverty Alleviation vide letter No. K-20014/6/2001-DD-IIA dt. 3.4.2001 had issued instructions

relating to addition/alteration and condonable items in respect of DDA flats. The suggestions of the Committee have been noted for compliance.

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#### **Recommendation (Para No. 4.64)**

The Committee are of the view that after the flats have been constructed, scope for addition/alterations should be minimal as it causes inconvenience to the co-residents/neighbours and opens up scope for misuse.

#### **Reply of the Government**

The observations of the Standing Committee of Parliament regarding minimizing the scope of addition/alteration of DDA flats after their construction has been noted and this aspect is being considered in the design of new housing schemes. In the earlier designs, a number of terraces were being provided on which people were constructing additional rooms. In the new designs, open areas are being restricted to balconies/verandah only. Moreover, as far as possible outer walls are being kept in straight line so that the open area between the flat and road/footpath is minimized.

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#### **Recommendation (Para No. 5.25)**

The Committee note that Section 36 of the Delhi Development Act, 1957 empowers DDA to require the local authority to assume the responsibility for extension of the amenities on the terms and conditions agreed to between DDA and the local authority. The committee are however informed that in case of 'commercial and shopping complexes' in many cases, the DDA does not hand over the maintenance to the local authority or MCD for years together. The cases of 'commercial complexes' at IP Extension is one such glaring example. These complexes are in a dilapidated and dirty condition as they are neither maintained by DDA nor by the MCD. The Committee are of the view that since both DDA and MCD are governmental agencies, they must join hands for the welfare of the public at large. The Committee, therefore, recommend that DDA should immediately hand over all the fully developed 'commercial areas' in Delhi including IP Extension to

MCD who should look after sewerage, cleanliness etc. of such areas. The Committee may be apprised about the action taken in the matter.

### **Reply of the Government**

(a) Services of most of the commercial complexes developed by DDA have been handed over to MCD except the following which are under process of handing over to MCD:

South West Zone	—	5 nos.
Dwarka Zone	—	5 nos.
Rohini Zone	—	2 nos.
North Zone	—	46 nos.
East Zone	—	24 nos.

(b) As regards the status of handing over of services of two Local Shopping Complexes (LSC) at IP Extension, DDA had convened a meeting on 10.8.2005 along with DJB & MCD Officers when it was agreed to effect the transfer in a time bound manner.

Based on the agreed Plan of Action, completion plans and joint inspection have been carried out in respect of two LSCs in IP Extension, namely LSC near Prince Apartments and near Paradise Society. These services are proposed to be handed over within two months after finalization of deficiency estimates & payment of agreed deficiency charges.

In respect of LSC near Paradise Society, the work is proposed to be completed within one month after which the system would be handed over to DJB in a similar time bound manner.

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### **Recommendation (Para No. 6.11)**

The Committee note that in one case, the land earmarked for Dharamshala was used for Banquet Hall. The Committee take a serious view of it and would like that the matter be thoroughly probed. Here, they would also like to recommend that misuse of land should be considered a criminal offence and necessary provisions in this regard need to be incorporated in the law.

### **Reply of the Government**

With reference to the specific case mentioned by the Committee, DDA has reported that the lease in question has already been cancelled and eviction proceedings have been initiated. The suggestion to consider misuse of land as criminal offence would also be examined and further action taken, in this regard by DDA.

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### **Recommendation (Para No. 6.44)**

The Committee note that a large number of Memoranda have been received alleging inaction by various departments of the DDA. The Committee have their apprehensions that inaction on the part of DDA encourages defaulters who think that they can get away lightly. On the other hand, honest people feel let down if no action is taken when they report such in actions to the DDA. Inaction on part of DDA obviously makes people suspicious. DDA needs to build its image by acting timely on the genuine complaints of unauthorized constructions and encroachments received from the common public. The Committee recommend that the functioning of the enforcement and recovery Department of DDA should be reviewed thoroughly so that suitable check and balance is maintained by fixing time-frame for handling of jobs at each desk. Further, officers delaying matters or not acting timely on issues brought to their notice should be held accountable and stringent action taken against them.

### **Reply of the Government**

The recommendation of the Committee has been noted for compliance.

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### **Recommendation (Para No. 6.45)**

Since its inception several decades back, DDA has made long strides and flowered into a vast organization with manifold functions and responsibilities and with vast area of operation. Over the years, DDA's function has focused mainly on building activities which has become highly professional now a days. As such, it will be in the fitness of things that the officers and staff of DDA should be highly

professional with more and more autonomy. As such, it is imperative that top posts in DDA *i.e.* Vice-Chairman etc. should be manned by the professionals who might be absorbed in the organization itself so that they can concentrate more and contribute more towards its upliftment and efficiency. It is high time to see whether DDA can be given the status of *navranta* with more functional autonomy. The Committee desire that the feasibility in this regard may be explored and if necessary, amendment in rules/enactment may be carried out.

### **Reply of the Government**

DDA is a vast organization having multi-functional responsibilities in the field of housing, urban development, civil engineering, human resource development, architecture and system management etc. DDA is also responsible for implementing policies of the Government in respect of land, planning and urban development. The fund being operated by DDA is accrued from sale and revenue receipts relating to land, which is a government resource, the management of which has been entrusted to DDA in so far as Delhi is concerned. Hence a person with sufficient managerial and administrative experience in Government and exposure to urban affairs is best suited to head the organization. The present process of selection for the post of VC DDA has been found to be appropriate.

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Dated: 16th November 2005]

### **Recommendation (Para No. 6.46)**

The reported mal-practices and alleged corruption prevailing in DDA's offices lead to some serious thinking about the functioning of vigilance there and cast a sinister shadow on it. It seems that the vigilance is not that effective as it should be or it has functional hindrances due to one reason or the other as a consequence of which they are not able to play their expected role. Any organization has to be corruption free and to that effect effective deterrence to mal-practices is a must. The Committee feel perhaps there is a gap here. There is a need to strengthen the vigilance machinery substantially and to acquaint them with the latest strides made in this area. Restructuring and proper orientation have become more essential in view of the irregularities reported from time-to-time. The Committee feel that the officers heading the vigilance wing should be sufficiently senior in hierarchy and should be permitted to work independently without any interference. The entire vigilance wing should have functional

autonomy and the head of this wing should be made accountable to the Lt. Governor only who is the *ex-officio* Chairman, DDA. The feasibility in this regard may be explored and if found necessary, amendment may be made in the rules or act.

#### **Reply of the Government**

The Ministry is fully in agreement with the observations of the Committee that Vigilance Wing of DDA shall have full functional autonomy. In this regard, DDA is being advised to appoint persons with sound experience in vigilance matters and also to provide vigilance training to equip their officers with necessary skills. It is however felt that it may not be feasible for CVO to report direct to LG, Delhi, bypassing Vice Chairman, DDA. The present practice of CVO reporting to LG, Delhi through, VC, DDA is appropriate and effective both functionally and administratively. Further, CVO is also guided by the Central Vigilance Commission, which is also a statutory authority.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Recommendation (Para No. 6.47)**

The Committee observe that the staff strength of DDA has increased manifold after its inception in 1957. They therefore, recommend that in order to manage huge staff of DDA, DDA needs a full time Member (Personnel) and for this purpose suitable amendment should also be made in section 3 (3) of DD Act, 1957.

#### **Reply of the Government**

As per the DD Act, 1957, LG, Delhi is the Chairman of DDA. Besides Vice Chairman, DDA, there are two Members of DDA *i.e.* Finance Member and Engineer Member. The Ministry feels that there is no justification for creation of a post of Member (Personnel) as the functions relating to staff are dealt with by Commissioner (Personnel). Staff function is a supporting function and not a primary function of DDA.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Recommendation (Para No. 6.50)**

The Committee note with satisfaction the various steps are being taken by DDA to ensure public participation in their functioning. The

Committee, however, are concerned to note that a large number of grievances against DDA and their officials are published in 'Print Media' and people are constrained to take the help of Press to get their problems redressed or to go to the Courts of law. This shows that the DDA does not give proper and adequate response on a given complaint. The Committee firmly recommend that an effective and responsive mechanism for monitoring the complaints be devised by DDA with a positive perspective in mind for timely and quick Redressal of public grievances and the written complaints received in DDA offices should be monitored and disposal on a regular basis.

### **Reply of the Government**

It has been suggested that effective and responsible mechanism for monitoring the complaints should be devised for quick redressal of the grievances received in DDA.

Following steps have been taken by DDA to monitor the grievances for effective and urgent redressal:

1. A scroll of the grievances received at computerized Receipt & Dispatch counters is prepared on daily basis and forwarded to all HODs for disposal and monitoring.
2. Steps are taken by the Nodal Officer (Grievance) in respect of grievances received from the public through telephone directly or through call center by directly approaching the concerned senior officers for early redressal. Two Welfare Inspectors have also been engaged in the PG departments to constantly pursue the concerned departments for their early redressal of the grievances so received.
3. Grievance received in the PG department from DPG, MOUD, DARPG, are monitored regularly at the level of Principal Commissioner-cum-Secretary, Vice Chairman and Secretary (UD).
4. PGRAMS system for monitoring grievances has recently been installed in DDA and grievances received would be monitored through this software.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]



### **Recommendation (Para No. 6.60)**

The Committee are perturbed to note that a number of complaints have been received by the general public on the cumbersome and lengthy procedure adopted for conversion of property from lease hold to free-hold. The Committee fail to understand as to why the DDA does not bother to look into its own records and expects people to submit and re-submit the same documents on several occasions for getting their final approval for conversion from lease hold to free hold of property. The Committee observe that certain documents like photocopy of lease-deed, Plinth Area Certificate, Possession Certificate and Proof of physical Possession should be available in DDA records. Such a situation speaks volume of lack of coordination between different 'wings' of same organization. The Committee therefore, firmly recommend that the procedure for conversion of property from lease hold to free hold be simplified by minimizing the number of documents to be submitted as well as by fixing a time-frame for completion of the whole procedure by DDA. DDA should also computerize this system and hold periodical camps in the DDA colonies itself, for easy access to the public and to mitigate their grievances on this count.

### **Reply of the Government**

In pursuance of conversion policy issued by the Ministry of Urban Development, DDA had decided to convert residential flats as well as residential built up plots from lease hold to free hold on payment of conversion charges. Accordingly, a brochure was prepared and got published incorporating the salient features of the scheme, amount of conversion charges payable for flats, category-wise and zone wise. The documents required to be submitted alongwith the conversion application have also been clearly mentioned in the said brochure. These documents are essential requirement and are in accordance with the approved guidelines of the Government of India for processing the application forms from leasehold to freehold. Though documents like letter of possession and perpetual lease deed/conveyance deed (in few cases) are available in file but other documents *i.e.* proof of physical possession, no objection certificate regarding mortgage and receipt of ground rent are normally not available.

For conversion of properties from lease hold to free hold, the practice of obtaining the photocopy of the lease papers has since been dispensed with. As regards the plinth area certificate from the Group Housing Societies, efforts are now being made that if in any particular Society a flat of the same category has been converted into free hold,

then its plinth area copy can be obtained from any DDA file itself without bothering the applicant for this purpose.

On the issue of dispensing with the requirement of proof of physical possession, it is informed that in respect of the original allottees, the letter of possession is required from the society and in respect of the GPA holders a copy of the letter of possession is required, so as to verify the signatures of the original allottee in the GPA and Agreement to Sell. However, DDA is making efforts to expedite conversion by simplification of its policies and procedures. Several important proposals in this regard on issues such as misuse charges, cases of share transfers etc., are under review. As suggested by the Committee, Conversion camps are being held in Group Housing Societies to meet proper requirements at their door. Consequently, the number of conversion cases in 2004-05 was 7228 as compared to 2455 in 2004.

DDA is in the process of holding periodical camps in DDA colonies for the purpose of expediting the conversions. Also a detailed computerization proposals is presently underway in DDA which includes in its ambit the computerization of various processes involved in conversion of property from leasehold to freehold. As regards the fixing of time frame for completion of conversion, it is pointed out that DDA already has a time frame of three months for finalizing such conversion cases.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 55 of Chapter-I of the Report)

#### **Recommendation (Para No. 6.62)**

The Committee have received a number of Memoranda from the General Public about the menace of property dealers who work in DDA lands in connivance with DDA officials. Even before allotments are made of the DDA's dwelling units, boards and hoardings of property dealers come up in the area. The Committee feel that such commercialisation of the DDA's Units shall defeat the main purpose of giving cost effective housing to the weaker sections of the society. They therefore, recommend that strict action be taken against the field staff and officers of DDA, who operate hand-in-glove with private property dealers and encourage sale of dwelling units on 'Power of

Attorney' at higher prices thereby, earning unwarranted profits and periodical inspection is done in this regard.

#### **Reply of the Government**

DDA has informed that before allotment of flats, fixing of Boards and Hoardings by the property dealers is not permitted. However, if any case regarding connivance of property dealers with DDA employees comes to the notice, the same is referred to the Vigilance Department for necessary action. In order to bring transparency in system and to avoid any manipulation, computerized draws for the flats are held in the presence of independent Judges who are senior officers from different organizations and also the media. The process of draws is also displayed in parallel on a big screen and also posted on the notice board in the reception area, web site and in the Newspapers.

All these arrangements have had a salutary impact and have substantially minimized the scope of any complaint. The procedures & arrangements are being regularly reviewed for further improvement.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 58 of Chapter-I of the Report)

#### **Recommendation (Para No. 6.66)**

The Committee note with concern that the land use earmarked in Zonal Master Plan has been changed by DDA after a passage of time in certain areas of Delhi. The Committee are of the firm view that such change in land use of an area should be made only in case of compelling circumstances and for the facility/benefit of the residential population of such area. The Committee, therefore, recommend that prior to change in land use of an area, the RWAs etc. must be consulted and such change should be avoided in cases where the area had been earmarked 'Green' area in Zonal Plans.

#### **Reply of the Government**

The Master Plan prepared by DDA to provide overall guidance and framework for planned development of Delhi assigns specific land-use to different areas in the National Capital Territory of Delhi. The main categories of land-use are residential, institutional, industrial,

commercial etc. A total 9 major categories and 37 sub-categories of land-use are prescribed in the Master Plan, 2001. However, due to exigencies of development and evolving needs for meeting various requirements of the population, it becomes necessary to change the assigned land-use of a particular plot of land. Such change in land-use involves an amendment to the Master Plan, and is resorted to only where inevitable and required in public interest.

The change of land use is done in accordance with the provision of DDA Act 1957 and Public notice under section 11 A of the DDA Act is issued for inviting Public objection/suggestion. The proposed change of landuse is also examined by a Technical Committee of DDA before it is decided to issue such public notice. Objections and suggestions received in response to the public notice are also examined by Technical Committee of DDA and recommendations of the same are put up to the Authority for its consideration. Once the Authority recommends the change of landuse after taking into consideration the public objections/suggestions if any, the proposal is taken up in the Ministry for approving the change of landuse by due notification amending the Master Plan.

Therefore, it may be seen that sufficient examination of technical issues as well as opportunity to stake holders and citizens including RWAs is provided for in the procedure is being followed for effecting any change in the landuse in Delhi. As far as areas earmarked green are concerned, care is taken to see that land use of area already developed as green is not changed except in unavoidable circumstances. The orders of the Courts and guidelines of Ridge Management Board are also taken into consideration by considering any such change of landuse.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

### CHAPTER III

#### RECOMMENDATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF GOVERNMENT'S REPLIES

##### **Recommendation (Para No. 1.27)**

The Committee note that according to the provisions of Section 6 of the Delhi Development Act, 1957, the Delhi Development Authority (DDA) is entrusted with aims and objectives to formulate a Master Plan for covering the present and future growth of Delhi and to promote and secure the development of Delhi according to the Plan covering all the possible activities. It is entrusted to acquire, hold, manage and dispose of land and other property and carry out building, engineering, mining and other operations. Also, the DDA is required to provide services and amenities incidental to the above. While the Master Plans and the Zonal Plans as approved by the Central Government serve as the basic framework for development of Delhi, the DDA has to effectively complete the arduous task of providing 'Housing' facilities to the ever-growing population of Delhi. The MPD 1962 had recommended an area about 45000 hectares for urbanization so as to accommodate a projected population of 5.3 million by the year 1981. Further, the MPD 2001, which is presently under implementation, has recommended to develop 18000 to 24000 hectares of additional urban area so as to accommodate a projected population of 12.8 million by the year 2001. The MPD 2001 also recommended for urban structuring to be 'Low Rise High Density' with re-structuring of physical infrastructure so as to also accommodate an additional population of 3 to 4 million. The Committee are, however, concerned to note that despite the efforts of DDA to meet the requirements of 'Housing' and accommodating the influx of people into Delhi for livelihood, there is apparently a significant growth of unauthorized colonies, JJ clusters and Squatter settlements in the metropolitan city of Delhi, which is the capital city of India. The Committee finds that Delhi is under severe pressure to house the rapidly increasing population of the city. The Committee, therefore, recommend that DDA should make earnest efforts to provide adequate 'Housing' for the people of Delhi in coordination with the Government of Delhi and other local bodies so that at least further growth of unauthorized colonies and squatter settlements are stopped forthwith.

### Reply of the Government

DDA, has since its inception provided housing stock of about 10.55 lakh dwelling units in Delhi through construction of flats and allotment of plots to individuals, societies, resettlement colonies etc. As per the Census 2001, Delhi has 24.5 lakh Census houses and a shortage of about 1 lakh houses/dwelling units. Another about 3 lakh kuchha structures require replacement. Based on the projected population of 230 lakh by 2021, the estimated additional housing stock required will be around 24 lakh dwelling units. It has been assessed that around 20 and 40 per cent of housing need respectively can be met by the development of accommodation in the adjacent NCR cities and through redevelopment/upgradation of existing areas of Delhi. Thus approximately 10 lakh new housing units will have to be provided, of which around 50-55 percent of the housing requirement would be for urban poor and economically weaker sections. Accordingly, the Draft MPD-2021 has proposed a multi pronged strategy for provision of housing as given below:

Indicative Distribution in Housing Type to be added during Plan period (2001-2021)

Sl.No.	Housing Type	Development Agencies	%
1.	Slum & JJ 1. In-situ Rehabilitation 2. Relocation/Reconstruction 3. Up-gradation	Public Agency Private Agency Co-op. Society	25
2.	Houses on Independent Plots & Redevelopment	Public Agency Private Agency	8
3.	Group Housing (35% of total DUs not to exceed 2 room sets)	Public Agency Private Agency Co-op. Society	42
4.	Employer Housing	Central/State Govt.	4
5.	Unauthorised Colonies-Regularized	Co-op. Society/ Residents' Association/ Private agency	15
6.	Other Housing areas, Upgradation of Old areas/ Traditional areas/Villages	Public Agency Private Agency Co-op. Society	6
Total			100

Draft MPD-2021 also stipulates that in any group housing scheme 35 per cent of the total DU's be provided for EWS/LIG (below 40 sqm. plinth area/2 room units). As may be seen from the above, the Draft Master Plan has, for the first time, placed emphasis on the need for several agencies to be associated with housing development in Delhi, and redefined the role of the State as a provider as well as facilitator. It is proposed that private developers will be permitted to take up housing development on both lands owned by DDA as well as on private land under the guidelines laid down by the DDA, and within the overall umbrella of the Master Plan.

While taking up construction of housing, the private developers would also have to provide for EWS category housing in colonies developed by them, so as to cater to the shelter needs of the service providers in the informal sector. DDA has proposed that on DDA lands, taken up for housing development by private developers, 35% of the housing should be of EWS/LIG category and on private lands minimum 20% of the housing should be in LIG category. This strategy is expected to have the dual benefit of speeding up housing development to cover up the backlog and estimated growth in housing requirement and also to prevent the burgeoning of unauthorized colonies and slums.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Recommendation (Para No. 1.28)**

The Committee are informed that according to population projections, 20 to 30% of the required 2.4 million dwelling units are to be provided in the National Capital Region of Delhi but the augmented housing requirement for Delhi cannot be provided within Delhi itself. It has been projected that 30 to 40% of the dwelling units should come in form of re-development and densification of existing areas, which would also include things like higher density for slum rehabilitation. Also, about 1.5 million dwelling units may have to come up in the areas, which would be urbanized during the MPD 2021. The Committee are also informed that at present about 23,000 dwelling units are under construction by DDA and the 'Housing Projects Approval Committee' of DDA has approved another 8000 housing units for construction. While the Committee appreciate the efforts made by DDA in providing dwelling units and planning housing projects in Delhi, they are of the firm view that a lot is yet to be carried out so as to house the populace of NCT of Delhi. The Committee, therefore,



recommend that intense and well-timed hard work is done so as to accommodate the ever-present population in squatter settlements, JJ clusters, etc. as per the Master Plans. The Committee also desires that the developmental works of DDA should be toned-up to contain a clean Delhi and a planned Delhi.

### **Reply of the Government**

The Slum and JJ Deptt. of MCD is the main agency dealing with matters relating to slums in Delhi. As per the relocation policy followed in Delhi, S&JJ Wing provides alternative plots to eligible squatters. Since 1991, it has allotted about 53,800 plots to eligible squatters. About 15,671 requests for relocation are reported to be pending with the Slum and JJ Wing of MCD, for allotment of plots. However, DDA has also been undertaking resettlement schemes to resettle the JJ clusters from the DDA project sites or in the Development Areas of the DDA.

In view of the large number of families estimated to be living in slums and JJ settlements, in the year 2004, MOUD had constituted a Committee under the chairmanship of VC, DDA to prepare an Action Plan to make Delhi Slum Free. The Committee recommended that the present approach of providing site and services needs to be progressively abandoned and substituted by an alternative approach, comprising of the following strategies:

1. In-situ Rehabilitation
2. Relocation/Reconstruction
3. Up-gradation

These recommendations are reflected in Draft MPD-2021, which stipulates 25% of the total housing should be devoted for Slum & JJ Rehabilitation.

The Committee also recommended the rehabilitation of slum dwellers in multi-storied tenements in order to overcome the constraint of land availability and to preclude the possibility of large resettlement colonies degenerating into mega-slums. The Ministry of Urban development has accepted "in principle", a proposal of DDA to take up rehabilitation of slum dwellers in multi-storeyed tenements on pilot basis. Such multi-storeyed tenements would be taken up on self financing basis as far as possible by using land as resource. The tenements would be allotted only on short-term lease or licence basis with penalties for unauthorized transfer in order to counter alienation and mis-appropriation by ineligible individuals or speculators. Based



on the above, the DDA has undertaken a pilot project for in-situ rehabilitation of Slum & JJ clusters at Tehkhand for accommodating about 3500-4000 JJ families.

In addition to this change in approach for rehabilitation of slum dwellers, the Govt. has also proposed a new approach to cater for shelter needs of service providers in the informal sector, who are normally the main category of persons that squat on public or private land around residential areas, in order to be close to their place of employment. Under the new approach, it is proposed that every residential colony, whether developed by group housing society, cooperative group housing society, private developers or DDA would have to construct EWS housing on land obtained for this purpose in the vicinity. The number of such EWS dwelling units would be equal to the number of dwelling units constructed for members or residents of the colony. Such EWS dwelling units would be handed over to a State agency (DDA or S&JJ) for allotment to eligible individuals of EWS category, on licence basis. The EWS housing tenements would be managed by a cooperative society or association to be set up by the allottees under the guidance and overall supervision of a State agency such as MCD or DDA.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Recommendation (Para No. 2.30)**

The Committee note that DDA has taken over possession of 67354.88 acres of land acquired through the Land Acquisition Collector of Delhi, till March, 2003. Till March, 2005, DDA has acquired land totalling upto 69890 acres. The Committee note that land acquired for DDA are to be developed for residential, recreational, industrial, commercial and institutional purposes. The Committee appreciate that DDA has developed/provided for 27 community centers, 125 local shopping centers, 429 convenient shopping centers and a number of dwelling units in the lands acquired for DDA. The Committee trust that DDA moves ahead by providing adequate number of dwelling units and other facilities to the urban population of Delhi so that the city can boast of being a world-class city by 2021. The Committee also desire that the upcoming dwelling units, shopping complexes, institutions etc. as well as the existing constructions by DDA are adequately maintained and upholstered with an aesthetic sense to ensure that these dwelling units/flats, shopping complexes etc. give a neat and modern look. Since private players have been encouraged by

DDA in building up the 'Shopping Malls' in Delhi, which have come up lately, the Committee urge the Government to ensure that all the required safeguards—such as fire fighting arrangements, emergency exists, proper lifts in high rise buildings and constructions of earthquake proof structures are adhered to strictly both by the private builders and DDA.

### **Reply of the Government**

Construction of buildings in Delhi is governed under the provisions of the Unified Building Bye Laws for Delhi, 1983, which *inter alia*, provide for adequate measures and safeguards to ensure fire safety as per National Building Code (NBC). In respect of Buildings that exceed 15 mts. in height, clearance from the Chief Fire Officers is required as an additional safety measure. In respect of structural safety against earthquakes, it is mandatory to give a certificate signed by a Structural Engineer, Architect and Owner of the building that measures in accordance with the NBC have been taken. This provision was incorporated in building bylaws by amendment notified *vide* Gazette notification No. S.O. 248 (E) dated 21.03.2001, issued with the approval of the Govt. in the aftermath of the experience of the Gujarat earthquake of January, 2001.

As regards the provision of required safeguards in high rise buildings—such as fire fighting arrangements, emergency exists, proper lifts and earth quake measures are concerned, all the norms are adhered while designing and during the construction of such buildings by DDA. For buildings to be constructed by private developers, enforcement of these provisions is ensured by Building Section of DDA under Director (Building).

As regards the constructions undertaken by DDA for residential and commercial purposes, after construction is complete, the flats/shopping complexes are handed over to the respective allottees. The maintenance of such structures is the responsibility of the individuals, RWAs or respective local bodies and DDA has no role to play in this regard, after the areas are denotified. In respect of the areas/pockets which are not denotified, unauthorized alterations/additions in the construction, if detected, are reported by Engineering Wing to Commissioner (Housing)/Commissioner (LM)/Director (Enforcement) for taking action under building bye-laws/Delhi Development (Act/terms & conditions of the lease deed etc.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Recommendation (Para No. 4.22)**

The Committee observe that a vast number of marginalized poor in the urban centers, particularly in the metropolitan cities live without shelter, facilities and amenities for bare existence, deprived of basic needs and means of livelihood. Such marginalized people could be found either in slums or in other illegal and unauthorized habitations with no semblance of civic amenities. They are mainly unorganized daily wage earners, construction workers, vendors and hawkers, rickshaw and cart-pullers, porters and loaders, street and working children or simply the vagrants and homeless. The Committee also note that the Delhi Master Plan defines 'shelter' as an essential need of a family, including components like water, electricity, waste disposal, education, health, recreational and other facilities'. It also mentions about vendors and hawkers, reported to be 200,000 in Delhi. The Committee are, therefore, of the firm view that 'Housing' for the EWS including the JJ clusters should be one of the primary concerns of DDA. The Committee recommend that clearcut and specific planned measures be taken by DDA by making suitable provisions in MPD-2021 for providing dwelling units at an affordable price to the actual EWS and JJ cluster population in the DDA housing scheme.

#### **Reply of the Government**

Keeping in view the socio-economic composition of the population, the Draft MPD-2021, has estimated that around 50-55 percent of the housing requirement would be for the urban poor and the economically weaker sections in the form of houses of two rooms or less. Further as per MPD-2021, as a mandatory provision 35% of the total dwelling units are proposed to be upto two room units (upto 40 sq. mts. plinth area) as to provide for EWS/LIG housing.

The category of the urban poor, would mainly comprise the inhabitants of squatter settlements and informal service providers for which innovative strategy of *in situ* slum rehabilitation along with ongoing relocation & upgradation have been proposed.

MPD-2021 proposes that in every housing scheme taken up by any agency at least 10 per cent of the saleable net residential land should be reserved for EWS housing and pooled on a zonal basis to have its even spread in different parts of the city and not concentrate in one place. Such reserved lands should be used for promoting housing for low income and weaker sections.

The policy for allotment of land to Cooperative Group Housing Societies is under review to make it mandatory for construction of EWS tenements by such societies for the service providers in the adjoining localities.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Recommendation (Para No. 4.41)**

The Committee are concerned to note that upto the end of 3rd quarter of the year 1999, 10625 houses could not be allotted due to absence of electricity and 5508 houses could not be allotted due to absence of water supply. The Committee are of the view that before construction of houses is taken up, DDA should satisfy itself about the availability of water and power as per requirement. The Committee would like to know whether proper assessment of the aforesaid requirements was done before the construction was taken up. The Committee recommend that sincere efforts be made by DDA, DJB and the Electricity authorities to take corrective action, expeditiously, so that the bonafide owners of these flats can be allotted the dwelling units. The Committee may be apprised about the action taken in the matter.

#### **Reply of the Government**

10625 houses and 5508 houses, which could not be allotted due to absence of electricity and water respectively, were subsequently released for allotment after electricity was provided by DVB/DISCOMS and water by DJB/or through interim arrangements made by DDA.

As per the present policy, flats are allotted only after all the services including electricity are available.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

## **CHAPTER IV**

### **RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE**

#### **Recommendation (Para No. 1.29)**

The Committee needs hardly mention that the problems faced in Delhi in accommodating the migratory population from rural/small towns and townships are manifold. The city is not only required to provide 'Housing' to the incoming population, but also water supply, sanitation, sewerage, treatment of sewers, electricity, garbage disposal and environmental management. While the Committee appreciates that the draft MPD 2021 envisions to make Delhi a global metropolis and a world class city, they are however of the firm view that unless coordinated efforts are made by DDA, the NDMC, Municipal Corporation of Delhi, Delhi Jal Board and urban bodies to ensure proper garbage disposal and curtail open-defecation in the squatter settlements, this objective would be very difficult to be achieved. The Committee recommends that DDA should develop suitable housing structures for the urban pool with proper sanitation facilities and re-locate people living in squatters and slum tenements in appropriate areas.

#### **Reply of the Government**

The provision of the basic amenities in relocation sites is the responsibility of the relocating agency, mainly the Slum and JJ Wing of MCD. However services such as water supply, roads and drains etc, are to be provided by DJB, MCD etc. However, as observed by the Committee, there is often a backlog of sanitation and other services in the Resettlement Schemes. This is mainly due to delay in the provision of the services by the concerned agencies namely DJB, MCD etc. However as far as possible, while relocating squatters to different relocation colonies, both DDA and the Slum and JJ Deptt. of MCD provide basic facilities like roads, electricity, water, schools, dispensaries, toilet complexes etc. In addition, Slum and JJ Deptt. also provides Basti Vikas Kendras, Community Halls and Shishu Vatikas in the resettlement pockets developed by them.

Moreover, in order to plan for better provisioning for basic amenities, Draft MPD-2021 proposes the following for Resettlement Colonies:

“The immediate need is of individual services i.e. water, sewerage and electricity. Regular sewerage network provision may not be possible immediately in many areas because of non-availability of connecting lines and financial constraints. In such cases, the low cost sanitation on individual or collective basis should be adopted. To ensure healthy and better environment, the construction of houses needs to be based on approved/standard building plans. Co-operative societies/private developers/Govt. agencies may come forward for redevelopment based on the incentives as applicable for the Squatter Rehabilitation Scheme.”

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 7 of Chapter I of the Report)

#### **Recommendation (Para No. 1.30)**

The Committee are informed that specific provisions for Mixed Land Use had been made by Government in the residential areas along with Non-permissible Mixed Land use in MPD 2001. In this regard, the Committee desire that proper and earnest steps are taken by the concerned governmental authorities to ensure that non-permissible limits of Mixed Land Use are adhered to in the urban areas of Delhi so as to ensure security, safety and environmental quality of residential areas. The Committee also desire that the provisions/limits of permissible and non-permissible Mixed Land Use be reviewed in the light of latest developments and necessary amendments be made in these limits, if found necessary. The Committee would like to be apprised of the action taken in this regard.

#### **Reply of the Government**

The provisions of mixed land use as given in Master Plan have been worked out so as to maintain a balance between the ground realities/provision of self-employment opportunities, with the need to ensure security, safety and environmental quality of the residential areas. DDA is responsible for administering the provisions relating to mixed use in development areas and local bodies namely NDMC and

MCD are responsible for this function in those development areas that have already been de-notified and transferred to them by DDA. The relevant statutes namely, DD Act and the MCD Act provide for prosecution and limited financial penalty in cases of misuse or violation of provisions relating to mixed use. There are no provisions for sealing the premises in cases of misuse under the Master Plan. Therefore, there is no effective deterrent to prevent and tackle the problem of misuse of properties beyond the extent of mixed use provided for under the Master Plan. It is proposed to undertake revision of these provisions in the Act to provide for more stringent and effective deterrence against misuse and violation of provisions relating to mixed land-use.

However, within the statutory provisions available at present, DDA has been undertaking action in cases of violation of mixed land-use provisions. The year-wise number of prosecution cases launched and fine imposed by MM court are as under:—

Sl.No.	Year	Prosecution launched	Fine imposed by MM Court
1.	2002-03	599	Rs. 4.21 Lakh
2.	2003-04	199	Rs. 13.69 Lakh
3.	2004-05	408	Rs. 17.31 Lakh

Further, the draft MPD-2021, which has been published for inviting objections/suggestions from the public in April, 2005 has proposed the following with respect to Mixed Land-use:—

1. Non-residential activity on residential premises should be permitted selectively and carefully taking into consideration community needs, environmental impact and provision for safe and easy traffic circulation and adequate parking.
2. In case of new developments, planned mixed residential and non-residential activity should be introduced right at the time of preparation of layout plans along with planning of Commercial Centres for which appropriate provision of parking, circulation and services be kept in view. Norms for parking and commercial use on different floors be specified.
3. Notified provisions made in the earlier plan may be continued within the overall framework of the approved plan.

4. Mixed use may be permitted on residential plot facing streets/roads of minimum 18.0m ROW in regular residential plotted development with prescribed development norms, such streets should be notified and given wide publicity.
5. The bungalow areas of Lutyens Delhi and Civil Lines, Government housing, institutional/staff housing and areas of heritage and national importance shall not be covered under the mixed use policy.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 10 of Chapter I of the Report.)

#### **Recommendation (Para No. 2.29)**

As regards, non-conforming use of the DDA lands, the Committee note that DDA has initiated counteractive action under the provisions of Section 29(ii) of the Delhi Development Act, 1957 in 140 cases in 2003, 144 cases in 2004 and 332 cases in 2005. While the Committee note with satisfaction that DDA has taken certain remedial actions in cases of non-conforming use of their lands, with the Master Plans, they desire that DDA should devise suitable in-built mechanism to check misuse of their lands and ensure the developed areas remain intact with the Master Plan.

#### **Reply of the Government**

Regarding non-conforming use of DDA land, the provision of section 29(2) of the DD Act, 1957 has already been incorporated in the lease deed(s) of properties. The violation of the terms and conditions of the said provision in the lease deed attracts termination of the lease deed and subsequent eviction proceedings against defaulting lessee of the property. In addition, DDA has an in-built mechanism to detect violations of section 29(ii) of DD Act through the Enforcement Branch and Survey Wing. These wings of the DDA conduct periodical inspection of the sites under their jurisdiction to ascertain the nature, quantum and period of non-confirming use of DDA land, after which the action stipulated in the lease deed follows.

The Enforcement Branch (Lands) of DDA takes action under section 14 read with Section 29(2) of DD Act, 1957 regarding detection



of misuse in residential areas in contravention of the provisions of Master Plan and issues show cause notices to the misuser of the premises. Simultaneously, other Govt. Departments such as House Tax, Licensing and Health Deptt. of MCD, Sales Tax Deptt. and ROC are approached for verification of the ownership of the premises/constitution of the misuser companies. On receipt of verification, prosecution is launched against the misuser of the premises in the Court of Metropolitan Magistrate, Patiala House, New Delhi.

Moreover, DDA imposes misuse charges for non-conforming use of the property as and when conversion applications are received in respect of such properties. In such cases, the past misuse charges are also recovered and non-payment of the misuse charges amounts to termination of lease deed and subsequent eviction from the property.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 16 of Chapter I of the Report.)

#### **Recommendation (Para No. 2.33)**

The Committee note that the Land Acquisition Collector acquires land in Delhi from farmers and villagers and hands over such acquired lands to DDA for development. At the time of acquisition of these lands, the LAC fixes the acquisition rate to be paid as compensation to the land losers. The Committee also note that alternative plots are allotted to the recommended farmers whose land has been acquired under large scale acquisition and development of land in Delhi. The Committee, however, would like to point out that a number of complaints have been received from such land losers by the Committee in response to their 'Press Communiques'. these complaints pertain to fixation of low rate of compensation to the land losers, and denial of allotment of alternative plots to certain land losers, specifically in Rohini and Wazirpur areas. Apart from these, a number of cases are pending in courts of law by complainants or land losers for suitable compensation. The Committee recommend that keeping in mind the needs of the farmers/villagers who have lost their lands, which were their means of livelihood, the DDA as well as the concerned Government authorities must take substantial steps so as to give adequate monetary compensation and alternate lands to such land losers with a positive perspective. The Committee strongly feel that whenever any land is acquired by DDA from anyone, the process

should be so simplified that the land loser without any hassle and delay, is able to get compensation on alternative land/flat/shop within a specific time-frame and is not made to wait for years together as is the case now. The Committee also recommend that whenever any land is acquired, the landless labourers working on the same land should be suitably rehabilitated, as they get deprived of their means of livelihood.

### **Reply of the Government**

The Delhi Development Act envisages planned development of Delhi through the agency of DDA. In order to undertake this planned development, DDA has been acquiring land in areas earmarked under the Master Plan for urbanization. Acquisition of land is undertaken by GNCTD on the basis of requisition given by DDA. The Land Acquisition Collector (LAC), GNCTD carries out the acquisition under the provisions of the Land Acquisition Act, 1894. Further to provide for the peculiar nature of acquisition in Delhi for planned development, a scheme for Large Scale Acquisition, Development and Disposal of Land, was also formulated by the Govt. in 1961. While the Land Acquisition Act provides for compensation to land owners at the rates approved by the Govt. from time to time, the Scheme for large scale acquisition provides for allotment of alternate residential plots to land owners, by DDA, based on the certification of eligibility by GNCTD. For the simplification of land acquisition process, a standard operating procedure has been finalized between DDA and Land & Building Department of GNCTD.

As far as monetary compensation is concerned, LAC/L&B Deptt./ Dy. Commissioner of GNCTD are competent to acquire land as per the Land Acquisition Act. The compensation rate is fixed and award is passed by the LAC. The award is also approved by the Competent Authority in GNCTD, after which the amount of compensation is released by DDA. Land owners who are aggrieved by the rates fixed by LAC, can file references before the Court of Addl. District Judge.

So far as the allotment of alternative land to the farmers whose land has been acquired for the planned development of Delhi is concerned, the role of DDA arises only after receipt of recommendations from L&B Deptt. There is a clear cut policy for allotment of alternative land which has been revised from time to time, keeping in view the changes in land cost/market value and also the availability of sufficient land. The policy for awarding compensation to land owners and grant of alternate plots to them does not cover agricultural labourers that

may have been dependent on the acquired agricultural land. Any such policy would have to be evolved by the L&B Deptt. of Govt. of NCT of Delhi for rehabilitation of the labourers working on the said land, after taking into account various factors such as availability of land, nature of employment, and avenues for employment in non-agricultural sector of urbanization of the acquired land.

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Dated: 16th November 2005]

### **Comments of the Committee**

(Please See Paragraph No. 19 of Chapter I of the Report.)

### **Recommendation (Para No. 2.36)**

The Committee are concerned to note that out of a large area of about 1400 acres of DDA lands encroached upon by unauthorized colonies, DDA has been able to reclaim only 433.98 acres of land which means that less than one-third of the encroached land could only be reclaimed by DDA. This is because unauthorized colonies have come up on the remaining areas. The Committee feels that a clear cut policy needs to be evolved by the Central Government with regard to the treatment of unauthorized colonies. The Committee note that though DDA has been vested with powers of demolition, stopping and sealing powers, but not much has been achieved in reclaiming encroached lands. The Committee, therefore, recommend that DDA and the Ministry of Urban Development must take concrete measures in consultation with local bodies, so as to reclaim all the encroached lands of DDA, expeditiously. The Committee also recommend that a suitable policy-framework be adopted so as to curb cropping up of new unauthorized colonies. Regularization of unauthorized colonies in course of time provides an incentive to such acts and legitimizes a step which was considered illegal and was in violation of the law.

### **Reply of the Government**

The DDA is maintaining regular vigil in respect of its land with a view to strengthen preventive and protection arrangements. Specific responsibilities have been entrusted to field functionaries in different areas. Action for removal of encroachments is undertaken on a continuous basis. Videography of the vacant lands belonging to DDA has been done. Periodical videography of the DDA lands will help prevent unauthorized encroachments. Security guards have been deployed for safeguard of the DDA land. They are reporting to the

concerned SHO for unauthorised encroachments in the area as well as to the controlling officers of DDA.

As per the recent scrutiny of unauthorised colonies it has come to notice that out of 1432 unauthorised colonies, 145 are partly or fully on DDA acquired/awarded land and 228 unauthorised colonies are on land notified as Development Area, which are under control of DDA. The issue of regularization of the unauthorised colonies is under consideration of Government of India.

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### **Comments of the Committee**

(Please See Paragraph No. 22 of Chapter I of the Report.)

### **Recommendation (Para No. 3.24)**

The Committee express their concern over the fact that only five years are left for the commencement of Commonwealth Games 2010 and the construction of the Commonwealth Games Village at Akshardham is yet to be begin. They also note that a small portion of site belongs to Government of Uttar Pradesh for which negotiations are going on with the State Government of Uttar Pradesh. The Committee, therefore, recommend that matter should be sorted out expeditiously and the construction of the "Games Village" should commence without any delay. The Committee desire that prudent and scientific techniques be adopted in development of 'Commonwealth Games Village' at Akshardham in line with the international standards of sports facilities. In the beginning itself it should be kept in mind that the facilities to be created should be such that even after the Commonwealth Games 2010 are over, these can be made use of subsequently also.

### **Reply of the Government**

Development work of the Games Village will be taken up by the DDA after final decision of the Government is conveyed. DDA is also pursuing with the Government of Uttar Pradesh for acquiring a portion of the Games Village site which belongs to the Government of Uttar Pradesh. Recommendations of the Committee on developing the Games Village of international standards and its future utilization would be incorporated while preparing final plans for the Games Village.

The status of efforts made to acquire land from Government of Uttar Pradesh for the Commonwealth Games Village is as follows:

- A proposal was sent by the DDA to the Government of Uttar Pradesh for providing 41.3 acre land in village Chiraga Janobi for the purpose of Commonwealth Games Village. The land which belongs to Irrigation Deptt. of U.P. Govt., is bounded by Akshardham Temple on the South, Marginal Bund (now a road) from Vikas Marg to Noida on the East, New Railway line on the North and Road (adjoining Yamuna River) on the West. This land was found to be suitable for Commonwealth Games Village.
- The first communication was sent to Chief Secretary, Govt. of U.P. by VC, DDA on 21st November, 2002. Several meetings were held in the chamber of VC, DDA in which Principal Secretary, Irrigation Deptt. of the U.P. was also present. The site inspection was also conducted by the Principal Secretary, Irrigation Department in which Sr. Officers of DDA were present.
- Govt. of U.P. has proposed that the rate of land should be par with the rate at which the agricultural lands are being acquired by DDA. The L&B Deptt. of GNCTD was requested to communicate the rate of this land proposed for Commonwealth Games Village. In response the Land Acquisition Collector (East) in his letter dtd. 7.12.2004 has informed DDA that keeping in view the status of the required land, the rate of Rs. 5,05,000/-per acre be fixed in accordance with the letter dtd. 9.8.2001 of L&B Deptt., GNCTD, a copy of which was sent to Irrigation Deptt. of U.P. Govt.
- A meeting was held in the chamber of VC on 10th March, 2005 in which Secretary, Irrigation Deptt., Govt. of UP was present. He requested DDA for market rates for allotment of the required land.
- VC, DDA clarified that the land in the Akshardham Complex was allotted at the Institutional zonal variant rates. He further clarified that these rates for other categories of use and allotment are based on the effect that various peripheral infrastructure services and facilities like water supply, sewerage, electrical sub-stations, roads, STP, etc. are provided by the DDA and various elements of cross subsidization for different uses are involved. Hence these rates could not form the basis in deciding upon the issue of rates for

transfer of land by the U.P. Govt. to DDA for Commonwealth Games Village. However normal acquisition rates (Rs. 15.70 Lakh/acre) could be considered in view of possible agricultural use of land due to construction of bundh by DDA. Moreover, this land cannot be put to any use other than permissible use under Master Plan, which is largely green. The proposed land cannot be exploited commercially. The minutes of the meeting were sent on 21st March, 2005 followed by reminders.

- Govt. of U.P. thereafter nominated the CEO of Noida for further negotiations. In this regard another meeting was held in the chamber of VC on 15th June, 2005 in which Chairman & CEO, Noida and other officers were present. VC, DDA has reiterated the whole issue once again in the meeting and also informed that the normal acquisition rate fixed by Govt. of Delhi which is around Rs. 15.70 lakh per acre could be considered. The minutes were sent on 27.6.05. New CEO of Noida met VC on 27.7.05 in this regard. The position of DDA was reiterated.
- DDA is awaiting a positive response from U.P. Govt.

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#### **Comments of the Committee**

(Please See Paragraph No. 31 of Chapter I of the Report.)

#### **Recommendation (Para No. 5.21)**

The Committee are concerned to note that colonies developed for residential purposes by DDA are being handed over to MCD for maintenance in a piecemeal manner. In many areas as for instance Dwarka, the Delhi Jal Board (DJB) has not taken over the area for regular supply of water. The Committee are of the firm view that areas developed and houses constructed by DDA should be de-notified and handed over to MCD in one go rather than taking up the process of transfer part by part. In regard to calculation of deficiency charges at the time of transfer of DDA developed areas to MCD, the Commissioner, MCD has conceded during evidence that there is an administrative problem in the matter in view of a number of departments involved. He has stated that there are vertical departments and they do not have proper integration with each other. The

Committee recommend that concerted efforts should be made in consultation with the senior officials of MCD and DJB so that the basis civic amenities of water supply, electricity etc., are provided in dwelling units before handing over the possession to the allottees. The Committee also recommend that DDA should intervene in rectifying the complaints of allottees on this count.

and

**Recommendation (Para No. 5.22)**

The Committee note that payment of deficiency charges to the local bodies and concerned authorities are made in a routine manner. The Committee are of the firm view that if the DDA areas are developed in a wholesome manner, the question of payment of 'deficiency charges' to the urban local bodies should not arise. The Committee therefore, recommend that purposeful steps be taken by DDA so as to obviate deficiencies in the developed areas and the consequent payment of the 'deficiency charges'. The Committee also recommend that the Ministry of Urban Development should devise suitable mechanism to ensure proper integration and coordination between DDA, MCD, DJB and local bodies.

and

**Recommendation (Para No. 5.23)**

The Committee desire that the much needed civic amenities of sewerage, water supply, electricity, storm drains, garbage disposal and proper maintenance to all the DDA developed colonies/areas should be provided hassle-free and within a given time frame. The Committee would like to be apprised about the action taken in this regard.

**Reply of the Government**

To streamline the procedure of transfer of services of DDA colonies to MCD and other local bodies, a meeting was held under the chairmanship of Hon'ble LG at Raj Niwas on 02.01.2003. In general the following procedures were agreed to:

It will be ensured that the transfer of the services in effected within three months from the date of DDA's request and submission of plans with the following schedule:

- (a) The work of scavenging and removal of garbage etc. will stand taken over by the MCD after a month of submission of request/plans by the DDA.



- (b) Within 30 days of the submission of plans, joint inspections will be carried out, the concerned local agency shall intimate the deficiency, if any, immediately thereafter alongwith detailed estimate. However, no claim about deficiencies shall be entertained if it is received after three months from the submission of request and plans by DDA.
- (c) In case of total agreement of deficiency estimates, the DDA shall arrange the payment of the same within four weeks. In case total agreement is not arrived at, then part acceptable to the DDA shall be released within four weeks and the dispute on the remaining shall be settled at the level of administrative head of the two organizations.
- (d) After the receipt of the payment, the local agency shall take over the physical services alongwith staff as per prescribed norms within two weeks and the notification to this effect shall be issued by DDA for information of the public and all concerned.
- (e) In any case all these formalities must be completed within three months of DDA's submission of plans and making a request for transfer of services, so that the services should stand transferred and a notification to the effect shall be issued with the prior approval of Hon'ble LG. In case any work is carried out by the concerned agency on behalf of DDA as a "Deposit Work", the same shall stand transferred to the agency without any claim of deficiency or otherwise.
- (f) Convenient Shopping Centres will be made integral part of the residential pocket and shall not be treated as a separate entity.
- (g) The electrical services developed by DVB in the colonies/ pockets as "Deposit Work" shall stand transferred to the respective DISCOMS, after completion of the work, without any deficiency charges.

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Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 46 of Chapter I of the Report)



#### **Recommendation (Para No. 6.10)**

The Committee express their distress over the fact that some hospitals have violated the norms for free treatment of 25 percent patients belonging to BPL categories. Moreover, there have been instances where the actual BPL categories of people were unable to get their treatment done in such hospitals and others have taken the benefit of the same by misrepresentation. The Committee, therefore, firmly recommend that a mechanism to identify BPL category by Government of NCT Delhi and issue of certificates to such people alongwith their photo identity cards needs to be devised so that genuine BPL persons are able to avail of medical facilities in hospitals. It should be ensured that the hospitals strictly provide free treatment to the stipulated percentage under BPL category. The Committee should be kept informed of the steps taken in this regard as also the punitive action taken/proposed for violation thereof.

#### **Reply of the Government**

The Govt. of NCT of Delhi has reported that patients belonging to 'below poverty line(BPL)' category can be identified from the BPL ration card or a certificate issued by Area SDM in this regard. Even in the absence of any of these two documents, a persons can be considered to belong to BPL category, if he furnishes a proforma declaration, in this respect.

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Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 49 of Chapter I of the Report.)

#### **Recommendation (Para No. 6.24)**

The Committee feel that even though the office of the Registrar, Cooperative Societies does not come under the jurisdiction and control of Ministry of Urban Development however, the cooperative group housing is being linked to housing sector, it is very much related to the Ministry of Urban Development. They note that in Delhi, allotment of land to Cooperative Group Housing Societies is done by DDA. A large area of land *i.e.* approximately 1900 acres of land has been allotted to 877 Housing Societies. The Committee, therefore feel that DDA cannot wash of their hands if some misuse or misappropriation in Cooperative Group Housing Societies takes place. While admitting that cooperative Group Housing Societies are regulated by RCS office under Cooperative Societies Act and Rules, the Committee feel that DDA has a major role to play and to oversee that the land allotted to Cooperative Group Housing Societies is actually utilized in the interest of society

members, who mainly consist of middle and service class people and who had invested all their earnings and borrowing for getting a house of their own. While appreciating the move taken by DDA and RCS to ward-off any misappropriation and to ensure that Societies do not become the fiefdom of a selected few, the Committee recommend that interest of bulk of society members should not be neglected. The Committee understand that management of Society should not flout any of the provisions enshrined in Cooperative Societies Act and Rules. At the same time, they recommend that RCS office should not be too rigid in such matters and should keep in mind the interests of genuine members. The Committee note that there are several Societies whose members are waiting for a long time for their draw of lots but due to the mistake of their management and rigidity of RCS office, most of them are suffering. They, therefore, recommend that an institutional mechanism should be devised which is people's friendly, less time consuming and at the same time deterrent to law breakers.

#### **Reply of the Government**

DDA (Disposal of Developed Nazul Land) Rules 1972 provide for allotment of land at predetermined rates to cooperative group housing societies for construction of dwelling units for their members. This provision is intended to encourage the cooperative movement as far as housing sector is concerned, so as to facilitate home ownership among the middle class which may not be otherwise in a position to acquire houses in the open market. In this approach the role of DDA is to make available land for housing and allot the same to cooperative group housing societies. The role of RCS GNCTED is to register cooperative group housing societies, and oversee their management as provided for under the Delhi Cooperative Act, 2003 and Rules and Policy guidelines framed by GNCTED in this behalf. DDA has been informing RCS after ascertaining availability of land for allotment to CGHS and calling for names of societies eligible for such allotments. RCS have been forwarding such names after due verification of membership as required under the Delhi Cooperative Act and Guidelines made thereunder.

So far DDA has allotted land to 877 CGHS. Meanwhile the issue of allotment of land to CGHS has been agitated in the High Court of Delhi in CWP No. 10066/204; Yogiraj Krishna CGHS Vs. DDA & Ors. The High Court has in its various directions issued in the matter asked the Govt. of India to formulate a comprehensive policy for allotment of land to CGHS to counter the takeover of societies by builders' mafia and speculation in land allotment. The High Court has also directed that provision should be made for the weaker sections of the society by formulating such policies.

Accordingly the Ministry and DDA have formulated policy guidelines for allotment of land to cooperative group housing societies (CGHS) and the said policy has been submitted to the Hon'ble High Court. The policy provides for measures to reduce the gap in price between price of allotment to CGHS and market price of land. It is expected that such measures would reduce the incentive for intervention by unscrupulous elements and reduce speculative tendencies, without putting the land beyond the reach of the middle class which is the intended beneficiary of the cooperative housing movement. In its policy guidelines the Ministry has also suggested that steps should be taken by the Registrar of Cooperative Societies to ensure better management of CGHS, to reduce takeover by builders, bogus membership, etc.

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Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 52 of Chapter I of the Report)

## **CHAPTER V**

### **RECOMMENDATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE GOVERNMENT ARE STILL AWAITED**

#### **Recommendations (Para No. 2.28)**

In accordance with the provisions of Section 12 of the Delhi Development Act, 1957, the Central Government by way of a Notification in the Official Gazette declares any area in Delhi to be a development area for the purposes of this Act. The Notified areas are being looked after by DDA and the rest of the areas as 'Denotified' are looked after by MCD. The Committee are informed that about 181 Notifications have been issued since the year 1967 by the Land and Building Department of the Government of Delhi. The Committee express their concern that many a time there is a gap in the information regarding 'Notification' and 'Denotification' of the 'Development Areas'. The Committee are informed that an exercise has been initiated to streamline the information and procedure in respect of Notification of 'Development Areas' and their 'Denotification'. Further, action has been initiated to denotify the areas, which have already been developed. The Committee recommend that the process of 'Notification' and 'Denotification' of DDA lands must be streamlined by amending and adopting suitable procedures required to be followed by the Government in consultation with the Land and Building Department of the Government of Delhi so as to ensure that the aforesaid process is expeditious and timely. The Committee consider it imperative that the 'Land Records' of Delhi area maintained and updated regularly for better land management.

#### **Reply of the Government**

The declaration of Development Area is done under Section 12 (I) of Delhi Development Act 1957. The notifications in this respect are issued by the Lands & Building Deptt. of GNCTD. So far about 181 notifications covering more than 44000 hectares of land have been issued. After an area has been developed by DDA to the level envisaged under the Master Plan, the area is denotified with the approval of Lt. Governor, Delhi under Section 36 of DD Act and such denotified area stands transferred to the local body for the purposes of administering Building Byelaws and providing civic services. However, there are delays in some cases in transfer of denotified areas from DDA to MCD on account of time taken in calculating deficiency charges, and effecting the physical transfer.

To streamline the process, a number of meetings have been held between DDA and MCD and it has been decided that the modalities/ guidelines for modifications, transfer of services and building plan records may be worked out by a Committee headed by Principal Commissioner, DDA. Accordingly, the Committee is taking necessary action in consultation with the concerned departments.

As far as maintenance of land records in Delhi is concerned, the record of land and property is being maintained by different agencies in respect of different areas in Delhi. DDA is maintaining records of land and leased properties in respect of development area whereas GNCTD maintains land record properties in respect of rural areas in Delhi. Property records are maintained by the respective local body namely, MCD and NDMC. The upkeep of the records has been adversely affected by large number of unrecorded transactions taking place in respect of land and built-up properties. The Ministry is already seized of the matter and has advised GNCTD to submit a proposal for undertaking a comprehensive study of the position as it obtains on the ground and the system to be put in place to provide for an uniform and integrated land record management system for Delhi. It is reported that MCD has also taken up a studying this respect with assistance from USAID.

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Dated: 16th November 2005]

#### **Recommendation (Para No. 2.31)**

While the Committee note that acquisition of land for planned development is an ongoing process, the Committee are concerned to note that about 1475.85 acres of DDA lands are under encroachment by JJ clusters, etc. The Committee are perturbed to learn that the DDA lands, which have been encroached upon by squatter settlements, slums etc. in various parts of Delhi including the Yamuna Pushta areas are not available for development. The Committee would like to know as to how these encroachments were allowed to happen when they were detected and what remedial measures were contemplated to thwart such encroachments. The Committee recommend that timely remedial actions are undertaken by DDA to remove such encroachments from DDA lands as per governing laws and rules. The Committee also recommend that coordinative efforts be made by DDA with the Police authorities, GNCT of Delhi and local bodies so as to deal with this persistent problem of encroachments on DDA lands by JJ clusters. The Committee would like to be apprised of the action taken in this regard.

### Reply of the Government

In a number of cases, at the time of taking over possession of land by DDA from GNCTED, there exist built up structures/encroachments in the land. DDA removes such encroachments as and when land is taken up for development and utilization in accordance with the development plan.

Action regarding removal of encroachments from DDA land is taken up on a continuous basis and during the period 2000-2001 to 2004-2005, 2080 demolitions operations were carried out, 54265 structures removed and about 1176 acres of land reclaimed (including land which was encroached upon before possession is taken by DDA).

Removal/relocation of the unauthorized encroachments on lands in the form of Jhuggies is done primarily by the Slum and JJ Department of MCD. It is only when the said department expresses its inability for carrying out the task of removal/relocation of the Jhuggies, DDA takes up this responsibility in respect of squatters on its own land. Relocation of JJ squatters is done by DDA as per the policy of the Govt. As per the policy, the pre-1990 squatters & pre 1998 squatters are allotted 18 sqm. and 12.5 sqm. of land respectively.

The land in Yamuna Pushta area belongs to the various departments like PWD, L&DO, DVB, DDA etc. Survey of Jhuggie dwellers on DDA lands in Yamuna Pushta area between Rajghat & Old Iron Bridge of railway was done in the year 2002-2003. Removal of the unauthorized encroachment of the area was to be done by Slum & JJ Department being the nodal agency for such work in Delhi. However, DDA had also undertaken removal of encroachment over a portion of the Yamuna Pushta. DDA had removed about 11,500 jhuggies from the area and relocated about 5,000 eligible JJ dwellers on plots in Bawana area obtained from Slum & JJ Departments of MCD during the year 2004-2005. Besides, some unauthorised jhuggie clusters from other areas have also been relocated on the plots in Bawana. Due to paucity of developed plots with DDA, the work of removal of various jhuggie clusters and rehabilitation of eligible squatters could not be taken up thereafter.

Till date, DDA has developed 8 resettlement/relocation colonies as indicated below:—

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1. Hastal	3993 plots
2. Madanpur Khadar	10061 plots

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3.	Rohini JJR, Pooth Sector-26	554 plots
4.	Rohini JJ R, Pooth Sector-20	2304 plots
5.	Rohini JJR Pooth Sector-27	1900 plots
6.	Gautam Colony (Narela)	928 plots
7.	Tikri Khurd	341 plots
8.	In Sec-15, 16 (a) at Dwarka	3763 plots

DDA has also issued NOC for acquisition and development of land by Slum & JJ Wing of MCD for rehabilitation at the following locations

1.	Bawana	100 acres
2.	Holambi Kalan	70 acres
3.	Bhalswa	200 acres
4.	Savda/Ghevra	257 acres
5.	Kadipur	65 acres
Total		692 acres

For rehabilitation of eligible JJ dwellers, DDA is now considering relocation in multi storied built up accommodation in place of horizonatal relocation by allotment of plots.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 3 of Chapter I of the Report)

#### **Recommendation (Para No. 2.32)**

So far as the *laldora* areas of Delhi are concerned, the Committee note that *laldora* areas were signified as village areas and defined way back in 1908. However, there is no definition of an 'extended *laldora*' as the population of such areas has increased in the past decades. The Committee are also informed that all matters related to *laldora* area fall under the jurisdiction of the GNCT of Delhi. Eventually, in the process of acquisition of land, all areas except the designated *laldora*

areas are notified by the Government. In this regard, the Vice-Chairman of DDA during the course of evidence before the Committee has expressed that there is an in-built problem for DDA in taking possession of such lands. He has also informed that a suggestion has been made to the Delhi Government that a 'Survey' may be undertaken for ascertaining the *laldora* limits. The Committee desire that concerted efforts be made by DDA with the local authorities concerned so as to demarcate clearly and finally the extended limits of *laldora* lands in Delhi for a planned development taking into consideration the natural growth of population.

#### **Reply of the Government**

The matter pertains to Govt. of NCT of Delhi and the recommendations of the Committee have been forwarded to the Development Commissioner, Govt. of NCT. of Delhi.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 3 of Chapter I of the Report)

#### **Recommendation (Para No. 2.35)**

The Committee note that 'Institutional Lands' are allotted following the Delhi Development Authority (Developed Land) Nazul Rules, 1981 for social, cultural, religious, educational activities etc. Broadly, these allotments are divided into four categories viz. educational, general Institutions, socio-cultural Institutes and Government Departments. The Committee recommend that DDA should devise an in-built mechanism so as to ascertain that allotments to the 'Institutions' are strictly made in accordance with the governing Nazul rules and disciplinary actions should be taken in any kind of malpractice. The Committee would like to be apprised of the action taken in this regard.

#### **Reply of the Government**

The DDA (Disposal of developed Nazul lands) Rules provided for allotment of land to eligible organizations and agencies for setting up various categories of institutions. DDA has over time reformed its institutional policy by shifting the following institutional categories



*viz.* hospitals, professional and higher technical institutes and clubs to the auction mode for disposal in order to ensure greater transparency, ensure full realisation of value and in order to prevent black marketing in such land by non-genuine societies. For community halls also, it has been decided that 50% of the plots available would be offered to the MCD and the balance 50% would be disposed of by auction. Amendments to the Nazul Rules in respect of the above mentioned category have already been made.

For the remaining categories *viz.* schools, religious sites and misc. socio-cultural institutes, which continue to be in the allotment mode, stringent criteria for screening allotment applications have been prescribed by the DDA and these are strictly enforced. During the period from 2003 to 2005, almost no institutional allotments have been made to private societies. First preference is being given for allotment to Govt. Deptt. in the various categories referred to above. In respect of allotment of land for schools, DDA is considering a proposal to provide for first right to refusal for allotment of school sites to the Education Deptt. of the GNCTD and other Govt. agencies and the residual cases are to be auctioned.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

### **Comments of the Committee**

(Please see Paragraph No. 3 of Chapter I of the Report)

### **Recommendation (Para No. 4.23)**

The Committee note that in the draft Master Plan 2021; 50-55% dwelling units have been proposed for Economically Weaker Sections. They also note that in the Rohini Residential Scheme 0.60 lakh dwelling units are to be allotted to Economically Weaker Sections. While appreciating the steps taken to provide houses to EW Sections of population in Delhi by the Government, the Committee recommend that proper scrutiny is carried out by DDA in coordination with the State level authorities to identify the genuine EWS beneficiaries under the Residential schemes of DDA. The Committee recommend that proper measures be taken to ensure that only the actual EWS beneficiary occupies such dwelling units. They also recommend that DDA should enhance their vigilance and monitoring system so that dwelling units allotted to identified EWS persons are not sold/re-sold through property dealers. During the course of oral evidence Secretary,

Ministry of Urban Development informed that such allotments may be made on license basis and not on lease basis. The Committee, therefore, desire that steps be taken so as to give dwelling units to EWS people on licence basis in 'Pilot Project' and thereby applied uniformly to the Housing Schemes, appropriately. The Committee recommend that community based structures and cooperative bodies/ NGOs be involved in the allotment of dwelling units to the EWS people who will ensure that land/flats earmarked for poor population is utilized by them. Direct allotment of houses to EWS should be avoided and there should be a mandatory condition that resale of such flats shall not be allowed.

### **Reply of the Government**

Delhi Development Authority had earlier fixed an income limit of Rs. 72,000/- per annum for deciding eligibility of persons for allotment of Janata/EWS category of flats. Further the conditions of allotment and of lease-deed for these flats prohibited the sale of the flats by the allottees.

The Government has accorded in-principle approval of DDA to take up a pilot project for construction of multi-storeyed tenements for relocation of slum dwellers at Tehkhand using land as resource. An area of 16 hectares of land has been identified for the purpose, which will provide 3200 EWS tenements (approx. 25 sq.mt. each in multi-storeyed complex) for slum relocation. The details are being worked out by DDA and the project is expected to be taken up shortly.

Moreover, Draft MPD-2021 aims to maximise the delivery of housing for EWS beneficiaries and makes the following provisions:

- (a) Minimum 50-55 percent houses to be provided for lower income groups and below.
- (b) Each community module should have at least 30-35 per cent DUs of area below 40 sqm. Mandatory provision of 30 per cent of DUs not exceeding two rooms sets in Group Housing.
- (c) The concept of land as a resource should be adopted to develop such accommodation with private sector participation and investment, to the extent possible.
- (d) Incentives by way of higher FAR, part commercial use of the land and, if necessary and feasible, transfer of Development Rights, should be provided.

- (e) A cooperative resettlement model should be adopted with tenure rights being provided through the institution of Cooperative Societies.
- (f) The provision of accommodation should be based on cost, with suitable arrangements for funding/financing keeping in view the aspect of affordability and capacity to pay.
- (g) In cases of relocation, the sites should be identified with a view to developing relatively small clusters in a manner that they can be integrated with the overall planned development of the area, particularly keeping in view the availability of employment avenues in the vicinity. Very large resettlement sites could lead to a phenomenon of planned slums.
- (h) Suitable arrangement for temporary transit accommodation for families to be rehabilitated is to be made. This may preferably be near or at the same site and the utilization of these may be synchronised with the phases of implementation of the scheme of in-situ Upgradation.

The Ministry is in agreement with the suggestions for allotment of flats to EWS category allottees on licence basis only in order to prevent alienation by the unscrupulous elements. The proposed policy for rehabilitation of slum dwellers in multistoried tenements and provision for service providers in informal sector by group housing developers take into account this recommendation and provide that allotments would be made only on licence basis. Checks and balances will also be put into place to ensure that any transfer by sale or GPA would result in immediate cancellation of the allotment. This will protect the original eligible allottee from being disposed of the flat by the speculators and other unscrupulous elements. The proposed policy also provides for creation of a cooperative or association of allottees which would be assigned the responsibility for maintenance of the tenements and management of the common affairs of the allottees. RCS GNCTD as well as the agencies such as MCD can guide and supervise the working of such cooperative/associations. The details of these policy guidelines are under consideration for taking a final view in the matter.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please see Paragraph No. 3 of Chapter I of the Report)

### **Recommendation (Para No. 4.31)**

The Committee are informed that the MPD-1962 required EWS housing to be integrated into all residential development and MPD-2001 explicates provisions for integration (25% EWS plots and 20% LIG units in every residential area for 100,000 persons) and minimum standards (25 sq.m. Plot, etc.). The Committee also note that DDA in their Master Plan 2021 envisage amelioration of existing *Jhuggi Clusters* through a judicious mix of relocation and *in situ* development. They also note that a large number of flats have been constructed/being constructed for Economically Weaker Sections by DDA. The Committee recommend that proper measures be taken to ensure that the occupancy certificates are given to any cluster of housing only with the prescribed number of dwelling units for the EWS persons. The Committee, also, recommend that earnest efforts be made by DDA for constructing EWS dwelling units in the new housing colonies so that accumulation of new slums/clusters is discouraged to a great extent. The Committee, would like to be apprised of the progress in the matter in due course.

### **Reply of the Government**

The current relocation policy provides for allotment of plots for relocation of slum dwellers where necessary to vacate the land, as also for *in situ* rehabilitation in case the encroached land is not required for public purposes. A Committee set up by MoUD to prepare a master plan for making Delhi slum free has suggested a shift towards relocation or *in situ* rehabilitation in multi storied tenements instead of on plots. Pilot projects are being taken up on this basis.

In respect of EWS housing, the Draft MPD-2021 has proposed to make it mandatory for any group housing to provide at least 30 per cent of the total Dwelling Units in the form of units not exceeding two room sets.

Govt. is also considering a proposal to make it mandatory for the housing colonies developed by the Group Housing Societies as well as private developers to construct equal number of houses for EWS categories to meet the requirement of service providers. Under the proposal, completion certificates would be issued to CGHS/developers etc. only after the required number of EWS units has also been constructed.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

### **Comments of the Committee**

(Please see Paragraph No. 3 of Chapter I of the Report)

#### **Recommendation (Para No. 4.32)**

The Committee recommends that annual targets may be fixed for providing housing/dwelling units to the JJ clusters in line with the slum population so that slum dwellers are accommodated in lands/units developed by DDA. The Committee also desire that the dwelling units developed to remove slum clusters are planned and allotted to JJ clusters in phased manner. Further, it would be appropriate if the slum dwellers could be suitably relocated in multistoried tenements on DDA lands.

#### **Reply of the Government**

MoUD in June, 2004, had set up a Committee under the Chairmanship of VC, DDA to prepare a Master Plan to make Delhi Slum Free. The Committee had submitted its report suggesting strategies for rehabilitation of the squatters/Slum dwellers. Suggestion has been made by the Committee to adopt the strategy of *in situ* Rehabilitation in multi-storied tenements in place of the existing scheme of allotment of plots in resettlement colonies in view of increasing constraint of land. Draft MPD-2021 also proposes the planning norms including differential densities, and incentives by way of higher FAR and part commercial use of the land.

The DDA has taken up a pilot project of *in situ* Slum & JJ Rehabilitation at Tehkhand which has been approved *vide* Resolution NO. 40/05 dated 6th May, 05. It has also been approved by the MoUD. The project will provide for about 3500-4000 Dwelling Units for Slum Dwellers. The detailed planning and designing of the project is underway.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please see Paragraph No. 3 of Chapter I of the Report)

#### **Recommendation (Para No. 4.44)**

As regards, the Dilshad Garden area of Delhi, the Committee are perturbed to learn about the poor standard of maintenance of sewerage tanks and the inadequacy of sewage system. The Committee urge that corrective measures be taken in this regard, expeditiously.

### **Reply of the Government**

The services of entire area of Dilshad Garden have been handed over to MCD in the year 1993 and are being maintained by MCD. The discharge of sewerage of all Blocks/Pockets of Dilshad Garden excluding the Block-A, B, C, & R goes to Sewage Pumping Station (SPS) at Seemapuri, which is being maintained by MCD. Sewage discharge of Block-A, B, C & R goes into separate septic tanks and the effluent of these septic tanks is pumped into nearby Storm Water Drain as a short term measure. For pumping the sewage of these blocks a SPS could not be constructed, as the land for SPS was encroached by the Gurudwara authorities. However, an alternate site of SPS has been identified and action is being taken to construct the SPS within 9 months time for disposal of sewerage of these blocks.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

### **Comments of the Committee**

(Please *see* Paragraph No. 3 of Chapter I of the Report)

### **Recommendation (Para No. 4.65)**

As regards levy of misuse charges, the Committee note that under Section 29(2) of the Delhi Development Act, 1957, any person, who uses any land or building in contravention of the provision of Section 14 or regulations under the proviso to that Section shall be punishable with fine which may extend to five thousand rupees. The Committee are, however, of the firm view that keeping in view of the present day price indices, an amount of Rs. 5000/- as fine is too meagre. The Committee, therefore, recommend carrying out suitable amendments in the governing rules and regulations so as to substantially raise the amount of fine limit imposed upon persons for violation of the Delhi Master Plan norms.

### **Reply of the Government**

The suggestions of the Committee have been noted and suitable steps will be taken in this direction.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

### **Comments of the Committee**

(Please *See* Paragraph No. 3 of Chapter I of the Report)

#### **Recommendation (Para No. 5.24)**

Regarding taking over of private colonies by MCD, the Committee recommend that in such cases, onus of payment of deficiency charges should be on the private builders and not on the residents of that colony. It is expedient that MCD should take over the private at the earliest so that private builders do not get away from payment of deficiency charges. They also recommend that it should be made obligatory on the part of private builders to develop the private colony at par with DDA colonies and then MCD should *suo-moto* take over the colony from the 'private players' after recovering deficiency charges. The Committee hope that Ministry of Urban Development would help evolve such a mechanism under intimation to the Committee.

#### **Reply of the Government**

The recommendations/suggestions of the Committee have been conveyed to the MCD for evolving a mechanism to address the problem.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please see Paragraph No. 3 of Chapter I of the Report)

#### **Recommendation (Para No. 6.13)**

The Committee note that it is the general tendency that plots allotted to Societies for constructing primary schools are misused by subsequent upgradation of schools thereby making them costlier and beyond the reach of common people. The Committee feel that such a tendency defeats the very purpose of allotment of land for a charitable purpose *viz.* imparting of primary education. The Committee feel that while Government is fully geared in 'Sarva Shiksha Abhiyan' (Universal education), such type of misuse would be detrimental to the society and would lead to commercialisation of education. They feel that such tendency should be curbed at the earliest in consultation with Government of NCT of Delhi. Here, they concur with the views of the Ministry that land for construction of primary schools should be allotted only to MCD, so that there remains no scope for any mis-utilisation of the land. The Committee, therefore, recommend that necessary steps in this regard be initiated by the Ministry and the Committee be kept informed about the action taken.



### **Reply of the Government**

Allotment of land for setting up of primary schools falls under the category of institutional allotments. Under the category land is provided by DDA to GNCTD and local bodies at concessional rates and to private organizations fulfilling the eligibility criteria prescribed in Rule 20 of Nazul Rules at Zonal Variant Rates. As already mentioned in the reply to para 2.35, DDA is in the process of reviewing its allotment policy for school sites.

To this end a proposal for giving first preference for the available vacant school sites to Govt. agencies and thereafter auctioning the residual sites to eligible organizations is under consideration in the Authority. DDA has already suggested that all sites for primary schools should be allotted to MCD. A list of vacant schools sites has already been offered to the MCD. Only residual sites would be made available to other organizations, through auction. This approach is being proposed with the hope that it would bring transparency and curb the black-marketing and misuse resulting from allotment of school sites at concessional rate to private societies. This would also cater separately to schools being run by Govt. and local bodies and those schools being run on commercial basis by private bodies.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

### **Comments of the Committee**

(Please see Paragraph No. 3 of Chapter I of the Report)

### **Recommendation (Para No. 6.25)**

The Committee also note that the Cooperative Group Housing Societies while constructing the dwelling units do not provide adequate space for housing the daily service providers to the residents of such dwelling units. The Committee, therefore, feel that at the planning stage itself, it should be kept in mind that arrangements should exist for service providers such as dhobi, mali, maidservant, safaiwala etc. in these CGH Societies. Possibility of such an arrangement should be explored.

### **Reply of the Government**

The Govt. is alive to the need to provide for the service providers in the informal sector, both in terms of housing as well as space for informal markets etc.



Therefore, the Govt. has now proposed a policy wherein provision for housing of EWS category will be made mandatory to cater to shelter needs of service providers, by every residential colony whether developed by group housing societies, CGHS, DDA or private developers. It is intended that provision of EWS housing in the vicinity of residential colony will not only provide shelter to the service providers, reduce motivation for squatting but also provide employment close to the place of residence thereby reducing cost of transportation and pressure on urban transport system DDA *vide* Resolution no. 49/05 dt. 19/7/05 has approved in principle the provision of equivalent number of single room (or around 25 sq. mt. of area each) for EWS requirements to be provided by the Cooperative Group Housing Societies.

Draft MPD-2021 has also considered the requirement of informal trade services such as hawkers, vendors etc. and has proposed that this require a mix of approaches and innovative solutions be adopted for meeting their needs. Draft MPD-2021 also incorporates the provision of informal of trade on the following norms:

#### Planning Norms for Informal Sector

Sl.No.	Use Zones/Use premise	No. of Informal shops/Units
1	2	3
(i)	Retail trade: Metropolitan City Centre District Centre Community Centre Convenience Shopping Centre	3 to 4 units per 10 formal shops (to be provided in informal bazaar/service market components)
(ii)	Government and Commercial Offices	5 to 6 units per 1000 employees
(iii)	Wholesale trade and Freight Complexes	3 to 4 units per 10 formal shops
(iv)	Hospital	3 to 4 units per 100 beds
(v)	Bus terminal	1 unit for two bus bay
(vi)	Schools Primary Secondary/ Senior Secondary/Integrated	3 to 4 units 5 to 6 units
(vii)	Parks District Parks Neighbourhood Parks	8 to 10 units at each major entry 2 to 3 units

1	2	3
(viii)	Residential	1 unit/1000 population
(ix)	Industrial	5 to 6 units per 1000 employees
(x)	Railways Terminus/MRTS Stations	To be based on surveys at the time of preparation of the project.

The provision of informal sector trade units should be ensured at the time of sanction of the building plans/layout plans.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 3 of Chapter I of the Report)

#### **Recommendation (Para No. 6.35)**

The Committee note that DDA had set up an Urban heritage foundation in September, 1999 which is a welcome measure. While appreciating DDA for taking up eleven conservation projects, for inculcating awareness among masses to project our urban heritage by instituting Urban Heritage Award, they feel that DDA should have taken up such initiatives at the time of its inception, itself and should have planned the city accordingly. Had it been so done, a number of various water-bodies, which have become dry could have been protected from drying. The Committee is fully in conformity with the views expressed by convenor INTACH that some areas such as Chandni Chowk, Connaught Place, Lodhi Garden, Central Vista, Qutab Archaeological park, Luyten Zone, etc. should be developed as specific heritage zones and all the governmental agencies of the city *viz.* NDMC, MCD, CPWD, PWD ASI etc. should work in complete harmony and with close coordination. Some concerted efforts should also be made by Ministry of Urban Development and DDA to retain urban heritage of Delhi for which it is known all over the world.

#### **Reply of the Government**

Keeping in view the importance of the unique heritage resources of Delhi, Master Plan of Delhi has proposed an Area Based Approach for the conservation of the built heritage.

A Special Chapter on 'Conservation of Built Heritage' has been introduced which envisages various conservation strategies for Built

Heritage of Delhi. The Conservation Strategy identifies various agencies involved in the task of conservation in Delhi and emphasizes on close interaction and coordination between all these agencies keeping in view common objectives and requirements. The Draft MPD-2021 also identifies heritage zones and archaeological parks. the Draft plan also envisages preparation of Special Conservation Plans by the local bodies for the conservation of heritage areas/complexes.

Moreover, Government has amended the Building Bylaws, 1983 by notification No. S.O. 904 (E) dated 6.8.2004 and set up a Heritage Conservation Committee. The Committee consists of experts in the field of urban architecture, history and conservation and is charged with the responsibility of preparing a list of heritage buildings and precincts in Delhi. The Committee has already taken up for consideration a list of such buildings, identified by INTACH and it is expected the list would be finalized shortly. Once notified in the list, no alteration, major repairs or demolition of such listed buildings shall be sanctioned by the local bodies without obtaining the prior clearance of the Heritage Conservation Committee for such alteration, repair etc.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 3 of Chapter I of the Report)

#### **Recommendation (Para No. 6.41)**

While appreciating various measures taken by DDA for e-governance and computerized public utility system at Vikas Sadan, the Committee take a serious note of lack of computerized facilities at Vikas Minar, which is the main centre of engineering, designing and architectural activity, They feel that computerization and its full utilization in respect of drafting, design and architectural work is pre-requisite for the development and upgradation of technology and skill. They therefore recommend that DDA should utilize state-of-art software, hardware and other infrastructure in engineering and architecture. The Committee also note that there is shortage of Junior Engineers at field level. Since recruitment has stopped for several years, there is a need for recruiting fresh engineers who are abreast with the latest technology in the field. Also the Engineering and Architectural staff, presently

working in DDA, must be imparted 'Refresher Courses' and training with the latest state-of-art, periodically. They therefore recommend for filling up of all vacancies without any further delay. They also note that DDA has not taken up work pertaining to the use of non-conventional source of energy/alternate source of energy. They, therefore recommend that DDA should take up other activities *viz.* alternate source of energy like solar energy and solid waste management, which is expedient for development as enumerated in its object.

### **Reply of the Government**

A comprehensive computerization project by the name of Integrated Management Information System has been undertaken in DDA which will also cover extensive computerization of Engineering, Designing and Architectural activities being carried out in Vikas Minar. Adequate Hardware, Software and Networking infrastructure will be made available under the project. The project is conceived to be completed in 15 months' time for which a technical Consultant has already been engaged and the matter is in process for inviting "Expression of Interest" and the "Request of proposal for Design, Supply, Installation/Development, Commissioning, Operation and Maintenance of Software, Hardware, LAN & WAN."

The matter regarding exploring non-conventional sources of energy has been considered by the DDA during the preparation of MPD-2021, which has been approved by the Authority and MOUD for publication, inviting objections/suggestions from the public. Draft MPD-2021 states the following:

Low energy consuming gadgets and Non-conventional energy sources like recovering energy from sewerage, solar energy should be used for street lighting, lighting at public spaces, open areas, traffic signals, hoardings etc. To meet the part of the estimated requirement of 8800 Megawatts by Non-conventional sources/Solar Energy and other actions, the following stipulations are proposed:

- For all establishments with floor area of more than 300 sqm, solar energy should be mandatory.
- Compulsory Solar Panels for public advertising, lighting in open areas, public utilities, streets, etc.
- As alternate mandatory arrangement during power cuts to replace generators/inverters etc.
- Adoption of Load Management Technique.

- Tariff restructuring and improved metering arrangement to minimise power thefts/losses.
- Interim solutions of single point connection in unauthorised colonies and jhuggies.
- Private Sector Participation in different stages of Power generation, transmission and distribution.
- Incentivising energy savings and use of energy efficient gadgets.
- Public awareness, capacity building and training.

Draft MPD-2021 also states that Incandescent bulbs, neon tubes and fluorescent lamps should give way to light-emitting microchips that work longer, use less power and allow the use of light in new ways. The eventual result will be huge savings in energy and maintenance costs.

It has been mentioned that there is a shortage of JE's at field level. It has also been indicated that there is a need for recruiting fresh JEs who are abreast with the latest technology in the field. In regard to this observation of the Committee, it is to bring out that position has not been correctly appraised to the Committee by the field functionaries. In fact, there is no shortage of JEs at the field level and on the contrary, there is a net surplus of JEs at present.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

### **Comments of the Committee**

(Please See Paragraph No. 3 of Chapter I of the Report)

### **Recommendation (Para No. 6.55)**

The Committee are distressed to learn that a large number of corruption cases have been registered and as many as 115 cases of corruption against DDA officials registered by various agencies are pending disciplinary action. Moreover, out of the 174 disciplinary cases processed in 2003-04, about 34 officials have been exonerated of the charges. The Committee, therefore recommend that the internal vigilance administration be further strengthened to make it more accountable, transparent and reliable in the eyes of people. Further, DDA should take timely disciplinary action against officials, who are found to be involved in cases of bribery and in malpractices in allotment of lands/

flats etc. The Committee recommend that the structure and functioning of the vigilance organization of DDA be effectively and comprehensively reviewed by forming an internal 'Working Committee'.

#### **Reply of the Government**

DDA has reported that necessary action is being taken to review the structure and functioning of the Vigilance Division by a Committee.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 3 of Chapter I of the Report)

#### **Recommendation (Para No. 6.56)**

The Committee notes with concern that 48 complaints have been reported against officials of its Building Departments. The Committee strongly recommends that disciplinary action be taken against the officials of the Building Department (DDA) who are involved in corruption, malpractices and any kind of irregularities. The Committee also finds that procedures for approval of building plans are lengthy and cumbersome. The Committee, therefore, recommends that simple procedures be laid down to eliminate delay and unnecessary harassment to people.

#### **Reply of the Government**

Sanction of Building activity by DDA is undertaken under Section 12 and 13 of Delhi Development Act, 1957 and the provisions of unified Building Byelaws, 1983. This concerns the public at large and during the last two years, efforts have been made to simplify the procedures and reduce the number of steps, forms etc. required in the process. Some of such steps taken are as given below:

- (i) Abolition of forms 'C' & 'D' and introduction of Plinth Level Verification (B-1) in November, 2001.
- (ii) the Building Bye-laws, 1983 have been amended *vide* Gazette Notification dated 20.2.2004 whereby the building permits shall remain valid for 5 years, in place of earlier 3 years.
- (iii) *Vide* the Resolution of the Authority dated 24.8.2004, it has been decided to modify building byelaws and doing away with the need of provisional Occupancy Certificate (POC).

Draft MPD-2021 which has been published on 8th April, 2005 for inviting objections/suggestions from the public after the approval of the DDA and MOUD proposes that "to streamline the process of building approvals and to bring together many agencies involved in planning permissions and approvals, the Group shall work out the establishment of a common platform. The aim will be to devolve the process of building approvals and to deregulate, wherever necessary, and to review the Building Bye-laws and procedures."

Regarding action in respect of cases of irregularities and corruption, it is mentioned that during the last three years, *i.e.* from April 2002 to 31st August 2005, departmental proceedings have been initiated against 19 officials of Building Department. Out of this, major penalty proceedings were initiated against 16 officials and minor penalty proceedings were initiated against 3 officials. During the same period 23 officials were levied penalties. Out of this, major penalties and minor penalties were levied against 13 and 10 officials respectively.

[Ministry of Urban Development O.M. No. H-11013/1/2005-DDIA  
Dated: 16th November 2005]

#### **Comments of the Committee**

(Please See Paragraph No. 3 of Chapter I of the Report)

NEW DELHI;  
27 June, 2006  
6 Asadha, 1928 (*Saka*)

MOHD. SALIM,  
*Chairman,*  
*Standing Committee on Urban Development.*

## APPENDIX I

### COMMITTEE ON URBAN DEVELOPMENT (2005-2006)

#### MINUTES OF THE TWELFTH SITTING OF THE COMMITTEE HELD ON FRIDAY THE 23rd JUNE, 2006

The Committee sat from 1500 hrs. to 1545 hrs. in Committee Room 'C', Parliament House Annexe, New Delhi.

#### PRESENT

Shri Mohd. Salim—*Chairman*

#### MEMBERS

##### *Lok Sabha*

2. Shri P. Mohan
3. Shri Surendra Prakash Goyal
4. Shri Devidas Anandrao Pingale
5. Shri Sudhangshu Seal
6. Shri K. Subbarayan
7. Shri Sugrib Singh
8. Shri Suresh Ganpatrao Wagmare
9. Shri Baleshwar Yadav

##### *Rajya Sabha*

10. Shri Laxminarayan Sharma
11. Shri B.K. Hariprasad
12. Shri Jayantilal Barot
13. Shri Prasanta Chatterjee

#### SECRETARIAT

1. Shri K. Chakraborty — *Director*
2. Smt. Neera Singh — *Under Secretary*
3. Shri A.K. Srivastava — *Assistant Director*



2. The Committee took up for consideration Memorandum No. 5 regarding draft report on Action Taken by the Government on the recommendations contained in the Eighth Report of the Committee on the subject 'The Delhi Development Authority (DDA)' of the Ministry of Urban Development. The Committee adopted the draft Report with slight modifications.

3. The Committee then authorized the Chairman to finalise the Reports.

4. The Committee also decided to hold the next sitting on 4th July, 2006.

*The Committee then adjourned*

## APPENDIX II

[Vide para 4 of the Introduction]

### ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE EIGHTH REPORT OF THE STANDING COMMITTEE ON URBAN DEVELOPMENT (FOURTEENTH LOK SABHA)

I.	Total Number of recommendations	58
II.	Recommendations which have been accepted by the Government: Para Nos.: 1.31, 1.32, 1.33, 2.34, 3.13, 3.14, 3.20, 3.21, 4.12, 4.13, 4.14, 4.33, 4.43, 4.63, 4.64, 5.25, 6.11, 6.44, 6.45, 6.46, 6.47, 6.50, 6.60, 6.62 and 6.66.	25
	Percentage of total recommendations	43.10
III.	Recommendations which the Committee do not desire to pursue in view of Government's replies: Para Nos. 1.27, 1.28, 2.30, 4.22, 4.41	5
	Percentage of total recommendations	8.62
IV.	Recommendations in respect of which replies of the Government have not been accepted by the Committee: Para Nos. 1.29, 1.30, 2.29, 2.33, 2.36, 3.24, 5.21, 5.22, 5.23, 6.10 and 6.24.	11
	Percentage of total recommendations	18.96
V.	Recommendations in respect of which final replies of the Government are still awaited: Para Nos. 2.28, 2.31, 2.32, 2.35, 4.23, 4.31, 4.32, 4.42, 4.44, 4.65, 5.24, 6.13, 6.25, 6.35, 6.41, 6.55 and 6.56.	17
	Percentage of total recommendations	29.31