

**3**

**STANDING COMMITTEE ON  
URBAN DEVELOPMENT  
(2014-2015)**

**SIXTEENTH LOK SABHA**

**MINISTRY OF URBAN DEVELOPMENT**

**FUNCTIONING OF DELHI DEVELOPMENT AUTHORITY (DDA) PARTICULARLY WITH  
REFERENCE TO AFFORDABLE HOUSES IN DELHI AND ITS ROLE IN REGULARIZATION OF  
UNAUTHORIZED COLONIES IN DELHI AND MATTER CONNECTED THERETO.**

(Action Taken by the Government on the Recommendations contained in the Thirty- First Report (Fifteenth Lok Sabha) of the Standing Committee on Urban Development on "Functioning of Delhi Development Authority (DDA) particularly with reference to affordable houses in Delhi and its role in regularization of unauthorized colonies in Delhi and matters connected thereto." of the Ministry of Urban Development)

**THIRD REPORT**



**LOK SABHA SECRETARIAT  
NEW DELHI**

December 2014, Agrahayana 1936 (Saka)

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**STANDING COMMITTEE ON**

**URBAN DEVELOPMENT**

**(2014-2015)**

**(SIXTEENTH LOK SABHA)**

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**Presented to Lok Sabha on.. 18.12.2014**

**Laid in Rajya Sabha on..... 18.12.2014**



**LOK SABHA SECRETARIAT**

**NEW DELHI**

December 2014, Agrahayana 1936 (Saka)

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(ii)

COMPOSITION OF THE STANDING COMMITTEE ON  
URBAN DEVELOPMENT (2014-2015)

*Shri Pinaki Misra* - *Chairperson*

MEMBERS

LOK SABHA

2. **Shri Rajendra Agrawal**
3. **Shri Ramesh Bidhuri**
4. **Shri Ram Charan Bohra**
5. **Shri Dushyant Chautala**
6. **Shri Ashok Chavan**
7. **Shri Dilip Kumar Gandhi**
8. **Shri Maheish Girri**
9. **Shri R.Gopalakrishnan**
10. **Shri Choudhury Mohan Jatua**
11. **Smt. Meenakashi Lekhi**
12. **Smt. Poonam Mahajan**
13. **Shri P.C. Mohan**
14. **Shri Kesineni Nani**
15. **Shri K. Parasuraman**
16. **Shri C. R. Patil**
17. **Shri Kapil Moreshwar Patil**
18. **Shri Rahul Ramesh Shewale**
19. **Prof. K. V. Thomas**
20. **Shri Parvesh Sahib Singh Verma**
21. **Dr. Dharam Vira**

RAJYA SABHA

22. **Smt. Vandana Chavan**
23. **Shri Husain Dalwai**
24. **Shri Anil Desai**
25. **Shri Parvez Hashmi**
26. **Shri Mukul Roy**
27. **Shri Rangasayee Ramakrishna**
28. **Shri Satish Sharma**
29. **Shri C.P. Thakur**
30. **Shri S.Thangavelu**
31. **Shri Khekiho Zhimomi**

\* Shri Mukul Roy has been nominated to this Committee by Hon'ble Chairman, Rajya Sabha w.e.f. 9th December, 2014 in place of Md. Nadimul Haque who has resigned from the Committee w.e.f. 4<sup>th</sup> December, 2014.

SECRETARIAT

- |                            |   |                     |
|----------------------------|---|---------------------|
| 1. Shri R.K. Jain          | - | Joint Secretary     |
| 2. Shri D.S. Malha         | - | Director            |
| 3. Smt. J.M.Sinha          | - | Additional Director |
| 4. Shri Sumit Kumar Grover | - | Committee Assistant |

(iv)

## INTRODUCTION

I, the Chairperson of the Standing Committee on Urban Development (2014-2015) having been authorized by the Committee to submit the Report on their behalf, present the Third Report (16<sup>th</sup> Lok Sabha) on the action taken by the Government on the recommendations contained in the Thirty- First Report (15<sup>th</sup> Lok Sabha) of the Standing Committee on Urban Development on "Functioning of Delhi Development Authority (DDA) particularly with reference to affordable houses in Delhi and its role in regularization of unauthorized colonies in Delhi and matters connected thereto. " of the Ministry of Urban Development.

2. The Thirty- First Report (15<sup>th</sup> Lok Sabha) was presented to Hon'ble Speaker (15<sup>th</sup> LS) on 22.04.2014 and to both the Houses of Parliament on 10<sup>th</sup> June, 2014. Replies of the Government to all the recommendations contained in the Report were received on 22<sup>nd</sup> September, 2014.

3. The Standing Committee on Urban Development considered and adopted this Report at their sitting held on 12.12.2014.

4. An analysis of the action taken by the Government on the recommendations contained in the Thirty-First Report (Fifteenth Lok Sabha) of the Committee is given at Annexure-II.

5. For the facility of reference and convenience, the Observations/Recommendations of the Committee have been printed in bold letters in the body of the Report.

**NEW DELHI;**

**12<sup>th</sup> December, 2014**  
**21 Agrahayana, 1936 (Saka)**

**PINAKI MISRA**  
**Chairperson,**  
**Standing Committee on Urban Development**

## CHAPTER I

### REPORT

**1.1 This Report of the Standing Committee on Urban Development (2014-2015) deals with the action taken by the Government on the recommendations contained in their Thirty-First Report (Fifteenth Lok Sabha) on the subject “Functioning of Delhi Development Authority (DDA) particularly with reference to Affordable Houses in Delhi and its role in regularization of Unauthorized Colonies in Delhi and Matters connected thereto” related to the Ministry of Urban Development which was presented to Hon’ble Speaker (15<sup>th</sup> LS) on 22.04.2014 and to both Houses of Parliament on 10.06.2014.**

**1.2 Action Taken Notes have been received from the Government in respect of all 26 recommendations contained in the Report. These have been categorized as follows:**

- (i) Recommendations /Observations, which have been accepted by the Government. (Chapter-II):**

**Recommendation Nos. 5, 6, 8, 11, 12, 16, 17, 23 and 26**

**(Total -09)**

**(Chapter-II)**

- (ii) Recommendations /Observations, which the Committee do not desire to pursue in view of Government's replies. (Chapter-III):**

**Recommendation No.1 and 9**

**(Total -02)**

**(Chapter-III)**

- (iii) Recommendations /Observations, in respect of which replies of Government have not been accepted by the Committee (Chapter-IV):**

**Recommendation Nos. 2, 3, 4,7, 10,13, 14,15,18,19,20,21,22,24 and 25 (Total -15)**

**(Chapter-IV)**

- (iv) Recommendations /Observations, in respect of which final replies of the Government are, still awaited (Chapter-v):**

**-Nil-**

**(Total -01)**

**(Chapter-V)**



**1.3 The Committee desire that specific replies to the comments contained in Chapter-I of this Report may be furnished to them at the earliest and in any case, not later than three months of the presentation of this Report.**

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

### **Recommendation (Serial No. 2)**

#### **Population Growth, Housing Requirements, Targets and Achievements**

1.5 The Committee had recommended as under:-

"The Committee observed that Delhi has been witnessing migration of population gradually since 1947 till date leading to a critical shortage of urban infrastructure. Although there has been a decline in the percentage share of net migrants in the decadal growth of population in NCR Delhi from 45 per cent in 1961-1971 to 39.8 per cent in 1991-2001, in absolute terms the number of migrants has increased tremendously. As per census 2011, the total population of Delhi is 167.5 lakhs with a decadal growth of 2 per cent and density of population of 11,297 per square kilo meter. In absolute terms the population has increased by 29 lakh during 2001-2011 as against 44.3 lakh in the previous decade.

According to MPD 2021, natural growth has increased from 55.8 per cent in 1981 to 59.2 per cent in 1991 and to 60.18 per cent in 2001. While there was decrease in the net migrants from 44.20 per cent in 1981 to 40.78 per cent in 1991 and to 39.82 per cent in 2001. However, a reduction in the rate of natural growth and increase in migration between 2001 and 2021 is envisaged in the MPD 2021. The housing activity has been taken up by DDA since 1967-68 in all the zones of Delhi and from time to time. Besides, DDA provides land to MCD and Slum Department of the Government of Delhi for construction of night shelters for homeless people. The MPD 2021 based on the projected population of 230 lakh by 2021 has estimated an additional housing stock requirement of about 24 lakh dwelling units. This includes an estimated housing requirements of 20 lakh dwelling units for additional population and backlog of about 4 lakh units net shortage and the rest by dilapidated and kuccha structures requiring replacement. It has been emphasized that about 40 per cent of housing needs can be potentially satisfied through redevelopment/up-gradation of existing areas of Delhi. The remaining 60 per cent of the requirement is to be met through 14.4 lakh dwelling units in new areas/urban extension as per zonal development plan 2021. However, the Committee are distressed to note that till date the DDA has been able to raise only 11.69 lakh dwelling units.

In addition, it is estimated that around 50-55 per cent 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 keeping in view the socio-economic characteristic of the population. The magnitude of housing shortage was estimated by a technical group in the context of formulation of the 11<sup>th</sup> Five Year Plan. This group estimated that the housing shortage at the end of 10th Plan to be around 24.7 million for 67.4 million

household. The group further estimated that 99 per cent of the shortage pertains to EWS and LIG sector.

With regard to the targets for construction of low cost housing and LIG housing during the last 20 years and the year-wise achievements made thereunder, DDA has submitted a half-baked reply that includes only the details of houses constructed under LIG, EWS/Janta category during the last 20 years.

The Committee find that out of the total dwelling units constructed by the DDA since its inception till date i.e. 3.94 lakhs, the houses constructed for LIG, EWS/Janta amount to only 60,721 DUs. In percentage terms it is only 15 per cent which is far away from the 99 per cent shortage in EWS and LIG sectors pointed out by the Technical Group during the 11th Five year Plan. So far as the gap between the housing requirements projected in MPD 2021 and houses constructed so far is concerned, the Committee were informed by DDA that the above cited housing demand is to be developed by the year 2021.

The Committee do not understand the logic of DDA how within a span of remaining 7 years of MPD it will achieve the target. In addition to this DDA has further tried to justify its inability to construct the required dwelling units by stating that sizable population of Delhi is accommodated in villages, unauthorized regularized colonies, traditional areas and Government housing. The Committee deplore this attitude of the DDA which has failed to perform its duty to construct the houses and develop the city as per plan.

The Committee were further informed that as per the MPD 2021 housing is to be developed by various agencies such as public, private, Central/State Governments, Co-operative societies, residents and associations. As such DDA has been able to fulfil the role of facilitator by providing necessary permissions for the same. The Committee, however, do not agree with this claim of DDA.

From the replies furnished to the Committee it has been observed that against the target of 14.4 lakhs dwelling units till date DDA has constructed only 3.94 lakhs. From the year 2003 onwards, DDA has not allotted any land to the Co-operative Group Housing Societies for which DDA and the Registrar, Co-operative Societies of Delhi Government are passing the buck on each other and also out of 291 JJ Clusters in Delhi where Jhuggies have been laid by homeless people on DDA land, action for rehabilitation of only 1 jhuggi colony i.e. Kathputali Colony near Shadipur Depot has been taken up on a pilot basis.

The DDA has claimed that as per MPD 2021 for new urban extensions development of land measuring about 22,000-24,000 hectare will be taken up by private developers who are proposed to be involved in development of housing as per the Land Pooling Policy as notified by the Central Government on 5 September 2013. The Committee are perturbed to note that this land pooling policy is yet to be finalized and it will take a pretty long period to put into action.

In view of the above, the Committee are distressed to note that DDA has failed miserably to play the role of facilitator/provider for meeting the housing needs after 56 years of its existence. Therefore, the Committee strongly desire that DDA should

set year-wise target for construction of affordable houses and adopt multi-pronged strategy to achieve the same. The Committee further wish that DDA should finalize the Land Pooling Policy at the earliest to involve the private sectors and the Co-operative Group Housing Societies to extend a helping hand to DDA. The Committee also recommend that both the DDA and the Registrar, Cooperative Group Housing Societies of Delhi Government adopt a healthy and coordinated approach to clear the applications for Co-operative Group Housing Societies for allotment of land in a time-bound manner."

1.6 In their Action Taken Reply, the Ministry have stated as follows:-

"DDA has replied that Delhi is a metropolitan city with a population of about 1.50 crores. Every year about 5 lac people migrate to this city. DDA is the biggest developing Authority in India. Till date it has constructed more than 3.5 lacs flats. Apart from this it has also developed large number of residential plots. In spite of these efforts it has not been able to fulfill the demands of growing population. The main reasons being constraint of availability of land.

As regards the allotment of land to Co-operative Group Housing Societies, Shri Raj Kumar, Addl. Registrar Co-operative Societies, informed that they are verifying the list of members already submitted by various societies and also in pursuance of the directions of Hon'ble High Court of Delhi and as and when this work is complete, DDA would be informed accordingly.

As regards the operationalization of Land Pooling Policy notified on 5.9.13, the status is as under:

- (i) **MPD 2021 Provisions:** The Master Plan for Delhi 2021 notified on 07.02.2007, envisaged planned development in Delhi through assembly of land through private participation. Accordingly, a land policy based on public private participation in Delhi as an alternative to the large scale acquisition has been notified vide S.O. 2687 (E) dated 05.09.2013, after extensive discussions & deliberations with the stake holders, developers and concerned agencies responsible for taking development in Delhi along with financial evaluation by NCAER. A new chapter 19 has been added to MPD-2021 under the provisions of DD Act 1957.
- (ii) **Status:** The action programme for operationalization of the land pooling policy including the draft regulations for operationalization of land pooling policy and the budget provisions were considered In the Authority meeting held on 10.01.2014 and approved by the Authority vide Item No. 07/2014. As a follow up, further progress in the implementation of the policy is as follows:
  - (a) **Finalization of the regulations for operationalization of the land pooling policy:** The draft regulations were put up on DDA website on 29.1.14 for receiving suggestions/views from public. In response to this, about 156 suggestions have been received which have been scrutinized. Based on the suggestions received, the regulations have been modified.

The modified regulations along with a number of legal issues for operationalization of policy are being processed for legal vetting by competent authority. The regulations for operationalization of land pooling policy are likely to be finalized and notified under Section 57 of DD Act 1957, after approval of Ministry of Urban Development, GOI.

- (b) The process of declaration of 95 villages as Development Area of DDA and notification of 89 villages as urban villages under section 507 of DMC Act has already been initiated for implementing the policy.
  - (c) **Creation of Land Pooling Cell:** Creation of Land Pooling Cell was approved by Authority in its meetings held in March-13, July-2013 and Dec.2013. Presently, the cell is being headed by Addl. Commissioner (Plg.) with skeleton supporting staff. The process of strengthening the cell is being proposed to speed up the operationalization of the land pooling policy.
- (iii) Operationalization of policy requires such regulations which may be legally tenable. Therefore, all aspects are being considered for smooth implementation as this is a policy which is specific for development for Delhi.

Registrar of Cooperative Societies has submitted that it is responsible for registration of Cooperative Societies and to further regulate the management of these Cooperative Societies as per the provisions of DCS Acts and rules. A total of 1974 Group Housing Societies are presently registered with the office of RCS, Delhi and 934 Cooperative Group Housing Societies have been allotted land so far by DDA as per the information provided by DDA.

The proposal for allotment of land to the Cooperative Group Housing Societies in Delhi is considered by DDA. As per the availability of land with them, DDA requests RCS to forward the name of the eligible Cooperative Group Housing Societies for consideration of allotment of land to these societies at their end. DDA had previously made such request to RCS vide its letter dated 04.09.2003. No further requisition in this regard has been received by RCS from DDA so far.

Two writ petitions i.e. WP (C) No. 7553/2012 and WP (C) No. 1283/2014 by 23 Cooperative Group Housing Societies have been preferred before Hon'ble High Court of Delhi. The process of verification of members of these societies is being carried out by Court Commissioners and office of RCS respectively."

### **Recommendation (Serial No. 3)**

#### **Problems in construction of Affordable Houses and need for expeditious implementation of Fast Track Land Pooling Policy**

1.7 The Committee had recommended as under:-

“The Committee observe that the DDA is facing some problems in construction of affordable houses. Their problems include shortage of land in Delhi,

high cost of land, development charges and infrastructure cost, difficulties in availability of finance to the needy who does not have regular employment and fixed monthly income and low-density of housing as per Master Plans norms etc. To overcome these problems the Committee have learnt that recently the Central Government has introduced land pooling policy besides providing land by the DDA to MCD and slum department of the Government of Delhi for constructing night shelters for homeless people. During oral evidence the Committee were further informed that as there is scarcity of land in Delhi, DDA is now discouraging allotment of land to individual applicant; it will instead allot land for construction of multi-storied buildings.

The Committee note that the National Urban Housing and Habitat Policy 2007 had advocated for an effective partnership between the public, private and co-operative sector for accelerated growth in the housing sector and sustainable development of the habitat. It had stated that 10-15 per cent of land in every new public/private housing project or 20-25 per cent of FAR which is greater will be reserved for EWS/LIG housing through appropriate legal stipulations and special incentives. Regarding to the role of Co-operative Group Housing Society for construction of affordable housing, the Committee were informed that in Group Housing, the developer shall ensure that minimum 15 per cent of the proposed FAR to be constructed for Community Service Personnel/EWS and lower-income category. Such flats should have a carpet area between 25-40 sqm. Prior to the enforcement of MPD 2021 it was made applicable to the Co-operative Group Housing Societies to contribute Rs. 25,000 per Dwelling Units (DUs), where each DU is constructed in less than 92.90 sqm. This was applicable under Notification dated 09.06.1999, for all Co-operative Group Housing Societies applying for sanction of building plans to make contribution to housing for the economically weaker section. The Committee are perturbed to note that DDA has not followed all the above provisions to bind the Co-operative Group Housing Societies to construct houses for the lower-income group. This is evident from the replies furnished by DDA that it was not mandatory on the part of the Co-operative Group Housing Societies to construct houses for the lower-income group because the societies generally construct dwelling units for its bonafide members and the Members of a CGHS are enrolled by the Society as per the eligibility criteria provided in the Delhi Cooperative Societies Act and rules framed thereunder under which the income of an individual is not linked to the eligibility criteria. The CGHS constructs dwelling units for its bonafide members who were enrolled keeping in view the eligibility criteria provided by the statute. The Committee find the contradictions in the above provisions. In view of the above the Committee strongly recommend to bring uniformity in all the policies and rules so that it will be mandatory on the part of the Co-operative Group Housing Societies to construct houses for the economically-weaker sections.

The Committee further note that in the recently announced Land Pooling Policy it has been envisaged that development of land measuring about 22,000-24,000 hectare will be taken up by the private developers. As per the said policy, maximum 53% of the land is for gross residential use which will provide 50,000 DUs approximately for economically weaker sections, for every 1000 hectare of land pooled. Further, FAR of 400 is allowed to meet the residential requirement and 15 per cent of FAR over and above of the permissible FAR is reserved for EWS housing. The Committee note that this policy is still undergoing the process of finalization.

Keeping in view the magnitude of shortage of houses for EWS, mushrooming of encroachments of precious Government land and problems in regularization of unauthorized colonies in Delhi, the Committee desire that DDA should take concerted effort to finalize the Land Pooling Policy and take appropriate action in this regard at the earliest. They further desire that DDA should undertake fast track process and complete the construction of entire EWS houses within a stipulated timeframe.”

1.8 In their Action Taken Reply, the Ministry have stated as follows:-

“As regards the finalization of Land Pooling Policy, as notified on 5.09.2013, the status given by DDA is as under:

- (i) **MPD 2021 provisions:** The Master Plan for Delhi 2021 notified on 07.02.2007, envisaged planned development in Delhi through assembly of land through private participation. Accordingly, a land pooling policy based on public private participation in Delhi as an alternative to the large scale acquisition has been notified vide S.O. 2687 (E) dated 05.09.2013, after extensive discussions & deliberations with the stake holders, developers and concerned agencies responsible for taking development in Delhi along with financial evaluation by NCAER. A new chapter 19 has been added to MPD-2021 under the provisions of DD Act 1957.
- (ii) **Status:** The action programme for operationalization of the land pooling policy including the draft regulations for operationalization of land pooling policy and the budget provisions were considered In the Authority meeting held on 10.01.2014 and approved by the Authority vide Item No. 07/2014. As a follow up, further progress in the implementation of the policy is as follows:
  - (a) **Finalization of the regulations for operationalization of the land pooling policy:** The draft regulations were put up on DDA website on 29.1.14 for receiving suggestions/views from public. In response to this, about 156 suggestions have been received which have been scrutinized. Based on the suggestions received, the regulations have been modified. The modified regulations along with a number of legal issues for operationalization of policy are being processed for legal vetting by competent authority. The regulations for operationalization of land pooling policy are likely to be finalized and notified under Section 57 of DD Act 1957, after approval of Ministry of Urban Development, Government of India.
  - (b) The process of declaration of 95 villages as Development Area of DDA and notification of 89 villages as urban villages under section 507 of DMC Act has already been initiated for implementing the policy.
  - (c) **Creation of Land Pooling Cell:** Creation of Land Pooling Cell was approved by Authority in its meetings held in March-13, July-2013 and Dec.2013. Presently, the cell is being headed by Addl. Commissioner

(Planning) with skeleton supporting staff. The process of strengthening the cell is being proposed to speed up the operationalization of the land pooling policy.

- (iii) Operationalization of policy requires such regulations which may be legally tenable. Therefore, all aspects are being considered for smooth implementation as this is a policy which is specific for development for Delhi.

**As regards** the construction of entire EWS houses within a stipulated timeframe, **the targets for construction of affordable houses have been prepared.** As on date, 25242 houses are under construction and 37215 houses are likely to be taken up for construction. Besides, DDA has already taken up 3000 DUs in Kalkaji and 2400 DUs for Kathputli for In-situ rehabilitation.”

**1.9 In the 31<sup>st</sup> Report, the Committee had expressed their concern for huge shortage of houses in Delhi particularly for Economically Weaker Section(EWS). DDA had informed the Committee that Land Pooling Policy notified on 5.9.2013 would address the magnitude of problems of housing shortage. Therefore, they had recommended finalisation of the said policy at the earliest. However, from the Actin Taken Replies, the Committee are concerned to note that the regulations for operationalisation of Land Pooling Policy is yet to get the final approval of Ministry of Urban Development. The process of declaration of 95 villages as Development Area of DDA and notification of 89 villages as urban villages under Section 507 of Delhi Municipal Council Act has already been initiated for implementing the policy. However, this can be fructified only after the operationalisation of Land Pooling Policy.**

**Further in the reply, the Government, has informed that for the construction of entire EWS houses within a stipulated time-frame, the targets for construction of affordable houses have been prepared. As on date, 25242 houses are under construction and 37215 houses are likely to be taken up for construction. Besides, DDA has already taken up 3000 DUs in Kalkaji and 2400 DUs in Kathputli for in-situ rehabilitation. However, in the reply of Government, the probable dates for completion of these projects and present status of the projects are conspicuous by their absence. The Committee, therefore, while expressing the anguish would like to reiterate their recommendation that DDA should take concerted effort to finalize the Land Pooling Policy and take appropriate action in this regard at the earliest. They further desire that DDA should undertake fast track process and complete the construction of entire EWS houses within a stipulated timeframe.**

#### **Recommendation (Serial No. 4)**

##### **Providing basic services to the affordable houses constructed by DDA**

1.10 The Committee had recommended as under:-

“The Committee note that the DDA has constructed LIG and EWS houses since 1996-67 in all the zones of Delhi. The basic services like potable water, well-

laid drainage system, sewerage network, sanitation facilities, electricity, recreational space, etc. have also been provided for these houses. However, during the local study visit of the Committee to Sector 14 of Dwarka, Delhi during the month of December 2012, the Committee observed that the DDA houses were in dilapidated condition. The basic services for the inhabitants were very poor.

The designated areas for park were used for dumping purposes leading to many health hazards. When enquired about the same DDA passed the responsibility to MCD for poor maintenance by stating that it does not have any role to play once these services are transferred to the civic agencies. When the Committee felt that DDA should coordinate with the civic agencies for proper maintenance, DDA has stated that it has started interacting with the MCD and Delhi Jal Board to address the issues related to adequate supply of water. The Committee are distressed to note that the DDA initiated action to redress the grievances of the inhabitants of sector 14, Dwarka, Delhi only after their interference. Therefore, the Committee strongly recommend that DDA should play pro-active role and send its officials for undertaking physical verifications in all the zones of Delhi and take up the matter with MCD for proper maintenance of EWS houses.”

1.11 In their Action Taken Reply, the Ministry have stated as under:

“DDA has replied that the services of all the colonies have been transferred to local Bodies *i.e.* MCD, DJB, PWD & DISCOMS for their maintenance after completion of the services.

As far as maintenance of EWS houses is concerned, DDA is working out to frame a policy for complete civil & electrical services maintenance for 30 years.”

**1.12 In the reply, the Ministry has informed that all the LIG and EWS colonies have been transferred to local bodies i.e. MCD, DJB, PWD and DISCOMS for their maintenance after completion of the services. But the core issue of poor basic services in DDA flats remains unresolved. The Committee feel that the only way to resolve this issue is by the way of pro-active role by DDA.**

**The Committee are happy to note that DDA is working out to frame a policy for complete civil & electrical services maintenance for 30 years. However, the Committee desire that Ministry should finalize and operationalize this policy for complete civil and electrical services before the next financial year.**

#### **Recommendation (Serial No. 7)**

#### **Need for integrated approach for slum development**

1.13 The Committee had recommended as under:-

“The Committee observe from the replies of DDA that the main reason for creation of slums in Delhi is lack of housing infrastructure for low-income group people such as daily wagers, rag-pickers, hawkers, etc. Another reason is non-



utilization of land earmarked for the schools, hospitals, green areas, etc. by the concerned agencies.

The Committee note that the Delhi Urban Shelter Improvement Board (DUSIB) had come into existence on 1<sup>st</sup> July, 2010 whose mandate are as under:

"Creation of Housing stock for the poor sections of the society and for the implementation of provisions of Slum Areas (Improvement and Clearance) Act, 1956."

Envision for improvement of the living conditions of the slum dwellers, including the JJ Clusters (jhuggie jhopri basties), in order to make Delhi a 'Slum Free City".

The Committee note that no such Project Team has been constituted under DUSIB. However, one or two pilot projects are being proposed to be taken up on PPP basis on Mumbai pattern for in-situ development of JJ clusters on DUSIB lands. The Sr. Commissioner (LM) has been designated nodal officer for monitoring of in-situ development schemes. A project report for in-situ development of JJ clusters is being prepared by Engineering Wing in consultation with the Land Management, Finance, Legal Departments.

The Committee further observe that Delhi Government has made Delhi Urban Shelter Improvement Board (DUSIB) as nodal agency for Slum Free Plan of Action for whole of Delhi under Rajiv Awaas Yojana of Ministry of Housing and Urban Poverty Alleviation, Government of India. There are 685 JJ Clusters in Delhi which are owned by various land owning agencies. About 51% clusters are on DDA land, 8% each on Railway and MCD, 6% each on Delhi Government and CPWD/L&DO, 15% on DUSIB lands, 2% Delhi Cantt., 1% each on NDMC and others.

On the question of the role of DDA in improvement of slums in Delhi, the Committee also observe that DDA provides land to MCD & Slum Deptt. for constructing night shelters for homeless people. As of now there are 291 JJ clusters in Delhi where jhuggies are existing on DDA land. Action for rehabilitation of these jhuggie dwellers is being taken by DDA by way of In-situ development. The Committee are constrained to note that only one project for Kathputali Colony near Shadipur Depot was awarded to the developer and in the month of February, 2014 the inhabitants have been shifted to Anand Parvat, Delhi.

The work for construction of 3000 EWS houses for jhuggie dwellers at A-14 Kalkaji Extension has been awarded. And for balance works, action is being taken on priority.

From the above, the Committee feel that the dream to make Delhi a slum free State cannot be realized. Neither the State Government of Delhi nor DDA has taken any concrete action in this regard. Therefore, the Committee strongly recommend that the DDA should in coordination with DSUIB, take positive action at the earliest.

At the same time the Committee want to express their anguish on the fact that these JJ clusters have not taken shape overnight. There must be a pretty long time.

The Committee fail to understand as to what DDA and other agencies were doing when these JJ Clusters were coming up. They hold all these agencies responsible for this mess that has been created in Delhi and now they are passing buck to one and another. This is not acceptable to the Committee. They take note of the DDA reply that since 2007 no JJ Clusters has come up. The Committee want that at least from now all the agencies involved should gear up themselves and check the rise of JJ Clusters. The Committee want that individual responsibility should be fixed for any lapse in this regard. They want to be apprised of the position in this regard periodically stating the position of JJ clusters in Delhi before and after presentation of this report.”

1.14 In their Action Taken Reply, the Ministry have stated as follows:

“DDA has replied that at present about 291 JJ Clusters are existing on DDA land. DDA has started action for rehabilitating the residents of these JJ clusters by way of In-Situ Development. As a pilot project In-Situ Development of JJ Cluster at Kathputly Colony near Shadipur Depot consisting of about 2800 jhuggies has been taken up. Transit accommodation has been provided for shifting these Jhuggie Dwellers.

The main hurdle is the resistance of Jhuggie dwellers to shift to the transit Camp. DDA is following DSUIB guidelines for identifying the eligible Jhuggie Dwellers. The work of In-Situ rehabilitation at A-14, Kalkaji has already been taken up. The work of in-situ rehabilitation at Jailorwala Bagh is also being taken up.

**The Committee’s suggestions have been noted for compliance by DDA.**

Delhi Urban Shelter Improvement Board has replied that the policy of Slum Clearance under the Slum Areas (Improvement and Clearance) Act, 1956 has been abandoned by the Government of India during 1985 and no action is being taken by the Slum & JJ Department / DUSIB since then. No housing stock under this scheme is being created by the Slum & JJ Deptt / DUSIB after 1985.

Delhi Urban Shelter Improvement Board has further replied that presently 685 JJ Clusters have been identified for improvement of living conditions of slum dwellers. DUSIB is a Nodal Agency for the purpose of relocation of prioritized JJ Clusters as per the rehabilitation policy of UD Department, GNCTD. The status of the prioritized clusters is as under:-

Total No. of prioritized jhuggi clusters	:	91
Total No. of jhuggi clusters surveyed	:	68
Total No. of JJ clusters where process of determination is going on:		26

Details of 26 Clusters:-

Total No. of jhuggies surveyed	:	8019
Total No. of JJ Dwellers appeared	:	4731

Total No. of JJ Dwellers found eligible	:	3763
Total No. of JJ Dwellers found ineligible	:	968
Total No. of beneficiaries possession given to	:	266

DUSIB is constructing flats under JNNURM Scheme and about 18,000 flats are at various stage of construction.”

**1.15 From the reply of the Government, the Committee note that DDA has started action for rehabilitating residents of JJ clusters by way of in- situ Development.**

**The Committee, infer from the reply that as on date out of 291 JJ clusters, only three projects have been taken up physically. Moreover, these projects are at their initial stages only. The Committee fail to understand as to how the DDA will cater to the in-situ development of all the 291 clusters existing on its land at this snail’s pace of progress.**

**Even the reply of the Delhi Urban Shelter Improvement Board(DUSIB) has brought nothing but disappointment to the Committee as out of 685 JJ Clusters that have been identified for improvement of living conditions of slum dwellers, only 91 clusters have been prioritized and out of that only 68 have been surveyed so far.**

**Further, DUSIB is constructing 18,000 flats under JNNURM Scheme which are at various stages of construction, while the extended period of JNNURM itself is about to expire.**

**The Committee, while expressing its disappointment, strongly reiterate its recommendation that if the dream to make Delhi a slum free State is to be realized, then DDA in coordination with DSUIB, has to take positive action in expeditious manner. Since Urban Development Ministry is the nodal ministry, the Committee feel that they should take a pro-active role and time-bound approach in expiditing the matter.**

### **Recommendation (Serial No. 10)**

#### **Unauthorized Colonies where more than 50% of area is un-built**

1.16 The Committee had recommended as under:-

“The Committee have been informed that the work related to regularization of 1,639 unauthorized colonies is being undertaken, coordinated, monitored and supervised by Government of National Capital Territory of Delhi (GNCTD), including 246 colonies falling on DDA land. The following criteria were to be followed:

- (a) The colony should have 10% built up area as per 2002 aerial photographs.
- (b) The colony should have more than 50% built up area as per aerial photographs of 2007.

- (c) Boundary of such colonies were delineated by Survey of India/ GSDL and were finalized vide order dated 4.9.2012 issued by GNCTD.

The Committee are aware that a large number of unauthorized colonies which have applied for regularization, are not covered under guidelines issued for in this regard.

The main reason for non-inclusion in the ambit of regularization as well as development is that those colonies were having less than 50 per cent built up area as on 8<sup>th</sup> February 2007.

The Committee are of the view that keeping the issue of regularization of all such colonies in abeyance will keep a good number of urban poor at bay from their right of leading a dignified life with all civic amenities. Furthermore, it will fail to check the alleged thefts of electricity and water, to which the residents of such colonies are compelled to, thus, leading to a loss of revenue to the exchequer.

Therefore, the Committee recommend strongly for relaxation in norms for regularization of all such colonies so that development work is carried out. In addition to this, the Committee fail to understand the logic behind announcing 'the regularization of unauthorized colonies' and without making any substantial efforts in making it a reality. The Committee feel that the public was cheated as the announcement of regularization of 1639 unauthorized colonies turned out to be a farce. Hence, the Committee, while deploring the dilly-dallying tactics of parties involved strongly recommend that keeping in view the ground realities of the Capital of India the regularization as well as development in all such colonies should be completed within a time limit of 3 years.”

1.17 In their Action Taken Reply, the Ministry have stated as follows:

“The Government of India has already framed regulations for regularisation of unauthorised colonies inhabited by non-affluent sections in Delhi which have been notified in official gazette on 24.3.2008. Further amendments to the regulations have been carried out and notified on 16.6.2008 and 6.6.2012. GNCTD is coordinating and supervising the entire process of regularization of unauthorized colonies in Delhi. 1639 colonies have applied for regularisation on the basis of public notice issued by GNCTD. GNCTD has identified 895 colonies for regularization. The order for development works in 895 regularised colonies has already been issued by GNCTD and the basic services such as roads, drinking water and sewerage system etc. are being undertaken in 895 unauthorised colonies (UCs) and other such UCs which fulfill the criteria laid down in the regulation dated 24.3.2008.”

**1.18 The Committee note that the order for development works in identified 895 colonies has already been issued by GNCTD and the basic services such as roads, drinking water and sewerage system etc. are being undertaken in 895 unauthorized colonies and other such UCs which fulfill the criteria laid down in regulation dated 24.03.2008.**

**From the reply of the Ministry, the Committee can easily gather the fact that the core of the recommendation of the committee have been only partially implemented and the process of regularisation of remaining 744 colonies have not been initiated at all by the GNCTD. Hence, the Committee are of the view that the regularisation process for these 744 colonies should be done at the earliest(within six months).The recommendation was aimed at providing a dignified life to the residents of those colonies and the Committee further recommed that the Government should carry the development works for urban poor(residing in these colonies) in proper spirit alongwith audio visual proof.**

**The Committee desire that the regularization as well as development of all 1639 colonies should be completed within a time limit of 2 years and 6 months.**

### **Recommendation(Serial No. 12)**

#### **Preparation of Layout Plans by Resident Welfare Associations (RWAs)**

1.19 The Committee had recommended as under:-

"The Committee are informed that Resident Welfare Associations (RWAs)/Resident Societies are required to get the layout plan revised and submit the same for approval, so that regularization process can be expedited. As per order of GNCTD, the layout plans to be submitted by RWAs/ Resident Society need to have proper planning inputs. Local Bodies requested there institutes viz. School of Planning and Architecture(SPA), I.P. University and Jamia University to take up preparation of layout plans for RWAs with proper town planning inputs. The payment to these institutes is to be made by RWAs. The Committee note that RWAs are not coming forward to take initiative despite the fact that letters were sent to RWAs to get the layout plan within the limits set by GNCTD.

The Committee have been further enlightened about the initiative taken by South Delhi Municipal Corporation (SDMC) for preparation of layout plans. During this SDMC got four layout plans prepared through the School of Planning and Architecture and approved by its own Standing Committee. The payment for the preparation of these layout plans has been made by Corporation, which shall be recovered from the RWAs before release of layout/ regularization plan.

The Committee while appreciating the efforts of SDMC, desire that all the local bodies across Delhi should follow their foot- steps and complete the preparation of layout plans for all the remaining colonies also. Furthermore, the Committee desire that in the preparation of these lay out plans, the RWAs of all the concerned colonies should also be involved. In this regard, prior notice to the RWAs should be sent for attending the meeting. For the recovery of payment of preparation of these layout plans from the RWAs, the Committee would like to recommend imposition of cess on water supply bills of the residents of such colonies only. But this course should be taken only when the RWAs do not deposit the payment for preparation of plan.

The Committee would also like to put a note of caution in this regard that the cess should be imposed only on the residents of these unauthorized colonies. This should be done for limited time period till the recovery of payment of lay out plan."

1.20 In their Action Taken Reply, the Ministry have stated as follows:

"Govt. of National Capital Territory of Delhi has stated the process of mapping of exact area using the modern equipment is under process of tender with the Government of NCT of Delhi. The next step of preparation of layout plan would be taken up after. The recommendation related to imposition of cess on water supply bills, in case the Resident Associations do not deposit the fee for preparation of plan, would be considered by the Govt. of NCT of Delhi at the time of preparation of layout plan."

**1.21 The Committee may be apprised of the Action Taken in this regard within three months of presentation of the Report.**

### **Recommendation (Serial No. 13)**

#### **Fate of Unauthorized Colonies posing hindrances in generating infrastructure facilities**

1.22 The Committee had recommended as under:-

"The Committee have been informed that the unauthorized colonies falling under the jurisdiction of local bodies or DDA and posing hindrance in providing infrastructure facilities or fall in the area of Right of Way (RoW) of existing/ proposed railway lines, master plan roads, major/ trunk water supply & sewerage lines, regional park, along with the area posing hindrance in the provisions of infrastructural facilities, are not eligible for regularization as per clause 3.3 9b of notification dated 24.03.2008 of Regulations for Regularization of unauthorized colonies in Delhi, issued by DDA would be deleted from the regularization process by GNCTD.

The Committee are fully in consonance with the notification issued by DDA. But the issue that is agitating the mind of the Committee is the unexpected and stoic silence of GNCTD and DDA on the fate of residents of such colonies. From the foregoing the Committee can infer that these colonies are on the verge of removal. Thus, the Committee strongly recommend that all such colonies should be re-located to suitable places with minimum possible displacement, so that the livelihood earnings of residents are not adversely affected.

If needed, specific and requisite amendments should be made in the notification to address this concern of the Committee and cater to the needs of residents of all such colonies."

1.23 In their Action Taken Reply, the Ministry have stated as follows:

"Government of NCT of Delhi has stated that the regulation mandates plotting of DDA hindrances. MoUD is of the view that it is for GNCTD to take action for rehabilitation for replaced persons as per their policy."

**1.24 The Committee are anguished to note the reply of the Government. No doubt, it is for GNCTD to take action for rehabilitation of the replaced as per their policy. However, the Committee are of the view that it is for the government to ensure that the rehabilitation of such colonies takes place to suitable places with minimum possible displacement, so that the livelihood earnings of residents are not adversely affected. Thus, the GNCTD should take timely action for relocation of such colonies and a regulatory authority as the agency to provide land and DDA should ensure for its strict compliance.**

#### **Recommendation (Serial No. 14)**

#### **Encroachment of DDA Lands and fixing the responsibility of officials whose negligence resulted in encroachment**

1.25 The Committee had recommended as under:

“The unauthorized colonies are a reality not only in Delhi but in all the major urban cities across the nation. The Committee feel one of the main reasons for this is that the common land in urban villages, Towns/ Cities is being usurped by influential people for self and illegal occupants protected by Vote Bank Politics.

This is clearly reflected in the information provided by the Ministry and DDA where they have stated that reclaiming the land that has been encroached prior to the year 2007 is not possible due to GNCTD Special (Provision) Act, 2011 extended up to 31.12.2014. Therefore, the Committee would like to recommend that Land Records should be surveyed and mutations done as per Revenue records. Each Khasra Khatauni with division should be recorded. This should be done at par with amended Waqf Lands Acts, 2013.

Moreover, as per the Annual Report 2010-11 the most important function of Land Management Department of DDA is to protect DDA land from encroachments. Thus, it is quite clear that the duty for checking unauthorized occupation of DDA land and vacating the encroached land is cast on the officers concerned. The officials are supposed to detect and verify the encroachments and get them removed. However, the data provided by DDA speaks otherwise as 1402.16 acre of DDA land is under encroachment in various parts of Delhi, while during last five years only 402.428 acre of land could be reclaimed by DDA. This data is contrary to the claim that as and when the case of any encroachment on DDA land comes to the notice of Delhi Development Authority (DDA), action to remove it was taken as per law. This is clearly indicative of inaction on the part of DDA officials. This has resulted in the burden on the resources of State Government as well as DDA. The Committee are of the view that if the concerned officials perform their duties honestly and diligently, then it will become impossible for the encroachers to lay hands on the Government land. They are of the view that the encroachment should be nipped in the bud. The Committee have come to know that Government of Delhi has created a sub-divisional level Special Task Force to check encroachment on the public land. Their assistance is being obtained

whenever any new encroachment is noticed. But Committee regret that measures to reclaim the encroached land have utterly failed. The Committee, therefore, would like to recommend that the accountability of officials be fixed with deterrent punishment whose negligence/ favoritism/involvements in corrupt practices has resulted in the encroachment. The Committee are of the view that concerted efforts be made to identify the concerned officials. The Committee insist that the Ministry and DDA should fix responsibility in those matters after digging the old cases and if the connivance of officials is proved, exemplary punishment should be inflicted on them. A status report in this regard should be submitted to the Committee within three months of the presentation of the report incorporating the position before and after presentation of this report.”

1.26 In their Action Taken Reply, the Ministry have stated as under:-

“GNCTD has replied that the issue relates to DDA. DDA has replied that the unscrupulous elements who do not have the fear of law are always ready to encroach the Govt. Lands. The available work force under Land Management Department is insufficient to protect the large chunks of DDA's open land which could not be put to use for decades, though the lands were acquired for Planned Development of Delhi.

Encroaching a public land by un-lawful elements became a regular feature in Delhi in view of the uncontrolled population living and further migrating to Delhi, which has insufficient planned housing. Removal and demolition of encroachments on DDA land is a time consuming affair, which requires approval of the higher authorities, checking the court cases, stay orders etc., sensitiveness from the law and order point of view, checking whether any encroachment is protected by Special (Provision) Act, 2011 extended upto 31.12.2014 applicable in Delhi.

Within the means available in the DDA the Land Management Department conducts encroachment removal programs after due approvals. In cases where the involvement of official is found, disciplinary actions are taken. Matters of such connivance are examined by the Vigilance Department of DDA.”

**1.27 The Committee are perturbed to note that the work force under Land Management Department is insufficient to protect the DDA's open land. But this is no excuse to accept the encroachment of DDA's land by un-lawful elements. The Committee strongly recommend that the work force under Land Management Department should be increased and the encroachment of DDA land should be prevented to save scarce resources for future planned development. The Committee also recommend that DDA should construct the boundary wall around all the open land under its purview to prevent encroachments.**



## **Recommendation (Serial No. 15)**

### **Delay in Land Allotment by DDA and RCS to Cooperative Group Housing Societies waiting for years**

1.28 The Committee had recommended as under:

"The Delhi Co-operative Societies Act 1972 has helped to achieve new heights in establishing the culture of Co-operative Group Housing Societies (CGHS). The Act aimed to facilitate the voluntary formation and democratic functioning of co-operative societies as people's institutions based on self help and mutual aid to enable them to promote their economic and social betterment and to provide for regulation and management, functional autonomy of such societies. Thus, the moot question remains whether the Act and the concerned organizations (DDA & RCS) responsible for implementing the same have been able to fulfill the expectations of public or not.

The Committee were informed by the public representatives through representations as well as during the course of oral evidence that Delhi Development Authority has neither offered land to the Co-operative Group Housing Societies nor sought recommendations from Registrar Co-operative Societies, NCT of Delhi after the stay Order dated 18th June 2004 CWP(C) No. 10066/2004 for the operation and effect of communication dated 25<sup>th</sup> March 2004 whereby additional list of 35 societies was sent by Registrar Co-operative Society for land allotment. And, likewise the Registrar Co-operative Society did not send recommendation after the above said order.

Further the Committee were also made aware of response to Lok Sabha unstarred question No.4546 fixed for 20 August 2010 and as well as of the observation of the High Court of Delhi where it has categorically emphasized in its order dated 03rd October 2005 in WP (C) No. 10066/2004 and CM. 10514/2005 that we would not like a single genuine society or a genuine member to be either harassed or denied their right of allotment.

On this issue, DDA put forth the reason that DDA has allotted land to all such eligible societies, whose names were forwarded by RCS to DDA from time to time and no case is pending for allotment of land in DDA. The scope of carving out further land for allotment to CGHS can be considered on receipt of further recommendation from RCS.

As regards developing and further allotting of land to Cooperative Group Housing Societies, DDA further informed the Committee that this requires large scale acquisition and the same can be taken up by DDA only on land being made available by the State Government. DDA is always prepared to develop and allot land to CGHS.

From the submission of DDA, it appeared that RCS was not active in allotting land to CGHS. But when the Committee inquired the RCS office in this regard, their reply which is produced below, compelled the Committee to think otherwise of DDA. "As per section 9(1) (f) of Delhi Co-operative Societies Act, 2003, the confirmation of availability of land to the Co-operative Group Housing Society from land allotting

agency is required by this office at the time of applying for registration. However, no application for registration of Co-operative Group Housing Societies alongwith the confirmation of availability of land from Delhi Development Authority as stated above has been received in last ten years"

From the foregoing the Committee find lack of transparency and sincerity on the part of both RCS as well as DDA, at least in connection with allotment of land to CGHS. It appears that RCS and DDA are in connivance and are responsible for delay in land allotment to the Cooperative Group Housing Societies. This attitude of RCS and DDA of passing the buck to each other leads to nothing but the harassment of members of such societies, who have been dreaming of a roof over their heads for decades and suffering financially as well as mentally.

The Committee noted with pain that the citizenry are compelled to approach judiciary for its intervention and order to RCS Delhi for verification of documents and thus recommend in unequivocal terms that RCS should be totally transparent in its working by clearly mentioning on its official website all the documents and permissions required to be submitted by CGHS while applying for land allotment.

At the same time, the Committee further recommend DDA to take up this issue of allotment of land to all remaining eligible CGHS waiting for the same on priority basis after completing the required exercise without any further delay, within a span of 3-4 months. The Committee would like to have a quarterly progress report in this regard."

1.29 In their Action Taken Reply, the Ministry have stated as under:-

"Registrar of Cooperative Societies has submitted that it is responsible for registration of Cooperative Societies and to further regulate the management of these Cooperative Societies as per the provisions of DCS Acts and rules. A total of 1974 Group Housing Societies are presently registered with the office of RCS, Delhi and 934 Cooperative Group Housing Societies have been allotted land so far by DDA as per the information provided by DDA.

The proposal for allotment of land to the Cooperative Group Housing Societies in Delhi is considered by DDA. As per the availability of land with them, DDA requests RCS to forward the name of the eligible Cooperative Group Housing Societies for consideration of allotment of land to these societies at their end. DDA had previously made such request to RCS vide its letter dated 04.09.2003. No further requisition in this regard has been received by RCS from DDA so far.

Two writ petitions i.e. WP (C) No. 7553/2012 and WP (C) No. 1283/2014 by 23 Cooperative Group Housing Societies have been preferred before Hon'ble High Court of Delhi. The process of verification of members of these societies is being carried out by Court Commissioners and office of RCS respectively.

DDA has replied that it allots land to the CGHS on the basis of recommendations made by RCS. RCS is already seized of the matter and the work related to verification of members of societies is going on and the further course of action will be taken on receipt of specific recommendations from the RCS."

**1.30** The Committee note that DDA and Registrar Cooperative Societies(RCS) are the concerned organisations responsible for implementation of Delhi Cooperative Societies Act 1972 Keeping in mind the plight of the citizens of Delhi in general and registered cooperative societies who are waiting for land allotment in particular, the Committee had strongly recommended to maintain transparency in the functioning of both the organisations and facilitate each other while allotting land to eligible CGHS without passing the buck on each other. At the same time, the Committee had further recommended DDA to take up this issue of allotment of land to all the remaining eligible CGHS waiting for the same, on priority basis after completing the required exercise without any further delay.

But the Committee are constrained to note that instead of furnishing a proactive and responsive action, both RCS and DDA are still passing the blame on each other despite Committee's advice and observations. RCS has stated that as per the availability of land, DDA has requested RCS to forward the name of the eligible Cooperative Grouping Housing Societies at their end. DDA had previously made such request to RCS vide its letter dated 4. 9. 2003. After that no further requisition has been received by RCS from DDA. DDA has replied that it allots land to the CGHS on the basis of recommendations made by RCS.

The Committee while noting the fact that DDA Vice- Chairman had submitted before the Committee that land and plots earmarked for the group housing purpose in the lay out plan of the DDA such as Dwarka, Narela, Rohini etc. are available, deplore such an irresponsible attitude on the part of the RCS and DDA . The Committee strongly feel that there is an urgent need to have a totally transparent mechanism. Therefore, they recommend all information such as (i) availability of land with DDA(ii) allotment of land to CGHS (iii) date of submission of application to RCS (iv) status of application reasons for rejection, if any, should be made available online. Besides, the Committee also desire that specific timeline should be fixed for verification of membership by RCS and allotment of land to the CGHS by DDA. Above all, the Committee wish to emphasize that all the pending cases with RCS and DDA should be resolved at the earliest.

## **Recommendation (Serial No. 18)**

### **CONVERSION OF PROPERTY FROM LEASEHOLD TO FREEHOLD**

1.31 The Committee had recommended as under:

"The Committee observe that allotment of DDA built up flats and flats of CGHS made upto 1992 was on leasehold basis. But, the residential and commercial plots and flats are being allotted on free-hold basis w.e.f. 1.1.2007, the lease-hold properties are being converted into freehold as per policy and guidelines issued by Ministry of Urban Development in the year 1991. 45 days is the prescribed period for converting DDA built up flats and CGHS flats and 90 days for other properties. From the data submitted by DDA, the Committee observe that during the last five years from 1.12.2007 to 30.11.2012, 24,589 number of applications have been received from Housing Department of DDA for conversion of leasehold to freehold and 27,157 applications have been disposed of. Still, 944 applications are pending. From the Cooperative Group Housing Societies DDA has received 6,612 applications and it has disposed of 1254 applications. 5,458 applications are still pending. The Committee have learnt that the main reasons for such large-scale pendency are because deficiencies are not completed by the applicants such as non-submission of required documents and non-deposit of demanded amounts such as ground rent, misuse, damage charges, etc.

DDA has further submitted that it has started online application for conversion from leasehold to freehold in the year 2012. Keeping in view the pendency of large number of flats/plots for conversion of leasehold to freehold non submission of required documents and non-deposit of demanded amount, the Committee are of the view that only by extending the facility for online application is not the solution to the problem. From the above, the Committee are compelled to conclude that the process is not at all transparent. There is an urgent need to make the system transparent and people friendly. In this regard the Committee recommended that the DDA in its website should clearly make a mention about the list of documents and the amount required for conversion of leasehold to freehold. Further while submitting the application, DDA should give receipt of the application along with the list of documents received from the applicants. This will not only release the burden of DDA but also facilitate it to do the needful within the prescribed time-frame. Further, this will stop harassment of public by the DDA officials.

The Committee further observe that one of the reasons attributed for slow clearance of applications for conversion of leasehold to freehold is non-deposit of demanded amount such as ground rent, misuse and damage charges which many a time exceed the cost of the plots or flats. Recently DDA has decided to provide a special one time relief, where in a maximum period for levy of misuse charges will be restricted to five years from the date of detection of misuse. The Committee welcome such people friendly steps. At the same time the Committee are of view that to stop misusing the flats by carrying out unwanted alterations/extensions, DDA should undertake regular physical verification of all the DDA built flats and CGHS flats every year and maintain proper records thereof and provide stringent punishment so that people will

not dare to carry out any unwanted alteration/extension in the flats without prior permission of DDA."

1.32 In their Action Taken Reply, the Ministry have stated as under:-

"DDA has replied that it does not undertake regular physical verification of the built up flats and group housing flats as it may invite protest/criticism from public that the officials of the DDA are harassing the flat owners. The verification is undertaken as and when any complaint in this regard is received. It was also noted that the services of almost all the societies and DDA colonies have been transferred to the MCD and necessary action in this regard is to be taken by MCD.

As on 31<sup>st</sup> May, 2014, out of the 105473 applications received in Housing Department for conversion of DDA flats from leasehold to freehold, 104070 applications have been disposed of and 1913 applications are pending. To clear pendency of conversion applications, regular monitoring at various levels is undertaken. Apart from this, various Lok Shivirs have been organized recently in which large number of cases have been disposed of.

In order to streamline and bring more transparency in the process of conversion of properties from leasehold to freehold, DDA has undertaken many steps including setting up of Nagrik Suvidha Kendras (NSK) at Dwarka, Rohini, Laxmi Nagar and at I.N.A., Vikas Sadan. At these NSKs, complete application form regarding conversion of property into freehold is received and the applications are processed in a time bound manner. The application form for conversion has also been simplified.

It is also intimated that as per present policy, unauthorized construction is not a bar to allow conversion of flat from leasehold to freehold. Enforcement Cell of the Housing Department regularly checks unauthorized construction/encroachment in DDA built flats in areas which are still under the jurisdiction of DDA and have not yet been handed over to the concerned municipal authorities. "

**1.33 With regard to conversion of properties from leasehold to freehold, DDA has undertaken many steps including setting up of Nagrik Suvidha Kendras(NSK) at Dwarka, Rohini, Lakshmi Nagar and INA, Vikas Sadan. As a result as on 31st May, 2014 out of 105473 applications received by DDA, 104070 applications have been disposed of and only 1913 applications are pending. This is a welcome step. The Committee desire that DDA should organise more NSK in all parts of Delhi and the frequency of such NSK should be increased to clear the pending cases.**

**However, the Committee do not agree with the reply of DDA that Enforcement Cellof the Housing Department regularly check unauthorised construction/encroachment in DDA-built flats. In many Cooperative Group Housing Societies and DDA Houses, unauthorised constructions are still there and the unauthorised construction is an ongoing process. Therefore, the Committee desire that DDA should make regular visits at least twice in a year to ensure a vigilant eye on the illegal constructions.**

## **Recommendation (Serial No. 19)**

### **ALLOTMENT OF ALTERNATIVE PLOTS/FLATS**

1.34 The Committee had recommended as under:

"The Committee observe that as of now DDA has acquired land in 240 villages for undertaking various types of development in Delhi. DDA allots alternative plots to the villages on the basis of the recommendations received from the Land and Building Department of GNCTD. Necessary guidelines in this regard have been issued by GNCTD. No separate guidelines have been issued by DDA. The allotment of an alternative plot is made by DDA as per seniority fixed on the basis of date of taking of physical possession of acquired land by Land and Building Department of GNCTD, for respective size category and zone before holding draws of lots. Till now 10,675 alternative allotments have been made to the farmers whose land had been acquired. As on date, 68 recommendations letters issued by the Land and Building Department of NCT of Delhi are lying pending due to non-availability of plots of respective size.

Further, the Committee observe that the affected people from whom DDA is acquiring land spent their hard earned money to buy a single flat/plot. By acquiring a particular area for any developmental purpose, people residing in that area are not only deprived of their property, but also their livelihood. Further, during oral evidence, the Committee came to know that all over Delhi people are airing grievances, because DDA acquires the land and pay compensation after many years of taking possession but at the older rates. In many a cases, DDA has taken over one independent house but given them one EWS flat. Therefore, the Committee are pained to conclude that people are not adequately compensated.

The Committee are further distressed to note that DDA acquires the land, for various development purposes but does not have its own policy for paying compensation and it is totally dependent on the policy for project affected persons evolved by the Government of NCT of Delhi. The Vice-Chairman, DDA during oral deposition has admitted that whether it is land for land or value for value or whether it is providing accommodation, is a policy matter and he will definitely raise it in the right quarters and a conscious decision will be taken so that the interests of the affected persons are protected.

In view of the above state of affairs, the Committee recommend that instead of depending upon the policy of Government of Delhi, DDA should evolve its own policy and extend adequate and timely compensation as per market rate on the date of paying compensation. The Committee also desire that compensation should be paid in a stipulated timeframe. "

1.35 In their Action Taken Reply, the Ministry have stated as under:-

"The land is acquired by the Land Acquisition Collectors (LACs) appointed by Govt. of NCT of Delhi and the compensation is also paid by LACs as per provisions of the Land Acquisition Act. The nodal secretariat in this regard is Land and Building Department of Govt. of NCT of Delhi.

As regards, allotment of alternative plots/flats is concerned as a part of rehabilitation package, the same is allotted by the DDA on the basis of specific recommendations made by Land and Building Department of Govt. of NCT of Delhi.

The compensation was being paid as per the provisions of Land Acquisition Act 1894 on receipt of the demands by the Land & Building Dept., GNCTD. The Govt. of India has reviewed the policy relating to payment of compensation and new Act 'The Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act-2013' has been made applicable w.e.f. 01.01.2014 and therefore, revised rates, which are more than the market rates, would now be paid to the farmers, whose land is to be acquired by the Govt.

Under Section 15 of the Delhi Development Act, 1957, the DDA takes possession of the land acquired by the Central Government for the purpose of development or for any other purpose. Section 15 of the DD Act read as follows:

#### Section 15: Compulsory Acquisition of Land

- (i) If in the opinion of the Central Government, any land is required for the purpose of development, or for any other purpose, under this Act, the Central government may acquire such land under the provision of the Land Acquisition Act 1.69984 (1 of 1894).
- (ii) Where any land has been acquired by the Central Government, that Government may, after it has taken possession of the land, transfer the land to the Authority or any local authority for the purpose for which the land has been acquired on payment by the Authority or the local authority the compensation awarded under that Act and of the charges incurred by the government in connection with the acquisition.

As regards new Act of land acquisition i.e. "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013", the central government is currently in the process of consultations with the state governments and other stake holders and contemplating certain modifications/amendments in the Act to address certain issues. "

**1.36 The Committee note that now the compensation in case of eviction of private land/flat will be paid at the revised rate as per the "The Right to Fair Compensation Transparency in Land Acquisition, Rehabilitation and Resettlement Act 2013 which has been made applicable w.e.f. 1.1.2014. However, the Committee are distressed to note that their recommendation for DDA to evolve its own Policy for paying compensation has not been considered. Still DDA is dependent on Government of NCT of Delhi in this regard. The Committee strongly feel that as part of social responsibility, DDA should ensure that the right compensation is being paid to the affected people in time.**

### **Recommendation (Serial No. 20)**

#### **CRITERIA FOLLOWED IN ALLOTMENT OF LAND FOR CONSTRUCTION OF HOTELS, MALLS, SCHOOLS etc.**

1.37 The Committee had recommended as under:

"The Committee observe that as per Master Plan 3% of land acquired under the acquisition, development and disposal of land in Delhi is utilized for commercial use. From 2006 onwards DDA has disposed of 158 commercial plots and 24 plots for hotels. The Committee are, however, distressed to note that during the last ten years only 23 sites have been allotted for bus depots against the demand of 31 by the GNCTD. Five sites are under process. In remaining 3 cases, the site requested at I.P extension is under encroachment whereas in Rohini Sector 11 and Ghazipur no land is available. Against the demand of 35 police stations by the Delhi Police, DDA has allotted 25 sites, 5 sites for allotment are under process. In remaining 5 cases allotment cannot be made as no site is available.

During the period 2002 to 2013, DDA has allotted 7 hospital sites and 16 sites for Senior Secondary schools and 2 sites for secondary schools. The Committee were further informed that the facilities such as school, hospitals, markets, and commercial areas are assigned as per the population requirement. There is no preference given in Master Plan for developing a land parcel/pocket for commercial areas in comparison to the land for public or semi public use like school and hospital.

However, the number of allotment of land for commercial plots for malls have outnumbered the allotment of plots/sites for necessary infrastructural facilities for schools, hospitals, bus depots and police stations. Keeping in mind the growing population of Delhi, their health problems, education and law and order problem, the Committee strongly recommend that DDA should make necessary changes in the Master Plan to give preference to these basic infrastructure. The Committee were further informed that sanction for Building plans are much faster and quicker, if all the documents required for are attached.

For this the Committee desire that for faster processing and clearance, DDA in its website should upload the details of documents required along with the planning parameters for any building and these should be advertised in the print and electronic media for creating awareness among the people. The Committee also desire that effective public participation should be ensured in this direction to yarn good results."

1.38 In their Action Taken Reply, the Ministry have stated as under:

"DDA has submitted that Master Plan is a policy document wherein provisions including plan norms and development control norms are stipulated for planned development. However, development of basic infrastructure i.e. schools, hospitals, bus depots and police stations are developed by the local bodies/government agencies



concerned except in case of schools and hospitals are also developed by private developers. Generally, sites for these facilities are earmarked in the Zonal Development Plan for the respective planning Zones as per the requirement of Zone. The allotment of plots is done by the Land Disposal department as and when the requests are received from the GNCTD/Government agencies/private developers.

The main contention of the committee is that all the documents required for the sanction of Building plans should be uploaded in DDA website for quicker & faster processing & clearance. In this regard, it is submitted that the documents which are required for the issuance of permits are already in DDA website & is also available in the counter of building section of DDA, Ground Floor, D-Block, Vikas Sadan in the form of "Handbook for Building Permit Procedure".

**1.39 While examining the subject "Functioning of Delhi Development Authority (DDA) particularly with reference to Affordable Houses in Delhi and its role in regularization of Unauthorized Colonies in Delhi and Matters connected thereto" the Committee had observed that the number of allotment of land for commercial plots for malls had out numbered the allotment of plots/sides for necessary infrastructural facilities for school, hospitals bus depots and police stations. Therefore, they had recommended that DDA should make necessary changes in the Master Plan to give preference to these basic infrastructure. The Committee are concerned to note that DDA has not taken any action in this regard and have given a routine reply that site for these facilities are earmarked in the Zonal Development Plan for respective planning zones as per the requirement of zone. The Committee condemn the apathetic attitude of DDA towards their important recommendations. Therefore, they wish to reiterate their earlier recommendation to review the Zonal Plan and bring necessary changes to build up the required infrastructure like schools, hospitals, bus depots and police stations.**

#### **Recommendation (Serial No. 21)**

#### **CONSTRUCTION OF COMMUNITY HALLS IN THE VILLAGES WHEREFROM DDA HAS TAKEN LAND**

1.40 The Committee had recommended as under:

"DDA is required to undertake various developmental works in the villages wherefrom it has taken land. However, the Committee are distressed to note that from its inception till date DDA has constructed only 44 community halls in various zones. It has completed construction of 28 community centres in the year 1996-97. Afterwards, the number has drastically reduced to 11 during the entire 6 years from 1997-98 to 2003-04. This has further been reduced to 4 during the 3 years from 2004-05 to 2006-07. Out of the completed 44 community centres only 18 were functional during the period January 2012 to August 2013, while 20 community centres in all the zones i.e, South, Dwarka, North, East and Rohini are in planning stage. In the South zone, out of 8 community centres, 7 are still in the planning stage and construction of only one community centre is in progress. In Dwarka zone out of 4 community centres 2 are in planning stage and 2 are in progress. In North zone, one community Hall is in progress. In East zone all the 6 are in planning stage.

From the above, the callous attitude of DDA towards fulfilling its obligations becomes clear. The Committee fail to understand this lackadaisical approach of DDA and deplore it vehemently. They want that DDA should come out of its slumber and act swiftly in this regard."

1.41 In their Action Taken Reply, the Ministry have stated as under:

i)	"Community halls with DDA	-	56
ii)	Community halls with RWA	-	20
iii)	Community halls with NGO	-	06
iv)	Total <u>Community halls constructed</u>	-	82
v)	Community halls under progress	-	25
vi)	Community halls in Planning stage	-	33
vii)	Community halls in conceptual stage	-	20 "

**1.42 The Committee note that since its inception, till date DDA has built 56 community halls. Construction of 25 community halls are under progres 33 community halls are in planning stage and 25 are in conceptual stage. Keeping in mind the growing number of population in Delhi and their social needs, the Committee strongly recommend that DDA should make concerted efforts to complete the construction of all the community halls and make them operational at the earliest.**

#### **Recommendation(Serial No. 22)**

#### **NEED TO REDEEM IMAGE BY DDA**

1.43 The Committee had recommended as under:-

"The Committee note that the DDA has claimed that for the last 55 years it has been innovating in terms of technology, management techniques and improving public interface in order to reach its customers in a better and friendly manner for ensuring timely delivery of services. The Citizen Charter detailing schedule of various transactions has been published. Many processes which have maximum public interface have been made online like conversion of leasehold to freehold, booking of temporary allotment of space for marriages and social functions etc., allowing the corrupt practices with prior appointment etc, However, the Committee are distressed to observe that DDA's has ruined its image before general public by remaining inactive and allowing the corrupt practices in deteriorating. Since 2003, DDA has not allotted any land to any cooperative group housing society, DDA and RCS are passing the buck on each other for not discharging their responsibilities with regard to allotment of land.

DDA has failed to maintain the capital city including Yamuna River which is getting dirtier day by day. DDA has proved its failure to provide houses and basic amenities

to inhabitants of Delhi. DDA officials have grossly failed in checking fraud in allotting venues for marriages and other social functions, in checking the growth of slums and unauthorized occupation of land under its purview.

Conversion of leasehold to freehold, in checking unauthorized construction and alteration in DDA built houses and CGHS, etc. While taking oral evidence of representatives of CGHS, the Committee learnt that people are aggrieved because DDA is harassing them by not giving adequate and timely compensation, it is only after the interface of the Committee the problems of two Residents Welfare Associations were solved.

In view of the above, the Committee feel that DDA has failed to live up to the expectations of the people of Delhi. Against this backdrop, the Committee wish to recommend that there is an urgent need to refurbish the image of this premier organization by taking proactive and timely steps under intimation to the Committee."

1.44 In their Action Taken Reply, the Ministry have stated as under:

- (i) "DDA has taken major steps for computerization of all Departments now for which the study has been made by consultants and shortly RFP will be issued for selection of the agency who would take up the task of computerization of all branches/divisions of DDA. In this endeavor the efforts will be made to automate each and every activity of DDA so that public can avail services at their door step and from anywhere through web enabled IT applications.
- (ii) With regard to conversion from leasehold to freehold of DDA flats, application form has been simplified and the new brochure/booklet has been issued. This has also been uploaded on DDA's website. A user friendly portal for Nagrik Suvidha Kendra has been made operational. Computerized Nagrik Suvidha Kendras have been established in 4 locations in Delhi where general public can avail the services of DDA. This process has been very useful to the general public as the public can now avail services of DDA near to their residence. At the recently established four Nagrik Suvidha Kendras, assistance is provided to the public for submission of complete application forms.
- (iii) As far as checking of unauthorized construction and alteration in DDA flats are concerned, Enforcement cell of the Housing Department regularly checks unauthorized construction and encroachment in areas which are still under the jurisdiction of DDA and have not yet been handed over to the concerned municipal authorities.
- (iv) E-Auction for properties has been implemented.
- (v) On line booking of vacant sites for marriage/religious functions.
- (vi) Daily public hearings instead of two days a week.

- (vii) All payment details of DDA flats and Group Housing Society flats have been placed on web site so that general public can reconcile their payment made;
- (viii) Provision of on line payment through payment gateway of various banks and through NEFT/RTGS has been made so that general public can make payments from anywhere as per their convenience. This saves the time of the general public and also gives the convenience to them.
- (ix) To enforce punctuality the process of installation of attendance machines has started in DDA and the same have been installed in Vikas Sadan and in due course the attendance machines will be installed throughout DDA.
- (x) On line viewing mechanism about the status of the requests of general public about conversion of DDA flats and Group Housing Society flats has been made and now the general public can see the status of their applications on line from anywhere.
- (xi) In the direction of computerization of land records some more progress has been made and now 22 more villages have been digitized and have been placed at DDA's web site. Now out of 240 acquired villages total 207 villages have been digitized and the details have been placed at DDA's web site.
- (xii) The process of issuing water bills on line has been started and the water bills of Rohini Wing have been computerized and now general public can deposit their water bills of Rohini locality on line. In the due course this system will be incorporated in all other localities of DDA as well. "

**1.45 The Committee had expressed their concern over the depleting image of DDA. Therefore, they had recommended to refurbish the image by taking proactive and timely steps. The Committee note that some steps have been taken DDA. However, as a premier organisation, it has definitely failed to deliver its objectives. The Ministry/DDA has not taken required action with regard to the recommendation of the Committee on allotment of land to CGHS, maintenance of the capital city including Yamuna river, construction of houses for EWS and providing basic amenities, checking the growth of slums and unauthorised occupation of land under its purview etc. The DDA should chalk out a viable approach for making Delhi a city of international stature and any concrete suggestion(s) by the DDA before the Committee in this regard would be welcome.**

#### **Recommendation (Serial No. 24)**

#### **EXPEDITE THE ACTION IN CORRUPTION CASES AGAINST THE DDA OFFICIALS**

1.46 The Committee had recommended as under:-

"The Committee observe that to bring transparency in the functioning of DDA/MCD to root out corruption and provide better, quick and people friendly services, DDA has initiated some steps. The Committee are informed that file tracking system has been implemented in the vigilance branch and the same is under implementation in other

branches, sensitive branches are being randomly inspected by vigilance branch to see delays in handling of files and presence of outsiders etc. Vigilance helpline has been launched on the occasion of Vigilance Awareness Week 2012 and its number is 09650713388.

From the information furnished by DDA the Committee can easily gather the fact that amongst the 82 corruption cases against the DDA officials for last more than 10 years w.e.f 2003, 41 are under trial, 12 are under investigation, 4 have been acquitted, 1 is RDA case, 1 has been discharged, 1 case is under CBI investigation and 3 cases have been closed by CBI and 19 convictions are there.

This information of DDA is indicating towards the slow pace of trials and poor rate of conviction in the corruption cases against the DDA officials. This appears to be an eye wash. The Committee are of the view that such a slow pace of progress in cases and very low rate of conviction fails badly to act as deterrent for other officials, from indulging in corrupt practices. Rather it tends to give a boost to unscrupulous elements.

Thus, the Committee would like to recommend that the trials and investigations should be expedited and guilty be brought to the book at the earliest. Moreover, this should not only remain restricted to these cases only that have been brought to the notice of the Committee. Rather, the speedy trial should become a regular feature in DDA."

1.47 In their Action Taken Reply, the Ministry have stated as under:

"DDA has replied that as regards the action against corruption cases, these are being dealt by the concerned investigating agencies i.e. CBI/ACB, GNCTD and Delhi Police. These agencies themselves initiate cases pertaining to corruption and other malpractices and file cases in the relevant courts. DDA however facilitates investigation as well as prosecution in all such cases."

**1.48 The Committee are constrained to note that regarding their recommendation to expedite the action in corruption cases against the DDA officials, DDA has given a very vague reply. The Committee are well aware of the fact that CBI/ACB, GNCTD and Delhi Police are the investigating agencies. However, the Committee are of the view that Ministry of Urban Development should issue necessary directions to these agencies to complete the investigating process in a time bound-manner to secure speedy judgement. Moreover, the Committee also want the Ministry to monitor the cases at the highest level so that justice can be done in a time-bound period and unscrupulous elements do not take advantage of the situation.**

#### **Recommendation (Serial No. 25)**

#### **INTRODUCTION OF SINGLE WINDOW SYSTEM**

1.49 The Committee had recommended as under:-

“The Committee note that DDA is a 56 years old agglomeration dealing with the matters of government, private and semi private agencies. It deals with

many sensitive matters. The Committee are disheartened to note that DDA has introduced single window system just in three areas and that too from the year 2012. The facility has been introduced for only selected activities viz. conversion of leasehold to freehold of CGHS flats, DDA flats and Samasya Nidhan. While expressing their satisfaction for this endeavor of DDA, the Committee want that all activities of DDA should come under its umbrella. They also want that a strong monitoring mechanism be put in place in the initial years to check as to whether the system is benefitting the public.

Though much delayed, the Committee welcome the introduction of single window system in DDA for bringing in transparency in its activities. However, they would like the DDA to introduce the single window system in all the areas of functioning.”

1.50 In their Action Taken Reply, the Ministry have stated as under:

“DDA has replied that in the process of issuing building permits many agencies/organizations are also get involve like Delhi Urban Art Commission, Delhi Fire Service, Delhi Pollution Control Committee, Director General Explosives, and Airport Authority of India etc. as per law. The respective agencies are required to check the documents & drawings within their mandate & as per their own expertise. The one window system may not address these issues in detail & therefore clearance of building permits in one window system may not be desirable. This will also facilitate to avoid unwanted mishaps.”

**1.51 The Committee understand the apprehensions of the Government. However, the Committee feel that the DDA should form a comprehensive policy, in consultation with other agencies so that the public may get speedy disposal of their cases.**

## CHAPTER II

### RECOMMENDATIONS THAT HAVE BEEN ACCEPTED BY THE GOVERNMENT

#### (Recommendation Serial No. 5)

##### **Need for adopting modern designing in the houses constructed by DDA**

2.1 The Committee observe that the quality of designing and materials used in the DDA houses are not as per the expectations of the people and there is a need to adopt modern concepts and technologies. DDA Vice-Chairman during oral evidence, has assured the Committee that pre-fabricated technologies are now being adopted by which the quality of designing will definitely be improved. He has further assured that while constructing the MIG and LIG houses in future the modern designing in line with Private Group Housing Societies will definitely be taken care of. He also admitted that there is an urgent need to change the designing of houses and adoption of modern technologies in this regard.

Therefore, the Committee recommends that DDA should take concrete action in this regard and keep its assurances given to the Committee in a time-bound manner.

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

2.2 DDA has replied that with passage of time, the specification of material used for construction is being changed as per details mentioned below:

- (i) Kota stone flooring is being replaced by granite flooring.
- (ii) Mosaic flooring is being changed in rectified/vitrified tile flooring.
- (iii) M.S. Windows are being replaced with Aluminum Windows.
- (iv) The provision of grit wash plaster on external surface is being discontinued.
- (v) The G.I./C.I., pipes are being replaced with HDPE/P.E. AL.PE/PVC pipes etc. in water supply and drainage.

To keep a watch on quality of construction in most of the new projects 3rd party quality check has been introduced.

New technology in the form of prefabricated houses is being adopted for construction of LIG/EWS houses. This technology minimizes the human error, gives good quality & construction is done at fast pace. Presently about 50,000 LIG/EWS houses are being constructed using this technology.

#### **Recommendation (Serial No. 6)**

##### **Awareness Drive about affordable housing**

2.3 The Committee observe that the awareness regarding any housing scheme amongst the target population is done at the time of launching the scheme. Wide publicity is given

through the print media and also through press conferences, press releases, etc. which are covered by both audio-visual and other media.

Since DDA has recently launched the land pooling policy, the Committee desire that **wide publicity should be given in print and electronic media for creating awareness amongst the general public about the benefits, terms and conditions and procedural aspects so that public at large may derive benefit of the scheme to the maximum.**

### **Reply of the Government**

2.4 DDA has replied that due awareness regarding land pooling policy and affordable housing is being ensured, through various modes of communication, right from the conceptual stage to its final approval. Large participation of the public and discussion with all the stakeholders were ensured at the formulation stage itself by publishing notices in leading newspapers in the month of April, 2013 and respondents to the notice were even invited for discussion with the senior officers.

The operationalization of the policy, which is at formulation stage, is also being discussed at various fora so as to create awareness and invite suggestions and objections from the general public. These efforts are being supplemented by press releases, one to one discussions and statements in various newspapers on as to how land pooling policy is going to ensure affordable housing for masses in the years to come. In future, DDA will ensure that the Committee's suggestions are fully complied with.

### **(Recommendation Serial No. 8)**

#### **Setting up of the Escrow Fund for maintenance of EWS Housing**

2.5 The Committee observe that an escrow fund was established in pursuance of condition no. VI of Annexure to the Gazette Notification of Government of India dated 09.06.1999. The receipt in this account was to be from the contribution @25,000/- per dwelling unit of size 1,000 sq. ft or more plinth area. Fund available in the account was to be operated by DDA under specific direction of the Ministry of Urban Development. Now, DDA is in the process of framing procedures/guidelines for setting up the ESCROW fund for long term maintenance of EWS housing in respect of in situ rehabilitation of JJ Clusters which are currently under construction.

The Committee recommend that DDA should expeditiously set up this fund and make available the fund for maintenance of EWS at the earliest.

### **Reply of the Government**

2.6 DDA has replied that there is an ESCROW Account which takes care of EWS housing. The same will be used to take care of long term maintenance of EWS housing in respect of in situ rehabilitation of JJ Clusters which are currently under construction.



**(Recommendation Serial No. 11)**

**Regular follow up of the progress of regularization of Unauthorized Colonies falling under its purview**

2.7 The Committee were informed that in exercise of powers conferred under section 57 of Delhi Development Act 1957 (61 of 1957) the Delhi Development Authority with the approval of Union Government notified "Regulation for Regularization of unauthorized colonies in Delhi" vide Gazette Notification No. S.O. 683(E) dated 23.03.2008 and subsequently few amendments therein notified vide Gazette Notification No. S.O. 1452(E) dated 16.06.2008 and further amendment was notified vide Gazette Notification No. S.O. 1297(E) dated 06.06.2012.

The role of DDA inter-alia includes assessment of built –up percentage of the colony as per aerial photographs with respect to colonies falling within the Development Area of DDA.

The DDA has completed this exercise and submitted its report to Government of National Capital Territory of Delhi (GNCTD). Further, the Authority has also de-notified all the unauthorized colonies falling within the Development Area of DDA, hence the entire work is to be done by the local body.

The Committee are of the view that no doubt the entire work of development in these colonies is to be done by Local Bodies but since the land belongs to DDA, it is the moral responsibility of DDA to ensure that the work gets completed expeditiously and efficiently in a time bound manner. If it is not done, the issue will keep on lingering and the problem would aggravate with the passage of time.

Therefore, the Committee strongly recommend that the DDA should coordinate with local bodies through its 'unauthorized colonies cell' and set a time frame for development of all the colonies falling within the Development Area of DDA and get the work done within that time frame.

**Reply of the Government**

2.8 DDA has replied that the process of regularization of unauthorized colonies commenced with the notification of "Regulations for Regularization of Unauthorized colonies in Delhi" notified vide Gazette Notification No. S.O 683(E) dated 24.03.2008 and amendment therein notified vide gazette notification No. S.O 1452(E) dated 16.06.2008 and further amendment was notified vide Gazette Notification No. S.O 1297(E) dated 06.06.2012.

As per the regulation the work related to regularization of unauthorized colonies is being undertaken, coordinated, monitored and supervised by GNCTD.

As per notified policy for regularization of unauthorized colonies in Delhi the role of DDA is limited to marking of hindrances i.e. Master Plan and Zonal Plan roads on the layout plans submitted by RWA through Govt. of Delhi. Secondly once the Govt. of Delhi declare

the unauthorized colonies fit for regularization, the change of land use as per Delhi Development Act under section 11A is initiated by DDA for those colonies falling in non compatible use as per Master Plan 2021.

On the above recommendation of the Hon'ble Committee, it is submitted that DDA in its authority meeting held on 11.3.2008 resolved to de-notify unauthorized colonies falling within the Development Area of DDA to facilitate Development work and processing of layout plan by single agency.

This has been reported to the Hon'ble Committee and it has been suitably included in its report. As far as DDA land falling within the unauthorized colonies is concerned the Land Management Department of DDA has already reported that a request has been made to Govt. of Delhi not to regularize vacant land of DDA falling within the layout plan of unauthorized colonies.

The Hon'ble Committee has recommended that "DDA should coordinate with local bodies through the "unauthorized colonies cell" and set a time frame for development of all the colonies falling within the Development Area of DDA and get the work done within that time frame.

The unauthorized colonies cell of DDA is acting as nodal agency and actively coordinating with GNCTD as well as Local bodies so that the process of regularization is carried out in time bound manner.

### **(Recommendation Serial No. 12)**

#### **Preparation of Layout Plans by Resident Welfare Associations (RWAs)**

2.9 The Committee are informed that Resident Welfare Associations (RWAs)/Resident Societies are required to get the layout plan revised and submit the same for approval, so that regularization process can be expedited. As per order of GNCTD, the layout plans to be submitted by RWAs/ Resident Society need to have proper planning inputs. Local Bodies requested there institutes viz. School of Planning and Architecture(SPA), I.P. University and Jamia University to take up preparation of layout plans for RWAs with proper town planning inputs. The payment to these institutes is to be made by RWAs. The Committee note that RWAs are not coming forward to take initiative despite the fact that letters were sent to RWAs to get the layout plan within the limits set by GNCTD.

The Committee have been further enlightened about the initiative taken by South Delhi Municipal Corporation (SDMC) for preparation of layout plans. During this SDMC got four layout plans prepared through the School of Planning and Architecture and approved by its own Standing Committee. The payment for the preparation of these layout plans has been made by Corporation, which shall be recovered from the RWAs before release of layout/ regularization plan.

The Committee while appreciating the efforts of SDMC, desire that all the local bodies across Delhi should follow their foot- steps and complete the preparation of layout plans for all the remaining colonies also. Furthermore, the Committee desire that in the preparation of these lay out plans, the RWAs of all the concerned colonies should also be

involved. In this regard, prior notice to the RWAs should be sent for attending the meeting. For the recovery of payment of preparation of these layout plans from the RWAs, the Committee would like to recommend imposition of cess on water supply bills of the residents of such colonies only. But this course should be taken only when the RWAs do not deposit the payment for preparation of plan.

The Committee would also like to put a note of caution in this regard that the cess should be imposed only on the residents of these unauthorized colonies. This should be done for limited time period till the recovery of payment of lay out plan.

### **Reply of the Government**

2.10 Govt. of National Capital Territory of Delhi has stated the process of mapping of exact area using the modern equipment is under process of tender with the Government of NCT of Delhi. The next step of preparation of layout plan would be taken up after. The recommendation related to imposition of cess on water supply bills, in case the Resident Associations do not deposit the fee for preparation of plan, would be considered by the Govt. of NCT of Delhi at the time of preparation of layout plan.

2.11 For comments of the Committee please refer to Para no. 1.21 of Chapter.

### **(Recommendation Serial No. 16)**

#### **INSENSITIVE ATTITUDE OF DDA AND RCS TOWARDS CO-OPERATIVE GROUP HOUSING SOCIETIES**

2.12 A representation was received from the Secretary, Loknayak Co-operative Group Housing Society Ltd. (Regd.), Rohini, New Delhi. In the representation, the Secretary of the CGHS has informed that DDA is not according the credit of ground rent for the amounts deposited by the society from 12/01/1990 to 17/07/2000.

After the intervention of this Committee, the issue was resolved by DDA and the credit of the ground rent for the amounts deposited by the society was given to them by DDA after verifying all the fourteen challans in question. The Society was pursuing this issue with DDA since 2010.

Similarly, a representation was received from the Secretary, Aviation Cooperative Group Housing Society Ltd. (Regd.), Delhi. In the representation the appellant had informed the Committee that the Registrar Cooperative Societies has wrongfully issued notice against their society; under section 96(1) of the RCS Act. The notice was issued against the society in the year 2006, without even conducting a proper inquiry. He had requested to remove this section altogether from the Act.

Thus the Committee had to intervene, and ask RCS office to look into the matter. In his letter no. F/47/Policy/68/RCS/2013/1289 dated 18.12.2013 to the Secretary Ministry of Urban Development, the Registrar Co-operative Society informed as under:

"The Standing Committee was assured that the question of withdrawal of notice to Aviation CGHS Ltd., will be re-examined in three months' time for an appropriate

decision. The matter has been considered and the said notice has already been withdrawn."

These two cases are indicative of the callous attitude of both DDA and RCS office in their public dealing and are contrary to tall claims of customer satisfaction made by both the offices before the Committee. The Committee can only infer that this is only the tip of the iceberg and the problem is grave than that.

While deploring the attitude of DDA and RCS, the Committee strongly recommend that DDA and RCS should mend their ways of public dealing and prepare a time frame of resolving all sort of problems that are being commonly faced by the public, in relation to their respective offices. As the Committee cannot call for every case before them for getting a solution for them they call upon the DDA and RCS to formulate a mechanism which keep a watch on the officials who are responsible for cropping up of such avoidable problems. They also recommend that such officials should be suitably punished in the above mentioned cases, the Committee would recommend that the delinquent officials be identified and punished suitably.

### **Reply of the Government**

2.13 Registrar of Cooperative Societies (RCS) has replied that recommendation no. 16 (ii) i.e. withdrawal of notice to Aviatoin CGHS Ltd. By RCS pertain exclusively to RCS. In this regard, RCS has submitted that the said notice under Section 96 (i) of DCS Act, 2003 for winding up of Cooperative Societies have already been withdrawn by this office vide letter no. F. 47/1630/GH//East/5235-5236 dated 10.12.2013.

DDA has pointed out that the delay in giving the credit to Lok Nayak Co-operative Group Housing Society (Lok Nayak CGHS) Rohini, for the amounts deposited by the society, occurred because the Society could not deposit the copies of 13 challans or intimate the numbers of the challans as these were stated to be destroyed by rain water which entered in the office of the Society located in its basement. In the absence of details of challans, bank/branch in which the amount of ground rent was deposited, it was difficult to trace out the 15-20 years old payments from available manual record.

However, the credit of the ground rent to the Lok Nayak Cooperative Group Housing Society Limited, Rohini for the amounts deposited by the society has been given to the society by DDA after verifying all the fourteen challans.

To improve the public service delivery in DDA, Nagrik Suvidha Kendras (NSKs) have been set up and have become operational. The four NSKs cater to the four different geographical divisions of Delhi. The monitoring of the cases are being done online. Further, DDA has been organizing Lok shivirs (special camps) to cater to the public services at different areas of Delhi.

**(Recommendation Serial No. 17)**

**COMPUTERISATION OF LAND RECORDS BY DDA**

2.14 The Committee observe that DDA is a 56 year old institution set up to plan and develop the city of Delhi as per plan. It has been acquiring land for undertaking various development purposes.

As of now, the total acquired land with the DDA is 90,326 acre. Out of that 76,887 acre of land have been handed over to DDA and the remaining 13,439 acre of awarded land is yet to be handed over to DDA. The Committee have learnt that the matter of taking over the land is being pursued with land & building Department of GNCTD. The Committee are of the view that Delhi is the capital city of India, but in many parts of Delhi there is no planned development. People are undertaking construction haphazardly in many villages without getting plan approved from the competent authorities and without undertaking various safety measures. People are forced to live in these localities due to inherent compulsions. As a result the inhabitants are at serious risk. Therefore, the Committee strongly recommend that the matter related to handing over of the remaining land should be pursued vigorously with Land and Building Department of GNCTD and digitized the same so that DDA can initiate steps to develop these areas as per the plan.

The Committee further note that computerization of acquired land records have been made by the DDA. However, out of the acquired land in 240 villages, only 185 villages have so far been digitized. The Committee fail to understand that despite the computerization process having been started in 1986, why the land records of remaining 55 villages have not been digitized so far. Keeping in view the scarcity of land, encroachment of DDA land and problems of regularization of unauthorized colonies, the Committee are of the view that all sincere efforts be made in digitizing the entire land records without further loss of time.

**Reply of the Government**

2.15 GNCTD has replied that the issue relates to DDA. DDA has replied that it has pursued the matter vigorously with Land & Building Department, GNCTD, for taking over the possession of remaining 13439 acres of land. A special drive to take possession of acquired land from Land Acquisition Collectors was organized and 184 acres of land was taken over. After coming into force the 'The Right To Fair Compensation & Transparency in Land Acquisition, Rehabilitation And Resettlement Act-2013' w.e.f. 1.1.2014, the Land & Building Department, GNCTD have been asked to intimate the status of awards and hand over the possession of land.

The digitization of land records has already been undertaken and progress is given as under: -

- i) Out of total 240 villages, land records in respect of 201 villages have been digitized and balance 39 villages are in process of digitization.
- ii) The up-dating of acquisition data for 60 villages out of 160 no. of villages has been completed.

- iii) MOU has been signed by DDA with GSDL to obtain the digitized data available with the portal of GSDL for the Delhi and also to know the built-up position of various DDA lands in different time gaps since 2007.

**(Recommendation Serial No. 23)**

**TRANSPARENCY IN THE FUNCTIONING OF DDA/MCD**

2.16 The Committee observed that DDA has taken following steps in ensuring transparency in its functioning:-

- 1 Online conversion of leasehold to freehold of Group Housing Flats and DDA flats has been started from 01.09.2012. Information on freehold conversion process has been uploaded on the DDA website.
- 2 Two activities have been brought under ESLA, i.e. Electronic Service Level Agreement and therefore, these activities are monitored regularly and activities have to be completed within 45 days, i.e. conversion from lease hold to free hold for group housing flats and DDA flats is done in 45 days.
- 3 Citizens' Charter of various activities has already been prepared and task is to be completed as per Citizens' Charter.
- 4 Installation of CCTVs is under process in the Vikas Sadan Office of DDA where major public dealing activities are being conducted.
- 5 Directions have been issued to place on the website all procedures, rules and regulations, so as to increase transparency.
- 6 To reduce the movement of touts in various branches, the exit/entry points in Vikas Sadan have been reduced from seven to three.
- 7 Record Management is being improved.
- 8 The information regarding various draws of plots, flats and housing schemes are being uploaded on the DDA website for greater transparency.
- 9 File tracking system has been implemented in the Vigilance branch and the same is under implementation in other branches.
- 10 The sensitive branches are being randomly inspected by Vigilance branch to see delays in handling of files, presence of outsiders, etc.
- 11 E-tendering system has been implemented in DDA to increase transparency and check pooling of tenders. Efforts are being made for getting on e-payment gateway for submission of cost of tender and earnest money deposit.
- 12 Vigilance helpline has been launched on the occasion of Vigilance Awareness Week, 2012 and its number is 09650713388.

- 13 To curb the nuisance of tent mafia, the booking of parks, community halls and vacant sites for tents have been computerized and online booking has been implemented w.e.f. 7.11. 2012.
- 14 Conversion of DDA built up flats from Leasehold to Freehold has been brought in the purview of the Delhi (Right of Citizen to Time Bound Delivery of Services), Act, 2011."

The Committee note that DDA has tried to cover its each and every activity in the list. However, incidence of fraud have been recurring and being frequently reported in various forms of media from time to time despite putting all procedures, rules and regulation, file tracking system, random inspection sensitive branches by the vigilance to check delays in the handling of files, presence of outsiders and launching of vigilance helpline in place. With regard to fraud in allotment of marriage venues through touts/mafias, DDA has admitted that such cases have reduced. The Committee are compelled to infer that fraud cases are still persisting and the so called transparent system is only on the paper not in practice. As per the rule DDA officials are supposed to undertake field visits to the marriage venues to physically verify the facts, however, they connive with the touts/mafias in facilitating the continuation of corrupt practices.

In view of this, the Committee recommend that accountability of senior officials be fixed in case of violation any steps mentioned above and deterrent punishment should be inflicted on them. Only then, the people could expect a truly transparent mechanism.

### **Reply of the Government**

2.17 DDA has replied that as regards the menace of tent mafia in allotment of marriage functions sites to touts, a detailed report has been given with various recommendations wherein it has been recommended that accountability for senior officials should be fixed in case of violation of any steps mentioned above and deterrent punishment should be inflicted on them.

In this regard, it is worthwhile to mention that apart from the measures mentioned in the report, DDA is continuously making efforts to make the system relating to allotment of sites for social functions more transparent to check the so called tent mafia. In this regard, following improvements were suggested which have been agreed and approved for strict compliance:

- (i) To cancel all multiple bookings detected by the system on same card/ID/IP address w.e.f. 01.01.2014 and unlock and make those slots available to the public. Their security would be forfeited as well for multiple bookings. This will act as a deterrent for such malpractice.
- (ii) The System Department should record the same name of bride, groom and their parents at the time of booking for marriage itself so that fictitious names can be checked later on.
- (iii) The SE(HQ) in the concerned Zones must make their JEs download the software/application system, developed by the System Department and ensure that on day of each function, the JE responsible for the area would go to the site and

take a picture showing the name of the bride/groom written on the pandal/board/invitation card, with marriage site as backdrop and 2 general pictures of the pandal at the site (one long shot and one close up of entry area) and upload the same on the DDA website slot for monitoring the temporary use of the plot for marriage/other function.

- (iv) The misused cards located by the database would be blocked from making marriage bookings for future.

Apart from this, some other steps have also been considered to curb the menace of tent mafia e.g. construction of Kalyan Mandapam wherein DDA would construct some half built structure to facilitate interested persons to put their tents for their particular functions as per their suitability etc. More so, this is an ongoing process for which necessary suggestive measures are being taken to improve the system on day to day basis.

East MCD has replied that no such construction work for affordable housing scheme was taken up by them. However, under the erstwhile Corporation a scheme namely Dr. Ambedkar Awas Yojna, meant for allotment of quarters to Safai Karamcharis of MCD was based upon the draw of lots on Hire-Purchase Basis Flats. This was purely on the aid of Govt. of India. After construction, the department had allocated the dwelling units in a transparent manner, in the presence of dignitaries.

In the functioning of IT Deptt., Advertisement Deptt.& Remunerative Project Cell of EDMC also, the following efforts on transparency have been made:-

- (i) Work of installation of CCTV camera in EDMC (HQ) building has been completed and system is working properly.
- (ii) Seven services of EDMC came under e-SLA all relevant information are available on public domain.
- (iii) Citizen Charter of various activities has already been prepared, uploaded on public domain and task has to be completed as per Citizens' Charter.
- (iv) A Call Centre, number 155303, 24x07 basis, has been established and working in EDMC (HQ) since March 2013 in order to provide single window & time bound solution for the problems of corporation issues to the citizen of EDMC area.
- (v) All citizens can meet to the concerned officers between 11 AM to 01 PM to get the update of their grievances/application.
- (vi) All information regarding tender process, allotment of parking & advertisement, parking & advertisement polices, authorized parking & advertisement sites, maps of parking sites etc. are available on the official website of EDMC.
- (vii) During tender time, this department uploads all relevant information on the official website of EDMC apart from this the same has also published in newspaper for broader publicity.
- (viii) All information regarding details of elected & nominated members as well as officers is also available on official website of EDMC.

The Vigilance Department of MCD has also given their specific comments upon point No. 6 & 9 of the Recommendation No. 23 in respect of MCD/EDMC, which are stated below:-

- (i) To reduce the movement of touts in various branches, the exit/entry points in Vikas Sadan have been reduced from seven to three.



(ii) EDMC (HQ) is located in Udyog Sadan, Patparganj Industrial Area which houses various offices of Delhi Government also. Therefore, it may not be practical to reduce the number of entry/exit gates in the building. Moreover, restriction on entry/exit gates may not be effective to control the movement of touts. Moreover, Vigilance Deptt. has not received any complaint regarding presence of touts in EDMC (HQ).

(iii) In order to discourage presence of touts, EDMC has simplified the procedures for obtaining various licenses from various deptt. The Corporation has already engaged a private agency to assist license seekers and to issue trade licenses. It is proposed to extend the same procedure in other deptt., also.

(iv) File tracking system has been implemented in the Vigilance branch and the same is under implementation in other branches.

(v) At present movement of files within Vigilance Department and out of Vigilance Department is done through the manual system. In order to introduce online file tracking system the requisite infrastructure and software are required. The staff will have to be trained in using the software.

(vi) A request has been made to Director (IT) to implement file tracking system in Vigilance Department in consultation with DDA/NIC.”

South DMC has given following comments:-

(i) Conversion to Free hold of properties transferred from GOI/L&E has been started w.e.f. 24.05.2013 brochure already uploaded on site of SDMC. Special camps organized for reply of queries and completion of documents by public in December 2013 itself.

(ii) Based on the manpower and resources available with SDMC, time for conversion to free hold has been fixed for 120 days.

(iii) Being a local body since every work is attributed to public hence. No citizen charter for activities carried out by land and Estate has been prepared till date as tasks are being carried out/disposed off to the optimum caliber of manpower and resources available with department.

(iv) Online sanction of building plan has been implemented for fresh proposals in Residential plotted Development, Industrial Properties and Properties situated in Notified Roads, Village Abadis, Special Areas, Extension, etc. thereby resulting into quick and expeditious sanction.

(v) All the procedures, rules and regulations are available on the website of South Delhi Municipal Corporation website i.e. BBL-1983, MOD-2021, DMC Act-1957, important Circulars, list of Notified Roads, List of Empanelled Architects/ Strl. Engineers, List of Building plans sanctioned, Unauthorized construction booked, etc.

(vi) Sanction of building plan in Residential plotted Development and plans for Factory Buildings (Except Flatted Factory) have been brought under e-SLA

- (vii) All the tenders are invited through e-tendering system only to increase transparency and check pooling of tenders.
- (viii) The EDIS System is applicable in South DMC and generally the estimates are prepared on line on the EDIS System.
- (ix) All the payments to contractors are made through RTGS system only.
- (x) On line receiving of requisitions for testing of samples and uploading of test results of various Engg. Material being tested has been introduced. Only delivery of sealed samples of materials is being done in the physical form against the print out of the online requisition made, duly stamped and signed by the concerned officer and that too by the departmental person duly authorized by EE concerned. This process is being duly checked by Auditors, as mandated under relevant ISO-certification.
- (xi) The booking of Community Halls is already computerized on first come first served basis is undertaken through Citizen Service Bureaus in each of the four Municipal Zones under South Delhi Municipal Corporation on payment of requisite fee and document for the period of MCD erstwhile.
- (xii) The Layout plans, office records, circular etc. pertaining to Town Planning Department have been uploaded on SDMC's website ([www.mcdonline.gov.in](http://www.mcdonline.gov.in)). There are two entry/exist points in Town Planning Deptt. The records are maintained by R.K.(T) and administrative staff. The old records have been scanned and files/records are kept in the Central Record room at MCD's office, Civil lines.
- (xiii) To curb the nuisance of tent mafia, the booking of parks for marriages and functions have been computerized and online booking has already in progress in South Delhi Municipal Corporation.
- (xiv) The sensitive departments are being randomly inspected to check delay in handling of files, attendance of staff etc.
- (xv) Mid-day meals of schools are also checked time to time by the officers nominated by Department of Education. Third party evaluation is also done through MHRD/Govt. of GNCTD.
- (xvi) The Vigilance Department conducts inquiries on complaints received from various sources as well as from public.
- (xvii) Special drives are also launched during occasion of Vigilance Awareness Week.

The reply on behalf of North Delhi Municipal Corporation(NDMC) is as under:-

- (i) The conversion of lease hold to free hold in respect of shops which were transferred by the Govt. of India (L&DO and DOE) to MCD, was started w.e.f. June 2013 and wide publicity was made through the MCD's website and through the Associations of the markets. The information is available on the MCD's website as well as the booklets for sale is available at the office of L&E Deptt. North DMC.
- (ii) The deficiency letters are issued in a time bound manner and as soon the deficiency is rectified, the case for conversion is processed.

- (iii) The conversion of license to lease hold and then to free hold of MCD's properties (Residential/commercial), is under process for deciding the rates of conversion however, mutations/transfers on the request are being carried out in a set manner as approved by the Corporation.
- (iv) In this regard it is worthwhile to mention that there is no complaints/grievance pending against the Deptt. except the cases where deficiency still persites.
- (v) Online sanction of building plans has been implemented.
- (vi) All the tenders are invited through e-tendering system only to increase transparency and check pooling of tenders.
- (vii) The EDIS System is applicable in North DMC and the estimates are prepared online on the EDIS system.
- (viii) All the payments to contractors are made through RTGS system only.
- (ix) Online receiving of requisitions for testing of samples and uploading of test results of various Engg. Material being tested have been introduced. Only delivery of sealed samples of materials is being done in the physical form against the print out of the online requisition made, duly stamped and signed by the concerned officer and that too by the departmental person duly authorized by EE concerned. This process is being duly checked by Auditors, as mandated under relevant ISO-certification.
- (x) Installation of CCTVs in public areas is under process in all six zones. The CCTVs are already installed in four out of six zones.
- (xi) All the procedures, rules and regulations are placed on North DMC website.
- (xii) Citizen Charter in the shape of booking rules of Community Halls has already uploaded on Municipal Website.
- (xiii) Rules regarding booking of Community Halls have already uploaded on Municipal Website.
- (xiv) The Layout plans, office records, circular etc. pertaining to Town Planning Department have been uploaded on North DMC's website ([www. mcdonline.gov.in](http://www.mcdonline.gov.in)). There are two entry/exist points in Town Planning Department. The records are maintained by R.K. (T) and administrative staff. The old records have been scanned and files/records are kept in the Central Record Room at MCD's office, Civil lines.
- (xv) To curb the nuisance of tent mafia, the booking of parks for marriages and functions have been computerized and online booking has already in progress in North Delhi Municipal Corporation.
- (xvi) The sensitive departments are being randomly inspected to check delay in handling of files, attendance of staff etc.
- (xvii) Mid-day meals of schools are also checked time to time by the Vigilance Department.
- (xviii) The Vigilance Department has conduct inquiries on complaints received from various sources as well as from public.

(xvix) Special drives are also launched during occasion of Vigilance Awareness Week.

**(Recommendation Serial No. 26)**

**NEED TO ELIMINATE THE PRESENCE OF TOUTS/AGENTS IN DDA**

2.18 The Committee observed that DDA has initiated some steps to bring in transparency in the functioning of DDA/MCD. To reduce the movement of touts in various branches, the exit/ entry points in Vikas Sadan have been reduced from seven to three. File tracking system has been implemented in the vigilance branch to see delays in handling of files, presence of outsiders. Installation of CCTVs is under process in the Vikas Sadan Office of DDA where major public dealing activities are being conducted. Directions have been issued to place on the website all procedures, rules and regulations so as to increase transparency.

The Committee note with concern that despite all these systems in place DDA has not been able to eliminate the existence of touts/ agents in its office. While taking a serious view on this, the Committee strongly desire that DDA should strictly ensure the compliance of the above steps initiated by it. The Committee further desire that CCTV should be installed in all the rooms of DDA at the earliest and the records of register at reception office of DDA should be periodically monitored in order to see the name of frequently visited persons so that his/ her entry can be put under watch.

**Reply of the Government**

2.19 DDA has replied that CCTV cameras have already been installed all over the Vikas Sadan including entry and exit points, and in all the rooms/branches dealing with public and are being monitored. The control screen of these CCTV cameras has also been provided to various HODs who could monitor simultaneously about any unwanted happenings which can be avoided. As regards the records of Reception Office the same has been computerized and photo cards are also being issued to visitors to keep a check on touts/agents. Besides, instructions have been issued that the public dealings in every department would be held on all working days from 2.30 PM to 4.30 PM and the concerned Branch Staff is present for public dealing in the newly constructed Facilitation Centre meant for this purpose.

As recommended by the Committee, frequent inspections will continue to be carried out by DDA at the Reception Office to check the frequency of visiting persons.

## **CHAPTER III**

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

#### **(Recommendation Serial No. 1)**

#### **Need for Amendment in the Delhi Development Act, 1957**

3.1 As per Section 3(3) of the Delhi Development Act, 1957, the Administrator of the Union Territory of Delhi is the ex-officio chairman of DDA while the Vice-Chairman is appointed by the Central Government. However, with the enactment of Constitution (Sixty-Ninth Amendment) Act, 1991 conferring the statehood to Delhi, the nomenclature of administrator was changed to Lt. Governor.

In this regard, the Committee observe that the vice-chairman of DDA is under the dual control of Lieutenant Governor of Delhi as well as the Union Ministry of Urban Development. This at times could create complex situations for him while taking vital decisions. Not only the Vice-Chairman but the organization on the whole gets affected in its working, as all the decisions in DDA are taken in the name of the Lieutenant Governor of Delhi, while the implementation part of the same is under the control of Union Ministry of Urban Development. This often creates problem in the independent working of DDA and badly affects its efficiency. This unique character of the Act surprises rather baffles the Committee. The Committee with the help of their own research find that there is hardly any other law which provides such a dual control. Therefore, the Committee desire that the present situation should be deliberated upon in detail with all the stakeholders and a suitable solution should be brought into.

Further, the Committee observe that DDA is an organization having the major responsibility of dealing with land and its planned development in Delhi has to often deal with legal and judicial matters, but the legal and judicial member in the Authority's composition is conspicuous by its absence. In view of this the Committee feel that this is a big drawback in the organization and its working.

Thus, the Committee strongly recommend that one judicial & legal expert should also be inducted into the 'Authority' as its member. To bring these suggested changes to effect, the Delhi Development Act, 1957 may be suitably amended at the earliest.

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

3.2 As regards the Committee's observation that the Vice-chairman of DDA is under the dual control of Lieutenant Governor of Delhi as well as the Union Ministry of Urban Development, it is submitted that almost all the policy issues of DDA are decided by the Authority (DDA Board) under the chairmanship of the Lt. Governor, Delhi and only a few issues requiring amendment of the Act or the Master Plan of Delhi etc. are referred to the Ministry of Urban Development. All other day to day administrative issues are decided by the Vice Chairman/Lieutenant Governor. This arrangement has been working well for the last about 57 years and no need was ever felt for changing the structure.

So far as induction of a judicial/legal expert in the Authority as its Member is concerned, the observations of the Committee appear to be for the sake of better functioning and to safeguard DDA's interest in legal matters by the Committee. However, it is stated that at present, there is a full-fledged Legal Department in DDA headed by a Chief Legal Advisor being appointed from the judicial officers of Delhi or State Higher Judicial Services. CLA is supported by one Addl. Chief Legal Advisor, four Dy. Chief Legal Advisors, Senior Law Officers, Junior Law Officers & Legal Assistants posted in the different departments of DDA. These Legal Officers are deputed to various courts and are responsible for monitoring of pending legal matters of DDA.

### **Recommendation (Serial No. 9)**

#### **Redevelopment and Up-gradation of existing areas**

3.3 The Committee observe that MPD-2021 recommends re-development of existing urban areas with enhanced FAR as there is a limitation in the development of new areas due to shortage of land. It has been assessed that around 40% of housing needs can be potentially met through re-development/up gradation of existing areas of Delhi. The Committee are constrained to note that DDA is now considering specific guidelines/ regulations for the same purposes and no specific areas have so far been taken up for this purpose. Very recently DDA has taken up for retro-fitting and redevelopment of unsafe buildings in Delhi. However, it has taken up only one such project in East Delhi as a case study.

The Committee deplore the lackdaisical attitude of DDA in regard to redevelopment and upgradation of existing area. The Committee strongly feel that the MPD 2021 has so far remained on paper only. Therefore, the Committee recommend that DDA should expedite concrete action in this regard. The Committee observe that MPD-2021 further recommends influence zone upto 500 mtrs on both sides along MRTS and major transport corridor which is envisaged as intensive development zone. As such re-development schemes in the influence zone upto 500 mtr. on both sides of the MRTS/major transport corridor are to be prepared. DDA has prepared draft regulations/guidelines for development as influence zone and sent to Ministry of Urban Development on 5 May 2010 for their approval. DDA is also working on the modalities of influence zone as Transit Oriented Development (TOD) which is envisaged as higher intensive mix use /mixed income development along transport corridors. DDA has published a public notice on 21 December 2012 identifying four TOD corridors and a pilot project at Karkardooma for inviting suggestions from public.

The Committee recommend that DDA should complete the procedural formalities in this regard at the earliest and take concrete action thereof under intimation to them.

### **Reply of the Government**

3.4 DDA has replied that the position regarding retrofitting of private buildings in Delhi is as under:

- (i) The retrofitting of private buildings in Delhi was proposed to be undertaken by DDA in September, 2012, on the suggestion of Hon'ble L.G.
- (ii) However, on detailed examination, it was realized that this is not the mandate of DDA rather this job falls under the purview of local Municipal Corporation

because of the following reasons:

- The private houses in unauthorized & resettlement colonies and jhuggii jhopri clusters fall under the jurisdiction of Municipal Corporations.
  - These Municipal bodies are empowered to take action against the unsafe structures under Article 348, 349 of Municipal Act.
  - Municipal bodies collect revenue in the form of House Tax.
  - Municipal Corporations are in a better position to collect the requisite information for the purpose of retrofitting/ reconstruction of these unsafe structures.
- (iii) Accordingly, the agenda item on these lines was put up to Authority in its meeting held on 27.12.2013 wherein Hon'ble LG desired that a more comprehensive policy needs to be framed after detailed examination of the matter.
- (iv) Accordingly, matter was referred to the Pr. Secretary (UD), GNCTD by EM/DDA vide letter no. CE(Projects) 5(6)13/DDN254 dated 19-02-2014 for drafting comprehensive policy in the matter in consultation with local Municipal Corporation.

Draft regulations for redevelopment of Influence Zone along MRTS and Major Transport Corridors; and Underutilised/Low Density Area; Special Area, Resettlement Colonies, Villages, Unauthorised Colonies and JJ Clusters forwarded by DDA vide letter dated 8.6.2012 to MoUD were considered and DDA was directed to finalise the ToD chapter and to send a comprehensive proposal to MoUD.

The matter regarding the implementation of guidelines given in MPD 2021 and retrofitting and redevelopment of unsafe buildings in Delhi is to be seen by concerned local bodies / Engineering Deptt., DDA.

The Transit Oriented Development (TOD) policy has been deliberated, discussed and approved at the following forums:

- (i) The TOD Task Force was formed by the 23<sup>rd</sup> GBM of UTTIPEC on 21.5.10 for developing TOD policy for the city and pilot projects along MRTS corridors.
- (ii) The draft chapter comprising of TOD norms and standards was recommended by the Management Action Group (MAG) on 27.08.12 and subsequently presented to Advisory Group meeting under Hon'ble LG on 30.08.12, wherein it received in-principle approval.
- (iii) Authority in its meeting dated 5.10.12 approved notification of following 4 corridors and Karkardooma TOD Pilot Project along with the draft TOD policy for public information:

Corridor 1: Chattarpur Metro Station to Arjangarh Metro Station;  
Corridor 2: Peeragarhi metro station to Tikri Kalan metro station;  
Corridor 3: Dwarka mor metro station to Dwarka Sector 21 metro station;  
Corridor 4: Nehru Place metro station to Badarpur metro station, and Karkardooma TOD Pilot Project.

- (iv) As per approval of 40<sup>th</sup> Governing Body meeting dated 21.11.12, a series of 21 workshops with all stakeholder groups of Delhi/NCR were conducted in the months of Feb-July 2013. Findings were incorporated in the TOD policy.
- (v) As per further suggestions of Commissioner Planning, DDA, the draft Chapter 20.0 Transit Oriented Development was revised and discussed with all senior officers of Planning Dept. of DDA for over 6 months.
- (vi) The final revised TOD policy was incorporated as part of the Chapter 12.0: TRANSPORTATION of the Master Plan of Delhi 2021, and recommended by the 17<sup>th</sup> MAG on Transport under Commissioner cum Secy. (Transport) GNCTD held on 16.05.14, as well as the 13<sup>th</sup> meeting of the Management Action Group (MAG) on Common Platform for Building Approvals under E.M. DDA held on 16.06.14. At both meetings, it was recommended to be placed at the next Advisory Group Meeting under the chairman of LG.
- (vii) At the 13<sup>th</sup> meeting of Advisory Group to be held under the Chairmanship of the Hon'ble L.G., Delhi on 11.06.2014, the TOD policy was placed for discussion as part of the Chapter 12: TRANSPORTATION. The Section 12.4: Principles of TOD were approved by the Advisory Group.



## CHAPTER IV

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

#### Recommendation (Serial No. 2)

##### Population Growth, Housing Requirements, Targets and Achievements

4.1 The Committee observed that Delhi has been witnessing migration of population gradually since 1947 till date leading to a critical shortage of urban infrastructure. Although there has been a decline in the percentage share of net migrants in the decadal growth of population in NCR Delhi from 45 per cent in 1961-1971 to 39.8 per cent in 1991-2001, in absolute terms the number of migrants has increased tremendously. As per census 2011, the total population of Delhi is 167.5 lakhs with a decadal growth of 2 per cent and density of population of 11,297 per square kilo meter. In absolute terms the population has increased by 29 lakh during 2001-2011 as against 44.3 lakh in the previous decade.

According to MPD 2021, natural growth has increased from 55.8 per cent in 1981 to 59.2 per cent in 1991 and to 60.18 per cent in 2001. While there was decrease in the net migrants from 44.20 per cent in 1981 to 40.78 per cent in 1991 and to 39.82 per cent in 2001. However, a reduction in the rate of natural growth and increase in migration between 2001 and 2021 is envisaged in the MPD 2021. The housing activity has been taken up by DDA since 1967-68 in all the zones of Delhi and from time to time. Besides, DDA provides land to MCD and Slum Department of the Government of Delhi for construction of night shelters for homeless people. The MPD 2021 based on the projected population of 230 lakh by 2021 has estimated an additional housing stock requirement of about 24 lakh dwelling units. This includes an estimated housing requirements of 20 lakh dwelling units for additional population and backlog of about 4 lakh units net shortage and the rest by dilapidated and kuccha structures requiring replacement. It has been emphasized that about 40 per cent of housing needs can be potentially satisfied through redevelopment/up-gradation of existing areas of Delhi. The remaining 60 per cent of the requirement is to be met through 14.4 lakh dwelling units in new areas/urban extension as per zonal development plan 2021. However, the Committee are distressed to note that till date the DDA has been able to raise only 11.69 lakh dwelling units.

In addition, it is estimated that around 50-55 per cent 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 keeping in view the socio-economic characteristic of the population. The magnitude of housing shortage was estimated by a technical group in the context of formulation of the 11<sup>th</sup> Five Year Plan. This group estimated that the housing shortage at the end of 10th Plan to be around 24.7 million for 67.4 million household. The group further estimated that 99 per cent of the shortage pertains to EWS and LIG sector.

With regard to the targets for construction of low cost housing and LIG housing during the last 20 years and the year-wise achievements made thereunder, DDA has submitted a half-baked reply that includes only the details of houses constructed under LIG, EWS/Janta category during the last 20 years.

The Committee find that out of the total dwelling units constructed by the DDA since its inception till date i.e. 3.94 lakhs, the houses constructed for LIG, EWS/Janta amount to only 60,721 DUs. In percentage terms it is only 15 per cent which is far away from the 99 per cent shortage in EWS and LIG sectors pointed out by the Technical Group during the 11th Five year Plan. So far as the gap between the housing requirements projected in MPD 2021 and houses constructed so far is concerned, the Committee were informed by DDA that the above cited housing demand is to be developed by the year 2021.

The Committee do not understand the logic of DDA how within a span of remaining 7 years of MPD it will achieve the target. In addition to this DDA has further tried to justify its inability to construct the required dwelling units by stating that sizable population of Delhi is accommodated in villages, unauthorized regularized colonies, traditional areas and Government housing. The Committee deplore this attitude of the DDA which has failed to perform its duty to construct the houses and develop the city as per plan.

The Committee were further informed that as per the MPD 2021 housing is to be developed by various agencies such as public, private, Central/State Governments, Co-operative societies, residents and associations. As such DDA has been able to fulfil the role of facilitator by providing necessary permissions for the same. The Committee, however, do not agree with this claim of DDA.

From the replies furnished to the Committee it has been observed that against the target of 14.4 lakhs dwelling units till date DDA has constructed only 3.94 lakhs. From the year 2003 onwards, DDA has not allotted any land to the Co-operative Group Housing Societies for which DDA and the Registrar, Co-operative Societies of Delhi Government are passing the buck on each other and also out of 291 JJ Clusters in Delhi where Jhuggies have been laid by homeless people on DDA land, action for rehabilitation of only 1 jhuggi colony i.e. Kathputali Colony near Shadipur Depot has been taken up on a pilot basis.

The DDA has claimed that as per MPD 2021 for new urban extensions development of land measuring about 22,000-24,000 hectare will be taken up by private developers who are proposed to be involved in development of housing as per the Land Pooling Policy as notified by the Central Government on 5 September 2013. The Committee are perturbed to note that this land pooling policy is yet to be finalized and it will take a pretty long period to put into action.

In view of the above, the Committee are distressed to note that DDA has failed miserably to play the role of facilitator/provider for meeting the housing needs after 56 years of its existence. Therefore, the Committee strongly desire that DDA should set year-wise target for construction of affordable houses and adopt multi-pronged strategy to achieve the same. The Committee further wish that DDA should finalize the Land Pooling Policy at the earliest to involve the private sectors and the Co-operative Group Housing Societies to extend a helping hand to DDA. The Committee also recommend that both the DDA and the Registrar, Cooperative Group Housing Societies of Delhi Government adopt a healthy and coordinated approach to clear the applications for Co-operative Group Housing Societies for allotment of land in a time-bound manner."

## Reply of the Government

4.2 DDA has replied that Delhi is a metropolitan city with a population of about 1.50 crores. Every year about 5 lac people migrate to this city. DDA is the biggest developing Authority in India. Till date it has constructed more than 3.5 lacs flats. Apart from this it has also developed large number of residential plots. In spite of these efforts it has not been able to fulfill the demands of growing population. The main reasons being constraint of availability of land.

As regards the allotment of land to Co-operative Group Housing Societies, Shri Raj Kumar, Addl. Registrar Co-operative Societies, informed that they are verifying the list of members already submitted by various societies and also in pursuance of the directions of Hon'ble High Court of Delhi and as and when this work is complete, DDA would be informed accordingly.

As regards the operationalization of Land Pooling Policy notified on 5.9.13, the status is as under:

- (iv) **MPD 2021 Provisions:** The Master Plan for Delhi 2021 notified on 07.02.2007, envisaged planned development in Delhi through assembly of land through private participation. Accordingly, a land policy based on public private participation in Delhi as an alternative to the large scale acquisition has been notified vide S.O. 2687 (E) dated 05.09.2013, after extensive discussions & deliberations with the stake holders, developers and concerned agencies responsible for taking development in Delhi along with financial evaluation by NCAER. A new chapter 19 has been added to MPD-2021 under the provisions of DD Act 1957.
- (v) **Status:** The action programme for operationalization of the land pooling policy including the draft regulations for operationalization of land pooling policy and the budget provisions were considered In the Authority meeting held on 10.01.2014 and approved by the Authority vide Item No. 07/2014. As a follow up, further progress in the implementation of the policy is as follows:
  - (d) **Finalization of the regulations for operationalization of the land pooling policy:** The draft regulations were put up on DDA website on 29.1.14 for receiving suggestions/views from public. In response to this, about 156 suggestions have been received which have been scrutinized. Based on the suggestions received, the regulations have been modified. The modified regulations along with a number of legal issues for operationalization of policy are being processed for legal vetting by competent authority. The regulations for operationalization of land pooling policy are likely to be finalized and notified under Section 57 of DD Act 1957, after approval of Ministry of Urban Development, GOI.
  - (e) The process of declaration of 95 villages as Development Area of DDA and notification of 89 villages as urban villages under section 507 of DMC Act has already been initiated for implementing the policy.

- (f) **Creation of Land Pooling Cell:** Creation of Land Pooling Cell was approved by Authority in its meetings held in March-13, July-2013 and Dec.2013. Presently, the cell is being headed by Addl. Commissioner (Plg.) with skeleton supporting staff. The process of strengthening the cell is being proposed to speed up the operationalization of the land pooling policy.
- (vi) Operationalization of policy requires such regulations which may be legally tenable. Therefore, all aspects are being considered for smooth implementation as this is a policy which is specific for development for Delhi.

Registrar of Cooperative Societies has submitted that it is responsible for registration of Cooperative Societies and to further regulate the management of these Cooperative Societies as per the provisions of DCS Acts and rules. A total of 1974 Group Housing Societies are presently registered with the office of RCS, Delhi and 934 Cooperative Group Housing Societies have been allotted land so far by DDA as per the information provided by DDA.

The proposal for allotment of land to the Cooperative Group Housing Societies in Delhi is considered by DDA. As per the availability of land with them, DDA requests RCS to forward the name of the eligible Cooperative Group Housing Societies for consideration of allotment of land to these societies at their end. DDA had previously made such request to RCS vide its letter dated 04.09.2003. No further requisition in this regard has been received by RCS from DDA so far.

Two writ petitions i.e. WP (C) No. 7553/2012 and WP (C) No. 1283/2014 by 23 Cooperative Group Housing Societies have been preferred before Hon'ble High Court of Delhi. The process of verification of members of these societies is being carried out by Court Commissioners and office of RCS respectively.

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

4.3 For comments of the Committee please see Paragarph No. 1.9 of Chapter I of the Report.

#### **Recommendation (Serial No. 3)**

#### **Problems in construction of Affordable Houses and need for expeditious implementation of Fast Track Land Pooling Policy**

4.4 The Committee observe that the DDA is facing some problems in construction of affordable houses. Their problems include shortage of land in Delhi, high cost of land, development charges and infrastructure cost, difficulties in availability of finance to the needy who does not have regular employment and fixed monthly income and low-density of housing as per Master Plans norms etc. To overcome these problems the Committee has learnt that recently the Central Government has introduced land pooling policy besides providing land by the DDA to MCD and slum department of the Government of Delhi for constructing night shelters for homeless people. During oral evidence the Committee were further informed that as there is scarcity of land in Delhi, DDA is now discouraging allotment of land to individual applicant; it will instead allot land for construction of multi-storied buildings.

The Committee note that the National Urban Housing and Habitat Policy 2007 had advocated for an effective partnership between the public, private and co-operative sector for accelerated growth in the housing sector and sustainable development of the habitat. It had stated that 10-15 per cent of land in every new public/private housing project or 20-25 per cent of FAR which is greater will be reserved for EWS/LIG housing through appropriate legal stipulations and special incentives. Regarding to the role of Co-operative Group Housing Society for construction of affordable housing, the Committee were informed that in Group Housing, the developer shall ensure that minimum 15 per cent of the proposed FAR to be constructed for Community Service Personnel/EWS and lower-income category. Such flats should have a carpet area between 25-40 sqm. Prior to the enforcement of MPD 2021 it was made applicable to the Co-operative Group Housing Societies to contribute Rs. 25,000 per Dwelling Units (DUs), where each DU is constructed in less than 92.90 sqm. This was applicable under Notification dated 09.06.1999, for all Co-operative Group Housing Societies applying for sanction of building plans to make contribution to housing for the economically weaker section. The Committee are perturbed to note that DDA has not followed all the above provisions to bind the Co-operative Group Housing Societies to construct houses for the lower-income group. This is evident from the replies furnished by DDA that it was not mandatory on the part of the Co-operative Group Housing Societies to construct houses for the lower-income group because the societies generally construct dwelling units for its bonafide members and the Members of a CGHS are enrolled by the Society as per the eligibility criteria provided in the Delhi Cooperative Societies Act and rules framed thereunder under which the income of an individual is not linked to the eligibility criteria. The CGHS constructs dwelling units for its bonafide members who were enrolled keeping in view the eligibility criteria provided by the statute. The Committee find the contradictions in the above provisions. In view of the above the Committee strongly recommend to bring uniformity in all the policies and rules so that it will be mandatory on the part of the Co-operative Group Housing Societies to construct houses for the economically-weaker sections.

The Committee further note that in the recently announced Land Pooling Policy it has been envisaged that development of land measuring about 22,000-24,000 hectare will be taken up by the private developers. As per the said policy, maximum 53% of the land is for gross residential use which will provide 50,000 DUs approximately for economically weaker sections, for every 1000 hectare of land pooled. Further, FAR of 400 is allowed to meet the residential requirement and 15 per cent of FAR over and above of the permissible FAR is reserved for EWS housing. The Committee note that this policy is still undergoing the process of finalization.

Keeping in view the magnitude of shortage of houses for EWS, mushrooming of encroachments of precious Government land and problems in regularization of unauthorized colonies in Delhi, the Committee desire that DDA should take concerted effort to finalize the Land Pooling Policy and take appropriate action in this regard at the earliest. They further desire that DDA should undertake fast track process and complete the construction of entire EWS houses within a stipulated timeframe.

## Reply of the Government

4.5 As regards the finalization of Land Pooling Policy, as notified on 5.09.2013, the status given by DDA is as under:

- (i) **MPD 2021 provisions:** The Master Plan for Delhi 2021 notified on 07.02.2007, envisaged planned development in Delhi through assembly of land through private participation. Accordingly, a land pooling policy based on public private participation in Delhi as an alternative to the large scale acquisition has been notified vide S.O. 2687 (E) dated 05.09.2013, after extensive discussions & deliberations with the stake holders, developers and concerned agencies responsible for taking development in Delhi along with financial evaluation by NCAER. A new chapter 19 has been added to MPD-2021 under the provisions of DD Act 1957.
- (ii) **Status:** The action programme for operationalization of the land pooling policy including the draft regulations for operationalization of land pooling policy and the budget provisions were considered In the Authority meeting held on 10.01.2014 and approved by the Authority vide Item No. 07/2014. As a follow up, further progress in the implementation of the policy is as follows:
  - (a) **Finalization of the regulations for operationalization of the land pooling policy:** The draft regulations were put up on DDA website on 29.1.14 for receiving suggestions/views from public. In response to this, about 156 suggestions have been received which have been scrutinized. Based on the suggestions received, the regulations have been modified. The modified regulations along with a number of legal issues for operationalization of policy are being processed for legal vetting by competent authority. The regulations for operationalization of land pooling policy are likely to be finalized and notified under Section 57 of DD Act 1957, after approval of Ministry of Urban Development, Government of India.
  - (b) The process of declaration of 95 villages as Development Area of DDA and notification of 89 villages as urban villages under section 507 of DMC Act has already been initiated for implementing the policy.
  - (c) **Creation of Land Pooling Cell:** Creation of Land Pooling Cell was approved by Authority in its meetings held in March-13, July-2013 and Dec.2013. Presently, the cell is being headed by Addl. Commissioner (Planning) with skeleton supporting staff. The process of strengthening the cell is being proposed to speed up the operationalization of the land pooling policy.
- (iii) Operationalization of policy requires such regulations which may be legally tenable. Therefore, all aspects are being considered for smooth implementation as this is a policy which is specific for development for Delhi.

**As regards** the construction of entire EWS houses within a stipulated timeframe, **the targets for construction of affordable houses have been prepared.** As on date, 25242 houses are under construction and 37215 houses are likely to be taken up for construction. Besides, DDA has already taken up 3000 DUs in Kalkaji and 2400 DUs for Kathputli for In-situ rehabilitation.

### **Comments of the Committee**

4.6 For Comments of the Committee please see Paragraph No. 1.9 of Chapter I of the Report

### **Recommendation (Serial No. 4)**

#### **Providing basic services to the affordable houses constructed by DDA**

4.7 The Committee note that the DDA has constructed LIG and EWS houses since 1996-67 in all the zones of Delhi. The basic services like potable water, well-laid drainage system, sewerage network, sanitation facilities, electricity, recreational space, etc. have also been provided for these houses. However, during the local study visit of the Committee to Sector 14 of Dwarka, Delhi during the month of December 2012, the Committee observed that the DDA houses were in dilapidated condition. The basic services for the inhabitants were very poor.

The designated areas for park were used for dumping purposes leading to many health hazards. When enquired about the same DDA passed the responsibility to MCD for poor maintenance by stating that it does not have any role to play once these services are transferred to the civic agencies. When the Committee felt that DDA should coordinate with the civic agencies for proper maintenance, DDA has stated that it has started interacting with the MCD and Delhi Jal Board to address the issues related to adequate supply of water. The Committee are distressed to note that the DDA initiated action to redress the grievances of the inhabitants of sector 14, Dwarka, Delhi only after their interference. Therefore, the Committee strongly recommend that DDA should play pro-active role and send its officials for undertaking physical verifications in all the zones of Delhi and take up the matter with MCD for proper maintenance of EWS houses.

### **Reply of the Government**

4.8 DDA has replied that the services of all the colonies have been transferred to local Bodies *i.e.* MCD, DJB, PWD & DISCOMS for their maintenance after completion of the services.

As far as maintenance of EWS houses is concerned, DDA is working out to frame a policy for complete civil & electrical services maintenance for 30 years.

### **Comments of the Committee**

4.9 For Comments of the Committee please see Paragraph No. 1.12 of Chapter I of the Report.

## **Recommendation (Serial No. 7)**

### **Need for integrated approach for slum development**

4.10 The Committee observe from the replies of DDA that the main reason for creation of slums in Delhi is lack of housing infrastructure for low-income group people such as daily wagers, rag-pickers, hawkers, etc. Another reason is non-utilization of land earmarked for the schools, hospitals, green areas, etc. by the concerned agencies.

The Committee note that the Delhi Urban Shelter Improvement Board (DUSIB) had come into existence on 1<sup>st</sup> July, 2010 whose mandate are as under:

"Creation of Housing stock for the poor sections of the society and for the implementation of provisions of Slum Areas (Improvement and Clearance) Act, 1956."

Envision for improvement of the living conditions of the slum dwellers, including the JJ Clusters (jhuggie jhopri basties), in order to make Delhi a 'Slum Free City".

The Committee note that no such Project Team has been constituted under DUSIB. However, one or two pilot projects are being proposed to be taken up on PPP basis on Mumbai pattern for in-situ development of JJ clusters on DUSIB lands. The Sr. Commissioner (LM) has been designated nodal officer for monitoring of in-situ development schemes. A project report for in-situ development of JJ clusters is being prepared by Engineering Wing in consultation with the Land Management, Finance, Legal Departments.

The Committee further observe that Delhi Government has made Delhi Urban Shelter Improvement Board (DUSIB) as nodal agency for Slum Free Plan of Action for whole of Delhi under Rajiv Awaas Yojana of Ministry of Housing and Urban Poverty Alleviation, Government of India. There are 685 JJ Clusters in Delhi which are owned by various land owning agencies. About 51% clusters are on DDA land, 8% each on Railway and MCD, 6% each on Delhi Government and CPWD/L&DO, 15% on DUSIB lands, 2% Delhi Cantt., 1% each on NDMC and others.

On the question of the role of DDA in improvement of slums in Delhi, the Committee also observe that DDA provides land to MCD & Slum Deptt. for constructing night shelters for homeless people. As of now there are 291 JJ clusters in Delhi where jhuggies are existing on DDA land. Action for rehabilitation of these jhuggie dwellers is being taken by DDA by way of In-situ development. The Committee are constrained to note that only one project for Kathputali Colony near Shadipur Depot was awarded to the developer and in the month of February, 2014 the inhabitants have been shifted to Anand Parvat, Delhi.

The work for construction of 3000 EWS houses for jhuggie dwellers at A-14 Kalkaji Extension has been awarded. And for balance works, action is being taken on priority.



From the above, the Committee feel that the dream to make Delhi a slum free State cannot be realized. Neither the State Government of Delhi nor DDA has taken any concrete action in this regard. Therefore, the Committee strongly recommend that the DDA should in coordination with DSUIB, take positive action at the earliest.

At the same time the Committee want to express their anguish on the fact that these JJ clusters have not taken shape overnight. There must be a pretty long time. The Committee fail to understand as to what DDA and other agencies were doing when these JJ Clusters were coming up. They hold all these agencies responsible for this mess that has been created in Delhi and now they are passing buck to one and another. This is not acceptable to the Committee. They take note of the DDA reply that since 2007 no JJ Clusters has come up. The Committee want that at least from now all the agencies involved should gear up themselves and check the rise of JJ Clusters. The Committee want that individual responsibility should be fixed for any lapse in this regard. They want to be apprised of the position in this regard periodically stating the position of JJ clusters in Delhi before and after presentation of this report.

### **Reply of the Government**

4.11 DDA has replied that at present about 291 JJ Clusters are existing on DDA land. DDA has started action for rehabilitating the residents of these JJ clusters by way of In-Situ Development. As a pilot project In-Situ Development of JJ Cluster at Kathputly Colony near Shadipur Depot consisting of about 2800 jhuggies has been taken up. Transit accommodation has been provided for shifting these Jhuggie Dwellers.

The main hurdle is the resistance of Jhuggie dwellers to shift to the transit Camp. DDA is following DSUIB guidelines for identifying the eligible Jhuggie Dwellers. The work of In-Situ rehabilitation at A-14, Kalkaji has already been taken up. The work of in-situ rehabilitation at Jailorwala Bagh is also being taken up.

The Committee's suggestions have been noted for compliance by DDA.

Delhi Urban Shelter Improvement Board has replied that the policy of Slum Clearance under the Slum Areas (Improvement and Clearance) Act, 1956 has been abandoned by the Government of India during 1985 and no action is being taken by the Slum & JJ Department / DUSIB since then. No housing stock under this scheme is being created by the Slum & JJ Deptt / DUSIB after 1985.

Delhi Urban Shelter Improvement Board has further replied that presently 685 JJ Clusters have been identified for improvement of living conditions of slum dwellers. DUSIB is a Nodal Agency for the purpose of relocation of prioritized JJ Clusters as per the rehabilitation policy of UD Department, GNCTD. The status of the prioritized clusters is as under:-

Total No. of prioritized jhuggi clusters	:	91
Total No. of jhuggi clusters surveyed	:	68
Total No. of JJ clusters where process of determination is going on:		26

Details of 26 Clusters:-

Total No. of jhuggies surveyed	:	8019
Total No. of JJ Dwellers appeared	:	4731
Total No. of JJ Dwellers found eligible	:	3763
Total No. of JJ Dwellers found ineligible	:	968
Total No. of beneficiaries possession given to	:	266

DUSIB is constructing flats under JNNURM Scheme and about 18,000 flats are at various stage of construction.

**Comments of the Committee**

4.12 For comments of the Committee please see Paragarph No. 1.15 of Chapter I of the Report.

**Recommendation (Serial No. 10)**

**Unauthorized Colonies where more than 50% of area is un-built**

4.13 The Committee have been informed that the work related to regularization of 1,639 unauthorized colonies is being undertaken, coordinated, monitored and supervised by Government of National Capital Territory of Delhi (GNCTD), including 246 colonies falling on DDA land. The following criteria were to be followed:

- (a) The colony should have 10% built up area as per 2002 aerial photographs.
- (b) The colony should have more than 50% built up area as per aerial photographs of 2007.
- (c) Boundary of such colonies were delineated by Survey of India/ GSDL and were finalized vide order dated 4.9.2012 issued by GNCTD.

The Committee are aware that a large number of unauthorized colonies which have applied for regularization, are not covered under guidelines issued for in this regard.

The main reason for non-inclusion in the ambit of regularization as well as development is that those colonies were having less than 50 per cent built up area as on 8<sup>th</sup> February 2007.

The Committee are of the view that keeping the issue of regularization of all such colonies in abeyance will keep a good number of urban poor at bay from their right of leading a dignified life with all civic amenities. Furthermore, it will fail to check the alleged thefts of electricity and water, to which the residents of such colonies are compelled to, thus, leading to a loss of revenue to the exchequer.

Therefore, the Committee recommend strongly for relaxation in norms for regularization of all such colonies so that development work is carried out. In addition to this, the Committee fail to understand the logic behind announcing 'the

regularization of unauthorized colonies' and without making any substantial efforts in making it a reality. The Committee feel that the public was cheated as the announcement of regularization of 1639 unauthorized colonies turned out to be a farce. Hence, the Committee, while deploring the dilly-dallying tactics of parties involved strongly recommend that keeping in view the ground realities of the Capital of India the regularization as well as development in all such colonies should be completed within a time limit of 3 years.

### **Reply of the Government**

4.14 The Government of India has already framed regulations for regularisation of unauthorised colonies inhabited by non-affluent sections in Delhi which have been notified in official gazette on 24.3.2008. Further amendments to the regulations have been carried out and notified on 16.6.2008 and 6.6.2012. GNCTD is coordinating and supervising the entire process of regularization of unauthorized colonies in Delhi. 1639 colonies have applied for regularisation on the basis of public notice issued by GNCTD. GNCTD has identified 895 colonies for regularization. The order for development works in 895 regularised colonies has already been issued by GNCTD and the basic services such as roads, drinking water and sewerage system etc. are being undertaken in 895 unauthorised colonies (UCs) and other such UCs which fulfill the criteria laid down in the regulation dated 24.3.2008.

### **Comments of the Committee**

4.15 For comments of the Committee please see Paragraph No. 1.18 of Chapter I of the Report.

### **Recommendation (Serial No. 13)**

#### **Fate of Unauthorized Colonies posing hindrances in generating infrastructure facilities**

4.16 The Committee have been informed that the unauthorized colonies falling under the jurisdiction of local bodies or DDA and posing hindrance in providing infrastructure facilities or fall in the area of Right of Way (RoW) of existing/ proposed railway lines, master plan roads, major/ trunk water supply & sewerage lines, regional park, along with the area posing hindrance in the provisions of infrastructural facilities, are not eligible for regularization as per clause 3.3 9b of notification dated 24.03.2008 of Regulations for Regularization of unauthorized colonies in Delhi, issued by DDA would be deleted from the regularization process by GNCTD.

The Committee are fully in consonance with the notification issued by DDA. But the issue that is agitating the mind of the Committee is the unexpected and stoic silence of GNCTD and DDA on the fate of residents of such colonies. From the foregoing the Committee can infer that these colonies are on the verge of removal. Thus, the Committee strongly recommend that all such colonies should be re-located to suitable places with minimum possible displacement, so that the livelihood earnings of residents are not adversely affected.

If needed, specific and requisite amendments should be made in the notification to address this concern of the Committee and cater to the needs of residents of all such colonies.

### **Reply of the Government**

4.17 Government of NCT of Delhi has stated that the regulation mandates plotting of DDA hindrances. MoUD is of the view that it is for GNCTD to take action for rehabilitation for replaced persons as per their policy.

### **Comments of the Committee**

4.18 For comments of the Committee please see Paragraph No. 1.24 of Chapter I of the Report.

### **Recommendation (Serial No. 14)**

#### **Encroachment of DDA Lands and fixing the responsibility of officials whose negligence resulted in encroachment**

4.19 The unauthorized colonies are a reality not only in Delhi but in all the major urban cities across the nation. The Committee feel one of the main reasons for this is that the common land in urban villages, Towns/ Cities is being usurped by influential people for self and illegal occupants protected by Vote Bank Politics.

This is clearly reflected in the information provided by the Ministry and DDA where they have stated that reclaiming the land that has been encroached prior to the year 2007 is not possible due to GNCTD Special (Provision) Act, 2011 extended up to 31.12.2014. Therefore, the Committee would like to recommend that Land Records should be surveyed and mutations done as per Revenue records. Each Khasra Khatauni with division should be recorded. This should be done at par with amended Waqf Lands Acts, 2013.

Moreover, as per the Annual Report 2010-11 the most important function of Land Management Department of DDA is to protect DDA land from encroachments. Thus, it is quite clear that the duty for checking unauthorized occupation of DDA land and vacating the encroached land is cast on the officers concerned. The officials are supposed to detect and verify the encroachments and get them removed. However, the data provided by DDA speaks otherwise as 1402.16 acre of DDA land is under encroachment in various parts of Delhi, while during last five years only 402.428 acre of land could be reclaimed by DDA. This data is contrary to the claim that as and when the case of any encroachment on DDA land comes to the notice of Delhi Development Authority (DDA), action to remove it was taken as per law. This is clearly indicative of inaction on the part of DDA officials. This has resulted in the burden on the resources of State Government as well as DDA. The Committee are of the view that if the concerned officials perform their duties honestly and diligently, then it will become impossible for the encroachers to lay hands on the Government land. They are of the view that the encroachment should be nipped in the bud. The Committee have come to know that Government of Delhi has created a sub-divisional level Special Task Force to check encroachment on the public land. Their assistance is being obtained whenever any new encroachment is noticed. But Committee regret that measures to reclaim the encroached land have utterly failed. The Committee, therefore, would like to recommend that the

accountability of officials be fixed with deterrent punishment whose negligence/favoritism/involvements in corrupt practices has resulted in the encroachment. The Committee are of the view that concerted efforts be made to identify the concerned officials. The Committee insist that the Ministry and DDA should fix responsibility in those matters after digging the old cases and if the connivance of officials is proved, exemplary punishment should be inflicted on them. A status report in this regard should be submitted to the Committee within three months of the presentation of the report incorporating the position before and after presentation of this report.

### **Reply of the Government**

4.20 GNCTD has replied that the issue relates to DDA. DDA has replied that the unscrupulous elements who do not have the fear of law are always ready to encroach the Govt. Lands. The available work force under Land Management Department is insufficient to protect the large chunks of DDA's open land which could not be put to use for decades, though the lands were acquired for Planned Development of Delhi.

Encroaching a public land by un-lawful elements became a regular feature in Delhi in view of the uncontrolled population living and further migrating to Delhi, which has insufficient planned housing. Removal and demolition of encroachments on DDA land is a time consuming affair, which requires approval of the higher authorities, checking the court cases, stay orders etc., sensitiveness from the law and order point of view, checking whether any encroachment is protected by Special (Provision) Act, 2011 extended upto 31.12.2014 applicable in Delhi.

Within the means available in the DDA the Land Management Department conducts encroachment removal programs after due approvals. In cases where the involvement of official is found, disciplinary actions are taken. Matters of such connivance are examined by the Vigilance Department of DDA.

### **Comments of the Committee**

4.21 For comments of the Committee please see Paragraph No. 1.27 of Chapter I of the Report.

### **Recommendation (Serial No. 15)**

#### **Delay in Land Allotment by DDA and RCS to Cooperative Group Housing Societies waiting for years**

4.22 The Delhi Co-operative Societies Act 1972 has helped to achieve new heights in establishing the culture of Co-operative Group Housing Societies (CGHS). The Act aimed to facilitate the voluntary formation and democratic functioning of co-operative societies as people's institutions based on self help and mutual aid to enable them to promote their economic and social betterment and to provide for regulation and management, functional autonomy of such societies. Thus, the moot question remains whether the Act and the concerned organizations (DDA & RCS) responsible for implementing the same have been able to fulfill the expectations of public or not.

The Committee were informed by the public representatives through representations as well as during the course of oral evidence that Delhi Development Authority has neither offered land to the Co-operative Group Housing Societies nor sought recommendations from Registrar Co-operative Societies, NCT of Delhi after the stay Order dated 18th June 2004 CWP(C) No. 10066/2004 for the operation and effect of communication dated 25<sup>th</sup> March 2004 whereby additional list of 35 societies was sent by Registrar Co-operative Society for land allotment. And, likewise the Registrar Co-operative Society did not send recommendation after the above said order.

Further the Committee were also made aware of response to Lok Sabha unstarred question No.4546 fixed for 20 August 2010 and as well as of the observation of the High Court of Delhi where it has categorically emphasized in its order dated 03rd October 2005 in WP (C) No. 10066/2004 and CM. 10514/2005 that we would not like a single genuine society or a genuine member to be either harassed or denied their right of allotment.

On this issue, DDA put forth the reason that DDA has allotted land to all such eligible societies, whose names were forwarded by RCS to DDA from time to time and no case is pending for allotment of land in DDA. The scope of carving out further land for allotment to CGHS can be considered on receipt of further recommendation from RCS.

As regards developing and further allotting of land to Cooperative Group Housing Societies, DDA further informed the Committee that this requires large scale acquisition and the same can be taken up by DDA only on land being made available by the State Government. DDA is always prepared to develop and allot land to CGHS.

From the submission of DDA, it appeared that RCS was not active in allotting land to CGHS. But when the Committee inquired the RCS office in this regard, their reply which is produced below, compelled the Committee to think otherwise of DDA. "As per section 9(1) (f) of Delhi Co-operative Societies Act, 2003, the confirmation of availability of land to the Co-operative Group Housing Society from land allotting agency is required by this office at the time of applying for registration. However, no application for registration of Co-operative Group Housing Societies alongwith the confirmation of availability of land from Delhi Development Authority as stated above has been received in last ten years"

From the foregoing the Committee find lack of transparency and sincerity on the part of both RCS as well as DDA, at least in connection with allotment of land to CGHS. It appears that RCS and DDA are in connivance and are responsible for delay in land allotment to the Cooperative Group Housing Societies. This attitude of RCS and DDA of passing the buck to each other leads to nothing but the harassment of members of such societies, who have been dreaming of a roof over their heads for decades and suffering financially as well as mentally.

The Committee noted with pain that the citizenry are compelled to approach judiciary for its intervention and order to RCS Delhi for verification of documents and thus recommend in unequivocal terms that RCS should be totally transparent in its working by clearly mentioning on its official website all the documents and permissions required to be submitted by CGHS while applying for land allotment.

At the same time, the Committee further recommend DDA to take up this issue of allotment of land to all remaining eligible CGHS waiting for the same on priority basis after completing

the required exercise without any further delay, within a span of 3-4 months. The Committee would like to have a quarterly progress report in this regard."

### **Reply of the Government**

4.23 Registrar of Cooperative Societies has submitted that it is responsible for registration of Cooperative Societies and to further regulate the management of these Cooperative Societies as per the provisions of DCS Acts and rules. A total of 1974 Group Housing Societies are presently registered with the office of RCS, Delhi and 934 Cooperative Group Housing Societies have been allotted land so far by DDA as per the information provided by DDA.

The proposal for allotment of land to the Cooperative Group Housing Societies in Delhi is considered by DDA. As per the availability of land with them, DDA requests RCS to forward the name of the eligible Cooperative Group Housing Societies for consideration of allotment of land to these societies at their end. DDA had previously made such request to RCS vide its letter dated 04.09.2003. No further requisition in this regard has been received by RCS from DDA so far.

Two writ petitions i.e. WP (C) No. 7553/2012 and WP (C) No. 1283/2014 by 23 Cooperative Group Housing Societies have been preferred before Hon'ble High Court of Delhi. The process of verification of members of these societies is being carried out by Court Commissioners and office of RCS respectively.

DDA has replied that it allots land to the CGHS on the basis of recommendations made by RCS. RCS is already seized of the matter and the work related to verification of members of societies is going on and the further course of action will be taken on receipt of specific recommendations from the RCS.

### **Comments of the Committee**

4.24 For comments of the Committee please see Paragraph No. 1.30 of Chapter I of the Report.

### **Recommendation (Serial No. 18)**

#### **CONVERSION OF PROPERTY FROM LEASEHOLD TO FREEHOLD**

4.25 The Committee observe that allotment of DDA built up flats and flats of CGHS made upto 1992 was on leasehold basis. But, the residential and commercial plots and flats are being allotted on free-hold basis w.e.f. 1.1.2007, the lease-hold properties are being converted into freehold as per policy and guidelines issued by Ministry of Urban Development in the year 1991. 45 days is the prescribed period for converting DDA built up flats and CGHS flats and 90 days for other properties. From the data submitted by DDA, the Committee observe that during the last five years from 1.12.2007 to 30.11.2012, 24,589 number of applications have been received from Housing Department of DDA for conversion of leasehold to freehold and 27,157 applications have been disposed of. Still, 944 applications are pending. From the Cooperative Group Housing Societies DDA has received 6,612 applications and it has disposed of 1254 applications. 5,458 applications are still pending. The Committee have learnt that the main reasons for such large-scale pendency are because deficiencies are not

completed by the applicants such as non-submission of required documents and non-deposit of demanded amounts such as ground rent, misuse, damage charges, etc.

DDA has further submitted that it has started online application for conversion from leasehold to freehold in the year 2012. Keeping in view the pendency of large number of flats/plots for conversion of leasehold to freehold non submission of required documents and non-deposit of demanded amount, the Committee are of the view that only by extending the facility for online application is not the solution to the problem. From the above, the Committee are compelled to conclude that the process is not at all transparent. There is an urgent need to make the system transparent and people friendly. In this regard the Committee recommended that the DDA in its website should clearly make a mention about the list of documents and the amount required for conversion of leasehold to freehold. Further while submitting the application, DDA should give receipt of the application along with the list of documents received from the applicants. This will not only release the burden of DDA but also facilitate it to do the needful within the prescribed time-frame. Further, this will stop harassment of public by the DDA officials.

The Committee further observe that one of the reasons attributed for slow clearance of applications for conversion of leasehold to freehold is non-deposit of demanded amount such as ground rent, misuse and damage charges which many a time exceed the cost of the plots or flats. Recently DDA has decided to provide a special one time relief, where in a maximum period for levy of misuse charges will be restricted to five years from the date of detection of misuse. The Committee welcome such people friendly steps. At the same time the Committee are of view that to stop misusing the flats by carrying out unwanted alterations/extensions, DDA should undertake regular physical verification of all the DDA built flats and CGHS flats every year and maintain proper records thereof and provide stringent punishment so that people will not dare to carry out any unwanted alteration/extension in the flats without prior permission of DDA."

### **Reply of the Government**

4.26 DDA has replied that it does not undertake regular physical verification of the built up flats and group housing flats as it may invite protest/criticism from public that the officials of the DDA are harassing the flat owners. The verification is undertaken as and when any complaint in this regard is received. It was also noted that the services of almost all the societies and DDA colonies have been transferred to the MCD and necessary action in this regard is to be taken by MCD.

As on 31<sup>st</sup> May, 2014, out of the 105473 applications received in Housing Department for conversion of DDA flats from leasehold to freehold, 104070 applications have been disposed of and 1913 applications are pending. To clear pendency of conversion applications, regular monitoring at various levels is undertaken. Apart from this, various Lok Shivirs have been organized recently in which large number of cases have been disposed of.

In order to streamline and bring more transparency in the process of conversion of properties from leasehold to freehold, DDA has undertaken many steps including setting up of Nagrik Suvidha Kendras (NSK) at Dwarka, Rohini, Laxmi Nagar and at I.N.A., Vikas Sadan. At these NSKs, complete application form regarding conversion of property into freehold is received and the applications are processed in a time bound manner. The application form for conversion has also been simplified.



It is also intimated that as per present policy, unauthorized construction is not a bar to allow conversion of flat from leasehold to freehold. Enforcement Cell of the Housing Department regularly checks unauthorized construction/encroachment in DDA built flats in areas which are still under the jurisdiction of DDA and have not yet been handed over to the concerned municipal authorities.

### **Comments of the Committee**

4.27 For comments of the Committee please see Paragaph No. 1.33 of Chapter I of the Report.

### **Recommendation (Serial No. 19)**

#### **ALLOTMENT OF ALTERNATIVE PLOTS/FLATS**

4.28 The Committee observe that as of now DDA has acquired land in 240 villages for undertaking various types of development in Delhi. DDA allots alternative plots to the villages on the basis of the recommendations received from the Land and Building Department of GNCTD. Necessary guidelines in this regard have been issued by GNCTD. No separate guidelines have been issued by DDA. The allotment of an alternative plot is made by DDA as per seniority fixed on the basis of date of taking of physical possession of acquired land by Land and Building Department of GNCTD, for respective size category and zone before holding draws of lots. Till now 10,675 alternative allotments have been made to the farmers whose land had been acquired. As on date, 68 recommendations letters issued by the Land and Building Department of NCT of Delhi are lying pending due to non-availability of plots of respective size.

Further, the Committee observe that the affected people from whom DDA is acquiring land spent their hard earned money to buy a single flat/plot. By acquiring a particular area for any developmental purpose, people residing in that area are not only deprived of their property, but also their livelihood. Further, during oral evidence, the Committee came to know that all over Delhi people are airing grievances, because DDA acquires the land and pay compensation after many years of taking possession but at the older rates. In many a cases, DDA has taken over one independent house but given them one EWS flat. Therefore, the Committee are pained to conclude that people are not adequately compensated.

The Committee are further distressed to note that DDA acquires the land, for various development purposes but does not have its own policy for paying compensation and it is totally dependent on the policy for project affected persons evolved by the Government of NCT of Delhi. The Vice-Chairman, DDA during oral deposition has admitted that whether it is land for land or value for value or whether it is providing accommodation, is a policy matter and he will definitely raise it in the right quarters and a conscious decision will be taken so that the interests of the affected persons are protected.

In view of the above state of affairs, the Committee recommend that instead of depending upon the policy of Government of Delhi, DDA should evolve its own policy and extend adequate and timely compensation as per market rate on the date of paying compensation. The Committee also desire that compensation should be paid in a stipulated timeframe. "

## **Reply of the Government**

4.29 The land is acquired by the Land Acquisition Collectors (LACs) appointed by Govt. of NCT of Delhi and the compensation is also paid by LACs as per provisions of the Land Acquisition Act. The nodal secretariat in this regard is Land and Building Department of Govt. of NCT of Delhi.

As regards, allotment of alternative plots/flats is concerned as a part of rehabilitation package, the same is allotted by the DDA on the basis of specific recommendations made by Land and Building Department of Govt. of NCT of Delhi.

The compensation was being paid as per the provisions of Land Acquisition Act 1894 on receipt of the demands by the Land & Building Dept., GNCTD. The Govt. of India has reviewed the policy relating to payment of compensation and new Act 'The Right to Fair Compensation & Transparency in Land Acquisition, Rehabilitation and Resettlement Act-2013' has been made applicable w.e.f. 01.01.2014 and therefore, revised rates, which are more than the market rates, would now be paid to the farmers, whose land is to be acquired by the Govt.

Under Section 15 of the Delhi Development Act, 1957, the DDA takes possession of the land acquired by the Central Government for the purpose of development or for any other purpose. Section 15 of the DD Act read as follows:

### **Section 15: Compulsory Acquisition of Land**

- (iii) If in the opinion of the Central Government, any land is required for the purpose of development, or for any other purpose, under this Act, the Central government may acquire such land under the provision of the Land Acquisition Act 1.69984 (1 of 1894).
- (iv) Where any land has been acquired by the Central Government, that Government may, after it has taken possession of the land, transfer the land to the Authority or any local authority for the purpose for which the land has been acquired on payment by the Authority or the local authority the compensation awarded under that Act and of the charges incurred by the government in connection with the acquisition.

As regards new Act of land acquisition i.e. "The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013", the central government is currently in the process of consultations with the state governments and other stake holders and contemplating certain modifications/amendments in the Act to address certain issues. "

## **Comments of the Committee**

4.30 For comments of the Committee please see Paragraph No. 1.36 of Chapter I of the Report.

### **Recommendation (Serial No. 20)**

#### **CRITERIA FOLLOWED IN ALLOTMENT OF LAND FOR CONSTRUCTION OF HOTELS, MALLS, SCHOOLS etc.**

4.31 The Committee observe that as per Master Plan 3% of land acquired under the acquisition, development and disposal of land in Delhi is utilized for commercial use. From 2006 onwards DDA has disposed of 158 commercial plots and 24 plots for hotels. The Committee are, however, distressed to note that during the last ten years only 23 sites have been allotted for bus depots against the demand of 31 by the GNCTD. Five sites are under process. In remaining 3 cases, the site requested at I.P extension is under encroachment whereas in Rohini Sector 11 and Ghazipur no land is available. Against the demand of 35 police stations by the Delhi Police, DDA has allotted 25 sites, 5 sites for allotment are under process. In remaining 5 cases allotment cannot be made as no site is available.

During the period 2002 to 2013, DDA has allotted 7 hospital sites and 16 sites for Senior Secondary schools and 2 sites for secondary schools. The Committee were further informed that the facilities such as school, hospitals, markets, and commercial areas are assigned as per the population requirement. There is no preference given in Master Plan for developing a land parcel/pocket for commercial areas in comparison to the land for public or semi public use like school and hospital.

However, the number of allotment of land for commercial plots for malls have outnumbered the allotment of plots/sites for necessary infrastructural facilities for schools, hospitals, bus depots and police stations. Keeping in mind the growing population of Delhi, their health problems, education and law and order problem, the Committee strongly recommend that DDA should make necessary changes in the Master Plan to give preference to these basic infrastructure. The Committee were further informed that sanction for Building plans are much faster and quicker, if all the documents required for are attached.

For this the Committee desire that for faster processing and clearance, DDA in its website should upload the details of documents required along with the planning parameters for any building and these should be advertised in the print and electronic media for creating awareness among the people. The Committee also desire that effective public participation should be ensured in this direction to yarn good results."

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

4.32 DDA has submitted that Master Plan is a policy document wherein provisions including plan norms and development control norms are stipulated for planned development. However, development of basic infrastructure i.e. schools, hospitals, bus depots and police stations are developed by the local bodies/government agencies concerned except in case of schools and hospitals are also developed by private developers. Generally, sites for these facilities are earmarked in the Zonal Development Plan for the respective planning Zones as per the requirement of Zone. The allotment of plots is done by the Land Disposal department as and when the requests are received from the GNCTD/Government agencies/private developers.

The main contention of the committee is that all the documents required for the sanction of Building plans should be uploaded in DDA website for quicker & faster processing &

clearance. In this regard, it is submitted that the documents which are required for the issuance of permits are already in DDA website & is also available in the counter of building section of DDA, Ground Floor, D-Block, Vikas Sadan in the form of "Handbook for Building Permit Procedure.

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

4.33 For comments of the Committee please see Paragarph No. 1.39 of Chapter I of the Report.

#### **Recommendation (Serial No. 21)**

#### **CONSTRUCTION OF COMMUNITY HALLS IN THE VILLAGES WHEREFROM DDA HAS TAKEN LAND**

4.34 DDA is required to undertake various developmental works in the villages wherefrom it has taken land. However, the Committee are distressed to note that from its inception till date DDA has constructed only 44 community halls in various zones. It has completed construction of 28 community centres in the year 1996-97. Afterwards, the number has drastically reduced to 11 during the entire 6 years from 1997-98 to 2003-04. This has further been reduced to 4 during the 3 years from 2004-05 to 2006-07. Out of the completed 44 community centres only 18 were functional during the period January 2012 to August 2013, while 20 community centres in all the zones i.e, South, Dwarka, North, East and Rohini are in planning stage. In the South zone, out of 8 community centres, 7 are still in the planning stage and construction of only one community centre is in progress. In Dwarka zone out of 4 community centres 2 are in planning stage and 2 are in progress. In North zone, one community Hall is in progress. In East zone all the 6 are in planning stage.

From the above, the callous attitude of DDA towards fulfilling its obligations becomes clear. The Committee fail to understand this lackadaisical approach of DDA and deplore it vehemently. They want that DDA should come out of its slumber and act swiftly in this regard.

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

4.35

(i)"Community halls with DDA	-	56
(ii) Community halls with RWA	-	20
(iii)Community halls with NGO	-	06
(iv)Total Community halls constructed	-	82
(v)Community halls under progress	-	25
(vi)Community halls in Planning stage	-	33
(vii)Community halls in conceptual stage	-	20

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

4.36 For comments of the Committee please see Paragarph No. 1.42 of Chapter I of the Report.

## **Recommendation(Serial No. 22)**

### **NEED TO REDEEM IMAGE BY DDA**

4.37 The Committee note that the DDA has claimed that for the last 55 years it has been innovating in terms of technology, management techniques and improving public interface in order to reach its customers in a better and friendly manner for ensuring timely delivery of services. The Citizen Charter detailing schedule of various transactions has been published. Many processes which have maximum public interface have been made online like conversion of leasehold to freehold, booking of temporary allotment of space for marriages and social functions etc., allowing the corrupt practices with prior appointment etc, However, the Committee are distressed to observe that DDA's has ruined its image before general public by remaining inactive and allowing the corrupt practices in deteriorating. Since 2003, DDA has not allotted any land to any cooperative group housing society, DDA and RCS are passing the buck on each other for not discharging their responsibilities with regard to allotment of land.

DDA has failed to maintain the capital city including Yamuna River which is getting dirtier day by day. DDA has proved its failure to provide houses and basic amenities to inhabitants of Delhi. DDA officials have grossly failed in checking fraud in allotting venues for marriages and other social functions, in checking the growth of slums and unauthorized occupation of land under its purview.

Conversion of leasehold to freehold, in checking unauthorized construction and alteration in DDA built houses and CGHS, etc. While taking oral evidence of representatives of CGHS, the Committee learnt that people are aggrieved because DDA is harassing them by not giving adequate and timely compensation, it is only after the interface of the Committee the problems of two Residents Welfare Associations were solved.

In view of the above, the Committee feel that DDA has failed to live up to the expectations of the people of Delhi. Against this backdrop, the Committee wish to recommend that there is an urgent need to refurbish the image of this premier organization by taking proactive and timely steps under intimation to the Committee."

### **Reply of the Government**

4.38 (a)DDA has taken major steps for computerization of all Departments now for which the study has been made by consultants and shortly RFP will be issued for selection of the agency who would take up the task of computerization of all branches/divisions of DDA. In this endeavor the efforts will be made to automate each and every activity of DDA so that public can avail services at their door step and from anywhere through web enabled IT applications.

(b)With regard to conversion from leasehold to freehold of DDA flats, application form has been simplified and the new brochure/booklet has been issued. This has also been uploaded on DDA's website. A user friendly portal for Nagrik Suvidha Kendra has been made operational. Computerized Nagrik Suvidha Kendras have been established in 4 locations in Delhi where general public can avail the services of DDA. This process has been very useful

to the general public as the public can now avail services of DDA near to their residence. At the recently established four Nagrik Suvidha Kendras, assistance is provided to the public for submission of complete application forms.

(c) As far as checking of unauthorized construction and alteration in DDA flats are concerned, Enforcement cell of the Housing Department regularly checks unauthorized construction and encroachment in areas which are still under the jurisdiction of DDA and have not yet been handed over to the concerned municipal authorities.

(d) E-Auction for properties has been implemented.

(e) On line booking of vacant sites for marriage/religious functions.

(f) Daily public hearings instead of two days a week.

(g) All payment details of DDA flats and Group Housing Society flats have been placed on web site so that general public can reconcile their payment made;

(h) Provision of on line payment through payment gateway of various banks and through NEFT/RTGS has been made so that general public can make payments from anywhere as per their convenience. This saves the time of the general public and also gives the convenience to them.

(i) To enforce punctuality the process of installation of attendance machines has started in DDA and the same have been installed in Vikas Sadan and in due course the attendance machines will be installed throughout DDA.

(j) On line viewing mechanism about the status of the requests of general public about conversion of DDA flats and Group Housing Society flats has been made and now the general public can see the status of their applications on line from anywhere.

(k) In the direction of computerization of land records some more progress has been made and now 22 more villages have been digitized and have been placed at DDA's web site. Now out of 240 acquired villages total 207 villages have been digitized and the details have been placed at DDA's web site.

(l) The process of issuing water bills on line has been started and the water bills of Rohini Wing have been computerized and now general public can deposit their water bills of Rohini locality on line. In the due course this system will be incorporated in all other localities of DDA as well.

### **Comments of the Committee**

4.39 For comments of the Committee please see Paragraph No. 1.45 of Chapter I of the Report.

### **Recommendation (Serial No. 24)**

#### **EXPEDITE THE ACTION IN CORRUPTION CASES AGAINST THE DDA OFFICIALS**

4.40 The Committee observe that to bring transparency in the functioning of DDA/MCD to root out corruption and provide better, quick and people friendly services, DDA has initiated some steps. The Committee are informed that file tracking system has been implemented in the vigilance branch and the same is under implementation in other branches, sensitive branches are being randomly inspected by vigilance branch to see delays in handling of files

and presence of outsiders etc. Vigilance helpline has been launched on the occasion of Vigilance Awareness Week 2012 and its number is 09650713388.

From the information furnished by DDA the Committee can easily gather the fact that amongst the 82 corruption cases against the DDA officials for last more than 10 years w.e.f 2003, 41 are under trial, 12 are under investigation, 4 have been acquitted, 1 is RDA case, 1 has been discharged, 1 case is under CBI investigation and 3 cases have been closed by CBI and 19 convictions are there.

This information of DDA is indicating towards the slow pace of trials and poor rate of conviction in the corruption cases against the DDA officials. This appears to be an eye wash. The Committee are of the view that such a slow pace of progress in cases and very low rate of conviction fails badly to act as deterrent for other officials, from indulging in corrupt practices. Rather it tends to give a boost to unscrupulous elements.

Thus, the Committee would like to recommend that the trials and investigations should be expedited and guilty be brought to the book at the earliest. Moreover, this should not only remain restricted to these cases only that have been brought to the notice of the Committee. Rather, the speedy trial should become a regular feature in DDA."

### **Reply of the Government**

4.41 DDA has replied that as regards the action against corruption cases, these are being dealt by the concerned investigating agencies i.e. CBI/ACB, GNCTD and Delhi Police. These agencies themselves initiate cases pertaining to corruption and other malpractices and file cases in the relevant courts. DDA however facilitates investigation as well as prosecution in all such cases.

### **Comments of the Committee**

4.42 For comments of the Committee please see Paragraph No. 1.48 of Chapter I of the Report.

### **Recommendation (Serial No. 25)**

#### **INTRODUCTION OF SINGLE WINDOW SYSTEM**

4.43 The Committee note that DDA is a 56 years old agglomeration dealing with the matters of government, private and semi private agencies. It deals with many sensitive matters. The Committee are disheartened to note that DDA has introduced single window system just in three areas and that too from the year 2012. The facility has been introduced for only selected activities viz. conversion of leasehold to freehold of CGHS flats, DDA flats and Samasya Nidhan. While expressing their satisfaction for this endeavor of DDA, the Committee want that all activities of DDA should come under its umbrella. They also want that a strong monitoring mechanism be put in place in the initial years to check as to whether the system is benefitting the public.

Though much delayed, the Committee welcome the introduction of single window system in DDA for bringing in transparency in its activities. However, they would like the DDA to introduce the single window system in all the areas of functioning.

### **Reply of the Government**

4.44 DDA has replied that in the process of issuing building permits many agencies/organizations are also get involve like Delhi Urban Art Commission, Delhi Fire Service, Delhi Pollution Control Committee, Director General Explosives, and Airport Authority of India etc. as per law. The respective agencies are required to check the documents & drawings within their mandate & as per their own expertise. The one window system may not address these issues in detail & therefore clearance of building permits in one window system may not be desirable. This will also facilitate to avoid unwanted mishaps.

### **Comments of the Committee**

4.45 For comments of the Committee please see Paragarph No. 1.51 of Chapter I of the Report.



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

-Nil-

NEW DELHI;

12<sup>th</sup> December, 2014  
21 Agrahayana, 1936 (Saka)

PINAKE MISRA  
Chairperson,  
Standing Committee on Urban Development

**STANDING COMMITTEE ON URBAN DEVELOPMENT (2014-2015)**

**MINUTES OF THE FOURTH SITTING OF THE COMMITTEE HELD ON  
FRIDAY, 12 DECEMBER, 2014**

The Committee sat from 1530 hrs. to 1630 hrs. in Committee Room 'C' Parliament House Annexe, New Delhi.

**PRESENT**

Shri Pinaki Misra - *Chairperson*

***MEMBERS***

**LOK SABHA**

2. Shri Rajendra Agrawal
3. Shri Ram Charan Bohra
4. Shri Dushyant Chautala
5. Shri Maheish Girri
6. Smt. Meenakshi Lekhi
7. Shri Kapil Moreshwar Patil
8. Shri Rahul Ramesh Shewale
9. Shri Parvesh Sahib Singh Verma
10. Dr. Dharam Vira

**RAJYA SABHA**

11. Shri Rangasayee Ramakrishna
12. Shri Khekiho Zhimomi

**SECRETARIAT**

1. Shri R.K. Jain - Joint Secretary
2. Shri D.S. Malha - Director
3. Smt. J. M. Sinha - Additional Director
4. Smt. K. Rangamani N. - Under Secretary

2. At the outset, the Chairperson welcomed the Members to the sitting of the Committee. The Committee then took up for consideration the draft Reports on (i) Demands for Grants (2014-15) of the Ministry of Urban Development (ii) Demands for Grants (2014-15) of the Ministry of Housing & Urban Poverty Alleviation; and (iii) Action Taken Report on the observations/ recommendations contained in the Thirty- First Report of the Standing Committee on Urban Development (Fifteenth Lok Sabha) on “Functioning of Delhi Development Authority (DDA) particularly with reference to affordable houses in Delhi and its role in regularization of unauthorized colonies in Delhi and matters connected thereto” one by one. After deliberations, the Committee adopted all the reports unanimously without any change.

3. \*\*\*\*\*

4. The Committee then authorised the Chairperson to present the reports to both the Houses of Parliament.

*The Committee then adjourned.*

\*\*\*\*\*

\*\*\*\*\* This portion of the Minutes does not relate to the Report.

## ANNEXURE II

[Vide para 4 of the Introduction]

### ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS/ OBSERVATIONS CONTAINED IN THE THIRTY – FIRST REPORT OF THE STANDING COMMITTEE ON URBAN DEVELOPMENT

(FIFTEENTH LOK SABHA)

I.	Total number of recommendations	26
II.	Recommendations/Observations which have been accepted by the Government: Recommendation Nos. 5,6, 8,11,12,16,17, 23 and 26	09
	Percentage to total recommendations	(34.61%)
III.	Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies: Recommendation Nos. 1 and 9	02
	Percentage to total recommendations	(7.69%)
IV.	Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee: Recommendation No. 2, 3,4,7,10,13,14,15,18,19,20,21,22,24 and 25	15
	Percentage to total recommendations	(57.70%)
V.	Recommendations/Observations in respect of which final replies of the Government are still awaited:	-Nil-
	Percentage to total recommendations	(00%)