

SIXTY-SECOND REPORT
PUBLIC ACCOUNTS COMMITTEE
(1981-82)

(SEVENTH LOK SABHA)

DELHI DEVELOPMENT AUTHORITY

MINISTRY OF WORKS & HOUSING

[Action Taken on 138th Report (Sixth Lok Sabha)]



सत्यमेव जयते

Presented in Lok Sabha on
Laid in Rajya Sabha on

LOK SABHA SECRETARIAT
NEW DELHI

October, 1981 Kartika, 1903 (Saka)

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CORRIGENDA TO SIXTY-SECOND REPORT OF PUBLIC
ACCOUNTS COMMITTEE(1981-82) ON D.D.A.

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PUBLIC ACCOUNTS COMMITTEE

(1981-82)

Shri Satish Agarwal—*Chairman*

MEMBERS

Lok Sabha

2. Shri Subhash Chandra Bose Alluri
3. Shri Tridib Chaudhuri
4. Shri K. P. Singh Deo
5. Shri George Fernandes
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1. Shri H. G. Paranjpe—*Joint Secretary.*
2. Shri D. C. Pande—*Chief Financial Committee Officer.*
3. Shri K. K. Sharma—*Senior Financial Committee Officer.*

INTRODUCTION

1. The Chairman of the Public Accounts Committee, as authorised by the Committee do present on their behalf this 62nd Report on action taken by Government on the recommendations of the Public Accounts Committee contained in 138th Report (6th Lok Sabha) on Delhi Development Authority relating to the Ministry of Works and Housing.

2. In their 138th Report, the Committee had pointed out a number of serious irregularities and lapses in the functioning of the D.D.A. and made several recommendations in this regard. From the replies furnished by the Government, the Committee find that Government have by and large not taken concrete action on these recommendations. In this Report the Committee have taken a serious view of this attitude as in their view it is a dereliction of duty on the part of the Government. So far as the D.D.A. is concerned its attitude shows arrogance. The Committee are of the view that the D.D.A. must not be allowed to become a Frankenstein and to destroy unchecked the very purpose for which it was created.

3. The Report was considered and adopted by the Public Accounts Committee at their sitting held on 16 October, 1981.

4. For reference facility and convenience, the recommendations and observations of the Committee have been printed in thick type in the body of the Report and have also been reproduced in a consolidated form in the Appendix to the Report.

5. The Committee place on record their appreciation of the assistance rendered to them in this matter by the Office of the Comptroller & Auditor General of India.

SATISH AGARWAL

Chairman,

Public Accounts Committee.

NEW DELHI;

October 26, 1981.

Kartik 4, 1903 (S).

CHAPTER I

REPORT

1.1. This Report of the Committee deals with the Action Taken by Government on the Committee's recommendations and observations contained in their 138th Report (Sixth Lok Sabha) on Paragraph 29 of the Advance Report of the Comptroller and Auditor General of India for the year 1976-77, Union Government (Civil) relating to Delhi Development Authority.

1.2. The Committee's 138th Report was presented to the Lok Sabha on 30 April, 1979 and contained 44 recommendations and observations. According to the time schedule, the notes indicating the action taken by Government in pursuance of the recommendations and observations contained in the 138th Report duly vetted by Audit were required to be furnished to the Committee latest by 29 October, 1979. However, the Ministry of Works and Housing submitted advance copies of Action Taken Notes in respect of all the recommendations by 9 September, 1980 and vetted replies in respect of 30 recommendations by 12 August, 1981.

(i) *Recommendations and Observations that have been accepted by Government:*

Sl. Nos. 11, 13, 14, 15, 18, 19, 23, 27, 34, 35, 37, 40, 43 and 44.

(ii) *Recommendations and Observations which the Committee do not desire to pursue in the light of the replies received from Government:*

Sl. Nos. 1—5, 8, 9, 16, 21, 28, 30—32, 36 and 41.

(iii) *Recommendations and Observations replies to which have not been accepted by the Committee and which require reiteration:*

10, 17, 20, 24, 25, 26, 29, 33, 38 and 39.

(iv) *Recommendations and Observations in respect of which Government have furnished interim replies:*

6, 7, 12, 22 and 42.

1.3. The Committee expect that final replies to those recommendations and observations in respect of which only interim replies have so far been furnished will be made available to them expeditiously after getting them vetted by Audit.

1.4. The Committee will now deal with the action taken by Government on some of their recommendations and observations.

Implementation of the recommendations of the Committee of Experts

(Paragraph 2.19—Sl. No. 10)

1.5. Dealing with the recommendations made by the Committee of Experts appointed in 1974 and the appointment of another Committee in October 1977, the Committee had in paragraph 2.19 of their Report, stated:

"The Committee are constrained to point out that they see no logic in deferring the implementation of the recommendations of the Committee of Experts set up in May, 1974, particularly when it was the first Committee set up to evaluate the functioning of DDA since its inception in 1957. That the Government had not taken up seriously the recommendations of that Committee is evident from the fact that instead of examining and implementing its recommendations expeditiously, Government appointed an Empowered Committee and that too after 7 months of the receipt of the report of Expert Committee. While the implementation of the decision of the Empowered Committee was still under consideration, Government hastened to appoint another Committee of Experts in October, 1977 i.e. 17 months after the receipt of the report of Empowered Committee, in May, 1976. The reasons as to why the recommendations of the Empowered Committee though accepted in entirety could not be implemented expeditiously after the receipt of its report are best known to the Government. The Committee are, however, not satisfied with the explanation of the Government that the implementation was deferred due to enlarged activities of DDA during the period following 1974 which implies that either the study of the Expert Committee was not in depth or the performance of the DDA was insignificant upto 1973-74 as compared to the work done during the two years following 1974. The Committee deplore that by keeping the decision of the Expert Committee in abeyance the work done by that Committee as well as by the Empowered Committee had become infructuous. They feel that main and important recommendations of that Committee, such as early preparation of Zonal Development Plans for the built up areas and walled city, expeditious policy decision

regarding unauthorised colonies, reservation of 50 per cent plots for Low Income Group and Economically Weaker Sections and 30 per cent for Middle Income Group, construction of flats for Janta, Community Services Personnel and Low Income Group on priority basis, reduction of departmental and administrative charges, necessity of a proper and well equipped planning and Architectural Organisation, etc. could and should have been implemented without waiting for the recommendations of the new committee which submitted its report only in June 1978. The Committee would, however, like to know in specific terms as to how the recommendations made by the Committee of Experts is an improvement over the recommendations made by the earlier committee."

1.6. In their Action Taken Note dated 2 July, 1981, the Ministry of Works and Housing have stated:

"In the above para the Public Accounts Committee appears to have the feeling that:—

- (1) the Government was not serious in implementing the recommendations of the Expert Committee of 1974.
- (2) The Baveja Committee was appointed by the Government as they were not satisfied with the recommendations of the 1974 Committee. Hence a justification has been asked for as to how the recommendations of the Baveja Committee are an improvement over the recommendations of the 1974 Committee.

As for the first point, it is submitted that as soon as the report of the 1974 Committee was received in March, 1975, the recommendations concerning the Land, Development and Management by the Delhi Development Authority were proposed to be accepted and for this purpose a draft note for the Cabinet was prepared. The then Financial Adviser to whom the Note was shown had observed that the Ministry might consider the desirability of taking up a single paper to the Cabinet on all proposals relating to the scheme of Large Scale Acquisition, Development and Disposal of land rather than submitting individual issues in separate notes, particularly when the issues were closely inter-linked. When action was being taken on the above-

lines a circular dated 8 September, 1975 from the Department of Personnel and Administrative Reforms was received reiterating the earlier procedure for processing all reports of Commissions/Committees in the context of the then emergency. As per the above instructions an Empowered Committee was constituted on 23rd October, 1975. The Empowered Committee gave its report in May, 1976 which was accepted by the Government in November, 1976.

As soon as the Empowered Committee's decisions were known, the Government issued specific orders to the Delhi Administration and the recommendations of the above Committee. These organisations were asked to appoint Liaison officers to watch speedy implementation. Monthly progress reports were called for. Meetings were held in the Ministry with the senior officers to review the progress in implementation. As a matter of fact, the Delhi Administration had also reported action taken by them on the various recommendations pertaining to them.

While the decisions of the above mentioned Empowered Committee were in the process of implementation, another Committee under the Chairmanship of Shri G. C. Baveja was appointed by the Government in October 1977. The terms of reference of this committee were widespread and some of the recommendations to be made by this Committee were naturally to have a bearing on the recommendations of the earlier Committee. The Vice-Chairman of DDA then requested this Ministry on 2-5-1978 as under:—

“On the whole I find there is no immediacy for the implementation of any of the decisions of the Empowered Committee based on the report of the Experts Committee which had gone into working of the DDA 3 to 4 years ago especially when the new Experts Committee is going into its working again in the changed circumstances and in the light of the revised priorities of the present Government. I would therefore request the Ministry not to insist upon implementation of the decisions of the Experts Committee (1974-75) referred to by you in your letter and wait for the report of the new Experts Committee.”

It was therefore felt that while implementing the earlier Committee's recommendations, the recommendations of the new Committee should also be kept in view, to avoid confusion subsequently.

It would, thus, be observed that the Government had taken all the necessary steps to implement the recommendations of the 1974 Committee.

As regards the second point pertaining to the need for appointment of another Committee, it has already been stated in reply* to para 2.12 of the PAC's report (ibid) that the Committee of Experts appointed in June, 1974 based their study on the data available upto 1973-74. The DDA enlarged its area of activities and embarked on a large scale construction of houses during the period following 1974. It may, however be pointed out that the appointment of the Baveja Committee was not at the instance of this Ministry. When the new Government took over in March 1977, the then Government of its own issued a directive to examine the working of the DDA in depth in consultation with the Ministry of Works & Housing and submit a 'paper' to the Government on the subject. In compliance of this Directive, the Baveja Committee was appointed by the then Ministry of Finance. From this it will be clear that the Baveja Committee was appointed not because this Ministry was dis-satisfied with the recommendations of the 1974 Committee but in compliance with the directives of the new Government. In the circumstances it may be appreciated that a Comparison of the recommendations of these two committees appointed in different circumstances with a view to establishing that the recommendations of the Baveja committee were an improvement over the earlier one may not perhaps be feasible. The recommendations of both those Committees and decisions of the respective Empowered Committee are already available with the PAC.

The Government issued orders on 2-1-1979 to the concerned agencies, viz., the Delhi Development Authority, Delhi Administration, Municipal Corporation of Delhi to implement the decisions of the Empowered Committee

*138th Report of PAC (6th Lok Sabha) p. 17.

which examined the recommendations of the Baveja Committee, vide this Ministry's letter No. K. 11011(58)/78-DDA dated the 2nd January, 1979.* Progress Reports on the implementation of many recommendations of the Baveja Committee have been received from the concerned authorities. Whenever necessary the concerned authorities are reminded.

It may, however, be pointed out that Delhi Administration have stated that most of the recommendations of the Baveja Committee are not acceptable to them as they feel that the recommendations go outside the scope of the Scheme viz., Large Scale Acquisition, Development and Disposal of land in Delhi. The views of the Delhi Administration are under examination separately in the Ministry, since October, 1980."

1.7. The Committee are not convinced with the reply of the Government. The fact remains that the recommendations of the Committee of Experts set up in June, 1974 have not been taken up seriously by the Government for implementation. Government, in the first instance, appointed an Empowered Committee to examine the recommendations of the Committee of Experts but while implementation of the decisions of this Empowered Committee was still under process, Government appointed another Committee (Baveja Committee) in October, 1977. The report of the Baveja Committee was submitted in June, 1978. In January 1979, Ministry of Works and Housing asked the Delhi Administration and the DDA to implement the accepted recommendations of the Baveja Committee, and of the Empowered Committee which had been appointed to examine the recommendations of the Baveja Committee. The Delhi Administration later stated that most of the recommendations of the Baveja Committee were not acceptable to them as they felt that the recommendations go outside the scope of the Scheme of Large Scale Acquisition, Development and Disposal of Land in Delhi. The views of the Delhi Administration are under examination in the Ministry of Works and Housing since October, 1980.

1.8. The Committee are shocked at this state of affairs. As the Delhi Administration and the DDA are the main bodies responsible for implementing the recommendations of the Baveja Committee and as most of these recommendations are not acceptable to the Delhi

*Reproduced in Chapter IV of this Report.

Administration, the Committee desire that the matter should be sorted out expeditiously by the Ministry.

1.9. The Committee would further like to emphasise that when any committee is appointed by the Government to go into a particular matter, its recommendations should be seriously examined and steps taken to implement the same expeditiously rather than appointing a number of committees subsequently as this only delays matters and also results in additional expenditure.

Diversion of receipts due to Revolving Fund for General Development in Contravention of Rules

(Paragraph 3.28—S. No. 17)

1.10. Commenting on the ill advised procedure allowed by the Delhi Administration and executed by the DDA by irregular utilisation of the amounts due to the Revolving Fund the Committee had; in paragraph 3.28 of their Report, recommended:

“The Committee note that for financing the acquisition and development of land, Government set up a Revolving Fund in 1961-62 with an initial contribution of Rs. 1.25 crores (subsequently raised to Rs. 12.31 crores by 1969-70) out of the Consolidated Fund of India and placed it at the disposal of the Delhi Administration. The Rules governing the operation of the Revolving Fund are contained in the Ministry of Finance letter No. F. 1(24)-B/61, dated 30 June, 1961. According to these rules sums out of the revolving fund were to be advanced to the DDA for meeting expenditure on the development of land and receipts from the disposal of land were to be paid back into it for financing further expenditure on acquisition and development of land. All amounts required for development purposes were to be specifically drawn from this revolving fund by means of a cheque signed by two officers of the Land & Housing Department of the Delhi Administration authorised by the Chief Commissioner in this behalf. The Committee are distressed to note that whereas the Delhi Administration in February 1966 allowed the DDA to utilise the amount of receipts connected with the scheme of large scale acquisition, development and disposal of land for direct utilisation by it against its development expenditure, it sought the approval of the Minis-

try of Home Affairs for the same in April 1973 is after a lapse of 7 years. It is interesting to find that whereas upto the year 1971-72 all the surplus receipts from the disposal of land under Nazul Account II were being passed on to the revolving fund it was only from the year 1973-74 that all receipts were not made over to the Delhi Administration. What has perturbed the Committee most is the fact that this practice was adopted despite the fact that the Ministry of Home Affairs did not agree to the changed procedure in April 1973. The Committee take a serious view of the decision of the Delhi Administration in allowing the DDA to utilise the amount of receipts directly in clear violation of the rules governing the regulation of the provision of the Revolving Fund as also without prior approval of the Central Government. The Committee urge that a thorough investigation into this ill-advised procedure allowed by the Delhi Administration and executed by the DDA should be held with a view to fixing responsibility. The Ministry of Works and Housing also owe an explanation to the Committee for not taking timely action to restrain the DDA from adopting wrong procedure."

1.11. The Action Taken Note dated 6 September, 1980 furnished by the Ministry of Works and Housing is reproduced below:

"The Government of India appointed a Committee of Experts (known as Baveja Committee) in October, 1977 to go into the working of the Delhi Development Authority. One of the terms of reference of the Committee was to:—

'study the financial procedure at present being followed by D.D.A. and suggest modifications, if necessary. The Committee may in particular look into the financing of various activities of the Authority and to see how far these have been in conformity with the Regulations laid down by the Government from time to time.'

The Committee stated, amongst other observations, as under:

'For want of its own capital, D.D.A. has tended to increasingly use unauthorised amounts legitimately due to the revolving fund and recommended that adequate seed capital should be built up for the D.D.A. •

The Committee also recommended, among other things, as under:—

‘The Central Government should provide seed capital of Rs. 10 crores to the Authority for undertaking housing programme on the proposed scale i.e. 20,000 dwelling units annually. To meet the balance of requirements, financial institutions like L.I.C., H.U.D.C.O. and Commercial banks, etc. should be approached and encouraged to finance the housing programme in a big way. The Central Government should be willing to guarantee repayment of such loans, if need be.’

In consultation with the Planning Commission and the Ministry of Finance, adequate provision is being made in the Central Budget to finance D.D.A. (Rs. 1.67 crores in 1978-79, Rs. 9 crores in 1979-80 and Rs. 4.33 crores in 1980-81). In addition, the Government have agreed in principle to stand guarantee for loans from H.U.D.C.O. to the extent of Rs. 7.07 crores. Of these an amount of Rs. 1.83 crores has been actually guaranteed.

In addition the following steps have been taken:—

- (i) instructions have been issued to the D.D.A. to follow accounting procedure rigidly.
- (ii) A close watch on financial operations of the D.D.A. is being kept and suitable instructions issued whenever a large gap in resources is noticed.”

1.12. For financing the acquisition and development of land, Government set up a revolving fund in 1961-62 with an initial contribution of Rs. 1.25 crores raised to Rs. 12.31 crores by 1969-70 (out of the Consolidated Fund of India and placed it at the disposal of the Delhi Administration. Under the rules governing the operation of the revolving fund as contained in the Ministry of Finance letter dated 30 June, 1961, sums out of the Revolving Fund were to be advanced to the DDA (among others) for meeting expenditure on the development of land and receipts from the disposal of land were to be paid back into the Revolving Fund for financing further expenditure on acquisition and development of land. In violation of these rules, the Delhi Administration allowed (February 1966) the DDA to utilise the amount of receipts connected with the scheme of large scale acquisition, development and disposal of land

for direct utilisation by it against its development expenditure. Further, even the surplus receipts from the disposal of land were not made over to the Delhi Administration. The total amount payable by the DDA to the revolving fund as on 31-3-1978 amounted to Rs. 10.87 crores. During evidence held in October 1978, the representative of the DDA had admitted the irregular diversion of funds saying: "The money has come to us and we have used it for some thing else. Actually we should have put it in the revolving fund." The Committee had in the circumstances recommended a thorough investigation into the ill-advised procedure allowed by the Delhi Administration and followed by the DDA.

1.13. In their action taken note, the Ministry of Works and Housing without holding a thorough investigation into the matter as recommended by the Committee, have tried to evade taking action by referring to one of the terms of reference of the Baveja Committee regarding financing of various activities of the DDA. The Ministry have not given any reason for unauthorised diversion of funds. The Committee therefore reiterate their earlier recommendation that a thorough investigation should be made to find out how huge sums due to the revolving fund were diverted by the DDA without prior approval of the Government of India and also the circumstances in which the Delhi Administration had allowed DDA since 1966 to divert such funds. The Committee would further like to know as to why the Ministry of Works and Housing did not take timely action to restrain DDA from adopting this irregular procedure. The Committee would also like responsibility to be fixed on the persons found responsible for violating the rules relating to operation of the revolving fund.

Expenditure incurred on Jhuggi and Jhompri Schemes without the Approval of Competent Authority

(Paragraph 3.31—S.No. 20)

1.14. Expressing their concern over expenditure of a sum of Rs. 9.61 crores on Jhuggi and Jhompri Schemes without the approval of the competent authority or the Government, the Committee had recommended for holding a thorough probe into the various lapses. The Committee had in paragraph 3.31 of their Report observed:

"Another objectionable feature which has come to the notice of the Committee is that a sum of Rs. 9.61 crores was spent on Jhuggi and Jhompries without the approval of the com-

petent Authority or the Government. The Vice-Chairman, DDA, stated during evidence that the then Vice-Chairman of the DDA was the 'only person responsible for diverting these funds in spite of the fact that he was not competent to do it'. He has further informed the Committee that 'there is no budgetary exercise done to look at the details of the particular schemes' and in this context he referred to the project taken up in Trilokpuri for putting up MIG and LIG houses at a cost of Rs. 3 crores without the administrative approval of and without sorting out the feasibility of the scheme.

The Committee feel deeply concerned over such grave and revealing irregularities. The Committee would recommend that the Government should undertake a thorough probe into these lapses and fix responsibility."

1.15. The Ministry of Works and Housing have, in their reply dated 12 August, 1981, stated as under:

"The Jhuggi Jhompri Resettlement Scheme was approved by Government in 1970. Keeping in view the norms of facilities, the cost of development of the plots in the J.J.R. Colonies, was placed at Rs. 800.00 for ineligible and Rs. 1,200.00 for eligible allottees, per plot. In 1975 and 1976. the D.D.A. was obliged to develop a very large number of plots i.e. as many as 1,48,000. The cost of provision of facilities according to norms, however, kept escalatiny and the difference between eligible and ineligible allottees could not in actual practice be maintained. Hence the over all expenditure was very high. The D.D.A., reported that it had spent at the rate of Rs. 1860/- per plot in this behalf. The Government have decided that the additional expenditure amounting to Rs. 10 crores incurred by the D.D.A. may be re-imbursed to it as per letter K-14014—4(20)73—DDIIB Vol. II dated 4th/5th September, 1980.* The cost of 25 sq. yds. plot recoverable from the allottees, has, however, been limited to Rs. 1250/- per plot.

The entire financial operation of the D.D.A. has been reviewed by a high level Committee of experts known as Baveja Committee. In this connection extracts from report of the Empowered Committee appointed to examine the

*Reproduced in Chapter IV.

observation/recommendations contained in the report of the committee of Experts on the working of the D.D.A. known as Baveja Committee are enclosed. The Government have accepted these recommendations and orders for their implementation were issued *vide* this Ministry's letter No. K—11011/58/78-DDIA dated 2-1-79.* It may, however, be added that the Delhi Administration have recently intimated that most of the recommendations of Baveja Committee are not acceptable to them for implementation as, according to them, the recommendations go outside the scope of the scheme of Large Scale Acquisition, Development and Disposal of Land in Delhi.

In this connection it may be submitted that a meeting was held on 12-11-80 in the Chamber of the Minister for Works and Housing which was among others attended by the Lt. Governor Delhi, and the Vice-Chairman, DDA. After discussion it was decided that DDA would by the end of November, 1980 prepare a statement indicating *inter alia* against each recommendation/observation of the Baveja Committee, as to how it was against the decision of the Government as contained in its letter dated the 2nd May, 1961 in regard to the Large Scale Acquisition, Development and Disposal of land in Delhi, and the views of the Delhi Administration against each. As this statement was not received within the stipulated period, the matter was again discussed in a meeting held on 14-4-1981 in the Chamber of Minister for Works and Housing which was also attended by the Lt. Governor, Delhi, and the Vice-Chairman, DDA. The LG stated that the requisite statement would be sent by the first week of May, 1981. The Delhi Administration has been reminded on 25-5-1981 to expedite its reply in the matter."

1.16. The reply furnished by the Ministry of Works and Housing does not specifically explain the reasons for spending a sum of Rs. 9.61 crores on Jhuggi and Jhompries without the approval of competent authority or the Government and putting up MIG and LIG houses at a cost of Rs. 3 crores without the administrative approval of and without sorting out the feasibility of the scheme. This whole approach indicates dangerous premium on dereliction of duty on the part of the Government in supervising the functioning of DDA.

*Reproduced in Chapter IV.

So far as the DDA is concerned, the attitude shows arrogance. The DDA must not be allowed to become a Frankenstein and destroy unchecked the very purpose to serve which it was created. Since in the opinion of the Committee, these irregularities were grave and revealing in nature, they would like to reiterate their earlier recommendation that the Government should undertake a thorough probe into these lapses and fix responsibility. If necessary, the matter should be made over to appropriate investigating agency. ..

Delays in Preparation and Finalisation of Zonal Plans

(Paragraphs 4.37 to 4.39—S. Nos. 24, 25 and 26)

1.17. Recommending to institute a thorough probe to identify the reasons for delays in the preparation and finalisation of the Zonal Plans, the Committee had, in paragraphs 4.37 to 4.39 of their Report, stated:

“Section 8 of the Delhi Development Act, 1957 provides that “simultaneously with the preparation of the master plan or as soon as possible thereafter, the Authority shall proceed with the preparation of a zonal development plan for each of the zones in which Delhi may be divided”. The Committee find that the Master Plan drawn up for 20 years (1962—81), after its approval by the Government, came into force on 1st September, 1962. The Plan divided Delhi into 139 zones providing for the manner in which land in each zone should be used. The Committee are distressed to note that out of the total 139 zonal plans to be prepared and notified, only 43 plans have so far been approved by Government and notified, 13 are under submission to Government for approval, 11 are under finalisation or modification, 49 are under preparation and 23 are yet to be prepared. The preparation and finalisation of the zonal plans for the last more than 16 years, since the inception of the Master Plan, show utter lack of interest, drive and inapt handling of the subject not only in the DDA but also in the Ministry of Works and Housing which were entrusted with the task of approval of the zonal plans. When asked during evidence, the Vice-Chairman, DDA conceded that he was not satisfied with the progress. The unparadonable delay in the preparation of the zonal plans has retarded the planned development of Delhi by several years.

The Committee recommend that Government should institute a thorough probe to identify the reasons for delays in the preparation and finalisation of the zonal plans at various stages so as to fix responsibility at the appropriate levels.

The Committee have also been informed during evidence that the Master Plan itself has become due for revision and 'it may well be that the preparation of these zonal plans may be redundant under the old master plan'. The Committee cannot accept these views of the Government as they feel that howsoever comprehensive the revised master plan may be, there have to be detailed zonal plans to feed the Master Plan. The Committee, therefore, desire that the work on the incomplete zonal plans should proceed apace so that these are finalised before the revision of the Master Plan is taken up."

1.18. In their Action Taken Note dated 6 September, 1980, the Ministry of Works and Housing have stated:

"139 Zonal Development Plans (ZDPs) were to be drafted and published under the Master Plan for Delhi which is in vogue now. The Zonal Development Plans in respect of 43 zones have already been finalised and approved by Government. In respect of 6 heavily built up areas draft plans have been prepared but could not be published. There are 9 zones in respect of which Ministries of Defence and Railways are involved.

Of the remaining 81, 57 have already been prepared by the Delhi Development Authority and are in different stages of processing. 15 Zonal Development Plans referred to Government are under consideration in consultation with the Town and Country Planning Organization and the Delhi Development Authority. In all these cases some back references to Delhi Development Authority and Town and Country Planning Organization have become necessary due to some differences of opinion between the two or some clarifications to be sought. Draft plans are still to be prepared in respect of 9 Zones. The Delhi Development Authority has re-constituted the sub-Technical Committee, on 23rd August, 1979, to process the Zonal Development Plans and we have been assured that this would be meeting at frequent intervals for finalizing the Zonal Development Plans.

The Baweja Committee which went into the working of the Delhi Development Authority in 1978 recommended that the Zonal Plans should be in fact action plans for specific areas of project and that the Master Plan should be made adequately detailed to enable its operation without waiting for detailed Zonal Plans. It has also recommended that the Zonal Plans yet to be prepared in the context of the Master Plan should also be suitably simplified so that they can be expeditiously prepared by the Delhi Development Authority.

These recommendations have been accepted by Government and it has been decided pending amendment of the Delhi Development Act, 1957, that the preparation of the Zonal Plans should continue without slowing down the process. Meanwhile, the Delhi Administration are having a re-thinking on the subject and the matter is under their active consideration.

Action has already been initiated/completed in 115 Zones. While it has been comparatively easier to prepare Zonal Plans for new areas which are only two-dimensional, such exercises run into difficulties in redevelopment zones where built up properties of high-value land get affected through reduced standards in road-widening, community facilities and services, etc. Further, initial exercises like collecting land records and data, physical surveys were time consuming processes. The work has subsequently been speeded up. In this background it is difficult to fix the responsibility on any individual or group. The Committee's recommendation that the work of incomplete Zonal Plans should proceed apace has been noted for compliance."

1.19. Under the provisions of the Delhi Development Act, 1957, a Master Plan for Delhi was prepared by the DDA. It was approved by Government and came into force on 1 September, 1962. The Master Plan covered broad aspects of development likely to take place during 1961 to 1981. The Act also provided that "Simultaneously with the preparation of the Master Plan or as soon as may be thereafter, the Authority shall proceed with the preparation of a Zonal Development Plan for each of the Zones into which Delhi may be divided." The Master Plan divided Delhi into 139 Zones. So far only 43 Zonal Development Plans have been approved by the Central Government and notified.

1.20 The Committee are not satisfied with the reply of the Government that the delay in finalisation of zonal development plans was due to the initial exercises like collecting land records and data, physical surveys etc., which was a time-consuming process. The fact that preparation, finalisation and notification of 96 zonal development plans has remained pending even after a lapse of 19 years indicates that neither the DDA nor the Government gave serious consideration to the implementation of the specific statutory provision for preparation of zonal development plans soon after the adoption of the Master Plan. The reply of the Government that "The Committee's recommendations that the work of incomplete Zonal Plans should proceed apace has been noted for compliance" is not at all satisfactory. The Committee desire that at least now a time-bound programme for finalisation of the pending Zonal Plans should be fixed and the DDA and Government should ensure that the work is completed without further loss of time.

Violation of land use by the DDA, NDMC, DMC and CBI etc.

(Paragraph 4.42—S. No. 29)

1.21. Commenting on the violation of land use as prescribed in the Master Plan by the Government and Semi-Government Agencies, the Committee had, in paragraph 4.42 of their Report, recommended:

"Section 11A(i) of the Delhi Development Act, 1957 provides for the DDA to make any modification to the Master Plan or the zonal development plan as it thinks fit, being modifications which, in its opinion, do not affect important alterations in the character of the plan and which do not relate to the extent of land uses or the standards of population density. It is distressing to note that in some cases certain schemes were taken up by the DDA in anticipation of the necessary modification in the Master Plan and uses/regulations without the approval of Government. The Committee are surprised to note that besides the DDA other Government and semi-Government institutions such as NDMC, DMC, and even CBI had also violated the prescribed land use. The Vice Chairman, DDA had assured the Committee that "they had tried to spare no one. Even CBI itself is being hauled up for violation." The Committee would like to know specifically within the next three months the action taken against the person concerned in this regard."

1.22. In their Action Taken Note dated 9 September, 1980 relevant to the above observation/recommendation, the Ministry of Works and Housing have stated:

“A one-man Committee was set up in September 1977. The Committee submitted its report in February, 1978. The one-man Committee stated that under the circumstances of marked reluctance of officers in the concerned agencies to furnish the necessary case files/records, the preliminary report was submitted on the limited information made available and without the benefit of going through each and every documentary record. After considering the report and the comments of Vice-Chairman, Delhi Development Authority, thereon, the matter was referred to the Lt. Governor, Delhi Administration on 12th October, 1978 to consider the case in detail and initiate action as necessary. The Ministry of Works and Housing were informed on 17th July, 1979 that specific instances of violations of Master Plan mentioned in the report of one-man Committee may be made in individual cases and entrusted as separate enquiries to some officers and they be asked to prepare a detailed report on the circumstances relevant to the case. The Delhi Administration was requested on the 31 August, 1979 to proceed on these lines and intimate the result of enquiries to Government. The present position on violation of Master Plan pertaining to land use have been furnished to the Committee.”

1.23. The Committee are surprised to note the reply of the Ministry of Works and Housing that “the one-man Committee stated that under the circumstances of marked reluctance of officers in the concerned agencies to furnish the necessary case files /records, the preliminary report was submitted on the limited information made available and without the benefit of going through each and every documentary record.” The Committee are concerned at the helplessness expressed by the Ministry in obtaining the relevant records from the concerned agencies. The Committee are distressed at this state of affairs and desire that responsibility should be fixed on the officers who failed to furnish the relevant records to the one-man committee. They cannot but arrive at the conclusion that in the absence of records pertaining to violations of land use as prescribed in the Master Plan, the purpose for which the one-man Committee was appointed has not been served. The Committee, therefore, recommend that a fresh inquiry should be made into all cases of

violations of prescribed land use and necessary steps taken to ensure that all the relevant records are made available for this inquiry. On the basis of the findings of his inquiry, responsibility should be fixed on the erring officials.

Fixation of time limit for acquiring and developing land
(Paragraph 5.60—Sl. No. 33)

1.24. Urging the need for fixing time limit for acquiring and developing land, the Committee had, in paragraph 5.60 of their Report, recommended:

“Prior to 1967, there was no time-limit for notifying the land under Section 6 after it was frozen under Section 4 of the Land Acquisition Act, 1894. By the amendment of 1967, it has been provided that if notification under Section 6 is not issued within a period of 3 years from the date of freezing the land under Section 4, the latter notification under Section 4 lapses and in case where notification under Section 6 had been issued beyond the period of 3 years, interest at the rate of 6 per cent will be paid. There is no time limit for acquiring/utilising the land. The Committee are surprised to learn that a sum of Rs. 3,71,73,350.32 was paid as interest on account of late issuance of the notification under Section 6 and that this amount was counted towards the cost of land. The Committee are unable to understand as to why an innocent purchaser of land should pay for the delay on the part of Central Government. The Committee, would therefore desire that a thorough investigation for indentifying the reasons for delay in issuing the notification under Section 6 of the Act *ibid* should be held with a view to fix responsibility. The Committee are also of the view that a time limit should be fixed for acquiring the land after issuing the notification under Section 6 of the above Act and for developing it thereafter so that all the agencies will be prompt in acquiring and developing the land.”

1.25. In their reply dated 4 September, 1980, the Ministry of Works and Housing have stated:

“The Master Plan for the Union Territory of Delhi came into force on 1st September, 1962. As large chunks of land were required for the implementation of the Master Plan, Government had taken advance action for the issue of notification under Section 4 of the Land Acquisition Act, 1894 which only meant that the land so notified under

Section 4 of the Act were likely to be needed for a public purpose. The main notification made in this behalf, under Section 4 of the Act, were:

(i) 3,000 acres	3-9-1957
(ii) 34,070 acres	13-11-1959
(iii) 1,808 acres	10-11-1960
(iv) 16,000 acres	24-10-1961

The effect of all these notifications under law was that compensation shall be payable to the parties interested in the land on the basis of the market value of the land on the date of publication of the notification under Section 4 and this is legally provided for under Section 23 of the Act. Had the Government not taken advance action for issue of notification under Section 4 of the Act or had delayed these notifications or had issued notifications under Section 4 piecemeal the Government would have incurred much heavier liability on account of enhanced compensation because the compensation according to Section 23 of the Act is to be determined with reference to the date of notification under Section 4 of the Act and that was precisely the consideration that weighed with the Government for issue of notification under Section 4 at the earliest in order to keep liability for compensation for the lands to be acquired to the absolute minimum level.

In the face of time consuming process prescribed by law for completion of the acquisition proceedings as outlined above, delay is/was unavoidable in the acquisition process. Aggrieved by the fact that land after notification under Section 4 remained frozen for long time certain parties challenged the process in a court of law on various grounds. To overcome the adverse effect of the judgement given by the Supreme Court finally in the matter, the Government had no option but to issue an Ordinance called the Land Acquisition (Amendment and Validation) Ordinance 1967, which was later on enacted as the Land Acquisition (Amendment and Validation) Act, 1967. By this Ordinance/enactment, it was provided that no declaration under Section 6 shall be made after the expiry of 2 years from the commencement of the said ordinance

and where the declaration had been made before or after such commencement and such declaration was or had been made after the expiry of 3 years from the date of publication of the notification, under section 4 of the Act, there shall be paid simple interest calculated at the rate of 6 per cent per annum from the date of expiry of the said period of 3 years to the date of tender of payment awarded by the Collector. In view of the time limit of 2 years so prescribed by the Ordinance/Amending Act the Government had no option but to make declaration under Section 6 in respect of the lands which had already been notified for acquisition under Section 4 of the Act dating back to the years 1957, 1959, 1960, 1961, and onwards. The liability for payment of interest was inherent in the issue of these declarations under Section 6 of the Act in the order to save the lapse of acquisition. Had these declarations not been made under section 6 of the Act within the time schedule of 2 years allowed by the Ordinance/Amending Act the Acquisition would have lapsed and the same lands would have to be re-notified under Section 4 of the Act resulting thereby in the heavier liability running into crores of rupees on account of payment of enhanced compensations, as the compensation as stated hereinabove is to be determined with reference to the market value of the land at the time of issue of the notification under Section 4 of the Act. Far more important for completion of acquisition of large chunks of lands required for implementation of the Master Plan is the availability of financial resources to meet the acquisition cost. A Revolving Fund with a seed capital of Rs. 5 crores was therefore created in the year 1961 for the implementation of the Master Plan. Obviously, all lands could not be acquired in one stroke on account of financial constraints inherent in the creation of the Revolving Fund.

In view of the position explained above, no investigation of the matter is considered possible at this stage.

The recommendation of the Committee to fix a time limit for acquiring the land after issue of notification under Section 6 of the Land Acquisition Act, has been brought to the notice of the Ministry of Agriculture, on 17-12-1979 which administers the Land Acquisition Act, for taking necessary action in the matter. As regards fixing a time limit between the acquisition and development of land, it may

be mentioned that the process of development, as is well known, is time consuming and cumbersome depending upon the combined efforts of several departments and organisations. Moreover, the final development of a piece of land is governed by several variable factors such as—

- (a) land use;
- (b) Development plans; and
- (c) financial resources
- (d) removal of unauthorised encroachments etc.

In view of this, it is not practicable to fix any time limit for this purpose.”

1.26. It is observed from the reply as given by the Ministry of Works and Housing that the Committee's recommendation for fixing a time limit for acquiring land after issue of notification under Section 6 of the Land Acquisition Act was brought to the notice of the Ministry of Agriculture which administers the Land Acquisition Act, for necessary action in the matter. The Committee would like to know the latest position in this regard.

1.27. As regards fixation of time limit for development of land, the Ministry of Works and Housing have stated that as the process of development of land is time consuming and cumbersome depending upon the combined efforts of several departments and organisations, it is not practicable to fix any time limit for the purpose. The Committee consider that the relevant factors can be taken into account while fixing time limit. They would suggest that such time limits should be fixed by administrative instructions or otherwise so that the departments and organisations concerned take action in the matter promptly and in right earnest. The Committee, therefore, reiterate their earlier recommendation.

*Revision of pre-determined rates of land without recording any
Reasons*

(Paragraph 5.65—Sl. No. 38)

1.28. Stressing the need for examining the matter regarding revision of pre-determined rates of land without recording any reasons, the Committee had, in paragraph 5.65 of their Report, recommended:

“According to the scheme of large scale acquisition development and disposal of land and the orders issued by the

Government on 2 May, 1961 land was to be allotted to certain categories at pre-determined rates which did not involve an element of profit. The Committee are perturbed to note that the pre-determined rates had been revised five times in 1968, 1969, 1970, 1975 and 1977. It is most surprising that in 1975 the then Vice Chairman, DDA had obtained the approval of the then Lt. Governor and Financial Advisor, DDA directly without recording any reasons for revising the pre-determined rates. The Committee would like the matter to be examined in all its aspects with a view to fix responsibility."

1.29. The Ministry of Works and Housing have, in their Action Taken Note dated 5 August 1980, stated:

"The Delhi Administration has informed that the pre-determined rates for the disposal of land under the scheme of 'Large Scale Acquisition, Development and Disposal of Land in Delhi' were revised by them 5 times during the years 1968, 1969, 1970, 1975 and 1977 in view of the rising cost of compensation for acquiring of land, including enhancements in the compensation amounts ordered by courts for land and higher cost of development. As regards the revision of pre-determined rates for disposal of plots in certain schemes by the DDA in August, 1975, a copy of the note recorded by the then Vice-Chairman, DDA who is not Lt. Governor and Chairman, DDA is enclosed, which speaks for itself. The very fact that the pre-determined rates for disposal of land were revised by the Delhi Administration five times during 1968-77 is a mitigating circumstance. Lt. Governor is the competent authority to revise the rate. Government is of the view that in the light of what has been stated in that note, no useful purpose will be served by further examination of the case with a view to fixing responsibility for the alleged irregularity as the then Lt. Governor is no longer in this world."

1.30. The reply of the Government that "no useful purpose will be served by further examination of the case (revision of pre-determined rates) with a view to fixing responsibility for the alleged irregularity as the then Lt. Governor is no longer in this world' is evasive as the fact remains that in 1975 the then Vice-Chairman, DDA had obtained the approval of the then Lt. Governor and

Financial Advisor, DDA directly in violation of orders issued in 1961 without giving any reasons for revising the pre-determined rates. The Committee would like to point out that in their examination of the irregularities committed by the officials in the DDA they are not concerned with the person concerned but with the lacuna in the system which has allowed such irregularities to be committed. The Committee, therefore, reiterate their earlier recommendation that the matter be examined in all its aspects with a view to fixing the responsibility.

*Framing of Rules under the Provisions of the Delhi
Development Act, 1957*

(Paragraph 5.66—Sl. No. 39)

1.31. Asking for the reasons for not formulating rules under certain provisions of the Delhi Development Act, 1957 so far, the Committee had, in paragraph 5.66 of their Report, recommended:

“Section 22(3) of the Delhi Development Act 1957 provides that after any Nazul land has been developed by or under the control and supervision of the Authority, it shall be dealt with by the Authority in accordance with rules made and directions given by the Central Government in this behalf. The Committee have been informed in this regard that ‘no rules have been made or directions given specifically under the provisions of Section 22(3) of the Delhi Development Act 1957 by the Central Government. Many other such instances have also come to the notice of the Committee where rules have not yet been framed by the Government under the above Act. In this connection, it is seen that the Committee on Subordinate Legislation had, in Paragraph 34 of their 5th Report (Second Lok Sabha) recommended that ordinarily rules should be framed under an Act as soon as possible after the commencement of the Act and in no case this period should exceed six months. The Committee would, therefore, like to know the specific reasons for not formulating the rules under the various provisions of the Delhi Development Act, 1957 so far. Also, the steps being taken to frame rules under the said Act, should be intimated to the Committee.”

1.32. In their Action Taken Note dated 28-1-1980, the Ministry of Works and Housing have stated:

“The Delhi Development Authority had passed a Resolution in 1960 suggesting some draft Rules under Section 22(3) of the Delhi Development Act. Unfortunately, these do not appear to have been received in the Ministry. The concerned records of the Delhi Development Authority are not immediately traceable having been mislaid during the shifting of the offices of Delhi Development Authority thereafter. The D.D.A. enquired from the Ministry in August, 1977 whether the Rules in pursuance of Section 22(3) of Delhi Development Act, 1957 had been promulgated. They were informed in June, 1978 that efforts were being made to locate the Ministry’s file dealing with Rules in question. However, no such records could be traced.

In fact the administrative Ministries concerned with Delhi Development Act have also changed after it was enacted, making it rather difficult to ascertain the position in this regard. Nevertheless, action has now been initiated to frame Rules under Section 22(3) as well as other Sections of the Act where these Rules have not yet been framed *vide* this Ministry’s letter No. K—11011/5/’9-DDIIB* dated 6-12-79 to the Delhi Development Authority.

Subsequently the Ministry of Works and Housing have informed the Committee as under:

“The draft Rules under Section 22(3) of the Act have been finalised and are being sent to the press for publication. Rules under remaining sections of the Act, wherever these have not already been framed, have also been framed and notified.”

1.33. From the reply furnished by the Ministry of Works and Housing the Committee note that the DDA had passed a Resolution in 1960 suggesting some draft rules under Section 22(3) of the Delhi Development Act 1957. The Committee are concerned to note that it was only after a lapse of 17 years that the DDA enquired from the Ministry in August 1977 about the promulgation of the rules,

*Reproduced in Chapter IV.

under the said Section. What is more surprising is the fact that the records in the DDA and the Ministry are not traceable. The Committee would like the matter to be thoroughly investigated and responsibility fixed for the lapse for not finalising the rules since 1960.

....

CHAPTER II

RECOMMENDATIONS AND OBSERVATIONS THAT HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation

Section 24 of the Delhi Development Act, 1957 requires that the Delhi Development Authority shall prepare its annual budget of estimated receipts expenditure in such form and at such time every year as may be prescribed by rules, and forward it to the Central Government. The prescribed rules are contained in Delhi Development Authority (Preparation of Budget) Rules, 1980. According to Rule 8 of these Rules, the Budget Estimate is required to be placed before the Authority by 5 October each year and after approved by the Authority, is to be submitted to the Government by 15 October every year. The Committee are distressed to note that these provisions were flagrantly violated as they find that against the due dates, the Budget Estimates for the year 1974-75 were placed before the Authority and Government as late as 9th July, 1974 and 3 August, 1974 respectively. Similarly, the Budget Estimates for the year 1975-76 were submitted on 3 March, 1975 and 26th March, 1975 and for the year 1976-77 on 20th April, 1976 and 4th June, 1976 respectively. Thus the delays involved in submission of the Estimates to the Government ranged between 5 to 9½ month. But what the Committee are surprised to learn from the Ministry of Works and Housing is that the Budget of the Authority is required to be placed before the Authority by 15 December each year for approval as envisaged under para 27 of the Draft Budget & Accounts Rules, which are still at draft stage. It is, incomprehensible, that the Ministry should explain the delay for the previous years under these draft rules by basing 15th December as the date for submission of Budget Estimates to the Authority. Whatever corrective measures are taken for future, the Committee hope that for the mistakes and omissions in the past, Government would take note of them seriously and as promised by the Secretary, Ministry of Works & Housing during evidence action will be taken urgently to "ask the DDA to fix responsibility in cases in which DDA is the appointing authority, I shall Officers and where Government is the appointing authority, I shall recommend to Government that responsibility should be fixed".

[Sl. No. 11 (Para 2.39) of Appendix VI to the PAC's 138th Report (6th Lok Sabha)]

Action Taken

The Delhi Development Authority has reported the dates on which the Budgets of the Authority were approved by its Vice-Chairman and the dates on which they were placed before the Authority and the Government, as under:—

Budget	Date of approval by Vice-Chairman	Date of placement before Authority	Date of placement before Government
B.E. 1974-75 } R.E. 1973-74 }	. . . . . 26-6-1974	9-7-1974	3-8-1974
B.E. 1975-76 } R.E. 1974-75 }	. . . . . 19-2-1975	3-3-1975	26-3-1975
B.E. 1976-77 } R.E. 1975-76 }	. . . . . 2-3-1976	20-4-1976	4-6-1976

The Delhi Development Authority has explained that the reasons for delay were due to the late receipt of the information from the concerned Departments and the time taken by the concerned officers to discuss and to finalise the budget proposals. The details of the same have already been indicated in the narration printed on pages 23 and 24 of the PAC's 138th Report.

The DDA has stated that it would not be feasible to fix responsibility on the officials concerned for the delay in the submission of the Budget Estimates because a large number of officers are involved and most of them have already been repatriated to their parent departments or have been transferred. Besides, the delay occurred in almost all the concerned Divisions and Branches of the Authority which contributed to the overall delay in the completion and submission of the Budget Estimate to the Authority. Nevertheless, this Ministry has issued instructions *vide* this Ministry's No. H-11013/3/79-DDV-B, dated 11-7-1980, (copy enclosed) (Annexure-I) to the DDA to fix responsibility for the delay in the preparation of the Budget Estimates on the officials concerned.

Government has also taken note of the observations of the Committee and issued a directive on 28-10-79 to the Delhi Development Authority to devise a time table for preparation and submission of the estimates. A copy of the directive is enclosed (Annexure II).

The Delhi Development Authority has stated on 21-2-1980 that the Draft Budget and Accounts Rules of the Authority have been framed in supersession of the DDA (Preparation of Budget) Rules, 1960 which will be repealed *vide* Rule 23 of the Draft Budget and Accounts Rules of the D.D.A. (Annexure III) provides that the Budget Estimates shall be consolidated and put up to the Vice-Chairman for approval after which the consolidated estimates will be placed before the Authority on or before 15th December each year for approval. It also provides that the Authority shall finalise and forward the Budget Estimates to the Government under Section 24 of the Act latest by the 31st January each year. Accordingly, the D.D.A. has already prepared a time-schedule (Annexure-IV) for the submission of the Budget Estimates by the various departmental heads of the Authority to the Accounts Branch. There is, therefore, no necessity for devising the time schedule in accordance with Rule 8 of the Delhi Development Authority (Preparation of Budget) Rules, 1950, the repeal of which has already been agreed to by the Comptroller & Auditor General of India.

[The Ministry of Works & Housing O.M. No. K-11011/8/79 DDVA
(Vol. III) dated 4-9-1980]

ANNEXURE-I

H—11013/3/79-DDVA Government of India Ministry
of Works and Housing (Nirman Aur Awas Mantralaya)

New Delhi, dated 10/11 the July, 1980.

To

Shri Kawaljit Singh,
Finance Member,
Delhi Development Authority,
New Delhi.

SUB: Timely preparation and submission of the budget estimates to the Authority as well as to the Government. Draft Action taken note on paras 2.39 and 2.44 of the Report of the PAC.

Sir,

I am directed to refer to DDA's letter Nos. IA14(3)/78-79-Vol. IV/13824 dated 24-1-80 and IA.14(3)/78-79|PAC|KW-I|421 dated 11-6-80 on the above subject and to state that this Ministry has considered carefully the views of the Authority on the fixation of responsibility for the delay in the preparation of the Budget Estimates.

for the years 1974-75, 1975-76 and 1976-77 on the officials concerned and has come to the conclusion that as the particular wings and the stages which delayed the submission of the Budget Estimates have already been located by the Authority, it should be possible for the DDA to fix responsibility on the officials concerned and send a report to this Ministry as early as possible.

Yours faithfully,

Sd/-

(J. A. Samad)

Deputy Secretary to the Govt. of India

ANNEXURE—II

No. H—11013/3/79-DDVB Government of India Ministry of
Works and Housing (Nirman Aur Awas Mantralaya)

New Delhi, dt. the 29-10-1979.

To

The Vice Chairman,
DDA, Vikas Minar,
New Delhi.

SUB: Timely preparation and submission of the budget estimates of the Delhi Development Authority to the Authority as well as to the Government.

Sir,

With reference to the DDA's letter No. IA-14(3)/78-79/Pt. III/3041 dated the 5th September, 1979 forwarding the Action Taken Note in respect of para 2.39 of 138th Report of the Public Accounts Committee relating to DDA, for delay in preparation and submission of the Budget Estimates for the years 1974-75, 1975-76 and 1976-77 have been examined in consultation with the Finance, who are not satisfied with the causes of delay and feel that such delays can be avoided in future, if a time-schedule is laid down for various states of preparation and processing the Budget Estimates.

2. I am to add that after careful consideration, the Central Government, by virtue of powers vested in it under Section 41(1) of the Delhi Development Authority Act, 1957 hereby direct that DDA shall frame a time-schedule for drawing up its Budget Estimates and

their approval by it (DDA), so as to ensure their submission to the Government by the due date envisaged in Rule 8 of the Delhi Development Authority (Preparation of Budget) Rules, 1960. It has also been decided that the Finance Member, DDA be made responsible for keeping up a time schedule.

3. I am to request you kindly to intimate to the Government with in two months, the time-schedule fixed by the DDA, in pursuance of the above directive.

Yours faithfully,

Sd/-

(Krishna Pratap)

Deputy Secretary to the Govt. of India

ANNEXURE-III

RULE 6 OF DRAFT D.D.A. BUDGET & ACCOUNTS RULES

Finance & Accounts Member to consolidate the Estimates:

1. The Finance & Accounts Member shall call for estimates from the various subordinate and field authorities in the prescribed proforma, along with supporting details like the estimated staff strength, the expenditure, thereon, etc.

2. The estimates so received shall be scrutinised by him and necessary modifications made in the context of need for more economy in expenditure and other provisions contained in rules, regulations and instructions issued by the Govt. of India or any other authority, from time to time.

3. The estimates shall be consolidated for each programme/activity of the Authority to present a complete picture of their financial costs. Approval of the Vice-Chairman shall be obtained, where necessary before including an item in the estimates.

4. The consolidated estimates, so finalised with the approval of the Vice-Chairman, shall be placed before the Authority on or before the 15th December each year for approval.

5. On receipt of the orders from the Authority, the Finance and Accounts Member shall prepare final edition of the budget incorporating the modifications, if any, that have been decided by the Authority.

6. The Authority shall finalise and forward its budget estimates to the Government under section 24 of the Act latest by the 31st January each year.

Provided that the "work programme" which should cover the new works to be undertaken for the ensuing year, carry over liabilities, full details of the investment schedules, etc. shall be forwarded to the Govt. by the first of December each year for making their appraisal of the scheme, identifying the sources of financing the programme, etc. The Govt. may forward its suggestions/comments on the "Works Programme" which shall be taken into consideration by the Authority before finalising the budget estimates for the ensuing year.

ANNEXURE—IV

S.No.	Particulars of information / estimates	Section/ officer concerned	Due Date of submission	Departmental Head/ Member-in-charge approval is necessary	Remarks
1	2	3	4	5	6
1	Performance Budget.	Chief Engineer .	30 th June.	E.M.	
2	Detailed establishment budget (Pay A.O.(H.) and allowances/contingencies etc) relating to 8-Arm. alongwith a Schedule showing the various sanctioned posts with scales of pay etc.	A.O.(H.) (Estt.) A.O.(D.) A.O.(W)	30th June.	F.A.(H) C.A.O. C.E. C.E.	
3	Detailed estimates of receipts/ expenditure of Nazul Account—II (CC Schemes).	F & E.	15th July.	F.M.	The estimates shall be modified where necessary in the light of the comments made by Delhi Admn.
4	Premia and other receipts relating A(i) Old A—Nazul Account I and B— Genl. Dev, Account except housing scheme.	Branch. (ii) Impl. Branch.}	Do. Do.	Commr. (L)	
5	Ground rent relating to A—Nazul Account—II B—Gen—Dev. A/c except housing schemes.	A.O.(R) ;	Do.	C.A.O.	
6	Estimates of receipts/expenditure relating to housing schemes other than expenditure on Administration.	A.O.(H)	Do.	F.A.(H)	A brief note showing the position of various Housing Scheme may also be sent for incorporation in the Agency item to be submitted...
7	Damages	Damage Section.}	Do.	D.L.M.	

9	Building Plan Fee. Receipts from rental premia from Agricultural land, car parking charges at Ajmere Gate, etc.	Buldg. Section. Lands Branch	Do. Do.	Jt. Dir. (Bldg.) D.L.M.	A brief note showing inter-alia the physical progress of the major projects may also be sent.
10	Estimates of receipts/ expenditure of various schemes financed from Nazul Account—I and G.D.A. other than Housing Schemes.	Chief Engineer;	Do.	Do.	bc
11	Estimates of receipts/expenditure of Master Plan Delhi.	M.P. Section.	Do.	Addl. Secretary.	
12	Budget estimates of the Lottery Scheme.	A.O. (Lottery)	31st July 1981	Jt. Dir. (Lotteries) C.A.O.	A brief note for incorporating in the Agenda Item to be submitted to the Authority may also be sent.
13	Budget Estimates of I.S.B.T.	A.O. (ISBT)	Do.	C.A.O.	
14	Composition Fee.	E.O. (Pros)	Do.	C.E./A.T.P. (II)	
15	Budget Estimates for sites and service programme.	A.O. (F & E)		P.M.	
16	New Master Plan for Delhi.	A.T.P. (II)			
17	Land transferred from L.& DO/ Gaon Sabha.	A.O. (F & E)			
18	Receipts and expenditure on account of development of unauthorised colonies.	A.O.(H)		A.I.P.(II)	
19	Maintenance of Katras	Do.		C.E.	
20	Development of Dairy colonies.	Do.		C.E.	
21	Receipts and expenditure on re settlement colonies.	Do —		C.E.	

Recommendation

The Committee are distressed to note that the DDA's budget and revised estimates of receipts and expenditure when compared with the actuals for the years 1973-74 to 1975-76 showed wide variations. It indicates that the Budget estimates were prepared by the DDA in the beginning of the year unrealistically and without proper planning and care. They feel that since the revised estimates were submitted to the Authority long after the close of the year, such substantial distortions could and should have been avoided. The Committee must express their grave displeasure that there was no procedure in vogue in DDA to examine the variations from the budget/ revised estimates for appropriate remedial measures. The Committee have been informed in this regard that Baveja Committee which went into the working of the DDA have recommended that the system of preparation of a final appropriation account should be adopted by the DDA after the close of the financial year indicating the budget estimates, the revised estimates, the actuals under each activity and the variations and the reasons for the same. This recommendation has been accepted by Government and DDA has been asked to implement it.

[Serial No. 13-(Para 2.41) of the Public Accounts Committee's 138th Report (21st Lok Sabha)]

Action Taken

The observations made by the Committee have been noted. Necessary instructions have been issued by the Delhi Development Authority to all the Drawing and Disbursing officers and Heads of offices/Heads of Departments under its office Order No. ACS 4-3/78-79, dated 5th June, 1979 (Annexure).

[THE MINISTRY OF WORKS & HOUSING O.M. (NO K-11011/4/79-
DDA dated 27-11-1979)]

ANNEXURE

DELHI DEVELOPMENT AUTHORITY

No. Acs. 4-3/78-79

Dated 5th June, 1979.

OFFICE ORDER

The Budget for the year 1979-80 envisages as outlay of Rs. 135.38 crores on works and other schemes. In order that the budgetary targets are achieved during the year the Heads of Departments:

have to make proper assessment of budgetary allocations distribute the allocations among the controlling officers subordinate to them so that the control over expenditure could be enforced effectively. The Heads of Departments should review the actuals with reference to estimates and for this purpose the following procedure should be observed by them.

- (i) The Heads of Departments should prescribe for submission of a statement to them showing the figures of expenditure against the sanctioned grant so as to enable them to watch the flow of expenditure.
- (ii) The information so obtained should be posted in a register kept with a view to enabling the sanctioned grant and the progressive total expenditure against that grant being ascertained at a glance.
- (iii) The position of expenditure should be reviewed every quarter to ensure regular and even flow of expenditure and to avoid rush of expenditure at the close of the financial year.
- (iv) Heads of departments should also obtain from the subordinate offices a liability statement monthly from the month of October onwards which should be progressive and should give a position of outstanding liabilities upto the month to which the statement relates. This will not only facilitate effective control over expenditure but will also help in eliminating cases of excess overallotment and non-surrender of savings.

2. In no case should expenditure in excess of Budget allotment be incurred without getting prior approval of the competent authority.

3. No expenditure should be incurred during the financial year on a scheme not contemplated in the Budget and for which funds have not been provided in the Budget.

4. If the amount provided for in the sanctioned Budget for any service in the financial year is found to be insufficient, they should examine the allotments given to other disbursing officer under same unit of expenditure and transfer to the disbursing officers which requires the additional allotment such sum as can be spared.

5. Whenever a scheme is abandoned during the year, the details of the scheme abandoned together with the available funds with

that scheme shall be intimated to Budget and Accounts Section to enable proper utilisation of funds.

6. In respect of the Budget Estimates relating to works and control of expenditure in respect thereof, detailed instructions as given in Appendix 5 to CPWD account code may also be followed to the extent practicable in the context of the working of the department.

7. Equally necessary is to ensure that the receipts estimated under the various heads are realised during the year. The details of the amounts as provided from the sale of commercial, industrial and residential plots and from the disposal of houses/shops have been shown in the Budget Estimates for 1979-80. The Heads of Departments have to draw up plans for the disposal of the properties in such a way that revenues are generated a fulfil the budgetary targets.

8. For the purpose of keeping watch over flow of cash the heads of Departments shall send to A.O. (B&A) a monthly statement showing particulars of the completed scheme, property available for disposal, property expected to be disposed of (indicate the period) and collection expected from the disposal of property *vis-a-vis* Budget Estimates for the year. The statement should be sent to A.O.(B&A) not later than 7th of each month. Similarly in respect of expenditure on works, Chief Engineer shall send a statement showing the expenditure incurred under the major heads upto the preceding month and the estimated expenditure *vis-a-vis* the Budget provision during the remaining period of financial year. This statement should also be sent to A.O.(B&A) by the 7th of each month. All other authorities entrusted with spending of Authority's money shall be required to send a statement by 7th of each month in which they should indicate the likely expenditure to be incurred and any other transactions affecting the financial resources of the Authority. A.O.(B&A) will on receipt of this information compile a consolidated statement and submit the financial review to the F.M./V.C.

Receipt of these instructions may kindly be acknowledged.

Sd/- (P. V. KRISHNAMURTHY)
FINANCE MEMBER.

Copy to:—

1. Engineer, Member, DDA.
2. Chief Engineer, DDA.
3. Commissioner (Lands), DDA,

4. Commissioner (Bldg.), DDA.
5. Commissioner (Housing), DDA.
6. General Manager, ISBT.
7. All other heads of Deptts. of the Authority.
8. All officers of the Authority.

Sd/- Accounts Officer (B&A)

Recommendation

The Committee hope that with the new procedure adopted in the DDA, the variations in budget/revised estimates and the actuals would be reduced to the minimum, if not totally eliminated.

[Serial No. 14 (Para 2.42) of the Public Accounts Committee's 138th Report (6th Lok Sabha)]

Action Taken

The observations made by the Committee have been noted. The new procedure adopted in the Delhi Development Authority is expected to help in reducing the large scale variations between the Budget/Revised Estimates and the Actuals.

[The Ministry of Works & Housing O.M. No. K-11011/4/79-DDVA dt. 27-11-1979]

Recommendation

The Committee regret that there have been delays in closing the accounts of the DDA as they find that as against the due date of 31 October, the actual dates of closing the accounts for the years 1974-75, 1975-76, 1976-77 have been 3-12-1975, 18-2-1977 and 2-3-1978 respectively. The Committee note that the Government have taken some remedial measures such as making good the shortage of staff, printing of Bills on Brehma machines, reconciliation of the monthly accounts concurrently with the figures recorded in the revenue branches, and as a result thereof there is stated to be considerable improvement. The Committee hope that the accounts for the year 1977-78 and thereafter are closed by the due date.

[Serial No. 15 (Para 2.43) of the Public Accounts Committee's 138th Report (6th Lok Sabha)]

Action Taken

The observations of the Committee have been noted. The Annual Accounts of the Delhi Development Authority for the year

1977-78 were submitted to the office of the A.G.C.R. on the 5th November, 1978 as against the due date of 31st October, 1978. The Annual Accounts for the year 1978-79 has also been submitted to the D.A.C.R. on 6-11-1979.

[The Ministry of Works & Housing O.M. No. K-11011/4/79-
DDA dated 27-11-1979]

Recommendation

The Committee have reasons to believe that the above changed procedure must have resulted in accounting irregularities apart from the serious financial repercussions on the other activities of the Delhi Development Authority as the modified procedure of permitting the Delhi Development Authority NOT TO REMIT THE NET proceeds to the revolving fund gave an opportunity to it to keep large sums with it which it utilised on its housing and other commercial programmes without any governmental check either on the utilisation of this fund or on the wisdom of such investments. The Committee's apprehensions regarding accounting discrepancies gather strength from the fact that at one stage the Ministry of Works & Housing had informed the Committee that Delhi Development Authority owed a sum of Rs. 10.87 crores to the revolving fund as on 31st March, 1978 but in their subsequent note this figure was amended to Rs. 9.80 crores. This wide disparity in the figure furnished by the same source viz. Ministry of Works and Housing is a sad commentary on the maintenance of the accounts of the Delhi Development Authority. The Ministry felt complete helplessness in this regard. The Committee desire that the deposits to and withdrawals from the Revolving Fund from 1973-74 onwards may be gone into carefully with a view to identify the irregularities for suitable remedial action.

[Sl. No. 18 (Para 3.29) of Appendix VI to Public Accounts
Committee's 138th Report (6th Lok Sabha)]

Action Taken

The Delhi Administration has reported that the deposits to and withdrawals from Revolving Fund from 1973-74 have been checked. The amount payable by the Delhi Development Authority upto 31-3-1978 was Rs. 3.03 crores as excess of receipts over expenditure due to Revolving Fund and Rs. 6.77 crores as cost of land utilised by Delhi Development Authority for various group housing schemes upto 31-3-1978. Thus total amount due to Revolving Fund was Rs. 9.80 crores. The discrepancy of Rs. 1.07 crores was due to

subsequent revision or re-adjustment in the cost of land and adjustment in the accounting subsequent to the intimation of figure of Rs. 10.87 crores.

With a view to avoiding the discrepancies of this nature, steps are being taken to ensure that surplus receipts of Nazul Account-II are not diverted for other purposes. It is, therefore, proposed to make it mandatory that dues payable to Revolving Fund/receivable from the Revolving Fund are worked out immediately after the close of DDA's accounts for the quarters ending June, September, December and March of each financial year and settled by cheques to/from Revolving Fund. The proposed steps will eliminate chances of diversion of funds to other accounts. The modification of the existing procedure on the aforesaid lines is under consideration, but it will take some time, before the revised procedure comes into effect. Pending finalisation, the Delhi Administration have been asked not to deviate from the approved procedure.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA Vol. III dated 3-8-1981]

Recommendation

The Committee regret to note that the Delhi Development Authority had diverted its surpluses from the sale of land to the construction activity and Jhuggi and Jhompri Schemes. The Vice-Chairman, Delhi Development Authority had admitted during evidence that the Delhi Development Authority got into difficulties because (i) it had taken in hand a programme for construction of approximately 70,000 houses without making arrangements for the institutional financing of these houses and putting its surplus funds into these schemes and as these funds were inadequate, Delhi Development Authority could complete construction of 4000 houses only and the balance of the houses remained at various stages of construction, thus blocking an enormous amount of capital which basically represents the revolving fund, (ii) a sum of Rs. 9.61 crores was diverted to Jhuggi and Jhompries schemes. The Committee are of the view that the diversion of funds to the schemes taken up on ad-hoc basis howsoever landable those might be had in fact retarded the progress of acquisition, development and disposal of land which are the basic and main activities of the Delhi Development Authority. This had also resulted in exorbitant rise in the land prices.

[Sl. No. 19 (Para 3.30) of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha)]

Action Taken

It is agreed that the Delhi Development Authority should not have diverted the funds from one head to another without the approval of the competent authority. The recommendation of the Public Accounts Committee has been noted, both by the Government and the Delhi Development Authority for future compliance.

2. So far as remedial measures are concerned, it may be stated that the same have been spelt out in the Action Taken Note under S. No. 18—Para 3.29 of this Report. The proposed steps are expected to eliminate chances of diversion of funds from one head to another.

[The Ministry of Works & Housing O.M. No. K-11011/3/79-
DDVA Vol. III dated 3-8-1981]

Recommendation

The Committee can only conclude from the above facts that hitherto there was no proper machinery available to control the activities of DDA which was committing one irregularity after another. What is more surprising is the fact that the Government acted as a passive observer and did not exercise their right to intervene. The Committee hope that the authorities concerned would learn a lesson from the past irregularities and take concrete measures to obviate their recurrence.

[Serial No. 23 (Para 3.34) of the Public Accounts Committee's
138th Report (6th Lok Sabha)]

Action Taken

The observations of the Committee have been noted for compliance.

[The Ministry of Works & Housing O.M. No. K-11011/4/79-
DDVA Vol. III dated 3-8-1981]

Recommendation

With regard to the revision of the master plan the Committee recommended that a committee of senior technical officers drawn from various Ministries and Departments concerned, Delhi Admn., and other agencies, such as Delhi Municipal Corporation, New Delhi Municipal Committee, etc., who are directly or indirectly connected with the development schemes and provision of essential services in Delhi, may be constituted immediately to draw up a suitable

framework for the new Master Plan. This is considered essential for undertaking detailed studies and surveys for the formulation of the new plan to avoid pitfalls or large scale modifications at a later stage.

[S. No. 27 (Paragraph 4.40) of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha)].

Action Taken

A 'coordination Committee' was set up by the Delhi Development Authority in October, 1979 under the chairmanship of the Vice-Chairman of the Delhi Development Authority. The Committee has the Chief Planner, T&CPO as a member and will discuss pertinent issues of the "Second Development Plan" before these are put up to the Advisory Council and the Delhi Development Authority.

2. Subsequently, the Government of India has set up a working group in the Ministry to monitor the progress and keep the Ministry fully in the picture at all important stages of preparation of the Master Plan. The convenor is the Joint Secretary in-charge of the Delhi Division. Other members include the Vice-Chairman of the Delhi Development Authority, the Chief Planner, Town and Country Planning Organisation, Chief Engineer, Water Supply & Sewerage Disposal Undertaking and representatives from the Delhi Electricity Supply Undertaking and the Delhi Urban Arts Commission. The working group was constituted on 13-12-1979.

3. The Second Plan i.e. Development Plan for Delhi 1981—2001 has Continuing Phase: Monitoring and feed back.

been taken up for preparation by the DDA and is programmed to be prepared in five phases as indicated below:—

Phase I—Preliminary and threshold studies (based on secondary information).

Phase II—Studies of alternative patterns of Development, forecasts standards and land need. Field surveys.

Phase III—Perspective Plan alternative strategies; implications, evaluations, selection.

Phase IV—Perspective Plan final draft.

Phase V—Perspective Plan approval.

Continuing Phase: Monitoring and feed back.

4. The Plan preparation work started with a skeleton staff in July, 1979. The Perspective Planning Wing has so far prepared 25

important reports out of which 18 have been discussed in different groups. These reports spell out goals, objectives framework for the plan preparation and studies for the development plan 1981—2001. The various field surveys for the collection of primary data on which the studies are to be based are in progress.

[The Ministry of Works & Housing O.M. No. K-11011/3/79-DDVA dated 6-9-1980]

Recommendation

The Committee find that out of the 37137.66 acres of land acquired by the Delhi Administration, 29596.95 acres were placed at the disposal of the DDA for development. The Committee are distressed to note that the DDA had been able to develop only 14930.63 acres upto 31 July, 1977 i.e. during the last 22 years. The Secretary, Ministry of Works & Housing had admitted during evidence that 'the DDA was not able to develop land fast enough to meet the demands from the market' and the result of this naturally was that prices began to rise which fascinated the DDA which then started releasing small areas of land for auction which was totally misconceived policy." The Vice-Chairman of DDA had also admitted during evidence that the initial idea of trying to get hold of the land and to develop it through one single central authority was perhaps misconceived. He had also stated during evidence that to maintain *status-quo* in Delhi 2500 acres, of land annually was required for housing purposes only. The Committee feel that the slow progress in development of land has led to acute scarcity of land with the attendant malpractices and profiteering in the disposal of land. The Committee are of the view that the DDA has not been able to pay its attention to this primary function of development of land due to its involvement in other activities. The Committee therefore recommend that in future highest priority should be given to the development of land and its immediate disposal thereafter.

[Serial No. 34 (Para 5.61) of the Public Accounts Committee's 138th Report (Sixth Lok Sabha)]

Action Taken

The recommendation of the Committee has been noted for compliance. The D.D.A. has intimated that it has since geared itself for a speedier programme of development of land. At present, 7512 acres of land are at various stages of development. The Authority has also drawn up an ambitious programme for the development of

18750 acres of land during next five years. To enable the DDA to carry out its functions (including the development of land) more effectively, monetary resources have also been made available to it by the Government as follows:—

- (i) Government has furnished guarantee on behalf of the DDA to the extent of Rs. 7.07 crores for loans sanctioned by the HUDCO for housing schemes of the DDA;
- (ii) The Central Government had advanced loans of Rs. 1.67 crores during 1978-79 and Rs. 9 crores during 1979-80. The amount provided for in 1980-81 is Rs. 4.33 crores.

2. Besides, the Government assistance referred to above, the DDA floated debentures of Rs. 10 crores during 1978-79, which were fully subscribed.

3. Keeping in view the position explained above, it is expected that the DDA will be able to achieve its target of development of land as per the phased programme.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-
DDVA Vol. III dt. 9-9-1980]

Recommendation

The Committee have been informed in this regard that a special cell has been set up under the Commissioner (Lands), DDA to monitor the progress of development of land and that this cell is already seized of the problem and has taken up the preparation of regulations and completion of records of the lands transferred to DDA under Section 22(i) of the D.D. Act, 1957. The Committee would like to know the progress made in this regard and urge upon the Government to draw a time bound programme for development of the remaining portion of the land which has been acquired but has not yet been developed.

The Committee note that the Master Plan had identified the development of 30,000 acres of land for residential purposes upto 1981. Against this, the Committee are distressed to find that the total land developed upto 1977 for this purpose was 9510.98 acres, the details being DDA (5710.98 acres), Cooperative Societies (1500 acres) and other agencies (2300 acres). Slow progress in the development of land for residential purposes has resulted in the growth of a large number of unauthorised colonies as is evident from the fact that about 7500 acres of land are under occupation of people

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residing in such unauthorised colonies. The Committee have also been informed that about 8500 acres of land is under development for residential purposes with the various agencies. They therefore, recommend that vigorous efforts be made to complete work on land under development so that it could be released for residential purposes expeditiously.

[Serial No. 35, (Para 5.62) of the Public Accounts Committee's 138th Report (Sixth Lok Sabha)]

Action Taken

The Question of preparation of Regulations and completion of records of land transferred to the D.D.A. under Section 22(i) has been taken up. It has been reported to Government that records are being completed and reconciliation work is going on with the Delhi Administration. The work will be completed as soon as possible after reconciliation.

As regards the recommendation that vigorous effort be made to complete the work on land under development, it has been noted for compliance by the D.D.A.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA dt. 4-9-1980]

Recommendation

The Committee also note that the DDA had prescribed in 1971 a quarterly return showing progress of development of land, to be furnished to the main office of the DDA by its development division and that a scrutiny during audit had revealed that the prescribed returns had not been received regularly and where received these were not complete in all respects. The Committee surprised as to how in the absence of these returns, the DDA reviewed the progress of development of land in Delhi. They would, therefore, recommend that DDA should ensure timely submission of these returns and monitor progress of development of land.

[Serial No. 37, (Para 5.64) of the Public Accounts Committee's 138th Report (Sixth Lok Sabha)]

Action Taken

The recommendation of the Committee has been noted for compliance. The D.D.A. has reported that the quarterly returns have been suitably modified wherever found necessary and the develop-

ment divisions have been instructed on 9-11-79 to furnish the information promptly in the prescribed form in future.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-
DDVA (Vol. III) dt. 9-9-1980]

Recommendation

The Committee note that 403 cooperative societies (242 plot holders cooperative societies and 161 group housing cooperative societies) were registered with the Registrar, Cooperative Societies in Delhi since 1947 and out of these societies 355 cooperative societies applied for land. The representatives of the Ministry of Works and Housing had stated during evidence that land to cooperative societies is given on the recommendation of the Land Allotment Advisory Committee and out of the applications which were given, to that Committee it recommended only 127 cases in which land was to be allotted by the Delhi Administration. The Committee have been informed that out of these 127 cooperative societies, 125 have been allotted land so far. 93 of these societies have already developed the land and 82 out of these have allotted plots to their members. Out of other 161 group housing cooperative societies, the DDA has found 89 cases to be eligible for allotment of land. The Vice-Chairman had informed the Committee that the DDA had allotted land in 54 cases out of these 89 cases and that the remaining cases were under consideration. The Committee would like to know the details of all those societies which were not found eligible for allotment of land and the reasons for their requests having been turned down by the Delhi Administration or Delhi Development Authority.

[S. No. 40, (Para 5.86) of Appendix VI of the Public Accounts Committee's 138th Report (6th Lok Sabha)]

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Action Taken

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The matter has been examined in consultation with the Delhi Administration and Delhi Development Authority. Out of 242 plot holders cooperative societies, 127 were recommended by the Land Allotment Advisory Committee for allotment. Of the remaining 115, 18 were allotted developed plots and 9 acquired freehold land. The remaining 88 societies were not allotted land. The details of these are furnished in Annexures 'A', 'B' & 'C'.

Of the 161 cooperative group housing societies, Delhi Development Authority had allotted land to 59 societies. The cases of 22 societies are under consideration for allotment of land. The remaining 80 societies have not been allotted land. The reasons for not allotting land are furnished in Annexure 'D'.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA dated 9-9-1980]

ANNEXURE 'A'

Name of the Societies who have allowed developed plots

1. B.R.
2. Christian
3. Delhi Swastik;
4. Dhakka
5. D.C.M. Employees
6. Indian
7. Laxmi
8. Lok Kalayan
9. Mathura Road Sunlight Colony
10. Narsingh Puri
11. Naveen Bharat
12. People
13. Prem Vatika
14. Radio Colony
15. Shakur Basti
16. Swaalambi
17. East Pakistan Displaced Persons
18. Civil Defence.

ANNEXURE 'B'

Societies who have acquired freehold lands

1. Burmah Shell
2. Delhi Dayal Bagh;
3. Delhi State Government Employees
4. Low Income Friends
5. Multan Nagar
6. Nathu Ram Friends
7. Rattan Good Friends
8. Refugee
9. Swatantra.

ANNEXURE 'C'

Sl. No.	Name of the Coop. House Building Society	Date on which the Society applied for land.	Reasons for non allotment of land.
1.	2.	3.	4.
1.	Anand Nagar		Non acceptance of offer of land with in the stipulated period
2.	ARF Quarters.	11-5-61	Do.
3.	A.B. School.	22-5-61	Do.
4.	Aram Bagh	17-10-61	Do.
5.	Asoka;	25-10-65	Do.
6.	Bapa Harijan	17-4-65	Do.
7.	Bunkar	15-2-64	Do.
8.	Civil Lines	9-6-61	Do.
9.	Delhi Lawyers	19-2-61	Do.
10.	Frontier Kheyber	4-5-60	Do.
11.	Govind	13-5-50	Do.
12.	Gulmurg Garden	3-5-62	Do.
13.	Happy Folk	26-3-59	Do.
14.	Haryana	20-3-61	Do.
15.	Hazarat Nizamuddin.	14-6-61	Do.
16.	Hansa	24-5-61	Do.
17.	Jheel Khuranja	5-8-66	Do.
18.	Jamia Nagar	13-4-61	Do.
19.	Jamna Nagar	14-9-61	Do.
20.	Kashmir Garden	15-10-58	Do.
21.	Kingsway	18-9-59	Do.
22.	Kalkaji	6-10-60	Do.
23.	Low Paid Slum dwellers	4-8-59	Do.
24.	Mukesh	17-2-61	Do.
25.	Motia Khan	7-4-64	Do.
26.	Nav Nirman	27-11-56	Do.
27.	Nitya Sadan Hamayunpur	12-10-61	Do.

1	2	3	4
28	Progressive	4-8-61	Do.
29	Pandav Nagar plot holders	27-5-64	Do.
30	Prominent	2-5-61	Do.
31	Ring Road	13-2-69	Do.
32	Refugee	1-3-60	Do.
33	Riverasite	20-9-60	Do.
34	Schekari Worisers	23-8-61	Do.
35	South India	5-2-61	Do.
36	Secular State	6-5-59	Do.
37	Shubh	24-11-60	Do.
38	Taln Cang	11-8-60	Do.
39	Talkatora	7-2-57	Do.
40	Universal	25-2-61	Do.
41	Vivek	23-10-61	Do.
42	Vishal Delhi	11-7-59	Do.
43	Amrit Park	The remaining Societies had never applied for land.	
44	Bharat		
45	Balmiki		
46	Chanakya Nagri		
47	Chirag Delhi		
48	Caltex Empl.		
49	Delhi Adarsh		
50	Displaced Artisans		
51	Delhi Harijans		
52	Friend Park		
53	Harijan		
54	Indrapuri		
55	Jagjiwan		
56	Kashmere Bagh		
57	Krishna Schkari Greh Nirman Samati		
58	Lahori Gate Transport	The remaining Societies had never applied for land.	
59	Medhuban		

1	2	3	4
60	Mannu		
61	Mansomik Friends		
62	Prem Nagar		
63	People		
64	Radha Krishan		
65	Pleasure Garden		
66	Sharmik		
67	South Delhi		
68	Sewa Sadan		
69	Sarai Khalil		
70	Swastik		
71	Samrat Ashok		
72	Vaghri		
73	Veera		
74	Yusaf Sarai		
75	Begampur Kalu Sarai		
76	Delhi State Harijan		
77	Displaced Merchants		
78	Labour		
79	Loke view Enclave		
80	Laxmi Garden		
81	Punjab Cycle Dealers		
82	Pursharthi Cycle Dealers		
83	Punjab Wholesale Cloth Dealers		
84	Riveria Appartments		
85	Workers		
86	Laxmi Coop. House Buldg. Society .		
87	Low Income Group		
88	State Bank of India		

ANNEXURE 'D'

List of 80 Co-op. Societies Liquidated/Cases Closed.

1. Anand
 2. Voltas Employees
 3. L.G's Office
 4. Railway Line Staff
 5. Sovinorm Staff
 6. A.I.I.M.S. Employees
 7. Apex
 8. Delhi Census Employees
 9. Sylvania & Laxman Employees
 10. Allahabad Bank Staff
 11. D.W.S. & S.D. Section Officers
 12. Central Govt. Servants.
 13. Jal Mal Karmachari
 14. Sawrana
 15. Siemen Employees.
 16. Chitra Gupta
 17. Air India Staff
 18. I.I.T.D. Teachers
 19. Art House
 20. East Bengal Displaced Persons
 21. Birla Udyog
 22. U.N.I. Employees
 23. Delhi Galla Sarmajivee
 24. State Bank of Bikaner & Jaipur
 25. Madan
 26. Ashok Hotel Employees
 27. Chanakya
 28. Martand
 29. Godrej
 30. Bhartiya
 31. Delhi Union Journalists
 32. Delhi Advertising
-

-
33. D.C.M. Karamchari
 34. Gul Bahar
 35. Indian Express employees
 36. I.F.U.N.A. Co-op.
 37. Karli
 38. Modern
 39. Narbal
 40. Ram Nagar
 41. Shri Madhuban
 42. Young Executive
 43. Kandhari
 44. Indian Soil Employees
 45. N.B.O. Employees
 46. Pusa Agricultural Scientists
 47. N.S.I.C. Employees
 48. Service Officers
 49. Sartaj
 50. Taj
 51. Hindustan Steel Employees
 52. United Nations Staff
 53. T.C.P.O. Employees
 54. Delhi College of Engineering
 55. N.D.M.C. Employees
 56. Indian Air Lines
 57. N.C.E.R.T. Employees
 58. E P F Employees
 59. Nagarjuna
 60. Shivaji
 61. Navyug
 62. U.P. Rajkiya
 63. Arvind
-

64. Glaxo Employees;
65. L.I.C. Employees
66. Doctors and Administrators of A.I. I.M.S.
67. Navjot
68. Sanchar Vibhag
69. Central Ware Housing ;
70. Kaymes
71. Amarapali
72. Shreyas
73. Bima Nigam Karamchhari
74. Azad
75. Jeevan Bima Vikas Adhikari •
76. Jeevan Anand
77. N.P.L. Employees
78. Audyogik Karmachari
79. S.P.L. Employees
80. Golden.

Recommendation

The Committee also observe that the Cooperative Societies who were allotted 3557.18 acres of land upto 31st July, 1977 could develop only 1500 acres of land so far and another 2000 acres of land are under development. Slow progress in this regard had been attributed to the litigation arising out of acquisition of land, disputes amongst the societies regarding their *inter se* seniority for allotment of land in particular area, delay in preparation of layout plans, disputes regarding the provision of civic services, lack of zonal development plans by Delhi Development Authority and shortage of building material and funds. The Committee would like to know as to why the land under dispute was allotted to these societies and stress the need for settling all matters regarding *inter se* seniority of societies and provision of civic services expeditiously. The Committee are also of the view that the time limit for development of land should be adhered to and that time limit should also

be fixed for allotment of plots after the development of land so that housing activity in Delhi may be geared up.

[Sl. No. 43 (Paragraph 5.89) of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha)]

Action Taken

The Land and Building Department of Delhi Administration have reported that in almost all cases land allotted was free from encumbrances and litigation arose after allocation of land to various societies. They have determined quite some time back the *inter se* seniority. They have also sorted out the question of providing civic amenities, in consultation with Municipal Corporation of Delhi and Delhi Development Authority. The Delhi Administration have noted the observations of the Public Accounts Committee regarding observing time limits, for compliance.

[The Ministry of Works and Housing O.M. No. K-11011/8/79-DDVA, dated 21st January, 1980]

Recommendation

The Committee note that the Minister of Works and Housing had, in reply to a question on ban on the registration of group housing societies, *inter-alia* stated in Rajya Sabha on 21st March, 1979 that 'owing to the limited availability of allottable land in Delhi, the Delhi Development Authority is not in a position to offer land for new societies' and 'hence the purpose of registering new societies will not be achieved'. In this connection the Committee observe that the total land frozen under Section 4 of the Land Acquisition Act, 1894 since 1937 was 74,372.36 acres of which 67,790.84 acres had been notified under Section 6 and 38,137.66 acres acquired upto 31st July, 1977. The total land developed by the various agencies has been 18,730 acres. As the development of land in Delhi has been very slow during the last 22 years, the Committee are of the view that ban on registration of group housing societies and other house building cooperative societies would, apart from causing set back to the cooperative movement, hamper, further development of land and housing activities in Delhi. The Committee, therefore, recommend that the ban on registration of new group societies and other house building cooperative societies should be lifted.

[Sl. No. 44 (Paragraph 5.90) of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha)]

Action Taken

The Delhi Administration in the Cooperative Department have lifted the ban on the registration of cooperative societies and have issued a Press Note inviting applications for registration of new group housing societies comprising members from all sections of society. The available land will be allotted in the ratio of 30 per cent to EWS, 25 per cent to LIG, 25 per cent to MIG and 20 per cent to HIG.

[The Ministry of Works and Housing O.M. No. K-11011/8/79-
DDVA, dated 21st January, 1980]

CHAPTER III

RECOMMENDATIONS AND OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN THE LIGHT OF THE REPLIES RECEIVED FROM GOVERNMENT.

Recommendation

The Committee note that the construction and disposal of houses by DDA under its group housing schemes is undertaken by the DDA is one of its objectives under Section 6 of the Delhi Development Act, 1957. The Vice-Chairman, Delhi Development Authority stated during evidence that "in fact Section 6 is omnibus and the word 'Building' as defined in Section 2 of the above Act includes any structure or erection or part of a structure or erection which is intended to be made for residential, industrial, commercial or other purposes, whether in actual use or not." While the Committee admit that the massive house-building programme is essential 'for those who do not have sufficient money to build their own houses' they are of the view that Section 6 of the Act is not omnibus and the words 'Building' and 'Engineering' as defined in the Act have been interpreted to mean that house building was the Chief function of the DDA. A reasonable interpretation of these words should have been that whatever the DDA is required to build, it should be conducive to the main object of development of Delhi. The Committee, feel that in order to leave no scope for doubt, Section 6 of the Act needs to be revised suitably in consultation with the Ministry of Law, if necessary, so that the functions of the DDA are clearly spelt out.

[Sl. No. 1 (Para 1.23) of Appendix VI to 138th Report
(6th Lok Sabha)]

Action Taken

It is already *inter alia* provided under Section 6 of the Act that the DDA shall carry out building operations. The Authority in fact started building operations under the DDA (Management and Disposal of Housing Estates), Regulations, 1968 which have already been approved by Government and placed on the Table of both the Houses of Parliament. It has, therefore, not been found necessary to amend Section 6 of the Delhi Development Act, 1957 to re-state the main objective of the Authority.

2. A Committee of Experts, commonly known as the Baveja Committee, appointed by the Government in October, 1977, in its report, submitted in June, 1978, dealt with the various statutory and other activities of the DDA and made recommendations on each of them. The Committee also seems to have gone into the question whether public housing is a legitimate activity of the DDA and his recommended number of measures for re-organising|strengthening the same. There is presently no housing Board in the Union Territory of Delhi, unlike other States, and the DDA continues to be the principal housing agency in the Territory. It may, however, be added that public housing is not the only major activity of the DDA but there are many others, like formulation of Master Plan/ Zonal Development Plans, land-use control, development of land for residential institutional, commercial and other purposes, sites and services programme, etc. Nevertheless, the DDA has been asked *vide* this Ministry's letter No. K-11011/8/79-DD-VA, dated 11th December, 1979 (copy enclosed) to concentrate on its main objectives and fix targets for achieving the same as well as to avoid taking up activities not related to its main objectives.

3. In view of the above circumstances as well as on account of the fact that there has been no judicial pronouncement against DDA's taking up/continuing public housing activity, which is essential for the planned development of Delhi, it is not proposed to take any further action in the matter.

[The Ministry of Works and Housing O.M. No. K-11011/8/79/
DD-VA, dated 11th March, 1980]

No. K-11011/8/79-DD-VA

Government of India

Ministry of Works and Housing

New Delhi, dated 11th December, 1979

To

The Vice-Chairman,
Delhi Development Authority,
Vikas Minar,
New Delhi.

Subject:—138th Report of the PAC on para 29 of the Report of the Comptroller and Auditor General of India for the year 1976-77 Union Government (Civil) relating to DDA.

Sir,

With reference to the material received from the DDA their letter No. IA. 14(3)/78/79-Pt.III dated 25th October, 1979 for preparing action taken notes in respect of paras 1.34 to 1.36 (these have been renumbered as 1.24 to 1.26 in the printed version of the report of the PAC), I am directed to state that the same has not been found very convincing. The DDA is required to take following action:—

- (i) It should prescribe targets for the achievement of the basic objectives for which it was set up under the Delhi Development Act, 1957.
- (ii) It should try to divert itself of the activities which are not in consonance with the basic objectives of the Authority as pointed out by the Public Accounts Committee.

Yours faithfully,

Sd/-

(Krishn Pratap)

Deputy Secretary to the Govt. of India.

Recommendation

The Committee regret to note from the reply of the Ministry of Works and Housing that no precise targets or schedule of work were prescribed by the Delhi Development Authority for achieving their main objectives namely development of land for residential purposes, development of district and community centres, etc. even though "the DDA being a high powered statutory body was required to set goals and targets for itself within frame work of the D.D. Act, 1957". In the absence of any prescribed targets to achieve the basic objectives, coupled with the failure of the Government on their part to exercise their control to ensure that the DDA was going in the right direction, the Authority has been functioning in an unbridled manner far away from fulfilling the objectives for which it was set up.

The Committee are concerned to note that the Delhi Development Authority has since diversified its activities by taking up works such as Removal of Jhuggies and Jhonpries Scheme, maintenance of Inter-State Bus Terminus and running of a lottery, etc. In addition to these, a number of other special works such as Junk Market at Mayapuri, Subzimandies at Azadpur and Janakpuri, flated factories at Okhla, factory sheds at various locations, cycle-

market at Jhandewalan, Jama Masjid Redevelopment Scheme, etc. were also taken up by DDA from time to time. Occasionally, the Authority was also called upon to attend to misc. functions|minor duties such as Watch and Ward and maintenance of unutilised lands of various Ministries and Departments of Government of India as a field agency of the Government of India.

While it can be said that such schemes have helped marginally in the development of Delhi the fact remains that this diversification in the activities has not only tended to detract the DDA from its main functions such as development of land for residential purpose, development of district and community centres in public housing schemes, but has also diverted its resources which otherwise could have been spent more appropriately on important tasks before it to ameliorate the living condition of the people of Delhi. The Chairman of the Committee of Experts on the Working of Delhi Development Authority (1978) has rightly pointed out in his letter dated 6th June, 1978 to the Secretary, Ministry of Works and Housing that "the Authority should get itself rid of these ancillary functions and concentrate on its main task of plan preparation, land development and disposal and implementation of housing programmes on a large scale in Delhi". The Committee hope that Government would examine the above recommendation seriously and act expeditiously in the matter.

[Sl. Nos. 2, 3 and 4—Para 1.24, 1.25 and 1.26 of Appendix VI to the PACs 138th Report (6th Lok Sabha)]

Action Taken

Ministry of Works and Housing have *vide* their letters No. K-19011|9|77-DD|II-B, both dated 22nd December, 1977, issued orders (copies enclosed) regarding the transfer of the work relating to the Jhuggi and Jhompries Removal Scheme and the Slum Clearance and Improvement Scheme from the DDA to MCD with effect from 1st April, 1978. However, the Lt. Governor of Delhi recently reported that as a result of transfer of the schemes to the MCD earlier, all the development works had come to a halt. This Ministry have, therefore, *vide* its letter No. K-11011/2/80-LSG, dated 28th February, 1980 (copy enclosed) taken a conscious policy decision to entrust the work relating to the execution of the Slum Clearance Improvement and Allied Schemes and the Jhuggi Jhonpri Removal Scheme to the Delhi Development Authority. It has also *vide* its letter No. K-11011|58|78-DDLA, dated 2nd January, 1979 (copy alongwith relevant extracts enclosed) issued orders to the DDA and

Delhi Administration to implement the decision taken by the Empowered Committee on the recommendations of the Baveja Committee in regard to the transfer of the Inter-State Bus Terminus from the DDA to an appropriate organisation like DTC. It has also vide the same letter, issued orders to implement the decision taken by the Empowered Committee that the running of lotteries should be the function of the Delhi Administration. The DDA has, however, added that the running of Delhi Lotteries was entrusted to it by the Ministry of Home Affairs on 17th April, 1969 and its accounts have been kept totally separate from the funds of the Authority. It has, therefore, denied that there has been any diversion of its (DDA) funds in respect of these activities.

2. The DDA has however, been asked vide this Ministry's letter No. K-11011/8]79-DDV-A, dated 11th December, 1979 (copy enclosed) to confine its activities to the basic objectives for which it was created. It has also been asked to fix its target for achieving its basic objectives.

3. The Committee of Experts known as the "Baveja Committee", appointed by Government vide Para 1.42 of its Report recommended that the objectives as laid down in the Delhi Development Act, 1957 or as accrued to the DDA from time to time did not call for re-definition. It, however, suggested only their re-orientation for the guidance of the DDA for its future functions. This part of the Report was accepted by the "Empowered Committee" appointed by the Government to examine the recommendations of the Baveja Committee with slight modifications.

[The Ministry of Works and Housing O.M. No. K-11011|8|79-DDV-A,
dated 13th May, 1980]

No. K-19011/9/77-DD II-B

Government of India

(MINISTRY OF WORKS & HOUSING)

(Nirman aur Awas Mantralaya)

New Delhi, the 22nd December, 1977.

To

The Lt. Governor, Delhi.

Subject: Transfer of work relating to implementation of the slum Clearance & Improvement Scheme and allied schemes from the Delhi Development Authority to the Municipal Corporation of Delhi.

Sir,

I am directed to say that the implementation of the slum Clearance and Improvement Scheme was transferred to the Delhi Development Authority vide this Ministry's letter No. K-17011/19/71-UD III dated 11th February, 1974. The question of retransfer of the scheme to the Municipal Corporation of Delhi has however been under the consideration of the Government of India for some time.

2. After careful consideration it has now been decided that the work relating to the implementation of the Slum Clearance & Improvement Scheme should be retransferred from the Delhi Development Authority to Municipal Corporation of Delhi with effect from 1st April, 1978. The transfer will also cover the work relating to the Central Scheme for Environmental Improvement in Slum Areas. The Municipal Corporation of Delhi will execute the Schemes as agent of the Government of India.

3. I am accordingly directed to request that the Lt. Governor may take necessary steps for the smooth transfer of the above items of work from the Delhi Development Authority to Municipal Corporation of Delhi, including preparation of a statement of assets and liabilities created under the schemes and settlement of these and connected matters.

4. The Lt. Governor may also take further action to appoint a suitable officer of the Municipal Corporation of Delhi as the competent authority under the Slum Areas (Improvement & Clearance) Act, 1956 as also to appoint the required officers and staff to handle these items of work in the Municipal Corporation of Delhi.

Yours faithfully,
Sd/-

(MIR NASRULLAH)

*Joint Secretary to the
Government of India.*

Copy forwarded to—

1. Shri K. M. L. Chabra, Joint Secretary, Ministry of Home Affairs, New Delhi.
2. Shri S. C. Valsh, Secretary (LSG), Delhi Administration, Delhi.
3. Shri M. W. K. Yusufzai, Vice-Chairman, Delhi Development Authority, Vikas Minar, New Delhi.

4. Shri S. M. Goyal, Commissioner, Municipal Corporation of Delhi, Town Hall, Delhi.
5. The Accountant General, Central Revenues, New Delhi.
6. Shri G. C. Srivastava, Commissioner (Slums), Delhi Development Authority, Jhandewalan, New Delhi.
7. The Information Officer, Ministry of Works & Housing.

Sd/-

(MIR NASRULLAH)

*Joint Secretary to the
Government of India.*

Copy also to:—

1. S.A. to H.M.
2. P.S. to H.M. (S)
3. P.S. to Secretary.
4. P.S. to J.S. (HUD).
5. P.S. to J.S. (F).
6. D.S. (F).
7. D.S. (DD).

Sd/-

(A. K. NARANG)

Desk Officer

No. K-19011/9/77-UD II-B

Government of India

(MINISTRY OF WORKS & HOUSING)

(Nirman aur Awaz Mantralaya)

New Delhi, the 22nd December, 1977.

To

The Lt. Governor, Delhi.

Subject: Transfer of work relating to the implementation of the Jhuggis and Jhonpris Removal Scheme from the Delhi Development Authority to the Municipal Corporation of Delhi.

Sir,

I am directed to say that the implementation of the Jhuggies & Jhonpris Removal Scheme in Delhi as transferred from Municipal Corporation of Delhi to Delhi Development Authority vide this

Ministry's letter No. 10/8/68-H.I, dated 16th January, 1968 (copy enclosed). The question of retransfer of the scheme to the Municipal Corporation of Delhi has however been under consideration of the Government of India for some time.

2. After careful consideration it has now been decided that the work relating to the Jhuggis & Jhonpris Removal Scheme in Delhi should be retransferred from the Delhi Development Authority to Municipal Corporation of Delhi with effect from 1st April, 1978.

3. I am accordingly directed to request that the Lt. Governor may take steps for the smooth transfer of the Jhuggis & Jhonpris Removal Scheme from the Delhi Development Authority to the Municipal Corporation of Delhi, including preparation of a statement of assets and liabilities created under the Scheme and settlement of these and connected matters.

4. The Lt. Governor may also take action to appoint the required officers and staff to handle the work in the Municipal Corporation of Delhi.

Yours faithfully,

..... Sd/-

(MIR NASRULLAH)

*Joint Secretary to the
Government of India.*

Copy forwarded to:—

1. Shri K. M. L. Chabra, Joint Secretary, Ministry of Home Affairs, New Delhi.
2. Shri S. C. Vaish, Secretary (LSG), Delhi Administration, Delhi.
3. Shri M. W. K. Yusufzai, Vice-Chairman, Delhi Development Authority, Vikas Minar, New Delhi.
4. Shri S. M. Goyal, Commissioner, Municipal Corporation of Delhi, Town Hall, Delhi.
5. The Accountant General, Central Revenues, New Delhi.

6. Shri G. C. Srivastava, Commissioner (Slums), Delhi Development Authority, Jhandewalan, New Delhi.
7. The Information Officer, Ministry of Works & Housing.

Sd/-.

(MIR NASRULLAH)

Joint Secretary to the Govt. of India

Copy also to:—

1. S. A. to H. M.
2. P. S. to H. M. (S)
3. P. S. to Secretary.
4. P.S. to J.S. (HUD).
5. P.S. to J.S. (F)
6. D.S. (F).
7. D.S. (DD).

Sd/-.

(A. K. NARANG)
Desk Officer.

No. N-11011/2/80-LSG

Government of India

MINISTRY OF WORKS AND HOUSING

(Nirman aur Awas Mantralaya)

New Delhi, dated the 28th February, 1980.

To

The Lt. Governor,
Raj Niwas, Delhi.Subject: Slum Clearance, improvement and allied schemes and the
Jhuggi and Jhonpri Removal Scheme.

Sir,

With reference to your letter No. 714|LSG|80, dated the 24th February, 1980, on the above mentioned subject, I am directed to say that it has been decided to entrust the execution of the Slum

Clearance, Improvement and allied schemes and Jhuggi and Jhonprā Removal Scheme to the Delhi Development Authority, and that the details of the implementation of this policy will be worked out in consultation with you.

2. I am to request you kindly to take necessary action in the matter accordingly and let us have your proposals about details of implementation of this policy.

Yours faithfully,
Sd|—
(V. S. KATARA),

Joint Secretary to the Government of India.

Copies sent for information to:—

1. The Ministry of Home Affairs (Smt. Vineeta Rai, Deputy Secretary), New Delhi.
2. The Director of Audit, Central Revenues, New Delhi.
3. The Director of Audit, C.W. & M., New Delhi.
4. File No. G-19011|1|80-DD-II-B.

Sd|—
(KRISHNA PRATAP),
Deputy Secretary
to the Government of India.

No. K-11011/8/79-DDV-A

Government of India

MINISTRY OF WORKS AND HOUSING

(Nirman aur Awās Mantralaya)

New Delhi, dated the 11th Dec., 1979

To

The Vice-Chairman,
Delhi Development Authority,
Vikas Minar,
New Delhi.

SUB.—138th Report of the P.A.C. on para 29 of the Report of the Comptroller and Auditor General of India for the year 1976-77—
Union Government (Civil) relating to D.D.A.

Sir,

With reference to the material received from the DDA vide their letter No. IA. 14(3)/78-79/Pt. III, dated 25-10-79 for preparing

action taken notes in respect of paras 1.34 to 1.36 (these have been renumbered as 1.24 to 1.26 in the printed version of the reported of the P.A.C.), I am directed to state that the same has not been found very convincing. The D.D.A. is required to take the following action:—

- (i) It should prescribe targets for the achievement of the basic objectives for which it was set up under the Delhi Development Act, 1957.
- (ii) It should try to divest itself of the activities which are not in consonance with the basic objectives of the Authority as pointed out by the Public Accounts Committee.

Yours faithfully,

Sd/-.

(KRISHNA PRATAP)

Deputy Secretary to the Govt. of India.

No. K-11011|8|78-DDI(A)

Government of India

MINISTRY OF WORKS AND HOUSING

(Nirman aur Awas Mantralaya)

To

(1) Shri M. N. Buch, Vice-Chairman, Delhi Development Authority Vikas Minar, New Delhi.

(2) The Chief Secretary, Delhi Administration, Delhi.

(3) Shri S. C. Vaish, Secretary, Land and Building, Delhi Administration, I.P. Estate, New Delhi.

(4) Shri Virendra Prakash, Commissioner, Municipal Corporation of Delhi, Town Hall, Delhi.

Subject—Report of the Committee of Experts on the working of DDA (Baveja Committee)—Implementation of.

Sir,

I am directed to forward herewith a copy each of the report of the Committee of Experts on the working of DDA (Baveja Com-

mittee) and of the Empowered Committee appointed to examine the observations|recommendations contained in the report of the Baveja Committee. The Government have accepted the recommendations, subject to para 2 below, made by the Empowered Committee in this behalf. You are requested to implement the decisions taken by the Empowered Committee urgently. If in implementing any of the decisions of the Empowered Committee, specific approval of the Government is called for, the same may please be sought separately.

2. (a) In regard to recommendation made in para 3.14 of the Baveja Committee Report (Item 44 of the report of Empowered Committee), the Government have decided that all reservations in the matter of allotment of plots and flats except the following should be abolished:—

- | | |
|--|----------------------------------|
| (i) Widows of defence personnel killed in action | 1 per cent. |
| (ii) Ex-Servicemen | 1 per cent. |
| (iii) Physically handicapped persons | 1 per cent. |
| (iv) Scheduled Castes and Scheduled Tribes | Present level
of 25 per cent. |

(b) As regards recommendations made in para 4.84 of the Baveja Committee Report (Item 102 of the report of the Empowered Committee), the Government have decided that the *status-quo* may remain.

3. The DDA/Delhi Administration/MCD are concerned with the implementation of the recommendations|observations as indicated in the statement which gives the item Nos. of the report of the Empowered Committee. You are requested to send quarterly reports in regard to the implementation of these recommendations to the concerned desks of Delhi Division of this Ministry as indicated in the Statement. The first report may indicate the position as on 31st March, 1979.

4. If more copies of the reports are required, kindly send the requisite to this Ministry.

5. Kindly acknowledge receipt.

Yours faithfully,

Sd|-

(H. R. GOEL),

Under Secretary to the Govt. of India.

Copy, with a copy each of the two reports and the statement to DO II-A, DO III-A, DO I-B, DO II-B, Land Division and LSG Section. The item numbers with which these desks are concerned are indicated in the statement attached. They are requested to send to DO I-A quarterly statements in regard to the implementation of the various recommendations|observations.

Copy with a copy of enclosure, forwarded to D.S. (DD) for information.

(H. R. GOEL),

Under Secretary to the Govt. of India.

Copy to:—

(i) P.S. to Secretary.

(ii) P.S. to J.S. (DD)|J.S. (F).

Statement showing the items with which various Authorities are Concerned for Implementation of the Baveja Committee Report

Authority	Item Nos. of Empowered Committee Report (Recommendation)	Item Nos. of Empowered Committee Report (Observations).
Delhi Development Authority	3, 5, 6, 9, 10, 11, 17, 18, 22, 24, 25, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 84, 86, 88, 89, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 110, 111, 113, 115, 116, 119, 121, 122, 123, 124, 125, 126.	1, 2, 4, 7, 8, 15, 16, 19, 21, 23, 27, 28, 29, 30, 32, 37, 38, 50, 78, 79, 80, 81, 82, 84, 85, 87, 94, 109
Delhi Administration	3, 5, 6, 12, 13, 14, 17, 18, 25, 88, 93, 98, 102, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120.	26, 78, 79, 80, 81, 82, 87.
Municipal Corporation of Delhi	119.	
D.O. I-A.	2, 5, 6, 9, 22, 69, 91, 100, 102, 110, 121, 122, 123, 124.	1, 2, 4, 7, 8, 19, 32,
D.O. II-A	12, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 55, 56, 57, 58, 60, 62, 64, 65, 71, 86, 92, 117, 118.	..
D.O. III-A	52, 53, 54, 63, 65, 67, 68, 70, 72, 73, 74, 75, 76, 77, 86, 89, 90, 92, 93, 95, 96, 97, 98, 99, 101, 103, 104, 105, 106, 107, 108, 113, 120, 123, 126.	50, 78, 85, 87, 94, 109.
D.O. I-B	10, 11, 13, 14, 24, 25, 31, 33, 34, 35, 36, 39, 61, 83, 93, 111, 114, 115, 116.	20, 21, 28, 23, 26, 29, 27, 30, 47, 38, 79, 80, 81, 82, 84
D.O. II-B	....	16, 15x
Land Divisions	13, 115, 116	....
LSG	3, 17, 18, 88, 112, 119	....

Recommendation

According to the information furnished to Estimates Committee in 1975 as many as 16 States and 3 Union Territories had set up Housing Boards for undertaking Housing Programmes in their respective States and Union Territories. In the case of Delhi, the Committee have been informed that the proposal of setting up a Housing Board is under the consideration of the Delhi Administration and Govt. of India. As the demand for houses/flats in relation to the growing population of Delhi still exceeds the available number of dwelling units, the Committee strongly recommend that an early decision may be taken in the matter.

[S. No. 5 (Para 1.27) of Appendix VI to the PAC's 138th Report
(6th Lok Sabha)]

Action Taken

The question of setting up of a Housing Board for Delhi has been considered in detail in consultation with the Delhi Administration. It has been felt that adding one more agency for constructing houses in Delhi would cause confusion, diffusion of responsibility and would also create enormous other complications, particularly in regard to the cost of land and provision of services. In view of this the Government have decided not to set up a Housing Board for Delhi.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-
D D V-A dated 25/27-10-1980]

Recommendation

The Committee are concerned to note that 549 Audit Objections during the period 1968-69 to 1971-72 were still pending with the DDA for settlement. The Finance Member had assured the Committee during evidence in October 1978 that "by about January he expected to clear all the relatively older objections." The Committee appreciate this and hope that this assurance must have been fulfilled by now but at the same time they would like that responsibility be fixed for past lapses and procedure for dealing with audit objections promptly streamlined.

[Sl. No. 8 (Para 2.17 of Appx. VI) to the PAC's 138th Report
(6th Lok Sabha)]

Action Taken

Out of 549 audit objections, the number of outstanding Audit paras against the DDA upto 1971-72 is 276 and the remaining have

been cleared/settled. On the question of fixing responsibility for delay in settling the audit objections, the Delhi Development Authority has expressed its inability to do so against them at this late stage. The Delhi Development Authority is, however, being asked to fix responsibility for the past lapses and also to streamline its procedure for dealing with audit objections promptly *vide* Ministry's letter No. K-11011/8/79-DDVA dated 19-11-1979 (copy enclosed).

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA dated 28-12-1979]

No. K-11011/8/79-DDVA

Government of India

MINISTRY OF WORKS & HOUSING

(Nirman aur Awas Mantralya)

New Delhi, Nov. 19, 1979.

To

Shri P. V. Krishnamurthy,
Finance-Member,
Delhi Development Authority,
NEW DELHI.

SUBJECT.—138th Report of the PAC on para 29 of the Report of the Comptroller & Auditor General of India for the year 1976-77 Union Government (Civil) relating to DDA.

Sir,

With reference to DDA's letter No. IA.14(3)/78-79/Pt.III, dated October 25, 1979, I am directed to state that the action taken notes submitted by the DDA in respect of paras 2.17 and 2.18 of the Report of the P.A.C. have been examined in this Ministry, but have not been found convincing. The DDA is required to take following action:—

Para 2.17: The DDA should, as pointed out by the PAC, take action to fix responsibility for the past lapses in dealing with audit objections and streamline its procedure so that the audit objections are cleared promptly in future.

Para 2.18: The DDA should identify the reasons for the delays in the past in submission of its Annual Administrative

Report and fix responsibility for dereliction of duty on the officers concerned. It is also required to take remedial action to rectify the shortcomings in the functioning of its Accounts Department.

Yours faithfully,

Sd/- Krishna Pratap,
Dy. Secy. to the Govt. of India.

Recommendation

Section 26 of the Delhi Development Act, 1957 provides that "the Authority shall prepare for every year a report of its activities during the year and submit the report to the Central Government in such form and on or before such date as may be prescribed by rules, and that Government shall cause a copy of the Report to be laid before both Houses of Parliament." It has been provided under Rule 5 of the Delhi Development Authority (Misc.) Rules, 1959 that "after the close of each financial year the Authority shall prepare and submit to the Central Government not later than 31st October next following a report of its activities during each year."

The Committee are perturbed to find that in spite of the provisions in the Delhi Development Act and the rules made thereunder, there had been delays ranging from 2½ months to 7 months in submission of the Annual Administrative Report to the Government. The Committee would like the Government to investigate the matter thoroughly so as to identify the reasons for these delays, not only for fixing responsibility for dereliction of duty on the officers concerned but also to take remedial action to plug the loopholes in the functioning of the Accounts Department of the Delhi Development Authority. Since the Committee have been assured that the Annual Reports of the Delhi Development Authority would be finalised and submitted to Government in time in future, they would watch this commitment from the papers laid before Parliament.

[Serial No. 9, (Para 2.18) of the PAC's 138th Report
(6th Lok Sabha)]

Action Taken

The Delhi Development Authority has assured that every effort is being made by it to submit the Annual Administrative Report according to the prescribed time schedule. As for the report for the year 1978-79, the English version of the same has been received in this Ministry on 29-10-1979 and the same would be placed on

the Table of the both Houses of Parliament, after the new Lok Sabha comes into being. The Delhi Development Authority is being asked to identify the reasons for the delays in the past in submission of its Annual Administrative Report and also to fix responsibility on the officers concerned. It is also being asked to take remedial action to rectify the shortcomings in the functioning of its Accounts Department, *vide* Ministry's letter No. K-11011/8/79-DDVA, dated 19-11-79 (copy enclosed).

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA dated 28-12-1979]

No. K-11011/8/79-DDVA

Government of India

MINISTRY OF WORKS & HOUSING

(Nirman aur Awaz Mantralya)

New Delhi, Nov. 19, 1979.

To

Shri P. V. Krishnamurthy,
Finance-Member,
Delhi Development Authority,
NEW DELHI.

SUBJECT.—138th Report of the PAC on para 29 of the Report of the Comptroller & Auditor General of India for the year 1976-77—Union Government (Civil) relating to DDA.

Sir,

With reference to DDA's letter No. IA.14(3)/78-79/Pt.III, dated October 25, 1979, I am directed to state that the action taken notes submitted by the DDA in respect of paras 2.17 and 2.18 of the Report of the P.A.C. have been examined in this Ministry, but have not been found convincing. The DDA is required to take following action:—

Para 2.17: The DDA should, as pointed out by the PAC, take action to fix responsibility for the past lapses in dealing with audit objections and streamline its procedure so that the audit objections are cleared promptly in future.

Para 2.18: The DDA should identify the reasons for the delays in the past in submission of its Annual Administrative Report and fix responsibility for dereliction of duty on the officers concerned. It is also required to take reme-

cial action to rectify the shortcomings in the functioning of its Accounts Department.

Yours faithfully,
Sd/- Krishna Pratap,
Dy. Secy. to the Govt. of India.

Recommendation

The Committee also find from the reasons advanced for the delay ranging from 4 to 9 months in submission of budget estimates and revised estimates to the Authority that the Chief Engineer of the divisions under him had been responsible for the delay in furnishing the requisite material for budget in most of these cases. The Committee would like to know the action taken against the Chief Engineer.

[Sl. No. 16, Para 2.44 of the 138th Report of the Public Accounts Committee (6th Lok Sabha)]

Action Taken

The Delhi Development Authority has stated that it would not be feasible to fix responsibility on the officials concerned for the delay in the submission of the Budget Estimates because a large number of officers are involved and most of them have already been repatriated to their parent departments or have been transferred. Besides, the delay occurred in almost all the concerned Divisions and Branches of the Authority which contributed to the overall delay in the completion and submission of the Budget Estimates to the Authority. Nevertheless, this Ministry has issued instructions *vide* this Ministry's No. H-11013/3/79-DDV-B, dated 11-7-1980 (copy enclosed) (Annexure I) to the DDA to fix responsibility for the delay in the preparation of the Budget Estimates on the officials concerned.

2. Government has taken note of the Committee's observation and issued a directive to the Delhi Development Authority to devise a time-table for preparation and submission of the Budget Estimates.

3. The reasons for delay in preparation and submission of the Budget Estimates of the Delhi Development Authority for the year 1974-75 to 1976-77 have been explained in the Government's reply to Para 2.39 of the Committee's Report.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA dated 4-9-1980]

H-11013/3/79-DDVB

Government of India

MINISTRY OF WORKS AND HOUSING

(Nirman Aur Awas Mantralaya)

New Delhi, dated 10/11th July, 1980.

To

Shri Kawaljit Singh,
Finance Member,
Delhi Development Authority,
New Delhi.

Subject.—Timely preparation and submission of the budget estimates to the Authority as well as to the Government. Draft Action taken note on paras 2.39 and 2.44 of the Report of the PAC.

Sir,

I am directed to refer to DDA's letter Nos. IA14(3)/78-79-VoLIV/13824 dated 24-1-1980 and IA.14(3)/78-79/PAC/KW-I/421 dated 11-6-1980 on the above subject and to state that this Ministry has considered carefully the views of the Authority on the fixation of responsibility for the delay in the preparation of the Budget Estimates for the years 1974-75, 1975-76 and 1976-77 on the officials concerned and has come to the conclusion that as the particular wings and the stages which delayed the submission of the Budget Estimates have already been located by the Authority, it should be possible for the DDA to fix responsibility on the officials concerned and send a report to this Ministry as early as possible.

Yours faithfully,

Sd/-

(J. A. SAMAD),

Deputy Secretary to the Govt. of India.

Recommendation

From the information furnished by the Ministry of Works & Housing, the Committee find that against a demand of Rs. 715 lakhs to be deposited in the revolving fund in 1974-75, the DDA had deposited a sum of Rs. 185.62 lakhs during that year and Rs. 75 lakhs

in 1975-76. Again the DDA had deposited a sum of Rs. 469.50 lakhs in this fund in 1975-76 against a demand of Rs. 545 lakhs. It is distressing to note that a request made by the Delhi Administration on 7 May, 1975 for payment of Rs. 100 lakhs into the revolving fund out of the surpluses retained by the DDA had not been agreed to by the latter on 15th July, 1975 on the ground that no funds were available though fixed deposits of Rs. 200 lakhs had matured on 24 May, 1975 and had been reinvested on the same day for another three months. The Committee would like to be informed as to why the DDA had reinvested Rs. 200 lakhs for another three months instead of depositing these amounts in the revolving fund.

[Sl. No. 21 (Para 3.32) of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha)]

Action Taken

According to practice followed by the DDA, all funds (including imprest money) received from various sources are pooled together/ transferred from one account to other occasionally and invested/ reinvested in short term deposits after deducting therefrom the amount of money required to meet various demands (including refund of earnest money). When the request from Delhi Administration for crediting an amount of Rs. 100 lakhs in Revolving Fund was received on 7-5-1975, the DDA had in hand several commitments in connection with the implementation of 20 Point Economic Programme including setting up of a large number of new resettlement colonies. The then Vice-Chairman had therefore considered it advisable to make payments to the Revolving Fund only against specific awards of acquisition of land. A substantial portion of Rs. 200 lakhs, which had matured on 24th May, 1975 and had been reinvested on the same day for another three months, pertained to the earnest money deposited by the intending purchasers of plots and was required to be refunded to the persons who were unsuccessful in the draw of lots. An amount of Rs. 75 lakhs was accordingly refunded to such persons from 1-1-1976 to 30-9-1976.

As regards payments to Revolving Fund, the DDA has reported that an amount of Rs. 426.07 lakhs was credited during 1979-80 and Rs. 1005.13 lakhs during 1980-81 (upto January, 1981), thus leaving a balance of only Rs. 55.11 lakhs at the time of closing of accounts for January, 1981.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA (Vol. III) dated 21-7-1981]

Recommendation

The Committee note that one of the inbuilt provision of the Master Plan was that it will be reviewed after 5 years and revised after 10 years. The Committee are perturbed to note that the DDA had not made any such review of the Master Plan. This violation of the statutory provision is deplorable and calls for fixation of responsibility.

[Sl. No. 28 (Para 4.41) of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha)]

Action Taken

The Delhi Master Plan was prepared under the Delhi Development Act, 1957. The planners were aware that the city would continue to grow during the plan period and therefore they thought it necessary to have a constant review so as to keep pace with the rapidly changing pattern of growth. The Town and Country Planning Organisation carried out a mid-term appraisal of the Master Plan in 1973. In order to have a more detailed analysis of the status of the implementation of the Master Plan and the points for future action, a working group was constituted on 14-3-1974. Amendments were made in the Delhi Development Act, 1957 in 1963 which lay down the procedure for amendments in the Master Plan/Zonal Development Plan. This enabled changes to be made in the Master Plan wherever it has been necessary, after following the prescribed procedure.

(V. S. KATARA)

Joint Secretary to the Government of India.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-
DDVA dated 6-9-1980]

Recommendation

The Committee note that the management of 14462 acres of land belonging to the Government was entrusted to the Delhi Development Authority in 1957 as it was the successor to the erstwhile Delhi Improvement Trust. Subsequently, Ministry of Home Affairs issued orders on 2 May, 1961 approving the Scheme of Large Scale Acquisition, Development and Disposal of land in Delhi. This scheme as stated by the Secretary, Ministry of Works and Housing during evidence, was thought of as a device to prevent speculation and to keep the prices of land down. The idea of the scheme was that land would be taken over, would be developed and put on the market for private development as well as for governmental activity on a large scale. According to the scheme the land was to be frozen, notified and acquired under Land Acquisition Act, 1894. For the Planned Development of Delhi, the Delhi Development Authority with the help of the Town and Country Planning Organisation of the Central Government, drew up a draft Master Plan for development of Delhi upto 1981 which was approved by the Government in September 1962. The Master Plan identified the urbanisable area upto 1981 as 1,10,500 acres of which an area of 42,700 acres was already developed. The break up of the total area of 62,000 acres of land to be acquired and developed was residential (30,000 acres), commercial (1900 acres), Industrial (4800 acres), Government (500 acres) and District and Regional Parks (25,000 acres). Against this, the Committee are constrained to note that the Government had upto the end of July 1977 acquired 38137.66 acres of land, the disposal and distribution of this acquired land being DDA (29596.25 acres), Government-Semi-Government organisations (4952.28 acres), Cooperative Societies (3557.19 acres), area in process to transfer to various agencies (29.59 acres) and other (1.66 acres). The Committee are shocked to note that out of the acquired land of 38137.66 acres the various agencies had been able to develop about 50 per cent of it, i.e. 18730 acres approximately, the details being DDA (14930.63 acres), Cooperative Societies (1500 acres) and other agencies (2300 acres). The Committee would, like to know the reasons for this slow pace of acquisition and development of land.

[Sl. No. 30—Para 5.57 of the Public Accounts Committee's
138th Report (6th Lok Sabha)]

Action Taken

The chief reason for slow acquisition of land is that acquisition is made at the instance of land utilising agencies and has to wait

on their financial and other resources. The Delhi Administration could not go ahead with the acquisition of land in the absence of receipt of demands from the land utilising agencies.

Slow pace of development of land can also be attributed to the following other reasons:—

- (1) Unauthorised encroachments on land;
- (2) Non-availability of trunk services to be provided by the local body particularly in the Trans-Yamuna area and West Delhi areas where major portion of land has been acquired for development;
- (3) Time involved in approval of service plans by the local body;
- (4) Time taken in obtaining approval of designs of overhead tanks by the Delhi Urban Art Commission;
- (5) Existence of standing crops in certain areas and dispute about ownership of the same;
- (6) Shortage of funds.

High Priority is now being given to the development of land and it is expected that the pace will pick up very soon.

[The Ministry of Works and Housing O.M. No. K-11011|8|79-DDVA,
dated 16-6-1980]

Recommendation

From the material furnished by the Ministry of Works and Housing, the Committee are concerned to note that out of total of 74372.36 acres of land frozen under Section 4 of the Land Acquisition Act, 1894 upto 31st July, 1977, the bulk of it i.e. 38878 acres were frozen during 1957 to 1960. It is painful to point out that Government could acquire only to the extent of 38137.66 acres till 31st July, 1977 i.e. after a lapse of 17 years whereas according to Government's own estimation the annual requirement of Delhi is 2500 acres. Even the Master Plan had identified the urbanisable requirement of Delhi for a population of 6 lacs upto 1981 as 62000 acres. The Committee are unable to understand as to why the Government had frozen the land beyond their capacity to acquire and develop. This has resulted in, apart from causing setback in development of certain areas in Delhi, sky rocketing prices of land, exorbitant increase in rents of residential premises beyond the reach

of common man. Untold miseries of people of Delhi can be imagined who due to unplanned programme and activities of Delhi Administration have today to live in shanties even after 22 years of the DDA having come into being in 1957. The Committee, therefore, recommend that an independent inquiry should be instituted in this whole affair to pin point the responsibility for these lapses and the result of the enquiry intimated to them.

[Sl. No. 31—(Para 5.58) of the Public Accounts Committee's 138th Report (6th Lok Sabha)]

Action Taken

The Delhi Administration has informed that lands have been notified and acquired according to the requirements of the DDA and other beneficiaries under the Scheme of Large Scale Acquisition, Development and Disposal of land in Delhi. The Development and utilization of land is dependent upon availability of financial and technical resources. Government had under the directions of the Cabinet, set up a Committee of Experts known as the Baveja Committee in October 1977 for an in-depth study of the working of the DDA. This Committee examined in detail, the slow development of land in Delhi and came to the conclusion that the slow pace of development of land for residential purposes led to its acute scarcity with the attendant risks of malpractices and profiteering. The Committee recommended that vigorous efforts be made to complete work on land under development, so that it could be released for residential purposes expeditiously. For that purpose, the Committee recommended that monetary and other resources to undertake development of about 2500 acres annually for residential purposes should be made available to the Authority.

2. The recommendations of the Baveja Committee have been accepted by Government and necessary directions have been given to concerned authorities to implement them. Copies of relevant recommendations and this Ministry's letter No. K. 11011/58/78-DDI-A dated 2nd January, 1979 conveying Government's decision are enclosed. The Government feels that since this aspect has already been looked into by an Expert Committee, instituting another independent inquiry with a view to pin pointing the responsibility, for these lapses would not seem to arise.

3. It may, however, be added that the Delhi Administration have recently intimated that most of the recommendations of the Baveja Committee are not acceptable to them for implementation as, accord-

ing to them, the recommendations go outside the scope of the scheme of Large Scale Acquisition, Development and Disposal of Land in Delhi. The matter is under consideration of Government.

4. With a view to making more funds available to the Delhi Administration for acquisition of land, the original provision of Rs. 15 crores made in the Budget Estimates for 1980-81 was stepped up to Rs. 18.5 crores at the time of preparing Revised Estimates for that year. Again a provision of Rs. 21 crores has been made in the Budget Estimates for the year 1981-82. The initial amount of the Revolving Fund has also already been stepped up from Rs. 5 crores to Rs. 12.31 crores.

[The Ministry of Works and Housing O.M. No. K-11011|8|79-DDVA dated 8-9-1981]

No. K-11011|58|78-DDI(A)

Government of India

Ministry of Works and Housing

(Nirman aur Awaz Mantralaya)

New Delhi, dated the January 2, 1979.

To

(1) Shri M. N. Buch, Vice-Chairman, Delhi Development Authority, Vikas Minar, New Delhi.

(2) The Chief Secretary, Delhi Administration, Delhi.

(3) Shri S. C. Vaish, Secretary, Land and Building, Delhi Administration, I.P. Estate, New Delhi.

(4) Shri Virendra Prakash, Commissioner, Municipal Corporation of Delhi, Town Hall, Delhi.

SUBJECT:—Report of Committee of Experts on the working of DDA (Baveja Committee)—Implementation of.

Sir,

I am directed to forward herewith a copy each of the report of the Committee of Experts on the working of DDA (Baveja Committee) and of the Empowered Committee appointed to examine the observations|recommendations contained in the report of the Baveja Committee. The Government have accepted the recommendations, subject to para 2 below, made by the Empowered Committee in this behalf. You are requested to implement the decisions taken by the Empowered Committee, urgently. If in im-

plementing any of the decisions of the Empowered Committee, specific approval of the Government is called for, the same may please be sought separately.

2. (a) In regard to recommendation made in para 3.14 of the Baveja Committee Report (Item 44 of the report of Empowered Committee), the Government have decided that all reservations in the matter of allotment of plots and flats except the following should be abolished:—

- | | |
|--|----------------------------------|
| (i) Widows of defence personnel killed in action | 1 per cent. |
| (ii) Ex-Servicemen | 1 per cent. |
| (iii) Physically handicapped persons | 1 per cent. |
| (iv) Scheduled Castes and Scheduled Tribes | Present level
of 25 per cent. |

(b) As regards recommendation made in para 4.84 of the Baveja Committee Report (Item 102 of the report of the Empowered Committee), the Government have decided that the *status-quo* may remain.

3. The DDA|Delhi Administration|MCD are concerned with the implementation of the recommendations/observations as indicated in the statement which gives the item Nos. of the report of the Empowered Committee. You are requested to send quarterly reports in regard to the implementation of these recommendations to the concerned desks of Delhi Division of this Ministry as indicated in the statement. The first report may indicate the position as on 31st March, 1979.

4. If more copies of the reports are required, kindly send the requisite to this Ministry.

5. Kindly acknowledge receipt.

Yours faithfully,

Sd|-

(H. R. GOEL), ^{Chief}

Under Secretary to Govt. of India.

Copy, with a copy of each of the two reports and the statement, to DO-IIA, DO-IIIA, DO-IB, DO-IIB, Land Division and LSG Section. The item numbers with which those desks are concerned are indicated in the statement attached. They are requested to send to DO-IA quarterly statements in regard to the implementation of the various recommendations/observations.

Copy, with a copy of enclosure, forwarded to Deputy Secretary (DD) for information.

Sd/-

(H. R. GOEL),

Under Secretary to Govt. of India.

Copy to:—

(i) P.S. to Secretary.

(ii) P.S. to Joint Secretary (DD)|J.S. (F).

Statement showing the items with which various authorities are concerned for implementation of the Baveja Committee Report

Authority	Item Nos. of Empowered Committee Report (Recommendation)	Item Nos. of Empowered Committee Report (Observations)
1	2	3
Delhi Development Authority	3, 5, 6, 9, 10, 11, 17, 18, 22, 24, 25, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 84, 86, 88, 89, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 110, 111, 113, 115, 116, 119, 121, 122, 123, 124, 125, 126.	1, 2, 4, 7, 8, 15, 16, 19, 21, 23, 27, 28, 29, 30, 32, 37, 38, 50, 78, 79, 80, 81, 82, 84, 85, 87, 94, 109.
Delhi Administration	3, 5, 6, 12, 13, 14, 17, 18, 25, 88, 93, 98, 102, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120.	26, 78, 79, 80, 81, 82, 87.
Municipal Corporation of Delhi	119.	
DO-IA	2, 5, 6, 9, 22, 69, 91, 100, 102, 110, 121, 122, 123, 124.	1, 2, 4, 7, 8, 19, 32.
DO-IIA	12, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 55, 56, 57, 58, 59, 60, 62, 64, 65, 71, 86, 92, 117, 118.	..
DO-IIIA	52, 53, 54, 63, 65, 67, 68, 70, 72, 73, 74, 75, 76, 77, 86, 89, 90, 92, 93, 95, 96, 97, 98, 99, 101, 103, 104, 105, 106, 107, 108, 113, 120, 123, 126.	50, 78, 85, 87, 94, 109.
DO-IB	10, 11, 13, 14, 24, 25, 31, 33, 34, 35, 36, 39, 61, 83, 93, 111, 114, 115, 116.	20, 21, 23, 26, 27, 28, 29, 30, 37, 38, 79, 80, 81, 82, 84.
DO-IIB	..	15, 16.
Land Division	13, 115, 116.	..
L.S.G.	3, 17, 18, 88, 112, 119.	..

PART TWO

Summary of Observations/Recommendations of the Committee of Experts (Known as Baveja Committee) on the Assessment of working of the Delhi Development Authority and the Decisions taken thereon by the Empowered Committee.

Sl. No.	Observations/Recommendations	Action taken
23	<p>The slow pace of development of land for residential purposes has led to acute scarcity of land with the attendant risk of malpractices and profiteering in the disposal of land in the multifarious activities undertaken by the D.D.A., the primacy of attention necessary for development of land was not bestowed on this activity. Therefore, highest priority should be given to the development of land for residential purposes.</p> <p>Vigorous efforts should be made to complete work on land under development so that it could be released for residential purposes, expeditiously. There is shortfall in acquisition of land as compared to the Master Plan target. In addition, the land already acquired is not being developed fast enough. Diversion of resources of the Authority to other activities had led to insufficiency of funds for continued acquisition of large chunks of land by the Administration to be placed at the disposal of the Authority.</p> <p style="text-align: right;">(Para 2.9)</p>	Accepted
25	<p>Monetary and other resources to undertake development of about 2,500 acres of land annually for residential purposes should be made available to the Authority.</p> <p style="text-align: right;">(Para 2.10)</p>	Accepted

Recommendation

The total land frozen under Section 4 of the Act *ibid* as on 31 July, 1977 was 74372.36 acres of which 67790.84 acres had been notified under Section 6 upto 31 July, 1977. The Ministry of Works and Housing had informed the Committee that the remaining 6582 acres of land remained to be notified were frozen under Section 4 between 1957 to 1961 and in all those cases where notification under Section 6 had not been issued after 1967, notification under Section 4 had lapsed. The Ministry had also stated that in future any of this land is again needed fresh notifications under Section 4 and 6 of the Land Acquisition Act will be issued. The Committee also find that out of the 67790.84 acres of land for which notification under Section 6 was issued the Government had been able to acquire only 38137.66 acres of land upto 31 July, 1977. The reasons for not acquiring the remaining notified land of 28653.18 acres were stated to be the financial constraints in the revolving fund and non-finalisation of Zonal Development Plans by the DDA. The Committee therefore desire to know whether these facts were ever brought to the

notice of the Government by the Delhi Administration and if so, what action was taken in the matter. They recommend that every effort should be made to acquire the land and to develop the so acquired land expeditiously and that monetary and other resources to undertake acquisition and development of land on this scale be made available to Delhi Admn. and DDA.

[Sl. No. 32—Para 5.59 of the Public Accounts Committee's
138th Report (6th Lok Sabha)]

Action Taken

The Delhi Administration has been sending to Government periodical reports about the acquisition of land. In addition, the pace of development also comes to notice of Government at the time of examination of budget proposals. As already stated, financial constraints and lack of demand from land utilising agencies are the main reasons for slow rate of acquisition of land.

The Baveja Committee, which went into the working of the DDA in depth, recommended *inter-alia*:—

- (a) In future, the transfer of newly acquired land under the Scheme of Large Scale Acquisition, Development and Disposal of Land in Delhi should take place under Section 15 of the Delhi Development Act.
- (b) The Delhi Administration should acquire land to meet the specific requirements of the development agencies, who should place indents for the same well in advance. The Delhi Administration can also have a "land bank" in which they may put land acquired for projected requirements and transfer the same to the development agencies from time to time.
- (c) Monetary and other resources to undertake development of about 2,500 acres of land annually for residential purposes should be made available to the DDA.

All the above recommendations have been accepted by Government. As a result of this, DDA has been authorised to issue debentures to the extent of Rs. 10 crores; loan for housing purposes to the extent of Rs. 10.67 crores has already been released.

It is hoped that financial constraints will not stand in the way of quick development of land in future.

[The Ministry of Works and Housing O.M. No. K-11011|8|79-DDV-A dated 16-7-1980]

Recommendation

According to the initial scheme the work of development of land placed at the disposal of D.D.A. was entrusted by it to the Central Public Works Department on agency basis but since 1968, the work was being executed by the D.D.A. itself mainly through its four development divisions. The D.D.A. had stated that the creation of an Engineering Wing can be said to have achieved the objective for which it was set up as it had been able to develop 14930.63 acres of land and to construct 50,280 houses including 17603 in progress.

The Committee are not fully convinced with this contention of the DDA as is evident from the fact that it could develop 14930.63 acres of land against 29596.95 acres allotted to it for development. Had the DDA continued to entrust the work of development of land to CPWD in addition to its own Engineering Wing, the development of land would have been much faster. The Committee would like the Government to re-examine the present arrangement and devise ways and means to speed up the programme of development of land.

[Serial No. 36—Para 5.63 of the Public Accounts Committee's 138th Report(Sixth Lok Sabha).]

Action Taken

The D.D.A. is having a full-fledged Engineering Wing. Most of the top posts in this Wing are still manned by personnel on deputation from the C.P.W.D. or Engineering Departments of the State Governments. The delay in the development of land by the D.D.A. occurs due to several reasons, some of which are mentioned below:—

- (i) Completion of codal and other formalities;
- (ii) Non-availability of trunk services which are to be provided by the local bodies;
- (iii) Delay in the approval of service plans by the Municipal Corporation of Delhi;

- (iv) Delay in the approval of plans for overhead tanks by the Delhi Urban Art Commission;
- (v) Difficulty in acquisition of land or disputes regarding ownership or unauthorised encroachments etc.

2. The question of re-entrusting the development of land to the C.P.W.D. has been re-considered in the light of the recommendations made by the P.A.C. and the questions posed by the DDA. It is felt that the assignment of this work to the CPWD at this stage may create a number of problems as follows:—

- (i) In certain cases, isolated pockets of land are available which are required to be planned in an integrated manner with the adjoining areas under extended urban villages/ unauthorised encroachments. In such cases, development works can be taken up only after the integrated plans are finalised. Development works have already been taken up on all lands which have been handed over to the Engineering Wing of the DDA free from encroachments and where planning has been completed.
- (ii) At present, there is already a multiplicity of authority in Delhi resulting in several problems. Further, division of the development works between DDA and CPWD is bound to increase the problems. For example even if the works are entrusted to CPWD, the regulatory functions will continue to vest in DDA which would mean that either the planning will have to be done by the DDA or the plans prepared by CPWD will have to be got approved by the DDA.
- (iii) Again, in case of unauthorised encroachments, CPWD will have to approach DDA for clearance of the same, giving alternative accommodation etc. which is bound to result in a lot of protracted correspondence and consequent delays.

3. At present, 7512 acres of land is at various stages of development by the DDA. The authority has also drawn up an ambitious programme for the development of 18750 acres of land during the next five years. The DDA have geared themselves for a speedier development programme of land and it propose to step up its pace very considerably.

4. It has, therefore, been decided that the performance of DDA will be closely watched for some time and the question of re-entrusting this work to the CPWD will be reviewed after a year or so.

5. To enable DDA to do this work at a faster pace monetary resources have also been made available to it.

The following steps have been taken:—

- (a) The DDA floated debentures of Rs. 10 crores during 1978-79 which were fully subscribed.
- (b) Adequate provision is being made in the Central Budget for extending financial assistance to the DDA. The Central Government advanced loan of Rs. 1.67 crores during 1978-79 and Rs. 9 crores during 1979-80 to it for its Housing schemes. The amount provided for 1980-81 is Rs. 4.33 crores.
- (c) Government have furnished guarantee on behalf of the DDA to the extent of Rs. 7.07 crores for loans sanctioned by HUDCO for housing schemes of the DDA.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA
(Vol. III) dated 6-9-1980]

Recommendation

Another deplorable feature which has come to the notice of the Committee is that layout plans in respect of 15 cooperative societies submitted to the Delhi Development Authority during the years 1970-78 are pending with it. The Committee would like to know the reasons for which these layout plans could not be finalised and stress that these plans may be finalised and stress that these plants may be finalised expeditiously.

[Sl. No. 41 (Paragraph 5.87) of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha).]

Action Taken

The Delhi Development Authority has reported that out of the 15 layout plans of the cooperative societies submitted to the Delhi Development Authority during the years 1970-78, 10 layout plans have since been approved and released to the societies. 2 State-ments—One showing the position of 10 cases where the layout

plans have already been released and another statement showing the position of cases where the layout plans have not yet been released are enclosed (Annexure A & B).

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA
(Vol. III) dt. 15-4-1980.]

ANNEXURE A

Enclosure to para 5.27

Position of Lay-out Plans of Cooprative Societies

Sl. No.	Name of the Society	Society submission	Date of release of layout Plan	Remarks
1	2	3	4	5
1	Dera Ghazi Khan District Cooperative House Building Society	30-9-76	27-12-78	Dera Ghazi Khan District Cooperative House Building Society was allotted 29.45 acres of land by Delhi Administration, for this piece of land, the Society submitted a layout plan on 30-9-76. Due to noncompliance of various objections, the layout plan was not approved till 1977. The Society submitted a revised layout plan on 15-4-77. This layout plan was not in accordance with the Zonal Regulations, sub-division regulations and the Society was asked to make necessary corrections. These corrections were carried out by the Society on 7-4-78 and 20-5-78. The Society, however, submitted another revised plan on 31-8-78 which was examined and approved on 28-11-78. This layout plan was released to the Society on 27-12-78 after submission of necessary documents by the Society.
2	Jagriti Nagar Cooperative House Building Society	28-9-73	4-7-79	Jagriti Nagar Cooperative House Building Society was allotted 33.99 acres of land in Shahdra area by Delhi Administration as per revenue records. The area of the site is 38.70 acres as per Engineering measurements varified by Delhi Administration, for this piece of land, the Society submitted the layout plan on 28-9-73. Due to non-compliance of various objections and some other technical objections, the layout plan was not approved till September 1974. The Authority vide its resolution No. 97 dated 17-9-74.

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approved the layout plan of the Society. Thereafter, Delhi Administration intimated on 12-10-74 that out of the total land allotted, acquisition proceedings in respect of land measuring 56 bighas 12 biswas have been quashed by the Hon'ble Supreme Court while an area measuring 7 biswas has not yet been acquired. The layout plan could not therefore be released as the Society did not have a clear title to the area allotted to it. Subsequently, the Society submitted a revised plan and requested that Development work already completed in the area for which they had clear title may be released. A nominal penalty of Rs. 100/- per acre was imposed by carrying out development without obtaining the approval of layout plan before its release. The layout plan was released on 4-7-79 to the Society.

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|---|---|----------|----------|--|
| 3 | Sarvapriya Co-operative House Building Society Ltd. For additional Land of 1.7. acres | 27-10-77 | 28-11-79 | Sarvapriya Co-operative Housing Building Society Ltd. was allotted 1.7 acres additional land by the Delhi Development Authority. For this piece of land the Society submitted a layout plan on 27-10-77. Due to noncompliance of various objections and some other technical objections, the layout plan was not approved up to October, 78. The layout plan was approved on 21-10-78 and after submission of necessary documents by the society the layout was released to the Society on 28-11-78. The Society has since completed the development of the said area as per plans and the set back-cum-demarcation plan as well as services plan of water supply, sewerage and storm water drains have since been approved and released to the Society. The building activity has also been released on 6-6-79 after completing all the required formalities. |
| 4 | Vardhman Co-operative Housing Building Society Ltd. | 28-2-78 | 20-11-78 | Vardhman Co-operative Housing Building Society Ltd. was allotted 68 Bighas Biswas (14.17 acres) by Delhi Administration as per as revenue records. The Society submitted the layout plan for 14.02 acres as per Engineering Measurements on 28-2-78. The layout plan was examined by the planning C II and there were some technical objections which required through consideration. Accordingly the case was placed before the Technical Committee on 4-9-78 and was requested the Society to submitted the |
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revised layout plan on 18-9-78 and layout plan was examined and approved on 9-11-78. After submission of necessary documents by the Society the layout plan was released to the Society on 20-11-78. The services plans of sewerage have been approved on 19-2-79 and have been released to the Society on 15-5-79. The services plans of water supply are yet to be approved. The Society has yet to complete plans. After completing the development at site by the Society, the Society will submit the setback plan for approval, after release of the setback-cum-demarcation plan, the question of release of building activity will arise.

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|----|--|---------|----------|---|
| 5 | Darya Ganj-Jama Masjid Teachers Co-operative Housing Building Society. | 19-4-78 | 13-12-78 | <p>Darya Ganj-Jama Masjid Teachers Co-operative Housing Building Society Ltd. was allotted 3.56 acres by Delhi Administration for this piece of land, the Architect of the Society submitted the layout plan on 3-4-78. Due to non-compliance of the various objections and some other technical objections, the layout plan was not approved till September, 1978. The Architect of the Society submitted the revised layout plan on 20-9-78 which was examined on 4-10-78 and the said layout plan was also not in accordance with the Zonal Regulations subdivisions/regulations and corrections were carried out by the Architect of the the Society on 6-10-78. This layout plan was approved on 9-11-78 and after submission of documents by the Society, the layout plan was released to the Society on 13-12-78. The services plans of the Water supply have been approved on 21-2-79 and the same have been released to the Society after submission of necessary documents. The services plans of sewerage have been forwarded to the Executive Engineer, Municipal Corporation of Delhi on 30-3-79 for approval. The Society has yet to complete the development as per approved plans. After completing the development at site, the Society will submit the setback-cum-demarcation plan for approval. After release of the setback-cum-demarcation plan, the question of release of building activity will arise.</p> |
| 6. | Delhi Chartered Accountants Co-operative Group House Building Society Ltd. | 21-7-78 | 6-8-79 | <p>Delhi Chartered Accountants Co-operative Group House Building Society Ltd. was allotted 5 acres group housing pocket in Paschimpuri Area for construction of flats for its members. For this group housing pocket, the Architect of the Society submitted a layout plan on</p> |
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- 21-7-78. Due to non-compliance of the objections and some other technical objections the layout plan was not approved. The case was referred to the Delhi Urban Art Commission for clearance after broad scrutiny of the layout on 7-11-78. The layout plan was cleared by the Delhi Urban Art Commission on 20-12-78. On receipt of the clearance from Delhi Urban Art Commission the layout plan with reference to density coverage and floor area ratio etc. in detail was scrutinised and it was observed that the layout plan be modified. Accordingly the Architect of the Society corrected the layout plan on 14-2-79 and the layout plan was approved on 16-2-79 and the Society was accordingly informed on 19-2-79 about the approval of the layout plan. The layout plan was released to the Society on 5-3-79. Building plans for construction of flats were also examined with reference to building bye-laws and the same were sanctioned on 22-3-79. The Society has to submit the services plan of water supply, sewerage and storm water drains to Delhi Development Authority/Municipal Corporation of Delhi for approval separately. The land scapping plan will also be got approved from the Delhi Urban Art Commission separately.
7. Maharashtra Co-operative Group Housing Society Ltd. 9-12-77 17-6-79 Maharashtra Co-operative Group Housing Society was allotted 2 acres approximate, for construction of 100 dwelling units in Paschimpuri Area under group housing scheme. For this group housing pocket, the Society submitted a layout plan on 9-12-77. The Society was requested to submit the site plan/documents on 2-2-78. In the second week of March 1978 the Architect of the Society submitted the documents for scrutinising the layout plan of the society. The layout plan required some modification. Accordingly the Society was asked on 23-4-78 to note down the corrections. The society submitted the revised layout plan on 31-5-78. The layout plan was referred to Delhi Urban Art Commission on 7-11-78 for obtaining clearance after setting right for technical objections raised by Delhi Urban Art Commission. Delhi Urban Art Commission sent the clearance to the layout plan on 22-1-1979. Thereafter the case was scrutinised in detail with reference to density ground coverage and floor area ratio, etc. and was approved on 7-4-79. Accordingly the layout plan was released to the society on 18-6-79 after submission of required documents.

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8.	Bhatnagar Cooperative House Building Society Ltd.	1) 27-11-75 2) Modified submitted on 5-9-77	1) 29-4-77 2) 17-10-78	Bhatnagar Cooperative House Building Society Ltd. was allotted 18 acres by Delhi Administration, for this piece of land, the society submitted the layout plan on 27-11-75. The Architect of the society submitted a revised layout plan on 6-2-76. The layout plan could not be approved till February, 1977 due to technical objections. The layout plan was approved by Authority on 4-3-77 and was released to the society on 29-4-77. Thereafter the society submitted a modified layout plan on 5-9-77, which was examined in November, 1977. The said layout plan could not be approved due to technical objections till the middle of August 1978. Thereafter the layout plan was approved on 19-8-78 and the society was informed of the approval of the layout plan on 28-8-78. The Society has further requested to submit 5 copies of the revised layout plan for release. The Architect of the society submitted five copies of the revised layout plan on 13-9-78 and the same was released to the society on 17-10-78. Service plans of water supply and sewerage has been approved on 2-5-79 and 15-6-79. After completing the development at site by the society, this society will submit the setback - cum - demarcation plan for approval. After release of the setback-cum-demarcation plan, the question of release of building activity will arise.
9.	Rajasthani Bhawan Nirman Cooperative House Building Society Ltd.	12-5-77	11-9-78	Rajasthani Cooperative Group House Building Society Ltd. was allotted 7.5 acres (3.02 Hectares) at Pritampura area for construction of dwelling units for their members under group housing scheme. The architect of the society submitted the layout plan on 12-5-77. The case was examined in detail and was submitted to the layout plan scrutiny committee which was considered by the layout Plan Scrutiny Committee in its meeting on 26-9-77 and resolved that the recommendations of the Planning Cell be approved. The minutes were confirmed on 21-11-77 and the society was informed to submit the revised three sets of the corrected layout plan. Accordingly, the layout duly corrected was submitted on 30-11-77. The case was placed before the Authority on 20-1-78 and it desired certain clarification about the coverage for parking. The case was examined in detail and the layout plan could not be approved till June 1978 due to technical objections. The layout plan was approved on 22-6-78. Clearance of the Delhi Urban Arts Commission was also obtained. The society

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10.	CCIE Employees Cooperative Group Housing Society Ltd.	24-6-77	28-12-78	<p>was informed on 1-7-78 about the approval of the layout plan and after completing all the formalities the lay out was released to the society on 11-9-78. The building plans has also been sanctioned/released to the society on 10-11-78. The society has to submit the services plan of water supply, sewerage and storm water drainage scheme for approval of Municipal Corporation of Delhi/Delhi Development Authority-</p> <p>C.C.I.E. Employees Cooperative Group Housing Society Ltd. was allotted 2.11 acres group housing pocket in Paschimpuri area for construction of 106 dwelling units. For this group housing pocket the Architect of the society submitted a layout plan on 24-6-71. Due to non-compliance of the objections the layout plan was not approved. The case was referred to the Delhi Urban Art Commission for clearance after scrutiny of the layout plan on 17-3-78. The layout plan was referred back by the Delhi Urban Art Commission with certain technical objections/observations. The said layout plan was again referred to the Delhi Urban Art Commission on 4-11-78. The revised plan of Paschimpuri Residential Scheme Block-A was got prepared and sent to Delhi Urban Art Commission on 17-11-78. Thereafter Delhi Urban Art Commission approved/cleared the layout plan which was finally approved on 4-12-78. After submission of the registered payments documents the layout was released to the society on 28-12-78.</p>

Annexure B

Enclosure to para 5-87

POSITION OF LAYOUT PLANS OF COOPERATIVE SOCIETIES

Sl. No.	Name of the Society	Society Submission	Date of release of layout plan	Remarks
1	2	3	4	5
1.	Delhi School Teachers Group House Building Society	9-11-70	..	Delhi School Teachers Group House Building Society Ltd. was allotted 9.11 acres at Shahdara area. For this piece of land, the society submitted a layout plan on 9-11-70. The layout plan stands approved by the Authority <i>vide</i> Res. 237 dated 22-11-71 but it cannot be released due to non-submission of the following two certificates from the Delhi Administration.

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(i) All dues have been paid by the Societies ;

(ii) The Society on its roles only those members who have been approved by the Delhi Administration during September 78. We have received instruction from the High Court that "It is agreed that this court may issue a direction to the Delhi Development Authority requiring it, not to release the layout plan submitted by the Society till further orders of this Court". The case will be processed further after instructions from the High Court is received.

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| 2. | New Ashoka Cooperative House Building Society | 12-7-74 Revised Submitted 7-3-79 and May, 79. | | Now Ashoka Cooperative House Building Society Ltd. was allotted 67 bighas 9 biswas (13-55) acres) in Shahadara area by Delhi Administration. For this piece of land the society submitted the layout plan on 12-7-74. The said layout plan was approved by the Authority Vide Re. No. 21 dated 20-4-76 but the said layout plan could not be released due to non-submission of the undertaking from the neighbouring Indian Standard Institute Cooperative Housing Building Society. Thereafter the Society submitted the revised layout plan on 7-12-78 which was not approved so far due to various technical objections. The society has now submitted the revised layout plan in the 1st week of May, 1979 which is being examined with reference to the Zonal regulations/ sub-divisions Regulations. |
| 3. | Rehabilitation Ministry Employees Cooperative House Building Society | 24-5-74 | .. | Ministry of Rehabilitation Employee Cooperative House Building Society Ltd submitted the layout plan for 60.00 acres allotted in Malviya Nagar by the Ministry of Rehabilitation on 24-5-74. The Society was asked to submit the ownership document/lease deed in respect of the land for which the layout was submitted. The society has not submitted these documents so far. The case is pending in the court. In the absence of clear title of land has not been possible to consider the case for approval. |
| 4. | Jhulelal Sindhu Nagar Cooperative Housing Building Society Ltd. | 3-4-78 | .. | Jhulelal Sindhu Nagar Cooperative Group Housing Society was allotted 12 acres for construction of dwelling units for their members in pritam pura area, under group housing scheme. For this group housing pocket, the Architect of the society submitted a layout plan on 3-4-78. Due |
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to non-compliance of the objections/required information the layout plan/ could not be scrutinised for obtaining clearance from Delhi Urban Art Commission. The society was requested on 10-4-78 and 31-7-78 to submit the required information but till now the society has not complied with the requirements. Thereafter the case was discussed in detail and it was desired to get the allotment file to process the case. The Architect of the society was also requested on 9-11-78 to submit the building plans and revised layout plan. The Architect of the society submitted the revised layout plan and building drawings on 28-11-78 and the same were broadly examined and sent to Delhi Urban Art Commission for obtaining clearance on 18-12-78. The Delhi Urban Art Commission has not cleared the said project. The case will be processed further only after the clearance from Delhi Urban Art Commission is received.

5. New Subhash Cooperative House Building Society 23-3-78 ..

New Subhash Cooperative Group House Society was allotted 1.27 acres (5128 sq. mts.) for construction of 63 dwelling units in Paschimpuri Residential scheme under group housing scheme. For this group housing scheme pocket, the society submitted a layout plan on 23-3-78. The society was requested to submit the documents on 10-4-78. The required information was obtained from the land allotting authority in the month of May 78.

Certain objections/observations were made by the Delhi Urban Art Commission about the layout plan of Paschimpuri area. After setting right these observations of the Delhi Urban Art Commission, the case was referred to Delhi Urban Art Commission, on 7-11-78 for obtaining clearance after scrutinising the plan broadly. The Delhi Urban Art Commission approved the layout plan broadly on 19/20-1-79 and thereafter layout reference to density ground coverage and Floor Area Ratio and required some corrections. The layout plan could not be approved till June, 1979 due to technical objections. These objections were cleared and the layout plan was recommended finally for approval on 5-6-79 and was approved on 26-6-79. The layout plan will be released to the society very shortly after receipt of the documents/ deficiency charges from the society.

CHAPTER IV

RECOMMENDATIONS AND OBSERVATIONS REPLIES TO WHICH HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRE REITERATION

Recommendation

The Committee are constrained to point out that they see no logic in deferring the implementation of the recommendations of the Committee of Experts set up in May, 1974, particularly when it was the first Committee set up to evaluate the functioning of DDA since its inception in 1957. That the Government had not taken up seriously the recommendations of that Committee is evident from the fact that instead of examining and implementing its recommendations expeditiously, Government appointed an Empowered Committee and that too after 7 months of the receipt of the report of the Expert Committee. While the implementation of the decision of the empowered Committee was still under consideration, Government hastened to appoint another Committee of Experts in October, 1977 i.e. 17 months after the receipt of the report of Empowered Committee, in May, 1976. The reasons as to why the recommendations of the Empowered Committee though accepted in entirety could not be implemented expeditiously after receipt of its report are best known to the Government. The Committee are, however, not satisfied with the explanation of the Government that the implementation was deferred due to enlarged activities of DDA during the period following 1974 which implies that either the study of the expert Committee was not in depth or the performance of the DDA was insignificant upto 1973-74 as compared to the work done during the two years following 1974. The Committee deplore that by keeping decision of the Expert Committee in abeyance the work done by that Committee as well as by the Empowered Committee had become infructuous. They feel that main and important recommendations of that Committee, such as early preparation of Zonal Development Plans for the built up areas and walled city, expeditious policy decision regarding unauthorised colonies, reservation of 50 per cent plots for Low Income Group and Economically Weaker Sections and 30 per cent for Middle Income Group, construction of flats for Janta, Community Services Personnel and Low Income Group on priority basis, reduction of departmental and administrative charges, necessity of a proper and well

equipped planning and Architectural Organisation, etc. could and should have been implemented without waiting for the recommendations of the new committee which submitted its report only in June 1978. The Committee would, however, like to know in specific terms as to how the recommendations made by the Committee of Experts is an improvement over the recommendations made by the earlier committee.

[Sl. No. 10—(Para 2.19) of Appendix VI to 138th Report of the Public Accounts Committee (Sixth Lok Sabha).]

Action Taken

In the above para the Public Accounts Committee appears to have the feeling that:—

- (1) the Government was not serious in implementing the recommendations of the Expert Committee of 1974.
- (2) The Baveja Committee was appointed by the Government as they were not satisfied with the recommendations of the 1974 Committee. Hence a justification has been asked for as to how the recommendations of the Baveja Committee are an improvement over the recommendation of the 1974 Committee.

2. As for the first point, it is submitted that as soon as the report of the 1974 Committee was received in March, 1975, the recommendations concerning the Land, Development and Management by the Delhi Development Authority were proposed to be accepted and for this purpose a draft note for the Cabinet was prepared. The then Financial Adviser to whom the Note was shown had observed that the Ministry might consider the desirability of taking up a single paper to the Cabinet on all proposals relating to the scheme of Large Scale Acquisition, Development and Disposal of land rather than submitting individual issues in separate notes, particularly when the issues were closely inter-linked. When action was being taken on the above lines a circular dated 8th September, 1975 from the Department of Personnel & Administrative Reforms was received reiterating the earlier procedure for processing all reports of Commissions/Committees in the context of the then emergency. As per the above instructions an Empowered Committee was constituted on 23rd October, 1975. The Empowered Committee gave its report in May, 1976 which was accepted by the Government in November, 1976.

3. As soon as the Empowered Committee's decisions were known, the Government issued specific orders to the Delhi Administration and the Vice-Chairman, DDA, to speedily implement the recommendations of the above Committee. These organisations were asked to appoint liaison officers to watch speedy implementation. Monthly progress reports were called for. Meetings were held in the Ministry with the senior officers to review the progress in implementation. As a matter of fact, the Delhi Administration had also reported action taken by them on the various recommendations pertaining to them.

4. While the decision of the above mentioned Empowered Committee were in the process of implementation, another Committee under the Chairmanship of Shri G. C. Baveja was appointed by the Government in October 1977. The terms of reference of this committee were wide-spread and some of the recommendations to be made by this Committee were naturally to have a bearing on the recommendations of the earlier Committee. The Vice-Chairman of the DDA then requested this Ministry on 2-5-1978 as under:—

“On the whole I find there is no immediacy for the implementation of any of the decisions of the Empowered Committee based on the report of the Experts Committee which had gone into working of the DDA 3 to 4 years ago especially when the new Experts Committee is going into its working again in the changed circumstances and in the light of the revised priorities of the present Government. I would therefore request the Ministry not to insist upon implementation of the decisions of the Experts Committee (1974-75) referred to by you in your letter and wait for the report of the new Experts Committee.”

It was therefore felt that while implementing the earlier Committee's recommendations, the recommendation of the new Committee should also be kept in view, to avoid confusion subsequently.

5. It would, thus, be observed that the Government had taken all the necessary steps to implement the recommendations of the 1974 Committee.

6. As regards the second point pertaining to the need for appointment of another Committee, it has already been stated in reply to

para 2.12 of the PAC's report (*ibid*) that the Committee of Experts appointed in June, 1974 based their study on the data available upto 1973-74. The DDA enlarged its area of activities and embarked on a large scale construction of houses during the period following 1974. It may, however be pointed out that the appointment of the Baveja Committee was not at the instance of this Ministry. When the new Government took even in March 1977, the then Government of its own issued a directive to examine the working of the DDA in depth in consultation with the Ministry of Works & Housing and submit a 'paper' to the Government on the subject. In compliance of this Directive, the Baveja Committee was appointed by the then Ministry of Finance. From this it will be clear that the Baveja Committee was appointed not because this Ministry was dis-satisfied with the recommendations of the 1974 Committee but in compliance with the directives of the new Government. In the circumstances it may be appreciated that a comparison of the recommendations of these two committees appointed in different circumstances with a view to establishing that the recommendations of the Baveja committee were an improvement over the earlier one may not perhaps be feasible. The recommendations of both these Committees and decisions of the respective Empowered Committee are already available with the PAC.

7. The Government issued orders on 2-1-1979 to the concerned agencies, viz., the Delhi Development Authority, Delhi Administration, Municipal Corporation of Delhi to implement the decisions of the Empowered Committee which examined the recommendations of the Baveja Committee, *vide* this Ministry's letter No. K. 11011(58)/78-DDIA dated the 2nd January, 1979 (copy enclosed). Progress Reports on the implementation of many recommendations of the Baveja Committee have been received from the concerned authorities. Whenever necessary the concerned authorities are reminded.

8. It may, however, be pointed out that Delhi Administration have stated that most of the recommendations of the Baveja Committee are not acceptable to them as they feel that the recommendations go outside the scope of the Scheme viz., Large Scale Acquisition, Development and Disposal of land in Delhi. The views of the Delhi Administration are under examination separately in the Ministry, since October, 1980.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA
Vol. III dated 2-7-1981.]

No. K—11011/58/78-DDI(A)

GOVERNMENT OF INDIA

Ministry of Works & Housing

(Nirman aur Awas Mantralaya)

New Delhi, January 2, 1979.

To

- (1) Shri M. N. Buch,
Vice-Chairman,
DDA, Vikas Minar,
New Delhi.
- (2) The Chief Secretary,
Delhi Administration,
Delhi.
- (3) Shri S. C. Vaish,
Secretary, Land & Building,
Delhi Administration,
I. P. Estate,
New Delhi.
- (4) Shri Virendra Prakash,
Commissioner,
Municipal Corporation of Delhi,
Town Hall,
Delhi.

SUBJECT: *Report of the Committee of Experts on the working of DDA (Baveja Committee)—Implementation of.*

Sir,

I am directed to forward herewith a copy each of the report of the Committee of Experts on the working of DDA (Baveja Committee) and of the Empowered Committee appointed to examine the observations/recommendations contained in the report of the Baveja Committee. The Government have accepted the recommendations, subject to para 2 below, made by the Empowered Committee in this

behalf. You are requested to implement the decisions taken by the Empowered Committee urgently. If in implementing any of the decisions of the Empowered Committee, specific approval of the Government is called for, the same may please be sought separately.

2(a) In regard to recommendation made in para 3.14 of the Baveja Committee Report (Item 44 of the report of Empowered Committee), the Government have decided that all reservations in the matter of allotment of plots and flats except the following should be abolished:—

- | | |
|--|----------------------------------|
| (i) Widows of defence personnel killed in action | 1 per cent. |
| (ii) Ex-Servicemen. | 1 per cent. |
| (iii) Physically handicapped persons. | 1 per cent. |
| (iv) Scheduled Castes and Scheduled Tribes. | Present level
of 25 per cent. |

(b) As regards recommendation made in para 4.84 of the Baveja Committee Report (Item 102 of the report of the Empowered Committee), the Government have decided that the *status quo* may remain.

3. The DDA/Delhi Administration/MCD are concerned with the implementation of the recommendations/observations as indicated in the statement which gives the item Nos. of the report of the Empowered Committee. You are requested to send quarterly reports in regard to the implementation of these recommendations to the concerned desks of Delhi Division of this Ministry as indicated in the statement. The first report may indicate the position as on 31-3-1979.

4. If more copies of the reports are required, kindly send the requisite to this Ministry.

5. Kindly acknowledge receipt.

Yours faithfully,
(H. R. Goel)

Under Secretary to the Government of India

Copy, with a copy each of the two reports and the statement, to D.O.—IIA, D.O.—IIIA, D. O. 11-B, land Division and LSG Section. The item numbers with which these desks are concerned are indicated in the statement attached. They are requested to send to D.O. I-A quarterly statements in regard to the implementation of the various recommendations/observations.

Copy, with a copy of enclosure, forwarded to D.S.(DD) for information.

(H. R. Goel)

Under Secretary to the Government of India

Copy to.—

(i) P. S. to Secretary.

(ii) P. S. to J. S.(DD)/J.S.(F).

Statement showing the items with which various authorities are concerned for implementation of the Baveja Committee Report.

Authority	Item Nos. of Empowered Committee Report (Recommendation)	Item Nos. of Empowered Committee Report (observations).
1	2	3
Delhi Development Authority	3, 5, 6, 9, 10, 11, 17, 18, 22, 24, 25, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 84, 86, 88, 89, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 110, 111, 113, 115, 116, 119, 121, 122, 123, 124, 125, 126.	1, 2, 4, 7, 8, 15, 16, 19, 21, 23, 27, 28, 29, 30, 32, 37, 38, 50, 78, 79, 80, 81, 82, 84, 85, 87, 94, 109.
Delhi Administration	3, 5, 6, 12, 13, 14, 17, 18, 25, 88, 93, 98, 102, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120.	26, 78, 79, 80, 81, 82, 87.
Municipal Corporation of Delhi	119.	
DO-IA	2, 5, 6, 9, 22, 69, 91, 100, 102, 110, 121, 122, 123, 124.	1, 2, 4, 7, 8, 19, 32.
DO-IIA	12, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 55, 56, 57, 58, 59, 60, 62, 64, 65, 71, 86, 92, 117, 118.	..
DO. IIIA.	52, 53, 54, 63, 65, 67, 68, 70, 72, 73, 74, 75, 76, 77, 86, 89, 90, 92, 93, 95, 96, 97, 98, 99, 101, 103, 104, 105, 106, 107, 108, 113, 120, 123, 126.	50, 78, 85, 87, 94, 109.
DO. IB	10, 11, 13, 14, 24, 25, 31, 33, 34, 35, 36, 39, 61, 83, 93, 111, 114, 115, 116.	20, 21, 28, 23, 26, 29, 27, 30, 37, 38, 79, 80, 81, 82, 84.
DO. IIB . . . . .	..	15, 16.
Land Division.	13, 115, 116.	..
L. S. G.	3, 17, 18, 88, 112, 119.	..

Recommendation

The Committee note that for financing the acquisition and development of land, Government set up a revolving fund in 1961-62 with an initial contribution of Rs. 1.25 crores (subsequently raised to Rs. 12.31 crores by 1969-70) out of the Consolidated Fund of India and placed it at the disposal of the Delhi Administration. The Rules governing the operation of the revolving fund are contained in the Ministry of Finance letter No. F. 1(24)-B/61, dated 30 June, 1961. According to these rules sums out of the revolving fund were to be advanced to the DDA for meeting expenditure on the development of land and receipts from the disposal of land were to be paid back into it for financing further expenditure on acquisition and development of land. All amounts required for development purposes were to be specifically drawn from this revolving fund by means of a cheque signed by two officers of the Land and Housing Department of the Delhi Administration authorised by the Chief Commissioner in this behalf. The Committee are distressed to note that whereas the Delhi Administration in February 1966 allowed the DDA to utilise the amount of receipts connected with the schemes of large scale acquisition, development and disposal of land for direct utilisation by it against its development expenditure, it sought the approval of the Ministry of Home Affairs for the same in April 1973 after a lapse of 7 years. It is interesting to find that whereas upto the year 1971-72 all the surplus receipts from the disposal of land under Nazul Account II were being passed on to the revolving fund it was only from the year 1973-74 that all receipts were not made over to the Delhi Administration. What has perturbed the Committee most is the fact that this practice was adopted despite the fact that the Ministry of Home Affairs did not agree to the changed procedure in April 1973. The Committee take a serious view of the decision of the Delhi Administration in allowing the DDA to utilise the amount of receipts directly in clear violation of the rules governing the regulation of the provision of the revolving fund as also without prior approval of the Central Government. The Committee urge that a thorough investigation into this ill-advised procedure allowed by the Delhi Administration and executed by the DDA should be held with a view to fixing responsibility. The Ministry of Works and Housing also owe an explanation to the Committee for not taking timely action to restrain the DDA from adopting wrong procedure.

[Serial No. 17 Para 3.28 of Annexure VI of the Public Accounts Committee's 138th Report (Sixth Lok Sabha)].

Action Taken

The Government of India appointed a Committee of Experts (known as Baveja Committee) in October, 1977 to go into the working of the Delhi Development Authority. One of the terms of reference of the Committee was to:—

'study the financial procedure at present being followed by D.D.A. and suggest modifications, if necessary. The Committee, may, in particular look into the financing of various activities of the Authority and to see how far these have been in conformity with the Regulations laid down by the Government from time to time.

2. The Committee stated, amongst other observations, as under:—

For want of its own capital, D.D.A. has tended to increasingly use unauthorised amounts legitimately due to the revolving fund and recommended that adequate seed capital should be built up for the D.D.A.

3. The Committee also recommended, among other things, as under:—

The Central Government should provide seed capital of Rs. 10 crores to the Authority for undertaking housing programme on the proposed scale i.e. 20,000 dwelling units annually. To meet the balance of requirements, financial institutions like L.I.C., H.U.D.C.O. and Commercial banks, etc. should be approached and encouraged to finance the housing programme in a big way. The Central Government should be willing to guarantee repayment of such loans, if need be.

In consultation with the Planning Commission and the Ministry of Finance, adequate provision is being made in the Central Budget to finance D.D.A. (Rs. 1.67 crores in 1978-79, Rs. 9 crores in 1979-80 and Rs. 4.33 crores in 1980-81). In addition, the Government have agreed in principle to stand guarantee for loans from H.U.D.C.O. to the extent of Rs. 7.07 crores. Of these an amount of Rs. 1.83 crores has been actually guaranteed.

4. In addition the following steps have been taken:—

(i) instructions have been issued to the D.D.A. to follow accounting procedure rigidly.

- (ii) A close watch on financial operations of the D.D.A. is being kept and suitable instructions issued whenever a large gap in resources is noticed.

[The Ministry of Works and Housing O.M. No. K 11011/8/79-DDVA (Vol. III) dated 6-9-1980]

Recommendation

Another objectionable feature which had come to the notice of the Committee is that a sum of Rs. 9.61 crores was spent on Jhuggi and Jhopries without the approval of the competent authority or the Government. The Vice-Chairman, DDA, stated during evidence that the then Vice-Chairman, of the DDA was the only person responsible for diverting these funds in spite of the fact that he was not competent to do it. 'He has further informed the Committee that there is no budgetary exercise done to look at the details of the particular schemes' and in this context he referred to the project taken up in Trilokpuri for putting up MIG and LIG houses at a cost of Rs. 3 crores without the administrative approval of and without sorting out the feasibility of the scheme. The Committee feel deeply concerned over such grave and revealing irregularities.

The Committee would recommend that the Government should undertake a thorough probe into these lapses and fix responsibility.

[Serial No. 20, (Para 3-31) of Appendix VI to the Public Accounts Committee's 138th Report (Sixth Lok Sabha)].

Action Taken

The Jhuggi Jhopri Resettlement Scheme was approved by Government in 1970. Keeping in view the norms of facilities, the cost of development of the plots in the J.J.R. Colonies, was placed at Rs. 800.00 for ineligible and Rs. 1,2000.00 for eligible allottees, per plot. In 1975 and 1976, the D.D.A. was obliged to develop a very large number of plots i.e. as many as 1,48,000. The cost of provision of facilities according to norms, however, kept escalating and the difference between eligible and ineligible allottees could not in actual practice be maintained. Hence the over all expenditure was very high. The D.D.A. reported that it had spent at the rate of Rs. 1860/- per plot in this behalf. The Government have decided that the additional expenditure amounting Rs. 10 crores incurred by the D.D.A. may be re-imbursed to it as per letter K-14014-4(20)73-DDIIB Vol.

II dated 4th/5th September, 1980 (copy attached). The cost of 25 sq. yds. plot recoverable from the allottees, has, however, been limited to Rs. 1250/- per plot.

2. The entire financial operation of the D.D.A. has been reviewed by a high level committee of experts known as Baveja Committee. In this connection extracts from report of the Empowered Committee appointed to examine the observation/recommendations contained in the report of the committee of Experts on the working of the D.D.A. known as Baveja Committee are enclosed. The Government have accepted these recommendations and orders for their implementation were issued *vide* this Ministry's letter No. K-11011/58/78-DDIA dated 2-1-79 (copy attached). It may, however, be added that the Delhi Administration have recently intimated that most of the recommendations of Baveja Committee are not acceptable to them for implementation as, according to them, the recommendations go outside the scope of the scheme of Large Scale Acquisition, Development and Disposal of Land in Delhi.

3. In this connection it may be submitted that a meeting was held on 12-11-80 in the Chamber of the Minister for Works and Housing which was among others attended by the Lt. Governor Delhi, and the Vice-Chairman, D.D.A. After discussion it was decided that D.D.A. would by the end of November, 1980 prepare a statement indicating *inter alia* against each recommendation/observation of the Baveja Committee, as to how it was against the decision of the Government as contained in its letter dated the 2nd May, 1961 in regard to the Large Scale Acquisition, Development and Disposal of land in Delhi, and the views of the Delhi Administration against each. As this statement was not received within the stipulated period, the matter was again discussed in a meeting held on 14-4-1981 in the Chamber of Minister for Works and Housing which was also attended by the Lt. Governor, Delhi, and the Vice-Chairman, D.D.A. The L.G. stated that the requisite statement would be sent by the first week of May, 1981. The Delhi Administration has been reminded on 25-5-81 to expedite its reply in the matter.

[The Ministry of Works and Housing O.M. No. K 11011/8/79-DDVA (Vol. III) dated 12-8-1981]

No. K-14014-4(20)/73/DDII-B(Vol. II)

GOVERNMENT OF INDIA

MINISTRY OF WORKS AND HOUSING
(NIRMAN AUR AWAS MANTRALAYA)

New Delhi, dated the 4th/5th September, 1980.

To,

The Lt. Governor,
Delhi.

SUBJECT.—*Jhuggi-Jhopri Removal Scheme—Reimbursement of additional expenditure incurred by the Delhi Development Authority, transfer of ownership rights and continuance of the Scheme.*

Sir,

The questions of reimbursement of additional expenditure incurred by the Delhi Development Authority on development of 25 sq. yd. plots under the J.J.R. Scheme, continuance of the Scheme and transfer of leasehold rights to the allottees of plots and tenements under the Scheme have been under consideration of the Government for some time. It has now been decided by the Government as follows:—

(i) *Reimbursement of additional expenditure*

The DDA had reported that it had to spend @Rs. 1860/- per plot compared to the Government grants @Rs. 800/1200 per plot for development of 1,48,000 plots of 25 sq. yds. each between June 1975 and March, 1977. It has been decided that the additional expenditure amounting to Rs. 10 crores (approximately) incurred by the DDA on development of Resettlement Colonies between June 1975 and March, 1977 may be reimbursed to it subject to the following conditions:—

- (a) that a sum of Rs. 1.5 crores would be paid to Delhi Electric Supply Undertaking for strengthening the electric installations in these colonies.
- (b) The DDA shall make up the deficiencies, if any, in Resettlement Colonies compared to prescribed yardstick under the J. J. R. Scheme at its own cost.

The amount already released to the DDA under the J.J.R. Scheme during the year 1978-79 and 1979-80 by re-appropriation or otherwise, in accordance with this Ministry's letter of even number dated 31st March, 1980, shall be adjusted towards the reimbursement of the additional expenditure and a copy of detailed accounts duly audited should be furnished to the Ministry before 31-3-81 positively.

(ii) Continuance of J.J.R. Scheme.

A question had arisen whether the J.J.R. Scheme should end with the existing Resettlement Colonies or it may continue to be operated for removing the residuary pockets of squatters left in March, 1977 and for providing resettlement facilities to the persons removed prior to March, 1977 as were found eligible. It has been agreed in principle to cover the residuary areas but, for the residuary pockets, this Ministry will formulate a separate specific scheme and obtain the sanction of the Ministry of Finance instead of the Delhi Administration sanctioning the projects for resettlement of squatters under the J.J.R. Scheme. The Delhi Administration is, therefore, requested to furnish to this Ministry a detailed project for resettlement of squatters in the residuary areas with detailed financial implications for obtaining the requisite sanction of the Ministry of Finance.

(iii) Transfer of leasehold rights.

Orders were issued in this Ministry's letters of even number dated 14-3-77 and 15-3-77 for transfer of leasehold rights to the allottees of plots and tenements under the J.J.R. Scheme. In supersession of those two orders, it has now been decided that leasehold rights be conferred on the allottees of the plots/tenements subject to the following conditions:—

- (a) Leasehold rights be granted on payment of full cost of plots/tenements by the allottees which may be limited to Rs. 1250/- (Rs. one thousand two hundred and fifty only) for a 25 sq. yd. plot subject to restriction on transfer *vide* sub-para (b) below.

- (b) The allottees will not have the right to transfer the plots freely. They will, however, have the option of surrendering the plots to the DDA on receiving the cost paid by them.
- (c) The cost of plots/tenements be recovered in lumpsum but in the case of those who prefer to make payment in instalments, a uniform period of 15 years may be allowed
- (d) The rent paid by the allottees after 15th March, 1977 may be adjusted towards cost of plots/tenements. The allottees should clear arrears of rent, if any, before transfer of leasehold rights.
- (e) Interest be charged from allottees with effect from 16th March, 1977 on the cost of plots/tenements recoverable from them, at a uniform rate of 5 per cent. Continuous default in payment of instalments should involve cancellation of the ownership rights and eviction.
- (f) Ground rent at the rate of 2½ per cent per annum should be charged from the allottees.

(iv) *Sale proceeds of commercial and other remunerative plots.*

The Delhi Administration had proposed that sale proceeds of commercial and other remunerative plots in Resettlement Colonies developed under the J.J.R. Scheme may be allowed to be utilised by the implementing agency for further development of these colonies. This proposal has **not been agreed to** as the J.J.R. Scheme is funded from the central revenues, therefore, the sale proceeds of commercial and remunerative plots alongwith the cost of plots/tenements to be realised on transfer of leasehold rights to the allottees should accrue to the Centre and credited to the Consolidated Fund of India.

2. Necessary steps may kindly be taken for implementation of the above decisions.

Yours faithfully,

(J. A. Samad)

Deputy Secretary to the Government of India.

Copy forwarded to:—

1. The Director, of Audit, C.W.&M., New Delhi.
2. The Planning Commission, New Delhi.
3. The Ministry of Home Affairs, New Delhi.

4. The Ministry of Finance, Department of Expenditure, New Delhi.
5. Finance Division, Ministry of Works & Housing, New Delhi.
6. The Secretary (Land & Bldg.), Delhi Administration, Vikas Bhawan, New Delhi.
7. The Vice-Chairman, Delhi Development Authority, Vikas Minar, New Delhi.
8. The Director (Slums & J.J), D.D.A., Jhandewalan, New Delhi.
9. Budget Section, Ministry of Works and Housing, New Delhi.
10. Guard file.

(J. A. Samad)

Deputy Secretary to the Government of India.

No. K-11011/58/78-DDI(A)

Government of India

Ministry of Works & Housing

(Nirman aur Awas Mantralaya)

New Delhi, January 2, 1979.

To

- (1) Shri M. N. Buch,
Vice-Chairman,
Delhi Development Authority.
Vikas Minar, New Delhi.
- (2) The Chief Secretary,
Delhi Administration,
Delhi.

(3) Shri S. C. Vaish,
Secretary, Land & Building,
Delhi Administration,
I. P. Estate, New Delhi.

(4) Shri Virendra Prakash,
Commissioner,
Municipal Corporation of Delhi,
Town Hall, Delhi.

Subject: Report of the Committee of Experts on the working of DDA (Baveja Committee)—Implementation of.

Sir,

I am directed to forward herewith a copy each of the report of the Committee of Experts on the working of DDA (Baveja Committee) and of the Empowered Committee appointed to examine the observations/recommendations contained in the report of the Baveja Committee. The Government have accepted the recommendations, subject to para 2 below, made by the Empowered Committee in this behalf. You are requested to implement the decisions taken by the Empowered Committee urgently. If in implementing any of the decisions of the Empowered Committee, specific approval of the Government is called for, the same may please be sought separately.

2.(a) In regard to recommendation made in para 3.14 of the Baveja Committee Report (Item 44 of the report of Empowered Committee), the Government have decided that all reservations in the matter of allotment of plots and flats except the following should be abolished:—

- | | |
|--|----------------------------------|
| (i) Widows of defence personnel killed in action | 1 per cent. |
| (ii) Ex-Servicemen. | 1 per cent. |
| (iii) Physically handicapped persons. | 1 per cent. |
| (iv) Scheduled Castes and Scheduled Tribes. | Present level of
25 per cent. |

(b) As regards recommendations made in para 4.84 of the Baveja Committee Report (Item 102 of the report of the Empowered Com-

mittee), the Government have decided that the *status-quo* may remain.

3. The D.D.A./Delhi Administration/MCD are concerned with the implementation of the recommendations/observations as indicated in the statement which gives the item Nos. of the report of the Empowered Committee. You are requested to send quarterly reports in regard to the implementation of these recommendations to the concerned desks of Delhi Division of this Ministry as indicated in the Statement. The first report may indicate the position as on 31-3-1979.

4. If more copies of the reports are required, kindly send the requisition to this Ministry.

5. Kindly acknowledge receipt.

Yours faithfully,
Sd/-
(H. R. GOEL)

UNDER SECRETARY TO THE GOVERNMENT OF INDIA

Copy, with a copy each of the two reports and the statement to D.O. II-A, D.O. III-A, D.O. I-B, D.O. II-B; Land Division and LSG Section. The item numbers with which these desks are concerned are indicated in the statement attached. They are requested to send to D.O. I-A quarterly statements in regard to the implementation of the various recommendations/observations.

Copy with a copy of enclosure, forwarded to D.S. (DD) for information.

(H. R. GOEL)

UNDER SECRETARY TO THE GOVERNMENT OF INDIA

Copy to:—

P.S. to Secretary.

(ii) P.S. to J.S. (DD)/J.S. (F).

Statement showing the items with which various Authorities are concerned for implementation of the Baveja Committee Report.

Authority	Item Nos. of Empowered Committee Report (Recommendation).	Item Nos. of Empowered Committee Report (Observations)
Delhi Development Authority	3, 5, 6, 9, 10, 11, 17, 18, 22, 24, 25, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 84, 86, 88, 89, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 110, 111, 113, 115, 116, 119, 121, 122, 123, 124, 125, 126.	1, 2, 4, 7, 8, 15, 16, 19, 21, 23, 27, 28, 29, 30, 32, 37, 38, 50, 78, 79, 80, 81, 82, 84, 85, 87, 94, 109.
Delhi Administration.	3, 5, 6, 12, 13, 14, 17, 18, 25, 88, 93, 98, 102, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120.	26, 78, 79, 80, 81, 82, 87.
Municipal Corporation of Delhi.	119.	
D. O. IA	2, 5, 6, 9, 22, 69, 91, 100, 102, 110, 121, 122, 123, 124.	1, 2, 4, 7, 8, 19, 32.
D. O. II-A	12, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 55, 56, 57, 58, 59, 60, 62, 64, 65, 71, 86, 92, 117, 118.	..
D. O. III-A	52, 53, 54, 63, 65, 67, 68, 70, 72, 73, 74, 75, 76, 77, 86, 89, 90, 92, 93, 95, 96, 97, 98, 99, 101, 103, 104, 105, 106, 107, 108, 113, 120, 123, 126.	50, 78, 85, 87, 94, 109.
D. O. I-B	10, 11, 13, 14, 24, 25, 31, 33, 34, 35, 36, 39, 61, 83, 93, 111, 114, 115, 116.	20, 21, 28, 23, 26, 29, 27, 30, 37, 38, 79, 80, 81, 82, 84.
D. O. II-B . . . . .	..	15, 16.
Land Division.	13, 115, 116.	..
L. S. G.	3, 17, 18, 88, 112, 119.	..

Summary of observation/recommendations of the Committee of experts (Known as Baveja Committee) on the assessment of the working of the Delhi Development Authority and the decisions taken thereon by the Empowered Committee.

Sl. No.	Observation/recommendations	Action taken
97.	The Financial restructuring of the DDA would be meaningful only if separate accounts are maintained and no diversion of funds from one account to other should be possible.	Accepted.
99.	Financial Management of the Authority needs complete overhaul. Whatever the financial procedure were the Authority either was not observing them or these were violated flagrantly. The Authority does not appear to have attached any importance to the orders of the Government or the legal provisions in the various Agreements, Acts. etc.	The Empowered Committee has taken the following decisions: 'Financial management of the Authority needs complete overhaul. Specifically it is necessary to have an in built mechanism for independent financial advice and control in the Authority.

Recommendations

Section 8 of the Delhi Development Act, 1957 provides that "Simultaneously with the preparation of the master plan or as soon as possible, thereafter, the Authority shall proceed with the preparation of a zonal development plan for each of the zones in which Delhi may be divided". The Committee find that the Master Plan drawn up for 20 years (1962-81), after its approval by the Government, came into force on 1st September, 1962. The Plan divided Delhi into 139 zones providing for the manner in which land in each zone should be used. The Committee are distressed to note that out of the total 139 zonal plans to be prepared and notified, only 43 plans have so far been approved by Government and notified, 13 are under submission to Government for approval, 11 are under finalisation or modification, 49 are under preparation and 23 are yet to be prepared. The preparation and finalisation of the zonal plans for the last more than 16 years, since the inception of the Master Plan, show utter lack of interest, drive and inept handling of the subject not only in the DDA but also in the Ministry of Works and Housing which were entrusted with the task of approval of the zonal plans. When asked during evidence, the Vice-Chairman, DDA conceded that he was not satisfied with the progress. The unpardonable delay in the preparation of the zonal plans has retarded the planned development of Delhi by several years.

The Committee recommends that Government should institute a thorough probe to identify the reasons for delays in the preparation

and finalisation of the zonal plans at various stages so as to fix responsibility at the appropriate levels.

The Committee have also been informed during evidence that the Master Plan itself has become due for revision and "it may well be that the preparation of these zonal plans may be redundant under the old master plan". The Committee cannot accept these views of the Government as they feel that howsoever comprehensive the revised master plan may be, there have to be detailed zonal plans to feed the Master Plan. The Committee, therefore, desire that the work on the incomplete zonal plans should proceed pace so that these are finalised before the revision of the Master Plan is taken up.

[S. No. 24, 25 and 26 (Paragraphs 4.37, 4.38 and 4.39) of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha)].

Action Taken.

139 Zonal Development Plans (ZDPs) were to be drafted and published under the Master Plan for Delhi which is in vogue now. The Zonal Development Plans in respect of 43 zones have already been finalised and approved by Government. In respect of 6 heavily built up areas draft plans have been prepared but could not be published. There are 9 Zones in respect of which Ministries of Defence and Railways are involved.

2. Of the remaining 81, 57 have already been prepared by the Delhi Development Authority and are in different stages of processing. 15 Zonal Development Plans referred to Government are under consideration in consultation with the Town & Country Planning Organization and the Delhi Development Authority. In all these cases some back references to Delhi Development Authority and Town & Country Planning Organization have become necessary due to some differences of opinion between the two or some clarifications to be sought. Draft plans are still to be prepared in respect of 9 Zones. The Delhi Development Authority has re-constituted the sub-Technical Committee, on 23-8-1979, to process the Zonal Development Plans and we have been assured that this would be meeting at frequent intervals for finalizing the Zonal Development Plans.

3. The Baweja Committee which went into the working of the Delhi Development Authority in 1978 recommended that the Zonal Plans should be in fact action plans for specific areas of project and that the Master Plan should be made adequately detailed to enable

its operation without waiting for detailed Zonal Plans. It has also recommended that the Zonal Plans yet to be prepared in the context of the Master Plan should also be suitably simplified so that they can be expeditiously prepared by the Delhi Development Authority. These recommendations have been accepted by Government and it has been decided pending amendment of the Delhi Development Act, 1957, that the preparation of the Zonal Plans should continue without slowing down the process. Meanwhile, the Delhi Administration are having are-thinking on the subject and the matter is under their active consideration.

4. Action has already been initiated/completed in 115 Zones. While it has been comparatively easier to prepare Zonal Plans for new areas which are only two-dimensional, such exercise run into difficulties in redevelopment zones where built up properties of high-value land get affected through reduced standards in road-widening, community facilities and services, etc. Further, initial exercises like collecting land records and date, physical surveys were time consuming processes. The work has subsequently been speeded up. In this background it is difficult to fix the responsibility on any individual or group.

5. The Committee's recommendation that the work of incomplete Zonal Plans should proceed apace has been noted for compliance.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-DDVA
(Vol. III) dated 6-9-1980]

Recommendation

Section 11A(i) of the Delhi Development Act, 1957 provides for the DDA to make any modification to the Master Plan or the zonal development plan as it thinks fit, being modifications which, in its opinion, do not affect important alternations in the character of the plan and which do not relate to the extent of land uses or the standards of population density. It is distressing to note that some cases certain schemes were taken up by the DDA in anticipation of the necessary modification in the Master Plan and uses/regulations without the approval of Government. The Committee are surprised to note that besides the DDA other Government and semi-Government institutions such as NDMC, DMC, and even CBI had also violated the prescribed land use. The Vice Chairman, DDA had assured the Committee that "they had tried to spare not one. Even CBI itself is being hauled up for violation." The Committee would like

to know specifically within the next three months the action taken against the person concerned in this regard.

[Sl. No. 29 (Paragraph 4.42) of Appendix VI to the Public Accounts Committee's 138th Report (Sixth Lok Sabha)]

Action Taken

A one-man Committee was set up in September, 1977. The Committee submitted its report in February, 1978. The one-man Committee stated that under the circumstances of marked reluctance of officers in the concerned agencies to furnish the necessary case files/records, the preliminary report was submitted on the limited information made available and without the benefit of going through each and every documentary record. After considering the report and the comments of Vice-Chairman, Delhi Development Authority, thereon, the matter was referred to the Lt. Governor, Delhi Administration on 12-10-78 to consider the case in detail and initiate action as necessary. The Ministry of Works and Housing were informed on 17-7-79 that specific instances of violations of Master Plan mentioned in the report of one-man Committee may be made in individual cases and entrusted as separate enquiries to some officers and they be asked to prepare a detailed report on the circumstances relevant to the case. The Delhi Administration was requested on the 31st August, 1979 to proceed on these lines and intimate the result of enquiries to Government. The present position on violation of Master Plan pertaining to land use is indicated in Annexure 'A'.

[The Ministry of Works & Housing O.M. No. K-11011/3/79-DD.
V (A) (Pt. 3) dated 9-9-1980]

ANNEXURE—A

Statement showing the Cases pertaining to the Change of Land use in which violations of the Master Plan were pointed out as per the Report of the One-Man Committee

Name of the Scheme	Period	Official Agency	Remarks
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(i) Underground shopping centre in Connaught Place (inner circle, arc, earmarked for recreational & underground parking in the zonal development plan) 1976-77 N. D. M. C. Public notice regarding inviting objections/suggestion was issued on 1-9-1979 Ministry of Works & Housing have been requested on 4-1-80 to issue the final notification for changing the land use for this piece of land. This is under consideration.

(ii) Hotel-cum-inn in the north of Mandir Marg adjoining Birla Mandir in the area earmarked for religious institutions. 1977 N.D.M.C. D.D.A. vide resolution No. 78 dated 14-7-1980 agreed to the proposal regarding change of land use. Ministry has been requested to convey the approval of the Central Govt. under Section 11-A of the Delhi Development Act, 1957 to issue a public notice for inviting objections/suggestions. This is under consideration.

(iii) Sidhartha Enclave (near Sunlight Colony) in the area earmarked for residential use and neighbourhood parks. 1976 D.D.A. D. D. A. vide resolution No. 21 dated 2-4-1979 dropped the proposal and the site under reference has been put to its original use as earmarked in the Master Plan/Zonal Development Plan.

(iv) Shopping complex in front of Jama Masjid in the area earmarked for recreational use. 1976 D.D.A. The proposal does not involve any change of land use as it forms part of the redevelopment scheme of Jama Masjid area.

1

2

3

4

- (v) Shopping Centre under the Defence Colony bridge 1976 D.D.A. Change of land use in respect of 1.92 hectares (4.75 acres) from 'circulation' to 'commercial' has finally been notified by the Ministry on 8/10-10-1979. The project has been dropped by the M.C.D.
- (vi) Transport Nagar-cum-commercial scheme in the north of Wazirabad Barrage Road in the agricultural green belt area. 1976 M.C.D.
- (vii) Transport Nagar-cum-commercial scheme in Samalka village (rural area). 1976 M.C.D. Final notification for change of land use from 'agricultural green' to 'industrial' use (light manufacturing) has been issued by the Ministry of Works & Housing vide notification dated 1-8-1978.
- (viii) Multi-storied building at Indra-Prastha Estate, Vikas Minar for the offices of the Delhi Development Authority. 1971 D.D.A. The plot under reference on which the multi-storied building has been constructed is earmarked for Govt. office use in the Master Plan/Zonal Development Plan. The office building has been constructed on this plot with increased FAR to the extent of 400 instead of 150 as permissible the D. D. A. invited public objections/suggestions on the increased FAR vide public notice dated 21-8-1971 and only two objections/suggestions were received which were also considered by the Authority vide its resolution No. 290 dated 10th January, 1972.

The above resolution of the Authority was referred to the Ministry of Works & Housing and the Ministry stated that prior approval of the Central Govt. should have been taken by the Authority. Accordingly, the Ministry was requested to convey the approval of the Central Govt. for issuing a final notification.

- (ix) Resettlement colonies, the details of which are as under: 1976-77 D.D.A. The relevant information is being collected by the DDA.

- a) Patparganj Complex (Kalyanpuri, Kichripur, Trilokpuri)
b) Sultanpuri in the east of G. T. Karnal Road.

2. The effect of all these notifications under law was that compensation shall be payable to the parties interested in the land on the basis of the market value of the land on the date of publication of the notification under Section 4 and this is legally provided or under Section 23 of the Act. Had the Government not taken advance action for issue of notification under Section 4 of the Act or had delayed these notifications or had issued notifications under Section 4 piecemeal the Government would have incurred much heavier liability on account of enhanced compensation because the compensation according to Section 23 of the Act is to be determined with reference to the date of notification under Section 4 of the Act and that was precisely the consideration that weighted with the Government for issue of notification under Section 4 at the earliest in order to keep liability for compensation for the lands to be acquired to the absolute minimum level.

3. In the face of time consuming process prescribed by law for completion of the acquisition proceedings as outlined above, delay is/was unavoidable in the acquisition process. Aggrieved by the fact that land after notification under Section 4 remained frozen for long time certain parties challenged the process in a court of law on various grounds. To overcome the adverse effect of the judgement given by the Supreme Court finally in the matter, the Government had no option but to issue an Ordinance called the Land Acquisition (Amendment and Validation) Ordinance 1967, which was later on enacted as the Land Acquisition (Amendment and Validation) Act 1967. By this Ordinance/enactment, it was provided that no declaration under Section 6 shall be made after the expiry of 2 years from the commencement of the said ordinance and where the declaration had been made before or after such commencement and such declaration was or had been made after the expiry of 3 years from the date of publication of the notification, under Section 4 of the Act, there shall be simple interest calculated at the rate of 6 per cent per annum from the date of expiry of the said period of 3 years to the date of tender of payment awarded by the Collector. In view of the time limit of 2 years so prescribed by the Ordinance/Amending Act the Government had no option but to make declaration under Section 6 in respect of the lands which had already been notified for acquisition under Section 4 of the Act dating back to the years 1957, 1959, 1960, 1961 and onwards. The liability for payment of interest was inherent in the issue of these declarations under Section 6 of the Act in the order to save the lapse of acquisition. Had these declarations not been made under Section 6 of the Act within the time schedule of 2 years allowed by the Ordinance/

Amending Act the Acquisition would have lapsed and the same lands would have to be notified under Section 4 of the Act resulting thereby in the heavier liability running into crores of rupees on account of payment of enhanced compensation, as the compensation as stated herein above is to be determined with reference to the market value of the land at the time of issue of the notification under Section 4 of the Act.

Far more important for completion of acquisition of large chunks of lands required for implementation of the Master Plan is the availability of financial resources to meet the acquisition cost. A Revolving Fund with a seed capital of Rs. 5 crores was therefore created in the year 1961 for the implementation of the Master Plan. Obviously, all lands could not be acquired in one stroke on account of financial constraints inherent in the creation of the Revolving Fund.

5. In view of the position explained above, no investigation of the matter is considered possible at this stage.

6. The recommendation of the Committee to fix a time limit for acquiring the land after issue of notification under Section 6 of the Land Acquisition Act, has been brought to the notice of the Ministry of Agriculture, which administers the Land Acquisition Act, for necessary action in the matter. As regards fixing a time limit between the acquisition and development of land, it may be mentioned that the process of development, as is well known, is time consuming and cumbersome depending upon the combined efforts of several departments and organisations. Moreover, the final developments of a piece of land is governed by several variable factors such as—

- (a) land use;
- (b) development plans;
- (c) financial resources; and
- (d) removal of unauthorised encroachments etc.

In view of this, it is not practicable to fix any time limit for this purpose.

[The Ministry of Works and Housing O.M. No. K-11011|8|79-DDVA,
dated 4-9-1980]

Recommendation

According to the scheme of large scale acquisition, development and disposal of land and the orders issued by the Government on 2 May, 1961 land was to be allotted to certain categories at pre-

determined rates which did not involve an element of profit. The Committee are perturbed to note that the pre-determined rates had been revised five times in 1968, 1969, 1970, 1975 and 1977. It is most surprising that in 1975 the then Vice Chairman, DDA had obtained the approval of the then Lt. Governor and Financial Adviser, DDA directly without recording any reasons for revising the pre-determined rates. The Committee would like the matter to be examined in all aspects with a view to fix responsibility.

[Sl. No. 38 (para 565) of the Public Accounts Committee's
138th Report (6th Lok Sabha)]

Action Taken

The Delhi Administration has informed that the pre-determined rates for the disposal of land under the scheme of Large Scale Acquisition, Development and Disposal of Land in Delhi' were revised by them 5 times during the years 1968, 1969, 1970, 1975 and 1977 in view of the rising cost of compensation for acquiring of land, including enhancements in the compensation amounts ordered by courts for land and higher cost of development. As regards the revision of pre-determined rates for disposal of plots in certain schemes by the DDA in August, 1975, a copy of the note recorded by the then Vice-Chairman, DDA, who is now Lt. Governor and Chairman DDA is enclosed, which speaks for itself. The very fact that the pre-determined rates for disposal of land were revised by the Delhi Administration five times during 1968—77 is a mitigating circumstance. Lt. Governor is the competent authority to revise the rate. Government is of the view that in the light of what has been stated in that note, no useful purpose will be served by further examination of the cast with a view to fixing responsibility for the alleged irregularity as the then Lt. Governor is no longer in this world.

[The Ministry of Works and Housing O.M. No. K-11011|8|79-DDVA,
dated 4-5-1980]

Extract of para 4 of the note dated 10th August 1975, which had been recorded by the then VC, DDA and which had been approved of both by the LG and the Financial Adviser, DDA, regarding the rates of allotment of land.

On the pattern of the special scheme for allotment of plots to the allottees of New Subzimandi (Flag 'C') the price of plots in the Shalimar Garden, Pritampura, Pashhimpuri etc. may be fixed as under:—

(i) 40 sq. yds.	Rs. 60/- per sq. yds.
(ii) 80 sq. yds.	Rs. 70/- " " "
(iii) 100 sq. yds.	Rs. 80/- " " "
(iv) 150 sq. yds.	Rs. 100/- " " "
(v) 200 sq. yds.	Rs. 125/- " " "
(vi) 250 sq. yds.	Rs. 150/- " " "
(vii) 400 sq. yds.	Rs. 175/- " " "

The rates relating to allottees of New Subzimandi, Azadpur had been discussed in the note dated 22nd July, 1975 of the then VC which had been approved of by the LG on 22nd July 1975, the relevant extract is given below:—

- (a) Plots of 40 sq. yds. and 80 sq. yds. numbering about 200 to 300, may be carved out in a few group housing pockets of the Shalimar Bagh area. The Delhi Development Authority has already provided about 380 plots of about 100 sq. yds. in Block A of the said scheme. All these plots may be offered for allotment, on usual terms and conditions, to the Low Income Group allottees of new Subzimandi at fixed rates. This rate may be Rs. 50/- per sq. yds. in the case of 40 sq. yds. and 80 sq. yds. plots and Rs. 60/- per sq. yds. in the case of 100 sq. yds. plots.
- (b) The Middle Income Group Subzimandi allottees may be offered plots of 150 sq. yds. and 200 sq. yds. at fixed rate of Rs. 70/- per sq. yds. The Delhi Development Authority has already got a provision for 112 plots of 150 sq. yds. and 63 plots of 200 sq. yds.

Sd/- Jagmohan.

- (v) This has been discussed further. The price for 150 sq. yds. and 200 sq. yds. should be Rs. 100/- per sq. yds. instead of Rs. 70/- per sq. yds.

Sd/- Jagmohan.

Recommendations

Section 22(3) of the Delhi Development Act 1957 provides that after any Nazul land has been developed by or under the control and supervision of the Authority, it shall be dealt with by the Authority in accordance with rules made and directions given by the Central Government in this behalf. The Committee have been informed in this regard that no rules have been made or directions given specifically under the provisions of Section 22(3) of the Delhi Development Act 1957 by the Central Government. Many other such instances have also come to the notice of the Committee where rules have not yet been framed by the Government under the above Act. In this connection it is seen that the Committee on Subordinate Legislation had, in Paragraph 34 of their 5th Report (Second Lok Sabha) recommended that ordinarily rules should be framed under an Act as soon as possible after the commencement of the Act and in no case this period should exceed six months. The Committee would, therefore, like to know the specific reasons for not formulating the rules under the various provisions of the Delhi Development Act 1957 so far. Also, the steps being taken to frame rules under the said Act, should be intimated to the Committee.

[Serial No. 39—Para 5.66 of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha)].

Action Taken

The Delhi Development Authority had passed a Resolution in 1960 suggesting some draft Rules under section 22(3) of the Delhi Development Act. Unfortunately, these do not appear to have been received in the Ministry. The concerned records of the Delhi Development Authority are not immediately traceable having been mislaid during the shifting of the offices of Delhi Development Authority thereafter. The D.D.A. enquired from the Ministry in August, 1977 whether the Rules in pursuance of section 22(3) of Delhi Development Act, 1957 had been promulgated. They were informed in June, 1978 that efforts were being made to locate the Ministry's file dealing with Rules in question. However, no such records could be traced. In fact the administrative Ministries concerned with Delhi Development Act have also changed after it was enacted, making it rather difficult to ascertain the position in this regard. Nevertheless, action has now been initiated to frame Rules under section 22(3) as well as other sections of the Act where these

Rules have not yet been framed vide this Ministry's letter No. K-11011/5/79—DDIIB dated 6-12-79 to the Delhi Development Authority. (copy enclosed).

[The Ministry of Works and Housing O.M. No. K-11011/8/79-DDVA, dated 28-1-1980].

No. K-11011/5/79-DDIIB

GOVERNMENT OF INDIA

MINISTRY OF WORKS AND HOUSING
(NIRMAN AUR AWAS MANTRALAYA)

New Delhi, dated the 6th December, 1979.

To

Shri M. A. K. Tayab,
Vice-Chairman,
Delhi Development Authority,
Vikas Minar,
New Delhi.

SUB.—*Framing of Rules under various sections of the Delhi Development Act where not framed.*

Sir,

I am directed to state that the Public Accounts Committee, in para 5.66 of its 138th Report, has pointed that the Rules under section 22(3) and certain other provisions of the Delhi Development Act have not so far been framed. They desired to know the specific reasons for non-framing of these Rules and the action being taken now to frame the same. Although the D.D.A. was requested to indicate the position in this regard *vide* this Ministry's D.O. No. H-11013/4/79 DDIIB dated 9-11-79, it appears that no such records are forthcoming as could indicate as to why the Rules have not been framed previously.

2. Action is, therefore, to be initiated afresh to frame the Rules under various provisions of the D.D. Act where these have not been framed so far. The D.D.A. has already been requested under this Ministry's letter of even number dated 7-11-79 to send a copy of Resolution No. 243 dated 7-9-80 suggesting draft Rules for dealing with Nazul lands under section 22(3) of D.D. Act. As regards the

Rules not yet framed under various other provisions of the Act, also, the D.D.A. is requested to send its suggestions so that the requisite Rules could be framed. These suggestions may kindly be sent urgently.

Yours faithfully,

Sd/-

(H. L. BHATIA)

(Desk Officer)

T. No. 388708

Copy to:—

1. Shri S. C. Vaish, Secretary (LSG), Delhi Administration, new Delhi. It is requested that the Administration may also kindly look into the matter and send the suggestions for framing of the Rules under various sections of the D.D. Act where the Rules, though provided for, have not yet been framed. This may please be given priority.
2. F. No. H-11013/4/79-DDII-B.

Sd/-

(H. L. BHATIA)

(Desk Officer)

RECOMMENDATIONS AND OBSERVATIONS IN RESPECT OF WHICH GOVERNMENT HAVE FURNISHED INTERIM REPLIES

Recommendation

The Committee note that Delhi Development Authority (Maintenance of current Accounts) Rules, 1959 and Delhi Development Authority (Preparation of Budget) Rules, 1960 were framed under Section 25 of the Delhi Development Act, 1957. The representatives of the Ministry of Works and Housing had admitted during evidence that 'the present state of the Delhi Development Authority Budget is too inadequate in a variety of ways in the sense that keeping of accounts under the system is not activity-wise' and that "these rules do contain a variety of inadequacies and that the clear cut powers of reappropriation are not there". The Committee are constrained to point out that no serious effort was ever made in the Delhi Development Authority to streamline the budgetary procedure during the last two decades and even the revised draft rules i.e. Delhi Development Authority (Budget and Accounts) Rules have been pending approval for the last more than one year. The Committee have been informed in this regard that the draft rules have been shown to the Controller General of Civil Accounts and that an exercise is currently being done in consultation with the Comptroller and Auditor General of India. The Committee have been assured during evidence in October, 1978 that the Government would streamline the budgetary procedure within six months.

[Serial No. 6—Para 2.15 of the Public Accounts Committee's
138th Report (6th Lok Sabha)]

Action Taken... ..

The revised draft Delhi Development Authority (Budget and Accounts) Rules are still under consideration in consultation with the Comptroller and Auditor General of India. The file has been referred to the Comptroller and Auditor General of India on 14-2-1979.

[The Ministry of Works and Housing O.M. No. K-11011/8/79-
DDVA dated 6-12-1979].

Recommendations

While formulating the revised rules, the Committee hope that care would be taken to provide that the accounts in the Delhi Development Authority are kept activity-wise and the Annual Accounts exhibit the financial results of each of the activity separately. The Committee, therefore, recommended that the Delhi Development Authority should be subject to same discipline as any other Statutory Corporation set up by Government of India as far as form of accounts, time required for compilation and auditing of annual accounts, presentation of accounts and the Audit Report thereon are concerned.

[Serial No. 7 (Para 2.16) of the Public Accounts Committee's
138th Report (6th Lok Sabha)]

Action Taken

The revised draft Delhi Development Authority (Budget and Accounts) Rules are still under consideration in consultation with the Comptroller and Auditor General of India. The file has been referred to the Comptroller and Auditor General of India on 14-2-1979.

[The Ministry of Works & Housing O.M. No. K-11011/8/79-
DDVA dt. 6-12-1979.]

Recommendation :

The Committee note that the Committee of Experts on the Working of Delhi Development Authority (Baveja Committee) have also criticised the Authority for non-adherence to by the time schedule, as laid down in the Rules for the submission of the Budget Estimates to Government for the Budget of the Authority. To be realistic, that Committee have recommended that "the authority should submit the Budget Estimates to the Ministry of Works and Housing by 31st December latest, whereas major schemes and programmes costing Rs. 25 lakhs should be forwarded to the Ministry well in advance, say by 1st December each year". The Committee have been informed that on the basis of the recommendations of the Baveja Committee "It has been decided by Government that the Authority should finalise and forward the Budget Estimates to the Ministry of Works and Housing as required under section 24 of the Delhi Development Act, 1957 latest by the 31st January of each year and the Delhi Development Authority have been directed to act accordingly". Whatever the new working arrangements are made, the Committee hope that Government would learn a lesson from the past mistakes and omissions and ensure that Budget Estimates of the Authority are finalised and submitted to the Ministry of Works and Housing well in time so that these are properly scrutinised in detail with reference to the investment programmes, the availability

of resources, etc. The Committee do not agree with the contention of the Ministry that "since the Delhi Development Authority is an autonomous body and the Authority is its own budget sanctioning authority except to keep a watch on the receipt of the budget as required under rule 8 of the Delhi Development Authority (Preparation of Budget) Rules, 1960 no further action was necessary". Sections 23(4), 41 and 42 of the Delhi Development Authority Act vest in Government adequate powers to issue directions to the Delhi Development Authority for the efficient administration of the Act and to determine the terms and conditions for release of Government funds. In the circumstances, the Committee expect that the Government would exercise the powers vested in them under these sections and take adequate action hereafter. The Committee feel that nothing in the rules should inhibit the Government to advise the Authority of modifications/corrections in the Budget Estimates if the Ministry are satisfied that the Estimates prepared show lack of direction, adequate planning and that there is no co-relation between the outlays provided with physical progress to be achieved and targets fixed.

[Serial No. 12—(Para 2.40) of the Public Accounts Committee's
138th Report (6th Lok Sabha)]

Action Taken

The revised draft Delhi Development Authority (Budget and Accounts) Rules are still under consideration in consultation with the Comptroller and Auditor General of India. The file has been referred to the Comptroller and Auditor General of India on 14-2-1979.

[The Ministry of Works and Housing O.M. No. K-11011/8/79-
DDVA dated 6-12-1979].

Recommendation

According to the Delhi Development Authority (Preparation of Budget) Rules, 1960 notified by Government of India, the authority may sanction re-appropriation of funds from one major head of account to another within any major head provided that no re-appropriation shall be made from Nazul to non-Nazul accounts or vice-versa and from Slum or Rehousing Accounts to General Development Accounts and vice-versa without the prior approval of the Government. In spite of these provisions, the Committee are perturbed to note that during the years from 1972-73 to 1976-77, Rs. 112 lakhs and Rs. 915 lakhs were transferred from Nazul Account

I and II respectively to General Development Account; Rs. 422 lakhs from General Development Account to Nazul Account II; Rs. 30 lakhs from Nazul Account I to II and Rs. 58 lakhs from Nazul Account II to I and Rs. 897 lakhs from Nazul Account II to III without the approval of the Government. What is surprising is the fact that the Delhi Development Authority had stated that it need not deposit the accretions to the fund from time to time whereas the Ministry of Works and Housing have admitted that the approval of the Delhi Administration was required for such transfers. The Finance-Member, Delhi Development Authority stated during evidence that as the Delhi Development Authority is keeping single cash book under the prescribed rules, it is very difficult to strike a balance in respect of each account unless the account of a particular month is closed. The Vice-Chairman also conceded that the diversion of funds is symptomatic—firstly of improper preparation of budget estimates and secondly of not preparing proper cash flow projections at the time of preparation of budget. Another reason advanced by him was that the Delhi Development Authority never had a strong internal audit organisation.' The Baveja Committee which went into the working of the Delhi Development Authority in depth also stated that diversion of funds from one account to another by the Authority was "unfortunate". The Committee are also surprised to note that during the years 1973-74 to 1977-78, when the expenditure provided for was more than the anticipated receipts in the respective accounts, the excess of expenditure used to be balanced by way of provisions under Debt., Deposits and advances heads. In view of the above facts, the Committee recommend that the Delhi Development Authority should revise their Budget and accounts rules in consultation with the Comptroller and Auditor General of India so that Delhi Development Authority may maintain their accounts on commercial basis and it should have a proper balance sheet of all its assets and liabilities, details of its block accounts and a profit and loss statement activity-wise. They are also of the view that the powers to appropriate and re-appropriate funds out of the sums allotted are required to be specifically delegated to the various authorities and it should introduce the system of performance budgeting.

[Serial No. 22—(Para 3.33) of the Public Accounts Committee's 138th Report (6th Lok Sabha)].

Action Taken

The revised draft Delhi Development Authority (Budget and Accounts) Rules are still under consideration in consultation with

the Comptroller and Auditor General of India. The file has been referred to the Comptroller and Auditor General of India on 14-2-1979.

[The Ministry of Works and Housing O.M. No. K-11011/8/79-DDVA, dated 6-12-1979].

Recommendations

From the information furnished by the Ministry of Works and Housing the Committee find that there is a three year time limit for development of land from the date of possession of allotted land or date of extension of agreement with the cooperative societies and that no time limit is prescribed for allotment of land to its members. However, permission for allotment of plots is given only when its demarcation-cum-layout plan is approved or released by the competent authority and the membership of the members is cleared by the Registrar, Cooperative Societies. The Committee are gravely concerned to note in this connection that only 27 cooperative societies out of the 125 societies had been able to complete the development within this period of three years.

[Sl. No. 42 (Paragraph 5.88) of Appendix VI to the Public Accounts Committee's 138th Report (6th Lok Sabha)].

Action Taken

A condition to the effect that development of land should be completed within 3 years, failing which Government may resume land is invariably incorporated in the agreement. The issue of charging some penalty in the event of failure to complete the development in time is being examined by the Land and Building Department of Delhi Administration. Imposition of penalty may act as a spur for the development of land by the societies.

The Land and Building Department of the Delhi Administration have reported that 82 cooperative societies have so far completed development work.

[The Ministry of Works and Housing O.M. No. K-11011/8/79-DDVA, dated 10-6-1980].

NEW DELHI;
October 26, 1981
Kartik 4, 1903 (S)

SATISH AGARWAL,
Chairman,
Public Accounts Committee

PART II

Minutes of the sitting of the Public Accounts Committee (1981-82) held on 16 October, 1981.

The Committee sat from 11.00 to 13.00 hrs.

Present

Shri Satish Agarwal—Chairman

MEMBERS

2. Shri Subhash Chandra Bose Alluri
3. Shri Tridib Chaudhuri
4. Shri Mahavir Prasad
5. Shri Ashok Gehlot
6. Shri M. V. Chandrashekare Murthy
7. Shri Hari Krishna Shastri
8. Shri Satish Prasad Singh
9. Smt. Purabi Mukhopadhyay
10. Shri N. K. P. Salve
11. Shri Patitpaban Pradhan
12. Prof. Rasheeduddin Khan

REPRESENTATIVES OF AUDIT

1. Shri K. C. Das—Addl. Dy. C&AG
2. Shri M. M. Metha—Director of Audit, Central Revenues
3. Shri P. K. Ganapati—Director of Audit, (P&T)
4. Shri Lachhman Singh—Joint Director (P&T)
5. Shri M. L. Malhotra—Joint Director (Reports)

SECRETARIAT

1. Shri D. C. Pande—Chief Financial Committee Officer
2. Shri K. K. Sharma—Senior Financial Committee Officer

2. The Committee considered the draft 62nd Report (Seventh Lok Sabha) on Action Taken by Government on the recommendations contained in 138th Report (6th Lok Sabha) on Delhi Development Authority. The Committee adopted the draft Report with modifications, including amendments suggested by Shri N. K. P. Salve and Prof. Rasheeduddin Khan, as shown in Annexure I.

The Committee also approved certain other modifications arising out of factual verification by Audit in the aforesaid draft Reports.

The Committee then adjourned.

ANNEXURE I

Modifications/Amendments made by the public Accounts Committee in draft 62nd Report on action taken by Government on the recommendations contained in their 138th Report (6th Lok Sabha) on Delhi Development Authority

Page	Para	Line	Amendments/Modifications
7	1-7	13	<i>For "informed"</i> <i>Read "asked"</i>
8	1-8	1 to 8	<i>Substitute</i> the following for the existing para:— "The Committee are shocked at this state of affairs. As the Delhi Administration and the DDA are the main bodies responsible for implementing the recommendations of the Baveja Committee and as most of these recommendations are not acceptable to the Delhi Administration, the Committee desire that the matter should be sorted out expeditiously by the Ministry."
13	1-12	5	<i>For "executed"</i> <i>Read "followed"</i>
17	1-16	9	<i>Add</i> the following after the word "scheme" "This whole approach indicates dangerous premium on dereliction of duty on the part of the Government in supervising the functioning of DDA. So far as the DDA is concerned, the attitude shows arrogance. The DDA must not be allowed to become a Frankenstein and destroy unchecked the very purpose to serve which it was created."
17	1-16	14	<i>Add</i> the following after the word "responsibility" "If necessary, the matter should be made over to appropriate investigating agency."
21	1-19	12	<i>For</i> 'So far———— Government' <i>Read</i> 'So far only 43 Zonal Development Plans have been approved by the Central Government and notified.'
21	1-20	12	<i>For</i> "preparation" <i>Read</i> "adoption"

Page	Para	Line	Modifications/Amendments
23	1-23	11	<i>Add</i> the following after the word 'agencies' "The Committee are distressed at this state of affairs and desire that responsibility should be fixed on the officers who failed to furnish the relevant records to the one-man committee."
23	1-23	11	<i>For</i> "They" <i>Read</i> "The Committee"
23	1-23	12	<i>For</i> "reach" <i>Read</i> "arrive"
29	1-30	10	<i>Add</i> the following after the words predetermined rates.' "The Committee would like to point out that in their examination of the irregularities committed by the officials in the DDA they are not concerned with the person concerned but with the lacuna in the system which has allowed such irregularities to be committed."
29	1-30	13	<i>For</i> "fix" <i>Read</i> "fixing the"
32	1-33	13 to 16	<i>Delete</i> 'They would also like to be apprised of the latest position regarding framing of rules under various provisions of the Delhi Development Act, 1957.'

APPENDIX

Statement of conclusions and Recommendations

Conclusion/Recommendation

Sl. No.	Para No.	Ministry concerned
1	2	3
1.	1.3	Ministry of Works & Housing
2.	1.7	-do-

4

The Committee expect that final replies to those recommendations and observations in respect of which only interim replies have so far been furnished will be made available to them expeditiously after getting them vetted by Audit.

The Committee are not convinced with the reply of the Government. The fact remains that the recommendations of the Committee of Experts set up in June, 1974 have not been taken up seriously by the Government for implementation. Government, in the first instance, appointed an Empowered Committee to examine the recommendations of the Committee of Experts but while implementation of the decisions of this Empowered Committee was still under process. Government appointed another Committee (Baveja Committee) in October, 1977. The report of the Baveja Committee was submitted in June, 1978. In January 1979, Ministry of Works and Housing asked the Delhi Administration and the DDA

to implement the accepted recommendations of the Baveja Committee, and of the Empowered Committee which had been appointed to examine the recommendations of the Baveja Committee. The Delhi Administration later stated that most of the recommendations of the Baveja Committee were not acceptable to them as they felt that the recommendations go outside the scope of the Scheme of Large Scale Acquisition, Development and Disposal of Land in Delhi. The views of the Delhi Administration are under examination in the Ministry of Works and Housing since October, 1980.

3. 1.8 Ministry of Works & Housing

The Committee are shocked at this state of affairs. As the Delhi Administration and the DDA are the main bodies responsible for implementing the recommendations of the Baveja Committee and as most of these recommendations are not acceptable to the Delhi Administration, the Committee desire that the matter should be sorted out expeditiously by the Ministry.

4. 1.9 -do-

The Committee would further like to emphasise that when any committee is appointed by the Government to go into a particular matter, its recommendations should be seriously examined and steps taken to implement the same expeditiously rather than appointing a number of committees subsequently as this only delays matters and also results in additional expenditure.

For financing the acquisition and development of land, Government set up a revolving fund in 1961-62 with an initial contribution of Rs. 1.25 crores (raised to Rs. 12.31 crores by 1969-70) out of the Consolidated Fund of India and placed it at the disposal of the Delhi Administration. Under the rules governing the operation of the revolving fund as contained in the Ministry of Finance letter dated 30 June, 1961, sums out of the Revolving Fund were to be advanced to the DDA (among others) for meeting expenditure on the development of land and receipts from the disposal of land were to be paid back into the Revolving Fund for financing further expenditure on acquisition and development of land. In violation of those rules, the Delhi Administration allowed (February 1966) the DDA to utilise the amount of receipts connected with the scheme of large scale acquisition, development and disposal of land for direct utilisation by it against its development expenditure. Further, even the surplus receipts from the disposal of land were not made over to the Delhi Administration. The total amount payable by the DDA to the revolving fund as on 31-3-1978 amounted to Rs. 10.87 crores. During evidence held in October 1978, the representative of the DDA had admitted the irregular diversion of funds saying: "The money has come to us and we have used it for something else. Actually we should have put it in the revolving fund." The Committee had in the circumstances recommended a thorough investigation into the ill-advised procedure allowed by the Delhi Administration and followed by the DDA.

6. 1.13 Ministry of Works & Housing

In their action taken note, the Ministry of Works and Housing without holding a thorough investigation into the matter as recommended by the Committee, have tried to evade taking action by referring to one of the terms of reference of the Baveja Committee regarding financing of various activities of the DDA. The Ministry have not given any reason for unauthorised diversion of funds. The Committee therefore reiterate their earlier recommendation that a thorough investigation should be made to find out how huge sums due to the revolving fund were diverted by the DDA without prior approval of the Government of India and also the circumstances in which the Delhi Administration had allowed DDA since 1966 to divert such funds. The Committee would further like to know as to why the Ministry of Works and Housing did not take timely action to restrain DDA from adopting this irregular procedure. The Committee would also like responsibility to be fixed on the persons found responsible for violating the rules relating to operation of the revolving fund.

7. 1.16 -do-

The reply furnished by the Ministry of Works and Housing does not specifically explain the reasons for spending a sum of Rs. 9.61 crores on Jhuggi and Jhompries without the approval of competent authority or the Government and putting up MIG and LIG houses at a cost of Rs. 3 crores without the administrative approval of and

without sorting out the feasibility of the scheme. This whole approach indicates dangerous premium on dereliction of duty on the part of the Government in supervising the functioning of DDA. So far as the DDA is concerned, the attitude shows arrogance. The DDA must not be allowed to become a Frankenstein and destroy unchecked the very purpose to serve which it was created. Since in the opinion of the Committee, these irregularities were grave and revealing in nature, they would like to reiterate their earlier recommendation that the Government should undertake a thorough probe into these lapses and fix responsibility. If necessary, the matter should be made over to appropriate investigating agency.

8. 1.19

-do-

Under the provisions of the Delhi Development Act, 1957, a Master Plan for Delhi was prepared by the DDA. It was approved by Government and came into force on 1 September, 1962. The Master Plan covered broad aspects of development likely to take place during 1961 to 1981. The Act also provided that "Simultaneously with the preparation of the Master Plan or as soon as may be thereafter, the Authority shall proceed with the preparation of a Zonal Development Plan for each of the Zones into which Delhi may be divided." The Master Plan divided Delhi into 139 Zones. So far only 43 Zonal Development Plans have been approved by the Central Government and notified.

9. 1.20

-do-

The Committee are not satisfied with the reply of the Government that the delay in finalisation of Zonal development plans was due to the initial exercises like collecting land records and data,

physical surveys etc., which was a time-consuming process. The fact that preparation, finalisation and notification of 96 zonal development plans has remained pending even after a lapse of 19 years indicates that neither the DDA nor the Government gave serious consideration to the implementation of the specific statutory provision for preparation of zonal development plans soon after the adoption of the Master Plan. The reply of the Government that "The Committee's recommendations that the work of incomplete Zonal Plans should proceed space has been noted for compliance" is not all satisfactory. The Committee desire that at least now a time-bound programme for finalisation of the pending Zonal Plans should be fixed and the DDA and Government should ensure that the work is completed without further loss of time.

10. 1.23 Ministry of Works & Housing

The Committee are surprised to note the reply of the Ministry of Works and Housing that "the one-man Committee stated that under the circumstances of marked reluctance of officers in the concerned agencies to furnish the necessary case files/records, the preliminary report was submitted on the limited information made available and without the benefit of going through each and every documentary record." The Committee are concerned at the helplessness expressed by the Ministry in obtaining the relevant records from the concerned agencies. The Committee are distressed at this

state of affairs and desire that responsibility should be fixed on the officers who failed to furnish the relevant records to the one-man Committee. They cannot but arrive at the conclusion that in the absence of records pertaining to violations of land use as prescribed in the Master Plan, the purpose for which the one-man Committee was appointed has not been served. The Committee, therefore, recommend that a fresh inquiry should be made into all cases of violations of prescribed land use and necessary steps taken to ensure that all the relevant records are made available for this inquiry. On the basis of the findings of this inquiry, responsibility should be fixed on the erring officials.

11. 1.26 -do-

It is observed from the reply given by the Ministry of Works and Housing that the Committee's recommendation for fixing a time limit for acquiring land after issue of notification under Section 6 of the Land Acquisition Act was brought to the notice of the Ministry of Agriculture which administers the Land Acquisition Act, for necessary action in the matter. The Committee would like to know the latest position in this regard.

12. 1.27 -do-

As regards fixation of time limit for development of land, the Ministry of Works and Housing have stated that as the process of development of land is time-consuming and cumbersome depending upon the combined efforts of several departments and organisations, it is not practicable to fix any time limit for the purpose. The Committee consider that the relevant factors can be taken into account while fixing a time limit. They would suggest that such

time limits should be fixed by administrative instructions or otherwise so that the departments and organisations concerned take action in the matter promptly and in right earnest. The Committee, therefore, reiterate their earlier recommendation.

13. 1.30 Ministry of Works & Housing

The reply of the Government that "no useful purpose will be served by further examination of the case (revision of pre-determined rates) with a view to fixing responsibility for the alleged irregularity as the then Lt. Governor is no longer in this world" is evasive as the fact remains that in 1975 the then Vice-Chairman, DDA had obtained the approval of the then Lt. Governor and Financial Adviser, DDA, directly in violation of orders issued in 1961 without giving any reasons for revising the pre-determined rates. The Committee would like to point out that in their examination of the irregularities committed by the officials in the DDA they are not concerned with the person concerned but with the locuna in the system which has allowed such irregularities to be committed. The Committee, therefore, reiterate their earlier recommendation that the matter be examined in all its aspects with a view to fixing the responsibility.

14. 1.33

From the reply furnished by the Ministry of Works and Housing the Committee note that the DDA had passed a Resolution in 1960 suggesting some draft rules under Section 22(3) of the Delhi Development Act 1957. The Committee are concerned to note that it was only after a lapse of 17 years that the DDA enquired from the Ministry in August 1977 about the promulgation of the rules, under the said section. What is more surprising is the fact that the records in the DDA and the Ministry are not traceable. The Committee would like the matter to be thoroughly investigated and responsibility fixed for the lapse for not finalising the rules since 1980.

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