CHAPTER 7. ALLOTMENT AND LAND MANAGEMENT

7.1 Land Allotments

7.1.1 Allotments upto September 2004

The Ministry had set up a one man Committee of Inquiry (Yogesh Chandra Committee) in September 2004 to examine cases of allotment by L&DO between 1998-99 and September 2004 to social, cultural, religious and educational institutions, recommend suitable action in cases of deviations, and suggest guidelines for future allotments.

The Committee examined 100 cases of allotments to religious, educational, socio-cultural and political institutions. Of these cases, the Committee found that in 68 cases, the allotments were in order, although in three cases of allotment to schools, the Committee recommended that the schools should provide a percentage of seats for children from poor families.

In the remaining 32 cases, the Committee found that the allotments had been made without due regard to the stipulated procedures. Out of these 32 cases,

- Allotments were cancelled in 29 cases, of which, in 23 cases, the lessees had gone in appeal against the cancellation and the matter was, therefore, sub-judice. The allotments had been surrendered in the other six cases.
- In two cases of allotment to religious institutions, allotments were not cancelled, after consideration by the Minister, while in one other case, no final decision had been taken.

7.1.2 Subsequent allotments

Subsequent to the recommendations of the Yogesh Chandra Committee, the Screening Committee for screening applications for allotment was reconstituted, and guidelines for allotment were revised. During the period 2005 to 2007, 27 perpetual and 13 temporary allotments were made. In November 2006, the Committee decided that there was no scope for further allotment of land to Non-Governmental Organizations in the near future.

No consolidated list of allotment from 2005 onwards was made available to Audit by the L&DO. However, Audit scrutiny of the minutes of the Screening Committee between December 2005 and November 2006 revealed that 29 allotments were made, of which 24 were made to local bodies/ Governmental/Quasi-Governmental agencies and five to political parties.

7.2 Land Management

7.2.1 Transfer of Markets

In March 2006, L&DO transferred 106 markets (excluding INA and Connaught Place Markets) to NDMC (27) and MCD (79), on the grounds of necessity for redevelopment of markets.

As per the decision, NDMC and MCD were to create a separate corpus fund for the revenue generated from these markets, which was to be used only for market development. Further, they were to send a quarterly report of the deposits and expenditure from this fund to L&DO and the Ministry.

Audit scrutiny revealed the following:

- NDMC had generated Rs. 5.46 crore of revenue as of April 2008 for the corpus fund for market development, and was also submitting the quarterly reports regularly. However, these reports showed no expenditure had been incurred on redevelopment of the transferred markets.
- MCD had generated Rs. 21.88 lakh of revenue as of September 2007 and was not submitting the quarterly reports. During the exit conference, L&DO indicated that MCD had not physically taken over any of these 79 markets, including key markets like Teliwara Market, Kamla Market, Azad Market, Ghaffar Market, Lajpat Nagar Market and Sunder Nagar Market.
- As regards INA and Connaught Place markets which remain with L&DO, no proposal for redevelopment of Connaught Place market had been initiated[11]. Audit conducted a field visit to INA market to assess the actual status of redevelopment, which revealed that redevelopment had not commenced, though the techno-economic feasibility study report had been submitted in December 2005.

Dilapidated buildings in INA market

The Ministry admitted the facts and stated that no redevelopment had taken place since markets under the jurisdiction of MCD were yet to be physically handed over. Further, the proposal for re-development of INA market was under consideration.

[11] However, NDMC had taken up the work of façade restoration, centralized air conditioning system, landscaping, streetscaping and signages in Connaught Place, in view of the ensuing Commonwealth Games 2010.

7.2.2 Salt Pan Land, Mumbai

About 62,000 acres of salt land located in Gujarat, Maharashtra, Tamil Nadu, Andhra Pradesh, and Orissa are vested in Government of India through the Salt Commissionerate under the Department of Industrial Policy and Promotion (DIPP), primarily in the coastal regions of the country. Of these, about 13,000 acres of salt pan lands are in Maharashtra. Mumbai and its suburbs alone have over 6000 acres of salt land−both privately owned and lease-held.

In May 2001, the Union Cabinet approved a proposal for transfer of surplus Salt Pan Land, which had become unsuitable for salt manufacture, from the DIPP to MoUD and Government of Maharashtra. After considering land falling under the Coastal Regulation Zones, it was envisaged that 667 hectare of developable land would be shared between the Union Government and the State Government. The projects for which the Salt Pan Land was proposed to be utilized included construction of General Pool Residential Accommodation for Central Government Employees, land for expansion of Mumbai airport etc.

However, this land had not yet been transferred by DIPP to L&DO, and the Cabinet decision remained unimplemented. Various reasons had been put forth for the delay in implementing the Cabinet decision e.g. inaccuracies in land records, land being under ownership disputes, and pendency of several litigations before Courts and Revenue Authorities. The non-transfer is especially serious in view of the high market value of such land, and shortage of housing stock leading to high demand for land and providing incentives for encroachment by unauthorized parties.