



**Report of the
Comptroller and Auditor General of India
on
Land Management in
Delhi Development Authority**



**Union Government
Ministry of Urban Development
Report No. 31 of 2106
(Performance Audit)**

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Preface

This Report has been prepared for submission to the President under Article 151 of the Constitution of India.

This Report of the Comptroller and Auditor General of India contains results of Performance Audit on Land Management in Delhi Development Authority for the period 2010-11 to 2014-15.

The instances mentioned in this Report are those, which came to notice in the course of test audit for the period 2010-11 to 2014-15. The matters relating to the period subsequent to 2014-15 have also been included, wherever necessary.

The audit has been conducted in conformity with the Auditing Standards issued by the Comptroller and Auditor General of India.

Audit wishes to acknowledge the co-operation received from DDA at each stage of the audit process.

Executive Summary

Introduction

Delhi, being a city state and also the capital of the Country with an area of 1483 sq. km. and a population of 1.67 crore (as per census 2011), has a great need for planned development to make it a world class city. Further, with the explosive growth of population, the importance of providing necessary infrastructure in a reasonable time and effective manner cannot be overstated.

The Delhi Development Act, 1957 (DD Act) enacted by the Central Government in 1957 provides that the objective of the Delhi Development Authority (DDA) shall be to promote and secure the development of Delhi according to the Master Plan. Thus, DDA is responsible for acquisition and development of land for various developmental schemes as per the Master Plan approved by the Central Government. The land is acquired through Delhi Government and placed at the disposal of DDA for development purposes as approved under the various development schemes.

Audit Objectives and Scope

The Performance Audit was conducted to assess:

- Whether land management activities were executed with efficiency, economy and effectiveness and whether these were undertaken in accordance with the applicable legal and regulatory framework;
- Whether an efficient planning mechanism for carrying out the land management activities was in place and was functional;
- Whether an effective system of record management and documentation existed and was functional;
- Whether an effective and efficient internal control and monitoring system was in place for planned implementation of the land management activities.

The land management activities in DDA commence with the planning for acquisition of land. Requests for acquisition of land are sent to Delhi Government. Land acquired by Delhi Government as per the Land Acquisition Act, 1894 (replaced by ‘The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013’) is handed over to the Land Management (LM) Wing of DDA. The land taken over by LM Wing is to be transferred to the user department/Engineering Wing of DDA for developing the same as per the relevant development schemes and the Master Plan requirements. The developed land should be disposed off for various purposes including institutional, residential, commercial and industrial use, by DDA in accordance with the provisions of Nazul Rules by the Land Disposal (LD) wing. Protection of the land with DDA

is an indispensable function of land management and planned development. Land Protection activities are carried out by the LM and Engineering wings of DDA. Activities relating to land acquisition, development, protection and disposal were examined by Audit at DDA Headquarters as well as various field offices.

Significant Audit Findings

Budget, Receipt and Expenditure

Budget estimates of land acquisition, development and disposal were not prepared on a realistic basis keeping in view actual receipt/ expenditure.

(Para 1.5)

Land Acquisition

The Master Plan of Delhi provides the vision for planned development of Delhi. The National Capital Territory of Delhi has been divided into 17 Zones as per the Master Plan. The Zonal Development Plan (ZDP) contains, *inter alia*, site plan and use plan indicating approximate location and extent of land uses proposed in the Zone as well as detailed information regarding provision of social infrastructure, parks and open spaces, circulation system, etc. Audit noticed that the ZDPs of 16 Zones were submitted by DDA between February 2009 and September 2009 i.e. after two years from notification (February 2007) of MPD-2021, and were approved by MoUD between March 2010 and June 2010. Thus, finalization of ZDPs was delayed by more than two years. Further, the Plan for one Zone i.e. Zone 'D', was yet to be notified by DDA (June /October 2016).

(Para 3.1.1)

Monitoring and periodical review of Master Plan of Delhi (MPD)-2021 was not conducted as prescribed in the Master Plan. The Monitoring Unit set up in August, 2007 was not provided with modern data processing facilities and other necessary resources required for carrying out the task.

(Para 3.1.2)

MPD-2021 had envisaged alternative options for development of areas identified for urbanization in MPD-2021 through involvement of the private sector in land assembly and development. For this purpose, a land pooling policy was approved by the Central Government in September, 2013, but due to lack of coordination between DDA and Delhi Government, on pre requisite formalities such as declaration of development areas, the policy has not been operationalised yet (October 2016).

(Para 3.1.3)

DDA had no consolidated information/database in respect of land acquired and utilized for various schemes as well as vacant land in hand. The information relating to vacant land lying with DDA and acquired land during 2010-11 to 2014-15 provided by different wings of DDA was at variance. Further, joint inspection carried out by audit revealed shortages in land vis-à-vis the area reported by DDA in its records.

(Para 3.2.1)

There was lack of coordination between DDA and Delhi Government in acquisition proceedings, release of compensation/ enhanced compensation, receipt of land from Delhi Government, reconciliation of accounts and proper utilisation of funds by Delhi Government, which resulted in:

- Non-reconciliation of compensation amount between DDA and Delhi Government.
- Non-receipt of utilisation certificate from Delhi Government.
- Non receipt of land even after release of full payment.
- Double payment of enhanced compensation.

(Para 3.2.2)

There was delay in completion of land acquisition process. Time taken for release of compensation to Delhi Government, after receipt of demand from Delhi Government, ranged from seven month to more than eight years. Further, the time taken for transfer of land to user departments (or non transfer of land upto October 2016), after taking possession of land from Delhi Government, ranged from one month to more than nine years.

(Para 3.2.3)

In respect of seven cases of acquisition, although the awards were announced before 01 January 2009 for acquisition of 2052 acres of land, physical possession of only 486 acres of land was received up to October 2016. As such, land measuring 1566 acres has not been received (June/October 2016) which may lapse, in view of the Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(Para 3.2.4)

Recommendations

- The MPD should be monitored regularly as per the prescribed periodicity and the monitoring unit should be equipped with all the necessary resources to carry out its duties effectively. DDA should take necessary action to finalise the Zonal Development Plan of Zone 'D' at the earliest.
- DDA should develop a proper database of total land and appropriate records maintained in all wings should be properly reconciled.
- DDA should develop systems to ensure timely processing of all the payment requests for compensations and enhanced compensations. DDA should also ensure that the acquired land is transferred to the user department/wing within a reasonable time after the possession of land is received in the Land Management wing.

Land Development

Proper and effective planning was important for timely and cost effective implementation of the development activities. It was important that plans for development were prepared after carrying out proper site surveys, necessary technical studies and in accordance with the identified requirements. Audit noticed various deficiencies in planning for land development activities, which included:

- Non availability of clear site before award of work.

- Delay in submission of structural drawings.
- Failure to take required approvals from various bodies before start of work.
- Non approval of revised administrative approvals & expenditure sanctions and non-revision of technical sanctions.
- Foreclosure of work due to encroachments, agitations and court orders.

(Para 4.2)

Audit noticed delay ranging from six months to more than 17 years in start of work, after the approval of layout plan/ administrative approval and expenditure sanction by the competent authority. Further, delay in completion of works was noticed in the range of three to 43 months. Delays ranging from 15 months to 55 months were also noticed in handing over of completed works to the concerned authorities.

(Para 4.3 and 4.4)

Joint Inspection with DDA representatives' revealed non-utilisation of land handed over to user departments.

(Para 4.5)

Recommendations

- DDA should strengthen its planning mechanism for land development activities. The estimates should be prepared after proper site verifications, technical study and according to the requirements of the development plan.
- DDA should ensure that implementation of the development works is taken up in a time bound manner and as per the prescribed technical estimates. Revised approval of the estimates should also be taken in time and as per the prescribed norms.
- DDA should ensure proper coordination with other local bodies, agencies and public utilities so that the development works are carried out smoothly, all the clearances are received in time and completed works are handed over to the ultimate user at the earliest.

Land Disposal

Audit noted that there was neither a documented policy/timeframe to prioritize, schedule and plan the land disposal activities nor a centralized record/database of number of plots available and disposed off by DDA.

(Para 5.3.1 and 5.3.3)

No records relating to valuation of land and fixation of reserve price was provided to Audit, in the absence of which audit could not draw an assurance that any guideline in this regard existed and valuation was carried out properly and with necessary due diligence.

(Para 5.3.4)

DDA allots Nazul land either through tender/auction or by the process of allotment after consideration by Institutional Allotment Committee (IAC). For the process of allotment, the

application was to be processed within a period of three months from the date of application. Audit noticed that:

- IAC meetings to process the cases for allotment of institutional land were not held regularly. Only seven IAC meetings were held during the period 2010-11 to 2014-15 as against the requirement of 30 meetings.
- 13 out of 36 cases put up to IAC did not fulfil the requirements of Nazul Rules and allotment was made in four of these cases.
- DDA did not have clear guidelines or policy to decide whether a society was running for charitable purpose. Different standards and criteria were used in different cases.
- In all the five cases of concessional allotment under socio-culture category, the applicants did not fulfil all the requirements of the Nazul rules. There was also delay between seven months to more than 11 years in processing of these cases.
- Deficiencies were noticed in processing of cases with respect to requirements/ criteria framed for allotment of land to religious societies

(Para 5.4.1, 5.4.2, 5.4.3 and 5.4.4)

As per Guidelines on Land Management, three *per cent* to four *per cent* of land acquired by DDA is to be utilized for commercial use such as for hotels, banquet hall, multilevel parking, office space etc. Audit noticed that there has been a declining trend in the allotment of commercial plots. The percentage of plots disposed during 2010-11 to 2014-15 ranged between three *per cent* and 15 *per cent* of the number of plots put to disposal. Further scrutiny of the records of allotment of commercial land revealed the following deficiencies:

- There were delays ranging from 26 to 481 days in intimation to successful bidders as against the stipulated period of 15 days.
- Instances of Floor Area Ratio (FAR) and ground coverage being allowed to the bidder in variance either with the norms of the MPD-2021 or with the Government orders were noticed.
- Instance of reserve price of a commercial plot being successively reduced over the years were noticed, whereas all other commercial plots auctioned during the period in the same area had higher reserve prices.
- Other issues including omission to sign rectification deed, intimation of granting extension of time communicated at the fag end, encroachment of land by the successful bidder prior to making payment of land were also noticed.

(Para 5.5.1 to 5.5.5)

The Nazul rules prescribe tender or auction as the mode of allotment of land. However, Audit observed that a plot of land was allotted at the current market rate, without tender or auction, treating it as a strip of land. The correctness of the current market price arrived at could not be verified in audit due to absence of any record in this regard. The case was also not referred to the Land Allotment Advisory Committee, which recommends the cases of allotments for commercial purposes and industrial uses.

(Para 5.6)

DDA announced 'ROHINI' residential scheme in the year 1981. While announcing the scheme, it was envisaged that the allotment would be made through draw of lots periodically. 16 draws were held between 1982 and 2014. During the period covered in audit, DDA had issued possession letters to 125 applicants. Audit/ test check of records of 24 cases provided to audit revealed certain deficiencies such as delay in holding draw for allotment, deficiencies in submission of required documents; loss of revenue in respect of unearned increase etc.

(Para 5.7)

Alternative allotment of residential plot is given on the recommendation of Delhi Government to the persons whose land was acquired for planned development of Delhi under the scheme of Large Scale Acquisition, Development and Disposal of land in Delhi. Once recommended, DDA was to prepare a seniority list and make allotment of alternative plots through periodic draw of lots. During test check of 17 alternative allotment cases, issues like delay in making alternative allotment; delay in handing over the plot to allottees; allotment of land in excess of the prescribed norms etc. were noticed.

(Para 5.8)

DDA allots land to a Government Department as per request of the concerned department for construction of school, hospital, police station, bus depot etc. In the test checked cases of allotment of land to Government Departments, Audit noticed the following deficiencies:

- Delay in processing of cases ranging from five to 93 months
- Failure to hand over plots.
- Allotment of land in excess/short of the norms prescribed in the Master Plan of Delhi.

(Para 5.9 and 5.9.1)

Joint Inspection with DDA representatives revealed instances of land not being used or being used unauthorisedly and land lying vacant as no construction had been carried out by the allottees at the site.

(Para 5.10)

Recommendations

- DDA should prepare and adopt a comprehensive Land Disposal policy which should prescribe the principles and parameters for identification, prioritization and scheduling for land disposal programmes. Further, MoUD should take necessary action to resolve dispute of DDA & DSIIDC in consultation with Delhi Government to enable industrial development of Delhi.
- DDA should ensure that the land disposal activities are carried out in a timely manner as per the applicable regulatory framework and the norms should be uniformly and consistently applied in all the cases. Further, norms for identifying charitable nature of the institutions for allotment of lands on concessional terms should be laid down.
- DDA should implement an effective post allotment monitoring framework to ensure that all the conditions of allotment of land and post allotment obligations are being complied with by the allottees.

Land Protection

In the scenario of growing population with increasing demand of land for various purposes, land being a premium and finite asset with resultant existence of various vested interests, it was very important to have a robust and effective land protection system. With regard to the land protection activities, Audit observed that:

- Information pertaining to vacant land, land under encroachment and land being protected was incomplete and not updated.
- There were encroachments and cases of failure to construct boundary wall.
- There was an overall shortfall of 31.77 *per cent* in carrying out demolition programmes during 2010-11 to 2014-15.
- There was inadequate field staff for protection of land.
- There were deficiencies in execution of demolition programme including late reporting of encroachment, non-handing over of land to the Engineering Wing, ambiguities noticed in area under jurisdiction of engineering divisions and resultant lack of proper land protection activities.

(Para 6.2, 6.3.1 to 6.3.4)

Recommendations

- DDA should lay down and implement a land protection system where construction of boundary wall/fencing/similar protection structure and setting up of sign boards declaring these to be DDA lands, is carried out immediately after the land is received.
- Regular inspections of the vacant land should be carried out and all the encroachments should be immediately reported and remedial action taken at the earliest.
- DDA should initiate action to ensure utilisation of land for intended purposes in a time bound manner.

Nazul-I Land

No consolidated information/database in respect of Nazul-I lands transferred from erstwhile Delhi Improvement Trust, Land & Development Office, Gaon-Sabha Lands of urbanised villages as well as the details of individual Nazul Properties, leases and their status was maintained. There were also deficiencies noticed in lease administration and conversion of leases from leasehold to freehold.

(Para 7.2)

Perpetual lease of 90 years was required to be renewed after specific intervals. At the end of 90 years, land would lapse to DDA or could be made freehold by the lessee. However, there was no mechanism in DDA to watch and monitor the renewal of leases, as some leases were renewed up to second renewal, while others were not renewed at all. The third renewal was not done in any of the test checked cases.

(Para 7.3)

As per terms and conditions stipulated in lease deeds the ground rent, at the rate of two *per cent* to 2.5 *per cent* per annum of the premium determined by Government, was payable in advance, either in two half yearly installments or annually. However, the demand of ground rent was not raised regularly as per the terms of lease and recovery of ground rent was in arrears, which was not monitored. Further, if any person was in unauthorised occupation of DDA's property, the Estate Officer of DDA would assess the damages at the rates fixed by DDA from time to time. Damages were also to be levied on the ex-lessees/ occupants, in the case of expired/ cancelled leases. For collection of damage charges, Show Cause Notices were to be issued regularly. Audit, however, noticed that there were delays up to 32 years in raising the demand of damage charges on the unauthorized occupants.

(Para 7.4)

There were commercial activities being undertaken on the vacant land of the L&DO, transferred to DDA for care and maintenance/ land leased out by DDA for residential purposes.

(Para 7.5)

Recommendations

- DDA should ensure that a comprehensive database and record of all types of leases administered by it is prepared. This should also be regularly updated to reflect the current changes viz. titles, periodic renewals. Additionally, these records should also be integrated with land database.
- DDA should develop a comprehensive policy for effectively dealing with the expired leases in Nazul -I land. This policy should aim at balancing all the interests like those of planned development of these areas, revenue interests of DDA and interests of the existing lessees.

Record Management

The Guidelines on Land Management of DDA prescribed various types of records to be maintained relating to Land Management in various wings of DDA. Audit reviewed the records maintained in DDA and noticed that:

- Various important records and registers, which were prescribed, were not maintained/ updated in various wings.
- Records relating to land acquisition cases, ledgers, lease files etc were not being maintained properly and some of the records were mutilated.

(Para 8.1 and 8.2)

Internal Audit and Accounts

- Internal Audit was not able to complete audit of various units at the required periodicity of audit. Settlement of pending internal audit paragraphs was also slow.
- DDA was not preparing Income and Expenditure Accounts and Balance Sheet in respect of its Nazul-II lands.

- There were differences in the amounts reported in different branches for expenditure incurred on acquisition of land.

(Para 9.1 and 9.2)

DDA, in its reply (June/October 2016) as well as in the Exit Conference, stated that Standard Operating Procedures (SOPs) relating to Land Management and Mobile Applications for land protection and e-Measurement Books have been developed (2015-16) and are being implemented.

General Recommendations

- DDA should prepare an Office Manual laying down the organization structure and defining roles and responsibilities across levels of the organization along with Standard Operating Procedures for various activities and processes with defined timelines. The recently introduced SOPs and other initiatives should be institutionalized and monitored to ensure that these are integrated into the work processes of DDA.
- As DDA deals with varied activities in Land Management and multiple wings of DDA participate in this process, DDA may consider implementation of an Enterprises Resource Planning (ERP) system, integrating all aspects of its functioning.
- DDA should maintain all the prescribed records and ensure their completeness, accuracy, timely updation and proper upkeep. A comprehensive database of land stock with all details and present status must also be maintained. Further, considering the importance, age and quantum of records, DDA should complete the digitalization of its records at the earliest.
- It is important to have an effective coordination and cooperation mechanism between DDA and Delhi Government. An effective mechanism should be evolved where all the pending issues between DDA and Delhi Government are settled.
- DDA needs to implement a strong system for effective internal monitoring of land management activities.

Chapter 1

Overview of Land Management in DDA

Overview of Land Management in DDA

1 Chapter

1.1 Introduction

Delhi, being a city state and also the capital of the country with an area of 1483 sq. km. and a population of 1.67 crore (as per census 2011), has a great need for planned development to make it a world class city. Moreover, with the explosive growth of population, the importance of providing necessary infrastructure in a reasonable time and effective manner cannot be overstated.

Delhi Development Act, 1957 (DD Act) was enacted by Parliament to provide for planned development of Delhi. As per the DD Act, the objective of Delhi Development Authority (DDA) is to promote and secure the development of Delhi, as per the Master Plan for Delhi prepared by DDA and approved by the Government of India (GoI). The land is acquired by Delhi Government (Land and Building Department) and placed at the disposal of DDA for development as approved under various development schemes.

1.2 Nature of Land under jurisdiction of DDA

The Guidelines on Land Management prescribed by DDA (January 1992) categorise land as under:

1.2.1 Nazul-I Land

(a) Old Nazul land transferred to DDA as successor of Delhi Improvement Trust

The Government of India placed 24 Nazul Estates¹ at the disposal of the erstwhile Delhi Improvement Trust with effect from 1 April 1937 through the “Nazul Agreement” of March, 1937 signed between the then Secretary of State for India in Council and Delhi Improvement Trust. After constitution of DDA, the aforesaid 24 Nazul Estates were transferred from Delhi Improvement Trust to DDA.

(b) Land transferred to DDA under Section 22(1)² of the DD Act

This category included approximately 4021.33 acres³ of land transferred to DDA in July 1974, August 1974, August 1975 and July 1991, under Section 22(1) of the DD Act, by the GoI. Transfer of the above land was subject to the condition that DDA would not make or

¹ (1) Naiwala, (2) Basti Reghar (3) Karol Bagh (4) Bagh Raoji (5) Shidipura (6) Jhandewalan (7) Qadam Sharif (8) Paharganj (9) Burn Bastion Road (10) Gestin Bastion Road (11) Darya Ganj South (12) Chirag North (13) Chirag South (14) Jhilmil Tahirpur (15) Inderpat (16) Arakpur Bagh Mochi (17) Aliganj (18) Southern Ridge (19) Sadar Bazar North (20) Sadar Bazar South (21) Inside City Wall (22) Daryaganj North (23) The Bela and (24) Jangpura.

² As per Section 22 (1) of the DD Act, 1957, the Central Government may, by notification in the Official Gazette and upon such terms and conditions as may be agreed upon between that government and DDA, place at the disposal of the Authority all or any developed and undeveloped lands in Delhi vested in the Union for the purpose of development.

³ As worked out by Audit on the basis of records made available by DDA.

cause or permit to make any construction on the said land and was to re-place the said land at the disposal of the Central Government, when so required.

The receipts and expenditure on account of these lands are booked under a section, called "Nazul Account-I", of Accounts of DDA.

1.2.2 Nazul-II Land

These lands are acquired by Delhi Government as per the provisions of Land Acquisition Act (LA Act)⁴, 1894 under the scheme of Large Scale Acquisition, Development and Disposal of Land in Delhi framed by Government of India in 1961 and placed at the disposal of DDA for development and disposal. These lands are managed as per provisions of the DD Act and Delhi Development Authority (Disposal of Developed Nazul Land) Rules, 1981 (Nazul Rules).

The receipts and expenditure on account of these lands are booked under a section, called "Nazul Account-II", of Accounts of DDA.

1.2.3 General Development Land

These lands are acquired by DDA out of General Development Accounts Funds as its own property. These lands also include the unutilised lands within the urban limits of Delhi, purchased by DDA in 1982 from erstwhile Ministry of Supply and Rehabilitation, Government of India on as-is-where-is basis.

The receipts and expenditure on account of these lands are booked under a section, called "General Development Account", of Accounts of DDA.

1.3 Land Management Process in DDA

As per Section 6 (Chapter II) of the DD Act, DDA has the power to acquire, develop and dispose off land for planned development of Delhi. The various stages involved in the process of land management are shown below:

Chart 1: Process of Land Management in DDA



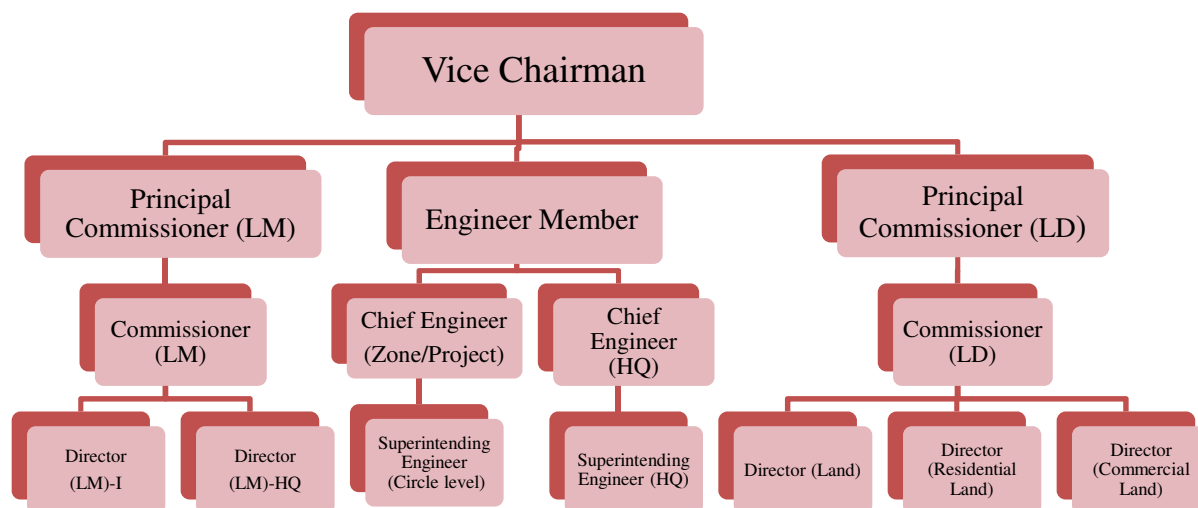
1.4 Organisational Set up in DDA for Land Management

Land Management comprises the activities of land acquisition, development, protection and disposal. Land acquisition matters are handled by the Principal Commissioner (Land Management) who is assisted by Commissioner (Land Management) and two Directors.

⁴ The LA Act, 1894 has been replaced by 'The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013' (The New Land Acquisition Act, 2013) applicable from 01/01/2014.

Execution of the schemes is done by Chief Engineers who function under the administrative control of the Engineer Member. Land disposal matters are handled by the Principal Commissioner (Land Disposal) who is assisted by Commissioner (Land Disposal) and three Directors. The Principal Commissioner (Land Management), Engineer Member and Principal Commissioner (Land Disposal) work under the overall supervision of Vice Chairman, DDA, as shown in Chart 2:

Chart 2: Organisation Chart for Land Management in DDA



1.5 Budget, Receipt and Expenditure

Budgetary allocation and actual expenditure on acquisition and development of land and receipts from its disposal during the period 2010-11 to 2014-15 were as follows:

Table 1 : Year-wise Budget and Actual Expenditure/Receipt

(₹ in crore)

Year	Land Acquisition		Land Development		Land Disposal	
	Budgeted Expenditure	Actual Expenditure	Budgeted Expenditure	Actual Expenditure	Budgeted Receipt	Actual Receipt
2010-11	246.00	175.75	1,272.59	854.94	1,046.92	1,343.23
2011-12	400.00	447.71	1,376.29	1,026.62	1,133.79	955.75
2012-13	459.00	124.75	2,156.37	1,493.47	715.06	895.83
2013-14	297.00	163.50	1,801.48	1,343.40	858.09	1,082.58
2014-15	234.30	300.57	2,039.77	1,303.14	707.97	1,151.71

From the above table, it is observed that the actual expenditure varied significantly from budgeted expenditure pointing towards inadequacies in budget preparation. DDA stated (June/October 2016) that the Budget Estimate for payment of compensation and enhanced compensation entirely depended upon the demand being raised by Land Acquisition Collectors (LACs) /Land & Building Department of Delhi Government and is prepared on realistic basis based on data available with DDA on the estimated demand. Regarding receipt,

DDA stated that the actual receipt depends on the prevailing market trends which were down during past years resulting in variations. However, observation of the Audit had been noted for future compliance.

No specific reasons for variation in figures related to Land Development were furnished (October 2016) by DDA.

Chapter 2

Audit Framework

Audit Framework

2.1 Audit Mandate

The Performance Audit on Land Management in DDA was conducted under Section 19(2) of the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971, read with Section 25 (2) of the Delhi Development Act, 1957. The functioning of DDA relating to Development of Land was reviewed and reported in Chapter-II of Audit Report No. 2 of 2006 of the C&AG of India. The Performance Audit on Acquisition and Development of Land was reported in Chapter -V of Audit Report No. 17 of 2011-12 of the C&AG of India. Compliance with the recommendations of the Public Accounts Committee on Report No. 2 of 2006 has been suitably incorporated in this report.

2.2 Audit Objectives

The Performance Audit was conducted to assess:

- Whether land management activities were executed with efficiency, economy and effectiveness and whether these were undertaken in accordance with the applicable legal and regulatory framework;
- Whether an efficient planning mechanism for carrying out the land management activities was in place and was functional;
- Whether an effective system of records management and documentation existed and was functional;
- Whether an effective internal control and monitoring system was in place for planned implementation of the land management activities.

2.3 Scope of Audit

Activities relating to Land Acquisition, Land Development, Land Disposal and Protection of land for the period of five years i.e. from 1 April 2010 to 31 March 2015 were examined at DDA Headquarters as well as at its various field offices.

2.4 Sources of Audit Criteria

Audit criteria for the Performance Audit have been drawn from the following sources:

- Delhi Development Act, 1957;
- Land Acquisition Act, 1894 and the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013;
- Delhi Development Authority (Disposal of Developed Nazul Land) Rules, 1981;
- Policies/guidelines/instructions issued by competent authorities;

- Central Public Works Department Manual;
- Master Plan of Delhi, 2021;
- Contract Agreements and other relevant documents.

2.5 Audit Methodology and Sampling

2.5.1 Audit Methodology

This Performance Audit was conducted in conformity with provision of Performance Audit Guidelines 2014. A Pilot Study was carried out during January-May 2015 and an Entry Conference with DDA and representatives of the Ministry of Urban Development (MoUD) was held on 26 June 2015 wherein the objective and scope of audit, audit methodology, audit criteria to be applied, detailed audit programme etc. were discussed. Joint Inspection was carried out with the officials of DDA.

After completion of audit, a Draft Performance Audit Report on Land Management in DDA was issued to MoUD and DDA on 22 April 2016 with a time of four weeks to respond. Responses of DDA were received in June 2016. An Exit Conference was held on 16 June 2016 with representatives of the MoUD and DDA, wherein major audit findings and recommendations were discussed. Thereafter, the modified Draft Performance Audit Report was again issued to MoUD and DDA on 14 October 2016, wherein their final comments were sought within two weeks. DDA in its reply dated 28 October 2016 intimated that they had no additional comments to offer and the reply submitted earlier may be treated as final. The replies received from DDA, as well as their response during the Exit Conference, have been duly considered and incorporated in the Report. Reply of Ministry was not received.

2.5.2 Audit Sample

DDA did not make available complete information sought by Audit on Land Acquisition, Land Development, Disposal of Land and Nazul-I properties relating to the audit period. Details of cases selected for Audit and records provided by DDA there against are as follows:

Table 2 : Details of cases selected for Audit and status of records provided by DDA

Particulars	Type	Total No. of Cases (as provided by DDA)	No. of Cases Selected	No. of Cases in which Records Provided
Land Acquisition	Acquisition	39	19	18
	Enhanced Compensation	935	50	46
Land Development	Major schemes/works	57	11	11
Land Disposal	Institutional	141	50	40
	Industrial	2	2	2
	Alternate Allotment	175	17	17
	Commercial	24	24	18
	Land Sales Branch, Rohini	125	25	24

Particulars	Type	Total No. of Cases (as provided by DDA)	No. of Cases Selected	No. of Cases in which Records Provided
Land Protection	Demolition Cases	734	37	14
Nazul I Properties	Lease Cases	Full details not provided	60	13
	Conversion from leasehold to freehold	Full details not provided	58	44
	Recovery of damage charges	Full details not provided	21	12

2.6 Acknowledgment

Audit acknowledges the co-operation received from the officers/ officials of MoUD, DDA and its field offices during the audit process.

Chapter 3

Land Acquisition

Land Acquisition

DDA is responsible for acquisition and development of land for various developmental schemes as per Master Plan approved by the Central Government. Land Management Wing of DDA carries out the work of Land acquisition on the basis of request from user departments. It forwards the request to Delhi Government for acquisition of land. The land is acquired by Delhi Government and placed at the disposal of DDA. After taking over the possession of land from the Delhi Government, the same is to be transferred to the user departments for development purposes approved under various development schemes and the purpose of acquisition of land.

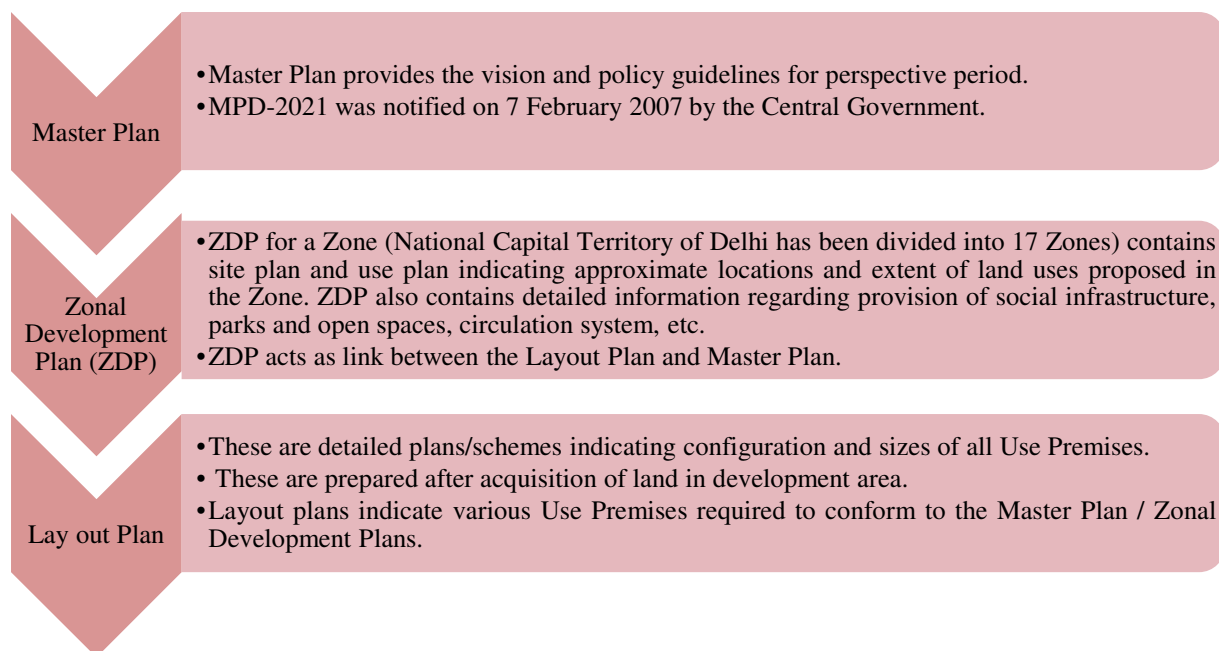
3.1 Planning

Master Plan of Delhi (MPD) 1962 sets out the broad vision for planned development of Delhi. With a view to realizing the development plan underlying this vision, a scheme of large scale acquisition and development of land was formulated in 1961. The aim of the scheme was to ensure that spatial pattern of development and use of land would conform to the development plan and the infrastructure and services would be laid out to match the same.

Later, MPD-2001 also reiterated the planning process, which had been outlined in MPD-1962. Keeping in view the above goal, the MPD-2021 also emphasized upon development perspective up to the year 2021. The vision of MPD-2021 is to make Delhi a global metropolis and a world-class city, where all the people would be engaged in productive work, living in a sustainable environment with a better quality of life.

The hierarchy of plans for development of Delhi is given in the chart at next page:

Chart 3: Planning Hierarchy



In order to ensure whether proper and efficient planning mechanism was in place and was functional for carrying out the land acquisition activities, Audit reviewed the Planning mechanism of DDA. The Audit findings are given in succeeding paragraphs:

3.1.1 Failure to prepare Zonal Development Plan

Section-8 of the DD Act, 1957 provides for preparation of ZDP simultaneously with the preparation of Master Plan or very soon thereafter. Further, Section-16.1 of MPD-2021 prescribed that ZDPs were to be prepared within 12 months of the approval of the MPD-2021. As the MPD-2021 was approved on 07 February 2007, ZDPs were to be prepared by February 2008.

It was noticed in Audit that:

- ZDPs of 16 Zones were submitted between February 2009 and September 2009 i.e. after two years from notification (February 2007) of MPD-2021, and were approved by the MoUD only in March 2010 to June 2010. Thus, at the planning stage itself, finalization of ZDPs was delayed by at least two years.
- ZDPs for the remaining zone i.e. Zone 'D', is yet to be notified by DDA.

DDA in its reply (February 2016 and June/October 2016) stated that Zone-D is being dealt differently from other planning zones of Delhi as the major portion of the zone is under Lutyens Bungalow Zone, which is being monitored at the level of the MoUD and DDA had not delayed the matter of processing the ZDP of Zone 'D'.

3.1.2 Monitoring Framework

MPD-2021 provided that monitoring of the plan was essential to evaluate the changes required for improving the quality of life in the city. MPD-2021 had envisaged that a dedicated Monitoring Unit with modern data processing facilities would be set up which

would be responsible for collection and analysis of primary and secondary data and bringing important changes to the notice of the Authority comprehensively. This unit was to be in-charge of overall monitoring of implementation of the approved development plans and layout plans. Further, MPD-2021 also mentioned that the plan period was to be divided into three phases (2006-11, 2011-16 & 2016-21) and the plan was to be reviewed at five yearly intervals to keep pace with the fast changing requirements of society. However, Audit observed the following:

3.1.2.1 Non-functioning of Monitoring Unit

A Monitoring Unit was set up in August 2007 but was not provided with any modern data processing facilities and other necessary resources required for carrying out the task. The issue of non-functioning of Monitoring Unit was also commented upon in C&AG's Performance Audit Report No. 17 of 2011-12, Union Government (Civil), however, DDA did not take any corrective action.

DDA accepted the audit observation (October 2015 and January 2016) and stated that in the absence of modern data processing facilities and full-fledged manpower, the Monitoring Unit was unable to coordinate with concerned agencies involved in implementation of MPD-2021 and it also did not prepare any reports.

3.1.2.2 Failure to conduct Periodic Review of MPD-2021

No review of MPD-2021 was conducted for the first phase i.e. 2006-2011. A mid-term review was, however, conducted for the period 2011-14. Thus, monitoring and periodical review of the MPD-2021 was not conducted as prescribed in the Master Plan, in the absence of which, the changes required for achieving the desired objectives of MPD- 2021 could not be incorporated therein, defeating the objective of review of MPD-2021.

DDA stated (June/October 2016) that for regular monitoring and review of MPD-2021, frequent meetings with all the agencies concerned are held periodically in the MoUD and also at Raj Niwas by the Hon'ble Lieutenant Governor (LG), wherein specific inter-agencies issues relating to planning and land requirement are addressed as part of the Master Plan implementation, monitoring, review and inter-agency coordination. In addition, DDA has been carrying out changes in the system of monitoring and implementation through Standard Operating Procedure (SOP) for processing modification in MPD-2021, Guidelines for processing of change of land use cases for land owned by the Government agencies and local bodies and through development of Mobile Application for recording/reporting of various development activities and arrangements for its implementation.

While any step taken by DDA for effective monitoring is welcome, the above steps do not negate the necessity of setting up of dedicated Monitoring Unit equipped with modern data processing facilities as well as conducting of periodic review for overall monitoring and review of implementation of MPD-2021 as envisaged in MPD-2021 itself.

The mid-term review report (2011-14) sought by Audit was not made available by DDA. Hence, the adequacy of the review could not be assessed in Audit.

3.1.3 Adverse impact of delay in approval of Land Policy and Regulations on operationalisation and finalization of Land Policy

As per MPD-2021, an important aspect of planned development was the provision of adequate well planned shelter and housing for the different categories of inhabitants of Delhi. MPD-2021 envisaged that about 48 lakh population had to be accommodated in the future urban extension area of approximately 20,000-22,000 hectares of land within development time frame of 15-16 years. For this purpose, alternative options for development of areas identified for urbanization in MPD-2021 through involvement of the private sector in land assembly and development were planned. Land policy was to be based on the optimum utilization of available resources, both public and private for land assembly, development and housing.

Audit noticed that a draft Land Policy was approved (July 2013) by DDA and after approval of Government, a new chapter i.e. Chapter 19 'Land Policy' was added to MPD- 2021 in September 2013. The new land policy was applicable for areas proposed for urbanisation of the Urban Extensions (Zone J-one village, K-I, L, N and P-II) for which Zonal Plans were approved. Thereafter, based on the policy, DDA prepared (January 2014) draft regulations for operationalisation of the policy and forwarded (November 2014) to the MoUD for approval. The draft regulations for operationalisation of the Land Policy were approved (May 2015) by the MoUD with some modifications/additions, but the same is yet to be notified by DDA (June 2016).

DDA stated (June/October 2016) that there were some other modifications already in process in the Land Policy under Section-11A of the DD Act, 1957 and pre-requisites such as declaration of development areas etc., which were under consideration of Delhi Government. Once these modifications in Land Policy were issued, the regulations would be notified by DDA.

DDA's reply may be viewed in light of the fact that though more than nine years have passed since notification of MPD-2021, the new land policy has not been operationalised. Keeping in view that only 1823 acres of land were acquired by DDA in the last eight years (i.e. since notification of MPD-2021 in February 2007 to 2014-15) and further, considering the delay in finalization of land policy as well as delay in operationalisation of regulations, it may be difficult to achieve the goal of development as envisaged in MPD-2021.

Conclusion :

Zonal Development Plan of Zone 'D' could not be finalised even after a lapse of eight years of notification of MPD-2021. Further, the Monitoring Unit established for monitoring of MPD was non functional and periodical review was not being conducted. In the absence of these, the improvements/changes required for achieving the desired objectives of MPD-2021 could not be incorporated therein.

Recommendation:

The MPD should be monitored regularly as per the prescribed periodicity and the monitoring unit should be equipped with all the necessary resources to carry out its duties effectively. DDA should take necessary action to finalise the ZDP of Zone 'D' at the earliest.

3.2 Land Acquisition

Land acquisition process in DDA starts with receipt of request from the user department in Land Management (LM) Wing of DDA. The request is forwarded to Delhi Government for acquisition of land. Thereafter, Delhi Government sends the request to its concerned Land Acquisition Collectors (LACs) for acquisition of land. Once the land is acquired, Delhi Government sends the demand of compensation to DDA. It is necessary that the amount of compensation is released to land owners on time for timely completion of land acquisition process. A timeframe was arrived at (May 2006) which stipulated that DDA will release payment to Delhi Government within 30 days of receipt of the communication. After payment by DDA, possession of land is to be taken by the LM Wing of DDA. The LM Wing then transfers the same to the user departments.

During course of land acquisition, the land owners may go to Court for enhanced compensation. The Hon'ble Court may revise the compensation rates on which the land was acquired and issue directions to pay the revised rates to the land owners alongwith applicable interest on the additional amount. Thereafter, Delhi Government calculates the difference of compensation payable as well as interest thereon as Enhanced Naksha Muntjamin (ENM)⁵ and communicates the same to DDA for payment. After receipt of demand, the enhanced amount of compensation is released by DDA to Delhi Government for further disbursement to land owners.

The audit findings on the basis of examination of records relating to acquisition process in DDA are given below:

3.2.1 Non-maintenance of consolidated database/records of Land Stock

DDA had no consolidated information/database in respect of land acquired and utilized for various schemes as well as vacant land in possession. During audit, requisite records/registers having details of land requests received from user department, requests sent to Delhi Government, land awarded by Delhi Government, land actually received from Delhi Government etc. were called for, but no records/registers were provided to Audit.

DDA furnished monthly statements, indicating (i) areas of land for which notification has been issued under Section-4 and 6 of the LA Act, (ii) physical possession taken up to the end of previous month and during the month, (iii) total area of land in possession up to the month, (iv) land transferred to user departments and (v) balance of land in possession at the end of the month. Audit scrutiny of the aforesaid statements revealed the following discrepancies:

- As per the Monthly Statements, the total land acquired by DDA during the period from 2010-11 to 2014-15 was 556.64 acres. However, as per the information furnished by DDA in September 2015 to Audit, the land acquired by DDA during the same period was 1184.93 acres.

⁵ ENM means calculation sheet for working out enhanced compensation.

- Land measuring 1083.80 acres was lying vacant as on 31 March 2015 as per statement of April 2015. However, as per information furnished by four zones⁶ (out of total six zones), vacant land lying with DDA was approximately 1214.43 acres.

DDA stated (June/October 2016) that the figures reported by various zones seems to have included some vacant land which were already handed over to the engineering department or some Gram-Sabha land⁷, hence, the figures reported as 1083.80 acres were final. Thus, the information provided by different wings of DDA was at variance. As a result, Audit could not draw an assurance regarding the correctness of information relating to total land available with DDA (land acquired, actually utilized and vacant land).

Audit also conducted joint inspections with officials of DDA in respect of vacant land⁸ in two cases (Azadpur and Wazirpur) to verify the correctness of information available with DDA. During joint inspection, the land area was found to be short vis-à-vis that reported by DDA in its records in both cases. In Azadpur village, land (Khasra No: 403/90/2/1) measuring 2 Bigha 09 Biswa was lying vacant as per records, but as per joint inspection only 3 Biswa land was vacant with boundary wall, while the remaining was encroached by jhuggies and Public Works Department.

Further, in Wazirpur village, the land (Khasra No: 678 & 679) measuring 3 Bigha 16 Biswa was lying vacant as per records, but as per joint inspection only 1 Bigha 13 Biswa land was lying vacant and the remaining land was unauthorisedly used in streets/ roads.



Picture in case of land at Azadpur



Picture in case of land at Wazirpur

DDA stated (June/October 2016) that most of the land pockets of village Azadpur and Wazirpur are part of the old schemes of DDA wherein the issue is regarding the land protection/ enforcement related matters. These issues pertain to the Enforcement Department of Lands and Engineering Wing of DDA.

DDA did not furnish reply on land found short with reference to actual vacant land reported in DDA records. The reply of DDA needs to be seen in light of the fact that in Azadpur, physical possession of the land was taken in May 1963, but the same was not transferred to the user department (October 2016).

⁶ North, Rohini, South East and West Zones.

⁷ Certain land vested in central government on urbanisation of specified villages for the purpose of development.

⁸ Vacant land, as reported by DDA in its records.

3.2.2 Lack of co-ordination between DDA and Delhi Government on Acquisition of land

Acquisition of land is carried out by Delhi Government whereas management and development of land after acquisition is the responsibility of DDA, necessitating close co-ordination and proper follow up for timely completion of acquisition proceedings and other development activities.

Scrutiny of records revealed many instances of lack of co-ordination between DDA and Delhi Government in acquisition proceedings, release of compensation & enhanced compensation, receipt of land from Delhi Government, reconciliation of accounts and utilisation of funds by Delhi Government, as detailed below:

3.2.2.1 Non-Reconciliation of compensation/enhanced compensation amount between DDA and Delhi Government

There was no system of reconciliation between DDA and Delhi Government of records regarding payment for land acquisition released by DDA towards the demands received from Delhi Government and the amount of land compensation actually released to the land owners and actual land received from Delhi Government. Audit noticed that:

- DDA attempted to reconcile some records between September 2013 and May 2015.
- On receipt of initial reconciliation reports, DDA noticed a difference of more than ₹ 375.14 crore. As against an amount of ₹ 1790.78 crore released by DDA to Delhi Government, only ₹ 1415.64 crore was released (March 2014) as compensation to land owners.
- Based on the reconciliation of 481 awards, DDA found that an amount of ₹ 508.82 crore remained undisbursed with various LACs. DDA requested (March 2015-May 2015) Delhi Government to refund the same. But, the amount reconciled as above by DDA was not authenticated by concerned LACs.

Thus, due to lack of co-ordination between DDA and Delhi Government, the issue of un-reconciled amount of at least ₹ 508.82 crore lying unutilised with Delhi Government, remained unresolved.

DDA accepted (June/October 2016) the audit observation and stated that out of ₹ 508.82 crore, an amount of ₹ 159.04 crore has been authenticated by LAC (South) South-East & North for which letter to refund the said amount has already been sent to Delhi Government, but nothing has been refunded by the Delhi Government so far.

Non-recovery of excess amount from land owners

As pointed out by Audit in Para 5.3.3.4 of Audit Report No. 17 of 2011-12, DDA did not recover the amount of ₹ 25.69 crore from land owners in Village Pooth Kalan as directed by the Hon'ble Supreme Court in its order dated 28 November 2002. Audit noticed that DDA and Delhi Government have still not been able to file the complete list of those cases in the Court, where amount is yet to be recovered. In view of above, it appears that neither the Delhi Government nor DDA has complied/prepared full details of persons from whom the amount of excess recovery is to be made even after expiry of more than 13 years of

Judgment of the Hon'ble Supreme Court. Thus, cumulative outstanding amount of ₹ 47.01 crore (excess payment of ₹ 16.79 crore plus interest @ 15 per cent w.e.f. 1 April 2003 to 31 March 2015 amounting to ₹ 30.22 crore) remained recoverable from land owners.

DDA stated (June/October 2016) that the matter has been taken up with concerned authorities number of times.

3.2.2.2 Non-receipt of Utilization Certificates from Delhi Government

Utilization Certificates (UCs) are a means to ensure that funds released to an agency have been actually utilised for the purpose for which these were sanctioned. DDA releases funds to Delhi Government with the request to furnish UCs in respect of funds released.

Audit noticed that

- Amount of ₹ 1001.84 crore was released by DDA to Delhi Government for the land acquired between 2010-11 to 2014-15, for which UCs were awaited (October 2016) at DDA from Delhi Government.
- No UCs were available with DDA, in all 64 cases of land acquisition test checked in Audit. Further, Audit did not find any communications exchanged between DDA and Delhi Government to obtain UCs.

DDA stated (June/October 2016) that no UCs had been received from the Delhi Government in respect of any funds released by DDA.

Thus, in the absence of UCs, it could not be ascertained in Audit whether payment has actually been disbursed to land owners on time.

Case study of “Village Bannoli- Irregular payment of ₹ 24.39 crore by DDA”

In August 2007, an award of ₹111.76 crore was announced by Land Acquisition Collector (LAC) for land in village Bannoli. DDA released ₹ 77.67 crore (August 2007) to Delhi Government, on actual availability of land. But the same was not released by concerned LAC to land owners on time and was released only in February 2010. Meanwhile some of the landowners of the village Bannoli, whose land had been acquired, approached the Hon'ble High Court of Delhi for release of compensation. Court directed (February 2010) LAC to release the compensation along with interest. LAC forwarded (March 2011) the demand of interest amounting to ₹ 24.39 crore to DDA. DDA denied (February 2012) the above payment of interest stating that they had already paid the amount of award to LAC in August 2007; as such they are not liable to make the payment of interest and sought reasons of non-payment of compensation to land owners. Delhi Government stated (February 2012) that delay occurred due to procedural and technical reasons in disbursing the compensation to the interested persons. Finally, DDA had to release (March 2012) the amount of interest of ₹ 24.39 crore. Thus, lack of coordination between DDA and Delhi Government and not obtaining UCs by DDA led to an avoidable payment of ₹ 24.39 crore.

DDA's reply was awaited (October 2016).

3.2.2.3 Non-receipt of Land even after release of full payment

LA Act, 1894 and instructions of Delhi Government prescribe that as soon as Delhi Government receives the amount of compensation from DDA, it has to take over possession of land and hand over the same to DDA.

Audit noticed that in seven cases (out of 18 test checked), DDA did not obtain physical possession of complete land (October 2016), despite release of full amount of compensation to Delhi Government. Details are given in Table below:

Table 3 : Status of land not received

Sl. No.	Name of Village	Purpose of acquisition	Date of award	Total land to be acquired as per award	Land not received as on (October 2016)	Date of last payment released against award	Period from date of last payment released to October, 2016
				Bigha Biswa-Biswani	Bigha Biswa-Biswani		
1	Bakkarwala	Construction of 20 mtr. Road.	18/04/07	182-06	59-13	27/11/13	2 years 11 months
2	Pooth Khurd	Construction of 100 mtr. Road	05/09/12	79-16	29-09	22/11/13	2 years 11 months
3	Maidangarhi	For SAARC University under Planned development of Delhi	10/07/13	49-14	9-11	21/11/13	2 years 11 months
4	Tikri Kalan	For Delhi State Industrial & Development Corporation Limited.	01/05/08	438-01	67-01	25/06/10	6 years 4 months
5	Mehrauli	Planned development of Delhi	27/12/13	44-10	0-10	04/09/14	2 years 2 months
6	Nasirpur	Dwarka Phase-I under Planned Development of Delhi	30/06/08	15-08	4-08	11/11/13	3 years
7	Barwala	Rohini Residential Scheme Ph. IV & V.	01/07/11	177-15-10	1-6-0	23/02/12	4 years 8 months
Total				987-10-10 (205.73 acres ⁹)	171-18-00 (35.81 acres)		

⁹ 1 Acre – 4.80 Bigha, 1 Bigha – 20 Biswa and 1 Biswa – 20 Biswani

Audit Analysis of the above cases revealed that:

- 35.81 acres (17 *per cent*) of the total land acquired (205.73 acres) had not been received from the Delhi Government even after release of full payment of compensation by DDA.
- The non receipt of land ranged between 2 years 2 months (Mehrauli) to more than six years (Tikri Kalan) during the period from date of last payment released to October, 2016.
- In case of four villages¹⁰, land was acquired under emergency clause, hence, non receipt of land defeated the purpose of acquisition.

Non receipt of land had an adverse impact on the objective of land acquisition, thereby delaying the benefit of development to citizens of Delhi. DDA stated (June/October 2016) that the area, which were part of unauthorized colony, was heavily built up. This resulted in non- handing over of complete land by Delhi Government.

The reply of DDA needs to be seen in the light of fact that in joint survey conducted by the officials of DDA and Delhi Government before acquisition proceedings, the survey team was required to prepare complete details about the status of the land clearly indicating the built up areas, Kabristan, Temples, Evacuee Property etc. which was not furnished to audit. Thus, it was apparent that there was lack of due diligence at the time of planning and implementing the land acquisition proceedings.

Announcement of award without ascertaining the actual site condition

In village Kirari Suleman Nagar, the land measuring 5278 Bigha 02 Biswa costing ₹ 286.41 crore was acquired for Rohini Residential Scheme in March 2006. DDA considering the fact that approximately 150 Bigha land was vacant and the balance land was built up, released only ₹ 8.14 crore in September 2006. Audit noticed that no land had been received from Delhi Government (up to October 2016) even after lapse of more than ten years of award delaying the purpose of acquisition as well as blockade of funds amounting to ₹ 8.14 crore.

3.2.2.4 Double payment of Enhanced Compensation

Audit noticed that in 96 cases, DDA released the payment of enhanced compensation to Delhi Government during the period 2010-11 to 2014-15, but the same was not disbursed to the land owners. Consequently, the Hon'ble Courts issued attachment warrants to the concerned banks having bank accounts of DDA and directed the banks to deposit the desired amount in the court, resulting in double payment of enhanced compensation. The year-wise status of amount of double payments made by DDA is given at next page:

¹⁰ Bakkarwala, Pooth Khurd, Maidan Garhi and Barwala

Table 4 : Year-wise details of double payments**(₹ in crore)**

Sl. No.	Year	Number of cases	Total amount attached as per court orders	Amount refunded by Delhi Government	Amount yet to be refunded by the Delhi Government
1	2010-11	11	1.31	1.00	0.31
2	2011-12	11	13.68	0.04	13.64
3	2012-13	13	2.18	0.07	2.11
4	2013-14	24	4.32	0.47	3.85
5	2014-15	37	18.42	1.81	16.61
	Total	96	39.91	3.39	36.52

It is seen from the above that DDA made double payments to the extent of ₹ 39.91 crore during 2010-11 to 2014-15 based on court orders, out of which it had recovered only an amount of ₹ 3.39 crore and balance amount of ₹ 36.52 crore was yet to be realised from Delhi Government (October 2016).

Audit test checked 11 cases of double payment and noticed that:

- In three¹¹ cases, court attachments were made two to five months before receipt of demand of enhanced compensation. However, on receipt of demand from Delhi Government for the same amount, the concerned officers and officials of DDA certified that this was a fresh demand and they had no objection to release the amount. Resultantly, the payments were released twice.
- In eight¹² cases, DDA had already released the payment of enhanced compensation to Delhi Government on receipt of demand. However, this amount was presumably not released by Delhi Government to land owners on time resulting in court attachments. Efforts made, if any, by DDA to bring the fact to the notice of the concerned court, that DDA had already paid the amount of enhanced compensation to the concerned LACs, Delhi Government, for releasing the same to land owners, were not available in the records.

Thus, lack of coordination with Delhi Government and not updating the records of payments released by DDA resulted in double payment to the extent of ₹ 39.91 crore, out of which only ₹ 3.39 crore has been refunded.

DDA stated (June/October 2016) that time and again Delhi Government was requested to refund the excess amount to DDA but this has not been done so far.

3.2.3 Delay in land acquisition process in DDA

Processing of land acquisition requests and forwarding the same to Delhi Government was an important part of Land Acquisition process in DDA. Audit did not find any records to verify that all the requisition received from user departments were processed timely with due

¹¹ LAC No. 128/09, 130/09 and 70/11

¹² LAC No. 437A/05, 417/05, 214A/06, 223A/06, 194A/06, 275A/06, 281A/06 and 96A/06

diligence. In the absence of this, Audit was unable to draw an assurance that land acquisition process was carried out with due diligence.

Audit test checked 18 cases of land acquisition (details in *Annexure I-A*) to analyse time taken to complete important stages in the land acquisition process and observed that time taken from:

- Date of issue of award to date of demand by Delhi Government ranged from one day (Tikri Kalan and Madanpur Dabas) to more than 11 months (Nasirpur) in 13 cases¹³.
- Date of receipt of demand from Delhi Government to release of compensation by DDA ranged from one month (Humayunpur/Hauz Khas/Madanpur Dabas) to more than eight years (Basai Darapur) in 17 cases¹⁴.
- Date of issue of award to date of receipt of physical possession of land by DDA ranged from one month (Basai Darapur) to more than 14 years (Malikpur Kohi) in nine cases¹⁵.
- Date of receipt of physical possession of land by LM Wing to transfer of land to user/engineering department or non transfer of land upto October 2016 ranged from one month (Bakkarwala) to more than nine years (Madanpur Dabas) in 12 cases¹⁶.

Details of cases showing all the delays mentioned in above observation are given in *Annexure I-B*.

DDA stated (June/October 2016) that no delay takes place intentionally. Audit noticed that delays in land acquisition proceedings were mainly due to irregularities in land acquisition process discussed as under:

3.2.3.1 Delay in release of compensation/enhanced compensation by DDA

Scrutiny of records in Audit revealed that in 13 cases out of 18 test checked cases, DDA did not release the compensation within one month. Details are given in *Annexure II-A*.

It is apparent from the *Annexure II-A* that there were delays, ranging between seven months (Barwala/Pansali/Pehladpur) and more than eight years (Basai Darapur), in release of compensation amount to Delhi Government. The main reason noticed in Audit was delay in processing the files in different Sections of LM Wing itself as no timeframe had been fixed for processing of files at DDA as well as delay in response by Delhi Government to clarifications sought by DDA. Resultantly, payment to land owner invariably got delayed, which delayed the acquisition process with consequent delays in achievement of intended objectives.

¹³ (i) Basai Darapur (ii) Tikri Kalan (iii) Bakkarwala (iv) Nasirpur (v) Malikpur Kohi/Rangpuri (vi) Singhola (vii) Masoodabad/Najafgarh (viii) Khichripur (ix) Maidan Garhi (x) Humayunpur (xi) Hauz Khas (xii) Kirari Suleman Nagar and (xiii) Madanpur Dabas.

¹⁴ (i) Basai Darapur (ii) Tikri Kalan (iii) Bakkarwala (iv) Nasirpur (v) Malikpur Kohi/Rangpuri (vi) Singhola (vii) Mehrauli (viii) Masoodabad/Najafgarh (ix) Khichripur (x) Okhla (xi) Bamnoli (xii) Barwala / Pansali/ Pehladpur Bangar (xiii) Maidan Garhi (xiv) Humayunpur (xv) Hauz Khas (xvi) Kirari Suleman Nagar and (xvii) Madanpur Dabas.

¹⁵ (i) Basai Darapur (ii) Tikri Kalan (iii) Nasirpur (iv) Malikpur Kohi/Rangpuri (v) Singhola (vi) Khichripur (vii) Okhla (viii) Bamnoli and (ix) Madanpur Dabas.

¹⁶ (i) Basai Darapur (ii) Tikri Kalan (iii) Bakkarwala (iv) Nasirpur (v) Malikpur Kohi/Rangpuri (vi) Pooth Khurd (vii) Mehrauli (viii) Khichripur (ix) Bamnoli (x) Barwala / Pansali/ Pehladpur Bangar (xi) Humayunpur and (xii) Madanpur Dabas.

DDA stated (June/October 2016) that the delay in release was due to reasons like presence of built up structure at sites, files getting mixed up in Legal department, prolonged correspondence with Delhi Government etc. DDA also stated that due care shall be taken so that such instances do not occur in future.

Hence, it is evident that there was lack of coordination among different Wings/Sections of DDA and between DDA and Delhi Government relating to release of compensation.

As per Section 34 of LA Act 1894, interest from the date of taking over the possession of land till actual date of payment of compensation/enhanced compensation to the land owner is payable as per applicable rate (9 percent for first year and 15 percent thereafter). Further, the payments were to be released to Delhi Government within 30 days of receipt of the communication from them. In test checked cases of compensation and enhanced compensation, the following issues were noticed:

- Due to delay in release of compensation by DDA in nine cases (out of 18 test checked), it had to bear an avoidable interest liability of ₹ 8.55 crore. Details of these cases are shown in **Annexure II-B**.
- Delhi Government had sent the demand of enhanced compensation to DDA with delay (from date of judgment to date of interest) from 14 days to 11 years in 42 cases (out of 46 cases test checked) for payment. Due to delayed action by Delhi Government, DDA had to pay ₹ 9.77 crore as additional interest.
- Due to delay in release of payment of enhanced compensation by DDA to Delhi Government, ranging from 9 days to more than three years in 42 cases (out of 46 cases test checked), DDA had to bear an additional interest liability of ₹ 10.78 crore.

Further, it was also noticed that there was a gap between the date of release of cheque by DDA and the date upto which the interest was calculated and paid in respect of enhanced compensation mentioned in the ENM. Thus, the interest for the period i.e. after the date up to which it was calculated and actual date of payment to Delhi Government or land owners, remained unpaid. Audit was unable to ascertain such additional interest liability paid as well as outstanding, as the concerned records were not furnished by DDA.

In two cases DDA had to make extra payment of ₹ 5.11 crore towards interest:

(i) **Chilla Saroda Bangar**

Delhi Government raised a demand in July 2010 for ₹ 67.98 crore for 264 Bigha 11 Biswa land as per direction of the Court. Instead of releasing the payment, DDA in January 2012 requested Delhi Government to send a revised demand as DDA was in possession of only 253 Bigha of land. Delhi Government sent the revised demand for ₹ 69.72 crore in March 2012 for 253 Bigha, which was released by DDA on 30 March 2012.

Audit scrutiny, revealed that in the revised demand, interest for delay under Section 34 of the LA Act was calculated up to the period 31 March 2012, which was exceeding ₹ 4.71 crore from the earlier demand considering interest calculation up to 30 October 2009.

DDA stated (June/October 2016) that the delay was due to wrong ENM/demand sent by Delhi Government and further delay occurred due to non submission of revised ENM/demand in time as required by DDA. The fact remained that due to delay, DDA had to make extra payment of ₹ 4.71 crore. Had DDA made corresponding reduced payment for land possessed by it, extra payment towards interest could have been avoided.

(ii) Mehrauli

Delhi Government raised (14 January 2013) demand for enhanced compensation amounting to ₹ 17.71 crore (including interest up to 15 January 2013) to DDA. DDA released (28 June 2013) the payment to Delhi Government. The Delhi Government sent further demand of ₹ 0.40 crore on 24 July 2013 for balance interest (upto 18 July 2013) with reference to the High Court order dated 22 July 2013 and the same was also released (02 August 2013) by DDA. Thus, DDA made extra payment of interest amounting to ₹ 0.40 crore which could have been avoided, if timely payments were made to the Delhi Government as per order of Court.

DDA while accepting audit observation stated (June/October 2016) that the file was put up in time by the concerned officials/officers but due to queries raised by the officers, the amount of enhanced compensation could be released after gap of four and half months. Hence, the excess interest of ₹ 0.40 crore was released.

3.2.3.2 Excess payment of awards

Scrutiny of awards (July 2011) for village Pansali and Pehladpur Bangar revealed that the interest was calculated on the total cost of land without deducting the amount of advance compensation already paid. As such, the total cost of award for village Pansali and Pehladpur Bangar was incorrect, but the same was released (February 2012) by DDA. The same worked out to ₹ 8.44 crore and ₹ 1.53 lakh instead of ₹ 9.20 crore and ₹ 1.67 lakh respectively. This resulted in excess payment of ₹ 0.76 crore in respect of village Pansali and ₹ 0.14 lakh in respect of village Pehladpur Bangar.

DDA stated (June/October 2016) that the matter pertains to Delhi Government. However, Audit noticed that no correspondence was made by the DDA with Delhi Government to recover the excess amount of awards.

3.2.3.3 Non-transfer of Land to the User Departments by LM Wing

In 11 cases (out of 18 cases test checked), Audit noticed that the land had not been transferred by LM Wing of DDA to the executing agencies/user department in eight cases¹⁷, even after a period of more than two years to more than nine years (October 2016) from the date of taking the physical possession from Delhi Government. Further, in remaining three cases¹⁸, the land was transferred to the executing agencies/user departments by the LM Wing of DDA after a

¹⁷ (i) Mehrauli, (ii) Humaunpur, (iii) Khichripur, (iv) Barwal/ Pansali/ Pehladpur, (v) Bamnoli, (vi) Malikpur Kohi, (vii) Nasirpur and (viii) Madanpur Dabas

¹⁸ (i) Pooth Khurd, (ii) Tikri Kalan and (iii) Basai Darapur.

lapse of one year to more than six years from the date of taking physical possession from Delhi Government.

DDA stated (June/October 2016) that the land is transferred to Engineering Department within a couple of days after taking over the land from LAC. However in certain cases due to litigation or built up area, the land could not be transferred to user department. The reasons are beyond administrative control. These are part and parcel of acquisition process.

DDA's reply needs to be seen in light of the fact that to achieve the objective of land acquisition, it is necessary that the land should be transferred to user department in a time bound manner so that other necessary development activities can be taken up.

Non-transfer of land to user department by DDA even after 33 years

In village Chilla Saroda Banger, 264 Bigha 11 Biswa land was acquired out of which physical possession of land measuring 253 Bigha was received by DDA from Delhi Government on 1 October 1982 but there was no record in Land Record register of DDA about the transfer of 253 Bigha land to the user department even after more than three decades since possession of land. Audit requested (January 2016) DDA to provide present status of the 253 Bigha land indicating the purpose for which it was acquired and status of project, name of Zone/Division etc. to which it was transferred for development/watch & ward. The same was not furnished to Audit, in the absence of the information audit could not draw an assurance that the said land had actually been transferred to the user department and the same had been utilised for the purpose for which it was acquired. No reply was received from DDA (October 2016).

Non-transfer and/or delay in transfer of land to the executing agencies/user departments resulted not only in blocking of funds but also in the objective of acquiring the land including development/construction of roads, residential schemes, community centres etc. under planned development of Delhi remaining incomplete. In addition, there was always risk of encroachment on the land lying vacant.

3.2.4 Possibility of Lapse of Acquisition in view of The New Land Acquisition Act, 2013

Section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (The New Land Acquisition Act, 2013) applicable from 01 January 2014 stipulates that in case of land acquisition proceedings initiated under the LA Act 1894, where an award under Section 11 of the LA Act has been made five years or more prior to the commencement of the New Land Acquisition Act, 2013 but the physical possession of the land has not been taken or compensation has not been paid, such proceedings shall be deemed to have lapsed.

It was noticed that in respect of seven cases¹⁹ of acquisitions, although the awards were announced before 01 January 2009 for acquisition of 2052 acres of land, physical possession of only 486 acres of land was received up to October 2016. As such, land measuring 1566 acres had not been received upto October 2016 which may lapse. Thus, the purpose of acquisition of land would get defeated, delaying the benefit of development to the citizens of Delhi.

DDA stated (June/October 2016) that it has been writing to the Delhi Government to ensure handing over the physical possession of land. There is no delay or lapse on the part of DDA. The law empowers the LAC to take over the possession from land owners. Further, DDA admitted that 1613.53 acre of land has already lapsed due to application of the above provision.

Thus, at planning and implementation stage, there were deficiencies noticed by Audit as there were delays in completion of acquisition process. In some cases, the delay was more than 14 years and even thereafter the land had not been received by DDA. There was lack of co-ordination between DDA and Delhi Government, which further delayed the process, resulting in encroachment of land, court cases and delay in transfer of land. The overall result was that purpose of acquisition suffered and development work for benefiting the people, could not be completed in time.

DDA replied (June/October 2016) that as and when the demand is received, the payment is released by the department after verification.

The reply of DDA needs to be seen in light of the observations made on delay in release of compensation and avoidable interest liability thereon.

Conclusion:

- DDA had no authentic and reliable database in respect of land acquired and utilised as well as vacant land in its possession.
- There was lack of coordination between DDA and Delhi Government resulting in delay in land acquisition, delayed payment to land owners of compensation and enhanced compensation and delay in transfer of acquired land to user departments.
- Audit could neither find existence of a well planned system and codified procedures for carrying out acquisition activities nor draw an assurance that the processes were carried out with economy, efficiency and effectiveness. This adversely impacted achievement of the overall objective of DDA which was development of Delhi and providing the necessary infrastructure to its citizens.

¹⁹ (i) Bakkarwala, (ii) Tikri Kalan, (iii) Malikpur Kohi/Rangpuri, (iv) Bamnoli, (v) Nasirpur, (vi) Kirari Suleman Nagar and (vii) Madanpur Dabas

Recommendations:

- DDA should develop a proper database of the total land in its possession and appropriate records maintained in all the wings should be properly reconciled.
- DDA should develop systems to ensure timely processing of all the payment requests for compensations and enhanced compensations. DDA should also ensure that the acquired land is transferred to the user department/wing within a reasonable time after the possession of land is received in the Land Management wing.
- There should be effective co-ordination and co-operation between DDA and Delhi Government. An effective mechanism should be evolved and institutionalized where all the pending issues between DDA and Delhi Government could be settled expeditiously.

Chapter 4

Development of Land

Development of Land

4.1 Introduction

After acquisition, the land is handed over to the Engineering Wing for developing and creating the physical infrastructure through activities involving site survey, demarcation, levelling and dressing, construction of roads, drainage, sewerage system, water supply, boundary walls, beautification of parks, construction of power lines and recreational activities etc. as stipulated in MPD-2021. Apart from the Master Plan, Planning Wing of DDA formulates Zonal Plans and Lay out Plans (LoP) of particular area. After approval of LoP by the Planning Wing of DDA and local bodies, the concerned Engineering wing prepares the architectural/structural drawings, Preliminary Estimates (PEs), Detailed Estimates (DEs), Notice Inviting Tenders (NITs) and invites tenders for award of development works. DDA follows provisions of Central Public Works Department (CPWD) Manual, terms and conditions mentioned in the concerned contract Agreement, directions of Works Advisory Council²⁰ in carrying out the land development activities.

4.2 Planning

For proper planning of land development activities, it is necessary that plan for development should be prepared in advance. These activities include proper site survey, confirmation of clearance of sites, preparation of lay out plan and their approval from planning authority and local bodies.

DDA follows the CPWD Works Manual in its day to day activities. Section 2.7 of the Manual envisages that the pre-construction activities like assessments of feasibility of services and preparation of site data, preparation and approval of preliminary estimates, approval of preliminary plans from local bodies, preparation of architectural drawings, preparation of detailed estimates, services drawings, preparation of NIT and invitation of pre-qualification applications should be fulfilled or completed before execution of work or at the planning stage.

Section 2.3.5 of the Manual stipulates that excess upto 10 *per cent* of the amount of the administrative approval may be authorized by the Officers of the CPWD, upto their respective powers of technical sanction. In case it exceeds this limit, a revised administrative approval must be obtained from the authority competent to approve the enhanced cost.

²⁰ This is a body constituted under Section 5 of Delhi Development Act, 1957, comprising representatives nominated by Central Government, Municipal Corporation of Delhi, Delhi Electric Supply Committee, Delhi Water Supply and Sewage Disposal Committee of MCD, Delhi Transport Corporation etc. The Council advises the DDA on preparation of Master Plan and matters relating to planning and development.

Further, Section 2.5.2 of the Manual specifies that the technical sanction can be exceeded upto 10 *per cent*, beyond which revised technical sanction shall be necessary.

Scrutiny of 26 works under 11 schemes selected for review in audit under three Zones viz. Rohini, Dwarka and North Zone, revealed the following deficiencies in planning and implementation of the works undertaken:

4.2.1 Non availability of clear site

Audit observed that in three works the Technical Sanction (TS) of the work stated that site for the said work was available. However, the work could not commence due to encroachment, dispute of villagers at the work site, presence of materials/items of work of another civic agency, etc. Non-availability of clear site resulted in delays in commencement of work, which ranged between 17 months to more than 26 months (*Annexure III-A*). The Public Accounts Committee (PAC) in their 55th Report (14th Lok Sabha) on C&AG's Report No. 2 of 2006 (Performance Audit) relating to 'Development of Land by DDA' had also recommended that DDA should strictly adhere to the codal provisions for ensuring availability of clear and unhindered site before award of work.

DDA stated (June/October 2016) that the sites were available at the time of Technical sanction (TS) but work could not be started due to various reasons viz. order of Hon'ble Supreme Court to maintain *status-quo*, non-availability of a small part of the site of work, non-removal of materials/ items of work from the route by Delhi Jal Board which was earlier working in that area, etc.

The fact, however, remains that these issues were in the knowledge of DDA before finalization and award of tenders for the works.

4.2.2 Delay in submission of structural drawings by the consultants and Central Design Organisation

The CPWD manual stipulates that the structural drawings were to be provided to the executing agencies before commencement of the work. It was, however, noticed that structural drawings were provided after a period ranging between three months and seven months of the start of work in four test checked works (*Annexure III-B*). DDA replied (June/October 2016) that delays were due to modification of the structural drawings and non-availability of the drawings of a part of the site.

The fact, however, remains that not providing the structural drawing before commencement of work would delay the commencement, with consequent delays in completion of the work.

4.2.3 Failure to obtain requisite approvals from local bodies before start of work by DDA

For efficient execution of works it was necessary that all clearances and approvals from the concerned authorities/civic bodies were taken before commencement of the work. Audit, however, noticed that in two test checked works (*Annexure III-C*), DDA did not take the requisite approvals from the concerned authorities prior to taking up the works which resulted in hindrances and consequent delay in completion of the works. DDA stated (June/October 2016) that the approvals were taken during the execution of the work.

These cases highlight the fact that the planning and management of the execution of works were deficient in DDA.

4.2.4 Non approval of revised Administrative Approval and Expenditure Sanction (AA&ES)

In terms of the CPWD Works Manual, in cases where the expenditure on execution of works exceeds 10 *per cent* of the AA&ES, a revised administrative approval is required to be obtained from the competent authority. Audit, however, observed that in three test-checked works (*Annexure III-D*) though the tendered amount was higher than the AA&ES by 40 *per cent* to 572 *per cent*, DDA did not seek revised AA&ES for these works. The actual expenditure exceeded the AA&ES by 79 *per cent* to 682 *per cent*. DDA stated (June/October 2016) that it was under the process of seeking the revised AA&ES.

Taking up of work without proper expenditure sanction violates the codal provision as well as canons of financial prudence.

4.2.5 Non-revision of Technical Sanction

The CPWD Works Manual provides that if the actual expenditure exceeded 10 *per cent* of Technical Sanction (TS), revised TS had to be obtained. Audit observed that in five test-checked works (*Annexure III-E*) the expenditure incurred was higher than the TS by 33 *per cent* to 655 *per cent*. However, DDA, in contravention of the codal provision, did not obtain revised TSs in respect of these works. DDA stated (June/October 2016) that they were in the process of issuing revised TS.

4.2.6 Work not completed/ foreclosed

Audit noticed that in eight test-checked cases (*Annexure III-F*) Technical Sanctions (TS) of the works indicated that the site was available for execution of work. However, after commencement of the works, these works were partially completed or had to be foreclosed due to various reasons such as agitation of villagers/ encroachments and stay order of Hon'ble Courts, etc. The total expenditure incurred on these foreclosed/ partially completed works was ₹ 73.70 crore which remained unfruitful due to non-completion/partial completion of the works. Further, if these works are awarded afresh, chances of additional expenditure due to higher rates being demanded cannot be ruled out. DDA stated (June/October 2016) that Works were partly completed or foreclosed due to various reasons i.e. litigation/ agitation by Barwala villagers, legal hindrances, non-availability of police force etc.

Non-completion of works undertaken is indicative of the deficient planning and delay/failure to take remedial measures.

4.3 Delay in Commencement and Execution of Work

For completion of any project in time, it is essential that detailed estimates should be prepared on realistic basis and Notice Inviting Tenders should be framed on the basis of proper site verification and requirements of sites. Before preparation of design/drawings, preliminary and detailed estimates, the site should be properly inspected by various officers viz. Chief Engineer, Superintendent Engineer with their assisting staff, consultants and staff

of local bodies etc. so that work is executed as per the estimates and execution of deviated/extra/substitute items is minimized.

Audit noticed that:

- In 24 works (**Annexure IV-A**) there were significant delays in commencement of work after issue of Administrative Approval and Expenditure Sanction by the competent authority. These delays ranged between six months to more than seventeen years defeating the very purpose of providing external infrastructure (viz. utility services such as drainage and sewerage, roads, culverts etc.) to the allottees/ beneficiaries in a timely manner. Reasons for delay in start of work could not be found in the records provided by DDA.
- In 17 works test checked in audit (**Annexure IV-B**), there was excess expenditure ranging between ₹ 0.02 crore and ₹ 84.00 crore incurred against the tendered amount
- In 22 test checked works (**Annexure IV-C**) there were delays, ranging between 3 months and 43 months, in completion of the works.

Audit conducted a joint verification of selected eight works in three zones (North, Rohini and Dwarka) alongwith the officers/officials DDA during December 2015 and January 2016. Audit noticed that in the following four works of Rohini and North Zone, works were not completed according to original agreement due to non-availability of clear site i.e. land was under litigation, encroachment by Jhuggi Jhopari Cluster and construction of road work etc.

- i. Construction of Main carriageway (two line of 30 mtr. Road (CC pavement) in Sector 34-35, RPD-4, Rohini Zone)
- ii. Providing and laying of peripheral sewerage scheme in Sector 29, 30, 34, 35 in RPD-2, Rohini Zone.
- iii. Construction of Peripheral S.W. Drains in Sector 30 and on 80 M R/W road along Sector 30 up to outfall points RPD-2 (Rohini Zone)
- iv. Construction of Peripheral SW Drain & culverts in Sector G-7 & G-8 at Narela sub city ND-12, (North Zone)



Rohini Zone: Construction of Main carriageway



North Zone: Construction of Peripheral S.W. Drain & culverts in Sector G-7 & G-8

DDA stated (June/October 2016) that commencement of works was delayed due to delay in pursuance with local authorities, revision of lay out plan, change in structural

designs/drawings etc. Excess expenditure incurred against tendered amount was due to change in scope, drawings/designs, site conditions, inclusion of extra/deviated items/payment against 10 CC²¹ etc., and works were delayed in execution/completion due to non-availability of clear sites, agitation by Barwala villagers, Status quo orders of Supreme Court.

4.4 Delay in handing over of the Completed Projects

Audit noticed that in 12 test-checked works (*Annexure V*) the infrastructure, such as sewerage lines, storm water drains, internal roads, 60 meter carriageway etc., was completed but had not been handed over to the concerned authorities i.e. Public Works Department, Delhi Jal Board and Municipal Corporation of Delhi till October 2016 despite a lapse of fifteen months to 55 months from completion of projects. Inordinate delays in handing over the completed projects to the concerned authorities would not only result in blocking of funds but also in DDA having to incur expenditure on maintenance till such time the completed project was in their possession. DDA replied (June/October 2016) that (i) the whole area shall be handed over after completion of complete development works in the sectors and it is generally done when the occupancy is more than 50 *per cent* as seen in the past (ii) whenever development of any sub-city is taken up, the development area is handed over to the local bodies for further maintenance and operation when development is nearing completion.

The fact that DDA is not able to hand over the possession of the work to the concerned authorities even after lapse of a considerable period of time due to non-habitation of the area is indicative of inadequate planning before taking up of the work.

4.5 Non-Utilization of the land handed over to user departments

Audit conducted joint inspection of acquired land with officials of DDA and noticed that in four cases²², though the land was transferred by DDA to user department for development, the same was lying vacant and no development work had been initiated thereby defeating the purpose of acquisition.



Maidangarhi: Land transferred to SAARC University, lying Vacant **Humayunpur:** Unauthorized juggies on land

DDA stated (June/October 2016) that utilization of land at Maidangarhi to construct the building was the responsibility of the concerned agency (i.e. South Asian University) as the

²¹ Payment against 10CC is meant for variation in contract amount due to variation in price of materials and is applicable for contracts where stipulated period of completion is more than 18 months

²² (i) Humayunpur, (ii) Maidangarhi, (iii) Singhola and (iv) Basai Darapur

land has already been handed over to SAARC University. DDA's view that utilization of land at village Maidangarhi was the responsibility of the concerned agency is correct, however, DDA needs to ensure that the land allotted is utilized for the purpose for which it was acquired, at the earliest. Further, the response of DDA in respect of utilisation of three other lands was awaited (October 2016).

Conclusion:

- Non-adherence to codal provisions in award of work i.e. without ensuring availability of land, availability of structural drawings and clear sites and lack of co-ordination with other concerned civic and public utility agencies resulted in delayed start and completion of projects.
- DDA did not conduct proper physical verification of site before preparation of detailed estimates which resulted in preparation of unrealistic estimates. DDA awarded work at rates beyond the amount of Expenditure and Technical sanction. Even after exceeding the permissible limit of expenditure, revised AA&ES and technical sanction were not obtained by concerned division of DDA in contravention of the provisions of CPWD Manual.
- No timelines were framed by DDA for approval of estimates/ lay out plans/drawings, award of work as well for handing over the completed projects to civic authorities.

Recommendations:

- DDA should strengthen its planning mechanism for land development activities. The estimates should be prepared after proper site verifications, technical study and according to the requirements of the development plan.
- DDA should ensure that implementation of the development work is taken up in a time bound manner and as per the prescribed technical estimates. Revised approvals of the estimates should also be taken in time as per the prescribed norms.
- DDA should ensure proper co-ordination with other local bodies, agencies and public utilities so that the development works are carried out smoothly, all the clearances are received in time and completed works are handed over to the ultimate user at the earliest.

Chapter 5

Land Disposal

Land Disposal

5.1 Introduction

The Guidelines on Land Management of DDA provide that the acquired land is to be developed by the Engineering Wing and disposed off by the Land Disposal Wing of DDA through allotment for different purposes. As per DDA (Disposal of Developed Nazul land) Rules 1981, Nazul land may be allotted for institutional, residential, industrial & commercial use to individuals, firms, companies, public or private institutions, co-operative societies and departments of Government.

5.2 Rules governing Disposal of Land

Allotment of land is made on payment of premium which is decided either through auction or through tender. Land is also allotted at pre-determined rates²³ in cases of institutions that directly serve the interest of population of Delhi such as schools, colleges, hospitals, other social or charitable institutions, religious, political organisations etc. after recommendation of the Institutional Allotment Committee (IAC)²⁴. All cases of allotment for industrial and commercial purposes are referred to the DDA Land Allotment Advisory Committee (LAAC)²⁵. The findings of Audit pertaining to disposal of land are given in succeeding paragraphs.

5.3 Planning

For planned development of Delhi, it is necessary that land is utilised as per MPD-2021 for institutional, residential, industrial & commercial purposes. Audit, however, observed as under:

5.3.1 Discrepancies in details of land

For proper utilisation of land, it is necessary to have proper stock of available land so that DDA can dispose off the land in a planned manner.

²³ Pre-determined rates means the rates of premium chargeable from different categories of persons and determined, by notification, from time to time, by the Central Government, having regard to cost of acquisition, development charges and concessional charges for use and occupation.

²⁴ IAC constituted on 03/06/1991 by LG Delhi comprises of (1) Commissioner (Lands) DDA (as Chairman), (2) Commissioner (Planning)/Director (DC&P)/Director (Building), (3) L&DO, Government or his representative, (4) Additional Dy. Commissioner (Land & Estate), MCD or his representative, (5) Representative of Secretary (L&B), (6) Dy. Commissioner, Delhi, (Director)

²⁵ LAAC was constituted in 1964 and then reconstituted in 1985. LAAC comprises of Chief Secretary, Delhi Administration as Chairman, and others members from MCD, DSIIDC, Delhi Administration and DDA.

DDA provided the following details regarding plots available for disposal and disposed off during the period from April 2010 to March 2015:

Table 5 : Plots available for disposal and disposed off during 2010-11 to 2014-15

Type of land	Total number of vacant plots	Number of plots disposed of during the period from 2010-11 to 2014-15
Institutional plots	166 (as on June 2015)	141 ²⁶
Industrial plots	603/1229/610*	2
Commercial plots	Not provided by DDA	24
Residential plots	--do--	125
Alternative Allotment ²⁷	--do--	175

*(May 2015, February 2016 and June 2016)

From the above table it is evident that:

- DDA could not produce details of all the vacant plots; and
- DDA also could not confirm completeness of the lists of vacant institutional and industrial plots of land.

Audit scrutiny of the list of 166 vacant institutional plots revealed that entries were made against individual plots, as given below:

- In 17 out of 166 cases certain entries were made under the column 'Name of the Institute' which suggested that the plots of lands had been earmarked/allotted to the individuals/societies.
- The 'Remarks' column depicted entries like 'To be verified', 'Built up area' in 19 out of 166 cases.
- The unit of area of land was also not depicted in 7 cases²⁸ out of 166 cases.

As regards the vacant industrial plots, DDA furnished three different (May 2015, February 2016 and June 2016) sets of figures. DDA furnished (June 2016) a list of 610 vacant industrial plots. However audit examination of related papers showed that number of vacant plots worked out to 612.

DDA replied (June/October 2016) that different numbers of vacant industrial plots reported by it was an inadvertent mistake and the whole of industrial estates had not been surveyed till date.

Evidently, DDA did not have the actual number of the vacant plots that were available for disposal. In the absence of detailed documents /records in this regard, Audit could not draw an assurance as to the actual number of vacant plots available with DDA.

²⁶ Delhi Metro Rail Corporation-32, Delhi Police-17, Hospitals and Dispensaries-28, Schools-10, Delhi Transport Corporation-11, Power utilities-22, Socio/Religious/ Higher Education-21.

²⁷ Alternative residential plot is allotted to the persons whose land was acquired for planned development of Delhi based on the recommendation of Delhi Government.

²⁸ Three plots in Dwarka, two plots in Rohini and one plot each in Karkardooma and Tughlakabad.

5.3.2 Non disposal of Industrial plots

The master plan envisages planned industrial development of Delhi. Audit observed that DDA had not allotted any industrial land for the last 16 years (except two cases²⁹ which were also not allotted through tender/auction) and that survey of the whole industrial plots had not been carried out till February 2016.

DDA stated (June/October 2016) that the reason for non disposal of Industrial plots was the judgment of Hon'ble Supreme Court in the year 2000 consequent upon which it was decided to place all the vacant Industrial plots with Delhi State Industrial & Infrastructure Development Corporation (DSIIDC) for relocation of industries in conforming areas under the Master Plan. Thereafter, DDA offered 610 plots to DSIIDC in 2005 on payment of ₹ 106.75 crore. Since the said demand was not paid by DSIIDC a revised demand to the tune of ₹ 558.64 crore was raised in 2010, which was also not paid by DSIIDC. Subsequently, after enactment of Delhi Industrial Development Operational & Maintenance (DIDOM) Act, 2010, the DSIIDC had been claiming transfer of Industrial Estates managed by DDA to DSIIDC. DDA had opposed the claim and the matter was under consideration of MoUD.

The fact remains that Industrial plots have neither been transferred to DSIIDC nor allotted by DDA so far.

5.3.3 Absence of Policy for Land Disposal

A documented policy/guidelines to prioritize, schedule, plan and carry out land disposal activities in DDA is necessary to implement the framework envisaged in the Master Plan of Delhi. No such policy/ guidelines were made available to Audit. Further, DDA did not have a documented policy for deciding whether a plot of land was to be disposed off through auction or tender. During the period from 2010-11 to 2014-15, DDA conducted tender/auction programme for commercial and institutional lands only on four and two occasions, respectively, which was inadequate.

DDA stated (June/October 2016) that auction of land depends on various factors viz. market trend, need etc. However, the audit observation for framing of a documented land disposal policy had been noted.

5.3.4 Non availability of records relating to fixation of Reserve Price

The Guidelines on Land Management of DDA require that the reserve price of plot should reflect the cost incurred on acquisition and development of the plot. Audit requisitioned records considered by DDA for fixation of reserve price, determination of full market value, details of rules, regulations and office orders followed in fixation of reserve price. However, no records relating to fixation of reserve price for disposal of various types of land were made available to Audit. In the absence of such records, Audit could not ascertain whether the reserve price fixation process was in line with the guidelines formulated by DDA and was being done in a transparent and fair manner.

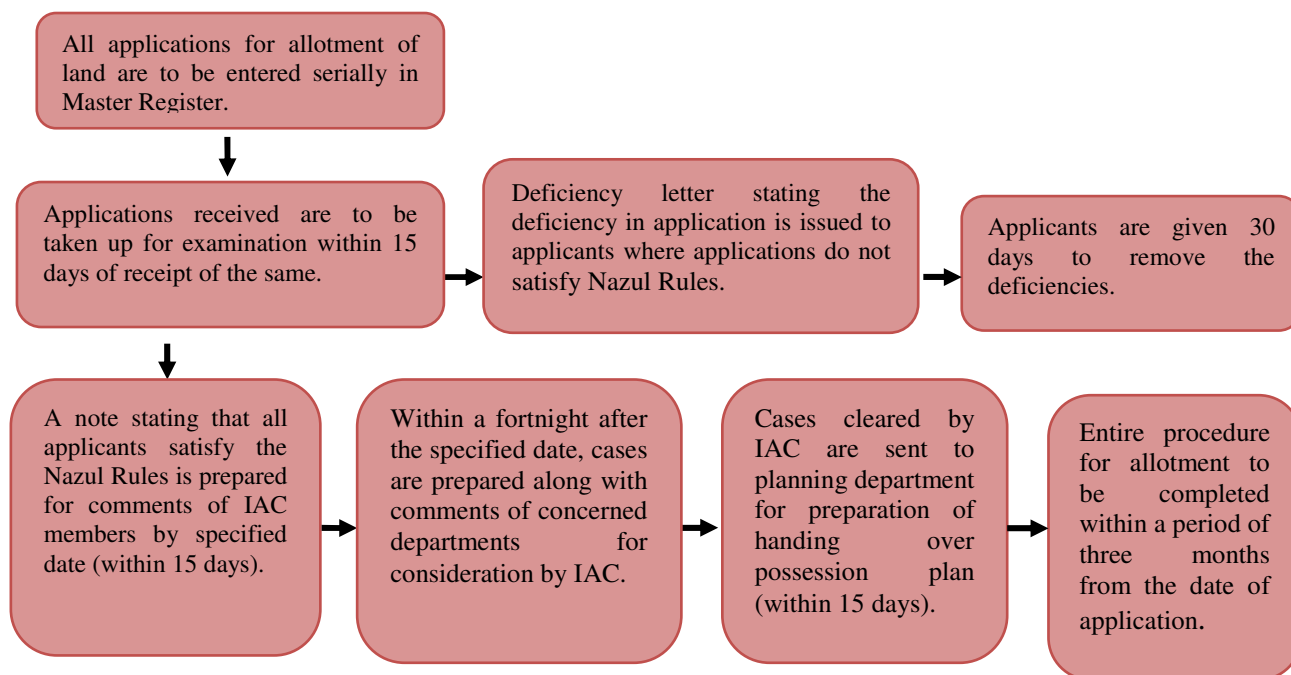
²⁹ Allotment to Davinder Ajmani/Yogyata Ajmani in Kirti Nagar and L&DO in Mangolpuri

Further, Audit noticed that in the tender programme for commercial plots conducted in October 2010, the fixation of reserve price was not supported by verified data collected from agencies other than DDA so as to understand the proper valuation of land (*detailed analysis in one case is given in Para 5.5.3*).

5.4 Institutional Allotments

DDA allots Nazul land to institutions as per the Nazul Rules, 1981. The institutional land is disposed off either through tender/auction or at a pre-determined rate after consideration by Institutional Allotment Committee. The process of allotment of institutional land as per Guidelines on Land Management is as follows:

Chart 4 :Process of allotment of Institutional land



The conditions prescribed for cases to be put up before IAC are the following:

- The institution seeking allotment of land should be a society of non-profit making character, sponsored by Government and registered under the Societies Registration Act, 1860, for at least five years.
- Its aims and objects should sub serve the interest of Delhi by being conducive to its planned development, and the nature of work carried out by the institution should be such that the same cannot, with equal efficiency be carried out elsewhere than in Delhi.
- The Society should possess sufficient funds to meet the cost of land and the construction of building for its use and should have persons of professional and representative character on its Management Committee.

Besides above, submission of audited accounts of previous three years, Bank Pass Book, 80 G Certificate under Income Tax Act, Permanent Account Number of the Society,

verification of character and antecedents of its Executive Body and suitability³⁰ report from the Delhi Police are other requirements for processing of the land allotment cases.

Audit selected 50 cases of institutional allotment for detailed examination, out of which DDA furnished records of only 40 cases. Audit findings are as follows:

5.4.1 Meetings of Institutional Allotment Committee not held regularly

In terms of the Guidelines on Land Management of DDA, the Institutional Allotment Committee was required to meet once in two months or whenever the pending allotment exceeded 15 cases.

During 2010-11 to 2014-15 only seven IAC meetings were held, as against the requirement of at least thirty meetings. The Master Register, containing the details of applications received for allotment of land, was not provided to Audit.

DDA replied (June/October 2016) that after changes were made in the Nazul Rules in 2006, applications received from various Government/Semi-Government agencies and Socio Culture category only were being considered by IAC.

However, in the absence of the Master Register, Audit could not draw an assurance regarding adequacy of the IAC Meetings.

5.4.2 Cases not fulfilling the requirements of Nazul Rules put up before IAC

The Guidelines on Land Management stipulate that, for institutional allotment of land, a note is prepared in respect of the applications which satisfy the requirements of Nazul Rules and is circulated to all the members of IAC inviting their comments within 15 days. The IAC had also reiterated, in its meeting held on 29 September 2006 that only cases which were complete in all aspects should be placed before the IAC. Audit, however, observed that out of 36 cases recommended by IAC for allotment for the period 2010-11 to 2014-15, 13 cases³¹ did not fulfil requirements of Nazul Rules and the norms framed by DDA. Subsequently, in 4 cases³² out of these 13 cases, allotment of land was made by DDA.

DDA replied (June/October 2016) that all the requests received are to be disposed of and are to be placed before the IAC for consideration. After consideration, the IAC rejected the cases which did not fulfill the codal formalities and requirements of Nazul Rules.

Reply of DDA is not acceptable because as per rules only cases which fulfilled all requirements of Nazul Rules were to be put up to the IAC and due to non-following of these rules, even allotment was made in 4 cases despite non-fulfillment of all the conditions.

³⁰ In case of allotment of land for religious purposes

³¹ IAC approved **five cases**, in its **meeting held on 27 September 2013**, subject to furnishing of required funds by the society: (1) Delhites Syro Malabar Mission, (2) Jain Samaj Dwarka, (3) S.S. Jain Sabha Rohini, (4) Cham Cham Welfare Society, (5) Akhil Bhartiya Gramin Sewa Sangh. Approval of IAC to **six cases, in its meeting held on 14/10/2014**, was subject to furnishing of Audit Report / Balance Sheet and proof of having sufficient funds: (1) Delhi Radha Soami Satsang Association, (2) Oswal Seva Mandal, (3) Shri Sanatan Dharm Sabha, (4) Lala Gopiram Charitable Trust, (5) Shree Jagdish Ramesh DivyaYog Bhawan and (6) Agrasain Charitable Society Rohini. IAC had approved **two cases in meeting held on 14 July 2011** - Science of the Soul Research Centre and Learning Matters Educational Society subject to fulfillment of all codal formalities.

³² Delhites Syro Malabar Mission, Jain Samaj Dwarka, Science of the Soul Research Centre and Learning Matters Educational Society

5.4.3 Allotment of land under Socio-Culture category

Five cases of land allotment made under socio-culture category during the period 2010-11 to 2014-15 were examined in audit. Though it was required that the applicants fulfil the requirements specified under the Nazul Rules as well as meet the criteria framed by DDA before the actual allotment of land, Audit noticed that in none of the cases all the requirements under the Nazul Rules/criteria framed by DDA were fulfilled (*Annexure VI*). Examination of the said cases of allotments made under the Socio-Culture category revealed the following:

5.4.3.1 Delay in processing of cases

As per Guidelines on Land Management, the entire procedure for allotment should be completed within a period of three months from the date of application. Audit, however, noticed significant delays, ranging between seven months and more than 11 years (in cases of Learning Matters Educational Society and International Medical Science Academy respectively), in completion of approval process and issue of allotment letters.

DDA replied (June/October 2016) that the delay in processing of cases is due to lengthy procedure of collecting reports from various departments of the organization and agencies outside DDA. However, corrective action to reduce the time for processing and finalizing the requests had already been initiated and revised SOP had been circulated.

Reply is not acceptable as the delay (discussed in Para 5.4.3.2) in allotment of land made to the charitable society was mainly attributable to lack of clarity in deciding the eligibility and charitable nature of the society at the level of DDA itself. Moreover the SOPs, as mentioned in DDA's reply, did not relate to allotment of land to societies as they pertained to allotment of land for various services for projects taken up by DDA.

5.4.3.2 Absence of uniform policy for deciding eligibility of cases under charitable category

Rule 5 of the Nazul Rules, *inter alia*, stipulates that allotment of land to various institutions including *other social or charitable institutions*, is to be made at rates fixed by the Central Government from time to time. Rule 20 of Nazul Rules stipulates various conditions that are to be fulfilled by the institution seeking allotment under Rule 5 of Nazul Rules. However, both the rules are silent on the definition of "charitable institution".

In one of the judgments³³, the Hon'ble High Court of Delhi interpreted that Rule 5 would include schools, colleges, universities, hospitals or other social institutions provided they are *also run for charitable purposes*. It was, however, observed that DDA did not have clear guidelines or policy for deciding whether a society was a charitable institution or not. The Legal Wing of the DDA had also opined that mere possession of 80 G Income Tax exemption certificate was not a concrete evidence to decide charitable nature of a society. In the absence of guidelines for categorizing an institution as charitable, DDA processed allotment cases

³³ In the matter between Bhagwan Mahavir Education Society versus Union of India and others (WPC No. 2549-60/2005); Order dated 25 March 2011

without following any fixed norms which is evident in the cases of allotments of institutional land as detailed in subsequent paragraphs.

As regards the submission of documents of charitable activities being undertaken by societies, Audit noticed that while one society was asked to submit various documents by DDA such as balance sheets, documentary evidences showing the charitable activities undertaken and the utilization of profit; the others were merely asked to submit basic documents viz. annual accounts, 80 G tax exemption certificate etc.

DDA stated (June/October 2016) that there was no fixed mechanism to conclude that the activities of a particular Society/Trust were charitable. Submission of 80 G Income tax exemption certificate and documents of activities being undertaken for charitable purposes was sufficient proof to the effect that charitable activities are being performed by the Society/Trust. However, the observations of the Audit had been noted for taking every precaution before finalizing the case under charitable category.

The fact, however, remains that DDA did not have a uniform policy for allotment of plots to charitable institutions.

Scrutiny of the following cases of allotments made under the Socio-Cultural category revealed other deficiencies, in addition to the fact that they did not fulfil all the requirements under the Nazul Rules/ criteria framed by DDA, as given below:

- **Allotment of land to International Medical Sciences Academy**

International Medical Sciences Academy (IMSA) applied (November 2000) for allotment of a plot measuring 500-1000 sqm for the purpose of construction of office building. The request was rejected by DDA as 'office space' did not come under the category eligible for institutional allotment and the society was a non- government organization. On IMSA's representation before the LG office, the LG ordered allotment of land as IMSA was a body which arranged seminars, research exchanges etc amongst international medical experts and hence allotment of land to IMSA was a fit case for institutional allotment. The society was allotted 873 sqm. of land in Narela at a cost of ₹ 91 lakh in June 2010. However, IMSA deposited (December 2010) ₹ 45.70 lakh only and stated that half of the allotted area may be provided to them as they did not have funds. Evidently, the body did not have the requisite financial capability which was one of the requirement/ criteria for allotment of Nazul lands. As per Demand cum Allotment Letter (DAL), in case of part payment, the society needs to re-apply for the allotment of land. However in the present case, the society did not re-apply for allotment and was still allotted (27 September 2012) land measuring 500 sqm for construction of office building.

DDA stated (June/October 2016) that allotment was made as per the orders of Hon'ble LG being the competent authority. Further, VC/ Hon'ble LG were empowered to allot small plots, if the cost of small plots had already been deposited within the stipulated period.

- **Allotment of land to Voluntary Organisation in Interest of Consumer Education**

DDA allotted 400 sqm of land in Rohini on 10 February 2012 to an organization named Voluntary Organisation in Interest of Consumer Education (VOICE) for consumer

education, training and comparative testing. From the documents submitted by the society it was noticed that it required the land for relocating its office. However, 'Office Space' did not come under eligible categories of land allotment. According to the project proposal, the society planned to establish a small in-house lab for general tests with some basic instruments. However, as per the annual reports of the society, the comparative testing had to be conducted in the National Accreditation Board for Testing and Calibration of Laboratories (NABL) accredited labs to ensure that test results were accurate, authentic and credible. DDA had rejected the request of the society thrice (October 2008, June 2010 and August 2010) stating that the policy for disposal of institutional land had been changed from allotment to auction mode and that the case did not fall under the 'socio-cultural' category. On representations (on 08 July 2010, 19 July 2010, 02 August 2010 and 30 September 2011) by the society to LG Office requesting the Hon'ble LG to issue suitable instructions to DDA to reconsider the matter afresh and allot land to the society at the earliest, the LG office asked (November 2011) DDA to submit the status of the case relating to allotment of institutional land applied by the organization VOICE, a leading NGO in the field of consumer education. DDA subsequently reversed its earlier decisions to reject the case and made the allotment (February 2012) of land to the society.

DDA stated (June/October 2016) that the allotment was made under rules by Hon'ble LG, with the opinion of chief legal advisor.

- **Allotment of land to Learning Matters Educational Society**

DDA allotted a plot of land measuring 3000 sqm. to 'Learning Matters Educational Society' in September 2011 for construction of special education and teaching college & laboratory school under the socio-cultural category at a price of ₹ 8.02 crore, in response to the application submitted by the society. Audit noticed that:

- As per the society's documents the school was to be established for children with and without learning difficulties and would have classes from Kindergarten to 12th standard. The project report did not highlight the admission procedure including the planned ratio of children with learning differences/disabilities to that of children without disabilities. As per the Financial Projections and Business Plan submitted by the society, the organization would start generating profit from the very year of its operations.
- Initially, the legal and administrative wings of DDA were not in favour of allotting the land to the society as the eligibility conditions were not fulfilled by the society. Vice Chairman, DDA, had rejected the case of the society citing the existence of identical institutions in Delhi.
- The case was forwarded to Principal Secretary to LG. Hon'ble LG desired that representatives of the society may meet the Chief Legal Advisor, DDA and explain the position. Subsequent to the meeting of the representative of the society with DDA officials, the representative submitted an opinion by Ex Chief Justice of Punjab and Haryana High Court and also a copy of order dated 25 March 2011 passed by

division bench of Hon'ble Delhi High Court which concluded that Rule 5 of Nazul Rules (dealing with allotment of land at predetermined rates) would include schools, colleges, universities, hospitals or other social institutions *provided that they are also run for charitable purposes.*

- Based on legal opinions/ judgment submitted by the society, DDA decided that Rule 5 of Nazul Rules can be interpreted to include School/College which is charitable and run for blind, under privileged or children with special needs and considered allotment of land to the society, subject to submission of documents establishing the fact that society was a charitable institution. In response, the society stated that it had already submitted all the required documents along with application form. DDA allotted (September 2011) the land in favour of the society.
- It was noticed that DDA did not seek additional information/ documents to ascertain that the society was entirely charitable such as documents showing the utilisation of profit, utilisation of income entirely for charitable work, last income tax assessment orders etc. as were sought from another society viz. Chandra Bhushan Singh Memorial Mahila, Bal Evam Shraavan Viklang Siksha Evam Purnarvas Sansthan for assessing the fact that the society was entirely charitable.
- Further, the society was not able to deposit the money as raised in the Demand cum Allotment Letter issued by DDA within a period of 180 days. Evidently, the society did not have the requisite financial capability, which was one of the requirement/ criteria for allotment of Nazul lands. On the request of the society, DDA granted extension of time for three months to the society to deposit the balance amount. It was, however, noticed that though the extension of time was for three months, the society had paid the balance amount after more than four months.

DDA stated (June/October 2016) that Hon'ble LG, being the competent authority, has approved the allotment and grant of Extension of Time (EOT) to the society.

- **Delay in allotment of land to Chandra Bhushan Singh Memorial Mahila, Bal Evam Shraavan Viklang Siksha Evam Purnarvas Sansthan**

The above society had applied (October 2003) to DDA for allotment of 10,000 sqm. of institutional land, for construction of school and clinical services for hearing impaired. DDA issued deficiency letter in August 2006 asking the society to submit various documents for processing the case further, which were submitted on 31 August 2006. DDA intimated the society on 13 March 2007 that the case of the society was placed before the IAC meeting held on 29 September 2006. Audit, however, noticed that the matter was placed before the IAC only on 6 August 2008. Subsequently, the IAC meeting held on 04 September 2009 recommended allotment of land to the society. However, later the society was asked (July 2010) to furnish documents regarding Balance Sheet for last five years, documentary evidence establishing that the society is charitable and details of grants received from Government, which were furnished in September 2010.

Later, on the advice of the Legal Wing of DDA, copies of Annual list of managing body filed before the Registrar of Societies, last income tax assessment order and latest income

tax return filed, explanation of the loan amount and other income of the society and documents relating to utilisation of entire income in charitable work and utilisation of profit etc. were also sought, which were furnished in March, 2011. Further, the society was also asked (June 2011) to submit the additional information such as the details of activities undertaken by it along with photographs, purposes of fee charged by the society, brief of all activities carried by society in Delhi and other states etc, which were furnished in September 2011.

Due to delay in allotment process, the applicant approached the Hon'ble High court for relief. Subsequently, with reference to the Hon'ble High Court direction, DDA asked (July 2012) the society to submit documents relating to social and charitable works carried out by the society for the last five years.

Accordingly, based on the directions of the Hon'ble High Court and submission of requisite documents by the society, the case was approved for allotment by the competent authority on 15 January 2013 and allotment was finally made to the society on 19 February 2013.

Evidently, DDA took more than 10 years in finalizing the allotment of land to the society by writing letters on various occasions for furnishing of records/documents, some of which had already been submitted by the society.

DDA stated (June/October 2016) that land was allotted on the approval of Hon'ble LG after fulfilment of all the codal formalities by the society.

It is evident from the above illustrated cases that despite the orders of the Hon'ble Court, DDA did not frame any guidelines to ascertain whether an entity applying for allotment of land, under socio-cultural category, was being run for charitable purposes.

Further, the verification of character and antecedents of the Executive Body of the society from Divisional Commissioner had not been carried out in most of the cases illustrated above (as detailed in **Annexure VI**). In this regard, Audit observed that in one case i.e. allotment of land to "Popular Institute Society for Blind", the Hon'ble Court had directed (March 2011) DDA to satisfy itself about the genuineness and existence of the society and its objects before allotment of land. However, from documents made available, audit could not draw any assurance that DDA had taken steps to verify the genuineness of the society. Moreover, the sponsorship certificate from the concerned Ministry/Department was not sought by DDA from the society.

5.4.4 Allotment of land for religious purposes

Land for religious purposes is allotted by DDA in accordance with Nazul Rules. The allotment of land is to be made on the recommendation of IAC. Allotment of land for religious purpose follows the institutional allotments process indicated at Para 5.4. In addition the guidelines also stipulate requirement of suitability report from the Special Branch of Delhi Police.

Audit sought records related to 15 cases of allotment of land for religious purposes during the period 2010-11 to 2014-15 against which DDA produced records of only 12 cases to Audit. Audit noticed the following:

5.4.4.1 Non-compliance with allotment criteria

Despite non-fulfilment of allotment criteria (framed by DDA in May 2005 and May 2010) by the societies seeking allotment of land for religious purposes, land was allotted by DDA to such societies. The details are given in table below:

Table 6 : Cases of non-compliance with allotment criteria

Sl. No.	Allotment Criteria prescribed	Cases where the criteria was not found fulfilled
1.	The Society should be registered for at least 5 years.	(i) Radha Krishna Mandir Sewa Samiti (registered for 15 days) (ii) Delhites Syro Malabar Mission (registered for 46 months)
2.	The Society should submit affidavit that its Management Committee comprises persons of professional and representative character and does not consist of family members.	(i) Radha Krishna Mandir Sewa Samiti (ii) Science of the Soul Research Center (iii) Delhi Wakf Board
3.	The Society should submit proof of having fixed deposits/equivalent liquid investment covering the cost of land plus 10% to ensure payment of land cost without seeking any special dispensation.	(i) Delhites Syro Malabar Mission (ii) Jain Samaj Dwarka (iii) Jenendra Charitable Society Dwarka (iv) Radha Krishna Mandir Sewa Samiti (v) Science of the Soul Research Center (vi) Shri Shwetamber Sthanak Vasi Jain Mahila Mandal (vii) Delhi Wakf Board (viii) Bengal Welfare and Cultural Association Delhi Wakf Board did not make any payment and payment for Radha Krishna Mandir Sewa Samiti was made by GoI as mentioned in para 5.4.4.2. Shortage of funds in other institutes ranged from 38 to 84 <i>per cent</i> .
4.	The Society should furnish an affidavit to the effect that they have not been earlier allotted or sought allotment of land under any name and style, or, that if they have been allotted institutional land earlier, they have not violated any of the conditions of the said allotment.	(i) Radha Krishna Mandir Sewa Samiti (ii) Science of the Soul Research Center (iii) Delhi Wakf Board
5.	The Society should submit the Audited Accounts of the previous three years, Bank Pass Book, 80-G Certificate and Permanent Account Number	(i) Radha Krishna Mandir Sewa Samiti (ii) Science of the Soul Research Center (iii) Delhi Wakf Board

Sl. No.	Allotment Criteria prescribed	Cases where the criteria was not found fulfilled
6.	Suitability Report from special branch of Delhi police.	(i) Radha Krishna Mandir Sewa Samiti (ii) Arya Samaj (iii) Delhi Wakf Board

DDA replied (June/October 2016) that allotment to religious category had been made by the Hon'ble LG, as per the laid down policy and procedure.

The reply of DDA does not address the specific cases of non-compliance pointed out in Audit.

5.4.4.2 Other deficiencies in allotment of land under religious category

Audit noticed that:

- In four cases³⁴ though the Suitability Report from special branch of Delhi Police stated existence of similar religious places for the existing population and/or meagre population of the concerned religious community, allotment of land under religious category was done.
- In the case of allotment made to Radha Krishna Mandir Sewa Samiti, K.G. Marg, the payment of premium of ₹ 1.06 crore for allotment of land was made by Ministry of Finance, Department of Revenue, Government of India and forwarded by Government of Delhi, Office of Commissioner (New Delhi District) to DDA³⁵.
- International Society for Krishna Consciousness, (ISKCON), East of Kailash was allotted 8000 sqm. of land in Sector-13, Dwarka against the norms of 400 sqm. Further, no construction had been done on land measuring 4012 sqm. allotted to society earlier in Rohini in November 2009.
- In one case of allotment of land to Delhi Wakf Board, Daryaganj, the cost of land amounting to ₹ 94.19 Lakh was not deposited by the Board.
- Land having Semi Public land use was allotted for religious purpose to Bengal Welfare and Cultural Association, Vasundhara Enclave, without changing its land use.

5.5 Allotment of Commercial Land

As per Guidelines on Land Management, three *per cent* to four *per cent* of land acquired under the scheme of Large Scale Acquisition, Development & Disposal of land in Delhi or otherwise placed at the disposal of DDA is to be utilized for commercial use.

DDA disposes commercial land, through tenders or auctions as per Nazul Rules, for various types of commercial activities such as for Hotels, Banquet Halls, Multilevel parkings, Office space etc.

³⁴ Delhites Syro Malabar Mission, Karol Bagh; Jinendra Charitable Society, Surajmal Vihar; Shri Shwetamber Sthanak Vasi Jain Mahila Mandal, Paschim Vihar; Gurudwara Shri Guru Singh Sahab, Sheikh Sarai

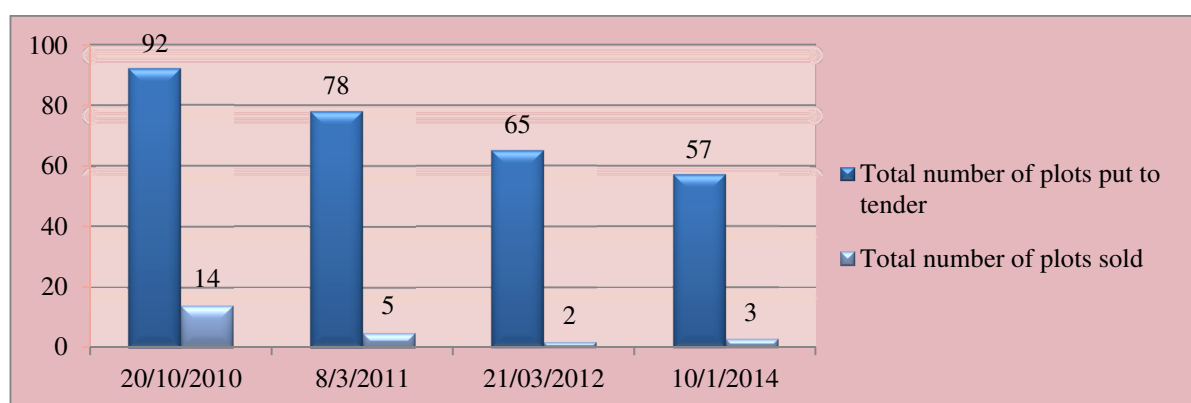
³⁵ Vide letter no. 10(180)/SDM/Ch. Puri/2011/11084 dated 27/03/2012.

During the period from 2010-11 to 2014-15, DDA allotted 24 commercial plots through tenders and out of these 24 cases, records pertaining to only 18 cases were provided to audit. Audit scrutiny revealed:

5.5.1 Non Disposal of Commercial plots

Tenders for disposal of commercial land were called for between 2010-11 and 2014-15 by DDA– two during 2010-11; one each during the year 2011-12 and 2013-14. Audit observed that there had been a declining trend in the allotment of commercial plots as shown in graph below. The percentage of plots disposed ranged from three *per cent* to 15 *per cent* only of the total plots put to tender.

Chart 5: Comparison of total number of plots put to tender and total number of plots sold



The number of un-disposed commercial plots lying with DDA after the last tender programme held on 10 January 2014 was 59, which had a reserve price of approximately ₹ 2,457.18 crore.

Audit observed that DDA had not analysed the reasons for poor response to disposal of commercial plots and had not taken corrective action to improve the allotment of commercial land.

DDA replied (June/October 2016) that during the period 2010-11 to 2014-15, four tender programmes were conducted and all the available disposable commercial plots were put to tender. Although there was slightly low response, as the disposal of commercial plots depends on various factors determining market trends including reserve price. Hence, less response cannot be attributed to the organization, as the department has made sincere efforts for disposing of the commercial plots by putting the available disposable commercial properties to tender. Further, DDA stated that keeping in view the market trend, the reserve price has been reduced by 10 *per cent* in order to facilitate disposal of all available properties within the current year.

The fact, however, remains that DDA had neither conducted any assessment/review to identify the causes of non disposal of commercial properties nor taken any corrective steps thereagainst. As per contention of DDA, merely decreasing the reserve price periodically does not serve the purpose as non disposal can also be attributed to other factors such as inadequate infrastructure, poor basic facilities in the area etc.

5.5.2 Delay in intimation to successful bidder

Rule 40 of the Nazul Rules provides that the Vice Chairman or an officer nominated by him shall, within 15 days of opening of tenders, communicate acceptance to the tenderer whose tender has been accepted. Audit observed that in 16 cases, intimation of acceptances was sent to successful tenderer with a delay ranging between 26 and 481 days and accordingly the issue of demand letters was also delayed.

No reply was received from DDA (October 2016).

5.5.3 Successive reduction in reserve price of a commercial plot

Plot no. 6, Sector-14 (North), City Center, Dwarka measuring 28,260 sqm was put to tender by DDA at a reserve price of ₹ 329.47 crore at the rate of ₹ 64,754/sqm for the tender programme held on 08 March 2011 and awarded to the highest bidder M/s Pratham Infratech Pvt. Ltd at its quoted price of ₹ 363.63 crore. Examination of the case revealed the following:

- The plot was first put to tender in September 2006 at a reserve price of ₹ 723.10 crore. This price was however, successively brought down to ₹ 329.47 crore in March 2011 on the ground that the plot could not be sold over the years.
- On a complaint received by Central Vigilance Commission (CVC), the case was examined by it and the CVC advised (November 2011) DDA to take appropriate decision by keeping in mind legal issues and present/future real estate scenario in this regard.
- Later Vice Chairman, DDA opined that the process of reduction in reserve price should be supported by some verified data collected from agencies other than DDA, so as to understand proper valuation of land. However, no records indicating that such an analysis was actually done were available in DDA.
- Further, it was also noticed that during the tender programme of October 2010, three commercial plots were disposed off by DDA in Dwarka in which the average auction rate fetched by DDA worked out to ₹ 1,26,729/sqm. Similarly, during the tender program held in March 2012, one commercial plot was disposed off in Dwarka for which the reserve price was fixed at ₹ 1,19,000/ sqm. and the final bid price fetched was ₹ 1,33,000/sqm. However, the reserve price for the plot in the instant case (tender programme conducted in March 2011) was fixed at only ₹ 64,754/sqm, which ultimately fetched DDA a price of ₹ 71,000/sqm (bid price).

DDA replied (June/October 2016) that due to adverse market conditions and non-receipt of bids during the past years, the reduction in reserve price was resorted to, for disposal of the commercial plots.

The reply of DDA is not tenable as it did not furnish the basis of assumption that there were adverse market conditions. Further, DDA did not give any records to show that any analysis was done regarding valuation of land. DDA also did not give any specific reply to the fact of non consideration of trend of the market price of the plots disposed in October 2010 and March 2012 as observed in Audit. In the absence of these, the statement of adverse market

conditions could not be verified in audit. The basis of reduction of reserve price could not be verified in audit as no document for fixation of price and its reduction was produced to audit.

5.5.4 Disposal of commercial plots at Floor Area Ratio in variance with MPD norms

Floor Area Ratio (FAR)³⁶ and Ground Coverage, as prescribed in the MPD-2021, were some of the conditions that were to be taken into consideration at the time of disposal of commercial plots. Audit, however, noticed that FAR and Ground Coverage allowed to the bidder varied from the norms of the MPD-2021 and/or those prescribed in the Government orders in four cases. Details of such cases are given in the table below:

Table 7 : Cases of variance/deviation in FAR and ground coverage

Sl. No	Details of Commercial plots	Norms for FAR as per MPD ³⁷	FAR as per Allotment made	Norms for ground coverage as per MPD (%)	Ground coverage as per Allotment made (%)
1	Plot No. 3, CC, Road No. 44, Pitampura	125	369	25	54
2	Plot No. 4, City Centre, Sector 10, Dwarka	150	180	25	45
3	Plot No. A 3a District Centre, Nehru Place, phase II	225	150	40	30
4	Plot No. A 3b District Centre, Nehru Place, phase II	225	150	40	30

It can be seen from the above table that in two cases the FAR allowed to the bidders was more than the MPD norms. Depiction of incorrect FAR/Ground Coverage at the time of tendering/ bidding would affect the behaviour of the bidders and consequently, the bidding pattern. Moreover, excess FAR/ground coverage would result in deviation from planned development.

DDA replied (June/October 2016) that while fixing disposal programme, the latest MPD norms and FAR norms are taken into consideration. However, as per the latest MPD notifications enhanced FAR was to be given to the existing commercial plot owners, as per the building control and Building Bye Laws.

The reply is not acceptable because DDA did not allow correct FAR and ground coverage as per the prevailing MPD notifications.

5.5.5 Other deficiencies in allotment of land under commercial land category

In addition to the shortcomings stated above, other deficiencies in allotment of land under commercial land category are given at next page:

³⁶ FAR is the ratio of a building's total floor area to the size of the piece of land upon which it is built.

³⁷ FAR and ground coverage norms given in MPD-2021 were modified in respect of Hotels vide Gazette Notification No. K-20013/10/2007-DDIB dated 26/02/2009. Allotment of land in cases mentioned at S. No. 3 & 4 above was for hotels.

Table 8 : Other deficiencies in allotment of land under commercial land category

Nature of deficiency	Cases	Deficiency noticed
Non signing of rectification deed ³⁸	Multilevel parking, block – B, CC, Road no. 44, Pitampura	In the Conveyance Deed executed, DDA had erroneously mentioned the use of plot as parking with commercial component as per MPD-2021. Therefore, a rectification deed was to be signed which had not been done.
Intimation of granting extension of time communicated at the fag end	Hotel Plot, Dheerpur	<ul style="list-style-type: none"> ➤ As per Demand-cum-Allotment Letter, the tenderer was required to deposit the premium of ₹ 74.32 crore on or before 04 December 2012. The tenderer applied for extension of time for 180 days on 26 November 2012, citing sluggish market conditions. ➤ The approval of the extension of time was intimated to the tenderer only on 30 May 2013 stipulating last date of payment as, on or before 02 June 2013.
Encroachment of land by successful bidder prior to making payment of land	Plot no. P1 at District centre, Wazirpur	<ul style="list-style-type: none"> ➤ Demand cum Allotment Letter for making payment of 75 per cent of the premium was issued to the bidder on 02/03 December 2010. However, before making the final payment, the tenderer encroached the land and erected booking office/ temporary structures on the plot.

Thus, the absence of a well defined policy for deciding the mode (tender/auction) of disposal of commercial plot and fixing its reserve price indicated lack of transparency in disposal of commercial plots.

5.6 Allotment of Industrial Land

The Master Plan 1962 envisaged setting up of Industrial Areas in Delhi where the industrial units were to be relocated. Keeping in view the provisions made in the Master Plan 1962, twenty Industrial Areas were set up by DDA. Master Plan 2021 stipulates industrial area redevelopment schemes which consist of Modernization and Up-gradation of existing planned industrial areas and redevelopment of areas which have become industrialized over the period of the two Master Plans, even though not designated as such.

During the period from 2010-11 to 2014-15, DDA allotted only two industrial plots. Out of these two plots, one plot was allotted to L&DO for further allotment to Shri A. R. Gandhi/his heirs in Mangolpuri due to cancellation of an earlier allotment to him and the other was allotted to Shri Davinder Ajmani/Yogyata Ajmani in Kirti Nagar (a plot measuring 125.41 sqm for ₹ 69.75 lakh)

Following was noticed by audit in case of Davinder Ajmani/Yogyata Ajmani:

- The applicant requested for allotment of the plot and agreed to pay at current market value. As DDA had not auctioned industrial plots since many years (last auction held in the year 2000), the old auction rates were updated to arrive at the current market rates. However, as no records relating to price fixation were furnished to Audit, it could not

³⁸ A rectification deed is a supplementary document executed between the buyer and seller to rectify the mistakes made in the original/principal deed with respect to factual and typographical errors.

be ascertained whether the method adopted and cost calculated by DDA reflected the correct market value of land, in compliance with norms of price fixation.

- The plot of land was required to be disposed of through tender or auction mode as stipulated in Nazul Rules.
- The matter was not referred to the Land Allotment Advisory Committee in accordance with the Nazul Rules.

DDA replied (February 2016) to the audit observation that the piece of land cannot be auctioned as it was without any number and had to be treated as strips. At the same time it could not be kept idle, which would result in encroachments or misuse by the adjacent allottees or anti-social elements and disposal of such piece of land was done as per policy for this purpose

The reply of DDA is not acceptable, as the Nazul Rules, framed by the Central Government, clearly stipulate tender or auction as the mode of disposal of Nazul land and do not differentiate on the type of land whether it is a strip or a piece of land.

5.7 ROHINI Residential Scheme

DDA announced 'ROHINI' Residential Scheme in the year 1981. While announcing the scheme, it was envisaged that the allotment would be made through draw of lots periodically. Draw for the scheme was held 16 times from 1982 to 2014 as per the information furnished to audit by DDA. During the period under audit, the Possession letters were issued to 125 applicants upto March 2015. Out of these, Audit requisitioned records relating to 25 cases of land allotment, against which DDA provided records in 24 cases³⁹.

Audit noticed the following:

5.7.1 Delay of 30 years in holding of draw

DDA had launched the scheme in 1981, however, it was noticed from the cases test checked in audit that the draw of the aforesaid 24 cases was held in June 2012 and Demand Letters were issued during November-December 2014.

DDA stated that without developmental work, the allotment of plots to applicants was not possible. The reasons for delay have been attributed to slow execution of works of development relating to Civil & Electrical on account of agitation from residents of Barwala village and also the time taken in land litigation during acquisition of land.

The fact remains that there was a delay of 30 years in holding of the draw and a further delay of over two years in issue of demand letter.

³⁹ (i) Case file No. (i) F16(10834)/12/RHN, (ii) F16(7663)/12/RHN, (iii) F16(7881)/12/RHN, (iv) F16(8117)/12/RHN, (v) F16(2449)/12/RHN (vi) F16(1628)/12/RHN (vii) F16(8756)/12/RHN, (viii) F16(11742)/12/RHN, (ix) F16(4179)/12/RHN, (x) F16(9687)/12/RHN, (xi) F16(10382)/12/RHN, (xii) F16(10305)/12/RHN, (xiii) F16 (7066) /12/ RHN, (xiv) F16(11689)/12 /RHN, (xv) F16 (11656) /12/ RHN, (xvi) F16(3403)/12/RHN, (xvii) F16(2644)/12/RHN, (xviii) F16(6456)/12/RHN (xix) F16(4278)/12/RHN, (xx) F16(456)/12/RHN, (xxi)F16(6333)/12/RHN, (xxii) F16 (3830)/12/RHN, (xxiii) F16(4702)/12/RHN, (xxiv) J(647)/647/ LSB/ RHN

5.7.2 Deficiencies in submission of required documents

Notwithstanding the fact that in 11 cases⁴⁰ the requisite documents had not been submitted by the allottees and in five cases⁴¹ there were discrepancies in various documents submitted by the allottees, DDA issued possession letters to them.

DDA did not furnish any specific reply in respect of the cases pointed out in Audit (June/October 2016).

5.7.3 Loss of revenue to DDA in respect of Unearned Increase

Clause 5 (b) of Perpetual lease deed provided that, in the event of the sale or fore-closure of the mortgaged or charged property, the Lessor shall be entitled to claim and recover fifty percent of the unearned increase⁴² in the value of the residential plot as aforesaid and the amount of the said unearned increase shall be a first charge, having priority over the said mortgage or charge.

Audit noticed that in one case, the allottee had sold (July 2015) the plot (No. 1653, measuring 32 sqm. in block 'A' & pocket 1, sector 34 Rohini) allotted (November 2014) to him by DDA at a cost of ₹ 4.52 lakh to another person for a total consideration of ₹ 22.45 lakh. However, there was no document in the records to establish whether unearned increase on account of such sale was deposited by the allottee in DDA.

DDA replied (June/October 2016) that the sale/mortgaging of plot at this stage is not allowed. Action can be taken in cases where such transaction is reported and allotment of plot is liable to be cancelled.

DDA had not taken any corrective action (October 2016).

5.8 Allotment of Alternative Residential Land

The scheme of Large Scale Acquisition, Development and Disposal of land in Delhi, envisaged the allotment of alternative residential plot to persons whose land was acquired for planned development of Delhi. As per policy, the allotment of an alternative plot is made on the recommendation of Delhi Government. Once recommended, DDA prepares a seniority list which is based on the date of possession of the acquired land. The allotment of alternative plot is made through periodic draw of lots.

5.8.1 Deficiencies noticed in Alternative allotment

Audit examined records relating to 17 cases of alternative allotment. The details of the test checked cases are given in *Annexure VII*. In all cases (except at Sl.no.14 in the Annexure) the land was acquired by Government during the period 1980-86, and recommendation for alternate allotment was given during 1986-1992 (all cases except at Sl. no. 10 & 14 in the Annexure); however, alternate allotment was made only in March 2012 i.e. after a delay of around 20 years. The deficiencies noticed in alternate allotment are given at next page.

⁴⁰ Sl. No. (i), (ii), (iv) to (viii), (x) to (xii) and (xx) in Footnote No. 39.

⁴¹ Sl. No. (vi), (ix), (xiii), (xv) and (xx) in Footnote No. 39.

⁴² Unearned increase refers to difference between the sale price and the lease value of the property (rate at which land was acquired from DDA)

- In six cases (Sl. no. 2, 4, 6, 7, 8 and 13 in the Annexure VII) though the allottees did not make full payment of land, the same had not been cancelled.
- In two cases (Sl. no. 3 and 5 in the Annexure VII) it was noticed that though the concerned branch had issued letter for handing over the land, the Engineering Wing intimated that the handing over of the plots cannot be carried out because services had not been provided/laid down in the area.
- In nine cases (Sl. no 1, 3, 5, 9, 10, 11, 12, 14 and 17 in the Annexure VII) the allottees had made full payment of land, yet the land was not handed over to them.
- In one case (Sl. no. 12 in the Annexure VII), allotment of land was done in excess of the prescribed norms.

DDA attributed (June/October 2016) the reasons for delay in holding the draw and inability to hand over the plots of land to non-execution of development works due to interference of Barwala villagers.

However, the efforts made by DDA to sort out the issues were not intimated to Audit.

5.9 Allotment of land to Government Departments

DDA allots land to Government Departments as per request of the concerned department for construction of school, hospital, police station, bus depot etc. Allotment of land to Government Departments is made at rates fixed by the MoUD. During test check of these cases certain deficiencies as detailed below were noticed in Audit.

5.9.1 Deficiencies noticed in allotment of land to Government Departments

The following deficiencies were noticed in allotment of land to Government Departments:

Table 9 : Deficiencies in allotment of land to Government Departments

Allotment to Government Departments	Total Cases provided to Audit/Total allotment cases	Delay in processing of cases (Annexure-VIII)	Status of handing over of plots	Excess/shortfall in allotment vis-à-vis MPD norms	Whether lease deed signed
Allotment of land to Delhi Metro Rail Corporation	6/32	12 to 41 months	Done	Not applicable	No
Allotment of land to Delhi Transport Corporation	3/11	51 to 93 months	Not done	Not applicable	No
Allotment of land to Power department, GNCTD	3/22	19 to 40 months	Done	Excess in 2 cases (Sl. No. 11 & 12 in Annexure VIII)	No
Allotment of land to Delhi Police	4/17	5 to 51 months	Done	Excess in one case (Sl. No. 9 in Annexure VIII) & Short in two cases (Sl. No. 7 & 10 in Annexure VIII)	No

Allotment of land for Dispensaries/Hospitals	5/20	7 to 21 months	Not done (in four cases).	Not applicable	No
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DDA replied (June/October 2016) that in very few cases the dimension at site may be different, depending on the site condition. DDA, however, did not give any reply to the issue of delay in processing of cases, non-handing over of the plots cited by Audit.

5.9.2 Other Deficiencies

During Audit following instances were noticed which underline the lack of co-ordination among various wings of DDA:

- The Directorate of Health Services, Delhi Government requested (December 2012) for allotment of land for construction of polyclinic in Phase-III, Sector 22, Rohini. The Engineering wing of DDA marked the vacant land on the Lay out Plan and stated on 2 April 2013 that the land was available at site, while it was noticed that the plot was already allotted by DDA to a society Bankey Behari Social Welfare Society, Rohini on 26 March 2012.
- In another case, the plot of land in Pocket Q, Paschim Puri, on which a Government school was already running, was allotted to Delhi Police in March 2011 for constructing a police post. Consequently, DDA allotted (September 2013) alternative site to Delhi police in Nangloi Sayyad Village.

5.10 Post Allotment Monitoring Mechanism

It is necessary that there should be vigorous post allotment monitoring mechanism to monitor the use of leased out land so as to ensure that there were no violations of the conditions attached with lease such as timely recovery of ground rent, composition fee, unearned increase etc. Audit found that:-

- A. (i)** There was no system in DDA to watch the conditions of lease deed executed between DDA and allottees and to monitor recovery of various dues viz. ground rent, composition fees, unearned increase etc. from the allottee, as a result of which Audit could not draw an assurance of the existence and effectiveness of monitoring system in the Land Disposal Wing.
- (ii)** No Property Registers containing records of all immovable properties (Award number, Khasra Plot number, Date of taking over possession, Term of Lease, Annual Rent, Total amount of rent demand, Total amount of outstanding rent etc.) were maintained in DDA.

B. As per terms of lease agreement and conditions of allotment, ground rent @ 2.5 per cent of land premium is payable annually failing which interest @ 10 per cent per annum is to be levied. Audit scrutiny of records made available by DDA in respect of institutional allotment made in 20 cases revealed that an amount of ₹ 5.49 crore (Details are given in *Annexure IX*) and interest thereon was outstanding as on 31 March 2015 on account of ground rent from the allottees.

DDA, while accepting the audit observation stated (June/October 2016) that it had launched a special drive to recover outstanding ground rent from the defaulters who are holding properties on leasehold basis. Under this drive, dues have been worked out in 1897 cases of institutional properties and action to raise the demands from the allottees is under process.

C. Audit conducted field visits jointly with the officers/officials of DDA in respect of the sites mentioned in the land bank maintained by Institutional Land branch. It was noticed in audit that land was not being used for the purpose allotted and land had also been encroached. This only confirmed that DDA did not have a monitoring mechanism to ensure that land was used for the given purpose and that condition of the lease agreement was being fulfilled.

Out of the 16 sites selected, DDA facilitated joint inspection visits to 14 sites only. Findings in respect of joint field visits are as follows:

Table 10 : Issues noticed in Joint Inspection

Sl. No.	Land/ plot	Joint Inspection remarks
1.	Land allotted to Popular Institute Society for the Blind (801 sqm.; Sec. 24, Rohini) in February 2012	<ul style="list-style-type: none"> Visited the site on 17 December 2015 and found that the land was lying vacant as no construction had been carried out by the allottee at the site. Some portion of the adjacent plot earmarked for Community hall, was found encroached by the society constructing Jagannath Temple at the back of the site allotted to Popular Institute Society for the Blind.
2.	Land allotted to Voice Society (400 sqm.; Sec. 22, Rohini) in February 2012	<ul style="list-style-type: none"> Visited the site on 17 December 2015 and found that the dimensions could not be verified as there was no demarcation. No construction had been carried out by the allottee at the site.
3.	Land allotted to Learning Matters Educational Society (3000 sqm; Sec. 13, Dwarka) in September 2011	<ul style="list-style-type: none"> Visited the site on 30 December 2015 and found the site lying vacant as no construction had been carried out by the allottee at the site.
4.	Vacant Land measuring 5.00 hectares in Sec. 22, Phase –III, Rohini	<ul style="list-style-type: none"> Visited the site on 17 December 2015 and found that on some portion of the site, farming was being carried out.



Photograph relating to site at S. No. 3



Photograph relating to sites at S. No 4

Conclusion:

- DDA did not prepare comprehensive details/inventory of developed land. DDA did not have a timeframe to prioritize, schedule, plan and carry out land disposal activities.
- No auction of any industrial plot could be held since 2000 due to dispute between DDA and DSIIDC.
- Cases for allotment of institutional land were put up before IAC for consideration without fulfilling the Nazul Rules and the same were recommended by IAC and even allotment was made in few cases. Further, DDA did not have a uniform policy for deciding eligibility of cases of allotment under charitable institution category.
- DDA had a large number of commercial plots for disposal, however, very few plots could be disposed during the period 2010-15.
- There were delays in allotment of land to Government Departments which led to direct impact on timely achievement of objectives for public good.
- There was lack of effective monitoring mechanism in DDA to ensure that land allotted was utilized effectively.

Recommendations:

- DDA should prepare and adopt a comprehensive Land Disposal policy which should prescribe the principles and parameters for identification, prioritization and scheduling for land disposal programmes. Further, MoUD should take necessary action to resolve dispute of DDA and DSIIDC in consultation with Delhi Government to enable industrial development in Delhi.
- DDA should ensure that the land disposal activities are carried out in a timely manner as per the applicable regulatory framework and the norms should be uniformly and consistently applied in all the cases. Further, norms for identifying charitable nature of the institutions for allotment of lands on concessional terms should be laid down.
- DDA should implement an effective post allotment monitoring framework to ensure that all the conditions of allotment of land and post allotment obligations are being complied with by the allottees.

Chapter 6

Land Protection

Land Protection

6.1 Introduction

Protection of land from unauthorized encroachment is one of the most important activities performed by DDA. The Public Premises (Eviction of Unauthorised Occupants) Act, 1971, empowers DDA in protecting its land from encroachments.

6.2 Protection of DDA Land

The land protection activities are carried out by Land Management Wing as well as the user departments in accordance with the Guidelines on Land Management. DDA land is divided into six zones for the purpose of protection of land with each zone headed by a Deputy Director, who is assisted by the revenue staff i.e. Patwaries, Kanungos, Naib Tehsildars/ Tehsildars, Field Investigators, Security guards and Security supervisors. Each security guard is provided with a Beat Diary indicating the land earmarked for patrolling/protection. The zonal Deputy Directors work under the supervision of Director (LM)-I, who in turn reports to Commissioner/Principal Commissioner (LM). Further, the user departments are assigned the task of protecting the land by erecting a fence, boundary wall and sign boards indicating ownership of DDA and by maintaining round the clock watch and ward for the land. The security guards and supervisors also assist in demolition programmes carried out by DDA to remove encroachments from land. In the development areas, Assistant Engineers/Junior Engineers are entrusted with the task of patrolling and detecting unauthorised construction and taking action there-against. The cases of unauthorised construction are to be entered in the Vigilance Register maintained by the concerned Junior Engineers for the purpose.

Scrutiny of records as well as field visits to selected land revealed that:

- Due to lack of complete information on stock of land with DDA, protection of land was weak and inadequate.
- In two cases of village Bamnoli (2) and Basai Darapur (1) out of nine field visits, boundary wall was not constructed around the DDA land.

6.3 Recovery of Encroached Land

It is the responsibility of DDA to maintain round the clock watch and ward for protection of land so as to ensure that no unauthorized structure comes on the land and to remove the same at the earliest, if any.

6.3.1 Information regarding vacant land and land under encroachment

Against the audit requisition for the information regarding vacant land and land under encroachment for all the six zones, DDA furnished incomplete information in respect of four zones only (except East and West Zones).

The information furnished (August 2015) by DDA showed 13155 Bigha of land under unauthorized cultivation in Yamuna Khadar area. However, it could not be ascertained as to which zone /zones this area pertained to and what steps were taken by DDA to recover this land.

6.3.2 Inadequate field staff for protection of land

DDA intimated (March 2016), that the sanctioned strength of security guards was 250 against which 148 guards were employed.

Non-deployment of adequate field staff and lack of complete information regarding land to be protected would seriously affect the watch and ward functions undertaken at the ground level, thereby putting DDA land at risk of being encroached.

Further, beat dairies of field staff in 2 out of 3 (west zone and south east zone) test checked zones were not provided to audit. In case of the North Zone, audit enquired about the action taken by DDA on the reports of encroachments reported in the beat dairies. However, no records/information with regard to these was provided to audit. Besides, it was also observed that the beat dairies did not depict the details of land being protected such as Khasra number, demarcation of the area etc.



Unauthorized encroachment on land in **Humayunpur**



Farming done on the vacant land in **Bannoli**

6.3.3 Shortfall in conducting Demolition Programmes

It was noticed from the records furnished to Audit that during 2010-11 to 2014-15, 1596 demolition programmes were fixed out by DDA of which 1089 demolition programmes were carried out resulting in overall shortfall of 31.77 *per cent*. DDA reclaimed 318.74 acres of land through these demolition programmes. The zone-wise demolition programmes fixed and carried out by DDA are given in *Annexure X*.

DDA stated (June/October 2016) that the demolition programs are executed as planned except in the circumstances when police force is not made available or stay orders of the court exist or due to extreme weather conditions etc.

DDA fixes yearly targets for conducting demolition programmes in each zone to remove encroachment from DDA land. However, as only partial details of the vacant land, unauthorized encroachment were furnished, Audit could not ascertain whether the targets fixed were commensurate with the actual ground position of encroachment on land. Further, Audit also could not draw conclusion on the basis by which encroachments were identified and shortlisted for carrying out demolition programmes.

6.3.4 Other shortcomings relating to protection of land

From test check of cases of demolition provided to audit, the following shortcomings were noticed:

6.3.4.1 Deficiencies relating to Demolition Programmes

During examination of files relating to demolition programmes various deficiencies like Non-construction of boundary wall/fencing, late reporting of encroachment etc. were noticed. These deficiencies have been summarised below in the table:

Table 11 : Deficiencies noticed in Demolition Programmes

Sl. No.	Nature of Deficiency	Number of Cases
1.	Late reporting of encroachment ⁴³	7 cases (Bhorgarh, Saidulajaib, Kirti Nagar, Sayoorpur-I, Sayoorpur-II, Paschim Vihar & Satbari)
2.	Records did not reflect whether all the unauthorized structures present were demolished	4 cases (Bhorgarh, Saidulajaib, Malikpur Chhawani & Satbari)
3.	Records did not reflect whether boundary wall was constructed after demolition.	7 cases (Dhakka, Bhalaswa-Jahangirpuri, Bhalaswa, Pul Pehladpur, Sayoorpur-I, Sayoorpur-II & PaschimVihar)
4.	Non-handing over the land to Engineering Wing	2 cases (Bhalaswa-Jahangirpuri and Sayoorpur-II)
5.	Fresh encroachment after demolition programme	2 cases (Paschim Vihar & Malikpur Chhawani)

No reply was furnished by DDA (October 2016).

6.3.4.2 Protection of Land in Bhorgarh

Land measuring around 17.42 Bigha in village Bhorgarh, Narela was acquired in 1986-87 and transferred to the Engineering Wing in 1986 and 1991 for development. However, in April 2008, unauthorised construction was noticed by field staff of DDA in the area, which was reported to the Engineering Wing for taking action. Consequently, some unauthorised structures were removed (April 2010) through a demolition programme. Scrutiny of the file revealed that:

⁴³ The documents as well as photograph relating to the unauthorised structures attached in the individual files indicated that the field staff deputed for protection of land did not report the matters of encroachment promptly to the Zonal Offices.

- The reports about encroachment were sent to two Engineering Divisions ND-12 (June 2008) & ND-4 (August 2008) for taking action. However, both the Engineering Divisions kept shifting responsibility to each other.
- A demolition programme, initially fixed on 27 May 2009, was not executed as the Housing Welfare Association of the area had represented before Hon'ble LG that the colony had obtained a certificate for regularisation from Delhi Government on 17 September 2008. However, DDA processed the case with Delhi Government against regularization of the colony only in May 2010, even though the information about encroachment had been reported much earlier in April 2008.

DDA did not furnish any reply (October 2016).

6.3.4.3 Protection of Land in village Saidulajaib

The revenue staff of DDA reported unauthorized construction of a three storied pucca structure on vacant land of DDA in village Saidulajaib in October 2013. Consequently, a demolition programme was carried out in March 2014. During scrutiny of the file, following was observed:

- DDA failed to notice the unauthorized construction on time, leading to construction of a three storied pucca structure.
- Unauthorised structure could not be demolished fully by DDA.
- Another demolition program, fixed on 1 July 2014, could not be executed as a case was filed against demolition in the Hon'ble High Court of Delhi, which restrained DDA from carrying out demolition.

DDA while accepting the audit findings stated (June/October 2016) that this matter has already been referred to the Vigilance Department for investigation and fixing responsibility. However, the demolition of unauthorized construction could not be done due to stay orders of the Hon'ble High Court in February 2016.

6.3.4.4 Protection of Land in Bhalswa Village, Jahangirpuri

Representatives of the jhuggi cluster; adjacent to DDA Flats, K block Jahangirpuri had informed DDA about encroachment of DDA land adjoining their jhuggies in July 2012. Consequently, a demolition programme was carried out on 21 September 2012 at Khasra No. 1158 and 1159 of Village Bhalswa, Jahangirpuri. The following issues were noticed from the scrutiny of file:

- After the execution of first demolition programme, the land was encroached upon four times from October 2013 to December 2014, since boundary wall was not constructed around the reclaimed land.
- The land was not transferred to the Engineering Wing for proper utilization and development.

DDA stated (June/October 2016) that as per report of Deputy Director (Land Management), North Zone, the encroachment on the land has been removed a number of times, but engineering department refused to take possession.

It was, thus, seen from the above referred encroachment cases that DDA could not identify unauthorized construction in time nor take prompt and appropriate action for its full removal and protect it from fresh encroachment. It also shows non-coordination among different departments of DDA.

DDA informed that it had introduced Standard Operating Procedure (SOP) for land protection in October and December 2015 to improve the functioning of Land Management Department of DDA. A mobile based application has also been developed by DDA for uploading photographs of the vacant land on DDA website. All Deputy Directors of Land Management (LM) Zones and revenue officials working under their control have been directed to upload the photographs of DDA vacant land under their charge. They have also been directed to inspect each property under their jurisdiction at least once a week and their reporting officer should visit the sites once a month. All Heads of Departments are required to submit monthly report to the VC, DDA, on work done by each officer/official.

While the steps taken by DDA to improve protection of land are welcome, it should be ensured that the new system is properly institutionalized and implemented.

Conclusion:

- DDA did not have complete details of vacant land and land under encroachment.
- There were shortfalls in demolition programme during the period 2010 to 2015.
- Cases of late reporting of encroachment, failure to hand over the land to the engineering department and delayed construction of boundary wall were also noticed in audit.
- There was deficit in the number of field staff deployed for protection of land which adversely affected the watch and ward function for protection of land.

Recommendations:

- DDA should lay down and implement a land protection system where construction of boundary wall/fencing/similar protection structure and setting up of sign boards declaring these to be DDA lands, is carried out immediately after the land is received.
- Regular inspections of the vacant land should be carried out and all the encroachments should be immediately reported and remedial action taken at the earliest.
- DDA should initiate action to ensure utilisation of land for intended purposes in a time bound manner.

Chapter 7

Management of Nazul-I Lands

Management of Nazul-I Lands

7.1 Introduction

Management of Nazul-I land is the responsibility of Land Management and Land Disposal Wings of DDA. Land Management (LM) Wing looks after issues relating to eviction of squatters from Government land, recovery of damages, maintenance of land records and mutation of properties. Land Disposal Wing looks after issues related to conversion of specified categories⁴⁴ of leases from leasehold to freehold, recovery of lease charges, ground rent etc.

Audit examined the records maintained in DDA relating to management of Nazul-I lands. Audit findings are discussed in succeeding paragraphs.

7.2 Database/records of Nazul-I Land

Audit observed that DDA had no consolidated information/database in respect of Nazul-I land transferred from erstwhile Delhi Improvement Trust (DIT), Land & Development Office as well as Gaon Sabha Land of urbanised villages. DDA informed that there were around 17000 (approximately) leases administered by DDA, out of which 5970 had been converted into freehold till 31 January 2016 since 1992.

Scrutiny of 57 lease files (out of 118⁴⁵ files requisitioned by Audit) as well as ground rent ledgers of Karol Bagh, Naiwala and Paharganj estates revealed the following:

7.3 Lease Administration of Nazul-I Land

There are two types of leases as per Guidelines on Land Management, namely Durated (20 years) and Perpetual (90 years) lease. Nazul-I lease was to be renewed on the specified period mentioned in the lease as first renewal, second renewal and third renewal for maximum period of 90 years, before it lapsed. At the end of 90 years, land would lapse to DDA or could be made freehold by the lessee. It was observed from the records that Old Scheme Branch (OSB) administers the leases and processes the cases for conversion from leasehold to freehold in two categories i.e. Residential Leases and Mixed Land Use⁴⁶ leases in respect of Nazul-I properties. As per the existing leases, the lessee cannot sub-divide or sell the property without prior consent of DDA (lessor).

⁴⁴ Residential Leases and Mixed Land Use

⁴⁵ 60 Lease files and 58 cases of conversion from Leasehold to Freehold

⁴⁶ Mixed Land Use refers to Shop-cum-Residential Lease

7.3.1 Renewal of Leases

A. Perpetual lease of 90 years was required to be renewed after specific intervals. However, it was noticed that there was no mechanism in DDA to watch and monitor the renewal of leases, as some leases were renewed up to second renewal, while others were not renewed at all. The third renewal was not done in any of the test checked cases.

DDA in its reply stated (June/October 2016) that the term lease executed by the erstwhile DIT, is renewed after second, third spell i.e. after expiry of 20 years, 30 years, 40 years or 90 years. As per policy of allowing conversion in cases of expired lease, no renewal is mandatory provided the applicant has applied on or before 31 December 2015. Hence, the conversion has been allowed as per policy. There is no deviation from the policy and the same is governed as per the policy stated above.

Reply of DDA is not acceptable as the renewal of leases i.e. second/third renewal was the condition of lease deed in order to validate the lease. The fact remains that the third renewal as per lease terms was not done in any case.

B. As per the existing rules/instructions of DDA, property registers showing complete details of plots/ lands estate wise, full name and complete address of the persons who have been allotted land, details of taking over and handing over of possessions etc. are required to be maintained. Further, ground rent due and receipt thereof is being watched through the ledgers. Examination of records revealed that:

- Property registers were not maintained, in the absence of which total number of leases and their details could not be verified in audit.
- In case of ledger of Karol Bagh II, 112 leases out of 144 leases had expired upto 2013. Further, 53 leases could not be examined due to badly mutilated condition of records.
- In case of ledger of Naiwala, 22 leases out of total 178 leases were not readable and remaining 156 leases had expired during the period from 2004 to 2009.
- In case of ledger of Paharganj, 26 leases out of total 190 leases were not readable and out of the remaining 164 leases, 149 leases had expired upto 2010.

Audit also noticed that DDA had neither levied nor recovered damage charges from the allottees who had become unauthorised occupants after expiry of leases.

7.3.2 Sale of Property

As already stated in Para 7.3, Nazul-I land cannot be sold/sub-divided by the lessee without prior consent of DDA. Further, unearned increase on sale was to be given to DDA. Examination of records at DDA, however, revealed that:

- In 16 cases of sale of property (*Annexure XI*), the prior consent of DDA was not obtained by the lessees.
- In two cases⁴⁷, unearned increase in case of sale was not charged on the basis of market rates fixed by Government from time to time.

⁴⁷ (i) File No.S-6(17)1956/OSB/Pt.1, No.S/6(17)56/OSB, S/4(12)/48, S/2(153)59Pt. (ii) S-6(10)67/OSB, S/6(11)67

7.3.3 Conversion from Leasehold to Freehold

Policy of conversion from leasehold to freehold was formulated by MoUD in 1992 on the basis of which DDA introduced the scheme of conversion from lease hold to freehold, which was modified from time to time. Audit noticed deficiencies in processing of cases with respect to requirement/criteria stipulated in the scheme as given in the next page:

Table 12 : Cases of non compliance noticed in respect of residential properties

Sl. No.	Criteria prescribed for conversion	Deficiencies noticed in Audit
1.	Conversion would be allowed only when the completion certificate form 'D' for the residential building has been obtained. In absence of form 'D', the lessee was required to furnish either the affidavit that the sanctioned building plan was not available or a copy of the building plan from a registered architect in conformity with the building bye-laws.	In nine cases (<i>Annexure XII-A</i>), copy of neither the completion certificate form 'D' nor alternate documents were submitted.
2.	Proof of possession of the property i.e. house tax assessment order or grant of permanent connection from the concerned electricity authority as collateral evidence of construction of building.	In nine cases (<i>Annexure XII-B</i>), the proof of possession of the property for which conversion was sought was either not given or was inadequate.
3.	In case, original lease deed was lost, the lessee/applicant must issue notice in a prominent newspaper having circulation in the area where the property is situated and also execute an affidavit before the first class Magistrate indicating therein how the original lease deed was lost. A copy of the public notice published in the newspaper and the original affidavit must be submitted at least 10 days before the date of execution of the conveyance deed.	In five cases ⁴⁸ an affidavit executed before the first class Magistrate indicating how the original lease deed was lost, was not submitted.
4.	Where there was successive power of attorneys, conversion to be allowed after verifying the factum of possession provided that the linkage of original lessee/sub-lessee/ allottee with the last power of attorney is established and attested copies of power of attorneys are submitted. In such cases, a surcharge of 33.33 per cent on the conversion fee would be payable over and above the normal conversion charges applicable for a regular lessee (No unearned increase would be recoverable).	In six cases ⁴⁹ factum of possession from original lessee/sub-lessee/allottee to the last power of attorney was not ascertained by DDA. In these cases, instead of charging surcharge of 33.33 per cent on the conversion charges, 40 per cent rebate on conversion charges was allowed.

⁴⁸ File numbers: (1) S/1(04)2015/OSB/NSK (ii) 17(271)40 (iii) S-5(16) 76/Pt (iv) S-11(41)87-OSB (v) S&S file No. 20(55) 2014/ASO-I Property No. 56/6, WEA, Desh Bandhu Gupta Road, Karol Bagh (2) File No. S-6 (17) 1956/OSB/ Pt.I, No. S/6(17)56/OSB, S/4(12)/48, S/2(153)59 Pt. (3) (i)S/1 (191) 2012/ OSB (ii) S / 19 (238)44, 2622 sq. yards Christian, Karol Bagh, Delhi (4) (i) S/1(175)2014/OSB (ii) S/20 (573) 62 / OSB/ KBH Khasra No. 29, Block P, Naiwala, Karol Bagh (5) File No. S/1 (149) 2010 / OSB and 8/5(482)/51 pertaining to Plot No. 34, Block P, Naiwala, Karol Bagh. Area 222 square yards.

⁴⁹ File Nos. (1) File No. S/1(149)2010/OSB Plot No 34 Block P, Naiwala, Karol Bagh (2) File No. S/1(140)2010/OSB and lease file No S/5(433)51 pertaining to the Plot No. 62/15 Khasra No. 687/19 WEA Karol Bagh 1302.3 sq yards (3) File no. S/1(64)2011/OSB and File no. S/2(176)/62 Plot No. 87 of Dariyaganj Janoobi) plot measuring 142 Sq yards 118.71 sq. metres (Khata No. 40, Khasra No. 176/110 (4) File No. S/1(99)2014/OS/DDA, S/12(09)46 and S&S-I No. 20(46) /2014/ASOI , Khasra No. 348 Block M, Naiwala Estate (5) File No.S1(244) /OSB, Plot No. 3, Kadam Sharif, Paharganj (6) File No. S/1(212)2012/OSB, S/7(20)46/OSB and TN 4(187)08 pertaining to Khasra No. 1185/67 plot No. 67/8720, D.B. Gupta Road, Pahar Ganj, New Delhi.

5.	Conversion was to be applicable only for the properties for which the land use prescribed in the lease deed/sub lease deed/allotment letter is commercial/ residential or mixed as the case may be.	In one case ⁵⁰ the land use in the lease deed was mentioned as 'residential' but conversion was allowed for the mix land use.
6.	In case of any legal dispute relating to the title of the property, conversion shall not be allowed until the legal dispute is settled.	Though the property viz. Plot No. 56/6 WEA, Desh Bandhu Gupta Road, Karol Bagh was under legal dispute and case was pending at High Court Delhi, the conversion was allowed.

In one case (Jhandewalan Estate), conversion of property with Floor Area Ratio (FAR) of 300 was allowed violating the prescribed FAR of 150.

DDA stated (June/October 2016) that the conversions from leasehold to freehold has been allowed as per the policy on the subject.

Reply of DDA is not acceptable as violation of procedure had taken in all the cases cited above.

7.4 Nazul-I Receipts

The receipts from Nazul-I land comprise of ground rent for leased properties, lease conversion charges, damage/misuse charges and other miscellaneous receipts. Results of audit scrutiny of these receipts are as under:

7.4.1 Failure to raise and recover Ground Rent

As per terms and conditions stipulated in lease deeds, the ground rent was payable in advance, either in two half yearly installments or annually. As per lease terms, ground rent was recoverable at the rate of 2 *per cent* to 2.5 *per cent* per annum of the premium determined by Government, in respect of Nazul-I properties. Scrutiny of Demand and Collection ledgers of Paharganj, Naiwala, Karol Bagh and Daryaganj (South) revealed that:

- In 633 test checked cases, yearly/half yearly demands were not raised.
- In 633 cases, cumulative demand from 1980 to 2007 was raised, against which recovery of ground rent was effected upto 1987 only.

Thus, demand of ground rent was not raised regularly and was also not monitored effectively.

7.4.2 Drawbacks in raising and collection of Damage Charges

Where any person was, or had at any time been, in unauthorised occupation of DDA's property (public premises), the Estate Officer, having regard to principles of assessment of damages as prescribed in The Public Premises (Eviction of Unauthorised Occupants) Act, 1971, would have to assess the damages at the Zonal rates fixed by DDA from time to time separately for residential and commercial use of the public premises. Damages were also to be levied on the ex-lessees or the occupants, as the case may be, in the case of expired and cancelled leases in accordance with the procedure prescribed for assessment and recovery of damages for unauthorised occupation of public premises. For collection of damage charges, Show Cause Notices were to be issued regularly on the basis of suggested rates and the work

⁵⁰ File No. S(186)2014/OBS/NSK, S-16(21)41 and /3(7)76-OSB pertaining to property No. 63, Block 'L', Daryaganj. Area: 590.1 Sq. yards.

relating to issue of notices for the period up to 31 March last ended was required to be completed up to 30th September in case of all encroachers. Examination of relevant records revealed the following:-

- No survey regarding unauthorised occupation of DDA's properties has been conducted since 1959. There were approximately 20,000 cases of unauthorised occupation on the Nazul Estates based on a survey carried out by DDA in 1959 including 6000 cases assessed later.
- There was discrepancy between the figures of damages demanded, recovered and outstanding as provided by Damages Section and that shown in the annual accounts of DDA for the period 2010-11 to 2014-15. It was further noticed that as per Damages Section, damage charges amounting to ₹ 69.84 crore were outstanding as on March 2015 whereas as per annual accounts only ₹ 18.49 crore were shown as outstanding. No efforts were made by DDA to reconcile the discrepancy in the figures of outstanding damages charges.
- Scrutiny of 12 cases of damage charges demanded by DDA from unauthorized occupants (out of 21 cases requisitioned by Audit) revealed delay up to 32 years in raising the demand of damage charges on the unauthorized occupants. (*Annexure XIII*).
- For collection of damage charges, Show Cause Notices are to be issued for the period up to 31 March last ended and the issue was required to be completed up to 30th September in the case of all encroachers. However, only 79 notices demanding the damage charges were issued by DDA instead of 477 notices to be issued in these twelve cases (*Annexure XIII*).

Interest amount accrued on the outstanding damage charges could not be quantified because in none of the 12 cases, all details were available.

It was also noticed in audit that:

- Notices were served only when the unauthorised occupants requested DDA to get their unauthorised occupancy transferred/mutated in their name or for No Objection Certificates.
- DDA also allowed the substitution of unauthorized occupants other than legal heirs on the basis of Affidavit/General Power of Attorney/Agreement to Sale etc.

Thus, there was no system either for regular identification of unauthorised occupants, or for raising and collection of demands.

DDA stated (June/October 2016) that a conscious decision was taken to stop door to door collection of damage charges and to stop issuing notice for demand, and it was left for unauthorised occupant to make payments on their own.

The reply of DDA needs to be seen against the fact that though the decision for not sending the notices was taken in July 2008, it was revoked in March 2012. Further, the basis for the above decision of 2008 was the direction of LG that policy paper for giving ownership rights

to the unauthorised occupants of old Nazul Properties should be immediately brought before DDA which has not been done (October 2016).

Further, the delay in sending the notices had been occurring since 1952 whereas the decision for not sending the notices was operative only during the period from July 2008 to March 2012.

Case study: Non eviction of unauthorized occupants from properties required for planned development of Delhi

Two properties measuring 500 Sq. Yard and 1000 Sq. Yard falling in Khasra No. 407 of village Malikpur Chhawani Revenue Estate situated at G.T. Karnal Road, Delhi were acquired by DDA under Section 22(1) of DDA Act in 1963 but were occupied by the unauthorized occupants. In this connection, Audit noticed that:

As per the Master Plan of Delhi-2001, the said land was earmarked for development of Facility Center No. 2 in the Zonal Development plan of Zone-C. Accordingly, eviction orders were passed by Estate Officer and served in June 2006. On 17 July, 2006, the Estate Officer, DDA issued letter to Deputy Director North Zone/Land to take over the physical possession of the said land by use of such force as may be necessary. However, Audit did not find any records relating to the efforts made for eviction. The unauthorized occupants filed a petition in the Hon'ble District Court, Delhi against the orders of the Estate Officer.

The Hon'ble District Court in December 2006 remanded both the cases to the Estate Officer with the directions to pass the order within two months after duly hearing both the parties and also considering the appellants' submissions with respect to their claims that their case was covered by Government's Regularization scheme. The Estate Officer heard both the parties on 18 March 2013 and passed the order for assessment of damages.

Audit further noticed that the damage charges against the unauthorized occupant of property measuring 1000 Sq. Yard and 500 Sq. Yard were ₹ 1.35 crore (31 December 2012) and ₹ 0.38 crore (30 November 2011) respectively. No evidence of payment was available in the file.

DDA replied (June/October 2016) that after hearing the parties in pursuance of the directions of the court, the Estate Officer has passed the order on 18 March 2013.

The reply of DDA was not acceptable as the order of the Estate Officer, referred to by DDA, did not deliberate on the fact whether the cases were covered under Government's Regularization Scheme, as directed by the Hon'ble District Court, Delhi and passed order for assessment of damage charges only.

7.5 Improper use of DDA Lands

It was noticed that there was variation in the purpose of use of land in lease records *vis-a-vis* physical verification report by the field officers/officials of DDA. To ascertain factual

position joint inspection of 14 properties⁵¹ was conducted (January/February 2016) by Audit alongwith officials of DDA. It was noticed that commercial activities were undertaken in the vacant land of the L&DO, which was transferred to DDA for care and maintenance. Further, commercial activities were also being carried on, on the vacant land of DDA and land leased out by DDA for residential purposes.

I. Status of land lying with the L&DO	
<p>Karol Bagh, Khasra No. 437/31 (796 Sq yards)</p> <p>(As per DDA records, the vacant land was shown in possession of Land & Development Office (L&DO))</p>	
II Status of vacant land lying with DDA	
<p>Paharganj</p> <p>Khasra No. 895/865(Plot Area 333 sq yards)</p> <p>(As per records of DDA, the property was in possession of DDA)</p>	
III Status of land allotted to individuals	
<p>Paharganj</p> <p>Khasra No. 911/714-715 (333 sq yards)</p> <p>(As per records of DDA, the land was leased out for residential purposes.)</p>	

DDA in its reply stated (June/October 2016) that Mixed Land Use (Special Zone) is permitted on the land under reference transferred to DDA.

⁵¹ **Mauja Karol Bagh** (6): Khasra No.s (i) 133/33-36-37 (ii) 437/31 (iii) 725/508 (iv) 266/35-36-39 (v) 687/19 (vi) 730/508; **Naiwala** (3): Khasra No.s (i) 845 (ii) 5 & 6 (iii) 2020/1258 ; **Paharganj** (5): (i) 759/218 (ii) 895/865 (iii) 863/73 (iv) 718/214-16 (v) 911/714-715

The reply is not acceptable since as per land records, status of these lands was vacant/leased for residential purpose, whereas in actual the land was being used for commercial purposes for which permission was not taken from DDA.

Conclusion:

- DDA did not have complete information on total area of Nazul-I land in possession of DDA, number of leases it had entered into, number of leases which had lapsed, leases where land use had been changed and whether land was in the control of original lessees or it had changed hands.
- There was no proper system of raising demand for ground rent and ascertaining the amount realisable towards ground rent, transfer of lease, change of land use, unearned income etc. at any point of time.

Recommendations:

- DDA should ensure that a comprehensive database and record of all types of leases administered by it is prepared. This should also be regularly updated to reflect the current changes viz. titles, periodic renewals etc. Additionally, these records should also be integrated with land database.
- DDA should develop a comprehensive policy for effectively dealing with the expired leases in Nazul-I land. This policy should aim at balancing all the interests like those of planned development of these areas, revenue interests of the DDA and interests of the existing lessees.

Chapter 8

Record Management

Record Management

Maintenance of proper records of ownership and management of land is essential for effective land management. The Guidelines on Land Management of DDA prescribed various types of records to be maintained relating to Land Management in various wings of DDA. Audit reviewed the records maintained in DDA to verify whether a proper and effective system of records management and documentation for land was in existence. The findings of Audit are discussed in succeeding paragraphs.

8.1 Non Maintenance of Records

8.1.1 Land Related Records

Para 2.9 of Chapter 2 of guidelines on Land Management (Land Department) Volume I of DDA lists various records that were required to be maintained. Audit, however, did not find any evidence that these records were maintained by DDA as detailed in the Table below:

Table 13 : Records not maintained by DDA

Name of land record	Format in which records were required to be maintained	Nature of information
Field Book	Form N-2	Records of all field numbers in a Patwari Circle incorporating description and areas of fields for each patwari circle.
Khasra Register	Form N-7 (to be re-written after every four years)	Details of individual khasra numbers of village, award number, number of notification under Section 22(1) of the DD Act and date of taking over physical possession.
Nazul Land Scheme Register	Form N-6	Permanent record of land utilization under different development schemes or different purposes.
Encroachment Register	Form N-10	Details of nature of encroachment, name and address of person who made the encroachment, date of encroachment and date of encroachment report.
Diary of Patwari	Form N-9	Daily diary of work of a Patwari to be maintained and submitted to Tehsildar concerned by close of the month.
Annual Inspection Register	Form N-11	Annual inspection registers giving details of infringement of terms and conditions of lease by lessee/sub-lessee.
Records of lease	Form N-3	Names and particulars of lessees/sub-lessees of Nazul-I land, details of premium/yearly rent payable by lessee/sub-lessee and data of renewal of lease/sub-lease.

It is evident from the above table that these were important basic records for recording significant details of the land and its status with DDA. It was also noticed that the issue of non-maintenance of various land records was also raised (March 2014) by the Internal Audit Wing of DDA, but apparently, DDA did not take any action in the matter. In the absence of these records audit could not draw an assurance that these details were available with DDA for all its land.

DDA stated (June/October 2016) that land records have been maintained since 1960 on standard format of Revenue Department. The record is voluminous and was not possible to convert the same as per 1981 Regulations. Further, it has introduced (2015-16) and put in place new SOP and has developed Mobile application for uploading photographs of vacant land.

The fact is that DDA was not maintaining land records as per regulations. While the introduction of mobile application for monitoring of DDA vacant land is a welcome step, DDA needs to ensure that these new initiatives are properly implemented and incorporated in their system.

8.1.2 Property Registers

The following important property registers were required to be maintained for Nazul-I and Nazul-II properties. Audit, however, noticed that these records were not being maintained by DDA:

Table 14 : Property Registers not maintained by DDA

Property	Source of Rule / Requirement	Details to be included in the Registers
Nazul-I	Internal Audit Manual (Chapter 16)	Complete details of plots/lands estate-wise, full names and complete address of the persons who had been allotted these lands, details of taking over and handing over possession etc.
Nazul-II	Guidelines on Land Management (Para 2.10)	Estate award number, khasra/plot number, owner with description, resolution of the authority sanctioning purchase, award number with date, amount paid, date of taking over possession etc.
Master Register for Institutional allotments	Guidelines on Land Management {Para 7.13(17)}	Key record containing processing of the cases of allotment under institutional category. All applications received on the prescribed application form were to be entered in a Master Register etc.

In the absence of maintenance of the aforesaid important records, Audit was unable to draw an assurance that DDA was properly managing its property in accordance with its guidelines/manuals.

8.1.3 Vigilance Register

The cases of unauthorised construction noticed by the officials (Junior/Assistant Engineers) in the development areas are to be reported to the Police Department and entered in the Vigilance Register. Audit did not find any evidence that DDA had been maintaining the Vigilance Registers. Audit was, therefore, unable to draw an assurance that DDA was taking appropriate steps for protecting the land property from encroachments / unauthorised constructions in an efficient and effective manner.

DDA in its reply (June/October 2016) stated that the vigilance registers were maintained for development areas. Since all the areas have been de-notified, there is no development area as of now. It further stated that a Mobile Application has been developed for real time tracking of encroachment.

The reply of DDA is not acceptable as in response to audit observation on Rohini Residential Scheme, DDA had stated that development works are being executed in Sectors 34, 35, 36 & 37, which are still under the ambit of development area, hence vigilance register in respect of these areas are required to be maintained. Further, Mobile Application initiative by DDA needs to be implemented promptly and incorporated into their system.

8.1.4 Monitoring of Court cases- Suit Register and Master Register of court cases

It was noticed that detailed instructions/guidelines were issued by DDA for dealing with court cases in September 1990. As per guidelines/circulars, "Suit Register" was to be maintained by each branch indicating details of cases, e.g. Suit No./Writ Petition No., Name of the Court, Name of the Party, Particulars of the land involved, etc. In addition, a "Master Register" was also to be maintained. These were not produced to audit.

However, as per information provided by DDA, 9680 cases were pending in various Courts as on 31 March 2015 (an increase of 2350 since 31 March 2011 when 7330 cases were pending).

8.1.5 Incomplete and non-updated Land Records

(A) Audit noticed that the following records maintained by DDA were not being updated:

Table 15 : Incomplete and not updated Land Records

Nature of Record	Rule/ Requirement	Details required to be included and Audit observation
Ownership record	Guidelines on Land Management	The ownership record was to be kept in the proforma prescribed in the Guidelines (known as 'Sakni Jamabandi'). The Jamabandis were to be prepared and renewed after every four years. It was, however, noticed that most of the Jamabandis were updated only up to 1973-74 or even earlier.
Revenue Ledger	Guidelines on Land Management	Out of 20 cases (as mentioned in the table given in <i>Annexure IX</i>), only 10 cases (Sl. No. 4, 7, 8, 9, 10, 11, 13, 18, 19 & 20) were entered in the Revenue Ledger.

Nature of Record	Rule/ Requirement	Details required to be included and Audit observation
Beat Diary	Guidelines on Land Management	Beat Diaries furnished to Audit revealed that various details viz. Khasra numbers, jurisdiction, demarcation of area, counter-sign by supervisory staff etc. were not found in the Beat Diaries.
Records of land acquired by the Delhi Government and placed at the disposal of DDA	Form N-1 prescribed under Para 2.8 of Guidelines on Land Management	The records were required to be kept in form N-1 having particulars viz. award no., date of taking over of possession, description of scheme, certificate of Land Record Officer etc. Audit noticed that village wise registers were maintained by DDA in place of Form N-1 which did not contain complete information as required. Further, entries made in the register were neither authenticated nor cross referenced. The registers were also not updated.

DDA stated (June/October 2016) that the Land Record Registers have been maintained/prepared since beginning and are duly authenticated by the Tehsildar.

The reply of DDA is not tenable, as only the first page of the register was authenticated by a DDA official without date while register/land records were not maintained in prescribed forms as per Land Management Guidelines.

B. Audit scrutiny of 18 cases pertaining to land acquisition compensation provided by DDA revealed that the files did not contain following information/documents:

Table 16 : Cases having incomplete documents/records and its implications

Detail of documents/ records not found in the files	No. of cases	Implication
Copy of requisition/indent received from user department	13 ⁵²	Since the purpose of acquisition and approval of competent authority was not available on records, assurance on actual land requirement, could not be drawn in Audit.
Joint Survey Report Joint Verification Report gives the actual status of land (i.e. vacant land/built up area, encroachment etc.), before its acquisition	11 ⁵³	DDA did not furnish Joint Survey Reports in 11 cases in absence of which Audit was unable to draw an assurance that it had done proper analysis and planning before acquisition.
Copy of Award	02 ⁵⁴	Assurance on details of actual land included in award and correctness of amount of award could not be drawn in Audit.

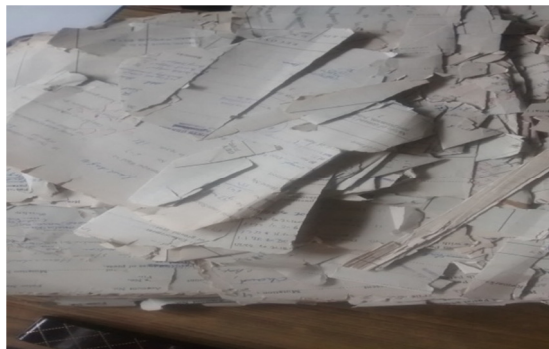
⁵² Bakkarwala, Singhola, Mehtrauli, Humayun pur, Maidan Gari, Basai Darapur, Tikri Kalan, Khichripur, Kirari Suleman Nagar, Bannoli, Madanpur Dabas, Masoodabad/Najafgarh and Nasirpur.

⁵³ Singhola, Mehralui, Maidan Garhi, Basai Darapur, Tikri Kalan, Khichripur, Kirari Suleman Nagar, Barwala/Pansali/Pehlampur Bangar, Maidanpur Dabas, Masoodabad/Najafgarh and Nasirpur

⁵⁴ Bakkarwala and Pooth Khurd

8.2 Preservation and Protection of Records

Audit noticed that records relating to land acquisition cases /enhanced compensation/ledgers/ lease files, were not being maintained properly. Audit noticed that some of the records were in badly mutilated condition, as shown in the pictures given below:



Condition of ledger of **Karol Bagh Estate**



Condition of lease files of **OSB Branch** in DDA

Lease files and ledgers are primary and important records showing details of lease and the original lease deed. However, in most of the cases of land acquisition, land has not been fully received/transferred and land acquisition not completed, hence it is essential to keep the records in safe and proper condition.

DDA stated (June/October 2016) that the record rooms have been cleaned and have been organized in a catalogue and indexed. Digital Scanning of the documents for more than one lakh pages have been completed in File Index.

The steps taken by DDA regarding preservation and upkeep of records are constructive. However, DDA has not stated the way out to reconstruct the records which have already been badly damaged and are unreadable.

8.3 Safe Custody of Lease Deeds

As per Internal Audit Manual, 2008 of DDA, the lease deeds are required to be kept in safe custody of the Superintendent/Assistant Director of the Branch duly arranged according to estates, block and plots with a proper index of all such lessees both by names of lessees and by estates, blocks and plots. The lease deeds are required to be verified and agreed with the index annually by the Branch officer or an officer nominated by the Vice-Chairman and a report of the results of verification is being maintained by the Vice-Chairman in April each year. Audit, however, noticed that the above procedure was not being followed as only 13 files out of 60 files were provided to Audit and in respect of remaining files, DDA stated (February 2016) that these files were not traceable.

DDA while accepting audit view stated (June/October 2016) that the observation of the Audit has been noted for future compliance.

8.4 Digitalisation of Records by DDA

8.4.1 Functioning of Land Management Information System

DDA awarded the work of development and implementation of Land Management Information System (LMIS), a land record automation system, to Electronic Research &

Development Centre of India (ER&DCI) in July 2001. ER&DCI was required to make the software package and install it within 18 months from the date of award. To verify that LMIS was implemented and was functioning in the manner envisaged, files/records relating to agencies involved in implementation of LMIS, time frame/targets fixed by DDA for implementation of LMIS and year-wise progress made there against etc. were called for by Audit. However, despite several reminders, the requisite information was not furnished to Audit. In March 2016, DDA provided data of 240 villages along with a copy of agreement between DDA and M/s ER&DCI entered on 6 August 2001. Analysis of data in audit revealed that:

- Some of the fields' in LMIS i.e. land use, land transfer to user department were left blank due to which actual status of land could not be ascertained.
- In the Digital map, location of land (Khasra no.) acquired by DDA in village was also not marked. As such, identification of land acquired by DDA could not be ascertained from the digitalized map of village concerned.

In the absence of relevant records, Audit could not draw any assurance whether the works relating to LMIS were completed as per time frame/targets fixed and were delivering desired results even after a lapse of more than 14 years from its scheduled completion.

8.4.2 Module for creating the database of institutional properties

As per annual report of DDA for the year 2013-14, a module for creating the database of institutional properties of DDA was developed and details of 3,808 institutional properties were reported to have been fed by institutional branch in this system. However, details of module and its current status as on 31 March 2015 along with login access/database dumps sought by Audit were not provided by DDA.

DDA stated (June/October 2016) that the process of creating database is in progress.

Conclusion:

- Systems did not exist for proper record maintenance in DDA, as a result of which Audit was unable to analyse the effectiveness of land management, land development and land disposal activities in DDA in a holistic manner.

Recommendations:

- DDA should maintain all the prescribed records and ensure their proper maintenance ensuring completeness, accuracy, timely updation and proper upkeep. A comprehensive database of the land stock available with all the details and present status must also be maintained.
- DDA should carry on and complete the digitalization of records process at the earliest considering the importance, age and quantum of the records, especially of those related to land ownership.

Chapter 9

Internal Audit and Accounts

Internal Audit and Accounts

9.1 Effectiveness and Efficiency of Internal Audit in DDA

The internal audit cell in DDA is headed by Member (Finance) who is assisted by the Chief Accounts Officer along with the other staff. DDA had 213 auditable units, out of which 140 units were to be audited annually. Year-wise auditable units planned for audit and actually audited by internal audit during the period from 2010-11 to 2014-15 were as under:

Table 17 : Year-wise details of audited unit by Internal Audit

Sl. No.	Year	Total No. of auditable units	No. of units to be audited annually as per schedule	Total No. of units planned for audit in the year	No. of units actually audited
1	2010-11	213	140	80	80
2	2011-12	213	140	95	95
3	2012-13	213	140	80	88
4	2013-14	213	140	100	104
5	2014-15	213	140	101	98

From the above, it is apparent that total units planned for annual audit were low as compared to number of units to be audited annually.

DDA stated (June/October 2016) that the reasons for low coverage of auditable units were due to shortage of man power and entrustment of special audit to the Audit Parties. Efforts were being made to fill the vacant posts.

Some specific deficiencies observed in internal audit of three wings of DDA i.e. Land Management Wing, Land Development/Engineering Wing and Land disposal Wing are given below:

In three Sections of Land Management Wing namely Damage Section, Damage Accounts Section and Land Management Section audit was to be conducted annually. However, it was noticed that during the period from 2010-11 to 2014-15 Internal Audit of Land Management Section, Damage Section and Damage Accounts Section was conducted twice, thrice and once only respectively.

Audit also reviewed the settlement of outstanding paras in these three sections, the status of which is as follows:

Table 18 : Details of audit paras raised by Internal Audit and settled

Name of Section	Opening balance of Para Outstanding Para	New Para raised during 2010-11 to 2014-15	Para settled during 2010-11 to 2014-15	Para Outstanding
Land Management	15	56	Nil	71
Damage Section	16	38	Nil	54
Damage Accounts Section	Nil	17	Nil	17

It was also noticed that significant issues like tracking of court cases, non-digitalisation of complete land records, non-transfer of land to user department, non-reconciliation of accounts of land compensation/enhanced compensation, non-maintenance of important land records etc. were noticed by Internal Audit Wing of DDA. However, no para was settled during the period from 2010-11 to 2014-15 which is indicative of fact that DDA did not take any corrective action on the issues pointed out by internal audit.

In Land Development and Land Disposal wings, information relating to units planned, audited and copies of internal audit reports for the audit period were called for. These were, however, not provided to audit in absence of which audit could not draw an assurance as to whether internal audit was being conducted in these wings.

DDA while accepting the audit view stated (June/October 2016) that the main reason for not conducting audit as per prescribed schedule and settlement of the old outstanding paras was due to shortage of staff and assignment of special audits. It further stated that letters were written to the concerned branch followed by reminders to concerned officers, however, no reply was received.

9.2 Reporting and Reconciliation in DDA

9.2.1 Income & Expenditure Account and Balance Sheet of Nazul-II.

DDA had been preparing final accounts relating to land in different formats as per the details indicated below:

- **Nazul-I-** Receipt and Payment Account, Income and Expenditure Account and Balance Sheet.
- **Nazul-II-** Receipt and Payment Account.
- **General Development Account-** Receipt and Payment Account, Income and Expenditure Account and Balance Sheet.

Due to non-preparation of Income and Expenditure Account and Balance Sheet as part of Annual Accounts, actual state of affairs and financial position of Nazul-II Accounts was not reflected in the Annual Accounts of DDA. The issue was raised by the C&AG of India through its Separate Audit Reports on the Annual Accounts of DDA for the year 2012-13, 2013-14 and 2014-15.

DDA, while accepting the audit observation, assured (June/October 2016) that they would prepare Balance Sheet of Nazul-II Account in time bound manner and be able to prepare Balance Sheet and Income & Expenditure Account of Nazul-II by 31 March 2020.

9.2.2 Expenditure incurred on Land Acquisition

DDA incurred expenditure towards acquisition of land by way of compensation, enhanced compensation, supplementary award and amount directly attached by the Court. Audit noticed that:

- The expenditure incurred towards land compensation, enhanced compensation and amount directly attached by the Hon'ble Court towards compensation was clubbed together and booked in one account under the head 'Payment to Delhi Administration'. Therefore, the system of accounting and reporting did not facilitate the proper presentation and ready availability of expenditure incurred under the three different heads.
- Total expenditure incurred on acquisition depicted in Annual Accounts (Receipt & Payment Accounts of Nazul-II) published by DDA during the period from 2010 to 2015 was ₹1304.56 crore, whereas the same was ₹1001.85 crore as per information furnished by Land Management Account Section (LMA) of DDA for the same period. Thus, there was difference of ₹302.71 crore between expenditure reported in the final Annual Accounts and LMA Section.
- The LMA Section and Cash Main Section reported the expenditure on land acquisition on monthly basis to Accounts Main Section but reconciliation of expenditure was not done regularly and certificate of reconciliation was not authenticated by both the Sections.

DDA stated (January 2016) that the difference was due to non inclusion of amount attached by the Hon'ble Courts while reporting of expenditure by the LMA Section. It further stated (June/October 2016) that Audit observations have been noted for compliance and instructions were being issued in this regard.

9.2.3 Land received by DDA

Audit noticed that DDA prepared monthly statement/MIS in respect of physical possession of land taken from Delhi Government on the basis of Kabja Karyavahi⁵⁵ reports. Scrutiny of monthly statements and kabja karyavahi reports for the period 2010-11 to 2014-15 revealed that:

- There were differences between actual physical possession of land received from Delhi Government *vis-à-vis* physical possession of land reported by DDA through MIS, details of which are as follows:

⁵⁵ Proceedings for physical possession

Table 19 : Year-wise difference in actual receipt of land as per MIS and Kabja Karyavahi Report of DDA

(Land in Acres)

Year	Physical possession of land reported as received in MIS	Physical possession of land received in actual as per 'Kabja karyavahi' report	Difference in actual receipt of land as per MIS and as per 'Kabja karyavahi'
2010-11	359.69	359.15	0.54
2011-12	329.08	339.54	(-) 10.46
2012-13	844.96	226.52	618.44
2013-14	253.14	252.38	0.76
2014-15	0.00	0.00	0.00
Total	1786.87	1177.59	609.28

Audit also noticed that there was no system in place for regular cross checking and reconciliation of land actually received by DDA and that reported through MIS.

Audit further noticed that

- Cumulative closing balance of land 76,922.93 acres shown in May 2011 was changed to 75,692.70 acres as opening balance of June 2011 which was not evidenced by any document.
- There were instances⁵⁶ of arithmetical mistakes while converting and reporting of the land from Bigha, Biswa, Biswani to Acres. Thus, the system of reporting of receipt of land as well as the actual quantity of land bank available with DDA as on 31 March 2015 was not reliable.

DDA stated (June/October 2016) that discrepancies in receipt of land for the year 2010-11, 2011-12 and 2013-14 have been adjusted in the MIS for the month of January 2016 and March 2016. DDA assured that in future efforts will be made to report the receipt and disposal of land on monthly basis. DDA further stated that cumulative receipt of land was reduced by 1230.23 acres in June 2011 (year 2011-12) and 618.44 acres was increased during the year 2012-13 to file an affidavit in the Hon'ble Court after reconciliation of land with the respective Land Acquisition Collectors.

DDA, however, did not furnish any documentary evidence regarding reconciling of land balances with Delhi Government to audit. Therefore, reasonable assurance could not be drawn on the actual receipt of land by DDA as well as balance of land available with DDA as on date (October 2016).

⁵⁶ In November 2013, 11.87 acre of land acquired in villages Malikpur Kohi which was reported as 11.74 acre. Similarly, in December 2013, land measuring 0.87 acre (i.e. 185.81 acre-184.94 acre) was reported in excess due to arithmetical/conversion mistakes.

Conclusion:

- There was lack of efficient internal audit as total units planned for annual audit by Internal Audit Wing of DDA were low as compared to number of units to be audited annually.
- Timely reconciliation of expenditure incurred vis-a-vis stock of land was not being done resulting in difference in the figures.

Recommendations:

- DDA needs to evolve and implement a system for internal audit and effective internal monitoring of the activities of DDA in land management.

Chapter 10

Conclusion and Recommendations

Conclusion and Recommendations

10 Chapter

10.1 Conclusion

DDA has a crucial role in the governance of the city as it has been entrusted with the responsibility of promoting and securing the development of Delhi as per the Master Plan of Delhi.

DDA has a major role in acquisition, development as well disposal of land in Delhi. Efficient planning and execution of land management activities require proper co-ordination with various agencies including the Ministry of Urban Development and Delhi Government. Audit observed lack of coordination among these agencies as a result of which development and implementation of a land pooling policy in land assembly and development, disposal of industrial land etc. were pending since long.

A critical issue noticed in audit was non-availability of consolidated information in respect of land stock with DDA. The information relating to land acquisition, utilization, development, disposal as well as land lying vacant was inadequate, incomplete and outdated.

In respect of land acquisition processes, long delays in payment of compensation/enhanced compensation to land owners, excess payment of compensation, non-receipt of utilization certificates for the expenditure incurred on payment of such compensations, non-receipt of land even after full payment, possibility of lapse of acquisition due to enactment of a new statute in cases of considerable delays over five years since announcement of award etc were observed in audit.

Land development works suffered from weaknesses in planning of the projects and lack of compliance with codal requirements and delays in start and completion of various development works.

Developed lands are to be disposed for various intended purposes such as industrial, institutional, residential and commercial. Disposal activities are required to be carried out in accordance with Nazul Rules. Disposal activities were adversely affected due to lack of clear policy in the areas of valuation, prioritizing, scheduling and planning. Land was allotted to various institutions on concessional rates but there was no uniform policy for deciding eligibility of cases for this category. Progress in auction of commercial plots was slow. There were cases of considerable delays in allotment of land to even Government department and agencies.

In the area of land protection, there were shortfalls in execution of planned demolition programmes and instances of late reporting of encroachment, non handing over of land to engineering department after carrying out demolition programme and non construction of

boundary wall in time after regaining the land were noticed. In this scenario, a large number of vacant tracts of land lay unutilized for years and DDA could not guard against the risk of encroachment and haphazard development of those areas.

Majority of leases under Nazul-I category i.e. land transferred from erstwhile Delhi Improvement Trust, Land & Development Office, Gaon Sabha lands of urbanized villages etc., had expired and there was no mechanism to regularly watch and monitor the status of these lands. Various deficiencies were noticed in processing of cases of conversion from lease hold to freehold and there was no mechanism for regular monitoring and collection of outstanding ground rent and damage charges.

DDA neither had a proper record management system nor did it have a robust internal control system which was evident from the fact that coverage of units in internal audit was quite low. There was lack of a regular and effective reconciliation mechanism among different set of records.

Joint Inspections carried out by audit alongwith DDA representatives revealed instances of shortage of land *vis-à-vis* DDA records, encroachment/unauthorised use of vacant land, land lying undeveloped even after transfer to user department etc., signifying poor state of affairs of the functioning of the land management activities in DDA.

DDA in its reply (June/October 2016) as well as in the Exit Conference held in June 2016 stated that many Standard Operating Procedures (SOPs) relating to Land Management and Mobile Applications for land protection and e-Measurement Books have been developed (2015-16) and are being implemented. These are welcome steps but the systemic issues still remain to be resolved.

10.2 Recommendations

In the light of weaknesses in planning, implementation, monitoring of the land management activities at DDA, some general and specific recommendations have been made. Specific recommendations relating to individual land management processes have been included in the concerned chapters of this Report. General recommendations meant to address systemic deficiencies, are given below:

- DDA should prepare an Office Manual laying down the organization structure and defining roles and responsibilities across levels of the organization along with Standard Operating Procedures for various activities and processes with defined timelines for land management. The recently introduced SOPs and initiatives should be institutionalized and monitored to ensure that these are integrated into the work processes of DDA.
- As DDA is dealing with varied activities in Land Management, where multiple wings are dealing with different aspects with a high level of public interface, it may consider implementation of an Enterprises Resource Planning (ERP) system, integrating all aspects of its functioning.

- DDA should maintain all the prescribed records and ensure their completeness, accuracy, timely updation and proper upkeep. A comprehensive database of land stock with all details and present status must also be maintained. Further, considering the importance, age and quantum of records, DDA should complete the digitalization of its records at the earliest.
- It is important to have an effective co-ordination and co-operation mechanism between DDA and Delhi Government. An effective mechanism should be evolved where all the pending issues between DDA and Delhi Government are settled.
- DDA needs to implement a strong system for effective internal monitoring of land management activities.

Dated: 23 November 2016
Place: New Delhi


(MANISH KUMAR)
Director General of Audit
(Economic & Service Ministries)

Countersigned

Dated: 25 November 2016
Place: New Delhi


(SHASHI KANT SHARMA)
Comptroller and Auditor General of India

Annexure-I-A
(Referred to in Para 3.2.3)

Summary of examined land acquisition cases

Sl. No.	Name of Village	Date of notification issued under Section 4 of LA Act, 1894	Date of notification issued under Section 6 of LA Act, 1894	Details of Award			Date of demand of compensation by Delhi Govt.	Payment released against award by DDA			Purpose of Acquisition (Emergency clause- Yes/No)	Date of transfer of land to the user deptt.
				Award No. and (Date)	Area (Bigha – Biswa-Biswani)	Cost of award (₹ in crore)		Payment released with date (₹ in crore)	Land received from Delhi Govt. with date (Bigha - Biswa – Biswani)	Land not received (Bigha-Biswa-Biswani)		
1.	Bakkarwala	13/12/04	20/04/05	10/DC(W)/2006-07 (18/04/07)	182-06	9.29	20/04/07	6.21 (24/03/05) 3.08 (27/11/13)	122-13 (01/11/06 & 23/02/07)	59-13	C/o 20 mtr. Wide road (Yes)	13/12/06 & 23/02/07
2.	Pooth Khurd	09/09/09	08/09/10	2/2012-13/ DC(NW) (05/09/12)	79-16	14.26	Not available	9.19 (07/09/10) 5.07 (22/11/13)	50-07 (04/10/12)	29-09	C/o 100 mtr road (Yes)	22/09/15
3.	Singhola	15/05/06	14/05/07	02/2008-09/ DC(NW) (15/05/08)	34-08	1.79	03/07/08	1.79 (18/02/13)	34-08 (18/09/12)	-Nil-	C/o Sewerage Treatment Plant (No)	18/09/12
4.	Mehrauli	21/07/11	19/07/12	05/2013-14 (27/12/13)	44-10	7.83	27/12/13	0.11 (18/12/82) 7.72 (04/09/14)	44-00 (30/12/13)	0-10	Planned development of Delhi (PDD) (No)	Not transferred
5.	Humayunpur	20/05/10	19/05/11	01/2013-14 (30/04/13)	1620 sqm.	4.43	28/10/13	0.22 (05/05/11) 4.12* (27/11/13)	1620sqm (20/01/12)	-Nil-	Approach road to community center (Yes)	Not transferred
6.	Maidan Garhi	13/07/11	15/07/11	02/2013-04 (10/07/13)	49-14	8.82	12/07/13	5.71 (14/09/10) 1.18* (21/11/13)	40-03 (11/08/11)	9-11	For SAARC University under PDD. (Yes)	26/08/11
7.	Basai Darapur	01/04/04	10/11/04	16/DC(W)/ 2004-05 (07/04/05)	557.61 sqm.	1.07	13/04/05	1.07 (11/11/13)	557.61 sqm (16/05/05)	-Nil-	C/o Community centre (No)	05/08/11

Sl. No.	Name of Village	Date of notification issued under Section 4 of LA Act, 1894	Date of notification issued under Section 6 of LA Act, 1894	Details of Award			Date of demand of compensation by Delhi Govt.	Payment released against award by DDA			Purpose of Acquisition (Emergency clause- Yes/No)	Date of transfer of land to the user deptt.
				Award No. and (Date)	Area (Bigha – Biswa-Biswani)	Cost of award (₹ in crore)		Payment released with date (₹ in crore)	Land received from Delhi Govt. with date (Bigha - Biswa – Biswani)	Land not received (Bigha-Biswa-Biswani)		
8.	Masoodabad And Najafgarh	29/08/06	12/10/06	02/2007-08 (20/08/07)	351-18-05	17.29	14/12/07	13.41 (03/10/06), & 3.88 (16/11/11); 2.00 (03/10/06) & 0.59 (07/11/13)	351-18-05 02/11/06	-Nil-	For water treatment plant Delhi Jal Board (Yes)	26/12/06
		29/08/06	12/10/06	3/2007-08 (20/08/07)	52-13	2.59			52-13 Nov.- Dec.06	-Nil-		26/12/06
9.	Tikri kalan	15/06/06	14/06/07	06/DC(W)/ 2007-08 (01/05/08)	438-01	24.50	02/05/08	18.60 (12/05/09) & 5.90 (25/06/10)	371-00 (27/09/10 & 05/12/12)	67-01	Residential space for the workers of PVC market further transfer to Delhi State Industrial & Development Cor. Ltd. (No)	21/10/11
10.	Hauz Khas	27/08/64	30/01/65	08/2011-12 (10/10/11)	1-18	1.37	30/12/11	1.37 (14/02/12)	1-18 (27/11/81)	-Nil-	Award was issued w.r.t revision of rate by the court. Physically position of land was taken on 27/11/81. (No)	01/12/81
11.	Khichripur	22/11/06	12/06/07	02/2009-10 (East) (11/06/09)	3-00	1.12	18/06/09	1.12 (27/11/12)	3-00 (14/09/12)	-Nil-	Planned Development of Delhi (No)	Not transferred
12.	Malikpur Kohi/ Rangpuri	27/06/96	10/01/97	02/98-99 (06/01/99)	1333-10	45.18	11/02/99	13.47 (10/10/96) & 3.56 (07/10/14) (Part released)	122-19 (31/12/13)	1210-11	Planned Development of Delhi (No)	Not transferred
		27/06/96	24/06/97	7/98-99 (22/06/99)	366-10	14.26	14/10/13		362-00 (31/12/13)	4-10	Planned Development of Delhi (No)	Not transferred
13.	Okhla	13/07/2000	27/06/01	7/1/2003-04 (25/06/03)	17-14	1.13	13/08/09	0.14 (14/12/00) 0.99 (11/11/13)	17-14 14/06/07	-Nil-	Planned Development of Delhi (No)	18/06/07

Sl. No.	Name of Village	Date of notification issued under Section 4 of LA Act, 1894	Date of notification issued under Section 6 of LA Act, 1894	Details of Award			Date of demand of compensation by Delhi Govt.	Payment released against award by DDA			Purpose of Acquisition (Emergency clause- Yes/No)	Date of transfer of land to the user deptt.
				Award No. and (Date)	Area (Bigha – Biswa-Biswani)	Cost of award (₹ in crore)		Payment released with date (₹ in crore)	Land received from Delhi Govt. with date (Bigha - Biswa – Biswani)	Land not received (Bigha-Biswa-Biswani)		
14.	Bamnoli	04/11/04	31/10/05	01/2007-08/ SW (06/08/07)	2100-06	111.76	06/08/07	77.67 (23/08/07) 9.27 (02/03/12) (Part released)	1337-09 (six times between 2007- 2011)	762-17	Dwarka Phase-II under PDD (No)	03/01/08
15.	Nasirpur	02/05/06	05/02/07	1/2008-09/ SW (30/06/08)	15-08	0.88	09/06/09	0.88 (11/11/13)	11-00 (13/04/09)	4-08	Dwarka Phase-I under PDD (No)	Not transferred
16.	Barwala Pansali Pehladpur Bangar	25/11/09	19/02/10	03/2011-12 (01/07/11); 04/2011-12 (01/07/11); 05/2011-12 (01/07/11)	177-15-10 55-04-10 0-02-0	27.20 9.20 0.02	01/07/11	26.81 (07/01/10) & 9.61 (23/02/12)	176-9-10 (20/04/10) 55-04-10 (20/04/10) 0-02-0 (20/04/10)	1-6-0 -Nil- -Nil-	Rohini Residential Scheme Ph. IV & V. (Yes)	20/04/10 20/04/10 Not transferred
17.	Kirari suleman Nagar	21/03/03	19/03/04	29/DC/ NW/05-06 (17/03/06)	5278-02	286.41	14/06/06	8.14 (14/09/06) (Part released)	-nil-	5278-02	Rohini Residential Scheme for PDD (No)	Not received
18.	Madanpur Dabas	21/03/03	18/03/04	09/2005-06/ DC(NW) 12/07/05	135-04	6.97	13/07/05	5.58 (11/08/05) (Part released)	4-03 30/11/06	131-01	Rohini Residential Scheme for PDD (No)	Not transferred

*Released after adjusting the earlier payments released by DDA alongwith interest thereon.

Annexure-I-B
(Referred to in Para 3.2.3)

Statement showing time taken in various activities of land acquisition process in DDA

Sl. No.	Name of Village	Date of Award	Date of demand of compensation from Delhi Govt.	Time taken from date of award to date of demand	Date of release of compensation by DDA	Time taken from date of demand to last date of release	Date of physical possession of land taken from Delhi govt.	Time taken from date of award to date of physical possession of land by DDA	Date of transfer of land to user departments	Time taken from date of physical possession to date of transfer of land to user deptt./non-transferred upto October 2016.
1	2	3	4	5= 4 -3	6	7 = 6- 4	8	9= 8 - 3	10	11= 10 - 8
1.	Basai Darapur	07/04/05	13/04/05	6 days	11/11/13	8 years 7 months	16/05/05	1 month	05/08/11	6 years 2 months
2.	Tikri Kalan	01/05/08	02/05/08	1 day	25/06/10	2 years 2 months	27/09/10	2 years 5 months	21/10/11	1 year
3.	Bakkarwala	18/04/07	20/04/07	2 days	27/11/13	6 years 7 months	01/11/06 & 23/02/07	emergency	13/12/06 & 23/02/07	1 month
4.	Nasirpur	30/06/08	09/06/09	11 months 21 days	11/11/13	4 years 5 months	13/04/09	9 months	Not transferred	7 years 6 months
5.	Malikpur Kohi/ Rangpuri	06/01/99 & 22/06/99	11/02/99 & 14/10/13	1 month 5 days	07/10/14	1 year	31/12/13	14 years 6 months	Not transferred	2 years 10 months
6.	Pooth Khurd	05/09/12	Not available	NA	22/11/13	NA	04/10/12	emergency	22/09/15	3 years
7.	Singhola	15/05/08	03/07/08	1 month 18 days	18/02/13	4 years 7 months	18/09/12	4 years 4 months	18/09/12	Nil
8.	Mehrauli	27/12/13	27/12/13	Nil	04/09/14	9 months	30/12/13	NIL (3 days)	Not transferred	2 years 10 months
9.	Masoodabad/ Nazafgarh	20/08/07	14/12/07	3 months 17 days	16/11/11 07/11/13	3 years 11 months	Nov-Dec 2006	emergency	26/12/06	Nil
10.	Khichripur	11/06/09	18/06/09	7 days	27/11/12	3 years 5 months	14/09/12	3years 3 months	Not transferred	4 years 1 month
11.	Okhla	25/06/03	13/08/09	Nil (court case)	11/11/13	4 years 3 months	14/06/07	4 years	18/06/07	Nil (4 days)

Sl. No.	Name of Village	Date of Award	Date of demand of compensation from Delhi Govt.	Time taken from date of award to date of demand	Date of release of compensation by DDA	Time taken from date of demand to last date of release	Date of physical possession of land taken from Delhi govt.	Time taken from date of award to date of physical possession of land by DDA	Date of transfer of land to user departments	Time taken from date of physical possession to date of transfer of land to user deptt./non-transferred upto October 2016.
1	2	3	4	5= 4 -3	6	7 = 6- 4	8	9= 8 - 3	10	11= 10 - 8
12.	Bamnoli	06/08/07	06/08/07	Nil	02/03/12	4 years 7 months	14/09/07 to 20/01/11 (5 times)	3 years 5months	03/01/08 (Part transferred)	More than 5 years
13.	Barwala, Pansali & Pehladpur Bangar	01/07/11	01/07/11	Nil	23/02/12	8 months	20/04/10 20/04/10 20/04/10	NA (acquired under emergency clause)	20/04/10 20/04/10 Not transferred	Nil Nil 6 years 6 months
14.	Maidangarhi	10/07/13	12/07/13	2 days	21/11/13	4 months	11/08/11	NA (acquired under emergency clause)	26/08/11	Nil (15 days)
15.	Humayunpur	30/04/13	28/10/13	5 months 28 days	27/11/13	1 month	20/01/12	NA (acquired under emergency clause)	Not transferred	4 years 10 months
16.	Hauz Khas	10/10/11	30/12/11	2 months 20 days	14/02/12	1 month	27/11/81 (revised award)	NA (revised award)	01/12/81	Nil (4 days)
17.	Kirari Suleman Nagar	17/03/06	14/06/06	2 months 28 days	14/09/06	3 months	Nil	NA (no land received)	Not transferred	N.A.
18.	Madanpur Dabas	12/07/05	13/07/05	1 day	11/08/05	1 month	30/11/06	1 year 5 months	Not transferred	9 years 11 months

Annexure-II-A
(Referred to in Para 3.2.3.1)

Delay in release of compensation for land acquisition by DDA

Sl. No	Name of Village	Award No. and date	Date of demand of Compensation by Delhi Government	Date of release by DDA	Delay (more than six month) in release of compensation by DDA
1	2	3	4	5	6 (=5-4)
1.	Basai Darapur	16/DC(W)/2004-05 (07/04/2005)	13/04/2005	11/11/2013	8 years 6 Months
2.	Tikri Kalan	06/DC(W)/2007-08 (01/05/2008)	02/05/2008	25/06/2010	1 year 11 Months
3.	Bakkarwala	10/DC(W)/2006-07 (18/04/2007)	20/04/2007	27/11/2013	6 Years 6 Months
4.	Nasirpur	1/2008-09/SW (30/06/2008)	09/06/2009	11/11/2013	4 Years 4 Months
5.	Malikpur Kohi/Rangpuri	02/98-99 (06/01/1999) & 7/98-99 (22/06/1999)	11/02/1999 & 14/10/2013	07/10/2014	11 Months
6.	Pooth Khurd	2/2012-13/ DC(NW) (5/09/2012)	Not available*	22/11/2013	12 Months
7.	Singhola	02/2008-09/ DC(NW) (15/05/2008)	03/07/2008	18/02/2013	4 Years 6 Months
8.	Mehrauli	05/2013-14 (27/12/2013)	27/12/2013	04/09/2014	8 Months
9.	Masoodabad/ Najafgarh	02/2007-08 & 3/2007- 08 (20/08/2007)	14/12/2007	16/11/2011 07/11/2013	3 Years 10 Months
10.	Khichripur	02/2009-10 (East) (11/06/2009)	18/06/2009	27/11/2012	3 Years 4 Months
11.	Okhla	7/1/2003-04 (25/06/2003)	13/08/2009	11/11/2013	4 Years 2 Months
12.	Bamnoli	01/2007-08/ SW (06/08/2007)	06/08/2007	02/03/2012	4 Years 6 Months
13.	Barwala, Pansali & Pehladpur Bangar	03/2011-12, 04/2011- 12 & 05/2011-12 (01/07/2011)	01/07/2011	23/02/2012	7 Months

*excluding permissible two months from date of award.

Annexure II-B
(Referred to in Para 3.2.3.1)

Additional interest liability under Section 34 of LA Act due to delay in payment

Sl. No.	Name of Village	Award No.	Date of Award	Physical possession of land taken (date)	Date of release of compensation by DDA	Delay period (after the date of physical possession taken to date of cheque)	Interest liability calculated on cost of land taken over. (₹ in lakh)
1	2	3	4	5	6	7= 6- 5	8
1.	Basai Darapur	16/DC(W)/2004-05	07/04/2005	16/05/2005	11/11/2013	8 years 178 days	130.07
2.	Nasirpur	1/2008-09/SW	30/06/2008	13/04/2009	11/11/2013	4 years 210 days	39.40
3.	Singhola	02/2008-09/DC(NW)	15/05/2008	18/09/2012	18/02/13	151 days	6.67
4.	Mehrauli	05/2013-14	27/12/2013	30/12/2013	04/09/2014	246 days	46.82
5.	Masoodabad & Nazafgarh	02/2007-08 & 3/2007-08	20/08/2007	Nov-Dec 2006	16/11/2011 07/11/2013	4 years 319 days 6 years 310 days	260.36 56.88
6.	Okhla	7/1/2003-04	25/06/2003	14/06/2007	11/11/2013	6 years 149 days	89.10
7.	Barwala, Pansali & Pehladpur Bangar	03/2011-12, 04/2011-12 & 05/11-12	01/07/2011	20/04/2010	23/02/2012	1 year 308 days	198.90
8.	Khichripur	02/2009-10	11/06/2009	14/09/2012	27/11/2012	72 days	1.99
9.	Malikpur Kohi/Rangpuri	02/98-99 & 7/98-99	06/01/1999 & 22/06/1999	31/12/2013	07/10/2014	278 days	24.43
Total							854.62

Annexure-III A
(Referred to in Para 4.2.1)

Non-availability of clear site

Sl. No.	Name of Division	Name of Work	Scheduled date of Start of Work	Actual Date of Start of Work
1.	WD-3	C/o RCC S.W. drain & culvert in Sec.26 Dwarka Ph. II.	10/06/2012	9/12/2013
2.	RPD-6	C/o 9.0 M & 12.0 M Internal Road 1st phase treatment in Pocket A-1 & C-2 Sector-37 (Part) Phase.V Rohini	Sept. 2013	Work could not be started till Dec. 2015.
3.	WD-6	C/o Peripheral SW Drain on 12M & 20M in Sector-3, Dwarka, (Remaining Portion)	21/05/2010	15/03/2012

Annexure-III B
(Referred to in Para 4.2.2)

Delay in submission of structural drawings

Sl. No.	Name of Division	Name of work	Date of start of work	Date of submission/ approval of structural drawings
1.	WD-9	SH:- Covering of Palam Drain Sitapuri from Railway line near Delhi Cantt. To Dabri Bridge and constn. Of road over it	08/08/2010	April 2011 to 15/04/2014
2.	RPD-7	C/o Peripheral S.W. Drain & Culverts in Sector 29 (Pt.II) & Internal road (Ph-I treatment) of 9M, 12 M and 24M R/W in Pocket D-1, D-2 &D-3 Sec.29(Part II) and Pocket C-1 and C-2 Sec.30 (Part-II) Rohini Ph. IV & V.	28/06/2012	12/11/2012
3.	RPD-2	C/o Peripheral S.W Drain and Culverts in Sector-30 & on 80 M R/W road along Sec.30 upto out fall point Rohini	29/10/2013	11/03/2014
4.	WD-3	C/o RCC S.W. drain & culvert in Sector 26 Dwarka Ph.II	10/06/2012	14/09/2012

Annexure-III C
(Referred to in Para 4.2.3)

Failure to obtain requisite approval from local bodies before start of work

Sl. No.	Name of Division	Name of work	Date of start of work	Local bodies from which NOC required
1.	WD-3	Widening of existing carriage way & 60M MP road No. 226 with Foot Path & SW Drain from IOC culvert to crossing of Road No. 226 & 211 Dwarka Ph.II	05/05/2014	Indian Oil Corporation Ltd.(IOCL)
2.	ND-9	External Development (Land scaping and plumbing work) C/o Interpretation Centre and Restaurant Building including their plumbing & Internal electrification work	08/07/2011	Department of Forest and Wild Life

Annexure-III D
(Referred to in Para 4.2.4)

Non approval of revised Administrative Approval and Expenditure sanction

(₹ in crore)

Sl. No.	Name of Division	Name of work	Date of accorded of AA&ES	AA&ES + 10 %	Tendered amount	Actual Expenditure
1.	WD-3	C/o RCC S.W. drain & culvert in sec. 26 Dwarka Ph.II	March 2005	<u>1.70</u> 1.87	11.43	13.29
2.	RPD-4	(i) SH:C/o main carriageway (two lanes) of 30M R/W Roads (Cement concrets Pavement) in Sector 34-35 Rohini (ii) C/o Internal Road in plotted Pockets A-1,A-2,A-4 C-1 to C-6 of Sector 34 and Pockets A-1,A-2 and C-1 of Sector 35 Rohini Ph.V	Feb. 2010	<u>18.40</u> 20.24	9.27 16.44 (9.27+16.44 = 25.71)	15.23 17.70 (15.23+17.70= 32.93)
3.	ND-12	C/o Peripheral S.W Drain & Culverts in Sector G-7 & G-8 at Narela Sub-city.	Oct. 2007	<u>8.85</u> 9.74	33.71	35.40

Annexure-III E
(Referred to in Para 4.2.5)

Non- revision of Technical sanction

(₹ in crore)

Sl. No.	Name of Division	Name of work	Date of accord of Technical Sanction	Technical sanction + 10 %	Actual Expenditure	
					Amount	Bill No.
1.	WD-9	SH:- Covering of Palam Drain Sitapurin from Railway line near Delhi Cantt. To Dabri Bridge and constn. of road over it	February 2009	<u>64.93</u> 71.42	96.36	Final
2.	WD-3	Widening of existing carriage way & 60M MP road No. 226 with Foot Path & SW Drain from IOC culvert to crossing of Road No. 226 & 211 Dwarka Ph.II	September 2013	<u>5.10</u> 5.51	7.61	Final
3.	RPD-4	(SH:C/o main carriageway (two lanes) of 30M R/W Roads (Cement concrets Pavement) in Sector 34-35 Rohini	March 2012	<u>11.41</u> 12.55	15.23	11 th RA
4.	RPD-6	SH : C/o 9.0 M & 12.0 M Internal Road in Pocket B-3 & C-I, Sector-37 (part) Rohini, Phase V.	March 2012	<u>2.39</u> 2.62	3.34	Final
5.	ND-9	SH: External Development (Land scaping and plumbing work) C/o Interpretation Centre and Restaurant Building including their plumbing & Internal electrification work	March 2011	<u>12.95</u> 14.24	26.99 (Budget Code-24503027) Actual: 97.77	34 th RA
	ED-4		March 2011	<u>0.27</u> 0.29	0.30	2 nd RA

Annexure-III F
(Referred to in Para 4.2.6)

Work not completed /foreclosed

(₹ in crore)

Sl. No.	Name of the Division	Name of work	Percentage of executed work done	Date of fore-closure/ completion	Tendered amount	Total payment made
1.	RPD-8	C/o Internal Roads (12 m R/W and 9 m R/W) of Pkt.A-1,A-2,A-3,B-1 and C-3, Sector 36, Rohini Phase-V	65	08/10/2014	3.13	1.89
2.	RPD-8	C/o 24 M R/W Road in Sector-36, Rohini, Phase-V (Ist Phase treatment)	15	08/10/2014	0.69	0.31
3.	RPD-8	C/o Walls of Internal Parks and tot lots of plotted Pocket A-1,A-2,A-3,B-1 and C-3, Sector 36, Rohini, Phase V	45	19/05/2014	0.49	0.40
4.	RPD-8	C/o Boundary Wall of Green Belt at Sector-36, Rohini, Phase-V	38	15/05/2014	0.93	0.58
5.	RPD-2	SH:Providing and laying Sewerage in Sector 29 (Part), 30 (Part), 34 and 35 Rohini	67	May 2013	26.33	16.55
6.	RPD-4	C/o main carriageway (two lanes) of 30M R/W Roads (Cement concrets Pavement) in Sector 34-35 Rohni	100 per cent on available land	May 2015 (as per progress report)	9.27	15.23
7.	RPD-6	C/o 9.0 M & 12.0 M Internal Road in Pocket B-3 & C-I, Sector-37 (part) Rohini, Phase V.	85	July 2014	1.78	3.34
8.	ND-12	C/o Peripheral S.W Drain & Culverts in Sector G-7 & G-8 at Narela Sub-city.	85 to 90 per cent on available land	Nov.2015	33.71	35.40
Total payment made (₹)						73.70

Annexure-IV A
(Referred to in Para 4.3)

Delay in commencement and execution of work

Sl. No.	Name of Division	Name of work	Month/Year of approval of Lay out Plan	Month/year in which AA&ES accorded	Date of start	Delayed period between AA&ES and date of start
1	2	3	4	5	6	7 = 6 -5
1.	WD-3	C/o RCC S.W. drain & culvert in Sector 26 Dwarka Ph.ii	Not provided	March 2005	10/06/2012	86 months
2.	WD-3	Widening of existing carriage way & 60M MP road No. 226 with Foot Path & SW Drain from IOC culvert to crossing of Road No. 226 & 211 Dwarka Ph.II	-	March 2005	05/05/2014	110 months
3.	RPD-7	C/o Peripheral S.W. Drain & Culverts in Sector 29 (Pt.II) & Internal road (PH-I treatment)of 9M, 12 M and 24M R/W in Pocket D-1, D-2 &D-3 Sec.29 (Part II) and Pocket C-1 and C-2 Sec.30 (Part-II) Rohini Ph.IV & V.	July 2002	April 2008	28/06/2012	50 months
4.	RPD-7	SH: C/o Peripheral S.W Drain & Culverts in Sector 30 (Part), Rohini	July 2002	April 2008	31/01/2013	57 months
5.	RPD-8	SH: C/o Internal Roads (12 m R/W and 9 m R/W) of Pkt.A-1,A-2,A-3,B-1 and C-3, Sector 36, Rohini	December 2010	February 2012	23/08/2012	6 months
6.	RPD-8	SH: C/o 24 M R/W Road in Sector-36, Rohini, Phase-V (1 st Phase treatment)	August 2007	March 2012	01/12/2012	9 months
7.	RPD-8	SH: C/o Walls of Internal Parks and tot lots of plotted Pocket A-1,A-2,A-3,B-1 and C-3, Sector 36, Rohini, Phase V	May 2012	March 2012	08/10/2012	6 months
8.	RPD-8	SH: C/o Boundary Wall of Green Belt at Sector-36, Rohini, Phase-V	August 2002	March 2012	08/11/2012	7 months
9.	RPD-2	SH: C/o Peripheral S.W Drain and Culverts in Sector-30 & on 80 M R/W road along Sec.30 upto out fall point Rohini	July 2002	March 2005	29/10/2013	103 months
10.	RPD-2	SH: C/o 30M ROW peripheral roads in Sector 29 & 30 (Pt.) Rohini. Ph. IV & V)	July 2002	March 2005	29/06/2012	87 months
11.	RPD-2	SH: Providing and laying Sewerage in Sector 29 (Part), 30 (Part), 34 and 35 Rohini	March 2006	April 2008 & February 2010	25/04/2013	60 months
12.	RPD-4	SH: C/o main carriageway (two lanes) of 30M R/W Roads (Cement concrets Pavement) in Sector 34-35 Rohini	February 2012	February 2010	06/09/2012	30 months
13.	RPD-4	SH: C/o Internal Road in plotted Pockets A-1,A-2,A-4 C-1 to C-6 of Sector 34 and Pockets A-1,A-2 and C-1 of Sector 35 Rohini Ph.V	February 2012	February 2010	26/03/2012	25 months

Sl. No.	Name of Division	Name of work	Month/Year of approval of Lay out Plan	Month/year in which AA&ES accorded	Date of start	Delayed period between AA&ES and date of start
1	2	3	4	5	6	7 = 6 -5
14.	RPD-6	SH: C/o 9.0 M & 12.0 M Internal Road in Pocket B-3 & C-I, Sector-37 (part) Rohini, Phase V.	December 2010	March 2012	31/08/2012	6 months
15.	RPD-6	SH: C/o 9.0 M & 12.0 M Internal Road 1St Phase treatment in Pocket A-I & C-2, Sector-37 (part) Rohini, Phase V.	December 2010	March 2012	09/08/2015*	41 months
16.	WD-6	SH: C/o Peripheral SW drain on 12M & 20 M R/W in Sector-3 Dwarka(Remaining Portion)	Oct. 1996	Oct. 2009	21/05/2010	8 months
17.	SWD-9	SH: C/o S.W.Drain and footpath along 12M & 20 M R/W Road line Sector-11, Dwarka.	April 2005	Oct. 2009	18/12/2010	14 months
18.	ED-4	SH: Landscape and flood lighting including LT Panel & feeder pillar	Not provided	March 2011	30/10/2011	8 months
19.	ND-12	C/o Boundary wall of Green belt in Sec. G-2&G-6 adjoining housing pocket	December 2012	March 2011	12/02/2013	23 months
20.	ND-12	Refurbishing of existing stone masonry boundary wall in sec. G-2 & G-6 in Narela subcity	-do-	-do-	18/01/2014	34 months
21.	ND-12	P/L Peripheral sewer line at Sector G-7 & G-8 at Narela subcity.	April 2007	October 2007	13/06/2011	43 months
22.	ND-12	C/o Peripheral S.W Drain & Culverts in Sector G-7 & G-8 at Narela Sub-city.	April 2007	October 2007	16/05/2014	78 months
23.	ND-5	SH: C/o S.W. Drain (Left out portion) in residential area at Model Town Balance work)	September 1995	October 1996 & March 2012	15/07/2014	210 months
24.	ND-5	Improvement of Internal Roads in residential area of model Town	Not provided	-do-	06/11/2014	215 months

*Work could not be started, but awarded twice in Sept. 2013 and July 2015

Annexure - IV B
(Referred to in Para 4.3)

Excess expenditure incurred against tendered amount							
Sl. No.	Name of Division	Name of work	Tendered amount (₹ in crore)	Payment made (₹ in crore)	Final bill/ RA bill	Excess expenditure incurred	
						Amount (₹ in crore)	Percentage of excess amount
1	2	3	4	5	6	7 =5-4	8
1.	WD-9	Covering of Palam (Sita Puri) drain from Railway line near Delhi Cantt. to Dabri bridge & construction of road over it"	73.05	96.36	Final	23.31	31.91
2.	WD-3	C/o RCC S.W. drain & culvert in sec. 26 Dwarka Ph.ii	11.42	13.28	20th RA	1.87	16.37
3.	WD-3	Widening of existing carriage way & 60M MP road No. 226 with Foot Path & SW Drain from IOC culvert to crossing of Road No. 226 & 211 Dwarka Ph.II	3.94	7.61	Final	3.67	93.14
4.	RPD-7	C/o Peripheral S.W. Drain & Culverts in Sector 29 (Pt.II) & Internal road (PH-I treatment) of 9M, 12 M and 24M R/W in Pocket D-1, D-2 &D-3 Sec.29(Part II) and Pocket C-1 and C-2 Sec.30 (Part-II) Rohini Ph.IV & V	13.60	15.11	Final	1.51	11.10
5.	RPD-7	C/o Peripheral S.W Drain & Culverts in Sector 30 (Part), Rohini	10.83	12.20	Final	1.38	12.74
6.	RPD-4	C/o main carriageway (two lanes) of 30M R/W Roads (Cement concretes Pavement) in Sector 34-35 Rohni	9.27	15.23	11th RA	5.96	64.29
7.	RPD-4	C/o Internal Road in plotted Pockets A-1, A-2, A-4 C-1 to C-6 of Sector 34 and Pockets A-1, A-2 and C-1 of Sector 35 Rohini Ph.V	16.44	17.70	15th RA	1.26	7.63
8.	RPD-6	C/o 9.0 M & 12.0 M Internal Road in Pocket B-3 & C-I, Sector-37 (part) Rohini, Phase V.	1.78	3.34	Final	1.56	87.64
9.	SWD-9	C/o S.W. Drain and footpath along 12M & 20 M R/W Road lin Sector-11, Dwarka.	1.65	2.39	Final	0.74	44.84
10.	ND-9 ED-4	External Development (Land scaping and plumbing work) C/o Interpretation Centre and Restaurant Building including their plumbing & Internal electrification work.	14.24	97.77	34th RA	83.53	586.59
11.	ED-4	Landscape and flood lighting including LT Panel & feeder pillar	1.48	1.65	Final	0.17	14.48

12.	ND-12	C/o Peripheral S.W Drain & Culverts in Sector G-7 & G-8 at Narela Sub-city.	33.71	35.39	18th RA	1.68	4.98
13.	ND-12	P/L Peripheral sewer line at Sector G-7 & G-8 at Narela subcity.	5.69	6.24	Final	0.55	9.67
14.	ND-12	Refurbishing of existing stone masonry boundary wall in sec. G-2 & G-6 in Narela subcity	0.08	0.11	Final	0.03	37.50
15.	ND-12	C/o Boundary wall of Green belt in Sec. G-2 & G-6 adjoining housing pocke	0.10	0.12	Final	0.02	20.00
16.	ND-5	Improvement of internal roads in residential area of Model Town.	0.56	0.80	5th RA	0.24	42.86
17.	ND-5	C/o S.W. Drain (Left out portion) in residential area at Model Town Balance work)	0.46	0.85	Final	0.39	84.78

Annexure - IV C
(Referred to in Para 4.3)

Delay in completion of work						
Sl. No.	Name of Division	Name of work	Stipulated Date of start	Stipulated date of completion	Actual date of completion	Delayed period
1	2	3	4	5	6	7=6-5
1.	WD-9	Covering of Palam (Sita Puri) drain from Railway line near Delhi Cantt. to Dabri Bridge & construction of road over it"	08/08/2010	07/08/2013	28/08/2015	24 months
2.	WD-3	C/o RCC S.W. drain & culvert in sec. 26 Dwarka Ph.II	10/06/2012	09/12/2013	06/07/2015	18 months
3.	RPD-7	C/o Peripheral S.W. Drain & Culverts in Sector 29 (Pt.II) & Internal road (PH-I treatment) of 9M, 12 M and 24M R/W in Pocket D-1, D-2 & D-3 Sec.29 (Part II) and Pocket C-1 and C-2 Sec.30 (Part-II) Rohini Ph.IV & V.	28/06/2012	27/03/2013	30/04/2014	13 months
4.	RPD-7	C/o Peripheral S.W Drain & Culverts in Sector 30 (Part), Rohini	31/01/2013	30/09/2013	31/03/2014	6 months
5.	RPD-8	C/o Internal Roads (12 m R/W and 9 m R/W) of Pkt.A-1,A-2,A-3,B-1 and C-3, Sector 36, Rohini	23/08/2012	22/12/2012	08/10/2014 (foreclosed)	22 months
6.	RPD-8	C/o 24 M R/W Road in Sector-36, Rohini, Phase-V (Ist Phase treatment)	01/12/2012	28/02/2013	08/10/2014 (foreclosed)	19 months
7.	RPD-8	C/o Walls of Internal Parks and tot lots of plotted Pocket A-1,A-2, A-3,B-1 and C-3, Sector 36, Rohini, Phase V	08/10/2012	07/02/2013	19/05/2014 (foreclosed)	15 months
8.	RPD-8	C/o Boundary Wall of Green Belt at Sector-36, Rohini, Phase-V	08/11/2012	07/03/2013	15/05/2014 (foreclosed)	14 months
9.	RPD-2	C/o Peripheral S.W Drain and Culverts in Sector-30 & on 80 M R/W road along Sec.30 upto out fall point Rohini	29/10/2013	28/06/2014	Ongoing (Till October 2016)	28 months
10.	RPD-2	C/o 30M ROW peripheral roads in Sector 29 & 30 (Pt.) Rohini. Ph. IV & V)	29/06/2012	28/12/2012	11/10/2013	10 months
11.	RPD-2	Providing and laying Sewerage in Sector 29 (Part), 30 (Part), 34 and 35 Rohini	25/04/2013	24/04/2014	Ongoing (Till October 2016)	30 months
12.	RPD-4	C/o main carriageway (two lanes) of 30M R/W Roads (Cement concretes Pavement) in Sector 34-35 Rohini	06/09/2012	05/03/2013	Ongoing (Till October 2016)	43 months
13.	RPD-4	C/o Internal Road in plotted Pockets A-1, A-2,A-4 C-1 to C-6 of Sector 34 and Pockets A-1,A-2 and C-1 of Sector 35 Rohini Ph.V	26/03/2012	25/09/2012	15/04/2015	30 months
14.	RPD-6	C/o 9.0 M & 12.0 M Internal Road in Pocket B-3 & C-I, Sector-37 (part) Rohini, Phase V.	31/08/2012	30/12/2012	04/08/2014	19 months

Sl. No.	Name of Division	Name of work	Stipulated Date of start	Stipulated date of completion	Actual date of completion	Delayed period
1	2	3	4	5	6	7=6-5
15.	RPD-6	C/o 9.0 M & 12.0 M Internal Road 1st Phase treatment in Pocket A-I & C-2, Sector-37 (part) Rohini, Phase V.	09/08/2015*	31/12/2015	Work in progress	
16.	WD-6	C/o Peripheral SW drain on 12M & 20 M R/W in Sector -3 Dwarka (Remaining Portion)	21/05/2010	20/02/2011	31/12/2012	22 months
17.	SWD-9	C/o S.W.Drain and footpath along 12M & 20 M R/W Road in Sector-11, Dwarka.	18/12/2010	17/12/2011	29/03/2012	4 months
18.	ND-9 & ED-4	External Development (Landscaping and plumbing work) C/o Interpretation Centre and Restaurant Building including their plumbing & Internal electrification work.	08/07/2011	07/04/2012	30/10/2015	43 months
19.	ED-4	Landscape and flood lighting including LT Panel & feeder pillar	30/10/2011	29/01/2012	25/09/2014	32 months
20.	ND-12	C/o Peripheral S.W Drain & Culverts in Sector G-7 & G-8 at Narela Sub-city.	16/05/2014	15/05/2015	November 2015 on available land i.e. 85%	5 months
21.	ND-12	P/L Peripheral sewer line at Sector G-7 & G-8 at Narela subcity.	13/06/2011	12/06/2012	08/02/2013	7 months
22.	ND-5	Improvement of Internal Roads in residential area of model Town	06/11/2014	05/03/2015	29/05/2015	3 months

*1st call in March 2013, awarded to M/s Amardeep Builders but due to Barwala villager's agitation, work could not be started. Again tenders were recalled for the same work in March 2015 and awarded to M/s Bansal Associates on 30/07/2015 but due to Barwala villager's agitation, work could not be started till December 2015.

Annexure - V
(Referred to in Para 4.4)

Delay in handing over the completed projects						
Sl. No.	Name of Division	Name of Work	Payment made (₹ in crore)	Actual Date of completion	Delayed period till October 2016	Agency whom to be handed over
1.	WD-3	C/o RCC S.W. drain & culvert in Sec. 26 Dwarka Ph.II	13.28	06/07/2015	16 months	Delhi Jal Board (DJB)
2.	RPD-7	C/o Peripheral S.W. Drain & Culverts in Sector 29 (Pt.II) & Internal road (PH-I treatment) of 9M, 12 M and 24M R/W in Pocket D-1, D-2 & D-3 Sec.29(Part II) and Pocket C-1 and C-2 Sec.30 (Part-II) Rohini Ph.IV & V	15.11	30/04/2014	30 months	DJB & Municipal Corporation of Delhi (MCD)
3.	RPD-7	C/o Peripheral S.W Drain & Culverts in Sector 30 (Part), Rohini	12.21	31/03/2014	31 months	DJB
4.	RPD-2	C/o 30M ROW peripheral roads in Sector 29 & 30 (Pt.) Rohini. Ph. IV & V)	7.90	11/10/2013	37 months	MCD
5.	RPD-4	C/o Internal Road in plotted Pockets A-1,A-2,A-4 C-1 to C-6 of Sector 34 and Pockets A-1,A-2 and C-1 of Sector 35 Rohini Ph.V	17.70	15/04/2015	18 months	MCD
6.	WD-6	C/o Peripheral SW drain on 12M & 20 M R/W in Sector -3 Dwarka (Remaining Portion)	1.35	31/12/2012	46 months	DJB
7.	SWD-9	C/o S.W.Drain and footpath along 12M & 20 M R/W Road lin Sector-11, Dwarka.	2.39	29/03/2012	55 months	DJB
8.	ND-12	Pdg. and laying Peripheral sewer line at Sector G-7 & G-8 at Narela, sub.city	6.24	08/02/2013	44 months	MCD
9.	WD-9	Covering of Palam (Sita Puri) drain from Railway line near Delhi Cantt. to Dabri bridge & construction of road over it"	96.36	28/08/2015	15 months	MCD
10.	WD-3	Widening of existing carriage way & 60M MP road No. 226 with Foot Path & SW Drain from IOC culvert to crossing of Road No. 226 & 211 Dwarka Ph.II	7.61	12/03/2015	19 months	Public Works Department (PWD)
11.	ND-5	Improvement of internal roads in residential area of Model Town	0.80	29/05/2015	17 months	MCD
12.	ND-5	S.W.Drain(left out protion) in residential area at Model Town(Balance work)	0.85	05/12/2014	22 months	DJB
		Total	181.80			

Annexure - VI
(Referred to in Para 5.4.3)

Non compliance with requirements/criteria					
Requirements/Criteria for land allotment	Name of the society				
	IMSA, Narela	Learning Matters Educational Society, Dwarka	Popular Institute Society for the Blind, Rohini	Voice Society, Rohini	Chandra Bhushan Singh Memorial Mahila, Bal Evam Shraavan Viklang Siksha Evam Punarvas Sansthan, Dwarka
The Society should be registered for at least 5 years.	Yes	No	Yes	Yes	Yes
The Society should submit affidavit that its Management Committee comprises of persons of professional and representative character and does not consist of family members.	Yes	Yes	Yes	Yes	Yes
The Society should submit proof of having fixed deposits/equivalent liquid investment covering the cost of land plus 10% to ensure payment of land cost.	No	No	No	No	Yes
The Society should submit the Audited Accounts of the previous three years, Bank Pass Book, 80-G Certificate and Permanent Account Number.	Yes	No	No	No	Yes
Verification of character and antecedents of Executive Body of the Society from Divisional Commissioner.	No	No	No	No	Yes
Sponsorship from concerned Ministry of Central Government or Department of Government of National Capital Territory of Delhi.	Yes	No	No	Yes	Yes
The aims and objectives of the public institution be such that– (i) it directly subserves the interests of the population of the Union territory of Delhi; (ii) it is conducive to the planned development of Delhi; and (iii) the nature of work to be carried out by that public institution should be such, that the same cannot, with equal efficiency, be carried out elsewhere than in Delhi.	No	No	No	No	No

Annexure - VII
(Referred to in Para 5.8.1)

Details of test-checked cases of Alternate Allotment of Land

SI. No.	Land acquisition details/Award No.	Acquired land (in Bigha-Biswa)
1.	16/85-86 dt. 10/09/1985 of village Rithala	11-02
2.	20/85-86 dt. 11/11/1985 of village Pooth Kalan	12-08
3.	20/85-86 dt. 11/11/1985 of village Pooth Kalan	18-13
4.	20/85-86 dt. 11/11/1985 of village Pooth Kalan	14-07
5.	16/85-86 dt. 10/09/1985 of village Rithala	11-02
6.	20/85-86 dt. 11/11/1985 of village Pooth Kalan	10-13
7.	20/85-86 dt. 11/11/1985 of village Pooth Kalan	29-01
8.	20/85-86 dt. 11/11/1985 of village Pooth Kalan	18-11
9.	16/85-86 dt. 10/09/1985 of village Rithala	11-04
10	35/81-82 dt. 10/11/1981 of village Badli	31-09
11.	16/85-86 dt. 10/09/1985 of village Rithala	11-02
12.	16/85-86 dt. 10/09/1986 of village Rithala	29-01
13.	42/84-85 dt. 27/03/1985 of village Samepur	30-15
14.	8/96-97 dt. 12/12/1996 of village Safipur Ranholla	42-10
15.	16/85-86 dt. 10/09/1985 of village Rithala	28-02
16.	16/85-86 dt. 10/09/1985 of village Rithala	11-10
17.	27/80-81 dt. 23/05/1980 of village Mangolpur Kalan	12-12

Annexure- VIII
(Referred to in Para 5.9.1)

Details of cases of delay in issuing allotment letter to Government Departments				
Sl. No	Type of allotment category	Receipt of application from allottee	Issue of Allotment Letter	Delay
1	2	3	4	5= 4 - 3
Hospitals and Dispensaries				
1.	100 Bedded Hospital, Bindapur	July, 2012	February, 2013	7 months
2.	Dental University, Rohini	September, 2012	June, 2014	1 year 9 months
3.	Mother and Child Hospital, Rohini	December, 2012	July, 2013	7 months
Transport Department, GNCTD				
4.	Bus Terminal, Vikaspuri	September, 2005	June, 2013	7 year 9 months
5.	Bus Terminal Sector-37, Rohini	December, 2007	March, 2012	4 years 3 months
6.	Bus Terminal Sector-26, Rohini	December, 2007	March, 2012	4 year 3 months
Delhi Police				
7.	Police Station, Palam	April, 2009	June, 2013	4 year 2 months
8.	Police Station, Nangloi Saiyyad	October, 2009	March, 2011	1 year 5 months
9.	Police Post PSP, Rohini	February, 2013	July, 2013	5 months
10.	Police Station, Shahbad Dairy	April, 2009	July, 2013	4 year 3 months
Power Department, GNCTD				
11.	ESS, Rohini	December, 2012(*)	July, 2014	1 year 7 months
12.	53 ESS, Rohini	October, 2011(*)	July, 2014	2 years 9 months
13.	ESS, Molar Band	July, 2009(*)	November, 2012	3 year 4 months
Delhi Metro Rail Corporation (DMRC)				
14.	DMRC, Kalindi Kunj	August, 2011	May, 2014	2 year 9 months
15.	DMRC, Dhaula Kuan	May 2012	May, 2013	1 year
16.	DMRC, Dwarka Sector-1	July, 2011	December, 2014	3 year 5 months
17.	DMRC, Dabri Mor	February, 2012	September, 2013	1 year 7 months
18.	DMRC, Mukandpur	December, 2011	January, 2015	3 year 1 month
19.	DMRC, IIT	June, 2011	January, 2014	2 year 7 months

(*) represents the month in which the proposal was initiated in DDA

Annexure - IX
(Referred to in Para 5.10 & Para 8.1.5)

Details of Outstanding Ground Rent (as on 31 March 15) in test-checked cases							
Sl. No.	Name of Society/Institution	Premium of land (Amount in ₹)	Area in sqm.	Ground Rent @ 2.5 per cent per annum (Amount in ₹)	Date of allotment	Duration in months	Ground Rent due as on 31 March 2015 (Amount in ₹)
1	2	3	4	5	6	7	8=(5x7)/12 months
1.	Arya Samaj, Sainik Vihar, Pitampura	30,63,116	200	76,578	06/05/2009	58	3,70,127
2.	International Medical Sciences Academy Sector-7A, Narela	51,05,198	500	1,27,630	27/09/2012	18	1,91,445
3.	Bengal Welfare and Cultural Association, Vasundhara	55,75,789	346.06	1,39,395	11/05/2010	46	5,34,348
4.	Shri Balaji Babosa Dharmik Society, Rohini	61,26,400	400	1,53,160	11/01/2011	38	4,85,007
5.	Sri Jagannath Rohini Sewa Sangh, Rohini	65,94,888	430.6	1,64,872	10/01/2011	38	5,22,095
6.	Gurdwara Baba Sahab Singh Ji (Regd.) Pitampura	69,58,877	227	1,73,972	01/03/2012	24	3,47,944
7.	Voice Society, Plot No. 6 PSP Area, Sector-22, Rohini	69,58,877	400	1,73,972	10/02/2012	25	3,62,442
8.	Shri Swetamber Sthanak Vasi Jain Mahila Mandal P.V. A Block, Paschim Vihar	90,46,026	520	2,26,151	23/01/2012	26	4,89,994
9.	Delhi Wakf Board, Jangpura	91,89,347	400	2,29,734	29/03/2011	36	6,89,202
10.	Science of the Soul Research Centre, Vasant Kunj	1,04,38,216	400	2,60,955	29/03/2012	24	5,21,910
11.	Radha Krishna Mandir Sewa Samiti , Sector -19 Ph-II, Dwarka	1,04,38,217	400	2,60,955	14/02/2012	25	5,43,656

Sl. No.	Name of Society/Institution	Premium of land (Amount in ₹)	Area in sqm.	Ground Rent @ 2.5 per cent per annum (Amount in ₹)	Date of allotment	Duration in months	Ground Rent due as on 31 March 2015 (Amount in ₹)
1	2	3	4	5	6	7	8=(5x7)/12 months
12.	Shri Guru Singh Sabha, Sheikh Sarai Ph-I	1,11,81,939	428.5	2,79,548	29/08/2012	19	4,42,618
13.	Shri Paramhans Advait Math Publication Society, Sector-23, PH-I Dwarka	1,13,34,238	418.68	2,83,356	11/04/2012	23	5,43,099
14.	Delhities Syro-Malabar Mission, OCF Pkt-C, Dilshad Garden	1,23,61,286	402.41	3,09,032	20/05/2014	0	0
15.	Popular Institute Society for the Blind, Plot No. CS/OCF-7, Sector-24, Rohini	1,39,00,375	799	3,47,509	14/02/2012	25	7,23,977
16.	Jain Samaj Dwarka, Sector-12	1,90,41,405	413.25	4,76,035	11/12/2014	0	0
17.	Chandra Bhushan Singh Memorial Mahila Bal Evam Sharvan Viklang Shiksha Evam Punarvash Sansthan, Sector-13, Dwarka	2,04,78,593	2,000	5,11,965	19/02/2013	13	5,54,629
18.	Learning Matters Educational Society, Sector-13, Dwarka	7,82,86,622	3,000	19,57,166	21/09/2011	30	48,92,915
19.	International Society for Krishna Consciousness (ISKCON), Sector-3, Dwarka	20,87,54,452	8,000	52,18,861	07/02/2012	25	1,08,72,627
20.	Dte. of Higher Education for setting up of B.R. Ambedkar University	1,08,91,29,312	1,71,956	2,72,28,233	28/01/2013	14	3,17,66,272
						Total	5,48,54,307

Annexure -X
(Referred to in Para 6.3.3)

Details of encroachment demolition programmes during 2010-11 to 2014-15

Zone	2010-11			2011-12			2012-13			2013-14			2014-15			Total		
Zone & area under encroachment	Demolition			Demolition			Demolition			Demolition			Demolition			Demolition		
	Fixed	Carried out	Area reclaimed (land in acre)	Fixed	Carried out	Area reclaimed (land in acre)	Fixed	Carried out	Area reclaimed (land in acre)	Fixed	Carried out	Area reclaimed (land in acre)	Fixed	Carried out	Area reclaimed (land in acre)	Fixed	Carried out	Area reclaimed (land in acre)
East Zone (not furnished)	53	41	21.04	54	43	3.47	33	30	2.28	38	24	3.18	46	27	6.56	224	165	36.53
West Zone (not furnished)	88	68	10.75	80	59	11.98	134	110	23.06	108	75	06.96	78	52	02.74	488	364	55.49
North Zone (106.71)	96	65	08.10	69	50	07.90	78	57	13.63	36	28	01.30	23	13	02.07	302	213	33.00
Rohini Zone (27.89)	43	29	10.62	30	20	5.36	38	20	6.25	19	9	1.26	50	38	10.84	180	116	34.33
South West Zone (27.17)	34	23	4.63	21	15	8.68	24	14	17.55	13	7	1.00	26	15	02.44	118	74	34.30
South East Zone (1569.52)	54	32	4.00	67	35	26.27	35	19	33.64	68	41	17.87	60	30	43.29	284	157	125.07
Total	368	258	59.14	321	222	63.66	342	250	96.41	282	184	31.57	283	175	67.98	1596	1089	318.74

Annexure - XI
(Referred to in Para 7.3.2)

Details of cases where the lessee had not obtained prior written consent to sub divide the land or to part with the possession or transfer or sub lease a part only of the land

Sl. No.	File No.
1.	File No. S/1(140)2010/OSB and lease file No S/5(433)51 pertaining to the Plot No. 62/15 Khasra No. 687/19 WEA Karol Bagh 1302.3 sq yards
2.	File No. S/1(241)14/OSB + S/20(278)57/OSB+16(47)40 pertaining to the Plot No. 62/15 Khasra No. 687/19 WEA Karol Bagh 1302.3 sq yards
3.	File No. S/1(38)2013/OSB and lease agreement file No. S/16(12)50 Plot No. 17-A Khasra No. 828/718
4.	File No. S/1(99)2014/OS/DDA, S/12(09)46 and S&S-I No. 20(46) /2014/ASOI
5.	File No. S-6(17)1956/OSB/Pt.I, No. S/6(17)56/OSB, S/4(12)/48, S/2(153)59 Pt.
6.	File No. S-6(10)67/OSB, File No. S/6(10)67/OSB/Pt and File No. S/6(11) 67
7.	File No. S/1(191)2012/OSB and S/19(238)44, 2622 sq. yards, Plot No. 876/Khasra No. 205/31, East Park Road, Karol Bagh
8.	File No. S/1(175)2014/OSB and S/20(573)62/OSB/KBH Khasra No. 29, Block P, Naiwala, Karol Bagh
9.	File No. S/1(169)2010/OSB, S/20(861)62 and S/5(321)84/OSB pertaining to Plot No. 35, Block No. 34, Southern Ridge, Pusa Road Area : 1333.3 sq. yards
10.	File No. S/1(148)2010/OSB, 17(1132)42 and S/5(127)53 pertaining to property No. 29, Block 2 C, New Rohtak Road, WEA, Karol Bagh plot area 300 Sq. yards
11.	File No. S/1(123)2013/OSB, file No. 17(592)42 and lease file No. 17(592)42 pertaining to Plot No. 60, Block No. 53, WEA, Ramjas Road, Karol Bagh plot size 271.5 sq. yards
12.	File No. S/1(141)2012/OSB, Plot No. 575, Block K, Khata No. 642, Plot measuring 183 sq. yards, Naiwala
13.	File No. S/1(185)2013/OSB and S/5(92)48 (Khasra No. 348 Block M, Naiwala Estate.
14.	File No. S/1(244)2011/OSB, Plot No. 5, Block No. 3, Qadam Sharif, Paharganj
15.	File No. S/1(64)2011/OSB, S/2(176)/62 and lease file, Plot No. 87 of Dariyaganj Janoobi) plot measuring 142 Sq yards 118.71 sq. metres (Khata No. 40, Khasra No. 176/110
16.	File No. S/1(175)2010/OSB, S/20(673)62/OSB, Plot No. 29 & 30, Block A, Khasra No. 809/529/530 Paharganj

Annexure – XII
(Referred to in Para 7.3.3)

(A) Details of cases where neither completion certificate/D form nor alternate documents were submitted

Sl. No.	File No.
1.	File No. S/1(140)2010/OSB and lease file No S/5(433)51 pertaining to the Plot No. 62/15 Kh No. 687/19 WEA Karol Bagh 1302.3 sq yards
2.	File No. S/1(38)2013/OSB and lease agreement file No. S/16(12)50 Plot No. 17-A Kh No. 828/718
3.	File No. S/1(99)2014/OS/DDA, S/12(09)46 and S&S-I No. 20(46) /2014/ASOI
4.	File no.S/1(191)2012/OSB and File no S/19(238)44, 2622 sq.yards, Plot No. 876/Khasra No. 205/31, East Park Road, Karol Bagh, Delhi.
5.	File No. S/1(193)2010/OSB for Plot No. 7, Block 2 E, Jhandewalan, New Delhi
6.	File No. S (186)2014/OBS/NSK, S-16(21)41 and /3(7)76-OSB pertaining to property No. 63, Block 'L', Daryaganj. Area: 590.1 Sq.yards
7.	File No. S/1(148)2010/OSB, 17(1132)42 and S/5(127)53 pertaining to property No. 29, Block 2 C, New Rohtak Road, WEA, Karol Bagh plot area 300 Sq. yards
8.	File No. S/1(169)2010/OSB, S/20(861)62 and S/5(321)84/OSB pertaining to Plot No. 35, Block No. 34, Southern Ridge, Pusa Road Area : 1333.3 sq.yards
9.	File No. S/1(212)2012/OSB, S/7(20)46/OSB and TN 4(187)08 pertaining to Khasra No. 1185/67 plot No. 67/8720, D.B. Gupta Road, Pahar Ganj, New Delhi.

(B) Details of cases where documentary proof of physical possession of the property not furnished by the applicant

Sl. No.	File No.
1.	File No. S/1(140)2010/OSB and lease file No S/5(433)51 pertaining to the Plot No. 62/15 Kh No. 687/19 WEA Karol Bagh 1302.3 sq yards
2.	File No. S/1(38)2013/OSB and lease agreement file No. S/16(12)50 Plot No. 17-A Kh No. 828/718
3.	S/1(64)2011/OSB, S/2(176)/62, Lease agreement file Plot No. 87 of Dariyaganj Janoobi) plot measuring 142 Sq yards 118.71 sq metres (Khata No. 40, Khasra No. 176/110
4.	File No.s S-6(17)1956/OSB/Pt.I, No. S/6(17)56/OSB, S/4(12)/48, S/2(153)59 Pt.
5.	File No.s S-6(10)67/OSB, File No. S/6(10)67/OSB/Pt and File No. S/6(11) 67
6.	(i) S/1(175)2014/OSB (ii)S/20(573)62/OSB/KBH Khasra No. 29, Block P, Naiwala, Karol Bagh
7.	File No.S/1(149)2010/OSB and 8/5(482)/51 pertaining to Plot No. 34, Block P, Naiwala, Karol Bagh. Area 222 square yards.
8.	File No.S/1(185)2013/OSB and S/5(92)48 (Khasra No. 348 Block M, Naiwala Estate.
9.	File No. S/1(244)2011/OSB, Plot No. 5, Block No. 3, Qadam Sharif, Paharganj

Annexure - XIII
(Refer to Para 7.4.2)

Delay in raising of demands on unauthorized occupants

Sl. No	File number	Period of Assessment of damages	Total Amount assessed (₹ in Thousands)	Total No of Financial years till 31 March 15 from the first FY of assessment	Number of demands raised by DDA during the period	Minimum to maximum Delay (in years) in raising the demands on the unauthorized occupants
1.	D/BGR/187-A	01/04/1971 to 31/03/2012	1781.68	44	06	01-17
2.	D/BGR/187-B	27/08/2008 to 31/03/2013	1289.63	07	02	0-4
3.	EV/Malikpurchhawani/10/80 Plus 05 connected files	01/09/1963 to 30/11/2011	4232.59	52	05	0-30
4.	EV/Malikpurchhawani/05/80 Plus 06 connected files	01/04/1980 to 31/12/2012	13304.22	35	05	0-21
5.	D/NW/B1-J/128	28/09/1953 to 31/12/2012	3443.58	62	07	0-32
6.	D/BRH/42 PT II/A	28/05/1996 to 31/03/2013	468.99	19	04	0-14
7.	D/Ch(8)/127/pt/II	01/04/1965 to 31/12/2012	2519.76	50	13	0-22
8.	D/Najafgarh/12/Pt (Shop demolished on 23/09/2002)	01/04/1979 to 23/09/2002	15.91	22	03	0-30
9.	D57(2)/Munirka/97	01/04/1977 to 31/03/2010	956.07	38	03	0-19
10.	D/SB-N/509-A	01/04/1966 to 31/10/2014	5179.97	49	11	0-24
11.	D/SB-N/509-B	01/01/1952 to 31/10/2014	5222.73	64	15	0-23
12.	D/R.K.Puram/9/80	01/04/1980 to 31/03/2013	4893.13	35	05	0-13
Total				477	79	

ABBREVIATIONS

AA&ES	Administrative Approval and Expenditure Sanction
CPWD	Central Public Works Department
CVC	Central Vigilance Commission
DAL	Demand cum Allotment Letter
DD Act	Delhi Development Act, 1957
DDA	Delhi Development Authority
DEs	Detailed Estimates
DIPP	Department of Industrial Policy and Promotion
DIT	Delhi Improvement Trust
DSIIDC	Delhi State Industrial & Infrastructure Development Corporation
DIDOM Act	Delhi Industrial Development Operational & Maintenance Act
ENM	Enhanced Naksha Muntjamin
EOT	Extension of Time
ER&DCI	Electronic Research & Development Centre of India
FAR	Floor Area Ratio
GNCTD	Government of National Capital Territory of Delhi
GOI	Government of India
IAC	Institutional Allotment Committee
IMSA	International Medical Science Academy
ISKCON	International Society for Krishna Consciousness
LA Act	Land Acquisition Act, 1894
LAC	Land Acquisition Collector
LAAC	Land Allotment Advisory Committee
L&B	Land and Building Department, Delhi Government
L&DO	Land & Development Office, MoUD
LD	Land Disposal
LM	Land Management
LMA Section	Land Management Account Section, DDA
LM Wing	Land Management Wing of DDA
LMIS	Land Management Information System
LG, Delhi	Lieutenant Governor of Delhi
LoP	Lay out Plan
MCD	Municipal Corporation of Delhi
MIS	Monthly Information Statement of Land
MPD	Master Plan of Delhi
MoUD	Ministry of Urban Development

Nazul Rules	DDA (Disposal of Developed Nazul Land) Rules, 1981
NABL	National Accreditation Board for Testing and Calibration of Laboratories
NGO	Non-Governmental Organization
NIT	Notice Inviting Tender
OSB Branch	Old Scheme Branch, DDA
O & M Study	Organization and Methods Study
PAC	Public Accounts Committee
PEs	Preliminary Estimates
RPD	Rohini Project Division
SAARC University	South Asian Association for Regional Cooperation University
SOP	Standard Operating Procedure
TS	Technical Sanction
The New LA Act, 2013	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
UC	Utilization Certificate
VC	Vice-Chairman, DDA
VOICE	Voluntary Organisation in Interest of Consumer Education
ZDP	Zonal Development Plan

Conversion			
1 Hectare	-		2.5 Acres
1 Acre	-		4.80 Bigha
1 Bigha	-		20 Biswa
1 Biswa	-		20 Biswani

Glossary

DD Act	Delhi Development Act 1957, as amended from time to time
Development Areas	Any area declared to be a development area under sub-section (1) of section 12 of DD Act
F.A.R	Floor Area Ratio i.e. the ratio that the total covered space in the building bears to the area of plot on which it is constructed.
Land Allotment Advisory Committee	The committee constituted by the Delhi Development Authority for carrying out the purposes of Delhi Development Authority (Disposal of Developed Nazul Land) Rules, 1981
Lay out Plan	Lay out plan prepared for planned utilisation of any parcel of land for the implementation of a scheme or any other development activities
Lease	Lease of immovable property is a transfer of a right to enjoy such property, made for a certain time, expressed or implied, or in perpetuity, in consideration of a price paid or promised to be rendered periodically or on specified occasions to the transferor by the transferee, who accepts the such transfer of such terms
Lessee	The transferee is called lessee
Master Plan	Long term perspective plan for guiding the sustainable planned development of the city. This document lays down planning guidelines, policies, development codes and space requirement for various socio-economic activities supporting the city population during the plan period. It is also the basis for all infrastructure requirements
Nazul Land	The land vested in Central Government and placed at the disposal of the Authority under sub-section (1) of Section 22 of the DD Act or otherwise
Nazul Rules	DDA (Disposal of Developed Nazul Land) Rules, 1981
Nazul-I Land	The 24 Nazul Estates transferred from erstwhile Delhi Improvement Trust to DDA which were placed by GOI at the disposal of the Delhi Improvement Trust with effect from 1 April 1937 through the "Nazul Agreement" of March, 1937
Nazul-II Land	Lands acquired by Delhi Government as per the provisions of Land Acquisition Act (LA Act), 1894
Pre-determined rates	The rates of premium as defined in rule 2(1) of Nazul Rules
Premises	Any land or any building including garden, ground, any fitting affixed etc.
Site Plan	A Detailed Plan showing the proposed placement of structures, parking areas, open space, landscaping, and other development features, on a parcel of land, as required by specific sections of the development code

Unauthorised Occupation	The occupation made by any person of the public premises without authority for such occupation and includes the continuance by any person of public premises after the authority under which he was allowed to occupy the premises has expired or has been determined for any reason whatsoever
Zonal Development Plan	A plan for one of the zones (divisions) of the National Capital Territory of Delhi containing detailed information regarding provision of social infrastructure, parks and open spaces, circulation system, etc.
Zone	Anyone of the divisions in which Delhi may be divided for the purposes of development under DD Act

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