

## Urban Land Policy

23.0	Background
23.1	Law of the Land-Modifications in Various Acts
23.2	Planning and Development of Urban Spaces
23.3	Dispersal of Land
23.4	Control of Land Use
23.5	Recapturing Plus Values of Land
23.6	Land Management
23.7	Maintenance Colonies
23.8	Conversion of Leasehold into Free Hold

### 23.0 Background

There is no dearth of land. Taking an overall average density of 125 persons per hect., the population of the entire world can easily be accommodated in a small country like U.K. or West Germany assuming that the entire area is useable. Out of an area of 3.28 million sq. km of our country, barely 5 percent is under settlements and the rest is under agriculture, forestry, mining, water bodies etc. Land is a natural resource gifted by the nature, as such, it is to be shared by all living creatures. The Government is the only agency which can ensure a balanced developed and distribution of land amongst the people. The Government must be given some type of control over all land available in the country. The land can thus easily be put to the social and economic welfare of the nation through socialization and rational distribution measures. The Government should, therefore, exert control over planning, development, disposal, management and the pricing system of land.

There is a large variation in the prices of land. In Delhi; prices of residential plot vary from Rs. 500 - Rs. 2700 per sq. mt. in the public sector to Rs. 3000 – Rs. 8000 per sq. mt. in the private sector. To quote an example, developed land in resettlement colonies in 1990 was allotted on hire purchase basis at the rate of Rs. 500 per sq. mt. Reserved rate for residential EWS and LIG plots was Rs. 825 and Rs. 1075 per sq. mt. for MIG, Rs. 1400 per sq. mt.; for Self Financing Scheme (SFS) Rs. 2700 per sq. mt.; for commercial plots in district centres Rs. 10000 – Rs. 15000 per sq. mt. The rate for parks and playgrounds is Re.1 per annum and for educational institutions the rate varies from Rs. 750 – 1750 per sq. mt.

It is a fact that developed land at cheaper and affordable price is required for the extensions, expansions and improvement of existing settlements. This is also

required for the preservation, conservation and improvement of environs of historical sites, monuments and other areas of unique and aesthetic social and cultural values; protection and enhancement of environment along river fronts, pilgrimage centres, tourist centres etc.

In all the towns and cities land should be developed at affordable rates and such land should be made available at the rates acceptable to the society at large, for the benefit of the society and not for the individuals.

Developed Land; includes internal and peripheral development, viz. levelling, dressing, laying of internal and peripheral infrastructure, viz. water supply, sewerage, drainage, electricity, gas lines; garbage depts., milk booths, development of parks, playgrounds and open spaces, development of sites for various community facilities, laying of trunk infrastructure viz. water lines, sewer lines, drains, electric lines, telephone lines, gas lines, construction of Master Plan roads, over-bridges, under-bridges, flyovers, bus terminals, street furniture; sites for various community facilities of higher order viz.-college, general hospital, research institutions; sources of potable water, construction of treatment plants, systems of sewage disposal, generation of power etc.

Development of any land is a time-consuming process. Colonies which were started nearly eight to ten years back are not yet completely developed. Hence development can be said as a continuous process. Development should be seen always be seen always in terms of long term perspective.

In order to foster balanced development in a co-ordinated and integrated manner in any urban settlement, formulation of an appropriate Urban Land Development Policy is a must. A proper urban land policy has eight components. Important components of Urban Land Policy have been given in *Map 23.1*.

### **23.1 Law of the Land-Modifications in Various Acts**

- (i) Proposed Modifications in Land Acquisition Act, 1894 and also 1985. Following six modifications/changes are suggested:
  - (a) Whenever there is a case of acquisition of land for trunk services/infrastructure, i.e. water supply, sewerage, drainage, power, telephone lines, major roads, rail lines, flyovers, road over and under-bridges, water treatment plants, sewage disposal plant etc., the following steps should be followed:
    - Section 4, 6 and 17 of Land Acquisition Act should be applicable simultaneously irrespective of whether the area is lying vacant, has built-up structures or fake religious buildings.
    - In such cases, the entire process of survey and planning, as explained in Section 4, 6 and 17 of Land Acquisition Act, taking over possession of the

land, alternate allotment of urban spaces and payment of compensation etc. should not take more than six months.

- Once a plan of trunk infrastructure/important facilities is finalised and approved, these services should be demarcated on the site with stone pillars. Due publicity should be made with the help of location plans, announcements, public notices, radio and TV, so that the public is apprised of the situation and does not squat/encroach on land earmarked for these purposes. It has been seen that many unauthorised colonies have come up in green areas or in pockets required for trunk infrastructure due to unawareness among the public. It is suggested that there should be an active public information campaign in case of acquisition of land for any planned developed of the city.
  - Alternate allotment, either in terms of developed plots or built-up flats, should be made available to the affected families, whose lands are being acquired, within a period of six months from the date of notification of Sections 4, 6 and 17 f the Land Acquisition Act.
  - The amount of compensation to be paid to the party should be adjusted against the price of alternate allotment of plot/built-up tenement to be made.
  - Alternate allotment should be made to the tenants also, subject to other necessary terms and conditions.
- (b) Cost of alternate allotment of urban spaces should be charged to the project of laying of trunk infrastructure.
- (c) There should be a legal provision in the Act regarding allotment of alternate accommodation in all cases of affected parties in land acquisition, so that people are not uprooted and harassed. These allotments should be subject to the condition that he/she or his/her dependents do not have any other property in the National Capital Territory of Delhi, and other required administrative measures, terms and conditions etc. in force at that time.
- (d) Stay orders should be granted only in genuine cases. It is observed that people encroach upon public land with the help of stay orders.
- (e) Preference should be given for alternate allotment to affected parties in cases of construction of trunk infrastructure and master plan roads of r/w of 30 mt. and above.
- (f) Planned development of Delhi should be well-defined in terms of write-ups and maps.
- (ii) Proposed modifications in Slum Clearance and Improvement Scheme.
- (a) Outlines of important sections of the Slum Areas Improvement and Clearance Act, 1956 are as under:  
Section 3, deals with the declaration of slum areas.
- Sections 4, 5, 6, 7 and 8 explain how a particular area can be improved and developed/redeveloped.

- Section 9, 10 and 11 deals with the declaration of a slum area as clearance area and the procedure of passing slum clearance orders in order to get the area cleared and redeveloped.
- Section 12 to 18 deals with the acquisition of land/property in slum areas on the basis of five very gross rent or three years net rent of the property in question.

(b) Suggested modifications in the Scheme of Slum Clearance and Improvement:  
 As per the 1981 census 320,000 families were living in 2170 hecets. Of slum designated areas. In the last three decades, no acquisition of land/property has been made under this act, except few pockets were declared as 'Clearance Areas' which DDA had not yet succeeded in clearing and demolishing structures. The process of acquiring land under this Act is totally impractical and hence needs modifications.

After studying the details of improvements carried out their pros. And cons in the slum areas of Delhi, by the Authority during the last three decades, some recommendations / conclusions are arrived at. These recommendations/conclusions should be considered at the time of modifying the Slum Improvements and Clearance Act 1956. Some of the recommendations/conclusions are given under:

- Name of the Act should be changed to 'Improvement and Development of Habitat in Sub Standard Areas'
- The entire area of 2170 hecets. Designated slum area under the Slum Areas (Clearance and Improvement Act-1956) should be declared as development area of the Authority under Section 12 (i) of Delhi Development Act. The responsibility of planning, developing, redeveloping, clearing and rebuilding the entire area of 2170 hecets., which is bound by Boulevard Road, Roshanara Road, Road No. 40, meter-gauge line near Patel Nagar, Ranjit Nagar, Shadipur, Khampur, Pusa Road, Punchkuin Marg, railway line from Tilak Bridge to Minto Bridge, Bahadurshah Zaffar Marg and Mahatma Gandhi Road should be with the Authority, irrespective of the nature of the area, land use and type of project, whether remunerative or non-remunerative. Authority may be Delhi Development Authority or Slum Board or Municipal Corporation of Delhi. The idea is that the entire system of planning, development and construction should be at one point.
- All lands acquired for slum schemes should be the property of the Slum Deptt.
- Expenditure and receipts should be debited/credited in the account of the scheme. There should be a clearly defined policy that profits from commercial projects would be used to subsidise projects for EWS People of the slum areas.
- It is also recommended that whenever any action in slum areas is taken, it should be for the entire system and sub-system. So far, more than 20,000

tenements under slum scheme were constructed without taking care much of other components, i.e. their place of work and enjoyment. The result being that all quarters have not been occupied by the families who were living in slum areas. This is mainly due to the reason that no comprehensive proposals for the entire system and sub-systems were worked out at any stage. People are generally reluctant to shift till their place of work and leisure are also made available at the new places. Now there is a strong feeling and decision that shifting of people should be avoided to the extent possible.

- Allotment of built-up flats should be on the basis of hire-purchase system and not on rental basis.
- Building bye-laws for these areas should be modified completely to be suited to the need of the society and then enforced strictly.
- Maintenance of services, viz. water supply, sewerage, drainage, sanitation, electricity, roads, service roads, parks and playgrounds should always remain with the local authorities i.e., Municipal Corporation of Delhi.
- All the capital works, namely-(i) Construction of tenements, if any, for the rehabilitation of families to be shifted from slum areas; (ii) Buildings of social infrastructure on Government properties/evacuee properties; (iii) Clearance of slum area, if any, and then rebuilding of the urban spaces; (iv) Improvements in slum areas in terms of physical and social infrastructure; and (v) Development/construction of remunerative projects in slum areas should be with the development authority.

(iii) Proposed modifications in the Delhi Development Act, 1957

(a) Section 6 (Objects of the Authority) should be defined and detailed out as under:

- Preparation, monitoring, review an implementation, directly and indirectly, of the Master Plan proposals concerning physical, social ecological and economic infrastructure
- Enforcement of land use controls as envisaged in the Act
- The acquisition and development of land for various activities for the planned development of Delhi
- Making developed land available to various agencies in the public, cooperative and private sectors for house building activity
- The promotion of a sufficiently dynamic housing programme
- Development of residential, industrial, commercial and ancillary work centres; or any other project necessary for the planned development of Delhi
- In exercise of its role as custodian of the Master Plan, DDA has to coordinate the activities of specialised agencies such as DESU – Delhi Electric Supply Undertaking, MCD – Municipal Corporation of Delhi, NDMC – New Delhi Municipal Corporation of Delhi, CPWD – Central Public Works Department, PWD – Public Works Department, DTC – Delhi Transport Corporation, DWS & SDU – Delhi Water Supply & Sewage

Disposal Undertaking, DSIDC – Delhi State Industrial Development Corporation, DTTDC – Delhi Tourism and Transport Development Corporation, DLPPC – Delhi Livestock Products Processing Corporation, MRTA - Mass Raped Transit Authority etc., who are also involved with the planned development of Delhi

- (b) Section 8 (preparation of Zonal Development Plan) should be modified as most of the zonal plans prepared in Delhi are incomplete, inaccurate and have taken more than 10 to 15 years to complete. This section should be modified to such an extent that a zonal plan has (i) a proper base map (ii) traffic and transportation plan (iii) Land ownership map (iv) plan of physical infrastructure (v) Plan of social infrastructure (vii) Plan of economic infrastructure (viii) financial plan and (ix) a plan superimposing all these eight elements.
- (c) Section 24 (Budget of the Authority) should be revised completely to get the following inputs:
  - There should be a perspective plan of short term and long term projection of financial requirements based on physical targets, correlated with land acquisition, planning, development and construction of urban spaces including availability of building materials.
  - Proper planning and programming of financial resources should be carried out every year before they are included in the budget.
  - There should be a system of performance budget and annual plan with close coordination between physical and financial achievements/inputs and outputs.
- (d) Section 37, 38 & 40 (Power of Authority to levy betterment charges, assessment and collection) should be modified as follows:

As per these sections, at present betterment charges can be collected after work is completed in any areas. In Delhi, there are more than 1000 unauthorised and unauthorised regularised colonies spread out in an area of about 5000 hect. with a population of about 1.5 million. Firstly, it is not possible to develop these colonies and in the end collect betterment or development charges. As such, there should be a modification in the Act that development charges can be collected simultaneously with the development works. If the development charges are not paid in time these can be collected as arrears of land revenue.

- (iv) Land Acquisition and Development Scheme, 1959  
Land Acquisition and Development Scheme was defined at the national level for granting loans to state governments for bulk acquisition and development of land for various purposes. This scheme came into enforcement on October 20, 1959 with the following features:
  - (a) Financial assistance under the scheme is provided to state governments in the form of loans with a rate of interest of 4% per annum, repayable in 10 annual equated instalments, with a moratorium period of five years.

- (b) The loan can be used for acquisition and development of land for various purposes.
- (c) While making allotments among those who are eligible for aid under various housing and slum clearance schemes, preference would be given in order of priority noted below:
- Slum Clearance Scheme
  - Subsidised Industrial Housing Scheme
  - Low Income Group Housing Scheme
  - Middle Income Group Housing Scheme
  - Rental Housing Scheme for State Government Employees
- (d) Plots for intended commercial or commercial-cum-residential purposes shall be sold by public auction or open tender except those which came under the above five categories. Other plots can be disposed of in patterns the state government may think appropriate.
- (e) The State Government shall, however, ensure that there is no loss to the project and the entire profit gained by the sale of land for commercial purposes and to persons in higher income group would be used for the purpose of reducing the price of land to be utilized for public housing for people falling in the LIG group or below.
- (f) Other conditions for allotment of land would be as under:
- Not more than one plot to an individual
  - The land would be given on leasehold basis
  - The building should come up within a reasonable period
  - Speculation in land should be avoided
  - Prohibit misuse of land
  - Prevent transfer or resale of plot/house to persons not eligible for the benefits of the scheme
  - Discourage transfer or resale of plots/houses
- (v) Control of Land Values in Urban Areas of Delhi: Acquisition, Development and Disposal of Land; No. F.37/16/160-Delhi (1) Govt. of India, Ministry of Home Affairs dated 2.5.61 and modifications from time to time. Copy of the basic policy has been given in *Appendix 23.1*.
- (a) Private investment in housing should be facilitated.
- (b) Setting up of colonies by private developers should be discouraged.
- (c) No allotment should be made to any institution till it serves the interest of Delhi.
- (d) All land acquired under the scheme will be stated as 'nazul land' and will vest in the President of India and will be disposed off in his name only on leasehold basis to local bodies and private parties including cooperative house building societies, industrialist, individuals, institutions etc.
- (e) As a general policy disposal of developed land should be made by public auction except in the following cases:
- Alternate allotment of land
  - Shifting of non-conforming industrial

- Allotment to low income group people
  - Allotment to cooperative house building societies.
- (f) Ground rent should be charged at a nominal rate of Re. 1 per annum per plot for the first five years. Thereafter the annual ground rent shall be payable at 2.5 per cent of the premium originally paid. The rate of ground rent will be subject to revision of every 30 years.
- (g) The following conditions shall govern the allotment of land whether by auction or otherwise.
- One plot for one family in the entire National Capital Territory of Delhi except in case of persons living in a congested locality.
  - The structure on the allotted land should be completed within two years.
  - The plot shall not be transferred before 10 years from the date of allotment, and that too, only after payment of 50 percent of the unearned increase of the value of the plot.
  - The entire responsibility for the acquisition, development and disposal of the land under the scheme should be of the Chief Commissioner, Delhi (now Lt. Governor, Delhi).
- (vi) The Government of India modified the basic V on 18<sup>th</sup> July, 1967. The scope of the scheme was enlarged and the following activities were added:
- (a) Flatted factories; (b) Single-storeyed sheds for group industries; (c) Warehouses; (d) Bus terminals; (e) Parking sites for idle trucks; (f) Car parking; (g) Development of district, community, local and convenient shopping centres; (h) Construction of special markets, such as cycle market, vegetable market etc; and (i) Acquisition and development of land in Narela.
- (vii) The scope of the basic scheme given in Para (V) was further enhanced vide government order of December 18, 1969, to the extent that any other development project which the Lt. Governor, Delhi considers essential for the implementation of the Master Plan of Delhi and the zonal plans, subject to the condition that such projects are self financing, can be undertaken.
- (viii) The then Ministry of Works & Housing, (now Ministry of Urban Development) further modified the basic scheme given in Para V vide its order of February 5, 1970, to the extent as given under:
- Allotment of residential plots to persons belonging to LIG and MIG category and reservation of plots for Members of Parliament, Councillors of Metropolitan Council/MCD, salaried classes, Scheduled Castes/Tribes etc.
  - Registration of new co-operative house building societies on group housing pattern and not on plotted system.
  - Allotment of land to owners and tenants of properties in areas which have been declared as clearance areas under the Slum Areas Improvement & Clearance Act-1956.



- Allotment of plots to persons owning houses/plots in congested localities
- Realisation of premium/price of plots in instalments as per the stage of development
- The basic scheme was further considered and modified vide order dated 3 May, 1974. In this order, the premium to be charged on a plot earmarked for college purposes in Dhaula Kuan was considered and it was decided that a rate of Re. 1 per sq. yd. may be charged irrespective of whether the plot forms a part of 'General Development Scheme' or is an individual case.
- Lastly, the Government vide its order dated April 29, 1976 decided to modify the basic scheme for the allotment of land for the construction of 8662 sheds by DSIDC.

- (ix) Jhuggi Jhompri Removal Scheme (shanties removal and resettlement scheme)  
 The scheme was initiated way back in 1958, approved by the Cabinet on 4 January, 1960 and modified by the Cabinet on 12 November, 1962. The scheme has been modified from time to time subsequently, in response to various problems and the demands of time. Later thinking on the scheme has been given in Chapter 29 (*Resettlement Colonies-infrastructure Facilities*) and Chapter 32 (*The Quality of Life*).

The following are the main factors pertaining to modifications and revisions in the scheme:

- (a) Size of plot: Initially in 1960s, about 5000 plots of 67 sq. mt. and 45,000 of 21 sq. mt. were developed. In the 1970s, another 150,000 plot of 21 sq. mt. were planned and developed and in 1980s, the size of plots was further reduced to 18 sq. mt., 15 sq. mt. 12.5 sq. mt. and 10 sq. mt. A study is required to determine the ideal size of plot with respect to the magnitude of the squatters problems, the number of squatters and their affordability.
- (b) Up to the 1970s and early 1980s, physical infrastructure including hand pumps, water taps, latrine blocks and street lights were provided on a community basis. Individual water supply and sewer and electric connections were not provided. In resettlement colonies which were developed up to 1980s, the Municipal Corporation of Delhi is laying physical infrastructure on individual basis, with cost per plot of these additional facilities Rs. 5000.

The current thinking is for a provision of physical infrastructure on 'Group Basis' i.e. one W.C. for three families, one bathroom for six families, one water tap for six families and so on. This has been proposed and adopted in Delhi based on studies conducted in Delhi, as well as in Maharashtra. Based on this concept, details have been given in Chapter 32 (*The Quality of Life*).

- (c) Ultimately, all these colonies have to be linked with piped water, pipe sewerage system, covered storm water drains and individual electric connections. A decision is required on norms on which water supply per capita should be provided. The standard of 50 gallons per day per capita, as in general colonies can not be adopted here. A norm of 20 gallons per day per capita for water and 16 gallons per day per capita for sewage disposal may be adequate.
- (d) Up to the 1980s, the minimum road width in resettlement colonies was 5 mt. and this width was proved adequate. These roads were provided to allow access to plots of 21 sq. mt. size arranged back to back in rows. Now there is a strong feeling that plot should be provided on group basis by grouping 6, 7 or 8 plots around a common private courtyard which can be @ 7-8 sq. mt. each to be used by all the families. This implies a system of providing approach to individual units through clustered common courtyard, rather than through access roads.
- (e) The cost of development of plots is increasing day by day. The cost of development per plot including cost of land was Rs. 800 per sq. mt. in early 1960's when the scheme was initiated. It increased to Rs. 1250 in 1972 and was fixed at Rs. 1860 on 5 September, 1980 as per an order by Govt. of India, Ministry of Urban Development. The present cost of development of a plot of 18 sq. mt., including cost of land and without any subsidy in physical infrastructure at peripheral and internal level would be more than Rs. 45,000. The economics of this has been given separately in Chapter 28 (*Environmental Planning Norms*).
- (f) The maintenance of services in these colonies is a gigantic problem. Approximately 1.2 million people i.e. 13% of the population of Delhi lives in these colonies without paying a single penny as property tax. The result is that it needs an investment of considerable amount of public funds for the maintenance of services in these colonies without any return from the beneficiaries. For this some workable solution should be evolved. Details are given in Chapter 49 (*Joint Venture and Private Sector: Development and Construction of Urban Spaces*).
- (g) All the land acquired for the scheme, whether used or not, should be the property of the development authority. Expenditure and receipts for the development and construction of urban spaces should be debited and credited to the account of the scheme. There should be a clearly stated policy that profits from commercial development as part of the Scheme would be credited to the account of the scheme and surpluses would be used as subsidies for the plots for EWS and construction of social infrastructure.
- (h) A material bank for the supply of cheap and good building materials should be created in all major colonies and supply to needy people at no profit no loss.
- (i) DDA should act as a co-ordinator for all authorities responsible for the maintenance of the services, including plying of buses, supply of milk and other services such as telephone booths etc.

- (x) Policy on converting of licence fee system to hire purchase system in resettlement colonies, which have more than 240,000 plots.

Since the 1980s thought is being given to the conversion of licence fee system to hire purchase system and decisions were taken by the Govt. of India vide their letter no. 14014/4(203)73/DD IIB-Vol.II Dated 4/5 September., 1980 and letter No. K/19011/2/78/DD IIB(Vol.II) dated 18<sup>th</sup> December, 1982, but so far, implementation has not been carried out. At present more than 240,000 families are living in various resettlement colonies, mostly in structure on 21 sq. m. and some on 67 sq. m. plots. Of these 50-60% are original allottees, 35 to 40% unauthorised occupants and the balance are trespassers. The premium to be charged from these three categories should be different as per their status and the method of getting plots from DDA or otherwise. The amount chargeable from these three categories should be as under:

- (a) From original allottees: As per the order of Govt. of India dated 15 March, 1977 an amount of Rs. 1860 should have been charged. On this, an additional amount of Rs. 4470 is being spent on providing additional facilities (individual water, sewer and power).

Therefore, the total cost per plot is Rs. 1860 + Rs. 4470 = Rs. 6330. It was proposed to charge only 2/3<sup>rd</sup> of this cost i.e. Rs. 6330 x 66.7% = Rs. 4420 plot.

The approved policy is to charge interest @ 5% per annum on Rs. 1250 and ground rent @ 2.5% on the premium of Rs. 1250 for 10 years. This works out to Rs. 940. In addition to this Rs. 300 per plot are deficiency charges.

Total amount comes to Rs. 4220 + Rs. 940 + Rs. 300 = Rs. 5460 or say Rs. 5500 It is stated that licence fee paid up to 15 March, 1977 would be adjusted in the premium and to this extent, a rebate will be given. It is also proposed to give a further rebate of Rs. 500 per plot if lumpsum payment is made.

In brief, the system of payment for original allottees would be as under:-

- If payment is made in lumpsum, then Rs. 5500 per plot (with a rebate of Rs. 500 per plot).
- Those who do not pay in lumpsum may be given the option of paying in equated quarterly instalments with different rates of interest based on period opted for payment as under:

<b>Period of Instalment</b>	<b>Rate of Interest</b>	<b>Mode of payment</b>
0-5 years	5%	Quarterly
6-10 years	7%	Quarterly
11-15 years	9%	Quarterly

An incentive for low interest has been allowed in accordance with the period of payment in order to boost the recovery within a short span.

- (b) For unauthorised occupants, the Government of India decided to charge an amount of Rs. 9000 per plot from unauthorised occupants. The revised amount for this category would be as under;
- If the payment is made in lumpsum then Rs. 9000 per plot (with rebate of Rs. 500, if paid lumpsum).
  - If the payment is made in three annual instalment, then Rs. 10000 with a break-up of Rs. 3300 per annum for the first two instalments and Rs. 3400 for the third instalment.  
If the payment is made in five instalments then payment would be made of Rs. 11000 with a break-up of Rs. 2200 per annual instalment to make a total amount of Rs. 11,000.

After decisions regarding grant of lease hold rights and its terms are announced. The beneficiaries should be allowed to apply for the same within a prescribed period. All such allottees and unauthorised occupants who do not apply for lease hold rights in time shall be charged licence fee @ Rs. 150 per month and those who do not pay prescribed instalments in time shall be charged interest for belated payment at the rate prescribed by DDA.

- (c) For trespassers: It is proposed to charge market rate which vary from colony to colony.

## **23.2 Planning and Development of Urban Spaces**

(This is a large subject and has not been dealt herewith, but in other chapters.)

## **23.3 Dispersal of Land**

A sound Urban Land Policy should have proper dispersal policy of land by the public authority to government departments, cooperative and private sector on some scientific basis with rules and regulations. Land should be dispersed only after it is fully developed and if that is not possible then at least semi-developed land should be dispersed except in specific cases of bulk allotment to Government bodies like Public Works Department (PWD), Life Insurance Corporation (LIC) or State Housing Boards. Even in such cases, it should be ensured that development conforms to the prescribed norms, zoning regulations, standard, duration and trunk infrastructure would be laid by the government body in time.

### **23.3.1 Calculation of Price of a Developed Land**

It should be done after taking the following aspects into consideration:

- (i) Cost of acquisition of land, cost of rehabilitation of affected parties and

- alternate allotment, if any
- (ii) Cost of internal infrastructure
- (iii) Cost of internal roads
- (iv) Cost of development of parks, playgrounds and open spaces and sites for various public facilities at neighbourhood level
- (v) 25% of the cost of trunk infrastructure
- (vi) 25% of the cost of major roads except National Highways, and State Highways
- (vii) 20% of the cost of construction of public and semi-public buildings
- (viii) 20% of the cost of beautification of the zone in which the plot in question is situated.

### **23.3.2 Rational Distribution of Price of Land for Different Uses**

An example has been quoted here. Assuming that cost of land on the basis of the formula stated in Section 23.3.1 is X, then percentage of cost of land for different uses can be as under. However, the value X (developed land) would vary from location to location, depending upon the status of the town, accessibility etc

- For EWS, 50% of X
- For LIG, 75% of X
- For MIG X
- For HIG, 2X
- For district parks, playgrounds and open spaces, 5% of X
- Sites for educational and health facilities, 10% of X
- Sites for commercial use, 10 times of X
- For shifting of non-conforming industrial units, 75% of X
- For new industries, 4X
- For informal sector (commercial and industrial use) = X

### **23.3.3 A Case Study on the Economics of a Neighbourhood**

To work out the economics of a neighbourhood of 15,000 population, the various activities should be divided into the following three heads:

- (i) Activities pertaining to 'subsidised sector'
- (ii) Activities pertaining to 'no profit no loss sector'
- (iii) Activities pertaining to 'profitable sector'.

The entire system should be worked out in such a way that the Government finances are not unduly strained. A neighbourhood having 15,000 population with all the essential physical and social infrastructure, roads and buildings for community facilities and houses for different income groups would cost Rs. 298.2

million and can be divided into the following three parts: (Calculations are based on old rates ).

- (i) Rs. 148.59 million in subsidised sector; for EWS, L.I.G., social infrastructure.
- (ii) Rs. 63.30 million in no profit no loss sector; for M.I.G. and informal sector.
- (iii) Rs. 78.26 million in profitable sector; for H.I.G., Commercial sector and industrial sector.

The final financial position would be as under:

	<b>Amount (Rs. Million)</b>
• Loss from subsidised sector	28.2
• Profit from profitable sector	22.5
• Income from ground rent per year	1.5

Part of the loss can be recovered by auctioning some of the residential plots for high income group. Details of this entire exercise has been given in the book of 'Planning and Development of Towns' written by the author and published by Oxford & IBH Co-1983.

## **23.4 Control of Landuse**

The control of landuse can be exercised through:

- (i) Enforcement of development act, say Delhi Development Act-1957
- (ii) Zoning regulation and land use planning
- (iii) Direct intervention, i.e. by creating land banks, development of land, and its disposal/dispersal
- (iv) Legal Controls- e.g. compulsory registration, changes in administrative boundaries, development and building permits
- (v) Fiscal controls e.g. property taxes, tax penalties, and tax incentives.

## **23.5 Recapturing Plus Values of Land**

The unearned values, resulting from change in use of land, change in ownership of land or change in intensity must be subject o partly recapture by public bodies.

This can be done in the following ways:

- (i) Levy of appropriate taxes, e.g. capital gains tax, land tax, betterment charges, development charges and particularly tax on unused or under utilized land.
- (ii) Periodic and frequent assessment of land values in and around cities and determination of the rise in such values after every five years, and then collection of a part of this increased value as incremental land tax after every five years.
- (iii) Instituting development fee, permit fee or building fee on all development.
- (iv) Leasing out the land in such a way that part of the future incremental value which is not due to the efforts of the users, is kept by the

community, e.g. a public authority, at the time of transfer of land or change of use or change in intensity.

## 23.6 Land Management

- (i) The Government or the Development Authority should have the power to take over the land for the implementation of the Master Plan and also to receive part of the unearned income.
- (ii) The land should be allotted on perpetual lease, but the term of lease should provide for revision of amount of ground rent at periodic intervals which should be long enough to enable the lessee to make proper use of the land so allotted. A period of 30 to 40 years is appropriate for this.
- (iii) No sale or transfer of the lease hold right should be permitted during the first ten years, so that land is not taken by those who do not require it for immediate use. After ten years, sales and transfers may be permitted on the condition that a substantial part of the unearned income is deposited to the government or to the Development Authority, so that it can be used for the purpose of development or any other similar activity.
- (iv) Resumption of land should be provided in case of misuse of land or breach of any of the terms of lease conditions.
- (v) Calculation of ground rent: In Delhi the rate of ground rent is 2.5% of the premium. This is now being considered excessive and unreasonable. There should be an upper limit on the ground rent also, otherwise a residential plot of land of 200 sq. mt. sold at a rate of Rs. 5000 per sq. mt. would carry a ground rent at the rate of Rs. 125 per sq. mt. per annum, which seems to be on the higher side. The upper limit can be 1% of the actual price of land at the time the plot was auctioned/disposed off.
- (vi) Calculation of reserve price at the time of auction: This should be based on the following factors:
  - (a) Actual cost of the plot as defined in this chapter;
  - (b) Prescribed use of the land;
  - (c) FAR;
  - (d) Relative importance of the locality/town or status of the area;
  - (e) Any special site advantage e.g. close to a landscape feature, water course, lake, etc, and
  - (f) Cost of management of disposal of the system.

## 23.7 Maintenance of Colonies

The problems of maintenance of land begins when a colony is developing and being inhabited. The system of maintenance of a colony depends on the municipality, its structure and the resources available with them. The maintenance of a colony includes maintenance of parks, playgrounds, open spaces, scavenging of roads/service roads, drains, collection and disposal of

garbage, maintaining continuous supply of water, power and disposal of sewage etc. To give an idea of the cost of maintenance, DDA, in 1985, incurred a cost of Rs. 250 million per annum or Rs. 100 per plot per month for the maintenance of resettlement colonies. Maintenance of a colony, irrespective of land use, size and status, should remain with Municipal Corporation of Delhi.

To bear the cost of maintenance, municipalities are empowered to collect property tax, fire tax and general taxes. Rate of taxes for different uses is different. Since small municipalities have meager resources they are not capable of spending the money for the maintenance of different types of services under their jurisdiction. In such cases the Govt. has to help in terms of provisions of funds.

## **23.8 Conversion of Leasehold into Freehold**

The Scheme of Conversion from Leasehold System of land into Freehold was decided by Delhi Development Authority in pursuance of orders issued by the Government of India, to convert residential flats as well as residential built up plots of size not exceeding 500 sq. mt. in Delhi from leasehold into freehold on payment of conversion charges.

### **23.8.1 Salient Features of the Scheme**

- (i) The Scheme covers the following points:
  - (a) Built up plots of 500 sq. mt. and below where the lease/sub-leases has been granted on behalf of the President of India/Delhi Development Authority/Slum & JJ Wing for residential purposes;
  - (b) Janata, LIG, MIG, HIG and SFS flats allotted by the Delhi Development Authority and the tenements allotted by its Slum & JJ Wing (hereinafter referred as 'Slum-JJ. Tenements') on leasehold basis; and
  - (c) Flats constructed by Co-operative Group Housing Societies on land leased by the Delhi Development Authority.

The scheme does not cover fixed term leases where premium has not been charged.

- (ii) The onetime charges payable for conversion from leasehold to free hold are set out in *Appendix 23.2*. These charges may be paid in lump-sum or in equated annual instalments spread over a period not exceeding five years. When the payment is made in instalments interest calculated @ 12% per annum shall be payable. The conversion shall be allowed only after all the instalments have been duly paid. No extension of time for payment of any instalments shall be granted under any circumstances. The liability to pay ground rent shall continue to accrue till the last instalment is paid.
- (iii) Conversion would be allowed only when the residential building on the plot has been constructed and completion certificate/'D' form for the



building has been obtained. In the case of land allotted to Co-operative group housing societies, conversion for individual flats would be permitted after completion certificate/'D' form has been obtained by the society and possession of flats given to the members.

- (iv) The application for conversion shall not be entertained unless accompanied by prescribed documents.
- (v) In respect of the leases of residential premises where a portion is being used for purposes other than residential to the extent given in *Table 23.1* and as per the relevant provision of Master Plan 2001, conversion of the entire leased out premises into freehold will be allowed on payment of additional conversion charges as laid down in *Appendix 23.3* for the covered area.

**Table 23.1 : Conversion of leasehold into freehold, where part of the property is used for other purposes than residential**

<b>Category of other than residential use</b>	<b>Max. extent of other than res. use.</b>	<b>Other condition</b>
Professional Activity (i.e. as doctors, architects, engineers lawyers, chartered accountants, advocates, consultants, journalists artists, designers/consultants)	25% or 50 sq. mt. of covered area, whichever is less.	Occupation of the plot/flat by the professionals themselves.
Specified household industries (Appendix 35.5)	25% or 30 sq. mt. of covered area whichever is less.	(a) Only on ground floor of built up plots. (b) to be run by the occupants themselves.

NB: Conversions to freehold in respect of any property shall be without prejudice to the right of DDA/local authority to take action in regard to the misuse with reference to Master Plan, Zonal Regulation and Building Bye-Laws.

- (vi) The arrears of ground rent along with interest @ 10% per annum wherever is applicable would have to be paid by the applicant before conversion can be permitted. In cases where revision of ground rent has become due, the revised amount of ground rent will be notified to the lessee for depositing the amount before the execution of the conveyance deed.
- (vii) The conversion shall be applicable only for properties which are on land for which the land use prescribed in the lease deed/sub-lease deed/allotment letter is residential.
- (viii) In case of mortgaged properties, conversion would be allowed only on submission of 'No Objection Certificate (s)' from the mortgagee. If the property has been mortgaged more than once, 'No Objection

- Certificate' from all the mortgagees are required to be submitted. In case of flats allotted by a Co-operative. Group Housing Society, it would be essential to produce 'No Objection Certificates' from the institution with which the property has been mortgaged by the society.
- (ix) In cases where lease deeds/conveyance deeds have not been signed, conversion will be allowed provided that the non-execution of the lease deed has been on account of administrative reasons and not because of certain defaults on the part of the allottees. However in such cases the stamp duty would be payable on the amount of conversion charges including additional conversion charges and the surcharge wherever applicable as well as the price/premium of the property.
  - (x) In case of any legal dispute relating to title of the property, conversion shall not be allowed until the legal dispute is settled.
  - (xi) In case of re-entered properties conversion would be allowed only when re-entry notice has been withdrawn and the lease/sub-lease/allotment restored.
  - (xii) In case of any dispute between the original lessee/sub-lessee/allottee and power of Attorney holder, application for grant of freehold rights would be entertained only after the dispute is settled.
  - (xiii) In case, where applications for mutation or substitution are pending with the lessor, conversion would be allowed only after the necessary mutation/substitution has been carried out.
  - (xiv) The conversion shall also be allowed in the cases where lessee/sub-lessee/allottee has parted with the possession of the property, provided that:
    - (a) Application for conversion is made by a person holding power of attorney from lessee/sub-lessee/allottee to alienate (sell/transfer) the property.
    - (b) Proof is given of possession of the property in favour of the person in whose name conversion is being sought.
    - (c) Where there are successive power of attorneys, conversion will 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 surcharges of 33-1/3% on the conversion fee would be payable over and above the normal conversion charges applicable for a regular lessee (no unearned increase will be recoverable.)

- (xv) In case of the DDA residential flats and the Slum/JJ tenements allotted on hire-purchase bass, conversion shall be allowed only after all the installments have been paid with interest, if any.
- (xvi) The allottees of flats and built up plots measuring upto 150 sq. metres shall apply for conversion whereas in the case of plots sizes exceeding 150 sq. meters, conversion is optional. However, for any future sale of a built up plot above 150 sq. mt. and up to 500 sq. mt, allottee shall first apply for conversion.

(xvii) The land rates for different areas have been given in *Appendix 23.4*.

The localities for which land rates have not been given in *Appendix 23.4*, land rates of the adjoining/comparable locality would be applicable.

- (a) However, in the case of Co-operative house building societies, the specific land rates of the localities would be applicable.
- (b) In respect of DDA flats, the conversion charges mentioned in *Appendix 23.2* part (B) would be applicable. For the purpose of ascertaining the zone of a particular DDA housing estate, first the locality in which that particular estate is situated may be determined, then the zone of the locality can be determined by making a reference to *Appendix 23.4*.
- (c) For flats constructed by group housing societies on land allotted by DDA, the conversion rates would be as given in Part (C) of *Appendix 23.2*. For Co-operative group housing flats up to 125 sq. mt plinth area, the conversion charges are based on zonewise flat rates. The zone of group housing society flats can be determined in the manner as mentioned for DDA flats above.
- (d) For Co-operative group housing flats of plinth area above 125 sq. mt. conversion charges would be based on the formula for built up plots where the plot area would be deemed to be 1.2 x plinth area of the flat. The land rates applicable can be ascertained from *Appendix 23.4*.
- (xvii) The requisite conversion charges, additional conversion charge and surcharge as applicable along with processing fee of Rs. 200 are required to be deposited at the time of submission of application form.
- (xix) Mode of remittance shall be preferably by cheque (subject to realization), pay order, bank draft payable at Delhi. For amounts less than Rs. 20,000, cash will also be accepted. The amount of remittance has to be rounded off to the nearest rupee. The payment is to be made through the prescribed challan form which is a part of application and is in quadruplicate. After depositing the application form and the conversion charges, applicants must ensure to obtain an acknowledgement from the bank together with a copy of the challan to serve as proof of payment for their future reference.

The conversion charges, additional conversion fee and surcharge wherever applicable can be deposited either in lump sum or in not more than five equated annual installments.

## Appendix 23.1

### **Basic policy of large scale acquisition, development and disposal of land (Control on land values in the Urban Areas of Delhi Acquisition, Development and Disposal of Land in-1961)**

The Government of India have considered the proposals regarding acquisition, development and disposal of land.

The following decisions have been taken by the Government of India:

- (i) Private investment in housing in Delhi should be facilitated. Setting up of colonies which could be located elsewhere should be discouraged.
  - (ii) No institution should be given allotment of Government land in Delhi unless it subserves directly the interest of the population of Delhi or it is definite that the nature of work to be carried out is such that it cannot with equal efficiency be carried out elsewhere than in Delhi.
  - (iii) The size of residential plots to be leased out to individuals should not exceed 1,200 sq. yards, except in the case of such Cooperative House Building Societies the ceiling may be extended to 2,000 sq. yards, provided that the accommodation is constructed by Government. In the case of Cooperative House Building Societies the ceiling may be extended to 1,200 sq. yards, except in the case of such Cooperative Societies as had either acquired land for development under their own arrangement and had been dispossessed of that land in the acquisition proceedings by Government in 1957 or had deposited money with Govt. before 31 December, 1959, for the acquisition of land for housing purposes or had themselves bought land (otherwise than through acquisition proceedings) prior to 13 November, 1959, where the ceiling may be relaxed up to 2,000 sq. yards. Special care should be taken to see that no land was allotted to a body which was not a genuine cooperative society. Care should also be taken to ensure that the total quantity of land allotted to a cooperative society does not exceed its real needs for residential accommodation only of its members and that the Cooperative Societies which may be permitted to have a ceiling of 2,000 sq. yds. On individual plots are not allowed to apply for allotment of additional and merely on the ground that larger plots are required for some of their members.
2. Subject to the above mentioned general conditions, the scheme detailed below for the acquisition, development and disposal of land has been approved by the Government of India:
- (1) Above 8,000 acres of land should be acquired, in the first instance, under the provisions of Land Acquisition Act, 1894. The land so acquired will be developed by the following authorities:
    - (i) The Central Public works Department for housing of Government employees 1200 acres
    - (ii) The Delhi Development Authority for provision of plots for-
      - (a) Private housing including plots for individuals whose land has been acquired under this scheme

	(b)	Industries and manufacturers	
	(c)	Shopping centres and business premises	
	(d)	Public and private institutions and	
	(e)	Public utilities and community facilities.	4,000 acres
(iii)		The Delhi Municipal Corporation for:-,	
	(a)	Slum clearance projects and jhuggies and jhoppries scheme = 950 acres and	
	(b)	Industrial use for the relocation of industries to be shifted from city area = 1000 acres	1,950 acres
(iv)		Cooperative Societies for house building and industrial Co-operatives	850 acres
		Total	8,000 acres

The Delhi Municipal Corporation is being requested separately to take urgent steps to provide trunk municipal services in the area to be developed under the scheme.

- (2) The responsibility for the development and disposal of land allotted to the Central Public Works Deptt. Will be that of the Ministry of Works, Housing & Supply.
- (3) The acquisition and development of land should generally follow the time schedule and targets indicated in Annexure-I. The Central Public Works Department will provide adequate engineering and other necessary staff to work for the Delhi Development Authority, according to the existing procedure.
- (4) Normally, developed land should be provided for
  - (a) Public and private institutions and for public utilities and community facilities like open spaces, parks, playgrounds etc.
  - (b) Industrial and commercial use; and
  - (c) Housing plots for individuals including those whose land has been acquired by Govt. under this scheme.

However, in the case of house-building cooperative societies and cooperative societies of industrialists and manufacturers undeveloped a land may be allotted if such Societies need land for bona fide purposes and have the necessary resources and organization to develop such land. In all cases where undeveloped land is allotted, it should be stipulated the development should be completed within a period of three years, failing which land should be resumed and the premium originally paid refunded to the Society concerned, after deducting 10% thereof as penalty for not carrying out the development within the stipulated period.

- (5) Out of 8,000 acres of land proposed to be developed, in the first instance, about 2,500 acres of land, which had already been declared as 'development area' should be acquired expeditiously and placed at the disposal of the Delhi Development Authority for development and disposal

under this scheme. Proposals for declaring more areas as 'development areas' may, in due course, be submitted to Government in consultation with the Delhi Municipal Corporation.

- (6) All land acquired under the scheme will be nazul land and will vest in the President and will be given out in his name only on leasehold basis to local bodies and private parties, including cooperative societies, industrialists, individuals, institutions etc.
- (7) An additional charge, over and above the cost of acquisition and development, which should be merged in the price of land, should be charged at the following rates:

**Developed residential plot of:**

the first 200 sq. yds. or part thereof	Rs. 3/- per sq. yd.
the next 200 sq. yds. or part thereof	Rs. 4/- per sq. yd.
the next 200 sq. yds. or part thereof	Rs. 5/- per sq. yd.
the next 200 sq. yds. or part thereof	Rs. 6/- per sq. yd.
the next 200 sq. yds. or part thereof	Rs. 7/- per sq. yd.
Thereafter at sq. yds. or part thereof	Rs. 8/- per sq. yd.

- (8) As a general policy, disposal of developed land should be made by auction and the premium should be determined by the higher bid, except in the following cases, where land may be allotted at pre-determined rates, namely, the cost of acquisition and development plus the additional charge mentioned in sub-paragraph (7) above:
  - (i) to individuals whose land has been acquired as a result of the Chief Commissioner's notification dated 7 March, 1957, 3 September, 1957, 18 November, 1959, 10 November, 1960, or other such subsequent notification, provided that this concession will not be available in the case of individuals affected by the notification dated 7 March, 1959, and 3 September, 1957, if the acquisition proceedings have been completed and payment made or deposited in court by 1 January 1961. In these cases
    - (a) if a residential plots is to be allotted the size of such plot, subject to the ceilings prescribed, may be determined by the Chief Commissioner, taking into consideration the area and the value of the land acquired from the individual and the location and value of the plot to be allotted. and
    - (b) If an industrial plot is to be allotted; its size may be determined with reference to the requirement of the industry to be set up provided that the setting up of such an industry is in accordance with the Master Plan and the industrialist-concerned has the capacity to establish and run such industry and provided further that the extent of land allotted at predetermined rates should not exceed the area required from the industrialist concerned. In making such allotments for industries, the Chief Commissioner will be advised by an Advisory Committee to be nominated by him.

- (ii) to industrialist who are being asked to remove their factories from their present locations. Such allotments will be subject to the condition that the location of the industry concerned within the urban area is in accordance with the Master Plan. The Advisory Committee referred to in the previous sub-paragraph should be consulted in making such allotments.
  - (iii) To individuals in the low-income group. These allotments will be made by drawing of lots under the supervisions of an Advisory committee to be nominated by the Chief Commissioner. A suitable percentage of the area developed for private housing by the Delhi Development Authority may be reserved for this purpose.
  - (iv) To cooperative house building societies and cooperative societies of industrialists and manufacturers.
- (9) Ground rent should be charged at the nominal rate of Rs. 1 per annum per plot for the first five years in the case of such allotments, whether by auction or at pre-determined rates. Thereafter the annual ground rent shall be payable at 2.5% of the premium originally paid. The rate of ground rent will be subject to revision after every 30 years.
- (10) The following conditions shall govern the allotment of land whether by auction or otherwise to individuals (including those whose land has been acquired):
- (a) No plot should be allotted to any person, who or whose wife/husband or any of his/her dependent relations including children owns a house or residential plot of land in Delhi, New Delhi or Cantonment. The question of making an exception in the case of persons living in a congested locality or whose family has outgrown should be considered after some experience has been gained of the working of the scheme.
  - (b) The allottee of a plot should be required to construct the house in accordance with the sanctioned plans within two years of the date of allotment, failing which the land should be liable to be resumed.
  - (c) The allottee of a plot shall not sell or transfer his rights in the plot or part thereof for a period of 10 years from the date of allotment except with the previous approval of the Chief Commissioner which will be given only in exceptional circumstances. Thereafter, the permission to sell will be given by the Chief Commissioner in both the case, 50% of the unearned increase in the value of the plot will be paid to Government before the transfer is permitted.
  - (d) Lease deeds may be simplified and many contain the following conditions:
    - (i) due observance of municipal bye-laws; (ii) use of the land for the purpose for which it is allotted; (iii) Construction within the stipulated time; (iv) requiring permission before transferring any interest in the land; (v) Sharing with the Government fifty per cent of unearned increase on transfer of land; (vi) obligation

to pay ground rent regularly; and (vii) re-entry and forfeiture of premium in part or in full if any of the above conditions is not fulfilled.

- (11) It has been decided that, in the case of co-operative house building societies listed in Annexure II, the following concessions will be given:
- (a) The additional charge over and above the cost of acquisition should be recovered at half the rates mentioned in sub-paragraph (7).
  - (b) The ground rent should be recovered at Re. 1 per annum per plot for a period of 10 years and thereafter at the rate of 2.5% of the premium originally paid. The ground rent will be subject to revision after every 30 years.

In view of the concessions referred to above, only undeveloped land should be allotted to these cooperative house building societies, subject to the conditions prescribed in sub-paragraph (4) Where, however, the Cooperative House Building Societies are not in a position to develop the land, developed land will be allotted to the Society as mentioned in sub-paragraph (8).

In the case of other cooperative house building societies, whose requests for acquisition of land had been received prior to November 13, 1959, including those for which a preliminary notification under section 4 of the Land Acquisition Act, 1894 has been issued, land will be allotted as mentioned in sub-paragraph (8).

The following other conditions, in addition to the conditions mentioned in sub-paragraph (10), should be applicable to cooperative house building societies:

- (i) The Society will be required to offer to every persons who owned land on the date of the initial notification in the area proposed to be acquired, membership of the Society and to allot him land on the same terms and conditions as in the case of the original members of the Society.
- (ii) No land allotted or sold to a member of a Cooperative Society should be sold by him any form, 'benami' or otherwise, to a person who is not a member of that Society.
- (iii) No member of any cooperative house building society shall have the right to transfer or sell his plot to any other member of the society except with the permission of and in accordance with the rules that may be framed by Govt. in this behalf.

(12) The allotment of land to and the rates of premia and ground rent recoverable from:

- (i) Schools, hospitals, social, cultural and other Charitable institutions; (ii) religious, political or semi-political organizations; and (iii) Local bodies for remunerative, semi-remunerative and un-remunerative purposes will continue to be governed by the existing order of the Government of India.



- (13) In order that private investment in housing in Delhi is encouraged and to provide houses for those who prefer to live in rental accommodation, certain number of residential plots should be leased out regularly by unrestricted public auction, i.e. the condition that one should not own any other plot or house in Delhi, New Delhi or the Cantonment being waived in such cases after providing for the requirements referred to in the previous sub-paragraphs. The auction price in such cases will be the premium and ground rent shall be charged at 2.5% of such price from the date of allotment of the plot subject to revision after every 30 years. Other conditions of allotment mentioned in sub-paragraph (10) (b) (c) & (d) should apply.
- (14) It has been decided that the entire responsibility for the acquisition, development and disposal of land under the scheme should be that of the Chief Commissioner, Delhi.
3. It is understood that steps have been taken to acquire about 300 acres of land and to make available about 2,000 plots for disposal by auction by October, 1961. Necessary action should be taken expeditiously in this regard.
4. In demarcating areas for acquisition, care should be taken to demarcate such areas where water supply and power could be made available.

### **Appendix No. 23.2**

**Statement showing one-time conversion charges for various size of plots/categories of flats/tenements allotted by Delhi Development Authority/Slum Wing (DDA) and flats constructed by Group Housing Societies on land leased by Delhi Development Authority.**

**(A) For Plots**

<i>Plot area in Sq. Metres</i>	<i>Conversion fee to be calculated on the following basis</i>	<i>Formula for calculating conversion fee</i>
Upto 50	NIL	NIL
Above 50 and up to 150	7.5% of notified land rate per sq. mtrs. For area above 50 sq. mtrs. .075xRx (P-50)	
Above 150 and up to 250	Conversion charges applicable to 150 sq. mtr. plus 10% of notified land rate per sq. mtr. for area above 150 sq. mr.	(7.5 x R) plus [0.1xR (P-150)]

Above 250 and up to 350	Conversion charges applicable to 250 sq. mtr. plus 15% of notified land rate per sq. mtr for area above 250 sq. mtrs.	(17.5xR) Plus [0.15xRx (P-250)]
Above 350 and up to 500	Conversion charges applicable for 350 sq. mtrs. Plus 20% of notified land rate per sq. mtrs. for area above 350 sq. mtrs.	(32.5xR) Plus [0.2xRx (P-350)]

P = Plot area in Sq. Mtr.

R = Land rates for residential purposes in rupees per Sq. Mtr. as notified in Appendix 23.4 for period up to 31.3.1993. For the period beyond 31.3.1993 the notified land rates applicable for calculating the conversion charges would be those prevailing on the date of conversion.

**(B) For Flats/tenements allotted by Delhi Development Authority and its slum wing on leasehold basis:**

<i>Category of flats/tenements</i>	<i>East Zone</i>	<i>North/West Zone</i>	<i>South Zone</i>	<i>Central Zone</i>
Janta	NIL	NIL	NIL	NIL
LIG	3,000	9,000	12,000	15,000
MIS/SFS (i) Type-II	4,250	12,750	17,000	21,250
SFS (II)/HIG/Type-II-A/Type-II-B	6,250	18,750	25,000	31,250
SFS (III)	7,500	22,500	30,000	37,500

**(C) For Flats Constructed by Group Housing Societies on Land Allotted by Delhi Development Authority**

(in Rs.)

<i>Plinth area of flat/tenement in Sq. mtrs.</i>	<i>East Zone</i>	<i>North/West Zone</i>	<i>South Zone</i>	<i>Central Zone</i>
30 and Below	NIL	NIL	NIL	NIL
Above 30 and Up to 50	3,000	9,000	12,000	15,000
Above 50 and Up to 75	4,250	12,750	17,000	21,250
Above 75 and Up to 100	6,250	18,750	25,000	31,250
Above 100 and Up to 125	7,500	22,500	30,000	37,500
Above 125	Conversion charges would be on the basis of the formula for built plots referred to in part "A" of Appendix No. 23.2. The plot area would be deemed to be 1.2x Plinth Area of the flats.			

## Appendix No. 23.3

Statement showing additional conversion charges for covered area put to other than residential use. (This would be in addition to the nominal conversion charges payable as per Appendix 23.2)

**(A) For Built-up Plots**

<i>Plot area in Sq. Mtrs.</i>	<i>Additional conversion fee to be calculated on the following basis.</i>	<i>Formula for calculating additional conversion fee.</i>
Upto 50	20% of notified land rate per sq. mtr. of covered area put to non-residential use.	0.2xRxM
Above 50 to 150	22.5% of notified land rate per Sq. Mtr. of covered area put to non-residential use.	.225xRxM
Above 150 and Up to 250	30% of notified land rate per sq. mtr. of covered area put to non-residential use.	3xRxM
Above 250 and Up to 350	45% of notified land rate per Sq. Mtr. of covered area put to non-residential use.	.45xRxM
Above 350 and Up to 500	60% of notified land rate per Sq. Mtr. of covered area put to non-residential use.	.60xRxM

**(B) For Flats/tenements Allotted by Delhi Development Authority and its Slum Wing on Leasehold Basis:**

<i>Category of flats/tenements</i>	<i>East Zone</i>	<i>North/West Zone</i>	<i>South Zone</i>	<i>Central Zone</i>
Janta	Mx225	Mx675	Mx900	Mx1125
LIG/MIG/SFS (I) TYPE-II SFS (II)/HIG/TYPER-II-A/TYPER-II-B SFS (III)	Mx250	Mx750	Mx1000	Mx1250

**(C) For Flats Constructed by Group Housing Societies on Land Allotted by Delhi Development Authority.**

<i>Plinth area of flat/tenement in Sq. mtrs.</i>	<i>East Zone</i>	<i>North/West Zone</i>	<i>South Zone</i>	<i>Central Zone</i>
30 and below	Mx225	Mx675	Mx900	Mx1125
Above 30 and Up to 125	Mx250	Mx750	Mx1000	Mx1250
Above 125	The additional conversion charges would be on the basis of the formula for built up plots as referred to in Part (A) of Appendix No. 23.3 : the plot area would be deemed to be 1.2xplinth area of the flat.			
M =	Covered area in sq. mtrs put to other than residential use.			

**Note:** Rates for calculating additional conversion charges area based on conversion fee of Rs. 3000 in respect of LIG flat in East Zone. Proportionate increase in additional fee will be made in case any change in conversion fee in the rates specified in Appendix No. 23.2 is notified.

## Appendix No. 23.4

### Schedule of Market Rates of Land in Delhi/New Delhi Applicable for Conversion Up to 31.3.1993

<b>Sl. No.</b>	<b>Name of Locality</b>	<b>Residential</b>
<b>ZONE - I Central Zone</b>		
1.	Connaught Place	8000/-
2.	Connaught Circus	8000/-
3.	Connaught Place Exten. up to Commercial Zone	8000/-
4.	Barakhamba Road (Beyond Connaught Place Extn.) up to Commercial Zone.	8000/-
5.	Curzon Road beyond Connaught Place Extn. Up to Commercial Zone.	8000/-
6.	Hanuman Road (Commercial Zone)	8000/-
7.	Janpath (Beyond Connaught Place Exten. up to Windsor Place)	8000/-
8.	Bhagwan Dass Road	8000/-
9.	Hailey Road.	8000/-
10.	Hanuman Road (Res. Zone)	8000/-
11.	Baird Road	8000/-
12.	Jain Mandir Road	8000/-
13.	Jantar Mantar Road beyond Connaught Place Extn.	8000/-
14.	Lady Harding Road.	8000/-
15.	Mandir Marg	8000/-
16.	Area Outside the Extended Commercial Zone, Parliament Street.	8000/-
17.	Minto Road	8000/-
18.	Punchkuin Road	8000/-
19.	Bhagat Singh Market	8000/-
20.	Babar Road	8000/-
21.	Krishna Market Pahar Ganj	8000/-
22.	Mathura Road Press	8000/-
23.	Jhandewlan	8000/-
24.	Motia Khan (including 'c' Type Tenements.	8000/-

NB: The DDA flats located in the following localities would also fall under the Central Zone:-  
Motia Khan, Sarai Khalil, Turkman Gate.

#### ZONE-II South Zone

1.	Khan Market	6000/-
2.	Diplomatic Enclave	6000/-

3.	Diplomatic Enclave Exten.	6000/-
4.	Golf Links	6000/-
5.	Aurangzeb Road	6000/-
6.	Prithivi Raj Road	6000/-
7.	Tis January Marg	6000/-
8.	Ratendon Road	6000/-
9.	Humayun Road.	6000/-
10.	Jor Bagh	6000/-
11.	Sunder nagar	6000/-
12.	Andrews Gang	5500/-
13.	Sadiq Nagar	5500/-
14.	Defence Colony	5000/-
15.	R.K. Puranm	5000/-
16.	Moti Bagh	5000/-
17.	Lodi Road	5000/-
18.	Lodi Estate	5000/-
19.	Aliganj	5000/-
20.	Sewa Nagar	5000/-
21.	Lajpat Nagar facing Ring Road	4000/-
22.	Lajpat Nagar (I to V)	4000/-
23.	Nizamuddin	4000/-
24.	Jangpura	4000/-
25.	Kalkaji	4000/-
26.	Malviya Nagar Extn. and Old	3600/-
27.	M.B. Road	3600/-
28.	Vasant Vihar (DDA Land)	5750/-
29.	Anand Niketan	5750/-
30.	Shanti Niketan	5750/-
31.	Anand Lok	5750/-
32.	Panchsheel Park	5750/-
33.	Gulmohar Park	5750/-
34.	West End	5750/-
35.	Niti Bagh	5750/-
36.	Maharani Bagh	5750/-
37.	New Friends Colony	5750/-
38.	Friends Colony	5750/-
39.	Greater Kailash	5750/-
40.	Safderjung Area Enclave	5175/-
41.	Masjid Moth	4600/-
42.	Chirag Enclave	4600/-
43.	C.P.R. Colony	4600/-
44.	East of Kailash	4600/-
45.	Sarvodya Colony/Enclave	4600/-
46.	Sadhna Enclave	4150/-
47.	Cosmopolitan House Bldg. Society	4150/-

NB: The DDA flats located in the following localities would also fall under the South Zone:

Alaknanda, Badar Pur, Basant Gaon, Ber Sarai, Bhim Nagri, Chiragh Enclave, Dakshinpuri, E.P.D.P. Colony, Friends Colony, Gautam Nagar, Greater Kailash, Hauz

Khas, Jasola Kalkaji, Katwaria Saria, Khiri, Kishan Garh, Kiolkri, Lado Sarai, Madangir, Madanpur, Khaddar, Malviya Nagar, Mandakani Enclave, Masjid Moth, Munirka, Niti Bagh, Panchsheel Marg, Pul Pehlad Pur, Safdarjung Development Area, Safdarjung Enclave, Saket, Sarai Julaina, Sarita Vihar, Sarvapriya Vihar, Sunlight Colony, Tamoor Nagar, Tigri, Sidharth Extn., Sukdev Vihar, Vasant Kunj, Vasant Vihar, Vijay mandal Enclave, Yusuf Sarai, Kalu Sarai, Shahpur Jat, Sheikh Sarai, Usha Niketan.

### ZONE III West Delhi

1.	Ajmal Khan Road	5000/-
2.	Gaffar Market	5000/-
3.	Karol Bagh	5000/-
4.	M.M. Road	5000/-
5.	Rani Jhansi Market	5000/-
6.	Link Road (Karol Bagh)	5000/-
7.	Desh Bandhu Gupta Market	5000/-
8.	Patel Nagar (East, West & South)	5000/-
9.	Rajinder Nagar (Old & New)	5000/-
10.	Rohtak Road (Old & New)	4000/-
11.	Najafgarh Ind I. Area	3000/-
12.	Rameshwari Nehru Nagar	3000/-
13.	Moti Nagar	3000/-
14.	Sarai Rohilla	3000/-
15.	Tilak Nagar	3000/-
16.	Tihar I & II	3000/-
17.	Ramesh Nagar	3000/-
18.	Industrial Area Extn.	3000/-
19.	Tagore Garden	2470/-
20.	Naraina	2630/-
21.	Vikas Puri	990/-
22.	Janakpuri	1480/-
23.	Paschimpuri (Paschim Vihar)	1320/-
24.	Chaukhandi	1320/-
25.	Nangloi	1320/-

NB: The DDA flats located in the following localities would also fall in the West Zone:-

Bodella, Hari Nagar, Hastal, Jaidev Park, Jwala Puri, Khyala, Madi Pur, Maya Puri, Naraina, Pankha Road, Paschim Vihar, Peera Garhi, Possangi Pur, Prasad Nagar, Punjabi Bagh, Raghubir Nagar, Rajouri Garden, Rehgr Pura, Sultan Puri, Tagore Garden, Toda Pur, Madipur Rohtak Road, Mansarover Garden.

## ZONE-IV North Delhi

1.	Kamla Nagar	3000/-
2.	Roop Nagar	3000/-
3.	Shakti Nagar	3000/-
4.	Qutab Road	3000/-
5.	Roshnara Road	3000/-
6.	Lajpat Rai Market	3000/-
7.	Ansari Market	3000/-
8.	Jawahar Nagar	3000/-
9.	Khurshid Market	3000/-
10.	Teliwara	3000/-
11.	Azad Market	3000/-
12.	Mall Road	3000/-
13.	Rajpur Road	3000/-
14.	Malka Ganj	3000/-
15.	Alipur Road	3000/-
16.	Gokhale Market	3000/-
17.	Hathi Khana	3000/-
18.	Khanna Market (Near Tis Hazari)	3000/-
19.	Lahna Singh Market	3000/-
20.	Nicholson Road	3000/-
21.	Vijay Nagar	3000/-
22.	Ashok Market	3000/-
23.	Subzi Market	3000/-
24.	Indira Nagar	2500/-
25.	Azad Pur	2500/-
26.	Andha Mughal	2500/-
27.	Band Stand Area Ext. (BSA)	2500/-
28.	Bharat Nagar	2500/-
29.	Gur-Ki-Mandi	2500/-
30.	Gulabi Bagh	2500/-
31.	Kingsway Camp	2500/-
32.	Timarpur	2500/-
33.	Anagroori Bagh	2500/-
34.	Edward Lines	2500/-
35.	Hakikat Nagar	2500/-
36.	Hudson Lines	2500/-
37.	Wazir Pur/Ashok Vihar	3225/-
38.	Sri Nagar	3225/-
39.	Shalimar Bagh	2370/-
40.	Pitampura	1510/-
41.	Haiderpuri (Prashant Vihar)	1510/-
42.	Bharola	1510/-
43.	Rohini	1510/-
44.	G.T. Karnal Road	3000/-
45.	Malik Pur Chhawani, Raj Pur Chhawani	3000/-
46.	Tagore Park	2470/-

NB: The DDA flats located in the following localities would also fall in the North Zone:



Avantika, Jahangir Puri, Lawrence Road, Mangol Pur, Ram Pura, Sarai Rohilla, Shakur Pur.

### **ZONE-V East Delhi**

1.	Jheel Kuranja	1200/-
2.	Geeta Colony	1200/-
3.	Jhilmil	1330/-
4.	Yamuna Vihar	1330/-
5.	Other Colonies of Trans Yamuna Area	1330/-

NB: The DDA flats located in the following localities would also fall under the East Zone:

Anand Vihar, Bhatnagar, CHBS, Chilla Village, Dilshad Garden, East of Loni Road, Gazipur, Himmat Puri, Kondli Gharoli, Kalian Puri, Mayor Vihar, Mansarover Park, Nirman Vihar Nand Nagri, New Seelampur, Priya Darshni Vihar, Shastri Park, Trilokpuri, Vivek Vihar.

### **NARELA & OTHER OUTLYING COLONIES 850/-**

Note: The Localities for which no market rates of land have been indicated above, the market rates of land, shown as above, for the adjoining/comparable locality may be made applicable.

## **MAP 23.1: Important Components of Urban Land Development Policy**

- ***Law of Land and Modifications in Various Acts***
  - Land Acquisition Act
  - Urban Land Ceillings & Regulations Act
  - Slum Areas Improvements and Clearance Act
  - Development Act
  
- ***Planning and Development of physical, Social, Economic and Ecological Infrastructure***
  
- ***Disposal of Land***
  - Freehold or Leasehold or
  - Combination of the Two by Way of Allotment or Auction
  
- ***Land Management***
  - Identification of Ownership of Land Various Authorities Including of Private.
  - Keeping of Records on Computer Systems
  
- ***Maintenance of a Colony***
  - External Façade of Buildings and Common Horizontal and Vertical Circulation
  - Physical Infrastructure with the Complex
  - Street Furniture within the Complex