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26/9/03

DELHI DEVELOPMENT AUTHORITY
COORDINATION LAND DISPOSAL

No. F4(43)96/Coordn/LD/

Dated: 25/02/03

CIRCULAR

Sub: Conversion of lease hold tenure system into free hold.

In continuation of the Circulars issued with respect to the conversion of lease hold built-up residential properties into free hold, it is clarified that in all such cases where the person/persons holding GPA has/have expired then conversion application(s) may be accepted from the person(s) holding the agreement to sell, in case the two are different persons.

In the case of death of the GPA as well as agreement to sell holder then in such cases the applications filed by the legal heirs of the agreement to sell holder for conversion of the property from lease hold to free hold may be entertained. In these cases substitution in favour of legal heirs of agreement to sell may be allowed and thereafter the conversion application(s) may be processed. All other formalities of conversion scheme shall be followed as usual.

This issues with the approval of the L.G., Delhi.

(K.D. Reddy)
Dy. Director (Coordn.) LD

Copy forwarded for information to:

1. Director(Lands)
2. Director(RL)
3. Director(Housing) I & II
4. OSD to L.G., Delhi
5. Dy. Director(LAB) Resdl.
6. Dy. Director(LAB) Rohini
7. Dy. Director(GH/CS)
8. Dy. Director(OSB)
9. Dy. Director(LAB) Housing
10. Dy. FA(II) DDA
11. Accounts Officer(RL/CS/Rohini)
12. PS to VC, DDA
13. PS to FM, DDA
14. PS to CLD
15. PS to Commr.-cum-Secy

[Signature]
Dy. Director (Coordn.) LD 25/2/03

*Please circulate
among ADs for
compliance 27/2/03*

Fa(85)83/Pt-

**DELHI DEVELOPMENT AUTHORITY
LEASE ADMN. BRANCH (HOUSING)**

No.F.43(327)85/SFS/LAB(H)/DDA/144

Dated: 22 June 2005

CIRCULAR

It has been decided that after conversion of flat from lease hold to free hold and on execution and registration of Conveyance Deed, the request of the allottee/purchaser for issue of certified copies of documents i.e. demand-cum-allotment letter, possession letter, NOC to electric and water connection and challan(s) of payment of cost of flat etc. shall not be entertained.

This issue with the approval of Commissioner(Housing)

(C.P. Gupta)
Dy..Director(LAB)H

Copy to:-

1. P.S. to Commissioner(Housing)DDA.
2. Director(H)I.
3. Director(H)II
4. All Asstt.Directors(LAB)Housing)
5. All Dealing Assistants(LAB)Housing.
6. Guard File

33
Dy.Director(LAB)H.

**DELHI DEVELOPMENT AUTHORITY
COORDINATION (LAND DISPOSAL)**

F.6(09)/2005/coordn.(LD)/UEI/286

Dated 16.8.05

CIRCULAR

In supersession of all previous circulars, the following guidelines for computing Unearned Increase (UEI), are issued:

- 1) The crucial date for determining the market rate of calculation of UEI would be the date of transaction; whether in the form of sale/transfer of shares etc. In cases of 'WILL' which is not in blood relation, the crucial date would be the date of death of lessee/allottee.
- 2) The amount of UEI thus calculated on the basis of crucial date would be updated at the rate of 18% annum till the date of intimation of transfer/application for conversion or mutation is received, complete in all respects.
- 3) No interest would be charged from the date of submission of complete application for transfer/change in ownership/constitution till the date on which the formal communication of demand is issued after approval of transfer, change in constitution etc. Further, no interest will be charged upto 60 days from the date of issue of demand. Thereafter, interest @ 18% per annum would be levied till the date of payment. Rate of interest in such cases will be at the rate of 12.5% per annum where the demand letter has been issued after 31st March, 2001, when the delay is 30 days or less and at the rate of 15% per annum for the period of delay beyond 30 days.
- 4) All the old settled cases where demand has been realised will not be re-opened. In cases where demand has been issued and the same is revised in view of these guidelines interest would be payable from the date of issue of Demand letter as stated in para 3 above.

This issues with the approval of LG in file No. 6A(193)67/LSB(I).

Sd/-

(SANJEEV KUMAR)
DY.DIRECTOR (COORDN.)LD

Copy to:

1. Commissioner(Housing)
2. Chief Legal Adviser
3. Financial Adviser(Housing)
4. All Director (Land Disposal), DDA
5. Director (Building)
6. Dy.CAO(LC)

No.F.12(42)2000/M.A./cs/ Pt./ 3412

DELHI DEVELOPMENT AUTHORITY
VIKAS SADAN
I.N.A.
NEW DELHI

Dated: 7.11.2005

CIRCULAR

In Continuation of this office order No. A.O.(P)/ Misc./ Comp. Fee/ Pt. II/ 145, dated 24.7.2001, it has been decided that in those conversion cases where applications are received with self Assessment of House Tax on Unit Method adopted by MCD w.e.f. 1.4.2004; & duly supported by permanent water / electricity connection receipt, Ration card etc. The site may be got inspected to ascertain the status of construction as well as confirmation that the Bldg., has been made as per sanctioned Building Plan/ by laws with permissible covered area and after completing all formalities, action to process the conversion application may be taken on the basis of these documents. A minimum built up area comprising at least 1/3 rd of the permissible ground coverage as a self contained dwelling unit will be mandatory for processing such requests for conversion.

This issues with the approval of the V.C., DDA in the part file No. F.12(42)2K/M.A./cs/ DDA/Pt.

Sd/-
Commissioner (LD)

Copy forwarded for kind information to:

1. The Principal Commissioner, DDA.
2. The Commissioner (LD).
3. The Chief Legal Advisor, DDA.
4. The C.V.O., DDA
5. The Director (RL), (Lands)DDA.
6. The Director(Land costing)DDA.
7. All Dy. Directors (Land Disposal Wing)DDA.
8. Dy. Director(Survey) & Bldg.(Residential), DDA.
9. Sr. A.O.(CS/ Res. Land, DDA.

Sd/-
Dy. Director (CS)

**DELHI DEVELOPMENT AUTHORITY
LEASE ADMN. BRANCH(RESDL.)**

No. F.16(2686)75/LAB(R) / 11491

Dated /6-11-05

CIRCULAR

In supersession of this office circular issued vide No.F.3(107)63/LAB(R)/DDA/3974 dated 13.4.2005 the same may be read as under :

"The existing guidelines for mutation relating to family members are amended by extending their coverage to widows and children of pre-deceased son and daughter of the deceased allottee. The relinquishment deed executed by the wife and children of pre-deceased son/daughter in favour of brother/sister of their pre-deceased husband/father/mother & vice-versa shall be treated as a transaction within the family and no unearned increase shall be attracted provided the same is without any financial consideration."

In such matter the mutation/substitution shall be decided at the level of Deputy Director as it is a transaction within the family.

This issues with the approval of Vice-Chairman, DDA in consultation with Chief Legal Advisor, DDA.

(SANJEEV KUMAR)
DY. DIRECTOR(LA)

Copy to :

1. Commissioner(Housing) DDA
2. Chief Legal Advisor, DDA
3. Director(Land Costing), DDA
4. O.S.D.(R.L.)
5. Sr. Law Officer(LD)
6. Sr. Accounts Officer(RL)
7. Sr. Accounts Officer(R)
8. Asstt. Director(R),(LA)-I & II.
9. Asstt. Director(Coordination)Lands for circulating the same to other branches of Land Disposal.
10. Programme Asstt. LSB(Resdl.)


DY. DIRECTOR(LA)

**DELHI DEVELOPMENT AUTHORITY
OFFICE OF DIRECTOR (COORDN)/ LAND DISPOSAL**

No. F1 (1)06/DCE/DDA/468

Dated: 28.11.2006

CIRCULAR

Subject: Action against encroachment on govt land and un-authorized construction by the owners of commercial plots/built-up units

The roles of various departments of DDA in checking unauthorized construction/encroachment on Govt. land by the owners of commercial plots/builtup shops are hereby clarified as under:

I- Market in the development area i.e. where services and maintenance have not been handed over to MCD

A- Action against encroachment

The action against encroachment on govt land either by owners of commercial plots or by owners of built-up units, to be taken by the concerned division for removal for the same in co-ordination of the LM Branch. The CL or CE Branch should be intimated about such violations so that action for determination of lease can be taken in case of leased properties if the violations have been done by the Lessee. If the property is free-hold then no action can be taken under the term & conditions of lease.

B- Action against un-authorized construction

The action against un-authorized construction by a owner of commercial plot to be taken by the Building Department and in case of built-up unit action to be taken by the concerned division. The CL or CE Branch should be intimated about such violations so that action for determination of lease can be taken. If the property is free-hold then no action can be taken under the term & conditions of lease.

II- Markets where services and maintenance have been handed over to MCD

A- Action against encroachment

The action against encroachment on govt land either by owners of commercial plots or by owners of built-up units, can be taken by the MCD. The CL or CE Branch should be intimated by MCD about such violations so that action for determination of lease can be taken in case of leased properties if the violations have been done by the Lessee. If the property is free-hold then no action can be taken under the term & conditions of lease.

B- Action against un-authorized construction

(a) If Building activities have also been transferred to MCD

The action against un-authorized construction by an owner of commercial plot/ built-up unit can be taken by the MCD. The CL or CE Branch should be intimated by MCD about such violations so that action for determination of lease can be taken in case of leased properties. If the property is free-hold then no action can be taken under the term & conditions of lease.

(b) If Building activities have not been transferred to MCD

The action against un-authorized construction by a owner of commercial plot to be taken by the Building Department of DDA and in case of built-up unit action to be taken by the concerned division of DDA. The CL or CE Branch of DDA should be intimated about such violations so that action for determination of lease can be taken in case of leased properties. If the property is free-hold then no action can be taken under the term & conditions of lease.

This is issued with the prior approval of VC, DDA.

(Sanjeev Kumar)

Dy. Director (Coordination)/LD

Copy to:

1. Chief Engineer (HQ), DDA
2. Director(Building), DDA
3. Director(Commercial),DDA
4. OSD(Land), DDA
5. OSD(RL),DDA
6. Dy. Director(CL) & Dy. Director(CE), DDA
7. PS to VC,DDA
8. PS to EM for kind information of EM with the request to bring it in the notice of all concerned divisions and other engineering staff
9. PS to CLD for kind information to CLD
10. PS to CLM for kind information of CLM

**DELHI DEVELOPMENT AUTHORITY
(LAND SALES BRANCH (INDUSTRIAL))**

NO. F. 11(61)77/LSB(I)/2989

Dated. 13.7.07

CIRCULAR

In supersession of circular of even number dated. 5.2.07, it has been decided that violations in setbacks should be no bar for conversion of leasehold right into freehold in respect of the industrial properties and the cases be dealt in following manner:

1. In cases, where no use violation exist in the setbacks, the conversion be processed without charging any penalty. In such cases a letter be sent simultaneously to the concerned department of DDA or MCD as the case may be for removal of the set back violations.
2. In cases where use violations exist in the setbacks and the setbacks are being used for other than the industrial use vis Residential/Commercial, the conversion will be processed after charging misuse for the use violations. Thereafter, the matter will be referred to the concerned department of DDA or MCD, as the case may be.

This issues with the approval of Vice Chairman, DDA

Sd/-

(Asma Manzar)
Commissioner (LD)

Copy to:

1. Director (lands)
2. Dy.Director(coordn)
3. Dy.Director(Indl.)
4. Asstt.Director (Indl.) 1 & 2
5. Sr.Accounts Officer (IL)
6. All Dealing Assistants.

**DELHI DEVELOPMENT AUTHORITY
COMMERCIAL ESTATE BRANCH**

File No. F. 1(61(86) Impl /CE

Dated: 1.2.2008

CIRCULAR

Subject: Restoration of allotment in re-location schemes/evictees and allotment under ST and SC reserve categories.

It has been decided by the Competent Authority that in cases of built-up commercial properties where the allotments have been cancelled because of delay in payment of premium/installments/interest, but possession is still with the allottee, allotment can be restored at the level of the Commissioner (LD) subject to payment of balance premium, interest, restoration charges and other applicable charges. The restoration charges in such cases will be levied @ 2.5% of the current average auction rate of the concerned area. [For example: If current average auction rate of the area is Rs. 75,000 per sqmtr then restoration charges for a shop measuring 10 sq mtr will be Rs. 18750/-].

This circular will apply only to past allotment cases where the term & conditions provides for handing over of possession on certain part payment.

Explanation: This circular will not apply to cases:-

1. Where allotment of built-up commercial property has been done after issuance of this circular though the category of allotment is one of the above mentioned categories.
2. Where disposal of built-up commercial property has been done through auction/tender mode.

(Asma Manzar)
Commissioner (LD)

Copy to:

1. OSD to VC, DDA
2. PS to FM, DDA
3. PS to EM, DDA
4. PS to PC, DDA
5. Director (CL) & Dy. Director (CE), DDA
5. CAO/FA (H), Dir (LC) DDA
6. Sr.L.O/LD, DDA
7. Dy. Director (Co-ordn.)LD, DDA

DELHI DEVELOPMENT AUTHORITY
OFFICE OF DEPUTY DIRECTOR (COORDINATION)

F.4(43)96/Coordn./LD/ 28

Dated:- 7.4.08

CIRCULAR

It has been observed that in many conversion cases due to change of hands the present occupants/purchasers are not able to produce NOC from the mortgagee. To give relief to the applicant it is hereby ordered that conversion should be allowed in all such cases without insisting on N.O.C. subject to the following:-

- i) It should be ensured by the concerned Deputy Director/Assistant Director that the present purchaser/occupant has all the original papers such as allotment letter, lease deed, possession letter etc.
- ii) An Indemnity Bond to the effect that the property under reference is not mortgaged and if at any later stage it is found that the property is under dispute or under mortgage, DDA shall cancel the Conveyance Deed, obtained from the applicant to protect DDA's interest.

This issues with the prior approval of Vice-Chairman.

(MRS TRIPTHA KHANNA)
DEPUT DIRECTOR (COORDINATION)

Copy for information to:

- 1 O.S.D. to V.C
- 2 Sr. P.S. to V.C.
- 3 Sr.P.S. to Pr. Commissioner,
- 4 SrP.S. to F.M.
- 5 Sr. P.S.to CLD
- 6 Sr. P.S to Commr.(H)
- 7 Sr. P.S. to CLA.
- 8 Sr. P.S. to C.A.O.
- 9 F.A.(H).
- 10 Dir.(LC).
- 11 Dir. (H) I &II.
- 12 Dir.(Coordination)
- 13 Dir.(CL)
- 14 Dir.(CL)
- 15 All DDs(LD)
- 16 All DDs(Housing)
- 17 All Dy. CAOs(LD)
- 18 All Dy. CAOs(H)

Khanna
7-4-08
Dy. Dir.(Coordination)LD

DELHI DEVELOPMENT AUTHORITY
OFFICE OF COMMISSIONER (LD)

No: F.26(1)07/Coordn(LD)/67

Dated: 9th April 2008

CIRCULAR

In supersession of this office circular No. F26(1)07/Coordn (LD)/ 24 dated 31st March, 2008, revised circular is as follows:-

The conversion policy was formulated by MOUD in 1992 and circulars on the subject have been issued from time to time by DDA. In order to streamline the process of conversion cases, the gist of relevant instructions issued from time to time with necessary clarifications are re-produced below:

[a] Conversion will be allowed without any site inspection. Site inspection should be carried out only if there are previous notings in the file or specific complaints regarding unauthorized construction or misuse in the file.

[b] Conversion of leased properties irrespective of any building violations or use violations will be allowed and a letter will be sent to MCD or Building Department of DDA for taking appropriate action s per rules.

[c] However, in case of commercial property, unauthorized construction within plot area may be taken as misuse since it tantamount to increase in usable area/ FAR.

[d] Conversion will be allowed after recovery of past misuse charges as per policy whether earlier demanded or not.

[e] In the cases where allotment has been cancelled or lease has been determined on account of unauthorized sale, conversion will be allowed after obtaining approval of Competent Authority for restoration of allotment/lease deed and on recovery of Restoration Charges.

[f] If lease has been determined and allotment has been cancelled on account of unauthorized construction and misuse, the lease will be restored without insisting on removal of breaches and conversion will be allowed subject to payment of all penal charges. This will also be applicable in the cases wherein GPA and Agreement to sell has been executed after determination of lease deed or cancellation of allotment. (*As modified vide circular no. F.26 (1) 07/Coord/ LD/06 dated 9.2.2009*)

[g] In case of unauthorized encroachment on public land, conversion shall be allowed only after removal of encroachment and recovery of damage till the date of removal of encroachment.

[h] In the cases where lease have been determined or allotment have been cancelled after the date of GPA or Agreement to Sell, conversion may be allowed subject to recovery of restoration charges and other dues payable by the lessee.

[i] In case of any dispute regarding title of property, conversion will not be allowed and the applicant will be advised to settle their claim before the court of law as DDA is not a forum to settle such issues.

[j] In case complaints are received against conversion, the complainant will be given an opportunity to prove his claim. If the complainant does not appear despite giving reasonable opportunity, conversion will be allowed.

[k] Conversion is allowed on the basis of completion certificate or Form 'D'. If completion certificate of form 'D' is not available, conversion is being allowed on the basis of house tax assessment order alongwith supporting documents. A site inspection should be carried out only where conversion is being sought on the basis of House Tax Assessment order where built up area is not indicated and in case of Self Assessment of House Tax on unit method adopted by MCD w.e.f. 1.4.2004. However, the scope of inspection should be limited to ascertain whether allottee has utilized/constructed 100% FAR in commercial & industrial plot and in residential plots, 1/3rd of the permissible coverage at ground floor by constructing self contained dwelling unit. The self contained dwelling unit means a minimum accommodation for a family with living room, kitchen, bath WC or a toilet. (As modified vide circular no. F.26 (1) 07/Coord/LD/19 dated 8.4.2009)

[l] In case of unauthorised construction and misuse, irrespective of any building violations or use violations of Master Plan, the conversion of all leased properties would be permitted subject to recovery of misuse charges whether earlier demanded or not. The violations of building bye-laws or master plan is a subject matter of Enforcement Branch, MCD/DDA.

No site inspection should be carried out before allowing conversion except if in the file or in the survey report or any document establishes that premises is being misused. In such cases, site inspection should be carried out to ascertain the area and period of misuse for calculating misuse charges.

[m] In order to ascertain clearance of all the dues, the Lease Administration Officer before execution of the conveyance deed must ensure that all the payments

received have been realised/verified and no dues report obtained from Finance Wing.

[n] Where a Show Cause Notice is issued for unauthorized sale for committing breach of terms and conditions of the lease deed and thereafter, conversion application is received from the GPA, the Show Cause Notice shall be deemed to be withdrawn and conversion applications be processed.

[o] House Tax Receipts issued by MCD after adoption of Self House Tax Assessment on Unit method shall not be considered as proof of physical possession for the purpose of conversion.

All concerned officers should dispose of conversion applications keeping in view the above parameters/instructions.

Sd/-
(Asma Manzar)
Commissioner (LD)

1. Director (RL)
2. Director (Lands)
3. Director (CL)
4. Director (Housing) I
5. Director (Housing) II
6. F.A. (H)
7. Director (LC)
8. All Dy. Directors of LD/Housing Deptt.
9. P.S. to P.C for kind information of the latter.

**DELHI DEVELOPMENT AUTHORITY
COMMERCIAL ESTATE BRANCH**

File No. F37 (11)1975/IMPL/2490

Dated: 6.5.08

CIRCULAR

In partial modification of earlier Circular No. F.93(234)2000/ CE/1048 dated 28.11.2003 amalgamation of two or more built up shops of DDA are permitted subject to following conditions.

- 1) Structural safety certificate from the concerned Divisional Engineer of DDA.
- 2) Common ownership of shops proposed for amalgamation.
- 3) Payment of 10% of the market value of the total area of all the amalgamated shops prevalent at the time of application for amalgamation or the market value of the extra floor space generated by way of amalgamation, whichever is greater, as amalgamation charges.

This is issued with the approval of Competent Authority.

Sd/-
Commissioner (LD), DDA

Copy to:

1. All Chief Engineer with the request to circulate it among the Engineering Wing.
2. Chief Architect, DDA
3. Director (CL), DDA
4. Director (Bldg.), DDA
5. Director (LC), DDA
6. FA (H), DDA
7. Dy. Director (CE), DDA
8. OSD to VC, DDA
9. PS to Principal Commissioner, for information of PC
10. PS to FM for the information of FM

DELHI DEVELOPMENT AUTHORITY
OFFICE OF COMMISSIONER (LAND DISPOSAL)

No. F.2 (163)07/A.O. (P)/DDA /38

Dated: 2nd June, 2008

CIRCULAR

In order to further streamline the process of conversion of industrial properties from leasehold to freehold, it has been decided with the approval of competent authority that no misuse charges will be levied in case industrial property has been used for **industrial activities** other than the ones permitted as per allotment letter/lease deed provided such other industrial activities on the particular property are in conformity of Master Plan.

Provided that non- levy of misuse charges, at the time of conversion, as per above will not amount to change of use/land use of the property unless use/land use of the property has been specifically changed on payment of applicable charges if any.

Further provided that use of basement for any industrial or commercial activities will continue to be treated as misuse and misuse charges to be levied unless such use is specifically permitted as per allotment letter/lease deed/disposal conditions.

Note: Past cases where misuse charges have already been deposited will not be re-opened and no refund claim will be allowed. However, cases at different stages of processing for levying misuse charges will be covered under this circular.

[Clarification vide letter no. F.64 (4)80/Impl/CL3133 dated 10th September 2009 that the circular specifically exclude those cases where misuse charges have already been deposited. Hence cases where misuse charges have been communicated but not deposited are covered under this circular.]

[Clarification vide letter no. F.8(4)71LSB(I)/2512 dated 20th August 2009 that in case of use of basement/mezzanine floor for any permissible industrial activity will not be treated as misuse of the industrial plot if the basement/mezzanine was a part of FAR]

(ASMA MANZAR)
Commissioner, LD

Copy to:

1. All Directors and Dy. Directors of LD Department
2. Director(LC)
3. Financial Advisor (Housing)
4. OSD to LG for kind information of LG

**DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE COMMISSIONER [LD]**

No.F.4(10)08/Misc/AD(Cordn)/57

Dated :27th August, 2008

CIRCULAR

In order to further streamline the process of conversion of commercial plots from leasehold to freehold, it has been decided with the approval of the competent authority that:

1. General Commercial Plots (use zone C1)

No misuse charges shall be levied in case 'general commercial plot' (use zone C1) is/has been used for commercial activities other than the one specified in the allotment letter/lease deed/terms of disposal subject to the condition that such other commercial activities on that particular plot are in conformity with the activities admissible on general commercial plot (use zone C1) under MPD-2021.

2. Commercial plots of specific use

However, misuse charges shall continue to be levied if the plot which was allotted/ disposed of for a specific use/activity is used for general commercial activities or commercial use/activity other than the use/activity specified in the allotment letter/lease deed/terms of disposal of such plot. Illustrative list of such plots of specific activities are hotel plot/service apartment plot/ Guest house plot/ multiplex plot/parking plot/banquet hall plot/fuel depot plot/restaurant plot/nursing home etc.

Note:

1. Use of basement/mezzanine for any industrial commercial/residential activities will continue to be treated as misuse and misuse charges to be levied unless such use is specifically permitted as per allotment letter/lease deed/disposal conditions.
2. Non levy of misuse charges, at the time of conversion, as per above will not amount to change of use/land use of the property unless use/land use of the property has been specifically changed on payment of applicable charges, if any.
3. Past cases where misuse charges have already been deposited will not be re-opened and no refund claim will be allowed. However, cases at different stages of processing for levying misuse charges will be covered under this circular.

[Clarification vide letter no. F.64 (4)80/Impl/CL3133 dated 10th September 2009 that the circular specifically exclude those cases where misuse charges have already been deposited. Hence cases where misuse charges have been communicated but not deposited are covered under this circular.]

[Clarification vide letter no. F.8(4)71LSB(I)/2512 dated 20th August 2009 that in case of use of basement/mezzanine floor for any permissible commercial activity will not be treated as misuse of the commercial plot if the basement/mezzanine was a part of FAR]

(Asma Manzar)
Commissioner (LD)

Copy to:-

1. All Directors and Dy. Directors of LD Department.
2. Director (LC).
3. Financial Advisor(H)
4. Director (Building).
5. Commissioner(Planning)
6. OSD to LG for kind information of LG
7. OSD to VC for kind information of VC
8. PSs to FM/EM/PC for kind information of the later.

**DELHI DEVELOPMENT AUTHORITY
O/O DEPUTY DIRECTOR (COORDN.)LD**

No. 37(890)78/LAB(R)/73

Dated 7.10.08

CIRCULAR

It has been desired by the Competent Authority that before sending the file for restoration of lease/sub-lease deed, misuse charges should be calculated and consent of the lessee/sub lessee/applicant in the shape of an undertaking be obtained stating that the same shall be paid before restoration of the lease/sub-lease.

All concerned are requested to take necessary action as per the above orders.

Sd/-
(B.M. Sareen)
Dy. Director (Coordn.)LD

Copy for necessary action and compliance to:

1. Director (CL)
2. Director (Lands)
3. Director (RL)
4. All Dy. Directors of Land Disposal Branch.

Sd/-
Dy. Director (Coordn.)LD

गोपनीय शाखा

हाथी नं. 7558

दिनांक 31/10/08

DELHI DEVELOPMENT AUTHORITY
HOUSING DEPARTMENT

F.2(10)2004/N&C(H)/Part-II/235 Dated the 27/10/08

CIRCULAR

Sub: Charges for issue of duplicate certified copy of the documents

In supersession of all previous orders issued on the subject, it has been decided that, DDA will charge Rs.75/- (Rupees seventy five only) for issue of duplicate certified copy of any documents on the request of the allottees. So far as charging of Rs.2/- (Rupees two only) under RTI Act-2005 is concerned, the same may be continued but by affixing a stamp on the paper that "only for RTI purposes".

This decision will be applicable in all the Departments of the DDA.

This issues with the approval of Vice Chairman, DDA.

(Asma Manzar)

Commissioner(Housing)

1. OSD to V.C
2. OSD to F.M
3. PS to Pr.Commr(CWG)
4. PS to Pr.Commissioner
5. PS to Pr.Commr-cum-Secy.
6. Chief Vigilance Officer
7. Commissioner(LD)
8. Commissioner(Plg.)
9. Chief Architect
10. Commissioner(LM)
11. Commissioner(P) 1st GROUND FLOOR
12. Chief Legal Advisor
13. Director(H)I & II
14. Director(Lands)
15. Director(RL)
16. Director(Sports)
17. Director(System)
18. E.O.II to E.M

AD(P&C) P.2
20. 10/10/08

27/10/08

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE COMMISSIONER [LD]

No.F.26 (1)07/Cordn(LD)/ 05

Dated 2nd February 2009

CIRCULAR

Subject: Partial modification of circular issued vide letter no. F. 26(1)07/Coordn(LD) 167 dated 9.4.2008

Clause (f) of the circular no. F. 26(1)07/Coordn (LD) 167 dated 9.4.2008 has been re-examined in consultation with Legal Department of DDA considering earlier legal opinion duly accepted on 26.9.2000 by Hon'ble LG in file no. F.15 (7)79/DHLD/CS. Accordingly, the competent authority has approved partial modification of the circular dated 9.4.2008 as under:

Existing clause (f)

'If lease has been determined and allotment has been cancelled on account of unauthorized construction and misuse, the lease will be restored without insisting on removal of ~~beaches~~ ^{breaches} and conversion will be allowed subject to payment of all penal charges. However, in cases where GPA and Agreement to sell has been made after determination of lease deed or cancellation of allotment, in such cases the request of conversion will not be allowed.'

The above clause is replaced with following modified clause (f)

'If lease has been determined and allotment has been cancelled on account of unauthorized construction and misuse, the lease will be restored without insisting on removal of ~~beaches~~ and conversion will be allowed subject to payment of all penal charges. ~~As one transaction at the time conversion,~~ ^{This will be applicable also in} cases where GPA and Agreement to sell has been executed after determination of lease deed or cancellation of allotment, ~~will also be restored.'~~

Copy to:-

1. All Directors and Dy. Directors of LD Department.
2. All Directors and Dy. Directors of Housing Department.
3. Director (LC).
4. Financial Advisor(H)
5. OSD to VC for kind information of VC
6. PSs to PC and CLA for kind information of the later.

(Asma Manzar)
Commissioner (LD)

DELHI DEVELOPMENT AUTHORITY
(O/o DY.DIRECTOR (COORDN.))

No: F.4 (10)2008/AD (Coordn)/LD/24

Dated: 5.5.09

CIRCULAR

Subject: Modification of policy for calculation of composition fee for delay in construction of Residential, commercial, Institutional and Co-Operative Group Housing Societies plots

In partial modification of para 1.4(iii) of the circular No. AO(Proj.)/Misc/Comp./Pt.1/3 dated 31.10.1995 issued by Director(RL) and circular No. F.4(36)95/Coordn./LD dated 5.3.1997, Lt. Governor, Delhi has been pleased to revise the procedure for exemption of the period from the composition fee where the size of plot attracts, the provision of ULCR Act, 1976 as under:

- 1) Irrespective of the size of the plot, where the size of the plot attracts the provision of ULCR Act, 1976, the period taken from the date of submission of application under ULCR Act, 1976 to the respective competent authority to the date of repeal of the Act i.e. 11.1.1999 shall be excluded from the calculation of the composition fee treating the period as zero period. Thereafter, composition fee/rates shall be charged as per guidelines.

Sd/-
Dy. Director
(Coordn.)/DDA

Copy to:

1. Director (RL)
2. Director (Land)
3. Director (CL)
4. Director (LC)
5. All Dy. Directors of L.D
6. PS to CLD for kind information please
7. PS to PC for kind information please.

Sd/-
(Coorn,)/DDA

DELHI DEVELOPMENT AUTHORITY
MASTER PLAN FOR DELHI – 2021
D-6, VASANT KUNJ, NEAR FLYOVER
NEW DELHI – 110070

No. MPPR/DDA/2009/D-239

Dated 15th June, 2009

CIRCULAR

As per the minutes of the meeting held on 23rd March, 2009 under the chairmanship of VC, DDA, it has been decided to allow industrial properties for the use of all other industrial activities which are permitted under the MPD-2021, even though they may be different from the specific activity indicated in the layout plan. Therefore, the specific industrial activity mentioned in all the layout plans stands substituted by the work **“indsutrial activity(ies)”** as per MPD-2021.

Sd/-

(M.Z. Bawa)
Director(MPPR)

Copy to:

1. PS to Vice Chairman
2. OS to Finance Member
3. PS to Engineer Member
4. PS to Principal Commissioner
5. PS to Principal Commissioner (CWG)
6. PS to Pr. Commissioner-cum-Secy.
7. Commissioner (LD)
8. Chief Architect/HUPW
9. Addl. Commissioners(Plg.)I,II,III
10. OSD (Plg.)
11. All Directors (Plg.)
12. Director (Bldg.)
13. Director (Lands)
14. Jt. Director (MP)

**DELHI DEVELOPMENT AUTHORITY
LAND SALES BRANCH (INDUSTRIAL)**

File No. F.9 (50)/79/LSB (I)/2951

Dated 30.9.09

CIRCULAR

The issue relating to conversion of industrial plot from lease hold to free hold where 100% FAR has not been achieved was under consideration of the Authority.

In order to further streamline the process of conversion of industrial properties from lease hold to free hold, it has been decided by the Competent Authority that if the building plan has been sanctioned for less than 100% FAR, then conversion is to be allowed on submission of completion certificate/D form for such sanctioned building plan. If the unit, in absence of completion certificate or D form, applies for free hold on the basis of House Tax Assessment and other supporting documents, then free hold should be allowed subject to physical verification (based on the site visit report) that FAR has been achieved as per the sanctioned building plan. The scope of physical verification should be limited to ascertaining whether the unit has utilized/constructed FAR as per sanctioned plan.

Here, it is clarified that conversion into free hold cannot be allowed where either part completion have been issued or the party has not achieved the FAR for which building plan was sanctioned.

Sd/-

(Asma Manzar)
Commissioner (LD)

Copy to:

1. OSD to V.C., DDA
2. OSD to P.C., DDA
3. Director (Lands)/Director (CL)
4. Director (Coordn.)LD, DDA
5. Director (LC)
6. Deputy Director (Indl.), DDA

**DELHI DEVELOPMENT AUTHORITY
LAND COORDINATION BRANCH**

No. F.4(08/LD/Coordn/21

Dated 9.11.09

ORDER

Sub: Levy of Composition Fee

Vide Order No.F.7 (2)2005/Coordn/LD/99 dated 22.03.2005, policy for calculation of composition fee has been decided. This policy is hereby further modified/clarified by adding a clause with the approval of VC, DDA. The policy and the clarification is as follows:

Keeping in view the decision of Hon'ble High Court in the case DDA Vs. S.K. Kapoor LPA No. 546/2003 pertaining to the calculation of composition fee, the following policy has been decided with the approval of Hon'ble L.G., Delhi:-

1. "Where exemption for delay in construction is granted for any reason, the slabs for the purpose of computation of composition fee would be calculated by excluding such period."
2. "The period for which the exemption is granted is to be treated as zero period for reckoning the slab for computation of composition fee."

The decision of LG and further modification as approved by VC, DDA should be complied with immediate prospective effect.

Sd/-

Dy.Director (Coordn.)Lands

Copy to:

1. Pr.Commissioner, DDA
2. Chief Vigilance Officer, DDA
3. Commissioner (LD), DDA
4. Chief Legal Adviser, DDA
5. All Directors of Land Department
6. OSD to VC, DDA
7. All Dy.Directors of Land Department

Sd/-

Dy.Director (Coordn.)Lands

**DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE COMMISSIONER [LD]**

[No. Misc/Sr AO (RL)/Misuse Policy/2008]
F.1(07(2008/DD/Co-ordination/LD/101

Dated: 26th March 2010

CIRCULAR

Sub: Rationalization of procedure for levying misuse charges

In accordance with the Resolution No. 35/2010 passed by the Authority in its meeting held on 17.2.2010, following procedure is laid down for levying of misuse charges:

(i) **Criterion for ascertaining the period of misuse:**

Category	Particulars	Views finalized during meeting
I	Cases where complaint/report about misuse is available on file but Show Cause Notices were not issued.	Fresh inspection to be done. In case the misuse is noticed then misuse charges to be levied for a period from initial date of detection to the date of filing of conversion application. Before levying such misuse, SCN to be issued at this stage. However if the misuse is not found during the fresh inspection, then misuse charges should not be levied.
II	Cases where complaint/report about misuse is available on file and Show Cause Notices were issued but there was no response from the allottee.	Fresh site inspection to be done. In case the misuse is noticed then misuse charges to be levied from initial date of detection of misuse to the date of filing of conversion application. However if the misuse is not found during the fresh inspection then misuse charges to be levied for a period from initial date of detection upto : <ul style="list-style-type: none">• three years after the last report about the misuse. OR• the date of first sale after the last report about the misuse, whichever is earlier.
III	Cases where	Fresh inspection to be done. In case the

	complaint/report about misuse is available on file and Show Cause Notices were issued but the allottee denied violations but no further action/inspection was undertaken by DDA.	misuse is noticed then misuse charges to be levied for a period from initial date of detection to the date of filing of conversion application. Before levying such misuse, SCN to be issued. However if the misuse is not found during the fresh inspection, then misuse charges should not be levied.
IV	Cases where complaint/report about misuse is available on file and Show Cause Notices were issued and allottee informed about removal of violations but no further action/inspection was undertaken by DDA.	Fresh inspection to be done. In case the misuse is noticed then misuse charges to be levied for a period from initial date of detection to the date filing of conversion application. Before levying such misuse, SCN to be issued. However if the misuse is not found during the fresh inspection, then misuse charges to be levied for a period from the initial date to the date of removal of violations as informed by the allottee in response to earlier SCN.
V	Cases where complaint/report about misuse is available on file and Show Cause Notices were issued and allottee informed about removal of violations. During inspection removal of violations confirmed by DDA officials.	Misuse charges to be levied for the period from the initial date of detection to the date of removal of violations as informed by the allottee in response to earlier SCN
VI-a	Cases where complaint/report about misuse is available on file and Show Cause Notices were issued and allottee informed about removal of violations and further inspection was undertaken by DDA confirming existence of violations at the time of inspection. After confirmation of violation next SCN was also issued	Fresh site inspection to be done. In case misuse is noticed then misuse charges to be levied from the initial date of detection to the date of filing of conversion application. However if the misuse is not found during the fresh inspection then misuse charges to be levied for a period from initial date of detection upto : <ul style="list-style-type: none"> • three years after the last confirmation of the misuse. OR • the date of first sale after the confirmation of the misuse,

	negating reply of the allottee about removal of violations but there was no response from the allottee.	whichever is earlier
VI-b	Cases where complaint/report about misuse is available on file and Show Cause Notices were issued and allottee informed about removal of violations and further inspection was undertaken by DDA confirming existence of violations at the time of inspection. After confirmation of violation next SCN was also issued negating reply of the allottee about removal of violations and the allottee again responded saying removal of violations but no further action/inspection was undertaken by DDA.	Fresh inspection to be done. In case the misuse is noticed then misuse charges to be levied for a period from initial date of detection to the date of filing of conversion application. Before levying such misuse, fresh SCN to be issued. However if the misuse is not found during the fresh inspection, then misuse charges to be levied for a period from the initial date to the date of subsequent removal of violations as informed by the allottee in response to the SCN issued after earlier confirmation of violation.
VII	Cases where complaint/report about misuse is available on file and Show Cause Notices were issued and allottee informed about removal of violations and further inspection was undertaken by DDA confirming existence of violations at the time of inspection. After confirmation of violation, SCN was not issued negating reply of the allottee about removal of violations.	Fresh inspection to be done. In case misuse is noticed then misuse charges to be levied for the period from initial date of detection to the date filing of conversion application. Before levying such misuse, SCN to be issued at this stage. However if the misuse is not found during the fresh inspection, then misuse charges should be levied only upto the date of removal of violations as informed by the allottee in response to earlier SCN.

- (ii) Misuse charges in respect of the misuse which was/is continuing after the date of submission of conversion application, the quantum of misuse charges

shall be worked out upto the date of such application. Such charges shall be updated @ 12% p.a. (without compounding) upto the date of issue of demand for misuse charges OR closure of misuse whichever is earlier.

- (iii) The unsettled cases where the demand of misuse charges has been raised by DDA but the lessees have not deposited it and consequently their cases of conversion are pending should be reviewed and fresh demand to be raised under this proposed policy. However cases where misuse charges have already been paid will not be re-opened and no refund will be made on this account.
- (iv) So far as determination of the date of receipt of application for conversion is concerned, it should be the date on which a conversion application has been received in the prescribed format with full conversion charges and processing fee in the bank in conformity with the circular issued by Director (LC) vide no. F.4 (2)/2002/AO(R)/Misc./152 dated 14.12.2003. Non submission of any document/ information will not affect the date of conversion application if application in prescribed format is submitted with required conversion charges and processing fees.
- (v) As per existing instructions, after filing of conversion application, no field inspection can be done in absence of report in record about misuse/ unauthorised construction. If any inspection is required/ ordered after filing of conversion application, either because of non submission of 'D' form or due to any other reason like complaint etc. and during inspection any misuse/ unauthorised construction is noticed, then no misuse charges be levied as there was no report in this regard on file prior to the submission of conversion application.
- (vi) In such cases, however, where unauthorised construction or misuse stands reported on record, after submission of conversion application, a letter may simultaneously be sent to the Enforcement Branch of the DDA in case of misuse while in case of unauthorised constructions to the Building Department of the DDA or MCD (if services of the area stand transferred) for violation of building bye-laws for taking appropriate action under relevant law/ regulation.
- (vii) As far as the area of misuse which is under dispute, a Committee of Senior Officers comprising administrative wing and field staff, will be constituted in each branch separately which will look after such cases wherein the area of misuse is under dispute. Such committees will inspect the premises and

ascertain the area in consultation with the Residents Welfare Associations/ Market Welfare Associations. The proforma of such inspection and other modalities will be worked out separately by residential, commercial and industrial branch as the problem of area varies from one branch to another.

Note: As per existing system revision/review of misuse data on lower side require approval of next higher authority i.e. Commissioner (LD)/Housing. Accordingly in all cases approval of respective Commissioner would be required at the time of revision/review of data in accordance with this circular.

(Manoj Kumar Agarwal)
Commissioner (LD)

Copy to:-

9. Commissioner(LD)/Commissioner(Housing)/Commissioner(Planning)
10. All Directors and Dy. Directors of LD Department/Housing Department.
11. Director (LC)/Dy. CAO(LC)
12. Financial Advisor(H)/CAO
13. Director (Building)
14. OSD to LG for kind information of LG
15. OSD to VC for kind information of VC
16. PSs to FM/EM/PC (LD)/PC (Housing)/CLA/CLM for kind information of the later.



DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE DY. DIRECTOR (LSB) ROHINI

183

PA/DD/Rohini/04/28 51635 Dated:-06.05.2010

OFFICE ORDER

Some discrepancy was noticed in the guidelines for mutation in cases of succession. In view of the legal opinion on the issue the following decision has been taken at the level of the Competent Authority:-

In cases of mutation by way of succession / inheritance, if allottee/lessee expired after allotment, para 8 of the affidavit, which is to the effect of not having any other flat/plot is hereby deleted.

Dy. Director(LSB)Rohini

Copy to:-

1. OSD to VC/DDA)
2. PS to PC/DDA)
3. PS to Commr.(LD))
4. PS to Commr.(Housing))
5. PS to CVO) for information of later
6. PS to CLA)
7. PS to Dir.(RL)/DDA)
8. PS to Dir.(Vig.))
9. Consultant (Rohini)
10. All Dealing Asstt. LSB/LAB(Rohini)
11. All Asstt. Dir, LSB/LAB(Rohini)


Dy. Director(LSB)Rohini

DELHI DEVELOPMENT AUTHORITY
OFFICE OF COMMISSIONER (LD)

No.F(43)/96/Coord./LD/141

Dated 13th Oct.,2010

CIRCULAR

It has been observed that in some of the cases applications for conversion to free-hold were rejected without allowing an opportunity to the applicant about the grounds on which the rejection was proposed. Such rejection without allowing an opportunity is against the principles of policy of conversion and cannot stand in judicial scrutiny. Henceforth prior to rejection of an application for conversion to free hold. Show cause notice must be issued with clear mention about:

- a) Deficiencies/reasons because of which conversion from lease hold to free-hold is pending or cannot be processed/allowed.
- b) Intention to reject the application for conversion because of (a) above.
- c) The date by which the applicant may clarify/ remove deficiencies/submit requisite documents. At least 15 days time to be allowed.

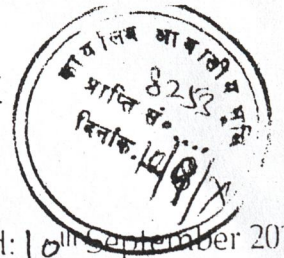
This issues with the approval of VC.

Sd/-

[Asma Manzar]
Commissioner (LD)

1. Director (RL)
2. Director (Lands)
3. Director (LC)
4. Director (CL)
5. All Dy.Directors of LD
6. OSD to VC for information of VC
7. PS to PC
8. PS to CLD
9. PS to CLA
10. Copy in file No.F15(76)/Mohan B-1/82CL/LSB(Ind.)

9215
1615
DELHI DEVELOPMENT AUTHORITY
OFFICE OF COMMISSIONER (LD)



No: F.4(43)96/Coordn/LD/1139

Dated: 10th September 2010

CIRCULAR

The circular No: F.26 (1)07/Coordn(LD)/67 Dated: 9th April 2008 provides as under:

'[k] Conversion is allowed on the basis of completion certificate or Form 'D'. If completion certificate of form 'D' is not available, conversion is being allowed on the basis of house tax assessment order along with supporting documents. A site inspection should be carried out only where conversion is being sought on the basis of House Tax Assessment order where built up area is not indicated and in case of Self Assessment of House Tax on unit method adopted by MCD w.e.f. 1.4.2004. However, the scope of inspection should be limited to ascertain whether allottee has utilized/constructed 100% FAR in commercial & industrial plot and in residential plots, 1/3rd of the permissible coverage at ground floor by constructing self contained dwelling unit. The self contained dwelling unit means a minimum accommodation for a family with living room, kitchen, bath WC or a toilet. [As modified vide circular no. F.26 (1) 07/Coord/LD/19 dated 8.4.2009]

For the purpose of above site inspections, following instructions are to be followed with immediate effect:

1. The inspecting officer will also submit atleast two photographs of the property, duly authenticated by him, along with his inspection report.
2. While clicking the photographs from different angles:
 - a. News Paper of the particular day to be affixed on the property
 - b. Date and time to be recorded by on the photograph

(Asima Manzar)
Commissioner (LD)

1. Director (RL)
2. Director (Lands)
3. Director (CL)
4. All Dy. Directors of LD
5. All AEs and JEs through concerned Dy. Directors
6. OSD for VC for kind information of VC
7. PS to Principal Commissioner (LD) for kind information PC
8. PS to CLD

DD/CLD

ALL DDS
PS

4/11

14/9

586064
12/8/11

**DELHI DEVELOPMENT AUTHORITY
LAND COSTING WING**

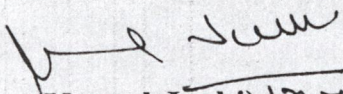
No. F. 2(150)/05/AO (P)/DDA/ 89

Dated 12-8-11

CIRCULAR - 21

Authority in its meeting held on 28.07.2011 has approved an increase of 50% of existing conversion rates in respect of residential Plots/Flats. The increased rates will be effective from the date of issue of this circular on provisional basis subject to approval by the Ministry. The applicants will have to pay the difference in conversion charges, if any, finally approved by the Ministry. The applicants shall also have to submit an undertaking for payment of the difference if any in conversion charges in the prescribed format as given in Annexure "R" of the Broacher for the conversion scheme. If the revised calculation comes in fraction of rupee it will be rounded off to the next higher rupee.

The rates of remission and levy of surcharge will remain unchanged. However, it will be availed and levied on the revised conversion charges respectively.


(Kamal Joshi) 12/8/11
Director (Land Costing)

Copy to:

1. Commissioner (LD)/Housing.
2. FA (H).
3. Director (RL)/ H-1 & H-II.
4. OSD to VC for kind information of the latter.
5. OSD to FM for kind information of the latter.
6. Dy. Dir. (Coordn.) Land/ Housing for information and necessary amendments of the rates will be incorporated in the Broacher of the Scheme.
7. Dy. Director (System) with the request to display the same on DDA's Web Site for the convenience of the public.
8. Dy. Dir. Housing for information and necessary action.
9. Dy. Dir. (PR) to bring the fact in the notice of the concerned staff.
10. All Sr. AOs/AOs of Land Costing Wing /Housing Finance Wing.

152/c 152

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE DIRECTOR (CL)

Dated 20.07.2011

No. F.1(4)/2011/Dt. (CL)/148

CIRCULAR


Sub.: Rationalization of procedure for levying damage charges.

A proposal, vide Agenda Item No. 58/2011, for revision of rates of damages was placed before the Authority in its meeting held on 25.05.2011 for consideration.

2. During the meeting, it was observed that DDA is charging unjustified damage charges from Marble dealers at Dwarka for utilization of DDA land for loading and unloading of marble/material. It was considered in the meeting that a practical and fair view should be **taken** in the matter, and damage charges should be imposed only for long term utilization of plots and not for their temporary utilization for loading goods.

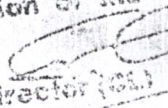
3. After detailed deliberations, it was decided that rationalized procedure for levying misuse charges, while allowing conversion from lease hold to free hold, as approved by the Authority in its meeting held on 17.02.2010 vide Agenda Item No. 35/2010, should also be followed for levying damage charges in above instances.

4. Therefore, the rationalized procedure, for misuse charges, as circulated vide Circular No. F.1(07)/2008/LD-Coord./101 dated 25.03.2010 to deal with conversion cases, would be applicable in respect of levying damage charges while dealing with conversion cases.


(S.N. GUPTA)
Director (CL)

Copy to:

1. Commissioner (LD) / (Housing) / (Planning).
2. All Directors & Dy. Directors of LD / Housing Department.
3. Director (LC) / Dy. CAO (LC).
4. Financial Advisor (R) / CAO.
5. Director (Building).
6. OSD to LG for kind information of LG.
7. OSD to VC for kind information of VC.
8. FAs to FM/EM/PC(LD)/CH/CL/CLM for kind information of the
author.


Director (CL)