

**DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVT. OF NCT OF DELHI
PUNERVAS BHAWAN, I. P. ESTATE
NEW DELHI- 110002**

NO: D- 14 /AD/Meeting Cell/DUSIB/2012

Date 02 .07.2012

SUB: SEVENTH MEETING OF DELHI URBAN SHELTER IMPROVEMENT BOARD.

Sir/Madam,

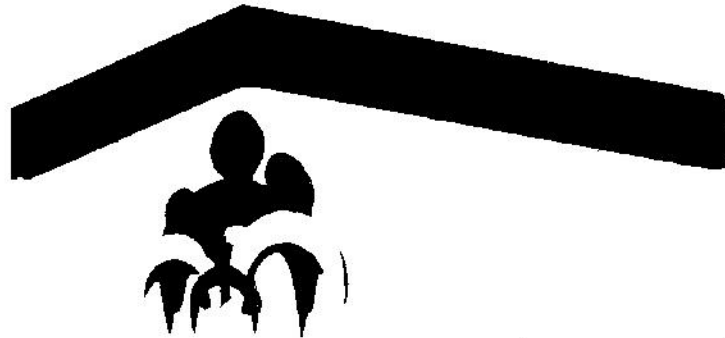
Please find enclosed herewith the Agenda items for discussion in the meeting of Delhi Urban Shelter Improvement Board. The meeting shall be held on 04.07.2012 at 11.30 A.M. in Conference Hall No. 2, Level- 2, Delhi Secretariat, I. P. Estate New Delhi- 110002, followed by lunch.

Kindly make it convenient to attend the meeting as scheduled.

Encl: - As Above.


DIRECTOR (ADMN.)

ALL MEMBERS OF DELHI URBAN SHELTER IMPROVEMENT BOARD.



Delhi Urban Shelter Improvement Board

SEVENTH MEETING

OF

DELHI URBAN SHELTER

IMPROVEMENT BOARD

04-07-2012

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**DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVT. OF NCT OF DELHI**

**7th MEETING OF THE BOARD OF MEMBERS
4TH JULY, 2012 at 11.30 AM**

The sixth meeting of Delhi Urban Shelter Improvement Board (DUSIB) was held on 23.02.2012 at 12.00 noon in the Conference Hall No. 2, Delhi Secretariat New Delhi under the Chairmanship of Hon'ble Chief Minister, Delhi. The seventh meeting of the Board is scheduled for 4th July 2012 and the proposed agenda for the meeting is given below.

Agenda item no – 1

Subject : Confirmation of the minutes of sixth board meeting and action taken report.

A) In pursuance to the directions of the Board, a proposal for release of 96 crores as Grant-in-aid for disbursement of salaries and allowances in DUSIB was prepared and forwarded to Department of Urban Development. This issue was discussed in a meeting Chaired by Chief Secretary on 24.04.2012 in which the following decision was taken.

“96 Crores Grant in aid may be released to DUSIB by Urban Department/Finance Department for meeting the Salary and Establishment cost. However, the revenue received by DUSIB may first be utilized for meeting this expenditure.”

B) In pursuance to the directions of the Board, a meeting was convened in the chamber of Chief Secretary on 06.03.2012. In the above meeting, it was decided – “the revolving fund of Rs. 200 crores sanctioned as advance to the DUSIB by the Govt. of Delhi will be converted into regular advance to DUSIB against the housing projects under JNNURM. This is also as per the decision taken by the Board of DUSIB headed by the Hon'ble Chief Minister.”

It was further decided – “All the funds released under JNNURM by the Government will be maintained in separate accounts by the DSIIDC & DUSIB, thereby ensuring that the interest earned on any such funds is ploughed back into the projects.”

In pursuance to the above directions, a separate account for Housing has been opened and is now being maintained as revolving fund.

The Action Taken Report on the minutes of the VIth Meeting of the Delhi Urban Shelter Improvement Board held on 23.2.2012 is as under-

Item no.1: Action taken report and confirmation of the minutes of the Vth Board Meeting.

The minutes and action taken report on the decisions of the Vth Board meeting have been confirmed by the BOARD in the meeting held on 23.2.2012.

Item no.2: Status note regarding the relocation/allotment of flats to eligible slum dwellers constructed under JNNURM.

The eligibility of JJ dwellers of 8 JJ clusters has been decided and draw of lot of 507 JJ dwellers has been conducted on 25.05.2012. The matter of issue of allotment letters is under process. Further, in respect of 11 prioritized JJ clusters, case is under process to finalize the eligibility lists.

Item no.3: Grant of Free hold/ownership rights to the allottees/occupants of 44 JJ Resettlement Colonies.

In pursuance of decision of the sixth Board Meeting of DUSIB, a committee of the officers was constituted under the chairmanship of Chief Secretary for finalizing the issues regarding the conversion from license to free hold, premium for each category, permission from Govt. of India etc.

After series of detailed deliberations, the committee has submitted its report to be placed before the Board for its approval so that the Govt. could submit its proposal to GOI for approval.

Item no.4: Delegation of Power regarding Management and Allotment of Institutional lands belonging to DUSIB.

In the sixth Board Meeting, it was decided that DUSIB may finalize the rates in respect of institutional land in consultation with Delhi Govt. In this regard, a detailed proposal was sent to Delhi Govt. for its consideration. However, the proposal was not agreed to. In view of the above, a fresh agenda note has been prepared for approval of the Board.

Item no.5: Agenda for Award of Work of various EWS/Slum Relocation Houses to be constructed under BSUP of JNNURM.

As per the resolution passed by the Board the action taken on each of the item in above mentioned agenda is given below:

- i) The work has been awarded to M/s Sintex Ind. Ltd. and has commenced from 10.03.2012.*
- ii) The work has been awarded to M/s Sintex Ind. Ltd. and has commenced from 10.03.2012.*
- iii) The work has been awarded to M/s BCC Developers and Promoters (Pvt.) Ltd. and has commenced from 03.03.2012.*
- iv) The work has been awarded to M/s Rama Const. Company and has commenced from 13.03.2012.*
- v) The work of construction was re-tendered on 01.03.2012 after making suitable amendments in the conditions of tender.*
- vi) The work of construction was re-tendered on 01.03.2012 after making suitable amendments in the conditions of tender.*

Item no.6: Delegation of Financial Powers

As per the resolution passed by the Board, the necessary Office order regarding delegation of Financial Powers have been issued.

Item no.7: Delegation of Powers under relevant Sections of DUSIB Act-2010.

Chief Executive Officer, DUSIB has been authorized by the Board to exercise the powers under the Act. An office order in this regard has been issued.

Item no.8: Conversion of Lease Hold tenure of Commercial and Mixed land use properties under the management and control of Delhi Urban Shelter Improvement Board (erstwhile Slum & JJ Department) into Free hold.

The Board passed the above said agenda item vide its meeting held on 23.02.2012. After approval of the said item, the terms and condition/Brochure of conversion of properties into freehold rights has been prepared and vetted by the Finance Wing and Law Office.

Having finalized the terms and conditions/Brochure, the file is under submission to Hon'ble LG Delhi for his kind approval before the implementation of the scheme in DUSIB as the land in question is Nazul Land.

Item no.9: Apportionment of Actual cost of flat constructed under JNNURM amongst the various agencies.

As resolved by the Board, the proposal for revised apportionment of actual cost of flats amongst various agencies was placed before the Cabinet through UD Department. The Cabinet vide decision No. 1890 dated 14.05.2012 which has been circulated vide No. 51(95)99/UD/Pt. file/Vol.-III/MB/7227 dated 21.06.2012 has approved the apportionment of actual cost of flats.

Item no.10: Engineering Cadre Management

Consequent upon approval of in-situ up-gradation of 5 posts of Jr. Engineers (Elect) to Asstt. Engineer(Elect), the department has assigned current duty charge of the post of Asstt. Engineer (Elect) to 8 Jr. Engineers (Elect) which includes 3 earlier vacant posts available with the Department. To enhance the promotional avenues of other level officials, the matter is under consideration.

Item no.11: Regarding regularization of compassionate grounds and muster roll employees of DUSIB.

As per resolution passed by the Board, the department referred the matter to Delhi Govt, which is under consideration.

Action taken on the points raised by the Hon'ble Members of the Board.

1. Shri Parlad Singh Sawhney, Hon'ble MLA raised the issue of maintenance of Private Katras, non-utilization of space in Phool Mandi at Mori Gate and also the issue of high license fee of Community halls.

In pursuance to the decision taken in the Board, the matter of maintenance of private katras was placed before the Cabinet for its decision. Cabinet in its decision no. 1887 dated 10.05.2012 has decided for taking up the development works relating to common services/facilities in private katras by DUSIB.

In pursuance to the directions of the Additional Secretary, UD on the above subject, a letter has been addressed for opening up a new Account Head for this purpose. The receipt of five crores has been budgeted for the above accounting head for the financial year 2012-13. Estimates for repair and maintenance of common services/facilities in 8 no. of private katras amounting to Rs. 68.82 lacs has already been prepared and estimate in respect of other private katras is under preparation.

The rates being charged by DUSIB for booking of Community Halls are already on the lower side, as compared with rates being charged by MCD. Further reduction of charges will adversely affect the financial status of DUSIB. However booking charges will be rationalized depending upon

locality and area of Community Hall and same will be brought before the Board for consideration in the next Board meeting.

The option for utilization of space in Phool Mandi is being explored and will be placed before the Board for further direction.

1. Shri Surinder Pal Singh (Bittoo) Hon'ble MLA raised the issue of maintenance of sewerage in slum areas and also the difficulties faced in getting the Building Plan approval from MCD for construction of public facilities on smaller plots of land in his area.

Sewerage system in Slum katras/assets is being repaired by DUSIB. The building plans are required to be submitted for approval in MCD since only the civic agency has the powers to approve the building plans.

Board may confirm the minutes of the VIth Board meeting and approve the Action taken Report.

Agenda Item No.2

Subject : Status note regarding relocation / allotment of flats constructed under JNNURM, to eligible slum dwellers

1. Relocation / allotment of flats to eligible slum dwellers.

Out of 52 JJ clusters prioritized by UD Department earlier, eligibility of JJ dwellers of eight clusters has been determined, the details of which are given in Annexure - A.

In other seven JJ clusters the eligibility list has been prepared tentatively, the details of which are given in Annexure - B.

A draw of lot for allotment of flat numbers was conducted on 25/05/2012 wherein flat numbers have been allotted to 507 JJ dwellers. Allotment letter are going to be issued to these dwellers shortly after seeking requisite clarification wherever required. The beneficiaries are proposed to be allotted flats in Bawana Industrial Area. In case of the remaining eligible dwellers the draw of lot for allotment of flat numbers is expected to be conducted in July.

It is expected that the actual relocation of the clusters would take place within 2 month of the issue of allotment letters.

2. Identification of more clusters for relocation

Department of UD GNCTD has prioritised 23 new clusters for relocation vide order dated 09/05/2012. Rehabilitation department is working with the Land Owning Agencies to start the process of eligibility determination in these clusters.

3. Cabinet decisions

- (a) The Council of ministers vide decision no 1855 dated 16-01-2012 approved that the flats to eligible slum dwellers will be allotted on lease hold basis for 15 years and converted into freehold thereafter for which the modalities will be worked out by the DUSIB and Government approval obtained.

This decision would have double benefit since new more banks would come forward to grant loans to the beneficiaries and the beneficiaries would also have the security of tenure.

(b) The Cabinet vide decision number 1890 dated 14-05-2012 have also approved the proposal for:

(i) That the cost of the dwelling units should be apportioned project-wise as sanction is given project-wise and therefore cost of the dwelling units which have become available after the Cabinet Decision \no. 1613 dated 03-02-2010 may be recovered in the following manner:

The land owing agency contribution may be fixed at Rs. 1,50,000/- per dwelling unit and the remaining cost will be shared equally between the beneficiary and the State Government after deducting the Central Share.

(ii) Omitting the word "safety zones of railways" from the ineligibility condition.

(iii) The State Government may pay the amount of the beneficiary and land owning agency contribution as non-interest bearing revolving fund to the implementing agencies. The DUSIB shall collect the amount from the land owning agency and the beneficiary which will be adjusted in the revolving fund, and submit details thereof as and when required by the Government.

(iv) The orders issued vide No. F.51(95)/99/UD/Vol-III/2978-2988 dated 19-10-2010, may be modified accordingly.

This decision would help in resolving the long pending issue regarding the relocation of clusters located on Railway land. Decision from the Railway regarding the modification in their policy is however awaited. Matter is being pursued with Railway's for an early decision on their part.

4. Pilot project for identification of beneficiaries with UIDAI

The RFQ for solution presiding for preparation of application software for authentication of beneficiaries is going to be floated soon. The software would

help in preventing duplication of beneficiaries and also authentication of beneficiaries at regular intervals. This is expected to put a cease on the practice of sale of flats by the beneficiaries. This project is likely to be completed in four months.

5. **Slum Free Strategy for Delhi**

The agencies for conducting the socio-economic survey of all the slum clusters in Delhi have been identified. It is proposed to complete the survey in four months. The database that would be generated from this survey would help in the preparation of a holistic slum free strategy for Delhi.

6. **Relocation of clusters located on DUSIB lands**

The matter for relocation of JJ cluster is under process.

Details Of Allotments Of Flats To Eligible Slum Dwellers

Sl.No	Name of the JJ Cluster	LOA/PIA	Total No. of Surveyed Jhuggies	No. of Application Received	Eligible Applicants	Remarks
1	JJ Cluster Bengali Camp at Kidwai Nagar	NDMC	56	60	45	Draw conducted and flat number allotted
2	JJ Cluster Arjun Dass Camp East Kidwai Nagar	NDMC	134	170	76	-Do-
3	JJ Cluster near Bharti Nagar (Khan Market)	NDMC	31	25	19	-Do-
4	JJ Cluster Noor Nagar Jamia Milia	JAMIA MILIA	75	75	30	-Do-
5	JJ Cluster K. L. Block Wazir Pur on left Bank of NG Drain	I&F C	400	315	91	-Do-
6	JJ Camp Mandir Gali G-F Block Karam Pura	I&F C	66	40	11	-Do-
7	JJ Cluster Park Side Badli Indl. Area	INDUSTRI ES DEPTT.	523	386	209	-Do-
8	JJ Cluster Shiv Camp near Safdarjung Airport	AAI	73	53	26	-Do-
	TOTAL		1358	1124	507	

Details Of JJ Clusters In Respect Of Which Eligibility List Has Been Prepared Tentatively

Sl.No	Name of the JJ Cluster	LOA/PIA	Total No. of Surveyed Jhuggies	No. of Application Received	Eligible Applicants	Remarks
1	JJ Cluster near N.C Joshi Memorial	JOSHI HOSPITAL	676	353	115	Court case NDOH-25/07/2012
2	JJ Cluster Indira Camp New Friends Colony Part - I & II	DP	952	643	380 tentative	Payment pending, meeting with Police (LOA) on 14/06/2012
3	JJ Cluster Bandhu Camp Vasant Kunj	SOCIAL WELFARE BOARD	556	327	142	Payment pending
4	Bhai Ram Camp	L&D O	466	375	134*	*Tentative, No response from L&DO
5	JJ Cluster near Nevedita Kunj	CPWD	147	64	1	Tentative
6	Shalimar Bagh. Railway crossing Between Shalimar Bagh & Azad Pur fruit mandi	PWD	70	67	51	Tentative
7	Shalimar Bagh Ayurvedic Dispensary	PWD	138	92	16	Tentative
	TOTAL		3005	1921	839	

Agenda Item No.3

Subject: Regarding grant of freehold/ownership rights to the allottees/occupants of 45-JJ Resettlement colonies.

45 Jhuggi Jhompri Resettlement Colonies (JJRC), comprising about 2, 50,000 plots of 25 to 40 sq. yards each, were developed in the 1970s by the erstwhile Slum & JJ Department of Delhi Development Authority. These colonies were developed under the "Jhuggi Jhompri Removal Scheme" of the DDA to accommodate people dislocated during removal / demolition of JJ Clusters. A list of the colonies is attached herewith as Annexure-"A".

The issue of grant of freehold/ownership rights to the allottees /occupants of 45-JJ resettlement colonies was deliberated in detail by the Board in its 6th Meeting held on 23-02-2012 and it was decided that a committee consisting of Principal Secretary (UD), CEO (DUSIB), CEO (DJB), Principal Secretary to CM under the chairmanship of Chief Secretary, GNCTD may examine all the issues involved including conversion from license to freehold, premium for each category, permission from GOI etc. in order to come up with recommendations which are legally tenable.

In pursuance of the above decision of the 6th Board Meeting of DUSIB, a series of meetings were held under the Chairmanship of Chief Secretary, Govt. of NCT of Delhi to deliberate on the issue of grant of freehold / ownership rights to the allottee/occupants of the JJR Colonies. After detailed deliberations, the committee decided as under:-

"It was decided that the report of the committee may be finalized with the slight modifications and the final Report should be immediately placed before the Board for its approval so that Government could submit its proposals to the Govt. of India for approval. Accordingly, the recommendations of the committee were reviewed and it was decided to modify the categorization of the occupants eligible for conferment of ownership rights to 3 (three) as under:-

S.No.	Category	Premium/cost of land to be charged for grant of freehold rights.
1	Allottee /legal heirs of allottee	10% of the Circle Rate.

2	<i>Occupants through sale / purchase of the allotted plots residing prior to 31st March, 2007.</i>	<i>75% of the Circle Rate</i>
3	<i>All other occupants residing prior to 31st December, 2011</i>	<i>200% of the Circle Rate</i>

Committee further desired to place the matter before Board for its consideration and approval.

The above proposal along with terms and conditions at Annexure-"B" is accordingly placed before the BOARD for consideration and approval.

Comparison of Land Rate for Residential plot, adopted by various Govt. agencies, in the area of JJR Colonies, situated in the National Capital Territory of Delhi.

Sr. No	Name of the JJR Colony	Category Number	Circle rate as notified on 15-11-2011 by the Govt. of NCT of Delhi. (in rupees) per Sq. Mt. (Annexure "A")	DDA rate for conversion (in rupees) per Sq.Mt. as per DDA brochure dt.Aug. 2011 (Annexure "B")	L&DO rate (in rupees) per Sq.Mt. as per letter dt. 17-10-2011 of L&DO. (Annexure "C")
1.	Khyala Ph-I	G	31,510=00	6,863=00	6,930=00
2.	Chowkhandi	F	38,640=00	6,863=00	6,930=00
3.	Pandav Nagar	E	47,840=00	25,988=00	11,550=00
4.	ShakurPur Ph-I	E	47,840=00	16,863=00	11,550=00
5.	Shakur Pur Ph-II	E	47,840=00	16,863=00	11,550=00
6.	Khayala Ph-II	G	31,510=00	6,863=00	6,930=00
7.	Khayala Ph-III	G	31,510=00	6,863=00	6,930=00
8.	Naraina	G	31,510=00	13,671=00	11,550=00
9.	Mangla Puri	G	31,510=00	7,694=00	6,930=00
10.	Madi Pur	F	38,640=00	6,863=00	6,930=00
11.	Khan Pur	G	31,510=00	18,810=00	6,930=00
12.	Jawala Puri Ph-I	G	31,510=00	6,863=00	6,930=00
13.	Jawala Puri Ph-II	G	31,510=00	6,863=00	6,930=00

33.	Jahangir Puri	G	31,510=00	7,848=00	6,930=00
34.	Pankha Road & Hastal	G	31,510=00	7,694=00	6,930=00
35.	Raghubir Nagar	G	31,510=00	6,863=00	6,930=00
36.	Dakshin Puri	G	31,510=00	18,810=00	8,360=00
37.	Dakshin Puri Extn.	G	31,510=00	18,810=00	8,360=00
38.	Tigri	G	31,510=00	18,810=00	8,360=00
39.	Madangir Ph-II	G	31,510=00	18,810=00	8,360=00
40.	Madangir Ph-I	G	31,510=00	18,810=00	8,360=00
41.	Sunlight Colony	E	47,840=00	20,790=00	9,240=00
42.	Sri Niwas Puri	G	31,510=00	20,790=00	9,240=00
43.	Gokul Puri	F	38,640=00	6,915=00	2,805=00
44.	Nehru Vihar	F	38,640=00	13,118=00	5,830=00
45.	Aruna Colony (Majnu-Ka-Tila)	F	38,640=00	13,118=00	5,830=00

Total number of JJR Colonies of different categories.

Category- D = 01

Category- E = 04

Category- F = 09

Category- G = 31

Terms and conditions

- The cases of amalgamation of 2 or more plots shall not be considered in the policy and each unit shall be considered as a separate unit.
- Cases of encroachments on adjacent land shall not be covered under the policy and the encroachment, if any, may be removed by the concerned department/agency or the licensee before the free hold is considered by the Competent Authority.
- The free hold of the actual piece of land allotted shall be covered under the policy and it will not cover the un-authorized constructions and misuse, if any, in the said plot. Un-authorized construction be dealt by the local body as per extent laws including MPD-2021.
- The documents required for the free hold and the actual procedure shall be decided by the DUSIB once the scheme is cleared by the Govt. Of India.
- No one should be allowed to have more than one plot in her/his name or in the name of dependents/family members.
- There might be cases where the plots have been occupied by more than one person apart from allottee/purchaser. In such cases, free hold rights shall be conferred in the name of the allottee/purchaser. However, in /the case of plots wherein the occupants are not allottee/purchaser, the ownership shall be conferred in joint name of all the occupants.
- In respect of commercial use of the JJ plots, the provisions of MPD- 2021 shall apply and action will be taken accordingly.

- Regarding the issue of occupants who have already been granted lease hold rights by the department, it is proposed that the total amount to be charged shall be as per the formula mentioned in the agenda but the amount already paid by the occupant during the course of lease hold shall be deducted/adjusted.

Agenda Item No.4

4 (A)

Subject: Regarding DUSIB land measuring 192.56 Sqm at Nangloi encroached and constructed shops thereon by Budh Vihar Samiti (Regd.)

The Budh Vihar Samiti had encroached on a piece of land measuring 418.88 sqm meant for park (green) in 1980. In the said area, the Samiti built up temple and its office in an area measuring 226.32 sqm. The MCD vide Resolution No. 415 dated 22-08-2001 passed for regularization of 226.32 sqm land for religious purpose (Annexure - 'A'). The proposal for allotment of land measuring 226.32 sqm was approved by the Hon'ble LG., Delhi with the stipulation that the Samiti would furnish affidavit / undertaking to the effect that they will not run any commercial activities in the allotted premises of the temple. Accordingly, after having an undertaking duly attested by the 1st Class Magistrate, the proposal was approved by the Hon'ble LG., Delhi vide Minutes dated 27-03-2001 to regularize the land measuring 226.32 sqm in favour of Budh Vihar Samiti (Regd.) subject to payment of land cost on usual terms & conditions (Annexure - 'B').

In this connection, it is pertinent to mention here that the Budh Vihar Samiti filed a Petition vide No. 3103/2003 in the Delhi High Court against erstwhile Slum & JJ Department (Now DUSIB) for allotment of remaining encroached land (presently owned by DUSIB) on which shops are constructed by the Samiti (measuring 192.56 sqm) and the Delhi High Court dismissed the said petition on 13-05-2003 (Annexure - 'C').

The Samiti frequently gets its case represented from various quarters for allotment of remaining encroached land measuring 192.56 sqm. In the year 2002, the Samiti approached the Hon'ble LG, Delhi. Accordingly, the case was again submitted before the Hon'ble LG, Delhi. The case was seen by Hon'ble LG but no order was passed in favour of the Samiti. The Samiti had filed a petition before National Commission for Scheduled Caste (NCSC). NCSC in its hearing dated 25-08-2011 observed that a fresh proposal may be sent to Hon'ble L.G., Delhi under intimation to NCSC, so that NCSC may pursue the matter in L.G. Office (Annexure-'D').

It is further submitted that complaints have also been received from Shri Sanjay Singh, Editor, Public Sandesh, a National Hindi Newspaper (HF) and from Slum & JJ Colony Welfare Association regarding unauthorized encroachment on Govt. land by Shri T.S. Suman, President, Budh Vihar Samiti.

It is pointed out here that the said plot is Nazul land and any decision related to allotment of the said plot requires the approval of the Hon'ble LG, GNCTD, being the Competent Authority.

The Delhi Urban Shelter Improvement Board in its meeting on 23-02-2012 has decided that DUSIB Institutional Land may be allotted to Government Departments and Government utilities only. In view of the policy approved by the Board, the case cannot be considered for allotment. It is also pertinent to mention that they are using this land for commercial purposes.

However, since NCSC has desired that matter be placed before Hon'ble L.G. once again, the proposal is being placed before Board for further directions.

17/4871CE

Copy of Resolution No. 415 dated 22.8.2001
the Standing Committee
PART C

Item No. 15 :- Modification in the layout plan of Nangloi JJ Colony, Phase-I for change of use from open green/part to commercial shops adjoining Both Temple.

(i) Commissioner's letter No. F. 33/S&JJ/909/C&C dated 1-3-2001.

It is an old case in which Government land earmarked for a park in the Nangloi JJ Colony, Phase-I was unauthorisedly encroached upon by Both Vihar Samiti since 1977 and over the period they had constructed a temple and nine commercial shops. The total area of encroachment is 418.34 sqm. Out of this, the area under unauthorised commercial shops is 192.568 sqm. And the balance area of 226.32 sqm is occupied by the temple and other of the Society like pucca structure and temporary tin shed and the open yard.

On contiguous representations from the Both Vihar Samiti, the proposal for regularisation of unauthorised occupation of land under the Both Temple at Nangloi, Phase-I, if carried out, was discussed in the 30th meeting of Planning & Works Board of Slum & JJ Department, MCD on 22.8.2001. It was decided in the meeting that S&JJ Department may process the case for change of use by way of modification in the layout plan for the limited area of 226.32 sqm, occupied by the Both Vihar Temple, from park to religious and the case may be placed before the Slum Committee and the Standing Committee, MCD for their consideration & approval. The proposal has since been approved by the Standing Committee vide Resolution No. 137 dated 1-7-1998.

The remaining encroached land area of 187.73 sqm, of the Both Temple, continued to be under unauthorised occupation of unauthorised occupants. The Slum Committee initiated action for removal of the commercial encroachment. The unauthorised occupants represented to the department through the Both Vihar Samiti, that they had shops and requested for regularisation of the existing shops on payment of cost of regularisation. The Slum Committee also had a meeting in this regard in his chamber wherein it was decided to have a meeting with the occupants and not to dislocate their economic activities. It was decided to work out a suitable plan where they could also be adjusted and the department may also earn some revenue. Accordingly, a proposal for carving out 12 Nos. of shop plots varying from 9 sqm to 14.30 sqm, has been worked out. The proposal was presented in principle in the Ptg. Board, Slum & JJ meeting held on 29-1-2001 wherein it was decided in the same manner for modification in the layout plan for change of use of park to shopping. It was also decided that all the licences for the allotment to these shops, if the structures shall be constructed by the beneficiaries, shall be subject to allotment of these shops to encroachers on market licence fee, fixed by the finance authority, for the purpose of the said.

Accordingly, the case is placed before the Slum Committee/ Standing Committee, MCD for consideration and approval of modification in the layout plan of Nangloi JJ Colony, Phase-I for change of use of open green to convenience shopping.

(ii) Resolution No. 7 of the Special Imp. & Dev. of Slum Colonies, Kattas and Hajian Basti, Slum Committee dated 2-7-2001.

Resolved that it be recommended to the Standing Committee that the proposal as contained in Commissioner's letter No. F. 33/S&JJ/909/C&C dated 1-3-2001, be approved.

Item No. 15 :- Modification in the layout plan of Nangloi JJ Colony, Phase-I for change of use from open green/part to commercial shops adjoining Both Temple.

Resolution No. 415

Resolved that as recommended by the Slum Committee, Kattas and Hajian Basti, Slum Committee, the proposal as contained in Commissioner's letter No. F. 33/S&JJ/909/C&C dated 1-3-2001, be approved.

25/11/2001 (149/2001) 2059/2001

Commissioner (S&J) Addl. Commissioner (S&J) may please see the placed opposite PUC 1A, U.O. date 23/11/2001 15th Feb. 2002 received from Shri Mahesh Khurbe, P.S. to Hon'ble L.G., Delhi alongwith the letter dated 6th February, 2002 in the L.S. Shri. Gen. Secretary, Budh Vihar Samiti, Budh Vihar, Phase - I, Suban Post Road, Mangal, Delhi requesting for appointment with Lt. Governor regarding allotment/regularisation of land of Budh Vihar Samiti. The Lt. Governor has desired to know the factual position of the matter.

As desired the factual position of the case is as under:-

1. Budh Vihar Samiti was in unauthorized occupation of the land since 1977 and was doing commercial activities near the Temple by constructing nine shops.
2. After various correspondence from the different corner and court cases in connection between the department and Budh Vihar Samiti, the matter was placed before the Standing Committee to regularise of land in question in favour of Budh Vihar Samiti.
The area of the land, in question, (under unauthorized occupation was given as per the plan of the area.
3. The Standing Committee vide its Item No. 11 Resolution No. 132 dated 1st July, 2000 has approved the area measuring 226.32 sq. mtrs. land from plan 12 provisional only which was regularised in favour of Budh Vihar Samiti for religious purposes only.
4. Keeping in view of the approval of the Standing Committee, the Samiti was asked to remove the commercial structures near the Budh Temple i.e. outside the regularised area of 226.32 sq. mtrs. but they failed to do so.
5. The matter was referred to Director (L&C/HR), S&J Department to remove the shops/commercial structures who vide his report dated 28.10.2000 informed that some portion of shops has been removed and matter was further referred to Commissioner, MCD for its regularisation (A.C. 744).
6. Commissioner, MCD vide his observation dated 22.1.2001 has expressed his view that "What assurance is there that the Samiti shall use the allotted land for religious purposes only and not misuse it for commercial purposes, as done earlier" and suggested to ask to furnish Affidavit/undertaking by the Applicant Budh Vihar Samiti to the effect that they will not run any commercial activities in the allotted premises of the temple. Accordingly, after having the undertaking duly executed by the 1st Class Magistrate, the matter was referred to Hon'ble L.G., Delhi who vide his minutes dated 27.3.2001 has given his approval to regularise the land measuring 226.32 sq. mtrs. in favour of Budh Vihar Samiti (Regd.) subject to payment of land cost and usual terms and conditions.
7. Finally vide this office letter No. F.9(166)SPH.SI(19)M/PL(3)73 dated 18.4.2001 provisional demand cum allotment letter was issued to Budh Vihar Samiti for regularisation of land measuring 226.32 sq. mtrs. only.
8. After some time of the regularisation of this land in favour of Budh Vihar Samiti, we have received some complaints regarding misusing of this land by the Budh Vihar Samiti.
9. Then the Samiti is requesting for the allotment of remaining land measuring 192.50 sq. mtrs. for the different purposes, Dr. Ambedkar Library, Land Budh Education Centre etc. in order to grab the Govt. land.

149/2001
2/9/01

Page 2 of 2

Copy - 2/N

John H. H. H.

USDI
AS

... the above Commission of Ministers. We have already
... the above Commission that we are not in a position to give the
... land to Bish Vibar Sanki.

... the Court of law for the same issue which
... the District Court of W. C.B. Sanki, Civil Judge, Delhi. The proceedings
... bearing is 1-3-2002.

Department has separate plot for the use of remaining land measuring 192.56
... Although, department has every right to use the remaining land in any
... manner in the valley.

Notified for onward transmission to Addl. Commissioner (S&J) and P.S. to
... Delhi.

B.K. TIWARI
Asst. Director (IA)

... (S&J)

... (S&J)

... Delhi

*My name is not
... the
... the
... the*

*May be because
... the
... the*

Humble LG

Signature
Commissioner

Addl. (S&J)

*In view of above court proceedings
... the
... the*

A.T. (A)

D. S. CHAUHAN
ADVOCATE ON RECORD
Supreme Court of India

233, LAWYERS CHAMBER
DELHI HIGH COURT
NEW DELHI - 110 003
PH: OFF: 23387195
Fax: 91-11-23386917
RES: 26963997, 51655272
E mail: lawyersinn@hotmail.com
Mobile: 9810310142

29-05-2003

To
Law Office,
Slum & J.J. Department,
M.C.D.,
Vikas Kutiir,
I.P. Estate, New Delhi-11.

Subj: CWP No. 3183 of 2003 - Sudh Vihar Samiti Vs. Slum
& JJ Wing MCD before Delhi High Court.

Dear Sir/Madam,

As already intimated to you the writ
petition was dismissed in default for non-prosecution on
13.5.2003. Certified copy of the order dated 13.5.2003
has since been obtained. The same is enclosed herewith
for your record.

Thanking you,

Encl.
Certified copy

Yours sincerely,

(D. S. CHAUHAN)
ADVOCATE

For information please.

The case has been dismissed for
non-prosecution. The copy of the order
is attached for with file.

By, Comm. (I)

30/5.

299C

IN THE HIGH COURT OF DELHI AT NEW DELHI.

CRIMINAL PETITION NO. 3107/2002.

IN THE MATTER OF:-

RUBI VIKAR BANSI PETITIONER

VERSUS

SLUM & J.F. RESPONDENT

MEMO OF PARTIES

RUBI VIKAR BANSI,
RUBI VIKAR, PHASE-I,
S.P. ROAD, NANDELGI,
NEW DELHI-110041.
THROUGH ITS GENERAL SECRETARY,
SH. TRIMAL SINGH SUMAN,
S/O SH. THAKUR DABE. PETITIONER

VERSUS

SLUM & J.F.,
VIKAS KUTER, NEAR TILAK BRIDGE,
NEW DELHI.
THROUGH COMMISSIONER,
M.C.D. TOWN HALL,
CHANDNI CHOWK,
DELHI. RESPONDENT

NEW DELHI. THROUGH

DATED: 26.3.2003.

Sumit Singh

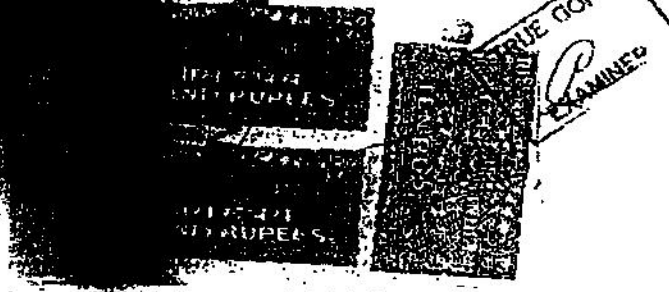
PETITIONER

Mishra

(NUMER SHARMA)
ADVOCATE

Certified to be True Copy

Executive Judicial Department
High Court of Delhi
Authorized Under Section 74
Indian Evidence Act



2471 ✓

Regulars of all the bottom of law

Ordere	
13.05.2003	
Present: Name for the petitioner: Mr. Akash Pring, Advocate for the respondent	
GWP 310/2003 & C.M. 525/2003	
The matter has been called over once and perished over some has entered appearance for the petitioner	
On the last date of hearing also the matter was adjourned at request of the learned counsel for the petitioner	
Dispensed for non-prosecution	
May 13, 2003 am	SO/- SANJAY KISHAN RAULI JUDGE
	TRUE COPY 2003
Certified to be True Copy Examiner Judicial Department High Court of Delhi Authorized Under Section 29 Indian Evidence Act.	



भारत सरकार

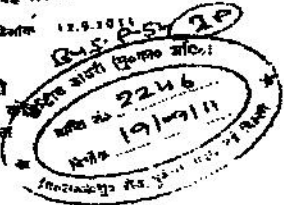
राष्ट्रीय अनुसूचित जाति आयोग

(भारतीय संविधान में अनुच्छेद 338 के अन्तर्गत स्थापित एक स्वायत्त विभाग)

ज.सं. 10/205/2006 दिल्ली, ई.स.ए.स.डी.ब्लॉक

3212
20/9/11
Date: 20/9/11
Office of the Member (Administration)
Delhi Urban Shelter Improvement Board

पिछा तब, लोक न्याय मंडल
जान नरिंद
एई नं. 110003
दिनांक 12.8.2011



आयुक्त
दिल्ली शहर विधान (एम.सी.डी.)
कोर्य मण्डल, सिविक सेंटर
नियंत्रण जर्मिन डुरेन कालेज
एई नं. 110006

मुख्य कार्यकारी अधिकारी
दिल्ली अर्बन शेल्टर इम्पूवमेंट बोर्ड
दिल्ली सरकार, पुनर्वास भवन
आई.टी.ओ.
एई दिल्ली।

644/DAPAL
20/9/11

आयुक्त-श्री माधवल पहाड़िया, सी-55, गुजरवाला अपार्टमेंट, विकास पुरी, एई दिल्ली-110 का कार्मिक स्थल बुक विहार(नॉर्दर्) की आबंटन से संबंधित कार्मिक कार्यों के लिए आवंटित करने का प्रस्ताव।

संबन्धित विषय जनकीय उपायधर, श्री राजकुमार देवका के सम्मुख दिनांक 25.8.2011 को हुई सुनवाई की रिपोर्ट आपको आवश्यक कार्रवाई हेतु भेजी रही है।

ध्या: आपसे अनुरोध है कि कृपया कार्रवाई रिपोर्ट आगे के सहायिका भेजे।

10/205/2006
Member (Administration)
DO (A-1)

PK 23/9/11
DO (A-1)
20/9/11

अधीनस्थ,
अनुसंधान अधिकारी
(ए.पी. जीतम)

F.No. 19/205/Delhi/2006/ESDW
National Commission for Scheduled Castes

Record note of discussion held in the National Commission for Scheduled Castes on 25.8.2011 to discuss the case of Sh. T.S. Suman, General Secretary, Buddha Vihar Samiti, Nangloi, Delhi regarding allotment of remaining land measuring 192.56 Sqmt. to the Samiti.

A hearing was held on 25.8.2011 in the National Commission for Scheduled Castes to discuss the case of Sh. T.S. Suman, General Secretary, Buddha Vihar Samiti, Nangloi, Delhi regarding allotment of remaining land measuring 192.56 Sqmt. to the Samiti. The hearing was attended by Sh. T.P. Sharma, Assistant Commissioner Land & Estate MCD, and Sh. Vijay Kumar, Deputy Director, Delhi Urban Shelter Improvement Board, Govt. of NCT of Delhi.

The Assistant Commissioner Land & Estate informed the Commission that petitioner has requested to allot him the remaining land measuring 192.56 Sqmt. which is a pyzaj land. He further informed the Commission that earlier MCD has made a proposal to allot this land to the petitioner and sent it to the Lt. Governor for their concurrence. But it was turned down. The Commission observed that MCD may send a fresh proposal to the Lt. Governor for the same under intimation to the Commission. So that Commission may pursue the matter in L.G. office.

R.K. Verma
(Raj Kumar Verma)
Vice-Chairman, (NCSC)

4 (B)

Subject : Regarding allotment of encroached open Plot No.18/ 352, Bagh Kare Khan, Kishan Ganj to Gurudwara Gur Sangat sahib (Regd).

As per record, the Property No. 18/352, Bagh Kare Khan, was allotted to Sh. Sujan Singh on license-fee basis. Later, the said property was unauthorizedly occupied by Sh. Noor Mohd S/o Sh. Hussain Bux and Sh. Shahabuddin S/o Sh. Hazi Ajmeri. This property was demolished on 06-10-1980 and the occupants were provided with alternative allotments. The vacant plot measuring 83.38 sq. mtrs is currently in the possession of the Gurudwara Gur Sangat Sahib (Regd.) which is situated at Property No. 356-A, Bagh Kare Khan just across the road from the plot in consideration in this case. The area of Bagh Kare Khan Ward XVIII was notified as Slum and subsequently de-notified on 21-03-1987 and was regularized by the MCD.

The Management Committee of Gurudwara Gur Sangat Sahib (Regd.), Bagh Kare Khan is reported to have installed "Holy Nissan Sahib" at the said plot of land and same is also in use by the Sikh Sangat for organizing community langers and religious functions for the last so many years.

The Managing Committee of the said Gurudwara had also filed a Petition in the year 1999 vide Suit No. 287/99 against MCD & Others for allotment of said plot. As defendant, Slum & JJ Department (now DUSIB) was impleaded as a party in the case in question.

In the year 2002, the Slum & JJ Department (now DUSIB) wrote a letter to the President of the said Gurudwara informing thereby to raise funds upto the tune of Rs. 3.00 (three) lacs to meet out the cost of land as the case of allotment of land was under active consideration. However, the Committee did not deposit the funds and no allotment could be done. The Management Committee requested again to allot the said plot. *It is pointed out here that the said plot is nazul land and any decision related to allotment of the said plot requires the approval of the Hon'ble LG, GNCTD, being the Competent Authority.*

The Gurudwara Committee has on several occasions shown interest for purchase of this land. In the year 2004, a discussion was held between the Director (Recovery/IA) and Gurudwara Committee for allotment of said open plot. Resultantly, the Gurudwara Committee consented to withdraw the court case, in case the Department

settles the issue out of the court. Accordingly, the Plaintiff withdrew the suit in the year 2005.

In this context, it is noteworthy that at present no policy exists in DUSIB for allotment of institutional land to NGOs/Trusts etc. or religious organizations. The Board in its 6th Meeting held on 23-02-2012, resolved that the Institutional land allotments may be restricted to Govt. Departments especially (Education and Health) and Govt. Utilities.

However, Shri Rajesh Jain, Hon'ble MLA has raised the issue for allotment of land to Gurudwara Committee, in the meeting held on 15.5.2012 in the chamber of Hon'ble Minister of Health & Family Welfare, UD. After discussion, the Hon'ble Minister of Health & Family Welfare, UD decided that the matter be placed before the Board to resolve the issue. Hence, the matter is placed before the Board.

The Board may kindly take a decision on the issues at '4 (A)' & '4 (B)' above.

Agenda Item No.5

Subject: Regarding allotment of Institutional land to Government Departments and others.

A proposal was placed before the BOARD in its 6th meeting held on 23.2.2012 vide its agenda item No.4 in respect of allotment of institutional land.

The Board resolved in the above said meeting that the allotment of Institutional land may be restricted to the Government Departments (especially Health and Education) and government utilities. It was further resolved that the DUSIB may decide the rates in this regard in consultation with the Government.

A proposal was accordingly forwarded to the Govt. of Delhi for its consideration and decision. The proposal of the DUSIB and views of the Planning Department of the Government of Delhi may kindly be seen as under:-

S.No.	Proposal of the DUSIB	Views of the Planning of the Govt. of Delhi
1.	Allotment of land to government institutions such as Hospitals, PSUs and Schools may be made on the basis of circle rates on lease basis.	The circle rates are meant for the purpose of registration of land and charging stamp duty thereon. As such the circle rates may not be kept as a criterion for allotment of land to government institutions. Therefore the DUSIB may allot land to various government departments on the rates fixed by the L&DO, Ministry of UD, GOI. These rates are updated on yearly basis by the GOI.
2.	In other cases (i.e. other than government) land may be allotted either on prevailing market rates or may be auctioned /tendered on case to case basis on lease basis after the approval from the board.	In other cases, DUSIB may auction the land with the condition that minimum reserve price of the land shall not be less than the market rates /circle rates of that area.
3.	In respect of allotment of land to CNG and petrol	Policy for allotment of land on annual license fee basis is meant for petrol

	pumps, the policy of the DDA may be adopted.	pumps/CNG stations by the DDA. Such policies for allotment of land on annual license fee basis may not be adopted.
--	--	--

In addition to above, the observations of Pr. Secretary (Finance), Govt. of NCT of Delhi may kindly be seen as under:-

" Land is a reserved subject. It is hoped that the DUSIB would keep this in mind while formulating any policy for land/landed assets disposal. Accordingly, it may be desirable that whatever policy is intended, administrative department will take appropriate action for obtaining approval of the competent authority i.e. Council of Ministers and HE L.G.

Further, even though allotment to government departments /institutions may or may not have been a policy of the erstwhile S&JJ Department, there would have been an 'allotment' policy. There would have been guidelines, rates etc. for such allotments. It would have been approved by a competent authority. These could be usefully relied upon to evolve a policy for DUSIB.

In this matter, consulting both Revenue and L&B departments could be of assistance also. Besides, points made by Planning Department may be kept in mind. "

The Board is facing acute financial crunch due to which the DUSIB is unable to carry out the developmental works/maintenance of assets as well as not able to pay salary to officers and employees etc. At present, the DUSIB is releasing salary to the staff from capital receipts/loans etc. which will also lapse shortly. Further, as the DUSIB has been constituted in 2010, the earlier allotment policies are no more applicable.

In view of the above, the following proposal is submitted in respect of the rates to be charged from different categories of allotments in DUSIB:

1. Govt. Institutions i.e., Schools, Hospitals and PSUs may be allotted land on the basis of Circle Rates on lease basis.
2. In other cases, the land may be allotted either on prevailing market rates OR may be auctioned / tendered on case to case basis on lease basis after the approval from the 'Board.'

3. In certain cases, the allotment of land by DDA is made on annual license fee basis. These are allotment of land to petrol pump and to the CNG Stations. In case of allotment of land for petrol pump the DDA fixes the license reserve price and then auctions the plot. In case of the allotment to IGL for CNG stations, DDA has fixed allotment price as 75% of the reserve price of petrol pump. The copy of the DDA allotment policy on license fee basis is placed at Annex. -'A'. This policy of allotment on license fee seems to be reasonable and can be adopted by DUSIB as well.

The proposal above may kindly be considered for approval by the BOARD.

Delhi Development Authority
Land Costing Wing

No. F2 (49) 99/AO (P)/DDA/85

Dated 1/8/11

CIRCULAR - 19

Subject: Fixation of Reserve Licence Fee for Petrol Pump Sites on DDA Land for the year 2007-08, 2008-09, 2009-10, 2010-11 & 2011-12.

VC DDA has been pleased to fix the rates of Reserve Price/Reserve Licence Fee for Petrol Pump Sites falling in the category of urban area/urban extension highways on DDA Land for the year 2007-08, 2008-09, 2009-10, 2010-11 & 2011-12 as mentioned below:

Reserve Licence Fee for the year 2007-08

Size of Plot	Licence Fee	Additional Licence Fee for commercial component
30mx36=1080 sqm	Rs. 37,43,070/- p.a	Rs. 133680/- p.a
33mx45=1485 sqm	Rs. 51,46,720/- p.a	Rs. 183810/- p.a
75mx40m for CNG mother station as per requirement.	Rs. 1,03,97,420/- p.a	Rs. 371340/- p.a

Reserve Licence Fee for the year 2008-09

Size of Plot	Licence Fee	Additional Licence Fee for commercial component
30mx36=1080 sqm	Rs. 45,20,920/- p.a	Rs. 1,61,460/- p.a
33mx45=1485 sqm	Rs. 62,16,260/- p.a	Rs. 2,22,610/- p.a
75mx40m for CNG mother station as per requirement.	Rs. 1,25,58,110/- p.a	Rs. 4,48,500/- p.a

Reserve Licence Fee for the year 2009-10

Size of Plot	Licence Fee	Additional Licence Fee for commercial component
30mx36=1080 sqm	Rs. 49,23,190/- p.a	Rs. 1,75,830/- p.a
33mx45=1485 sqm	Rs. 67,65,390/- p.a	Rs. 2,41,780/- p.a
75mx40m for CNG mother station as per requirement	Rs. 1,36,75,530/- p.a	Rs. 4,88,410/- p.a

Reserve Licence Fee for the year 2010-11

Size of Plot	Licence Fee	Additional Licence Fee for commercial component
30mx36=1080 sqm	Rs. 45,40,160/- p.a	Rs. 1,62,130/- p.a
33mx45=1485 sqm	Rs. 62,42,720/- p.a	Rs. 2,22,950/- p.a
75mx40m for CNG mother station as per requirement	Rs. 1,26,11,560/- p.a	Rs. 4,30,410/- p.a

License Fee for the year 2011-12

Size of Plot	License Fee	Additional License Fee for commercial component
30x30=1080 sqm	Rs. 43,92,280/- p. a	Rs. 1,56,870/- p. a
30x45= 1485 sqm	Rs. 60,28,290/- p. a	Rs. 2,25,690/- p. a
30x40m for CNG mother station as per requirement	Rs. 1,22,00,780/- p. a	Rs. 4,35,740/- p. a

Other terms and conditions as contained in the Authority's Resolution 68/2004 shall remain the same.

Commissioner (LD)
 Sd/- (CL)
 Sd/- CAO (LC)
 Sd/- (CL)

(Signature)
 (Kamal Joshi)
 Director (Land Costing)

mother station as per requirement | Rs. 4,50,410/- p. a

S No.	Category	Annual Reserve Licence fee per sqm (50 FAK)	Annual Reserve Licence fee for standard size of (30x30)=1080sqm
1	Urban area/urban extension/ highway falling in this category (29250x34x50%)	(40% FAK) Rs. 756/- (Rounded)	Rs. 8.00 lac (Rounded)

These rates will be applicable initially for 5 years with 6% automatic escalation every year. The licence would be renewed after every five years at the sole discretion of VC/DDA for a maximum period of 15 years on the existing, and it need be on revised terms and conditions. 15 years has been proposed as it is a sufficient length of time to act as an incentive for making the required investment. After 15 years extension can be allowed on the basis of the policy that may be in vogue at that time.

Proposals are submitted for approval of the Authority.

RESOLUTION

The Chief Legal Advisor pointed out that the Authority vide its resolution No. 23 dated 17.3.87 had laid down that maximum period of license for allotment of land for petrol pumps, fuel depots, shops, offices etc. cannot be more than 5 years at a time. In view of the fact that the agenda item had proposed allotment of land on license fee basis to the petrol pumps for much longer periods, it was decided that this point may again be examined on the file and placed before the Lt. Governor for taking appropriate decision.

Attested
 [Signature]
 [Stamp]
 2/10/89

Agenda Item: 53/2007
27.6.2007

Sub. Fixation of license fee in respect of CNG Station sites.

2012 (3) 2005/CL/DDA

DDA started allotting sites for CNG station from 1995 onwards. License fee for the CNG sites was fixed at the same rates as fixed for petrol pump sites. In the year 2003, policy for allotment of petrol pump sites was changed from allotment mode to auction mode. Further it was decided that petrol pump sites given earlier on allotment will be charged license fee at the rates at which Reserve Price is fixed for auction of petrol pump sites.

Considering the fact that CNG is a Green fuel and Hon'ble Supreme Court has directed to maximize its use in the vehicles to reduce the pollution, it is not desirable to charge the same license fee for CNG station sites as for the petrol pumps in the changed scenario of auction.

However, it was considered that license fee of CNG Station should be linked to the reserved fixed for auction of petrol pump sites and it was decided in a meeting taken by VC/DDA that license price for CNG station should be fixed at 75% of the reserved license fee fixed for petrol pumps and the matter will be put up before the Authority for approval. Hon'ble Lt. Governor has also accorded approval for the same.

Accordingly the proposal is submitted for approval of the Authority for fixing license fee for CNG station sites at the rate of 75% of the reserved price fixed for petrol pump.

RESOLUTION

The proposals contained in the agenda item were approved by the Authority.

Agenda Item No.6

Subject: Award of work for EWS/Slum Relocation Houses to be constructed under BSUP of JNNURM at Bhalswa, Jahangir Puri.

(6 A)

Name of work:- Construction of 7400 Nos. (G+4) five storeyed EWS Houses under JNNURM for slum dwellers at Pocket-II, Bhalaswa Jahangir Puri, Delhi.

S.H:- Construction of 3400 Nos. E.W.S houses i.e Building work including internal Water Supply, Sanitary Installation, Internal Electrification and external roads, paths, water supply, drainage, parks, boundary wall and sewerage for STP complete.

The above project under JNNURM was approved by Central Sanctioning and Monitoring Committee (CSMC) of Ministry of Housing & Urban poverty Alleviation (HUPA) on 10/3/2011 and was approved by State Level Steering Committee (SLSC) of JNNURM in it's 5th meeting held on 11.03.2012. The minutes of the meetings of CSMC & SLSC were circulated vide No. N-11026/1/ 2011/BSUP/ JNNURM-Vol.-III dated 24.3.11 & 460 (7)/UD/BSUP/2011/3839-48 dated 19.04.2011 respectively. In the IIIrd Board meeting held on 22.06.2011, the Board has granted the Administrative approval amounting to Rs. 366.83 Crore The total number of 7400 houses have been bifurcated into two parts i.e (3400 +4000) and the bids were invited accordingly. The technical sanction amount for the above work is Rs. 1,71,56,154/-. The time of completion of the work is 18 months.

In pursuance to the decision of Board in its VIth Meeting, the tenders for the above said work was re-invited vide N.I.T No. 78/EECD-III/11-12 & ID No. 2012_DUSIB_11436_1 on dated 1/3/12. Wide publicity was ensured by publishing the NIT on the procurement / tender site of GNCTD as well as in three leading News Papers of Hindi, English & Urdu. The bidders were requested to quote the percentage rate tenders. The date of closing of bid was 19.03.2012.

The technical bid was opened on date 19/03/2012 at 1.00 P.M., the following seven agencies had participated in the bid :-

1.M/S. Ramky Infrastructure Ltd.

- 2.M/S. ERA Infra Engineering Ltd.
3. Supreme Infrastructure India Ltd.
- 4.N.C.C. Limited
- 5.Unity Infra Projects Ltd.
- 6.M/s Omaxe Infrastructure & Construction (P) Ltd.
- 7.Engineering Projects (India) Ltd.

On Technical evaluation of the documents M/s Engineering Projects (INDIA) Ltd. was not found eligible. Only Six bidders were qualified for opening of their Financial Bid.

Financial bid of six bidders were opened and their quoted rates were as under:

Name of contractor	Tendered amount percentage above or below	Net tendered amount after negotiations, if any	Remarks
1	2	3	4
M/S. Ramky Infrastructure Ltd.	@ 55.75% Above Rs. 1,91,02,00,648/-	-----	L-5
M/S. ERA Infra Engineering Ltd.	@ 51.60% Above Rs. 1,85,93,02,846/-	-----	L-4
Supreme Infrastructure India Ltd.	@ 40.48% Above Rs. 1,72,29,21,265/-	-----	L-1
N.C.C. Limited	@ 43.56% Above Rs. 1,76,06,96,020/-	-----	L-2
Unity Infra Projects Ltd.	@ 60.01% Above Rs. 1,96,24,47,549/-	-----	L-6
M/s Omaxe Infrastructure & Construction (P) Ltd.	@ 45.61% Above Rs. 1,78,58,38,308/-	-----	L-3

Out of these six bidders M/s Supreme infrastructure India Ltd @ Rs. 40.48% above the E.C found to be L-1.

The current cost indexation on DSR 2007 as allowed by CPWD is at 51%. The MRJ has been calculated at 51.96 % above on DSR. 2007. As per latest instruction issued by Department of Finance, GNCTD dated 24th Sept. 2011 building works can be awarded at 39% above the DSR 2007 plus 10% as per codal limits of CPWD manual.

The tender was considered by WAB on 19.06.12.

The WAB decided to recommend the case for acceptance of tender in favour of L-1 i.e M/s Supreme infrastructure India Ltd @ Rs. 40.48% above the E. Cost put to tender. The contractual amount works out to be Rs. 1,72,29,21,265/- (Rupees one hundred seventy two crore twenty nine lac twenty one thousand two hundred sixty five only). Copy of the minutes of meeting of WAB are enclosed for reference (Annexure-'A').

The finance has seen and concurred the proposal.

On the basis of the above facts and on the strength of the recommendation of WAB, the Board may consider to approve acceptance of tender in favour of L-1, M/s Supreme infrastructure India Ltd on their quoted rates 40.48% above the estimated cost put to tender at contractual amount of Rs. 1,72,29,21,265/-. (Rupees one hundred seventy two crore twenty nine lac twenty one thousand two hundred sixty five only.).

(6 B)

Name of work:- Construction of 7400nos.(G+4) five storeyed EWS Houses under JNNURM for slum dwellers at Pocket-II, Bhalaswa Jabangir Puri, Delhi.

S.H:- Construction of 4000 Nos. E.W.S houses i.e Building work including internal Water Supply, Sanitary Installation & Internal Electrification.

The above project under JNNURM was approved by Central Sanctioning and Monitoring Committee (CSMC) of Ministry of Housing & Urban poverty Alleviation (HUPA) on 10/3/2011 and was approved by State Level Steering Committee (SLSC) of JNNURM in it's 5th meeting held on 11.03.2012. The minutes of the meetings of CSMC & SLSC were circulated vide NO. N-11026/1/ 2011/BSUP/ JNNURM-Vol.-III dated 24.3.11 & 460 (7)/UD/BSUP/2011/3839-48 dated 19.04.2011 respectively.

In the IIIrd Board meeting held on 22.06.2011, the Board has granted the Administrative approval amounting to Rs. 366.83 Crore. The total number of 7400 houses have been bifurcated into two parts i.e (3400 +4000) and the bids were invited accordingly. The technical sanction amount for the above work is Rs. 1,80,46,48,500.00. The time of completion of the work is 18 months.

In pursuance to the decision in the VI Meeting of Board held on 23.02.2012, the tenders for the above said work was re-invited vide N.I.T No. 79/EECD-III/11-12 & ID No. 2012_DUSIB_11443_1 on 1/3/12. Wide publicity was ensured by publishing the NIT on the procurement / tender site of GNCTD as well as in three leading News Papers of Hindi, English & Urdu. The bidders were requested to quote the percentage rate tenders. The date of closing of bid was 19.03.2012.

The technical bid was opened on 19/03/2012 at 1.00 P.M. The following six agencies participated in the bid :-

1. M/S. ERA Infra Engineering Ltd.
2. Supreme Infrastructure India Ltd.
3. N.C.C. Limited
4. Unity Infra Projects Ltd.
5. Engineering Projects (India) Ltd.
6. M/s Kamladitya Construction Pvt. ltd

On technical evaluation of the documents M/s Engineering Projects (INDIA) Ltd. was not found eligible. Financial bid of M/s Supreme infrastructure India Ltd was not

opened as the eligibility of the agency got limited by the PQ condition of the maximum no. of DUs, that can be awarded to any agency by DSIIDC and DUSIB under JNNURM.

As a result financial bid of Four bidders were opened and their quoted rates were as under:

Name of contractor	Tendered amount percentage above or below	Net tendered amount after negotiations, if any	Remarks
1	2	3	4
M/S. Kamladitya Construction Pvt. Ltd.	@ 61.70% Above Rs. 2,08,62,53,512/-		L-4
M/S. ERA Infra Engineering Ltd.	@ 49.26% Above Rs. 1,92,57,52,624/-		L-2
M/s N.C.C. Limited	@ 43.22% Above Rs. 1,84,78,24,539/-	@ 43.00% above Rs.1,84,49,86,099/-	L-1
Unity Infra Projects Ltd.	@ 60.17% Above Rs. 2,06,65,13,451/-		L-3

M/s N.C.C Ltd @ Rs. 43.22% above the E.C was found to be L-1. The justification on market rates has been worked at Rs. 51.34% above on the estimated cost.

The Competent Authority approved the proposal for negotiation with the L-1 and accordingly the agency M/s N.C.C Ltd. was called for negotiation of rates on 15/6/12. The agency has reduced their rates from 43.22% to 43.00% on the E. Cost put to tender.

The current cost indexation on DSR 2007 as allowed by CPWD is at 51.%. The MRJ prepared by the technical team and evaluated by the Planning Division is 51.34 % above on DSR. 2007 this includes 1% labour cess. As per latest instructions issued by Department of Finance, GNCTD, dated 24th Sept., 2011 building works can be awarded at 39% above the DSR 2007 plus 10% as per codal limits of CPWD Manual. In this case the rates of L-1 after negotiation are 43.00 % above on estimated cost put to tender which are within all the above permissible limit.

The tendering was placed before WAB on 19.06.12.

The WAB decided & recommended the case for acceptance of tender in favour of L-1 i.e M/s N.C.C Ltd @ Rs. 43.00% above the E.Cost put to tender by the Competent

Authority. The contractual amount worked out to be Rs. 1,84,49,86,099/- (Rupees one hundred eighty four crore forty nine lac eighty six thousand ninety nine only.). Copy of the Minutes of the Meeting of WAB are enclosed for reference. (ANNEXURE- 'A').

The finance has seen and concurred the proposal.

On the basis of the above facts and on the strength of the recommendation of WAB, the Board may approve acceptance of tender in favour of L-1, M/s N.C.C Ltd on their quoted rates 43.00% above the estimated cost put to tender at contractual amount of Rs. 1,84,49,86,099/- (Rupees one hundred eighty four crore forty nine lac eighty six thousand ninety nine only).

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DELHI URBAN SHELTER IMPROVEMENT BOARD, GNCTD
OFFICE OF THE SUPERINTENDING ENGINEER-I
RAJA GARDEN, NEW DELHI-110027

NO:

D.....

Minutes of the meeting of Work Advisory Board

The meeting of WAB was held in the Chamber of CEO DUSIB on 19.6.12 at 3.00 PM. The following officers were present:

1. Sh. Chetan B. Sanghi, CEO(DUSIB)	In chair
2. Sh. Sanjay Kumar, Member (Finance)	Member
3. Sh. P.K. Chaturvedi, Chief Engineer(DUSIB)	Member
4. Sh. H.C. Puri, Chief Engineer (Housing)DUSIB	Member
5. Sh. R.B. Vashist Controller of Account(Delhi Govt.)	Member
6. Sh. Ved Prakash, SE-I(Housing)	Member Secy.

The following officer was present:
Sh. S.K. Dania, EE CD-III

The following agenda items were discussed in the meeting:-

Item No. 1- Name of work:- Construction of 7400nos.(G+4) five storeyed EWS Houses under JNNURM for shwa dwellers at Pocket-II, Bhalaswa Jahangir Puri, Delhi

S.H:- Construction of 4000 Nos. E.W.S houses (e Building work including internal Water Supply, Sanitary Installation & Internal Electrification.

Member (Finance) apprised the members of Work Advisory Board that CSMC and SLSC has approved the construction of total 7400 EWS houses at Bhalaswa Jahangirpuri vide no. N-11026/1/ 2011/BSUP/ JNNURM-Vol.- II dated 24.3.11 for Rs. 366.83 Crore. The total number of 7400 houses have been bifurcated into two parts i.e. (3400 +4000) and the tenders were floated accordingly.

The technical sanction amount for the above work is Rs. 1,80,46,48,500.00. The time of completion of the work is 18 months.

This is the second call of tenders as in the first call only technical bids were opened and before opening of financial bid some changes in the NIT conditions were made after approval of WAB as well from the Board. The changes were:

1. No agency shall be awarded the work for construction of more than 10000 dwelling units under BSUP of JNNURM through the implementing agencies viz. DUSIB & DSIDC of Delhi Govt. including the proposed work in question.
2. In order to determine the said limit of 10000 dwelling units, the following criteria is enumerated:

The limit of 10000 dwelling units comprises sum total of following two components:

- a) Dwelling units already under construction and/or dwelling units awarded and/or works of dwelling units under process of award, in DUSIB and/or DSIDC under BSUP of JNNURM.
- b) Dwelling units of the proposed below mentioned work in question.

3. Time period of completion of the work shall be 18 months where as earlier it was 15 months.

In the second call, Six agencies participated in the bid before the due date of bid i.e 19/3/12. On scrutiny of Technical evaluation of the documents of the bidders one agency M/s Engineering Projects (INDIA) Ltd. did not found eligible. So, only Five bidders were qualified for opening of their Financial Bid from which the financial bid of M/s Supreme Infrastructure India Ltd has not been opened due to cap of 10,000 flats in DSIDC & DUSIB. So, Financial bid of Four bidders were opened out of which M/s N.C.C Ltd @ Rs. 43.22% above the E.C found to be L-1. The justification on market rates has been worked out to be as Rs. 51.34% above on the estimated cost put to tender

The Competent Authority approved the proposal for negotiation with the L-1 and accordingly the agency M/s N.C.C Ltd. was called for negotiation of rates on 15/6/12 and the agency has reduced their rates from 43.22% to 43.00% on the E. Cost put to tender.

The current cost indexation on DSR 2007 as allowed by CPWD is at 51.%. The MRJ prepared by the technical team and evaluated by the Planning Division is 51.34 % above on DSR. 2007. Controller of Accounts, GNCTD asked about the adherence to the cost index by Delhi Govt. as per latest instruction dt. 17.05.2012 building works can be awarded at 39% above the DSR 2007. In this case the rates of L-1 after negotiation are 43.00 % above on estimated cost put to tender. which are well within the limit of 39% + 10% as permissible under CPWD Manual.

It was further brought to the notice of WAB that L-1 is not only below the indexed rate approved by the CPWD but also much below the MRJ prepared by the office.

The CWAB decided to recommend the case for acceptance of tender in favour of L-1 i.e M/s N.C.C Ltd @ Rs. 43.00% above the E.Cost put to tender by the Competent Authority. The contractual amount worked out to be Rs. 1,84,49,86,099/- (Rupees one hundred eighty four crore forty nine lac eighty six thousand ninety nine only.)

Item No. 2- Name of work:- Construction of 7400nos.(G+4) five storeyed EWS Houses under JNNURM for slum dwellers at Pocket-II, Bhalaswa Jahangir Puri, Delhi.

S.H:- Construction of 3400 Nos. E.W.S houses i.e Building work including internal Water Supply, Sanitary Installation, Internal Electrification and external roads, paths, water supply, drainage, parks, boundary wall and sewerage for STP complete.

Member (Finance) apprised the members of Work Advisory Board that CSMC and SLSC has approved the construction of total 7400 EWS houses at Bhalaswa Jahangirpuri vide no. N-11026/1/ 2011/BSUP/ JNNURM-Vol.- III dated 24.3.11 for Rs. 366.83 Crore. The total number of 7400 houses have been bifurcated into two parts i.e (3400 +4000) and the tenders were floated accordingly.

The technical sanction amount for the above work is Rs. 1,71,56,11,154.00. The time of completion of the work is 18 months.

This is the second call of tenders as in the first call only technical bid was opened and before opening of financial bid some changes in the NIT conditions were made after approval of WAB as well from the Board. The changes were:

3. No agency shall be awarded the work for construction of more than 10000 dwelling units under BSUP of JNNURM through the implementing agencies viz. DUSIB & DSIHDC of Delhi Govt. including the proposed work in question.
4. In order to determine the said limit of 10000 dwelling units, the following criteria is enumerated:
 - c) Dwelling units already under construction and/or dwelling units awarded and/or works of dwelling units under process of award, in DUSIB and/or DSIHDC under BSUP of JNNURM.
 - d) Dwelling units of the proposed below mentioned work in question.
3. Time period of completion of the work shall be 18 months where as earlier it was 15 Months

In the second call, Seven agencies participated in the bid before the due date of bid i.e 19/3/12. On scrutiny of Technical evaluation of the documents of the bidders. One agency M/s Engineering Projects (INDIA) Ltd. did not found eligible. So, only Six bidders were qualified for opening of their Financial Bid. Out of these six bidders M/s Supreme infrastructure India Ltd @ Rs. 40.48% above the E.C found to be L-1. The justification on market rates has been worked out based on DSR-2007 and it comes to be as Rs. 51.96% above on the E.C.

The current cost indexation on DSR 2007 as allowed by CPWD is at 51%. The MRJ prepared by the technical team and evaluated by the Planning Division is 51.96 % above on DSR. 2007. Controller of Accounts, GNCTD asked about the adherence to the rate by Delhi Govt. as per latest instruction dt. 17th May. 12 building works can be awarded at 39% above the DSR 2007. In this case rates of L-1 are 40.48% above on estimated cost put to tender which are well within the limit of 39% plus 10% as permissible as under CPWD manual.

It was further brought to the notice of WAB that L-1 is not only below the indexed rate approved by the CPWD but also much below the MRJ prepared by the office.

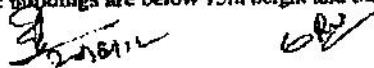
The CWAB decided to recommend the case for acceptance of tender in favour of L-1 i.e M/s Supreme infrastructure India Ltd @ Rs. 40.48% above the E.Cost put to tender by the Competent Authority. The contractual amount worked out to be Rs. 1,72,29,21,265/- (Rupees one hundred seventy two crore twenty nine lac twenty one thousand two hundred sixty five only.)

Item No. 3:- Subject: Decision for width of stair case in the housing project.

This item was put before the WAB with the permission to Chair, the tenders for the work of housing projects at Savda & Dwarka were invited on 30.1.11 and these works were awarded on 24.2.12. The width of the stair case was kept as 1.0m as per National Building Code/IS:8888, the earlier housings have also been constructed with 1.0m wide stairs. The DDA has also been constructing such houses with 1m width of stairs.

The work was stopped on 25.4.12 when it came to the notice that Delhi Fire Service is not accepting the width of stair case less than 1.50m.

When the earlier schemes in G+3 pattern were submitted to DFS, they clearly stated that as the buildings are below 15m height and therefore no NOC is required from DFS.



However, with the amendment in the DFS Act, obtaining NOC from DFS has been made mandatory for residential buildings in G+4, even, if it is below 15m ht.

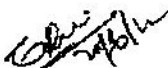
Officials from DSIIDC and DUSIB had a combined meeting with Sh. A.K. Sharma, Director, DFS on 9.5.12 it was explained to him that the National Building Code states that the width of stairs for Residential Apartments / dwellings as 1.00m falling under category A-4 however, the DFS interpret that for category A-4, the width of stairs is 1.50m under head "all other buildings".


The National Building Code has been prepared by Bureau of Indian Standards. In order to get clarification from the BIS, a letter was sent by the Sr. Project Director dated 9.5.12 and therefore a meeting was held with Sh. Sanjay Pant, Director Civil Engineering, BIS as well as with the Director General BIS on 22.5.12. they informed us that a meeting of the "Panel for Fire Protection, CED 46.P2" has been convened for 28th June, 12 to decide this issue.

Since Sh. S.K. Dheri is the Convener of the Panel for Fire Protection, a letter dt. 23.5.12 was sent by Sh. Sanjay Kumar to Sh. S.K. Dheri, (former Chief Fire Officer) so as to resolve the issue early. He has sent his comments vide an e-mail dt. 25.5.12 confirming that the stair width shall be 1.00m as per NBC.

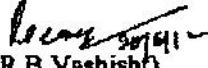
A meeting was held in the office of the Chief Secretary, Govt. of Delhi on 1.6.12. the Chief Secretary desired to wait till the outcome of the meeting to be held on 28th June, 12.

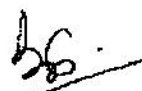
These facts were brought to the notice of the WAB.



(Ved Prakash)
Member Secretary


(H.C.Puri)
Chief Engineer (Housing)
DUSIB


(P.K. Chaturvedi)
Chief Engineer
DUSIB.


(R.B. Vashisht)
Comptroller of Accounts


(Sanjay Kumar)
Member (Finance)


(Chetan B. Sanghi)
Chief Executive Officer

Agenda Item No.7

Subject: Approval of DUSIB Budget for the year 2012-2013.

The Slum & JJ Department has been transferred from MCD to DUSIB w.e.f. 1st July, 2010 vide notification no. F. 14(18)/LA-2007/Law/227 dated 31.5.2010 read with Notification F.No. 1(7)UD/DUSIB/2010/9736 dated 1.7.2010. The Board looks after the work of improving the quality of life of Slum & JJ Dwellers by implementing various approved Plan Schemes of Delhi Govt./Central Govt. as envisaged under Section 24 of DUSIB Act 2010 read with section 28 of the said Act & notification F.NO.(7)UD/DUSIB/2010/12257-12270 dated 05.08.2010. The Actual Budget for the year 2011-12 and Budget Estimate for the year 2012-13 has been prepared for approval of the Board. After its approval the same will be forwarded to Govt. of NCT of Delhi, Administration Deptt. i.e. Deptt. of Urban Development, Delhi Govt. for appropriate action.

The sources of income of DUSIB are- disposal of Plots and Liquidation of rights in properties. DUSIB also collect License Fee from the Tenements, Institutional Allotment, Lease Money and one time conversion Charges, Miscellaneous Receipts from Night Shelters, Community Halls and other properties like Cattle dairy Farms, Old Cloth Market constitute etc. constitute a small part of revenue receipts. Besides the above, Govt. of Delhi also gives financial assistance in the form of Grant for implementing plan schemes.

The Govt. of NCT of Delhi has also kindly agreed to assist the organization in its initial years of working by giving grant-in-aid mainly for disbursement of salary and allowances.

Actuals for 2011-12 are based on the receipt and expenditure figures booked up to March, 2012 (Provisional). During the year 2011-12, DUSIB's total Capital & Revenue Receipt was Rs. 5965.37 lac while expenditure was Rs. 7268.15 lac under the Revenue Head and Pay & Allowances. In order to improve the financial health of the DUSIB, specific measures are proposed to be taken to enhance the Capital receipts and Revenue Receipt by way of disposal of residential and commercial plots, built up shops and bringing special schemes for conversion of license property to the free hold and revision of license fee which has not been revised the since last 30 years.

Accordingly, the Capital Receipt and Revenue Receipts under BE 2012-13 is being proposed Rs. 1271.00 lac and Rs. 12978.50 lac respectively for the next financial year i.e. 2012-13. Against the proposed revenue receipt of Rs. 12978.50 lac, proposed revenue expenditure is Rs. 11259.67 lac only. Under the BE 2012-13, provision for payment of pay and allowance in respect of vacant posts has been taken for 6 month only)

As stipulated under section 24(1) of the Delhi Urban Shelter Improvement Board Act 2010, the proposal in respect of Actual Budget for 2011-12 and Budget Estimate for the year 2012-13 have been prepared and placed before the Board for consideration, adoption and for approval from Delhi Govt.

Agenda Item No.8

Subject: Accord of Administrative Approval & Expenditure Sanction for Rs. 3,75,25,300/- funded by Trans Yamuna Area Development Board (TYADB)

Sub Head: - Construction of Community Hall at Block-3, TrilokPuri.

A piece of land measuring 2140.00 sqm exists at Block-3, Trilokpuri JJR Colony. There is a toilet on the site under reference which is abandoned and in dilapidated state of condition. During an inspection it was proposed by the Hon'ble M.L.A. of the area that a Community Hall be Constructed on this piece of land at Block-3 Trilokpuri as there is no need of existing toilet block since all the resident of that area have individual toilets in their houses. Accordingly a Double Storied Community Hall was proposed at the site of the existing toilet block: The covered area at ground floor is 637.52 sqm and at first floor is 637.52 sqm.

The proposal for construction of double storied Community Hall at the proposed site was approved by the Planning & Works Board on date 30.06.2009. vide item No.01/2009.

On the basis of the approved drawings a preliminary Estimate amounting of Rs.3,75,25,300.00 has been prepared on C.P.W.D. Plinth Area rates basis 2007 and the cost index at the rate of 39% above. The requisite amount of Rs. 3,75,25,300/- has already been sanctioned by TYADB and Released on dated 19/12/2011.

In addition to above, provision for deeper foundation for framed structure up to three storey's has been taken in the estimate for further additional storey if required at later stage.

The financial concurrence has been accorded by the finance for Rs. 3,75,25,300/- on dated 28.01.2012.

In view of the above this matter is placed before the Board (DUSIB) for accord of Administrative Approval and Expenditure Sanction for the work of "Construction of Community Hall opposite-Block 3, Trilokpuri to the tune of Rs. 3,75,25,300.00 (Rs. Three crore seventy five lac twenty five thousand three hundred only).

Board may kindly approve.

Agenda Item No.9

Subject: Regarding Absorption of Shri S.N.S. Sidhu, Director in DUSIB.

Shri S.N.S. Sidhu, an officer of Haryana Govt., working as Executive Officer with Municipal Council of Gurgaon in the pre-revised pay scale of Rs. 2200-4000 joined in erstwhile Slum & JJ Deptt of Municipal Corporation of Delhi (now DUSIB) w.e.f. 4.6.2002 as Dy. Director on deputation.

Shri Sidhu has been working continuously in this organisation since joining the department and was granted extension till 03.06.2007. He is going to retire on 28.2.2013. In the year 2006, Shri Sidhu was considered by Municipal Corporation of Delhi for absorption in erstwhile Slum & JJ Deptt of MCD w.e.f. 04.06.2002 to the post of Dy. Director against deputation quota and in this regard Vigilance Clearance and NOC was also obtained from his parent department. Accordingly, the anticipatory approval of then Chairman Standing Committee and then Mayor, MCD was also obtained on 30.3.2006 for placing the preamble for absorption of Sh. Sidhu before the Corporation. Commissioner, MCD has also agreed with the absorption proposal while submitting the same to Mayor. A copy of approval granted by Mayor is enclosed as Annexure-A.

However, before orders of permanent absorption of Shri S.N.S. Sidhu could be issued, the relevant file got misplaced. The investigation to search the file and fix the responsibility was carried out by Vigilance Unit of MCD and the same is still pending. However, the department reconstructed the file based on the available records.

In the meantime, a court case was filed by Shri Ashok Bhatia, Director in CAT vide TA No. 767/2009 against the absorption of Shri S.N.S. Sidhu. Initially, in the said TA, the CAT passed orders to repatriate the officer. However, Shri Sidhu filed Writ Petition (Civil) bearing no. 13151/2009 in the Divisional Bench of Hon'ble High Court of Delhi thereby challenging the said order of the CAT in the above mentioned TA. The Hon'ble High Court of Delhi was pleased to issue notice to the Department and also stayed the operation of the impugned order dated 22.10.2009 passed by CAT at that time. In the meanwhile, Shri Sidhu also filed a petition in the CAT vide OA

no. 1809/2010 and the Hon'ble CAT directed the department to pass final orders of permanent absorption of Shri Sidhu preferably within a period of 3 weeks from the date of receipt of certified copy of the order. Since, no orders were issued by the department in terms of the orders of the CAT, Shri Sidhu filed a contempt petition in the CAT. In the meantime, the department has also filed a review petition in the CAT. Both the petitions i.e. the contempt petition filed by the officer and the review petition of the department could not be decided by the CAT as the erstwhile Slum & JJ Department of MCD (now DUSIB) became a separate entity (Board) under the Govt. of NCT of Delhi and the CAT had no jurisdiction over the same. The CAT could not decide any of the above issues as the same was debarred being a jurisdictional fact.

It is pertinent to mention here that Shri Bhatia is a departmental officer whereas the absorption of Shri Sidhu is against the deputation quota post, thus Shri Bhatia has no locus standi to file such petition. Shri Sidhu and Shri Bhatia both belong to different streams (i.e. deputation quota and departmental quota respectively) and have no bearing over each other in any manner and also in promotional matters as envisaged under the RRs. Later, Shri S.N.S. Sidhu was appointed to the post of Director vide Office order dated 5.7.2005 on usual terms & conditions of deputation. Moreover, Shri Bhatia is presently under suspension and is also going to retire on attaining the age of superannuation on 28.2.2013 along with Shri Sidhu.

During the year 2007, CBI has registered cases against some employees of erstwhile Slum & JJ Deptt including Shri S.N.S. Sidhu under PC Act, 1998. The case(s) of CBI against Shri Sidhu was a subsequent event and has no affect on the issue of his absorption as the absorption is w.e.f. 4.6.2002 and the approval was granted by the Mayor/Competent Authority in the MCD at the relevant point of time on 30.3.2006. On both the above dates viz 04.06.2002 and 30.3.2006, there was no case against Shri Sidhu and presently also the CBI case has no bearing over the absorption of the officer in the department w.e.f. 4.6.2002. Even after registration of case(s) against Shri Sidhu, department did not repatriate him to his parent department.

In the meantime, a reference was received from the parent department of Shri S.N.S. Sidhu, issued on 23.2.2011, as per which the 'lien' of Shri S.N.S. Sidhu, Executive Officer of Urban Local Bodies Department, Haryana was terminated with immediate effect. Thus, the officer cannot now be repatriated to his Parent Department. Shri

Sidhu has been continuously working in this department for more than 10 years and there are various precedents of absorption of officers at various levels in the department (**Annexure-B**).

Shri S.N.S. Sidhu is going to retire on superannuation on 28.2.2013, therefore, it is now imperative on the part of Department to take a decision in this matter so that officer may not suffer any more. As the case is pending in the court of law, legal opinion in the matter was also sought in March, 2012 from the then Standing Counsel for DUSIB, who opined that since the 'lien' of Shri Sidhu from his parent department stands terminated for all practical purposes, he became a permanent employee of the MCD w.e.f. 04.06.2002 and DUSIB which came in existence only in July, 2010 cannot take any fresh decision as it inherited Slum & JJ Deptt. of MCD on "*as is where is basis*" and that all the employees of the erstwhile Slum & JJ Department of MCD automatically became employees of the DUSIB. The Standing Counsel also opined that there is no legal impediment in issuing orders of absorption/merger of the officer subject to decision of pending court case in WP No. 5545/07. A copy of opinion of Standing Counsel dated 10th March, 2012 is enclosed as **Annexure- 'C'**.

In view of the above, this department has no option but to absorb Shri S.N.S. Sidhu as Dy. Director w.e.f. 4.6.2002. The absorption shall, however, be subject to the decision of the Hon'ble High Court.

Board may kindly concur.

Annexure - A

4/N

As desired this matter was discussed with the Addl. Commissioner(S&JJ).

In the light of the observation of Addl. Commissioner(S&JJ), the proposal with regard to permanent absorption of Sh.S.N.S.Sidhu as Dy. Director has further been examined in the context of R.Rs for the post of Dy. Director in the Slum & JJ Department.

As per R Rs, an officer in the rank of Asst. Director/ Asst. Settlement Officer/ Private Secretary in the pay scale of Rs. 6500- 10500/- must have 5 years regular service being a feeder cadre. It is further mentioned that 75% of the posts are to be filled up by promotion falling which by deputation or 25% posts by the deputation. A copy of the R Rs is placed at 94-95/c.

The proposal of permanent absorption of Sh.S.N.S.Sidhu has further examined as to whether the UPSC is required to be consulted in the instant case. It is not necessary to consult the UPSC in the instant case, as no such provision has been made in the R Rs. However, it is apprised that some officers in the rank of Dy. Director in the pay scale of Rs. 10000- 15200/- had already been absorbed without consulting UPSC in the Slum & JJ department.

As regard, the case of Sh.S.N.S.Sidhu, he joined the Slum & JJ Department on 4.8.02 on deputation as Dy. Director in the pay scale of Rs. 10,000- 15,200/-. Before joining Slum & JJ Department, Sh.S.N.S.Sidhu initially joined service as Secretary, Municipal Council in the pay scale of Rs. 2000- 3200 (old scale) on 27.8.78 and later on he was promoted as Executive Officer in the pay scale of Rs. 8000- 13500/- on 8.6.84 in his parent department, namely Urban Development Department, Chandigarh. Since then Sh. Sidhu worked as Executive Officer in the pay scale of Rs. 8000- 13500/- in his parent department.

His request for permanent absorption as Dy. Director in the pay scale of Rs. 10000- 15200/- w.e.f. 4.8.02 can be considered, as he is eligible as per R Rs of the Dy. Director in the Slum & JJ Department.

Regarding, availability of vacant post of Dy. Director, presently there are 12 number of sanctioned post of Dy. Directors, out of which 9 have been filled up by promotion as per provision of R Rs. The remaining 3 posts which are required to be filled up by deputation; one post of deputation has already been filled up by promoting Sh. Ashok Bhatia as Dy. Director with the approval of the Commissioner, MCD. Thus leaving two vacant deputation posts as on date in the department.

In view of the above, the request of Sh.S.N.S.Sidhu for permanent absorption as Dy. Director in the pay scale of Rs. 10000- 15200/- w.e.f. 4.8.02 can be considered against the vacant deputation post of Dy. Director in Slum & JJ Department subject to the Vigilance Clearance and consent of his parent department if he

4/c

20/c

5/2

As regard, financial concurrence, it is not necessary to obtain the same as there will be no financial burden on the Slum & JJ Department as he is already working as Director in the pay scale of Rs. 12000- 16500/- w.e.f. 4.6.05 with the approval of Commissioner, MCD.

Since the post of Dy. Director belongs to Group 'A', it is necessary to submit a preamble before the Corporation being the Competent Authority for consideration and approval. Accordingly, a preamble on the proposal for permanent absorption as Dy. Director in the pay scale of Rs. 10000- 16200/- w.e.f. 4.8.02 against the vacant deputation post of Dy. Director has been prepared and placed opposite for consideration and approval.

Before placing the preamble before the Corporation, we may seek an anticipatory approval of Hon'ble Chairman Standing Committee and Hon'ble Mayor, MCD Delhi in this regard.

Submitted for kind consideration and approval please.

[Signature]
29/7/06

(KUNDAN LAL)

JOINT DIRECTOR (ADMIN.)

DY. COMMISSIONER (S&JJ)

[Signature]
27/7/06

ADDL. COMMISSIONER (S&JJ)

[Signature]
27/7/06

[Signature]
27/7/06

Hon'ble Chairman Standing Committee

[Signature]
29/7/06

Hon'ble Mayor

[Signature]
30/7/06

Adl. Commis. (S&JJ)

[Signature]
31/8

JO Director (Admin.)

[Handwritten notes]
29/7/06
27/7/06

[Handwritten notes]
446
29/7/06
31/8

Annexure - B

Officers absorbed in Slum & JJ Deptt who were on deputation

1. Shri K.P. Chaudhary as Director
2. Shri A.C. Seth as Jt. Director
3. Shri Kundan Lal as Dy. Director
4. Shri P.K. Jha as Asstt. Director
5. Shri C.P. Sharma as Accounts Officer
6. Shri Y.P. Rawal as Dy. Director

Tel. Nos. (Tis Hazari): 23919293; (High Court) 23386446

(Res.) 27393979; Mobile: 98-100-12444; Fax # 27393979

D. P. SAXENA, I.L.M.

ADVOCATE

Standing Counsel for DUSIB

Residence: 24-A DDA MIG Flats Rampura Delhi 110035.	High Court Office & Mailing Address: 372, Lawyers' Chambers High Court of Delhi New Delhi 110002
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Dated: March 18, 2012

OPINION

Legal Opinion in terms of Note dated 6/3/2012 at p.55/N and earlier Notes on pp. 59/N to 53/N.

I have perused the notes by Assistant Director (Admn.) dated 6/2/2012 and Dy. Director (Admn.) dated 6/2/2012 and Dy. Director (Admn.) dated 6/2/2012, in which details of facts of the case are given at pages 52/N and 53/N. In fact, draft of the Order placed on file at p.294/C is in order and should have been issued much earlier as approval of the Competent authority i.e. Mayor of Delhi Municipal Corporation was obtained on 30/3/2006. The order could not be issued as the file was misplaced and for this the individual concerned should not be allowed to suffer continuously. Moreover, as after reconstruction of file, the matter has been re-examined from all legal aspects.

DUSIB came into existence much after the final decision was taken by the Competent authority and the decision binds the DUSIB as it succeeded MCD (Slum & JJ) w.e.f. July 2010. The formal order be issued and for issuance of same there is no need of approval of DUSIB Board.

In fact, all decisions of Competent authority were taken by MCD on 30/3/2006 and at present no fresh decision is to be taken, but a formal order which should have been issued in 2006 itself has to be issued / communicated to



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the individual concerned. Moreover in between as noticed in the notes on prepages, the lien of Mr. Sidhu from his parent Department stands terminated and for all practical purposes, he became ³⁸⁴² permanent employee of the MCD w.e.f. ~~30-06-2002~~ ⁰⁴⁻⁰⁷⁻²⁰⁰² and DUSIB which came in existence only in July 2010. cannot take any fresh decision as it inherited Shum & JJ Department of MCD on "as and where is basis" and all employees of MCD Shum & JJ Department, automatically became employees of DUSIB.

The order may be issued with a stipulation "subject to decision of pending Court cases, if any". By issuing order as placed on file at p.294/C, the litigation of DUSIB in this respect may also come to an end. The notes at p.52/N, marked 'X', is in order and there is no legal impediment for issuing the order.

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(O. P. SAXENA)
STANDING COUNSEL FOR DUSIB.
March 10, 2012.

Dy. Director, DUSIB.

**DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVERNEMENT OF N.C.T. OF DELHI
PUNERVAS BHAWAN, I.P. ESTATE,
NEW DELHI- 110002.**

NO:- D- 16 /AD(Meeting Cell)/DUSIB/2012

Date: 13.07.2012


Sub: - Minutes of VIIth Meeting of Delhi Urban Shelter Improvement Board held on 04.07.2012.

Sir/Madam,

Please find enclosed herewith the minutes of the VIIth Meeting of Delhi Urban Shelter Improvement Board held on 04.07.2012 duly approved by Hon'ble Chairperson, DUSIB.

The minutes may be seen and action on issues pertaining to concerned section may be initiated immediately. An action taken report may also be submitted in this regard.

Encl:- As above.


Director (Admn.)

Copy to:-

- 1. Member (Admn).**
- 2. Member (Finance)**
- 3. All Directors**
- 4. Chief Engineer- I, II & III.**
- 5. Office copy.**

DELHI URBAN SHELTER IMPROVEMENT BOARD
PUNARWAS BHAWAN
I.P.ESTATE NEW DELHI-110002
e-mail: delhishelter@gmail.com

Minutes of the Seventh Meeting of the Delhi Urban Shelter Improvement Board held on 4th July, 2012 at 11.30 A.M. in the Conference Hall No.2, Level-2, Delhi Secretariat, I.P.Estate, New Delhi

1. List of the participants is enclosed.
2. The Chairperson welcomed all the participants and requested CEO DUSIB to initiate the proceedings. Thereafter, the CEO DUSIB presented the agenda before the Board. The Board deliberated on various agenda items and following decisions were taken:
3. Decisions on the agenda items.

Agenda Item No.1 - Confirmation of the Sixth Board meeting and Action Taken Report

The Board confirmed the minutes and action taken report of the Sixth Board meeting held on 23-02-2012.

Agenda Item No.2 - Status note regarding the relocation/allotment of flats to eligible slum dwellers constructed under JNNURM.

The Board noted the progress regarding relocation / allotment of flats to eligible slum dwellers and directed that the allotment letters to the allottees may be issued immediately. The Board further directed that relocation of other eligible beneficiaries may be expedited.

Agenda Item No.3 Regarding grant of freehold/ownership rights to the allottees/ occupants of 48-JJ Resettlement Colonies. -'

After detailed deliberation the Board decided that the rates to be charged for the conferment of the ownership rights to different categories of occupants shall be

revised as below and placed before the cabinet for its consideration and approval:

S. No.	Category	Premium/cost of land to be charged for grant of freehold rights.
1	Allottee / legal heirs of allottee	10% of the Circle Rate
2	Occupants through sale/purchase of the allotted plots residing prior to 31 st March, 2007	30% of the Circle Rate
3	All other occupants residing prior to 31 st December, 2011	60-100% of the Circle Rate (Rates to be finalized by the Cabinet)

Subsequently the proposal as approved by the Cabinet shall be placed before the Govt. of India for approval.

Further it was decided that the outstanding dues in respect of pending Licence Fees on the plots shall be charged from the allottees/purchasers/occupants prior to processing their cases for grant of ownership rights.

Agenda item No. 4 (A): Regarding DUSIB land measuring 192.56 Sqm at Nangloi encroached and constructed shops thereon by Budh Vihar Samiti(Regd.)

The Board considered the proposal. As there is no policy of allotment of encroached land for commercial/private use, the proposal was rejected by the Board with direction to initiate proceedings for retrieval of the land.

Agenda Item No. 4 (B): Regarding allotment of encroached open Plot No. 18/352, Bagh Kare Khan, Kishan Ganj to Gurudwara Gur Sangat Sahib(Regd.)

The Board decided that allotment of land be made for religious purpose at market rate on lease basis with the condition that in case any misuse of land is reported other than the specified purpose the lease shall stand terminated without notice. In case the payment of cost of land as per market rate is not made by the Management Committee of Gurudwara Gur Sangat Sahib(Regd.), the land shall stand retrieved to the Board.

Agenda Item No. 5: Regarding allotment of Institutional Land to Government Department and others.

The Board agreed to the proposal of rates to be charged for different categories of Institutional Allotment in DUSIB with the sole exception of land to be allotted to schools of GNCTD. It was decided that in such cases rates as per DDA be charged. The loss of revenue incurred therein shall be compensated by grant in aid by Delhi Govt. All cases of Institutional allotment shall be placed before the Board for approval before allotment.

Agenda Item No. 6: Award of work for EWS / Slum Relocation Houses to be constructed under BSUP of JNNURM at Bhalawa, Jahangir Puri

(6A) Name of work: Construction of 3400 Nos (G+4) five storeyed EWS Houses under JNNURM for slum dwellers at Pocket-II, Bhalawa Jahangir Puri, Delhi

The Board approved the acceptance of tenders in favour of M/s Supreme Infrastructure India Ltd. on their quoted rates 40.48% above the estimated cost put to tender on contractual amount of Rs. 1,72,29,21,265/- (Rs. One Hundred Seventy Two Crores Twenty Nine Lakhs Twenty One Thousand Two Hundred Sixty Five only).

(6B): Name of work: Construction of 4000 Nos. (G+4) five storeyed EWS Houses under JNNURM for slum dwellers at Pocket-II, Bhalswa Jahangir Puri, Delhi

The Board approved the acceptance of tenders in favour of M/s N.C.C. Ltd. on their quoted rates 43.00% above the estimated cost put to tender on contractual amount of Rs.1,84,49,86,099/- (Rs. One Hundred Eighty Four Crores Forty Nine Lakhs Eighty Six Thousands Ninety Nine only).

Agenda Item no.7: Approval of DUSIB Budget for the year 2012-2013.

The actual budget for financial year 2011-12 and budget estimates for 2012-13 was presented before the Board. The Board desired that DUSIB should take definitive step to augment its revenue receipts in such a manner that Organization becomes financially independent and financially sustainable. With these comments, the budget estimate for DUSIB was approved by the Board.

Agenda Item no.8: Accord of Administrative Approval & Expenditure Sanction for Rs.3,75,25,300/- funded by Trans Yamuna Area Development Board (TYADB)

The Board granted administrative approval and expenditure sanction for the work of Construction of Community Hall opposite Block-B, Trilok Puri funded by Trans Yamuna Area Development Board at the cost of Rs.3,75,25,300/- (Rs. Three Crores Seventy Five Lakhs Twenty Five Thousands Three Hundred only)

Agenda Item No. 9: Regarding Absorption of Shri. S.N.S. Sidhu, Director in DUSIB.

The Board approved the absorption of Sh. S.N.S. Sidhu, Director as Dy. Director in erstwhile-Slum & JJ (now DUSIB) w.e.f. 04.06.2002 subject to outcome of the pending case in Hon'ble High Court of Delhi.

Agenda Item No. 10: Regarding land required by DMRC at Trilokpur JJR Colony.

The Board decided that DUSIB shall in principle handover the land to DMRC subject to the condition that a proper rehabilitation scheme for the displaced persons and identification of land for the same be placed before the Board in advance for its approval.

Issues raised by Hon'ble MLAs:

Shri S.P. Ratawal & Shri Parfad Singh Sawhney raised the issue of utilization of space in Phool Mandi.

The Board decided that necessary action be initiated to protect the land from encroachments and explore the possibilities of using the land in such a manner including auction of the land so that revenue is generated for the Board.

Shri S.P. Ratawal raised the issue of encroachment of land near P&T Colony, Karol Bagh, New Delhi and promotions in the Engineering Cadre.

It was decided that a site inspection report shall be called and necessary action be initiated to safeguard the property in question and explore the possibility of utilization of land for generating revenue for DUSIB.

As regards promotions in Engineering Cadre, CEO DUSIB assured to look into the matter and take appropriate action.

Sh. Bittoo raised the issue of covering of drains.

The Board decided that Chief Engineer-t may carry out a visit of the site with Hon'ble MLA and take appropriate action in the matter thereafter.

The minutes have the approval of the Chairperson.



(SHAKTI SINHA)
Chief Executive Officer
Delhi Urban Shelter Improvement Board

**DELHI URBAN SHELTER IMPROVEMENT BOARD
MEETING ON 04.07.2012
LIST OF PARTICIPANTS**

SL. NO.	NAME & DESIGNATION
1.	SMT. SHEILA DIKXIT, HON'BLE CHIEF MINISTER, CHAIRPERSON
2.	DR. A. K. WALIA, HON'BLE VICE CHAIRMAN
3.	SH. P.K. TRIPATHI, CHIEF SECRETARY, GNCT OF DELHI
4.	SH. R. CHANDRA MOHAN, PR. SECY. UD, GNCT OF DELHI
5.	SH. SHAKTI SINHA, CEO DUSIB
6.	SH. PARLAD SINGH SAWHNEY, HON'BLE MLA
7.	SH. SURINDER PAL SINGH (BITTOO), HON'BLE MLA
8.	SH. S.P. RATAWAL, HON'BLE MLA
9.	SH. PANKAJ ASTHANA, MEMBER (ADMN), DUSIB
10.	SH. SANJAY KUMAR, MEMBER (FIN.) DUSIB
11.	SH. GOPAL K. SAXENA, CEO, BRPL
12.	DEBASHREE MUKHERJEE, CEO, DJB
13.	MS. REKHA DEWANI, ARCHITECT PLANNER
14.	SH. P.K. CHATURVEDI, CHIEF ENGINEER-I, DUSIB ,
15.	SH. A.K. PAHAL, CHIEF ENGINEER-II, DUSIB
16.	SH. H.C. PURI, CHIEF ENGINEER-III, DUSIB
17.	SH. MANISH GUPTA, COMMISSIONER , MCD SOUTH
18.	SH. D.P. TURE, DY. COMM., MCD (EAST)
19.	SH. FERD AHMED, CHIEF ENGINEER (NDMC)
20.	SH. ASHISH MOHAN, DIRECTOR (ADMN), DUSIB
21.	SH. ANAND KR. TIWARI, DIRECTOR (REHAB.), DUSIB
22.	SH. R.B. VASHISHT, FA, DUSIB
23.	SH. VED PRAKASH, S E (DUSIB)
24.	SH. O.P. VERMA, CONSULTANT (A&L), DUSIB
25.	SH. A.S. CHAUHAN, SE/C-12/DDA
26.	SH. SATPAL, I.O. TO CHIEF MINISTER, DELHI