

Chapter 1

Overview of Land Management in DDA

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1 Chapter

1.1 Introduction

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

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

1.2 Nature of Land under jurisdiction of DDA

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

1.2.1 Nazul-I Land

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

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

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

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

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

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

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

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

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

1.2.2 Nazul-II Land

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

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

1.2.3 General Development Land

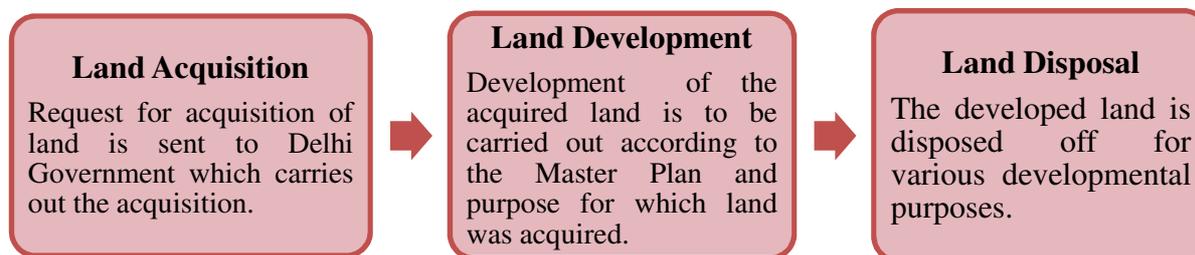
These lands are acquired by DDA out of General Development Accounts Funds as its own property. These lands also include the unutilised lands within the urban limits of Delhi, purchased by DDA in 1982 from erstwhile Ministry of Supply and Rehabilitation, Government of India on as-is-where-is basis.

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

1.3 Land Management Process in DDA

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

Chart 1: Process of Land Management in DDA



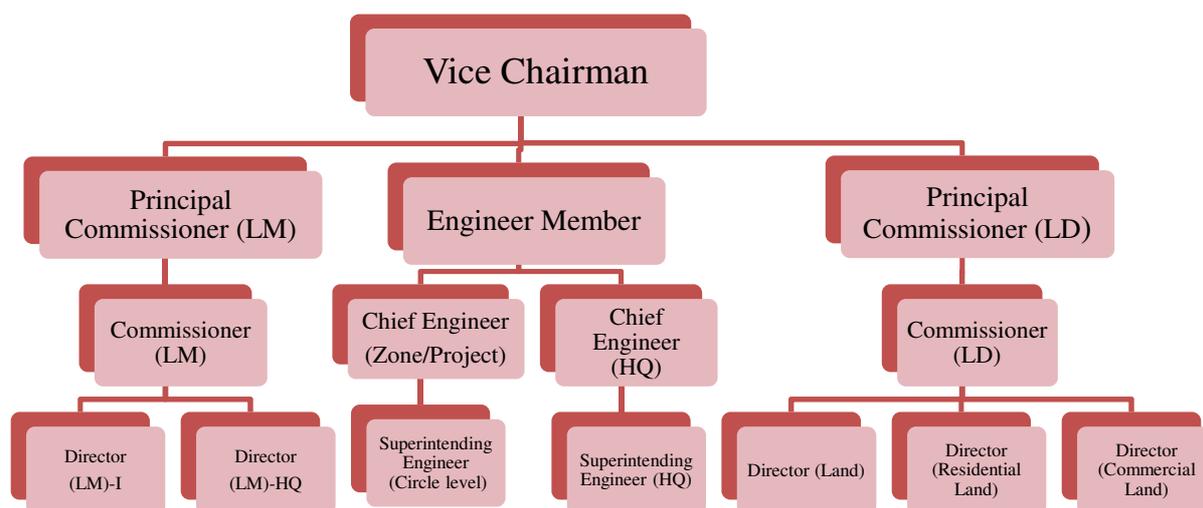
1.4 Organisational Set up in DDA for Land Management

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

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

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

Chart 2: Organisation Chart for Land Management in DDA



1.5 Budget, Receipt and Expenditure

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

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

(₹ in crore)

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

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

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

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