

Chapter 4

Development of Land

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4.1 Introduction

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

4.2 Planning

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

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

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

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

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

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

4.2.1 Non availability of clear site

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

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

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

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

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

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

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

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

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

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

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

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

4.2.5 Non-revision of Technical Sanction

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

4.2.6 Work not completed/ foreclosed

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

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

4.3 Delay in Commencement and Execution of Work

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

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

Audit noticed that:

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

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

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



Rohini Zone: Construction of Main carriageway



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

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

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

4.4 Delay in handing over of the Completed Projects

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

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

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

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



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

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

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

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

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

Conclusion:

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

Recommendations:

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