

**DELHI DEVELOPMENT AUTHORITY**  
**Master Plan Section**  
**6th Floor, Vikas Minar**

**No.F.3 (53)2003/MP**

A draft policy on **“Land Assembly based on Land Pooling and Owners Participation as an alternative to Large Scale Land Acquisition in Delhi”** has been received from MoUD vide D.O.No.J-13036/11/2007-DDVA dated 16<sup>th</sup> February, 2009 for consultation with major stakeholders. Such a consultation will assist the Ministry in understanding the likely problems in the policy for possible improvements as well as to ensure that at the implementation stage, the policy do not face major hurdles.

Dy.Chief Electoral Office Delhi vide his letter No.CEO/EL.G/102(14)/2009/25795 dated 11.4.09 has given approval for placing the draft policy on DDA Website.

Accordingly, it is requested that stakeholders may send their views on the following draft policy within 30 days from the date of its placing on the DDA's website.

The observations may be addressed to the Jt.Director. (MP) on the following address:

Address: Jt.Director (MP), DDA  
6<sup>th</sup> Floor, Vikas Minar,  
I.P.Estate, New Delhi-110002

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## **Land Assembly based on Land Pooling and Owners Participation as an alternative to Large Scale Land Acquisition in Delhi.**

### **1. Introduction**

The process of planned development of the National Capital began with the enactment of the Delhi Development Act, 1957 and was followed by notification of the Master Plan of Delhi (MPD) in 1962.

The MPD-1962 set out the broad vision for the development of Delhi and, with a view to realizing the development plan underlying this vision, a scheme of Large Scale Acquisition and Development of Land was also formulated. The aim of the latter was to ensure that the spatial pattern of development and use of land could conform to the development plan and infrastructure and services could be laid out to match the same. At that early stage, the philosophy of public sector led growth and development process formed the backbone of planned development, with very little private participation in terms of development of both, shelter and infrastructure services. This position continued in the Master Plan for Delhi 2001 till the process of economic reforms was initiated in the early nineties.

The unprecedented growth in the population of Delhi continued with 138 lakh in 2001 as against the MPD-2001 projection of 128 lakh, with inevitable implications and impact in terms of shelter, including squatter settlements, and other infrastructure facilities. The shortage is particularly acute in the housing sector. Based on the projected population of 230 lakh by 2021, the estimated additional housing stock required will be around 24 lakh dwelling units. This includes an estimated housing requirement of 20 lakh dwelling units for additional population and backlog of about 4 lakh units comprising of 1 lakh net shortage and the rest by dilapidated and kutcha structures requiring replacement. Even if the assumptions regarding the extent of housing that could be met by redevelopment of the existing areas actually materialize, there would still be a need for the development of housing to the extent of at least 75,000 DUs per annum in different categories. The shortage of non - residential, especially commercial space, in the city has also been a major concern. It is a well-known fact that the widespread commercial use of residential premises (not in compliance with the Master Plan provisions prevailing at that time) has been the root-cause of the problem of the sealing drive, which has been undertaken pursuant to the directions of the Supreme Court and High Court of Delhi. Similarly, the requirements of the growing population, in terms of physical and social infrastructure

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(such as schools, hospitals etc) have to be met concurrently with creation of housing stock to provide the necessary quality of life for the citizens.

MPD 2021 acknowledges that with the necessity for creation of infrastructure to support growth of the city at this scale, the present policy of large scale development and acquisition and its relevance in the present context needs a thorough relook. There is a need to explore alternative options for development of areas identified for urbanization in MPD-2021; to evolve a system under which planning for, and provision of basic infrastructure could take place simultaneously; and also to involve the private sector in the assembly and development of land and provision of infrastructure services.

However, at the same time, for a fast growing and large city like Delhi, there is a need to put in place a sustainable land policy, which is backed by effective implementation and affordability of land/houses for common citizens. Simultaneously, the implications on the environment due to the already existing strain on infrastructure also need to be kept in view. Another important dimension of any land policy for a city like Delhi is the issue of adequate and just compensation to those persons who are displaced by land acquisition for urban habitation.

## **2. The Scheme of Large Scale Land Acquisition, Development and Disposal**

In 1961, the Scheme of Large Scale Land Acquisition, Development and Disposal Policy was approved by the MHA and is in operation till date.

However, the pace of development of land has not been satisfactory right from the MPD-1962. As against an annual target of 1372 ha, only an average of 777 ha of land was annually acquired in the period 1962-1981. As against 24,000 ha, only 9507 ha were acquired between 1981-2001, a mere 39.6% of the target. Against a target of about 14,479 ha to be developed in 1961-1981, only 7316 ha were developed by 1984. Under MPD-2001, the target achieved for serviced land to be provided in the various sub-cities was only 48%. In view of the unsatisfactory position on this account over a long period of time, it is necessary to review and reconsider the current scheme of Large Scale Land Acquisition, Development and Disposal by DDA.

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At various occasions, the issue of private sector participation in the land assembly has been deliberated upon. In 1998, an alternative policy on a limited scale for Land Assembly and Development with the involvement of private developers in housing activities was launched by DDA, whereby private developers were allowed to take up assembly and development of land for housing in a minimum area of 30 acres, further reduced to 10 acres in 1999. However, this measure was not successful in achieving the desired objective.

### **3. Provisions in MPD-2021**

On 7.2.2007, the Master Plan for Delhi 2021 notified by the Government of India, provides for alternative options for development and for involvement of the private sector in the assembly and development of land/infrastructure services. It states that the land policy would be based on the optimum utilization of available resources, both public and private in land assembly, development/redevelopment and housing.

### **4. Guiding Principles**

- 4.1 Govt. / DDA to act as a facilitator with minimum intervention to facilitate integrated planned development.
- 4.2 A land owner, or a group of land owners (who have grouped together of their own volition/will for this purpose) or a developer, hereinafter referred to as the "developer entity", shall be permitted to pool the land in an identified area or otherwise for unified planning, servicing and subdivision/share of the land for development as per prescribed norms and guidelines.
- 4.3 Each of the landowners to get an equitable return irrespective of land uses assigned to their land in the Zonal Development Plan (ZDP).
- 4.4 To ensure availability of land for Master Plan Roads, Master Plan level Physical Infrastructure and Greens and participation of owner(s) in development.

### **5. Role of DDA/Government**

- 5.1 To facilitate the assembly of land falling under Master Plan roads, physical Infrastructure (water supply, power, Sewage Treatment Plant, Water Treatment Plant, storm

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water drainage, peripheral solid waste management ) as well as Master Plan Greens. In case the land for above cannot be assembled by the Developer Entity (DE) itself, then DDA may acquire such land. The DE shall be responsible for creation of infrastructure, including EWS housing within the module which it is developing.

- 5.2 DDA may also consider releasing its land which is under acquisition but not physically taken into possession for assembly of land in this manner, after due identification of all such land. It may also be considered whether except for land required for public projects, rest of land may be made available for land assembly and pooling in this manner.
- 5.3 To prepare detailed Local Area Plan/Sub Zone Plan based on the MPD and the ZDP in order to identify the parcels of land where land pooling and private land assembly is to be allowed. To start with, land in a regular and contiguous manner within the pockets earmarked by DDA on Local Area Plan/Sub Zone Plan where infrastructure is readily available could be released under the scheme. However, if the DE assembles the land outside the area(s) thus identified may also be considered for approval by the Authority subject to NOC from the Service Providing Agencies like DJB, BSES, NDPL etc. In such cases, DDA is to be indemnified for the disputes/court cases arising out of non availability of services, including that of roads.
- 5.4 The DE to assemble more than 70% of the land for applying for the development license. In such case DDA to facilitate availability of balance 30% land by way of acquisition.
- 5.5 Immediately after entering in to the agreement with DDA for land pooling as per the agreed Local Area Plan/Sub Zone Plan, the development of roads and identification of Master Plan Greens and Utilities to commence. Assembly of 40 ha of land to also start simultaneously.
- 5.6 DDA/Govt. to put in place the required legal framework /rules and regulations for assembly/ land pooling before the Local Area Plan/ Sub Zone Plan is put in the public domain for participation.
- 5.7 DDA/Govt. to evolve and put in place the mechanism to facilitate interaction with the stakeholders, so that impediments are removed and issues are resolved quickly and amicably.

## 6. Role of the DE

### 6.1 Role/responsibilities of the DE

The DE shall-

demarcate all the roads as per Local Area Plan/ Sub Zone Plan and get verified from the concerned Authority within the assembled area;

develop Sector Roads/Internal Roads/ Infrastructure/Services(including water supply lines, power supply, rain water harvesting, STP, WTP etc.) falling in its share of the land of the module(s);

return to DDA the prescribed percentage of land under City level Commercial Use, Industrial Use and Public & Semi - Public Area, Prescribed % of built up FAR for EWS/LIG;

identify / Quantify the FAR of all land uses as per Local Area Plan/ Sub Zone Plan; &

develop and maintain neighbourhood level open spaces, roads and services till the area is handed over to the MCD for maintenance. He shall bear deficiency charges if any at the time of handing over of the services to the Corporation.

### 6.2 Other terms and conditions

6.2.1 The DE will be allowed to modify the layout by retaining the same composition of land uses of the module, if it assembles the land of the entire module.

6.2.2 External Development Charges shall be payable as decided by the Authority. Change of land use charges are not to be charged as the DE is returning the prescribed percentage of developed land as well as EWS housing component to the Government.

6.2.3 The EWS housing component created by the DE shall be subject to quality assurance checks, as prescribed in this regard by Govt/DDA. The final handing/taking over of this component shall be subject to fulfilling the quality assurance requirements.

6.2.4 The terms of the agreement shall stipulate that the DE shall be allowed to undertake the actual transfer/transaction of saleable component under its share/ownership to the prospective buyers only after the prescribed land and EWS housing component is handed over to the DDA.

## **7. Land Distribution:**

The model is to be based on the land use distribution as per the MPD and ZDPs-2021. The land to be surrendered and returned percentages are based on this and may vary as per actual areas/figures in the Local Area Plan/ Sub Zone Plan.

7.1 The city level land distribution, as indicated in MPD 2021, is as follows:

- Gross Residential : 45-55%.
- Commercial : 4-5%
- Industrial : 4-5%
- Recreational: 15-20%
- Public and semi public Facilities: 8-10%
- Circulation : 10-12%

7.2 Land use distribution at gross residential level includes net residential area 50%, playgrounds and parks 16%, facilities and local commercial 10%, Roads 15%.

7.3 Facilities are to be provided as per Master Plan norms for the population to be accommodated.

7.4 All other uses such as city level commercial, industrial and public & semi public facilities also to be developed as per MPD norms.

## **8. Norms for Land Assembly/Land Pooling**

8.1 Each module to be identified for land assembly / Land pooling on the Local Area Plan/ Sub Zone Plan shall comprise an area of 40 ha (+ or - 15%).

8.2 Development of various land uses falling in the module will be as per Master Plan norms/LAP/SZP.

8.3 It shall be ensured that various land uses , especially PSP , are evenly spread across all modules and developed accordingly.

8.4 The DE shall enter into an Agreement with DDA for pooling the lands in identified area(s), and also agree to surrender the lands for Master Plan Roads and Infrastructure including Master Plan roads, physical Infrastructure (water supply, power, Sewage Treatment Plant, Water Treatment Plant, storm water drainage, peripheral solid waste management ) as well as Master Plan Greens.

8.5 Approximately 29% of the total land to be developed will be required for Master Plan Roads, physical infrastructure (like Sewage Treatment Plant & Water Treatment Plant etc.) and

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for Master Plan Greens , which is to be given by the DE on the basis of the prescribed norms.

- 8.6 The DE is to be issued a certificate that he shall get back about 71% of his original land holding for permitting its assembly in the identified pockets on the Local Area Plan/ Sub Zone Plan.

### **9. Guidelines for development of various land uses**

The development of various land uses will be carried out as per the guidelines given below:

#### **9.1 Gross residential FAR**

- FAR permissible on the gross residential use in the assembled pocket: 200
- FAR be earmarked for the EWS component over and above FAR of 200: 30 (15%)  
(This FAR is to be built by the DE as per specifications and to be returned to DDA free of cost.)
- FAR for local level commercial: 10.
- FAR for facilities: 30.
- The residential stock created by the DE may be offered for institutional housing as a first option.

- 9.2 The DE shall develop the Commercial, Industrial and Public semi public Facility Areas falling in the module. Of this, 40% each of commercial and industrial and 70% of PSP land shall be returned to DDA.

### **10. Advantages of the proposed model:**

- 10.1 Planning responsibilities are shared, as it is a participatory model.
- 10.2 Land is available to DDA without resorting to acquisition for city level roads and physical infrastructure. At the same time, dependence on acquisition of land is also reduced to the minimum.
- 10.3 Except for land required for public projects, land already held by DDA, which it is unable to develop at the requisite pace, nor protect effectively against encroachments, is immediately available for the much-needed development of the city.
- 10.4 Development would be faster as large number of stake holders are part of the process. This, in turn, will prevent illegal colonization within the city.
- 10.5 The treatment and compensation to landowners , whose land falls under varying uses in the ZDP is equitable.



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- 10.6 Built residential floor space is available for immediate disposal to EWS section of the society.
- 10.7 Land for city level commercial, industrial and facilities is also made available without any acquisition, and yet in a planned manner.
- 10.8 Large variety of designs and layouts and housing typology would be available to prospective buyers.
- 10.9 Development of services and housing and other related uses will go hand in hand there by meeting the need housing and other facilities at a appropriate time and affordable /competitive prices.
- 10.10 PSP facilities, such as hospitals, schools and educational institutions in the private sector are also created at a faster pace due to private participation in the land assembly for the same, and at reduced land costs.

**11. How to ensure return of lands and built up space to the Govt/DDA.**

At the time of granting development permit to the DE, DDA can retain the city level component of Commercial/Industrial/ Public and Semi Public land. However providing the peripheral services to these lands, as approved, within the module will be the responsibility of the DE.

- 11.1 Before actual commencement of work on the module site by the DE, it shall be ensured that as soon as the LAP/SZP is approved, physical possession of DDA's share of the land must be handed over to DDA, with appropriate fencing/boundary wall etc in place. This is to be ensured to prevent encroachment on DDA land. The DE shall be allowed to undertake the actual transfer/transaction of saleable component under its share/ownership to the prospective buyers only after the prescribed land and EWS housing component is handed over to the DDA.

**12. Actual Process of Implementation of Project through Private Land Assembly**

- 12.1 Based on the decision regarding the areas to be opened up for land assembly, DDA to prepare in a time bound manner, the detailed Local Area Plan/ Sub Zone Plan within the overall framework of the ZDPs. All such plans will be superimposed on shajara plans for easy identification of ownership of each plot.
- 12.2 It shall be the endeavour of DDA to identify modules for such land assembly and pooling in all zones involving the

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- urbanisable areas of the city, and not to permit concentration of such modules in particular zone/zones.
- 12.3 The ownership details of the land involved in the module/s shall be available in the public domain upfront.
  - 12.4 In case the DE is a group of land owners who have come together of their own will for functioning as a DE for a particular module or modules, DDA shall issue an authorization to this effect to enable the participation of the individual members of the group within the DE.
  - 12.5 Any DE which has completed land pooling and has proposed to take up Development/Redevelopment Scheme shall make an application to DDA for grant of Planning Permission/development licence to develop a module in the prescribed form along with prescribed fees and documents.
  - 12.6 The DE shall be lawfully in possession of the land which may be acquired from the existing land owners through direct negotiations before applying for the licence.
  - 12.7 If the DE is in possession of 71% of the required land for a module, the remaining 29% may be acquired by DDA.
  - 12.8 DDA to grant planning permission/development licence after scrutiny, to be valid for a particular period (5 years), which may be renewed, subject to certain terms and conditions. Development license shall be issued stipulating the terms and conditions for development and subject to return of EWS housing component and land to DDA as per the policy.
  - 12.9 It shall be the responsibility of the DE to acquire all the requisite permissions/clearances from various bodies , and any delay alone in obtaining these may not be quoted as a ground for extension of the license period.
  - 12.10 At the same time, DDA and DE enter into an agreement/ MoU for development of the module in PPP mode. DE gets allotted his share of the land i.e. 71 acres in a module where 100 acres are assembled. DDA's share of land i.e. for city level component of commercial/industrial/PSP/MP roads and greens/physical infrastructure/institutional housing etc. is returned to DDA.
  - 12.11 DDA starts the development of peripheral sector roads and development of services. The DE starts his share of work on the sanctioned plan for the land allotted within the sector plan framework.
  - 12.12 After the neighbourhood areas have been laid out according to approved layout plan and development works have been executed according to the approved designs and specifications, the DE shall make an application to DDA for issuance of completion certificate.