

दिल्ली विकास प्राधिकरण
DELHI DEVELOPMENT AUTHORITY
NEW DELHI

No. F.3(33)2012/MP/Pt.II /D-77

Date: 01.06.2018

CIRCULAR

Sub: Policy to enable the Planned Development of Privately Owned Lands

On the issue of facilitating planned development of privately owned lands within the existing / prevailing norms given under MPD-2021, ZDP, UBBL, etc, Delhi Development Authority in its meeting held on 21.12.2017 vide item no. 78/2017 approved the "Policy to enable the planned development of Privately Owned Lands". The policy approved is as follows:

1.0 GENESIS

- 1.1 Planned development in Delhi has followed the paradigm of large scale acquisition of land and subsequent planning and development by the DDA. While Zonal Development Plans (ZDPs) were prepared for entire zones, the layout plans were prepared by DDA only for the acquired land pockets. Thus, the overall land use and planning norms for all lands are determined by the DDA as per MPD 2021 and ZDPs, while the responsibility of preparing and approving local-level layout plans has been handled both by the DDA (in the 'development areas') and the respective ULBs (in 'non-development areas').
- 1.2 This approach has led to the exclusion of isolated privately owned land pockets due to various reasons such as denotification from acquisition, exclusion from acquisition and legal encumbrances, which have thereby remained outside the purview of planned development. In order to include such isolated pockets into the overall fabric of the city and ensure their planned development as per MPD 2021 and applicable ZDP, it is important to involve the owners of such lands in the development process.
- 1.3 For this purpose, the DDA has proposed to implement this Policy to enable the Planned Development of Privately Owned Lands. The Policy is proposed as an instrument for DDA to integrate such land parcels, neither covered under Land Pooling nor acquired by DDA, with the overall development of Delhi through spatial planning and facilitation of basic infrastructure and services.
- 1.4 It lays down the guidelines that will enable the participation of owners of privately owned lands; who were otherwise deprived of the legitimate and rightful use of their property. It is recognized that the planned development of

such land parcels is in the interest of the larger public good and is aligned with DDA's goal of planned and sustainable development of the national capital.

2.0 APPLICABILITY

2.1 This policy shall **APPLY** to the following types of privately owned land parcels:

2.1.1 Land parcels having activities / uses that were already in existence before the notification of MPD 1962.

2.1.2 Land parcels that were left out and could not form a part of any layout plan/ planned development during the implementation of the MPD.

2.1.3 Land parcels that could not be acquired by DDA because:

- a) Acquisition proceedings were challenged by the land owners and quashed by the courts
- b) Acquisition lapsed as per sub-section 2 of section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (the 'New Land Acquisition Act')

2.1.4 Land parcels assigned 'Recreational use' in the layout plan, resulting in restricting their development are also included (except for notified or reserved forest area, Regional Park and Monument Regulated Zones as per MPD 2021).

2.2 This policy shall **NOT BE APPLICABLE** on the following types of land parcels:

2.2.1 Land parcels in Zone 'O'

2.2.2 Land parcels in Notified Green Belt

2.2.3 Land parcels covered under water bodies

2.2.4 Land parcels in the Ridge, Regional Park, Reserved Forest areas

2.2.5 Land parcels in Monument Regulated Zones

2.2.6 Land parcels eligible for land pooling as per the notified Land Policy.

2.2.7 Disputed land parcels wherein the land acquisition proceedings are pending/ matter is sub judice. The owner can apply under this policy after getting the land free from all legal encumbrances.

3.0 GUIDING PRINCIPLES

- 3.1 DDA shall be the regulator as well as facilitator to ensure the planned development of all privately owned land parcels covered under this Policy.
- 3.2 DDA (in the 'development area')/ ULB (in the 'non-development area') shall take up the master planning for external development of the plots i.e. roads and linkages required for provision of infrastructure and services (subject to payment of applicable external development charges by the land owner).
- 3.3 Where land is required for providing such infrastructure, the owner shall surrender the portion(s) of land as determined by DDA/ ULB/ concerned agency, for development to the respective agency. In such cases, the owner shall continue to be eligible to consume the entire FAR permissible on the original plot.
- 3.4 The landowners shall be responsible for preparing all detailed plans (covering inter-alia, aspects such as site layout, buildings, services), as per the prevailing MPD and ZDP and applicable development controls, for undertaking internal development within their land parcel. Landowners will also be responsible for obtaining all requisite NOCs from concerned agencies and procuring necessary services (electricity, sewerage, water supply, etc.) upon payment of applicable charges to respective service providing agencies.
- 3.5 The land use/ uses and development controls (such as density, FAR, height) of any land parcel taken up for development under this Policy will be in conformity with the prevailing MPD/ ZDP/ use defined in the approved layout plan of the area.
- 3.6 In order to maintain the integrity of approved or already developed schemes of DDA/ ULBs/other government bodies, any undeveloped privately-owned land parcels within these schemes shall be developed in conformity with the surrounding development, irrespective of applicable development control norms.
- 3.7 In case of privately owned land parcels that are demarcated under Recreational land use (except for notified or reserved forest area, Regional Park and Monument Regulated Zones as per MPD 2021) in the MPD/ ZDP/ layout plan, the owner shall be allowed to develop a portion of the land with certain mandatory conditions as specified in the Regulations.
- 3.8 Privately owned lands with pre-MPD 1962 activities/use, can choose to continue with the same activity/use provided that all provisions specified in the Regulations are met. The landowner can also opt to develop as per the use

specified in the prevailing MPD/ ZDP/ approved layout plan, subject to payment of requisite charges.

- 3.9 DDA will set up a Grievance Redressal Mechanism to address all grievances/disputes that may arise during the implementation of the Policy.

In order to operationalize the above policy Delhi Development Authority has initiated the process of formulation of regulations "Regulations for Enabling the Planned Development of Privately Owned Lands" under Section 57 of DD Act, 1957. The same shall be notified after prior approval from the Ministry of Housing and Urban Affairs, Government of India.

Leenu

(Leenu Sahgal)

Commissioner (Planning)

Copy for information to:

1. Vice Chairman, DDA
2. Secretary to Lt. Governor
3. Chairperson, New Delhi Municipal Council
4. Pr. Commissioner (Coordination), DDA
5. Commissioner, South Delhi Municipal Corporation
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7. Commissioner, East Delhi Municipal Corporation
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13. Chief Fire Officer, GNCTD
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