

**GOVERNMENT OF NCT OF DELHI OF DELHI
LAND & BUILDING DEPARTMENT
B-BLOCK, VIKAS BHAWAN: NEW DELHI-02.**

No. F.31 (DMRC)/08/Alt./L&B/Part-II/ 7174-7202 Dated: 25/07/2012

To

All the Dy. Commissioners (Revenue),
Government of NCT of Delhi,
Delhi.

Sub: Regarding Relocation and Rehabilitation Policy .

Sir,

I am directed to enclose herewith a copy of Relocation and Rehabilitation Policy for Owners of Urban Properties whose land is acquired for public purpose (Other than MRTS) w.e.f September 19, 2011 for your information and necessary action.

Yours faithfully,



(Vinay Kumar)

Addl. Secretary (L&B)

28/7

Encls. As above.

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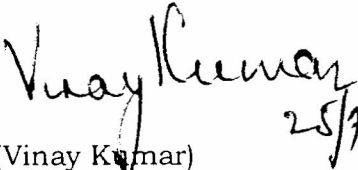
1. Vice-Chairman, D.D.A, Vikas Sadan, New Delhi.
2. Pr. Secretary (P.W.D), Delhi Secretariat, Delhi.
3. C.E.O, Delhi Jal Board, Varunalya, Ph.II, Karol Bagh, Delhi.
4. Commissioner, M.C.D (East/North/South), Delhi.
5. Director (Education), Old Secretariat, Delhi
6. All ADMs/LACs.
7. Programmer, L&B Deptt., Delhi for uploading the policy on the website.

Copy for information to:

1. Pr. Secretary to Lt. Governor, Delhi.
2. Pr. Secretary to Chief Minister, Delhi.
3. Secretary to Minister of Health, Govt. of NCT of Delhi.

4. Secretary to Minister of Education, Govt. of NCT of Delhi.
5. Secretary to Minister of Food & Supplies, Govt. of NCT of Delhi.
6. Secretary to Minister of PWD, Govt. of NCT of Delhi.
7. Secretary to Minister of Social Welfare, Govt. of NCT of Delhi.
8. Secretary to Minister of Industries, Govt. of NCT of Delhi.
9. Pr. Secretary (Rev.), Govt. of NCT of Delhi.
10. O.S.D to Chief Secretary, Govt. of NCT of Delhi.
11. Sh. Sanjeev Sahai, Standing Counsel, Govt. of NCT of Delhi, A-126, Niti Bagh, New Delhi-110049.

Encls. As above.


(Vinay Kumar)
Addl. Secretary (L&B)
25/7

Government of National Capital Territory of Delhi
Land & Building Department
B-Block: Vikas Bhawan, New Delhi-110002.

No. F.31(DMRC)/08/Alt./L&B/II/7174-7202 Dated: 25/07/2012

Relocation and Rehabilitation Policy for Owners of Urban Properties whose land is acquired for public purpose (other than MRTS) w.e.f September 19, 2011.

Applicability of the Policy

- (i) (a) The guidelines on Relocation and Rehabilitation Policy for Project Affected Persons (PAP) will be uniformly applicable to all urban areas.
- (b) The rehabilitation policy will also apply to pucca residential units only located on private land in unauthorized regularized colonies.

Eligibility Criteria

- (ii) (a) Those whose shops/residences or workshops/industrial units are affected in a manner that the said premises can not be utilized as a shop/residence, workshop/industrial unit on acquisition of this property shall be eligible for relocation and rehabilitation under the scheme. In case of premises where less than 50 percent has been acquired and the recorded owner can continue to reside/work from there, would not be eligible for rehabilitation under the scheme.
- (b) In case of shops the recorded owner will be eligible.
- (C) In case of residential units, the rehabilitation will cover only owner's residing in the premises. Tenants would not be eligible under the scheme.
- (iii) To verify the claims of the project affected persons for suitable rehabilitation and relocation, a committee shall be constituted under the



chairmanship of the Deputy Commissioner concerned and consisting of the following members:

- (a) ADM/LAC concerned.
- (b) Representative(s) of land requisitioning department.
- (c) Representative(s) of local body concerned.
- (d) Representative(s) of DDA

The committee shall recommend the cases of eligible PAP in cases for residential plots and shops directly to DDA and in case of allotment of industrial units to the Department of Industries, Government of NCT of Delhi, and DSIIDC.

- (iv) (a) For allotment of alternative residential units, the following norms, in respect of size, shall be adopted by DDA.

For residential plot of size less than 100 sq. mtrs.	A flat in LIG category
For residential plot of size above 100 sq. mtrs. Up to 300 Sq. Mt.	A flat of MIG category
For residential plot of size 300 Sq. mtrs and above.	A flat of HIG category

The location of Rehabilitation flats (L.I.G/M.I.G) should, as far as possible, be closer to the acquired land.

(b) In respect of allotment of industrial plots the norms as approved in the industrial relocation scheme shall be followed. Those who have already availed the benefits under the Industrial Relocation Scheme would not be covered. Further, the cut off dates as prescribed under the Supreme Court orders on Industrial Relocation shall apply.

(c) The size of shops may be decided by the allotting agency subject to availability of the shops.

(v) The allotment of land or built up houses or shops or industrial units shall be done on pre-determined rates.



- (vi) Wherever the land is available in the nearby vicinity, the project affected shopkeepers may form an association and the land may be allotted on 99 years lease to the association for constructing shops for its members only.
- (vii) As the end-use of land will be commercial, the prevalent market rate for the commercial use will be charged as notified by the Government of India, Ministry of Urban Development and Poverty Alleviation (Lands Division) from time to time.
- (viii) In addition, ground rent will be levied as per government policy.
- (ix) The payment for land and ground rent will be made to the local body owning the land and, in case, there is more than one local body/agency owning the land, the same will be shared proportionately on the basis of their ownership of the land.
- (x) The shops will be constructed by the association according to the sanctioned Building Plans by MCD/DDA, as the case may be.
- (xi) The allotment of constructed shops will be made by the committee (proposed in paragraph (iii) above) on the pattern of the Lease Deed of DDA by draw of lots to be held in the presence of office bearers of the association.
- (xii) As far as possible, the allotment of alternative space for shops shall be pro-rata according to the floor area of the land acquired/given up by the shopkeepers for development projects of government in urban areas.
- (xiii) Any area made available in excess of the area acquired, shall revert to the land owning agency for the purpose of allotment to other PAP as deemed fit.
- (xiv) The Requisitioning Agencies will make a provision in its commercial complexes, if any, for allotment of built up space to PAP on priority. This



allotment will be at a cost determined by the Requisitioning Agencies on their terms and conditions.

(xv) For any government project requiring involuntary resettlement, resettlement planning shall be an integral part of project design, to be dealt with from the earliest stages of the project cycle.

(xvi) The affected people shall be identified and recommended by the project executing authority, i.e., land requisition agency before submitting the proposal for notification under section 4 of the Land Acquisition Act in consultation with the concerned Land Acquisition Collector.

(xvii) A cut off date shall be set preferably at the project preparation stage so as to prevent the subsequent influx of encroachment or others who wish to take advantage of the scheme.

(xviii) Further, the full resettlement costs shall be included in the presentation of the project costs and benefits. This shall include the cost of compensation, projected enhanced compensation, relocation and rehabilitation etc.

This policy has been made effective from September 19, 2011 vide Government of India order No. O-16021/3/2010-DDVA (909), Govt. of India, Ministry of Urban Development (Delhi Division) dated September 22, 2011.



(Vijay Dev)

Pr. Secretary (L&B)

23/9/12