

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 190/2024**

IN THE MATTER OF:

News item titled "161 illegal colonies on O zone making river water toxic" appearing in The Times of India dated 25.01.2024

I N D E X

<u>Sl. No.</u>	<u>Particulars</u>	<u>Pg. No.</u>
1.	Report on behalf of Respondent No. 7, Govt. of NCT of Delhi in compliance of Order dated 30.08.2024	1-4
2.	Annexure -A: Copy of the guidelines dated 10.02.2004 issued by the Ministry of Urban Development and Poverty Alleviation for the regularization of unauthorized colonies.	5-13
3.	Annexure -B: Copy of the Revised Guidelines, 2007 dated 05.10.2007.	14-23
4.	Annexure -C: Copy of the Regulations for Regularization of Unauthorized Colonies in Delhi dated 24.03.2008, issued by the Delhi Development Authority (DDA).	24-28
5.	Annexure -D: Copy of the Notification dated 29.10.2019 issued by the Ministry of Housing and Urban Affairs, Government of India, notifying the National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorized Colonies) Regulations, 2019	29-31

FILED BY:

NEW DELHI
DATED: 04.04.2025


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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

Original Application No. 190/2024

IN THE MATTER OF:

News item titled "161 illegal colonies on Ozone making river water toxic" appearing in The Times of India dated 25.01.2024

REPORT ON BEHALF OF GOVERNMENT OF NCT OF DELHI IN COMPLIANCE WITH ORDER DATED 30.08.2024 PASSED BY THIS HON'BLE TRIBUNAL

MOST RESPECTFULLY SHOWETH:

1. The issue of unauthorized colonies in Delhi has been addressed through various policy decisions and regulations issued by the Ministry of Urban Development, Government of India, over the years.
2. That guidelines for the regularization of unauthorized colonies in Delhi were issued by the Ministry of Urban Development and Poverty Alleviation vide communication No. O-33011/2/94-DDIIB/Vol.VIII dated 10.02.2004. (**Annexure-A**).

3. That subsequently, the Ministry of Urban Development (Delhi Division), vide communication No. O-33011/2/94-DDIIB/Vol.XI dated 05.10.2007, circulated the *Revised Guidelines, 2007* and directed the concerned authorities to take immediate steps for drawing up a list of unauthorized colonies that may be considered for regularization in terms of the revised norms. (**Annexure-B**).
4. That on 24.03.2008, the Delhi Development Authority (DDA) issued the *Regulations for Regularization of Unauthorized Colonies in Delhi* vide Notification No. S.O. 683(E). A checklist for the regularization process was annexed to the said Gazette Notification. (**Annexure-C**).
5. That, pursuant to the receipt of applications from respective Residents Welfare Associations, the process for regularization of unauthorized colonies was initiated by the Urban Development Department, Government of NCT of Delhi, in accordance with the aforesaid regulations. However, till the year 2019, the process remained inconclusive and no final outcome was achieved at the level of the Government of NCT of Delhi.
6. That vide Notification dated 29.10.2019, the Ministry of Housing and Urban Affairs, Government of India, notified the *National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorized Colonies) Regulations, 2019* (**Annexure-D**). In terms of these regulations, the responsibility for regularization of unauthorized colonies was entrusted to the Delhi Development Authority (DDA). As such, the Government of NCT



of Delhi currently holds no role in the matter of regularization of unauthorized colonies.

7. That Urban Development Department, Government of NCT of Delhi has not issued any No Objection Certificate (NOC) to the Delhi Jal Board (DJB) for the installation of water or sewer pipelines in unauthorized colonies situated within the O-Zone.
8. That it is evident from Paragraph 5 of the order dated 30.08.2024 passed by this Hon'ble that the Delhi Development Authority (DDA), and not the Government of NCT of Delhi, granted the NOC for extension of the sewerage network on the request of DJB. The relevant portion of the said order is reproduced hereunder:

“The response of the DDA discloses that there are 90 such unauthorized colonies which are falling in the O-Zone and that DDA has granted NOC for extending the sewerage network on the request of the DJB to the following four such colonies:

- (i) New Aruna Nagar Colony (Majnu Ka Tila), Delhi-110054
- (ii) Bhagat Singh Park Extn., Siraspur Village, Delhi-110042
- (iii) Village Garhi, Mandu, Delhi-110053
- (iv) Old Village Usmanpur, 3rd Pushta, Dhalan Road, Delhi.”

9. That in respect of the 161 unauthorized colonies located in the O-Zone, it is submitted that while the Urban Development Department of GNCTD had earlier processed applications received from Residents Welfare Associations under the 2008 Regulations, no colony situated in the O-Zone was regularized by the Government of NCT of Delhi.

10. It is thus humbly submitted that after the notification of the 2019 Regulations by the Ministry of Housing and Urban Affairs, the entire responsibility of identification, verification, mapping, and regularization — including any consideration of colonies in O-Zone — was shifted to the Delhi Development Authority (DDA). The Government of NCT of Delhi has not been involved in the decision-making process regarding the regularization in these 161 O-Zone colonies thereafter.


(Amitabh Kundoo)

Date:- 04.04.2025

Dy. Secretary

UD Department, Govt. of NCT of Delhi

Amitabh Kundoo
Deputy Secretary
(Unauthorized Colony Cell)
Urban Development Department
9th Level, C-Wing, Delhi Secretariat,
New Delhi-110002

No. O-33011/2/94-DDIIB/Vol.VIII
Government of India
Ministry of Urban Development And Poverty Alleviation
[Delhi Division]

Nirman Bhawan, New Delhi.
Dated the 10th February, 2004.

To

1. The Chief Secretary,
Government of NCT of Delhi,
New Delhi. *Delhi Sachivalaya, 18G, Stali,*
2. The Commissioner,
Municipal Corporation of Delhi,
Town Hall,
Delhi.
3. The Vice-Chairman,
Delhi Development Authority,
Vikas Sadan, INA Colony,
New Delhi.
4. The Chairman,
New Delhi Municipal Council,
Palika Kendra,
New Delhi.

Sub : Regularization of unauthorized colonies in Delhi.

Sir/Madam,

This refers to the earlier letter of even number Vol. VI, dated 10th April, 2001 wherein it was requested that a list of unauthorized colonies, which came into existence before March 31, 1993 and which could be regularized in terms of the guidelines enclosed therewith may be forwarded to the Government within a period of one month.

2. The Government had reconsidered the matter with respect to revision of the guidelines, including the cut-off date for regularization of unauthorized colonies. A copy of the revised guidelines approved by the Government is enclosed. It may be noted that the earlier guidelines issued in February, 2001 covered regularization of colonies that have come up on both private and public land except the Sainik Farms, which is a matter of separate consideration. The new guidelines which is a modification of the 2001 guidelines, will be similarly applicable.

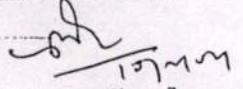
..... 2

3. You are requested to take immediate preparatory work for drawing a list of unauthorized colonies which came into existence before March 31, 2002 and which could be considered for regularisation in terms of the revised guidelines.

4. Please note that no actual regularization of unauthorized colony shall be taken up until further orders. For the present, you are requested to send the list of such colonies which could be regularized on basis of guidelines referred to above so that further action in this regard could be taken keeping in view Delhi High Court's directions in CWP 4771/93.

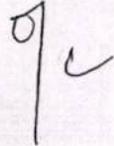
Encls : As above.

Yours faithfully,



[P.K. Pradhan]

Joint Secretary to the Govt. of India



Handwritten notes:
10/2/04
AG

REVISED GUIDELINES FOR REGULARISATION OF
UNAUTHORISED COLONIES IN DELHI

1. General Principles:

1.1 All those unauthorized colonies that are shown in the aerial survey carried out at the instance of Government of NCT of Delhi in March, 2002, would be considered for regularization. However the following types of colonies or parts thereof would not be considered for regularization :-

(a) Colonies/parts of colonies falling in notified or reserved forest areas.

(b) Colonies/parts of colonies which pose hindrances in the provision of infrastructure facilities or fall in the area of alignment of existing/proposed railway lines, roads, water supply and sewerage lines and other utility works taken/required to be taken by any public authority.

(c) Colonies where more than 50% plots are un-built on the date of aerial survey.

(d) No regularisation will be done in respect of buildings used for commercial purposes except for petty shops up to 50 sq. mtrs.

1.2 In all unauthorized colonies, whether on private or public land, regularization will be done subject to the preparation of proper layout and service plans in order to ensure that the minimum necessary feasible level of services and community facilities are provided.

1.3 No regularization would be done, whether on private or public land, if it violates the provisions of Ancient Monuments and Archaeological Sites and Remains Act, 1958.

1.4 There would be no obligation on the part of the Government, DDA/ the local body to allot alternate sites or flats to residents who are displaced on account of the provision of land for roads, civic amenities and community facilities.

- 2 -

1.5 In each colony it will be necessary to establish a Registered Residents Co-operative Society (henceforth called Resident Society) for coordination, preparation of layout & services plans, execution of development work and for liaison with the concerned local body/DDA in respect of various issues pertaining to the regularization process.

1.6 The Resident Society of the unauthorized colony would take up works for provisions of infrastructure services like road, drains, sewerage, water supply etc. Besides, these infrastructure facilities, the Resident Society would also make available land to the extent of 15% of the area of the colony for providing other community facilities i.e. parks, community halls, schools etc. This land would be transferred in the name of local body/DDA. In such colonies where land cannot be made available by the Society for community facilities the colony would have to manage without provisions of such facilities.

1.7 The ownership of common facilities will vest with the concerned local body/DDA, as the case may be.

1.8 Every building in the unauthorized colony would be required to have building plan duly approved or regularized by the concerned local authority in accordance with the development control norms as stated in para -7.

1.9 (a) For unauthorised colonies that have come up on undeveloped public land, cost of land should be recovered on the basis of prevailing cost of acquisition of agricultural land in Delhi (cost of land, solatium and other charges levied by Land Acquisition Collector) plus penalty of 10% of the land rate on plot size up to 100 sq. mts. and 50% of the land rate on plot size of 101 sq.mts. and beyond.

(b) For unauthorised colonies that have come up on developed public land and inhabited by non-affluent sections, the cost of land should be recovered on the basis of notified land rate of DDA plus penalty of 10% of the land rate on plot size upto 100 sq.mts and 50% of the land rate on plot size of 101 sq.mts. and beyond.

(c) For affluent unauthorised colonies on developed public land and like Anant Ram Dairy, Mahendru Enclave, cost of land would be recovered as per the current market value determined by the CDBT on basis of market rates prevalent in similar affluent but authorized colonies in the neighbourhood plus a penalty for encroachment of 50% of market value.

2. Procedure:

2.1 Layout plans, land cost, penalty

(a) The base map of the unauthorized colony will be provided by the local body/DDA to the Resident Society who will fix up the boundary on the plan and also get prepared the layout plan of the colony from a registered Architect - Town Planner. This layout plan would clearly show plot sizes, built up/vacant portions and provisions required for infrastructure services/community facilities. The requirement of infrastructure services/community facilities will be assessed in consultation with the local body/DDA. The Resident society would then undertake developmental works of services as per the approved services plan of the colony and on completion of same would apply for regularization to the concerned local body/DDA.

(b) Along with the layout plan, the resident society shall be required to submit the following:-

- i) Complete list of members with plot Nos. and area in the resident society.
- ii) Bond indemnifying the local body/DDA in respect of all necessary measures for retrofitting against the seismic requirement & for structural stability of the buildings etc.

2.2 Since the development work is to be carried out by the societies themselves, therefore no development charges will be deposited to the concerned local body, however, peripheral charges (external development charges) for various trunk services like water supply, sewerage, electricity etc shall be payable to the concerned agency. The processing fees for regularization of the layout plan will be charged as decided by the concerned local body/DDA.

2.3 The construction on each individual plot is to be brought within the prescribed development control norms by the individual owner/Resident Society. However, it will not be a pre-condition to regularization of colony.

2.4 Recovery of land value and penalty for encroachment, unauthorized construction without approval of plan and building norms will be made by concerned local body/DDA under whose jurisdiction the unauthorized colony to be regularized falls.

- 4 -

2.5 The land value will be collected by the concerned local body/DDA on behalf of land owning department/agency. The amount so recovered will be credited to the account of respective land owning department/agency.

2.6 The penalties for encroachment on public land and unauthorized construction without approval of plan and building norms will be collected by the concerned local body/DDA and credited into a separate fund. From this fund and its own resources, DDA will, under the guidance of the Ministry of Urban Development & Poverty Alleviation, construct houses for economically weaker sections or carry out any other developmental work for public good such as development of park etc.

3.0 Other Provisions:

3.1 Execution of development works will commence only after the approval of service plans by the concerned agency & submission of the layout plans along with the processing fees etc. to the concerned local body/DDA.

3.2 The colony will be declared as regularized only after the execution of the infrastructure works as per approved services plan by the society.

3.3 In respect of unauthorized colonies to be regularized outside the urbanizable limits, suitable modifications in the Master Plan will be made, as may be necessary.

3.4 Action against unauthorized constructions, which do not fulfill the conditions for regularization will be taken in a time bound manner by the concerned local body/DDA.

4. Registration of Residents' Co-operative Society.

4.1 The formation of Resident Co-operative Society in each unauthorized colony to liaison with the concerned local body/DDA in various matters would be a pre-condition for considering the case for regularization.

4.2 The Resident Society will prepare the lay out/services plan in consultation with the concerned departments on the base provided by the concerned local body/DDA.

4.3 The Resident Society will be required to furnish the following at the time of the submission of the lay out plans:-

(i) That, they will abide by the lay out plans to be approved/regularized by the concerned local body as per development control norms, decided for the purpose.

(ii) The processing fees and other related charges are to be paid by the society to the concerned local body/DDA.

(iii) The Resident Society of the unauthorized colonies would ensure that the provision of the services and land for essential infrastructure and community facilities like roads, parks etc are made available. In colonies where such land is not made available the colony would have to manage without provisions of such facilities.

(iv) The list of the owners/occupants.

(v) Indemnity Bond.

5.0 Implementing Agencies:

5.1 A separate cell will be created in the planning division of local bodies/DDA to carry out the work relating to regularization of unauthorized colonies.

5.2 Since the work related to regularization would involve preparation and implementation of development works and service plans involving diverse agencies, each local authority will constitute an Inter-agency Coordination Committee under the Chairmanship of Chairperson NDMC /Commissioner MCD/VC DDA and comprising of senior representatives of DJB, DVB, TCPO, Divisional commissioner, GNCTD etc. to guide, review and monitor the work pertaining to regularization and related matters.

6.0 Miscellaneous:

6.1 Within the overall framework of these guidelines, if any clarification is required or if any doubt has got to be removed, instructions/advise of the Ministry of Urban Development & Poverty Alleviation, Govt. of India shall be obtained.

6.2 While approving building plans or issuing occupation/completion certificates separate indemnity bond indemnifying the local body/DDA is to be filed by the owner(s).

6.3 Unauthorized construction of any nature, not covered by these guidelines or within the provisions of Development control norms as stated in para 7.0 of guidelines would be strictly dealt with and demolished as per instructions issued from time to time.

7.0 Development Control Norms:

7.1 Since the prevailing bye-laws & norms cannot be employed in view of the deviations from prevailing norms, the following Development controls be made applicable:

- (i) For plots facing road width less than 9.0mts./30 ft., Ground coverage upto 100% maximum, subject to the maximum permissible FAR as per Master Plan of Delhi (MPD)/Building Bye laws (BBL) and upto a maximum height of 8.0 metres.
- (ii) On the plots facing 9.0 mts./30 ft. & above roads, the construction can go up to 12.0 metres height, subject to maximum permissible FAR as per MPD/BBL.
- (iii) No projection outside plot line, except sunshade of 0.60 metres on openings will be permissible.
- (iv) For provision of services connections to each & every plot, minimum road width required should be 4.5 metres. Wherever the road width is less than 4.5 metres, no individual service connection would be provided, however, community service provision will be made by the resident society & the land for it would also be provided by the resident society.
- (v) From fire safety point of view, the length of the street/road of less than 9 metres wide shall be limited to maximum of 100 metres from an approach road of minimum 9 metres wide.

- 7 -

7.2 As far as the educational facilities are concerned, the minimum standards stipulated by the Director of Education, GNCTD would be considered adequate. Looking into the availability of the land, the facilities like community hall, dispensary etc. may be grouped together. However, all the land required for such facilities & utilities will be provided by the resident society of the concerned unauthorized colony.

7.3 For improvement of physical and social infrastructure, unauthorized colonies should get the modern services and amenities and should also maintain their traditional cultural styles. Keeping in view the community facilities, the minimum standards are modified as follows:

Suggested size for facilities:

Sl. No.	Items	Norms (Minimum)
1.	Primary School & Sr. Secondary School	As per the norms of Director Education for recognition of such schools. Land component to be worked out accordingly.
2.	Community Building/Hall	200 Sq. mts.
3.	Dispensary	200 Sq. mts.
4.	ESS (electric sub-station)	As per DVB requirement & site availability. DVB to also explore the pole mounted ESS in the eventuality of non-availability of land.
5.	Tot-lots/open spaces	As per site conditions & availability.

71
ANNEXURE- B

Confidential
Most Immediate 14

No. O-33011/2/94-DDIIB/Vol.XI
Government of India
Ministry of Urban Development
(Delhi Division)

Nirman Bhawan, New Delhi
Dated: 5.10.2007

To

Shri A.K. Jain,
Commissioner (Planning),
DDA,
Vikas Minar, IP Estate,
New Delhi.

Sub: Regularisation of unauthorized colonies - setting up of a
Working Group to suggest the modalities for regularization.

Sir,

Please refer to this Ministry's letter of even number dated
23.2.2007 on the above subject.

2. I am enclosing a copy of the duly approved Revised Guidelines
2007, formulated in accordance with the Cabinet's decision dated
8.2.2007, for regularization of unauthorized colonies in Delhi. You are
requested to carry out necessary modifications in the draft Regulations
urgently. The revised draft Regulations may be sent to the Ministry
immediately within a week's time.

Yours faithfully,

Encl: as above.

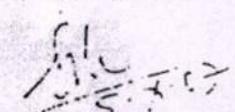
(Sujata Chaturved)
Director (DD)
Tele: 2306 1916

Copy along with a copy of revised Guidelines-2007 to:

- (1) The Chief Secretary, GNCTD, Delhi Secretariat, IP Estate, New Delhi.
- (2) The Vice Chairman, DDA, Vikas Sadan, INA, New Delhi.

A copy of the Revised Guidelines-2007 is sent for information and for taking necessary preparatory steps. GNCTD is also requested to take immediate action for drawing up a list of unauthorized colonies which could be considered for regularization in terms of the revised guidelines. Please note that no actual regularization of unauthorized colony shall be taken up until further orders.

Encl: as above.


(Sujata Chaturvedi)
Director (DD)

1. GENERAL PRINCIPLES:

- 1.1 Unauthorized Colonies (except those inhabited by affluent sections of society) as existed as per aerial survey of 2002 will be eligible for regularization subject to the following guidelines. "Habitations existing as on 31.03.2002 that have come up as extension to village abadi and have not been notified as Lal Dora extension to village abadi, would be eligible for regularization on the same lines as unauthorized Colonies.
- 1.2 However, the following type of colonies or parts thereof would not be considered for regularization:
- a) Colonies/ parts of colonies falling in notified or reserved forest areas.
 - b) Colonies/parts of colonies which pose in hindrances in the provision of infrastructure facilities or fall in the area of ROW of existing/proposed railway lines Master Plan roads and major/trunk water supply and sewerage lines.
 - c) Colonies where more than 50% plots are un-built on the date of formal announcement of regularization scheme. However, plots which have been built up in the above-mentioned colonies even after 31.03.02 and till the date of formal announcement of regularization scheme will be taken into consideration for deciding the eligibility of the colony for regularization.
 - d) No regularization would be done of colonies or parts of colonies whether on private or public land if it violates the provisions of Ancient Monuments and Archaeological Sites and Remains Act.1958.

1.3 These guidelines do not relate to unauthorized colonies inhabited by affluent sections on public and Private land.

74

1.4 No regularization will be done in respect of residential buildings used for non-residential purposes except those covered under the mixed land use regulations contained in the Master Plan for Delhi -2021 (MPD-2021), as may be amended from time to time. The time limit of 90 days for conducting survey for notification of mixed use streets as prescribed in the MPD-2021 in respect of these colonies will commence with effect from the date of notification of the colony as deemed regularized colony by the Govt. of NCT of Delhi (GNCTD) or the date with effect from which the colony shall qualify for regularization as mentioned at Para 4.2(g) of these guidelines.

1.5 In all unauthorized colonies, whether on private or public land regularization will be done subject to the preparation of existing layout plan. However, the Resident's Society may voluntarily submit proposals of improved layout plan for respective colony.

1.6 In each colony it will be necessary to establish a Registered Residents Society (henceforth called Resident Society) for coordination, preparation of existing layout plans, for liaison with the concerned local body / DDA /GNCTD in respect of various issues pertaining to the regularization process.

1.7 Once the colony is regularized it will be governed by relevant provisions laid down in MPD-2021 including those under Para 16.2.3 and 3.3.2.

2 RECOVERY OF COST OF LAND

2.1 Based on criteria adopted by the Municipal Corporation of Delhi (MCD) for categorization of colonies for recovery of property tax based on Unit Area Method, the colonies may be categorized at two levels below the categorization of the nearest regular colony since the level of development of infrastructure in unauthorized colonies is very low. Thus these are broadly clubbed under three groups for regularization purposes.

Group I
Group II
Group III

Unauthorized Colonies in category C & D
Unauthorized Colonies in category E & F
Unauthorized Colonies in category G

2.2 The whole issue of what is Government / public land or private land will be decided, identified and defined by GNCTD.

2.3 The cost of Government land shall be recovered as under:

a) For undeveloped public land

In Group-I colonies:-

Prevailing cost of acquisition of Agricultural land (Rs.575/- per sqm.)+ 10% penalty for plot size up to 100 sqm; 25% penalty for plot size from 100 to 250 sqm, and 50% penalty for plot size beyond 250 sqm.

In Group-II colonies:-

prevailing cost of acquisition of agricultural land minus 15 % +10% penalty for plot size from 100 to 250 sqm and 25 % penalty for plot size beyond 250 sqm. No penalty is to be levied for plot size up to 100 sqm.

In Group-III colonies:-

Prevailing cost of acquisition of agricultural land minus 30 % + 5% penalty for plot size from 100 to 250 sqm and 10 % penalty for plot size beyond 250 sqm. No penalty is to be levied for plot size up to 100 sqm.

b) For developed public land

Notified land rate of DDA and penalty (10% up to 100 sqm plot and 50 % beyond 100 sqm. Plot).

c) In respect of colonies on private land no conversion charges of compounding fee for non-affluent colonies on lands identified as private land by the GNCTD shall be levied.

- 2.4 Recovery of development charges and modalities for undertaking developmental works will be decided by the GNCTD.

3. REGISTRATION OF RESIDENTS' SOCIETY

- 3.1 The registration of Residents' Society in each unauthorized colony to liaison with the concerned local body/ DDA/ GNCTD in various matters would be a pre-condition for considering the case for regularization.
- 3.2 The Residents' Society shall prepare the existing layout plan. However, the Residents' Society may voluntarily submit proposals of improved layout plan for respective colony.
- 3.3 There would be no objection to several associations in a colony, but they would have to be federated into one registered Residents' Society. The local bodies / GNCTD would only interact with such Residents' Societies which have at least 75 % of residents of that colony as their members.
- 3.4 While preparing existing layout plan, the Residents' Society shall identify plots / location for social infrastructure facilities. This land would be transferred in the name of the local body /DDA. In such colonies where land cannot be made available by the Residents' Society, the colony would have to manage without provisions of such facilities.
- 3.5 There would be no obligation on the part of the Government/GNCTD/DDA/ the local body to allot alternate sites or flats to residents who are displaced on account of the provision of land for roads, civic amenities and community facilities.

4. STEPS FOR REGULARIZATION

- UP 21
- 4.1 'Habitations existing as ⁷⁷ on 31.03.2002 that have come up ²⁰ extension to village abadi and have not been notified as Lal Dora extension to village abadi would be eligible for regularization on the same lines as unauthorized colonies subjects to meeting the requirements of regulations framed pursuant to these guidelines.
- 4.2
- a) Determination and identification of boundaries of only those colonies which are eligible for regularization under these guidelines is required to be done by GNCTD.
 - b) The Residents' Society will get the lay out plan of the colony as mentioned at Para 1.5 prepared from registered Architect / Town Planner within one months time on 1:1000 scale, based on a standard / uniform check-list annexed with these guidelines. The lay out plan will be submitted by the Residents' Society to the concerned local body / DDA. A copy of the lay out plan will also be sent by the Residents' Society to GNCTD simultaneously.
 - c) Local Body or DDA as the case may be within two months from the time prescribed in Para (b) above will complete the scrutiny of the layout plan on the basis of general principles contained in these guidelines.
 - d) GNCTD will finalize the boundaries of each identified colony within three months from the last date of submission of layout plan prescribed in Para (b) above. GNCTD will use satellite / aerial survey images of relevant areas available as on 31.03.2002, in order to facilitate fixing of boundary of colonies. After the boundaries have been fixed by the GNCTD on the scrutinized layout plan submitted by the local body concerned, the lay out plan shall be forwarded to the concerned local body / DDA by the GNCTD for formal approval of the layout plan of the colony by the competent authority.
 - e) The layout plan may be approved by the competent authority in the local body concerned within one month of receipt of layout plan after fixation of boundary by GNCTD. After that the local

body shall refer the matter to the GNCTD for further necessary action for regularization of each colony. 78 21

- f) Simultaneously the local body will also refer the approved layout plan of each colony to the DDA for change in land use.
 - g) Once approval is granted by the GNCTD, pursuant to approval of layout plan by local body concerned, the colony shall qualify for consideration for regularization provided the requirements of payment of cost, charges etc. have been completed.
 - h) Formal order of regularization may be issued by the GNCTD after change in land use is affected by the DDA with the approval of competent authority and after ensuring that required payments have been made.
 - i) The entire process of regularization of colony by GNCTD except change in land use is to be completed within six months and formal regularization after effecting change in land use within 9 months. In case the time limit prescribed above needs relaxation in respect of some colonies, the Lt. Governor, Delhi may relax the time limit on specific request of GNCTD.
- 4.3 The construction on each individual plot is to be brought within the prescribed development control norms by the individual owner/Resident society. However, it will not be a pre-condition for regularization of colony.
- 4.4 The cost of land as per para-2 will be collected by the concerned local body/ DDA on behalf of land owning department/agency. The amount so recovered will be credited to the account of respective land owning department/agency.
- 4.5 The penalties as per para-2 will be collected by the concerned local body/DDA and credited into a separate fund. From this fund and its own resources, DDA under the guidance of the Ministry of Urban Development, construct houses for economically weaker sections or carry out any other developmental works such as development of parks etc.

5 OTHER PROVISIONS

- 5.1 In respect of unauthorized colonies to be regularized, suitable modifications including land use in the Master Plan/ Zonal Plan shall be made, as may be necessary.
- 5.2 The provision of incentivized re-development in the MPD-2021 for unauthorized regularized colonies will also be applicable to these colonies once regularized.
- 5.3 To ensure early resolution of issues related to tenure rights to promote incentivized re-development, a committee may be constituted by GNCTD with representatives of DDA, to evolve suitable guidelines in this regard, preferably within a time frame of two months.
- 5.4 GNCTD may commence the development works and augmentation of infrastructure facilities in public interest in colonies / part of colonies soon after the receipt of layout plan as mentioned in para 4.2(b) if it is satisfied that these colonies or parts thereof fulfill the general principles contained in these guidelines.

6. IMPLEMENTING AGENCIES

- 6.1 A separate cell will be created in the planning division of local bodies / DDA to carry out the work relating to regularization of unauthorized colonies.
- 6.2 The work related to regularization including preparation and implementation of development works involving agencies concerned would be undertaken coordinated, monitored and supervised by GNCTD.

7 Miscellaneous

- 7.1 Within the overall frame work of these guidelines, if any clarification is required, instructions / advice of the Ministry of Urban Development, Govt. of India shall be obtained.

- 7.2 Regularization of Unauthorized Colonies shall be subject to order of Supreme Court dated 14.2.2006 in WP(C) No. 725 of 1994 and vacation of stay dated 13.10.1993 in CW (P) No. 4771 of 1993 in High Court of Delhi.
- 7.3 Action against unauthorized constructions, which do not fulfill the conditions for regularization will be taken by the concerned local body / DDA subject to provisions contained in Master Plan of Delhi including those in Para 16.2.3.
- 7.4 GNCTD shall ensure wide publicity of these guidelines.

9. अनधिकृत कॉलोनी कब से अस्तित्व में है :

10. अवस्थिति/आस-पास के स्थान (उत्तर, दक्षिण, पूर्व, पश्चिम की ओर) :

11. विकास क्षेत्र सं.—

दि.न.नि./न.दि.न.पा./कैंट बोर्ड क्षेत्र/

क्या यह अधिसूचित स्लम क्षेत्र में पड़ता है?

12. अनधिकृत कॉलोनी का कुल क्षेत्र :

13. भूमि की स्थिति (स्टेटस) :

14. न्यायालय मुकदमा, यदि कोई हो

(कृपया, विवरण संलग्न करें)

15. क्या भूमि अधिग्रहण हेतु अधिसूचित है? :

16. रेजिडेंट्स सोसायटी के सदस्य के रूप में निवासियों/गृह-स्वामियों का प्रतिशत

17. निर्मित प्लॉटों की संख्या

(i) 100 वर्ग मीटर तक

(ii) 100 वर्ग मीटर से अधिक एवं 250 वर्ग मीटर तक

(iii) 250 वर्ग मीटर से अधिक

18. खाली प्लॉटों की संख्या

(i) 100 वर्ग मीटर तक

(ii) 100 वर्ग मीटर से 250 वर्ग मीटर तक

(iii) 250 वर्ग मीटर से बड़े

19. सुविधाओं की स्थिति संख्या/क्षेत्र/ विकास-चरण चौड़ाई/लंबाई

• पार्क/परिवहन लॉट्स/ सामान्य खुला स्थल

• स्कूल

• समाज सदन

• सामान्य पार्किंग क्षेत्र

• डिस्पेंसरी/स्वास्थ्य केन्द्र

• धार्मिक संरचना

• पुलिस पोस्ट/फायर पोस्ट

संलग्नक :

(क) सदस्यों/स्वामियों/अधिभोगियों की सूची

(ख) रेजिडेंट्स सोसायटी का पंजीकरण/संकल्प

(ग) नियमितीकरण प्लान्स/ले-आउट प्लान

(घ) वचन बंधपत्र

(ङ) प्रमाणित भूमि स्वामित्व दस्तावेज/खसरा गिल्दावरी

(च) भुगतानों की रसीद

अधिकृत हस्ताक्षरकर्ता के हस्ताक्षर रेजिडेंट्स सोसायटी

DELHI DEVELOPMENT AUTHORITY

NOTIFICATION

New Delhi, the 24th March, 2008

Regulations for Regularisation of Unauthor Colonies in Delhi

(under Section 57 of DD Act, 1957)

S.O. 683(E).—In exercise of powers conferred by Section 57 of the Delhi Development Act, 1957, the Delhi Development Authority with the approval of the Central Government, hereby makes the following regulations :—

1. Introduction

2. Definitions

3. Criteria for Regularization of Unauthorized Colonies

3.1 Cut off date

3.2 Habitation eligible for regularization

3.3 Types of colonies NOT to be considered for regularization

3.4 Residential buildings used for non-residential purposes

3.5 Action against unauthorized construction

3.6 Regulations not to apply to affluent colonies

4. Procedure for Regularization

4.1 Registration of Resident Society

4.2 Functions of Resident Society

4.3 Submission of Layout Plan

4.4 Modification in the Layout Plan

4.5 Requisites for submission of Layout Plan

4.5.1 Documents to be submitted

4.5.2 Information regarding existing Layout Plan

4.5.3 Undertakings

5. Steps/procedure to be followed by the DDA/GNCTD for regularization

5.1 Creation of a separate Cell

5.2 Scrutiny of Layout Plan

5.3 Finalization of boundaries

5.4 Forwarding of Layout Plan to the Government

5.5 Approval of Layout Plan

5.6 Change of Land Use

5.7 Issue of Orders

5.8 Cost of land

5.9 Penalties

5.10 Commencement of development

5.11 Time schedule

6. Parameters/basis for regularization
 - 6.1 Title of land
 - 6.2 Planning norms
 - 6.3 Mixed use
 - 6.4 Recovery of cost/development charges
7. Miscellaneous
 - 7.1 Grant of sanction or refusal
 - 7.2 Regulations to be read together with Guidelines
 - 7.3 GNCTD to Coordinate, etc.

1. Introduction

Ministry of Urban Development vide letter dated 05-10-2007 conveyed the Revised Guidelines 2007 for regularization of unauthorized colonies in Delhi which also referred to orders of Supreme Court dated 14-02-2006 in WP@ No. 725 of 1994 and orders of Delhi High Court dated 27-2-2001 in CW(P) No. 4771 of 1993. The High Court order stipulates notification of the colonies to be regularized as per the guidelines and framing of modalities.

2. Definitions

- (a) "Architect/Town Planner": An architect registered with the Council of Architecture and having qualification in Town Planning, recognized for the membership of Institute of Town Planners, India;
- (b) "Concerned agency" means Local Body/Delhi Development Authority (DDA) Government of NCT of Delhi (GNCTD) or any other agency involved in the process of regularization/preparation, implementation of the plans and work of regularization of unauthorized colonies falling within their respective jurisdictions;
- (c) "Habitations" for the purpose of regularization as envisaged in the Revised Guidelines 2007/Regulations means those habitations existing as on 31-3-2002 that have come up as extension to village abadi and have not been notified as Lal Dora extension to village abadi;
- (d) "Infrastructure" means infrastructure other than 'social infrastructure' such as water supply, drainage, sewerage, electricity and solid waste management, as mentioned in the Chapter 14 (Physical Infrastructure) of the Master Plan for Delhi (MPD)-2021.
- (e) "Layout Plan" means a plan that will indicate the location of all existing (also proposed, if any) roads with their widths, dimensions of plots along with building lines, location of drains and public facilities, if any, a statement indicating the total area of the site under roads, and if available, then open spaces for parks, playgrounds, recreational spaces and other public spaces;

- (f) "Residents' Society" means a registered Resident Society and comprising the members of the unauthorized colony/habitation which will be responsible for coordination, preparation of layout plans, and for liaison with the concerned agency in respect of various issues pertaining to the regularization process;
 - (g) "Service Road" - A road/lane provided at the rear or side of a plot for service purposes;
 - (h) "Site or Plot" - A parcel/piece of land enclosed by definite boundaries;
 - (i) "Social infrastructure" means social infrastructure facilities pertaining to health, education, sports facilities and socio-cultural activities and religious activities.
 - (j) "Street" includes any way, road, lane, square, court, alley, gully, passage, whether a thoroughfare or not and whether built upon or not, over which the public have a right of way and also the roadway or footway over any bridge or causeway;
 - (k) "Unauthorized colony" means a colony/development comprising of contiguous area, where no permission of concerned agency has been obtained for approval of Layout Plan, and/or building plan;
- ### 3. Criteria for Regularization of Unauthorized Colonies and Habitations
- 3.1 Cut off date for regularization is 31-3-2002.
 - 3.2 Habitations that have come up as extension to village abadi and are outside the Lal Dora of village, would be eligible for regularization on the same lines as those of unauthorized colonies.
 - 3.3 The following types of colonies or parts thereof would not be considered for regularization:
 - (a) Unauthorized colonies/part of colonies/habitations falling in notified or reserved forest areas.
 - (b) Unauthorized colonies/part of colonies/habitations which pose hindrances in the provision of infrastructure facilities or fall in the area of right of way (ROW) of existing/proposed railway lines; Master Plan roads and major/trunk water supply and sewerage lines.
 - (c) Unauthorized colonies/habitations where more than 50% plots are un-built on the date of formal announcement of regularization scheme. However, plots, which have been built up in the above mentioned colonies, even after 31-3-2002

and till the date of formal announcement of regularization scheme will be taken into consideration for deciding the eligibility of the colony for regularization.

(d) Unauthorized colonies/part of colonies/habitations which violates the provisions of Ancient Monuments and Archeological Sites and Remains Act, 1958.

3.4 No regularization will be done in respect of residential buildings used for non-residential purposes except those covered under the mixed land use regulations contained in the MPD-2021 as may be amended from time to time. The time limit of 90 days for conducting survey for notification of mixed use streets as prescribed in clause 15.3.4 of the MPD-2021 in respect of these colonies will commence with effect from the date of notification of the colony as deemed regularized colony by the GNCTD or the date with effect from which the colony shall qualify for regularization.

3.5 Action against unauthorized constructions in unauthorized colonies/parts of colonies/habitations which do not fulfill the conditions for regularization, will be taken by concerned Local Body/DDA subject to provisions contained in Master Plan of Delhi including those in para 16.2.3.

3.6 These Regulations do not relate to unauthorized colonies/habitations inhabited by affluent sections on public and private land.

4. Procedure for regularization

The following steps are to be followed for regularization :

4.1 Registration of Residents' Society

The residents of each unauthorized colony/habitation shall establish a registered Residents Society (henceforth called as Resident Society). This shall be a pre-condition for considering the case for regularization. There would be no objection to several associations in a colony, but they would have to be federated into one recognized Residents Society. The Local Body shall only recognize and interact with such Residents Societies which have at least 75% of residents of that colony as its members.

4.2 The Resident Society shall perform/carry out the following functions :

4.2.1.1 Liaise with the concerned agency in various matters pertaining to the regularization process.

4.2.1.2 Prepare through an Architect/Town Planner, the existing layout plan of the colony. The Resident Society may, however, voluntarily also submit proposal for improved Layout Plan in respect of their colony.

4.2.1.3 The Layout Plan thus prepared shall be submitted by the Resident Society to the concerned Local Body/DDA, and simultaneously, a copy of the Layout Plan shall also be submitted to GNCTD by the Resident Society.

4.2.2 Along with the layout plan, the Resident Society shall be required to submit the complete list of members with details such as plot nos. and area of the colony to the Local Body. It shall be the duty of the Resident Society to make available, wherever possible, land to the concerned agency for taking up the works for provision of social infrastructure. In such colonies where land cannot be made available by the society for social infrastructure, the colony shall have to manage without the provision of such infrastructure.

4.2.3 There shall be no obligation on part of the Local Body/DDA/GNCTD/Union of India to allot alternate sites/flats to residents who may be displaced on account of provision of land for civic amenities/infrastructure which are not regularized as in clause 3.3.

4.2.4 The GNCTD shall determine the development charges/processing fee, if any, to be charged from the Residents Societies/individuals.

4.3 The Resident Society shall be required to submit the layout plan and proposal for improved layout plan if any. It shall be submitted in such manner and numbers as the GNCTD may deem fit.

4.4 Once sanctioned, a printed authenticated copy of the layout plan shall be made available by the Resident Society to all its members. Any deviation and modification in the sanctioned layout plan shall be subject to approval by the concerned Local Body/DDA.

4.5 Requisites for submission of Layout Plan:

4.5.1 Documents to be submitted

Application for regularization of unauthorized colonies shall be accompanied by the following documents:

(i) Land details with Khasra No. accompanied by a site plan giving the physical description of the site.

(ii) The certificates duly signed by the authorized signatory of Resident Society owner and the Architect/Town Planner.

(iii) The layout plan submitted with the application for regularization shall be drawn to a scale of 1 : 1000 or larger and shall show details as given in the following paragraphs.

4.5.2 Information required to be furnished on Existing/
Proposed Layout Plan:

- (i) The boundaries of the site and of contiguous land with ownership status;
- (ii) The position of the site in relation to neighbouring area/roads;
- (iii) The name of the streets in which the plots are proposed/existing;
- (iv) The use and position of the plots on the land including sub division;
- (v) The means of access/roads streets and their widths;
- (vi) The North point;
- (vii) Any existing physical features, such as wells, drains, trees etc;
- (viii) The plan shall be authenticated by the authorized signatory of Resident Society and Architect/Town Planner.

4.5.3 Undertakings

The Residents' Society shall furnish the following undertakings at the time of submission of the layout plan:

- (i) That they shall abide by the layout plans as may be approved with or without conditions.
- (ii) That they shall transfer the land available if any for social infrastructure in the name of the DDA or the MCD/NDMC, free of cost, in order to provide such social infrastructure.

5. Steps/Procedure to be followed by Local Body/
DDA/GNCTD for regularization:

- 5.1 A separate Cell is to be created in the local bodies/DDA/GNCTD to carry out the work relating to regularization of unauthorized colonies within their jurisdiction. The layout plan prepared by Resident Societies would be submitted to this Cell.
- 5.2 On receipt of the layout plan submitted by the Resident Society, the Local Body or DDA, as the case may be, within two months will complete the scrutiny of the layout plan.
- 5.3 Simultaneously, GNCTD will finalize the boundaries of each identified colony within three months from the last date of submission of layout plan by using satellite/aerial survey images.
- 5.4 After fixing the boundaries on the scrutinized layout plan by the Local Body concerned, GNCTD to formally forward the layout plan to Local Body for approval.

5.5 Lay-out plan to be approved by the competent authority in the Local Body concerned within one month of receipt of LOP after fixation of boundaries by GNCTD.

5.6 Simultaneously, the Local Body to refer the case to GNCTD for regularization and to DDA for land use change.

5.7 Formal orders or regularization to be issued by GNCTD only after completing all formalities including land use change and payment of all requisite charges.

5.8 The cost of land shall be collected by Local Body/DDA on behalf of land owning agency in respect of colonies on public land. Amounts so recovered to be credited to the account of respective land owning agency.

5.9 Similarly, penalties to be collected by Local Body/DDA and to be credited into a separate fund.

5.10 GNCTD may commence the development works and augmentation of infrastructure facilities in public interest in colonies soon after the receipt of layout plan if it is satisfied that the colonies or part thereof fulfil the general principles contained in the Revised Guidelines 2007.

5.11 GNCTD shall take all required steps to ensure that the entire process of regularization except change in land use is completed within six months and formal regularization after effecting change in land use is done within nine months of submission of LOP by Resident Society. Lt. Governor, Delhi may relax the time limit in respect of individual colonies on specific request of GNCTD.

6. Parameters/basis for regularization

6.1 Title of land

GNCTD shall constitute a Committee with representatives of DDA to evolve suitable Revised Guidelines-2007 to confer title of land preferably within a time frame of two months.

6.2 Planning norms

Relevant provisions as contained in para 4.2.2.2(B) of MPD 2021 to apply.

6.3 Mixed Use

The relevant provisions of MPD-2021 shall be applicable subject to declaration of mixed use street / local Commercial Street by the concerned Local Body.

6.4 Recovery of cost of land and development charges

Based on criteria adopted by the Municipal Corporation of Delhi for categorization of colonies for recovery of property tax based on Unit Area Method, the colonies are broadly clubbed under three groups for regularization purpose based on the criteria of two stage lower than adjacent planned colony:

Group-I: Unauthorized Colonies in Category C and D

Group-II: Unauthorized Colonies in Category E & F

Group-III: Unauthorized Colonies in Category G

The cost of Government land shall be recovered as under:

- (a) For undeveloped public/Govt. land

In Group-I colonies:

Prevailing Cost of acquisition of agricultural land (Rs. 575 per sqm) + 10% penalty for plot size up to 100 sqm and 25% penalty for plot size from 100 to 250 sq. m, and 50% penalty for plot size beyond 250 sqm.

In Group-II colonies:

Prevailing Cost of acquisition of agricultural land minus 15% + 10% penalty for plot size from 100 to 250 sqm and 25% penalty for plot size beyond 250 sqm. No penalty is to be levied for plot size up to 100 sqm.

In Group-III colonies:

Prevailing Cost of acquisition of agricultural land minus 30%; + 5 % penalty for plot size from 100 to 250 sqm and 10% penalty for plot size beyond 250 sqm. No penalty is to be levied for plot size up to 100 sqm.

- (b) For developed public land/Govt. land

Notified land rate and penalty (10% up to 100 sqm plot and 50% beyond 100 sqm plot).

- (c) No conversion charges or compounding fee for non-affluent colonies on lands identified as private land by the GNCTD shall be levied.

Above rates are subject to changes from time to time.

7. Miscellaneous

7.1 Grant of Sanction or Refusal - The Local Body may either approve or modify the plans, or may sanction them with modifications or directions as it may deem necessary and thereupon shall communicate its decision to the person giving the notice in the prescribed form. In cases where the plans are substantially violative of the guidelines-2007 or the Regulations, the Local Body may reject or cause the plans to be modified by the Resident Society.

7.2 These Regulations may be read together with the Revised Guidelines 2007 and may be interpreted harmoniously so as to facilitate the process of regularization of the unauthorized colonies.

7.3 The entire process of regularization is to be coordinated and supervised by GNCTD, which

may also give wide publicity to the Revised Guidelines 2007 and these Regulations.

[F.No. 3(11)2004-MP-pt. I]

V. M. BANSAL, Pr. Commr.-cum-Secy.

Annexure

Check list for Regularization of Unauthorized Colony

1. Name and address of the Colony
2. Serial No. in the GNCTD List, if any
3. Name of RWA/Applicant Society
4. Registration no. of the RWA/Society
5. Name of Authorized Signatories
6. Category of colony (as per MCD Property Tax)
7. Revenue Village/khasra no.
8. Zone (As per Master Plan of Delhi)
9. Date from which unauthorized colony exists
10. Location/surroundings (Towards North, South, East West)
11. Development Area No :
MCD/NDMC/Cantt. Board Area/Whether falls in Notified Slum Area?
12. Total area of Unauthorized Colony
13. Land Status
14. Court Case, if any (Please attach details)
15. Land whether notified for acquisition
16. Percentage of Residents/house owners as members of the Residents Society
17. No. of Built up Plots:
(i) Up to 100 sq.m. _____
(ii) Above 100 sqm & upto 250 sqm. _____
(iii) Above 250 sqm. _____
18. No. of Vacant Plots:
(i) Upto 100 sq.m. _____
(ii) Upto 100 - 250 sqm. _____
(iii) Above 250 sqm. _____
19. Status of Facilities Nos./ Area/ Stage of
Width/ Length Development.
 - Parks / Transport lots/ Common open space;
 - Schools
 - Community Hall
 - Common Parking Areas
 - Dispensary / Health Centre
 - Religious structures
 - Police Post / Fire Post

—Enclosures:

- (a) Lists of members/owners/occupants.
- (b) Registration/ resolution of the Residents Society.
- (c) Regularization Plans / Layout Plan.
- (d) Undertakings
- (e) Certified Land Ownership documents/ Khasra Gildawari (f) Receipt of payments.

Signature of Authorized Signatory
Resident Society

MINISTRY OF HOUSING AND URBAN AFFAIRS

NOTIFICATION

New Delhi, the 29th October, 2019

G.S.R. 814(E).—In exercise of the powers conferred by Section 57 of the Delhi Development Act, 1957 (61 of 1957) and in supersession of the Regulations for Regularisation of Unauthorised Colonies in Delhi published *vide* notification number S.O 683(E), dated the 24th March, 2008, except as respects things done or omitted to be done before such supersession, the Delhi Development Authority, with the previous permission of the Central Government, hereby makes the following Regulations, namely:—

1. Short title and commencement. – (1) These Regulations may be called the National Capital Territory of Delhi (Recognition of Property Rights of Residents in Unauthorised Colonies) Regulations, 2019.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. – In these regulations, unless the context otherwise requires, –

- (a) "Affluent unauthorised colonies", means colonies as specified in **Annexure I (69 colonies)** and includes any other affluent identified by the Delhi Development Authority under these regulations;
- (b) "Annexure" means the Annexure appended to these regulations;
- (c) "carpet area" shall have the same meaning as assigned to it in clause (k) of Section 2 of the Real Estate (Regulation and Development) Act, 2016 (16 of 2016);
- (d) "locality" means classification of colonies as A / B / C / D / E / F / G / H determined as per the circle rate notified under section 27 of the Indian Stamps Act, 1899 (2 of 1899) as applicable to the National Capital Territory of Delhi;
- (e) "local authorities" means the Delhi Municipal Corporation established under the Delhi Municipal Corporation Act, 1957 (66 of 1957) or the New Delhi Municipal Council established under the New Delhi Municipal Council Act, 1994 (44 of 1994) or the Delhi Development Authority established under the Delhi Development Act, 1957 (61 of 1957), Delhi Cantonment Board established under the

Cantonments Act, 2006 (4 of 2006) and entitled to exercise control in respect of the areas under their respective jurisdiction;

(f) "resident" means a person having physical possession on the basis of a registered sale deed or latest set of Power of Attorney, Agreement to Sale, Will, Possession letter and other documents including documents evidencing payment of consideration in respect of a property in unauthorised colonies and includes their legal heirs but does not include tenant, licensee or permissive user;

(g) "unauthorised colony" means a colony or development comprising of a contiguous area, where no permission has been obtained for approval of layout plan or building plans and has been identified for regularisation of such colony in pursuance to the notification number S.O. 683(E) dated the 24th March, 2008 and includes colonies as identified by the Delhi Development Authority under these regulations as specified in **Annexure II (1797 colonies)**.

3. Classification of land. – The categories of land that are to be considered for conferring or recognising ownership or transfer or mortgage rights shall be as under—

(a) Category- 1 of land shall include the following, namely:

- (i) Original Gaon Sabha land at the time of commencement of the Delhi Land Reform Act, 1954 (8 of 1954);
- (ii) land acquired by the Government for which compensation has been paid or deposited by the acquiring agency; and
- (iii) agricultural land under section 81 of the Delhi Land Reforms Act, 1954 (8 of 1954) with or without possession.

(b) Category -2 of land shall include the following, namely: -

- (i) private land; and
- (ii) land that has been acquired by any acquiring agency but compensation has not been deposited by the acquiring agency.

4. **Assessment of charges.** - (1) The assessment of charge from a resident shall be calculated on carpet area basis for each unit.

(2) For a resident holding multiple properties, the rate of charges shall be determined by clubbing carpet areas of all properties of the resident in all unauthorised colonies.

(3) If a resident does not apply for conferment of rights on all his properties simultaneously, and it is discovered that he has paid charges at a lower rate on account of non-disclosure of all his properties, the charges at applicable rates shall be payable on all the properties including the properties where the rights have already been conferred.

(4) For the purpose of determination of the charges, the circle rate of the highest locality of the surrounding residential area shall be taken as basis.

(5) The Charges for built up area to be recovered from category-1, as referred to in clause (a) of regulation 3, land shall be as follows: -

Sl. No.	Where cumulative carpet area charges of a resident in all the properties in all unauthorised colonies is	Charges
(1)	(2)	(3)
1.	Less than 100 sqm	Carpet area x $\frac{1}{4}$ x 0.5% of circle rate of locality in terms of sub-regulation 4 of regulation 4
2.	More than (or equal to) 100 sqm but less than 250 sqm	Carpet area x $\frac{1}{4}$ x 1% of circle rate of locality in terms of sub-regulation 4 of regulation 4
3.	Greater than or equal to 250 sqm	Carpet area x $\frac{1}{4}$ x 2.5% of circle rate of locality in terms of sub-regulation 4 of regulation 4

(6) For vacant plots, the ownership or transfer rights shall be granted based on the area of plot and the nominal rate of 0.5 per cent, 1 per cent and 2.5 per cent depending upon the size of plots less than 100 sqm, 100 to 250 sqm and greater than 250 sqm in the Government land and half of these amount if the plot is situated on the private land.

(7) The charges to be recovered for vacant plot situated in Category-I as referred to in clause (a) of regulation 3 shall be as follows: -

Sl. No.	Where cumulative vacant plot area charges of a resident in all the properties in all unauthorised colonies is	Charges
(1)	(2)	(3)
1.	less than 100 sqm	Land area x 0.5% of circle rate of locality in terms of sub-regulation 4 of regulation 4
2.	More than (or equal to) 100 sqm but less than 250 sqm	Land area x 1% of circle rate of locality in terms of sub-regulation 4 of regulation 4
3.	Greater than or equal to 250 sqm	Land area x 2.5% of circle rate of locality in terms of sub-regulation 4 of regulation 4

(8) The charge for the classification of land in Category-2 as referred to in clause (b) of regulation 3 shall be fifty per cent of charges applicable to land in Category-1.

(9) Depending upon the category and locality of land, the charge, based on the applicable circle rates and calculated on the basis of charges specified in sub-regulation 5 as on date, are illustrated at Table-1 and Table-2 under **Annexure III**.

(10) The charges shall be valid for a period of one year from the date of notification of these regulations and thereafter, eight per cent. per annum simple interest shall be recovered on late payment of charges beyond one year.

(11) The amount levied shall be rounded off to nearest hundred rupees after calculating the amount for the entire property or unit.

(12) The residents shall have option to pay the charge in three equal installments.

(13) The residents who are paying the entire charges in one installment shall immediately be granted the ownership or mortgage or transfer rights in the property, as the case may be.

(14) The residents who opt to deposit the charge in installments shall be conferred provisional ownership or mortgage or transfer rights after depositing two-third of the total payable charge, which shall be converted into permanent rights after full and final payment of entire amount due on account of charges.

5. **Conferment of rights.** - (1) The conferment of rights on land under the footprint of the building shall be

in proportion to the carpet area of the floor held by the resident.

(2) In cases where the total carpet area of a floor in a building exceeds the plot area, (i.e. having projections beyond plot area), rights shall be restricted only in respect of the plot area.

(3) In cases where the total carpet area of ground floor in a building is less than the plot area (i.e. ground coverage is less than hundred per cent.), rights shall be conferred only in respect of the land under the building footprint.

(4) The procedure for submission of application for conferment of rights and the examination thereof including issuance of conveyance deed or authorisation slip, as the case may be, shall be such as specified in **Annexure IV**.

(5) The Delhi Development Authority shall ensure that in cases of unauthorised colony falling on acquired land, the residents of which has been allowed for property rights under these regulations, no compensation is released, and no resident or his predecessors in interest shall claim such compensation even in cases where the amount of compensation has been deposited with the Courts or Land Acquisition Collector or other agencies.

(6) The payment of charges, and interest on late payment, if any, for all category of land, shall be collected by the Delhi Development Authority and kept in the 'Special Development Fund'.

(7) The boundaries of unauthorised colonies or clusters of unauthorised colonies shall be delineated by the Delhi Development Authority.

(8) The Delhi Development Authority shall prepare Local Area Plan and Development Control Norms for all unauthorised colonies or clusters of unauthorised colonies and make necessary amendments in the Master Plan for Delhi (MPD)-2021 and Urban Building Bye Laws for Delhi (UBBL)-2016 to pave the way for planned redevelopment of the existing units on "as is where is" basis.

(9) The Delhi Development Authority shall ensure correct identification of resident applicants.

(10) The conveyance deed or authorisation slip, as the case may be, shall be issued for residential purpose only irrespective of current use of the property.

(11) No Penalty and External Development Charge shall be levied from residents for recognising ownership or mortgage or transfer rights.

(12) In case any dispute arises in respect of conferment of rights under these regulations, the aggrieved person may make a representation to the Delhi Development Authority, and upon receiving such representation, the Delhi Development Authority may, within a period of ninety days from the receipt of such representation and after hearing the parties, pass such order as it deems fit.

6. **Identification of colony** – Identification of other eligible new colonies as per the revised eligibility criteria notified on 01.01.2015, i.e., existence of colony as on 01.06.2014 and 50% development of the colony as on 01.01.2015 as cut off dates, for conferment/ recognition of ownership/mortgage rights to residents in these areas to be completed in the next two years by DDA from the date of notification of these Regulations in the Official Gazette.

7. **Exclusion.** – Under these regulations, no rights shall be conferred or recognised-

- (a) over prohibited land, that is, land falling in reserved or notified forests, land identified as protected or prohibited area by the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), land falling in Zone-O, Yamuna Flood Plain, land falling in right of way of existing roads and Master Plan Roads, land under right of way of high tension lines, land falling in ridge area of Delhi and land reserved or protected under any other law for the time being in force;
- (b) affluent unauthorised colonies.

[F. No. F.1 (1) CUCC/CLM/DDA/19/Pt.-I]

D. SARKAR, Commissioner-cum-Secy., DDA