

Land Policy
(Chapter – 19 of MPD-2021)
and
Regulations for Operationalization
of Land Policy

FREQUENTLY ASKED QUESTIONS
(FAQs)



Delhi Development Authority

**FAQs – Land Policy (Chapter – 19 of MPD-2021) and Regulations
for Operationalization of Land Policy**

Question 1. What is Land Pooling Policy of Delhi?

Answer 1. Land Pooling is a new paradigm for the urban development of Delhi, wherein the private sector will play an active role in assembling land and developing physical and social infrastructure. Under this concept, owners or groups of owners will pool land parcels for development as per prescribed norms and guidelines, making them partners in the development process.

Question 2. Why Land Pooling Policy is required in Delhi?

Answer 2. The large scale Land Acquisition, Development and Disposal Policy of Delhi approved in 1961 is still in operation. However, land acquisition and planned development has not kept pace with the increasing demand of urbanization. The process of acquisition is increasingly challenged by land owners due to low compensation as compared to the market value. Therefore, Land Pooling Policy is an alternative option for assembly and development of land/ infrastructure with the involvement of the private sector.

Question 3. What is the meaning of Consortium in Land Pooling Policy?

Answer 3. Consortium means a duly registered association having rights, duties & obligations in accordance with law, consisting of multiple landowners/ Developer Entities who have come together to pool land for unified planning, servicing and subdivision/share of the land or any other defined action for development of sectors under the Land Policy as per prescribed norms and guidelines.

Question 4. Which areas will come under land pooling policy?

Answer 4. This policy is applicable in the proposed urbanisable area of the urban Extensions for which Zonal Plans have been approved. The immediate urban extension are in the zone J, K-I, L, N & P (I & II).

Question 5. Who can participate in Land Pooling Policy?

Answer 5. The Policy is open to all landowners who own land in the areas notified by DDA/Government under the Policy. Landowners with any size of land may participate as per the application process specified in the Regulations.

Question 6. What is the minimum land size to participate in Land Pooling?

Answer 6. Land parcels of any size can be brought under pooling, provided they fall in the areas notified by the DDA/Government under Land Policy.

Question 7. Whether a landowner having less than 2 ha of land is eligible for separate land parcel for independent development?

Answer 7. No, landowner who owns less than 2 ha land and is not part of any DE, will only be eligible for built space. The return of built space to such landowners will be as decided at the time of finalization of Implementation Plan.

Question 8. What will be the benefit to the farmer Under Land Pooling Policy?

Answer 8. The value of land will increase soon after the implementation of LPP. Return of developed land / built-up space with appreciated land value will make land owners partners in the development process. Planned development will also increase the value of their land through provision of infrastructure and public facilities. The outcomes are expected to be world class 'smart' and sustainable neighborhoods, sectors and zones, planned and executed as per the availability of water, power and other infrastructure.

Question 9. What is Developable Area?

Answer 9. The Developable Area is an area falling in the land pooling areas as notified by DDA/Government from time to time, except the land/villages which are notified under Low Density Residential Area (LDRA), green belt, land under unauthorized colonies (which are yet to be regularized), built up Lal Dora areas (abadi), notified extended Lal Dora of villages, land under natural drains, natural water bodies, heritage sites, flood and irrigation department, railways and

airport etc. and the areas available for development as per Clause 3 (III) of Regulations.

Question 10. What is a sector?

Answer 10. “Sector” means a delineated area in the Zonal Development Plan (ZDP) bound by existing or proposed roads or physical features such as high tensions lines, railway lines, drains etc. as per approved ZDP.

Question 11. What is Tradable FAR?

Answer 11. “Tradable FAR” means FAR which remains unutilized due to various conditions as specified in Clause 5(IV) of Regulations, and which can be traded or used elsewhere as per the Policy.

Question 12. Where/How Tradable FAR will be generated?

Answer 12. Some of the cases where Tradable FAR could be generated are as follows:

- i. There is a shortfall/reduction of plot size/land in any sector due to site conditions.
- ii. Mandatory buffer zones near heritage sites, environmentally sensitive sites, high tension lines etc.
- iii. Height restrictions prescribed by Airports Authority of India

Question 13. Where shall the Tradable FAR will be utilized?

Answer 13. Tradable FAR shall be utilized on the receiving sites as identified by the Authority from time to time only after Provisional Development License has been granted by the Authority.

Question 14. Is there any provision for DE/Consortium to be compensated through the Tradable FAR?

Answer 14. The DE/Consortium shall be compensated in the form of Tradable FAR, only if it is unable to utilize the entire allowable FAR within 60% land. The sites identified for Tradable FAR, would be based on availability of critical resources such as water, proximity to transport infrastructure, etc.

Question 15. What is Single Window System?

Answer 15. “Single Window System” means the online facility developed by DDA for providing an interface between DDA and the DE/Consortium/landowner for managing the implementation of the Land Policy.

Question 16. What is Application Window?

Answer 16. The entire process of the Policy will be operated through an online Single Window System established by DDA, specifically for this purpose. DDA shall phase the application process through announcement of “Application Window” from time to time. Such Application Window shall be opened for inviting applications for a fixed duration of time, providing detailed information on the process to be followed.

Question 17. What is Implementation Plan?

Answer 17. “Implementation Plan” means the plan submitted by the Consortium, including details of redistribution of developed land/ built space amongst the landowners, or any other form of fair exchange as decided, through a valid contract agreement in accordance with law.

Question 18. Who will prepare Implementation Plan?

Answer 18. The Consortium will prepare an Implementation Plan containing details as defined in Clause 2(XIII) of Regulations, with the consent of all landowners/ DEs, along with the contract agreement amongst the constituent landowners/ DEs of the Consortium.

Question 19. What is Provisional Development License (PDL)?

Answer 19. Provisional Development License (PDL) means a license issued pursuant to Clause 7 of Regulations for operationalization of Land Policy. It is an important stage in the process of obtaining Final Development License where the layout plan shall be approved by DDA and enter into an agreement with consortium. Once the final entitlement certificate is issued by DDA, the consortium shall prepare a layout plan indicating all neighborhood facilities location, size of

land/built spaces (amongst the constituent landowners) for approval of DDA. DDA shall enter into an agreement with consortium after approval of layout plan and issue Provisional Development License.

Question 20. Who will prepare sector plan of the sectors delineated in Zonal Development Plan?

Answer 20. DDA will prepare a plan at the sector level specifying the location of 40% land required for development of city level physical infrastructure, roads, industrial, recreational and public/semi-public (PSP) facilities, and the location of 60% land available for development by the Consortium.

Question 21. What is Development Agreement?

Answer 21. "Development Agreement" means a valid and legally enforceable agreement between DDA/ Service Providing Agency and Consortium to jointly undertake the planning and development of the land pooled as per provisions in the Land Policy and the Regulations.

Question 22. When will DDA issue the Final Development License (FDL)?

Answer 22. After applying for FDL in the prescribed performa and satisfactory compliance of Clause 8(III) of Regulations of Land Policy, DDA will issue the Final Development License to DE/Consortium upon payment of the first installment equivalent to 20% of the EDC and other charges as may be prescribed before the Policy is operationalized. The EDC shall be payable on the total pooled land.

Question 23. What is the period/ time frame for the payment of EDC?

Answer 23. External Development Charges shall be payable by DE/Consortium (excluding the first installment) either in lump sum within 90 days from the date of issuance of FDL or in 8 six-monthly installments spread over 48 months along with interest to be charged on deferred payment of EDC in installments which shall be as notified from time to time by the Government/ DDA. However, the final amount to be recovered on account of EDC shall be based on the completion cost of the development works.

Question 24. How much charges towards EDC shall be payable by a DE/ Landowner?

Answer 24. A DE/ Landowner will have to bear proportionate share of EDC on the entire pooled land which has been offered in land pooling. This EDC will be based on the actual cost of laying city level infrastructure. The rate of EDC will be as decided by the Govt. time to time.

Question 25. What is gross residential area (land use)?

Answer 25. This is one of the Component (53%) to be retained by the DE/Consortium for development consisting of net residential area as well as local roads, neighborhood parks, neighborhood facilities such as Local Convenience shopping, Schools, Dispensary, religious building and neighborhood utilities such as Dhalao, 11 KV ESS, waste water treatment plant etc. and other neighborhood level facilities and utilities as per MPD-2021 (wherever applicable) in the ratio of 55 % as net Residential and 45% other facilities and utilities..

Question 26. What is Zonal Development Plan?

Answer 26. Zonal Development Plan means a plan for one of the zones (divisions) of the National Capital Territory of Delhi containing detailed information regarding provision of social infrastructure, parks and open spaces, circulation system, etc.

Question 27. What is Developer Entity (DE).

Answer 27. Developer Entity (DE)” means:

- i. An individual land owner who has pooled one or more parcels of land in the sector, adding up to a minimum of 2 hectares
- ii. A group of land owners who have collectively pooled one or more land parcels adding up to a minimum of 2 hectares and who have voluntarily grouped together, through a valid legally enforceable agreement for taking up development.
- iii. An entity (developer/business/corporate entity) which represents a group of landowners who have pooled one or more land parcels adding up to a minimum of 2 hectares, through a legally binding agreement.

Question 28. What is the criteria for the sector being eligible for development under the Policy?

Answer 28. A sector will be considered eligible when:

- i. A minimum 70% of the Developable Area in the sector has been pooled
- ii. The pooled land parcels are contiguous
- iii. The entire pooled land is bounded on at least one side by a road of minimum 30m ROW (existing or proposed) as per ZDP.

Question 29. What percentage of Land shall be retained by the DE/Consortium for their development and for city level infrastructure under the Land Pooling?

Answer 29. A maximum of 60% of pooled land in every sector shall be available to DE/Consortium for development and remaining 40% land to be surrendered as and when required to DDA and service providing agency for development of city level physical infrastructure, recreational and public/semi-public (PSP) facilities.

Question 30. What is the Land Use distribution / utilization on the land retained by DE/Consortium?

Answer 30. The land retained by the Landowner/ DE/ Consortium shall be 60% of the pooled land. This land shall be utilized for development of gross residential (53%) (including neighborhood level facilities), city level commercial (5%) and city level public/semi-public facilities (2%) as per the provision of Master Plan, notified ZDPs and sector plans.

Question 31. What is the net residential land?

Answer 31. Net Residential land is the area upto a maximum of 55% of Gross Residential land on which residential FAR of 200 is applicable.

Question 32. What will be the FAR on Total Pooled Land?

Answer 32. Of the total pooled land, 60% component is proposed to be utilized by the DE/Consortium for Residential, Commercial, Public and Semi Public and other

uses for which the FAR shall be as per prevailing Master Plan. Residential FAR for Group Housing to be applicable on Net Residential land. The 40 % land component shall be utilized for various city level facilities by DDA/ Service providing agencies as per the provision of master plan/ZDPs/ Sector Plan.

Question 33. What is the size of EWS Housing Unit?

Answer 33. The size of EWS Housing unit shall range between 30-40 sq.m.

Question 34. What are provisions for parking to be adopted for developments under Land Pooling Policy?

Answer 34. Adequate parking shall be provided by the DE/Consortium as per MPD. In case of the EWS housing component, a norm of 0.5 ECS/100 sq.m. of BUA shall be followed.

Question 35. How the grievances among the landowners/ DEs/ service providing agency will be resolved/ redressed.

Answer 35. The grievances among the landowners/ DEs/ service providing agency will be resolved/ redressed as per clause 12(ii) of Regulations as under

- a. There should be in built provision in the agreement entered/to be entered between Consortium and DEs and also in the agreement between Consortium/DEs with the Service Providing Agencies.
- b. If the disputes between the parties are not settled through conciliation process they may resort to mediation.
- c. If the process of mediation fails to resolve the disputes, the parties should resort to arbitration. Selection of arbitrators, functions and duties should be in accordance with 'The Arbitration and Conciliation Act, 1996'.
- d. Further if all the processes of conciliation, mediation and arbitration fail to resolve the disputes between the parties in that eventuality the aggrieved party may take recourse to the courts of law and jurisdiction of the courts for the purpose shall be at Delhi/New Delhi.

Question 36. What is the Grievance Redressal Mechanism constituted by DDA for resolving dispute in Land Pooling Process.

Answer 36. A two-stage Grievance Redressal Mechanism will be constituted by the DDA for resolving disputes/grievances in the land pooling process.

- i. First stage Grievances Redressal Committee headed by the Principal Commissioner (Land Pooling) consisting of Chief Engineer (HQ), Addl Chief Legal Advisor, Director (Land Costing), Director (Building), Director (Plg) Land Pooling, Director (Land Pooling), Director (NIUA) or his nominee and representatives of concerned Service Providing Agencies. The committee will dispose of the grievance within 30 days of receipt of grievance.
- ii. If any landowner/DE/Consortium is aggrieved by the decision of the first stage Grievance Redressal Committee, the same may be represented before the second Grievances Redressal Committee within 30 days. This Committee will be headed by Vice Chairman, DDA consisting of Finance Member, Engineer Member, Commissioner (Plg), Chief Legal Advisor of DDA and concerned representatives of Service Providing Agencies. The Committee may co-opt other members, as it may require for resolution of grievances. The committee will dispose of the grievance within 45 days of receipt of grievance.

Question 37. What will be penalty on Service Providing Agency/ DDA in case of completion of development works?

Answer 37. Service Providing Agencies and DDA shall try to ensure to complete the external development within a period of five years from the issue of Final Development License to DE/Consortium subject to availability of land, utilizing the External Development Charges deposited in pooling process. In case of delays in completion of development works by Service Providing Agencies/ DDA, the concerned agency shall pay proportionate penalty of 2% of EDC per year for first two years and 3% of EDC per year thereafter to affected DE/Consortium for delay beyond the date of completion of the construction by DE/Consortium or five years whichever is later till the external development works are completed, provided that all the EDC charges have been paid by DE/Consortium within the stipulated time period.

Question 38. What are the provisions in the Policy for unpooled land parcels participating at a later stage?

Answer 38. Any un-pooled land imposes a cost on public infrastructure, as services have to be provided to all land parcels in the sectors. The planning process/ layout plans for the un-pooled land parcels remaining in any sector coming forward later may be allowed, subject to:

- a. workability of the overall plan in terms of accessibility and other factors required for unified/integrated planning
- b. making minimum 45% land available for city level infrastructure/facilities or higher as determined by the Authority from time to time.
- c. Payment of updated applicable external development charges (EDC) for infrastructure and services.

Question 39. How does public know whether Application Window is opened or not?

Answer 39. DDA will make proper announcement of opening of the application window through its website, newspapers etc.

Question 40. Weather documents to be submitted under Land Pooling Scheme required certification.

Answer 40. The documents shall be self-attested by the landowners who shall at all times remain liable for any false information, misrepresentation, or error of any nature whatsoever. In addition to being proceeded against, in accordance with law, the application of such landowner shall be deemed to be void ab initio and shall automatically stand rejected. Any action that has been taken pursuant to such application shall stand automatically revoked and the registration amount will be forfeited.

Question 41. Whether landowners him/her self get verify their land record from Revenue Department?

Answer 41. No, DDA shall facilitate verification of pooled lands from the Revenue Department, GNCTD through Single Window System.

Question 42. How will the landowner be informed about formation of Consortium? Or how will DDA inform to landowner for formation of Consortium?

Answer 42. Once 70% contiguous land is achieved within a sector and verification of ownership of pooled lands is confirmed by the Revenue Department , such sectors shall be considered eligible for development and DDA will issue a notice (“Notice for formation of Consortium”) to the constituent landowners, as indicated in Clause 19.1(iii) of Land Policy, to form a single entity called the Consortium.

Question 43. What will happen if any constituent landowner exits the pool during the process?

Answer 43. As per clause 6 (x) of Regulations, If any constituent landowner exits the pool during the process, then the sector will still be processed, provided all eligibility conditions given in Clause 4 of Regulation continue to be fulfilled. Where such exit affects the eligibility conditions, the processing of such sectors may be resumed once the eligibility conditions are fulfilled, either within the same or subsequent Application Windows. However, once the application is accepted by DDA it is mandatory for the constituents to remain with the consortium till issue of Provisional Development License.

Question 44. How does Land Pooling Policy ensure adequate housing for EWS?

Answer 44. Under the Policy, 15% over & above of the maximum permissible residential FAR is to be utilized for providing EWS Housing. 50 % of the EWS Housing Stock shall be retained by Developer Entity (DE) and disposed only to the Apartment owners, at market rates to house Community Service Personnel. Remaining 50% of the EWS housing stock shall be sold to DDA at a base cost prescribed by the latest CPWD index (plus cost of EWS parking) or actual cost whichever is less, at the time of actual handing over. The DE/Consortium will develop such 50% housing stock as a separate block and provide all necessary parking, commercial and PSP facilities for this separate housing pocket.

Question 45. What is city level commercial and what can be developed in this area?

Answer 45. These are the areas wherein the uses/activities as permitted in Community Centre (Commercial) and District Centre are allowed as per Master Plan of Delhi-2021.

Question 46. What are the city level Public semi Public (PSP) facilities?

Answer 46. The Social Infrastructure facilities pertaining to health, education, sports facilities, socio-cultural activities, security, communication other community facilities as given in MPD-2021 (Chapter-13).

Question 47. I have 5 Ha land and a farmhouse is sanctioned and constructed over it in the land pooling area. If I do not participate in land pooling what else can I use my land?

Answer 47. The earlier sanctioned and constructed farm houses in Land Pooling area can continue to exist as per the regularization policy of farm houses. However, if land is required for effectuating policy or for infrastructure, the same will be dealt as per Land Pooling Policy. No further development is allowed on such lands except through land policy in the land pooling areas.

Question 48. What are the levies and Charges to be paid by applicant?

Answer 48. External Development Charges, processing fees and any other development charges incurred for the city infrastructure shall be payable by the DE/consortium on actual cost basis.

Question 49. Whether the procedure and documents required for participating in Land Pooling Policy on DDA website?

Answer 49. Yes, entire procedure, policy documents and other information will be available will be available on DDA website.

Question 50. Will development under Land Pooling Policy have adequate green areas?

Answer 50. As per policy, 16% of land will be kept for city level recreational/green areas. Also, there will be adequate green areas in residential areas in the form of neighborhood parks, tot –lots which will be developed by Developer Entity/Consortium.

Question 51. Is Land Pooling Policy envisaged in phases?

Answer 51. Land Pooling will be implemented simultaneously in all the villages notified under Land Pooling Policy.

Question 52. Whether loan facility will be available for development of various projects in land pooling areas?

Answer 52. This facility may be provided by the banks/financial institutions/ housing finance companies as per rules once the policy is operationized. DDA has no role to play.

Question 53. What is Smart City concept and Is smart city concept envisaged through this policy?

Answer 53. Cities that provide core infrastructure and give a decent quality of life to its citizens, a clean and sustainable environment and application of 'Smart' Solutions. The focus is on sustainable and inclusive development. The core infrastructure elements in a smart city would include like adequate water supply, assured electricity supply, sanitation, including solid waste management, efficient urban mobility and public transport, affordable housing, especially for the poor, good governance, especially e-Governance and citizen participation, sustainable environment, safety and security of citizens, health and education.

Yes, it is proposed to develop world class 'smart' and sustainable neighborhoods, sectors and zones under Land Pooling Policy. In order to ensure predictable built results, ensure safer neighborhoods built on principles of universal accessibility and fostering a vibrant public realm, all the developments under the Land Policy shall also comply with additional development controls that will regulate both building level and site level aspects of new developments. The controls will cover aspects.

Question 54. What will happen to those lands which are not participating in Land Pooling policy?

Answer 54. Land Pooling is a voluntarily participation scheme. However, any land, which has not been offered under land policy & is required for the public purpose of

ensuring planned development of infrastructure in zones and sectors where Land Policy is applicable may be acquired.

Zonal Development Plan indicates the actual & proposed use-zones designated in the 9 'land use' categories stated in the Master Plan according to which the area in the Zone is to be finally developed. Uses indicated in the Zonal Development Plan will not give automatic right to the owners to use their property/ land for the designated use. At a later stage, if the owner wants to participate in land pooling, he/she will have to surrender more land for infrastructure purposes.