

No. J-20011/12/77-LII
 Government of India
 Ministry of Urban Development
 (Lands Division)

New Delhi-110011,
 Dated the 14th Feb., 1992

To

1. Chief Secretary,
 Delhi Administration,
 Delhi. (10 copies)
2. The Vice-Chairman,
 Delhi Development Authority,
 Vikas Sadan, INA, New Delhi. (10 copies)
3. The Land and Development Officer
 Nirman Bhavan, New Delhi. (10 copies)
4. The Administrator,
 New Delhi Municipal Committee,
 Palika Kendra,
 New Delhi. (10 copies)
5. The Commissioner,
 Municipal Corporation of Delhi,
 Town Hall,
 Delhi. (10 copies)
6. Chief Settlement Commissioner,
 Ministry of Home Affairs,
 Deptt. of Internal Security,
 Rehabilitation Division, (Settlement Wing),
 Jaisalmer House,
 New Delhi. (10 copies)

Sub: Conversion of leasehold system of land tenure in
 Delhi into freehold.

Ref: (i) Ministry of Urban Development (Lands
 Division) Order No. J-20011/12/77-L.II dated
 21.10.1989.

(ii) Ministry of U.D. (Lands Division) Order No.
 J-20011/12/77-L.II dated 11.3.1991.

Sir,

This order issues in supersession of the orders
 issued on 21.10.1989 and 11.3.1991 referred to above.

I am directed to convey the sanction of the
 President for the conversion of leasehold properties in

Delhi into freehold on payment of a conversion charge and subject to the following:-

1.1 The sanction is applicable only to :

- a) built up plots of 500 sq. mtrs and below where the lease/sub-lease has been granted by a public agency for residential purpose;
- b) Janata, LIG, MIG, HIG and SFS flats and tenements allotted on leasehold basis by the Delhi Development Authority and its Slum Wing;
- c) "C" type and "A" type tenements allotted on leasehold basis by Department of Rehabilitation/Land and Development Office;
- d) Flats constructed by Group Housing Societies on land leased by the Delhi Development Authority.

1.2 In case of all flats and tenements and for built up plots of 150 Sq. Mtrs. and below, the conversion into freehold shall be compulsory.

1.3 In the case of built up plots above 150 Sq. Mtrs. and upto 500 Sq. Mtrs., the conversion into freehold shall be optional. However, at the time of sale of any such plot, the conversion into freehold shall be compulsory.

1.4 The one time charge payable for conversion from leasehold to freehold shall be as set out in the Annexure "A" to this order. These charges may be paid in lump sum or in instalments spread over a period not exceeding five years. When the payment is made in instalments interest calculated at the rate of 12% per annum on balance of conversion charge shall also be payable.

1.5 Conversion to freehold for plot holders would be allowed only when a residential building on the plot has been constructed and completion certificate for the building has been issued by the local body concerned.

1.6 In the case of plots allotted to Group Housing Societies, conversion to freehold for the residential flats constructed thereon would be permitted only after construction is completed, completion certificate obtained and possession of the flats given to the allottees.

1.7 The applicants would be required to file an affidavit that there has been no unauthorised construction. This would not in any case absolve the party of action by the local body under the building bye laws and regulations.

1.8 Conversion will be allowed in cases where lease is residential but a portion is being used for purposes other than residential provided additional conversion charges as laid down in Annexure "B" for the covered area under non-residential use are paid in addition to the conversion

charges payable according to para.1.4. This would not absolve the party of action by the local body or the DDA under the building or zoning laws/regulations.

1.9 All arrears of ground rent along with interest would have to be paid by the applicant before conversion can be permitted.

1.10 The conversion to freehold shall be applicable only for properties which are on land for which the land use prescribed in the Master Plan/Zonal Development Plan in force is residential.

1.11 Mortgaged properties will be allowed conversion only in cases where the lessees/allottees submit a No Objection Certificate from the mortgagee.

1.12 In cases where lease deeds have not been signed, freehold rights will be allowed to the allottees provided the non-execution of the lease deed has been on account of administrative reasons and not because of certain defaults on the part of the allottees.

1.13 In case of any legal dispute, conversion shall not be allowed in case it relates to title of the property, until the legal dispute is settled.

1.14 In case of re-entered properties conversion would be allowed only when re-entry notice has been withdrawn and the lease restored.

1.15 In case of any dispute between the original lessee sub-lessee/allottee and Power of Attorney holder application for grant of freehold rights would be entertained only after the dispute is settled.

1.16 In cases where applications for Mutation and substitution is pending with the lessor, conversion would be allowed only after the necessary mutation/substitution has been carried out.

1.17. The conversion shall also be allowed in the cases where lessee/sub-lessee/allottee has parted with the possession of the property, provided that:

- a) application for conversion is made by a person holding power of attorney from the lessee/sub-lessee, to alienate (sell/transfer) the property;
- b) proof is given of possession of the property in favour of the person in whose name conversion is being sought.

In such cases a surcharge of 33-1/3% on the conversion fee would be payable over and above the one-time conversion charges applicable for a regular lessee (No unearned increase will be recoverable).

1.18 The applications for conversion shall be submitted on the forms prescribed by the agencies administering the lease and the one-time conversion fee based on a self assessment basis as per the formula given in paras 1.4 and 1.8 above shall be deposited according to procedure prescribed by the concerned agency administering the lease. The date of depositing the conversion fee or the first instalment thereof shall be treated as the crucial date for purposes of calculating the conversion fee.

1.19 In all cases of conversion, the conveyance deeds shall be registered on payment of stamp duty and registration charges and the consideration for this purpose shall be the amount of conversion charges including the the additional conversion charge and the surcharge where applicable. However, in cases where lease deed and/or conveyance deeds has not been executed, the price/premium shall also be added for purposes of calculation of stamp duty payable.

2. The agencies administering the leases shall issue a public notice setting out clearly the modalities for implementation of these orders, the procedures for making application for conversion and the proforma, if any, required for the purpose. This notice shall be issued within sixty days of the date of issue of these orders.

3. For the facility of the beneficiaries, the concerned agency administering the leases shall make suitable arrangement with the Banks for the deposit of necessary charges.

4. Action for conversion of properties from leasehold to freehold will be completed within a period of 3 months from the date formalities prescribed in the orders are complied with including payment of full amount of conversion charges including interest in cases where conversion charges are paid in instalments. Ground rent will be payable till the time the conversion charges are paid.

5 a) The proceeds from one time conversion in respect of property leased by DDA will be utilised for housing and urban development in Delhi. For this purpose a separate fund namely, the Delhi Urban Development Fund would be established. Separate instructions will be issued regarding the procedure for the operation and management of the said Fund.

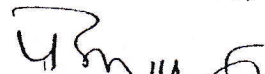
b) The proceeds from conversion of properties where leases are administered by the L&DO would be credited to the Consolidated Fund of India and would be utilised for General Pool residential accommodation. Suitable budgeting and accounting procedure for this purpose would be set up.

6. In case of future allotments of flats, the allotment will be on freehold basis. In regard to plots, initial allotment will be on leasehold basis and conversion permitted as and when these are constructed upon and completion certificate obtained from the local body.

7. In cases of those fixed term leases where premium has not been charged by agencies administering the leases orders will issue separately.

8. This issues with the approval of Finance Divisions' U.O. No.334-F dated 13.2.1992.

Yours faithfully,

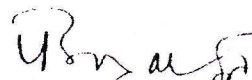


(Pankaj Agarwala)

Deputy Secretary to the Govt. of India

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(Pankaj Agarwala)

Deputy Secretary to the Govt. of India

ANNEX - "A"

Statement showing one-time conversion fee for various sizes of plots/categories of flats/tenements allotted by Delhi Development Authority/Land and Development Office and flats constructed by Group Housing Societies on lands leased by Development Authority.

(A) FOR PLOTS:

Plot area in Sq. Mtrs	Conversion Fee to be calculated on the following basis.	Formula for calculating conversion fee
Upto 50	NIL	NIL
Above 50 and upto 150	7.5% of notified land rate per Sq. Mtrs for area above 50 Sq. Mtrs.	$.075 \times R \times (P-50)$
Above 150 and upto 250	Conversion charges applicable to 150 sq. Mtrs. plus 10% of notified land rate per Sq. Mtr. for area above 150 Sq. Mtrs.	$(7.5 \times R)$ plus $[0.1 \times R \times (P-150)]$
Above 250 and upto 350	Conversion charge applicable for 250 Sq. Mtr. plus 15% of notified land rate per Sq. Mtr. for area above 250 Sq. mtrs.	$(17.5 \times R)$ plus $[0.15 \times R \times (P - 250)]$
Above 350 and upto 500	Conversion charge applicable for 350 Sq. Mtrs. plus 20% of notified land rate per Sq. Mtrs. for area above 350 Sq. Mtrs.	$(32.5 \times R)$ plus $[0.2 \times R \times (P-350)]$

P = Plot area in Sq. Mtr.

R = Land rates for residential purposes in rupees per sq. mtr. as notified by the Ministry of Urban Development. For the period upto 31.3.1992 the conversion charges would be calculated on the land rates notified by the Ministry of Urban Development w.e.f. 1.4.1987 vide their letter No.J-22011/4/87-LD, dated 1.6.1987 (Annex-C).

For the period beyond 31.3.1992 the notified land rates applicable for calculating the conversion charges would be those prevailing on the date of conversion.

[For areas where rates have not been notified by the Ministry of Urban Development, the residential land rates notified by the Delhi Development Authority for the area would be applicable]

(B) FOR TENEMENTS LEASED BY LAND AND DEVELOPMENT OFFICE

Category of Tenements	East Zone	North/West Zone	South Zone	Central Zone
1. 'C' type Tenements	NIL	NIL	NIL	NIL
2. 'A' Type Tenements				
i) First Floor	3,000	9,000	12,000	15,000
ii) Ground Floor	4,250	12,750	17,000	21,250

(C) FOR FLATS/TENEMENTS ALLOTTED BY DELHI DEVELOPMENT AUTHORITY AND ITS SLUM WING ON LEASEHOLD BASIS:

Category of flats/tenements	East Zone	North/West Zone	South Zone	Central Zone
Janata	NIL	NIL	NIL	NIL
LIG	3,000	9,000	12,000	15,000
MIG/SFS(I) Type-II.	4,250	12,750	17,000	21,250
SFS(II)/HIG/Type-II-A/Type-II-B.	6,250	18,750	25,000	31,250
SFS(III)	7,500	22,500	30,000	37,500

(D) FOR FLATS CONSTRUCTED BY GROUP HOUSING SOCIETIES ON LAND ALLOTTED BY DELHI DEVELOPMENT AUTHORITY:

Plinth area of flat/ tenement in sq mtrs	East Zone	North/ West Zone	South Zone	Central Zone
30 and below	NIL	NIL	NIL	NIL
Above 30 and upto 50	3,000	9,000	12,000	15,000
Above 50 and upto 75	4,250	12,750	17,000	21,250
Above 75 and upto 100	6,250	18,750	25,000	31,250
Above 100 and upto 125	7,500	22,500	30,000	37,500

Above 125

Conversion charges would be on the basis of the formula for built up plots referred to in part "A" of Annexure A, the plot area would be deemed to be $1.2 \times$ Plinth Area of the flat.

ANNEX-B

Statement showing additional conversion fee for covered area put to other than residential use. [This would be in addition to the normal conversion charges payable as per Annexure "A"].

(A) FOR BUILT-UP PLOTS

Plot area in Sq. Mtrs.	Additional Conversion fee to be calculated on the following basis	Formula for calculating additional conversion fee.
upto 50	Orders in regard to additional conversion fee for this slab shall issue separately.	
Above 50 to 150	22.5% of notified land rate per Sq. Mtr. of covered area put to non-residential use.	.225xRxM
Above 150 and upto 250.	30% of notified land rate per Sq. Mtr. of covered area put to non-residential use.	.3xRxM
Above 250 and upto 350	45% of notified land rate per Sq. Mtr. of covered area put to non-residential use.	.45xRxM
Above 350 and upto 500	60% of notified land rate per Sq. Mtr. of covered area put to non-residential use.	.60xRxM

(B) FOR TENEMENTS LEASED/ADMINISTERED BY LAND AND DEVELOPMENT OFFICE

Category of Tenements	East Zone	North/West Zone	South Zone	Central Zone
1. 'C' type Tenements.	Orders in regard to addl. conversion fee for this category shall issue separately.			
2. 'A' Type Tenements				
i) First Floor)				
ii) Ground Floor)	Mx250	Mx750	Mx1000	Mx1250

(C) FOR FLATS/TENEMENTS ALLOTTED BY DELHI DEVELOPMENT AUTHORITY AND ITS SLUM WING ON LEASEHOLD BASIS:

Category of flats/tenements	East Zone	North/West Zone	South Zone	Central Zone
Janata	Orders in regard to addl. conversion fee for this category shall issue separately.			
LIG				
MIG/SFS(I)				
Type-II.				
SFS(II)/HIG/	Mx250	Mx750	Mx1000	Mx1250
Type-II-A/				
Type-II-B.				
SFS(III)				

(D) FOR FLATS CONSTRUCTED BY GROUP HOUSING SOCIETIES ON LAND ALLOTTED BY DELHI DEVELOPMENT AUTHORITY:

Plinth area of flat/ tenement in sq.mtrs	East Zone	North/ West Zone	South Zone	Central Zone
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30 and below Orders in regard to addl. conversion fee for this category shall issue separately.

Above 30 and upto 125	Mx250	Mx750	Mx1000	Mx1250
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Above 125. The conversion charges would be on the basis of the formula for built up plots as referred to in part (A) of Annexure "B"; the plot area would be deemed to be 1.2 x Plinth Area of the flat.

M = Covered area in sq. mtrs. put to other than residential use.

Note: Rates for calculating additional conversion fee are based on conversion fee of Rs.3000 in respect of LIG flat in East Zone. Proportionate increase in additional fee will be made in case any change in conversion fee in the rates specified in Annexure "A" is notified.

Annexure- 'C'

SCHEDULE OF MARKET RATES OF LAND IN DELHI/NEW
DELHI ANNEXED WITH MINISTRY OF URBAN
DEVELOPMENT LETTER NO. J-22011/4/86-LD (DO I)
DATED 1.6.1987) APPLICABLE FOR CONVERSION UPTO
31.3.1992

Sl.No._	Name of the locality	<u>Residential</u> (Rs. per sq. Metre)
(1)	(2)	(3)

ZONE -ICENTRAL ZONE

1.	Connaught Place	8000/-
2.	Connaught Circus	8000/-
3.	Connaught Place Extension upto commercial zone.	8000/-
4.	Barakhamba Road (beyond Connaught Extn) upto Commercial Zone	8000/-
5.	Curzon Road beyond Connaught Place Exten. upto Commercial Zone.	8000/-
6.	Hanuman Road (Commercial Zone)	8000/-
7.	Janpath (beyond Connaught Place Extn. upto Windsor Place).	8000/-
8.	Bhagwan Das Road	8000/-
9.	Hailey Road	8000/-
10.	Hanuman Road (Res. Zone)	8000/-
11.	Baird Road	8000/-
12.	Jain Mandir Road	8000/-
13.	Jantar Mantar Road beyond Connaught Place Extension.	8000/-
14.	Lady Harding Road	8000/-
15.	Mandir Marg	8000/-
16.	Area outside the Extended Commercial Zone, Parliament Street.	8000/-
17.	Minto Road	8000/-
18.	Punchkuin Road	8000/-
19.	Bhagat Singh Market	8000/-
20.	Babar Road	8000/-
21.	Krishna Market Paharganj	8000/-
22.	Mathura Road Press	8000/-
23.	Jhandewalan	8000/-
24.	Motia Khan (including "C" type tenements)	8000/-

ZONE - IISOUTH ZONE

1.	Khan Market	6000/-
2.	Diplomatic Enclave	6000/-
3.	Diplomatic Enclave Extn.	6000/-
4.	Golf Links	6000/-
5.	Aurangzeb Road	6000/-
6.	Prithivi Raj Road	6000/-
7.	Tis January Marg	6000/-
8.	Ratendon Road	6000/-
9.	Humayun Road	6000/-
10.	Jor Bagh	6000/-
11.	Sunder Nagar	6000/-
12.	Andrewsganj	5500/-
13.	Sadiq Nagar	5500/-
14.	Defence Colony	5000/-
15.	RK Puram	5000/-
16.	Moti Bagh	5000/-
17.	Lodi Road	5000/-
18.	Lodi Estate	5000/-
19.	Aliganj	5000/-
20.	Sewa Nagar	5000/-
21.	Lajpat Nagar facing Ring Road	4000/-
22.	Vasant Vihar (other than DDA land)	4000/-
23.	Lajpat Nagar (I to V)	4000/-
24.	Nizamuddin	4000/-
25.	Jangpura	4000/-
26.	Kalkaji	4000/-
27.	Malvia Nagar Extn. and old	3600/-
28.	MB Road	3600/-

ZONE - IIIWEST DELHI

1.	Ajmal Khan Road	5000/-
2.	Gaffar Market	5000/-
3.	Karol Bagh	5000/-
4.	M.M. Road	5000/-
5.	Ranigunj Market	5000/-
6.	Link Road (Karol Bagh)	5000/-
7.	Desh Bandhu Gupta Market	5000/-
8.	Patel Nagar (East, West and South)	5000/-
9.	Rajinder Nagar (Old and New)	5000/-
10.	Rohtak Road (Old and New)	4000/-
11.	Najafgarh Industrial Area	3000/-
12.	Rameshwari Nehru Nagar	3000/-
13.	Moti Nagar	3000/-
14.	Sarai Rohilla	3000/-
15.	Tilak Nagar	3000/-
16.	Tihar I & II	3000/-
17.	Ramesh Nagar	3000/-
18.	Industrial Area Extn.	3000/-

ZONE - IVNORTH DELHI

1.	Kamla Nagar	3000/-
2.	Rup Nagar	3000/-
3.	Shakti Nagar	3000/-
4.	Qutab Road	3000/-
5.	Roshnara Road	3000/-
6.	Lajpat Rai Market	3000/-
7.	Ansari Market	3000/-
8.	Jawahar Nagar	3000/-
9.	Khurshid Market	3000/-
10.	Teliwara	3000/-
11.	Azad Market	3000/-
12.	Mall Road	3000/-
13.	Rajpur Road	3000/-
14.	Malkaganj	3000/-
15.	Alipur Road	3000/-
16.	Gokhale Market	3000/-
17.	Hathi Khana	3000/-
18.	Khanna Market (near Tis Hazari)	3000/-
19.	Lahna Singh Market	3000/-
20.	Nicholson Road	3000/-
21.	Vijay Nagar	3000/-
22.	Ashok Market	3000/-
23.	Subzi Mandi	3000/-
24.	Indira Nagar	2500/-
25.	Azad Pur	2500/-
26.	Andha Mughal	2500/-
27.	Band Stand Area Ext. (BSA)	2500/-
28.	Bharat Nagar	2500/-
29.	Gur-ki-Mandi	2500/-
30.	Gulabi Bagh	2500/-
31.	Kingsway Camp	2500/-
32.	Timarpur	2500/-
33.	Anagoori Bagh	2500/-
34.	Edward Lines	2500/-
35.	Hakikat Nagar	2500/-
36.	Hudson Lines	2500/-

ZONE - VEAST DELHI

1.	Jheel Kuranja	1200/-
2.	Geeta Colony	1200/-
	Narela & Other outlying Colonies.	850/-