

**SECRET**

**COPY No.\_**

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI  
OFFICE OF DEVELOPMENT COMMISSIONER  
5/9, Under Hill Road, Delhi – 110 054**

**Minister in Charge : Shri Gopal Rai  
Hon'ble Minister of Development**

**Secretary In Charge : Dr. Dilraj Kaur  
Secy.- cum-Development Commissioner**

**NOTE FOR COUNCIL OF MINISTERS**

**Sub:-Adoption of procedure of MLALAD Scheme-2012 of UD Department for the project proposals received for decision of Delhi Village Development Board (DVDB) and modification in the nature and scope of functions of DVDB .**

**1. Background**

- (A) Vide Cabinet Decision No.2520 dated 13.11.2017, Delhi Village Development Board (DVDB) was constituted replacing the Delhi Rural Development Board (DRDB). The Hon'ble Minister of Development is the Chairman of the Board. The Hon'ble Ministers, Govt. of NCT of Delhi, all Hon'ble Members of Parliament and Hon'ble Members of Delhi Legislative Assembly are members of the DVDB. The Chief Secretary and senior officers from the Govt. of NCT of Delhi, MCDs, etc. are also the members of the DVDB.
- (B) Accordingly, the following nature of works are being recommended by the DVDB in the Rural and Urban Villages of NCT of Delhi in Lal Dora areas, sizra roads and public utilities on Govt. land except in unauthorized colonies of any status and resettlement colonies and JJ Bastis falling under the jurisdiction of DUSIB:-
- (i) Construction of approach roads/link roads/village roads.
  - (ii) Development of Ponds/Water Bodies.
  - (iii) Development of Cremation Grounds, Parks, Playgrounds, Vyayamshalas, Village Libraries.
  - (iv) Construction of drainage facilities.
  - (v) Construction/repair/maintenance of Chaupals, Barat Ghars, Community Centres.
  - (vi) Other need based works, like drinking water facility, street lights etc.

(C) Further, the works will be executed by the land/asset owning agency as far as possible. Works will be carried out by the Executing Agency which had done it earlier or by any other agency only after obtaining the NOC from land/asset owning agency/ previous Executing Agency, as the case may be.

(D) After obtaining approval of Hon'ble Lt. Governor, Delhi, DVDB constitution order was issued vide order No. F.4(132)/PDRD/2015-16/2200-2240 dated 20/12/2017 (**Annexure-A**).

## 2. **Project Proposals approved by DVDB**

(A) So far , six meetings of the DVDB have been held and the details of project proposals of Hon'ble MPs/MLAs, approved by the Board are given as under:-

S.No	Date of Meeting	Numbers approved proposals	of project	Amount(in Crore)
1	21.12.2017	104		120.26
2	19.01.2018	349		434.17
3	12.02.2018	380		309.72
4	13.04.2018	132		126.71
5	23.05.2018	104		143.59
6	23.08.2018	278		211.58
	<b>Total</b>	<b>1347</b>		<b>1346.03</b>

(B) The above works, proposed by the Hon'ble MPs/MLAs in the Rural and Urban villages of NCT of Delhi and approved by the DVDB in various meetings, have been recommended in Lal Dora areas, sizra roads, public utilities on Govt. land and the **Gram Sabha Land\***.

(C) A special meeting of DVDB was held for full day on 30<sup>th</sup> and 31<sup>st</sup> August, 2018. It was attended by Hon'ble MLAs, Members, District Magistrates, and Engineering Agencies. 100 project proposals for Rs 79 Crore were sanctioned during two days.

## 3. **Budget Allocation**

(A) For the financial year 2017-18, a sum of Rs. 100 crore was allocated to the RD Unit (RE). 133 sanctions were issued by the Rural Development Unit (RD Unit) of Development Department amounting to Rs. 115.84 Crore in favour of Executing Engineering Agency in respect of project schemes approved by DRDB/DVDB. An amount of Rs. 98.64 Crore was spent by the Executing Engineering Agency.

(B) For the financial year 2018-19, a sum of Rs. 200 crore is allocated to the RD Unit (BE). So far, the RD Unit has sanctioned 258 project schemes amounting to Rs. 254.28 Crores ( up to 05.10.18). An amount of Rs. 34.06 Crore (upto 31.08.18) is spent by the Executing Engineering Agency.

#### **4. Financial limits of each village/MLA/Assembly Constituency**

- (A) In the budget speech for F.Y. 2017-18, (para-107), text of statement given by the Hon'ble Finance Minister of Delhi is reproduced below:-

*"107. Sir, Delhi Rural Development Board carries out Development work in the rural villages in Delhi with aim to create Infrastructural facilities in rural areas including the construction of link roads, approach roads, parks, minor drains and to provide basic facilities to the people of rural villages etc. We feel that development in Urban villages is as important as in rural villages. Hence, our Government has decided to enhance the scope of "Delhi Rural Development Board" by including both rural and urban villages of Delhi. I propose to increase the outlay of the Board to Rs. 600 crore in 2017-18 from the present outlay of Rs. 132 crore. It is four times higher than the outlay of previous year. About Rs. 2 crore from this fund will be allocated to each rural or urban villages in proportion of their population".*

- (B) In the 1st meeting of DVDB held on 21.12.2017, it was stated by Hon'ble Minister (Development)/Chairman DVDB that "Rs. 2 crore was earmarked per village. However, it was at the discretion of Hon'ble MLAs subject to ceiling of total amount of project not exceeding Rs. 2 crore multiplied by number of village in his/her assembly constituency". (Annexure-B).

#### **5. PROCEDURE FOR DEALING WITH THE PROPOSALS APPROVED BY THE DVDB**

- (A) For processing of project proposals of Hon'ble MPs/MLAs, the Rural Development Unit (RD Unit) has issued a Standard Operating Procedure (SOP) vide Office Memorandum No. 4/(63)/PDRD/Admin/2017/151-200 dated 10.01.2018 (Annexure-C). The SOP has been issued with the approval of the Hon'ble Development Minister.

As per the SOP, the procedure for dealing with the project proposals is as under:-

- (i) The RD Unit receives project proposals of Hon'ble MPs/MLAs which are accompanied by detailed estimates prepared by the Executing Agency.
- (ii) The project proposals along with the detailed estimates are thereafter sent to the concerned DM for seeking land status/encroachment report/litigation report and specific recommendation of the DM. This report should be forwarded by the DM to the RD Unit within a period of 30 days of receipt of the proposal.

- (iii) After receipt of requisite land status report from the DM office, the RD Unit will send the file to the concerned executing engineering agency for preparing the final proposal as per financial guidelines along with the prescribed information.
- (iv) After receipt of the file from the concerned executing agency, the RD Unit will examine and put up all the project proposals, complete in all respect, for consideration in the meeting of DVDB for taking appropriate decision.
- (v) The project proposals approved by DVDB will be put-up by the Rural Development Unit to the competent authority within 21 days for obtaining A/A & E/S.

**(B) Apart from the above, DVDB in its meeting held on 19/01/2018, also took a decision with regard to suitably amending/ revising the SOP to the extent of "consideration of only those project proposals by the DVDB which are complete in all respect". The formal revision/amendment of SOP is under consideration but this procedure has been implemented for all the project proposals, approved by the DVDB, post issuance of minutes of the said DVDB meeting. (copy of minutes are at Annexure-D).**

**(C) Accordingly, the following procedure is adopted and is in practice:-**

- (i) The RD Unit receives project proposals of Hon'ble MPs/MLAs which are accompanied by detailed estimates prepared by the Executing Engineering Agency.
- (ii) The project proposals are considered and approved in the DVDB meeting.
- (iii) Thereafter, the project proposals along with the detailed estimates are sent to the concerned DM for seeking land status/encroachment report/litigation report, etc. and specific recommendation of the DM. This report should be forwarded by the DM to the RD Unit within a period of 30 days of receipt of the proposal.
- (iv) After receipt of requisite land status report from the DM office, the RD Unit sends the file to the concerned executing engineering agency for preparing the final proposal as per financial guidelines along with the prescribed information.
- (v) After receipt of the file from the concerned executing agency, the RD Unit examines and puts up all the project proposals, complete in all respect, to the competent authority for obtaining A/A & E/S.

**6. Ground for adopting procedure of MLALAD scheme for DVDB approved projects.**

- (A) It has been experienced by the DVDB that the project proposal files, which are sent to DMs for giving necessary reports on land/ownership/litigation position/encroachment status etc. along with specific recommendations to the effect whether the work is required in public interest, takes more than the stipulated period of 30 days prescribed in the SOP. This causes delay in issuing A/A & E/S and execution of work. The DVDB, in the meeting held on 23.08.18 decided and directed the RD Unit to prepare a Cabinet Note for approval that:-**

- (i) The procedure as prescribed under the MLALAD Scheme of U.D. Department will be adopted for the project proposals received for decision of DVDB.
- (ii) The condition of ceiling Rs. 2 Crore per financial year per village in an Assembly Constituency will be relaxed on case to case basis by the Board, where the number of villages is 5 or less.

Copy of the minutes of DVDB meeting issued vide No. F.4 (132)/PDRD/2015-16/3687-3797 date 23/08/2018 is at **Annuxure-E**

- (B) Vide Urban Development Deptt. letter dated 10.09.18, the procedure of MLALAD scheme-2012 has been received (**Annexure-F**).

The relevant portion of the procedure for proposal and release of funds (point no. 5) is reproduced as under:-

*"The scheme envisages that MLAs would submit written requests directly to Pr. Secretary(UD), Urban Development Department, GNCTD for the release of Rs. 3.00 Cores subject to the individual scheme limit i.e Rs. 2 crores per year. The MLAs while submitting their consent letters would also mention the name of the Department/agency from whom they propose to have the work to be executed, details of the work, its locations, detailed cost estimate and layout plan etc. The estimate will be prepared as per the DSR-2012 as adopted by GNCTD vide Pr. Secretary (Finance) order No. 8/2/2007-A/CD-01295543/2012-13/Exp-4/854-73 dated 12<sup>th</sup> September, 2012. On the basis of aforesaid information, funds will be released and placed at the disposal of the executing agency. The implementing agencies/departments shall utilize the funds in accordance with CPWD manual and GFRs. The departments/agencies shall require to open separate bank accounts for each MLA and the utilization certificates is also required to be furnished after the execution of works or by the end of financial year whichever is earlier, to UD department, GNCTD".*

- (C) Hon'ble Minister (Development) and Chairman, DVDB in the meeting held on 23.08.18, stated that in the recent Monsoon session of Delhi Legislative Assembly, he had announced that the condition of ceiling Rs. 2.00 Crore per village in an Assembly Constituency may be relaxed on case to case basis by the DVDB where the number of villages is 5 or less.
- (D) The procedure under the MLALAD Scheme-2012 is not exactly and completely applicable for DVDB projects. Accordingly, the procedure envisaged in the MLALAD Scheme-2012 may be modified and made applicable for DVDB projects.

The proposed revised procedure for DVDB projects is as under:-

- (i) The Hon'ble MPs/MLAs would submit written request in the RD Unit for the release of fund along with detailed estimates of the executing engineering agency

with a certificate of the executing engineering agency that the detailed estimates are prepared as per DSR-2016 and complies with the Law/Rules/policy/instructions, court orders and guidelines issued by the Govt./CVC from time to time and complies with the office Memo No. 741-749 dated 14-06-11 of Finance Deptt. regarding Contract Labour, ESI etc. and Finance Deptt Circular No.F.2(5)/2015-16/Finance E-IV/Infra/012274603/DSIV/4878-4957 dated 10.09.2015 regarding guidelines for preparation of capital infrastructure projects. The Executing Agency shall also certify that the proposed project is situated on Lal Dora areas, Sizra Roads, Abadi deh, Government Land including Gram Sabha Land and Vested Gram Sabha Land and the same is not located in any unauthorized colony, resettlement colony and JJ Basti falling under the jurisdiction of DUSIB or on private land. The Hon'ble MLA has to certify that the Village Development Committee (VDC) in respect of concerned village has been duly constituted and notified.

- (ii) After approval of the project proposals by the DVDB, the RD Unit will release the funds and place at the disposal of the Executing Engineering Agency concerned.
  - (iii) The Executing Engineering Agency shall utilize the funds in accordance with law, the CPWD Manual, GFR, rules/policy/instructions, court orders and guidelines issued by the Government/CVC from time to time. The executing agency is required to submit utilization certificates after the execution of the work or by the end of the financial year, whichever is earlier, to the RD Unit of Development Deptt.
- 7(A) In para 5 of the Cabinet Note dated 25/10/2017, the role of the DVDB was only advisory/recommendatory. However, with the proposed adoption of MLALAD Scheme, it is proposed that the DVDB may be vested with the powers to approve the project proposals of Hon'ble MPs/MLAs.
- (B) (i) Several MLAs who are also the Members of the DVDB have requested for expanding the scope and nature of works to be recommended by the DVDB. Accordingly, it is proposed to modify para 5(f) of the Cabinet Note dated 25/10/2017.

(ii) Para 5(f) of the Cabinet Note dated 25/10/2017 reads as under:-

*"The following nature of works may recommended by the DVDB in the rural and urban Villages of NCT of Delhi in Lal Dora areas, sizra roads and public utilities on Govt. land except in unauthorized colonies of any status and resettlement colonies and JJ Bastis falling under the jurisdiction of DUSIB:-*

- (i) Construction of approach roads/link roads/village roads.
- (ii) Development of Ponds/Water Bodies.
- (iii) Development of Cremation Grounds, Parks, Playgrounds, Vyayamshalas, Village Libraries.

- (iv) Construction of drainage facilities.
- (v) Construction/repair/maintenance of Chaupals, Barat Ghars, Community Centres.
- (vi) Other need based works, like drinking water facility, street lights etc.

*The works will be executed by the land/asset owning agency as far as possible. Works will be carried out by the Executing Agency which had done it earlier or by any other agency only after obtaining the NOC from land/asset owning agency/previous Executing Agency, as the case may be."*

**(iii) Proposed nature and Scope of works that can be approved by the Delhi Village Development Board (DVDB)**

The following nature of works may be approved by the Delhi Village Development Board (DVDB) in the rural and urban villages of the NCT of Delhi in Lal Dora areas, Sizra Roads, Abadi deh, Government Land including Gram Sabha Land and Vested Gram Sabha Land, except in unauthorized colonies of any status and resettlement colonies and JJ bastis falling under the jurisdiction of DUSIB:-

**Development/Redevelopment/Repair/construction/Addition/Alteration /Expansion/Modification/Maintenance and protection by Boundary Wall, Fencing or any other method of:**

- (i) Approach roads/Link roads/ Village roads.
- (ii) Ponds/ Water bodies.
- (iii) Cremation Grounds, Grave Yards, Parks, Play Grounds, Vyayamshalas, Village Libraries.
- (iv) Drainage facilities.
- (v) Chaupals, Barat Ghars, Community Centres.
- (vi) Other need based works like drinking water facility, Street Lights, Benches, Signage Boards, and Entry Gates.

The works will be executed by the land/asset owning agency as far as possible. Works will be carried out by the Executing Agency, which had done it earlier or by any other agency only after obtaining the NOC from land/asset owning agency/previous Executing agency. However, NOC from the previous Executing Agency will be required if the proposed project/work was executed within the last five years from the date of approval of DVDB.

# COMMENT OF LAW DEPARTMENT

S.No	Comments	Response Action (s) by Rural Development Unit, Development Department
1	<p>In brief, salient points discussed in the note of Law Department are as under:</p> <p>(i) Since the proposal has financial implications, the Administrative Department may obtain the comments of Finance, Planning, Revenue and other concerned Departments.</p> <p>(ii) The administrative Department ensure that the provisions of TBR, GFR and other applicable laws are followed.</p> <p>(iii) The administrative Department may also ensure that the factual position stated in the draft Note is correct in all respect and serves the purpose in view.</p>	<p>(i) The draft Cabinet Note has also been sent to the Finance, Planning, Urban Development &amp; Revenue Departments for comments. Comments of the Finance Department have been received. Comments of remaining Departments are awaited.</p> <p>(ii) Noted for compliance.</p> <p>(iii) Noted for compliance.</p>

**COMMENTS OF FINANCE DEPARTMENT**

S.No	Comments	Response Action (s) by Rural Development Unit, Development Department
1	<p>i. Work Executing Agency should obtain the clearance of Revenue Department in respect of the land, in which the project is going to be executed, regarding the status/encroachment report/litigation report, etc. of the said land before giving approvals to the projects.</p> <p>ii. The administrative department should formulate a SOP (Standard Operating Procedure) along with Proformas and ensure that the proposals being placed before the DVDB are in accordance with the said SOP and in prescribed Proformas.</p> <p>iii. Since the proposal is based on MLALAD Scheme, the accounting procedure of MLALAD Scheme may be followed in this case also.</p> <p>iv. With regard to the proposal at para 7(A) of the Cabinet Note, FD is of the view that the role of the DVDB will be of recommendatory. The Power to approve the project proposals and issue of expenditure sanction thereof will be exercised by the Secretary of the Development Department { in the case of MLALAD Scheme, the expenditure sanctions are being issued by UD Department with the approval of the Secretary (UD)}.</p> <p>v. The Development Department should examine all the proposals technically and financially while placing the</p>	<p>(i) Agreed and noted for issuing appropriate instructions to the Executing Engineering Agencies in due course of time.</p> <p>(ii) Noted for compliance.</p> <p>(iii) Noted. The accounting procedure prescribed for MLALAD Scheme will be studied in relation to RD Schemes and decision will be taken according to the requirement and applicability of works/projects/schemes of DVDB and Development Department.</p> <p>(iv) Submitted for appropriate decision by the Cabinet /Competent authority.</p> <p>(v) Noted for compliance</p>

<p>vi. same before DVDB. Village Development Plan may be prepared village-wise as per the need of respective village.</p>	<p>(vi) Noted. As regards preparation of Village Development Plan (VDP) for holistic development of rural and urban villages, the Board may, if required, engage an agency/agencies/department(s) as per existing rules of the Government.</p> <p>As per advice of FD and Cabinet decision No. 2520 dated 13.11.2017, constitution of Village Development Committees (VDCs) has been made mandatory for each Rural and Urban village of Delhi.</p>
<p>vii. Assets Register may be maintained at village level in respect of all projects approved by DVDB.</p>	<p>(vii) Agreed and noted for issuing appropriate instructions to the land/asset owing Agencies in due course of time.</p>
<p>viii. The administrative department should also coordinate with the different infrastructure development agencies like PWD, I&amp;FC, D, DSIIDC, DUSIB, MCDs, etc., before finalizing the projects to avoid the duplication of projects in the villages.</p>	<p>(viii) Agreed and noted for issuing appropriate instructions Work Executing Agencies in due course of time.</p>
<p>ix. The administrative department may keep the record of sanctions issued and to ensure that the sanctioned works are executed within the stipulated period of time as mentioned in the sanction order.</p>	<p>(ix) Noted for compliance.</p>
<p>x. The administrative department should review the status of pending proposals, physical and financial progress of approved project proposals, with the agencies involved, on quarterly basis, so as to keep track and record of cases and their progress.</p>	<p>(x) Noted for compliance.</p> <p>(xi) Noted for compliance.</p>

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| xi. | The list of sanctioned works and completed works may be made public by uploading the same on the website of the department. |  |
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**Comments of Planning Department:-**

Awaited

**Comments of Revenue Department:-**

Awaited

**Comments of Urban Development Department:-**

Awaited


**10. DECISIONS TO BE TAKEN BY THE CABINET/COUNCIL OF MINISTER**

The following issues are placed before the Cabinet/Council of Ministers for decision:-

- (i) Suitably modifying the procedure for dealing with the proposals by DVDB on the analogy of MLALAD Scheme-2012 of the UD Deptt. and making it applicable for the project proposals for approval of DVDB, as mentioned in para 6(D).
- (ii) The financial expenditure limit will be Rs. 2 Crores per village, per financial year. The financial expenditure limit for each Vidhan Sabha Constituency will be Rs. 2 Crore multiplied by the number of villages in each Vidhan Sabha Constituency. However, the financial expenditure limit beyond Rs. 2 Crore for the village will be allowed if the total financial expenditure for the Vidhan Sabha Constituency does not exceed Rs.2 Crore multiplied by the number of villages in the Vidhan Sabha Constituency (If a village exists in more than one Vidhan Sabha Constituency then it will be considered as one village separately in each Vidhan Sabha Constituency).
- (iii) The condition of ceiling of Rs. 2 crore per village, per financial year in an Assembly Constituency, will be relaxed on case to case basis by the DVDB, where the number of villages is 5 or less.
- (iv) The "Govt. land" as referred in Cabinet Decision in para 5(f) of Cabinet note dated 25.10.2017 be read as "Govt. land including Gram Sabha Land".
- (v) Vesting the DVDB with powers to approve the project proposals received from Hon'ble MPs/MLAs as per para 7(A) or whether DVDB remains a recommending/advisory Board.

- (vi) Approving the modification in the scope and nature of work proposed in para 7(B)(iii) above.
- (vii) The Revenue Department shall provide the following to the Development Department:-
- Complete list of Rural and Urban villages in each Vidhan Sabha Constituency.
  - Complete list of Rural and Urban villages in each Parliamentary Constituency.
  - Complete list of Rural and Urban villages in each Revenue District.

The matter is placed before the Council of Ministers for consideration of the above proposal.

  
(Dr. ~~DIL~~RAJ KAUR)  
Secretary-cum-Commissioner(Dev.)  
17/12/18