

COORDINATION SECTION

'INSPECTION'

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Circular No. 10

GOVERNMENT OF INDIA
MINISTRY OF WORKS HOUSING AND REHABILITATION
LAND AND DEVELOPMENT OFFICE EXHIBITION GROUNDS
NEW DELHI.

1

No:Co-ord(36)

Dated the 31st Jan 64

OFFICE ORDER

It has been decided that in cases where on inspection breach of the covenants of the Lease is found, Inspection reports should be prepared in duplicate and one copy of the Inspection report in such cases should be sent immediately to R.& A. and Accounts Sections and the other copy to the Lease/Property Section concerned. This procedure must be followed strictly and in cases of default the concerned official will be severely dealt with.

2. Immediately on receipt of a copy of the Inspection report indicating breaches in the property, R.&A. and Accounts Sections should make a note in the ledger and ground rent in respect of such properties should not be demanded by them till a clearance is received from the Lease/Property section concerned.

(Manmohan Kishan)
Land & Development Officer

All Officers/All Sections.

(2) ~~XXXXXXXXXX~~

No. Jo-ord (37)
GOVERNMENT OF INDIA
MINISTRY OF URBAN AND HOUSING
LAND AND DEVELOPMENT OFFICE
EXHIBITION GROUND


NEW DELHI TEL. 6-11-68

OFFICE ORDER

In misuse cases one copy of the show cause notice is marked to Technical Section. The purpose of marking these copies is to get an inspection done for ascertaining as to whether the misuse has been removed during the period of notice. I have seen some inspection reports which merely state that misuse continues. This is not sufficient. The Field Officer should give the details of misuse to enable preparation of terms for regularisation later on. Secondly, he should also investigate as to when the misuse started. For instance he should ask for the Rent Deed or Receipts from the tenant to date from which he is occupying. This should form a part of his inspection report.

Even when, for the first time, a field officer notices a misuse his inspection report should contain such information in detail.

It is reiterated that these inspection reports are to be based on the correspondence part of the file and not on the marking part.


(Prakash Chandra Gauri)
Land and Development Officer

All Sections/All Officers.

No. Jopra (173)/L.D.O.-1
Government of India
Ministry of Works & Housing
Land & Development Office
Nirman Bhawan

No. Delhi the 8-12-65

QUERIES ORDER

Sub:- Inspection of properties under the control of Land and Development Office - Nature of cases in which inspections to be made by Technical staff.

The question of inspection of properties under the control of this office has been considered by the Ministry of Works and Housing. The occasions on which the staff of the Land and Development Office inspects the properties are given in the annexure attached. It has been decided by the Ministry that Land and Development Office's staff need not inspect the properties in cases mentioned at (c), (d) and (f). In the case of item (f), however, an inspection would be made if from the record of the L&D.O., it appears that the unauthorized construction made by the lessees is in excess of the permissible limits under the municipal bye-laws.

In the case of other items inspection of properties would for the present continue to be done by the staff of the Land and Development Office.

Prakash Chandra Suri

(Prakash Chandra Suri)
Land & Development Officer

D. P. Pritmani
(D.P. Pritmani)
Engineer Officer

All Officers
All Sections.

Copy to Ministry of W & H, for information, with reference to their U.O. No. 27/3/65-L dated 11-11-65.

14/12/65

ANNEXURE

(4)

The premises are normally inspected by the staff of the Land and Development Office at the time of:-

- a) Sale permission/Lease/Mortgage.
- b) Entertaining application from lessee for change of purpose.
- c) Plans received from New Delhi Municipal Committee for scrutiny whether the proposed work has been carried out or not.
- d) Sanctioned plans received from the New Delhi Municipal Committee for sanction under lease.
- e) Receipt of Ground Rent from Lessee.
- f) Receipt of the copy of New Delhi Municipal Committee's notice to lessee for unauthorised construction.
- g) Regularisation of the breaches for further periods.
- h) Expiry of show cause notice to lessee to remove the breaches after specified period.
- i) Protests from lessees that the misuse area is less or is not there, removal of structure by him.
- j) Issue of Completion Certificate under lease.
- k) Belated construction.

Handwritten scribbles and a circled number '2' in the top left corner.



Faint, illegible text or markings at the bottom right of the page.

Mirdan Bhuwan,

No. Policy Cell-6(217)

New Delhi, the 2.8.66

5

OFFICE ORDER

Sub:- Completion Certificate under Lease - proforma of note of Inspection Report to be prepared by the overseers for +

The enclosed proforma certificate should be adopted by the overseers at the time of putting up the case for issue of Completion Certificates under Lease.

Prakash
2/8/66

(Prakash Chandra Suri)
Land & Development Officer

[Signature]
(D.H. PRITMANI)
ENGINEER OFFICER

All Officers/Section

by the lessee upto _____ refer CP. _____

Signature of Overseer

6

Subject:- Completion Certificate in respect of Plot No.
Block No. _____ Locality _____ New Delhi.

(1) The Plans were sanctioned under lease vide .
reference CP/MP of File No. _____.

(2) , Inspection . had been carried out on _____
by _____. The building had been completed
according to the Scheme No. _____ dated _____
sanctioned by N.D.M.C./D.M.C. vide Resolution No. _____
dated _____ and there were no encroachment on Govt.
land and no misuse of the premises.

(3) Inspection had been carried out on _____
by _____. The building had been completed according
to the scheme No. _____ dated _____ sanctioned by
N.D.M.C./D.M.C. vide Resolution No. _____ dated _____
and there were deviations/breaches/misuses as per inspection

~~state that no _____ NP/SP _____~~

Government of India
Ministry of Works, Housing and Supply
Land and Development Office
Nirman Bhavan
New Delhi.

8

Dated: 30-5-68

OFFICE ORDER NO.62 of 1967-68
FILE NO.CDN/21(1)-4/68

Sub: - Inspection of properties under the control of
Land and Development Office - Procedure for.

The staff of the Land Development Office is required to inspect the properties in accordance with the instructions contained in Office Order No.Coord(173)/E.O.-1 dated 2.12.65. According to item No.(e) thereof the premises are to be inspected at the time of receipt of ground rent from the lessees.

Office Order No.Policy-11(2) (242) dated 30-11-66 provides that the courtesy demand notices for the ground rent may be issued before the date on which ground rent falls due, where the premises are free from breaches.

A question has arisen whether the acceptance of ground rent, received with reference to our demand notice would act as a waiver of the breach, if we do not inspect the premises before the issue of such courtesy demand notice but subsequently a breach of the lease terms comes to our knowledge.

It has been decided in consultation with the Ministry of Law that acceptance of ground rent without the knowledge of the breaches, does not amount to waiver of the breaches and ground rent cheques should be accepted in respect of premises where there are no breaches to our knowledge (including Technical Staff).

M.M. Sahai Verma
(M.M. SAHAI VERMA) 30/5/68
ACCOUNTS OFFICER.

ALL OFFICERS/SECTIONS.
SUPERINTENDENT ADMINISTRATION (10-COPIES).

Government of India
Ministry of Health, & Family Planning, and
Works, Housing and Urban Development
(Deptt. of W.H.&U.D.)
Land and Development Office
Nirman Bhavan

9

New Delhi, dated 5-3-1969

OFFICE ORDER NO. 146 of 1968-69
FILE NO. 16/7/69-CDM.

Subject - Submission of Inspection reports by overseers -
procedure thereof: -

It has been observed that sometimes overseers who inspect properties, record in the inspection notes not merely the factual position of the properties but also their interpretation of the rules or orders relating to the terms of lease etc. The lessee is entitled to see the inspection notes. He can even ask for them in a court of law.

Any discussion of interpretation of rules in the inspection notes can create legal difficulties for the lessor. To avoid this, overseers should, in future, restrict themselves strictly to noting the factual position of the premises. They should not give in the inspection note their view whether any breach is condonable or not. This discussion should find place in the notes on the file with which the inspection note should be forwarded to the party concerned.

A copy of the inspection note will invariably be sent with the show cause notice to the lessee in future. Calculations of the terms for regularisation will also be communicated to the lessee in such manner that the lessee will be able to connect up the factual position in the inspection note with the terms communicated to him.

Shival Prasad

(Shival Prasad)
Dy. Land and Development Officer.

ALL OFFICERS/SECTIONS
SO. LT. ADMN. (3) - 3 ARE COPIES.

77

10

Government of India
Ministry of Health, Family Planning & U.D.
(Department of W.H.&U.D.)
Land and Development Office.
Nirman Bhavan

New Delhi, dated 3-5-1969

OFFICE ORDER NO.153 of 1968-69
FILE NO.16/1/69-CDN.

Subject:- Inspection Reports of overseers - whether it should be sent with a show cause notice or not?

Inpartial modification of the Office Order No.146 of 68-69 on the above subject, it has now been decided by the Ministry of Health Family Planning and Works, Housing and Urban Development that a copy of Inspection Reports of the overseer should not be sent with the Show Cause Notice to the lessees/allottes.

Shital

(Shital Prasad)

Dy. Land & Development Officer.

All Officers/All Sec.
S/-Admn.(10-Spare Copies)

Government of India
Ministry of Health, Family Planning and W.H.&U.D.
(Department of W.H.&U.D.)
Land and Development Office
Nirman Bhavan

New Delhi, dated 3-5-1969

Office Order No.153 of 1968-69
File No.16/1/69-CDN.

Sub:- Inspection Reports of Overseers - whether it should be sent with a show cause notice or not?

Inpartial modification of the O.O. No.146 of 68-69 on the above subject, it has now been decided by the Min. of Health, Family Planning and W.H.&U.D. that a copy of Inspection Reports of the overseer should not be sent with the show cause notice to the lessees/allottes.

Shital

(Shital Prasad)
Dy. Land and Development Officer.

All Officers/All Section.
Supdt. (Admn. 10-Spare copies).

2-160-

(11)

Government of India
Min. of Health Family Planning and
Works, Housing and Urban Development
(Department of W.H.&U.D.)
Land and Development Office
Nirman Bhavan

New Delhi, dated 3-10-69

OFFICE ORDER NO. 175 of 1968-69
FILE NO. 6/7/69-CDN.

Subj - charges for the
Recovery of area found in excess on inspection
in Rehabilitation Colonies - procedure
thereof :-

On inspection of some double storey C-type properties in different blocks in Rajpat Nagar-IV, New Delhi, it has come to notice that the depth of the constructed area at site is more than what has been shown in the line plan attached to the lease deeds. The office of the Chief Settlement Commissioner to whom a reference was made informed this office that valuation of the excess area had not been recovered from the allottee before the execution of the lease-deed and that recovery of the same should be effected by this office at the original rate. It was also stated that the minor difference in the measurement does not make any change in the cost of the super-structure as the valuation was done block-wise and evenly distributed on all these tenements.

The matter was referred to the Ministry of Works, Housing and Urban Development and it has been decided in consultation with the Ministry of Finance that the cost of the excess land should be recovered in all such cases of allotment in Rajpat Nagar-IV - C type quarters at the land rates initially charged by the Department of Rehabilitation i.e. Rs. 16/- per sq.yds. After the recovery of the cost a supplemental lease deed rectifying the area of the constructed portion as mentioned in the lease deed, will be executed at the cost of the Government.

It has further been decided in case of auctioned properties while a supplementary lease will be executed no recovery should be effected for the excess area as the property was sold as it is, and not by means of yards and sticks.

All concerned may please note for information and compliance.

Shital Prasad
(Shital Prasad)
Dy. Land & Development Officer.

..2..

161
..2..

12

~~All Officers/All Sections.~~
~~Supdt. Admn. (10-Spare Copies)~~

Copy forwarded to:-

- (1) The Ministry of Finance (DSD) with reference to their U.O. No.5530/DSDS/66 dt.14.9.66 and No.2127 DSD/69 dt.25.7.69
- (2) The department of Works, Housing and Urban Development with reference to their U.O. No.522-LH/69 dt.30.7.69 for information.

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21(1)-4/65
NO. 28/1/69-CDN
Government of India
Ministry of Health & Family Planning &
Works & Housing and Urban Development,
LAND & DEVELOPMENT OFFICE;
Nirman Bhavan,

NEW DELHI:
dated 21.11.70

OFFICE ORDER No. 235 of 69-70

SUB: Inspection of the premises - frequency
and procedure thereof:-

It has been observed that at present no set procedure is being followed by each of the sections regarding inspection of the premises e.g. some properties are inspected after every six months and others are not inspected for longer period. Property files are also held up for quite a considerable time in the Technical Section as they are not able to carry out inspection immediately due to the paucity of staff with them. As a result of this further action on these files is delayed and this leads to complaints from the public.

It has now been decided that every property where substantial ground rent is involved (Rehb. or non-Rehb. should be got inspected after one year. Regular inspection of Rehabilitation properties on nominal ground rent where no application for sanction of any type is pending, and are free from breaches on the basis of the existing record will however, be taken in hand only when additional staff for the purpose is sanctioned. Properties once inspected will continue to be inspected every one year till the breach is removed.

P.T.O.

14

2. It has further been decided that in future files will not be sent in the first instance to the Tech. Section for arranging inspection. Request for inspection, henceforth, will be sent to the Tech. Section in the form attached. On receipt of these requests the Tech. Section will chalk out their programme and requisition the file at least 4 days before the actual date of inspection. It will be the responsibility of the Supt. Property/lease Section to see that the file is sent to the Tech. Section before the date of inspection. Serious view will be taken if the file in question is not made available to the Tech. Section because in that case programme of that Section will be disturbed and the inspection will have to be postponed; in some cases causing harassment to lessees.

3. The Technical Staff will prepare inspection reports in triplicate, one copy for concerned property/ Lease Section and the second copy for Accounts and R & A Section as the case may be who will make an entry in their ledgers indicating the date of inspection on that basis.

Where the accounts sections find from a file at a later date that this intimation was not sent immediately after inspection, this fact of omission will be brought to the notice of the A.O. for necessary action.

All Officers/Sections may please note for compliance and strict guidance.

Shital Prasad

(SHITAL PRASAD)

Dy. Land & Development Officer.

All Officers/Sections.

S. Prakash
20th Nov., 70

(15)

NO.6(1)-2/67
Government of India
Ministry of Health & Family Planning &
Works & Housing and Urban Development,
LAND & DEVELOPMENT OFFICE
HIRMAN BHAVAN;

NEW DELHI;
dated 6th Nov., 70

CIRCULAR NO. 15 of 1969-70

SUBJECT: Properties owned/hired by Trade Representatives of Foreign Missions - inspections of premises thereof:-

In continuation of this office order NO.174 of 1968-69 dated 30.9.69 on the above subject, a copy of D.O. letter NO.464(63)-D.III/68 dated 7.7.70 from Dy. Chief of Protocol, Ministry of External Affairs on the above subject is circulated to all concerned for information and guidance.

R.L.GUPTA
(R.L.GUPTA)
VIGILANCE OFFICER.

DEPUTY CHIEF OF PROTOCOL:

MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI-11.

NO.464(63)-D.III/68

July 7, 1970.

Dear Shri Shital Prasad,

Please refer to your letter NO.LIV/9/39/12/69 dated the 6th June, 1970, regarding premises situated at Plot NO.12 Block NO.39, known as Diplomatic Enclave, New Delhi.

2. The observations made by the Ministry of Fin.(DSD) in the case as communicated by you, have been considered, and it may be stated that the Ministry of WH&UD's letter NO.7/6/69-LII, dated the 16th Sept., 69, refers to 'Foreign Missions' which would cover the Trade Representation of the German Democratic Republic also. It will therefore not be appropriate to insist on 'physical inspection' of the premises occupied by the said Representation when other Missions are exempt from such inspection.

Yours sincerely,
Sd/- (B.A.Rajagopalan)

Sh. Shital Prasad,
Dy. Land & Development Officer, Hirman Bhavan,
NEW DELHI.

*C. Prakash
4th Nov., 70

(16) ~~scribble~~

NO. C-13013/(1)/71-VI.
GOVERNMENT OF INDIA
MINISTRY OF WORKS HOUSING & URBAN DEVELOPMENT
LAND & DEVELOPMENT OFFICE
NIRMAN BHAVAN: NEW DELHI

Dated, the 15/9/1971.

OFFICE ORDER - No - 279

Subject:- Refusal to the inspection by the lessees or their representatives to the Overseers - procedure thereof:

In the Office Order No. 225 dated 19.8.70 it was directed that in the event of the inspection or if the premises found locked at the time of inspection the overseer concerned should write to the lessee intimating the exact date and time on which he expected to call at the premises again. It has been noticed in certain cases that the overseer could not reach the site at the time intimated to the lessee and the inspection was carried out earlier or after the time mentioned. This has been resented to by some of the lessees. It has, therefore, been decided that in future the overseers should not mention the exact time of the visit but should simply state at ___ or about _____. The overseers should however ensure that they reach as near the time for the inspection as possible.

Shital Prasad

(Shital Prasad)
Dy. Land & Development Officer.

All Officers/Sections.

~~SECRET~~
~~SECRET~~

Government of India
Ministry of Works and Housing
LAND & DEVELOPMENT OFFICE
NERMAN BILAVAN;

(17)

NO.16/1/69-CDN

New Delhi, the 25-9-72

OFFICE ORDER NO.339/1972

Subject: Inspection Reports - whether that should be sent to the lessee or not.

The question whether copies of the Inspection Reports of the overseers, should be made available to lessees or not, had been under consideration for sometime past. It has now been decided in consultation with the Ministry of Works & Housing and the Ministry of Finance that immediately after an inspection of a premises is carried out by the overseer, a copy of the Inspection Report duly endorsed by the Asstt. Engineer concerned, should be sent to the lessee on the same day by Regd. post. Action to issue regular show cause notice for removal of the breaches, if any, should follow, thereafter, as soon as possible and in no case, later than 15 days of the receipt of the file in the Property/Lease Section. This will enable the lessee to check the existence of the breaches, if any, verify the area, take action for removal of the breaches and also bring to the notice of this office any discrepancy by him in the report.

noticed

It has further been decided that in future the Inspection Report should be merely a statement of facts i.e. these should contain details regarding observation of any structure not covered by plans and of the use of the premises otherwise than in accordance with the lease. A revised proforma to be used for furnishing Inspection Report is enclosed. The Asstt. Engineer, while countersigning the report, will ensure that the report does not contain any views or observations or information which may amount to a commitment or waive of Govt.'s interest in respect of the inspection report in hand. It will be open to the Asstt. Engineer to report regarding on the Inspection Report itself as to which part of the Inspection Report need not be sent to the lessee. In such cases, only the copy of the rest of the report should be sent to the lessee concerned. Instructions have already been issued under Office Order NO. Admn.14(13)/40/OF dated 17th Feb. 1972 that except in case of the Rehabilitation properties where the area is less than 300 sq. Yds, property files will not be sent to the Technical Staff but only a self contained note in the proforma attached, will be sent to them for carrying out inspection.

P.T.O.

(18)

It should also be ensured by the Overseer/ Asstt. Engineer that copies of the Inspection Reports are not sent in the case of re-entered premises lest it should act as a waiver. For this purpose, they may have the proforma rechecked by the Lease/Property Section whenever there is reason to doubt the entry in the proforma.

Where the Asstt. Engineer has any doubt about the matter which is not clearly covered by this order before the copy of the inspection report is sent, he should make a reference to Coord. Section for guidance so that the issue of the Note is not delayed.

As this procedure has been accepted by the Govt. on an experimental basis for 6 months only, any repur-cussions to the Govt. interest in implementing the above decision, should be brought to the notice of the Co-ordination Section.

All the Section/ officers/ Branch Officers may please note for strict compliance.

Shital

(SHITAL PRASAD)
Dy. Land & Development Officer

All Officers/Sections

Copy to:

1. Ministry of Works & Housing (Lands Sec.)
Minman Bhavan, New Delhi.
2. Ministry of Finance (DSD), Govt. of India
New Delhi.

Shital

DY. LAND & DEVELOPMENT OFFICER.

~~14~~
~~15~~

Technical Section may please arrange to
inspect the premises No. _____
Block No. _____ Locality _____

(19)

at an early date.*The premises have been re-entered
for violation of the terms of lease. The necessary
particulars are given below:-

*out and
initial
if not
appli-
cable.

- (1) Name of the lessee/*ex-lessee,
and address.
- (2) Area of the plot.
- (3) The premises are to be used
for (Here repeat the exact wording in the lease)

It is certified that no plans except those
sanctioned by local body on _____ and are sent herewith/
are pending in the section for sanction under lease.

Technical Section.

Superintendent,
Lease/Property Section.

"set up"
12/1/20

INSPECTION REPORT OF THE PROPERTY

20

1. Name of the lessee.
2. Block No.
3. Road/Locality.
4. Date of inspection.
5. Land use according to lease.

6. Details of use otherwise than in accordance with the user's use in the lease.

7. DETAILS OF ENCROACHMENTS (not mentioned under the lease).
Give particulars and sketch

8. ENCROACHMENT ON PUBLIC LAND

- (a) Is there any encroachment on Public Land?
Define whether this land is owned or Govt.
- (b) If so, give the:
 - (i) Area of the encroachment _____
 - (ii) Schedule North: _____
 South: _____
 East : _____
 West : _____

P.T.O.



21

9. Sketch.

Note: (i) In case of re-entered premises this report will not be sent to ex lessee by A.E.s.

NOTE:-(ii) In the case of Rehabilitation Colonies please distinguish the common land on the front and back courtyard on the basis of the contract with the lessee. The sketch of the plan with the lease should be obtained from property Section.

Signature of the Overseer.

ASSISTANT ENGINEER.



PART II.

Details of item NO. 6 on prepagod...
S.No. _____

Signature of
Overseer

Signature of
Assistant Engineer

~~scribbles~~

22

Government of India
Ministry of Works and Housing
LAND & DEVELOPMENT OFFICE
MINI BHUWAN.

NO. New Delhi, the _____

To

Subject: Inspection of premises situated at Plot
No. _____ Block No. _____ known as
_____ New Delhi.

Dear Sir/Madam,

I am enclosing herewith a copy of the Inspection
Report recorded after inspection of the premises mentioned
above on _____ at _____, for your information.

You are requested kindly to go through the
reports carefully and if you notice any discrepancy,
the same may be brought to the notice of the Land &
Development Officer immediately.

Yours faithfully,

Asstt. Engineer.

NOTE:- Not to be issued in the case of
re-surveyed sites.

"Sd/-"
1972

GOVERNMENT OF INDIA
MINISTRY OF WORKS AND HOUSING
LAND & BUILDING DEPARTMENT OFFICE: MERIAN BHAWAN

23

No. 23/8/69-CDN.

NEW DELHI, the 1/12/73

OFFICE ORDER No. 410

Sub:- Issue of Advance notices for inspection.

On a representation made by the Federation of the Associations of Bahar Road, Diplomatic Enclave, Golf Link and Jor Bagh, it was agreed by the Ministry of Works and Housing on 25.5.68 that ordinarily advance notice for inspection of premises should be given but where the Inspecting Officer has reasons to believe that the lessee is committing breaches of the lease terms, he will not be given advance notice of inspection. Having received this decision by us we pointed out to the Ministry that this decision will not be feasible to put in practice as (1) it could be very difficult for us to distinguish in advance those cases where the lessees are committing breaches intentionally and are likely to remove the same on receipt of the notice of inspection; (2) the extent and nature of breaches are detected only after the inspection is carried out and not before; (3) if the inspection is carried out with the prior notice in one case and without notice in another case this office will be open to severe criticism and in that case it would be very difficult to defend the action; (4) if the notices are given every time the inspection is carried out in all the cases it will not only increase the work of this office considerably but it is also likely to cause delay in issuing sanctions of various types; (5) the Government's interest is also likely to suffer because the breaches will be removed before the arrival of the Overseer and will be replaced as soon as he goes back and the very purposes of the inspection will be defeated. We also mentioned that advance notices for inspection is given in cases where the inspection is either refused or cannot be carried out due to the premises being locked. Such letters for inspection are being issued on the date the inspections are refused. The lessees are also being given opportunity to get another date for inspection by contacting the officer concerned on phone, if the date already given to them is not suitable to them.

Our above contention was considered by the Ministry of Works & Housing in consultation with the Min. of Finance and it has been decided by them that the status quo be maintained and we need not make any change in our existing policy.

All Officers/Sections may kindly see for their information and guidance.

(R. Gupta)
Officer.

All Officers/Sections.

24

1165

GOVERNMENT OF INDIA
MINISTRY OF WORKS & HOUSING
LAND & DEVELOPMENT OFFICER: NIRMAL BEHARAN

No. 6/5/69-CDN.

NEW DELHI, the 4/12/74

OFFICE ORDER No. 465


Subject: Refusal to the inspector by the lessees or their representatives to the inspecting staff of this office; procedure thereof.

...

All letters addressed to lessees will as far as possible be signed by concerned Gazetted Officer. However in case of routine communications such as reminders and acknowledgements these may be signed by office Superintendents and that too for signature on behalf of officers.

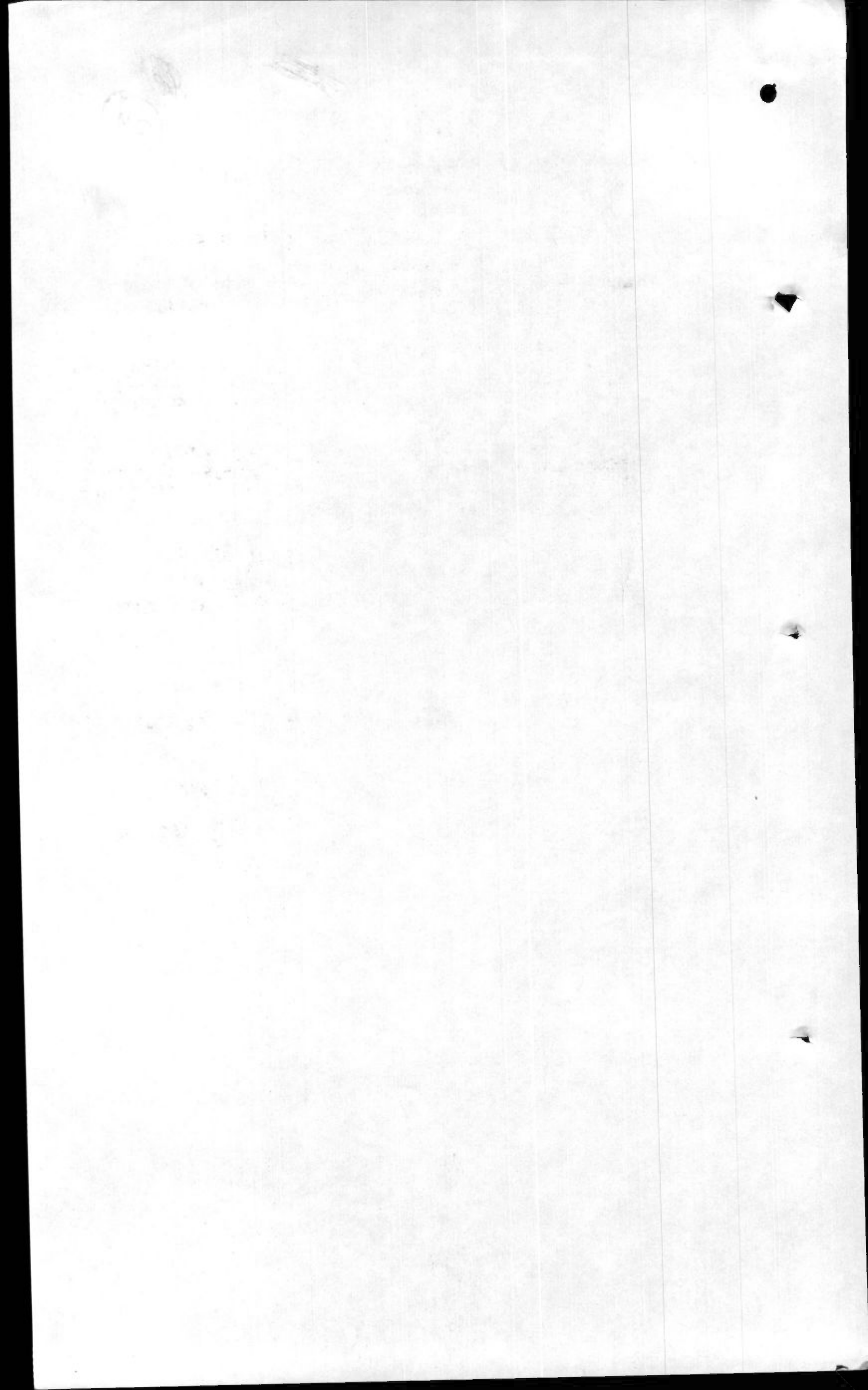
This is in supersession of office order No. 225 dated 19.8.70.

All concerned may please note for compliance.


(N. Beharan)
Dy. Land & Development Officer

To

1. All Officers and Sections.
2. Copy to the Ministry of Works & Housing, New Delhi.



No.23/196/75-CDM
Government of India
Ministry of Works and Housing
Land & Development Office: Nirman Bhavan.

New Delhi, the 19.2.76

OFFICE ORDER NO. 3 of 1976.

Sub: Inspection of Premises - Time of Inspection

It has been decided that inspections of properties may be carried out by giving advance notices to the lessees, giving time and date of inspection and all such notices will be signed by Gazetted Officers.

Surprise inspections where necessary will be made by the inspection staff only after obtaining orders from the appropriate officer, and reasons recorded for making surprise inspection.

Sd/- U.N. Bhuyan
7/2/76
(U.N. BHUYAN)
DY. LAND & DEVELOPMENT OFFICER

To

All Officers/Sections.

Copy to: Ministry of Works & Housing (L-II
Section) for information.

Sd/- U.N. Bhuyan
7/2/76
(U.N. BHUYAN)
DY. LAND DEVELOPMENT OFFICER.

No. C-14013/20/76-VLS
Government of India
Ministry of Works & Housing
LAND & DEVELOPMENT OFFICE

NIRMAN BHAVAN
NEW DELHI, THE 17th May, 1976

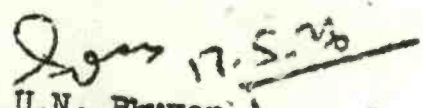
OFFICE ORDER No. 29/76

Sub: Instructions regarding inspection reports submitted
by the overseers/Surveyors.

Instances are frequently coming to notice where reports submitted by the inspecting staff of this office are found to be vague and misleading thereby causing confusion and possible harassment to the lessees.

All Overseers/Surveyors/Assistant Engineers & Building Officer will therefore take adequate care in future while submitting inspection reports and will ensure that their reports are clear, precise & correct failing which adverse notice will be taken of their performance and suitable action as necessary will also be taken.

The Assistant Engineers, Building Officer and the Engineers Officer are also advised to exercise better supervision and control over the inspecting staff to eliminate recurrence of such failures.


(U.N. Bhuyan)
Dy. Land & Development Officer.

To

1. All Overseers/Surveyors.
2. Engineer Officer, Asstt. Engineer I, Asstt. Engineer II & Building Officer.
3. All Sections (for information)

581

No. 6/27/77-GDY.
Government of India
Ministry of Works & Housing
Land & Development Office.

(27)

New Delhi, dated the 19th Aug., 77.

OFFICE ORDER NO. 24/77

Subject: Inspection of properties where permission to Sale/Mortgage are pending:-

permission

It has been decided that whenever a request is received from a lessee for grant of sale or mortgage, such properties will be inspected on a priority basis and the technical section should arrange to inspect the same within 10 days from the date of receipt of the file by the Technical Section. This inspection will be carried out by the overseer without dislocating the schedule of inspection already fixed, as far as possible.

Ra

(Mrs Pratibha Karan)
Officer On Special Duty.

All Officers/Sections.

May record

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27/8*

P.A

24.8.77


1533

(59)/77-CDN
Government of India
Ministry of Works and Housing
Land and Development Office
Nirman Bhawan

28

Dated the 7th Jan. 1978
OFFICE ORDER No. 1/78

With a view to exercise an effective supervision and control in the matter of inspection of properties and recovery of charges etc, it has been decided to introduce Management Information System in this office with immediate effect and a Proforma- Part II (Copy enclosed) has been prescribed for this purpose. The information in respect of Scheduled items will be furnished by Accounts Section and information of Un-Scheduled items (except actual recovery, which will be furnished by Account Section) will be furnished by all Lease/Property Sections. Information regarding premium will be furnished by Lease II Section. The aforesaid information is required to be submitted to Joint Secretary (DD) in a consolidated form after every 6 months by the end of Jan. and July each year which is further to be submitted to the Controller of Accounts in the 1st Week of following month. As the first such return is due to be submitted to the Ministry before end of Jan., 1978 all Lease/Property sections and Accounts Section are requested to send the requisite information in the prescribed form to the Co-ordination Section before the 15th of Jan. 1978 and submit subsequent return to the Co-ordination Section similarly before the 15th of Jan. & July each year.


(D. S. RALADA)
VIGILANCE OFFICER

To

All Officers.
All Sections.

~~XXXXXXXXXX~~

(29)

NO.6/38/77-CDN
Government of India
Ministry of Works & Housing
Land & Development Office

New Delhi, the 7th July, 1978

OFFICE ORDER NO. 20/78.

Sub: Inspection of premises-advance intimation-
thereof :

....

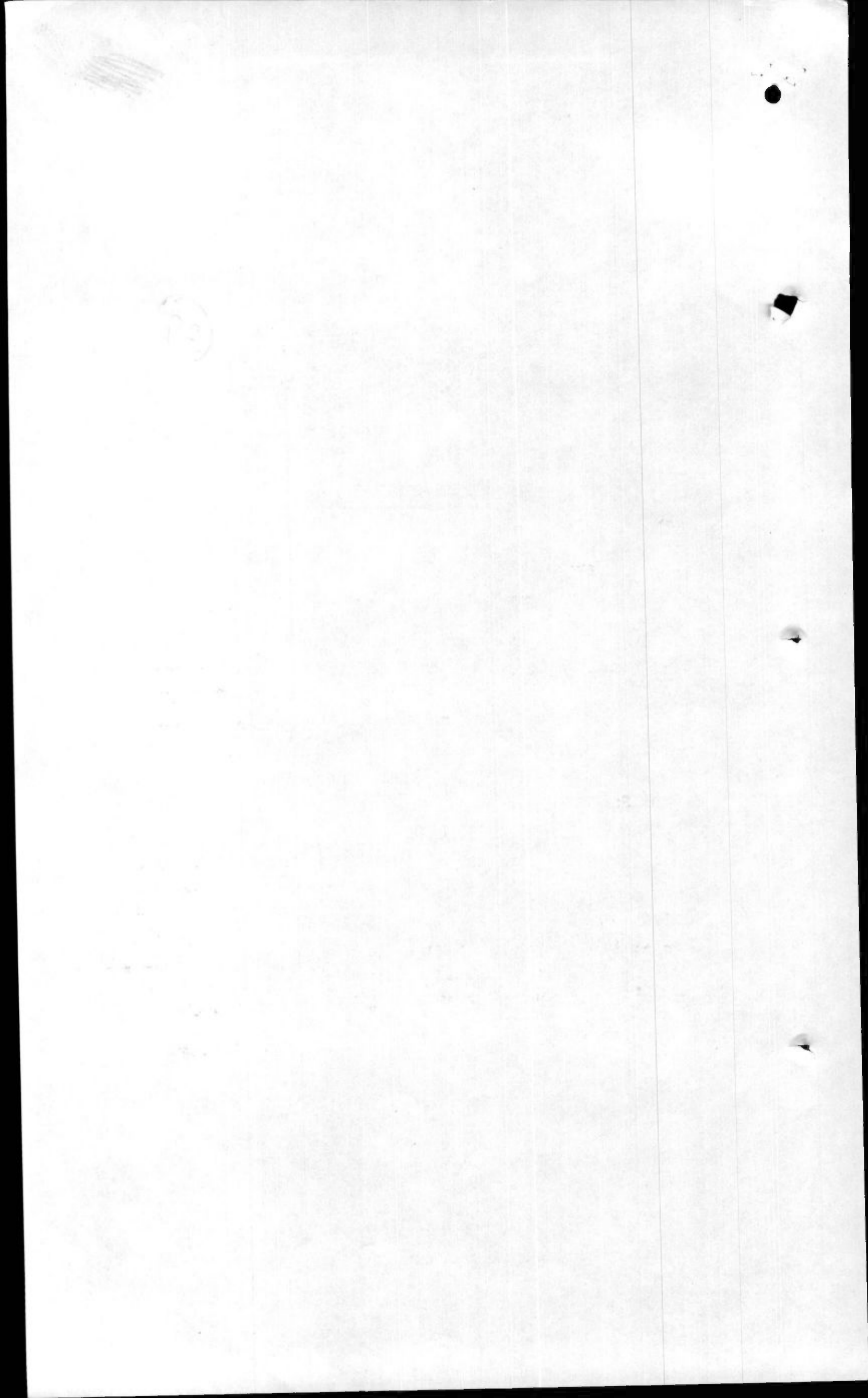
In future advance intimation of inspection
will be issued in the " forms" enclosed.

S. Rangaswamy

(S. RANGASWAMY)
Addl. Land & Development Officer

All Officers/Sections.

Copy to: Ministry of Works & Housing for information.





GOVERNMENT OF INDIA
 MINISTRY OF WORKS & HOUSING
 LAND & DEVELOPMENT OFFICE
 NEEMAN BHAWAN

30

NEW DELHI: the

NO. L&DO/

To

Shri _____

Sub: Property NO. _____

.....

Dear Sir/Madam,

With reference to your letter No. _____
 dated _____ asking for _____
 permission/forwarding the plan of existing construction
 of the subject property, an Overseer of this office will
 visit the premises mentioned above on _____ at _____ A.M.

You are requested to extend your cooperation to
 him in verifying the facts/details of the property.

Yours faithfully,

~~Handwritten scribble~~

Regd. A.D.

Government of India
Ministry of Works & Housing
Land & Development Office
Nirman Bhawan : New Delhi

(31)

NO. ISDO/

Dated:

To

Sub: Premises No. -----

Dear Sir/Madam,

Under the lease deed, the lessee is under an obligation to afford access to the leased premises at all reasonable time to the lessor or his authorised representative to satisfy himself that the premises are maintained in conformity with the conditions of the lease deed.

Accordingly, Shri _____ of this office has been deputed to visit the premises on _____ at _____ A.M. You are, hereby, requested to afford all facilities to him to enable him to verify the same.

Yours faithfully,

NO. 5/38/77-CDN
Government of India
Ministry of Works & Housing
Land & Development Office : Nirman Bhawan

32

New Delhi, dated the

Feb. 79


OFFICE ORDER NO. 2/79

Sub: Inspection Reports of Overseers
instructions regarding.

....

It has been observed that remarks given in the inspection reports by the Technical Staff are generally ambiguous and misleading. In a number of cases it is not possible to understand the type and magnitude of the misuse and unauthorised construction. The L.& D.O. has taken a serious view of this.

All Overseers/Surveyors will therefore submit clear and lucid reports which will be susceptible of verification and proper appraisal. Reports which are found misleading or ambiguous will be taken serious note of and disciplinary action will be taken against the official concerned.


(D.S. RAIZADA)
VIGILANCE OFFICER

ALL Officers/Sections.

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Immediate

No.6/28/77-CDN
Government of India
Ministry of Works and Housing
Land and Development Office
Nirman Bhawan

New Delhi, the 5.8.1980

OFFICE ORDER NO. 21 /80

Pending consideration of certain policy matters, it has been decided to stop forthwith inspection of properties and issuance of notices regarding misuse, unauthorised construction and other breaches of the terms of the lease until further orders. All Branch Officers/Superintendents may please note for strict compliance.


(D. S. RAIZADA) -
VIGILANCE OFFICER.

All officers/Section.

Copy for information to:

1. P.A. to L&D.O.
2. Ministry of Works and Housing (Lands Division)

No.6/38/77-CDN(Pt.)
Government of India
Ministry of Works and Housing
Land and Development Office
Nirman Bhawan

34

New Delhi, the 20.4.81

OFFICE ORDER 6 /81

Subject:- Withdrawal of ban on issuance of notices etc.

.....
It has been decided to keep in abeyance action on the Corrigendum No.L&DO/6/38/77-CDN dated the 23rd March, 1981 to the Office Order No. 15/80 dated 31.5.80 till further orders, since the matter already stands referred to the Ministry of Finance for approval.

C.P. KHANNA
(C.P.KHANNA)
PUBLIC RELATION OFFICER.

To

All Officers/Sections

Copy to: PS to Secretary, Ministry of Works & Housing,
New Delhi.
2.Lands Division, Ministry of Works and Housing,
New Delhi.

35

No. L&DG/66(14)/77-CDM
Government of India
Ministry of Works and Housing
Land and Development Office
Minnah Bhawan

New Delhi, the 22.4.81

OFFICE ORDER NO. 7/81

Subject:- Inspection of premises in the cases for grant of permission for Sale/Transfer or Gift and for Multi-storeyed Buildings (Commercial and Group Housing)

.....

It has been decided that inspection of leased premises may be carried out in cases where applications for grant of Sale Permission, Transfer or Gift and for construction of Multi-storeyed Buildings (Commercial and Group Housing) are received by the office.

Lease I may furnish the list of all such cases immediately to the A.E concerned for drawing a programme for inspections.

A fortnightly progress report will be regularly submitted by the Sections concerned. First Report for fortnight ending on 15.5.81 should reach Coordination Section by 17.5.81 at the latest. Similarly further fortnightly progress reports should be sent to Coordination Section within three days of expiry of the fortnight to which the progress report relates.

C.P. Khanna
(C.P. KHANNA)
PUBLIC RELATION OFFICER.

All Officers/Sections

Copy to: Ministry of Works & Housing, Lands Division with reference to their U.O.Dy.No. 2113-LD/81 dated 6.4.81.

GOVERNMENT OF INDIA
MINISTRY OF WORKS & HOUSING
LAND & DEVELOPMENT OFFICE
NIRMAN BHAWAN
No. LDO/6(38)/77-CDN(Pt.)

36

Office Order No. 32/81 Dated, 17.8.81

Sub:- Resumption of inspection in respect of
Commercial Nazul Leases administered
by Land & Development Office.

It has been decided by the Government of India
that inspection and issue of notices in respect of
commercial nazul leases may be resumed with immediate
effect.

(Authority: Ministry of W&H letter No.4612/LD/81
dated 12.8.81).

P.N. Gupta
(P.N.Gupta)
Administrative Officer

All Officers/Sections.

al.

P.T.O.

(37)

Copy to (i) Under Secretary (Lands) Ministry of Works and Housing
New Delhi, with reference to letter No, 4612/LD/81
dated 12-8-81.

(ii) Ministry of Works and Housing, Finance Division
(Lands Unit) Nirman Bhawan, New Delhi.

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P.T.O.

(P.N.Gupta)
Administrative Officer

All Officers/Sections.

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All Officers
All Property

No. 6/38/77-CDN
Government of India
Ministry of Works & Housing
Land & Development Office
Nirman Bhawan.

38

New Delhi dated the 23-12-81.

OFFICE ORDER 35/81

Sub:- Inspection of leased premises.

There have been a few cases in which it has been felt desirable to inspect the premises. However, because of the ban on inspection of the premises, the inspection could not be carried out. The Ministry were accordingly approached in the relevant files to obtain approval of H.M. for carrying out inspections.

2. The Ministry have desired that with a view to ensure that all cases in the same area, similarly placed, are dealt with similarly, a certificate may be given by the Land and Development Office that there is no other case which has been left out.

3. In order to ensure that there are no allegations regarding discrimination / favouritism, it is necessary that colonywise lists of cases, where approval of H.M. is required, should be prepared, for

(i) Carrying out inspection

(ii) Re-entry

(iii) Initiating proceedings under the P.P.T. Act.

4. This work should be taken in hand by the Sections concerned and it may be ensured by the Supts. that there are no omissions (both inadvertant or advertant) and that the lists prepared in the enclosed Proformas/complete in all respects.

5. This work should be completed latest by 6th January 1982 and the lists (in quadruplicate) should be supplied to the Coordination Section by that date.

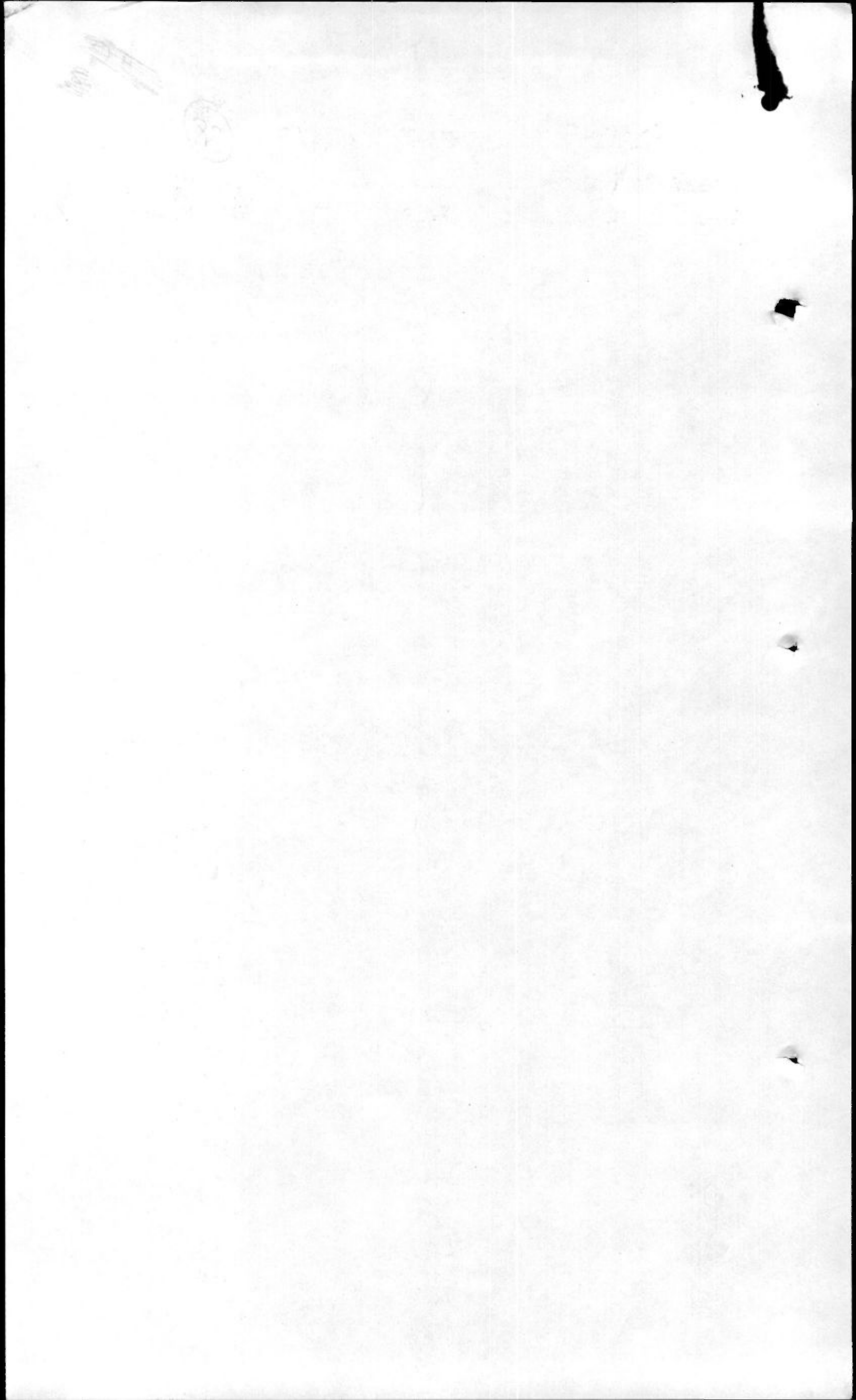
As soon as list in respect of a particular colony has been compiled it should be sent to Coordination Branch.

G.C. Chiniotti
23.12.81

(G.C. Chiniotti)
For Estate Officer

All Officers

All Property/Lease Sections



LIST NO. I

LIST OF CASES IN WHICH PERMISSION FOR INSPECTION
OR ISSUE OF SHOW CAUSE NOTICE IS REQUIRED.

39

Name of the Colony. _____ Reasons necessi-
ating inspection/
Sl. No. File No. Details of Property issue of notice

LIST NO. V

LIST OF REJECTED CASES IN WHICH ACTION UNDER
SECTION 5 HAS BEEN INITIATED BUT ACTION FOR
RECOVERY OF THE EX-LESSEE IS HELD UP.

(40)

~~scribbles~~

of the Colony. _____

File No.

Details of
Property

Remarks if
any.

No. LDO. 6(38)/77-CDN(pt.)
Government of India
Ministry of Works and Housing
Land and Development Office
Nirman Bhawan

(41)

New Delhi, the 17.3.82

OFFICE ORDER NO. 6 /82

Subject: Resumption of inspection in respect of Residential
Nazul leases administered by Land & Development
Office.

.....
It has been decided that inspections and issue of
notices etc. in respect of residential nazul leases may be
resumed with immediate effect.

(Authority: Ministry of Works & Housing U.O.Dy.No.
1558/82/LD dated 15.3.82.)

G.C. Chivette
17.3.82

(G.C. CHIVETTE)
FOR PUBLIC RELATIONS OFFICER.

All Officers/Sections

- Copy to: 1. Shri R. Krishnaswamy, Under Secy (Lands)
Ministry of Works and Housing, New Delhi.
2. Ministry of Works and Housing, Lands Division,
(DO II) New Delhi.

No. LDO/16(14)/72-33N
Government of India
Ministry of Works & Housing
Land & Development Office
Nirman Bhavan
New Delhi.

42

Co-ordination Section
Circular NO. 2

Dated 5.4.1982

Sub:- Inspection of Nazul land leases and
maintenance of Breach Register.

Vide Office Order No.7/81 dated 22.4.81,
inspection was allowed to be carried out in
cases where applications for grant of sale
permission, transfer or gift and for construc-
tion of multi storeyed buildings (commercial and
Group Housing) are received by the Office.

Vide Office Order No.20/81 dated 17.3.81,
inspection was allowed to be carried out in
respect of Commercial Nazul Leases. Vide Office
Order No.6/82 dated 17.3.82 inspection was allowed
to be carried out in respect of Residential
Nazul Leases.

It has been decided to assess the quantum of work
undertaken since the removal of ban and also to ensure
that the work emanating from the inspections, is being
regularly attended to or not. The breaches, if any
noticed as a result of inspections are required to be
noted in the Breach Registers.

All Lease Sections/Property Sections are requested
to prepare a list in triplicate of all the breaches
noticed after the removal of the ban on inspections, as
mentioned above with the help of Registers. The list
should contain information in respect of change in use
and unauthorised constructions separately in the proforma
enclosed and the information should be sent to the Co-
ordination Section in duplicate by 5.4.82 so the stati-
stical data to be prepared and will be discussed in the
meeting to be held in the room of L&DO on 7.4.82.

G. C. Chinnotti
(G.C. CHINNIOTTI)
SUDT.

All Property Sections

All Lease Sections

11

(11)

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Property/Lease Section

<u>Sl. No.</u>	<u>Name of the Locality</u>	<u>Property No.</u>	<u>Date of inspection</u>	<u>Breaches Noticed</u>	<u>Action taken</u>	<u>Remarks</u>
----------------	-----------------------------	---------------------	---------------------------	-------------------------	---------------------	----------------

U/a const. Misused

(43)

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Co-ord Section.

44

Vide Office Order No.7/81 dated 22.4.81, inspection was allowed to be carried out in cases where applications for grant of sale permission, transfer or gift and for construction of multi storeyed buildings (commercial and Group Housing) are received by the Office.

Vide Office Order No.20/81 dated 17.8.81, inspection was allowed to be carried out in respect of Commercial Nazul Leases. Vide Office Order No.6/82 dated 17.3.82 inspection was allowed to be carried out in respect of Residential Nazul Leases.

It has been decided to assess the quantum of work undertaken since the removal of ban and also to ensure that the work ~~is~~ emanating from the inspections, is being regularly attended to or not. The breaches, if any noticed as a result of inspections are required to be noted in the Breach Registers. ~~of the Section~~

All Lease Sections/Property Sections are requested to prepare a list in triplicate of all the breaches noticed after the removal of ~~be~~ the ban on inspections, as mentioned above, ~~with~~ with the help of Registers. The list should contain information in respect of change in use and unauthorised constructions separately in the proforma enclosed and the information should be sent to the Co-ordination Section in duplicate by 6.4.82 so the statistical data ~~thus~~ prepared, ~~may~~ be discussed in the meeting to be held in the room of I&D on 7.4.82.

Chiniotti
3.4.82
(G.C. Chiniotti)

All Property Sections

All Lease Sections

SP.I & SP.III

No.L&DO.16/14/77-CDN
Government of India
Ministry of Works and Housing
Land & Development Office
Nirman Bhawan

45

New Delhi, the 9-8-82.

OFFICE ORDER NO. 21 /82.

Subject:- Survey of Residential premises.

.....

A survey of the residential leased premises under the management control of this office has been carried out by the field staff of this office with a view to ascertain if some of the residential premises are being put/use as Hotels / Hostel/Inn/Guest Houses etc. A list of the cases where above change in use of the premises has been noticed is enclosed.

/to

Lease/Property Sections may please take appropriate action under the terms of the lease. It may be kept in view that no action can be taken in respect of properties located in the Rehabilitation Colonies in Delhi/New Delhi.

P.N. Gupta
(P.N.GUPTA)
PUBLIC RELATIONS OFFICER.

All Officers/Sections

No.6(38)/77-CDN(Pt)
Government of India
Ministry of Works & Housing
Land & DEVELOPMENT Office
Nirman Bhawan

46

New Delhi, Dated 6.1.83

OFFICE ORDER NO. 1 /83

Subject:-Resumption of inspection in respect of
leases administered by Land & Development
Office.

A copy of Ministry of Works and Housing
letter Dy.No.8951/82/LD dated 21.12.1982 on the
above subject is sent herewith for information and
necessary action.

P.N. Gupta
(P.N.Gupta)
Public Relations Officer.

All Officers/Sections.

Copy to:-The Ministry of Works & Housing, Lands
Division, Nirman Bhawan, New Delhi. Their
letter Dy.No.8951/82/LD dated 21.12.82
refers.

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(10)

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Dy.No.8951/82/LD
Government of India
Ministry of Works and Housing
Lands Division

47

New Delhi, Dated the 21st Dec.1982.

To

Shri D.N.Asija,
Land and Development Officer,
Nirman Bhavan, New Delhi.

Subject:- Resumption of inspection in respect of
leases administered by Land & Development
Office.

Sir,

I am directed to say that it has since been decided by Government of India that issue of notices for inspection and actual inspection may be resumed by Land & Development Office with immediate effect where a complaint has been received from a neighbour about serious unauthorised constructions likely to endanger the safety of the buildings or about the activities likely to create nuisance.

Yours faithfully,

Sd/-
S.Mukherjee
Desk Officer(Lands)
Tele: 381125.

NO. L&DC/22(1)/83-CDN
GOVERNMENT OF INDIA
MINISTRY OF WORKS AND HOUSING
LAND & DEVELOPMENT OFFICE
NIRMAN BHAVAN
NEW DELHI

DATED 5.4.83

OFFICE ORDER NO. 8/83

Subj. - Inspection of premises by overseers.

Wide Office Order No. 93 of 1967-68 dated the 9th August, 1968, it had been observed that for inspection of the properties, it is advantageous that the overseer should have complete file in order to enable him to furnish a correct report and it had been decided that complete relevant file should be sent to Technical Section whenever any premises are required to be inspected.

The matter has been reconsidered and it has now been decided that the practice of sending files to Technical Section for inspection of premises, should be discontinued.

All Sections should note for guidance/necessary action.

Dina Nath Singh
(D.N. Asija)
Land & Development Officer.

All Officers/All Sections.

Government of India
Land and Development Office

49

No. L&DO/22(1)/83-CDN

Dated 24-6-83.

Office Order 20/83

Subject :- Inspection of Properties by the Oversears.

Attention is invited to office order No. 8/83 dated 5.4.83, where in it was decided to Suspend the practice of sending files to Technical Section for inspection. The matter has been further discussed in Co-ordination meeting and felt that it is advantageous from every point of view that the Technical Staff should have complete record to enable them to furnish the correct report.

It is, therefore, decided that office order No. 8/83 dated 5.4.83 need not be acted upon and complete record as hitherto should invariably be sent to Tech Section whenever any premises are required to be inspected.

All Sections should note for necessary action.

P. N. Gupta
(P.N. GUPTA)
Public Relation Officer.

All Officers/Sections.

SO

Government of India
Ministry of Works and Housing
Land & Development Office
Nirman Bhawan

Mo/6(33)/77CDN(Pt.)

New Delhi, dt 15.7.83

OFFICE ORDER NO. 22/83.

Sub:- Withdrawal of ban on inspection/issuance of notices etc.

Reference is invited to office Order No. 20/81 dated 17.3.81 followed by office order no. 6/82 dated 17.3.82 regarding resumption of inspection in respect of residential and commercial Nazul leases administered by Land & Development Office. It was expected that resumption of inspections will be carried out regularly and vigourously to find out the serious unauthorised constructions likely to endanger the safety of the buildings or about the activities likely to create nuisance in addition to the other misuse and unauthorised construction. However it is felt that this matter is not being chased up in its two prospective. The matter has also been discussed at the level of the Secretary and it has been decided that the inspections should be intensified to achieve proper results. All Branch Officers/Superintendents will ensure that the files are sent to the Tech. Section well in time to enable their field staff to speed up the inspections. Any lapse in this regard will be viewed seriously.

Dina Nath Singh
(D.N. SIJA)
LAND AND DEVELOPMENT OFFICER.

All Branch Officers/Supts.

(51)

NO. LAD /6138)/77-CDN (Pt)
GOVERNMENT OF INDIA
MINISTRY OF WORKS & HOUSING
LAND & DEVELOPMENT OFFICE
NIRMAN BHAVAN: NEW DELHI

DATED 12.10.83

CIRGLA-RNO. 22 83

Sub:-Inspection & issuance of notices in respect
of land allotted to Educational Institution.

Extracts of notes at page 8/N of file No.
LV-4(13)/82 relating to All India Anglo Education Society
at Lajpat Nagar, New Delhi are circulated for information
and future guidance of all.

Gajjan
(V. R. Mahajan)
Estate Officer.

All Officers/Sections

Extracts taken from file No. LV-4(13)/82- from page 8/N

LAND & DEVELOPMENT OFFICE

The ban was imposed to stop inspection of properties and issuance of notices regarding unauthorised construction, and other breaches of the terms of the lease until further orders vide office order No. 21/80 dated 5.8.80 later on this ban has been removed vide this office order No. 20/81 dated 17.3.81 and 6/82 dated 17.3.82 regarding the resumption of inspection of residential and commercial premises of Nazul Land administered by the Land and Development Office.

General ban about the inspection of residential properties in Rehabilitation colonies still exists.

Lease V has put up a file relating to the inspection of Frank Anthony School, Lajpat Nagar, New Delhi. This school is situated in Rehabilitation colony. They have raised a doubt whether in case of existence of ban of

...Contd.

(52)

inspection of properties in Rehabilitation colonies, the inspection should be carried out or not. Co-ordination Section, to whom the file was referred, have not clarified the position.

In this connection, it may be stated that the imposition of the ban in the Rehabilitation colonies relates to the properties allotted to the displaced persons for whom special consideration has been shown. The allotment of land to the education institutions is based on other principles and all the educational institutions are to be treated at par whether they are situated in a rehabilitation colony or on other land, administered by this office. As such, it is felt that educational institutions do not come in the ambit of the ban and we may have a uniform policy for all the educational institutions and carry out the periodical inspections.

L&D may please see

Sd/-
R.S.Chadha
Assistant Settlement Commissioner
28th September 1983.

L&D

A-Approved.

Sd-D.N.Ajja
29/9/83

ASC

May issue O.O. in coord.Sec.

Coord.Sec

Sd/-
Nihal Singh
30.9.1983

Handwritten scribbles or marks in the top left corner.

(22)

Handwritten marks at the top right edge.

Small circular mark or hole.

Small circular mark or hole.

Small circular mark or hole.

Small circular mark or hole.

NO. 6(38)/77-CEN:PE
GOVERNMENT OF INDIA
MINISTRY OF WORKS AND HOUSING
LAND & DEVELOPMENT OFFICE
NIRMAN BHAVAN: NEW DELHI

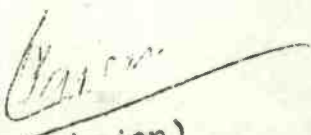
DAIED 6-2-85

OFFICE ORDER NO. 3/85

(53)

Sub:-Ban on inspections/Issuance of notices.

A copy of the orders dated 4.2.85 of Land and Development Officer is circulated for information & strict compliance.


(V.R. Mahajan)
Estate Officer.

All Officers/Sections

Office Order

I have come across a case in which even though certain misuse was noticed in an inspection, no notice was issued on the pretext that there was a ban on inspections/issue of notices. Since no notices had been issued, we cannot claim any charges etc. Hence I want that in all such cases where inspections were made but no notice issued, notices may be issued forthwith on the basis of the previous inspections.

Sd/-
M. Shankar
Land & Development Officer.
4.2.1985.

SBC/5/2/1985.



22

28 3

GOVERNMENT OF INDIA
MINISTRY OF WORKS AND HOUSING
LAND & DEVELOPMENT OFFICE
NIRMAN BHAVAN: NEW DELHI
NO.6(38)/77-CDN-Pt.

DATED 6-2-85

(54)

OFFICE ORDER NO. 4/85

Sub:-Carrying out of inspection on receipt of application of sale permission.

A copy of the orders dated 30.1.85 of Land and Development Officer is circulated for information and strict compliance by all.

V.R. Mahajan
(V.R. Mahajan)
Estate Officer.

All Officers/Sections.

It has been brought to my notice that as per the existing orders when a person applies for sale permission the property is to be got inspected and terms for breaches noticed, if any, should be drawn up while conveying the sale permission. There is also another office order that for drawing up of terms the inspection should have been done within a year before the date. Many a times there is an overlap in these two instructions. In some cases where an inspection has been done recently because a sale permission application is made another inspection is being insisted upon. There are also cases where the application for sale permission had been made more than a year prior to the date of the terms and at the time of application the property had been inspected but another inspection is being insisted upon since more than one year has passed.

I do not think there is any justification for both the above requirements. Wherever inspections have been made/carried out within past one year from the date of application, the terms for sale permission may be drawn up on that basis and where the communication of the terms are delayed in the office for more than a year the re-inspection will not be insisted upon.

Sd/-
M. Shankar
Land & Development Officer.
30.1.1985.

SB/4.2.85.

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SS

Government of India
Ministry of Urban Development
Land & Development Office
Nirman Bhawan, New Delhi.

NO.16/1/69-CDN

Date 30-8-89

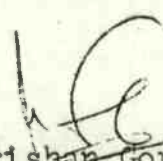
Office Order No.17/89

SUBJECT: Inspection of premises and calculation of charges for breaches - instruction thereof.

...

It has been decided that whenever a property is got inspected by the Lease/Property sections and breaches are detected, the calculation of the breaches will also be done by the Overseer before sending the files to the Property/Lease Sections. The terms will however be drawn by the Property/Lease Sections on receipt of the request of the lessee(s). The above procedure is ordered to avoid any back references for calculation of charges in case the lessee asks for compromise.

All to please note for strict compliance.


(Krishan Gopal)
Public Relations Officer

All Officers/Sections

Government of India
Ministry of Urban Development
Land & Development Office
Manman Bhavan, New Delhi.

56


No.6(4) 18/68-Pt.file.

Date 1/5/90

Office Order No. 13/90

In cases where the inspection is refused but on subsequent inspection breaches are found, the crucial date for the recovery of damages will be the date of refusal of inspection. Similarly in a case where the lessee intimates about the vacation of breaches but does not allow inspection, the recovery of damages will be the actual date of inspection. However, the section concerned will ensure that the letter was sent to the lessee for such an inspection well in time and is received by the lessee.

However in cases where the facts about the vacation of breaches is proved on inspection, our charges will be upto the date, of receipt of letter.


(Krishan Gopal)
Public Relations Officer

All Officers/sections

(57)

Government of India
Ministry of Urban Development
Land & Development Office
Nirman Bhavan, New Delhi.

No. 24(80)/91_CDN

Date 15/3/1991


Office Order No. 4/91

Subject:- Inspection of premises where the lessee contests about the correctness of the breaches/inspection in Rehabilitation Colonies thereof.

...
A question arose during the discussion in Co-ordination meeting held on 13th February, 1991 as to whether the section should ask for re-inspection of the property where the lessee contests or disputes about the correctness of the breaches found in the inspection. After some discussion it was decided that such cases will be put up to the Branch Officer for his order for re-inspection by the Assistant Engineer or any other Senior Officer. Such files will not be sent to the Technical Section direct by the Supdt. before getting the orders of the Branch Officer.

Similarly in the Rehabilitation properties since there is a ban on inspection except in the case of requests for sale permission or where the complaint is received, no inspection will be sought for by the sections or will be carried out by the Technical Section. If however, in the case of complaint if the breaches are found a preliminary notice will be issued to the lessee intimating him the nature of breaches. If there is no response from the lessee or if the breaches are not removed, further action will be taken only after the orders of the Ministry's are obtained by the Branch Officer.

All to please note for compliance.


(Krishan Gopal)
Public Relations Officer

All Officers/supdts.

Government of India
Ministry of Urban Development
Land & Development Office
Nirman Bhavan, New Delhi.

58

No.24(93)/01-CDN Office Order No.12/91 Date 25/9/91

Subject:- Inspections by the field staff & submissions of periodical work done reports.

...

It has been observed that the Field Staff in the Technical Section though large in number, the inspections carried out and the information furnished is not satisfactory both qualitatively & quantitatively. This also has been noticed by the Joint Secretary and Additional Secretary, Ministry of Urban Development. Therefore, it has become necessary to monitor the movements of the field staff. Though at present the field staff are mainly concentrating on the inspections of the properties referred to them in connection with the processing of various files, the pendency even in these cases is very high. Considering that they are also required to inspect all the properties periodically, a high pendency of the referred cases & non inspection of other properties is inexplicable. It is considered that if all the overseers and surveyors are properly deployed, it should not take more than two days for each overseer or surveyor to inspect the properties referred to him during the week. Out of the remaining 3 days, each overseer/surveyor should spend a full day exclusively for calculation etc. and he should also keep minimum one day in a week for scheduled inspections of identified colonies and overseers/surveyors who have court cases can earmark the concerned date for attending to the court cases. It is expected that attendance in the court would not be more than once in a week.

In this connection, the programme of each overseer for every fortnight should be prepared in advance and it should reach the undersigned before the start of the fortnight through the Engineer Officer. Similarly at the end of the fortnight, the work done statement of each overseer should be submitted to the Engineer Officer within 5 days. This should be in the form of a daily diary clearly indicating the property inspected/work done on each day. To start with, programme of each of the overseers/surveyors for the fortnight starting with 30.9.1991 should reach the undersigned by 27.9.1991. Having worked out the programme in advance, it is expected that all the field staff will adhere to the programme, except for emergency and any deviation from the programme has to be with the knowledge of the Engineer Officer and all such deviations must be noted in a separate register to be maintained at the Engineer Officer's level justifying each deviation. This register should be placed before the undersigned once in a fortnight for seeing the justification for deviations.

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from prepage.....

The overseers/surveyors deployed exclusively for inspection of vacant Govt. properties should also likewise give their programme in advance and submit the work done statements every fortnight. If any encroachment takes place and it does not get reported in time or any follow up action is not taken immediately to stop further encroachment by lodging police complaint etc., the concerned overseer/surveyor will be personally held responsible. Engineer Officer is requested to ensure that all the staff working under him follow these instructions scrupulously.

G.V. Krishna Rau

25/9/91
(G.V. KRISHNA RAU)

LAND & DEVELOPMENT OFFICER

To

Engineer Officer/All Technical Staff.

...

No.6(38)/77-98/CDN
Government of India
Ministry of Urban Affairs & Employment
Land & Development Office
Nirman Bhavan, New Delhi.

60


Dated: 26.2.93

OFFICE ORDER NO.2/98

Sub:- Lifting of Ban on Inspection in Rehabilitation Colonies.

All previous instructions/Orders regarding ban on inspection of Rehabilitation and Nazul properties under control of this office are hereby withdrawn with immediate effect. Action may, therefore, be taken as per the terms of the Lease Deed.

This issues with the approval of the Ministry of Urban Affairs & Employment.


(MANOJ ABUSARIA)
HINDI OFFICER

Copy to:-

1. All Branch Officers.
2. All Supdts.
3. US(L-I) (Shri Labh Singh Chane), M/o' Urban Affairs and Employment, for information.

61

Government of India
Ministry of Urban Affairs & Employment
Land and Development Office
Nirman Bhawan, New Delhi.

No.24(268)/99-CDN

Dated _____

OFFICE ORDER NO. 2/99

It has been observed that, in a number of cases, the Inspection Reports are not sent to the lessees in time. Later, when damages are claimed by this office the lessees are likely to challenge the demands of this office.

2. In view of this it is directed that, henceforth the Inspection Reports should be sent by the Technical Sections to the concerned property section within 3 days from the date of inspection. The property section should send a copy of the Inspection Report to the lessee, by Registered Post with acknowledgement due, within 15 days from the date of inspection. The inspecting officer should also obtain the acknowledgement of the lessee/representative of lessee, at the time of inspection, as far as possible.

3. Non-compliance of these instructions would be viewed seriously.

4. This issues with the approval of L&DO.

V. Sree Kumar
(V. SREE KUMAR)
PUBLIC RELATIONS OFFICER

To,

1. All Branch Officers/Superintendents/AIs/R.O.
2. P.S. to L&DO

(62) ~~_____~~

Government of India
Ministry of Urban Development
Land and Development Office
Nirman Bhawan, New Delhi

File No.24(667)/2005-CDN/

Dated:- 20. 12. 05.

OFFICE ORDER NO.11/05

Sub:- Inspection of leased premises-Instruction thereof,

As per the existing instructions, in cases where the inspection is refused but on subsequent inspection if the breaches are found, the date of refusal of inspection is to be the crucial date for recovering the damages and misuse charges. Similarly, in cases where the inspection could not be carried out if the premise is found locked, in spite of proper notice, the same is treated as refusal of inspection and in such cases also, on subsequent inspection, if the breaches are found, the crucial date for recovery of damage/misuse charges will be the date on which the premises were found locked. In cases where the lessee claims the vacation of the breaches but does not allow inspection to verify such claims the crucial date for recovery of damages/misuse charges will be actual dated of first inspection.

2. It has been observed that in several cases, after the premises were found locked or where the inspection has been refused, no show cause notice is issued to the lessee/allottee nor was the lessee given any opportunity to explain why the inspection was not allowed or why the premises were found locked. There has also been a large gap of several years before issue of re-inspection notice. In some of such cases, on subsequent inspection some breaches were noticed and damages/misuse charges were recovered taking into account the date of refusal/the date on which the premises were found locked as the crucial date. Some of the lessees have contested this on the plea that the observation/remarks of the inspecting officials are not correct and they should have been given opportunity to represent against such observation within reasonable time. In view of these representations, the entire matter has been re-considered and it has been decided to computerize the inspection procedure and issue of breach notice etc. For this, the NIC has prepared Inspection Module and the user Manual has been circulated to all Sections. Therefore, henceforth, the following procedure is to be adopted in the matter of inspection of leased premises:-

- (i) The concerned Dealing hand should generate Property I.D. through the NIC and thereafter a computer generated note may be prepared before the files are referred to the Technical Section for inspection.

Contd.

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- (i) The Tech Section shall fix the date of inspection and issue the computer generated notice for inspection.
- (ii) The inspecting official shall feed the breaches in the computer on the same day and one hard copy shall be retained in the Technical Section and one copy to be added to the property/Lease file after the I.R. is signed by the AE/BO/EO as required. **The photograph of the premise should be taken invariably and one copy of the photograph of site should be added to the file. In cases where the premise is found locked or internal inspection is not allowed, the external inspection may be carried out and photographs also should be taken.**
- (iii) Where external breaches are noted in such cases, a breach notice specifying such breaches should be issued stating that internal inspection was not allowed. This fact should be added to the list of breaches.
- (iv) The lease/property Section shall issue Computer generated breach notice with the approval of the Branch Officer, within 15 days of the receipt of the file from Technical Section.
- (v) In cases where the inspection is refused or the premises found locked, a show cause notice should issued within a maximum period of 3 months from the date of such refusal. Further, wherever re-inspection is required after show cause notice, such re-inspection should be carried out within a maximum period of 6 months. In all such cases it may be ensured that all such notices, and breach notices are sent by Speed Post.
- (vi) It is the responsibility of the dealing hand concerned to ensure that the show cause notices are issued within the stipulated time and also that inspection is carried out. In case of failure, responsibility will be fixed and the action will be taken against such delinquent officials.

3. The issues with the concurrence of Finance Division, Ministry of Urban Development.

V. Sreekumar

(V. Sreekumar)
Public Relation Officer

To

All Officer/Sections.

MINISTRY OF URBAN DEVELOPMENT
LAND AND DEVELOPMENT OFFICE
NIRMAN BHAWAN, NEW DELHI

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F.No.LDO/S(38)/CDN/89/ 73

DT. 5-3-2008

OFFICE ORDER No. 3/08

SUBJECT:- Inspection of the properties after receipt of conversion applications-
Revision of policy regarding,

The issue of inspection of leased premises and properties before conversion of property from leasehold to tenure to freehold has been reconsidered. It has been decided to follow a uniform policy providing mandatory inspection of the properties after receipt of conversion application. Therefore, in partial modification of all the earlier orders on the policy of conversion from leasehold tenure to freehold tenure, the Government of India has decided as under:

- (i) In a case where conversion of leasehold property into freehold has been applied and inspection of the property has not been carried out in the last one year from the date of receipt of the application, before the conversion application is processed a mandatory inspection should be carried out know the present position about breaches
 - (ii) To avoid delay on account of this inspection, Tech. Division shall be required to inspect and return the file with computer-generated Inspection Report to the concerned Section within 15 days from the date of receipt of the file in Tech. Division.
 - (iii) Inspection Report should be entered into computer on the very next date of the inspection.
 - (iv) Inspection report should be complete in all respect.
 - (v) In case inspection of the property is refused, external photographs must be obtained. The Tech. Division that all inspections must do done with photographs.
 - (vi) The Office Manual of L&DO inspection of Properties, stands amended to the extent that mandatory inspection will be done once in three years instead of annual basis.
- (2) This issues with the approval of Secretary (U.D.). It is effective from the date of issue.

Surindra Singh

(Surindra Singh)

Dy. Land and Development Officer

To

All Officers and Sections.

Copy to:-

1. P.S. to Secy. (UD)
2. P.S. to JS(D&L).
3. PS to L&DO.
4. E.O. - with the instructions that Technical Division shall draw an inspection plan of the premises/properties and submit the same for approval as per the periodicity decided herewith.
5. Guard file.
6. Computer Cell for putting on site.
7. CDN to enter in the Precedent Book

GOVERNMENT OF INDIA
MINISTRY OF URBAN DEVELOPMENT
LAND AND DEVELOPMENT OFFICE
NIRMAN BHAWAN ; NEW DELHI

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65

F.No.LDO/6(38)/CDN/89/75

Dt. 7-03-2008

CORRIGENDUM

SUBJECT:- Inspection of the properties after receipt of
conversion applications- Revision of policy regarding,


Following amendments are made to the Office Order
No.3/08 dt. 5-3-2008, on the subject cited above:-

FOR

- (v) In case inspection of the property is refused, external photographs must be obtained. The Tech. Division that all inspections must do done with photographs.
2. This issues with the approval of Secretary (U.D.). It is effective from the date of issue.

READ

- (v) In case inspection of the property is refused, external photographs must be obtained. The Tech. Division must do all inspections with photographs.
- (2) This issues with the approval of Secretary (UD). It is effective from the date of issue. The cases already decided will not be reopened.



(Surendra Singh)

Dy.Land and Development Officer

To,

All Officers and Sections.

Copy to:-

1. P.S. to Secy. (UD)
2. P.S. to JS(D&L).
3. PS to L&DO.
4. E.O. - with the instructions that Technical Division shall draw an inspection plan of the premises/properties and submit the same for approval as per the periodicity decided herewith.
5. Guard file.
6. Computer Cell for putting on site.
7. CDN to enter in the Precedent Book

Government of India
Ministry of Urban Development
Land & Development Office

66

No. 6(38)/89-CDN 198

Nirman Bhawan, New Delhi.
Dated: the 18th March 2008.

OFFICE ORDER No. 04/2008

Subject: Inspection of the properties after receipt of conversion applications (revision of policy); clarification regarding date of its effectiveness.

Vide Office Order No. 3/08 dated 05.03.2008 of this office it has been decided that a mandatory inspection should be carried out before the conversion application is processed, to know the present position of branches in the properties where conversion from leasehold tenure to freehold has been applied and the inspection has not been carried out in the last one year from the date of receipt of the application.

2. The applicability of the decision has been re-examined and it has been decided that the mandatory inspection should be carried out in all the cases where the applications for conversion from leasehold tenure into freehold have been received on or after 05.03.2008. The applications received up to 04.03.2008 will be processed as per the policy existing on the date of the receipt of the application. The above cited office order stands amended to that extent. This issues with the approval of Secretary(UD).



(SURENDRA SINGH)
Dy. Land & Development Officer

To

All Officers and Sections.

Copy to:-

1. P.S to Secy(UD).
2. P.S to JS(D&L).
3. P.S to L&DO
4. E.O.
5. Guard File.
6. Computer Cell for putting on website.
7. CDN to enter in the Precedent Book.