

GOVT. OF NCT OF DELHI
LAND & BUILDING DEPARTMENT
(LAND ACQUISITION BRANCH)
B-BLOCK, VIKAS BHAWAN, I.P. ESTATE, NEW DELHI.

F.No.8 (2)2015/ L&B/LA/ 7678-79

Dated:- 30/11/23

To

✓ The District Magistrate (South East),
Revenue Department (GNCTD),
Old Gargi College, Behind LSR College,
Amar Colony Lajpat Nagar-IV, New Delhi-110048.

Subject:- Acquisition of land measuring 1169.093 sqm of khasra no. 221/2/1(459.192 sqm and 221/2/3 (709.901sqm) for Barapullah project at Nangli Razapur revenue estate for Public Works Department.

Sir/Madam,

I am directed to convey the approval of appropriate Government i.e. Hon'ble Lt. Governor, Delhi to acquire land measuring area 1169.093 Sq. meter of khasra no.221/2/1(459.192 sqm)and 221/2/3 (709.901sqm) for Public Works Department, GNCT of Delhi for construction of elevated road over Barapullah Nallah (copy enclosed).

As per section 8(3) of RFCTLARR, Act 2013, the decision of appropriate Government shall be made available in the local language to the Panchayat, Municipality or Municipal Corporation, as the case may be, and the offices of District Collector, the Sub-Divisional Magistrate and the Tehsil, and shall be published in the affected areas, in such manner as may be prescribed, and uploaded on the web-site of the appropriate Government.

In view of above, it is requested to kindly take further necessary action in compliance of the provisions of section 8(3) and Section 11 of RFCTLARR, Act 2013.

Encl:- As above

Yours faithfully,

(A.K.YADAV)

DY.SECRETARY (LA)

Dated:- 30/11/23

F.No.8 (2)2015/ L&B/LA/ 7678-79
Copy to:-

✓ The System Analyst, Land & Building Department, GNCT of Delhi, along with copy of approval of appropriate Government, with the request to upload the approval of Hon'ble Lt. Governor, Delhi on the website of this department.

(A.K.YADAV)

DY.SECRETARY (LA)

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I have perused the note of the department at pre pages for making recommendation u/s 8 of RFCTLARR Act 2013 for acquisition of land measuring 1169.093 sqm, Khasra No. 221/2/1 (459.192 sqm) and 221/2/3 (709.901 sqm), village Nangli Razapur, District South East for construction of Barapullah Elevated Road (Phase III) and noted with extreme disappointment that in this project of immense public importance, which was started in 2015 with the completion target year of 2017, Departments /agencies are still in the very basic process of earmarking exact requirement of land for the project.

02. In the instant matter, the PWD had earlier requested for acquisition of land at Khasra No. 221 measuring 5037 sqm (**para 425 (III) at page 104/N**) which was subsequently reduced to 2403 sqm (**para 423 at page 103/N**) in pursuance of review meetings of the projects convened by me. However, after field visits and inspection, the requirement of land at Khasra No. 221 was further reduced to 1169.093 sqm, on account of existence of a public road on the land - a bare eye fact that was astoundingly not taken into account while planning the project, as it should have been done. The successive reduction in the demand for land, by none less than the project planning and execution agency, in itself points towards gross dereliction on parts of authorities concerned.

03. This project, emanating out of the earlier Barapullah Phase-I and II projects completed more than a decade back, aimed at connecting East Delhi to Central Delhi, decrease travel time and traffic congestion and mitigation of air pollution, is being constructed by Public Works Department - a specialised body of the GNCTD for infrastructure related project. It has been doing such works for decades and comprehensive planning including field visits, surveys, inspections and layout etc. should have been a given, while conceptualizing, planning and executing the project.

04. However, the above facts make it abundantly clear that there was sheer negligence on the part of the officers in respect of planning, inspection and field survey of land for the project resulting in delays of

more than 06 years, apart from cost overruns running into hundreds of crores.

05. Such state-of-affairs, become all the more glaring and convoluted when one looks at claims being made by the Government and none less than the Hon'ble Chief Minister in public domain, that Government money is being saved by executing PWD projects, especially those of flyovers, etc. by completing them before time and below the tendered amount.

06. It would be instructive to pay heed to the following facts:

- i. **The Barapullah Phase-III Project was tendered at a cost of Rs. 964.00 Cr. in December, 2014.**
- ii. **The time of completion of the project was 36 months with a deadline of December, 2017. This included 06 months for planning and 30 months for execution of the main work.**
- iii. **As per the tender, the stipulated date of starting the project was 28.04.2015 and the schedule date of completion of the tendered project was 27.10.2017.**
- iv. **There has already been a delay of more than 06 years in the project.**
- v. **As on 16.11.2023, Rs.797.31 Cr. have already been paid to the contractor and for completion of the remaining approximately 20% of the works an additional Rs.285 Cr. will be paid to the contractor bringing the total amount to Rs.1082.31 Cr.**
- vi. **An additional Rs.244.6 Cr. in terms of arbitration awards due to project delays on part of the Government is to be paid to the contractor as compensation amount. (Rs.79.6 Cr. already paid, Rs.165 Cr. till date is to be further paid on account of delays only till now). This amount will obviously go up since the project is getting further delayed.**

07. The above facts clearly bring to the fore that this crucial and ambitious project not only got delayed by over 06 years, the Government will be paying **Rs. 1326.37 Cr.** (figure ascertained till now and will further go up because of delays) against the tender amount of **Rs.964.00**. This amounts to an **additional Rs. 362.37 Cr.** being paid to the contractor out of the Government exchequer. This is

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unacceptable and criminal to say the least and needs to be addressed with extreme alacrity.

08. In addition to this, I would like to point out that, the delay in project due to want of required land has also put a question mark on the structural safety of the Elevated Road Project. On a visit I witnessed, and it is there for all to see that, portions of the road weighing hundreds of tonnes is lying hung with the help of cantilevers, owing to the fact that the pillars to support them are absent due to non-availability of land. These slabs once placed on pillar have their weight distributed and evened out. The same may lead to weakened structure, thereby posing grave public threat.

09. I had already shared my instructions in file No. ADM/LAC/2023/04/Timelines for identifying and fixing responsibility of officers/engineers right from the project planning stage for non-completion of project (copy placed opposite) and reiterate the same. H

10. Considering the project of public importance, I approve the proposal of the Department with the instruction to strictly adhere to the timelines. Further, Chief Secretary, Delhi is directed to prepare suitable SoP for timely lapse-free planning and timely execution of the projects of public importance including identification of land and assessing requisite area for acquisition of land. Chief Secretary, Delhi is also directed to inquire into erred planning and assessment in respect of requirement of land for the project including the issue noted in paras above. I

11. The same may be brought to the notice of Hon'ble Chief Minister and the Minister-in-charge of the PWD. E

12. An action taken may be submitted within a period of 15 days.

(Vinai Kumar Saxena)
Lt. Governor, Delhi

Chief Secretary, Delhi

For n/a pl. Submd ATR in 7 days.
i ACS (L&B) for B&E on page 134/1N
ii Pr. Secy PWD for C on p-134/1N
iii Director DOW for A&D on page 134/1N
28/01/23
SS(L&B)
DSC(LA)