

No.F.1 (02)2012/MP/139

2093

DELHI DEVELOPMENT AUTHORITY

MASTER PLAN SECTION,

6TH FLOOR, VIKAS MINAR,
I.P. ESTATE, NEW DELHI – 110002

Ph. No. – 011- 23370507

Date: 05.07.2018

Sub: Circulation of Notification.

Please find enclosed herewith a copy of the Notification for your reference and necessary action, the detail is as under:

1. S.O. 3049 (E) dated 04.07.2018 Extraordinary Gazette Notification regarding Regulations for Enabling the Planned Development of Privately Owned Lands. F. 15(12)2017/MP

Encl: As above.

A Delpi

(Uttam Gupta)

Dy. Director (Plg.) MP

Copy to:

- 1. Chief Planner, TCPO, IP Estate, New Delhi
- 2. Commissioner MCD / South, Civic Centre, Minto Road, New Delhi
- 3. Commissioner MCD / North, Civic Centre, Minto Road, New Delhi
- 4. Commissioner MCD / East, Udyog Sadan, Patparganj, Delhi.
- 5. CEO,DJB, Varunalaya Bldg. Jhandewalan, New Delhi.
- 6. Pr. Commissioner (Housing), DDA
- 7. Pr. Commissioner (LD), DDA
- 8. Pr. Commissioner (LM), DDA
- 9. Pr. Secretary (L&B), GNCTD, Delhi Sectt, New Delhi
- 10. Pr. Secretary (UD), GNCTD, Delhi Sectt, New Delhi.
- 11. Secretary, DUAC, India Habitat Centre, Lodhi Road, New Delhi
- 12. Div. Commr.(Revenue), GNCTD, 5, Shamnath Marg, Delhi
- 13. Spl. Secretary to L.G., Delhi
- 14. Commissioner (LM), DDA, Vikas Sadan, INA New Delhi
- 15. Commissioner-cum-Secretary, DDA
- 16. Chief Architect, CPWD, 3rd floor, A-Barrack, Nirman Bhawan, New Delhi.
- 17. Chief Architect, NDMC, Palika Kendra, New Delhi
- 18. Chief Town Planner MCD, South Civic Centre, Minto Road, New Delhi.
- 19. Chief Town Planner MCD, North Civic Centre, Minto Road, New Delhi.
- 20. Chief Town Planner MCD, East, Udyog Sadan, Patparganj, Delhi.
- 21. Chief Architect, HUPW, DDA
- 22. Addl. Commr. (Landscape), DDA
- 23. Addl. Commr (Plg.) UTTIPEC, DDA

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- Addl. Commr (Plg.) AP-I,II &III, DDA 24.
- Land & Development Officer, Nirman Bhawan New Delhi 25.
- Director (Plg) MP 26.
- Director (Plg.) AP-I 27.
- Director (Plg.) AP-II 28.
- Director (Plg.) AP-III 29.
- Director (Plg.) Land Pooling/Zone-K-1,L&N 30.
- Director (Plg.) Dwk, Zone K-II, 31.
- Director (Plg.) Narela, Zone P-I & P-II 32.
- Director (Plg.) Rohini, Zone M 33.
- 34. Director(Land Costing)
- 35. Director (PR), DDA
- 36. -Director (System), DDA
- 37. Dy. Secretary (UC), GNCTD, Delhi Sectt. New Delhi
- Under Secretary (DD), GOI, MoUD, Nirman Bhawan, New Delhi 38.
- P.S to Commissioner (Plg.), DDA 39.
- 40. Concerned Files
- 41. Guard file.



EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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NEW DELHI, WEDNESDAY, JULY 4, 2018/ASHADHA 13, 1940

दिल्ली विकास प्राधिकरण

अधिसूचना

नई दिल्ली, 4 जुलाई, 2018

का.आ. 3249(अ).—दिल्ली विकास प्राधिकरण केन्द्र सरकार के पूर्व अनुमोदन से दिल्ली विकास अधिनियम, 1957 की धारा 57 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए एतद्द्वारा निम्नलिखित विनियम बनाता है:-

1. सक्षिप्त नाम एवं आरम

- इन विनियमों को "निजी स्वामित्व वाली भूमि के नियोजित विकास हेतु विनियम" कहा जाएगा।
- इन विनियमों को वर्तमान दिल्ली मुख्य योजना और एकीकृत भवन-निर्माण उपविधि के साथ पढ़ा 1.2 जाएगा ।
- ये विनियम राष्ट्रीय राजधानी क्षेत्र दिल्ली में निजी स्वामित्व वाली भूमि पर (इन विनियमों के खण्ड 3.1 1.3 में निर्दिष्ट अनुप्रयोज्यता के अनुसार) लागू होंगे और अधिसूचना की तिथि से लागू होंगे।
- इन विनियमों में प्रयुक्त सभी शब्द एवं अभिव्यक्तियों, जिन्हें परिभाषित नहीं किया गया है. का अभिप्राय 1.4 दिल्ली विकास अधिनियम, 1957 अथवा पूर्वोक्त अधिनियम के अंतर्गत तैयार और अनुमोदित की गई दिल्ली मुख्य योजना अथवा दिल्ली नगर निगम अधिनियम, 1957 अथवा एकीकृत भवन-निर्माण उपविधि, जैसी भी स्थिति हो में उनके लिए दिए गए अभिप्राय से होगा।
- विवाद की स्थिति में वर्तमान दिल्ली मुख्य योजना के प्रावधान/शर्ते लागू होंगी और ये विनियम माननीय न्यायालय के आदेशों, यदि किसी विशिष्ट मामले में जारी किए गए हों, का अधिक्रमण नहीं करॅगे।
- इन विनियमों की व्याख्या से संबंधित किसी भी मुद्दे को आवश्यक निदेशों और उचित कार्रवाई के लिए प्राधिकरण के समक्ष प्रस्तुत किया जाएगा।

2. परिभाषाएं

- इन विनियमों में जब तक कि विषय अथवा संदर्भ के विरुद्ध कुछ न हो : : 2.1
 - "अधिनियम" से अभिप्राय समय-समय पर यथा संशोधित दिल्ली विकास अधिनियम, 1957 से

3785 GI/2018

- भूस्वामी द्वारा प्रस्तुत किए गए ले–आउट प्लान के अनुमोदन पर प्लान को संस्वीकृति प्रदान करने वाले संबंधित प्राधिकरण द्वारा उनकी मानक प्रचालन प्रक्रिया के अनुसार समयबद्ध रूप से कार्यवाही की 6.5
- दि वि.प्रा., संबद्ध स्थानीय निकाय और सरकारी विभाग / एजेंसियां इन विनियमों के अंतर्गत प्रदान किए गए अनुमोदन के अनुसार उचित उपयोग/उपयोग आधारिका के समावेशन के लिए, जहां भी आवश्यक हो, आबंटन पत्र, विक्रय विलेख इत्यादि जैसे सांविधिक दस्तावेजों में आवश्यक संशोधन करेगी। 6.6

7. लागू प्रभार

- आधारिक संरचना के प्रावधान के लिए सभी अपेक्षित प्रभारों, जिसमें अन्य बातों के साथ बाह्य विकास प्रभार भी शामिल होंगे, का भुगतान भूखामी द्वारा सेवा प्रदाता को विकास के समय प्रचलित लागत पर 7.1
- भूरवामी को सरकार द्वारा समय-समय पर लागू तथा निर्धारित किए गए परिवर्तन प्रभारों तथा अन्य 7.2 संभी प्रभारों, यदि कोई हो, का भुगतान करना होगा।
- सभी अपेक्षित प्रभारों, जैसे यथा लागू विकास / सुधार प्रभार, परिवर्तन प्रभार इत्यादि अथवा सरकार द्वारा समय-समय पर निर्धारित प्रभार का भुगतान भूरवामी द्वारा मामले पर कार्यवाही के समय तथा भूमि पर 7.3 किसी भी प्रकार के विकास कार्यकलाप शुरू करने से पहले किया जाएगा।

8. अस्वीकृति/अनुमति वापिस लेने की शर्त

इन विनियमों के अंतर्गत प्रदान की गई अनुमित, या पंजीकरण को प्राधिकरण या संबंधित स्थानीय निकाय द्वारा उन किसी भी शर्तों का उल्लंघन करने के मामले में रदद या निलंबित किया जा सकता है, जिनके अंतर्गत अनुमति / पंजीकरण प्रदान किया गया था।

9. दंडात्मक कार्रवाई

उक्त वर्णित प्रावधानों के उल्लंघन के मामले में, दिल्ली विकास अधिनियम अथवा दिल्ली नगर निगम अधिनियम अथवा किसी अन्य प्रासंगिक लागू संविधि के संबंधित प्रावधानों के अंतर्गत कार्रवाई की जाएगी।

10. शिकायत निवारण प्रक्रिया

10.1 शिकायत निवारण समिति का गठन आयुक्त (योजना), दि.वि.प्रा. के अधीन किया जाएगा, जिसमें वास्तुकला विभाग, दि.वि.प्रा. के प्रतिनिधि, संबंधित स्थानीय निकाय के प्रतिनिधि (अभियांत्रिकी विभाग और योजना विभाग प्रत्येक से एक-एक), सेवा प्रदाता एजेंसी के प्रतिनिधि, वित्त शाखा, दि.वि.प्रा. के प्रतिनिधि और निदेशक (भवन), दि वि.प्रा. संयोजक के रूप में शामिल है। समिति अलग-अलग मामले के आधार पर, जब भी आवश्यकता होगी, अन्य सदस्यों को भी सहयोजित कर सकती है।

10.2 समिति ले-आउट / भवन प्लान के अनुमोदन से संबंधित सभी शिकायतों का हल करेगी, जिसमें विकास नियंत्रण मानदंडों की प्रयोज्यता और विकास से संबंधित कोई अन्य मामले शामिल हैं।

10.3 शिकायत निवारण समिति के अधिनिर्णय (यदि संपत्ति के स्वामी द्वारा स्वीकार्य न हो) को इस उददेश्य हेत् गठित एक अपीलीय समिति को भेजा जाएगा, जो एक स्वतंत्र निकाय जैसे 'रेरा' होगा अथवा प्राधिकरण द्वारा जैसा निर्णय लिया जाएगा। इस संबंध में अपीलीय समिति का निर्णय अंतिम और बाध्यकारी होगा।

> w [फा. सं. 15(12)2017 / एमपी] डी. सरकार, आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY NOTIFICATION

New Delhi, the 4th July, 2018

S.O. 3249(E).—In exercise of the powers conferred by sub-section (1) of Section 57 of the Delhi Development Act, 1957, the Delhi Development Authority, with the previous approval of Central Government, hereby makes the following Regulations:

1. SHORT TITLE AND COMMENCEMENT

These Regulations shall be called "Regulations for Enabling the Planned Development of Privately Owned Lands".

- These Regulations are to be read along with the prevailing Master Plan for Delhi (MPD) and Unified
- 1.2 These Regulations shall be applicable to privately owned lands (as per applicability set out in Clause
- 3.1 of these Regulations) in National Capital Territory of Delhi and shall come into force with effect from the date of notification.
- All words and expressions used in these Regulations, but not defined shall have the meaning as assigned to them in the Delhi Development Act, 1957 or the MPD prepared and approved under the said Act or the Delhi Municipal Corporation (DMC) Act, 1957 or the UBBL, as the case may be.
- In case of conflict the provisions / stipulations of prevailing MPD shall prevail and these Regulations shall not supercede orders of the Hon'ble Courts, if issued in any specific case,
- 1.6 Any issues relating to the interpretation of these Regulations, shall be referred to the Authority for necessary directions and appropraite action.

2. DEFINITIONS

- 2.1 In these Regulations, unless anything repugnant in the subject or context:
 - "Act" means the Delhi Development Act, 1957 as amended from time to time. 2.1.1
 - "Authority" or "Delhi Development Authority" or "DDA" means the Delhi Development 2.1.2 Authority constituted under section 3 of the Act.
 - "Private Land / Privately Owned Land" means any unacquired / freehold land or 2.1.3 property, which is not open to the use and enjoyment of the public and the ownership of the said land vests with an individual land owner or a company or a society or a group of land owners voluntarily agreeing to participate pursuant to an agreement. This is subject to applicability set out in Clause 3.1 of these Regulations.
 - "Master Plan" or "MPD" means the Master Plan for Delhi, prepared and approved under 2.1.4 the Act, for the time being in force.
 - 2.1.5 "Competent Authority" means the Vice Chairman or any other officer/ Committee as nominated by the Vice Chairman in this regard, for grant of permission in notified development areas of the Authority. In case of other local bodies, the Competent Authority would be as notified by the concerned local body as per provisions of the relevant act and orders of the local body for approval of layout plans.
- Other definitions shall be in accordance with the relevant Acts, MPD, Zonal Development Plan (ZDP), UBBL, etc.

3. APPLICABILITY

- These regulations shall APPLY to the following types of privately owned land parcels:
 - Land parcels having activities / uses that were already in existence before the notification of MPD 1962.
 - Land parcels that were left out and could not form a part of any layout plan / planned 3.1.2 development during the implementation of the MPD.
 - Land parcels that could not be acquired by DDA because: 3.1.3
 - a) Acquisition proceedings were challenged by the land owners and quashed by the courts.
 - b) Acquisition lapsed as per sub-section 2 of section 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (the 'New Land Acquisition Act').
 - 3.1.4 Land parcels assigned 'Recreational use' in the layout plan, resulting in restricting their development are also included (except for notified or reserved forest area, Regional Park and Monument Regulated Zones as per MPD 2021).

3.2 These regulations shall NOT BE APPLICABLE on the following types of land parcels:

- 3.2.1 Land parcels in Zone 'O'
- 3.2.2 Land parcels in Notified Green Belt
- 3.2.3 Land parcels covered under water bodies
- 3.2.4 Land parcels in the Ridge, Regional Park, Reserved Forest areas
- 3.2.5 Land parcels in Monument Regulated Zones
- 3.2.6 Land parcels already eligible for land pooling as per the notified Land Policy
- 3.2.7 Land parcels falling in Lal Dora (Village Abadi) / Extended Lal Dora and Unauthorized colonies.
- 3.2.8 Disputed land parcels wherein the land acquisition proceedings are pending/ matter is sub judice. The owner can apply after getting the land free from all legal encumbrances.
- 3.3 These regulations shall not entitle any land owner for regularization of any already existing unauthorized / illegal development on its property.

4. PRE-REQUISITES AND PLANNING REGULATIONS

- 4.1 Development on the privately owned land shall be in consonance with the land use as notified in prevailing MPD / ZDP or land use / use premise mentioned in already approved layout plans / schemes of that area, if any or as specified in these Regulations.
- 4.2 DDA (in the 'development area') / ULB (in the 'non-development area') shall take up the master planning for external development of the plots i.e. roads and linkages required for provision of infrastructure and services (subject to payment of applicable external development charges by the land owner).
- 4.3 Where any land is required for providing governmental or public semi-public use of the private land, the same shall be acquired by the concerned implementing agency either by mutually agreed rate or under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and appropriate compensation to be paid accordingly by the agency concerned.
- 4.4 The category / type of development activity shall be in conformity with the existing development on majority of the plots adjacent / surrounding the said land parcel.
- 4.5 Amalgamation, reconstitution and subdivision of plots within the same land use category will be permitted as per the prevailing MPD for the planning purpose.
- The landowners shall be responsible for preparing all detailed plans (covering inter-alia, aspects such as site layout, buildings, services), as per the prevailing MPD and ZDP and applicable development controls, for undertaking internal development within their land parcel. Landowners will also be responsible for obtaining all requisite NOCs from concerned agencies and procuring necessary services (electricity, sewerage, water supply, etc.) upon payment of applicable charges to respective service providing agencies.
- 4.7 Request of NOC shall be processed by the respective government department / Urban Local Body / service providing agency in a time bound manner on payment of requisite charges, if any.

5. DEVELOPMENT CONTROL NORMS

- 5.1 Land owner shall abide by the development control norms as prescribed in the prevailing MPD and UBBL or specifically mentioned in these regulations, if any.
- Planning and development of privately owned land falling within facility corridors shall be as per the development control norms specified in prevailing MPD/ZDP for Public Semi-Public facilities and District / Commercial Centres (in case of Commercial / Industrial use):

- 5.2.1 Maximum FAR 150 and Ground Coverage 50% on the total plot area. Of the remaining 50% plot area, 30% shall be developed as Green/ Open Spaces, and 20% for Transportation (roads, parking etc.).
- 5.2.2 Use/activities permitted on such plots shall be non-residential uses like Commercial, Recreational, Public and Semi-Public, Utilities, Industrial, Service and Repair etc. as permissible under the prevailing Master Plan.
- 5.3 The land parcels falling under "Residential" land use, within Low Density Residential Area (LDRA) shall be governed as per the provisions given under Para 4.4.3 (G) Low density Residential Plot of Chapter 4 in MPD-2021.
- 5.4 Any land pocket being utilized for any specific commercial / PSP activity, for which no development controls have been specified, shall be permitted FAR 120, Ground Coverage of 30% and Height not restricted, subject to approval of statutory authorities or as per surrounding development, whichever is lower. Rest of the development control norms shall be as per prevailing MPD / ZDP and UBBL.
- 5.5 Land parcels falling within the already approved or developed schemes of DDA/ULBs/other government bodies shall be in conformity with the surrounding development, irrespective of applicable development control norms. The development of such lands will be governed by the use/activity and the development control norms of the surrounding development (subject to availability of required infrastructure services), maintaining the planned development around the land parcel.
- 5.6 Privately owned land falling within a layout plan, which has been assigned the use premise namely "Government" or "Utility", the owner shall be allowed to develop any compatible PSP use as per requirement of the neighbourhood with prevailing development control norms. The same shall be subject to NOC from the concerned government agency / authority and change in the layout plan as per standard operating procedure.
- 5.7 Privately owned lands with pre-MPD 1962 activities / use, can choose to continue with the same activity / use provided that all provisions specified in the Regulations are met. The landowner can also opt to develop as per the use specified in the prevailing MPD/ ZDP/ approved layout plan subject to payment of requisite charges.
- 5.8 Any activities / uses existing on privately owned land prior to MPD-1962 will be allowed to continue, irrespective of the land use specified in prevailing MPD/ ZDP, provided their purpose and extent (dimensions, area, FAR, height etc.) remain the same, subject to documentary proof thereof, as contained in proviso to Section 14 of Delhi Development Act, 1957, with the following controls:
 - 5.8.1 Activities / uses existing / permitted prior to MPD-1962 for such areas shall be allowed to continue in all compatible land use categories including those the provision stipulated under Chapter 15.0 on Mixed Use Regulations in MPD-2021, if any.
 - Any portion of land if required for governmental or public semi-public use or for any physical infrastructure (like road, drainage, sewerage, drinking water supply, etc.), the same shall be acquired by the concerned implementing agency either by mutually agreed rate or under the provisions of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and appropriate compensation to be paid accordingly by the agency concerned.
 - 5.8.3 Individual cases based on documentary proof and scrutiny shall be approved by the DDA / concerned Local Body.
 - 5.8.4 Charges for use conversion shall not be applicable if the use prior to Master Plan 1962 is continued.
 - 5.8.5 Local body may levy any other charges to the beneficiaries for the continuation of pre MPD 1962 activities / uses, if any addition/ alteration is proposed.
- 5.9 Land parcels falling in more than one land use category mentioned in MPD / ZDP, the land owner shall be permitted to utilize the land as an integrated development proportionately as per built-up space permissible in the specific land use / use category (without any physical subdivision of the land pocket).

- 5.10 Land parcel being proposed to be used for multiple use premises shall be considered only for activities permitted in the same specific land use / use category in which the property falls, subject to payment of mixed use charges prescribed by the Government from time to time.
- 5.11 Owners of the privately owned land parcels assigned 'Recreational use' in the approved layout plan shall be permitted to utilize their land as per the following provisions:
 - 5.11.1 The owner shall develop such land based as follows:

SI. No.	Extent	Percentage to be dedicated / maintained as Green (through tree plantation)	Percentage to be developed by the owner as a remunerative component in accordance with these regulations
1.	Up to 2000 sq. mtr. i.e. 0.2 Ha. (including the first 2000 sq.mts. of the larger plot)		100*
2.	0.2 to 5.0 ha.	57	43
3.	5.0 ha. to 10 ha.	65	35
4.	Over 10 ha.	68	32

- * Open spaces within the plot to be maintained as "Green"
- 5.11.2 FAR shall be permissible on the area under remunerative component (i.e. use / development activity in conformity with the existing development on majority of the plots adjacent / surrounding the said land parcel).
- 5.11.3 The change of use premise in layout plans (only for the area / portion of land proposed for building development) shall be taken up as laid down procedure, subject to payment of charges and meeting the requirements of compensatory plantation as prescribed by the Government from time to time.
- 5.11.4 Afforestation / tree plantation on the portion of land to be maintained as green, shall be taken up by the land owner as per guidelines of Forest Deptt., GNCTD/ Central Government for compensatory plantation w.r.t. percentage of land brought under development.

6. PROCEDURE FOR GRANT OF PERMISSION FOR DEVELOPMENT

- Owner satisfying the prescribed applicability and conditions laid down in the Regulations, shall submit an application of intent for development on its land to DDA (in 'development areas) or respective ULB (in 'non-development areas'), along with dimensioned survey plan on a scale of 1: 1000 showing the boundaries and dimensions of its land, the locations of existing streets, surrounding buildings and premises etc.
- 6.2 The application shall be processed by DDA/ ULB and the owner/ applicant shall be informed about the details of requisite NOCs/ permissions, documents, applicable charges etc.
- 6.3 Thereafter, the landowner shall prepare the layout plan of their respective land parcels within the provisions of prevailing MPD/ ZDP/ approved layout plans or as specified in these Regulations, as the case may be.
- The proposal shall be submitted to the plan sanctioning authority for approval along with all the requisite documents and NOCs from statutory bodies? service providing agencies etc. as the case may be.
- 6.5 The approval of the layout plan submitted by the land owner shall be processed by the concerned plan sanctioning authority in a time bound manner as per its standard operating procedure.
- DDA, concerned local bodies and government departments / agencies shall take up necessary amendments in the statutory documents like allotment letters, sale deeds etc. for incorporation of the appropriate use / use premise as per approval granted under these regulations, wherever required.

7. APPLICABLE CHARGES

- All requisite charges for the provision of infrastructure which inter alia would include external development charges shall be payable by the owner to the service providers on cost prevailing at 7.1 the time of development.
- The owner shall have to pay conversion charges and all other charges, if any, applicable and 7.2 prescribed by the Government from time to time.
- Payment of all the requisite charges i.e. development / betterment charges, conversion charges etc. as applicable, shall be made by the land owner at the time of processing the case and before taking up of any development activity on its land, or as may be prescribed by the Government from time to time.

8. CONDITION FOR DENIAL / WITHDRAWAL OF PERMISSION

Permission or registration granted under these Regulations can be revoked or suspended by the Authority or the concerned local body in case of violation of any of the conditions under which such permissions / registration was granted.

9. PENAL ACTION

In case of violation of the above said provisions, action shall be taken under the relevant provisions of the Delhi Development Act or Delhi Municipal Corporation Act or any other relevant applicable statute.

10. GRIEVANCE REDRESSAL MECHANISM

- 10.1 Grievance Redressal Committee will be constituted under Commissioner (Plg.), DDA comprising of representatives of Architecture Deptt., DDA, representative of concerned local body (one each of Engineering Deptt. and Planning Deptt.), representative of service providing agency, representative of Finance Wing, DDA with Director (Building), DDA as Convener. The committee may co-opt other members, as and when required on case to case basis
- 10.2 The Committee shall address all grievances related to approval of layout / building plan including applicability of development control norms and any other matters related to development.
- 10.3 The award of the Grievance Redressal Committee (if not acceptable to the owner of the property) shall be referred to an Appellate Committee for this purpose which shall be an independent body like RERA or as decided by the Authority. The decision of the Appellate Committee will be final and binding in this regard.

[F. No. 15(12)2017/MP]

D. SARKAR, Commissioner-Cum-Secy.

RAKESH SUKUL