

Ex. Union Cabinet Minister,  
Housing and Urban Poverty Alleviation, Govt. of India  
Former Mos (Independent Charge)  
Sports & Youth Affairs, Govt. of India  
Former Mos Home Affairs, Govt. of India  
Former MOS Urban Development, Govt. of India  
Former Speaker Delhi Assembly  
Former Cabinet Minister Govt. of NCT, Delhi  
Power, Transport & Tourism



**Ajay Maken**

Ex. Gen. Sec - All India Congress Committee  
Ex. President, Delhi Pradesh Congress Committee

**Subject: Extravaqant and obscure expenditure; violation/circumvention of environment protection, heritage protection, and zonal plans while constructing the Chief Minister's residence in Delhi.**

*Dear LG Sahab,*

I am writing to express my deep concern and disappointment regarding the extravagant expenditure, environmental damage, and violation of heritage protection and zonal plans involved in the construction of the Chief Minister's residence in Delhi. As a former Urban Development Minister, Government of India, and a concerned citizen, I believe bringing these issues to your attention is crucial.

1. **Exorbitant spending on the new CM House:** The construction of the new CM House has cost the exchequer around Rs 171 crores, including the relocation of 22 officers' bungalows, with 15 out of 22 houses adjacent to CM's house at Flagstaff Road being demolished or got vacated. Rest have been asked to not re-allot with time. These are 45 and 47 Rajpur Road, 8A and 8B Flag Staff Road. This figure includes around Rs 126 crores spent on purchasing 21 new Type 5 flats in CWG Village to compensate for the housing shortage.
2. **Violation of Master Plan Delhi (MPD) 2021:** The new CM House has been constructed in the Civil Lines Old Bungalow Zone, an area protected under MPD 2021. The previous residence was a single-storey colonial-style building, which has been replaced by a three-storey structure with a basement (B + G + 1 + 2) with a covered area of around 20,000 sq foot (almost double of the previous covered area). This construction directly contradicts the MPD 2021 provisions, which aim to preserve the heritage and character of Lutyens Bungalow Zone and Civil Lines Old Bungalow Zone.

Following are the relevant portions of the MPD 2021:

"3.3.2 1[POLICY] FOR REDEVELOPMENT SCHEMES iv) Amalgamation and reconstitution of the plots for planning purpose will be permitted. v) To incentivise the redevelopment a maximum overall FAR of 50% over and above the existing permissible FAR on individual plots subject to a maximum of 400 shall be permissible. Higher FAR shall however not be permissible in redevelopment of Lutyens Bungalow Zone, Civil Lines Bungalows Area and Monument regulated Zone."

"4.2.2.1 Planned Areas C. Bungalow Area Lutyens" Bungalow Zone comprises of large size plots and has a very pleasant green environment. The essential character of wide avenues, large plots, extensive landscapes and low-rise development, has a heritage value which has to be conserved. Mixed use, high intensity development along MRTS corridor and de-densification of trees / reduction of green cover is not permitted at all. The strategy for development in this zone will be as per the

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approved plans and the LBZ guidelines, as may be issued by the Government of India from time to time. Civil Lines also has Bungalow Area of which the basic character has to be maintained."

3. **Destruction of 28 full-grown trees:** The construction process led to the removal of 28 full-grown trees, which contradicts the provisions of MPD 2021 that emphasize the importance of preserving green cover in these protected zones. It also goes against The Delhi Preservation of Trees Act, 1994. Applications for tree felling/transplantation were divided, and permissions were obtained for the addresses "6, Flag Staff Road, Civil Lines, Delhi" and "45-47, Rajpur Road, Delhi" on five separate occasions for felling/transplanting 9, 2, 6, 6, and 5 trees respectively. This tactic was employed to avoid seeking approval from the Competent Authority, which is required for felling/transplanting 10 or more trees, as stated in Order no. F.8(207)/CF/HQ/DPTA/07-08/5983-87 dated 10.02.2009 issued by the Department of Forests and Wildlife of the GNCTD. Tree-cutting and relocation efforts were not executed according to the approved scheme, even as late as 2023, constituting a blatant violation of The Delhi Preservation of Trees Act, 1994.
4. **The collusion of the PWD Minister to bypass the Secretary/Principal Secretary PWD:** Work orders were seemingly split by PWD to keep them below Rs. 10 crores, with the intent to avoid approval of the Secretary/Principal Secretary, PWD (for works amounting to more than Rs. 10 crores). This was allegedly done by engineers of PWD in collusion with the then Minister (PWD) Sh. Satyendra Jain, as required by the delegation of financial powers prescribed at Sl. No. 11(c) of OM No. F.20/08/2019/AC/jsfina/2575-2674 dated 07.08.2019 issued by the Finance Department of GNCTD.
5. **Lack of concurrence from the Finance Department:** It appears that the Finance Department's concurrence was not obtained for purchasing 'Fixtures and Furniture' amounting to more than Rs. 20 lakhs. This is required as per the delegation of financial powers prescribed at Sl. No. 4 of OM No. F.20/08/2019/AC/jsfina/2575-2674 dated 07.08.2019 issued by the Finance Department of GNCTD.
6. **Deviations in procurement procedure:** Instead of undertaking works through open e-tender, certain sanctions (like sanction No. 29/PWD/2021-22/A/A&E/S dated 30.12.2021 read with corrigendum dated 05.01.2022 for about Rs. 5.73 crores) were given for execution of work without any tender. These works were to be executed with the existing tender for the said work, resulting in deviations of more than 50% in the existing work, potentially providing undue favour to the contractor.

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7. **Circumventing municipal laws and deceiving the Legislative Assembly:** The expenditure of Rs 171 crores on the construction of the Chief Minister House and relocation of officers' flats has not been mentioned in the detailed demand for grants while getting the budget approved from the Legislative Assembly. This is not only a potential breach of privilege of the Legislative Assembly of Delhi but also a possible financial irregularity and obscurity. Furthermore, the Public Works Department (PWD) seemingly used an exemption order from the Municipal Corporation of Delhi (MCD) to bypass the need for sanctioning the building plan from local bodies for "public purpose" projects. The construction of the CM house cannot be considered a "public purpose" project as the exemption was intended for projects like schools and hospitals.

In light of these concerns, I kindly request your immediate intervention to address these issues and ensure that public money is not misused, environmental damage is minimized, and heritage protection and zonal plans are strictly adhered to in future development projects. Upholding the principles of transparency, accountability, and responsible governance is crucial for the betterment of our society and for safeguarding the interests of the citizens.

I thus request you to conduct an inquiry on the above points. And if found guilty, grant sanction for prosecution of the principal beneficiary, the Chief Minister, and the principal perpetrator, the PWD Minister of GNCTD.

*With kind regards,*

*Ajay Maken*  
*07/05/23*

AJAY MAKEN

To,

Hon'ble Lieutenant Governor,

GNCTD