

Director (Plg.) MPR/TC,
D.D.A. Vikas Minar N. DELHI-2

DELHI DEVELOPMENT AUTHORITY
E.M.'S OFFICE

Dy.No. 294
Dated 26/12/11

No: EMS(2)89/PH/EM/2012/

3247

Dated : 17/8/14

To

✓ Mrs. I.P. Parate,
Director(Plg.)MPR & TC,
Delhi Development authority,
Vikas Minar,
New Delhi.

Director (Plg.) MPR/TC,
D.D.A. Vikas Minar N. DELHI-2
Dy.No. 1296
Dated 17-8-12

Sub : Proposal for allowing Extra Coverage for 1st floor Flat Owners at Naraina Vihar. (Double Storey DDA Flats).

Architect Mamta Malhotra met Engineer Member, DDA, during Public Hearing on 9.8.12 and submitted the above proposal for allowing extra coverage to 1st Floor Flats Owners at Naraina Vihar. She has submitted the detailed analysis of the case of these flats elaborating her proposal along with plans of the flats.

Her earlier request was forwarded to your office by Engineer Member for sympathetic consideration of the case of Architect Mamta Malhotra. Kindly look into the request of Architect Mamta Malhotra and take appropriate action as permissible in MPR and Building Bye-laws.

Encls : Booklet submitted by
Architect Mamta Malhotra.

Vijay
17/8/14
(Vijay Kumar)
E.O.III to EM

Copy to :

1. Commr.(Plg.)II, DDA, for information pl.
2. AD to EM, DDA, for information of the latter.

Pl link in the file.
17/8

E O.III to EM

AD (Plg.) II
As discussed with Dir (Plg.) MPR & TC, this issue has already been discussed in the meeting of MAG on "common platform for oldg. Approvals" on 27.07.2012 U/c of E.M. DDA. keep this in record.
29/10/12

PROPOSAL FOR
ALLOWING EXTRA
COVERAGE TO FIRST
FLOOR FLATS AT
KARAINA VIHAR
(DOUBLE STOREY D.D.A. FLATS)

INTRODUCTION

The subject of the proposal relates to double storey d.d.a. flats at Naraina Vihar, N. Delhi. The above flats are built on 150 Sq. yard land. There are two types of double storey d.d.a. flats. One, like at Naraina Vihar, which have an independent staircase for each first floor flat and a barsati room and a toilet already built and conveyed by d.d.a. at the time of allotment on the second/barsati floor, with exclusive rights of the terrace. The second types of double storey flats have a common staircase and no barsati room and toilet built on the terrace/second floor.

D.D.A. over a period starting from 1968 constructed more than 3.50 lac flats all over Delhi. With the passage of time size of families living in these flats increased, thus necessitating more living accommodation for the expanding families. This resulted in additions/alterations. The F.A.R. was increased by virtue of amendment in MPD 2001, and this resulted in d.d.a. permitting certain additions/alterations and additional coverage to be carried in these respective flats.

FACTS AND FIGURES

The above mentioned DDA flats at Naraina Vihar are double storeyed flats. The ground floor flats have an open courtyard both at the front and rear of the flat. The first floor flat is served by an independent staircase. It consists of the first floor and also has exclusive rights of the terrace with a barsati room and a toilet on the second floor already constructed by DDA at the time of allotment (plans enclosed) no. 192. When the F.A.R. was increased in MPD 2001, the G.F. floor owners of these flats were granted the benefit of coverage of open courtyard in front and rear of the plot, entailing an area of approx. 430 sq. ft., but surprisingly no such benefit of extra coverage was given to first floor owners of the same flats. (photocopy of d.d.a letter enclosed) no. 4

In the policy booklet of DDA (Pg. 3 encl.) no. 3 it is clearly mentioned that in double storey DDA flats, first floor allottee has no right of construction above the courtyard built by the ground floor owner and they can use the roof

terrace for extra coverage, but irony of the fact is that they are allowed no such benefit. In three or four storeyed DDA flats, the top floor allottee is allowed to construct a barsati room on the roof terrace alongwith right to cover the area available as a result of coverage of courtyard below. Only the first floor owners of double storey DDA flats, has not been given any benefit in the form of extra coverage till date. The barsati room and toilet were provided by DDA itself at the time of allotment.

Here, it is relevant to notice, that almost all of ground floor owners of these double storey DDA flats have intentionally covered, both their front and rear courtyards at a lower roof level and they will certainly not demolish their already covered courtyards to allow construction to first floor owners on the roof of the covered courtyards, if extra coverage is allowed in the form of coverage of roof of covered courtyard to the first floor flat owners. This allowing of extra coverage will serve no purpose and situation shall remain the same. The first floor flat owners will be at

the mercy of their ground floor owners and will invite unnecessary harassment and disputes/litigations. (photograph enclosed as proof) no-9

Thus, it is requested, to please allow extra coverage on the barsati floor/second floor to first floor flat owners of double storey d.d.a. flats, so that this discrimination and injustice with only first floor flat owners of these respective flats comes to an end. This is a humble request and prayer to draft a policy to allow the same coverage for first floor flat owners also, which has already been given to ground floor owners of the above double storey d.d.a. flats. (photocopy of d.d.a. letter enclosed) no.4

The rights of the terrace are exclusively with the first floor owner and even the water tank for ground floor flat is fixed in the shaft of the ground floor without the necessity of going up on the terrace. (photocopy of pg. of booklet provided by d.d.a. at the time of allotment encl) no.10

COMPARATIVE AREA STATEMENT

GROUND FLOOR FLAT

covered area at the time of allotment = 900 sq. ft.

open area (front and rear courtyard)

at the time of allotment = 420 sq. ft

after coverage of both front and rear courtyard

total covd. area = 1320 sq. ft

FIRST FLOOR FLAT

covered area at the time of allotment on

first floor = 900 sq. ft.

covered area at barsati / second floor at

the time of allotment = 166 sq. ft.

total covered area on f. fl. + barsati fl.

given to f. fl. owners at the time

of allotment = 1066 sq. ft

So, extra coverage to be allowed to first

floor flat owners = 1320 - 1066

= 254 sq. ft.

PROPOSAL AND PRAYER

1. extra covered area of 254.00 sq. ft. on barsati/second floor to be granted to first floor flat owners, as already given to ground floor owners. (proposed plan enclosed) no. - 8

2. To grant the use of the roof of covered courtyards to first floor flat owners as extended balcony.

This is to maintain the aesthetic look of the row of flats and also easy cleaning of the roof by debris, leaves and waterlogging, to avoid diseases such as dengue, malaria etc. (photograph enclosed as proof) no. 5

3. To increase the existing capacity of water tank of 550 lts. capacity to at least 1500 lts. as size of families has increased and storage of water is necessary due to scarcity of water. (Ground floor flat owners have been granted the benefit of keeping an extra water tank at ground level, but this benefit has not been extended to the first floor owners)

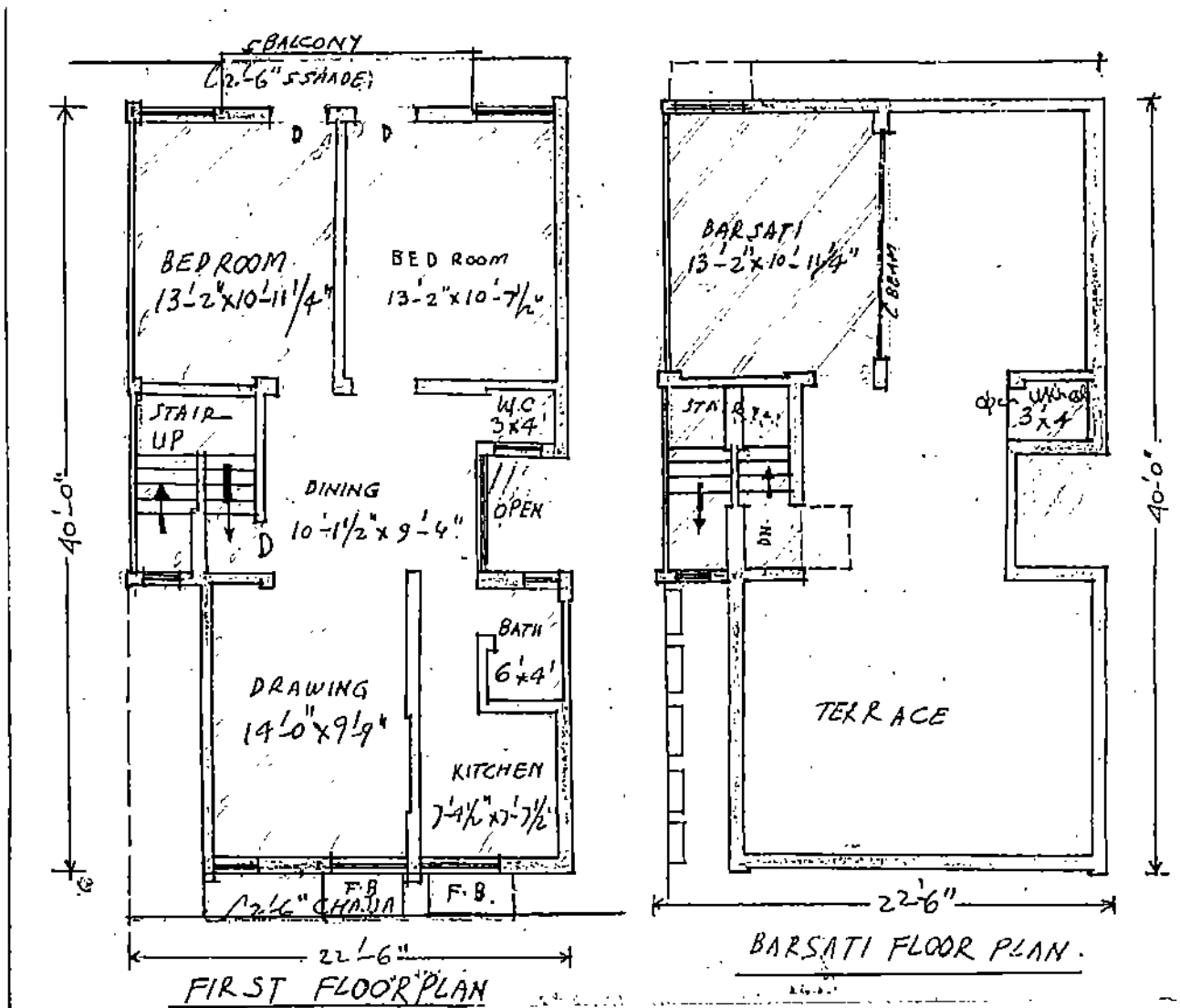
(photocopy of booklet pg. 1 & 2 enclosed) - no. 6 & 6A

4. No N.O.C. (No objection certificate) should be mandatory for additional coverage for first floor flat owners as ground floor flat owners do not need an N.O.C. from first floor flat owners for

covering of both front and rear courtyards.
(photocopy of DDA letter enclosed) no. -7

FIRST FLOOR FLAT

2



ORIGINAL CONSTRUCTION ON FIRST FLOOR
AND BARSATI/SECOND FLOOR GIVEN AT THE
TIME OF ALLOTMENT BY D.D.A. SHOWN IN

(DOUBLE STOREY-DUPLEX TYPE FLATS ON FIRST FLOOR
AT NARAINA VIHAR, NEW DELHI)

- 4. Removal of original structure and reconstruction with due permission in the case of single storeyed built up flats only subject to the satisfaction of building bye-laws and prior approval of the local authority.

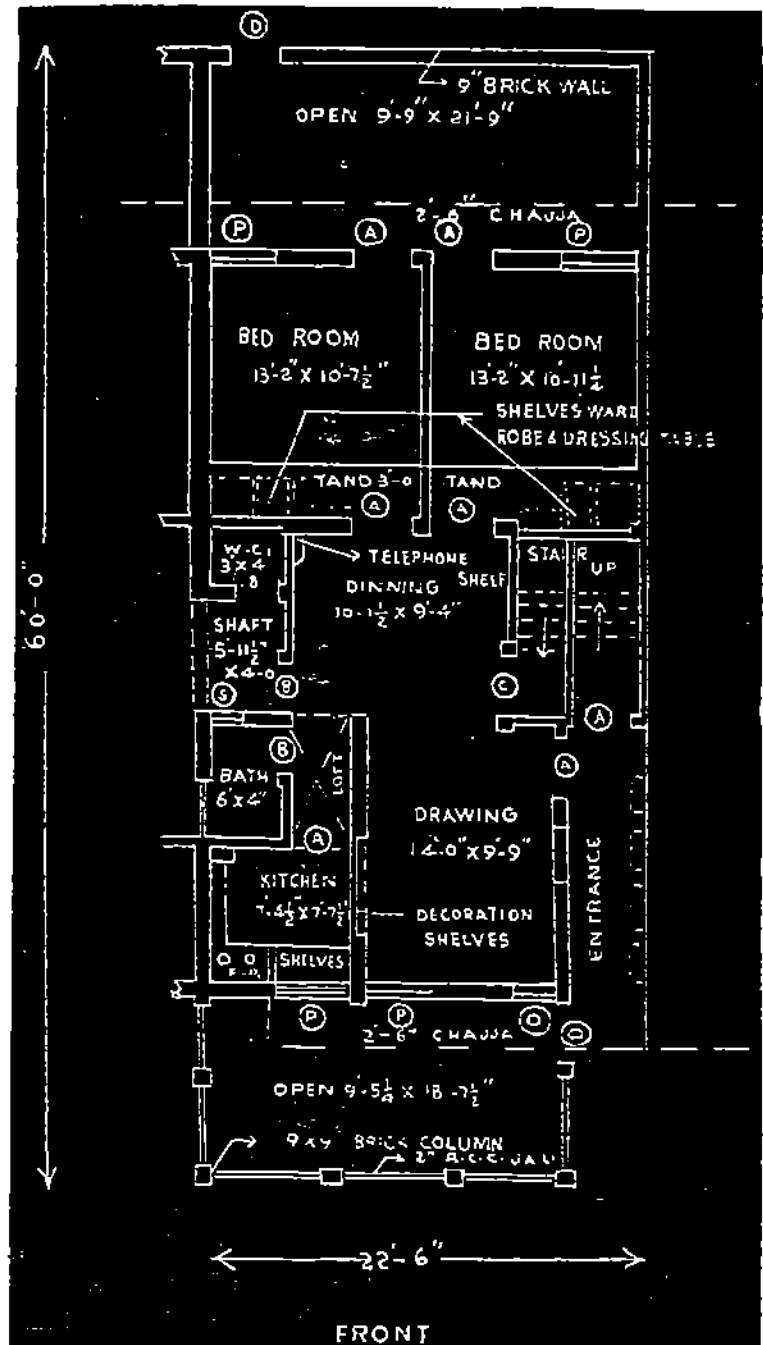
III) ADDITIONAL COVERAGE PERMITTED WITH PRIOR PERMISSION:

- 1. Covering of courtyard and floor level terraces is allowed subject to fulfillment of building byelaws and structural safety.
- 2. In three or four storeyed flats the owners at upper floor shall have the right to cover the area available as a result of coverage of courtyard/terrace of floor below. In such cases the residents of DDA flats in a vertical stack served by the same staircase should give their consent and jointly apply for permission.
- 3. In two storeyed flats the allottee at first floor will have no right of construction above the courtyard built by ground floor allottee. The upper floor allottee of two storeyed flat can use the roof terrace for extra coverage as permissible.
- 4. A barsati on the roof terrace of the top floor in addition to mummy is allowed. This barsati should preferably be adjoining to the mummy and equivalent to the size of the room below so that construction of wall over wall is ensured at terrace level. This will be subject to the provision of access to the residents of the block for maintenance of water tank, plumbing system, fixing of TV/Cable antennas etc.

All the addition/alteration(s) and additional coverage will be governed by 5 basic principles:

- 1. There is no encroachment on the public land.
- 2. Structural stability of the building is ensured.
- 3. Light and ventilation of the habitable rooms is ensured as per the building byelaws.
- 4. There is no infringement of other's rights.
- 5. The service elements such as manhole, rainwater fittings, sanitary fittings etc. are not disturbed and remain exposed for periodical inspection and maintenance.

GROUND FLOOR FLAT



REAR COURTYARD
APP. AREA 225 SQ. FT.

FRONT COURTYARD
APP. AREA 195 SQ. FT.

THE GROUND FLOOR OWNERS HAVE BEEN GRANTED THE BENEFIT OF COVERING BOTH FRONT AND REAR COURTYARDS FULLY, ENTAILING A COVERED AREA OF APPROX. 420 SQ. FT.

4

DELHI DEVELOPMENT AUTHORITY
OFFICE OF DY. DIRECTOR-ENFORCEMENT (H)
VIKAS SADAN, INA NEW DELHI

No. B4 (102) DE/ENF(H)/SE 2/09/707

Dated: 22/7/11

To,

Sh.H.C.Khurana
R/6 88/II Naraina Vihar
New Delhi-110028

Subject: Clarification/confirmation in respect of policy and procedure for permission an regularization of additions/alterations in DDA flats.

In reference to your letter dated 29.4.2011 and 16.6.2011 addressed to Commissioner (H) and Vice Chairman-DDA. The clarification as sought by you are as under-

1. If court yard are available more than one, then the allottee/occupant of GF can cover the all court yards, subject to fulfillment of building by laws and provision of light and ventilation as per building bye laws.
2. Once the court yards covered by the GF allottee, the GF allottee have no right over the roof of covered court yard but the FF allottee cannot construct any structure above the roof as per clause No. (iii) of sub clause No. (3) of the book. Regarding height of RCC slab of covered court yard, a clarification has already been sent to SC MCD by this office. The clarification sent to DC MCD considering the aesthetic value of flats and this office is of clear view that the right of GF allottee is upto the height of flat constructed by DDA and beyond this the GF allottee have no right, even he cannot place the water tanks, AC machines on the roof of covered court yard. Regarding use of roof by FF allottee, the matter is being referred to higher authorities for final decision.
3. As per the book of policy there is no need to take NCC from 1st floor allottee for covering of court yard/court yards for GF allottee in double storeyed flats.
4. You have already mentioned in your question that initially the GF allottee having covered area 800 sq.ft and first floor allottee having the covered area 200 sq.ft including right to use level of SF in the level. It clearly indicate that the FF allottee enjoyed about 200 sq.ft more covered area on the same plot. Now as per policy the GF allottee have been allowed to use more area. It is also mentioned that service shaft area to be



LOWER ROOF OF COVERED COURTYARD FULL OF DEBRIS,
DRIED LEAVES ETC. WHICH THE FIRST FLOOR OWNERS ARE
FORCED TO LOOK AT WHENEVER THEY COME IN THEIR BALCONIES.



POLICY AND PROCEDURE FOR PERMISSION
AND REGULARIZATION OF ADDITIONS/
ALTERATIONS IN DDA FLATS

6

ADDITION(S)/ ALTERATION(S) ALLOWED IN DDA FLATS

The Ministry of Urban Development and Poverty Alleviation, Government of India has allowed certain addition(s)/alteration(s) in DDA flats. These are applicable to all flats built and allotted by DDA irrespective of whether these are located in notified and denotified areas. The addition/alteration(s) allowed are categorized in three categories :

I) Condonable: These are minor addition/alteration(s) which do not require structural changes and can be carried out by the owner(s) without any prior intimation/permission of DDA/MCD.

II) Permitted with Intimation/permission: These addition/ alteration(s) are of major nature which may require structural changes, changes in the service lines and additional coverage.

III) Additional coverage permitted with prior permission.

The details of all the categories of addition/alteration(s) which have been approved by Ministry of Urban Development & Poverty Alleviation by various orders are given below:

I. CONDONABLE ITEMS:

1. To convert existing barsati into room provided the wall is made of only 115mm thick.
2. Grills and glazing in verandah with proper fixing arrangement.
3. Raising height of front and rear courtyard wall upto 7' height by putting up jali/fencing.
4. Providing door in courtyard wherever not provided.
5. Providing sunshades on doors and windows wherever not provided with proper fixing arrangements.
6. Closing the door.
7. If the bathroom or WC are not having roof, these may be treated as open urinals and allowed.
8. Raising the wall of balcony/terrace parapet with grill or glazing upto 5' height.
9. Construction of open staircase (cat ladder) where no staircase has been provided for approach to the terrace.
10. To put provide additional PVC water tank at ground floor area without disturbing the common passage.
11. To provide an additional PVC water tank in the scooter/car garage at the surface level

- 6 A
12. To provide loft/shelf in the rooms without chase in the walls.
 13. To change the flooring with water proofing treatment.
 14. To remove half (4 1/2") brick wall.
 15. To make a ramp at front gate without disturbing the common passage/storm water drain.
 16. To provide sunshades on the outer windows upto 2' wide projection.
 17. To provide false ceiling in rooms.
 18. To make an opening of maximum size of 2'6" x 1'9" for exhaust fan or air-conditioner in existing walls.
 19. Fixing of door in back and front court yard.
 20. Converting of window into Almirah subject to availability of light and ventilation as per building byelaws provided that no structural elements are disturbed and there is no projection extending beyond the external wall.
 21. Shifting of water storage tank/raising of parapet wall upto 5' height and putting additional water storage tank. Wherever the existing water storage tank capacity is less than 500 ltrs in a flat, the existing water storage tank can either be replaced by a 500 ltrs tank or if possible the additional tank can be added so as to make the total storage capacity upto 550 ltrs. However, such replacement/provision of additional tank will be done only on the locations specified for such tanks and the supporting beams will be required to be strengthened suitably. Parapet wall around terrace can be increase to a height of 5'.
 22. To shift the front glazing, rooms/windows upto existing chajja.

II. ADDITION/ALTERATION(S) PERMITTED WITH PRIOR INTIMATION PERMISSION:

Following addition(s)/alteration(s) can be carried out with prior intimation/permission of the concerned agency i.e. DDA/MCD as per the prescribed procedure:

1. Interchange the position of kitchen, bath room & WC with proper connections subject to structure safety. To carryout this interchange, all the allottees of one vertical stack will have to apply jointly to the concerned agency.
2. Construction of bath room and WC in the rear courtyard.
3. Covering of open terrace with sloping roofs upto 9' height with light weight material e.g. fibre glass/AC sheets/GI sheets with pipes and standard angle iron section etc. and enclosing with glazing.

7

DELHI DEVELOPMENT AUTHORITY
OFFICE OF DY. DIRECTOR ENFORCEMENT (H)
VIKAS SADAN, T.N.A NEW DELHI

No. PIO/JT.Dir/Enf(H)/2011/ 228

Dated 27-7-11

To,

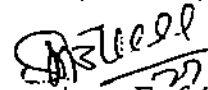
✓ Sh. Sanjeev Kumar Malhodtra
R/o A-75/1 DDA flats
Naraina
New Delhi-110028

Subject- Information under RTI Act-2005.

Dear Sir,

This is with reference to your RTI application dated 12.7.2011 received in this office on 13.7.2011 under RTI Act-2005. In this connection, it is to inform that the information as sought by you was not available with the undersigned, therefore, your application under RTI was forwarded to concerned Asstt. Engineer-Enf(H)-DDA for providing the information.

Now the required information has been provided by the Asstt. Engineer-Enf(H)-DDA vide his letter No.F-2(6)/Misc/AE-Enf(HQ)/RTI/2011/DDA/112 dated 21.7.2011 and the same is therefore, attached for your information please.


27/7/11
Dy. Director-Enf(H)/PIO
DDA.

Encl-as stated.

Delhi Development Authority
Office of the

Dy. Director Bnt(H)

C-1 Block, IInd Floor

Vikas Sadan N. Delhi

7

No. - F 2(6) misc/AE(142)/RTI/2011/DDA/117 dt-21-7-11

To
The Dy. Director Bnt(H) / PIO
D.D.A.


Subject:- R.T.I. application of Sh. Sanjeev Kumar Malhotra received vide J.D. Drawy No. 295 dt-13.7.11 and a representation of Sh. Sanjeev Kumar addressed to V.C. having the similar material received vide Drawy No. 44-VC dt-15.7.11. The reply of R.T.I application are as under.

As per clause (iii) sub clause (3) of the Book of Policy & Procedure for Permissions and Regularization of Additions/Alteration in D.D.A. Flats which reveals as "In two storied flats the allottee at first floor will have no right of construction above the courtyard built by ground floor allottee. The upper floor allottee of two storied flat can use the roof terrace for extra coverage as permissible.

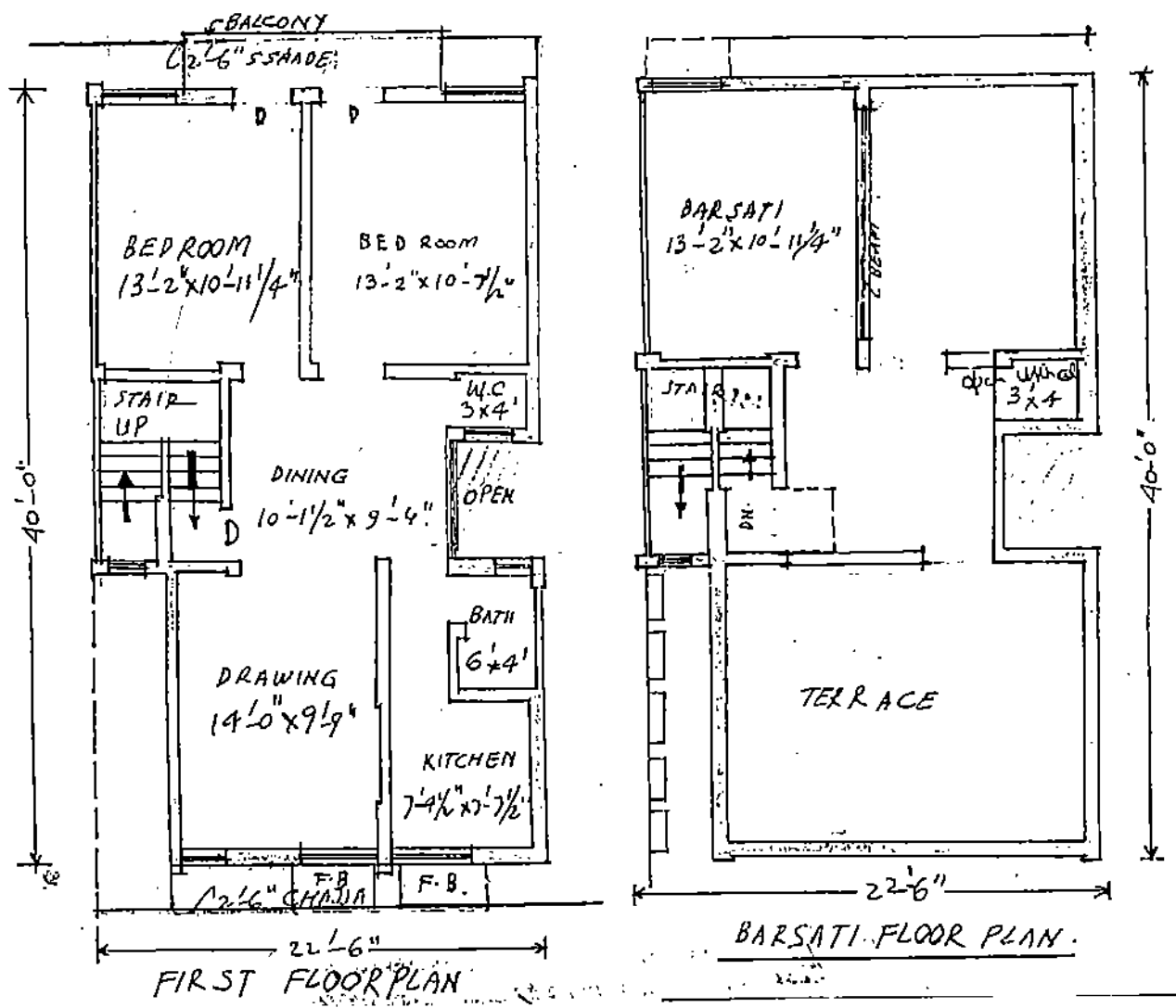
In this case a Bazzati on the roof top is allowed and in such cases where Bazzati has been constructed by D.D.A. No further construction can be allowed to first floor allottee. As far as concerned with the area, initially the first floor allottee was allotted a extra room name as Bazzati on the roof top with the right to use the roof top. Now as per Policy additional construction has been allowed to G.F. allottee. The Policy has been framed by considering all factors by the members and approved by M.O.U.D in the main trust of the D.D.A. Flat rules.

either clarifications as desired are as under.

1. As per clause (iii) sub clause (3), N.O.C. from the
First floor allottee for carrying out additional
coverage in front & rear courtyard is not required
by the G.F. allottee.
2. The height of additional coverage in front &
rear courtyard should be equal to the height
of G.F. Flat constructed by D.D.A. No deviation
in height of additional coverage is allowed.


21.7.11
Asstt Engineer (H&J)

PROPOSED EXTRA COVERAGE ON BARSATI/ SECOND FLOOR



PROPOSED EXTRA COVERAGE ON BARSATI/
SECOND FLOOR SHOWN IN

(ii) Each flat on the ground floor will have a front and a back courtyard with compound walls having doors. The first floor has been provided with a barsati 10'-11 1/2" x 13'-2" and an open terrace.

(iii) Each flat has a drawing room 14' x 9'-9", two bed rooms 13'-2" x 10'-7 1/2" and 13'-2" x 10'-11 1/2", a kitchen 7'-7 1/2" x 7'-4 1/2", dining space 10'-1 1/2" x 9'-4", a bath room 4' x 6" and W.C. 4' x 3'. A small box-room with locking arrangement has been made under the stair-case on the ground floor. A loft in the entire length of the passage to the kitchen has also been provided.

(iv) 3'-0" wide Tands in both the bed-rooms have also been provided for storing house-hold articles and bedding etc.

(v) A masonry wardrobe with R.C.C. shelves and a set of shelves to serve as dressing table have been provided in each bed room.

(vi) The first floor is served with an independent staircase 3' wide. An open W.C. has been provided on the terrace. The balcony at the back is not only useful but also adds to the beauty of the flat.

(vii) The bath room in each flat has been provided with a wash basin, a

mosaic finished niche for keeping soap, brush etc, a mirror, a shower, 5' high mosaic dado and a towel rail.

(viii) The kitchen has mosaic cooking platform, mosaic shelves, an almirah with wire gauze shutter and 3' high mosaic dado.

(ix) All doors and windows have angle iron frames. Doors are provided with flush shutters (commercial type). Window shutters are of teakwood fully glazed.

All doors and windows have anodized aluminium fittings. Windows and ventilator openings have been provided with M. S. flat grilles for security.

(x) All floors are of marble-chip construction.

(xi) The storage tank for the ground floor flat is fixed in the shaft of the ground floor for convenient repairs without the necessity of going up on the terrace.

(xii) Electric and water-meter recesses have been provided with locking arrangement for each floor.

(xiii) The walls have snowcem finish outside and white-washing inside.

(xiv) The buildings have been given anti-termite treatment.

copy attached
A. S. J.
Executive Engineer
Western Division-12/15/41
Delhi Development Authority



REAR COURTYARDS COVERED AT A LOWER LEVEL ALMOST 2'-6" - 3'-0" BELOW BY ALMOST ALL GROUND FLOOR OWNERS



FRONT COURTYARD COVERED AT A LOWER LEVEL