

Director (Pig.) MPR/TC,
DC A. Vikas Minar N. DELHI-2
Dy. No. 2-332
Dated: 1/11/13

Architect Hafeez Contractor

o/s

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27/12/12
Road Vikas Minar
Delhi Development Authority
Seating Area

Director (Pig.) MPD-20
Dy. No. 3461
3-7-13

The Commissioner-cum-Secretary,
Delhi Development Authority, (DDA)
'B' Block,
Vikas Sadan,
New Delhi 110023

Dt. 21-12-2012

DD (MP)'S Office

Diary No. 137

Date: 2/11/13

Subject: Objections/Suggestions in response to DDA Public Notice dated 01 October 2012 with regard to allowing Residential use in Industrial Areas of Delhi.

Dear Sir,

DDA is proposing to amend/modify the Master Plan of Delhi 2012. In this connection above mentioned Public notice has been published in various newspapers. One of the amendment proposed is introducing "Residential" - 20%, in Land Distribution of Industrial Area in Chapter 07: INDUSTRY, Table 7.2: Norms for Land Distribution in Industrial Areas. In a note below this table, residential use with Group Housing regulations has been proposed. Further for Industrial Housing a percentage distribution of 80% of dwelling units (for Industrial Workers) of Category-I and 20% of dwelling units (for Entrepreneur/Supervisor) of Category - II & III have been proposed.

- Dir (MP)

Asst. Secy (MP) (MPR)
31/12
DD (MP)
24/11/13

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This is response to public notice dt 1/10/12
Dir (MP)

gmt
11/1/13

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I welcome this innovative concept of allowing "residential" use in Industrial area. I would like to share the similar regulations applicable in Mumbai under "DEVELOPMENT CONTROL REGULATIONS FOR GREATER BOMBAY, 1991", amended on 15 August 2007, by Govt. of Maharashtra, Urban Development Department. As per these regulations, under Clause 56 'General Industries Zone (I-2 Zone) - sub clause (3) (c) (copy enclosed):

"With the previous approval of the Commissioner any open land or lands or industrial lands in the General Industries Zone, (I-2 Zone) (including industrial estates), excluding lands of cotton mills, may be permitted to be utilized for any of the permissible users in the Residential Zone (R-1 Zone) or the Residential Zone with shop line (R-2 Zone) or for those in the local Commercial Zone (C-1 Zone)....."

The other conditions specified in this regulations are:

- a) Mandatory reservation of 5% land for public utilities and amenities;
- b) Allowance of utilization of balance FSI of public utilities and amenities on remaining land;
- c) Requirement of prescribed segregating distance;
- d) Permitting FSI of nearby residential and commercial zone; and

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आर्किटेक्ट हाफीज कोन्ट्रक्टर, २९, बँक स्ट्रीट, मुंबई ४०० ०२३ फोन : २२६६ १९२० फॅक्स : २२६६ ४७३७

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e) 20% of the total floor area proposed to be utilized for residential development, to be built for residential tenements having built-up area upto 50 Sqm; etc.

Since DDA is proposing residential use in Industrial areas, for the first time, I strongly suggest that based upon above mentioned regulations in Mumbai, following should be included in the proposal under reference:

1. The FAR of Group Housing should be permitted in all these cases.
2. As an incentive to promote group housing in industrial areas, incentive of 1.5 times the FAR should be given to these plots, which is permissible for re-development schemes in industrial areas, as per DDA notification dt. 01 April 2012.
3. The provision of land reservation for residential facilities should be substantiated with permission to utilize difference of FAR between these residential facilities and Group Housing FAR, on balance land, left after above mentioned reservation, as an incentive to promoter to provide ample community facilities.

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4. These group housings should be open to all sections of the society and not restricted to persons working only in industries.
5. Option should be given to the promoter to utilize upto 20% of the FAR for commercial uses as permitted in MPD 2021, which will act catalyst to induce activities in these dead areas, even after dark.
6. With these incentives and encouragement, the promoters would be attracted to utilize their industrial plots, where industrial units are not running of lying vacant.

I sincerely hope that if the suggestions given above are incorporated in the proposed amendment to MPD 2021, this excellent initiative would have far reaching impact in providing housing in already built-up areas.

Yours truly,

(Architect Hafeez Contractor)

Enclosures: As above.

cc. ✓ Additional Commissioner
(Planning)
Master Plan Review Section
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New Delhi - 110002

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Part of DEVELOPMENT CONTROL REGULATIONS FOR GREATER
MUMBAI, 1991

56. General Industries Zone: (I-2 Zone) n

- (1) *General conditions governing the uses permitted in an I-2 Zone* - The General Industries Zone (I-2 Zone) includes any building or part of a building or structure in which products or materials of all kinds and properties are fabricated, assembled or processed, e.g. assembly plants, laboratories, dry-cleaning plants, power plants, pumping stations, smoke houses, laundries, gas plants, refineries; dairies and saw-mills,
- (2) *Uses permitted in a General Industries Zone (I-2 Zone)* :- Buildings or premises in the General Industries Zone (I-2 Zone) may be used for any industrial and accessory uses except the following :-
- (i) Any dwelling other than dwelling quarters of watchman, caretakers or other essential staff required to be maintained on the premises ;
 - (ii) Acetone manufacture;
 - (iii) Acetylene gas manufacture and storage;
 - (iv) Acid manufacture;
 - (v) Air-craft (including parts) manufacture;
 - (vi) Alcohol manufacture;
 - (vii) Ammonia manufacture;
 - (viii) Aniline dyes manufacture;
 - (ix) Arsenol manufacture;
 - (x) Asphalt manufacture or refining;
 - (xi) Automobiles, trucks and trailers (including parts) manufacture or engine re-building or motor body-building employing pneumatic riveting;
 - (xii) Blast furnace;
 - (xiii) Bleaching powder manufacture;
 - (xiv) Boiler works manufacture or repairs, except repairs to boilers with heating surface not exceeding 5 sq. m.
 - (xv) Bricks, tile or terra-cotta manufacture;
 - (xvi) Carbide manufacture;
 - (xvii) Caustic Soda and compound manufacture;
 - (xviii) Celluloid or cellulose manufacture or treatment and articles manufacture;
 - (xix) Cement manufacture;
 - (xx) Charcoal and fuel briquettes manufacture;
 - (xxi) Coke manufacturing ovens;
 - (xxii) Chlorine manufacture;
 - (xxiii) Concrete product manufacturing including concrete central mixing and proportioning plants;
 - (xxiv) Cotton ginning, cleaning, refining or pressing and manufacture or cotton wadding or lint, except cotton processing for the purpose of preparing mattresses. (xxv) Creosote manufacture or treatment;
 - (xxvi) Disinfectant manufacture, except mixing of prepared dried liquid ingredients; (xxvii) Distillation of bones, coal or weed;
 - (xxviii) Dye-stuff manufacture, except mixing of dry powders and wet mixing;
 - (xxix) Exterminator or pest poison manufacture except mixing of prepared ingredients; (xxx) Emery cloth and sand-paper manufacture;
 - (xxxi) Explosive or fireworks' manufacture or storage, except storage in connection with retail sale;
 - (xxxii) Fat rendering;
 - (xxxiii) Fertiliser manufacture;
 - (xxxiv) Photographic film manufacture;
 - (xxxv) Flour mill with motive power exceeding 18.75 KW., grain crushing or processing mill with motive power exceeding 37.5 KW, masala grinding mill with motive power exceeding 11.25 KW., or a combination of more than one of the above mills with aggregate motive power exceeding 45 KW. and any one mill using motive power in excess of the above limits;
 - (xxxvi) Forges, hydraulic or mechanically operated;
 - (xxxvii) Garbage, offal or dead animals reduction, dumping or incineration;
 - (xxxviii) Gas manufacture and storage in cylinders, except manufacture of gas as an accessory to a permissible industry;
 - (xxxix) Glass manufacture, except manufacturing of glass products from manufactured glass;
 - (xl) Glue, sizing material or gelatine manufacture;
 - (xli) Graphite and graphite products manufacture;

- (xlii) Gypsum or plaster of paris manufacture;
- (xliii) Hair, felt, fur and feather-bulk-processing, washing, curing and dyeing;
- (xliv) Hydrogen and oxygen manufacture;
- (xlv) Industrial alcohol manufacture;
- (xlvi) Printing ink manufacture;
- (xlvii) Junk (iron, aluminium, magnesium or zinc), cotton-waste or rags storage and baling;
- (xlviii) Jute, hemp, sisal, coir and cokum products manufacture;
- (xlix) Lime manufacture;
 - (i) Match manufacture;
 - (ii) Lamp, black, carbon black or bone black manufacture;
 - (iii) Metal foundries with an aggregate capacity exceeding 10 tonnes a day;
 - (iii) Metal processing (including fabrication and machinery manufacture) factories employing such machine tools or process as a power hammer forging machine, pneumatic drilling or riveting, sheet working with heavy sledge hammers, or processes expressly prohibited herein.
 - (liv) Metal finishing, enameling, anodizing, japanning, plating, galvanising, lacquering grinding, polishing, rust-proofing and heat treatment;
- (lv) Paint, oil, shellac, turpentine or varnish manufacture, except manufacture of edible oils;
 - (lvi) Oil-cloth or linoleum manufacture, except water-proofing of paper or cloth.
 - (lvii) Papers, card-board or pulp manufacture;
 - (lviii) Petroleum or its products, refining or wholesale storage;
 - (lix) Plastic materials and synthetic resins' manufacture;
 - (lx) Pottery or ceramic manufacture, other than the manufacture of handicraft products;
- (lxi) Potash works;
- (lxii) Pyrexilin manufacture or products;
- (lxiii) Rolling mills;
- (lxiv) Rubber (natural or synthetic) or gutta-percha manufacture, except manufacture of latex goods and small rubber products and synthetic-treated fabrics, such as washers, gloves, footwear, bathing-caps, atomizers, hoses, tubings, wire insulation, toys and balls, but including manufacture of tyres and tubes;
- (lxv) Salt works, except manufacture of common salt from sea water;
- (lxvi.) Sand, clay or gravel quarrying;
- (lxvii.) Smelting, reduction, refining and alloying of metal and metal ores except of rare and precious metals;
- (lxviii.) Soap manufacture, other than cold mix;
- (lxix.) Soda and compound manufacture;
- (lxx.) Starch, glucose or dextrose manufacture;
- (lxxi.) Stock-yard or slaughter of animals or fowls, except the slaughter of fowls incidental to retail business;
- (lxxii.) Stone-crushing and quarrying;
- (lxxiii.) Shoe polish manufacture;
- (lxxiv.) Sugar manufacture or refining;
- (lxxv.) Tallow, grease or lard manufacture;
- (lxxvi.) Tanning, curing or storage of raw hides or skins;
- (lxxvii.) Tar distillation or manufacture;
- (lxxviii.) Tar products' manufacture;
- (lxxix.) Textiles' manufacture, excepting manufacture of rope, bandage, net and embroidery using electric power upto 37.5 KW.;
- (lxxx.) Vegetable oil manufacturing and processing plants ;
- (lxxxi.) Wood and timber, bulk processing and wood working including saw-mills and planing mills, excelsior plywood and veneer and wood preserving treatment, except the manufacture or wooden articles with saw or planing machines;
- (lxxxii.) Wax products' manufacture from paraffin;
- (lxxxiii.) Wool-pulling or scouring;
- (lxxxiv.) Yeast Plant;
- (lxxxv.) In general, those uses which may be offensive by reason of emission of odour liquid effluvia, dust, smoke, gas noise, vibration or fire hazards.

(3) Notwithstanding anything contained above.-

(a) Service industries and service industrial estates shall be permissible in the General Industries Zone (I-2 Zone).

(b) With the previous approval of Commissioner and on such conditions as deemed appropriate by him, the existing or newly built-up area of unit, in the General Industrial Zone (Zone I-2), (including industrial estates) excluding that of cotton textile mills, may be permitted to be utilised for an office of commercial purposes in the suburbs and extended suburbs or for commercial purposes (excluding offices) in the Island City⁽²⁾, as a part of a package of measures recommended by the Board of Industrial and Financial Reconstruction (BIFR), Financial Institutions and Commissionerate of Industries for the revival/rehabilitation of potentially viable sick industrial units.

(c) With the previous approval of the Commissioner, any open land or lands or industrial lands in the General Industrial Zone, (I-2 Zone) (including industrial estates), excluding lands of cotton textile mills, may be permitted to be utilised for any of the permissible users in the Residential Zone (R-1 Zone) or the Residential Zone with shop line (R-2 Zone) or for those in the Local Commercial Zone (C-1 Zone) subject to the following :

(i) The layout or sub-division of such land shall be approved by the Commissioner, who will ensure that the requisite land for public utilities and amenities like electric substation, bus station, sub-post office, police out post and such other amenities, as may be considered necessary, will be provided therein ; and

(ii) In such lay-outs or sub-divisions, each more than 2 ha. in area, amenities and facilities shall be provided as required by these Regulations.

These areas will be addition to those to be earmarked for public utilities and amenities in accordance with clause (c) (i) above and in addition to the recreational space as is required to be provided under these Regulations and further 10 per cent shall be provided as additional recreational space.

(iii) The required segregating distance as prescribed under these Regulations shall be provided within such land intended to be used for residential or commercial purposes. (iv) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby residential or commercial zone.

(v) Provision for public utilities and amenities shall be considered to be reservations in the development plan and Transferable Development Rights as in Appendix VII shall be available for such reservations.]⁽⁶⁾

[(i) The conversion of Industrial Zone to Residential/Commercial Zone in respect of closed industries shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. Provided that where conversion has been permitted on the basis of this certificate, occupation certificate will not be given unless a no dues certificate is granted by Labour Commissioner. However, in respect of any open land in the industrial zone, where industry never existed, NOC from Labour Commissioner is not required.

The layout or sub division of such land shall be approved by the Commissioner, who will ensure that 5% land for public utilities and amenities like electric, sub-station, bus-station, sub-post office, police out post and such other amenities, as may be considered necessary, will be provided therein.

(ii) In such layouts or sub divisions having areas more than 2 Ha. but less than 5 ha., 20% land for public utilities and amenities like electric, sub-station, bus-station, sub-post office, police out post garden, playground, school dispensary and such other amenities shall be provided.

In such layout or sub division each more than 5ha. in area, 25% land for public utilities and amenities like electric, sub-station, bus-station, sub-post office, police out post garden, playground, school dispensary and such other amenities shall be provided.

Provided that atleast 50% of the amenity space shall be designated as open space reservation.

These areas will be in addition to the recreational space as required to be provided under regulation No.23.

(iii) The required segregating distance as prescribed under these regulations shall be provided within such land intended to be used for residential or commercial purposes

(iv) Such residential or local commercial development shall be allowed within the permissible FSI of the nearby residential or commercial zone.

(V) Provision for public utilities, amenities and open space shall be considered to be reservation in the development plan and Transferable Development Rights as in Appendix VII or FSI of the same shall be available for utilization on the remaining land. Provided that public utility and amenity plots shall not be developed as per Regulation 9.

Note:

I. Conversion from industrial zone to residential/commercial zone shall be applicable to the part area of land holding subject to the condition that total area of the entire land holding shall be considered for deciding the percentage of and to be reserved of the said part area of land for public amenity spaces, as per the said Regulation. However, necessary segregating distance shall be provided from industrial use.

II. In the layout, where Development Plan has provided any reservations,

A. If the area under Development Plan reservation is less than the required area of public amenity space as per the said Regulation, then only the difference between the area shall be provided for public amenity spaces.

B. If the area under Development Plan reservation is more than the required area of public amenity spaces as per the said regulation, then the provision for public amenity spaces is not necessary.

III. Out of the total floor area proposed to be utilized for residential development, 20% of the same shall be built for residential tenements having built up area upto 50 sq.mt.]⁽⁶⁾

56. (3)(c)(vi)

[If the development is already in progress as per clarification vide letter No. TPB 4393/1957/CR-230/UD-11 dated 20/10/1995 and if full occupation certificate has not been granted, then the land owners/developer may convert the proposal in accordance with the provisions of notification dated 14/5/07 subject to following conditions :

Conditions :

- 1) The revised provisions will be applicable in toto. The benefit of both old and revised regulations shall not be allowed.
- 2) The benefit of revised regulations will be applicable only in the cases where (a) full occupation certificate has not been granted and (b) required amenity space or D.P. reservations, if any, has not been handed over to the Corporation.]⁽⁴⁾

(d) With the previous approval of the Commissioner, and subject to such terms as may be stipulated by him, open land in existing industrially zoned land or space, excluding land or space of cotton textile mills, which is unoccupied or is surplus to requirement of the industry's use may be permitted to be utilised for office or commercial purposes in the suburbs and extended suburbs or for commercial purposes (excluding offices) in the Island City.⁽²⁾ but excluding warehousing.

(e) With the special written permission of the Commissioner, isolated small open plots upto one hectare in size which are allocated for industrial purposes and situated predominantly in the residential zone (excluding the plots of cotton textile mills) may be permitted to be used for any permissible users in Residential Zone (R-1 Zone) or the Residential Zone with shophline(R 2 zone).

[]⁽²⁾ These words are deleted vide Government Order Under No. TPB 4398/1462/CR231/98/UD-11 Dt. 21.11.2000.

[]⁽⁶⁾ This clause was inserted vide Govt. orders under section 37(2) of M.R.&T.P. Act, 1966 vide order No.TPB 4304/2770/CR-312/04/UD-11: Dated the 14thMay, 2007.

[]⁽⁵⁾—This clause was replaced vide Govt. orders under section 37(2) of M.R.&T.P. Act, 1966 vide order No.TPB 4304/2770/CR-312/04/UD-11: Dated the 14th May, 2007

[]⁽⁴⁾This clause was added vide Govt. sanction under section 37(2) of MR&TP act, 1966 under number TPB/4304/2770/CR312/04/UD-11 dated 31st August, 2009.