



THE ASSOCIATED CHAMBERS OF COMMERCE AND INDUSTRY OF INDIA

D S RAWAT
Secretary General

December 7, 2012
10:25

Shri Kamal Nath
Hon'ble Minister of Urban Development,
Govt. of India,
Nirman Bhawan,
Maulana Azad Road,
New Delhi - 110011

Subject: Proposed modifications in Master Plan for Delhi 2021 -
(a) Grouping of Hostel, Guest House, Lodging and Boarding House,
Working women-men Hostel, and Service Apartment under category
of 'Short Term Accommodation'
(b) Permissibility and Development Control Norms for all categories of
'Short Term Accommodation' on Plots designated for 'Public and
Semi Public' Facilities' (PSP) in Residential areas of Delhi.
(c) Permissibility of increase in existing FAR of Recreational Clubs.

Dear Sir,

Some of our Chamber members have brought to our notice the difficulty being faced by them in obtaining requisite approval from the local bodies for construction of Hostel, Guest Houses, Boarding Houses and Lodging Houses in Delhi on plots earmarked for Public & Semi-public Facilities in Residential Use Zones. The reason for this is an apparent anomaly in the Master Plan for Delhi - 2021 (MPD 2021). This is better explained as under:-

1. PROVISIONS IN MPD 2021

- 1.1. In Chapter 4 of MPD 2021: Shelter, in Clause 4.4.3 : Control for Building/Buildings Within Residential Premises, Sub-clause 4.4.3 E Hostel/Guest House/Lodging & Boarding House/Dharamshala are permissible in Residential areas in plots of minimum size 500 sq.m. In fact a qualification or conditions are required
- 1.2. In Chapter 13 of MPD 2021: Social Infrastructure, Clause 13.3 Other Community Facilities, Table 13.13 Planning Norms and standards for other Community Facilities, the only Public & Semi-Public (PSP) facility of short term accommodation listed is "Working women-men hostel" etc.
- 1.3. In MPD - 2021, Chapter 17: DEVELOPMENT CODE, in clause 6(2) Hostel/Guest House/Lodging & Boarding House/Dharamshala etc. are permitted in Residential areas on Public- Semi Public Plots, but with special permission from Authority.

From the foregoing it seems that in Residential Use Zone, any short term accommodation (Hostel/Guest House/Lodging & Boarding House/Dharamshala) is permissible on a residential plot of minimum size 500 sq.m. but on a plot earmarked for Public - Semi Public activities in a residential area, only short term accommodation permissible is "Working women-men hostel".

This anomalous situation is, perhaps a result of oversight and has come about inadvertently. Hence the restriction of special permission required from the LDA Authority for providing Hostel/Guest House/Lodging & Boarding House/Dharamshala etc. on Public - Semi Public plots in residential areas should be removed.

2. NEED FOR RATIONALISATION

- 2.1. When the only criterion for locating a Public - Semi Public facility in form of a "short term accommodation" in Residential Use Zone is on a minimum plot size of 500 sq.m., such facilities should be permissible on designated Public - Semi Public sites too because such sites are also "plots" and are invariably substantially bigger than 500 sq.m. Having two yardsticks for the same kind of Public - Semi Public facility in the same use zone seems illogical.
- 2.2. Categorisations like Hostel / Guest House / Lodging & Boarding House / Dharamshala / Working women-men hostel and Serviced Apartment within the overall ambit of "Short Term Accommodation" should be done away with because the dividing lines between such categories are thin and defining a category is not easy. For example, a very significant proportion of the occupancy across all categories of "Short Term Accommodation" would be Working women-men Hostel, which almost completely blurs the distinctions between categories. Conversely, a Working women-men Hostel can, in effect, become a Hostel or Guest House or Boarding House. Considering these aspects, such categorisations are prone to misuse and malpractices and continuing with this would seem illogical.
- 2.3. Rather than categorization of various short term accommodation types, these proposed provisions should be made applicable to a simplified broad category as "Short Term Accommodation" and "Service Apartments" should also be included in this broad category. There should not be any requirement of 'Special Permission from the Authority' for any of these types on 'Public-Semi Public Sites' in Residential Areas and specific type of Short Term Accommodation should be decided by the requirement of the community and market forces.
- 2.4. Urban centres and particularly Delhi, as the National Capital, are dynamic centres of growth and planning has to move forward and not be regressive. It is ironical that whereas in this given case Master Plan for Delhi - 2001 (MPD 2001) had permitted all categories of "Short Term Accommodation" under PSP and Social & Cultural Use Zone (PS 3), but in MPD 2021 such flexible use of PSP plots has been substantially curbed and made more restrictive and thus liable to



ASSOCHAM
INDIA

misuse through varying interpretations. MPD 2021 should be more flexible compared to MPD 2001.

- 2.5 From a perusal of the existing provisions governing the permissible construction (FAR) for various types of buildings on plots earmarked under public and semi public uses (PSP), it would be observed that whereas such PSP plot sizes are substantially larger in size of around 1 to 2 acres but a very restrictive approach has been adopted in allowing construction on such plots. It is a well known philosophy of development that as the demand of housing and other allied facilities & activities grow, it becomes very difficult to demolish older buildings and construct higher structures. It is against this context that a concept of intensive use of land is being used in all developing cities in the world. We therefore, strongly suggest that the existing permissible FAR on PSP plots for various activities should be rationally enhanced to at least double of the present permissible FAR limits to ensure optimum land utilization of such plots.
- 2.6 As these "Short Term Accommodation" would be mid to high rise and would require services to the level of such buildings, service floors should be allowed in these buildings and exempting the area of service floors from FAR calculations.
- 2.7 There should not be restriction on building other types of permitted activities such as Watch and Ward Residence, Service Shops of Barber, Laundry, Soft drink and snack stall apart from the main activity and other activities permitted in these Short Term Accommodations. These should be allowed upto 20% of the total FAR and division of this area should be left to the owner, based upon the specific requirements of that particular Short Term Accommodation. The concept of restricting building of all aforesaid amenities and facilities upto a limit of 20% is already being permitted for serviced apartments.
- 2.8 The Common Dining facility is a basic need of any type of accommodation and absence of this facility in some of these types of Short Term Accommodations results in unauthorized provision of dining facilities. Thus Common Dining Facilities should be allowed in all types of Short Term Accommodations.
- 2.9 These measures would also be necessary in order to ensure an inclusive and optimum utilization of land in already developed areas, to fulfil the short term accommodation needs of various kinds of the city.
- 2.10 Whereas construction of Recreational Clubs is permissible in MPD 2001 (Chapter 13 - Social Infrastructure) on PSP plots the permissible FAR is only 100. This is highly inadequate and needs substantial upward revision to at least FAR 250 to enable construction of adequate recreational facilities to accommodate the present day need of a good recreational club.

301/C



3 Proposed Suggestions

Keeping all above in view the aforesaid points, following suggestions are proposed in MPD 2021:

- 3.1 The requirement of seeking Special Permission of the Authority as stipulated in MPD – 2021, for permitting Hostel / Guest House / Lodging & Boarding House / Dharamshala etc. on Public-Semi Public sites in residential areas, should be deleted from MPD-2021.
- 3.2 All categories of "Short Term Accommodation" should be permitted on any plot (including Public – Semi Public sites) in Residential Use Zone provided the plot size is at least 500 sq.m. ✓
- 3.3 Individual categorisations like Hostel / Guest House / Lodging & Boarding House / Dharamshala / Working women-men Hostel, Service Apartments, etc. should be done away with and there should only be one broad category – 'Short Term Accommodation', which should include all such activities that are in consonance to short term stay in the city, including Serviced Apartments.
- 3.4 The existing permissible FAR on PSP plots for various activities should be rationally enhanced to at least double of the present permissible FAR limits to ensure intensive and optimum land utilization of such plots.
- 3.5 There should not be any restriction on type of other activities permitted in such premises. Discretion to provide these should be left to promoters, within an overall limit of 20% of FAR as in the case of Service Apartments.
- 3.6 In buildings on these plots, Service Floor(s) should be allowed free from FAR.
- 3.7 Dining facilities should be allowed in all kinds of "Short Term Accommodation" mentioned above to make them more sustainable
- 3.8 The permissible FAR relating to construction of Recreational Clubs should be increased to minimum of 250 to ensure adequate provisioning of amenities and facilities to the members of Community Recreational Club. Present FAR of 100 is highly unrealistic and inadequate.
- 3.9 All inclusive and optimum utilization of Land in already built-up areas should be ensured by making these amendments in MPD 2021. Besides, flexibility to combine more than one permitted use on a PSP plot be permitted without seeking another approval from the DDA authority or a local body.

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4 ACTUAL AMENDMENTS / MODIFICATIONS PROPOSED

Keeping aforesaid in view, we request that the following amendments/modifications in MPD 2021 are notified to achieve the aforesaid desired objectives:-

4.1 Chapter 17.0 - Development Code - Table 8(2) - Deletion of the following Words and corresponding Alphabets in Use Zones, from the Column RD

4.2 Residential:

v - Hostel,

vi - Guest House, Boarding and Lodging House,

vii - Dharmashala and its equivalent,

4.3 Chapter 17.0 - Development Code - Table 8(2) - Addition of the following Words and corresponding Alphabets in Use Zones, from the Column RD

4.4 Residential:

| S. No. | Use Premises | Use Zones | | | | |
|--------|---|-----------|----|----|---|----|
| | | RD | C1 | C2 | M | PS |
| RD | v Short term Accommodation - Hostel / Guest House / Lodging & Boarding House / Dharamshala / Working women-men Hostel, Service Apartments | P | P | NP | P | P |

4.5 Addition of following in Chapter 13.0 – Social Infrastructure Table 13.27 as under:

| S. No. | Use Premises | Definitions | Activities Permitted |
|--------|--|--|---|
| 25 | Short Term Accommodation (Hostel / Guest House / Boarding and Lodging House / Dharmashala / Working women-men Hostel / Service Apartment) | A premise fully furnished, serviced and self contained with meal preparation and used for short term or long term individual, family or corporate accommodation. | Guest Suite, Conference Facilities, Office, Retail and Service Shops and Common Dining Facilities and other facilities supporting the main activity (restricted up to 20% of permissible FAR) |

4.6 Delete following words from Table 13.27 at S.No.22 "Working women/Men Hostel"

| S.No. | Use Premises | Definitions | Activities Permitted |
|-------|--|--|--|
| 22 | Old Age Home / Care Centre for Physically / Mentally challenged / Working women / Men Hostel | A Premise having the facility of caring and training boarding & lodging of the elderly / physically / mentally challenged / working woman / men. | Care home with residential facility residence (for management and maintenance staff) primary school, recreational, library, health, gym, canteen, dining facility. |

4.7 Table 13.18: Planning Norms and Standards for Other Community Facilities: Chapter - 13.0

Add following Category of Use Premises in Table as under

| S. No. | Category | Population / Unit | Max. Plot Area |
|--------|-----------------------|-------------------|------------------|
| 1. | g) Serviced Apartment | 100,000 | Minimum 500 sqm. |

4.8 Table 13.19: Planning Norms and Standards for Other Community Facilities:

Add following Category of Use Premises in the Table as under.

| S. No. | Category | Maximum | | | Other Controls |
|--------|--------------------|-----------------|-----|---|--|
| | | Ground Coverage | FAR | Height | |
| 7. | Serviced Apartment | 33.33 | 300 | NR* (subject to approval of AAJ, Fire Department and Other Statutory Bodies. | i) Parking @ 2 ECS per 100 sqm. of floor area. ii) Service Floor (s) exempted from FAR. |

NR* - No Restriction

4.9 Chapter 17.0 : Table: Sub / Clause 8(2) Permission of Use Premises in Use Zones: (As part of approval of Layout Plan or as a case of Special Permission from the Authority) - Should be Deleted. However, flexibility to combine more than one permitted use on a PSP plot would be permissible without seeking another approval from the DDA authority or a local body.

4.10 Chapter 17.0: Table: Sub / Clause 8(2) Permission of Use Premises in Use Zones:

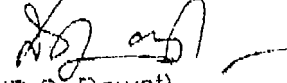
Following Category of Use Premises to be added in the Table as under

| S. No. | Use Premises | Use Zones | | | | |
|--------|-------------------------|-----------|----|----|---|----|
| | | RD | C1 | C2 | M | PS |
| RD | xi Serviced Apartments* | P | P | NP | P | P |

We sincerely request your kind intervention in this regard so that suitable amendment / modification is made in the respective provisions of MPD 2021.

Thanking you,

Yours faithfully,


(D.S. Rawat)



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Secretary General

December, 7, 2012

Shri Kamal Nath
Hon'ble Minister of Urban Development,
Govt. of India, Nirman Bhawan,
Maulana Azad Road, New Delhi - 110011

10-5

Subject : Proposed amendment in MPD 2021: Permission to construct "Service Apartments" on "Public and Semi Public Facilities Plots" in the Residential areas of Delhi.

Dear Sir,

While reviewing various provisions of the existing Master Plan of Delhi (MPD 2021) it is observed that there is a glaring anomaly relating to provision of Service Apartments in Delhi. It would kindly be observed that the demand for short term accommodation for the visitors from other countries / cities in the form of Service Apartment is growing rapidly in Delhi.

It may be noted that provision of Service Apartments has been made for the first time in Master Plan 2021 and has negligible presence in the Commercial Centres, probably due to lack of its financial feasibility and substantially lower returns to an entrepreneur in comparison with much higher returns, which one can expect from construction of commercial building in a commercial centre. All over the world Serviced apartments are integral part of the residential areas, being conducive to the residential characteristics of the city and not confined to only in commercial centres. This is further elaborated as under.

1. PROVISIONS AND INFERENCES

- 1.1 In Chapter 5 of MPD 2021 : Trade & Commerce, in Table 5.1 under Five Tier System of Commercial Areas, number of activities / use premises have been listed in various categories of Commercial Centres to cater to the commercial requirements of the city for designated population standards. 'Service Apartment' (it should be Serviced Apartments) is one of the use premises permitted in Community Centre and above category of Commercial Centres

- 226/L
- 1.2 A Serviced Apartment is basically a residential use premise, which is fully furnished, Serviced and self contained with meal preparation, and essentially used for short term accommodation. The activities are at par with an enhanced Guest House / Boarding and Lodging House, but not a Hotel. The activities are predominantly residential in nature and we feel that such a use premise should be made permissible in Residential Use Zone on 'Public & Semi Public Facilities'(PSP) plots, instead of Commercial Centres (presently in MPD-2021) due to its very residential character and feasibility.
- 1.3 Serviced Apartments also provide short term residential accommodation and hence it is an extension of short term accommodation as specified in Master Plan for Delhi 2021, which prescribes Standards, Development Control Norms and permissibility for Hostel, Guest House, Lodging & Boarding House, Old Age Home, Dharamshala, etc. under relevant chapters. Besides, Chapter 17: DEVELOPMENT CODE, Clause 3(2) stipulates the permissibility in 'Residential' and 'PSP Facilities' and other Use Zones as 'a Part of approval of Layout Plan or a case of Special Permission from the Authority'. It is suggested that permissibility of Serviced Apartments on Public-Semi Public Sites in Residential Areas should not attract the provisions of Clause 8(2) of the Master Plan, i.e., either Layout Plan Approval or Special Permission from the Authority. The concerned Local Bodies should be permitted to approve the proposals falling under their respective jurisdictions.
- 1.4 From a perusal of the existing provisions governing the permissible construction (FAR) for various types of buildings on plots earmarked under Public and Semi-public Uses (PSP), it would be observed that whereas such PSP plot sizes are substantially larger in size of around 1 to 2 acres, but a very restrictive approach has been adopted in allowing construction on such plots. It is a well known philosophy of development that as the demand for housing and other allied products grows, it becomes very difficult to demolish older buildings and construct higher structures. In this context the concept of intensive use of land is being followed in all growing cities in the world. We, therefore, strongly suggest that the existing permissible FAR on PSP plots for various activities should be rationally enhanced to at least double the present permissible FAR limits to ensure optimum land utilization of such plots. This would discourage and stop unauthorized expansion of covered areas in these



plots which is often opted due to pressing demand of the use activity of Serviced Apartments.

- 1.5 In Serviced Apartments, besides furnished Residential Accommodation, other permissible activities should include Conference Facilities, Offices, Retail and Service Shops (up to 20% of floor area) and Common Dining Facilities for the users of very short duration. Therefore, common dining facilities should also be allowed in Serviced Apartments.
- 1.6 As the "Serviced Apartments" would entail mid to high rise development and will require similar services of high rise buildings, provision of Service Floors should be allowed, exempting the area from FAR calculations.

These proposals would ensure an Inclusive development and optimum utilization of land in already developed areas, to fulfil the short term accommodation needs of the city. It is opportune time to consider modification in the MPD 2021, to permit Serviced Apartments in Residential Use Zone under 'PSP Facilities'.

2. PRAYER

The following suggestions may kindly be considered for Master plan 2021 modification;

- a) In addition to the existing provision of Serviced Apartment in Commercial Centres, permissibility of these may be extended in Residential Use Zones on 'Public & Semi Public Facilities'(PSP) plots.
- b) The existing permissible FAR of Serviced Apartments should be rationally enhanced to at least double the present permissible FAR limits to ensure intensive and optimum land utilization of such plots.
- c) Other permissible activities in Serviced Apartments include Conference Facilities, Offices, Retail and Service Shops (up to 20% of floor area) and should also include Common Dining facilities. Further, other activities conducive to the requirement of Serviced Apartment should be permitted and provision of these should be left to promoters, within overall limit of 20% of FAR.

204/C



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- d) Service floors should be permitted in these buildings free from FAR.
- e) There should not be any requirement of 'Special Permission from the Authority' for providing Serviced Apartments on Public-Semi Public Sites in Residential Areas. The concerned Local Bodies should be permitted to approve the proposals falling under their respective jurisdictions.

Keeping aforesaid in view, it is suggested that following modifications/amendments in the MPD 2021 may kindly be notified :-

3. PROPOSED MODIFICATIONS IN THE MPD-2021:

- i) Table 13.18: Planning Norms and Standards for Other Community Facilities: Chapter – 13.0

Following Category of Use Premises to be added in Table as under:

| S. No. | Category | Population / Unit | Max. Plot Area |
|--------|-----------------------|-------------------|---|
| 1. | g) Serviced Apartment | 100,000 | 1 (one) Ha. (Minimum plot size 500 sqm.) |

- ii) Table 13.19: Development Controls for Other Community Facilities:

Add following category of Use Premises in the Table as under:

| S. No. | Category | Maximum | | | Other Controls |
|--------|--------------------|-----------------|-----|---|--|
| | | Ground Coverage | FAR | Height | |
| 4 | Serviced Apartment | 33.33 | 300 | NR* (subject to approval of AAI, Fire Department and Other Statutory Bodies. | i) Parking @ 2 ECS per 100 sqm. of floor area. ii) Service Floor (s) exempted from FAR. |

NR* - No Restriction



iii) Delete words 'Working Women / Men Hostel' from Sr. No. 1 of the table.

iv) **Table 5.5: Definitions and Activities Permitted in Use Premises: Chapter 5.0.**

Add following words in the Table in Column of 'Activities Permitted'.

| Use Premises | Definition | Activities Permitted |
|---------------------------|---|--|
| Serviced Apartment | A premise fully furnished, serviced and self contained with meal preparation and used for short or long term accommodation. | Guest Suites, Conference facilities, Office, Retail and Service Shops, including Common Dining Facilities and other facilities supporting the main activity (restricted up to 20% of permissible FAR). |

v) **Chapter 17.0 :Table: Sub / Clause 8(2) Permission of Use Premises in Use Zones:**

(As part of approval of Layout Plan or as a case of Special Permission from the Authority) -- Should be deleted

vi) **Chapter 17 : Table: Sub / Clause 8(2) Permission of Use Premises in Use Zones:**

Following Category of Use Premises to be added in the Table as under:

| S. No. | Use Premises | Use Zones | | | | |
|--------|-------------------------|-----------|----|----|---|----|
| | | RD | C1 | C2 | M | PS |
| RD | xi Serviced Apartment** | P | P | NP | P | P |

** Approval of Layout Plan or Special Permission from the Authority will not be required.



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We trust you will appreciate the concerns of our Chamber and rectify this anomaly either through a notification or implemented through the mid-term review of MPD 2021 which is currently ongoing.

Thanking you,

Yours faithfully,

(D.S. Rawat)