



H&D CELL
VIKAS BADAN
Dy. No.
Date.

PHD CHAMBER OF COMMERCE AND INDUSTRY

PHD House, 4/2 Siri Institutional Area
August Kranti Marg, New Delhi-110016 (India)

Secretary
Infrastructure, Energy, Housing & Urban Development

AC (PLG) MPPR

Jairy No. 1493

Plan-15-1549
18th September 2012

Date: 27/09/12

20/09/12
26/09/12
27/09/12

Dear Mr Srivastava,

Subject: Clarification required for Allowing Residential Group Housing in Industrial Areas/Plots in Delhi with maximum of 20% area for commercial activities

References:

- i. Our earlier Letter No. IP-15-3069 dt. 02.03.2012
- ii. Minutes of MAG (Common Platform for Building Approvals) and Advisory Committee of DDA, uploaded on DDA website.
- iii. Minutes of DDA Authority meetings dt. 12 March 2012 and 15 May 2012.

OFFICE OF THE DIR (P.G.)
MPR/TC, D.D.A. N. DELHI-2
Dy. No. L-137
27/9/12

Completed

This has reference to our earlier Letter No. IP-15-3069 dt. 02.03.2012 with respect to allowing development of residential group housing in industrial areas/ plots. As the Master Plan for Delhi 2021 recognises shortage of 1.0 lakh dwelling units and additional requirement of 24.5 lakh dwelling units by 2021, it rightly states that around 40% of the housing need can potentially be satisfied through redevelopment / up-gradation of the existing areas. MPD 2021 further stresses upon the need for redevelopment of existing planned areas in view of limitation of buildable and urbanisable land in Delhi. The guidelines in this regard entail amalgamation of plots to meet minimum land requirement to permit group housing as per the Master Plan norms. In order to make available the buildable planned areas to meet the requirement, one of the options is to extend the permissibility of group housing to other 'use zones', in particular, the existing planned industrial areas, where presently commercial activities with enhanced FAR are permitted on specified roads.

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It may be noted that in pursuance to the Hon'ble Supreme Court orders dated 10.5.1996 directing closure and relocation of large and heavy industries outside Delhi, large industrial lands are available for residential development, with incentive of enhanced FAR, while creating parks as open spaces conducive for such development. It is also pertinent to mention that housing for the workers / staff had been a part of large industrial estates in master plan policies of various cities.

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Master Plan for Delhi 2021, duly recognizing the need of the time, has provided innovative approaches to meet the changing requirements in consonance with the best international practices like the concept of synergy between transportation and land uses, inclusive compact development, Mass Rapid Transit System, application of Transferable Development Right, etc. The concept of Transit Oriented Development, well known and practiced internationally is being introduced in Delhi for effective land utilisation and transportation for sustainable development. Mumbai, pioneer in effective utilization of land potential, has categorised the old / dilapidated industrial areas / Textile Mills for permitting residential and commercial development.

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Therefore, in case of Delhi, the individual industrial plots, which meet the norms and provisions of Group Housing under MPD 2021 and are on 24mt ROW, should be given an option to develop Group Housing with applicable FAR (on the basis of Group Housing FAR as in MPD 2021) on the entire plot with upto maximum 20% of area to be used for commercial use. The incentive of 1.5 times FAR which is permitted under notification S.E. no. 683(E) dated 1st April 2011 should continue to be extended under this scheme. This is suggested in view of the fact that the requisite social and physical infrastructure requirement for the resident population in the area could effectively be met by limiting the plot size for Group Housing to and above.

The review of Master Plan should be effectively utilized as a platform to address the key issue of Housing shortage in the city of Delhi. In this reference we had sent above-mentioned letter (copy enclosed) with suggestion for consideration of DDA. The minutes of various meeting of Management Action Group on "Common Platform for Building Approvals", uploaded on DDA Website have been reviewed by us.

Our representation vide above-mentioned letter, regarding the subject cited above, was considered and discussed in the first meeting of MAG for "Common Platform for Building Approvals" dt. 12.12. 2011. While going through the minutes dt. 28.12.2011 of this meeting, as well as the minutes dt. 15.02.2012 of third meeting of Advisory Committee dt. 12.01.2012, following facts have been observed:

1. In **Table 7.2: Norms for Land Distribution in Industrial Areas of MPD 2021**, it is proposed to insert "Residential" Use premise to the tune of 20% in overall Land Distribution of industrial Areas, (Annexure-1). Also in case of 'Residential' Use premises regulations for Group Housing have been stipulated. This is an enabling proposal to our suggestion vide above referred letter.
2. In **Chapter 17 – DEVELOPMENT CODE of MPD 2021**, in clause 8, sub clause 8(2) PERMISSION OF USE PREMISES IN USE ZONES, use Zone RD (Residential) has been permitted in use Premises Industrial plot/flatted group industry, (Annexure-1). This is another enabling proposal to our suggestions as referred above.

Further, in the minutes of Authority meeting dt. 12 March 2012, procured through RTI by us, the following is mentioned vide ITEM No. 29/2012:

1. *"Hon'ble Lt. Governor has stated the representations have been received from ASSOCHAM and Chamber of Commerce. Several industrial centers have been closed in outer zones for various reasons. Use conversion charge may be levied for larger plots and residential accommodation permitted with higher FAR.*

Though housing within industrial areas should preferably be in a designated area, residential component within larger plots could be allowed. However, this would need further detailed

consideration". It is again in line of our suggestions and is a step further in allowing Group Housing in Industrial areas.

In the Authority meeting dt. 15 May 2012, it was further recorded vide ITEM No. 30/2012 that "The request of Shri Subhash Chopra to incorporate the following in the minutes for agenda Item No. 29/2012 of the meeting of the Delhi Development Authority held on 12.3.2012 was approved by the Authority:

- 20% area be allowed for housing in plots of 1000 Sq. Meters and above.
- Group Housing be allowed in plots of 3000 Sq. Meters and above as allowed in Residential colonies in MPD 2021.
- Group Housing with 1.5 times FAR incentive be allowed in plots of 5 acres and above as allotted for commercial use. Shri Subhash Chopra also cited an example of how this had been successfully allowed by Govt. of Maharashtra in plots of Textile Mills in Mumbai where also Incentive FSI has been permitted in order to address the shortage of homes."

Since Individual industrial plots on 24mts ROW are permitted 100% commercial use on payment of conversion and additional FAR charges with incentivized FAR of 1.5 times . Hence there should be no hesitation to allow even softer and important use i.e. Residential, on the above category of plots which are eligible for commercial use.

While observing the above, we realised that there has been deviations from what we have proposed and what is being considered by the authority. These deviations may impact adversely in addressing the key challenge of meeting Housing shortage in Delhi.

We would like to further reinstate our suggestions pertaining to subject mentioned above:

1. The individual industrial plots, which meet the norms and provisions of Group Hosing under MPD 2021 and are on 24mt ROW, should be given an option to develop Group Housing with applicable FAR (on the basis of Group Housing FAR as in MPD 2021) on the entire plot with upto maximum 20% of area to be used for commercial use. The incentive of 1.5 times FAR which is permitted under notification S.E. no. 683(E) dated 1st April 2011 should continue to be extended under this scheme.
2. These plots should be developed in accordance to the norms for Group Housing as under MPD 2021 and should pay all appropriate conversion and additional FAR charges, applicable statutory clearances from the concerned and approval of the layout plan / building plans by the concerned local body. No amalgamation shall be allowed under this scheme

Keeping in view all of the above, we would like to mention the following:

- This scheme will be feasible practically and viable technically only on larger plots on 24m ROW, because these larger plots would be able to meet the space requirements of physical and social infrastructure required as per MPD 2021 in case of Group Housings. Also the total sum of areas of these larger plots where Group Housing will be allowed upto 20% of the proposed Residential component of total land under Industrial use in the city of Delhi, as proposed in modification in Table 7.2 of MPD 2021.
- Even Delhi Urban Arts Committee has recommended (a copy of the DUAC letter dt. 08.12.2012 is attached herewith) that Group Housing activities may be permitted as part of redevelopment/redensification strategy in large industrial plots only.
- This should be inclusive development which allows all income groups so as to achieve optimize utilisation of land.
- The provision of housing for industrial workers only would not be a viable proposition, since MPD 2021 allows only non-polluting, non-hazardous industrial activities, which are not labour intensive. Hence number of Industrial works living in the Industrial areas would be very limited. Allocating 20% area, only for industrial workers, would result in under utilization of the precious land resource. Moreover, when Group Housing is allowed on these plots with MPD 2021 regulations, 15% of FAR would be devoted for construction of dwelling units for Community Service Personnel/EWS and lower category, which would cater to this segment of the society. Hence there would be no loss of housing provision for industrial workers category.

In this regard, our experts have done an in-depth study on the subject and have suggested the attached modifications (annexure A) in MPD 2021 to enable the proposal, practically implementable.

We look forward to favourable consideration of our above suggestions.

Yours sincerely,



(Dr. Ranjeet Mehta)

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Vice Chairman
Delhi Development Authority
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New Delhi 110 023

CC to: Mr. Ashok Kumar
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Encl.: Annexure 1: Suggested Modifications in the Master Plan Delhi 2021

ANNEXURE 1

Suggested modifications required in the Master Plan Delhi 2021 shall be as following:

Chapter – 17:

Chapter No./ Section of MPD	Provision in MPD 2021	Proposed Amendment (Indicated in bold italics)																																																												
17 Development Code Clause-8	Sub/ Clause 8(2) Permission of use Premises in use Zones <table border="1" style="width: 100%;"> <tr> <th>Sr. No. of Use Premises</th> <th>Use Zone</th> <th></th> <th></th> <th></th> <th></th> </tr> <tr> <td></td> <td>RD</td> <td>C1</td> <td>C2</td> <td>M</td> <td></td> </tr> <tr> <td></td> <td>PS</td> <td></td> <td></td> <td></td> <td></td> </tr> </table> M INDUSTRY <table border="1" style="width: 100%;"> <tr> <td>Industrial plot/flatted group industry</td> <td>NP</td> <td>NP</td> <td>NP</td> <td>P</td> <td>NP</td> </tr> </table> PS PUBLIC AND SEMI PUBLIC FACILITIES <table border="1" style="width: 100%;"> <tr> <td>1 Hospital (up to 100 beds)</td> <td>P</td> <td>P</td> <td>NP</td> <td>NP</td> <td>P</td> </tr> </table>	Sr. No. of Use Premises	Use Zone						RD	C1	C2	M			PS					Industrial plot/flatted group industry	NP	NP	NP	P	NP	1 Hospital (up to 100 beds)	P	P	NP	NP	P	Sub/ Clause 8(2) Permission of use Premises in use Zones <table border="1" style="width: 100%;"> <tr> <th>Sr. No. of Use Premises</th> <th>Use Zone</th> <th></th> <th></th> <th></th> <th></th> </tr> <tr> <td></td> <td>RD</td> <td>C1</td> <td>C2</td> <td>M</td> <td></td> </tr> <tr> <td></td> <td>PS</td> <td></td> <td></td> <td></td> <td></td> </tr> </table> M INDUSTRY <table border="1" style="width: 100%;"> <tr> <td>Industrial plot/flatted group industry</td> <td>P</td> <td>NP</td> <td>NP</td> <td>P</td> <td>NP</td> </tr> </table> PS PUBLIC AND SEMI PUBLIC FACILITIES <table border="1" style="width: 100%;"> <tr> <td>1 Hospital (up to 100 beds)</td> <td>P</td> <td>P</td> <td>NP</td> <td>P</td> <td>P</td> </tr> </table>	Sr. No. of Use Premises	Use Zone						RD	C1	C2	M			PS					Industrial plot/flatted group industry	P	NP	NP	P	NP	1 Hospital (up to 100 beds)	P	P	NP	P	P
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1. TABLE 7.2

Ch. No./ Sec. of MPD	Provision in MPD 2021	Proposed Amendment (Indicated in bold italics)																															
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In case of residential use premises regulations for Group Housing shall apply on entire plot. The area shall be reserved for facilities as per residential facilities.

2. The Following additional modifications are also required in MPD 2021 to enable Group Housing in individual Industrial plots of and above:
The following may be added :

- a) In the notes after Table 7.3 , Chapter 7.0 industry, as point (vii) and
 b) In the Regulations and Guidelines for Redevelopment of Existing Planned Industrial Areas notified Vide S.O. No. 683 (E) dated 1st April , 2011, after para 2.1.2 as 2.1.3

These individual industrial plots which meet the norms and provisions of Group Housing under MPD 2021 and are on 24mt ROW , be given an option to develop Group Housing with applicable FAR (on the basis Group Housing FAR as in MPD 2021) on the entire plot with upto maximum of 20% area to be used for commercial use. The incentive of 1.5 times FAR which is permitted under notification S.E. 683 dated 1st April 2011 should also be extended under this scheme.

These plots should be developed with development norms for Group Housing as under MPD 2021 and should pay all appropriate conversion and additional FAR charges , *applicable statutory clearances from the concerned and approval of the layout plan / building plans by the concerned local body. No amalgamation shall be allowed under this scheme*

3. In Chapter 17, Table Sub Clause 8(2) – Permission of Use Premises in Use Zones, under Column 'M' in Use Premises RD – Residential, alphabets 'NP' to be replaced by alphabet 'P'.

Sub Clause 8(2) Permission of Use Premises in Use Zones

RD	Residential	RD	C1	C2	M	PS
Existing : Group Housing		P P	NP	<u>NP</u>	P	
Proposed:		P P	NP	<u>P</u>	P	

4. In Clause 3.3 the para may be reframed as under:

"The scope for development of urban extensions on a large scale is restricted due to limitations of buildable / urbanizable land in Delhi. Therefore, the option of redevelopment through a process of reorganization, *permitting limited mix of land uses* and utilisation of the land already developed will be a major element of the overall city development plan.

A redevelopment strategy *including limited permissibility of mixing of land uses* for accommodating more population in a phased manner is to be taken up on priority in all use zones for efficient and optimum utilization of the existing urban land, both in planned and unplanned areas. This would have to be based on provision of infrastructure viz. Water supply, sewerage, road network, open spaces and the essential social infrastructure".



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Lodi Road, New Delhi - 110003

No. 18(6)2011-DUAC

December 8, 2011

✓ Shri P.T. Jameshkutty
Under Secretary,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.

विषय : Residential activity in planned industrial areas.
संदर्भ : Ministry's letter no. N-11013/6/2011-DDIB dated 30.05.2011.
महोदय,

The above matter was considered by the Commission at its meetings held on November 2, 2011. The observations of the Commission are reproduced below for information :

"The matter has been considered in view of letter received from the Secretary, PHD Chamber of Commerce and Industry addressed to the Urban Development Ministry by the Commission at its meeting held on 2nd November, 2011 and opined as follows:-

1. Group Housing activities may be permitted as part of redevelopment/redensification strategy in large industrial plot only. (Minimum 5 acre)
2. MPD 2021 recognizes the fact that there is a net housing shortage of about 1.0 Lakh houses/dwelling units. Moreover, the estimated additional housing stock required by 2021 will be around 24 Lakh dwelling units. Hence, allowing residential activity in industrial areas will augment housing stock.
3. Group Housing in these areas will also provide for much required EWS/LIG housing. This will help in reducing unauthorized colonies as well as jhuggi clusters.
4. Also, Pursuant to the Hon'ble Supreme Court's Order dated 10.05.1996, large industrial lands have been made available for redevelopment because of closing and relocation of large and heavy industries.
5. Master Plan provisions already exists in respect of old age homes, night shelters, Hostels etc. in industrial use zones. Besides these, other community facilities may also be provided to incentivize Group Housing development in Industrial Plots.
6. Group Housing in Industrial Areas will also reduce carbon footprints as it will encourage walk-to-work culture.
7. Staff housing is always a part of large industrial estates and residential housing has been an integral part of earlier industrial areas.
8. Some residential areas have been converted to industrial area unauthorized in Delhi. Existing residential area has been further shrunk by mixed land-use on notified roads.
9. In many states and cities like Mumbai, Pune, where the industries have been relocated, residential and mixed land use has been permitted already.
10. Housing activities will commensurate and sustain commercial activities as already permitted in such use zones.

रविन्द्र कुमार




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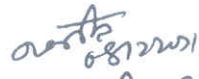
11. In view of above, Commission is of the considered opinion that housing activities may be permitted in existing industrial plots having areas commensurate to the area of plot of Group Housing and industrial use premises as per MP-2021. (Minimum 5 acre)"

भवदीय


(नवनीत कुमार)
सचिव

CC

✓ SECRETARY
INFRASTRUCTURE, ENERGY HOUSING &
URBAN DEVELOPMENT
PHD CHAMBER OF COMMERCE
SIRIFORT ROAD NEW DELHI


(नवनीत कुमार)
सचिव

रविन्द्र कुमार