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**From:** STC CO Legal Division [legal.stc@gmail.com]  
**Sent:** 28 April 2012 12:43  
**To:** dirrohini@dda.org.in; dirap1@dda.org.in; dirplgmpr\_tc@dda.org.in  
**Subject:** Review of Master Plan for Delhi-2021  
**Attachments:** d1.jpeg; d2.jpeg; d3.jpeg; d4.jpeg

1869  
23-5-12

OFFICE OF THE  
2243  
Date 4/5/12

Dear Sir,

It is a matter of great pleasure that you have called for the suggestions of the public on a very sensitive issue and sure that you will definitely take into account the views, which are based on the documentary evidence. I SALUTE THE PRACTICAL approach of Hon'ble Governor, Sh. Tejender Khanna and it's members (must be based on the survey of whole DELHI) in the report dt. 13.05.2006 of Hon'ble Tejender Khanna Committee set ou by Govt. Of India, where in par 8.7 (vi) recommends that-

**" A date should be publicly announced under a Voluntary Disclosure Scheme to enable the violators to self-declare their violations of the Building Code Regulations or encroachment over public land, if any, or both. Thereafter, each of the 12 MCD Zones under the Deputy Municipal Zonal Commissioners should be asked to undertake a special drive to deal with such self-declarations in accordance with the standard policy for recovery of special compounding charges/penal charges to be prescribed by the Commissioner of the MCD. A note regarding illustrative special compounding charges provided by Commissioner MCD as at Annexure vii." (COPY ENCLOSED PL)**

But sorry on the other hand that knowing fully the situation, you have not implemented the said recommendation. Due to this residents of whole Delhi are suffering from sleepless nights and especially the residents of poor DDA Flats. The above report should be immediately taken into account and **implemented if there is ;**

1. No encroachment of ROW.
2. No encroachment of of road.
3. No encroachment of Foot Path.
4. No drainage is covered.
5. No change to existing design/structure and aesthetics.

You will appreciate that Govt. is increasing in FAR and regularizing the unauthorized colonies(As is where is basis) keeping in view the housing problem and steep rise in the cost/price of the property. Now purchase of property in Delhi is a dream. The size of the families are increasing but the earning not to the extent that one can own another house.

Sir, you people are more learned and have better understanding to see the practical problems but as true citizen of India/Delhi I request you to take into account the said recommendations of Hon'ble Tejender Khanna Committee report immediately for the comfortable living of Delhi residents and there is no NATIONAL LOSS.

With regards,

Suresh Chaudhari  
M-9810449291

Shree  
4/5  
AD(P) E

**Report of the  
Tejendra Khanna Committee of Experts  
set up by Govt. of India  
to look into various aspects of  
Unauthorized Constructions &  
Misuse of Premises  
in Delhi**

Kindly refer 8.7 (vi) of  
page 36 for perusal please

New Delhi, 13 May 2006

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Copy of the forwarding letter dated 13.05.06 addressed to the Hon'ble Union Minister for Urban Development (i)

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## CHAPTER 8

### 8. FEASIBLE STRATEGY TO DEAL WITH THE VARIOUS ISSUES INVOLVED

#### (A) Unauthorised Constructions

- 8.1 As per the terms of reference, the violations to be looked into by the Committee fall into two categories:-
- (1) Unauthorized constructions
  - (2) Misuse of Premises.
- 8.2 Un-authorized constructions are largely spread-over the following residential categories:-
- (1) Plotted colonies of DDA including plotted co-operative colonies
  - (2) DDA's flatted accommodation
  - (3) Flatted accommodation constructed by Co-operative Group Housing Societies
  - (4) Unauthorized colonies
  - (5) Unauthorized "Regularized" colonies
  - (6) Re-settlement colonies (created by the Slum Wing of MCD)
  - (7) Village Lal Dora areas and extended Lal Dora areas
  - (8) Farm Houses built on agricultural land
  - (9) Pre-DDA Colonies, including post-partition rehabilitation colonies
  - (10) Walled City
- 8.3 The Building Code violations encompass extra FAR, extra coverage, violation of height restrictions, infringement of mandatory setbacks, additions/alterations to flats, shortage of parking space and undertaking construction without sanctioned Building Plans, and non-obtaining of Occupancy or Completion Certificates.

- 8.4 In many cases, violations include encroachment on public land as well as construction of balconies over public streets.
- 8.5 In certain cases, public streets and public sewerage and drainage lines have also been encroached upon and incorporated into the covered area of the unauthorized structures.
- 8.6 Violation of height restrictions and other development control norms in Builders' Apartment Blocks have also taken place in different colonies.
- 8.7 Since, for practical reasons, it will be difficult to go in for large scale demolitions on the ground of violation of the relevant building codes, the Committee is of the view that the following modalities/principles could be adopted to deal with such violations :-
- (i) Encroachments on public land should be got vacated.
  - (ii) Where the above is not practically feasible, cost of the land encroached along with penalty for unauthorized usurpation of the land should be recovered from the defaulter.
  - (iii) For extra coverage of floor area, reasonable Compounding fee can be imposed.
  - (iv) For violation of height restrictions and building an additional floor or part thereof, a severer scale of penalty/special compounding fee can be imposed on the violator.
  - (v) Where the Building is found to be structurally unsafe, formal notice should be given to the owner to rectify the structural weakness within a stipulated period, failing which the building has to be declared unsafe and marked for demolition.
- (vi) A date should be publicly announced under a Voluntary Disclosure Scheme to enable the violators to self-declare their violations of the Building Code Regulations or encroachment over public land, if any, or both. Thereafter, each of the 12 MCD Zones under the Deputy Municipal Zonal Commissioners should be asked to undertake a special drive to deal with such self-declarations in accordance with the standard policy for recovery of special compounding charges/penal charges to be prescribed by the Commissioner of the MCD. A note regarding illustrative special compounding charges provided by Commissioner, MCD is at Annexure VII.