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दिल्ली विकास प्राधिकरण  
DELHI DEVELOPMENT AUTHORITY

मुख्य योजना -2021 की समीक्षा  
Master Plan Review-2021

Zone - F

पंजीकरण फार्म  
REGISTRATION FORM

“ओपन हाउस मीट्स”  
“OPEN HOUSE MEETS”

फार्म प्रतिभागी द्वारा भरा जाए  
Form to be filled by Participant

|   |   |
|---|---|
| नाम<br>Name   | Rajan Richards  |
| प्रतिनिधि :<br>Representing :<br>सरकारी विभाग / फेडरेशन / संघ<br>(एसोसिएशन) / आर डब्लू ए / व्यक्तिगत<br>Government Department/<br>Federation/Association/RWA/<br>Individual | Individual<br>OFFICE OF THE DIR (Pig.)<br>MPR/TC, D.D.A. N. DELHI-2<br>Dy.No. .... 2731 .....<br>Dated ..... 11/5 ..... |
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“अपने पंजीकरण फार्म ओपन हाउस मीट्स के स्थल पर जमा कराएं

“Submit your registration form at the venue of Open House meets.”

SUGGESTIONS FOR MPD-2021

DATE- 08/05/2012

VENUE- Open House Meet- South District, PHDCCI, New Delhi

DETAILS OF THE PERSON GIVING SUGGESTIONS:

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BACKGROUND

An obvious purpose of town planning and framing building byelaws should be to make the life of the inhabitants orderly, convenient and comfortable. The laws have to evolve with time and cannot remain stagnant, for if they do, they are rendered irrelevant and become unreasonable.

Law enforcing agencies can only command respect and ensure compliance when the law they seek to enforce is reasonable. Otherwise they fail miserably. Archaic, untenable and impractical restrictions push ordinary citizens into becoming violators of law. If the laws are practical, people respect them and abhor those who violate them.

While the MPD-2021 claims to be progressive, some of the archaic restrictions it imposes- either on it's own or through building byelaws formed by municipal agencies responsible for it's implementation-are unreasonable and thus give rise to rampant corruption and other malpractices. This scenario needs to be amended. The present exercise of consultation and seeking suggestions from citizens to ensure mid-term course correction is thus appreciated.

Following is a list of suggestions, which are uncomplicated and obvious in nature. These can be appreciated by simple application of mind.



SUGGESTIONS

Following are the suggestions for incorporation/modification/relaxation/clarification of norms covered under or related to clause 4.4.3 (A) of MPD-2021-“RESIDENTIAL PLOT-PLOTTED HOUSING” and corresponding Building Byelaws of the implementing authorities.

| S. No. | Suggestion   | Rationale   |
|--------|--|---|
| 1.     | Width of balcony projections (free from F.A.R.) should be increased to 1.38 mtr. instead of the present 0.9 mtr.   | The suggested modification shall add value to the habitat. The present restriction renders the balconies impractical and unusable as there isn't enough space for even a chair and a table to be placed and thus forces inhabitants to stay indoors.  |
| 2.     | Toilet/ water closets/ urinals should be allowed in Basements/ Stilts floor/ Terrace.                              | <p>A) It is highly impractical to allow Basements to be used for any worthwhile purpose, much less for professional/other user, without allowing a toilet therein. Most basements already have toilets. There are enough mechanical means available which can ensure that water closets, toilets, urinals in basements do not threaten cleanliness /hygiene of the occupants.</p> <p>B) Layout plans of various Colonies allow water closets adjoining the garage- the same should be extended to stilts, since construction of stilts have become mandatory for most plot sizes.</p> <p>C) Like-wise urinal/w.c. be allowed on the terrace-as it is a basic requirement.</p> |
| 3.     | Length of cupboard projection (free from F.A.R) should be increased to at least 2.6 mtr. instead of present 2 mtr. | Extra storage for occupants, families would be available. The present restriction forces people to commit the illegality of covering balconies and shafts and converting them into store rooms.   |

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|----|--|---|
| 4. | Lifts should be allowed to travel to basements and terrace.  | Elderly/ disabled should be able to access every part of their homes. The prevalent restriction does not serve any purpose.   |
| 5. | In case the permissible Ground Coverage/ F.A.R is not achieved, the entitlements of the preceding categories be allowed to the 'EXTENT NECESSARY'. | <p>Condition (ii) of clause 4.4.3 (A) states <i>"the total coverage and FAR permissible in any plot category, shall not be less than that permissible and available to the largest plot in the next lower category."</i></p> <p>The prevalent law therefore allows availing the entitlements of only <u>ONE</u> preceding category, if so required. However this is insufficient.</p> <p>Example-F.A.R. permissible on plot size of 1100 sq. mtrs. is less than the F.A.R. permissible on plot size of 750 sq. mtrs., even after availing the highest FAR in the immediate preceding category (i.e 750-1000sq mtr.). It defies logic. The restriction defeats the very logic of allowing entitlements of a lower category. The words <i>"the next"</i> should be replaced by <i>"any"</i>.</p> <p>Similar restriction for setbacks in sub clause X (a) of provision 4.4.3(A) needs to be amended.</p> |
| 6. | Building height should be measured from the higher of the two- the abutting road or the abutting service lane.                                     | In most residential colonies the service lanes are often higher than the roads on which the properties abut. In such a case, the plinth level stays lower than the service lane and the sewage and rainwater often spills into the stilts floor during monsoons. This needs to be checked.  |
| 7. | The Height of the Stilts Floor should be excluded from the total permissible height of 15 mtrs.  | <p>Clear/usable ceiling height of habitable floors above the stilts floor would be respectable, which currently have to be restricted to under 3 mtrs.</p> <p>This will also enable residential building to go Green, as terrace gardens, internal false ceilings, central air-conditioning etc. would be possible and overall better living standards could be achieved.</p>   |

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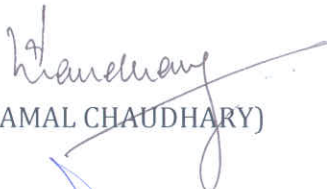
OTHER SUGGESTED ACTIONS-

1. In plots of size 500 -1500 sq.mtrs. (those abutting 24mtr wide roads) and in all plots over 1501 sq.mtrs, the permissible number of Dwelling Units as on date is less than what was permissible under MPD – 2001. It is because of the restriction put in place by the Hon'ble Supreme Court on 14/03/2008 in WP (Civil) no- 4667/85.

Thus in effect, footnote number 5 under the F.A.R. table in para 4.4.3 (A) of MPD-2021 which states- "Permissible FAR and Dwelling Units shall not be less than MPD-2001 norms" -stands **injunction/stayed**. It has clearly left the plot owners of the subject categories poorer.

The Ministry of Urban Development has till date not taken any steps to have this fact brought to the knowledge of the Hon'ble Court so as to get it modified. It is suggested that the Ministry may kindly take the initiative rather than expecting ordinary citizens to fend for themselves and engage in expensive litigations.

2. The National Monuments Authority (NMA), formed under the Ancient Monuments and Archaeological Sites and Remains Act, 1958 is restricting the height of buildings that come within 300 mtrs of any protected monument to a maximum of 15mtrs., thereby not allowing the affected property owners to construct mummy/ water tank/ machine room etc., which are otherwise basic permissible necessities and are not counted in height calculations under the current building bye-laws. This restriction is devoid of any merit. The Ministry of Urban Development must liaise with the Ministry of Culture and/or the NMA to have this anomaly removed.

  
(KAMAL CHAUDHARY)

  
(RAJAN RICHARDS)