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सरस्वती गार्डन वेलफेयर एसोसिएशन (पंजी०)
SARASWATI GARDEN WELFARE ASSOCIATION (Regd.)
(MEMBER-DELHI GOVT'S BHAGIDARI TEAM)

A-41, Saraswati Garden,
P.O. Ramesh Nagar,
New Delhi - 110015
Tel.: 25442424

Ref. SG/.S.K.T.....

OFFICE OF THE DIR (Plg.)
MPR/TC, D.D. & H. DELHI-2
Dy.No. 2170
Dated 27/4/12

Dated.....

15
27/4/12

April 26, 2012

✓ **The Director (Plg.) MPR,**
Delhi Development Authority
6th floor, Vikas Minar, I. P. Estate
New Delhi-110002

Subject :- SUGGESTIONS FOR REVIEW OF MASTER PLAN DELHI-2021.

Sir,

1. The Ministry of Development Govt. of India wide its notification dated 12/8/2008 and public notice of MCD made certain amendments in Master Plan for Delhi 2021 (copy attached) including regularization of projection/chajjas/covered chajjas buildup portion before 7/2/2007 up to one meter above 3mtrs height above ground level for plot size upto 175sqm on roads below 24mts. As per notification covered built up portion on projection/chajjas were to be included in FAR whereas projection/chajjas having no built up portion/open to Air are also being included in FAR while regularizing the old constructions. **You will appreciate that both open to air and build up projection can not be kept in the same category. In case both of these open & covered to be kept on the same level then what was the need to mention this as Projection/Chajjas/Built up portion separately in the notification.** It is clearly mention that built up portion on Projections/ Chajjas and therefore only built up portion is to be added in FAR and not uncovered/open to air. This needs to be clarified by MCD/DDA. This will help the house owners desirous to get their old construction regularized.
2. The built up portion on projections/Chajjas as per the above notifications is to be added in FAR on which it exists is justified and acceptable whereas MCD also add the same area in Ground Floor's FAR where there is no construction under the projections which is neither right or justified this should also needs to be clarified to MCD by DDA. Open to Air projections/Chajjas should not be added to FAR.
3. Fire Clearance is required from the different authority which causes delays and harassment to the people. Height of the projections up to 3mts from the ground level can also be verified with the other details by the building department of the MCD. This condition should be removed in case of residential buildings. Even otherwise as per Delhi fire service act 2007 NOC from this department is not required for the buildings where height of ground floor is more than 3mts from the ground level and fire department issues the certificates that no NOC is required. See annexure-A

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27/4

ADP/ST

सरस्वती गार्डन वेलफेयर एसोसिएशन (पंजी०)
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Dated.....

4. Another important issue is to allow one meter wide projections/chajjas (open to air) to new constructions as **these had already been allowed for regularization in case of old constructions prior to 07/02/2007 which means these are acceptable in principal.** You will agreed that if 9 out of 10 chajjas in existence can be regularized and the 10th house is not allowed for this, it will not only look odd but also will defiantly create discrimination. It is therefore requested that necessary amendment is MPD-2021 be made for allowing one meter wide projection/chajjas (open to air) in new constructions also to give relief to the people of Delhi without adding this in FAR.
5. Regularization charges of old constructions are very high. For an old construction the charges come to more than 2 lacs and this the reason the owners prefer to make additions without getting the plan sanctioned and their constructions regularized by adopting unfair means. System should also be made simple to eliminate the corruption.
6. FAR in Delhi should be increased and number of storeys should also be increased. Area of set back should also be decreased and stair case should be allowed in the set back keeping in view the acute shortage of land and its increasing prices.
7. The owners of sub-divided plots and different floor should be permitted for getting their portions regularized and additions separately/individually without depending on the owner of the ground and other floors as it is very difficult to buy the entire house in city like Delhi keeping the high costs.

We enclose herewith the copies of certain letters written to Hon'ble Chief Minister, leader of house in MCD and Dr. Harshvardhan, member DDA for your reference.

It will be a great relief to the people of Delhi if the above suggestions are accepted.

Thanking you

Yours sincerely
For Saraswati Garden welfare Assn. (Regd.)

Encls : 10 (Ten)

(S. K. Talwar)
(S. K. Talwar)
President

- C. C. :- 1. Hon'ble Chief Minister Delhi
2. Dr. Vijay Kumar Malhotra, leader of Opposition Delhi Vidhan Sabha.
3. Dr. Harshvardhan, member DDA
4. Shri Kamalnath, Hon'ble Minister of Urban Development, Govt of India.

माननीय अध्यक्ष महोदय,

मैं एक अत्यन्त महत्वपूर्ण विषय 280 नियम के अन्तर्गत सदन में उठाना चाहता हूँ।

12 अगस्त 2008 को केन्द्रीय शहरी विकास मंत्रालय ने एक विज्ञप्ति द्वारा 7/2/2007 से पूर्व निर्मित मकानों के बाहर सड़क पर उपर से खुले छज्जों (Projection outside of the houses-open to air) को नियमित करने हेतु संशोधन किया था। इसके अतिरिक्त कवर्ड छज्जों के क्षेत्रफल को FAR में जोड़कर को भी नियमित करने का संशोधन किया गया था। इस तरह सिद्धांत रूप में मकानों के बाहर छज्जों को मान्यता दे दी गई। परन्तु यह मान्यता केवल मास्टर प्लान 2021 के लागू होने के पहले 7/2/2007 से पूर्व बने मकानों में दी गई। दिल्ली में अधिकतर मकान बन चुके हैं अब यदि एक ही लाईन में 10 में से 9 पुराने मकानों में यह मान्यता दे दी गई परन्तु यदि दसवां नया मकान बन रहा है तो उसमें छज्जा बनाने की अनुमति नहीं है। इस प्रकार उसी लाईन में बने दसवां नया मकान बिना छज्जे के अटपटा लगेगा तथा यह भेदभावपूर्ण भी होगा। जब 9 मकानों में छज्जों को नियमित कर दिया गया तो दसवें नये मकान में भी अनुमति दी जानी चाहिए।

मेरा अनुरोध है कि यह सदन व्यापक जनहित को ध्यान में रखकर डी डी ए तथा केन्द्रीय शहरी विकास मंत्रालय को सभी मकानों में जो 24 मीटर तक चौड़ी सड़कों पर हैं एक मीटर चौड़े छज्जों के निर्माण की अनुमति प्रदान करने की सिफारिश करें जैसा कि 7/2/2007 से संशोधन द्वारा दी गई है। इससे दिल्ली की जनता की कठिनाई दूर करके भारी राहत मिलेगी।

(सुभाष सचदेवा)

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शहरी विकास विभाग
दिल्ली सरकार
विधानसभा अतारांकित प्रश्न संख्या 255
दिनांक : 13/01/2012
विधायक का नाम : श्री सुभाष सचदेवा

क्या स्वास्थ्य मन्त्री यह बताने की कृपा करेंगे कि :

प्रश्न

- क. क्या 07.02.2007 से पूर्व बने एक मीटर चौड़े छज्जों सहित निर्माणों को नियमित करने की अवधि बढ़ाई जाएगी,
- ख. यदि हां, तो कितनी अवधि के लिए,
- ग. क्या नए निर्माणों में भी एक मीटर चौड़े छज्जों (Open to air) की अनुमति देने का विचार किया जा रहा है,
- घ. क्या यह सत्य है कि आपातकालीन में तात्कालीन प्रधानमंत्री श्रीमती इंदिरा गांधी के निर्देशानुसार एक मीटर चौड़े तथा नए दोनों की अनुमति दी गई थी,
- ड. इस अनुमति को मास्टर प्लान बनाते समय उसमें क्यों नहीं शामिल किया गया, और
- च. क्या सरकार दिल्ली के लाखों मकान मालिकों को राहत दिलाएगी ?

उत्तर

क. से ड. तक

दिल्ली मुख्य योजना 2021 में पैरा 4.4.3 (XVII) की अधिसूचना के अनुसार एक मीटर चौड़े छज्जों के निर्माण के बारे में संशोधन किया गया है।
(संलग्न अधिसूचना 'क')

च उपरोक्तानुसार।

अधिसूचना 12.08.2008 से संशोधन

मास्टर -2021का खंड सं०	संशोधन
4.4.3 के खंड (xvii)	<p>इस शर्त के स्थान पर निम्नलिखित को प्रतिस्थापित किया:</p> <p>(xvii) निम्नलिखित को छोड़कर सार्वजनिक भूमि पर अतिक्रमण को नियमित नहीं किया जाएगा और उसे अतिरिक्त निर्माण अथवा ऊंचाई के नियमन हेतु स्थानीय निकाय की स्वीकृति से पूर्व हटा दिया जाएगा:-</p> <p>"(क) अनियोजित क्षेत्रों (विशेष क्षेत्र, गांव आबादी और अनधिकृत नियमित कालोनियों सहित) और पुनर्वास कालोनियों में 1962 से पूर्व की कालोनियों (क तथा ख श्रेणी को छोड़कर) में 24 मीटर मार्गाधिकार से कम की सड़कों पर 175 वर्ग मी० तक के प्लाटों के लिए भू-सतह से 3 मीटर की ऊंचाई से ऊपर 1 मीटर तक के 7.2.2007 से पूर्व मौजूद प्रोजेक्सन/छज्जा/कवर्ड छज्जा निर्मित भाग को नियमित किया जाएगा। भूस्वामियों/कब्जाधारकों को सरकार द्वारा यथा अधिसूचित यथोचित समयावधि में संरचना सुरक्षा संबंधी प्रमाण पत्र और अग्नि सुरक्षा संबंधी मंजूरी लेनी होगी। इस प्रकार के प्रोजेक्सन/निर्मित भाग को एफएआर में लिया जाएगा और अनुमत्य एफएआर से अधिक और अतिरिक्त एफएआर के मामले में ऐसे आधिक्य एफएआर को सरकार द्वारा यथा अनुमोदित प्रभार का भुगतान करने की शर्त पर नियमित किया जाएगा।</p> <p>(ख) अधिसूचना की तारीख के दो माह के भीतर संबंधित स्थानीय निकाय नियमितीकरण के लिए पात्र ऐसे सभी प्रोजेक्सनों के संबंध में एक सर्वेक्षण करेगा और इनकी सूची को सार्वजनिक रखेगा ताकि कब्जाधारक/ भूस्वामी और जनता का कोई भी व्यक्ति ऐसे प्रोजेक्सनों को सूची में शामिल करने/शामिल न करने के संबंध में अपनी आपत्तियां रख सके और लिखित में प्राप्त ऐसी आपत्तियों पर विचार करके एक माह के भीतर सूची को अंतिम रूप देगा।"</p>
5.4 - खंड	(ग) होस्टल के विकास नियंत्रण मानकों को अनुलग्नक-"ख" के अनुसार प्रतिस्थापित किया जाएगा।
5.3 के (V)	<p>इस नोट के स्थान पर निम्नलिखित को प्रतिस्थापित किया जाएगा:-</p> <p>"V. औद्योगिक परिसरों में बैंक्वेट हॉल की अनुमति होगी जो सरकार द्वारा समय-समय पर यथा निर्धारित परिवर्तन प्रभारों सहित निर्धारित किए जाने वाले विनिर्देशनों/ विनियमों के अधीन होगी।"</p>

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6.	97	स त
7.	97	स
8.	113	उ वे व र
9.	114	स

एस. जयपाल रेड्डी
S. Jaipal Reddy



मन्त्री
शहरी विकास
भारत सरकार
MINISTER OF
URBAN DEVELOPMENT
GOVERNMENT OF INDIA

D.O. No. J-13036/21/2010-DD.IB-301
Dated the November, 2010
15, Dec.

Dear Shri Subhash Arya ji,

Please refer to your letter No. 48/L.O.H./2010 dated 24.02.2010 and No.262/L.O.H./2010 dated 10.02.2010 forwarding therewith representation of Saraswati Garden Welfare Association (Regd.) regarding allowing one metre wide project/Chhajas (Open to Air) to new constructions.

I have got the matter examined in consultation with DDA. DDA has not supported the request of Saraswati Garden Welfare Association for allowing one metre wide projection/Chhajas (Open to Air) to new constructions considering the provisions of Master Plan as well as procedure adopted while finalizing the Master Plan.

With regards,

Shri Subhash Arya
Leader of House
Municipal Corporation Delhi
Town Hall
Delhi.

Yours sincerely,

(S. Jaipal Reddy)



Subhash Arya
Leader of House

No. 48 / L.O.H / 2010

Dt. 24/2/10

Hon'ble Sh. Jaipal Reddy Ji,
Minister for Urban Development,
Govt. of India,
Delhi

Respected Sir,

Kindly find enclosed herewith the representations of Sarswati Garden Welfare Association(Regd.) regarding allowing one metre wide projection/Chhajas(Open to Air) in new constructions.

Hon'ble Minister, You will be agree with me that if some of the houses are permitted to project the Chhaja and others are restricted, this will definitely create discrimination and will look odd..

It is, therefore, requested that the necessary amendment in MPD-2021 be made for allowing one meter wide projection/Chhajas(Open to Air) in new constructions also.

With regards,

Yours faithfully

(Subhash Arya)

(Subhash Arya)

Copy to : Sh. S.K. Talwar, for information please.

A-41, Sarswati Gdn.

P.O. Ramesh Nagar
Delhi-15

Residence : J-7/53-A, Rajouri Garden, New Delhi-110027 Phone : 25166666, 25167777
Office : Town Hall, Chandi Chowk, Delhi-110006 Phone : 23960188 Fax : 23982068

Hnnnn 'B'

OFFICE OF THE CHIEF MINISTER : DELHI
(PUBLIC GRIEVANCES CELL)
DELHI SECRETARIAT, NEW DELHI-110002

No : CMO/PGC(E)/2010/168538

Dated : 08-07-2010

To

P.S.to

Hon'ble M/o Urban Development, Govt. of India
Nirman Bhawan, New Delhi

Subject: Subh Regulrization of old conostructions prior to the introduction of master plan for Delhi-2021

Dear Sir,

I am directed to forward herewith a representation in original recieved from Shri./Smt./Ms. sushil talwar, dated 06/07/2010, on the subject cited above for further necessary action.

Yours sincerely,

(Varun Kapoor)

Dy.Secretary(Grievances)

Email : osdcmpg@hub.nic.in

Dated : 08-07-2010

No : CMO/PGC(E)/2010/168538

Copy to Shri./Smt./Ms. sushil talwar, A-41 Sarawati Garden P.O.I Ramesh nagar, ND dated 06/07/2010. With the request to contact the above department for redressal of his/her grievances/requests.

(Varun Kapoor)

Dy.Secretary(Grievances)

Email : osdcmpg@hub.nic.in

प्रमुख
मुख्यमन्त्रा कार्यालय दिल्ली सरकार
उपनिवालय दिल्ली- 110002



123

B

सरस्वती गार्डन वेलफेयर एसोसिएशन (पंजी०)
SARASWATI GARDEN WELFARE ASSOCIATION (Regd.)
(MEMBER-DELHI GOVT.'S BHAGIDARI TEAM)

A-41, Saraswati Garden,
P.O. Ramesh Nagar,
New Delhi - 110015
Tel.: 25442424

Ref. SG/S.K.T.....

Dated February 27, 2012

Respected Smt Shiela Dixit Ji,

Subject: **REGULARIZATION OF OLD CONSTRUCTIONS PRIOR TO THE INTRODUCTION OF MPD-2021 AND NEW AMENDMENT.**

Sir,

1. The Ministry of Development Govt. of India wide its notification dated 12/8/2008 and public notice of MCD made certain amendments in Master Plan for Delhi 2021 (copy attached) including regularization of projection/chajjas/covered chajjas buildup portion before 7/2/2007 up to one meter above 3mtrs height above ground level for plot size upto 175sqm on roads below 24mts. As per notification covered built up portion on projection/chajjas were to be included in FAR whereas projection/chajjas having no built up portion/open to Air are also being included in FAR while regularizing the old constructions. You will appreciate that both open to air and build up projection can not be kept in the same category. In case both of these open & covered to be kept on the same level then what was the need to mention this as Projection/Chajjas/Built up portion separately in the notification. It is clearly mention that built up portion on Projections/ Chajjas and therefore only built up portion is to be added in FAR and not uncovered/open to air. This needs to be clarified to MCD. This will help the house owners desirous to get their old construction regularized.
2. The built up portion on projections/Chajjas as per the above notifications is to be added in FAR on which it exists is justified and acceptable whereas MCD also add the same area in Ground Floor's FAR where there is no construction under the projections which is neither right or justified this should also needs to be clarified to MCD.
3. Fire Clearance is required from the different authority which causes delays and harassment to the people. Height of the projections up to 3mts from the ground level can also be verified with the other details by the building department of the MCD. This condition should be removed in case of residential buildings.
4. Another important issues is to allow one meter wide projections/chajjas (open to air) to new constructions as these had already been allowed for regularization in case of old constructions prior to 07/02/2007 which means these are acceptable in principal. You will agreed that if 9 out of 10 chajjas in existence can be regularized and the 10th house is not allowed for this, it will not only look odd but also will defiantly create discrimination. It is therefore requested that necessary amendment is MPD-2021 be made for allowing one meter wide projection/chajjas (open to air) in new constructions also to give relief to the people of Delhi.

Thanking & Regards,

S. K. Talwar

(S. K. Talwar)
President,

Saraswati Garden Welfare Association

Smt Sheila Dixit Ji
Hon'ble Chief Minister, Delhi



MUNICIPAL CORPORATION OF DELHI

PUBLIC NOTICE

THE MINISTRY OF URBAN DEVELOPMENT, (DELHI DIVISION) GOVERNMENT OF INDIA VIDE ITS NOTIFICATION DATED THE 12TH AUGUST 2008 HAS MADE CERTAIN MODIFICATIONS IN THE MASTER PLAN FOR DELHI-2021. BY VIRTUE OF THESE AMENDMENTS, SOME MORE ACTIVITIES ARE PERMISSIBLE UNDER MIXED LAND USE REGULATIONS. DETAILS OF THE SAME ARE AS UNDER:

ANNEXURE-A

This condition shall be substituted by the following:-

“(xvii) Encroachment on public land shall not be regularized and shall be removed before the local body grants sanction for regularization of additional construction or height except the following:-

(a) Projections/chajjas/ covered chajjas built up portion which existed before 7.2.2007 upto 1 m above 3 m height from the ground level shall be regularized for plot size upto 175 sqm on roads below 24m ROW in pre-1962 colonies (except for A & B category), in unplanned areas (including special area, village abadi and unauthorized-regularized colonies) and re-settlement colonies. The owners/occupiers shall have to obtain structural safety certificate and fire clearance within a reasonable period of time as notified by the Government. Such projections/built up portion thereon shall be counted in FAR and in case of excess FAR over and above permissible FAR, such FAR in excess shall be regularized subject to payment of appropriate charges as approved by the Government.

(b) The local body concerned shall carry out a survey within a period of two months from the date of notification of all such projections eligible to be regularized and put such list in public domain for objections from the occupiers/owners and any person of the public against inclusion/exclusion of such projection in the list and the list thereafter will be finalized within a period of one month after considering such objections received in writing.”

The Development Control Norms of (c) Hotels shall be substituted as per Annexure B.

This Note shall be substituted by the following

“v. Banquet hall shall be permissible in industrial premises subject to specifications/regulations as may be prescribed, along with conversion charges as prescribed by the Government from time to time.”

This note shall be substituted by the following

“vi. Industrial units/plots abutting roads of 24 m ROW and above shall be eligible for conversion to commercial use within the existing development control norms, subject to payment of conversion charges as prescribed by the Government from time to time, and cost of parking as decided by Government from time to time. The activities permissible in local shopping centres will be permitted in such plots. In addition, multilevel parking shall be permissible activity. However, this shall not be permitted on non-conforming/regularized industrial cluster. The above provision shall not affect the Supreme Court orders in any way.”

This clause shall be substituted by the following:-

“vii. Maximum 10 FAR permissible for non-inflammable, non-hazardous commercial activities subject to payment of conversion charges/levies, as prescribed by the Government from time to time.”

SI No. 6 Page No. 57 Para/Cause No. of MPD-2021

SI No. 14 under Table 12.2

In this SI.No. under the Heading ‘Activity permitted’, after Indoor Games Hall, “Swimming Pool” shall be added.

Below this table, the following foot note shall be added:-

“Note 1: Physical training with equipment is permitted activity in the Indoor Games Halls”.

This clarification shall be substituted by the following:

“Other Activity” restricted to guest houses, nursing homes and primary schools, as defined in para 15.7.1, subject to conditions contained in para 15.7, in plots abutting roads of minimum 18m ROW in regular plotted development, since these activities are in the nature of ‘Public and Semi Public’ facilities. New banks, fitness centres, wellness centres and NGOs will not be permissible. Banks which existed as on 7.9.2006, fitness centres, wellness centres and NGOs which existed as on 7.2.2007, (as defined in para 15.7.1), in accordance with notifications issued in this regard from time to time, and are on plots abutting roads of minimum 18 m ROW, on the date of notification, shall however, continue.”

This shall be substituted by the following:-

“Only professional activity, small shops in terms of para 15.6.3 and tuition centres for school children only shall be permissible. Retail shops specifically provided for in the lay out plan of group housing and activities permitted in group housing under para 15.4(ii) would be permissible.”

This Clause shall be modified to read as under:-

“(ii) Where more than 50% of the plots in a stretch street, are having shops/offices and other activities permitted in Local Shopping Centres on ground floor, such streets/stretches shall be eligible for notification as mixed use street”.

After this clause, the following note shall be added:-

“Note-1

The local body shall carry out a survey in those streets/roads in urban villages and regularized-unauthorized colonies not surveyed pursuant to the provisions of MPD-2021 notified on 7.2.2007, within a period of three months of this Notification.”

After the sentence “Only —permissible”, the following shall be added:-

“However, the entire ground floor of DDA flats on mixed use/ commercial use area/stretches/roads is allowed for mixed use/ commercial use. No amalgamation of two or more DDA flats shall be allowed.”

SI No. 13 Page No. 115 Para No. 1

The Heading of this sub para shall be modified to read as “Retail Shops and Offices”.

SI No. 13 Page No. 115 Para No. 1

These clauses shall be modified to read as under

“(i) Retail shops and Offices shall be permitted on plots abutting streets notified for mixed use only on the ground floor upto the maximum permissible ground floor coverage.

(ii) Mixed use from basement on such streets may be allowed, subject to relevant provisions of building bye-laws, structural safety and fire safety clearance. However, if such use of basement leads to exceeding the permissible FAR on the plot, such FAR in excess shall be used, subject to payment of appropriate charges prescribed with the approval of Government. Paras 15.3.2.1, 15.3.2.2, 15.3.2.3, 15.3.3(i) and 15.4 and any other relevant provisions shall be read along with the above provisions.”

The opening phrase of this sub para shall be modified to read as under:-

“Small shops of maximum 20 sqm area each, restricted to maximum permissible number of DU's in the plot or four numbers, whichever is less, trading in or dealing with the following specified 24 items/activities are allowed on ground floor only in residential plot, excluding A & B category of colonies. However, small shops of maximum 20 sqm area each, restricted to maximum permissible number of dwelling units in the plot or four in number, whichever is less, trading in or dealing with specified items/activities existing as on 7.2.2007 may continue on ground floor only in a residential plot in A & B category of colonies but in future only one small shop of 20 sqm area shall be allowed on ground floor in a residential plot in A & B category of colonies.”

SI No. 16 Page No. 116 Para No. 1

Clause b(i) of sub para 12.2

After this Clause, the following shall be added:-

“(iii. Wellness Centers including Day Spas/Weight Loss Centres/ Ayurvedic Centres offering Ayurvedic treatment/Salons offering fitness & aesthetic medical services and operating as on 7.2.2007.”

SI No. 17 Page No. 117 Para No. 1

Clause (d) of sub para 12.2

At the end of this Clause, the following shall be added:-

“as existed on 7.2.2007.”

After this Clause, the following shall be added:-

“(g) Non-profit making Non-Governmental Organizations (NGOs) existing as on 7.2.2007 and registered as such under Section 12A read with Section 12AA(1) (b) of the Income Tax Act, 1961.”

SI No. 17 Page No. 117 Para No. 1

Clause (d) of sub para 12.2

At the end of this sub para, the following note shall be added:-

“Note: Coaching centres/tuition centres shall also be allowed to operate on a minimum ROW of 9 m unless lesser ROW is specified, in all colonies planned and developed prior to 1962 including A and B category colonies.”

SI No. 17 Page No. 117 Para No. 1

Clause (d) of sub para 12.2

In the Note with * mark, the words ‘and fitness centers’ shall be deleted.

The opening phrase of this sub-para shall be modified as under:-
"The above mentioned public and semi-public activities shall be subject to the following overriding conditions on the general conditions prescribed in preceding paras."

This Clause shall be substituted by the following:-

"Banks shall be permissible on maximum 2/3rd of FAR subject to 600 sqm while guest house, nursing homes, Wellness Centers including Day Spas/Weight Loss Centres/Ayurvedic Centres offering Ayurvedic treatment/ Salons offering fitness & aesthetic medical services will be permissible upto 3/4th of the floor area."

In this Clause, between the words "clinics" and "and", the following shall be inserted:-

"Wellness Centers including Day Spas/Weight Loss Centres/Ayurvedic Centres offering Ayurvedic treatment/Salons offering fitness & aesthetic medical services."

In this Clause, between the words "Nursing Homes" and "operating", the following shall be inserted:-

"Wellness Centers including Day Spas/Weight Loss Centres/Ayurvedic Centres offering Ayurvedic treatment/Salons offering fitness & aesthetic medical services."

This Clause shall be substituted by the following:-

"Pre-primary school (other than those on plots abutting commercial streets) shall be restricted only to the ground floor upto the permissible ground coverage

Fitness Centre (Including Gymnasium, Yoga/Meditation Centre), (other than those on plots abutting commercial streets) is permitted on all floors. It is also permitted in the basement subject to relevant provisions of Building Bye Laws, structural safety norms and fire safety clearance. In case the use of basement leads to exceeding the permissible FAR on the plot, such FAR in excess shall be used subject to payment of appropriate charges prescribed with the approval of Government."

This Clause shall be modified to read as under:-

"Coaching centres and tuition centres referred to in para 15.7.1 (f) including computer coaching and language coaching centres shall be permissible up to 2/3rd of the maximum permissible FAR of the plot size subject to a maximum of 500 sqm built area and basement. There shall be no restriction on the size of the plot. Use of basement shall be subject to clearance from the fire authorities and other statutory bodies as per the relevant provisions of MPD 2021 and Unified Building Bye-Laws, 1983, amended from time to time. In case the use of basement for coaching centres and tuition centres including computer coaching and language coaching activity leads to exceeding the permissible FAR on the plot, such FAR in excess shall be used subject to payment of appropriate charges prescribed with the approval of Government. Other existing coaching/tuition centres may be allowed to continue till end of May, 2008 and shift to conforming locations by then.

The tuition centres for school children only, shall also be permissible in the ground floor dwelling of any group housing on a maximum floor area of 100 sqm or 50% of the floor area of the flat, whichever is less."

Clause (h) of Sub-para 15.7.1

After this Clause, the following Clause shall be added:-

"(x) NGOs as referred to in Clause (g) of Sub-para 15.7.1, if not registered as yet, should get themselves registered within one year from the date of Notification. Activities of NGOs will be allowed to continue only from that part of the premises which was in use as on 7.2.2007 without permitting any further increase subject to the condition that it is less than 3/4th of the floor area."

This sub para shall be modified to read as under:-

"Professional activity in basements is permissible in plotted development, subject to relevant provisions of Building Bye-Laws, structural safety norms and fire safety clearance. In case, the use of basement for professional activity leads to exceeding the permissible FAR on the plot, such FAR in excess shall be used subject to payment of appropriate charges prescribed with the approval of Government."

At the end of this Clause, the following shall be added:-

"For mixed use for the year 2006-07 and 2007-08, the property owner/allottee shall be allowed to pay one time registration charges and annual conversion charges without payment of any penalty under Clause 15.9 (v) for mixed use on or before 30.6.2009."

After this clause, the following clauses shall be added:-

"(vi) In respect of residential premises already under mixed use on 7.2.2007 in Special area, the owner/allottee/occupier of the plotted development shall be required to declare such mixed use by filling up a form in this respect and depositing it with local body concerned and pay one time registration charges and conversion charges without penalty on or before 30.6.2009 at the rate to be notified with the approval of the Government from time to time."

This Clause shall be modified to read as under:-

"(c) In E, F & G category colonies, where 80% of residential plots are under mixed use, or if there are 150 shops, within a contiguous area of 1 hectare, the Local Body shall carry out a survey in such areas within a period of three months from the date of this Notification."

At the end of this sub-para, the following note shall be added:-

"Note 1: The local body shall carry out a survey in those areas/streets/roads in urban villages and regularized-unauthorized colonies not surveyed pursuant to the provisions of MPD-2021 notified on 7.2.2007, within a period of three months of this notification."

This condition shall be modified to read as under:-

"iv. On notification of a commercial street/area under this clause, such streets/areas shall be considered as local shopping centres as mentioned in Chapter 5 of this Plan. The plot owners/allottees on these commercial streets/areas shall have to pay conversion charges as prescribed by the Government from time to time, in respect of the built up area which shall not exceed the residential development control norms applicable to the plot. This is a one-time facility for plot allottees/owners in such commercial areas/streets and shall not be construed as relaxation of the development control norms in future."

This condition shall be modified to read as under:-

"vii. Commercial activity in basement on such streets shall be permitted, subject to relevant provisions of building bye-laws, structural safety and fire safety clearance. However, if such use of basement leads to exceeding the permissible FAR on the plot, such FAR in excess shall be used subject to payment of appropriate charges prescribed with the approval of Government."

This Sub-para shall be modified to read as under:-

"3. Special Area Building Regulations shall be framed for special area, unauthorized regularized colonies and village abadis. Owners in special area, unauthorized regularized colonies and village abadi shall register themselves with the Local Body within the next six months. They will also submit a certificate of structural safety by qualified engineers. Owners/occupiers of properties beyond 15 m height, may bring the structure within prescribed height by 30th June, 2009. Till such time, no punitive action would be taken against these structures beyond 15 m height. Subsequent to this date, subject to height restriction of 15 m, all buildings covered by such registration shall be exempted from punitive action till Special Area Building Regulations for these areas are notified or maximum three years, whichever is earlier."

This Clause shall be modified to read as under:-

"Conversion charges/other levies as prescribed by the Government from time to time shall be payable wherever land use conversion is enabled at premise level by the Master Plan/Zonal Plan, Mixed Use Regulation and other Regulations."

This sub-clause shall be modified to read as under:-

"(v) Land use of village Abadi (Lal Dora/Tirni) located in any use zone is residential."

ANNEXURE-B

Use/use premises: (c) Hotels

Maximum Coverage (%): 40

FAR: 225%

Height (mts.): NR*

Parking Standards ECS/100 sqm of floor area: 3

Other controls: (i) Maximum 10% ground coverage shall be allowed providing atrium. In case, the permissible additional ground coverage in atrium is utilized, 25% of the utilized ground coverage shall be counted towards FAR

(ii) Maximum 20% of the FAR can be used for the Commercial Offices Retail & Service Shops

(iii) The enhanced FAR will be allowed subject to payment of charges to be prescribed notified by the Government

NR*-No restriction, subject to clearance from AAI, Delhi Fire Service and other statutory bodies.

FAR*- In respect of all hotels except those located in L&Z area, Civil Lines Bungalow Area and Hotels existing on heritage structures.

@- In respect of hotels where the building plans stand sanctioned prior to 27.1.2006, parking standard of 3 ECS for 100 sqm of floor area shall be applicable only for the additional FAR which will be availed consequent upon amendment to MPD 2021. In respect of hotels where the building plans have been sanctioned on or after 27.1.2006, the parking standard of 3 ECS for 100 sqm of floor area shall be applicable to the entire plot.

ALL CONCERNED MAY TAKE COGNIZANCE OF THIS NOTICE. FOR SEEKING ANY RELIEF AS PER THE MODIFICATIONS IN THE MASTER PLAN-2021, THEY ARE ADVISED TO CONTACT THE CONCERNED ZONAL DEPUTY COMMISSIONER/EXECUTIVE ENGINEER (BLDG.)

Sd/-

Additional Commissioner (Engg.)

For information about MCD log on to www.mcdonline.gov.in

Annex. 'A'

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
HEAD QUARTERS: DELHI FIRE SERVICE: NEW DELHI - 110 001

No. F 6 / DFS / MS / BP / 2011 / 1020

Dated: 20 / 03 / 2012

To,

The Executive Engineer (B)-1/WZ
Municipal Corporation of Delhi
West Zone, Vishal Enclave
New Delhi

Subject:- NOC in respect of P. No. :A-46, Saraswati Garden, New Delhi

Sir,

Please refer to your office letter no. EE(B)-1/WZ/12/D-1804 dated 6/03/2012 on subject cited above, in this regard this is to inform you that residential building comprised of Ground and first floor (6.38 meter) does not fall under the purview of Delhi Fire Service Act 2007 and Delhi Fire Service Rule 2010, hence NOC from this department is not required.

However, minimum fire safety measures as per NBC part-4 may be incorporated in interest of public safety.

Yours faithfully


Chief Fire Officer
Delhi Fire Service