



सत्यमेव जयते

राज निवास
दिल्ली-११००५४
RAJ NIWAS
DELHI-110054

Commr. (Plg.)-II
Dairy No. I-209
Date 30/11/2011

Director (Plg.) MPD-282
Dy. No. 1654
Date 30-11-11

OFFICE OF THE DIR (Plg.)
MPP/TC, D.D.A. N. DELHI-2
Dy.No. 1825 - 1825
Dated 26.12.11

402/20/mtd
30/11

May please find enclosed a D.O. letter dated 15 November, 2011 from Shri Sudesh Bhashin, Hon'ble Municipal Councillor and a member of DDA regarding development control norms for the notified Local Shopping Centres (LSCs)

2. The letter raises an important issue of equity whereby the properties located on streets notified for mixed use are permitted to avail the additional FAR permissible under MPD-2021 but the same is not available to about 80 centres developed prior to 1962 with shops on the ground floor and residences on the first floor.

3. It is further stated that the Technical Committee of DDA on 12.11.2010 decided that these centres will be eligible only for the "standard plan" FAR, which is below the additional FAR admissible under MPD 2021.

Hon'ble LG has considered the matter and desired that DDA may examine the same and put up an agenda item thereon, approved by him, at the next meeting of the Master Plan Review Committee.

(Rakesh Behari)
Principal Secretary to LG

Vice Chairman, DDA

U.O. No. 100 (3)/11/RM/1042/20436 Dated: 28 November, 2011

Copy to :

Dr. S.P. Bansal, Commissioner (Planning II), DDA, Vikas Minar, New Delhi

28/11/2011
(Rakesh Behari)
Principal Secretary to LG

30/11/11

MPD
19/11/11
MP-Meen Gauri A. of C/rep
OSD (Plg) in meeting
diff (MP)
A pertains to Review Committee
System report may be put up
30/11/11

सुदेश भसीन

निगम पार्षद

सदस्य : दिल्ली विकास प्राधिकरण



WZ-2099, रानी बाग,

दिल्ली-110034

दूरभाष : (O) 27031020

(R) 32968178

(M) 9810069116

E-mail : sudeshbhasin59@gmail.com

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10033

Honble Sh. Tajender Khanna Sahab,
Lt. Governor, of Delhi and
Chairman of DDA
Master Plan Section
Vikas Minar , New Delhi

39395
22/11

15/11/11

Suggestion for reviewing of MPD 2021./review of Tech. Committee decision item No 50/10 DT 12.11.10

S & PS to LG

Sub: Development control norms for notified LSCs. 4.4.3 new para to be added
Near RESIDENSIAL PLOT-PLOTTED HOUSING

Dear Sir,

This is our prime necessity to interfere the decision of the Tech. Committee of DDA in which in there 8th meeting vide item No. 50/10 took a decision without going into its detailed pros and cons. and ignoring the suggestions of Municipal Corporation of Delhi under which the Tech. Committee has indirectly ordered the Municipal Corporation of Delhi to demolish the old built structures without sanction on com. resi plots i.e. in all shopping centers of Delhi including 80 such centers which came into existence prior to 1962 and these additions carried on residential flats pertain to the period when these LSCs were under L&DO i.e. under Ministry of Urban Development and L&DO under decision of Cabinet transferred these to Municipal Corporation of Delhi in the year 2007.(copies of the minutes of MCD recommendations dt. 26.5.10 and Tech.Committee of DDA decision dt. 12.11.2010 are enclosed herewith)

10/11/11

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In that decision the tech. Committee has totally reversed the Dev. Control norms and has divided Delhi into 2 type of land one residential plots and the other com. residential plots and the permissible FAR in both differs. There is likely to be two parameters for Delhi one will get development code and norms for residential plots on the basis of MPD 2021 whereas the local shopping markets throughout in Delhi will continue to get standard plans FAR which is far below to the new protection given in MPD 2021. as per decision of Tech. Committee of DDA. If it is so its effect will fall maximum on pre 1962 developed LSCs, which were allotted against their claims to the refugees, migrated from Pakistan at the time of partition. The additions of covered area were done by them on its first floor above shops without permission. At that the L&DO under MOUD never objected nor any action for canceling their lease due to violation non compoundable was initiated against them and these encouraged them to carry such

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25/11/2011

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additions.

The reason for non allowing the additional FAR permissible under MPD 2007 according to Tech. Committee observation is merely Parking congestion and traffic violation which is no valid reason and has no relevancy with it. Whether the Tech. Committee on regularising the other residential plots has ordered to follow the Standard Plan norms due to parking problems and congestion where all such mixed land shops has even no provision of parking today whereas all these local shopping centers are well developed in planned areas and maximum have parking facilities etc. On this reason only the major part of Delhi i.e. all the local shopping centers residences came even prior to 1962 and after it cannot be made eligible for pull down. Hence for this category only the standard plan formula, which was applicable during the period from 1962 and 1990, has been made applicable for all LSCs land by the Tech. Committee decision. How the Govt. takes decision to go to reverse norms, at this stage?

Some of the immediate unaccountable losses and problems will adversely affect where due to violations in properties these cannot be made free hold nor will be sold out due to recent ban of POA instrument. The purchase of alternate flats at this stage will be beyond capacity due to high rise cost index. As soon as the Govt decision for non regularization of their houses and to remain on standard plan norms is published by the Govt as Public Notice, not only litigations / PIL will faced by the Govt but large scale of dharans and strikes will take place besides the criticisms in party meetings and parliament sessions and at that time the arbitrary decision taken will be taken back by the Govt. since it is neither practicable nor logic to implement . On the other hand the local bodies will face a major loss of finances which is to be recovered due to its conversion as well as regularization and parking fees etc.

All major decisions in which the interest of large number of community involved are taken prospectively after having completing all the formalities. The local bodies recommendations, corporators and the public opinion cannot be ignored as per rule which in this decision has been kept aside for the best reasons known to DDA who wish to divide the land under .two policies and two nature of decisions in one state.

In view of the details facts given above, the decision of the Tech. Committee of DDA needs to be reviewed and revoked. The protection of regularization of unauthorized constructions under MPD 2021 is applicable to all types of land either residential or com. residential and not restricted to particular categories of land which have come up upto 22.09.06 and are regulariseable as per norms of MPD 2021 in the interest of public.

Yours faithfully,

