

dirplg

From: suryark bhagat [suryarkb@yahoo.co.in]
Sent: 18 May 2012 18:42
To: dirplgmpr_tc@dda.org.in
Subject: Presentation For Sanction of Building Plans
Attachments: DDA VIKRAM VIHAR.pdf

Presentation For sanction of Building Plans in "A" TYPE BOUBLE STOREYED TENAMENTS , in
 Vikram Vihar and other 13 Colonies in all over delhi like New Rajinder Nagar , Malka Ganj and others.
 Encl. corraspondence between MCD & L&DO
 This matter is pending since last 6 Years
 Please look into the matter

With Regards
 On Behalf of Vikram Vihar Rasidents Association
 RAKESH KUMAR BHAGAT
 9810575690

Email secured by Check Point

Director (Plg.) MPR/TC,
 D.A. Vikas Minar N. DELHI-2
 City.No. 3344
 Dated: 23/5/12

J/mc
 23/5
 AD(P)DI

VIKRAM VIHAR RESIDENTS ASSOCIATION (REGD.)
SATSANG BHAWAN, VIKRAM VIHAR,
LAJPAT NAGAR-IV, NEW DELHI-110024.

To

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

Sub: PRESENTATION FOR INCLUSION OF "A" TYPE DOUBLE
STOREYED TENAMENTS IN VIKRAM VIHAR, LAJPAT
NAGAR-IV, NEW DELHI, AS PLOTTED HOUSING, FOR
SANCTION OF BUILDING PLANS.

Sir,

With reference to your recent advertisement published in newspapers regarding "Participation in the Future of Delhi-2021" and asking for suggestions in this respect, We, Vikram Vihar Residents Association (Regd.), would like to submit our presentation with the request to kindly allow the sanctioning of building plans in respect of "A" type double storeyed tenaments in Vikram Vihar, Lajpat Nagar-IV, New Delhi, for future developments.

Enclosed is our detailed presentation.

Thanking you.

Yours faithfully,
for VIKRAM VIHAR RESIDENT'S
ASSOCIATION

Dated:

Encl : Presentation.

(RAKESH KUMAR BHAGAT)
Cell: 9810575690

"A" TYPE DOUBLE STOREYED TENAMENTS IN VIKRAM VIHAR, LAJPAT NAGAR-IV, NEW DELHI.

These are pre-1962 Double Storeyed "A" Type Tenaments. Building Plans were sanctioned in respect of these properties upto 2004. Thereafter Layout Committee of MCD put Stay for sanction of building plans. Even after imposition of Stay by Layout Committee the Building Plans were being sanctioned in New Rajinder Nagar (having "A" Type Double Storeyed Tenaments) till 2007. In this context the Town Planning Office has the plea that the continuation of sanction of Building Plans in New Rajinder Nagar was due to fault of Zonal Office of M.C.D.

MPD-2021 shows converted these "A" Type Double Storey Tenaments as Plotted properties. In its latest correspondence, the MCD has demanded 6 clarifications from Ministry of Urban Development, out of which the Ministry of Urban Development has already clarified certain clarifications like if there is one Owner for Ground + First Floor Tenaments, and the property is also a Freehold one, then the sanction of Building Plans should be allowed with enhanced FAR under new building bye-laws and with additional Floor and in these plotted developments Standard Plan is not required.

It is not out of place to mention that almost 75% of the properties have already been re-constructed in these "A" Type Double Storey Tenaments after sanction of building plans by MCD. This means that restriction is imposed only on remaining 25% poor owners.

MUNICIPAL CORPORATION OF DELHI
TOWN PLANNING DEPARTMENT

NIGAM BHAWAN
KASHMERE GATE
DELHI- 110006.

No. P.P/4/13878/2

Dated: 02/11/2

To

The Land & Development Officer,
Land & Development Office,
Ministry of Urban Development,
Nirman Bhawan, New Delhi.

Sub: Sanction of building plans in respect of properties situated at Vikram Vihar/New Double Storey Tenement Category-A, Lajpat Nagar-IV New Delhi-110024.

Sir,

This office has received an representation from Vikram Vihar Residents Association, Lajpat Nagar-IV, New Delhi for treating the properties of "New Double Storey Tenement Category-A" as Residential Plots in accordance with the provision contained under Table 4.3 of MPD-2021 (copy enclosed) and allow development control norms as per MPD-2021 applicable for residential plots. Presently, the building plans in respect of these properties are being sanctioned by MCD on the basis of standard plans prepared by L & DO.

Since L&DO is the land owning agency and the lease deed/conveyance deed has been executed by L&DO for the properties w/r it is requested to examine the permissibility of development control norms applicable for residential plots as per MPD-2021 with respect to double storey tenements and communicate your comments for taking necessary action accordingly.

Encl: As above.

Yours faithfully


Chief Town Planner

Copy to:

Sh. B.R. Dawar, President,
Satsang Bhawan, Vikram Vihar,
Lajpat Nagar-IV, New Delhi-110024.

Table 4.3: Uses / Use Activities Permitted in Use Premises

Use Premises	Definition	Use/ Use Activities Permitted
* Residential Plot - Plotted Housing	A Premise for one or more than one dwelling unit and may have on it one main building block and one accessory block for garages and service personnel.	Residence, mixed use activity as per the Master Plan provisions/ Registered RWA/Society Office (50 sq.m.)
Residential Plot - Group Housing	A premise of size not less than 3000 sqm (2000 sqm. for Slum/ JJ rehabilitation) comprising of residential flats with basic amenities like parking, park, convenience shops, public utility etc.	Residential flat, mixed use activity as per the Master Plan provisions, retail shops of confectionery, grocery & general merchandise, books and stationery, Chemist, Barber, Laundry, Tailor, Vegetable Shop (On ground floor with an area up to 20 sqm. each). Community Room, Society office, Crèche / Day Care Centre, religious, Senior citizen recreation room, swimming pool.
Residential Flat	Residential accommodation for one family / household as part of group housing.	Residence, mixed use activity as per the Master Plan provisions.
Residential Premises Special Area	A residential premise in Special Area.	As per Special Area Regulations
Slum/ rehabilitation	Residential accommodation provided JJ as part of slum area resettlement/ rehabilitation	As per Slum Area Redevelopment Regulations
Foreign Mission	A Premise for the foreign mission.	Foreign Mission and related facilities / offices (with max. 25% of FAR for residential component)
Hostel	A premise in which residential accommodation in the form of rooms is provided, usually attached to an institution, with or without dining facility.	Hostel, Old Age Home, Watch and Ward Residence (20 sqm), Service Shops of Barber, Laundry, Soft Drink and Snack Stall (max. 20 sq.m. each)
Guest House Lodging & Boarding House	A premise providing temporary accommodation for short durations.	Guest Rooms, Watch and Ward Residence (20 sqm), Service Shops of Barber, Laundry, Soft Drink and Snack Stall (upto 20 sqm each)
Dharamshala its equivalent	A premise providing temporary accommodation or for short durations on no-profit basis.	Dharamshala, Service Personnel Shops of Barber & Laundry, Soft Drink & Snack Stall (upto 20 sqm each)
Rain Basera (Night Shelter)	A premise having the facility for providing the night accommodation to individuals without any charges or with token charges. It may run by local government or voluntary agencies.	Night Shelter and related facilities.
Farm House	A dwelling house on a farm.	Farm House, Watch and Ward Residence (up to 20 sqm)

* Pre 1962 plotted double storied flats shall be treated as Residential Plots.

* Bed and Breakfast accommodation may be a permissible activity in residential plot/ flat, if registered under the Scheme notified by Ministry of Tourism, GoI/ GNCTD from time to time.

4.4.3 CONTROL FOR BUILDING/BUILDINGS WITHIN RESIDENTIAL PREMISES

A. Residential Plot-Plotted Housing

Maximum ground coverage, FAR, number of dwelling units for different size of residential plots shall be as per the following table:

	Area of Plot (sq. m)	Max. Ground Coverage %	FAR	No. of DUs
1	Below 32	90*	350	3
2	Above 32 to 50	90*	350	3
3	Above 50 to 100	90*	350	4

Speed Post

Government of India
Ministry of Urban Development & Poverty Alleviation
Land & Development Office
Nirman Bhawan, New Delhi

No. L&DO/PS-II / 111
To,

Dated: 27-2-08

The Chief Town Planner, MCD
Town Planning Department
Nigam Bhawan, Kashmere Gate,
Delhi.

Sub: Sanction of Building plans in respect of properties situated at Vikram Vihar/New Double Storey Tenement, Category-A, Lajpat Nagar-IV, New Delhi- 110024

Sir,

This is reference to your letter No. TP/01/3878/7 dated 2-11-2007 on the above cited subject. As per MPD-2021, pre-1962 double storey flats are entitled to the development control norms as for residential plots under MPD-2021, Local body is competent to sanction building plans on such plots; accordingly, the L&DO has no role in sanctioning of the building plans, which are sanctioned plot wise and not floor wise.

Yours faithfully,



(A.K. Agarwal)

By, Land & Development Officer

Copy to

✓ President, Vikram Vihar Association Satsang, Bhawan, Vikram Vihar,
Lajpat Nagar-IV, New Delhi-110024

for provided
25.2.2008.

By, Land & Development Officer

Speed Post

No. L&DO/PS-II/2628/Dy. III / 958
Government of India
Ministry of Urban Development
Land & Development Office

Nirman Bhawan, New Delhi
Dated the December 26th, 08

To
The Chief Town Planner,
MCD, Town Hall,
Delhi

Sub:-Sanction of Building Plans in respect of properties situated at Vikram Vihar/New Double Storey Tenements Category-A, Lajpat Nagar-IV, New Delhi-24 regarding

Sir,
I am directed to refer to your letter No. D/ARCH/STD/2493 dated 10/7/2008 on the subject cited above and to convey that the matter has been examined by this office. Comments on the options proposed are as under:-

- (i) The Double Storey flats are government built properties. The owners/occupiers of Ground Floor and First Floor may or may not be different. The lease/conveyance documents are confined to the property built up by the Government and land underneath and sharing of rights between the two floor lessees. Any change in the built up area affecting the leased area/built up space will require amendment in the terms and conditions of lease/conveyance deeds.
- (ii) It is not clear that as to how the benefit of additional FAR/ Ground coverage will be assigned if the lessees/occupiers of both the floors are different. It may also be mentioned that the lease deeds provide that the leased land/building shall not be sub-divided. This aspect may also be examined by MCD.
- (iii) The issue of civic amenities may be looked into before finalizing the layout plan.

Handwritten signature

45/c
 13/11/08

- (iv) Regarding freehold plot, if the flats on ground floor and first floor on a plot have been converted into freehold and conveyance deed executed and duly registered, the unified building plan may be sanctioned for that plot with enhanced FAR. The standard plan will not be applicable in such cases. It is reiterated that freehold conversion has been done only for the leased area as indicated in the lease deed/conveyance deed and this may be kept in view while taking a decision on approving the building plans.

Yours faithfully,

(Signature)

(Surendra Singh)

Dy. Land & Development Officer

Tel. No. 23061325

Fax. No. 23061384

Copy to:-

(Signature)
 26/11/08

CA, CPWD.

(Signature)

Dy. Land & Development Officer

dc

OSy
 26/12/08
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 ISSUED

MUNICIPAL CORPORATION OF DELHI
TOWN PLANNING DEPARTMENT
 Nigam Bhawan, Kashmere Gate, Delhi 110006

No: TP/G/999/09

Dated: 13/03/09

To

The Land & Development Officer,
 L & DO Office,
 Ministry of Urban Development,
 Nirman Bhawan,
 New Delhi

Sub: Sanction of Building Plans in respect of properties situated at Vikram Vihar/New Delhi/Double Storey Tenements Category-A, Lajpat Nagar-IV, New Delhi-24 regarding.

Sir,

As per MPD-2021, Pre - 1962 double storied flats are entitled to the development control norms as applicable for residential plots. In this context, this office had sought comments from L&DO being the lesser of the flats. vide letter no. TP/G/3878/07 dated 2/11/07. In response Dy. L&DO vide letter no. L&DO/PS-II/111 dated 27/2/08 has informed that Local Body is competent to sanction building plans on such plots accordingly, and L&DO has no role in sanctioning of the building plans, which are sanctioned plot wise and not floorwise. Accordingly the Chief Architect's office MCD had prepared the revised the standard design for Vikram Vihar Double Storey 'A' type tenement Lajpat Nagar-IV and other various colonies of M.O.R Delhi/New Delhi. The said standard design inter-alia the letter of Dy. Land & Development Officer dated 26th December '08 received on 31/12/08 was discussed in the meeting of Layout Scrutiny Committee (LOSC) held on 21/01/09 vide item no.01/09 and the decision taken is reproduced as under :-

The case was discussed in view of L & DO letter received on 31.12.08 and it was decided that the matter be examined with respect to issues regarding ownership and the provisions of Master plan and the clarification If required from L & DO be spelt out clearly. Thereafter, it be referred to L & DO Min. of Urban Development for further necessary action.

In compliance to the above decision, the matter has been examined & following issues have been identified which require further clarification from L & DO.

1. As per the letter dated 26.12.08. of Dy. L & DO, any change in the built up area affecting leased area/built up will require amendment in the terms and conditions of lease / conveyance deeds. It needs clarification, whether the L & DO agrees to modify the same so that the enhanced FAR as per MPD-2021 could be made available to the owners.
2. The double storied flats were built by the L & DO as per standard design having common staircase for four flats. The L & DO may define the shape, size and area of plot including area of staircase that can be treated as single entity for the purpose of sanctioning of building plans.
3. In the case of different owners for GF & FF flats whether building plans can be sanctioned if both of them apply together.
4. Regarding enhanced FAR, applicant will pay the charges as per policy of Building Deptt. MCD.

FAX NO.

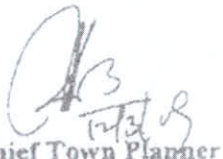
- 5. In the event of GF & FF flats have been converted into freehold whether these can be treated as freehold plot for the purpose of sanctioning of building plans.
- 6. The comments / observation of L & DO if any be provided on the standard design prepared by MCD & copies sent to L & DO by Chief Architect's office and whether the same be taken in order from L & DO's point of view.

Yours faithfully


 Chief Town Planner

Copy to: -

- 1. Sh. Ved Prakash Gupta, Deputy Leader of the House, MCD, 4/10 Jaidev Park, New Delhi with reference to your letter No. DLH/08/09/22 dt. 6/2/09.4
- 2. Additional Commissioner (Engg.) for kind information please.
- 3. Chief Architect MCD.


 Chief Town Planner

REMINDER-II

MUNICIPAL CORPORATION OF DELHI
TOWN PLANNING DEPARTMENT
Nigam Bhawan, Kashmere Gate, Delhi-110006

No: TP/G/2393/09

Dated: 22/06/09

To,
The Land & Development Officer,
L & DO, Office,
Ministry of Urban Development,
Nirman Bhawan,
New Delhi.

Sub: - Sanction of Building Plans in respect of properties situated at Vikram Vihar/New Double Storey Tenements Category-A, Laipat Nagar-IV, New Delhi-24.

Sir,
Your kind attention is drawn to this office letter No. TP/G/982/09 dated 13.03.09 and subsequent reminder dated 17.04.09 on the subject mentioned above (copies enclosed).

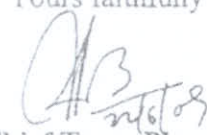
In the above context, in the absence of any clarifications from L&DO, MCD is not able to extend the benefit of MPD-2021 to the Pre-1962 plotted double storied flats in the form of residential plot. In view of the observations of L & DO in their letter dated 26.12.08 certain issues raised in the letter were replied and decision on the part of L & DO is awaited.

It is once again requested that issues may kindly be sorted out at the earliest since the residents of such built up tenements have been agitating for sanction of their plans as per MPD-2021 provisions. Hon'ble Mayor had also discussed the matter and may like to call for a meeting in the near future. As such, the matter may kindly be resolved at the earliest please.

- Awaiting an early response,

Encl: As above

Yours faithfully


Chief Town Planner

Copy for kind information: -

- 1) Secretary to Hon'ble Mayor, MCD, Town Hall.
- 2) Addl. Commissioner (Engg.), Town Hall.


Chief Town Planner

K.S. MEHRA

IAS

COMMISSIONER



MUNICIPAL CORPORATION OF DELHI

Dr. S.P. Mukherjee Civic Centre

New Delhi-110002

Phones: 011-23225401-02

D.O. NO. PSC/674/2011

Dated : 27.09.2011

Dear Dr. Krishna,

As per MPD-2021 pre-1962 double storey tenements are entitled to the development control norms as applicable for residential plots. On various representations received from Vikram Vihar Residents Association the matter was referred to the L&DO for its concurrence since these tenements were leased out by L&DO. Action in this regard can only be taken after L&DO gives its consent for implementing the provisions of Master Plan-2021 since L&DO is Lessor for such tenements. Freehold conversion is only for leased area as indicated by L&DO. On the subject matter the L&DO vide its letter dated 19/08/2009 conveyed as follows :

"You may not decide at your own that L&DO has no objection as we have already conveyed the concerns of L&DO, explaining the issues involved in the matter"

2. After receiving the said letter MCD vide various letters has requested the L&DO to take necessary action and convey the same to MCD. However the response from L&DO is still awaited. A meeting was also convened by the Chief Town Planner MCD to discuss the matter on 01/03/2011 wherein the representative of L&DO opined that these tenements cannot be treated as plots.

3. I shall be grateful if necessary directions could be issued to L&DO for considering the matter on priority and to send their reply as requested vide various letters of MCD to resolve the matter at an early date.

With Regard

Yours sincerely

K.S. Mehra

(K.S. MEHRA)

Dr. Sudhir Krishna
Secretary (UD)
Ministry of Urban Development
Government of India
Nirman Bhawan
New Delhi