

Legal A.D.

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RESIDENTS WELFARE ASSOCIATION KANJHAWALA रेजिडेन्ट्स वेलफेयर एसोशियसन कंझावला

Societies Registration Act (XXI) of 1860 Registration No. S/67832/2009

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Ref. No. RWAK/30

AC (PLG) MPPR

Dairy No. 651

Date 18/06/12

RAJ NIWAS, Delhi

Disty. 12/447

Dated 2/4

Date 30-3-2012

673/12
1005 To,

The Lt. Governor,
National Capital Territory of Delhi,

Raj Niwas, New Delhi

Commr. (Plg) - II
Despatch 4077
Date 18/6/12

Director (Plg.) MPR/TC,
D.D.A. Vikas Minar N. DELHI-2
Dy. No. 4067
Dated 2/2/12

Sub: Applicability of Building Regulation for Village
Abadies 2010 in Delhi

Your Excellency,

Director (Plg.) MPR/TC,
D.D.A. Vikas Minar N. DELHI-2
Dy. No. 4067
Dated 04-07-12

OFFICE OF THE DIR (Plg.)
MPR/TC, D.D.A. N. DELHI-2
Dy. No. 4067
Dated 22/6/12

May we invite your kind attention to Delhi Development Authority Notification No. 97(E) dated 17/01/2011, published in Gazette of India No. 87 which has come into force w.e.f. 17/01/2011 and has been made applicable to entire NCT Delhi. Your kind attention is also invited to the Report of Expert Committee on Lal Dora and Extended Lal Dora in Delhi submitted to Ministry of Urban Development in January 2007 by its Chairman, Sh. P.P. Shrivastava. This Expert Committee on Lal Dora (ECLD) had made certain recommendations for inclusion in the Draft Master Plan for Delhi-2021 (MPD-2021) but none of these has been included in the MPD-2021 or Zonal Development Plan for Zone-N of which our village Kanjhawala is a part. The few recommendations of ECLD are as under:-

- (A) Local Area Plans should aim at achieving a Judicious mix of residential, commercial and institutional spaces to ensure sustainable development of the village.

Consider carefully as a part of the on-going MPD-2021

Review process, viz. Lal Dora/Extended Lal Dora.

Plg II (Mr. SP. Bansal) 7th June 14.6.2012

*As discussed
Jmt 2/6
Pr. P. M. T.
Jmt 18/6
Dro (M. P. S.)*

- (B) Permit non-residential usages to serve the contemporary living and work requirements of villagers both as a stand-alone use on a plot or mix with residential use.
- (C) The entire range of offices, multinationals, corporate houses, call centres, IT related activities should be permitted.
- (D) Commercial activities like food, offices should be allowed liberally.
- (E) Earlier practice of allotment of plots to farmers whose land had been acquired should be resumed and care should be taken that plots are given in the neighborhood.

You will appreciate, Sir, that a large portion a land of this village has been acquired for Bawana Industrial Area Phase-2 and the Government has done nothing for rehabilitation of farmers whose land has been acquired. Since the Government has taken away from us our age-old traditional means of sustenance, it would be in the fitness of things to accept the above recommendation of ECLD for inclusion in MPD-2021 and Zonal Development Plan for Zone-N. The most disastrous norms of the Building Regulations made applicable to Lal Dora / Extended Lal Dora, with reasons why these are not feasible and practicable are explained hereunder.

- (1) Plots in the Extended Lal Dora are not bought out properties but are the ancestral property of the villagers. These have been allotted to Villagers in exchange for double their size from their agricultural land holdings. The Plots form part of our holdings in the revenue records Khata/Khatoni. These plots, therefore, can not be treated as indivisible single unit as they are divided when inherited by next of kin of a present owner.


- (2) Needs of rural and Urbanized Villages are different. While houses are constructed for present family living accommodation in urban areas, in rural areas we have to keep in mind the needs of living accommodation for the present joint family, future needs for divided families and also the present need for finding new means for our sustenance. In fact a father in rural area generally divides his property among his next generation during his life-time itself.
- (3) The fact that these plots are to be divided among next of kin of the present owner in due course of time, table showing area of plots, maximum ground coverage percentage, FAR etc. should not be applied to the plots in Lal Dora and Extended Lal Dora. The details in this table will go on changing from time to time and will differ from one family to another and one plot to another as per size and ownership of the plots. If applied, it will these norms will lead to wastage of a substantial part of plot by keeping it vacant and building constructed will have to be dismantled on sub division of the plots after the demise of the present owner.

The applicability of building regulations in toto will defeat the very purpose of extending the Lal Dora and will also go against the concept of living and work requirements of the villagers. In view of the foregoing, we most earnestly request you, Sir, to reconsider the matter in its entirety and make suitable amendments in the Building Regulations in so far as these relate to Lal Dora / Extended Lal Dora of rural Delhi. We shall, therefore, be grateful if the following amendments are made in the Building Regulations: -

- (a) Mix used in residential plots in Lal Dora/Extended Lal Dora in rural Delhi be allowed as recommended by ECLD.

- (b) Residential Plots in Lal Dora / Extended Lal Dora
should not be treated as a Single Non-Divisible
Unit but be considered as a divisible plot as per
ownership rights from time to time.
- (c) Percentage of maximum coverage area and FAR should
not be applicable to plots in Lal Dora / Extended
Lal Dora.

Thanking you, Sir, and looking forward to your sympathetic consideration and acceptance of our demands.


President
R.W.A. Kanjhawala
Delhi-110018
Reg. No. S/67832/2009