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अजय माकन
AJAY MAKEN



2232
D.O. No. 2034/CYA&9231/

राज्य मंत्री (स्वतंत्र प्रभार)

युवा कार्यक्रम एवं खेल

भारत सरकार

नई दिल्ली-110 115

MINISTER OF STATE (INDEPENDENT CHARGE)

FOR YOUTH AFFAIRS & SPORTS

GOVERNMENT OF INDIA

NEW DELHI-110 115

OFFICE OF UDM

Dy. No. 142

Date 12.1.12

PS to UDM

Respected

30 दिसम्बर 2011
DEC 2011

I am forwarding the letter dated 14.12.2011 of Shri Ajay Suri, President, New Rajinder Nagar Association, B-60 New Rajinder Nagar, New Delhi-110060 in which suggestions have been made to fix up parameters of unauthorized construction area in the properties in Delhi.

With best wishes,

Yours sincerely,

Ajay Maken
(Ajay Maken)

Shri Kamal Nath
Minister of Urban Development,
Govt. of India,
Nirman Bhawan,
New Delhi-110001

"Secy. (UD)"



NEW RAJINDER NAGAR ASSOCIATION (Regd.)

B-60, NEW RAJINDER NAGAR, NEW DELHI-110060

Phone : 2874 3460, 2874 2973

President

Shri Ajay Suri
Ph. : (R) 28743927
(M) : 9810055705

Working President

Shri Bharat Mitra
Ph. : 2874 4805
(M) : 98990 11501

Secretary General

Shri Deepak Baweja
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Shri Dinesh Malik
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Treasurer

Shri S.N. Vasudeva
Ph. : 2874 1087

Vice Presidents

Shri N. N. Tuli
Ph. : 2874 4816

Shri C.K. Chadha
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Shri R. P. Arora
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Shri Baldeep Singh
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Shri H. K. Mehta
Ph. : 5542 0402
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Ajay Suri
President

New Rajinder Nagar Association (Regd)
F-225, First Floor, New Rajinder Nagar
New Delhi - 110060
Tel: 28743460 Fax: 28742973

NRA.12M-004
Dated New Delhi 14.12.2011

Shri Kamal Nath

Hon'ble Minister of Urban Development
Government of India
Nirman Bhawan
Maulana Azad Road
New Delhi - 110011

Sub: **Determination of Parameters of Unauthorised Construction Area in Properties at Delhi to be levied under Penal Clause.**

Respected Sir,

It was in Master Plan of Delhi - 1962 that Residential Plots under Plotted Housing were categorized with proposed covered area of the size of the plot varying from 50 sq mtrs to 1000 sq mtrs, etc which were found inadequate over a period of time due to the rapid growth in population of Delhi since independence, a fact realized by late Shri Rajiv Gandhi, the then Hon'ble Prime Minister of India, who emphatically directed planners to revise building bye-laws to permit vertical construction on the existing properties, so as to cater the paramount need of property owners. However, it was not seriously taken up by the authorities concerned at that point of time.

As a consequence, property owners started the remodeling of their properties in an unauthorized manner to meet their immediate need of extra accommodation, followed by builders, who exploited this situation to the hilt, of course with the connivance of MCD officials, Police & Politicians of the area. Meanwhile government floated an amnesty scheme to regularize the unauthorized construction and imposed penalty charges to be recovered from the concerned property owners.

[Contd - 2]

Associated Residents Welfare Association :

S- BLOCK WELFARE ASSOCIATION (Regd.), Double Storey, New Rajinder Nagar, New Delhi - 110 060
Phone : 2874 3283



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The moot point now arises is to fix up the parameters for applying the penal clause for which the following points may kindly be considered favourably:-

1) With the approval of Master Plan Delhi - 2021 though belated the unauthorized area constructed within the provision made in MPD-2021 may be charged at normal rates which concurs the genuine need of the property owners.

2) The unauthorized area constructed beyond it but within the parameters of amnesty scheme floated by government may be charged at penal rate of Rs 450/- per sq mtr as suggested by Malhotra Committee and Property Owners have, to this effect, deposited crores with MCD under Escrow Head of Account during NDA regime. Whereas the rates as notified by MCD in public notice published in Hindustan Times dated 3rd October, 2007 (copy enclosed) are too exorbitant to be borne by middle/lower middle class people that constitute a majority of population residing in colonies in categories C to G areas who are already burdened with high cost of living occasioned by steep rise in prices and are finding it difficult to meet their both ends.

3) 80% of properties built by Ministry of Rehabilitation in rehabilitation colonies are on plots measuring 125 sq yds equivalents to 104.50 sq mtrs whereas the MPD 2021 provides amnesty upto 100 sq mtrs, an anomaly created by metrication. We, therefore, request that a revision of 5% be allowed on houses upto 100 sq mtrs instead of 2% on pro-rate basis as provided in the MPD 2021 to cover such houses.

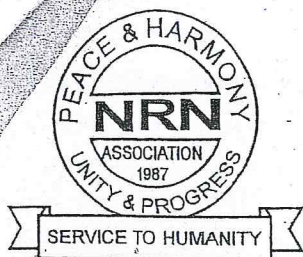
4) The Ministry of Urban Development vide notification No. S.O. 2034(E) Dt. 12.8.08 has also permitted projections/chajjas/covered chajjas built up portion constructed before 7.2.2007 upto 1 mtr on plot size upto 175 sq mtrs, subject to payment of appropriate charges as approved by the Government. We request that these projections should have been allowed upto 1.5 mtrs, which were being originally allowed by the MCD on payment of nominal charges, so that citizens do not have to face the hardship of reconstruction / demolition.

[Contd - 3]

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- 3 -

Sir, you have stated in one of your press interviews, that your ministry is going to review the entire MPD 2021, and remove the hardships of Delhi residents by looking at the practical aspect of the situation in Delhi, you have rekindled our hopes and we are sure under your dynamic leadership, the hardship now being faced by Delhi residents specially on account of high regularization penal charges announced by MCD, besides the other stated issues, will have your immediate attention.

For any further clarification on the above subject matter, kindly make it convenient to call us for a personal meeting.

Looking forward to hear from you soon, and thanking you.

With kind regards,

Ajay Suri
President

Encl: As above

cc: 1) Shri Ajay Makan, Hon'ble Union Minister of State, Ministry of Home Affairs, Government of India, New Delhi

2) Smt. Sheila Dikshit, Hon'ble Chief Minister, Govt of National Capital - Territory of Delhi, New Delhi

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MUNICIPAL CORPORATION OF DELHI

PUBLIC NOTICE

5/12/07

COMPLIANCE BY OWNERS OF GROUND, FIRST AND SECOND FLOORS TO THE PROVISIONS OF MPD-2021

There are a large number of residential plots where floors have been sold to different persons either through registered sale deed or power of attorney. In such cases, it is not always possible to regularize all floors of a building together as all owners of the building may not come forward to regularize. To facilitate regularization, now each individual owner of a floor can apply for regularization on self-assessment basis to MCD.

Now, benefit of excess coverage will be given to individual owner, proportionately to the existing covered area within the permissible building envelope on each floor as per MPD-2021. These modalities will be applicable in respect of owners seeking regularization of ground, first and second floors.

No regularization in respect of third floor and above floors will be permissible presently.

Procedure:

A. Applicants are to ensure that following documents are submitted along with application:-

- Two sets of plan of existing construction of the floor(s) on which flat is/are located, duly signed by owner and registered Architect.
- Copy of ownership documents self-attested.
- Structural stability certificate of Structural Engineer.
- Certificate of registered Architect that total covered area on that particular floor is within the proportionate permissible building envelope as per MPD-2021.
- An Indemnity Bond to the effect that the Corporation shall be kept harmless in case of any dispute of the title or otherwise.
- Three sets of photographs taken from different angles.

B. Calculate the charges to be paid for Betterment Levy / Additional FAR Charges and Penalty / Compounding Charges / Special Compounding Charges in Self-assessment basis as per DDA Notification dated 20.11.2006 as indicated below:-

Rates in Rs. Per Sq. mtr.

S. No.	Purpose	A & B Colonies	C & D Colonies	E, F & G Colonies in plots of more than 50 Sqm.	E, F & G Colonies in plots up to 50 Sqm.
1.	New Construction	3500/-	1400/-	700/-	490/-
2.	Regularization of Unauthorised Construction				
(a)	Additional Coverage within sanctioned height	4020/-	1610/-	805/-	564/-
(b)	Additional Coverage above sanctioned but within permissible height (as per 23.7.98)	4375/-	1750/-	875/-	613/-
(c)	Additional Coverage beyond permissible height as per 23.07.1998 but within 15 metres	4900/-	1960/-	980/-	686/-

C. A copy of plan duly stamped for regularization will be handed over to the applicant across the table without any site verification.

However, MCD reserves its right for verification of the correctness of the documents submitted according to construction as existing and for claiming the shortfall in the amount calculated on the basis of self-assessment.

For any further information / clarification, Executive Engineer (Bldg.) of the respective zone or E.E. (Bldg.) HQ at Town Hall can be contacted.

Sd/-

Commissioner (Engrg.)