



# ट्रेडर्स वेलफेयर एसोसिएशन (रजि०)

बी-ब्लॉक, डी०डी०ए० मार्किट, प्रशान्त विहार, दिल्ली

कार्यालय: दुकान नं० 22, बी-ब्लॉक, डी.डी.ए. मार्किट, प्रशान्त विहार, दिल्ली-85

दूरभाष : 9891068243, 9899989977

OFFICE OF UDM

Dy. No. 4669

Date 27.12.11

दिनांक : 22-12-2011

To

The Principal Commissioner – cum – Secretary  
Delhi Development Authority  
Block-B, Vikas Sadan  
INA, New Delhi-110023

Sub: Suggestions regarding review of Master Plan-2021

Respected Sir,

We have come to know through News papers that Urban Development Ministry (GOI) and DDA are going to review the Master Plan-2021 on the basis of Ground realities and actual requirements of the affected citizens, for this purpose DDA has invited suggestions from General Public and affected citizens.

In this concern, we are submitting our suggestions which is based on ground realities and our grievances, for your kind consideration, as under :-

1) **In respect of Chapter 15-0 - Mixed Use Regulations:-**

- (i) The DDA approved markets which was built and sold by DDA on very much higher prices to the Shopkeepers with huge premium just like a private limited Co., through auction / tender. These shopkeepers had purchased their shops by paying a huge amount (Hard earned money) to the DDA because DDA had declared that any kind of commercial activity shall not be allowed in residential premises in DDA planned

colonies as these colonies developed as per set land use plan of Master Plan. But it is sorry to say that DDA did not honour the statutory provisions and its declaration. And DDA allowed unauthorized commercialization in residential premises in these colonies everywhere in Delhi. It means DDA/MCD are giving bonanza to the law violators / misusers by permitting them through "Mixed Use Regulations" of MPD-2021, on the cost of innocent shopkeepers of DDA markets and law abiding citizens of the colonies, with the result the shopkeepers of DDA approved markets are badly suffering from these unauthorized commercialization in residential premises.

- ii) It is well in the knowledge of DDA that any development / construction or change of use which is not in conformity with the Master Plan and the Bye-Laws made there under and such unauthorized activities leads to a "Cognizable Offence" yet the DDA is bent upon in giving unlawful relief in the form of 'Mixed Use Regulations' to the defaulters / Law breakers / Builder Mafia on the cost of law abiding persons. Such relief has also been proposed to be given to the defaulters making a provision in MPD and in Zonal Plan also, under clause 2.2.3 of zonal plan hypocritically declaring "to meet the growing demand of commercial activities and to overcome the shortfall of available commercial space," although it is well in the knowledge of DDA that as per the planning norms the commercial outlets should not be more than @ 1% of the total population of a planned colony and also not more than 4% to 5% land of the total land of a colony, in view of that the provision had been already made for commercial space / use in DDA Planned Colonies as per prescribed land use plan for example, we quote that CSC's have been developed @ 5000 persons, LSC @ 10000 persons, Community Centre @ 100000 persons and District Centre @ 500000 persons. It would be befitting to mention here that in some areas like Rohini much a higher commercial space is available than the prescribed above mentioned provision for example two more District Centres / Twin towers on either side of the Swaran Jyanti Park, Sector-10, Rohini, which taking into consideration, will substantially



enhance the commercial space which would provide facilities not only to the Rohini's Residents but residents to the surrounding localities in the region too, Even then if the commercial space was required to meet the growing demand of commercial activities and to overcome the shortfall of available space then the DDA must be permitted the increase of FAR in existing DDA approved markets, to fulfill the requirements of commercial space, in spite of giving undue benefit to the law-violators in the form of "MIXED USE REGULATIONS". Therefore, the version of adding "Mixed Use Regulations" under the pretext of short availability of commercial space is hypothetical which should not be allowed in any cost. Because this would straight away be a deceit to the law-abiding persons rendering DDA itself a Breacher of Trust.

- iii) This is necessary to mention here that DDA did not follow the set procedure of law to giving undue relief to the misusers, because the DDA had proposed in their proposal regarding "Mixed Use" Chapter 15.0 of actual proposal in Master Plan 2021, is given below:-

"Mixed use may be permitted on residential plot facing streets / road of minimum 18.0 mts. ROW in regular residential plotted development with the prescribed development norms, such streets should be notified and given wide publicity.

Bungalow Areas of Lutyens' Delhi and Civil Lines, government housing, institutional / staff housing and areas of heritage and national importance shall not be covered under the Mixed use Policy.

#### **15.2 NON-PERMISSIBLE USES**

Any trade or activity involving any kind of obnoxious, hazardous, inflammable, non-compatible and polluted substance or process shall not be permitted."

- iv) But we are sorry to say, at the time of finalization or notification of MPD-2021, DDA had given a fruitful bonanza to the misusers with a wider and unlimited commercialization in DDA planned colonies, with the result these colonies converted into a big slums resulting the increasing number of problems. It is necessary to mention here that the object of the DD Act & Master Plan had been defeated/smashed.
- v) Thereafter DDA, had given more relaxation by notification dated 12.08.2008 in which the DDA allowed commercial activity upto four shops of maximum of 20 mtrs. each in each plot, especially exist on non notified internal roads / areas of the DDA planned colonies under the clause No. 15.6.3, By which the problems of many kinds are increasing day by day on these small roads/ lanes/sublanes
- vi) Due to this unlimited & uncontrolled commercialization of residential premises, the commercial land is increasing day by day, which resulting the shortage of residential area is continue & also going on, which is purely violation of planning norms and basic requirements of the city / planned colonies.

In view of the above it is suggested that if the government/ DDA wants to relief to the misusers on human ground then it should not beyond the above mentioned limit ( mentioned in Para iii), which was actual and lawful proposal of DDA. It is also suggested that instead of allowing unlimited commercialization in planned colonies, the vacant shops / plots for CSC / LSC / CC / DC should be provided to the remaining misusers / law Breakers for maintaining the law and Master Plan as well as planning norms, to make Delhi a well planned capital / city.

2) **In respect of Chapter 5.0 – Trade and Commerce :**

Table 5.4 Development Control Commercial centers



- i) We suggest that the FAR for CSC/LSC should be increased by 200 (Ground coverage 50 and height upto 15 mtr) in stead of existing FAR 100.
- ii) Regarding Parking provisions it is suggested where the required parking space is not available, the cost of development of parking shall be recovered from the beneficiary/owner/allottee/Traders Welfare Associations i.e. 50% of the parking charges which is already charging by the MCD from the misusers, under 'Mixed Use regulations' (Chapter 15 of MPD-2021)
- (iii) In respect of clause no 5.6.2, we suggest that in existing CSC/LSC redevelopment / reconstruction / modification and alteration/additions should be allowed with FAR 200, Logics of the above mentioned suggestions are as under:-
  - (a) We the shopkeepers of DDA approved market, which was built and sold by DDA on higher prices to us and it was declared that no commercial activity of any kind shall be allowed in planned residential colonies according to Master Plan, But it is sorry to say that DDA did not adhere to its declaration and allowed unauthorized commercialization in residential premises every where in Delhi, with the result the shop keepers of DDA Markets are badly suffering from these unauthorized shops in residential premises since a long time. Actually this is breach of trust with the shopkeepers of DDA approved Mkts.
  - (b) We had purchased our shops through auction in the year 1988 on the cost 10 to 15 times much more than the "reserve price" being a DDA planned colony. At that time 104 sq. yards house having 2 ½ story, existed on main road were available less than the cost paid by a shopkeeper for one shop.
  - (c) DDA given undue benefit to the misusers under the 'Mixed Use Regulations', through which allowing commercial activities in residential

premises with increased FAR (100% ground coverage with FAR 400). This is simply a reward to law violators and punishment to the DDA approved market's shopkeepers.

- (d) It is an admitted fact that while determining the cost of an unit/shop, of a Mkt, the cost of entire construction as well as whole land of the complex is taken into account in determining the cost of a single unit and thereby it is the lawful right of each/all owners that they can use the whole land of the market under the parameters of law according to the provisions of lease deed/conveyance deed.
- (e) DDA has already charged the full cost of whole land of project/market and leased out the whole land of the market to individually as well as severally by means of Traders Associations. So the shopkeepers have lawfully right for redevelopment/reconstruction /modifications of the market / shops in accordance with BBL/MPD by individually as well as jointly.
- (f) In the changing era of upcoming standard of living of the people as well as increasment in number of items, thereby more space is required for fulfilling their daily needs.
- (g) In some of the CSC /LSC, DDA has not utilized the land according to the permitted FAR and in the shortage of land in Delhi, there is a necessity of reconstruction/ redevelopment for the purposeful use of their open land to fulfill the space requirement of the shop owners.
- (h) Mostly building structures of CSC/LSC specially made by DDA are old more than 15 years and required modifications because of long span of time.
- (i) Permission of redevelopment or modification or addition or alternation etc. (with increasing in FAR) should be provided individually as well as



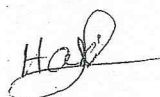
jointly (Blockwise) and it is also suggested that rules & regulation for this purpose should be made users friendly and simple.

- (j) DDA / MCD should be compensate to the shopkeepers of DDA approved markets being sufferer.

We hope that DDA shall consider and adopt the above said valuable suggestions which are based on Ground realities and actual requirements of DDA Markets.

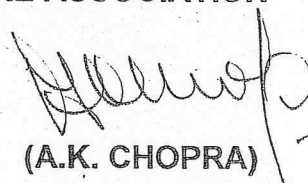
Your Sincerely,

For TRADERS WELFARE ASSOCIATION



(HARISH KR. BAREJA)

President



(A.K. CHOPRA)

Gen. Secretary

Copy to : For information & necessary action

Sh. Kamal Nath ji  
Hon. Minister of Urban Development  
Ministry of Urban Development  
Govt. of India, New Delhi  
New Delhi 110001