

The following items were discussed in the meeting of the Technical Committee held on 9.7.91 at 9.30 a.m. in the Conference Room, Vikas, Minar.

Item No. 116/91

Sub: Request for additional coverage FAR and land by Bahai House of Worship, Kalkaji - F.13(50)/78-Bldg.

Dr. Gopinath of Bahai House of Worship and his Architect were both present in the meeting. They explained their proposal for additional construction to the extent of 3000 sq.mtrs. for an audio-visual auditorium/exhibition hall and also for the dormitories to be provided for the temple ^{ushers} ~~users~~. After a detailed discussion the TC desired that a landscape plan be prepared for the entire green area surrounding the Bhai temple, by the Sr.Landscape Architect of the DDA, taking into consideration the overall parking requirements for the visitors and all other pending proposals of the Bhai temple authorities. This plan should be completed within a period of one month. Meanwhile, Dr. Gopinath was asked to examine and indicate whether they would like to implement this comprehensive landscape scheme and maintain the green area accordingly under licence from DDA. It was decided that in any case, the location of the proposed audio-visual auditorium/exhibition hall, dormitories and required car parking area would be finalised along with the consequential changes in the prescribed land use, if any, in the light of the comprehensive landscape plan.

Item No. 117/91

Sub: Allotment of land for filling cum service station measuring 36 x 30 mtr. F13(12)/90/CRC.

The TC approved the alternative site proposed for a filling-cum-service station, adjacent to the plot earmarked for a dispensary. TC also desired that in general the location of petrol pump sites should be shown while formulating the lay-out plans and the comprehensive schemes of district centres, community centres and local shopping centres.

TC also felt that it would be appropriate to have a comprehensive paper prepared on ^{the} requirements ^{in respect} of petrol pumps, based on the norms of MPD-2001.

Item No.118/91

Sub: Request of additional land allotment to General Raj School, Green Park Extension, New Delhi - approval of modified layout plan. F.18(3)/70-Instl.

After a detailed discussion, the TC decided that keeping aside the land required for road R/W(Mehrauli Road) and the re-

After a detailed discussion, the TC decided to recommend for the approval of the Authority that those building plans ~~clearance~~ which were already submitted to the DDA for sanction, but could not be cleared by 1.8.90, may be processed for sanction on the basis of the regulations in force prior to 1.8.90, as a special case, subject to the proviso that this procedure would be adopted only in respect of plans for construction in individual residential plots, institutional plots and the plots allotted to coop group housing societies by the DDA, ~~and~~ where the following conditions were also fulfilled, viz:

Sub: Applicability of development controls/zoning regulations of Delhi Master Plan notified on 1.8.90. F20(9)/90-MP
 Item No. 120/91

The TC decided that the building plans for the plots forming part of Motia Khan Dump Scheme, be sanctioned based on the norms prescribed in the lease conditions with regard to setbacks, ground coverage, first floor coverage and second floor coverage, respectively. Basements may also be allowed below the ground floor subject to that their being counted in FAR calculations and the owner making necessary provisions for parking as per the prescribed norms, within each plot. The maximum FAR be allowed as 150 with a max. height of 11 mtrs.

Sub: Policy for sanction of building plans in Motia Khan Dump Scheme - F.182(1)/91/Bldg.
 Item No. 119/91

2. For the remaining site located in the vicinity or the land allotted to Institute of Fashion Technology, a separate plan be prepared for the consideration of the T.C.

- (i) The ^{Gen. Raj} School will cover the nallah at site at its own cost.
- (ii) The vacant land be handed over in the first instance and the rest in due course, after the removal of the various structures and encroachments thereon.

would be subject to the following:
 purposes was set aside. The proposed allotment to Gen.Raj School the earlier decision to allot this piece of land to MCD for parking its additional requirements as per MPD-2001 norms. Accordingly, adjusted site of the existing petrol pump, the available land immediately adjacent to ^{Gen. Raj} Raj School building be allotted to it to meet

- 3
- (a) that such plots form part of ~~the~~^a regular layout plan already sanctioned by the Competent Authority;
 - (b) that the issue of land use clearance was not involved;
 - (c) that the prescribed building plan fee had been paid prior to 1.8.90;
 - (d) that the issue of conversion of lease charges under the terms of the lease (like the plots located in the NDMC area) was not involved.

DELHI DEVELOPMENT AUTHORITY
(MASTER PLAN SECTION)

Draft minutes of the Technical committee held on 9.7.91
at 9.30 A.M. in the Conference Room of Vikas Minar, 5th floor,
IP Estate, New Delhi.

The following were present:

1. Mr. C. Noronha, Vice Chairman, (In the chair)
2. Mr. J.C. Ghambir, Commr. (Plg.)
3. Mr. Santosh Auluck, C.A.
4. Mr. M.N Khullar, Addl. C.A.
5. Mr. S.C. Gupta, Director (DC&P) (Convenor)
6. Mr. R.G. Gupta, Director (TYA)
7. Mr. P.C. Jain, Director (AP&B)
8. Mr. U.S. Jolly, Director (LM)
9. Mr. S.D. Sharma, Dy. CLA
10. Mr. K.K. Bandhopadhyaya, Project Planner (R)
11. Mr. Chander Ballabh, Jt. Dir. (AP)
12. Mr. P.N. Dongre, Jt. Dir. (TYA)
13. Mr. Parkash Narayan, Jt. Dir. (T)
14. Mr. A.K. Jain, Jt Dir. (ZP)
15. Mr. A.K. Gupta, Jt. Dir. (B)
16. Mr. Pradeep Behari, Sr. Architect (EZ)
17. Mr. Ashok Kumar, Project Planner (Dwarka)
18. Mr. N.K. Aggarwal, Jt. Dir. (WC&SA)
19. Mr. S.P. Kaura, Dy. Dir. (Instt.)

L&DO:

20. Mr. L.D. Ganotra, E.O.

TCPD:

21. Mr. B.K. Arora, Associate Planner

MCD:

22. Mr. A.P. Sethi, A.T.P.
23. Mr. T.R. Gupta, Ex. Engineer

SPECIAL INVITEE: BHAI'S TEMPLE

24. Mr. Hooshang Amuali
25. Dr. Gopi Nath For item No. 1

The following items were discussed in the meeting of the Technical committee held on 9.7.91 at 9.30 A.M. in the Conference Room, 5th floor, Vikas Minar, IP Estate, New Delhi.

Item No. 116/91

Sub: Request for Additional coverage FAR and land by ~~Bhai's~~ ^{Bahau} House of ~~W~~orship, Kalkaji. F13(50)78-Bldg.

Dr. Gopinath ^{of Bahau House of Worship this} ~~for Bhai's~~ and their Architect were ^{both} present in the meeting. They explain^{ed} their proposal for ~~the~~ additional construction to the extent of 3000sq.mtrs. for ~~the~~ ^{on} ~~purpose of~~ audio-visual auditorium / Exhibition hall and also ^{for the drawbacks to be provided for the temple, ashrams} ~~for residences of the maintaining and care taking staff at two~~ storey structure. After ^a ~~detail~~ ^{and detailed} discussion the TC desired that all ^{has prepared for the entire} ~~land~~ ^{surrounding the Bahau} ~~scape plan for the total green area, earmark for the~~ vicinity of Bhai's temple should be prepared by the Senior ^{Architect} Land Scape of the DDA taking into consideration the ^{overall} ~~general~~ parking requirements ^{in the temple staff visitors and all other} and the requirements project by Bhai's ^{pending proposals of the Bahau temple authorities & this plan} in their representation. This scheme should be completed within a period of one month. Meanwhile the ^{Dr. Gopinath was asked to} ~~temple authority~~ ^{and include} may examine whether they would like to implement the ^{comprehensive} ~~overall~~ land-scape scheme and ^{maintain the green area accordingly under licence from DDA,} ~~would like to maintain the same.~~ Based on the ^{It was decided that in any case, if the proposed} ~~comprehensive scheme~~ the location for audio-visual auditorium/ exhibition hall ^{down trees and appropriate car} and the residences along with the general parking requirement should be ^{area would be finalised, along with the consequential} ~~subsequently~~ ^{changes in the prescribed land use, if any, in the light of} ~~decided for processing~~ of change of land use and ^{leasing} ~~for the methodology of either exchange~~ of land use or ~~leasing out the land to Bhai's for such constructions~~ ^{the comprehensive lands cape plan}

Item No. 117/91

Sub: Allotment of land for filling cum service station measuring 36x30 mtr. F13(12)90/CRC

The TC approved the ^{proposed} ~~alternate~~ site for a filling cum-service station, adjacent to the plot ^{marked} ~~ear mark~~ for dispensary. TC also desired that ^{in general} ~~that~~ the location of petrol pump site, should be shown while formulating the lay out plan ^{and the} ~~of the~~ area including the comprehensive schemes of District Centres, community centres, ^{and local} ~~shopping centres, etc.~~

TC felt that ^{also} ~~the~~ ^{it} would be appropriate to have a comprehensive paper ^{prepared} on a petrol pumps, based on the ^{norms} requirement of MPD-2001.

Item no. 118/91

Sub: Request of additional allotment ^{land} by ^{to} General Raj School, Green Park Extension, New Delhi - approval of modified layout plan. F18(3)70-Inst.

After ^{a detailed} ~~detail~~ discussion, the TC decided that keeping ^{aside} ~~in view~~ the land required for road ⁱⁿ R/W (Mehrauli Road) and the readjusted site of the ^{existing} ~~adjusted~~ petrol pump, ^{the} ~~available~~ ^{land immediately adjacent to} ~~remaining area~~ in the line of general Raj School ^{be} ~~allotted~~ ^{to} ~~it~~ for the school as play field area. ^{from} ~~to~~ ^{meet its additional} ~~requirements as per MPD-2001 norms~~ ^{to} ~~be~~ ^{handed over} ~~to~~ the first

(i) The land which is vacant ^{should} ~~be~~ ^{allotted} ~~to~~ the first instance.

(ii) The School will cover the ~~existing~~ ^{ab site at} ~~nallah~~ on its own cost.

~~The remaining land may be handed over~~ ^{after} ~~or~~ the removal of the ~~encroachments~~ ^{at site thereon} ~~the various structures~~ ^{and} ~~encroachments~~.

2. For the remaining ^{steps} ~~area~~ ^{located in the vicinity of the land} ~~where~~ ~~were~~ allotted to Institute of Fashion Technology ^{and} a separate plan will be prepared for ~~the~~ consideration. ^{in T.C.}

Item No. 119/91

Sub: Policy for sanction of ^{Building} ~~Plans~~ in Motia Khan Dump Scheme. F182(1)91/Bldg.

The TC decided that the building plans ^{on for} ~~of~~ the plots ^{forming} ~~for remaining~~ part of Motia Khan Dump Scheme, be sanctioned ^{based} ~~keeping in view~~ the norms prescribed in the lease conditions with regards setbacks, ground coverage, first floor coverage and second floor coverage. ^{respectively} ~~However~~, basements may also be allowed below the ground floor subject to that ~~it should be~~ ^{their base} ~~counted~~ in FAR calculations and the owner ^{has to make} ~~has to~~ ^{provisions for the} ~~parking~~ ^{making necessary} ~~on~~ the prescribed norms within ^{each plot} ~~the~~ ~~building~~. The max. FAR ~~may~~ be allowed as 150 with a max. height of 11 mtrs.

(H) The ~~land~~ ^{earlier} ~~decision~~ ^{to allot this} ~~piece of land~~ ^{to MCD} ~~for parking~~ ^{purpose} ~~was~~ ^{the} ~~land~~ ^{set aside} ~~for~~ ^{the} ~~proposed~~ ^{allotment} ~~to G.R.S to~~ ^{be subject} ~~to the~~ ^{following:}

TC felt that the would be appropriate to have a
comprehensive paper on a petrol pump based on the requirement
of MP-2001.

Item no. 118/91

Sub: Request of additional allotment by General Raj School
Green Park Extension, New Delhi - approval of modified
layout plan. P18(3)70-Inst.

After ~~some~~ discussion the TC decided that keeping

in view the land required for road in V.V. (Mehrauli Road)

and the regulated site of the adjusted petrol pump. The

~~remaining area in the site of General Raj school be allocated~~

~~for the school as per this area.~~

The ~~land which is vacant should be allotted to the first~~

instance.

The school will cover the ~~existing~~ ~~allotment~~ on its

own cost.

The ~~remaining land may be handed over~~ or the removal

of the encroachments.

For the remaining ~~area~~ ~~was~~ were allotted to Institute

of Paswan Technology and a separate plan will be prepared for

consideration.

Item no. 119/91

Sub: Policy for sanction of Building Plan in Motia Khan Dump
Scheme. P18(1)91/Inst.

The TC decided that the building plans of the plots

for remaining part of Motia Khan Dump Scheme be sanctioned

keeping in view the norms prescribed in the lease conditions with

regards setbacks, ground coverage, first floor coverage and

second floor coverage. ~~however~~ ~~basement~~ may also be allowed

below the ground floor subject to that ~~it should be~~ counted in

FAR calculations and the owner ~~has to~~ ~~make~~ provisions for the

parking of the prescribed norms within ~~the~~ ~~limits~~. The max.

FAR may be allowed as 150 with a max. height of 11 mtr.

Item No. 120/91

Sub: Applicability of development controls / zoning regulations of Delhi Master Plan notified on 1.8.90

F29(9)90-MP

After ^{a detailed} ~~detail~~ discussion, the TC recommended ^{decided to} ~~that~~ ^{the approval of} ~~cases~~ ^{those building} ~~which~~ ^{plans} ~~could not be~~ ^{cleared} ~~finalised~~ ^{by} before 1.8.90 may be processed ^{for sanction} on the basis of the regulations ^{in the applicable} prior to 1.8.90 ^{as a special case} subject to the ~~conditions~~ ^{proviso} ~~of the~~ ^{that} ~~decisions~~ ^{in this regard} will apply only to the ~~cases~~ ^{plots} of individual residential plots, to the institutional plots and the plots allotted to Group Housing Cooperative Societies by the DDA. However ^{and where the following conditions were also fulfilled viz} further subject to (a) that such plots for ^{part of} ~~the building plans~~ ^{sanction lay out plans} ~~is to be considered for sanction~~, forms part of the regular lay out plan ^{already} sanctioned by the Competent Authority. (b) that the issue of land use clearance ^{was} ~~is~~ not involved. (c) ^{prescribed} that the building plan fee has ~~already~~ been paid for ~~sanctioning of plans~~ prior to 1.8.90 ~~as required under the building regulations~~. (d) that the ~~cases where the~~ issue of conversion of lease charges under the terms of the lease (like the plots located in the NDMC area) ^{was not} ~~is~~ involved, ~~are not to be considered~~ ^{and that}. (e) ^{of} only individual residential plots, institutional plots and the plots ^{of} Group housing cooperative societies ^{were not to be} ~~are~~ to be considered.

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Item No. 120/91

Subj: A feasibility of development controls / zoning regu-
lations X of Delhi Master Plan notified on 1.8.90

F20(9)90-MF

After ~~careful~~ discussion the recommendations that ~~cases~~
submitted to the LMA for sanction ~~which~~ could not be

~~finalised~~ 1.8.90 may be processed on the basis of

regulations prior to 1.8.90 subject to the ~~condition~~ i.e.

~~restrictions~~ in this regard ~~will apply only to the class of~~

individual residential plots to the institutional plots and

the plots allotted to ~~Group Housing Co-operative Societies~~ by

the LMA. However ~~that~~ at such plots for

the building plan is to be considered for sanction, ~~four~~

part of the regular lay out plan sanctioned by the Competent

Authority. (b) that the issue of land use clearance is not

involved. (c) that the building plan fee has ~~already~~ been paid

~~for sanction~~ of plans prior to 1.8.90 or ~~submitted~~ under the

~~building~~ regulations. (d) that the ~~cases~~ under the issue of

conversion of lease charges under the terms of the lease (like

the plots located in the LMA area) ~~is~~ involved, ~~and~~ not

~~considered~~. (e) only individual residential plots, institutional

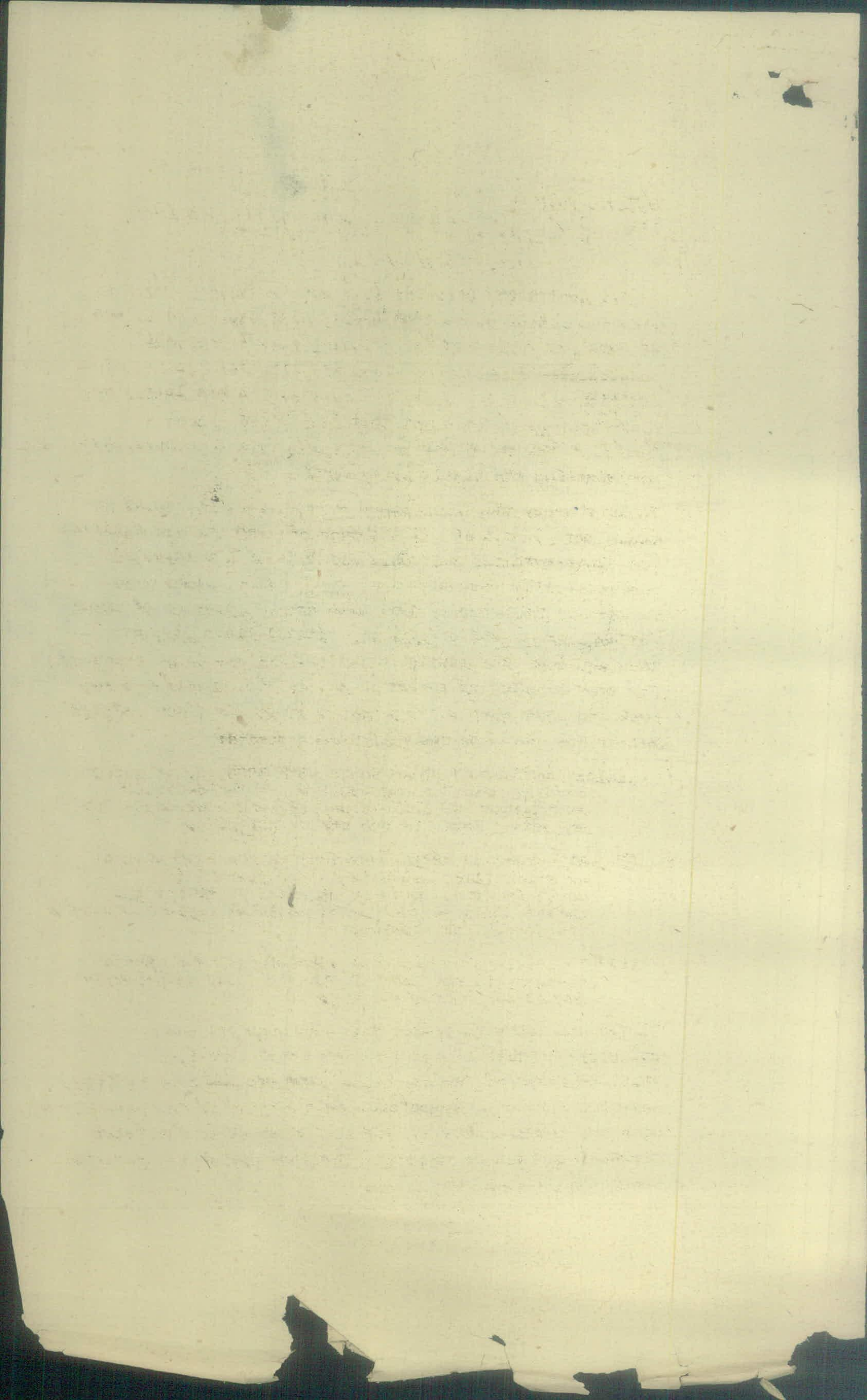
plots and the plots of group housing cooperative societies etc

~~to be considered.~~

DELHI DEVELOPMENT AUTHORITY
(MASTER PLAN SECTION)

Agenda for the meeting of Technical committee to be held on 8.7.91 at 9.30 A.M. in the Conference Room of Vikas Minar at 5th floor, Delhi Development Authority, IP Estate, New Delhi.

S.NO.	Item No.	Subject	Page
1.	116/91	Request for Additional coverage FAR and land by Bhai's House of worship, Kalkaji. F13(50)78-Bldg. To be presented by JD (AP) I	1-2
2.	117/91	Allotment of land for filling cum service station measuring 36x30 mtr. F13(12)90-CRC To be presented by JD (AP) I	3
3.	118/91	Request of additional allotment by General Raj School Green Park Extension, New Delhi - Approval of modified layout plan F18(3)70-Instt. To be presented by JD (AP) I	4-6
4.	119/91	Policy for sanction of Building Plans in Motia Khan Dump schemes F182(1)91-Bldg. To be presented by JD (B)	7-8
5.	120/91	Building Applications received prior to 1.8.90 To be presented by Dir. (AP&B) F20(9)90-MP (Agenda will be laid on table)	



Item No. 116/91

Sub: Request for additional coverage FAR and land by Baha'i House of Worship, Kalkaji.

File No. F.13(50)/78/Bldg.

Dr. Gopi Nath, Director (G), Baha'i House of Worship vide his letter dated 16th April, 1991 addressed to the VC, DDA has requested for allowing them additional construction in their premises and also for leasing of additional land for parking purposes. In his letter Dr. Gopi Nath has pointed out that temple has become a land mark for Delhi and on an average 7 lakh people/devotees are visiting the temple every month.

2. Originally they have owned a land measuring 10.67 HA (26.4 acres), out of which change of land use was notified for 'institutional use' only for 3.24 HA (8 acres) in the year 1978. Subsequently, the building plans were sanctioned in February 1979 with ground coverage of about 7610 sq. mt or 25% of 3.24 HA. (total floor area is 8400 sq. mt) The remaining 743 HA land was to be reserved for land scaping as a part of Master Plan green/district park and open spaces. Dr. Gopi Nath in his above referred letter has now made the following requests:

- (i) An additional floor space with 3000 sq. mt ground coverage for the construction of Audio-visual Auditorium and Exhibition Hall and residences for volunteer staff in two storey building.
- (ii) Allotment of additional land in the East of the existing land, measuring about 1.22 HA (which is proposed to be utilised partly for the construction of additional building explained above, and partly for parking.
- (iii) To lease out additional land along the Southern boundary to the East of one acre land temporarily leased by DDA for parking.

3. In his letter Dr. Gopi Nath has made all the calculations with reference to the total land i.e. 10.67 HA, whereas the change of land use has been notified only for 3.24 HA. Therefore, calculations of the percentage with the covered area and FAR with respect to the total land has in fact no meaning. The land use of the remaining area being Master Plan Green.

4. The case has been examined and the joint site inspection with Shri R.K. Jhingan, Sr. Land Scape Architect has been made. The following points are submitted for consideration.

- (i) The additional land requested for is a part of notified Forest Area.
- (ii) In the first instance, the land which they have asked for parking on temporary lease should be considered for additional allotment rather than extending it towards East which falls right in the middle of the green area.
- (iii) About 500 mtr. from the boundary of existing temple there are number of old structures and it would be worthwhile deciding whether to allow additional construction if found necessary existing constructed area rather than in the centre of the green area, that too after processing it for change of land use.
- (iv) There is a H.T power line passing through the land under reference which is to be super imposed in the plan.
- (v) A report from Lands Branch and views of Dir. (Hort.) will also be added before finalising the issue.

5. It is, therefore, desirable to prepare a comprehensive landscape plan for the entire stretch covering Nehru Place, Kalkaji Mandir, temple under reference and the adjoining green area. While preparing this scheme, care should be taken for providing proper parking space, circulation system, the requirements projected by the temple and some of the basic additional requirements to be provided by the DDA.

The matter is submitted for the consideration of the Tech. Committee.

Item No. 117/91.

Sub: Allotment of land for filling-cum-service station measuring 36X30 mtr. F-3(12)19/RC.

This is a request from Indian Oil Corporation for its distributor Mrs. Neelan Goel on compassionate grounds for petrol filling-cum-service station.

2. The case has been examined by Planning Department and the site approved by VC vide his orders dated 20.6.89 in F.No. PA/JD/Plg.II/1/89 at page 6/N in Okhla Industrial area has been recommended. There is a policy revision in the allotment cases. VC/L.G. has desired that this allotment may be made to the concerned Oil Company subject to an undertaking being given by them regarding payments being made as per the new policy with full retrospective effect as and when a final decision is taken in that regard.

3. The approved site identified above was located in the park as per the layout plan of Okhla Industrial Area. In the MPD-2001 however the land use of the southern part of Okhla phase-I have been modified and the area is to be predominantly to be kept as green with the proposals of the MPD-2001. The approved site, as per MPD-2001 falls in the green area. It is further pointed out that this has a steep undulating terrain and the approved site is located between the road has been constructed after cutting the rocks. A fresh survey of this area has been conducted and an alternative site has been identified adjacent to the existing ESI dispensary. It is on the levelled ground. IN MPD-2001 this alternative site also falls in green area, and is suitable for its technical feasibility.

The matter is placed for the consideration of the Technical Committee for approval of the alternative suggested site.

Item No. 118/91.

Sub :- Request of additional allotment by General Raj School Green Park Extension, New Delhi - approval of modified layout plan. F.18(3)/70

A request has been received from G.R. School for additional allotment of land and VC has desired that it is not in the public interest for the land adjoining to G.R. School to be kept vacant and unutilised for long. While the needs of the neighbouring school for additional land are ignored. He desired that the matter may be placed before the Screening Committee after a joint site inspection carried out by Commissioner (L) and Commissioner (Plg.).

2. G.R. School was allotted 2 acres land in Zone F-3 (Hauz Khas) in the year 1977. Subsequently the school was upgraded with due recognition from Delhi Administration and the Principle has been requesting for allotment of additional strip of land lying vacant to the West of the existing school.
3. The case was earlier examined and DDA letter dated 17.3.88 the school was offered 1700 sq.mtr. for which the school was requesting.
4. The Lands Section have further envisaged a scheme in the year 1988 and land measuring about 4700 sq.mtr. was offered to MCD for developing the area for general parking. A demand of Rs. 9.27 lacs was raised against the land. In view of this decision the school was informed vide letter dated 12.4.88 cancelling its earlier offer because this land formed part of the land offered to MCD and there was no other land available. There is no response from MCD till date, and thereby this area has become prone to encroachments and illegal activities.
5. A joint site inspection was subsequently made on 4.12.90 by Commissioner (L) and J.D.(P)I. It was recommended that considering the existing situations and the facts, Planning Department will prepare a revised layout plan with a view to accommodate requirement of additional land to the school and MCD's requirement for parking. V.C. agreed with the views and desired that the revised layout plan be placed before the Screening Committee at an early date.

6. Considering some pucca structures right in the middle of this area, jhuggi clusters/facilities other institutional allotments, petrol pump allotment etc. the case was referred to J.D(S) for carrying out latest physical survey of the area so that comprehensive proposal can be worked out for consideration of the Screening Committee. Presently besides G.R. School Spastic Society, Nitya Kasturba Cultural Society, Institute of Fashion Technology, India Classical Dance Institute and Petrol Pump have been allotted land in this area, which was in the approved zonal plan was to be utilised for two primary school, One Hr. Secondary School, One petrol pump and Master Plan Green area. The break up of uses for 4.8 Ha. land are proposed as under:

i) Institutional/Education		3.3848 HA
a) Genl. Raj School	8094	SQM
b) Spastic Society	8094	"
c) Institute of Fashion Technology	11981	"
d) Nritya R.C. Society	1660	"
e) Indian Classical Dance	1660	"
f) Remaining Instl. area (Addl. Land for Genl. Raj School).	2359	"
ii) Built up/Jhuggies/Latrine		0.3274 HA
iii) Others		1.1015 HA
a) Proposed petrol pump	1080	SQM
b) Proposed parking	333	3.75 "
c) Proposed Road	594	:00 "
d) DDA Tube Well	855	.00 "
e) Green	4859	.45 "
f) E. S. S.	243	.00 "

In MPD-2001 the entire pocket is shown as educational Institutions.

7. Therefore, the proposal has been worked out in a way to accommodate both the requirements referred to above and also retained the existing allotments including petrol pump. A 6 mtr. wide road has been proposed to given access unauthorised built up/jhuggies existing in this area. Delhi Admn. has issued NOC in the year 1988 recommending DDA to

consider additional land for G.R. Sr. Secondary School vide their letter dated 25.11.88.

8. The matter was placed before the Screening Committee its meeting held on _____ for the following decisions :-

- i) To consider additional land measuring 2359 Sq.mtr. to G.R. School making the total area to the school as 8094 about 1.05 Ha.
- ii) The parking area has been reduced to 3400 sq.mtr. against earlier offered 4700 sq. mtr.
- iii) The approval of the latest modified layout plan 4.8 HA pocket.

9. The item was deferred & could not be placed in the subsequent to meeting.

10. Commr.(Plg.) has desired that the file be withdrawn from HUPW & be discussed in the meeting of Technical Committee fixed for 1.7.91 as per the instructions of the V.C.

The matter is submitted for the consideration of Technical Committee.

Item No. 119/91
Subl. Policy for sanction of Building Plans in
Motia Khan Dump Scheme.
F-182(1)91/Bldg.

A proposal for reconstruction on plot no.14, Motia Khan Dump Scheme has been received in the Building Section. Old Sale Branch has issued no objection certificate for reconstruction of the building on the said plot. This piece of land is part of the Nazul Lands of DDA and the perpetual lease deed of the plot under reference stands executed on 29.5.74.

The proposal has been examined as per the norms mentioned in the perpetual lease deed and MPD-2001 and the following table indicates relevant two sets of norms on which decision is required.

Lease Condition as per Clause IX of Lease Deed	The Norms as per MPD 2001.			
	Front (mt.)	Rear (mt)	Side-I (mtrs)	Side-II (mtrs)
1. <u>SET BACK</u> : Not prescribed. All adjoining buildings have been built without the set back.	3	3	3	-
2. <u>PARKING</u> : Not prescribed.	Parking shall be developed in the prescribed standards at the cost of beneficiaries.			
3. <u>COVERAGE</u> : G.F. - 75% maximum of plot area. F.F. - 50% maximum of plot area. (Plot between 200 sq.yds. to 600 sq.yds.) S.F. - 25% of first floor (two barsati rooms allowed with open urinals). FAR 137.5% (as per calculations) Maximum Height 35'0"	i) Maximum ground coverage- 75% ii) 60% in case of building completely reconstructed. -- FAR 150% Maximum ht. 11 mtrs. (36' 1")			
4. <u>USES</u> : G.F.- Workshop or factory F.F.- Residence AND/OR Office	G.F.- Light/Service Industry and retail outlet. F.F.- Residence/Office.			

S.F.- Residence AND/OR Office S.F.-Residence

The proposal is submitted for taking a Policy Decision on the following points:-

1. The ~~xxx~~ provision of the front set back is to be insisted upon or not.
2. The parking is to be provided in common parking area or may be insisted within the plot boundaries at the rate prescribed in MPD-2001 for various uses. In case a decision is taken to provide common parking areas the cost to be charged from the beneficiaries in terms of the per car space is to be worked out by the finance deptt. and a plan is also to be prepared.
3. Under the definition of retail outlet, the owner has proposed auto repair workshop on the ground floor and office on the first floor with a residential unit on the second floor. The uses proposed by the lessee are permissible.
4. A decision is required as how much additional floor space charges should be charged from the lessee for 12.5 additional FAR.
5. The thickness of wall in lease conditions has been given as 9", 13½" and 18" respectively for ground floor, first floor and second floor. A decision in this regard is also required since 9" thick wall are generally provided for a 3 storeyed construction.

Submitted for consideration/decision of the Technical Committee.

(Laid on table)

Item no. 120/91

Subj. Applicability of development controls / zoning regulations of Delhi Master Plan notified on 1.8.90
F20(9)90-MP

Reference is invited to the TC meeting held on 21.8.90 vide which Scrutiny of Cooperative Group Housing Societies layout plans after the MPD-2001 came in force i.e. 1.8.90 was discussed. The copy of the decision is annexed at A. Subsequently the meetings were held in the chamber of Addl. Secretary, Ministry of Urban Dev. on 26.9.90 and 9. 11.90 to discuss the question of sanction of layout plan consequent upon the issue of extensive modifications to the Master Plan Delhi Perspective 2001 A.D. (copy annexed at B)

Following decisions were taken:

1. Attention was drawn to the provisions of the building bye laws no. 2.03 which reads as under:

"All mandatory Master Plan/Zonal Plan regulations regarding use, coverage, FAR, set backs, open spaces, height, number of storeyes number of D.O.'s parking standards etc. for various categories of buildings including modifications therein made from time to time shall be applicable mutatis-mutandis in the building regulations under this clause. All amendments/modifications made in these regulations will automatically be included as part of these bye-laws".

In view of the above provision, the building bye laws of the local bodies have to be fall in line with the zoning regulations of the Master Plan/Zonal Plan Regulations which would prevail.

2. The matter was further examined and the legal opinion was sought, and it was opined that,

"It is thus clear that only those layout plans which have already been approved in accordance with law shall be deemed to have been approved under this code. There seems to be no other express provision in MPD-2001, providing for approval of the plans received prior to Gazette Notification of MPD-2001, in accordance with the Master Plan, as it stood prior to 1.8.90. The language used in clause 3(4) of development code leaves no scope for the interpretation that those layout plans which have been received prior to 1.8.90 are to be examined/ approved in accordance with the provisions of Master Plan, as they stood prior to the notification gazetted on 1.8.90.

3. The legal opinion was also seen by Dir. (DC&P), Dir. (Bldg.) and Commr. (Plg.) and they have observed that, only cases of individual residential plots, institutional plots and plots allotted to Co operative Group Housing Societies by the DDA were proposed to be considered subject to that individual plots forms part of a layout plan sanctioned by the Competent Authority and that issue of the land use clearance is not involved. Also the layout/building plan fees has already submitted prior to 1.8.90 as required under the building bye laws.

4. The matter was submitted to VC, DDA who opined that in the case of the unified building bye laws introduced in 1983 special administrative policy decision was taken in 1984 and communicated to the Parliament to the effect that 5% excess coverage would be condoned notwithstanding the absence of any corresponding legal provisions in the Master Plan/Bye laws. This was done purely in order to ensure that the strict enforcement of the MPD/Bye laws did not result in any undue hardship in bonafied cases of deviations from sanction building plans, so far the application of these administrative instructions have not been challenged as being violative of MPD/Bye laws. It is on the same analogy, I presume that the guide lines framed in the meetings held by Addl. Secy. Urban Dev. In the instance case, have been framed and from the practical & Humanitarian point of view same latitude has to be provided for although within certain rational specific and limits in the application of the relevant provisions of MPD-2001 so long as the basic spirit and character thereof is not violated thereby. He has further requested that CIA to advice on the adoption of these guidelines from the above angle.

5. The CIA opined that there is no specific provision in MPD-2001 providing for applying Master Plan of Delhi, as it stood prior to amendment w.e.f. 1.8.90 to the layout plans/building plans submitted before 1.8.90.

6. The Commr. (Plg.) DDA suggested that we may obtain copy of the orders issued by MCD. The building plan committee of MCD in its meeting held on 4.12.90 decided that (i) the matter regarding disposal of building plans submitted prior to 1.8.90 i.e. prior to enforcement of Master Plan-2001 was discussed and it was decided on the basis of minutes of the Min. of Urban Dev. that these plans should be sanctioned on the norms prevailing prior to enforcement of Master Plan-2001. (ii) As regards allowing of 3 1/2 storey building on plots facing 80' or more wide roads in the Cooperative Societies, it was decided that 3 1/2 storey building shall be allowed on plots with area more than 300 sq.yds. facing 80' wide road in accordance with the

provisions of layout plan of the Cooperative Societies on the basis of clear noting in the layout plan or as given in the density calculations from 3 $\frac{1}{2}$ storey building. In case of plots of societies where such noting is not given in the layout plan but the DDA has already sanctioned the building plans for 3 $\frac{1}{2}$ storey building, in these colonies, sanction of building plans with 3 $\frac{1}{2}$ storey should be continued inspite of the fact that the same has not been mentioned in the approved layout plan, as was being done by the DDA on such plots having area more than 300 sq.yds. and abutting 80' wide roads or more.

6. AS regards recovery of betterment charges in respect of top floor, it was decided that since after enforcement of Master Plan-2001, the coverage on various floor has been allowed on FAR basis, as such, henceforth, betterment charges should be recovered on the basis of entire proposed area on top floor including the garrage block.

7. The matter is placed before the TC.