

5-893

DELHI DEVELOPMENT AUTHORITY  
( SECRETARY'S OFFICE )

List of the items discussed in the meeting of the  
Delhi Development Authority fixed for 05.08.1993 at  
11.00 A.M. at Raj Niwas, Delhi.

I N D E X

<u>S.NO.</u>	<u>ITEM NO.</u>	<u>SUBJECT</u>	<u>P.NO.</u>
1.	112-A/93	Confirmation of the minutes of the meeting of Delhi Development Authority held on 27.07.93, at Raj Niwas Delhi. (F.2(2)/MC/DDA/IX)	159-A-159-J
2.	113/93	Proposed regulations for models- National Capital Territory of Delhi. (F.10(31)/M.P.).	160- 165-C
3.	114/93	Action Item Report on the resolutions passed by the Delhi Development Authority upto 08.06.1993. (F.2(6)/MC/DDA).	166-180
4.	115/93	Proposal for amendment of Section- 29 of the Delhi Development Act, 1957. (F.17(33)/LPB/E/Coordn.).	181-189
5.	116/93	Sanction Selection Grade 'A' .. (F.7(20)/P.E./B-1(Notes)).	190-195
6.	119/93	Directi under Section 41(3) D.D. Act 1957 - Sh. D.C.Kaushik M/S St & General Services Pvt. Lt (F.20(7)/M.P.2000).	257-264

( LAID ON THE TABLE )

Note: Item No.117/93 & 118/93 have been confirmed in the meeting held on 27.07.93.  
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DELHI DEVELOPMENT AUTHORITY

Minutes of the meeting of Delhi Development Authority held on 5.8.93 at 11.00 A.M. at Raj Niwas.

The following were present:

CHAIRMAN

1. Sh. P. K. Dave,  
Lt. Gernor, Delhi,

VICE-CHAIRMAN

2. Sh. S. Jakhanwal,

MEMBERS

3. Sh. R. Pillai,  
Addl. Secy., MOUD,
4. Sh. K. Bhatnagar,  
Chair-cum-Managing Director,  
HUDCO
5. Sh. Vndra Singh,  
Commr M.C.D.,
6. Sh. D. Meshram,  
Chief Engineer, TCPO,

SPECIAL INVITE

7. Sh. R. Sakkar,  
Chief Secy., Delhi Admn.,
8. Sh. R. Kapoor,  
Secy. (Finance), Delhi Admn.,
9. Sh. J. Sagar,  
Secy. (L&B), Delhi Admn.,
10. Sh. I. Talwar,  
Secy. (L.G.), Delhi,

ALSO PRESENT

11. Sh. H. Anand,  
Princ. Commr., DDA,
12. Sh. J. Lambhir,  
Commr. (S.), DDA,
13. Sh. K. Ramphons,  
Commr. (S.), DDA,

SECRETARY

14. Sh. R. Singh.

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Item No.  
112A/93

Sub: Confirmation of the minutes of the meeting of Delhi Development Authority held on 27.7.93 at Raj Niwas, Delhi. F.2(2)93/MC/DDA/IX.

.....

Resolved that the draft minutes of the meeting of Delhi Development Authority held on 27.7.93 be confirmed.

Item No.  
113/93

Sub: Proposed regulations for motels - National Capital Territory of Delhi. F.1(31)81-MP.

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After detailed discussion, the Authority resolved under:

1. Definition of motels (033) in the Master Plan for Delhi 2001 to be replaced as under:

A premises designed and operated especially to cater to the boarding, lodging, rest house and recreation and related activities of travellers by road.

2. Motels be permitted in the rural use zone/green belt as per the regulation (norms and standards etc.) for setting up such motels as below

i) Location: Motels to be located on National Highways and Inter-State roads of minimum R/W. R/N.

ii) Green Buffer: The motel sites shall have setback from R/W by green belt/buffer with minimum width of 100 mtr. X in case of National Highway (as in the NCR Plan) and 60 mtr. in case of Inter-State roads. This strip shall not be considered as part of the motel plot.

iii) Size of Plot: Minimum plot size one hectare and maximum two hect. with minimum width of 100 mtr. along side the highway.

iv) Set-back: Front 15 mtr. exclusive of 100 mtr. in (ii) above, side and rear 9 mtr.



v) F.A.R.: 15 (fifteen) subject to maximum floor area of 3000 sq. mtrs.

vi) Ground Coverage: Maximum equivalent to F.A.R.

vii) Height: Maximum height 9 mtr.

viii) Basement: Basement maximum

equivalent to the ground coverage, free from FAR to the extent required for air-conditioning plant, filtration plant, electric sub-station, parking and other essential services.

ix) Parking space: Minimum of 1.67 ECS per 100 sq.mtr. of floor area including that provided in (viii) above.

x) Activities: Retail and service shops limited to maximum 5% of floor area.

xi) Services: For infrastructure such as power, water supply and sewerage, etc. if municipal services do not exist or cannot be made available, the owner has to make the provision to the satisfaction of the local development authority/municipal body.

xii) Clearance/No Objection: Height clearance from Civil Aviation Department where necessary, any other NOC/clearance required in any other law specifically laid down including UICR and Delhi Land Reforms, etc. relating to utilisation of land for such purposes.

xiii) Conversion: Payment of conversion charges to DDA/Competent Authority as per prescribed rules for use of rural/agricultural land for commercial use as a motel. For this modalities be worked out.

Further resolved that amendment in the Master Plan for Delhi-2001 and "Hotel, Boarding House, Hostel, Lodging House and Motel (Building standard) Regulation 1977" be processed as in para 1 and 2 above.

Item No.  
114/93 Sub: Action Taken Report on the resolutions passed by the Delhi Development Authority upto 8.6.93.  
F.2(6)93/MC/DDA.

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The information was noted.

Item No.  
115/93 Sub: Proposal for amendment of Section 29 of the Delhi Development Act, 1957.  
F.17(35)93/LPB/Coordn.

.....

The Authority resolved to approve in principle the need for stringent laws to check misuse of properties and consequential amendment of Section 29 of Delhi Development Act, 1957. However, detailed proposals may be worked out and forwarded to the Ministry of Urban Development for their consideration.

Item No.  
116/93 Sub: Sanction of Selection Grade in Group 'A'.  
F.7(208)89/FB.I (Notes.)

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The Authority resolved that the date of effect of granting of selection grade will be 1.1.86 instead of 12.3.92.

Item No.  
119/93  
(laid on  
table). Sub: Directions under Section 41(3) DD Act, 1957 regarding M/s Storage & General Services Pvt. Ltd.  
F.20(7)93-MP.

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The Authority noted the directions of the Government and desired that its implementation report may be submitted to the Ministry of U.D. at the earliest.

ITEM NO. SUB : Confirmation of the minutes of the meeting  
112A/93 of the Delhi Development Authority held on  
A-05.08.93 27.07.93 at Raj Niwas, Delhi.  
(F.2(2)/93/MC/DDA/IX )

P R E C I S

Confirmation of the minutes of the meeting of the Delhi Development Authority held on 27.07.93 at Raj Niwas, Delhi. A copy of the draft minutes is appended at (Appendix 'BB-I' Page No. 159-B to 159-J).

R E S O L U T I O N

Resolved that the draft minutes of the meeting of Delhi Development Authority held on 27.7.93 be confirmed.

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DRAFT MINUTES OF THE MEETING OF D.D.A. HELD ON  
17th JULY, 1953 AT RAJ NIKAS, DELHI

The following were present:-

CHAIRMAN

1. Shri F.K.Javey,  
Lt. Governor, Delhi

VICE-CHAIRMAN

2. Shri S.F.Jakhanwal

MEMBERS

3. Sh. R.V.Fillai,  
Addl. Secretary,  
Min. of Urban Development
4. Shri K.F.Bhatnagar,  
Chairman-cum-Managing Director,  
H.U.D.C.C.
5. Shri Virendra Singh,  
Commissioner, MCD
6. Shri H.D.Sharma,  
Engineer Member,  
D.D.A.
7. Shri D.S.Mashram,  
Chief Planner,  
T.C.P.C.

SPECIAL INVITEES

8. Shri R.K.Takkar,  
Chief Secretary,  
Delhi Administration,  
Delhi
9. Shri R.D.Kapoor,  
Secretary (Finance),  
Delhi Administration,  
Delhi
10. Shri Jagdish Sagar,  
Secretary (L&B),  
Delhi Administration,  
Delhi
11. Shri I.C.Talwar,  
Secretary to L.G.  
Delhi

ALSO PRESENT

12. Shri H.S.Anand,  
Principal Commissioner,  
D.D.A.
13. Shri J.C.Gambhir,  
Commissioner (Plg.),  
D.D.A.

contd.....



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14. Shri S.C. Gupta,  
Director (DCP),  
D.D.A.
15. S. Roy,  
Commissioner (ID),  
D.D.A.
16. K.J. Alphonse,  
Commissioner (H),  
D.D.A.
17. Shri S.M. Gupta,  
C.I.A.,  
D.D.A.

SECRETARY

18. Shri Ranbir Singh

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1. 96/93 Confirmation of the minutes of the last meeting of Delhi Development Authority held on 15.6.93 & adjourned meeting on 18.6.93 at Raj Niwas, Delhi.  
(F.No. 2(2)/93/MC/DDA.)

The Authority resolved that draft minutes of the meeting of Delhi Development Authority held on 15.6.93 and 18.6.93 be confirmed subject to the following:-

- (A) The Authority considered Chief Secretary, Delhi D.O. letter No. 3/22/DFCS/93/1626 dated 7.7.93 against Res. No. 93/93 and decided that the following words may be deleted from the resolution:-

"Detailed guidelines in this regard be formulated and brought before the Authority in its next meeting."

- (B) The following amendments be made in the resolution against item No. 94/93:-

- (i) Para 11(ii) may be numbered as para 11(i) and vice-versa.

- (ii) Para 11(vi) be substituted as under:-

"There can be situations where other models i.e. model S-I and D-II may become relevant, therefore, these models could also be tried on experimental basis."

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14. Shri S.C. Gupta,  
Director (DCP),  
D.D.A.
15. S. Roy,  
Commissioner (ID),  
D.D.A.
16. K.J. Alphonse,  
Commissioner (ID),  
D.D.A.
17. Shri S.M. Gupta,  
C.I.A.,  
D.D.A.

SECRETARY

18. Shri Ranbir Singh

\* \* \* \* \*

1. 96/93 Confirmation of the minutes of the last meeting of Delhi Development Authority held on 15.6.93 & adjourned meeting on 18.6.93 at Raj Niwas, Delhi.  
(F.No. 2(2)/93/MC/DDA.)

The Authority resolved that draft minutes of the meeting of Delhi Development Authority held on 15.6.93 and 18.6.93 be confirmed subject to the following:-

- (A) The Authority considered Chief Secretary, Delhi D.O. letter No. 3/22/DFCS/93/1626 dated 7.7.93 against Res. No. 93/93 and decided that the following words may be deleted from the resolution:-

"Detailed guidelines in this regard be formulated and brought before the Authority in its next meeting."

- (B) The following amendments be made in the resolution against item No. 94/93:-

- (i) Para 11(ii) may be numbered as para 11(i) and vice-versa.

- (ii) Para 11(vi) be substituted as under:-

"There can be situations where other models i.e. model E-1 and D-II may become relevant, therefore, these models could also be tried on experimental basis."

- 159-D -

2. 97/93 Alignment plan of Vikas Marg from Marginal Bundh road to Road No. 57 crossing in Trans Yamuna Area.  
(F.No. 5(1)/88-MP.)

The Authority resolved to approve the composite alignment plan of Vikas Marg from Marginal Bundh Road to Road No. 57 crossing (drawing No. TT-032/PW-93) as in para 7 of the agenda note.

3. 98/93 Grade Separator proposal on Ring Road/ Naja Garh Road intersection - Raja Garden Crossing.  
(F.No. 5(14)83-MP/Pt.)

The Authority resolved to approve the proposal of the fly over on Ring Road at the crossing of Naja Garh Road (Raja Garden) as in para 7 of the agenda note. Further, the Authority desired that PWD, (Govt. of NCTD) being the user agency, should be associated with the project and should watch its implementation.

4. 99/93 Change of land use of an area measuring 11.93 ha. and 3.38 ha. from 'recreational' to 'residential' at Kalkaji and village Hasthal. (Transit Camps Sites).  
(F.No. 20(7)/91-MP.)

The Authority resolved to approve the change of land use of transit camps sites at:-

- (a) Kalkaji Extn. Pkt. 'A' & 'B' (11.93 hac. )  
from 'recreational use' to 'residential'.  
(b) For the pocket measuring 3.38 ha. at Hasthal  
from 'rural use zone' to 'residential'.

Further resolved that case be processed for change of land use under Section 11-A of D.D. Act, 1957.

5. 100/93 Alignment plan of Mathura Road from  
Tilak Bridge to Nizamuddin Tomb/Police  
Stn. (3.9 Km.)

(F.No. 5(2)89-MF.)

The Authority resolved to approve the proposal contained in para 8 of agenda note and desired that separate study should be conducted to provide proper entry to and exit from Delhi Public School which could pose problems as the traffic on Mathura Road increases.

6. 101/93 Recruitment Regulations for the Post of  
Commissioner.

(F.No. 7(335)/ET/PB-I.)

After detailed discussion, the Authority decided that the Ministry of Urban Development may be approached for deciding the scale of post of Commissioners in the D.D.A. in the light of the scale of Rs. 5900/- to 6700/- already allowed to the Chief Engineers in D.D.A. After resolving the issue R.Rs may be again placed before the Authority.

7. 102/93 Allotment/Regularisation of land to  
Gurudwara Sri Guru Singh Sabha in Jangpura.

(F.No. 3(2)/89/Instl.)

The Authority resolved that an offer may be made to Sri Guru Singh Sabha at institutional rates prevailing in 1988-89 plus interest @ 16% or current institutional rates whichever is less.

8. 103/93 Draft Zonal (Divisional) Development  
plan of Zone 'I' (New Delhi Area)  
and amendments in MPD-2001.,

(F.No. 1(5)/91-P.)

The Authority resolved to approve the  
Draft Zonal Development plan and report (text)



of Zone (Division) D (New Delhi Area) as in para 7 of the agenda note. Further, the Authority decided to publish the same for inviting objections/suggestions under section 10 of Delhi Development Act, 1957 subject to incorporating the following:-

- a) The vicinity of Central Market of Lajpat Nagar, where commercial activities are concentrated be added in sub-para 10.3.
- b) MRTS proposal of change of land use be incorporated.
- c) All other changes/amendments of MPD-2001 already approved and being processed separately be incorporated in para 16 of the report under the proposed modification in MPD-2001.
- d) Number of existing and proposed petrol pumps be indicated separately in para 9.5 of the report.

9. 104/93 Directions under section 41 of Delhi Development Act, 1957 issued by the Central Govt. during the period 1.3.92 to 31.3.93.

(F.No. 14(12)/93-Secy./Pt.I)

The information was noted. Chairman emphasised the desirability of obtaining par-wise comments of D.D.A. on the representation made u/s 41(3) to Govt. before issue of directions.

10. 105/93- Review of the policy regarding allotment of Nursery School sites for uses other than Nursery School.  
(F.1(7)/80-MP/Pt.)

The Authority resolved that the Nursery School sites can be utilised for Nursery Schools as well as for other facilities required for the neighbourhood as decided by the Authority in resolution No.140 dt.29.10.81. Necessary modifications in MPD-2001 be processed.

11. 106/93- Change of trade from 'repair workshop' to 'Store telephone cables' in Wazirpur Industrial Area, Plot Nos. B-66 for MTNL.  
(F.26(12)87-I.L.)

The Authority resolved to approve as a case of 'Special permission', the use of the plot no. B-66/1 and B-66 measuring 8587.05 sqm. in Wazirpur Industrial Area for 'telephone cables storage' subject to condition contained in para 6 of the agenda note.

12. 107/93- Change of land use of two areas measuring 10 ha. and 40 ha. from 'Agriculture Green' to 'Utilities' for sewage treatment plant at village Khanpur and Budhpur, Narela scheme Delhi.  
(F.3(52)/91-M.P.)

The Authority resolved to approve the change of land use of 50 ha. (10ha. in village Khanpur) & (40 ha. near Budhpur/Bijapur) from 'rural use zone' to 'utility' and recommended that it be processed under section 11 A of Delhi Development Act, 1957.

13. 108/93- Fixation of rates of premium for the plots allotted to evictees of Motia Khan.  
(F.21(42)/79/LSB(I).)

The Authority resolved that the proposal contained in para 8 of the agenda note be approved.

14. 109/93- Development of area for shifting of noxious and hazardous trades-change of land use for 'rural use zone' to 'warehousing and storage (commercial) and recreational (open space)'

(F.20(4)/93-TP)

The Authority resolved to approve the change of land use of an area measuring 21.21 ha. and 8.1 ha. from 'rural use zone' to 'warehousing & storage (commercial) and 'recreational (open space) respectively and recommended to process under section 11 A of Delhi Development Act, 1957.

15. 110/93- Building plans for parliament Library building adjacent to Parliament House in Plot No. 115.

(F. 20(12)/93-NI)

The Authority resolved that keeping in view of the fact that the building was to be constructed within the restricted height of 7.27 mtr. (not beyond the plinth of the adjacent Parliament House), the following relaxations be approved:-

- a) permissible ground coverage from 25% to 34.01%,
- b) setback for basement(s) to 3 mtrs. in place of 9 mtrs. towards Talkatora Road,
- c) having 3 basements instead of 1 and built up area in basement, other than used for parking and services, is to be counted in FAR.

The above be incorporated in the Zonal plan.

16. 111/93- Amendment to the Delhi Development Authority (Disposal of Developed Nazul Lands, Rules, 1981.

(F.P./Secy. 93/DDA)

The Authority resolved that the proposal be approved. However, the proposed clause 46 be

reworded as under :-

46. Delegation of Powers:

Notwithstanding anything contained in the foregoing provisions, the Authority, the Administrator of the Union Territory of Delhi and the Vice-Chairman, DDA as the case may be, may delegate any of the powers vested in them under these rules to such officers of the Authority as may be considered expedient by them with the approval of next higher administrative authority."

17. 112/93- Minutes of the meeting of the Advisory Council of Delhi Development Authority held on 20.05.93 at Vikas S-dan, 'B' Block, Delhi

(F.1(2)/93/AC-DC/DDA)

The Authority noted the information.

18. Item No. 113/93, 114/93, 115/93 and 116/93 were deferred for consideration in the next meeting to be held on 5.8.93 at 11.00 A.M. at Raj Nivas.

19. 117/93- Cost-benefit analysis of Narela and determination of land premium.

(F.E.16(4)/93/Projects.)

The Authority noted the assumptions in para-2 of the analysis and resolved to approve as under :-

1. The land rates based on the cost-benefit analysis and the manner of execution of the project as laid down in para 1.0 to 4.2 of the cost-benefit analysis of Narela.
2. That Delhi Administration be requested to direct MD, DESU, DWS and SDI, Chief Engineer (I&P) and RMD to prepare their action plan and commit funds for trunk services through their budget to synchronise with the development and activities as planned by D.D.A.

cont...



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3. The pre-determined rates worked out as at para 5.2 of the Cost benefit analysis based on the option at para 10(a) of the agenda note for the year 1993-94 be sent for notification by the Govt. of India.

20. 118/93- Cost-benefit analysis of Rohini Phase-III and determination of land premium

(7.16(2)/93/projects.)

The Authority noted the assumptions in para-2 of the analysis and resolved to approve as under:-

1. The land rates based on the cost-benefit analysis and the manner of execution of the project as laid down in para 1.0 to 4.2 of the cost benefit analysis of Rohini Phase-III.

2. The Delhi Administration be requested to direct HOD, DESU, DWS and SDU, Chief Engineer (I&P) and HD to prepare their action plan and commit funds for trunk services through their budget to synchronise with the development and activities as planned by D.D.A.

3. The pre-determined rates worked out as per option-C of para 5.2 of the Cost benefit analysis for the year 93-94 be sent for notification by the Govt. of India.

ITEM NO.    SUB:-    Proposed regulations for motels - National Capital  
133/93                      Territory of Delhi.  
                                    (F.No. 10(31)81-MP.)  
A-05.08.93

P R E C I S

The Authority vide resolution No. 63/93 dt. 16.4.93 resolved that a Committee be constituted under the Chairmanship of Principal Commissioner, D.D.A. with representatives of Ministry of Tourism, IITDC and Planning Deptt. of DDA as members. The Committee was to give its recommendations on the development of motels in Delhi and to submit its report in the next meeting of the Authority. This decision was to be conveyed to the Ministry of Urban Development as an interim information.

2.        DDA vide reference No.F.10(31)81-MP/94 dt. 7.5.93 constituted a committee. The Ministry of Urban Development, vide D.O.No.F.10(31)81-MP/136 dt. 2.6.93, was informed by the Commr.(Plg.)DDA. However, as Shri S.C. Gupta, Dir.(DO&F) was on long leave, Shri P.C. Jain, Dir. (AP) acted as a convenor of the Committee.

3.        Principal Commissioner, DDA vide reference No. F.PS/PC/DDA/93/116 dated 25.6.93 submitted the report of the committee on location of motels in Delhi. The report (June 93) is signed by the Principal Commissioner, DDA/Chairman of the committee and Dir. (AP) as convenor. The other two members viz. Commr. (Plg.), DDA and Managing Director, IITDC have appended their observations/dissent while signing their report ( Appendix        ' CC '        Page No.        ' Booklet ' ).

4.        The main observations and recommendations are contained in para 10, 11, 12. & 13 of the report. The norms and standards as under are recommended by the committee to serve as guidelines for setting up motels on sites located in the rural/green belt use zone in conjunction with national and other highways, which serve as major links between Delhi and the neighbouring states.

- I    a)    The minimum plot-size should be 1 ha.  
      b)    The plot should be accessible from the highway either by means of a direct puncture or via a service road parallel to the highway provided to serve as access to the highway & as may be permitted the public authority in which the highway vests.

- c) The minimum width of the driveway used for entry into, and exit from, the plot should be 9 mtrs.
- d) The minimum set back should be 15 mts. in the front and 9 mts. from the sides and the rear.
- e) The FAR should be 15 for the first 1 Ha and 10 for the remaining area comprised in the plot, subject to a maximum floor space of 3000sqm.
- f) The maximum ground coverage should be equivalent to FAR.
- g) The built structure should not exceed the height of 9 mts.
- h) Basement equal to the ground coverage should be allowed free from FAR to the extent necessary for air-conditioning plant, filtration plant, electric sub-station and other such essential services and infra-structure.
- i) Parking space should be provided on a minimum scale of 1.67 ECS per 100 sqm. of floor area at the prescribed space standards.
- j) The retail and service shops should be limited to a maximum of 5% of the floor area.
- k) Water and electric supply, sewerage, drainage and other infra-structure should be provided on a scale and according to standards satisfactory to the building regulatory authority.
- l) All permission and clearances required under law for the use of land should be obtained from the prescribed authorities.

II The Committee also recommended that:

- a) the "Master Plan - Perspective 2001" be amended as indicated in paragraph 10 of the report and;
- b) regulations be made to provide for motels in the 'Hotel' use Zone, etc. as per norms and standards applicable to hotels and for motels on sites located in the 'Rural' and 'Green Belt' use zone as per norms and standards suggested in paragraph 12 of the report.

5. Commr.(Plg.) in his note forming part of the report on para 12 & 13 of the Report, referred to above, have suggested as follows:-

- a) the motels <sup>should</sup> be located on National Highways and state highways.
- b) the motel site ~~should have~~ set back from the r/w by a green buffer with a minimum width as specified in the NCR plan for such a highway i.e. 100 metres width for National Highways and 60 meters width for state highways. This green strip shall not be treated as part of the motel plot.

c) All permission and clearances required under laws i.e. ULCR, Delhi Land Reforms etc. to be obtained from the prescribed authorities for such development.

d) Betterment/conversion charges to be paid to the DDA as per rates to be prescribed.

e) The recommendation of the Technical Committee may also form part of the agenda for the Authority.

6. General Manager, DTDC in his note forming part of the report has made the following observation:

"Para 12(a) of the Report provides that the minimum plot size should be 1 hect. The undersigned is of the opinion that in view of the fact that the FAR and the maximum floor space have been fixed, vide para 12(a) aforesaid, it is not necessary to lay down a minimum plot size".

7. The recommendation of the Technical Committee with regard to location of the motels are given in (Appendix..... DD, Page No. 165).

8. Major stipulations for motels under "The Hotels, Boarding Houses, Guest Houses, Hostels, Lodging Houses and Motels (Building Standards) Regulations, 1977 are as under:

i. Motels "means a hotel located near the main highway for catering the convenience of persons travelling in mechanically propelled vehicles".

ii. Motels are permitted within the agricultural green belt/rural use zone of the Master Plan, if allowed by the Authority after 'special appeal' provided that motel is located along the road declared as 'national highway'.

iii. The following zoning regulations would apply to a motel:

- a) a maximum plot size of 1.21 hect. (3 acres).
- b) maximum floor area of 1858 sqm. (20,000 sq.ft.).
- c) minimum set back of 50 mtr. (165 ft.) in front, 4.57 mtr. (15 ft.) in sides and 6.1 mtr. (20 ft.) in rear.
- d) parking on an equivalent car space of 0.85 per 92.90 sqm. (1000 sq.ft.) of floor area.



:165 :

9. The above matter is placed before the Authority for its consideration and recommendation on the following issues:

i. Amendment to MPD-2001

a) Definition of "motel" (033) contained in the schedule to the Development Code of MPD-2001 from "a premises located near main highways and outside urbanisable limits for catering to the convenience of the persons travelling by road" to "a premises designed and operated especially to cater to the boarding, lodging, rest and recreation and related activities of travellers by road".

b) Motel on national and state highways which serve as major linkages between Delhi and the states, shall be permitted in the rural use zone (A3) including green belt (A2).

c) Motel may also be permitted within the commercial use zone and commercial centre in industrial use zone (at par with hotels).

ii. Amendment of "The Hotels, Boarding Houses, Guest Houses, Hostels, Lodging Houses and Motels (Building Standards) Regulations, 1977/MPD-2001 as given below:-

a) In rural/green belt - Regulations pertaining to the norms and standards for setting up motels in rural and agricultural green belt as per the details given in the statement (appendix D-I.P. & S.A. & S.C.) as in col.6.

- b) In commercial use zone & commercial centres in industrial use zone, Development Code/regulations shall be as applicable for a 'hotel' located in the Urban area of Delhi.

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### R E S O L U T I O N

After detailed discussion, the Authority resolved as under:

1. Definition of motels (033) in the Master Plan for Delhi 2001 to be replaced as under:

A premises designed and operated especially to cater to the boarding, lodging, rest house and recreation and related activities of travellers by road.

2. Motels be permitted in the rural use zone/green belt as per the regulation (norms and standard etc.) for setting up such motels as below:

- i) Location: Motels to be located on National Highways and Inter-State roads of minimum 60 mtr. R/W.

- ii) Green Buffer: The motel sites shall have set-back from R/W by green belt/buffer with minimum width of 100 mtr. X in case of National Highway (as in the NCR Plan) and 60 mtr. in case of Inter-State roads. This strip shall not be considered as part of the motel plot.

- iii) Size of Plot: Minimum plot size one hect. and maximum two hect. with minimum width of 50 mtr. along side the highway.

- iv) Set-back: Front 15 mtr. exclusive of 100 mtr. in (ii) above, side and rear 9 mtr.



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v) F.A.R.: 15 (fifteen) subject to maximum floor area of 3000 sq. mtrs.

vi) Ground Coverage: Maximum equivalent to F.A.R.

vii) Height: Maximum height 9 mtr.

viii) Basement: Basement maximum equivalent to the ground coverage, free from FAR to the extent required for air-conditioning plant, filtration plant, electric sub-station, parking and other essential services.

ix) Parking space: Minimum of 1.67 ECS per 100 sq.mtr. of floor area including that provided in (viii) above.

x) Activities: Retail and service shops limited to maximum 5% of floor area.

xi) Services: For infrastructure such as power, water supply and sewerage, etc. if municipal services do not exist or cannot be made available, the owner has to make the provision to the satisfaction of the local development authority/municipal body.

xii) Clearance/No Objection: Height clearance from Civil Aviation Department where necessary, any other NOC/clearance required in any other law specifically laid down including ULCR and Delhi Land Reforms, etc. relating to utilisation of land for such purposes.

xiii) Conversion: Payment of conversion charges to DDA/Competent Authority as per prescribed rules for use of rural/agricultural land for commercial use as a motel. For this modalities be worked out.

Further resolved that amendment in the Master Plan for Delhi-2001 and "Hotel, Boarding House, Hostel, Lodging House and Motel (Building standard) Regulation 1977" be processed as in para 1 and 2 above.

## **LOCATION OF MOTELS IN DELHI**

***Report of Committee Constituted Under  
Resolution No. 63/93 Dated 16th April, 1993 Of  
Delhi Development Authority***

***June, 1993***

1-164-A-1

#### LOCATION OF MOTELS IN DELHI

1. The demand for a review of the existing dispensation in the "Master Plan for Delhi - Perspective 2001" (MPD - 2001) as regards motels has been voiced from time to time. In this general context, pursuant to its Resolution No.63/93 dated the 16th April, 1993, the Delhi Development Authority (DDA) has constituted a Committee to examine the desirability of, and frame guidelines and modalities for, setting up motels in the rural use zone. The Committee consists of Principal Commissioner, DDA as Chairman, Regional Manager (North), ITDC, Managing Director, DTDC and Commissioner (Planning), DDA as Members and Director (Area Planning), DDA as Convenor.
2. The immediate context for the constitution of the aforesaid Committee is that 23 applications seeking permission to set up motels have been received in DDA. It has been reported to the Committee that the sites in all these 23 cases are located in the rural use zone.

3. For purposes of landuse, MPD-2001 provides for 136 use premises/activities falling in 37 use zones which, in turn, are organised in 9 categories. As can be seen from clause 4 of the Development Code incorporated in MPD-2001, "Rural Zone" is the 36th use zone and falls in the 9th category of landuse known as "Agriculture and Water Body". According to clause 8 of the said Code, 7 use premises/activities are permitted in this use zone. They are :

- (i) rural centre (rural centre, retail shop, repair shop, personnel service shop, weekly market, bank, commercial office, cinema, restaurant, local government office, dispensary, clinic, clinical laboratory, hospital, senior secondary school, library, community hall, police post, fire post, post office);
- (ii) public and semi public facilities within 0.5 km of settlement: (a) hospital (hospital, health centre including family welfare centre, nursing home, dispensary, clinic, clinical laboratory, voluntary health service, residential flat and residential group housing plot for hospital staff and employees, hostel for students of medical college and staff, Dharamshala, night shelter, bank, restaurant, indoor games hall, recreational club, swimming pool, library, medical and like college, forensic science laboratory, police post, fire post, posts and telegraph office); (b) education and research (university institute, college, educational and specialised nursery and kindergarden school,

: 3 :

integrated residential school,  
creche and day-care centre,  
research and development centre,  
library, social welfare centre,  
auditorium, open air theatre,  
health centre, playground, outdoor  
stadium, indoor games stadium,  
indoor games hall, shooting range,  
swimming pool, recreational club,  
botanical garden, planetarium,  
zoological garden and aquarium,  
residential group housing plot for  
staff and employees, hostel for  
students, guest house, convenience  
shopping, bank, museum, fire post,  
police post, post and telegraph  
office); (c) social and cultural  
(social and cultural institute,  
international conference hall,  
museum, exhibition centre, art  
gallery, auditorium, open air  
theatre, community hall, cultural  
and information centre, residential  
flat for watch and ward staff,  
hostel, indoor games hall,  
recreational club, planetarium,  
library, police station, fire  
station, post and telegraph  
office); (d) police headquarter and  
police lines (police headquarter,  
police post, police station,  
district battalion office, civil  
defence and homeguard, forensic  
science laboratory, jail, fire  
post, residential plotted and group  
housing plot, hostel for staff and  
employees, guest house, bank,  
convenience shopping, motor garage  
and workshop, restaurant,  
playground, indoor games stadium,  
indoor games hall, shooting range,  
swimming pool, recreational club,  
hospital, health centre,  
dispensary, voluntary health  
service like Red Cross, nursery and  
kindergarden school, integrated  
residential school, library, fire  
post, post and telegraph office);  
(e) fire station and headquarter  
(fire station, fire post,  
residential flat for staff  
employees, hostel for staff, guest  
house, convenience shopping, bank,

: 4 :

motor garage and workshop,  
restaurant, playground, indoor  
games hall, swimming pool,  
recreational club, health centre,  
primary school, library, post and  
telegraph office); (f)  
telecommunication (satellite and  
transmission tower, wireless  
station, telephone exchange, radio  
and television station, observatory  
and weather office, fire post,  
residential flat for watch and ward  
staff); (g) cremation and burial  
(burial ground, cremation ground,  
cemetery, electric crematorium,  
retail shops of wood, flowers and  
related materials, watch and ward  
staff residence upto 20 sqm); (h)  
religious (temple, mosque, church,  
Gurudwara, synagogue, Ashram,  
bathing ghat, Gaushala, Dargah,  
charitable dispensary and library);

- (iii) orchard (orchard watch and ward and  
maintenance staff residence upto 20  
sqm, with all structures being  
temporary in nature);
- (iv) plant nursery (nursery, watch and  
ward staff residence upto 20 sqm,  
with all structures being temporary  
in nature);
- (v) Wireless and transmission;
- (vi) forest;
- (vii) extractive industry in zones  
'L', 'N' and 'P' with extraction  
being limited to a depth of 1.2  
metre.

It is clear from the above that, as things  
stand at present, motels are not included in  
the use premises/activities permitted in the  
rural use zone.



4.

The motel has been recognised in MPD-2001 as a use premise/activity and has been listed as such at 033 in the list of 136 use premises/activities given in clause 8 of the aforesaid Code. In the schedule to the said Code, it has been defined as "a premises located near main highways and outside urbanisable limits for catering to the convenience of persons travelling by road". While the motel has, thus, been recognised in MPD-2001 as a use premise/activity, it has not been shown as a permitted use premise/activity in any of the use zones. Consequently, in terms of MPD-2001, motels are not permitted anywhere in Delhi at present.

5.

The above represents a marked departure from the position obtaining under the "Master Plan for Delhi - 1962" (MPD - 1962). With regard to landuse, MPD - 1962 provided for 3 categories of uses in use zones : (a) uses permitted; (b) uses permissible if allowed by the competent authority on special appeal, and (c) uses prohibited. Motels were categorised as uses permissible if allowed by the competent authority on special appeal with reference to the "residential" use zone. Accordingly, building standards were prescribed for the purpose in the Hotels.

Boarding Houses, Guest Houses, Hostels, Lodging Houses & Motels (Building Standards) Regulations, 1977 made under the Delhi Development Act, 1957. The reason why these provisions as regards motels were not continued in MPD - 2001 is not indicated in the document. It has, however, been stated by Commissioner (Planning), DDA, who had a major role in the formulation of MPD - 2001, that it had been consciously decided not to provide for motels on the ground that they were not required in view of the extensive urbanisation of Delhi.

6. The National Capital Territory of Delhi covers an area of 1,48,639 Ha, out of which 44,777 Ha are urban. To accommodate an estimated population of 122 lakhs, MPD - 2001 envisages an extension of the urban area by 24,000 Ha. The urban area will thus eventually amount to 68,777 Ha or 46.27% of the total area of Delhi. Obviously, even at the end of this century, more of Delhi will be rural than urban. Further, Delhi is situated at the crossroad of north-western India. South - or east-bound road travellers from the north and the west are required to pass through Delhi. Similarly, road travellers from the south and the east going to places in the north or the west find Delhi on their way. What is more, because of its great politico-administrative, economic and

cultural importance, Delhi is a heavily-favoured destination in its own right. It has, therefore, emerged as a knot tying up no fewer than 5 national highways. As the Landuse Plan incorporated in MPD - 2001 shows, of the 5 national highways linking Delhi, considerable lengths of NH I, NH VIII and NH X pass through rural areas. There are other highways also which pass through rural areas. It cannot be said, therefore, that Delhi is too urbanised to need motels.

7.

As regards the relevance of motels to Delhi, another factor that has to be taken into account is that the motel is no longer a purely rural phenomenon. When people travelled on horseback or by horse-drawn coach, inns sprang up along the road to shelter them and their horses. As the horse and the horse-drawn coach gave way in due course to the motor vehicle, roadside tourist-cabins came into being, and these soon graduated into motels. Historically, therefore, the motel is a highway amenity, much like petrol stations, repair garages and accident rescue and relief facilities, and since highways pass mostly through rural areas, the motel has come to be regarded as a rural phenomenon. But this situation has been changing. Says Frank Harrison Randolph, a well-known hotel planning consultant and Professor of Hotel Engineering at Cornell University : "Long characterised by small units located on the open highway, motels are

now growing larger and moving into the fringes - and even the downtown areas - of large cities."<sup>1</sup>

8.

Motels are not only being set up close to, or even within, large cities but they are also increasingly beginning to resemble hotels. Henry End states that it becomes difficult with each year to discover the difference between the hotel and the motel and approvingly quotes Time Magazine as saying : "Today's motels bear about as much relation to the old tourist cabin as the Baths of Caracalla do to a penny arcade." In support of this view, he cites the examples of two motels located in New York - the Sheraton Motor Inn and the Holiday Inn. The former is housed in a 21-storey structure and has 450 rooms. The Holiday Inn building is of 18 storeys and consists inter alia of 400 rooms, a convention hall to accommodate 500 delegates, a banquet hall large enough for 400 guests, underground parking for 400 cars, interior garden retreats and a rooftop swimming pool. A third example End cites is that of the Motel de Ville in downtown New Orleans, which has 150 rooms and all the

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1. Randolph, Frank Harrison: "Motels", Time Saver Standards for Building Types, 5th Edition, New York, McGraw Hill Book Company, 1974, p.752.

(A copy of this authoritative work, which sums up the current conventional wisdom about motels, is appended hereto to facilitate ready reference.)

facilities of a good hotel.<sup>2</sup> There is, thus, a growing convergence between the concepts of hotel and motel, so much so that, according to Randolph : "Motels are now considered part of the hotel business. Many of the larger motels provide the same services as hotels, and it has become increasingly difficult to draw a sharp line of demarcation between them."<sup>3</sup>

9.

The disappearing dichotomy between the motel and the hotel has resulted in differentiation among the former. The classic concept of the motel, characterised by location on the highway, special design to meet the needs and comforts of the long-distance traveller by road, economy, and informality and the personal touch in services, as noted by Geoffrey Baker and Bruno Funaro in their pioneering and seminal study,<sup>4</sup> continues to be valid and, perhaps, preponderant. But Randolph notes four more types of motels found near or within urban areas, unlike the classic type which is more natural to rural areas. These are:

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2. Henry End: Hotels and Motor Hotels, New York, Whitney Library of Design, 1963, pp 117, 121.

3. Randolph, Frank Harrison : "Motels", op. cit., p. 752.

4. Baker, Geoffrey & Funaro, Bruno : Motels, New York, Reinhold Publishing Corporation, 1960, pp. 5-7.

: 10 :

- (a) the city motel, built in town or the edge of town, primarily for commercial travellers with business in the downtown area, on expensive land and a restricted site, nearly the whole of which is used for buildings and parking, the structure being at least 3 stories high;
- (b) the motor annex, as an adjunct to an existing hotel in the city;
- (c) the resort motel, intended primarily for guests who have reached their destination, usually requiring ample facilities for recreation, the size and seasonality varying according to specific needs and conditions; and
- (d) the airport motel, built at a major airport within easy driving distance of suburban residential areas and the city for airline patrons, motorists, and guests from the metropolitan area served by the airport, being a relatively large and high class operation, often having 150 to 300 rooms housed in 2-storey buildings on a site of at least 10 acres, with full-scale food and beverage facilities, function rooms and extensive recreational facilities.<sup>5</sup>

10. From what has been stated above, it is evident that the motel can be urban as well as rural, big as well as small and like a full-fledged hotel as well as the highway tourist-cabin of its inceptive phase. As it is at present, MPD-2001 does not reflect this preception. It will, therefore, have to amended on two counts:

5. Randolph, Frank Harrison : "Motels", op. cit., pp. 753-56.



: 11 :

- (a) The definition of motel contained in the schedule to the Development Code incorporated in MPD-2001, being based on the classic/traditional concept of the motel, is overly restrictive. It limits the location of motels to sites "near main highways" and "outside urbanisable limits." As has been seen above, several types of motels do not need to adhere to these restrictions. It would be desirable, therefore, to adopt a more flexible definition, such as "a premises designed and operated especially to cater to the boarding, lodging, rest and recreation and related activities of travellers by road".
- (b) The present incongruity in the Code aforesaid, whereby the motel is recognised as one of the 136 use premises/activities but not permitted as such in any of the 37 use zones grouped in 9 categories, will have to be removed and, in view of the different types of motels to be found, in terms of landuse, motels will have to be permitted in the "Rural" and "Green Belt" use zones in conjunction with national and other highways which serve as major links between Delhi and the States surrounding it, and also in the "Hotel" use zone falling in the category "Commercial" and wherever else hotels are permitted under MPD-2001 at present.

11. As has already been noted, when located in or near urban areas, motels are virtually indistinguishable from hotels. It follows that all norms and standards that usually apply to hotels would apply to such motels

: 12 :

also irrespective of whether the site falls in the "Hotel" or any other use zone. For sites falling in the "Rural" or "Green Belt" use zones, however, separate guidelines will have to be developed, so that the conflicting demands of the motel, the highway and the rural/green belt zone are harmonized. For this exercise, the provisions of the Hotels, Boarding Houses, Guest Houses, Hostels, Lodging Houses & Motels (Building Standards Regulations, 1977 can serve as a basis and point of departure. The said Regulations, as amended in 1989, provided as follows by way of zoning regulations for motels:

- (i) a maximum plot size of 1.21 hectares (3.00 acres);
- (ii) a maximum floor area of 1,858 sq. mtr. (20,000 sft.);
- (iii) a minimum setback of 50 mtrs. (165 ft.) in the front, 4.57 mtrs (15 ft) at the sides and 6.10 mtrs. (20 ft) in the rear;
- (iv) parking at an equivalent car spaces of at least 0.85 per 92.90 sq. mtr. (1000 sft.) of floor area.

Randolph has also made several suggestions about the size of the site/plot, extent of ground coverage, number of floors, parking facilities and access from the highway.

12.

: 13 :

Taking into account the provisions of the Regulations referred to above, the suggestions made by Randolph and the specific conditions prevailing in Delhi, the following norms and standards are recommended to serve as guidelines for setting up motels on sites located in the rural/green belt use zone in conjunction with national and other highways which serve as major links between Delhi and the States surrounding it:

- (a) The minimum plot size should be 1 Ha.
- (b) The plot should be accessible from the highway either by means of a direct puncture or via a service road parallel to the highway provided to serve as access by the highway as may be permitted by the public authority in which the highway vests.
- (c) The minimum width of the driveway used for entry into, and exit from, the plot should be 9 mts.
- (d) The minimum setback should be 15 mts. in the front and 9 mts. from the sides and the rear.
- (e) The FAR should be 15 for the first 1 Ha and 10 for the remaining area comprised in the plot, subject to a maximum floor space of 3000 sqm.
- (f) The maximum ground coverage should be equivalent to FAR.
- (g) The built structure should not exceed the height of 9 mts.

: 1 4 :

- (h) Basement equal to the ground coverage should be allowed free from FAR to the extent necessary for air-conditioning plant, filtration plant, electric sub-station and other such essential services and infra-structure.
- (i) Parking space should be provided on a minimum scale of 1.67 ECS per 100 sqm. of floor area at the prescribed space standards.
- (j) The retail and service shops should be limited to a maximum of 5% of the floor area.
- (k) Water and electric supply, sewerage, drainage and other infra-structure should be provided on a scale and according to standards satisfactory to the building regulatory authority.
- (l) All permissions and clearances required under law for the use of land should be obtained from the prescribed authorities.

13.

In the light of submissions made in the preceeding paragraphs, the Committee recommends that :

- (a) the "Master Plan for Delhi Perspective 2001" be amended as indicated in paragraph 10; and

: 15 :

- (b) regulations be made to provide for  
motels in the "Hotel" use zone,  
etc. as per norms and  
standards applicable to hotels per  
se, and for motels on sites located  
in the "Rural" and "Green Belt" use  
zone as per norms and standards  
suggested in paragraph 12.

*A.P. Sinha*  
25/6/93

(A.P. Sinha)  
Principal Commissioner, DDA  
CHAIRMAN

*Subject to note appended*

*J.P. Gaubhir*  
25/6/93  
Director, DTDC  
Managing MEMBER

*Subject to observations/comments  
attached*  
(J.P. Gaubhir)  
Commissioner (Planning), DDA  
MEMBER

(Absent)

Regional Manager (North), ITDC  
MEMBER

*P.C. Jain*  
25/6/93  
(P.C. Jain)  
Director (AP), DDA  
CONVENOR

NOTE

My observations/comments on the report pertaining to " Location of Motels in Delhi " are as follows:-

- (i) Facilities mentioned in para 3(ii) are not wholly within the scope of rural use zone to serve the rural population.
- (ii) It is limited length of National High way 1, 8 & 10 pass<sup>ing</sup> through the rural area with travel distance hardly 10 to 15 minutes to reach the urban area, as such motels were not specified in the rural use zone in MPD-2001. (Refer para 6)
- (iii) The issue of 'Location of motels' has also been discussed in the Technical Committee held on 11.6.93 the recommendations of the same may also form part of the agenda for the Authority.
- (iv) Motel is basically a commercial activity; allowing this development by private owners on their plots would require change in the present urban land policy of large scale acquisition, development and disposal, followed in Delhi.
- (v) To the operating paras 12 & 13 I have the following to suggest:-
  - (a) The motels to be located on National Highways and state highways.
  - (b) The motel site shall be set back from the r/w by a green buffer with a minimum width as specified in the NCR Plan for such a highway i.e. 100 metres width for National Highways and 60 metres width for state highways. This green strip shall not be treated as part of the motel plot.
  - (c) All permissions and clearances required under laws i.e. ULCAR, Delhi Land Reforms etc. to be obtained from the prescribed authorities for such development.
  - (d) Betterment/conversion charges to be paid to the DDA as per rates to be prescribed.

( J. C. GAMBHER )  
COMMISSIONER (PLANNING)



NOTE

Para 12 (a) of the Report provides that the minimum plot size should be 1 Ha. The undersigned is of the opinion that, in view of the fact that the FAR and the maximum floor space have been fixed, vide para 12 (e), aforesaid, it is not necessary to lay down a minimum plot size.

  
(J.P. Rai)  
GM and MD, DTTDC  
Member

## ANNEXURE

By FRANK HARRISON RANDOLPH, P.E.  
Hotel Planning Consultant and Professor of Hotel Engineering, Cornell University

A motel can be defined as any type of sleeping accommodation designed and operated especially for the traveler who travels by car. It may be the most primitive structure, or a virtual palace. It may be called a cabin, a court, a lodge, an inn—or simply a motel.

### Growth of the motel business

Since their crude beginning in the 1920's, motels have had a phenomenal growth, paralleling that of the automobile and the highway. Long characterized by small units located on the open highway, into the fringes—and even the downtown areas—of large cities. The average size, which was only 15 rooms in 1952, had by 1959 increased to 35 rooms; motels with 100 or more rooms are not uncommon since large corporations have entered the field. Motels are now considered part of the hotel business. Many of the larger motels provide the same services as hotels, and it has become increasingly difficult to draw a sharp line of demarcation between them.

### Essentials for success

The success of every motel is influenced by three factors, all of immediate concern to the designer: (1) Good location, (2) Attractive appearance, and (3) Quick, pleasant, and economical service.

### TYPE OF PATRONAGE

There are two main types of motel patronage: transient and terminal. The transient motorist, whether traveling on business or for pleasure, generally has certain predictable preferences. Primarily, he wants ready access to his car and quick service. The terminal guest (who may have been a transient yesterday at another motel) has different preferences because he has reached his destination. He wants pleasing surroundings and recreational facilities. Some motels are designed primarily for transients; others cater only to the terminal guest. Still others must be planned for both types.

Commercial hotels normally derive at least 85 per cent of their room sales from persons traveling on business. The city motel, in the absence of conflicting data, should expect about the same. As a typical example, a 40-room motor court, although 7 miles from the center of a good-sized city, found that business men supplied 85 per cent of its annual business.

And it was a popular motel—its average of 80 per cent room occupancy for the year was nearly 10 per cent above the national average.

Business travel is much greater in volume than vacation or pleasure travel. The volume of business travel is, moreover, fairly constant throughout the year: only 25 per cent more business travel takes place in summer and fall than in winter and spring.

Vacation travel, however, is two to three times greater in summer than in winter. This extreme fluctuation in the volume of business makes it extremely difficult to operate profitably a motel catering solely to vacationers. Most motels of over 50 rooms need almost 50 per cent occupancy to break even. Thus some motels find it necessary to shut down during the off-season to reduce the loss. Real estate taxes and building depreciation, of course, continue nevertheless.

Vacation trips are taken by over 75 per cent of our adult population, but about 60 per cent of these people do not always go to the same place. The most popular vacation destinations in the United States are Florida, California, New York, and Michigan (in that order). Roughly two-thirds of all vacation travel takes place during the summer, and the average vacation travel period is two weeks.

There is a definite need for more acceptable motels for people in the middle- and low-income groups. A new motel should guard against pricing itself out of the market. The designer should be especially careful that construction costs do not result in prohibitively high rental rates.

### FEASIBILITY

Determining the probability of financial success for a project is recommended as the first step in planning. A dependable business forecast, based on local controlling conditions, should be made by a competent concern. This forecast should determine whether there is adequate need for a new motel and should give a general indication of the number of guest rooms and the type and extent of services to be provided. The forecast should be followed by selection of the site, working out of the financial plan, and finally, determination of the functional scheme: the number, types, and sizes of guest rooms, public spaces, and food and beverage facilities, the type of building construction, and the extent of mechanical services. Only after these preliminary steps have been completed is the

project ready to be started on the drawing boards. Otherwise, much time, money, and effort may be lost in developing specific ideas that are impractical and yet difficult to discard.

### Basic economic survey

Many factors will require careful study by a qualified financial advisor, such as a firm experienced in hotel and motel accounting. Ever-increasing costs of construction and operation are vital considerations. The rapidly expanding and shifting pattern of major highways should be evaluated for its effect on the site. The possibility of an overabundance of motels in the area must not be overlooked. The soundness of the title to the land may be questionable. The decision of whether to purchase the land, build on leased land, or select a sale-and-lease-back arrangement may well have a considerable effect on taxes.

It will aid greatly in planning to have in advance an idea of the type of traveler expected, the probable length of his stay, and the seasonal fluctuations expected in the volume of business. Such a survey is unquestionably a help in determining the financial feasibility of a project. Seasonal variations may require a break-even point at close to 50 per cent occupancy. Horwath & Horwath, Hotel Accountants and Consultants, stress the importance of determining: (1) the rate of economic growth of the area, (2) the probable future development of the community, and (3) the status of existing or contemplated transient housing and feeding accommodations.

### LOCATION

Site location is of paramount importance. Geographically, it should be at the end of a day's run for the motorist in order to attract transient business. The average motorist is not interested in stopping for the night except at the end of his day's run, so the site should be a day's run for a multiple of this from one or more typical motorist centers. The typical motorist covers about 500 miles a day, plus or minus up to 100 miles, depending upon personal preferences and highway conditions, which need individual analysis for a given area. Obviously the motorist will travel considerably farther in a day on limited-access express highways than on the usual improved routes.

Traffic surveys showing the daily volume of value only if they indicate the number of potential customers passing the site.

during the critical few hours of the end of the day. The total 24-hour volume of trucks, local passenger traffic, and whatever else comes along means very little. A tally of all passenger-car license plates that passed in each direction during the end-of-the-day period, disregarding, if possible, those issued within a radius of about 200 miles, would give the most helpful indication of potential business for the day or days on which the count was taken. It would give no guarantee of volume, however, for another season or for future years.

Major highway routes are constantly changing, both in pattern and in condition. An excellent location today can become almost worthless next year because a new highway has bypassed it, taking virtually all of its long-distance passenger traffic. Or the condition of a long major route might be so greatly improved that, although the motel was formerly a normal transient business, it would now be reached by most potential customers by mid-afternoon—at least two hours before their stopping time. Future highway conditions are difficult to forecast, since highway plans are often changed for unpredictable reasons with disastrous consequences for the motel, which may become virtually stranded. Careful checking with all the various planning agencies, especially the State highway department, is a precaution that must not be overlooked. Indeed, selection of the proper site requires the combined judgment of persons in many fields. The State highway department can forecast traffic characteristics. The chamber of commerce is familiar with recent civic development and building and population trends. The real estate broker knows land values. The construction engineer can report on soil conditions, excavation, and drainage, and indicate probable difficulties in building. The architect experienced in motel design will have a wealth of practical advice. The survey should be satisfied that the economic survey should be satisfied that the site is properly qualified. The finance company or bank that is to loan the necessary funds must be convinced of the apparent soundness of the venture. If a particular site is vetoed by any one of these qualified parties, the success of the enterprise must be considered open to serious question. There is no satisfactory substitute for an excellent location that meets these various criteria.

When the typical motorist, thinking he has travelled long enough for the day, realizes there is some difficult driving a short distance ahead, and then encounters an attractive motel, he will be nicely conditioned to decide to stop for the night. The

difficulty may be the heavy traffic of a large city, a winding road over a mountain, or a tedious long stretch of road through barren country—something he would rather postpone until morning. Situating the motel suitably in advance of such an obstacle can be definitely rewarding (Fig. 1).

Some motels successfully intercept the traveler just outside a city where he had thought to find lodging (Fig. 2). If several motels are already grouped along the highway leading into a city, a new motel can be expected to be more successful if it joins the group than if it selects an isolated location. Prospective guests tend to be favorably impressed by a large group of motels, which by its very magnitude suggests abundant hospitality and a popular motel area. Once he stops, the traveler is almost certain to stay at one or another of these places (Fig. 3).

If possible, the motel should be on the right-hand side of the road, especially if traffic is at all heavy, since drivers would rather not make a left turn (Fig. 4). If the highway curves, place the motel on the right of a left-hand curve, so that it will be directly in line with the driver's vision (Fig. 5). If the site selected slopes upward from the highway, the hillside location of the motel will add to its prominence (Fig. 6).

The best motel site is the one with the greatest appeal to the largest number of potential customers. The site should of course be plainly visible from a distance. Highway intersections are often excellent places for motels. Approaching motorists will already have reduced speed and be prepared to stop, and can readily size up the situation before reaching the intersection. The order of preference of several possible site locations at an intersection may be influenced by such factors as the slope of the land and the presence of existing or future buildings (Fig. 7, 8, 9).

If travel is about equal in both directions, the motel should aim for those who are going rather than those returning, because of the opportunity for repeat business. Twenty-five per cent of the guests of some motels are repeat customers.

If a town is bypassed by the main traffic route, the motel may be placed on the right-hand side of the road leading to the town, but should be plainly visible from the main highway (Fig. 10). If two towns are not far apart on the highway, the motel should be placed to intercept the major volume of traffic before it reaches either of them. Putting the motel between the towns generally proves unsatisfactory, since most motorists would not be inclined to stop for the night.

It is important to determine well in advance whether the highway department will permit the desired location. Regulations, setbacks, regulations, setbacks, lanes, and access drives must all be considered. The highway department will permit direct access from deceleration and acceleration lanes. Definite approval of specific plans should be obtained from the authorities at a very early stage in the planning.

Advance signs advertising the motel are essential. The authorities have very severe restrictions on the placement of such signs; therefore, sign locations must be assured and permissions obtained before the site may be to be satisfactory.

#### TYPE OF MOTEL

Motels can be differentiated by their location and purpose. The most common types are as follows:

1. The city motel is built in town, on the edge of town. It is intended primarily for commercial travelers with business in the downtown area. It generally has an expensive land, a restricted site, and a structure of at least three stories high. The entire site is used for buildings and parking.
2. The motor annex, a relatively new development, adjoins an existing hotel in a city. Whether the motel emphasizes its connection as an annex will depend on the reputation of the hotel and its advertising location, services, utilities, supervision, and maintenance staff.
3. The highway motor hotel is usually a roadside parking for the traveler en route. This type of motel is usually one or two stories high, with a site of at least five acres. If space permits, not more than 10 per cent of the site area is used for buildings and parking.
4. The resort motel is intended primarily for guests who have reached their destination for recreation. Closing during the season may also be necessary. The site, if spacious, can be small if necessary. It is usually intercontinental, airport, and usually large and high-class operation. The type of motel often has 150 to 500 rooms. Two-story guest-room buildings, and a large metropolitan area served by the airport. The size of such a motel permits extensive recreational facilities, including food and beverage service, and a large staff.

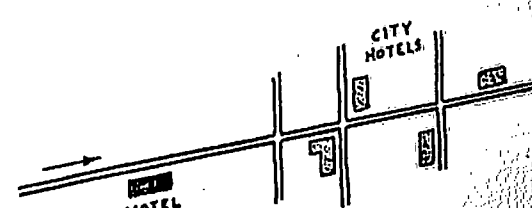
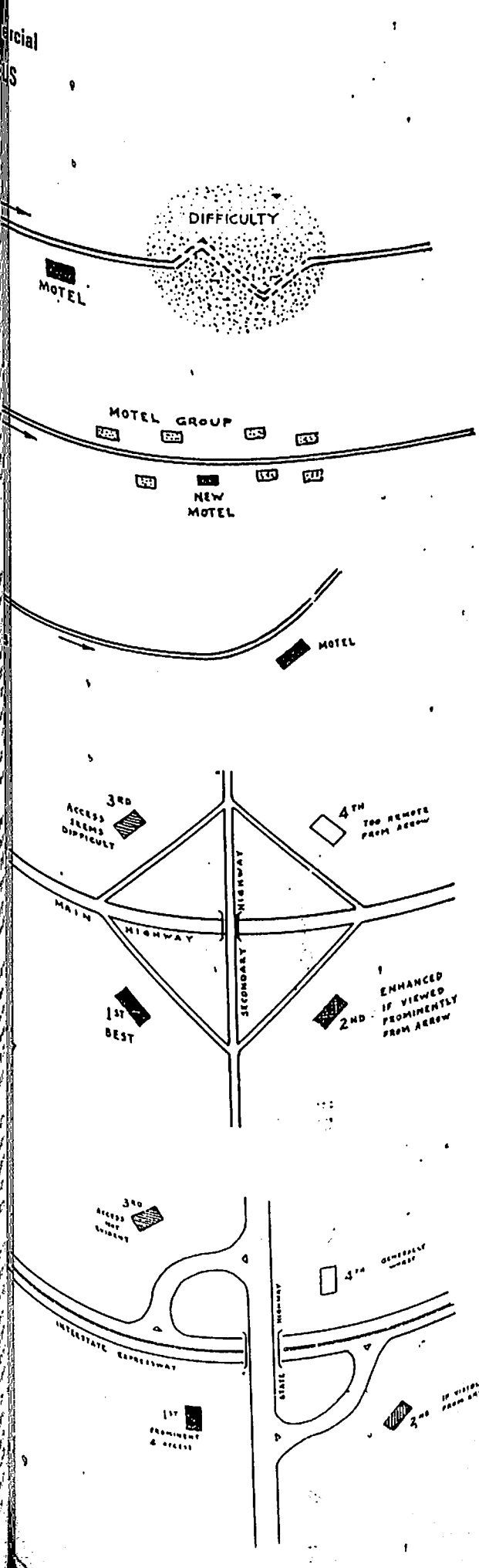


Fig. 2

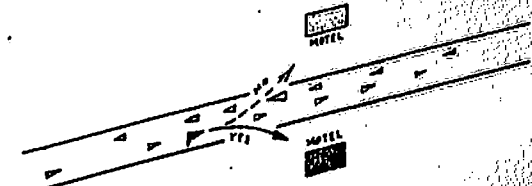


Fig. 4



Fig. 6

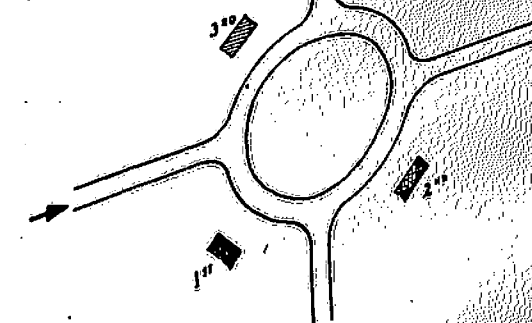


Fig. 8



Fig. 10

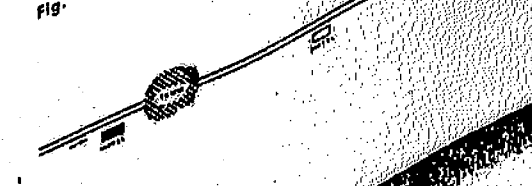


Fig. 11

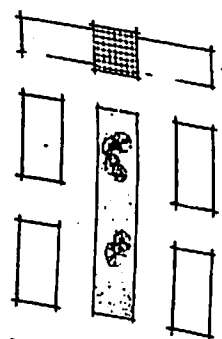


Fig. 12

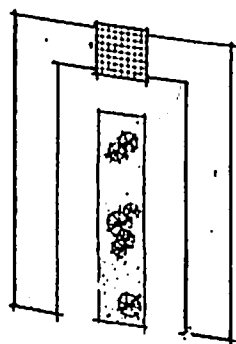


Fig. 13

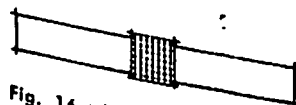


Fig. 16

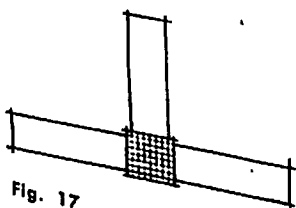


Fig. 17

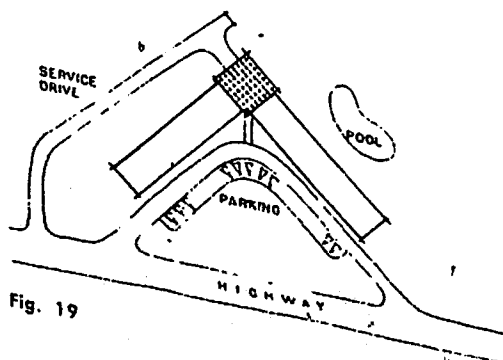


Fig. 19

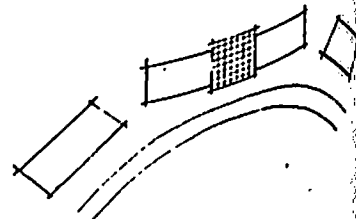
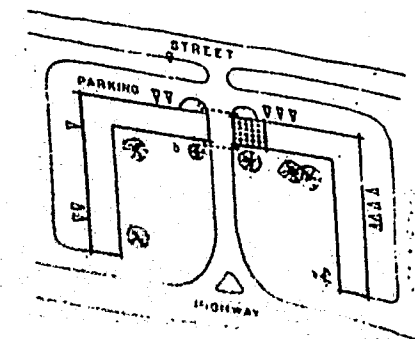


Fig. 14

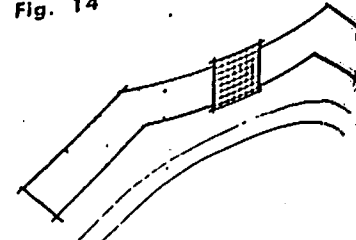


Fig. 15

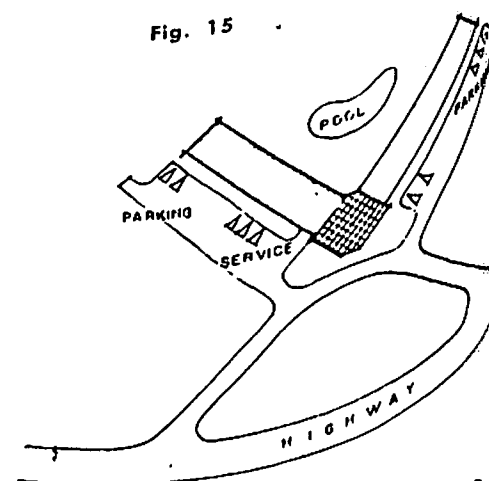


Fig. 18

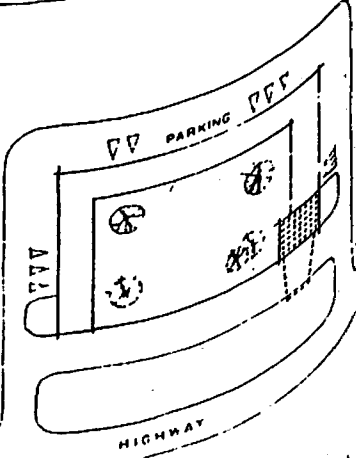


Fig. 20

dustrial area, within easy driving distance of both the suburban residential area and the city.

# SITE PLAN

Pertinent factors include the size of the buildings, the area for parking, size of the site, contour of the land, and the extremely important traffic patterns for guests, employees, supplies, and refuse. The usual arrangement should combine "pull" with "push"—two items that are difficult to obtain simultaneously in any site plan. The "pull" or drawing power of an attractive appearance from the highway should be converted to privacy for the guest after arrival. Drawing power is linked with proximity to the highway; privacy is associated with quiet surroundings. Some compromise must be made on the basis of the variety of motel, the type of guest, and the site conditions. One operator may want the motel set far back from the highway; another may want the swimming pool right out in front. The designer must know the preferences of the motel owner and operator in order to produce the results desired. If the motel is to be located on a highway of at least 500 ft. The motorist going 60 miles an hour will need about that distance to slow down comfortably in order to turn off the highway.

For a small installation, the guest units may be arranged in a U-shaped pattern, with a lawn area in the center and the guest registration building at the middle of the horizontal portion of the U (Fig. 12). The same arrangement can be modified to provide unbroken construction, with everything under one roof (Fig. 13).

A crescent-shaped arrangement is often quite appealing. The central registration building may be flanked by guest units with trees. If built as a simple structure, this arrangement usually takes the shape of a half-hexagon (Fig. 15). Or the motel might be designed as a long, straight building, with equal wings extending from the registration office (Fig. 16).

For some sites, a T-shaped structure might be most suitable. With that design, however, the service entrance can be difficult to locate (Fig. 17). The L-shaped layout is deservedly popular. Placing the registration office toward the highway extends an obvious welcome to the motorist. The sight of other cars in the parking area will also be an inducement to the prospective guest. In addition, the garden and pool area will be secluded, so that the guest can escape the noise and confusion of the highway (Fig. 18). Or the position of the L might be reversed, and the ground

areas adjoining the building attractively arranged. The swimming pool, for example, could be placed out in front as an inducement to the traveler (Fig. 19).

If the site is approximately square, and located near or in town, the registration office may best be placed at the tip of one side of a U. This familiar solution is both well-ordered and attractive (Fig. 20). If the site is longer and has access to a rear street parallel to the highway, the U may advantageously be broken by a driveway connecting the streets. The driveway could then be covered at the registration office and access to the parking areas so arranged that control could be exercised by the office over all arrivals and departures (Fig. 21).

A relatively long, narrow site on the edge of town might be developed advantageously by setting the building back from the highway and providing good visibility, roomside parking, and efficient traffic patterns (Fig. 22). If the site were somewhat deeper, the building might be designed as a half-hexagon, with a garden court and recreation area. Whether guests would prefer roomside parking or an adjacent garden court and recreation area depends on such circumstances as the purpose of their visit, length of stay, climatic conditions, and the view from windows not facing the court (Fig. 23).

A large motel in the downtown area may take the form of a hollow rectangle. The example shown in Fig. 24 provides a wide scope of services, including a restaurant, ballroom, shops, room service, year-round swimming pool, and an attractive central garden area. Street-level parking is provided under the guest rooms. A similar pattern is followed in the 68-unit motel shown in Fig. 25. The registration office, restaurant, coffee shop, cocktail lounge, and restaurant are located in the portions of the building nearest the highway. The inner court provides parking space around an island lawn with trees. This arrangement permits good control of cars entering and leaving, brings the cars near the guest rooms, and may thus seem the obvious solution to parking problems. The noise of cars arriving and departing, however, often late at night or early in the morning, will affect all guest rooms facing the court. In northern climates, snow removal can be a difficult problem as well, with the hollow-rectangle arrangement.

The 150-room airport motel shown in Fig. 26 uses the inside of the enclosure for the garden, recreation, and swimming-pool area, with parking facilities around the outside. Business comes from both airline

and motor travelers. Service is comparable to that of large hotels in the city. The circular building contains a dining room and cocktail lounge on the ground floor, and a second floor meeting room.

Individuality is an asset to the motel illustrated in Fig. 27. On a site of moderate area, this motel has a convenient, covered entrance for the motorist and an adjoining circular restaurant building, backed up by an L-shaped, two-story guest section. The outside dining terrace overlooking the lawn and pool is especially inviting, with its open, yet secluded atmosphere. Separate parking areas are provided for restaurant patrons and for guests.

A motel may be built on a narrow strip of available land between the highway and the ocean, as is frequently done in Florida. The example in Fig. 28 concentrates the three stories of guest rooms with a double-loaded corridor perpendicular to the shore line, providing an ocean view from every room. All guest rooms have private balconies. A garage in the basement accommodates self-service parking. The single-story lobby, bar, and coffee-shop portion includes a dining terrace that overlooks the circular outdoor dance floor, the pool, and the ocean. The arrangement is open, uncluttered, and inviting.

# ROOM GROUPS AND PARKING

Designed for the convenience of the motorist, each room of the motel should have, if possible, at least one window with a desirable view or private outlook on a quiet area (for which landscaping may be required). Bathrooms and closets should be placed along the driveway side of the rooms. The room layout should follow the usual hotel guest-room arrangement, with the central guest corridor placed by an access driveway. Convenience, privacy, and rooms that are both quiet and cheerful are the objectives. The shape, orientation, dimensions, and topography of the individual site, of course, may necessitate some deviation from the ideal layout.

Ideally, one side of a row of guest units would take full advantage of the view with the access drive at the entrance to the row. Bathrooms on the opposite side would have small, high windows to increase privacy and reduce noise. Whereas the guest rooms might have large picture windows to capitalize on the view, an extra doorway on the side with the view might be desirable. (See Fig. 29, 31, 32, 34, 36, 40.)

If the strip of land available for guest units is narrow, either because of dimensions or topography, the best solution is generally to set the units well back from



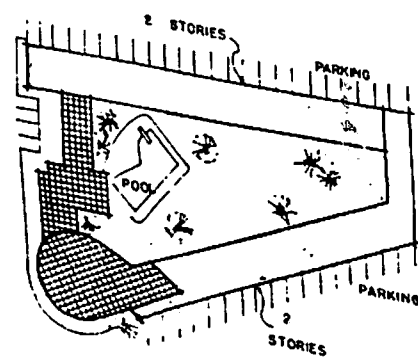
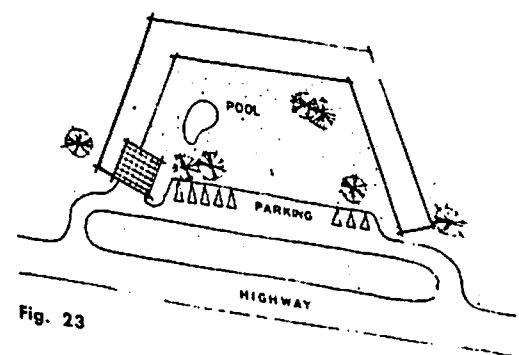


Fig. 26. Avis Motel, Midway Airport, Chicago;  
Design, Inc., Architect

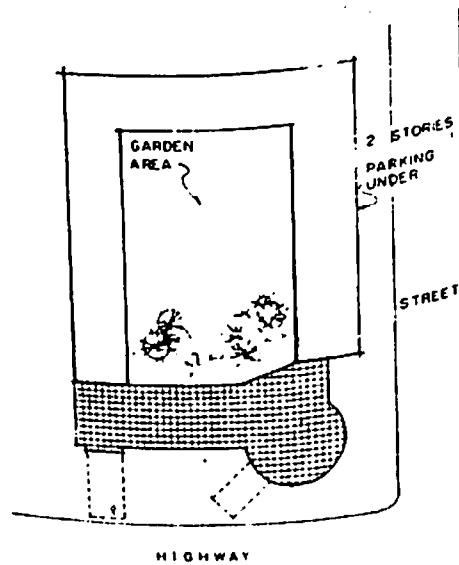
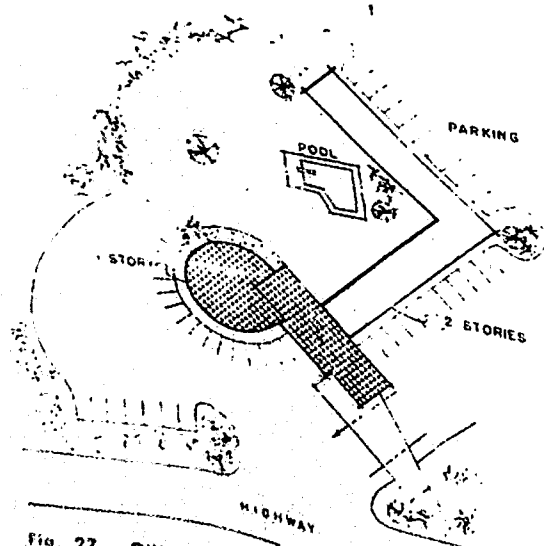
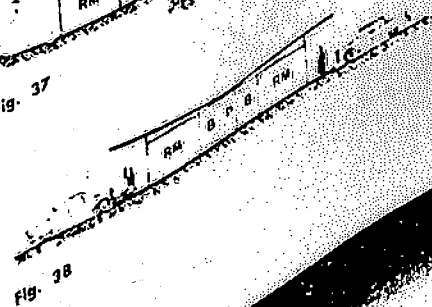
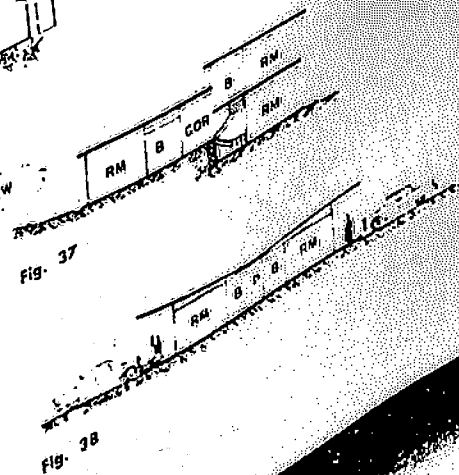
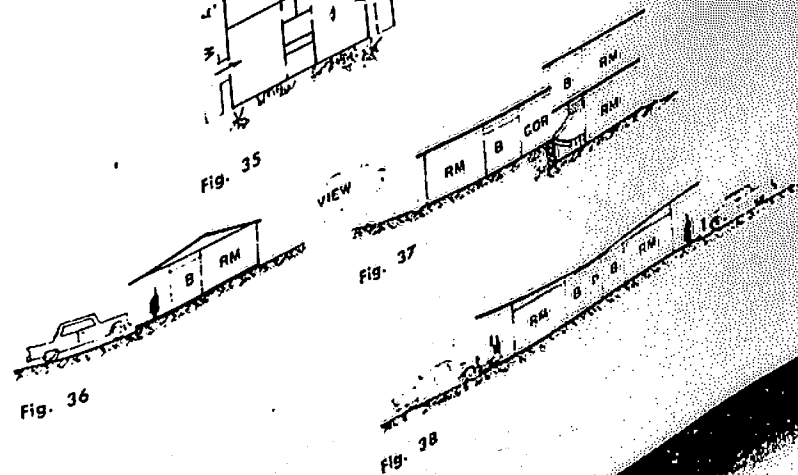
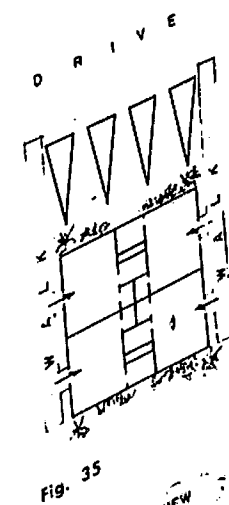
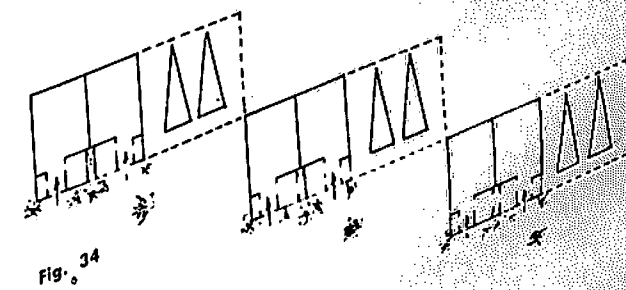
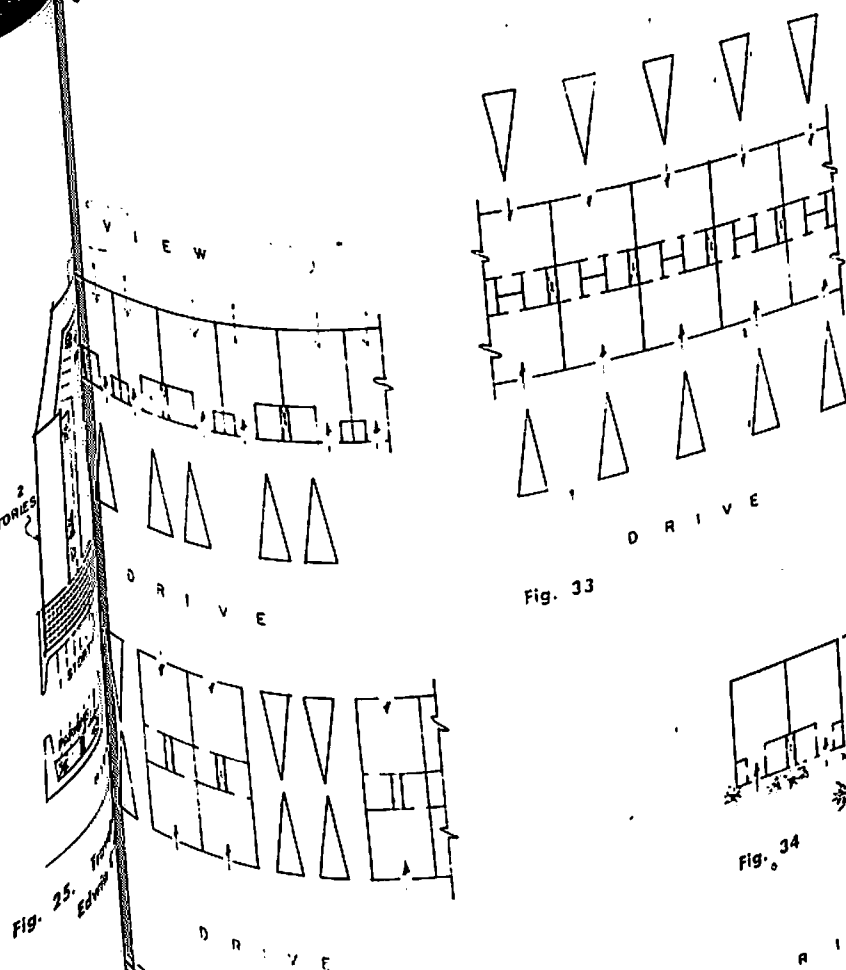
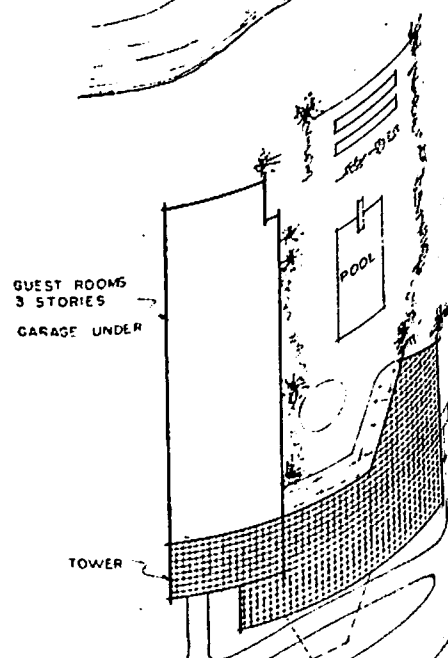


Fig. 24. Manger Motor Inn, Charlotte, N. C.;  
Finn-Jenter, Architect



the road. The effect from the road will be impressive (Fig. 40). If the strip were about 25 ft wider, better results would be obtained by selling the guest units 25 ft back from the parking area, and landscaping the area between.

A level strip on a hillside, even as narrow as 43 ft, can readily accommodate both a drive and a single row of parked cars. Placing each guest room over its parked car solves the problem nicely: The cars are protected from the weather, and each guest is provided with a private balcony (Fig. 41). If the site continues downhill, it may be desirable to sink a guest room into the bank and park its car on the roof (Fig. 42). This arrangement provides privacy and a good view of the valley.

If there is no desirable view and the patronage will be mostly transient, the more economical back-to-back arrangement may be justified, despite its lack of privacy and cross-ventilation. (See Fig. 30, 33, 35, 38, 46, 48.) Two- or four-room units are often arranged with parking space between them, serving to break the monotony and add visual interest (Fig. 30, 31, 34). Another alternative is a four-room unit with all four cars parked in a row (Fig. 35).

Rooms on different levels may be advantageous, depending upon the topography and dimensions of the site, and the number of units required. Guests handling their own luggage generally do not welcome climbing a full story height, but seldom object to half that amount (Fig. 37, 45).

#### Corridors

An interior corridor will protect the guest in bad weather and be a great help to maid service. With proper outside corridors, a maid is customarily assigned 14 to 16 rooms; if only an outside entrance is provided, one maid would probably handle only 10 to 12 rooms. Moreover, a single interior corridor will make it easier for the management to exercise desired control; the guests, also, will probably feel more secure.

On the other hand, if the only entrance to a room is through an outside doorway, the guest can enjoy the feeling of having a private cottage. That feeling, however, will be appreciably reduced if the open corridor or public walkway is close to the building and protected by an overhanging roof, despite high windows, venetian blinds, or similar remedial devices. Privacy would be greatly improved by placing the public walkway 15 ft or more away from

guest-room buildings with open corridors in Fig. 46, with the one with interior corridors in Fig. 47. Note that the construction requires floor slabs of the same width for each. An advantage of the open corridor plan is that a quarter of the rooms have direct access to parking. The corridors, however, extend along the only windows, and thus reduce the privacy of all the guest rooms. The plan with the inside corridor offers greater privacy, better insulation from outside noise, and full protection from the weather for guests and maids. Moreover, half its guest rooms have either a private balcony or terrace.

A narrow site requiring two guest floors to secure the necessary number of rooms, may necessitate pulling the building on stilts, with parking below the guest rooms. (Such an arrangement, however, increases the building height, and adds unwelcome stair climbing—or elevator problems.) With two stories, two access drives are preferable, one on each side of the building. If two drives are not feasible, however, it is possible to use a central driveway, a solution often employed in garages (Fig. 41). Both guest floors can be served by an interior double-loaded corridor, or by open corridors (one on each side) with a pipe-and-vent shaft between the guest bath-rooms.

Standard motels have not yet been built. They have appeared, at times, on drawing boards, but individual circumstances—site conditions, food-service demands, and geographic location—invariably have required adjustments. Before beginning the design, the designer should thoroughly discuss with the owner and operator such matters as the choice between interior or exterior corridors, single or double loading, long guest buildings or two- and four-room units, and one- or two-story structures.

#### GUEST ROOMS

The motel guest wants much the same things in his room as he would want in a hotel. Reference should be made to previous pages concerning typical hotel rooms: sizes, design principles, and representative layouts. A motel will often increase the length and width of a similar room by a foot or two, however, to provide a greater spaciousness than would be feasible in a commercial hotel in the city. Some experienced motel operators say that 13 by 16 ft of net bedroom area is the best minimum size for a

modest scale. If the motel will cater primarily to overnight guests, however, the probable demand for kitchenettes should be determined by a careful study, involving a check of other motels in the neighborhood. Representative layouts, including kitchenettes are shown in Fig. 49.

Complete factory-assembled kitchenettes are available in 30 to 72-in. lengths. Features included are a range top with 2, 3, or 4 burners (either gas or electric), with an oven underneath; a sink, with a work storage cabinet underneath; and a worktable area, with a refrigerator underneath. A storage cabinet for china and nonperishable foodstuffs is usually provided on the wall above the unit.

The kitchenette unit may be placed in an alcove sized to fit it, with louvered doors or an equivalent device to screen it off from guests. Or a separate room might be provided.

#### Wall partitions

Partitions between guest rooms should be of any construction that will reduce sound transmission by at least 45 decibels—a reduction that is usually adequate. If wood frame construction, 2 by 4's with a sound-insulating blanket between them, often staggered on 8 in. centers, selecting the method of construction, the designer should consider materials, labor, suitability, fire hazards, transmission loss, and cost.

#### Number of guest rooms

Several motel chain organizations have made careful studies to determine the minimum number of guest rooms that would be economical to operate. Their conclusions run from 64 rooms for the less elaborate forms of operation to 100 rooms for those organizations that intend all guest conveniences and services to be distinctly superior.

#### SPACE ALLOTMENTS

Space allotments in motels follow, in general, the pattern for allotments in hotels. Data taken from over a dozen motel plans were used to establish the space allotments listed below. Consideration was also given to the typical proportions for hotels, as listed on previous pages. Space allotments are directly proportional to the number of guest rooms; the figures in a typical 100-room motel are multiplied by the number of guest rooms in the motel.

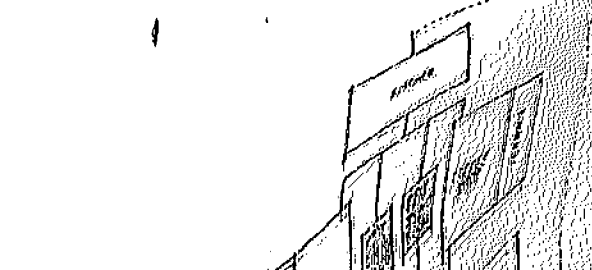
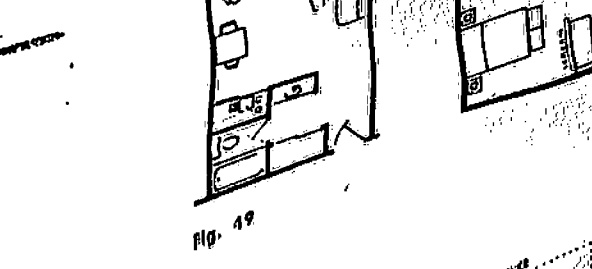
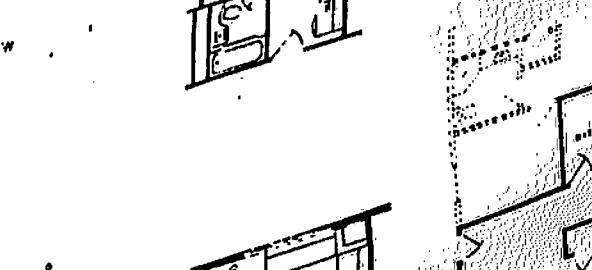
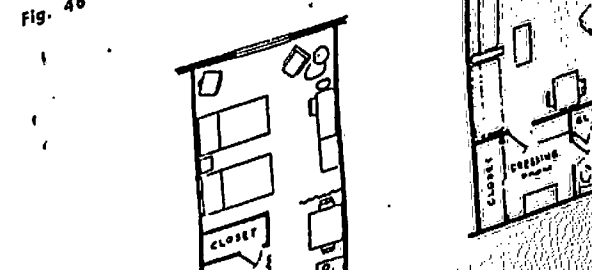
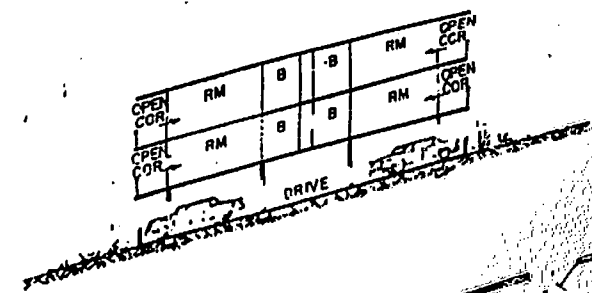
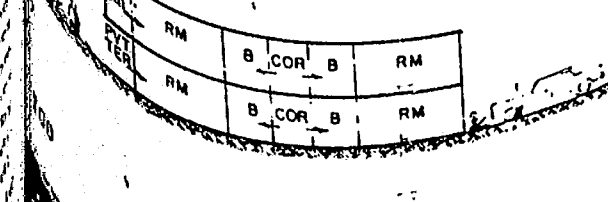
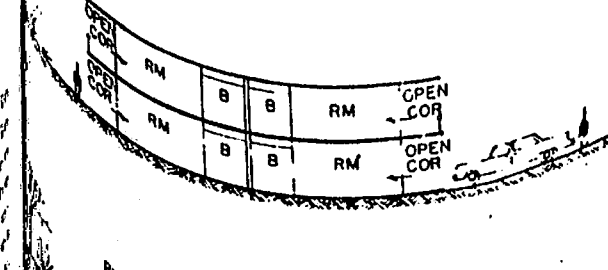
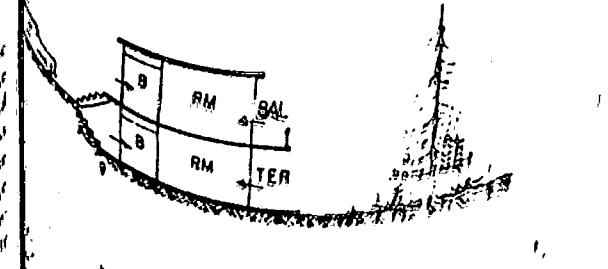
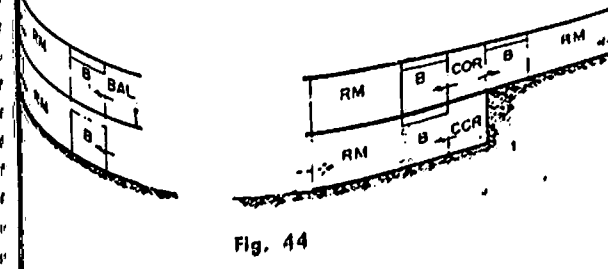
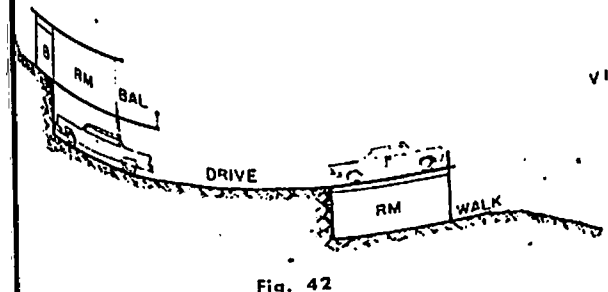
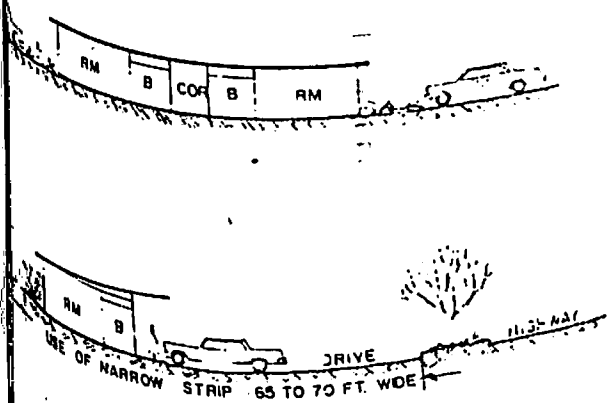


Fig. 50. Schematic layout for motel with two stories.

be made, however, for the manager's office and the secretary's office, as each would still need about the same area.

# SPACE ALLOTMENTS FOR TYPICAL 100-ROOM MOTEL

Public space	Area, sq ft
Lobby	1,100
Front office	100
Lounge	500
Corridors adjoining	300
Men's toilet for guests	140
Women's toilet for guests	120
Women's restroom	100
Coat checkroom	100
Concessions and subrentals	
Rented stores	2,000
Food and beverage service space	
Dining room (110 seats)	1,700
Coffee shop (70 seats)	1,100
Bar and cocktail lounge (50 seats)	800
Private dining rooms (75 seats)	900
Employees' dining room (20 seats)	260
Kitchen	1,300
Steward's storeroom	300
Walk-in refrigerators	150
Beverage storage	180
China, glass and silver storage	200
Receiving room	200
Garbage room	100
General service space	
Manager's office	130
Secretary's office	90
Accounting office	130
Linen room	350
Laundry	600
Men's toilet for employees	100
Women's locker room	150
Women's toilet for employees	120
Maintenance shops	170
Furniture storage	600
General storage	250
Boiler room	600
Transformer and switchboard room	150
Extra items (if needed)	
Garage for motorized lawn mowers and snow plows	
Swimming pool filters, chlorinator, pump, and heater	
Storage for lawn furniture and recreation equipment	
Food service is not a lucrative part of the motel business; money invested in rooms would pay better dividends.	

only a step away. He generally dislikes to go more than a few hundred yards to find a restaurant. Therefore, unless adequate food service is already adjacent, it is advisable to provide it.

For the motel requiring strictly minimum facilities, a good solution is the factory-assembled roadside "diner" with a dozen or more seats, which can be handled by a single employee during slack hours. For the more ambitious but still rather small motel with little outside patronage, the best solution may well be a coffee shop, possibly supplemented by a bar. Such an arrangement helps to keep investment and labor costs within bounds. For the larger motel, a dining room, coffee shop, and bar with cocktail lounge may all be needed. If the motel is near a city, private dining rooms are usually added as well. Outside patronage is necessary to make extensive restaurant operations pay. The larger, more spectacular motel restaurants may derive as much as 75 per cent of their business from persons who are not overnight guests (Fig. 50).

Motel restaurant facilities average about two seats per guest room. The ratio varies, however, from one-half to three or more dining room seats per guest room.

Care should be taken in applying the schedule of space allotments to ensure that, if any food-service area is modified, the effect on auxiliary facilities is considered.

The lobby should be designed to impress the prospective guest favorably and bid him welcome. The entrance must be easily recognizable and accessible. If feasible, the prospective guest should be sheltered from the weather, from his car to the entrance doors. Within the lobby, the registration desk should have a relatively central location, for it is the main control point of motel operation. If the guest, standing at the registration desk, can look through a large plate-glass window and see the swimming pool, attractive landscaping, or a scenic view, room sales will be greatly aided.

For a discussion of laundry requirements, see the section on "Hotel and Motel Laundries."

## Parking

Parking spaces, preferably in separate areas, are generally required as follows: (1) 1 parking space for each guest room (may sometimes be reduced to 0.8 per guest room); (2) 1 parking space for every 5 restaurant seats; (3) 1 parking space for every 3 employees; (4) a

motel that is filled to capacity, with a restaurant, bar, and banquet business for nonguests, may need 2 parking spaces per guest room. On the other hand, a town motel, with parking available nearby and many guests arriving by taxi, may get along with parking space equal to one-third the number of guest rooms.

For the design of this book on parking, see the section of this book on parking. Special requirements for motel parking are discussed in the following graph.

Parking stalls should be adequate for the largest cars commonly used; the recommended minimum length for parking for only medium and small cars invites trouble. Parking stalls 10 ft long are recommended; where space is limited, 9-ft stalls may be used, but this should be considered the absolute minimum. Double stripes, 1 1/2 ft apart, between the stalls will result in better utilization of the space. Motel parking should be planned for maximum guest convenience and safe space should be provided for this activity. Motel parking should be planned for maximum guest convenience and safe space should be provided for this activity. Motel parking should be planned for maximum guest convenience and safe space should be provided for this activity.

## Entrance drive

The turnoff from the highway to the motel should be at an angle of 30 to 45 degrees. The driveway should be 20 ft wide, and the radius of the curb should be 25 ft wide and the curb should be 30 ft high. A curb radius of 25 ft is inadvisable under any circumstances. A slope of 6 per cent is customary for turnoffs from state highways. A slope of 12 per cent is customary for ramps, but can be as much as 15 per cent. The parking lot should be crowned with a central driveway to the entrance. A 1 per cent slope to the entrance will find its way in or from the

tion where the motorist can conveniently obtain gasoline and oil, and possibly tire, battery, lubrication, and car washing service. The decision of whether to include a gas station, however, should depend upon its being profitable in itself.

Swimming pool. About 40 per cent of the motels built in 1939 included swimming pools. The trend is toward pools, even in motels in the downtown area of the city. Although the pool may be actually used by only a minority of the overnight guests, many more will participate in the activities. Thus the pool should be surrounded by a suitable terrace. The terrace should be bordered by a low wall, 2 to 3 ft high, and the terrace should be paved with a material that is also recommended for the pool.

The pool should generally be of the rectangular type. A free-form pattern, which is large enough for the pool, is recommended for the pool. The pool should be surrounded by a suitable terrace. The terrace should be bordered by a low wall, 2 to 3 ft high, and the terrace should be paved with a material that is also recommended for the pool.

Facilities for men and women should be accessible from the pool. Within 40 ft of the deep end of the pool, a water heater can extend the use of the pool over a longer season. Planning considerations concerning the pool and surrounding area include the inclusion of a cabana club, which may bring other profitable business to the motel. Since cabana club is not overnight guests, however, provision must be made for dressing rooms, showers, and toilets. The

members will also expect an ample pool-side terrace area with tables and chairs, umbrellas, and reclining lawn chairs, in addition to the cabanos. The cabanos, themselves, though, may serve as a windbreak, and thus help to prolong the pool season.

Recreation areas. Although the pool will probably be the most popular recreation area, a children's play yard, and areas for adult games may also be desirable. Some such games are listed below; the dimensions indicate the area for the game, including the usual surrounding border.

Game	Width x length, ft
Shuffleboard	10 x 60
Clack golf	40 x 40
Croquet	50 x 95
Horseshoes	12 x 60
Table tennis	12 x 20
Tennis	60 x 120
Handball	30 x 45

Barbecue facilities may also be desirable. An area of about 15 by 20 ft is generally ample; the play yard for small children should be enclosed by a fence. Suitable modern equipment should be selected and installed.

Indoor recreation facilities may include a television room, one or more card rooms, reading room and library, table tennis, movies, piano, and electric organ. These facilities should be discussed and decided upon in the early planning stages, because it is often impossible to fit them into a completed plan at the last minute.

## Landscaping

Landscaping is important—it is one of the things the guest sees first. Well-kept, neatly defined lawns and drives will make a favorable impression; the parking arrangement should be logical and practical. Hard-surfaced walks should be so arranged that lawns may be preserved; retaining walls should be installed to prevent erosion and enhance appearance. The right varieties of trees will provide attractive shade. Undesirable views should be screened by dense plantings, trimmed hedges, stone walls, or louvered fences.

## Outdoor advertising

Signs are the most effective means of attracting the attention of prospective customers. Most people stop at a motel because they like its sign.

Signs should be neat, bold, brief, and

distinctive. Their message must be grasped at a glance. The entrance sign should be plainly visible a good hundred yards from the turnoff, with letters at least 18 in. high. Copy should be reduced to a bare minimum, and only unusual services advertised.

A distinguishing emblem, trade mark, or rout of arms should be unique and easily remembered. Select one that can be used at the motel entrance, in the lobby, and on stationery, menus, and souvenir match books. Avoid using too many colors in a sign. Simplicity is effective.

Signs should be durable and suited to the climate of the location. Night illumination is essential, at least for the sign in front of the motel, but care should be taken that guests will not be annoyed by beams of light, glare, flashing off and on, or other features that might bother a person wanting to sleep. The sign at the motel customarily has a "Vacancy-No Vacancy" indication.

## Heating and air conditioning

Guest rooms are best served by a central plant, with individual room temperature controls provided. A system favored by some of the more experienced organizations circulates water through convectors concealed beneath the guest-room windows. The circulating water is heated in winter and chilled in summer, the water temperature being varied in accordance with weather conditions. Each guest-room conditioning cabinet has a multispeed, manually controlled, motor-driven fan to blow air over the coils. The guest can regulate the fan speed to vary the rate of heat transfer.

Other parts of the building—such as the lobby, restaurant, kitchen, and employees' quarters—should be divided into "zones," according to their hours of use and type of air treatment needed. Each zone will have its own separately controlled equipment to supply heat or air conditioning. Air conditioning is supplied in the summer for public spaces, restaurant, and bar facilities frequented by guests. Ample exhaust ventilation will be needed for the kitchen and the employees' locker rooms and toilets. Care should be taken to avoid having to operate an entire zone of rooms with short hours of use just to accommodate one or two that will be used many hours a day.



The Technical Committee in its meeting held on 11.6.93 recommended the following regulations for locations of Motels in Delhi may be referred to the Committee constituted by the Authority on the subject for its consideration.

- 1) Motel as defined in MPD- 2001 may be permitted only in the 'rural use zone', specified in MPD-2001 as a case of 'special permission' by the authority. The special permission may be subject to:
  - a) that the site is located on a national highway or on a state highway and where highways are not defined, on roads having minimum r/w of 60 mtrs.
  - b) that the motel site should have a set-back from the r/w as by a 'green buffer' with a minimum width as specified in the NCR plan for such a highway i.e. 100 mtr. wide for national highway and 60mtrs. wide for state highway.
  - c) The motel plot should have a minimum width of 50 mtrs.
- ii) The following zoning regulations may be applicable to a motel:
  - a) plot size-Minimum plot size-1 hect. and maximum plot size-2 hect.
  - b) FAR-maximum FAR-15 (fifteen)
  - c) Ground coverage-maximum equivalent to FAR.
  - d) Height- maximum height-6mtrs.
  - e) Basement- basement below the ground floor to the extent for the essential services such as air-conditioning plant, electric sub-station and any other such services without counting in FAR.
  - f) Set Back- front set back minimum 15 mtrs. sides and rear-9mtrs.
  - g) Parking-minimum @ 1 .67 ECS per 100sqm. of floor area at the prescribed space standards.
- iii) Activities- The following activities shall be permitted:
 

"motels retail and service shops maximum 5% of the floor area".
- iv) The following clearance/provisions will have to be obtained/ provided for:
  - a) Provision of municipal infra structure such as power water, sewer etc. Alternatively the owners to make provisions for these facilities by themselves to the satisfaction of municipal authority.
  - b) Height clearance from Civil Aviation Deptt. wherever necessary.
  - c) Any other NOC/clearance required in any other law, rules and regulations relating to utilisation of land for such purposes.
  - d) Payment of "conversion charges " to DDA as per prescribed rates for use of 'rural area ' for commercial use as a motel.

Comparative Statement on Norms & Standards - to serve as guidelines for setting up motels on sites located in rural/ green belt use zone as recommended by Principal Commissioner's Committee, Technical Committee Observation/dissent notes of the members of the Committee and views & recommendations of the Planning Deptt. .

S.No.	Issue	Principal Commissioner's Committee	Technical Committee	Observations/dissent notes of P.C.'s Committee report	Views & Recommendation of Plg. Deptt.
1.	2.	3.	4.	5.	6.
1.	Location	Plot should be accessible from highway either by means of direct puncture or via service road parallel to the highway having minimum width of driveway for entry and exit of the plot as 9 mtrs.	To be located on National highway or on a state highway & where highways are not defined on roads having minimum r/w of 60 mtrs.	Commr.(Plg.) suggested that the motels be located on National highway or state highway.	For clarity & to remove any ambiguity, the motel may be located on the national/State highway.
2.	Green buffer	No specific mention	That the motel site should have a set back from r/w by green buffer with the minimum width as specified in NCR plan for such a highway i.e. 100 m.wide for national highway and 60 mtr. wide for state highway.	As suggested by Technical Committee & further this green strip shall not be treated as part of the motel plot.	Green strip as per provision of NCR plan along the national/State highway.
3.	Size of the plot.	Minimum 1.0 hect. with no upper limit.	Minimum plot size 1.0 hect. and maximum 2.0 hect with minimum plot width of 50 mtr. along the highway.	G.M.,DTIDC (member of the committee) suggested that in view of the fact that FAR & maximum floor space have been fixed, it is not necessary to lay down a minimum plot size.	As recommended by the Technical Committee in Column 4.
4.	Set back	Front minimum 15 mtrs. & side and rear minimum 9 mtrs.	Front 15 mtrs., side & rear 9 mtrs.		As suggested by P.C./T.C. in Column 3 & 4.
5.	FAR	Maximum 15 on first 1 ha. & 10 for the remaining area of the plot. subject to maximum construction of 3000 sq.mts.	Maximum 15		As suggested by P.C. in Column 3.

S.No.	Issue	Principal Commissioner's Committee	Technical Committee	Observations/dissent notes of P.C.'s Committee report. 5.	Views & Recommendations of Plg. Deptt. 6.
1.	2.	3.	4.		
6.	Ground Coverage	Maximum equivalent to FAR.	Maximum equivalent to FAR.		As suggested by P.C./T.C. committee in Column 3 & 4.
7.	Height	Maximum 9 mtrs.	Maximum 6 mtrs.		The Authority may decide.
8.	Basement	Maximum equivalent to the ground coverage free from FAR to the extent required for Air-conditioning Plant, filtration plant, electric sub-station & other such essential services & infrastructure.	Below the ground floor to the extent for the essential services such as air-conditioning plant, electric sub-station and any other such services without counting in FAR.		As per P.C. Committee's report in Column 3.
9.	Parking space	Minimum @ 1.67 ECS per 100 sqm. of floor area.	Minimum 1.67 ECS per 100 sqm. of floor area.		As per P.C./T.C. in column 3 & 4.
10.	Activities	Retail & service shops maximum limited to 5% of floor area.	Retail & service shops maximum 5% of floor space.		-do-
11.	Services	Water & electric supply, sewerage, drainage & other infrastructure to be provided according to the standards	Provision of municipal infrastructure such as power, water sewerage etc. & if municipal services are not existing/available, the owner has to make the provision to the satisfaction of municipal authorities.		As per T.C. committee in col.4.
12.	Clearance/no-objection.	All permission and clearance required under law for the use of land should be obtained from the prescribed authorities.	Height clearance from Civil Aviation deptt. wherever necessary. Any other NOC/clearance required in any other law, rules & regulations relating to utilisation of land for such purposes.	Commr.(Plg.) suggested all permission & clearance required under laws i.e. ULCR, Delhi Land Reforms etc. from the prescribed authorities for such development.	As per P.C. Committee report including clearance under ULCR, Land Reforms Act etc.

## 165-C

S.No.	Issue	Principal Commissioner's Committee	Technical Committee	Observations/dissent notes of P.C.'s Committee report. 5.	Views & Recommen- dations of Plg. Deptt. 6.
1.	2.	3.	4.		
13.	Conversion	No specific mention	Payment of conversion charges to DDA as per prescribed rules for the use of rural area for commercial use as a motel;	Betterment/conversion charges to be paid to the DDA as per rates prescribed.	As per T.C. committee in column 4. Further, legal modalities may be worked out separately.

Item No:  
114/93

4-05.08.93

Sub: Action Taken Report on the resolutions  
passed by the Delhi Development Authority  
upto 08.06.93.

F. 2(6)/93/MC/DDA

P R E C I S  
- - - - -

On the basis of information furnished by the  
Head of Deptt's, Action Taken Report on the resolutions  
upto 08.06.93 has been prepared which may kindly be  
seen at ( Appendix ' EE ' Page 167-180 ).

2. The report is submitted for the information  
of the Authority.

- R E S O L U T I O N

The information was noted.

....

LIST OF THE ITEMS INVOLVING ACTION TAKEN  
UPTO 16.04.1993.

( APPENDIX ' EE ' TO  
ITEM NO. 114/93 )

NO.	ITEM NO. DATE	SUBJECT	RESOLUTION	ACTION TAKEN/TO BE TAKEN/ DATE
1.	2.	3.	4.	5.
1.	55/93 16.4.93	Directions issued under Section 41 of D.D.Act, 1957 by the Ministry of Urban Development in respect of reducing seating capacity of cinemas to a minimum of 300 and utilising the balance FAR for commercial purposes. (P.No. 11(1)91-MP.)	The matter was discussed and it was decided that in the first instance clarifications be sought from the Ministry of Urban Development whether these directions are also applicable to the cinemas which are located outside the District Centres/Community Centres. Resolved that the proposal be approved.	Referred to the Government of India, Ministry of Urban Development vide this office letter No. 11(1)/91-MP/492 dated 24.6.93 for inviting objections/suggestion for change in MPD-2001.
2.	56/93 16.4.93	Change of land use of an area measuring about 1.21 hect. from 'Public & Semi-Public facilities' to 'Residential' use at Ring Road (Old Factory Road) in the vicinity of Safdarjung Hospital. (P.No. 16(11)/91-MP.)	Resolved that the proposal for change of land use from 'Public & Semi-Public facilities' to 'Residential' use of an area measuring 1.2 hect. at Ring Road near Safdarjung Hospital be approved for further processing under Section 11-A of Delhi Development Act, 1957.	Referred to the Government of India, Ministry of Urban Development vide their office letter No. F.16(11)/91/MP/415 dated 25.5.93 with the request to convey the approval of the Central Government u/s 11-A of D.D.Act, 1957 to issue a public notice for inviting objections/suggestions.



2.

3.

4.

5.

3. 57/93  
16.4.93

A Scheme of decongest congested areas of Delhi by :

- i) Shifting of Trucking Activities with Warehousing.
- ii) Shifting of Wholesale Trade & Markets.

(P.No. 1(6)/90-Dir.(TYA)-Pt.)

The Authority resolved and approved in principle the proposal for planning and development of integrated freight complexes-cum-wholesale markets subject to the following:-

- i) Narela and Gazipur integrated freight complexes including the wholesale markets should be taken up for planning and, development and execution immediately.
- ii) Separately, it should be studied whether Maharashtra Act (1983) with respect to wholesale markets should be extended to the National Capital Territory of Delhi or it would be preferable to amend the Delhi Agricultural Marketing Board Act to include other than agricultural produce markets.

Commissioner (Plg.) has replied that:

- 1) In the first instance Planning of Gazipur has been taken up.
- 2) A meeting is being organised to discuss and decide on related enactments.



2.

58/93  
16.4.93

Bungalow Zone - Delineation and  
Control norms.  
(F.No. 20(5)92-MP.)

3.

60/93  
16.4.93

Zonal Development Plan for  
Planning Zone 'E'.  
(No.F. 1(21)92/ZP/DDA.)

4.

Resolved that the proposal be approved  
and processed further for inviting  
objections subject to the observations  
given in Annex.'A'.

Resolved that the Zonal Plan for Zone  
(Division) 'E' Trans Yamuna Area be  
approved and published for inviting  
public objections/suggestions in  
accordance with the provisions of  
Delhi Development Act, 1957.

5.

Referred to the Government of  
India, Ministry of Urban Develop-  
ment vide this office letter  
No. F.20(5)/92-MP/506/dated  
25.6.93 with the request to  
convey the approval of the  
Central Government u/s 11-A  
of D.D.Act, 1957 to issue a  
Public Notice for inviting  
objections/suggestions.

Text and Plans a-re under  
print for Publication.

2.

61/93  
16.4.93

Alignment Plan of 'Vasundhara Enclave'  
Link Road (Connecting Dallupura Coop-  
erative Societies with Trilokpuri  
resettlement Colony.)

(F.No.5(22)91-MP).

3.

4.

Resolved that the alignment plan as  
proposed be approved, however, funding  
of the project will be decided in the  
Standing Committee chaired by Chief  
Secretary, GNCTD.

Resolved that Wazirpur District Centre  
should be developed at 150 FAR and the  
same should be conveyed to D.U.C.

5.

A letter has been issued to  
PWD to take up the implemen-  
tation of the project.

Chief Arch. has informed  
that the plans have been  
got approved from H.U.C. as  
an FAR of 150.

7.

62/93  
16.4.93

Floor area ratio for Wazirpur  
District Centre.

(F.No.PS/CA/(6)/92/4077).

1. 2.  
8. 63/93  
16.4.93

3.  
Proposal for site(s) for Motel(s) at  
Delhi-Gurgaon Road in the National  
Capital Territory of Delhi.  
(F.No.10(31)/81-MP)

4.  
Resolved that a Committee be constituted  
under the Chairmanship of Principal  
Commissioner, DDA with members from  
Ministry of Tourism, Delhi Tourism  
Development Corporation and the Planning  
Department of the DDA. The Committee  
shall give its recommendations about  
the development of motels in Delhi  
and shall submit its report in the next  
meeting of the Authority. This decision  
be conveyed to the Ministry of Urban  
Development as an interim information.

5.  
The Committee has  
submitted the report  
which is being placed  
before the Authority  
in the meeting fixed  
for 27-07-93.

- |    | 2.                             | 3.  | 4.  | 5.   |
|----|--------------------------------|---|---|--|
| 9. | <u>65/93</u><br><u>16.4.93</u> | Change of land use of Plot No. A-21/12 to A-21/20 from 'Industrial use' to 'Commercial use' at Naraina Indl. Area Ph.II, New Delhi.<br><u>(F.No. 20(1)92-MP.)</u> | Resolved that the change of land use from Industrial to Commercial (tier IV) of Plot No. A-21/12 to A-21/20 at Naraina Indl. Area Ph.II be approved and changes in the Master Plan be processed subject to the following:-<br><br>i) The development control norms regarding ground coverage, FAR, height and basement to be as per existing norms of industrial plots. Parking shall be @ 1.67 ECS per 100 sq. mtrs. Banquet hall and similar uses requiring high level of parking shall not be permitted.<br><br>ii) Conversion charges shall be worked out for the change in the land use and the same after approval by the Competent Authority should be collected from the owners of the plots. | Referred to the Government of India, Ministry of Urban Development vide this office letter No. F.20(10/92-MP/428 dated 31.5.93 with the request to convey the approval of the Central Govt. u/s 11-A of D.D.Act, 1957 to issue a Public Notice for inviting objections/ suggestions. |

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10. 67/93  
8.6.93

Annual Action Plan of the Delhi  
Development Authority for the  
year 1993-94.

(F.No. 2(9)/93/P&C.)

The information was noted. However,  
it was decided that the quaterly  
reviews of Annual Action Plan be  
brought before the Authority at  
appropriate time. The Authority  
also desired that the following  
items be also given priority during  
1993-94.

- i) Handing over of remaining DDA  
colonies.
- ii) Ambedkar Awas Yojna Scheme &  
allotment of shops/stalls to  
SC/STs.
- iii) Land acquisition & payment of  
compensation to farmers.

Instructions issued.



2.

11. 68/93  
8.6.93

Agriculture Plan nursery with  
tissue culture Asela Village.  
(F.No. 3(194)/63-MP.)

3.

4.

Resolved that the proposal contained  
in para 4(ii) of the agenda note be  
approved subject to following amend-  
ment:-

- i) Basement if constructed is to be  
used only for parking/services;
- ii) Clause 'C' of 4(ii) to be made a  
condition of permission which  
should be binding on the applicant.

Further resolved that amendment in  
Master Plan was not required. However,  
MOUD and MCD be informed.

5.

In accordance with the decisions  
of the Authority a communication  
has been made to MOUD as well as  
MCD vide letter No. 3(194)63/MP/  
479 dated 18.6.93.

1. 2.

3.

4.

5.

12. 69/93  
8.6.93

Change of land use of an area measuring 26 hac. (62.22 acres) from 'Agriculture and Water Body' (Use Zone A-4) to 'manufacturing' (Use Zone M-1) near Badarpur Thermal Power Station, New Delhi.

(P.No. 3(56)/89/MP/Pt.)

Resolved that the proposal for change of land use as in para 3 of agenda note be approved and recommended to the Central Government for issuing final notification. Additional requirement of land for the Badarpur Thermal Power Station be processed separately.

The Government of India vide letter No. 3(56)89/MP/Pt.I/482 dated 21.6.93 has been requested to issue a final notification regarding change of land use in question.

13. 70/93  
8.6.93

Recruitment Regulations for the post of Staff Car Driver/Driver, Heavy Vehicle Driver, Road Roller Operator and Despatch Rider/Three Wheeler Driver.

(P.No. 4(26)92-PB-IV/Pt.)

Resolved that the Recruitment Rules for the posts of Staff Car Driver/Driver, Heavy Vehicle Driver, Road Roller Operator and Despatch Rider/Three Wheeler Driver be approved subject to the following amendments in Appendixes 'G', 'J', 'M' & 'Q' :-

- i) In Column No. 5, the word 'Selection' may be read as 'non-selection.'
- ii) In Column No. 11, the following will be added:-  
"subject to having passed a driving test to be conducted by the Department."

O.S.D. (Personnel) has informed that E.O. No. 2669 has been issued on 19.7.93.



2.

Ground Coverage FAR and setbacks for plots in Junk Market, Mayapuri Ph.II.

(F.No. 20(7)/78/LSB(I))

14. 71/93  
8.6.93

3.

4.

Resolved that the proposals as contained in para 6 of agenda note be approved, however, this should be applicable only to Mayapuri Industrial Area where allotments have already been made. Further resolved that the matter may be recommended to the Central Government for making changes in Master Plan by addition a proviso to the relevant stipulation in MPD-2001.

Additional plan for the construction of Auditorium and Dormitory Building by National Spiritual Assembly of Bahai's House of Worship, Kalkaji.

(F.No. 13(50)/78/Blag.)

15. 72/93  
8.6.93

Resolved that the proposal for construction of Auditorium and Dormitory building with maximum built up area of 3000 sq. mtrs. by the National Spiritual Assembly of Bahai's of India be approved subject to the followings:-

- (i) Clearance from the Ministry of U.D. in terms of Agreement be obtained.
- (ii) Modification in notification under Forest (Conservation) Act, 1980 for exclusion of the land from the forest area be got done.

5

Report Awaited from  
Commr. (Plg.)

Cum (Plg.)

Commr. (Plg.) has intimated that MOUD & Secy. (L&B) have been requested to take necessary action for making amendments in the agreement through which the land has been released from acquisition

Ministry of Forest & Environment & Development Commr. D.A. have been requested to denotify this land from the applicability of Forest Act.

- | 1.  | 2.                            | 3.   | 4.  | 5.  |
|-----|-------------------------------|--|---|---|
| 16. | <u>73/93</u><br><u>8.6.93</u> | Revision of license fee & market rent in respect of D.D.A. staff quarters.<br><u>(F.No. 6(36)93/SQ/Pt.)</u>                                    | Resolved that the proposal be approved. Authority further resolved that, as a policy rates of license fee fixed from time to time by the Directorate of Estate, Ministry of Urban Development be mutatis mutandis made applicable in D.D.A. Arrears from the occupants should be realized in instalments. | Orders have been issued. vide letter No. F.6(26)93-S.O. dated 22.07.1993.     |
| 17. | <u>75/93</u><br><u>8.6.93</u> | Recruitment Regulations for the post of Photographer, Dark Room Assistant and Negative-cum-record Assistant.<br><u>(F.No. 1(14)/93-PB-IV).</u> | Resolved that the Recruitment Regulations be approved with the amendment that in Column 5 of all these regulations the word "non-selection" be substituted in place of existing word.   | O.S.D.(Personnel) has informed that E.O. No. 2672 has been issued on 20.7.93. |

2.

76/93  
8.6.93

Recruitment Regulations for the post of Junior Data Assistant, Senior Data Assistant, Programmer-cum-Console Operator, Assistant Director (System), Dy. Director (Systems) & Director (Systems).

(F.No. 7(5)93/PB-I.)

4.

Resolved that the Recruitment Regulations for the post of Junior Data Assistant, Senior Data Assistant, Programmer-cum-Console Operator, Assistant Director (System), Deputy Director (Systems) and Director (Systems) be approved.

5.

O.D.D. (Personnel) has informed that E.O.No. 2457 has been issued on 8.7.93.

77/93  
8.6.93

Directions under 41(3) D.D.Act, 1957 Shri D.C. Kaushik, M/s Storage & General Service Pvt. Ltd.

(F.No.S-6(38)/49/Pt./306/OR/113/93)

The Authority resolved that in view of the directions issued under Section 41(3) of Delhi Development Act by the Central Government issues referred in para 9(i) and (ii) stand superceded. Further resolved that issue contained in para 9(iii) of the agenda note be referred to the MOUD for consideration. It was explained that many files on the subject were busy in court cases and it took some time to get them back. The Authority desired the directives of the Govt. should be dealt with most expeditiously on priority basis.

A letter seeking clarification regarding FAR has been addressed to the MOUD on 24.6.93.

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20. 82/93  
8.6.93

AlLOTment of land to Nirankari Mandai  
at Dheerpur.

(P.No. 14(98)/69/CRC/DDA/Pt.III)

The Authority considered the proposal in para 14 of the Agenda note and resolved as under:-

1. 18.56 acres of acquired land Dhirpur be allotted to Nirankari Mandai at the token nominal premium of Rs.1/-. The compensation assessed for the land under the provision of Land Acquisition Act which is lying in the Revenue Deposit will be immediately transferred to Revolving Fund under intimation to DDA. Ground rent will be payable at the rate of Rs. 1/- per annum. The allotment will be on normal conditions applicable for allotment to religious institutions as appended in Annexure-A.

2. Additional land measuring about 6.0 (six acres) on account of straightening of boundaries to be allotted at institutional rates prevalent at the time of issue of allotment letter on normal terms and conditions of allotment in such cases.

3. Para 14.8 of agenda note be treated as deleted.

4. Approval of the Central Government on rates, area and on the points of relaxation of Rules may be obtained.

Commr. (LM) has intimated that after consultation with Nirankari Mandai the proposal for allotment will be finalized by 2/8/93.



2.

84/93  
8.6.93

Cost benefit analysis of Dwarka & determination of land premium.

(F.No. 16(3)/93/CE.)

3.

4.

The Authority noted the assumptions in para 2 of the Analysis and resolved to approve as under:-

- i) the "cost benefit analysis" and the name of execution of project, as laid down in para 1.0 to 4.2 of the cost benefit analysis for Dwarka Ph.I.
- (ii) That Delhi Administration be requested to direct MCD, DESU, DWS and SDU, Chief Engineer (I&F) and PWD to prepare their Action Plan and Commit funds for trunk services through their budget to synchronize with the development and activities as planned by DDA.
- (iii) The pre-determined rates as worked out in para 5.2 of the Cost Benefit Analysis for the year 1993-94 be sent for notification by the Government of India.

5.

A reference has been made to the MOUD for notifying the pre-determined rates for 1993-94 for Dwarka Project as approved by the Authority in para 5.2 of Item No. 84/93.

2.

84/93  
8.6.93

3.  
Cost benefit analysis of Dwarka &  
determination of land premium.  
(P.No. 16(3)/93/CE.)

4.

The Authority noted the assumptions  
in para 2 of the Analysis and resolved  
to approve as under:-

- i) the "cost benefit analysis" and the  
name of execution of project, as  
laid down in para 1.0 to 4.2 of the  
cost benefit analysis for Dwarka Ph.I.
- (ii) That Delhi Administration be requested  
to direct MCD, DESU, DWS and SDU, Chief  
Engineer (I&P) and PWD to prepare  
their Action Plan and Commit funds  
for trunk services through their  
budget to synchronize with the develop-  
ment and activities as planned by DDA.
- (iii) The pre-determined rates as worked out  
in para 5.2 of the Cost Benefit  
Analysis for the year 1993-94 be sent  
for notification by the Government  
of India.

5.

A reference has been made  
to the MOUD for notifying  
the pre-determined rates  
for 1993-94 for Dwarka  
Project as approved by the  
Authority in para 5.2 of  
Item No. 84/93.

ITEM NO.  
115/93

A-05.08.93

Sub: Proposal for amendment of section 29 of  
the Delhi Development Act, 1957.

No. F.17(35)/93/LPB/Coordn.

P R E C I S

Government promulgated an ordinance on amending section 29 of the Delhi Development Act, 1957, stipulating stiffer penalty for development of land in contravention of Master Plan/Zonal Plan and for misuse of land or building in contravention of Master Plan/Zonal Plan. The aforesaid ordinance lapsed. This issue was discussed in the meeting taken by Secretary(UD) on 16.3.93. In the light of the above discussions, the proposals given in the annexures have been formulated. Section 29(2) is proposed to be amended incorporating a more rational penalty for all kinds of misuses. The penalty proposed is a percentage of the market value of the area misused.

It is also proposed to add clause 4,5,6,7 and 8 to the Delhi Development Act, 1957 to achieve the following objectives:-

Clause (4)

There is no provision at present under the Delhi Development Act to remove any goods stocked in contravention of the Master Plan/Zonal Plan. This has prevented DDA, for example, from taking any effective action against misuse of green area by the marble dealers on the Qutab Andheria Moar. Once the provision of attachment is incorporated by addition of clause (4), it will be easy to deal with similar problems effectively.

Clause (5)

At present there is no provision for sealing the building or the area misused. The only action possible now is to prosecute. It takes a minimum of three years for the court to dispose off the case. In all cases appeals would be filed, with the result that the misuse can continue indefinitely. There is no way the misuse can be stopped by prosecution. The objective of the law is to ensure that such misuse is stopped. Since prosecution does not achieve the above objective, the only way it can be achieved is through sealing of the property misused. To achieve the above objective, clause (5) is proposed to be added to section 29.



Clause (6)

This clause is a corollary to clause (5), in case the misuser has the audacity to defy the action of sealing of the building. Every provision of the law must have a logical conclusion whereby it can be effectively enforced. Therefore, addition of clause (6) is necessary as a corollary of clause (5).

Clause (7)

This clause is also a corollary to clause (5). This is to ensure that whosoever defies the execution of the provision of the Act is brought to book.

Clause (8)

This is a radical departure from the existing provision. Instead of the criminal courts dealing with the cases, it would be high ranking DDA official who would dispose off the cases using executive authority. DDA officials can be empowered with executive authority to impose penalties as envisaged in section 29(2) and to take actions as envisaged in section 29(4), 29(5) and 29(6) of the Delhi Development Act. Action under section 29(1)(a), 29(1)(b) and 29(3) and 29(7) would be with the criminal courts because they involve the penalty of imprisonment which can be imposed only by judicial courts. It is seen from the experience of DDA during the past decades that prosecution through the judicial court has absolutely no deterrent effect as any person who is prosecuted can carry on with the litigation upto the apex court of the country and the misuse can go on for even quarter of a century. The existing provisions do not envisage any power to the judicial court either to close down or to demolish the area which is being misused. If the objective of section 29 is to ensure that misuse is to be prevented then there has to be a procedure by which fine can be imposed with speed and the misused area can be sealed and closed down. If the above objective is not achieved, there is no point in having the provisions of section 29. There does not appear to be any bar in empowering an executive officer of the DDA with the powers as envisaged in the amended act. There would an apprehension that if an officer of the DDA is empowered with such powers, there would be rampant corruption.

To ensure that such corruption does not take place, a senior officer not below the rank of Director is proposed to be empowered under the amended act. The level could even be raised to that of Commissioner. Even now the powers as envisaged in section 30 and 31 of the Delhi Development Act are exercised by the Director(Building) of the DDA. Therefore, there should be no reason why the above proposal can be legally tenable. Therefore, addition of clause 8 to the Delhi Development Act is proposed.

31 C (1) g

This clause is proposed to be added to make the provisions of section 29(2), 29(4), 29(5) and 29(6) appealable.

The above proposals are at (Appendix 'FF' to page No. 184 - 185 ). Those proposals were sent to CLA for his remarks. His comments are placed at (Appendix 'GG' to page No. 186-189 ) The authority may consider the amendments proposed and take a decision.

R E S O L U T I O N

The Authority resolved to approve in principle the need for stringent laws to check misuse of properties and consequential amendment of Section 29 of Delhi Development Act, 1957. However, detailed proposals may be worked out and forwarded to the Ministry of Urban Development for their consideration.

.....

ANNEXURE 'FF' TO ITEM NO. 115/93 )

- I. It is proposed to amend section 29(2) of D.D. Act, 1957 by substituting the following in place of existing clause 29(2):

"Any person who uses any land or building in contravention of provision of section 14 or in contravention of terms and conditions prescribed by regulations under the proviso to that section shall be imposed with fine which shall be a minimum of 25% of the market value of the land for the extent of the area which is being used in contravention and in the case of continuing misuse with further fine which may extend to 10% of the value of such land so misused for every month during which such misuse continues after the first fine has been imposed.

Explanation(1):- For the purpose of this section, market value of the land shall be the value of the land calculated in accordance with the commercial land rates notified by the Central Government from time to time for that area".

- II. It is further proposed to amend Delhi Development Act, 1957 by adding the following clauses to Section 29 of the Delhi Development Act:

Clause (4)

Where any goods have been stocked in any land or building in contravention of the Master Plan/Zonal Plan, it shall be confiscated by the DDA.

Clause (5)

Any building which is used in contravention of the Master Plan/Zonal Plan, may be sealed by the Delhi Development Authority.

Clause (6)

If the above seal is broken and unauthorised entry is made into the building, the building is liable to be demolished by the DDA.

Clause (7)

Whosoever breaks the above seal or makes the unauthorised entry is liable to be punished with imprisonment which may extend upto 3 years and with fine which may extend to fifty thousand rupees. The offence will be cognizable and non-bailable.

Clause (8)

Any officer of the DDA, not below the rank of a Director, can be empowered to impose fine as envisaged in clause 29(2) and take action envisaged under section 29(4), 29(5) and 29(6) of the Delhi Development Act, 1957 as per procedure to be laid down.

III. The following may be added to Section 31 C :

(g) an order of the officer of the Authority made under Section 29(2), 29(4), 29(5) and 29(6) of the Delhi Development Act, 1957.

.....



**DELHI DEVELOPMENT AUTHORITY  
LAW DEPARTMENT**

The proposed agenda note with respect to the amendment of Section 29 of Delhi Development Act, 1957, available on the correspondence side, have been examined and our comments on legal aspects thereto are as under:-

- I. Para I of the proposal has been examined and suitably amended. The proposed amended Section 29(2) may be read as under:-

" Any person who uses any land or building in contravention of the provisions of Section 14 or in contravention of any of the terms and conditions prescribed by regulations under the proviso to that section, shall be punishable with fine which may extend to the market value of such land or of the land underneath such building, as the case may be, on the date of commission of offence but which shall not be less than 25% of the market value of such land or of land underneath the building as the case may be and in case of continuing offence with further fine which may extend to 10% of the value of such land or land underneath such building as the case may be on the date of commission of an offence for every day during which such offence continues after conviction for the first commission of the offence. "

**Explanation:**

For the purpose of this section market value of the land shall be the value of the land calculated in accordance with the commercial land rates notified by the Central Government from time to time for that area."

.....2.

2(a)

In case the accused does not stop the misuse of the premises within 60 days of its conviction, the Court shall make an order of the sealing of a part of the land or building or of the whole, as the case may be, which is used in contravention of the provisions of Section 14 or in contravention of any of the terms and conditions prescribed by the regulations under the proviso to that section.

It shall be open to the Court to order removal of the seal only after the person convicted for the offence gives an undertaking to the court that he shall stop the misuses within seven days of the removal of the seal.

2(b)

Whoever breaks open the seal of the premises misused without the permission of the Court shall be punishable with rigorous imprisonment which may extend upto three years but which shall not be less than one <sup>year</sup>/rigorous imprisonment <sup>&</sup> with fine which may extend to ten thousand rupees.

II. Clauses 4, 5 & 6:

The proposals contained in Para II have been perused whereby it has been suggested to add clauses 4, 5, 6, 7 and 8. In this regard, it is stated that confiscation of goods as well as sealing of the premises may not be legally permissible at the stage when the offence is detected by the field staff. In as much as any provision in a statute of the nature as suggested above, which provides for a drastic action without hearing the concerned person, can be successfully challenged in a Court of Law being unjust, unfair and unreasonable. Further its views can be challenged being in contravention of Article 14, 19 (1)(b) and Article 21 of the Constitution of India. I am conscious of the fact that it is the obligatory duty of DDA to check haphazard development but the

.....3.

5-1  
16/7/73



procedure has to be just, fair and reasonable.

It is felt that it might be permissible to do so after the offence has been proved after a trial by a court of Competent jurisdiction. In this regard sufficient provisions has been suggested in clause (a) to Sub Section (2) of Section 29. The proposed clause (6) purports to deal with a situation when the seal is broken and an unauthorised entry is made in to the building by any person. Suitable provision has already been incorporated as Clause (b) to Sub Section (2) of Section 29. In this regard it may be stated that the demolition of the premises cannot be permitted under the law by any stretch of imagination. The demolition of the building merely on account of action of some body who may not necessarily be the owner or lawful occupant of the building may be deemed as unreasonable and arbitrary. There may be cases where property is being misused without consent of the owner. In such a case, if the building is demolished, it is the owner of the property who may suffer irreparable loss or injury for no fault of his own. Otherwise also, it can lead to various legal complications. Hence, the demolition on account of misuse of the property is not legally tenable and is to be dropped.

Clause 7:

Since it has been observed that sealing of the premises can be permissible only after conviction under the law, The necessary provision has been drafted as Section 29, Sub Section 2(a).

Clause 8:

In so far as clause 8 is concerned, it will suffice to say that the judicial powers for punishment for an offence under the Delhi Development Act cannot be usurped by the Executive. Such powers if given to the executive will be struck down by the Court.

7-1  
16/7/53

.....4.

It will not be out of place to mention here that there was a meeting of MPs in the Ministry of Urban Development and there was a consensus of views expressed by the M.Ps in that meeting. A copy of the said views of MPs was sent to us vide D.O. letter dated 14.6.93 addressed by Shri P.S.A. Mundran to the Vice Chairman for making revised proposals in Section 29 of Delhi Development Act. The Legal Department has sent a note dated 28.6.93 to Commissioner (Coordination) copy placed opposite, and the same may also be taken into consideration at the same time so that the necessary amendments as desired to be incorporated in Section 29 of Delhi Development Act, can be made in one go instead of doing it in piecemeal.

CONFIDENTIAL

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ITEM NO. SUB:- Sanction of Selection Grade in Group 'A'.  
116/93 (F.No. 7 (208)89/P.B.I (Notes)).

A-05.08.93

P R E C I S

The Authority vide Resolution No. 3 dated 12.3.1992 approved implementation of Government of India, Ministry of Personnel, PG & Pension, Deptt. of Personnel & Training O.M. No. 19/1/1986-PP dated 14.8.1987 copy of the Government of India Office Memorandum is at ( Appendix ' HH ' Page No. 193-195 ). The Authority resolved that "the proposal for sanction of selection grade to Group 'A' Officers of DDA who have completed seven years of service in J.A.G. level or in the scale of Rs. 4100-5300/- or both taken together be approved. The guidelines contained in the OM dated 14.8.87 of DOP&T shall be followed while implementing the proposal."

2. Minutes were confirmed on 9.4.1992 with the following modifications :

"Resolved that the proposal for sanction of Selection Grade to Group 'A' Officers of DDA who have completed seven years of service in J.A.G. level or in the scale of Rs. 3000-5000/- or Rs. 4100-5300/- or all three taken together be approved. The guidelines contained in OM dated 14.8.87 or DOP&T shall be followed while implementing the proposal."

3. While implementing the decision of the Authority, the DDA (Personnel Department) notified adoption of Government of India's OM dated 14.8.87 with effect from 12.3.1992.

4. It has been considered that the effective date to implement the Selection Grade should be 1.1.86 as per the recommendations of the Fourth Pay Commission Report and also in terms of Government of India, Department of Personnel & Training OM No. 19/1/86-PP dated 14.8.87.



5. On the subject of adopting the effective date for the purpose of eligibility and pay fixation while implementing the Authority's Resolution of 12.3.92, the following relevant points are to be considered.

- (1) Vide item No. 85 of 10th August, 1987 the Authority had resolved to adopt the pay scales recommended by 4th Pay Commission for Group 'A' officers of DDA w.e.f. the same date as adopted by Government of India i.e. 1.1.1986.
- (ii) In the Government of India, Department of Personnel OM dated 14th August, 1987 selection grade was given to Group 'A' services pursuant to the recommendations of the 4th Pay Commission. This office memo stated that the orders will take effect from 1.1.86.
- (iii) In the Authority's resolution of 12th March, 1992 it has been remarked that the matter of selection grade was discussed at length by the Authority in its meeting held on 28th October, 1991 and it was observed that the above proposal was based on a decision taken by the Government of India on the report of the 4th Pay Commission and that DDA had already adopted all other recommendations of the Commission. The resolution mentioned about the observations of the Addl. Secretary (UD) that the conditions enumerated in Department of Personnel, in the memorandum dated 14.8.1987 should be followed.
- (iv) In this resolution it is mentioned that the proposal of selection grade involved negligible financial implications and the conditions of 14.8.1987 office memo were substantially met in the proposal placed before the Authority.
- (v) In the para of the resolution it is mentioned that the proposal for adoption of selection grade was approved and the guidelines contained in the office

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memo dated 14.8.87 of the Department of Personnel shall be followed while implementing the proposal.

- (vi) While confirming the minutes of the meeting the Authority again reiterated that the guidelines contained in OM dated 14.8.1987 of DOP&T shall be followed while implementing the proposal, with slight modification.

6. It is suggested that the date of effect of the decision may be with effect from 1.1.1986 and not 12.3.1992. The financial implications of implementing the above decision would involve an expenditure of Rs. 1.34 lacs approx. as arrears from 1.1.86 to 30.6.93.

The matter is placed before the Authority for consideration.

\* \* \* \* \*

#### R E S O L U T I O N

The Authority resolved that the date of effect of granting or selection grade will be 1.1.86 instead of 12.3.92.

.....

( APPENDIX ' HH ' TO ITEM NO. 116/93 )

No.19/1/86-PP  
Government of India  
Ministry of Personnel, P.G. & Pension  
Department of Personnel & Training

6th Floor, Nirvachan Sadan,  
Ashoka Road, New Delhi-1.  
Dated 14th August, 1987.

OFFICE MEMORANDUM

Subject: - Recommendation of the Fourth Central Pay Commission-  
Orders regarding Selection Grade in Group 'A' Services.

The undersigned is directed to say that pursuant to the recommendation of the Fourth Pay Commission regarding Selection Grade Posts for Group 'A' Central Services, the President is pleased to decide that in all Group 'A' Central Services the number of posts in the Selection Grade shall be equal to 15% of the senior duty posts (i.e. all duty posts at the level of Senior Time Scale and above in the Cadre). However, there shall be no increase in the overall strength of the Cadre. An officer appointed to the Junior Administrative Grade will be granted Selection Grade if he satisfies the conditions prescribed in paragraphs 3 and 4 below.

2. It has been noted that, save in a few cases, the formula of 15% of senior duty posts will yield a figure which is less than the number of posts sanctioned in the Junior Administrative Grade. Hence there will be no difficulty in implementing the decision. However, in a few cases the formula yields a figure which is slightly higher than the number of posts sanctioned in the Junior Administrative Grade. It is made clear that in respect of these services the number of posts in the Selection Grade will be limited to the number of posts sanctioned in the Junior Administrative Grade.

.....2.....



( APPENDIX ' HH ' TO ITEM NO. 116/93 )

No.19/1/86-PP  
Government of India  
Ministry of Personnel, P.G. & Pension  
Department of Personnel & Training

6th Floor, Nirvachan Sadan,  
Ashoka Road, New Delhi-1.  
Dated 14<sup>th</sup> August, 1987.

OFFICE MEMORANDUM

Subject:-Recommendation of the Fourth Central Pay Commission-  
Orders regarding Selection Grade in Group 'A' Services.

The undersigned is directed to say that pursuant to the recommendation of the Fourth Pay Commission regarding Selection Grade Posts for Group 'A' Central Services, the President is pleased to decide that in all Group 'A' Central Services the number of posts in the Selection Grade shall be equal to 15% of the senior duty posts (i.e. all duty posts at the level of Senior Time Scale and above in the Cadre). However, there shall be no increase in the overall strength of the Cadre. An officer appointed to the Junior Administrative Grade will be granted Selection Grade if he satisfies the conditions prescribed in paragraphs 3 and 4 below.

2. It has been noted that, save in a few cases, the formula of 15% of senior duty posts will yield a figure which is less than the number of posts sanctioned in the Junior Administrative Grade. Hence there will be no difficulty in implementing the decision. However, in a few cases the formula yields a figure which is slightly higher than the number of posts sanctioned in the Junior Administrative Grade. It is made clear that in respect of these services the number of posts in the Selection Grade will be limited to the number of posts sanctioned in the Junior Administrative Grade.

.....2.....

3. Appointment to the Selection Grade and to posts carrying pay above the Junior Administrative Grade scale of pay in Group 'A' Central Services shall be made by selection on merit with due regard to seniority.
4. No ~~member~~<sup>member</sup> of the Service shall be eligible for appointment to the Selection Grade until he has entered the fourteenth year of service on the 1st July of the year calculated from the year following the year of examination on the basis of which the member was recruited.
5. Appointment to the Selection Grade shall be made by a Committee to be constituted internally and the cases relating to appointment shall continue to be sent to the E.O. Division of this Department for obtaining the prior approval of the Appointment's Committee of the Cabinet. This provision shall not apply to such of the Departments as have been specifically empowered to make appointments at this level within their own competence.
6. This supersedes instructions contained in this Department's O.M.No.5/12/79-PP-II, dated the 31st July, 1982. Accordingly the condition regarding stagnation at maximum of Junior Administrative Grade for two years for promotion to Selection Grade contained therein, is hereby removed.
7. The orders regarding fixation of pay on appointment to Selection Grade will be issued separately.
8. These orders will take effect from 1-1-1986.
9. IN so far as persons serving in the Indian Audit and Accounts Departments are concerned, these orders issue after consultation with the Comptroller and Auditor General of India.  
(Hindi version will follow)

Sd/-  
(V.P.Uppal)  
Director (PP)  
Phone. 381364

To

1. All Ministries/Departments of the Government of India (as per Standard List) (with usual number of spare copies.
2. All Attached and Subordinate offices of the Ministry of Home Affairs.
3. All Union Territory Governments/Administrations.
4. Office of the Comptroller and Auditor General of India (with 10 spare copies.).
5. Secretary, U.P.S.C.
6. Registrar, Supreme Court of India, New Delhi.
7. Lok Sabha/Rajya Sabha Secretariat.
8. All Officers /Selection of the Department of Personnel and Training/Department of Administrative Reforms and Public Grievances/Department of Pensions and Pensioner's Welfare.
9. Spare Copies.

Sd/-

(V.P.Uppa 1)  
Director (PP)



( FROM PAGE NO. 196- 256 )

ITEM No. 117 /93 to 118/93 have been confirmed  
on 27.07.93.

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L A I D O N T H E T A B L E

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Item No.  
119/93  
A-5.8.93

SUB:- Directions under Section 41(3),  
D.D.Act, 1957 - Sh. D.C. Kaushik  
M/S. Storage & General Services  
Pvt. Ltd.

(F.No. 20(7)93-MP.)

1. On the subject, the resolution of the Authority No. 77/93 dated 8.6.93 be referred ( Appendix 'NN' Page No. 258-261.)
2. In view of the above resolution:
  - a) A communication was sent to the Ministry of UD on 23.6.1993 for amendment in MPD-2001 and the tripartite agreement ( Appendix 'OO' Page No. 262.)
  - b) The plan submitted by the party were rejected in the absence of the amendment in the Master Plan & tripartite agreement.
3. Now a communication has been received from Ministry of UD in response to the communication at 2(a) ( Appendix 'PP' Page No. 263-264.)
4. The case is placed before the Authority for guidance for further action.

\* \* \* \* \*

R E S O L U T I O N

The Authority noted the directions of the Government and desired that its implementation report may be submitted to the Ministry of U.D. at the earliest.

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Shri Kaushish was informed to submit certain documents by 27.2.1985 without which the plans would be deemed as not finally sanctioned. Shri Kaushish claimed in a letter dated 12.3.1985 that his plans would be deemed to have been sanctioned and he is undertaking the construction accordingly. The building bye laws. The letter of rejection, in fact, was dated 28.2.1985 and the same was received by Shri Kaushish on 16.3.1985.

4. On the representation of Shri Kaushish the case was discussed in the Technical Committee on 13.6.1985 where he was called personally to present his case. On the Technical Committee decision, he was asked to submit certain detailed information but he went to the Court. On 17.7.1986, L.S. Datta on a representation from Shri DC Kaushish gave his remarks that if any sanction is issued, it should be held in abeyance. L.S. was informed that the Court has already stayed demolition.

5. On 31.10.1989, the matter was referred to CLA and opinion was obtained which is as under

"Development of land has to conform strictly to the plan marked 'B'. As observed by Sh SD Sharma, Legal Advisor the plan refers to specify areas for the purpose of hotels, warehouse and flats on specific floors. I am in agreement with him that FAR has to be worked out only on the basis of the plan marked 'B' and is not permissible to calculate FAR on any other basis. The detailed building plans for development of land have to be based on the plan marked 'B' as stipulated in the agreement and therefore should not deviate in any manner from the plan marked 'B'. I also find that only 3 storeyed construction i.e. upto 2nd floor construction is envisaged in the plan marked 'B'. Any construction beyond 2nd floor cannot be allowed as it will be going contrary to the terms and conditions of the agreement".



ITEM  
NO.  
77/93

SUB, Directions under section 41(3),  
D.D. Act-1957 - Shri D.C. Kaushish  
M/s. Storage & General Service Pvt.  
Ltd.  
(F.No. S-6(30)/49/Pt.306/OR-113/93).

P R E C I S

United Province Town Improvement (UPTI) leased out the property under consideration measuring 5444 sq. yds to Shri D.C. Kaushish on 17.9.1931. The lease was registered on 16.1.1932. Later, because of an agreement between DIT & UPTI, the DIT became the owner (lessor) of the property.

2. The said property became part of the Development-cum-Slum Clearance <sup>Scheme</sup> known as Rasti Ara Khashan Scheme, and thus the property was notified for acquisition. The lessor ordered to terminate the lease to compulsory acquire the land and to develop the area in accordance with the said scheme. Later, after considering the objections and representations made by the lessee, the lessor vide Resolution No.156 dated 17th May, 1955 derequisitioned the plot and it was agreed that the said property be leased out in favour of Shri DC Kaushish with tripartite agreement registered on 27.5.55 between the President of India, Delhi Improvement Trust and Shri DC Kaushish. The tripartite agreement is placed (App. 'RK' F.No.144-146). The site was developed as per tripartite agreement and completion certificate for the new Cinema building was issued in 16.9.1969.

3. On 7.1.1985, Shri DC Kaushish submitted the addition and alteration proposal for 13 storeyed building with 495 FAR with few documents at the dal counter which is not meant for receiving the building plans to be considered for sanction. On 2.2.1985 <sup>within thirty days</sup>

Shri Kaushish was informed to submit certain documents by 17.2.1985 without which the plans would be deemed as rejected. He was also advised not to take up construction till plans are finally sanctioned. Shri Kaushish claimed in a letter dated 12.3.1985 that his plans would be deemed to have been sanctioned; and he is undertaking the construction accordingly as per the building bye laws. The letter of rejection, in fact, was issued on 28.2.1985 and the same was received by Shri Kaushish on 16.3.1985.

4. On the representation of Shri Kaushish the case was discussed in the Technical Committee on 13.6.1985 where he was called personally to present his case. On the Technical Committee decision, he was asked to submit certain detailed information but he went to the Court. On 17.7.1986, L.G Delhi on a representation from Shri DC Kaushish gave his remarks that if any sanction is issued, it should be held in abeyance. L.G was informed that the Court has already stayed demolition.

5. On 31.10.1989, the matter was referred to CLA and opinion was obtained which is as under

"Development of land has to conform strictly to the plan marked 'B'. As observed by Sh SD Sharma, Legal Advisor the plan refers to specify areas for the purpose of hotels, warehouse and flats on specific floors. I am in agreement with him that FAR has to be worked out only on the basis of the plan marked 'B' and is not permissible to calculate FAR on any other basis. The detailed building plans for development of land have to be based on the plan marked 'B' as stipulated in the agreement and therefore should not deviate in any manner from the plan marked 'B'. I also find that only 3 storeyed construction i.e. upto 2nd floor construction is envisaged in the plan marked 'B'. Any construction beyond 2nd floor cannot be allowed as it will be going contrary to the terms and conditions of the agreement".



\*Plan marked B is part of the tripartite agreement.

6. In the Master Plan for Delhi Perspective 2001, the property is part of Special Area and its land use is 'residential'.

7. In October, 1992, Govt. of India had issued directions under section 41(3) DD Act (App. 'LL' Page No. 147-152).

"The condition of deemed sanction would clearly imply that whatever the plans earlier submitted even to the extent of gross deviations from the permissible Unified Bldg. Bye Laws would stand sanctioned owing to the delinquency of the DDA. Shri Kaushish has, however, in his application to the Govt. agreed to any reasonable restriction imposed by the Govt. The Govt. would therefore direct that the plans submitted by Shri Kaushish on 9.1.85 modified to the extent of limiting the height to the maximum allowable FAR of 300 is deemed to be sanctioned together with any incidental internal changes made necessary by reducing the FAR.

There would be no material change in the tripartite agreement except that the parties be now bound by the proposed constructions. Till the remaining duration of the lease period unless otherwise modified as per contract.

The deemed sanction shall operate from date of submission of modified plan to DDA for a period of 3 years. Shri Kaushish shall withdraw the case from the High Court of Delhi thus vacating any injunction.

The case has been seen by the Ministry of Law and directions issued with the concurrence of the Minister of Urban Development.

8. In view of the directions received from the Ministry a note

giving the facts was prepared by the Planning Department of the DDA (App.

'MM' P.No. 153-166) This was referred to the CLA who has given his opinion.

as in (App. 'NN' P.No. 167-173). The important observations are:

1. Within 15 days of the alleged letter dated 12.3.85 the building plans were rejected and therefore benefit of deemed sanction cannot be claimed
2. Even if it is presumed that the provisions of deemed sanction are applicable in this case the applicant/lessee is not entitled to carry out any such construction which is not in accordance with the site plan marked 'B' annexed to the tripartite agreement dated 27.5.55.

9. The above details are brought to the notice of the Authority and submitted that:

- (i) Sanction of building plans cannot be considered under the 'deemed sanction' clause as also opined by the CLP.
- (ii) The building plans can be considered for sanction as per land use and development control prescribed in MPD 2001 within the frame work of tripartite agreement and if necessary with suitable changes in the said agreement.
- (iii) Alternatively, if the directions issued by the Ministry of Urban Development are to be implemented for sanction of building plan on higher FAR, the development control regulations and land use of MPD 2001 need to be modified under section 11A of the Delhi Development Act and also the tripartite agreement require amendment incorporating the terms and conditions on which the building-plan sanction is to be accorded.

The case is put up to the Authority for consideration.

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#### RESOLUTION

The Authority resolved that in view of the directions issued under section 41(3) of Delhi Development Act by the Central Government issues referred in para 9(i) and (ii) stand superseded. Further resolved that issue contained in para 9(iii) of the agenda note be referred to the MOUD for consideration. It was explained that many files on the subject were busy in court cases and it took some time to get them back. The Authority desired the directives of the Govt. should be dealt with most expeditiously on priority basis.

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*Verified*  
*J.*

*Atk SEP*

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H. K. BARRAR  
Assistant Secretary  
Delhi Development Authority



APPENDIX CO TO ITEM NO. 119/93



संख्या :  
No.  
प्रेषक :  
From  
सेवा में  
To

720(7)93-KP/497 to 500  
ANIL BARAI  
DY. DIR. (MP)

DELHI DEVELOPMENT AUTHORITY  
विकास, मीनार  
VIKAS MINAR  
एस्टेट  
J.P. ESTATE IP ESTATE

नई दिल्ली  
New Delhi-110002..... 199...

Sh. R. Banerjee  
Dy. Secy. to the Govt. of India  
Ministry of Urban Development  
Nirman Bhawan, New Delhi,

Sub: Directions under section 41 (3) DD Act 1957  
Sh. D.C. Kaushik, M/s Storage & General Service  
Pvt. Ltd.

Sir,

I am directed to forward a copy of the DDA Resolution no. 77/93 dt. 8.6.93 on the above subject wherein the Authority resolved that "if the directions issued by the Ministry of Urban Development are to be implemented for sanction of building plan on higher FAR, the development control regulations and land use of MPD-2001 need to be modified under section 11 A of the Delhi Development Act and also the tripartite agreement requires amendment incorporating the terms and conditions on which the building plan sanction is to be accorded".

The above decision of the Authority is referred for the consideration so as to process the matter accordingly.

Yours faithfully,

(ANIL BARAI)  
DY. DIR. (MP)

Copy to:

1. Secy. DDA with reference to Authority Res. no. 77/93 dt. 8.6.93 with reference to Action taken report.
2. Dir. (Lands) with a copy of Authority Res. no. 77/93 dt. 8.6.93 for amendment in tripartite agreement incorporating the terms and conditions on which building plans sanction is to be accorded after the reply is received from the Min.
3. Jt. Dir. (Bldg.) With a copy of Authority Res. No. 77/93 dt. 8.6.93

DI. DIR. (MP)

APPENDIX ' PP ' TO ITEM NO. 119/93

No.K-12016/28/87-DDIIA/VA/IB  
Government of India  
Ministry of Urban Development  
(Delhi Division)  
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New Delhi, dated 23.7.1993

OFFICE MEMORANDUM

Subject: Directions under section 41 (3) DD Act, 1957 Sh.  
D.C. Kaushish, M/s Storage & General Services  
Pvt. Ltd.

8.37/6v  
The undersigned is directed to refer to your letter No.F.20(7)93MP/497, dated 24.6.93 on the above mentioned subject and to say that the matter has been examined in the Ministry and it has been decided to reiterate Ministry's earlier directions to DDA of even number dated 15.10.92 and to state further that there is no case for reconsideration of the FAR in view of the reasons stated in the directions.

2. As regards modification in the land use of Master Plan Delhi 2001 it may be reiterated that the Zonal Development Plan for the Kadamshariff area at the time of deemed sanction clearly states that the land from Sheila Cinema onwards is commercial in nature and therefore the DDA has to go by what the Master Plan and Zonal Development Plan prescribed as the land use in 1985. In view of this, the contention of the DDA that according to the Master Plan 2001 the land use is residential is not tenable. Neither does the question of change in land use arise now since the sanction, is deemed to be operative from 1985 itself.

3. Nor does the tripartite agreement need to be recast as a prerequisite of the party being allowed to redevelop. The directions contained in Govts. O.M. dated 15.10.92, are acceptable to the party, and, is binding on the Delhi Development Authority. The agreement of 1955 therefore stands modified in the light of the above.

4. In view of the position explained the DDA are requested to take further necessary action for implementing the directions of the Govt. and process the case of Shri D.C. Kaushish, M/s Storage & General Service Pvt. Ltd., for building plan sanction and the desired amendment of

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the tripartite agreement incorporating the terms and conditions of which the building plan is to be sanctioned.

This issues with the approval UDM.

*S.C. Sagar*  
(S.C. Sagar)  
Under Secretary to the Govt. of India

To

Shri Ranbir Singh,  
Secretary,  
DDA, Vikas Sadan,  
New Delhi.

*hmg*  
Secretary  
Delhi Development Authority

*[Signature]*  
Chairman,  
Delhi Development Authority

